The documents related to the appeal of the Planning Commission denial of Conditional Use Permit for a Bed and Breakfast Inn at 3770 N HWY 224, Colby School, are located on Summit County's website here:

https://www.summitcounty.org/973/Land-Use-Appeals

Or, the direct link is:

https://summitcounty.org/DocumentCenter/View/11405/Colby-School-Hoffvest-Appeal-PDF

MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT, UTAH

REGIONAL WATER SUPPLY COST OF SERVICE AND RATE DESIGN STUDY

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SECTION 1: EXECUTIVE SUMMARY

Mountain Regional Water Special Service District (the "District") commissioned Lewis Young Robertson & Burningham, Inc. ("LYRB") to review the existing utility rates for their wholesale water ("Regional Water Supply") supplied to Weber Basin Water Conservancy District ("WB") and provide a proposed rate schedule based on changes in forecasted expenses, capital improvements and bonding needs. The primary objectives of the rate analysis were to ensure sufficient revenues to cover all allocated operation and maintenance ("O&M") expenses, maintain bond covenants, ensure appropriate debt service coverage ratios, and provide sufficient revenue to fund allocated capital costs.

This analysis attempts to allocate total costs to Regional Water Supply customers for a five-year period, with the model extending beyond that timeframe for future planning purposes. The elements considered in this analysis include O&M, debt service, and an allocation of future capital expenses as well as net depreciation. The following table illustrates the total allocated costs divided by the projected Regional Water Supply demand. In addition to the District's allocated cost, the WB Lease fees are included, resulting in a combined cost per acre feet ("AF"). This is then converted into a cost per 1,000 gallons ("Gal").

TABLE 1.1: REGIONAL WATER SUPPLY RATE CALCULATION

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Total Allocated Costs	$1,089,177	$1,070,367	$482,148	$509,937	$353,156	$137,624	$572,271	$198,370	-	-
Total Demand (Ac. Ft)	700.00	700.00	300.00	300.00	200.00	75.00	300.00	100.00	-	-
MR Cost per Ac. Ft.	$1,555.97	$1,529.10	$1,607.16	$1,699.79	$1,765.78	$1,834.99	$1,907.57	$1,983.70	-	-
WB Lease Fee per Ac. Ft.	$357.29	$383.12	$395.57	$408.43	$421.70	$435.41	$449.56	$464.17	-	-
Combined Cost per Ac. Ft.	$1,913.26	$1,912.22	$2,002.73	$2,108.22	$2,187.48	$2,270.40	$2,357.13	$2,447.87	-	-
Calculated Cost per 1,000 Gal	$5.87	$5.87	$6.15	$6.47	$6.71	$6.97	$7.23	$7.51	-	-
Recommended Rate per 1,000 Gal	$5.87	$5.95	$6.25	$6.57	$6.90	$7.25	$7.43	$7.62	$0.00	$0.00
Recommended Cost per Acre Foot	$1,913.26	$1,938.81	$2,037.00	$2,140.16	$2,248.55	$2,362.42	$2,421.48	$2,482.02	$0.00	$0.00
Revenues	$1,339,280	$1,357,169	$611,100	$642,048	$449,709	$177,181	$726,444	$248,202	$0	-
Expense	$1,339,280	$1,338,552	$600,820	$632,465	$437,497	$170,280	$707,139	$244,787	$0	$0
Surplus/Deficit	$0	$18,617	$10,280	$9,583	$12,213	$6,902	$19,305	$3,415	$0	-
Cumulative	$0	$18,617	$28,897	$38,480	$50,693	$57,595	$76,900	$80,315	$80,315	$80,315
Days of Cash	-	5	18	22	42	123	40	120	NA	NA
Retail Rate Target Days of Cash on Hand	120	120	120	120	120	120	120	120	120	120

As shown in Table 1.1, the calculated cost per 1,000 Gal fluctuates from year to year based on actual cash needs, plus an estimate of depreciation and capital expense. The recommended rate schedule ensures Regional Water Supply customers provide for the same financial targets as established in the retail rate analysis by maintaining a minimum of 120 days of unrestricted cash balance within the planning horizon (2025). This approach also ensures that Regional Water Supply customers pay for a proportionate share of historic and future investment in capital infrastructure.

SECTION 2: REGIONAL WATER SUPPLY RATE STUDY METHODOLOGY

According to the American Water Works Association ("AWWA") "there are three generally accepted methods for establishing the revenue requirements to be recovered from wholesale service delivery: the Cash-Needs approach, the Utility-Basis approach, and a hybrid of these two generally accepted methods" (AWWA Manual M1 p. 301). The District services wholesale customers and may use these methodologies to determine applicable rates. Cost-based principles to set outside wholesale rates are the most accepted rate setting methodology. For the purposes of the Regional Water Supply analysis, we use a modified Cash-Needs approach. The following table summarizes the two approaches.

TABLE 2.1: RATE METHODOLOGY COMPARISON

CASH-NEEDS APPROACH	UTILITY-BASIS APPROACH
+ Operation & Maintenance Expenses	+ Operation & Maintenance Expenses
+ Taxes/Transfer Payments	+ Taxes/Transfer Payments
+ Debt Service	+ Net Depreciation Expense
+ Capital Improvements Funded from Rates	+ Return on Investment (Rate Base)
= Total Revenue Requirements	= Total Revenue Requirements
Source: AWWA Manual M1	

Under the Cash-Needs approach, rates are determined using operations and maintenance expenses ("O&M"), debt service, contributions to reserves, transfers, and capital expenses. For the purposes of this analysis, the Cash-Needs approach is modified to include net depreciation (depreciation less bond principal) and to amortize future capital and debt expenditures to smooth the rate and ensure Regional Water Supply customers pay for their proportionate impact on the system. Recognizing the demand of these customers will phase out by 2028, allocating full capital expenses in the year they are incurred appeared to impact the Regional Water Supply customers disproportionately. Under this modified approach, the rate is evaluated through budgeting oversight and the review of elected officials, who act as representatives of the customers and the utility. Under the Utility-Basis approach, oversight is often provided by state commissions through rules and regulations.

This analysis attempts to allocate total costs to Regional Water Supply customer for a five-year period, with the model extending beyond that timeframe for future planning purposes. The following steps are identified by AWWA when determining wholesale rates under a modified Cash-Needs approach:

- Estimating and allocating water demand; and,
- Determining applicable wholesale costs.

ALLOCATING DEMAND

This analysis identifies the different water demands between retail, Regional Water Supply, and other customers. These demands are usually expressed in two ways: reserved capacity (as a share of total capacity) and actual capacity used by the Regional Water Supply customer. Future demand is identified based on the different customers and an allocation strategy is provided based on proportionate impact of the Regional Water Supply demand relative to the total demand served by functional component.

DETERMINING REGIONAL WATER SUPPLY COSTS

When determining the appropriate Regional Water Supply rate, the following elements are considered in this analysis:

- O&M Expense (Including Net Depreciation)
- Amortized Capital Costs
- Amortized Debt Expense

RATE DESIGN OBJECTIVES

The following objectives are generally considered when establishing rates:

- Is the Rate Fair and Reasonable
- Does the Rate Recover the Appropriate Cost of Service (Present/Future Costs)
- Does the Rate Promote Efficient Use of Resources
- Does the Rate Consider Affordability
- Does the Analysis Establish Stable Rates and Revenues
- Ensure the Rates do not Discriminate Against Any One Class or Type of Customer
- Ensure the Rates are Simple and Easy to Understand

While not all these elements are considered in the Regional Water Supply rate analysis, the District's objective is to establish a rate that fairly and reasonably allocates the appropriate cost of service, while promoting efficient use of resources and maintaining financial benchmarks.

REGIONAL WATER SUPPLY RATE UPDATES

According to AWWA, rate updates are conditioned upon the pattern of historic updates and the volatility in analysis assumptions. Where there is limited demand growth and stable cost elements, a detailed cost-of-service or rate-design analysis may not be needed on an annual or biannual basis. However, entities that experience significant year-to-year changes in assumptions may need to update their analysis more frequently. (AWWA Manual M1 p. 310).

SECTION 3: ESTIMATING AND ALLOCATING WATER DEMAND

The demand data used in this analysis is acre feet ("AF") of water by customer. The demand variables include Promontory Raw Water, Promontory Culinary Water, Mountain Regional Treated Water ("MRW") and Summit Treated Water. A total of 2,900 AF of raw water is assumed in 2020, with 1,585 treated acre feet of water, for a total of 4,485 AF of water.

TABLE 3.1: DEMAND ASSUMPTIONS

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Park City Raw	2,250	2,250	2,250	1,500	1,500	1,500	1,500	1,500	1,500	1,500
Promontory Raw	650	650	650	650	650	650	650	650	650	651
Total Raw	2,900	2,900	2,900	2,150	2,150	2,150	2,150	2,150	2,150	2,151
Promontory Treated	205	209	213	218	222	226	231	235	240	245
MRW Treated	280	452	852	852	952	1,077	1,252	1,452	1,552	1,552
Summit Treated (Regional Water Supply + Settlement Water)	1,100	1,100	700	700	600	475	300	100	-	-
Total Treated	1,585	1,761	1,765	1,770	1,774	1,778	1,783	1,787	1,792	1,797
Combined Total	4,485	4,661	4,665	3,920	3,924	3,928	3,933	3,937	3,942	3,948

As the allocation to Summit Water decreases over time, this water will convert to MRW treated water. The demand variable specifically isolated for the analysis is 700 AF of non-settlement Regional Water Supply, as shown below, referred to in this analysis as "Regional Water Supply". Regional Water Supply is projected to decline from 700 AF in 2020, to 75 AF in 2025.

TABLE 3.2: REGIONAL WATER SUPPLY DEMAND

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Non-Settlement Regional Water Supply Water	700	700	300	300	200	75	300	100	-	-

In order to accurately allocate functional cost components, the Regional Water Supply is evaluated relative to the total District water production, the percentage of the distribution system capacity, and as a percentage of treated water demand. In addition, the Regional Water Supply is evaluated relative to the total demand served by the Mountain Regional ("MR") Interconnect (1,100 AF) and the total demand served by the Silver Creek pump station (1,885 AF). The proportional impact of the Regional Water Supply relative to these metrics can be found below.

TABLE 3.3: ALLOCATION STRATEGIES

ALLOCATION STRATEGIES	ALLOCATION STRATEGY	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Regional Water Supply as Percent of Total Projected Lost Canyon Production	1	15.6%	15.0%	6.4%	7.7%	5.1%	1.9%	7.6%	2.5%	0.0%	0.0%
Regional Water Supply as Percent of All Potable Deliveries	2	23.3%	23.3%	10.0%	10.0%	6.7%	2.5%	10.0%	3.3%	0.0%	0.0%
Regional Water Supply as Percent of All Treatment Plant Production	3	44.2%	39.7%	17.0%	17.0%	11.3%	4.2%	16.8%	5.6%	0.0%	0.0%
Regional Water Supply as Percent of MR Interconnect	4	63.6%	63.5%	27.1%	27.0%	18.0%	6.7%	26.8%	8.9%	0.0%	0.0%
Regional Water Supply as Percent of Total Projected Lost Canyon Production Less Park City Raw	9	31.3%	29.0%	12.4%	12.4%	8.3%	3.1%	12.3%	4.1%	0.0%	0.0%
Administrative Allocation	11	5.0%	4.8%	2.1%	2.5%	1.6%	0.6%	2.4%	0.8%	0.0%	0.0%
Regional Water Supply as Percent of Silver Creek Pump Station Production	12	37.1%	37.1%	15.9%	15.9%	10.6%	4.0%	15.9%	5.3%	0.0%	0.0%
No Cost	14	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

In addition, this analysis uses an administrative allocation based on the District's original estimates of direct and indirect administrative costs related to the 700 AF of Regional Water Supply. As the Regional Water Supply water declines over time, the percentage allocation experiences a similar decline.

SECTION 4: DETERMINING APPLICABLE COST

This analysis evaluates the direct and indirect cost related to the Regional Water Supply demand. When determining the appropriate Regional Water Supply rate, the following elements are considered:

- O&M Expense (Including Net Depreciation)
- Amortized Capital Costs
- Amortized Debt Expense

Specifically, the costs included in this analysis are identified based on the following functional components: Administrative Overhead, Remaining Lost Canyon Operating, Signal Hill Water Treatment, Distribution, Debt, and Capital Projects. These costs assume 2020 budget figures as provided by District staff. Cost are then forecasted into the future based on projected growth rates as presented in the District's retail rate analysis. A description of each expenditure category is provided below.

ADMINISTRATIVE OVERHEAD

Administrative Overhead costs are necessary for the daily operation of the utility and should be allocated between retail and Regional Water Supply customers based on the overall need or reason for the costs. A summary of the Administrative Costs can be found below.

TABLE 4.1: ADMINISTRATIVE OVERHEAD COSTS

COST INCLUDED IN ANALYSIS	ALLOCATION STRATEGY	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Administration											
Energy &Technology Mgmt.	11	$557,000	$579,280	$602,451	$626,549	$651,611	$677,676	$704,783	$732,974	$762,293	$792,785
Safety	11	$70,500	$73,320	$76,253	$79,303	$82,475	$85,774	$89,205	$92,773	$96,484	$100,343
Engineering	11	$319,100	$331,864	$345,139	$358,944	$373,302	$388,234	$403,763	$419,914	$436,710	$454,179
Finance	11	$434,300	$451,672	$469,739	$488,528	$508,070	$528,392	$549,528	$571,509	$594,370	$618,144
Legal	11	$67,000	$69,680	$72,467	$75,366	$78,381	$81,516	$84,776	$88,167	$91,694	$95,362
Public Services	11	$516,800	$537,472	$558,971	$581,330	$604,583	$628,766	$653,917	$680,074	$707,276	$735,568
Human Resources	11	$123,000	$127,920	$133,037	$138,358	$143,893	$149,648	$155,634	$161,860	$168,334	$175,067

As stated previously, this analysis uses an administrative allocation based on the District's original estimates of direct and indirect administrative costs related to the 700 AF of Regional Water Supply. As the Regional Water Supply water declines over time, the percentage allocation experiences a similar decline.

ALLOCATION OF ADMINISTRATIVE OVERHEAD

The District evaluated overhead costs applicable to Regional Water Supply customers. District staff provided an average allocation of five percent of these cost to Regional Water Supply customers. As the Regional Water Supply water declines over time, the percentage allocation experiences a proportional decline.

TABLE 4.2: ADMINISTRATIVE OVERHEAD ALLOCATION

ALLOCATION STRATEGIES	ALLOCATION STRATEGY	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Administrative Allocation	11	5.0%	4.8%	2.1%	2.5%	1.6%	0.6%	2.4%	0.8%	0.0%	0.0%

The Regional Water Supply demand relative to total demand is 15.6 percent, which is much higher than the allocation strategy used above. While the allocation percentage established by the District appears conservative, it reflects an estimate of direct cost related to Regional Water Supply demand. A summary of each administrative cost line item evaluated in this analysis follows.

ENERGY & TECHNOLOGY

Energy and Technology includes:

- Energy Monitoring (LC pumping, substation, generators, treatment plant operation, on-peak pumping, VFD settings) – Allocated as a proportion of energy consumption.
- SCADA & Communications Support (general support and troubleshooting, alarm responses, research and investigation of usage irregularities, supporting network disruptions to enable continued water delivery).
- Department Administration, Supplies, Training – Allocated as a proportion of water delivered.
- IT Supplies and Subscriptions/Licensing – Allocated as a proportion of water delivered.
- SCADA Supplies and Subscriptions/Licensing – Allocated as a proportion of water delivered.

ENGINEERING

Engineering includes direct costs specific to Regional Water Supply customers related to:

- Contracts
- Rate analysis
- Public process
- Board, Council, County relations
- Hydraulic engineering and modeling support
- Technical troubleshooting
- Treatment plant support and optimization
- Design work as needed

FINANCE

Finance includes direct costs specific to Regional Water Supply customers related to:

- Rate analysis
- Budgeting
- Public process
- Board, Council, County relations
- Contract invoicing and tracking

- Accounting & financial reporting
- Department administration, fees, supplies, training as a proportion of water delivered
- Audit services as a proportion of water delivered

CUSTOMER SERVICE

Customer Service includes direct costs specific to Regional Water Supply customers related to:

- Staff support related to disruptions or events along conveyance path.
- Supplies and training as a proportion of water delivered
- Additional customer service loading due to service interruptions resulting from increased system demand.

OTHER: LEGAL, HR, SAFETY & RISK MGMT.

Legal, Human Resource, and Safety and Risk Management expense line items were allocated based on a proportion of water delivered.

REMAINING LOST CANYON OPERATING

The Remaining Lost Canyon Operating expense category includes the total budgeted cost related to the Lost Canyon importation project (delivering water from Rockport to Promontory), less contributions from Park City for their allocation which is excluded from this analysis.[1]

TABLE 4.3: LOST CANYON O&M COSTS

COST INCLUDED IN ANALYSIS	ALLOCATION STRATEGY	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Remaining Lost Canyon Operating											
Labor Costs	9	$160,398	$166,814	$173,486	$180,426	$187,643	$195,149	$202,955	$211,073	$219,516	$228,296
Materials & Supplies	9	$5,871	$6,106	$6,350	$6,604	$6,868	$7,143	$7,429	$7,726	$8,035	$8,356
Vehicles	9	$10,374	$10,789	$11,221	$11,669	$12,136	$12,622	$13,126	$13,651	$14,198	$14,765
Power Substation	9	$7,809	$8,121	$8,446	$8,784	$9,135	$9,501	$9,881	$10,276	$10,687	$11,115
Well Field	9	$6,840	$7,114	$7,398	$7,694	$8,002	$8,322	$8,655	$9,001	$9,361	$9,735
Booster Station Electricity	1	$418,670	$452,513	$471,036	$411,571	$428,509	$446,154	$464,535	$483,683	$503,632	$524,549
Booster Station Repairs & Maintenance	9	$70,053	$72,855	$75,769	$78,800	$81,952	$85,230	$88,639	$92,185	$95,872	$99,707
Pipeline	9	$22,572	$23,475	$24,414	$25,390	$26,406	$27,462	$28,561	$29,703	$30,891	$32,127
Holding Pond	9	$1,824	$1,897	$1,973	$2,052	$2,134	$2,219	$2,308	$2,400	$2,496	$2,596
Net Depreciation	9	$57,210	$59,499	$61,879	$64,354	$66,928	$69,605	$72,389	$75,285	$78,296	$81,428

The Remaining Lost Canyon Operating cost component serves the total water production of the District, less the Park City Raw Water demand. The primary allocation strategy for this expense category is based on the Regional Water Supply as a percentage of remaining water production (31.3 percent in 2020). The allocation percentage is adjusted over time to reflect estimated Regional Water Supply delivery relative to total production, less Park City Raw water.

[1] Park City will contribute to the 43 percent of Lost Canyon expenses, including debt and capital related expenses. The exception to this is the Lost Canyon Booster Station Electricity expense, which is allocated based on estimated actual use, rather than the agreement with Park City.

However, the exception to the primary allocation strategy is the Lost Canyon Booster Station Electricity expense, which is allocated based on the proportion of total use, rather than the agreement with Park City.

TABLE 4.4: LOST CANYON O&M ALLOCATION

ALLOCATION STRATEGIES	ALLOCATION STRATEGY	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Regional Water Supply as Percent of Total Projected Lost Canyon Production	1	15.6%	15.0%	6.4%	7.7%	5.1%	1.9%	7.6%	2.5%	0.0%	0.0%
Regional Water Supply as Percent of Total Projected Lost Canyon Production Less Park City Raw	9	31.3%	29.0%	12.4%	12.4%	8.3%	3.1%	12.3%	4.1%	0.0%	0.0%

For the purposes of this analysis, the Cash-Needs approach is modified to include net depreciation (depreciation less bond principal) to ensure all customers contribute to investments made into building and maintaining system infrastructure, without double counting the debt expense which will also pay for existing infrastructure.

SIGNAL HILL WATER TREATMENT

The Signal Hill Water Treatment facility is a component of the Lost Canyon Project. This facility was completed in 2004 and upgraded in 2010 to add some pre-treatment and post-treatment processes and to increase efficiency.

TABLE 4.5: TREATMENT O&M COSTS

COST INCLUDED IN ANALYSIS	ALLOCATION STRATEGY	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Signal Hill Water Treatment Plant											
Labor Costs	3	$358,700	$380,222	$403,035	$427,217	$452,850	$480,022	$508,823	$539,352	$571,713	$606,016
Materials & Supplies	3	$90,000	$95,400	$101,124	$107,191	$113,623	$120,440	$127,667	$135,327	$143,446	$152,053
Vehicles	3	$34,700	$36,782	$38,989	$41,328	$43,808	$46,436	$49,223	$52,176	$55,307	$58,625
Insurance	3	$10,700	$11,342	$12,023	$12,744	$13,509	$14,319	$15,178	$16,089	$17,054	$18,077
Natural Gas	3	$15,000	$15,900	$16,854	$17,865	$18,937	$20,073	$21,278	$22,554	$23,908	$25,342
Electricity	3	$70,500	$74,730	$79,214	$83,967	$89,005	$94,345	$100,006	$106,006	$112,366	$119,108
Repairs & Maintenance	3	$58,000	$61,480	$65,169	$69,079	$73,224	$77,617	$82,274	$87,211	$92,443	$97,990
Water Testing	3	$25,000	$26,500	$28,090	$29,775	$31,562	$33,456	$35,463	$37,591	$39,846	$42,237
Membrane Replacement	3	$60,000	$63,600	$67,416	$71,461	$75,749	$80,294	$85,111	$90,218	$95,631	$101,369
Carbon	3	$75,000	$79,500	$84,270	$89,326	$94,686	$100,367	$106,389	$112,772	$119,539	$126,711
Chemicals	3	$70,000	$74,200	$78,652	$83,371	$88,373	$93,676	$99,296	$105,254	$111,569	$118,264
Net Depreciation	3	$113,880	$120,713	$127,956	$135,633	$143,771	$152,398	$161,541	$171,234	$181,508	$192,398

Signal Hill Treatment serves the total treated water production of the District. The allocation strategy for this expense category is based on the Regional Water Supply water as a percentage of total treatment plant production (44.2 percent in 2020). The allocation percentage is adjusted over time to reflect estimated Regional Water Supply delivery relative to total treated production.

TABLE 4.6: TREATMENT O&M ALLOCATION

ALLOCATION STRATEGIES	ALLOCATION STRATEGY	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Regional Water Supply as Percent of All Treatment Plant Production	3	44.2%	39.7%	17.0%	17.0%	11.3%	4.2%	16.8%	5.6%	0.0%	0.0%

DISTRIBUTION

The Distribution expense category includes labor, materials, insurance, vehicle, and other expenses related to the distribution system. The total Distribution cost for the District is $2,817,000 (2020 Budgeted). An analysis was performed to determine which portions of the District's distribution system are necessary to supply the Mountain Regional Interconnection located on Old Ranch Road, built under the Western Summit County Project Master Agreement, which supplies water to the Summit Water Distribution Company ("SWDC") system. The District utilized its hydraulic model, which includes an inventory of active infrastructure to complete the study. Additional portions of the District's distribution system that have been constructed but are not yet active in the model were also considered.

A downstream 'trace' was completed, which follows the hydraulics and highlights all infrastructure utilized downstream of the trace object in the model. This trace was completed using the Signal Hill Water Treatment Plant as the starting point, which is the origination point for culinary water supplied to SWDC. The Mountain Regional Interconnection was used as the end point for the trace. The hydraulic model trace function allows the user to calculate the length of all traced or highlighted pipes. The length of the highlighted infrastructure can then be compared against the total length of the District's distribution system.

The hydraulic model was used to create the two data sets needed to complete the comparison. These data sets are:

- District Wide Distribution System
- Distribution System Utilized to Serve the Mountain Regional Interconnection

The analysis was adjusted based on the following:

- This analysis excludes all portions of the District's distribution system downstream of the Mountain Regional Interconnection.
- 'Dead ends' and other un-utilized portions of the District's distribution system upstream from the Mountain Regional Interconnection were excluded.
- This analysis considers water lines which are 6-inches or greater in size, apart from the Summit Park area. This limit was chosen to include all distribution mains but exclude water service lines from the analysis. In Summit Park, the distribution system includes 4-inch water lines. These 4-inch lines were isolated and added to the data set.
- Any 6-inch water line segment less than 5 feet was excluded from the analysis to eliminate laterals serving fire hydrants.
- Transmission via Lost Canyon to supply the Signal Hill Water Treatment Plant from Rockport Reservoir was excluded. Secondary or raw water transmission was also excluded as this study is only analyzing culinary water (distribution) infrastructure.

It is important to note that the model assumes all source water originates from the Signal Hill Water Treatment Plant. Demand at the SWDC Interconnect was modeled at a constant 950 gallons per minute ("gpm") for a 24-hour hydraulic model run. This is consistent with the District's contractual obligations under the Western Summit County Project Master Agreement for 2020.

The results showed the District has 992,306 linear feet of active water line in its distribution system, 9.47 percent of which is utilized to serve the Mountain Regional Interconnection. This is slightly lower than the 9.7 percent originally allocated in the District's preliminary Regional Water Supply rate analysis. The Regional Water Supply demand accounts for 63.6 percent of the demand service by the Mountain Regional Interconnection in 2020 with a slight reduction each year forward as growth along the identified trace is experienced. This is the basis for the allocation of the Distribution operational costs.

As shown below, 9.47 percent of the total distribution operating cost is included in this analysis, of which 63.6 percent is allocated to Regional Water Supply customers in 2020. The depreciation expense is further modified to exclude bond principal.

TABLE 4.7: DISTRIBUTION O&M COSTS

COST INCLUDED IN ANALYSIS	ALLOCATION STRATEGY	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Distribution											
Labor Costs	4	$92,815	$96,528	$100,389	$104,405	$108,581	$112,924	$117,441	$122,139	$127,024	$132,105
Materials & Supplies	4	$7,576	$7,879	$8,194	$8,522	$8,863	$9,217	$9,586	$9,969	$10,368	$10,783
Insurance - Property & Liability	4	$5,322	$5,535	$5,756	$5,987	$6,226	$6,475	$6,734	$7,004	$7,284	$7,575
Vehicles	4	$9,176	$9,543	$9,925	$10,322	$10,735	$11,165	$11,611	$12,076	$12,559	$13,061
Natural Gas	4	$133	$138	$143	$149	$155	$161	$168	$174	$181	$189
Electricity	4	$35,228	$36,638	$38,103	$39,627	$41,212	$42,861	$44,575	$46,358	$48,212	$50,141
Repairs & Maintenance	4	$42,142	$43,827	$45,580	$47,403	$49,300	$51,272	$53,322	$55,455	$57,674	$59,980
Lease Fees	4	$60,513	$62,934	$65,451	$68,069	$70,792	$73,624	$76,569	$79,631	$82,817	$86,129
Testing	4	$4,735	$4,924	$5,121	$5,326	$5,539	$5,761	$5,991	$6,231	$6,480	$6,739
Chemicals	4	$1,421	$1,477	$1,536	$1,598	$1,662	$1,728	$1,797	$1,869	$1,944	$2,022
Other Water Fees	4	$474	$492	$512	$533	$554	$576	$599	$623	$648	$674
Net Depreciation	4	$26,830	$27,904	$29,020	$30,180	$31,388	$32,643	$33,949	$35,307	$36,719	$38,188

The allocation strategy for this expense category is based on the Regional Water Supply as a percentage of the demand served by the MR Interconnect (1,100 AF). Similar to the other O&M categories, a portion of net depreciation is allocated to Regional Water Supply customers.

TABLE 4.8: DISTRIBUTION O&M ALLOCATION

ALLOCATION STRATEGIES	ALLOCATION STRATEGY	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Regional Water Supply as Percent of MR Interconnect	4	63.6%	63.5%	27.1%	27.0%	18.0%	6.7%	26.8%	8.9%	0.0%	0.0%

DEBT

The District has four bonds which provide for infrastructure that serves Regional Water Supply customers in some way. The analysis includes the debt payments related to the 2011A, 2012, 2014 and 2019 bonds. One hundred percent of the 2011A bonds is included in this analysis. Approximately 14.39 percent (cumulative) of the 2012 and 2019 bonds is included, with 23 percent of the 2014 bonds. The 2019 bonds refunded a portion of the 2012 bonds; therefore, the same allocation methodology is

applied to both series of debt. See Appendix A for the analysis of applicable debt. Similar to capital expenditures, the debt cost is then amortized based on the original construction year and the estimated useful life of the facility.

TABLE 4.9: DEBT COST

COST INCLUDED IN ANALYSIS	ALLOCATION STRATEGY	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Debt Expense											
2011A Exp 2020 Treatment Plant	3	$54,502	$54,502	$54,502	$54,502	$54,502	$54,502	$54,502	$54,502	$54,502	$54,502
2012 Exp Lost Canyon	9	$7,673	$7,673	$7,673	$7,673	$7,673	$7,673	$7,673	$7,673	$7,673	$7,673
2012 Exp Treatment Plant	3	$12,744	$12,744	$12,744	$12,744	$12,744	$12,744	$12,744	$12,744	$12,744	$12,744
2012 Exp Transmission	2	$15,985	$15,985	$15,985	$15,985	$15,985	$15,985	$15,985	$15,985	$15,985	$15,985
2014 Exp 2020 Silver Creek Tank & Pump Station	12	$91,286	$91,286	$91,286	$91,286	$91,286	$91,286	$91,286	$91,286	$91,286	$91,286
2019 Exp Lost Canyon	9	$80,117	$80,117	$80,117	$80,117	$80,117	$80,117	$80,117	$80,117	$80,117	$80,117
2019 Exp Treatment Plant	3	$133,075	$133,075	$133,075	$133,075	$133,075	$133,075	$133,075	$133,075	$133,075	$133,075
2019 Exp Transmission	2	$166,916	$166,916	$166,916	$166,916	$166,916	$166,916	$166,916	$166,916	$166,916	$166,916

When allocating the debt expense, several allocation methodologies are applied based on demand served, as shown below. In addition, this analysis allocates 1.25 times the debt expense to ensure appropriate debt coverage, as stipulated by the bond documents.

TABLE 4.10: DEBT ALLOCATION

ALLOCATION STRATEGIES	ALLOCATION STRATEGY	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Regional Water Supply as Percent of All Potable Deliveries	2	23.3%	23.3%	10.0%	10.0%	6.7%	2.5%	10.0%	3.3%	0.0%	0.0%
Regional Water Supply as Percent of All Treatment Plant Production	3	44.2%	39.7%	17.0%	17.0%	11.3%	4.2%	16.8%	5.6%	0.0%	0.0%
Regional Water Supply as Percent of Total Projected Lost Canyon Production Less Park City Raw	9	31.3%	29.0%	12.4%	12.4%	8.3%	3.1%	12.3%	4.1%	0.0%	0.0%
Regional Water Supply as Percent of Silver Creek Pump Station Production	12	37.1%	37.1%	15.9%	15.9%	10.6%	4.0%	15.9%	5.3%	0.0%	0.0%

CAPITAL PROJECTS

The District has identified several capital projects that benefit the Regional Water Supply demand, as shown below. For the purposes of this analysis, the construction year costs are amortized over the useful life of the project to ensure Regional Water Supply customers only pay for the benefit received, rather than the full cost of capital in the year it is incurred.

TABLE 4.11: CAPITAL COSTS

DESCRIPTION	YEAR	COST	CONST.YEAR COST	EXPECTED USEFUL LIFE	AMORTIZED EXPENSE
Water Treatment Plant					
pH Adjustment System	2021	$165,000	$169,950	10.00	$16,995
Pre-treatment Optimization	2022	$500,000	$530,450	25.00	$21,218
GAC System Improvements	2022	$150,000	$159,135	50.00	$3,183
Treatment Capacity Expansion*	2024	$1,000,000	$1,125,509	20.00	$56,275
Lost Canyon					
MCC capacitor replacement	2020	$45,000	$45,000	10.00	$4,500
Upgrade to the Peoa shallow wells	2019	$5,150	$5,000	15.00	$333
Upgrade to the Peoa shallow wells	2020	$15,000	$15,000	15.00	$1,000
Pump 1 upgrade to 400 HP	2022	$181,700	$192,766	20.00	$9,638
Other Projects					
Standby power generator at the water treatment plant	2020	$150,000	$150,000	25.00	$6,000
Middle Valley pump station improvements to allow higher rates of water flow from water treatment plant out of Promontory	2020	$5,000	$5,000	20.00	$250
Electrical upgrade at the Spine Rd. booster station	2022	$100,000	$106,090	20.00	$5,305
Total		$2,316,850	$2,503,899		

*Treatment Capacity Expansion costs are excluded from the analysis of Regional Water Supply rates.

TABLE 4.12: AMORTIZED CAPITAL COSTS

DESCRIPTION	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Water Treatment Plant										
pH Adjustment System	-	16,995	16,995	16,995	16,995	16,995	16,995	16,995	16,995	16,995
Pre-treatment Optimization	-	-	21,218	21,218	21,218	21,218	21,218	21,218	21,218	21,218
GAC System Improvements	-	-	3,183	3,183	3,183	3,183	3,183	3,183	3,183	3,183
Treatment Capacity Expansion	-	-	-	-	-	-	-	-	-	-
Lost Canyon										
MCC capacitor replacement	4,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500
Upgrade to the Peoa shallow wells	333	333	333	333	333	333	333	333	333	-
Upgrade to the Peoa shallow wells	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Pump 1 Upgrade to 400 HP	-	-	9,638	9,638	9,638	9,638	9,638	9,638	9,638	9,638
Other Projects										
Standby power generator at the water treatment plant	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000
Middle Valley pump station improvements to allow higher rates of water flow from water treatment plant out of Promontory	250	250	250	250	250	250	250	250	250	250
Electrical upgrade at the Spine Rd. booster station	-	-	5,305	5,305	5,305	5,305	5,305	5,305	5,305	5,305
Total	$12,083	$29,078	$68,422	$68,422	$68,422	$68,422	$68,422	$68,422	$68,422	$68,088

A summary of the capital costs and the allocation strategy used is provided in Table 4.13.

TABLE 4.13: SUMMARY OF CAPITAL COST BY FUNCTION

COST INCLUDED IN ANALYSIS	ALLOCATION STRATEGY	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Capital Projects											
Water Treatment Plant	3	$0	$16,995	$41,396	$41,396	$41,396	$41,396	$41,396	$41,396	$41,396	$41,396
Lost Canyon	9	$3,325	$3,325	$8,819	$8,819	$8,819	$8,819	$8,819	$8,819	$8,819	$8,629
Other Projects	3	$6,250	$6,250	$11,555	$11,555	$11,555	$11,555	$11,555	$11,555	$11,555	$11,555

The Treatment and Other Project costs are allocated based on Regional Water Supply demand as a percentage of treated water, with Lost Canyon capital costs based on Regional Water Supply demand as a percentage of total projected Lost Canyon production, less Park City Raw water.

TABLE 4.14: CAPITAL COST ALLOCATION

ALLOCATION STRATEGIES	ALLOCATION STRATEGY	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Regional Water Supply as Percent of All Treatment Plant Production	3	44.2%	39.7%	17.0%	17.0%	11.3%	4.2%	16.8%	5.6%	0.0%	0.0%
Regional Water Supply as Percent of Total Projected Lost Canyon Production Less Park City Raw	9	31.3%	29.0%	12.4%	12.4%	8.3%	3.1%	12.3%	4.1%	0.0%	0.0%

SUMMARY OF ANALYZED COSTS

Based on the categories discussed above, a total of $4,907,448 in 2021 is analyzed as part of this analysis.

TABLE 4.15: SUMMARY OF TOTAL ANALYZED COST

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Total Analyzed Expenses	$4,689,040	$4,907,448	$5,136,619	$5,260,872	$5,470,198	$5,689,329	$5,918,743	$6,158,942	$6,410,455	$6,673,778

Cost are grown based on the following assumptions, consistent with the retail rate study:

- Lost Canyon expenditures grown at four percent
- Treatment Plant expenditures grown at six percent
- Distribution expenditures grown at four percent
- Administration expenditures grown at four percent

SECTION 5: ALLOCATING COST TO REGIONAL WATER SUPPLY CUSTOMERS

The costs identified in Section 4 are allocated to the Regional Water Supply demand based on the identified allocation strategies. The allocated costs are shown below.

TABLE 5.1: COST ALLOCATION TO REGIONAL WATER SUPPLY CUSTOMERS

COST ALLOCATION	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Administration										
Energy &Technology Mgmt.	$27,850	$27,869	$12,411	$15,363	$10,640	$4,145	$17,223	$5,963	-	-
Safety	$3,525	$3,527	$1,571	$1,944	$1,347	$525	$2,180	$755	-	-
Engineering	$15,955	$15,966	$7,110	$8,801	$6,095	$2,375	$9,867	$3,416	-	-
Finance	$21,715	$21,730	$9,677	$11,979	$8,296	$3,232	$13,429	$4,650	-	-
Legal	$3,350	$3,352	$1,493	$1,848	$1,280	$499	$2,072	$717	-	-
Public Services	$25,840	$25,858	$11,515	$14,254	$9,872	$3,846	$15,980	$5,533	-	-
Human Resources	$6,150	$6,154	$2,741	$3,393	$2,350	$915	$3,803	$1,317	-	-
Lost Canyon Operating										
Labor Costs	$50,237	$48,430	$21,549	$22,371	$15,483	$6,027	$25,027	$8,659	-	-
Materials & Supplies	$1,839	$1,773	$789	$819	$567	$221	$916	$317	-	-
Vehicles	$3,249	$3,132	$1,394	$1,447	$1,001	$390	$1,619	$560	-	-
Power Substation	$2,446	$2,358	$1,049	$1,089	$754	$293	$1,218	$422	-	-
Well Field	$2,142	$2,065	$919	$954	$660	$257	$1,067	$369	-	-
Booster Station Electricity	$65,344	$67,958	$30,290	$31,501	$21,841	$8,518	$35,435	$12,284	-	-
Booster Station Repairs & Maintenance	$21,941	$21,152	$9,411	$9,770	$6,762	$2,632	$10,930	$3,782	-	-
Pipeline	$7,070	$6,815	$3,032	$3,148	$2,179	$848	$3,522	$1,219	-	-
Holding Pond	$571	$551	$245	$254	$176	$69	$285	$98	-	-
Depreciation	$17,918	$17,274	$7,686	$7,979	$5,522	$2,150	$8,926	$3,089	-	-
Signal Hill Water Treatment Plant										
Labor Costs	$158,416	$151,130	$68,494	$72,428	$51,057	$20,245	$85,619	$30,174	-	-
Materials & Supplies	$39,748	$37,919	$17,185	$18,173	$12,811	$5,079	$21,482	$7,571	-	-
Vehicles	$15,325	$14,620	$6,626	$7,007	$4,939	$1,958	$8,283	$2,919	-	-
Insurance	$4,726	$4,508	$2,043	$2,161	$1,523	$604	$2,554	$900	-	-
Natural Gas	$6,625	$6,320	$2,864	$3,029	$2,135	$847	$3,580	$1,262	-	-
Electricity	$31,136	$29,704	$13,462	$14,235	$10,035	$3,979	$16,828	$5,930	-	-
Repairs & Maintenance	$25,615	$24,437	$11,075	$11,711	$8,256	$3,273	$13,844	$4,879	-	-
Water Testing	$11,041	$10,533	$4,774	$5,048	$3,558	$1,411	$5,967	$2,103	-	-
Membrane Replacement	$26,498	$25,280	$11,457	$12,115	$8,540	$3,386	$14,322	$5,047	-	-
Carbon	$33,123	$31,600	$14,321	$15,144	$10,675	$4,233	$17,902	$6,309	-	-
Chemicals	$30,915	$29,493	$13,366	$14,134	$9,964	$3,951	$16,708	$5,888	-	-
Depreciation	$50,294	$47,981	$21,745	$22,995	$16,210	$6,427	$27,182	$9,580	-	-

COST ALLOCATION	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Distribution										
Labor Costs	$59,064	$61,253	$27,224	$28,233	$19,519	$7,591	$31,489	$10,885	-	-
Materials & Supplies	$4,821	$5,000	$2,222	$2,304	$1,593	$620	$2,570	$888	-	-
Insurance - Property & Liability	$3,387	$3,512	$1,561	$1,619	$1,119	$435	$1,806	$624	-	-
Vehicles	$5,840	$6,056	$2,692	$2,791	$1,930	$750	$3,113	$1,076	-	-
Natural Gas	$84	$87	$39	$40	$28	$11	$45	$16	-	-
Electricity	$22,418	$23,249	$10,333	$10,716	$7,409	$2,881	$11,952	$4,132	-	-
Repairs & Maintenance	$26,817	$27,811	$12,361	$12,819	$8,862	$3,447	$14,297	$4,942	-	-
Lease Fees	$38,508	$39,935	$17,749	$18,407	$12,726	$4,949	$20,530	$7,097	-	-
Testing	$3,013	$3,125	$1,389	$1,440	$996	$387	$1,606	$555	-	-
Chemicals	$904	$937	$417	$432	$299	$116	$482	$167	-	-
Other Water Fees	$301	$312	$139	$144	$100	$39	$161	$56	-	-
Depreciation	$17,074	$17,706	$7,870	$8,161	$5,642	$2,194	$9,103	$3,147	-	-
Allocated Debt Expense										
2011A Exp 2020 Treatment Plant	$24,070	$21,663	$9,262	$9,240	$6,145	$2,299	$9,171	$3,049	-	-
2012 Exp Lost Canyon	$2,403	$2,228	$953	$951	$633	$237	$946	$315	-	-
2012 Exp Treatment Plant	$5,628	$5,066	$2,166	$2,161	$1,437	$537	$2,144	$713	-	-
2012 Exp Transmission	$3,730	$3,730	$1,599	$1,599	$1,066	$400	$1,599	$533	-	-
2014 Exp 2020 Silver Creek Tank & Pump Station	$33,899	$33,899	$14,528	$14,528	$9,686	$3,632	$14,528	$4,843	-	-
2019 Exp Lost Canyon	$25,093	$23,260	$9,951	$9,934	$6,611	$2,474	$9,879	$3,287	-	-
2019 Exp Treatment Plant	$58,771	$52,894	$22,615	$22,561	$15,004	$5,612	$22,392	$7,445	-	-
2019 Exp Transmission	$38,947	$38,947	$16,692	$16,692	$11,128	$4,173	$16,692	$5,564	-	-
Capital Projects										
Water Treatment Plant	$0	$6,755	$7,035	$7,018	$4,667	$1,746	$6,966	$2,316	-	-
Lost Canyon	$1,041	$965	$1,095	$1,093	$728	$272	$1,087	$362	-	-
Other Projects	$2,760	$2,484	$1,964	$1,959	$1,303	$487	$1,944	$646	-	-
Total Allocated Expense	$1,089,177	$1,070,367	$482,148	$509,937	$353,156	$137,624	$572,271	$198,370	-	-

A total of $1,070,367 is allocated to Regional Water Supply demand in 2021. The allocated cost declines over time as Regional Water Supply demand decreases.

SECTION 6: REGIONAL WATER SUPPLY RATE ANALYSIS

The primary objectives of the rate analysis were to ensure sufficient revenues to cover all allocated O&M expenses, maintain bond covenants, ensure appropriate debt service coverage ratios, and provide sufficient revenue to fund allocated capital costs.

This analysis attempts to allocate total costs to Regional Water Supply customer for a five-year period, with the model extending beyond that timeframe for future planning purposes. The elements considered in this analysis include O&M, debt service, capital expenses and a portion of depreciation. The following tables illustrate the total allocated costs identified in Section 5, divided by the projected Regional Water Supply demand. In addition to the District's allocated cost, the WB Lease fees are included, resulting in a combined cost per AF. This is then converted into a cost per 1,000 Gal.

TABLE 6.1: REGIONAL WATER SUPPLY RATE CALCULATION

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Total Allocated Costs	$1,089,177	$1,070,367	$482,148	$509,937	$353,156	$137,624	$572,271	$198,370	-	-
Total Demand (Ac. Ft)	700.00	700.00	300.00	300.00	200.00	75.00	300.00	100.00	-	-
MR Cost per Ac. Ft.	$1,555.97	$1,529.10	$1,607.16	$1,699.79	$1,765.78	$1,834.99	$1,907.57	$1,983.70	-	-
WB Lease Fee per Ac. Ft.	$357.29	$383.12	$395.57	$408.43	$421.70	$435.41	$449.56	$464.17	-	-
Combined Cost per Ac. Ft.	$1,913.26	$1,912.22	$2,002.73	$2,108.22	$2,187.48	$2,270.40	$2,357.13	$2,447.87	-	-
Calculated Cost per 1,000 Gal	$5.87	$5.87	$6.15	$6.47	$6.71	$6.97	$7.23	$7.51	-	-
Recommended Rate per 1,000 Gal	$5.87	$5.95	$6.25	$6.57	$6.90	$7.25	$7.43	$7.62	$0.00	$0.00
Recommended Cost per Acre Foot	$1,913.26	$1,938.81	$2,037.00	$2,140.16	$2,248.55	$2,362.42	$2,421.48	$2,482.02	$0.00	$0.00
Revenues	$1,339,280	$1,357,169	$611,100	$642,048	$449,709	$177,181	$726,444	$248,202	$0	-
Expense	$1,339,280	$1,338,552	$600,820	$632,465	$437,497	$170,280	$707,139	$244,787	$0	$0
Surplus/Deficit	$0	$18,617	$10,280	$9,583	$12,213	$6,902	$19,305	$3,415	$0	-
Cumulative	$0	$18,617	$28,897	$38,480	$50,693	$57,595	$76,900	$80,315	$80,315	$80,315
Days of Cash	-	5	18	22	42	123	40	120	NA	NA
Retail Rate Target Days of Cash on Hand	120	120	120	120	120	120	120	120	120	120

As shown in Table 6.1, the calculated cost per 1,000 Gal fluctuates from year to year based on actual cash needs. The recommended rate schedule smooths the volatility in the rate, while ensuring Regional Water Supply customers provide for the same financial targets as established in the retail rate analysis by maintaining a minimum of 120 days of unrestricted cash balance within the contractual horizon (2025).

RATE OBJECTIVES

The District's objective is to establish a rate that fairly and reasonably allocates the appropriate cost of service, while promoting efficient use of resources and maintaining financial benchmarks. The recommended Regional Water Supply rates achieve these objectives, while ensuring the rate is fair and reasonable, recovers the appropriate cost of service, and that the rates are simple and easy to understand.

SECTION 7: SCENARIO IMPACTS ON RETAIL RATE

LYRB also evaluated the impact of the Regional Water Supply rate recommendations relative to the retail rate model and the 2020 adopted and previously proposed phase-in schedule. The analysis below combines the projected Regional Water Supply revenues using the recommended rates with the settlement water revenues. This is then compared to a baseline scenario using the currently adopted Regional Water Supply rate for 2020 and the proposed phased rates through 2027.

TABLE 7.1: SCENARIO ANALYSIS OF PROPOSED RATES COMPARED TO CURRENT ADOPTED RATES

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Scenario Analysis: Recommended Rates										
Recommended Cost per Ac. Ft.	$1,913.26	$1,938.81	$2,037.00	$2,140.16	$2,248.55	$2,362.42	$2,421.48	$2,482.02	-	-
Revenue Needed	$1,339,280	$1,357,169	$611,100	$642,048	$449,709	$177,181	$726,444	$248,202	-	-
Settlement Water Rate	$4.11	$4.27	$4.45	$4.62	$4.81	$5.00	$0.00	$0.00	-	-
Settlement Water Revenue	$535,699	$557,127	$579,412	$602,589	$626,692	$651,760	-	-	-	-
Combined Revenue Needed	$1,874,980	$1,914,296	$1,190,512	$1,244,637	$1,076,401	$828,941	$726,444	$248,202	-	-
Baseline Scenario (Assumes Previously Adopted 2020 Rate and Proposed Phase-In Schedule)										
Current Regional Water Supply Rate Schedule	$5.00	$5.65	$6.15	$6.40	$6.40	$6.40	$6.40	$6.40	-	-
Revenue Estimate	$1,140,479	$1,288,741	$601,195	$625,634	$417,089	$156,408	$625,634	$208,545	-	-
Baseline Revenue Estimate	$1,676,178	$1,845,868	$1,180,607	$1,228,222	$1,043,781	$808,168	$625,634	$208,545	-	-

As shown in Table 7.2, the current adopted rates do not achieve the necessary revenues to cover the allocated expense as defined in this analysis, with a cumulative deficit of $148,141 from 2021 to 2025. Without an adjustment to the Regional Water Supply rates, this deficit will need to be recovered within the retail rate structure.

TABLE 7.2: REVENUE SUMMARY BY SCENARIO

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Scenario 1: Baseline (Current Adopted Rates)	$1,676,178	$1,845,868	$1,180,607	$1,228,222	$1,043,781	$808,168	$625,634	$208,545	-	-
Scenario 2: Revised (Based on Calculated Rates)	$1,874,980	$1,914,296	$1,190,512	$1,244,637	$1,076,401	$828,941	$726,444	$248,202	-	-
Difference	NA	($68,429)	($9,905)	($16,415)	($32,620)	($20,773)	($100,810)	($39,657)	-	-

APPENDIX A: ALLOCATION OF DEBT

TABLE A.1: ALLOCATION OF 2012 AND 2019 BONDING

	2012 & 2019 BOND ALLOCATION STRATEGY		
	LOST CANYON SYSTEM	TREATMENT PLANT	DISTRIBUTION
Total Component Cost	$1,252,251.00	$1,185,590.00	$1,487,090.00
Total Bond Series Debt	27,270,000		
Percentage of Total Bond Series	4.59%	4.35%	5.45%

TABLE A.2: ALLOCATION OF 2014 BONDS

Series 2014 Bond Total	$8,637,295.81
MRW Portion	$4,387,296.00
MRW Portion - Silver Creek Tank & Pump Station	$1,976,712.00
MRW as Percentage of Total	22.89%

MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT

REGIONAL WATER SUPPLY COST OF SERVICE AND RATE DESIGN STUDY

PREPARED BY LEWIS YOUNG ROBERTSON & BURNINGHAM INC.

AUGUST 2020

BACKGROUND

- In 2013, the Western Summit County Project Master Agreement (WSCPMA) was signed with principal parties Weber Basin, Park City Water, Mountain Regional Water, and Summit Water Distribution Company.

- The WSCPMA provided a structure for the utilization of existing water resources across the Park City area first before a new importation project is built.

- In 2015, the District began providing a **"Regional** Water **Supply"** to Weber Basin, Weber Basin has in turn provided this water to Summit Water Distribution Company.

BACKGROUND (CONTINUED)

- In 2019, the District performed an internal rate study to evaluate cost recovery of **it's** Regional Water Supply.
  - Results indicated a rate increase to Weber Basin was needed to adequately recapture District costs of delivery
  - As part of the **District's** 2020 budget process, the County Council recommended stepping in the needed rate increase over time, beginning at a rate of $5.00/1,000 gallons or $1,629/acre-foot.
  - The District promised to contract with an independent third-party financial adviser to evaluate the Regional Water Supply rate in 2020 and provide their recommendations.

RATE STUDY OVERVIEW

- ❑ Purpose & Objectives of the Rate Study
- ❑ Rate Methodologies
- ❑ Cost Allocation Strategies
- ❑ Rate Recommendations
- ❑ Impact of Rate Recommendations on Retail Rate Model
- ❑ Next steps for Mountain Regional Water SSD

PURPOSE

- To review the existing utility rates for wholesale water **("Regional** Water **Supply")** and provide a proposed rate schedule based on changes in forecasted expenses, capital improvements, debt and an allocation of depreciation.

PRIMARY OBJECTIVES

- Ensure sufficient revenues to cover all allocated operation and maintenance **("O&M")** expenses
- Maintain bond covenants
- Ensure appropriate debt service coverage ratios
- Provide sufficient revenue to fund allocated costs

RATE METHODOLOGIES:

CASH-NEEDS APPROACH	UTILITY-BASIS APPROACH	HYBRID APPROACH (RECOMMENDED)
+ Operation & Maintenance Expenses	+ Operation & Maintenance Expenses	+ Operation & Maintenance Expenses and Net Depreciation
+ Taxes/Transfer Payments	+ Taxes/Transfer Payments	+ Taxes/Transfer Payments
+ Debt Service	+ Net Depreciation Expense	+ Amortized Debt Service
+ Capital Improvements Funded from Rates	+ Return on Investment (Rate Base)	+ Amortized Capital Expense
= Total Revenue Requirements	= Total Revenue Requirements	= Total Revenue Requirements

Source: AWWA Manual M1, all three approaches are common industry standards

Included Costs

- ❑ Lost Canyon System Operation (less Park City portion)
- ❑ Signal Hill Water Treatment Plant Operation
- ❑ Distribution System Operation
- ❑ Administration
- ❑ Amortized Debt Expenses
- ❑ Amortized Capital Projects & Net Depreciation

COST ALLOCATION

- Demand Unit = Acre Feet (**"AF"**)
- The demand variable specifically isolated for the analysis is 700 AF of non-settlement Regional Water Supply.
- Regional Water Supply is projected to decline from 700 AF in 2020, to 75 AF in 2025.

ALLOCATION STRATEGIES

ALLOCATION STRATEGIES	STRATEGY #	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Regional Water Supply as Percent of Total Projected Lost Canyon Production	1	15.6%	15.0%	6.4%	7.7%	5.1%	1.9%	7.6%	2.5%	0.0%	0.0%
Regional Water Supply as Percent of all Potable Deliveries	2	23.3%	23.3%	10.0%	10.0%	6.7%	2.5%	10.0%	3.3%	0.0%	0.0%
Regional Water Supply as Percent of all Treatment Plant Production	3	44.2%	39.7%	17.0%	17.0%	11.3%	4.2%	16.8%	5.6%	0.0%	0.0%
Regional Water Supply as Percent of MR Interconnect	4	63.6%	63.5%	27.1%	27.0%	18.0%	6.7%	26.8%	8.9%	0.0%	0.0%
Regional Water Supply as Percent of Total Lost Canyon Production Less Park City Raw	9	31.3%	29.0%	12.4%	12.4%	8.3%	3.1%	12.3%	4.1%	0.0%	0.0%
Administrative Allocation	11	5.0%	4.8%	2.1%	2.5%	1.6%	0.6%	2.4%	0.8%	0.0%	0.0%
Regional Water Supply as Percent of Silver Creek Pump Station Production	12	37.1%	37.1%	15.9%	15.9%	10.6%	4.0%	15.9%	5.3%	0.0%	0.0%
No Cost	14	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

RATE RECOMMENDATIONS

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Total Allocated Costs	$1,089,177	$1,070,367	$482,148	$509,937	$353,156	$137,624	$572,271	$198,370	-	-
Total Demand (Ac. Ft)	700.00	700.00	300.00	300.00	200.00	75.00	300.00	100.00	-	-
MR Cost per Ac. Ft.	$1,555.97	$1,529.10	$1,607.16	$1,699.79	$1,765.78	$1,834.99	$1,907.57	$1,983.70	-	-
WB Lease Fee per Ac. Ft.	$357.29	$383.12	$395.57	$408.43	$421.70	$435.41	$449.56	$464.17	-	-
Combined Cost per Ac. Ft.	$1,913.26	$1,912.22	$2,002.73	$2,108.22	$2,187.48	$2,270.40	$2,357.13	$2,447.87	-	-
Calculated Cost per 1,000 Gal	$5.87	$5.87	$6.15	$6.47	$6.71	$6.97	$7.23	$7.51	-	-
Recommended Rate per 1,000 Gal	$5.87	$5.95	$6.25	$6.57	$6.90	$7.25	$7.43	$7.62	$0.00	$0.00
Recommended Cost per Acre Foot	$1,913.26	$1,938.81	$2,037.00	$2,140.16	$2,248.55	$2,362.42	$2,421.48	$2,482.02	-	-
Revenues	$1,339,280	$1,357,169	$611,100	$642,048	$449,709	$177,181	$726,444	$248,202	-	-
Expense	$1,339,280	$1,338,552	$600,820	$632,465	$437,497	$170,280	$707,139	$244,787	-	-
Surplus/Deficit	$0	$18,617	$10,280	$9,583	$12,213	$6,902	$19,305	$3,415	-	-
Cumulative	$0	$18,617	$28,897	$38,480	$50,693	$57,595	$76,900	$80,315	$81,498	$81,498
Days of Cash	-	5	18	22	42	123	40	120	NA	NA
Retail Rate Target Days of Cash on Hand	120	120	120	120	120	120	120	120	120	120

WSCPMA Contractual Period

RATE RECOMMENDATIONS (CONTINUED)

- The recommended rate schedule smooths the volatility in the rate, while ensuring Regional Water Supply customers provide for the same financial targets as established in the retail rate analysis.

- Goal to maintain a minimum of 120 days of unrestricted cash balance within the planning horizon (2021-2025).

Impact of Rate Recommendations on Retail Rate Model

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Scenario Analysis: Recommended Rates										
Recommended Rate per 1,000 Gal	$5.87	$5.95	$6.25	$6.57	$6.90	$7.25	$7.43	$7.62	-	-
Recommended Cost per Ac. Ft.	$1,913.26	$1,938.81	$2,037.00	$2,140.16	$2,248.55	$2,362.42	$2,421.48	$2,482.02	-	-
Revenue Needed	$1,339,280	$1,357,169	$611,100	$642,048	$449,709	$177,181	$726,444	$248,202	-	-
Settlement Water Rate	$4.11	$4.27	$4.45	$4.62	$4.81	$5.00	$0.00	$0.00	-	-
Settlement Water Revenue	$535,699	$557,127	$579,412	$602,589	$626,692	$651,760	-	-	-	-
Combined Revenue Needed	$1,874,980	$1,914,296	$1,190,512	$1,244,637	$1,076,401	$828,941	$726,444	$248,202	-	-
Baseline Scenario (Assumes Previously Adopted 2020 Rate and Proposed Phase-In Schedule)										
Current Regional Water Supply Rate Schedule	$5.00	$5.65	$6.15	$6.40	$6.40	$6.40	$6.40	$6.40	-	-
Revenue Estimate	$1,140,479	$1,288,741	$601,195	$625,634	$417,089	$156,408	$625,634	$208,545	-	-
Baseline Revenue Estimate	$1,676,178	$1,845,868	$1,180,607	$1,228,222	$1,043,781	$808,168	$625,634	$208,545	-	-

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Scenario 1: Baseline (Previously Adopted 2020 Rate and Proposed Phase-In Schedule)	$1,676,178	$1,845,868	$1,180,607	$1,228,222	$1,043,781	$808,168	$625,634	$208,545	-	-
Scenario 2: Revised (Based on Calculated Rates)	$1,874,980	$1,914,296	$1,190,512	$1,244,637	$1,076,401	$828,941	$726,444	$248,202	-	-
Difference	NA	($68,429)	($9,905)	($16,415)	($32,620)	($20,773)	($100,810)	($39,657)	-	-

IMPACT OF RATE RECOMMENDATIONS ON RETAIL RATE MODEL (CONTINUED)

- The proposed phase-in schedule rates, discussed during the budget process in 2019, do not achieve the necessary revenues to cover the allocated expense as defined in this analysis, with a cumulative deficit of $148,141 (2021-2025).

- Without an adjustment to the Regional Water Supply rates, this deficit will need to be recovered within the retail rate structure.

MOUNTAIN REGIONAL WATER SSD NEXT STEPS

- MRW recommends adopting the rate schedule for years 2021-2025 proposed by Lewis Young Robertson & Burningham, Inc. as part of the **District's** 2021 budget process.

To: Summit County Board of Equalization
From: LoraLea McKnight, Clerk of the Board of Equalization
Date: September 2, 2020
RE: Stipulations for 2020 property tax appeals

County Council,

Please reconvene as the Board of Equalization on September 9, 2020. Consider approving the Stipulations of Agreements for the 2020 property tax appeals. As you are aware, they need the approval of the council before they can be mailed out to the property owners for their agreement or disagreement. The property owner has thirty days to return the stipulation from the mailing date. If they disagree with the appraiser's decision they can call to schedule an informal hearing. If the appellant does not return the stipulation to our office, it is presumed they agree with the decision. Also, if the appellant disagrees with the informal hearing decision, they can appeal to the State Tax Commission.

Thanks for your consideration.

Sincerely,

LoraLea McKnight

Clerk of the Board of Equalization

60 North Main • P.O. Box 128 • Coalville, UT 84017
Phone (435) 336-3254

2020 BOE Adjustments

Account #	RDN	Serial #	New Market Value	Old Market Value	MV Difference	New Taxable Value	Old Taxable Value	Taxable Difference	County Tax Dollar Difference	Old Tax Estimate	% Difference	Explanation for adjustment
0001077	37-33-40	CT-188-A	$ 224,365.00	$ 224,365.00	$ -	$ 123,401.00	$ 224,365.00	$ (100,964.00)	$ (128.22)	$ 1,124.31	-45.00%	Change to Primary residence
0003164	37-33-40	CT-341-A-1	$ 298,529.00	$ 298,529.00	$ -	$ 289,529.00	$ 164,191.00	$ 125,338.00	$ 159.18	$ 1,495.94	76.34%	Change to Non-Primary residence
0006522	21-10-01	FT-79	$ 431,325.00	$ 431,325.00	$ -	$ 237,229.00	$ 431,325.00	$ (194,096.00)	$ (246.50)	$ 3,947.92	-45.00%	Change to Primary residence
0011225	23-18-01	KT-215-B	$ 336,120.00	$ 336,120.00	$ -	$ 184,866.00	$ 336,120.00	$ (151,254.00)	$ (192.09)	$ 2,941.05	-45.00%	Change to Primary residence
0033054	91-03-20	PAC-112-AM	$ 510,000.00	$ 510,000.00	$ -	$ 510,000.00	$ 280,500.00	$ 229,500.00	$ 291.47	$ 2,268.96	81.82%	Change to Non-Primary residence
0040737	03-20-01	PKM-5-32	$ 848,660.00	$ 848,660.00	$ -	$ 466,763.00	$ 848,660.00	$ (381,897.00)	$ (485.01)	$ 3,775.65	-45.00%	Change to Primary residence
0041255	03-20-01	PKM-5-8	$ 1,074,255.00	$ 1,074,255.00	$ -	$ 1,074,255.00	$ 590,841.00	$ 483,414.00	$ 613.94	$ 4,779.31	81.82%	Change to Non-Primary residence
0042873	06-01-01	POV-90	$ 463,893.00	$ 463,893.00	$ -	$ 463,893.00	$ 255,191.00	$ 208,702.00	$ 265.05	$ 2,064.24	81.78%	Change to Non-Primary residence
0046866	91-05-11	PSC-423	$ 135,000.00	$ 135,000.00	$ -	$ 74,250.00	$ 135,000.00	$ (60,750.00)	$ (77.15)	$ 1,092.02	-45.00%	Change to Primary residence
0050439	03-24-01	RC-3-73	$ 585,000.00	$ 585,000.00	$ -	$ 321,750.00	$ 585,000.00	$ (263,250.00)	$ (334.33)	$ 2,602.64	-45.00%	Change to Primary residence
0050736	02-04-01	TH-1	$ 1,200,960.00	$ 1,200,960.00	$ -	$ 1,200,960.00	$ 660,528.00	$ 540,432.00	$ 686.35	$ 5,343.01	81.82%	Change to Non-Primary residence
0051668	02-04-01	TH-38	$ 824,520.00	$ 824,520.00	$ -	$ 824,520.00	$ 453,486.00	$ 371,034.00	$ 471.21	$ 3,668.25	81.82%	Change to Non-Primary residence
0055412	92-01-04	PT-14-C-1	$ 250,000.00	$ 250,000.00	$ -	$ 250,000.00	$ 137,500.00	$ 112,500.00	$ 142.88	$ 1,004.99	81.82%	Change to Non-Primary residence
0055669	92-01-04	PT-20-A	$ 420,000.00	$ 420,000.00	$ -	$ 420,000.00	$ 231,000.00	$ 189,000.00	$ 240.03	$ 1,688.38	81.82%	Change to Non-Primary residence
0055859	92-01-04	PT-26-C	[redacted]	$ 750,000.00	[redacted]		$ 750,000.00	[redacted]		$ 5,481.75	-6.00%	Change value to contract sales price
0059802	13-05-00	TL-2-219	$ 331,539.00	$ 331,539.00	$ -	$ 182,346.00	$ 331,539.00	$ (149,193.00)	$ (189.48)	$ 1,332.77	-45.00%	Change to Primary residence
0061592	13-03-30	PB-IB-43	$ 962,072.00	$ 962,072.00	$ -	$ 529,140.00	$ 962,072.00	$ (432,932.00)	$ (549.82)	$ 4,057.45	-45.00%	Change to Primary residence
0061907	13-03-30	PB-2-I-76	$ 1,079,912.00	$ 1,079,912.00	$ -	$ 593,952.00	$ 1,079,912.00	$ (485,960.00)	$ (617.17)	$ 8,280.77	-45.00%	Change to Primary residence
0064380	13-04-04	SU-D-5	$ 976,010.00	$ 1,033,830.00	[redacted]		$ 568,607.00	[redacted]		$ 4,360.08	-5.59%	Change value to reflect comparable sales
0064737	13-04-07	SU-G-23	$ 815,081.00	$ 815,081.00	$ -	$ 448,294.00	$ 815,081.00	$ (366,787.00)	$ (465.82)	$ 3,437.52	-45.00%	Change to Primary residence
0067052	13-04-10	SU-J-27	$ 633,281.00	$ 633,281.00	$ -	$ 348,305.00	$ 633,281.00	$ (284,976.00)	$ (361.92)	$ 2,670.80	-45.00%	Change to Primary residence
0069447	13-04-13	SU-M-2-6-AM	[redacted]	$ 1,047,111.00	[redacted]		$ 584,896.00	[redacted]		$ 4,484.98	-9.90%	Adjust value to refect fee Appraisal value
0070122	13-04-13	SU-M-42	$ 422,925.00	$ 422,925.00	$ -	$ 422,925.00	$ 232,609.00	$ 190,316.00	$ 241.70	$ 1,783.65	81.82%	Change to Non-Primary residence
0073803	19-10-02	RR-A-2	$ 768,798.00	$ 768,798.00	$ -	$ 768,798.00	$ 768,798.00	$ -	$ -	$ 6,755.43	0.00%	No Change made
0083329	16-20-01	SMIL-I-43	$ 871,504.00	$ 871,504.00	$ -	$ 871,504.00	$ 479,327.00	$ 392,177.00	$ 498.06	$ 3,675.48	81.82%	Change to Non-Primary residence
0091078	37-31-02	NS-182	$ 146,209.00	$ 146,209.00	$ -	$ 146,209.00	$ 80,415.00	$ 65,794.00	$ 83.56	$ 571.43	81.82%	Change to Non-Primary residence
0091086	37-31-02	NS-182-A	$ 165,545.00	$ 165,545.00	$ -	$ 165,545.00	$ 91,545.00	$ 74,000.00	$ 93.98	$ 647.00	80.83%	Change to Non-Primary residence
0111231	23-18-02	KT-621	$ 139,440.00	$ 139,440.00	$ -	$ 805.00	$ 139,440.00	$ (138,635.00)	$ (176.07)	$ 1,220.10	-99.42%	Change property to FAA (Green Belt) assessment
0130892	14-03-30	SL-I-2-25	[redacted]	$ 1,101,182.00	[redacted]		$ 605,651.00	[redacted]		$ 5,215.26	-10.73%	Change value to contract sales price
0130983	14-03-30	SL-I-2-33	$ 975,000.00	$ 1,963,648.00	$ (988,648.00)	$ 536,250.00	$ 1,080,456.00	$ (544,206.00)	$ (691.14)	$ 9,303.81	-50.37%	Home partially demolished now being remodeled
0135339	14-02-20	HC-1-91	[redacted]	$ 1,123,428.00	[redacted]		$ 1,123,428.00	[redacted]		$ 8,614.45	-16.09%	Adjust value to refect fee Appraisal value
0138200	14-03-10	SL-C-132	$ 958,803.00	$ 958,803.00	$ -	$ 578,898.00	$ 958,803.00	$ (379,905.00)	$ (482.48)	$ 4,984.89	-39.62%	Change to Primary residence
0142145	37-35-81	FM-D-174	[redacted]	$ 912,372.00	[redacted]		$ 514,090.00	[redacted]		$ 3,645.41	-17.37%	Adjust value to refect fee Appraisal value
0152177	22-15-01	KK-3	$ 257,442.00	$ 257,442.00	$ -	$ 141,593.00	$ 257,442.00	$ (115,849.00)	$ (147.13)	$ 1,154.41	-45.00%	Change to Primary residence
0174353	03-24-05	FVL-22	$ 1,200,000.00	$ 1,200,000.00	$ -	$ 1,200,000.00	$ 660,000.00	$ 540,000.00	$ 685.80	$ 5,338.74	81.82%	Change to Non-Primary residence
0174783	91-04-08	WD-3-15	$ 480,000.00	$ 480,000.00	$ -	$ 480,000.00	$ 264,000.00	$ 216,000.00	$ 274.32	$ 2,135.50	81.82%	Change to Non-Primary residence
0175103	03-07-01	RV-19	$ 2,002,760.00	$ 2,002,760.00	$ -	$ 2,002,760.00	$ 1,101,518.00	$ 901,242.00	$ 1,144.58	$ 8,910.18	81.82%	Change to Non-Primary residence
0176291	37-32-22	NS-107-C	$ 278,834.00	$ 278,834.00	$ -	$ 153,359.00	$ 278,834.00	$ (125,475.00)	$ (159.35)	$ 1,094.68	-45.00%	Change to Primary residence
0177703	03-21-01	PKM-6-A-9	$ 4,086,541.00	$ 4,086,541.00	$ -	$ 2,250,433.00	$ 4,086,541.00	$ (1,836,108.00)	$ (2,331.86)	$ 3,056.03	-44.93%	Change to Primary residence
0190912	91-07-01	FGR-6	$ 650,000.00	$ 650,000.00	$ -	$ 357,500.00	$ 357,500.00	$ -	$ -	$ 2,891.82	0.00%	No Change made
0192330	91-04-08	WD-IUI-5-26	$ 565,000.00	$ 565,000.00	$ -	$ 565,000.00	$ 310,750.00	$ 254,250.00	$ 322.90	$ 2,513.66	81.82%	Change to Non-Primary residence
0194518	16-20-04	SLS-82	$ 891,545.00	$ 891,545.00	$ -	$ 490,350.00	$ 891,545.00	$ (401,195.00)	$ (509.52)	$ 3,760.00	-45.00%	Change to Primary residence
0195036	16-20-04	SLS-134	$ 1,726,277.00	$ 1,726,277.00	$ -	$ 1,726,277.00	$ 949,453.00	$ 776,824.00	$ 986.57	$ 7,280.41	81.82%	Change to Non-Primary residence
0208979	91-03-05	SKT-6	$ 410,000.00	$ 410,000.00	$ -	$ 410,000.00	$ 225,500.00	$ 184,500.00	$ 234.32	$ 1,824.07	81.82%	Change to Non-Primary residence
0218838	16-10-09	PP-102-G	$ 4,800,019.00	$ 4,800,019.00	$ -	$ 2,748,010.00	$ 2,748,010.00	$ -	$ -	$ 20,085.21	0.00%	No Change made
0225619	16-20-13	SST-10	$ 460,000.00	$ 460,000.00	$ -	$ 253,000.00	$ 460,000.00	$ (207,000.00)	$ (262.89)	$ 3,527.28	-45.00%	Change to Primary residence
0225619	16-20-13	SST-10	$ 460,000.00	$ 460,000.00	$ -	$ 253,000.00	$ 460,000.00	$ (207,000.00)	$ (262.89)	$ 3,257.28	-45.00%	Change to Primary residence
0226468	13-03-30	PB-8-357	[redacted]	$ 1,160,274.00	[redacted]		$ 638,151.00	[redacted]		$ 4,893.34	-8.28%	Adjust value to refect fee Appraisal value
0234876	14-02-40	JR-3-370	$ 1,323,856.00	$ 1,323,856.00	$ -	$ 728,121.00	$ 1,323,856.00	$ (595,735.00)	$ (756.58)	$ 5,583.23	-45.00%	Change to Primary residence
0237077	14-02-41	JR-4-4040	$ 971,832.00	$ 971,832.00	$ -	$ 971,832.00	$ 534,507.00	$ 437,325.00	$ 555.40	$ 4,098.60	81.82%	Change to Non-Primary residence
0244305	91-02-12	VIXC-49	$ 360,000.00	$ 360,000.00	$ -	$ 198,000.00	$ 360,000.00	$ (162,000.00)	$ (205.74)	$ 2,912.04	-45.00%	Change to Primary residence
0244354	91-02-12	VIC-53	$ 360,000.00	$ 360,000.00	$ -	$ 360,000.00	$ 198,000.00	$ 162,000.00	$ 205.74	$ 1,601.62	81.82%	Change to Non-Primary residence
0247068	13-03-10	EKH-A-E25-AM	$ 1,003,955.00	$ 1,003,955.00	$ -	$ 552,175.00	$ 552,175.00	$ -	$ -	$ 4,234.08	0.00%	No Change made
0252951	04-02-05	NOR-23	$ 1,107,329.00	$ 1,107,329.00	$ -	$ 1,107,329.00	$ 609,031.00	$ 498,298.00	$ 632.84	$ 4,926.45	81.82%	Change to Non-Primary residence
0255137	37-35-80	PI-E-96	$ 726,640.00	$ 726,640.00	$ -	$ 726,640.00	$ 399,652.00	$ 326,988.00	$ 415.27	$ 2,833.93	81.82%	Change to Non-Primary residence
0258941	03-08-01	RIS-24	$ 1,531,356.00	$ 1,531,356.00	$ -	$ 842,246.00	$ 1,531,356.00	$ (689,110.00)	$ (875.17)	$ 6,812.93	-45.00%	Change to Primary residence
0261580	21-10-01	FT-108-B-2	$ 662,468.00	$ 662,468.00	$ -	$ 662,468.00	$ 370,635.00	$ 291,833.00	$ 370.63	$ 3,392.42	78.74%	Change to Non-Primary residence
0261614	13-05-04	ELK-2A-402	$ 500,000.00	$ 500,000.00	$ -	$ 500,000.00	$ 275,000.00	$ 225,000.00	$ 285.75	$ 2,108.70	81.82%	Change to Non-Primary residence
0265896	25-26-01	OT-2-B	$ 2,089,549.00	$ 2,089,549.00	$ -	$ 1,400,805.00	$ 793,588.00	$ 607,217.00	$ 771.17	$ 6,748.67	76.52%	Change to Non-Primary residence

Account #	RDN	Serial #	New Market Value	Old Market Value	MV Difference	New Taxable Value	Old Taxable Value	Taxable Difference	County Tax Dollar Difference	Old Tax Estimate	% Difference	Explanation for adjustment
0267819	03-12-01	ME-1B-11	$ 1,524,600.00	$ 1,524,600.00	$ -	$ 838,530.00	$ 1,525,600.00	$ (687,070.00)	$ (872.58)	$ 12,332.49	-45.04%	Change to Primary residence
0269393	37-35-83	SS-143-6-B	$ 598,514.00	$ 598,514.00	$ -	$ 598,514.00	$ 385,433.00	$ 213,081.00	$ 270.61	$ 2,733.11	55.28%	Change to Non-Primary residence
0276554	03-24-05	FLV-1-35-B	$ 1,350,000.00	$ 1,350,000.00	$ -	$ 742,500.00	$ 1,350,000.00	$ (607,500.00)	$ (771.53)	$ 6,006.08	-45.00%	Change to Primary residence
0276638	21-10-01	FT-33	$ 434,397.00	$ 434,397.00	$ -	$ 239,529.00	$ 434,397.00	$ (194,868.00)	$ (247.48)	$ 3,976.04	-44.86%	Change to Primary residence
0284806	11-05-01	MH-20	$ 1,374,588.00	$ 1,374,588.00	$ -	$ 1,374,588.00	$ 756,023.00	$ 618,565.00	$ 785.58	$ 5,797.18	81.82%	Change to Non-Primary residence
0289441	03-23-01	WLR-2-AM	$ 5,145,887.00	$ 5,145,887.00	$ -	$ 5,145,887.00	$ 3,001,238.00	$ 2,144,649.00	$ 2,723.70	$ 24,277.01	71.46%	Change to Non-Primary residence
0291728	16-20-03	RPL-15	$ 1,218,798.00	$ 1,218,798.00	$ -	$ 670,339.00	$ 1,218,798.00	$ (548,459.00)	$ (696.54)	$ 5,140.16	-45.00%	Change to Primary residence
0293724	14-02-30	SRG-47	$ 754,767.00	$ 754,767.00	$ -	$ 415,122.00	$ 754,767.00	$ (339,645.00)	$ (431.35)	$ 3,183.16	-45.00%	Change to Primary residence
0300628	14-02-10	BN-A-2-20	$ 1,136,183.00	$ 1,136,183.00	$ -	$ 624,901.00	$ 1,136,183.00	$ (511,282.00)	$ (649.33)	$ 4,791.74	-45.00%	Change to Primary residence
0303911	91-07-14	CLC-202-AM	$ 770,000.00	$ 800,000.00	$ (30,000.00)	$ 770,000.00	$ 800,000.00	$ (30,000.00)	$ (38.10)	$ 6,471.20	-3.75%	Change value to reflect comparable sales
0306385	92-03-05	PBC-1-46	$ 570,000.00	$ 570,000.00	$ -	$ 570,000.00	$ 313,500.00	$ 256,500.00	$ 325.76	$ 2,403.92	81.82%	Change to Non-Primary residence
0308342	91-02-31	PCC-1-A	$ 500,000.00	$ 500,000.00	$ -	$ 275,000.00	$ 500,000.00	$ (225,000.00)	$ (285.75)	$ 4,044.50	-45.00%	Change to Primary residence
0310411	92-03-05	PBC-2-23	$ 455,000.00	$ 455,000.00	$ -	$ 455,000.00	$ 250,250.00	$ 204,750.00	$ 260.03	$ 1,918.92	81.82%	Change to Non-Primary residence
0311096	13-03-31	PB-PR-53	$ 1,724,566.00	$ 1,724,566.00	$ -	$ 1,724,566.00	$ 948,511.00	$ 776,055.00	$ 985.59	$ 7,273.18	81.82%	Change to Non-Primary residence
0317036	01-03-01	REI-ALL	$ 1,034,105.00	$ 1,034,105.00	$ -	$ 568,758.00	$ 1,034,758.00	$ (466,000.00)	$ (591.82)	$ 4,600.68	-45.03%	Change to Primary residence
0318885	92-01-07	BL-100-A	$ 358,000.00	$ 358,000.00	$ -	$ 358,000.00	$ 196,900.00	$ 161,100.00	$ 204.60	$ 1,439.14	81.82%	Change to Non-Primary residence
0336937	03-24-02	CEM-1-42-AM	$ 1,100,000.00	$ 1,290,000.00	$ (190,000.00)	$ 1,100,000.00	$ 1,290,000.00	$ (190,000.00)	$ (241.30)	$ 10,434.81	-14.73%	Change value to reflect comparable sales
0338180	01-02-01	MLCH-B-AM	$ 1,507,945.00	$ 1,507,945.00	$ -	$ 829,370.00	$ 1,507,945.00	$ (678,575.00)	$ (861.79)	$ 12,197.77	-45.00%	Change to Primary residence
0343719	25-28-01	MRR-17	$ 2,284,114.00	$ 2,284,114.00	$ -	$ 1,310,825.00	$ 2,284,114.00	$ (973,289.00)	$ (1,236.08)	$ 11,147.26	-42.61%	Change to Primary residence
0346753	11-05-07	BHVS-50	[redacted]	$ 823,248.00	[redacted]	[redacted]	$ 452,786.00	[redacted]	[redacted]	$ 3,309.41	-11.36%	Change value to contract sales price
0347546	11-05-07	BHVS-T43	$ 710,000.00	$ 710,000.00	$ -	$ 710,000.00	$ 390,500.00	$ 319,500.00	$ 405.77	$ 2,854.16	81.82%	Change to Non-Primary residence
0352876	17-01-01	TSP-14	$ 1,418,745.00	$ 1,418,745.00	$ -	$ 780,310.00	$ 1,418,745.00	$ (638,435.00)	$ (810.81)	$ 5,983.42	-45.00%	Change to Primary residence
0353841	16-10-02	QMR-36-2AM	$ 4,229,544.00	$ 4,229,544.00	$ -	$ 4,229,544.00	$ 2,482,669.00	$ 1,746,875.00	$ 2,218.53	$ 18,145.83	70.36%	Change to Non-Primary residence
0361802	11-11-03	CWPC-II-77	[redacted]	$ 6,345,860.00	[redacted]	[redacted]	$ 6,345,860.00	[redacted]	[redacted]	$ 46,381.89	-8.09%	Change value to contract sales price
0371892	14-04-10	GWLD-5	$ 6,260,507.00	$ 6,260,507.00	$ -	$ 6,260,507.00	$ 3,488,729.00	$ 2,771,778.00	$ 3,520.16	$ 25,499.12	79.45%	Change to Non-Primary residence
0372387	14-04-10	GWLD-54	$ 4,050,021.00	$ 4,050,021.00	$ -	$ 4,050,021.00	$ 2,248,211.00	$ 1,801,810.00	$ 2,288.30	$ 16,432.17	80.14%	Change to Non-Primary residence
0378865	03-14-01	HR-65	$ 570,083.00	$ 720,083.00	$ (150,000.00)	$ 313,545.00	$ 396,046.00	$ (82,501.00)	$ (104.78)	$ 3,203.62	-20.83%	Change value to reflect comparable sales
0379507	92-03-07	PBP-A-H-21	$ 350,000.00	$ 350,000.00	$ -	$ 350,000.00	$ 192,500.00	$ 157,500.00	$ 200.03	$ 1,476.09	81.82%	Change to Non-Primary residence
0383665	14-02-23	CLJR-1-4	$ 655,000.00	$ 655,000.00	$ -	$ 360,250.00	$ 655,000.00	$ (294,750.00)	$ (374.33)	$ 5,022.54	-45.00%	Change to Primary residence
0388284	03-24-03	CEM-1-75-1AM	$ 2,000,000.00	$ 2,250,000.00	$ (250,000.00)	$ 2,000,000.00	$ 2,250,000.00	$ (250,000.00)	$ (317.50)	$ 18,200.25	-11.11%	Change value to reflect comparable sales
0390736	25-28-01	NBF-66	$ 312,408.00	$ 312,408.00	$ -	$ 171,824.00	$ 312,408.00	$ (140,584.00)	$ (178.54)	$ 1,461.19	-45.00%	Change to Primary residence
0390744	25-28-01	NBF-67	$ 362,107.00	$ 362,107.00	$ -	$ 199,159.00	$ 362,107.00	$ (162,948.00)	$ (206.94)	$ 1,693.65	-45.00%	Change to Primary residence
0390744	25-28-01	NBF-67	$ 362,107.00	$ 362,107.00	$ -	$ 199,159.00	$ 362,107.00	$ (162,948.00)	$ (206.94)	$ 1,693.65	-45.00%	Change to Primary residence
0391858	16-20-02	WLCRK-41	$ 2,454,852.00	$ 2,454,852.00	$ -	$ 2,454,852.00	$ 1,350,169.00	$ 1,104,683.00	$ 1,402.95	$ 10,353.10	81.82%	Change to Non-Primary residence
0392286	23-20-01	GCS-D-30	$ 430,023.00	$ 430,023.00	$ -	$ 236,513.00	$ 430,023.00	$ (193,510.00)	$ (245.76)	$ 2,069.49	-45.00%	Change to Primary residence
0394654	18-01-04	WHLS-9	$ 2,580,362.00	$ 2,580,362.00	$ -	$ 2,580,362.00	$ 1,419,433.00	$ 1,160,929.00	$ 1,474.38	$ 12,219.90	81.79%	Change to Non-Primary residence
0394662	18-01-04	WHLS-10	[redacted]	$ 1,647,562.00	[redacted]	[redacted]	$ 1,071,474.00	[redacted]	[redacted]	$ 9,224.32	-21.53%	Adjust value to refect fee Appraisal value
0395578	14-04-30	TCT-6	$ 650,000.00	$ 650,000.00	$ -	$ 650,000.00	$ 357,500.00	$ 292,500.00	$ 371.48	$ 2,612.97	81.82%	Change to Non-Primary residence
0396311	92-05-02	FPRV-5-D	$ 480,000.00	$ 480,000.00	$ -	$ 264,000.00	$ 480,000.00	$ (216,000.00)	$ (274.32)	$ 3,508.32	-45.00%	Change to Primary residence
0396428	92-05-02	FPRV-7-C	$ 385,000.00	$ 385,000.00	$ -	$ 385,000.00	$ 211,750.00	$ 173,250.00	$ 220.03	$ 1,547.68	81.82%	Change to Non-Primary residence
0397096	03-17-01	PKM-27	$ 1,118,191.00	$ 1,118,191.00	$ -	$ 1,118,191.00	$ 615,005.00	$ 503,186.00	$ 639.05	$ 4,974.78	81.82%	Change to Non-Primary residence
0397939	92-05-02	FPR-30-C-2	$ 520,000.00	$ 520,000.00	$ -	$ 520,000.00	$ 286,000.00	$ 234,000.00	$ 297.18	$ 2,090.37	81.82%	Change to Non-Primary residence
0401681	16-20-10	SMTN-5	$ 2,612,155.00	$ 2,612,155.00	$ -	$ 1,436,685.00	$ 2,612,155.00	$ (1,175,470.00)	$ (1,492.85)	$ 19,092.24	-45.00%	Change to Primary residence
0403315	91-06-25	APRMC-24	$ 1,550,000.00	$ 1,550,000.00	$ -	$ 1,550,000.00	$ 1,550,000.00	$ -	$ -	$ 12,537.95	0.00%	No Change made
0403448	91-06-25	APRMC-37	$ 1,550,000.00	$ 1,550,000.00	$ -	$ 1,550,000.00	$ 852,500.00	$ 697,500.00	$ 885.83	$ 6,895.87	81.82%	Change to Non-Primary residence
0405286	18-01-18	RCCS-10	$ 2,307,134.00	$ 2,307,134.00	$ -	$ 1,268,924.00	$ 2,307,134.00	$ (1,038,210.00)	$ (1,318.53)	$ 18,505.52	-45.00%	Change to Primary residence
0406854	23-18-01	KT-219-A-1	$ 263,629.00	$ 263,629.00	$ -	$ 144,996.00	$ 263,629.00	$ (118,633.00)	$ (150.66)	$ 2,306.75	-45.00%	Change to Primary residence
0409536	14-03-42	PRESRV-1-4	$ 3,241,336.00	$ 3,873,715.00	$ (632,379.00)	$ 1,900,054.00	$ 2,250,063.00	$ (350,009.00)	$ (444.51)	$ 16,445.71	-15.56%	Change value to reflect comparable sales
0411243	18-01-11	SGNH-3	$ 1,630,232.00	$ 1,630,232.00	$ -	$ 896,628.00	$ 1,630,232.00	$ (733,604.00)	$ (931.68)	$ 14,034.67	-45.00%	Change to Primary residence
0411482	18-01-11	SGNH-27	$ 2,006,956.00	$ 2,279,947.00	$ (272,991.00)	$ 2,006,956.00	$ 2,279,947.00	$ (272,991.00)	$ (346.70)	$ 19,628.06	-11.97%	Change value to reflect comparable sales
0414424	37-34-60	COWBC-2	$ 516,666.00	$ 516,666.00	$ -	$ 284,166.00	$ 516,666.00	$ (232,500.00)	$ (295.28)	$ 2,064.47	-45.00%	Change to Primary residence
0417778	13-03-33	KRD-16	$ 710,000.00	$ 710,000.00	$ -	$ 390,500.00	$ 710,000.00	$ (319,500.00)	$ (405.77)	$ 2,994.35	-45.00%	Change to Primary residence
0418768	11-05-07	BHVS-34-3AM	$ 1,013,642.00	$ 1,013,642.00	$ -	$ 1,013,642.00	$ 557,503.00	$ 456,139.00	$ 579.30	$ 4,074.79	81.82%	Change to Non-Primary residence
0430029	18-01-20	PROMR-1-45	$ 2,662,124.00	$ 3,339,008.00	$ (676,884.00)	$ 2,962,124.00	$ 3,339,008.00	$ (376,884.00)	$ (478.64)	$ 26,782.18	-11.29%	Change value to reflect comparable sales
0438741	18-02-01	SGR-1-28	$ 1,084,818.00	$ 1,084,818.00	$ -	$ 596,650.00	$ 596,650.00	$ -	$ -	$ 5,136.35	0.00%	No Change made
0439053	18-01-21	BJUMP-16	$ 1,853,564.00	$ 1,853,564.00	$ -	$ 1,853,564.00	$ 1,853,564.00	$ -	$ -	$ 14,867.44	0.00%	No Change made
0440944	14-02-23	CLJR-2-80	$ 655,000.00	$ 655,000.00	$ -	$ 655,000.00	$ 360,250.00	$ 294,750.00	$ 374.33	$ 2,633.07	81.82%	Change to Non-Primary residence
0441310	91-10-09	SSLC-501	$ 2,400,000.00	$ 2,400,000.00	$ -	$ 1,320,000.00	$ 2,400,000.00	$ (1,080,000.00)	$ (1,371.60)	$ 19,936.80	-45.00%	Change to Primary residence
0441721	92-02-12	CT-194	$ 425,000.00	$ 425,000.00	$ -	$ 425,000.00	$ 233,750.00	$ 191,250.00	$ 242.89	$ 1,708.48	81.82%	Change to Non-Primary residence
0458923	91-03-31	SSP-65-3	$ 210,000.00	$ 210,000.00	$ -	$ 115,500.00	$ 210,000.00	$ (94,500.00)	$ (120.02)	$ 1,744.47	-45.00%	Change to Primary residence
0486049	14-03-42	PRESRV-2A-30	$ 2,497,063.00	$ 2,497,063.00	$ -	$ 1,466,894.00	$ 2,497,063.00	$ (1,030,169.00)	$ (1,308.31)	$ 18,251.03	-41.26%	Change to Primary residence
0486599	06-03-01	PCH-1-52	$ 895,161.00	$ 895,161.00	$ -	$ 492,339.00	$ 895,161.00	$ (402,822.00)	$ (511.58)	$ 7,436.10	-45.00%	Change to Primary residence

Account #	RDN	Serial #	New Market Value	Old Market Value	MV Difference	New Taxable Value	Old Taxable Value	Taxable Difference	County Tax Dollar Difference	Old Tax Estimate	% Difference	Explanation for adjustment
0486917	06-03-02	PCH-1-T9	$ 360,000.00	$ 360,000.00	$ -	$ 198,000.00	$ 360,000.00	$ (162,000.00)	$ (205.74)	$ 1,644.79	-45.00%	Change to Primary residence
0487679	11-09-05	RBS-19	$ 830,000.00	$ 830,000.00	$ -	$ 830,000.00	$ 456,500.00	$ 373,500.00	$ 474.35	$ 336.56	81.82%	Change to Non-Primary residence
0489048	01-03-02	ONT-TH-A	$ 542,656.00	$ 542,656.00	$ -	$ 298,461.00	$ 542,656.00	$ (244,195.00)	$ (310.13)	$ 2,414.25	-45.00%	Change to Primary residence
0497490	18-01-25	PNW-4-52	$ 1,061,447.00	$ 1,061,447.00	$ -	$ 1,061,447.00	$ 1,061,447.00	$ -	$ -	$ 9,138.00	0.00%	No Change made
0498905	91-05-22	CPCC-202	$ 287,000.00	$ 287,000.00	$ -	$ 287,000.00	$ 157,850.00	$ 129,150.00	$ 164.02	$ 1,276.85	81.82%	Change to Non-Primary residence
0498998	91-05-22	CPCC-402	$ 287,000.00	$ 287,000.00	$ -	$ 287,000.00	$ 157,850.00	$ 129,150.00	$ 164.02	$ 1,376.85	81.82%	Change to Non-Primary residence
0501979	92-03-13	QSPB-31A	$ 530,000.00	$ 530,000.00	$ -	$ 291,500.00	$ 530,000.00	$ (238,500.00)	$ (302.90)	$ 2,130.57	-45.00%	Change to Primary residence
0506400	22-15-01	MBS-2	$ 180,768.00	$ 180,768.00	$ -	$ 180,768.00	$ 99,422.00	$ 81,346.00	$ 103.31	$ 810.59	81.82%	Change to Non-Primary residence
		Totals for 9/9/2020	**$ 147,136,645.00**	**$ 151,817,673.00**	**$ (4,681,028.00)**	**$ 116,660,434.00**	**$ 116,319,140.00**	**$ 341,294.00**	**$ 433.44**			
		Totals for 9/2/2020	**$ 126,551,946.00**	**$ 129,953,033.00**	**$ (3,401,087.00)**	**$ 100,316,318.00**	**$ 106,070,998.00**	**$ (5,754,680.00)**	**$ (7,308.44)**			
		Totals for 8/26/2020	**$ 149,298,365.00**	**$ 145,022,463.00**	**$ 4,275,902.00**	**$ 98,312,550.00**	**$ 130,311,375.00**	**$ (31,998,825.00)**	**$ (40,638.51)**			
		Totals for 8/19/2020	**$ 191,574,973.00**	**$ 195,871,773.00**	**$ (4,296,800.00)**	**$ 152,165,303.00**	**$ 155,059,523.00**	**$ (289,220.00)**	**$ (3,675.66)**			
		Totals For 8/12/2020	**$ 302,850,681.00**	**$ 307,511,809.00**	**$ (4,661,128.00)**	**$ 247,367,749.00**	**$ 227,066,886.00**	**$ 20,300,863.00**	**$ 25,782.10**			
		Totals for 8/5/2020	**$ 114,891,752.00**	**$ 116,771,782.00**	**$ (1,880,030.00)**	**$ 9,320,751.00**	**$ 88,259,784.00**	**$ 5,035,210.00**	**$ 6,394.72**			
		Running Total	**$ 1,032,304,362.00**	**$ 1,046,948,533.00**	**$ (14,644,171.00)**	**$ 724,143,105.00**	**$ 823,087,706.00**	**$ (12,365,358.00)**	**$ (19,012.35)**			

The total Market value for Summit County is $29,216,322,734 as of 5/22/2020

The Market value Decrease for 2020 is ($ 14,644,171) as of 09/09/2020

The Total Taxable value for Summit County is $23,157,247,246 as of 5/22/2020

The Taxable Value Decrease for 2020 is ($12,365,358) as of 09/09/2020

The County Tax dollar Decrease for 2020 is ($ 19,012.35) as of 09/09/2020

The county Tax dollar differences are the County General and County Municipal line rates.

STAFF REPORT

DATE: September 9, 2020

TO: Summit County Council

FROM: Lisa Yoder, Sustainability Program Manager

SUBJECT: Net 100% Renewable Electrical Energy for Government Operations

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GOAL OF SESSION: Review and re-affirm Council 's desire to execute the Renewable Energy Appendix and companion documents to complete the Renewable Energy Service Contract and transition to net 100% renewable electrical energy for government operations.

BACKGROUND

To achieve Council's goal to provide net 100% renewable energy for government and dependent special service districts' operations, a Renewable Energy Service Contract (RESC) was executed Jan. 15, 2020. The RESC sets the parameters of a master agreement with Rocky Mountain Power (RMP) and authorizes RMP to procure a renewable resource for Summit County in partnership with Salt Lake City, Park City, Utah Valley University and Deer Valley and Vail Resorts. The renewable resource identified is an 80 MW solar photovoltaic project ready for construction near Tooele, Utah.

Council's decision to execute the RESC was made, in part, to obtain an exceptionally low rate for renewable energy above the projected generalized cost of standard electricity.[1] The decision also hinged on the fact that the contract would not be fully executed until the companion documents were executed and inserted in the RESC. This allowed RMP and the developer, D. E. Shaw Renewable Investments (DESRI) to finalize the Power Purchase Agreement (PPA) that defines the terms and the rate between RMP and DESRI to deliver renewable electrical energy to the partners. This also allowed Council to review and approve the final rate and term being presented today.

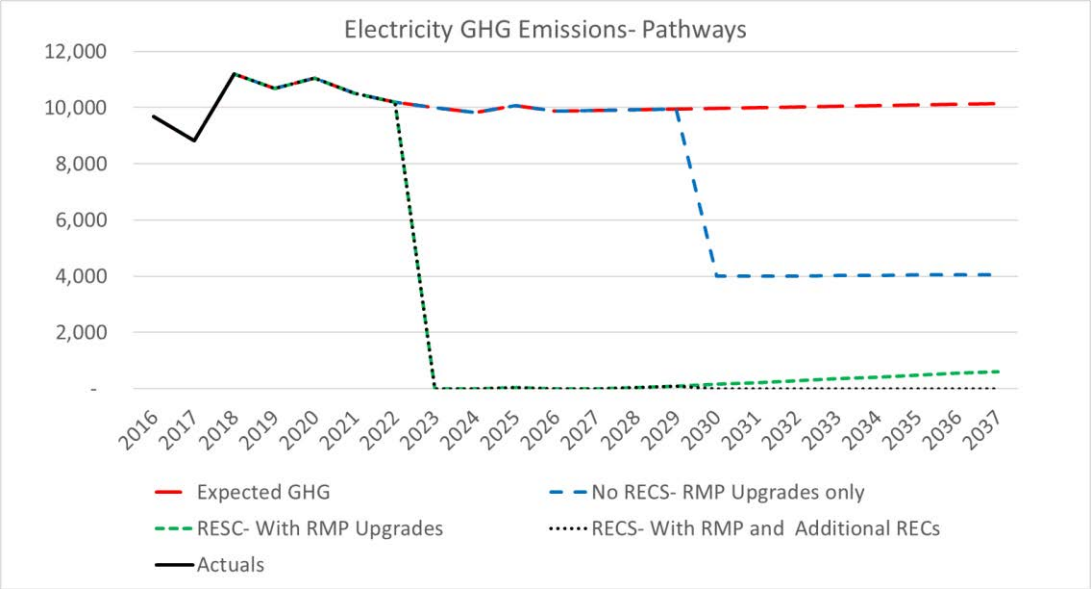
The companion document to the RESC is the Renewable Resource Appendix between RMP and Summit County that approves the PPA, defines renewable energy rate and term, and the acquisition of Renewable Energy Credits (RECs) if needed to achieve net 100% renewable electrical energy.

The greenhouse gas emissions (GHG) reduction expected as a result of this transition to net 100% renewable energy is shown in Figure 1.0. If executed, the RESC enables Summit County to complete its transition to net 100% renewable energy 7 years ahead of Council's 2030 target date at a nominal cost above standard electricity and without major capital investment in renewable energy assets.

This transition to clean, renewable energy contributes to Council's broader goal stated in Resolution 2019-29: Reduce greenhouse gas emissions from County government operations by 80% below their 2016 level by 2040. Electricity consumption made up 11% of county government's (excluding dependent districts) greenhouse gas emissions in 2019. Utilizing renewable energy effectively eliminates Scope II emissions (2800 MT CO2e) from the county operations' carbon footprint total of 25,290 MT CO2e.

[1] For purposes of this report, the generalized cost of standard electricity = total annual electricity bills divided by the total kWh of electricity consumed ($/kWh). The projected generalized cost is based on historical usage (2016-2019) and planned efficiency measures coupled with growth and projected 20 years into the future.

Figure 1.0 GHG Emissions Reduction Expected



On June 3, 2020 staff presented an updated Council with an increase in the renewable energy rate from 1.3% to 2.6% above standard electricity and a change in the from 15 to 20 years. Despite concerns expressed by Council that included obvious dissatisfaction with the rate increase and longer term, Council was agreeable to moving forward as long as the final PPA and Renewable Energy Appendix conformed with the stated changes. Likewise, all of the five partners were agreeable to continuing.

UPDATE

RMP and DESRI completed negotiations and provided Summit County and its partners with two final PPAs for review: one for 20 years as requested by Summit County and Park City; and one for 25 years for Vail, Deer Valley and Utah Valley University. The renewable energy rate resulting from the combination of two PPAs with different terms actually came in lower than reported in June as shown in Table 1.0.

Table 1.0 Annual Cost Comparison of Standard Electricity and Renewable Energy

Annual Cost Comparison Projection (2023)	Generalized Cost of Standard Electricity (2023)	~~June 3, 2020 Additional Cost of RE (20 yrs. at $X/MWh)~~	Sept 9, 2020 Additional Cost of RE (20 yrs. at $Y/MWh)
Mountain Regional Water SSD	$ 857,964	~~$ 21,520~~	$ 20,373
NS Senior Center	$ 1,501	~~$ 38~~	$ 36
Park City Fire District	$ 28,767	~~$ 812~~	$ 682
PC Senior Citizens	$ 1,126	~~$ 29~~	$ 27
Synderville Basin Rec District	$ 96,807	~~$ 2,395~~	$ 2,296
Summit County	$ 263,391	~~$ 6,425~~	$ 6,246
Total	**$ 1,249,555**	**~~$ 31,219~~**	**$ 29,660**
Increase		**~~2.6%~~**	**2.37%**

County's dependent districts have been provided with the projected impacts to their budgets that are expected to begin in 2023. Staff has conducted in depth costs analysis and discussed the impacts that various energy efficiency measures and possible future solar photovoltaic investments would have on the total amount of renewable energy being purchased under the RESC. The cost of contracting for less renewable energy than needed and buying RECs to get to net 100% and to avoid true-up costs is equivalent to the cost of contracting for the actual amount of renewable energy needed and possibly not using all of it. Staff is confident that the amount of renewable energy to be procured under the completed RESC (13,700 MWh) is prudent.

Staff has worked closely with County Deputy Civil Attorney Dave Thomas who prepared all four execution documents for County Manager's signature(s). Those include the following:

- Renewable Energy Service Contract (Schedule 34) – Defines scope of services, procurement of RECs.
- Renewable Energy Appendix I – County's approval of PPA, rate and term, allows purchase of RECs.
- 20-year Power Purchase Agreement – Defines RMP's purchase of renewable energy for County.
- Marketing Agreement - Obligates County to comport with best practices for communications concerning renewable energy and RECs, and to comply with the REC Communication Rules.

CONCLUSION

All five partners are agreeable to executing their individual RESCs that collectively allow RMP to wield net 100% renewable electrical energy to Summit County and partners from a new 80 MW solar photovoltaic resource in Toole County.

Staff has been in negotiations with six public and private entities, an electric utility and a renewable energy developer for the past 3 years navigating a myriad of moving pieces, critical timing of subsequent and concurrent events required of a regulated utility, changes in financial markets, the coronavirus pandemic and public service commission requirements. The results of this ground-breaking collaboration are the pathway to achieve Council's goal and a replicable model for other municipalities, businesses and utilities.

To fully execute the Renewable Energy Service Contract and achieve Council's goal to transition to net 100% renewable electrical energy well before the target with minimal annual cost impact, County Manager must execute all documents no later than Sept 11, 2020.

RECOMMENDATION

Approve County Manager's execution of the companion documents to complete the Renewable Energy Service Contract.

NEXT STEPS

- RMP files all 6 executed Renewable Energy Service Contracts for PSC approval.
- RMP submits requests for network transmission service to PacifiCorp Transmission.
- DESRI closes financing.
- Construction of renewable resource begins following PSC approval.
- Delivery of near net 100% renewable electrical energy beginning in 2023.

FISCAL IMPACT - No cost to County or districts until 2023.

MINUTES

SUMMIT COUNTY

BOARD OF COUNTY COUNCIL

WEDNESDAY, AUGUST 26, 2020

SHELDON RICHINS BUILDING ANCHOR LOCATION

PARK CITY, UTAH

To view Council meeting, live, visit the "Summit County, Utah" Facebook page 4:05 p.m.
OR
To participate in Council meeting: Join Zoom Meeting at https://zoom.us/j/772302472
OR
To listen by phone only: Dial 1-301-715-8592, Meeting ID: 279-421-350
We appreciate your patience and understanding, as we are all getting used to this electronic meeting format

PRESENT:

Doug Clyde, *Council Chair*
Glenn Wright, *Council Vice-Chair*
Chris Robinson, *Council Member*
Kim Carson, C*ouncil Member*
Roger Armstrong, *Council Member*
Tom Fisher, *Manager*
Janna Young, *Deputy Manager*
Annette Singleton, *Executive Assistant*
Margaret Olson, *Attorney*
Kent Jones, *Clerk*

Council Members log into separate electronic meeting for closed session

The Council was called to order at 1:06 p.m.

Closed Session – Security, Litigation, and Property Acquisition

Council Member Robinson made a motion to convene in closed session to discuss security. Council Member Wright seconded and all voted in favor, 5-0.

The Summit County Council met in closed session from 1:07 p.m. to 1:28 p.m. to discuss security. Those in attendance were:

Doug Clyde, *Council Chair*
Glenn Wright, *Council Vice-Chair*
Chris Robinson, *Council Member*
Kim Carson, C*ouncil Member*
Roger Armstrong, *Council Member*
Tom Fisher, *Manager*
Janna Young, *Deputy Manager*
Margaret Olson, *Attorney*
Derek Siddoway, *Communications*
Dave Thomas, *Chief Civil Deputy Attorney*
Rich Bullough, *Health Director*
Phil Bondurant, *Health Department*

Council Member Wright made a motion to leaved session to discuss security and convene in closed session to discuss litigation. Council Member Carson seconded and all voted in favor, 5-0.

The Summit County Council met in closed session from 1:28 p.m. to 1:52 p.m. to discuss litigation. Those in attendance were:

Doug Clyde, *Council Chair*
Glenn Wright, *Council Vice-Chair*
Chris Robinson, *Council Member*
Kim Carson, C*ouncil Member*
Roger Armstrong, *Council Member*
Tom Fisher, *Manager*
Janna Young, *Deputy Manager*
Margaret Olson, *Attorney*
Helen Strachan, *Deputy Attorney*
Jami Brackin, *Deputy Attorney*
Dave Thomas, *Chief Civil Deputy Attorney*
Ryan Stack, *Deputy Attorney*
Annette Singleton, *Executive Assistant*

Council Member Armstrong made a motion to leaved session to discuss litigation and convene in closed session to discuss property acquisition. Council Member Wright seconded and all voted in favor, 5-0.

The Summit County Council met in closed session from 1:52 p.m. to 2:09 p.m. to discuss property acquisition. Those in attendance were:

Doug Clyde, *Council Chair*
Glenn Wright, *Council Vice-Chair*
Chris Robinson, *Council Member*
Kim Carson, C*ouncil Member*
Roger Armstrong, *Council Member*
Tom Fisher, *Manager*
Janna Young, *Deputy Manager*
Margaret Olson, *Attorney*
Dave Thomas, *Chief Civil Deputy Attorney*
Annette Singleton, *Executive Assistant*

Council Member Wright made a motion to leave session to discuss property acquisition and convene in open session. Council Member Robinson seconded and all voted in favor, 5-0.

Work Session

Pledge of Allegiance

Presentation regarding Rocky Mountain Power transmission line upgrade in the Kimball Junction area; Lisa Romney

Lisa Romney, representative from Rocky Mountain Power, reviewed the following presentation and informed the Council of a transmission line upgrade planned for the Kimball Junction area.

Presentation by 401(k) Advisors regarding employee investment options; Michael Esselman

Michael Esselman, the County 401(k) advisor, reviewed the following presentation regarding employee investment options and answered any questions posed by the Council.

The Council was supportive of the proposed changes outlined in the presentation.

Convene as the Governing Board of Snyderville Basin Special Recreation District

Council Member Wright made a motion to convene as the Governing Board of the Snyderville Basin Special Recreation District. Council Member Carson seconded and all voted in favor, 5-0.

Discussion and possible approval of Resolution SBSRD 2020-17, a Budget Resolution of the Snyderville Basin Special Recreation District 2020 Budget Amendment; Melissa O'Brien and Megan Suhadolc

Melissa O'Brien and Megan Suhadolc, from the Snyderville Basin Special Recreation District, reviewed the following staff report and recommended approval of a resolution to amend the District 2020 Budget.

Council Member Armstrong made a motion to approve Resolution SBSRD 2020-17, a Budget Resolution of the Snyderville Basin Special Recreation District 2020 Budget Amendment as recommended. Council Member Wright seconded the motion and all voted in favor, 5-0.

Dismiss as the Governing Board of Snyderville Basin Special Recreation District

Council Member Armstrong made a motion to dismiss as the Governing Board of the Snyderville Basin Special Recreation District. Council Member Wright seconded and all voted in favor, 5-0.

Convene as the Board of Equalization

Council Member Armstrong made a motion to convene as the Board of Equalization. Council Member Wright seconded the motion and all voted in favor, 5-0.

Discussion and possible approval of 2020 stipulations; Stephanie Larsen, Travis Lewis, and LoraLea McKnight

The following stipulations were submitted by the County Assessor with a recommendation of approval.

Council Member Carson made a motion to approve the stipulations as presented with Council Member Wright seconding and all voting in favor, 5-0.

Discussion regarding Summit County Escaped Property Procedures: Stephanie Larsen and Helen Strachan

Stephanie Larsen, Assessor, presented the following staff report for discussion regarding Summit County escaped property procedures. Ms. Larsen asked that changes in procedure be implemented to be consistent with state law.

The Council was supportive of the Assessor's requested changes and would allow the Assessor to make those decisions in office and an individual could appeal to the Council if they disagree.

Dismiss as the Board of Equalization

Council Member Carson made a motion to dismiss as the Board of Equalization and reconvene as the County Council. Council Member Wright seconded and all voted in favor, 5-0.

Consideration of Approval

Discussion and Possible Approval of Ordinance 787-A, an Ordinance Amending Summit County Code, Title 1, Chapter 12, Article B, "Residential Property Tax Exemptions"; Helen Strachan and Stephanie Larsen

Ms. Larsen then reviewed the following staff report asking for approval of an ordinance to amend the County Code with respect to residential property tax exemptions.

Council Member Carson made a motion to approve Ordinance 787-A, an Ordinance Amending Summit County Code, Title 1, Chapter 12, Article B, "Residential Property Tax Exemptions" as discussed. Council Member Wright seconded and all voted in favor, 5-0.

County Council Minutes dated August 12, 2020, August 13, 2020 (2 meetings), August 14, 2020, August 17, 2020, and August 18, 2020

Council Member Carson made a motion to approve the minutes of August 12, with corrections noted, August 13 closed session, August 14, and August 18, 2020 as written. Council Member Wright seconded and all voted in favor.

Council Member Wright made a motion to approve the minutes of August 13, 2020, interview of applicants for the Economic Development Advisory Board. Council Member Carson seconded the motion which passed 4-0. Council Member Robinson abstained.

Council Member Wright made a motion to approve the minutes of August 17, 2020 as written. Council Member Robinson seconded and the motion passed 4-0. Council Member Carson abstained.

Council Comments

- Council Member Wright suggested that Communications staff work with the Clerk's Office to emphasize getting ballots returned early because of issues circulating regarding the Post Office
- He suggested a discussion be scheduled to review Central Wasatch Commission and Mountain Transportation System options and issues

- Council Member Robinson attended a JTAB meeting discussing the winter schedule and reviewing federal grant funding for upgrading bust stops in Park City and the County
- He attended the ribbon cutting for the Jeremy round-a-bout. The Council thanked Derrick Radke and the communications staff for their great work in completing the project and keeping the citizens informed
- He also attended the Rotary Club meeting noting that Health Director Rich Bullough was awarded the Professional Citizen of the year award for his great work regarding the Corona virus

- Council Member Carson stated she and Council Member Armstrong attended the Mental Wellness Alliance Executive Committee meeting update. Several new services have

been implemented. She noted Tracy Altman is leaving to join another organization and she thanked her for her service to the County.

- Council Member Armstrong also praised Ms. Altman for her contribution to the County

- Council Member Carson also attended the MAOG meeting and noted Jeff Jones helped identify several businesses to apply for CDBG funding. Approximately 30 received grant funding
- She attended the UAC Board meeting. They discussed finishing the basement area of the UAC building and a new formula will be coming to calculate fees and board appointed positions from each county to be more fair

Discussion and possible approval of Economic Development Advisory Committee's recommendation for the Rural County Grant Application; Jeff Jones, Melissa Band, and Amanda Pouchot

Jeff Jones, Economic Development and Housing Director, along with Melissa Band and Amanda Pouchot, Chair and Vice Chair of the Economic Development Advisory Board, reviewed the following information and requested approval to apply to the State of Utah for a Rural County Grant in the amount of $95,000.00.

Council Member Carson made a motion to approve the Economic Development Advisory Committee's recommendation for the Rural County Grant Application as presented. Council Member Robinson seconded and all voted in favor, 5-0.

Discussion and possible approval of Resolution 2020-18, a Resolution of the County Council Extending the Declaration of Local Emergency; Rich Bullough and Tom Fisher

Rich Bullough, Health Director, and Tom Fisher, Manager, presented the following resolution for consideration to extend the Declaration of Local Emergency in Summit County as a result of the COVID 19 Pandemic.

Council Carson noted that an email was received regarding this action. Mr. Bullough addressed the questions submitted and stated the information was not accurate based on studies and analysis of cases, reduction of cases, and lower risk to citizens.

Council Member Armstrong made a motion to approve Resolution 2020-18, a Resolution of the County Council Extending the Declaration of Local Emergency as recommended. Council Member Carson seconded the motion with all voting in favor, 5-0.

Discussion and possible approval of the Extension of Local Public Health Emergency Public Health Order; Rich Bullough and Dave Thomas

Council Member Armstrong made a motion to approve the following Extension of Local Public Health Emergency Public Health Order. Council Member Robinson seconded the motion and all voted in favor, 5-0.

Discussion and possible approval of Joint Public Health Order 2020-09 (Stabilization Phase); Rich Bullough and Dave Thomas

Mr. Bullough then presented Joint Public Health Order 2020-09 with a recommendation of approval.

Council Member Armstrong made a motion to approve Joint Public Health Order 2020-09 (Stabilization Phase) as recommended. Council Member Carson seconded the motion and all voted in favor, 5-0.

Manager Comments

- Manager Fisher noted recruitment is open for the Snyderville Basin Recreation Director. Interviews will be the last of September and he asked for Council participation. Council Members Carson and Armstrong accepted
- Last report was three cities had not applied for CARES Act funding. One has now applied, another is applying today and the last to apply Friday. First round monies have been received and they are completing reports now for the second round
- He asked if the Council wanted to write the argument in favor of the RAP Tax opinion question or have someone appointed. Council Member Armstrong will work with Jocelyn Scudder to complete
- The bus route from Jeremy Ranch is back in service and the Trailside Loop is a change operated by the County
- There are recruitment opportunities for Board of Adjustment openings
- Kathryn McMullin has been hired as the new Emergency Manager. She has an extensive background and moving from Herriman. She starts August 31

If you would like to submit comments to Council, please email publiccomments@summitcounty.org by 12:00 p.m. on Wednesday, July 1st. If you wish to interact with Council at 6:00 p.m., for public input or the public hearing, please follow the "Public Comment and Public Hearing Instructions".

Public Input

There was no public input.

Joint Meeting with Eastern Summit County Planning Commission for a discussion regarding Cedar Crest Village Overlay; Pat Putt, Peter Barnes and Kirsten Whetstone

The Council met with Pat Putt, Community Development Director, and Kirsten Whetstone, Community Planner, and members of the Eastern Summit County Planning Commission for a discussion regarding the Cedar Crest Village Overlay. Planning Commissioners Bill Wilde, Don Sargent, and Rich Sonntag were present along with committee members LaReen Judd, Stefan Bowen, and Michael Brown.

The following staff report was presented for review and discussion.

The Council thanked everyone for their hard work and effort in this process. Now, there will be an opportunity moving forward to receive public input on the design and proposals. The committee will continue to schedule public meetings to address changes, concerns and issues that arise.

The Council meeting adjourned at 7:40 p.m.

_____ _____

Doug Clyde, *Chair* **Kent Jones**, *Clerk*

MINUTES

SUMMIT COUNTY

BOARD OF COUNTY COUNCIL

FRIDAY, AUGUST 28, 2020

SUMMIT COUNTY HEALTH DEPARTMENT ANCHOR LOCATION

PARK CITY, UTAH

PRESENT:

Doug Clyde, *Council Chair*
Glenn Wright, *Council Vice-Chair*
Roger Armstrong, *Council Member*
Kim Carson, *Council Member*
Chris Robinson, *Council Member*
Dave Thomas, *Chief Civil Deputy Attorney*
Tom Fisher, *Manager*
Janna Young, *Deputy Manager*
Caroline Rodriguez, *Transportation*

The Council was called to order at 4:03 p.m. and all participating attended electronically.

Council Members log into separate electronic meeting for closed session

Closed Session – Litigation

Council Member Wright made a motion to convene in closed session to discuss litigation. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.

The Summit County Council met in closed session from 4:03 p.m. to 5:41 p.m. to discuss litigation. Those in attendance were:

Doug Clyde, *Council Chair*
Glenn Wright, *Council Vice-Chair*
Roger Armstrong, *Council Member*
Kim Carson, *Council Member*
Chris Robinson, *Council Member*
Dave Thomas, *Chief Civil Deputy Attorney*
Tom Fisher, *Manager*
Janna Young, *Deputy Manager*
Caroline Rodriguez, *Transportation*

Council Member Robinson made a motion to leave closed session to discuss litigation and convene in open session and dismiss. Council Member Wright seconded the motion and all voted in favor, 5-0.

The Council meeting adjourned at 5:41 p.m.

Doug Clyde, *Chair*

Kent Jones, *Clerk*

Public Comment and Public Hearing Instructions
9/9/2020

If you would like to make public comments on any public hearing item, or an item not on the agenda, please email publiccomments@summitcounty.org by 12:00 p.m. on Wednesday, September 9th. Your comments will be read to the Council and made part of the meeting record.

If you are wishing to interact with Council during Public Input and/or the Public Hearings at 6:00 p.m., please:

1. Go to **https://zoom.us/j/772302472**
2. Enter meeting ID: 772-302-2472
3. Type in your full name, so you are identified correctly.
4. Set up your audio preferences.
5. You will be muted upon entering the meeting.
6. If you would like to comment, press the "Raise Hand" button at the bottom of the chat window.
7. When it is your turn to comment, the moderator will unmute your microphone. You will then be muted again after you are done speaking.

STAFF REPORT

To:	Summit County Council
From:	Amir Caus, County Planner
Date of Meeting:	September 9, 2020
Type of Item:	Chalk Creek Run Subdivision Rezone and Master Planned Development (MPD) – Public Hearing, Possible Action
Process:	Legislative

RECOMMENDATION: The Eastern Summit County Planning Commission has reviewed the application for compliance with all standards in the Eastern Summit County Development Code and has found that it meets the minimum required for approval. The Eastern Summit County recommends that the Summit County Council review, conduct a public hearing and vote to approve the proposed Chalk Creek Run Subdivision Rezone and Master Planned Development (MPD) pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval found in this Staff Report.

Project Description

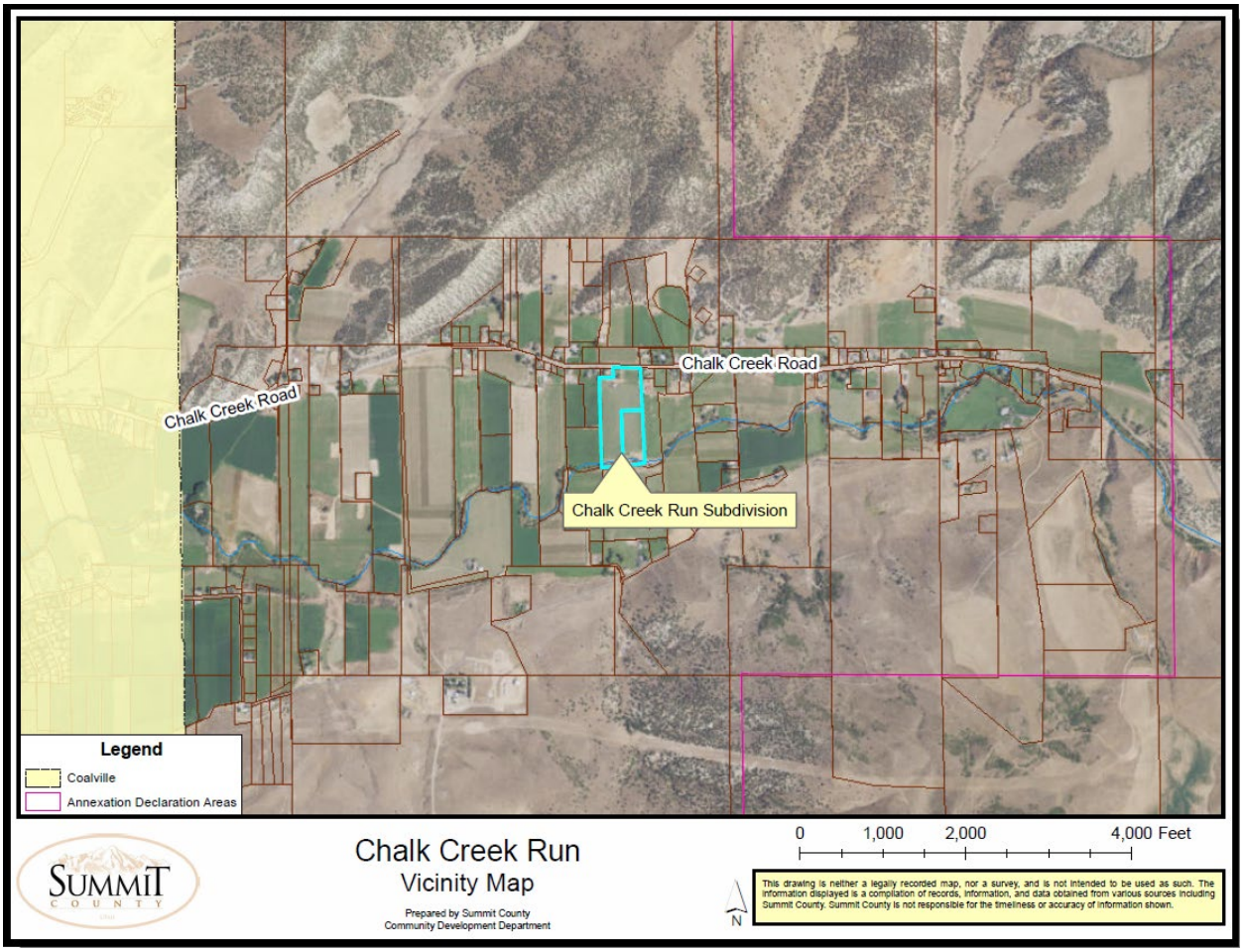
Project Name:	Chalk Creek Run Subdivision Rezone and MPD
Applicant(s):	Courtney Richins
Property Owner(s):	Courtney Richins (Parcel CCRKR-1) Jay Adams, Linda Adams, and Travis Eaglin (Parcel CCRKR-2)
Location:	660 E/664 E Chalk Creek Road, Coalville, Summit County, UT
Zone District:	AG-5
Parcel Number and Size:	CCRKR-1 (9.46 acres) and CCRKR-2 (3.90 acres)
Type of Process:	Legislative
Final Land Use Authority:	Summit County Council

Proposal

The applicants own the Chalk Creek Run Subdivision, approved as a two-lot subdivision in November of 2017 and are requesting to rezone and further subdivide Parcels CCRKR-1 (9.46 acres) and CCRKR-2 (3.90 acres) into 5 lots total in a newly configured subdivision (2 lots to 5 lots). Parcels CCRKR-1 (9.46 acres) and CCRKR-2 (3.90 acres) are located in the AG-5 Zone. Per Section 11-4-12(B.2) of the Development Code, the Master Planned Development process is required for any application for a rezone and any application to subdivide at base density resulting in four (4) or more lots or parcels. Thus, in order to further subdivide the Chalk Creek

Run Subdivision, the applicants will need to rezone the properties from AG-5 to R-2.5 and will need to complete the MPD process.

Vicinity Map



Background

The existing 2-lot Chalk Creek Run Subdivision was approved in November of 2017 through the Minor Subdivision process under the previous edition of the Eastern Summit County Development Code. The parent parcel at that time included a ~1.9-acre portion in the Highway Corridor (HC) Zone and a larger ~11-acre portion in the Agriculture Protection Zone (AP). The Development Code at the time allowed for additional density through a provision in which a lawfully created lot of record that is ten (10) acres or larger, not within a previously approved subdivision, may be considered for one additional lot under the minor subdivision review process. The applicants wishe to rezone the existing 2-lot subdivision in order to create a total of five lots from the existing two.

The Eastern Summit County Planning Commission held an intial work session on this proposal on November 7, 2019 (Minutes - Exhibit B).

A second meeting was held on March 5, 2020 (Draft Minutes - Exhibit C). The Planning Commission took public comment and primarily discussed the layout of the proposed subdivision. In the end, the Planning Commission continued the item to allow the applicant time to study the layout and design to present it back to the Planning Commission.

On June 18, 2020, the Eastern Summit County Planning Commission discussed a revised subdivision layout (Draft Minutes - Exhibit D). The March 5, 2020 iteration of the subdivision included Lot 1 (3.9 acres), Lot 2 (1.6 acres), Lot 3 (1.6 acres), Lot 4 (2.3 acres), Lot 5 (2.63 acres), and the Open Space Parcel (1.33 acres). The March 5, 2020 iteration used a driveway for access to the lots. The June 18, 2020 iteration of the subdivision included Lot 1 (3.9 acres - unchanged), Lot 2 (1.6 acres - unchanged), Lot 3 (1.6 acres - unchanged), Lot 4 (2.3 acres – unchanged), Lot 5 (2.13 acres – changed to accommodate additional open space which now meets the minimum 10% requirement). The June 18, 2020 iteration used a private road, designed to a public road standard. The road design allows for three potential road connections in the future.

The Eastern Summit County Planning Commission found that the June 18, 2020 iteration of the Chalk Creek Run Subdivision Rezone and Master Planned Development (MPD) meets the minimum required for approval and directed Staff to return with Findings of Fact, Conclusions of Law, and Conditions of Approval to support their decision.

On August 6, 2020, the Eastern Summit County Planning Commission forwarded a positive recommendation to the Summit County Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the Recommendation section of this Staff Report.

Analysis and Findings

Per Section 11-5-3(B.1.a) of the Eastern Summit County Development Code; *The county council may permit the rezoning of the property only after it has determined that said rezoning is generally consistent with the goals and objectives of the general plan, all other criteria and considerations described in this title, and said action is necessary to promote the public health, safety and welfare of the residents of eastern Summit County.*

Additionally, per Section 11-5-3(B.1.c) of the Eastern Summit County Development Code; *Approval of an amendment to the zone district map shall not be granted until both the planning commission and county council have reviewed the specific development proposal and determined:*

1.The amendment is generally consistent with the goals of the general plan;

Analysis: <u>Complies.</u> The applicant has stated;

"This proposed rezone development proposal is compliant with the general goals and objectives of the general plan. The general plan was amended to allow for flexibility and change of historical uses over time. Agriculture was moved from the highest priority to one of the many uses available to the property owners. Our proposal supports and enhances the many goals and objectives listed in the Eastern summit

county general plan."

During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the proposal was consistent with the goals of the general plan based on the redesigned subdivision.

2. The amendment is compatible with adjacent land uses and will not be overly burdensome on the local community;

Analysis: <u>Complies.</u> The applicant has stated;
"Proposed rezone development is and will continue to support the adjacent uses."

During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the proposal is compatible with adjacent land uses and will not be overly burdensome on the local community based on the redesigned subdivision and compliance with the MPD criteria.

3. The specific development plan is in compliance with all applicable standards and criteria for approval as described in chapter 4 of this title; and

Analysis: <u>Complies.</u> The applicant has stated;
"Proposed rezone development is and will continue to support the adjacent uses."

Please see below the Master Planned Development (MPD) analysis.

4. The amendment does not adversely affect the public health, safety and general welfare.

Analysis: <u>Complies.</u> The applicant has stated;
"Proposed rezone development is and will continue to support the adjacent uses."

Please see below the Master Planned Development (MPD) analysis.

Master Planned Development (MPD)

Per Section 11-4-12(B.2), the Master Planned Development process is required for any application for a rezone and any application to subdivide at base density resulting in four (4) or more lots or parcels.

MPD Requirements: All applications for a master planned development shall meet the following minimum requirements. Additional project information necessary for the project analysis may be required at the discretion of the Community Development Director, Planning Commission, or County Council.

NOTE: As part of the Staff Analysis below, Staff has included the applicant's MPD narrative in its entirety.

1. Density : The maximum density permitted on the project site will be determined as a result of a site analysis. The maximum density shall not exceed that set forth in the proposed or existing zone, except as otherwise provided in this section. In cases where a project site contains more than one (1) zone, the County Council may permit the clustering of density irrespective of zone boundaries so long as the relocation results in the project advancing the goals set forth in the General Plan.

Analysis: <u>Complies if Rezone is Approved.</u> The applicant has stated;
"Look to the site map for proper density description."

Parcels CCRKR-1 (9.46 acres) and CCRKR-2 (3.90 acres) are in the AG-5 Zone. The applicant is proposing to rezone the properties to AG-2.5 Zone in order to further subdivide the Chalk Creek Run Subdivision. Should the rezone be approved, the applicant would qualify for three additional lots (5 lots total) in the subdivision.

2. Density Bonus: **<u>Not seeking bonus.</u>** A density bonus may be permitted in accordance with appendix B of this title.

Analysis: The applicant has stated;
"N/A"

The applicant is not seeking a Density Bonus.

3. Setbacks: **<u>Complies.</u>** The minimum setback around the exterior boundary of an MPD shall match the setbacks of the more restrictive/larger abutting zone setback. In some cases, that setback may be increased to create an adequate buffer to adjacent uses. The County Council may reduce or increase setbacks within the project from those otherwise required provided the project meets minimum Building Code and Fire Code requirements and can demonstrate that such change:

a. Maximizes agricultural land or open space; and/or
b. Avoids important natural features of the site.

Analysis: The applicant has stated;
"Look to site map for the suggested setback. There are no natural features that will need to be avoided."

The applicant has not identified any setbacks or building pads. Staff will enforce the setbacks as set forth in the Eastern Summit County Development Code.

The applicant is providing the minimum 10% open space requirement.

During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the small overall size of the property makes viable commercial agriculture difficult.

The applicant is not requesting to deviate from the development code setback requirements.

The applicant has identified a floodplain on the proposed plat. The County Engineer approved the previously recorded and the current iteration of the subdivision. The newly constructed home and accessory structures on Parcel CCRKR-2 have all been located outside of the identified floodplain. The applicant has included a note which states; *"Building is prohibited within the flood plain".*

4. Building Height: **To be enforced at part of Building Permit.** The maximum building height for all structures within a master planned development shall not exceed the zone standard. The County Council may grant additional building height beyond the maximum zone standard up to forty-five feet (45') based on demonstrated good cause related, but not limited to, structured parking, affordable housing, deed restricted open space, community outdoor common area improvements or superior architectural design.

Analysis: The applicant has stated;

"we will include the height restriction in each contract. At this time there aren't any housing plans to review, thus future progress will include this action."

Staff will enforce the 32-foot height limit in the development code.

5. Reduction of Minimum Lot Size Requirements: **Complies.** The County Council may reduce the minimum lot size specified in a zone if it finds the proposed decrease in minimum lot size improves the site design, clustering of buildings, and/or preservation of agricultural land or open space.

Analysis: The applicant has stated;

"Look to Site map for description of lot size"

The property has historically been used as a hay field. The applicant is proposing lot sizes which range from 1.6 acres to 3.05 acres.

During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the small overall size of the property makes viable commercial agriculture difficult. The Eastern Summit County Planning Commission further found that the revised layout and variety in sizes was acceptable.

6. Open Space: **Complies.** Master planned developments shall provide for open space of at least ten percent (10%) of the site area.

Analysis: The applicant has stated;

"Look to site map for open space location, as found in Appendix B- Master Plan Development Deed Restricted Open Space Land Calculations, the area qualifies as Deed restricted open space land consists of land in a subdivision or MPD that is

left undeveloped and is deed restricted for public or private agricultural, scenic, or recreational purposes."

The applicant is providing the minimum 10% open space requirement. An open space deed restriction will be required to be recorded at the time of recordation of the plat. The deed restriction will identify the trail easements and public access to the trail easements.

7. Off-Street Parking: **Complies.** Master planned developments shall have a minimum 2 spaces per single family dwelling unit:

Analysis: The applicant has stated;

"The parking standards shall be met. Due to the unknown location of each single family dwelling the parking locations have not been included in the site map, but will be included in the purchaser contract."

The applicant has confirmed that the proposed lots are for single family dwelling uses only. Parking requirements are going to be enforced during the building permit review. Due to the large lot sizes, Staff does not anticipate any minimum parking issues.

8. Designing with The Topography: **Complies.** Master planned developments shall be designed to fit into the topography of the site. The County Council may consider flexibility in the siting of development so as to best fit into the natural terrain, minimize excessive site grading and mitigate impacts on the natural environment and resources of the surrounding area. The project design shall demonstrate the preservation of watercourses, drainage areas, wooded areas, rough terrain and similar natural features and areas.

Analysis: The applicant has stated;

"The location that is proposed for development is currently a hay field with no natural features being disturbed. There is a slight fall elevation towards the river (look to site map for reference) but minimal impact will be required."

The site is gently sloping with a small drop off toward Chalk Creek. The Engineering Department has reviewed the floodplain and has stated that the minimum requirements are being met. The applicant has placed a note which prohibits building in the floodplain.

9. Designing with Adjacent Uses: **Complies.** The master planned development plan shall take adjacent land uses into consideration. Development along the project perimeter shall adequately mitigate any potentially adverse effects, including but not limited to flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances.

Analysis: The applicant has stated;

"The location proposed neither sits higher or lower than adjacent land, therefore with the idea of minimal impact as previously mentioned the area will not likely effect adjacent locations. During construction phase there will be erosion barriers in place, in the event of an unforeseen event."

During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the revised layout and variety in sizes was acceptable and conforms to the variety of common lot sizes throughout the Chalk Creek neighborhood.

10. Access: **Complies.** All master planned developments shall have vehicular access from a public road. All projects shall have a secondary point of access/emergency access unless otherwise mitigated to the satisfaction of the County Engineer and/or Fire Marshal. All roads/streets shall follow the natural contours of the site wherever possible to minimize the amount of grading.

Analysis: The applicant has stated;

"Look to Site Map for vehicular access from a public road."

The applicant has redesigned the subdivision to include a private road designed to a public road standard that has three potential connections should there be future road improvements in the area. Both the County Engineer and Fire Marshal have stated that the proposed design is acceptable.

11. Utilities: **Complies.** Existing or proposed utilities, including private and public services for master planned developments will be adequate to support the proposed project at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources. Unless otherwise permitted by this chapter, all master planned developments shall comply with all requisite infrastructure standards found in chapter 6 of this title.

NOTE: The applicant did not elaborate on how they believe they meet this requirement.

Code Requirement	Analysis
Fire Protection Standards	The proposed development is located in the Wildland Urban Interface zone. The North Summit Fire District has forwarded a letter of support.
Wildfire Hazard Guidelines	The proposed property is mostly vegetated by agricultural grasses. The property will be serviced by the North Summit Fire Station in Coalville which is approximately 2.1 miles from the property. If required, the fuel break limits shall be determined by the North Summit Fire District.
Road Standards	The applicant is proposing to access all five lots from a private road which is allowed. All County Engineering

	standards will need to be met prior to issuance of future building permits.
Road Grades	The Engineering Department has confirmed that the proposed road design is acceptable.
Intersections	The applicant is proposing to use a previously approved, existing access off Chalk Creek Road.
Turnaround/Cul-De-Sacs	The North Summit Fire District has stated that the proposed change would have little impact on North Summit Fire District.
Bridges and Culverts	Bridges and culverts are not being proposed.
Driveway Access	Due to relatively flat nature of the site, the applicant can improve the private road to meet Engineering standards.
Irrigation Ditch Easements	There are no operating irrigation ditches on the property.
Water Storage for Firefighting Purposes	The North Summit Fire Department has forwarded a letter of support.
Revised Standards Applicable	The proposed development is subject to general engineering standards and ordinances which are in effect at the time the application is submitted for review and approval by the County.
Appeals	*Appeals of requirements imposed by the North Summit Fire District and the Wildland Fire District (Summit County Fire Warden) are made to the Summit County Council pursuant to the appeals procedure identified in section 11-7-16 of this title.*

12. Building Locations: **Complies.** All buildings shall be located to avoid, to the extent practicable, wetlands, riparian areas, steep slopes and ridgelines. Building locations and associated lot configurations should be oriented to encourage active and passive solar design principles wherever practicable.

Analysis: The applicant has stated;

"Look to Site Map for reference to existing building locations, and reference step 8 and 9 for area description"

The property includes Chalk Creek, a sensitive land (Critical Area) on the southern portion of the property. A significant portion of the land is within the floodplain, a sensitive land (Critical Area). There are adequate development areas outside of sensitive lands. The applicant has included a note which states; *"Building is prohibited within the flood plain".*

All lots are facing south and/or west and will have the opportunity for active and passive solar design. Staff recommends a plat note which requires that homes be oriented and designed to allow for passive solar opportunities.

13. Connectivity: **Complies.** Internal and external vehicular/pedestrian/bicycle circulation should be demonstrated at the time of application as deemed necessary by the County Council. Pedestrian/equestrian/bicycle circulation should be separated from vehicular circulation wherever reasonable.

Analysis: The applicant has stated;

"due to the location consisting of private roadways and the existing county pedestrian/bicycle infrastructure, the connectivity seems consistent with existing surrounding areas."

During the June 18, 2020 meeting the Eastern Summit County Planning Commission directed the applicant to dedicate a 16-foot wide trail easement along Chalk Creek to provide future external connectivity that would be in line with Coalville City's future trails plan.

14. Snow Storage: **Complies.** Master planned developments shall include adequate areas for snow removal and snow storage. An appropriate form of landscaping plan shall allow for snow storage areas. Structures shall be set back from any hard surfaces so as to provide adequate areas to remove and store snow. The assumption is that snow should be able to be stored on site and not removed to an off-site location.

Analysis: The applicant has stated;

"look to site map for adequate set back. Due to the size and location of the lots the snow can be stored in the grass locations on the sides the private road ways. Therefore, the location does provide sufficient areas for snow removal and storage."

Due to the size of the lots, there is adequate snow storage area.

15. Outdoor Lighting: **To be enforced at part of Building Permit.** All outdoor lighting shall be down directed and fully shielded. All outdoor lighting shall be designed and installed to prevent light trespass on adjacent properties. Lighting of the United States flag is exempt from this provision.

Analysis: The applicant has stated;

"Existing lighting is in accordance to this proposal, and necessary steps will be taken in the future contracts with private home owners"

County lighting requirements are going to be enforced during the building permit review.

16. Compliance with Development Evaluation Standards: **Complies.** Unless otherwise permitted by this chapter, all master planned developments shall comply with all requisite development evaluation standards found in Chapter 2 of the Eastern Summit County Development Code.

NOTE: The applicant did not elaborate on how they believe they meet this requirement.

Code Requirement	Analysis
Agriculture	
Non-agricultural development shall not be approved without appropriate plat notes.	The applicant has placed the following note (as required) on the plat; *The owners of property within Eastern Summit County recognize the importance of agricultural lands and operations and small rural business enterprises. It is recognized that agricultural lands and operations and rural business enterprises have unique operating characteristics that must be respected. (Owners of each lot platted in this subdivision/the owner of the residence constructed upon this lot) have/has been given notice and recognizes that there are active agriculture lands and operations and rural business enterprises within Eastern Summit County and acknowledges and accepts that, so long as such lands and operations exist, there may be dust, noise, odor, prolonged work hours, use of roadways for the purposes of herding/moving animals, and other attributes associated with normal agricultural operations and rural businesses.*
Fencing	All State of Utah fencing laws will need to be complied with should new fencing be proposed. The applicant has added a plat note which states; *Fencing within the subdivision shall be wildlife friendly fencing.*
Preservation of Agricultural Land	During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the small overall size of the property makes viable commercial agriculture difficult.
Irrigation Patterns and Systems	The proposed development does not appear to impede existing irrigation patterns and systems other than the existing agricultural operation on the property.
Water and Sewage	
The applicant shall submit documentation indicating what type of water system shall be utilized within the subdivision.	The applicant has provided a Will-Serve letter from the Cluff Ward Pipeline Company.
No development shall be approved in the vicinity of existing well and spring protection zones which are used for domestic purposes without a contained sewage system.	Piped culinary water is available via the Cluff Ward Pipeline Company. The Summit County Health Department will monitor further requirements as part of the Building Permit review.
No development shall be approved without suitable	The applicant is proposing individual septic systems. The Eastern Summit County Sewer Advisory Committee

sewage treatment capacity point of discharge and dependability for the specific use.	forwarded the approval of the proposed septic systems to the County Manager who subsequently approved the proposal. The applicant has not indicated whether these lots will be pre-stubbed for future sewer system connections.
Natural Resources	
Development shall not contribute to the acceleration of the erosion of soil and rock and stream sedimentation.	Permitting for grading and construction will be required prior to development.
Development shall minimize the highly visible placement of homes on hillsides. It should be sensitively sited.	Building pads to identify development areas are not being proposed. The proposed subdivision is not located on a prominent hillside.
Development is discouraged in a 100-year floodplain.	Portions of the property are located within the FEMA 100-year floodplain. The County Engineer approved the previously recorded and supports the current iteration of the subdivision. The newly constructed home and accessory structures on Parcel CCRKR-2 have all been located outside of the identified floodplain. The applicant has included a plat note that prohibits building in the floodplain.
No development is permitted in wetlands.	There are no designated wetlands present on this property.
No development is permitted on slopes in excess of 30%.	There are adequate development areas outside of 30% slopes.
Development shall not be placed on any hillside or ridgetop that causes a structure to extend into the skyline as viewed from public roadways.	Due to the low elevation compared to the adjacent ridgetops, Staff is not anticipating structures to extend into the skyline.
Development shall not contribute significantly to the degradation of air quality.	Staff does not anticipate significant unregulated contribution to the degradation of air quality. Compliance will be verified during the Building Permit process.
Infrastructure/Facilities/Services	
No development shall cause the traffic volume on any public road to fall below the design capacity of the roadway.	Based on the Summit County Engineering Department review, the addition of three lots will not cause the traffic volume on Chalk Creek Road to fall below the design capacity.
Development that presents an unusual fire hazard which is	The North Summit Fire District has reviewed the proposal and has forwarded a letter of support.

beyond the capability of the fire district will not be approved.	
Development in remote locations that could affect emergency services will not be approved.	The proposed subdivision has year-round access and is not located in a remote area.
Residential development with private roads will not be approved if there is a locked gate at the entrance, unless emergency services have access to the property.	The applicant has stated that they are not proposing vehicle access gates.

17. Site Design Narrative: **Complies.** An application for a master planned development shall include a written explanation of how the project plan addresses the following design questions:

Note: The applicant did not elaborate on how they believe they meet this requirement.

a. Neighborhood Connectivity: How does the proposed development interconnect and the surrounding properties, neighborhood, and area? Including but not limited to:

(1) Where will vehicles enter and exit the site?

Analysis: The applicant is proposing to access all five lots from a private road via Chalk Creek Road.

(2) Where will new streets be developed?

Analysis: The applicant is proposing to improve the existing driveway into a private road which meets public road standard.

(3) Is there a need for pedestrian and bicycle routes (including trails and sidewalks) through the project area? If so, how are such needs addressed?

Analysis: The property is 13.36 acres in size. All lots will be accessed via a private road. The applicant is proposing trail easements on the property; however, the applicant based on the previous Planning Commission discussion and direction is not proposing to construct the connection to the trail and will provide a 16-foot wide trail access easement for future external connectivity.

b. Availability of Neighborhood Facilities and Services: Is the location of the proposed development within reasonable proximity (including walking and biking) to community facilities such as schools, retail centers, parks, etc.?

Analysis: The proposed subdivision is not located near any neighborhood facilities or services within reasonable walking or biking distance. Amenities are available via car in Coalville.

c. Meeting Housing Needs: How does the proposed development advance the community need for a mix of housing types and affordability?

Analysis: Goal 7.1 of the Eastern Summit County General Plan promotes Moderate Income Housing and mix of housing types and availability. The applicant is seeking single-family detached market rate units only and is not placing any deed restrictions.

During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the applicant's redesign of the road to a public standard allowed for accessory dwelling units to be constructed. The Eastern Summit County Planning Commission further found that the accessory dwelling units would provide for affordability. The Eastern Summit County Planning Commission also found that the variety in sizes of lots provided for additional mix of housing types and affordability.

d. Character: What are the architectural design character objectives of the proposed development? How do these design objectives address the local context, climate, and/or community needs?

Analysis: The applicant has stated that; *The architectural design character objectives will stay consistent with the surrounding structures. The designs will fill the demand for affordable housing while also staying consistent with agricultural theme found in the area.*

NOTE: There are no specific plat notes which set restrictions or specific design requirements. The requirements would divert to the Eastern Summit County Development Code standards which have no restrictions beyond setbacks and height.

The applicant is not proposing to deed restrict any of the units and they will be market rate units.

e. Site Design: How is the proposed development designed to take advantage of the existing topography, landscape features, trees, wildlife corridors, existing structures, minimize site grading, etc.?

Analysis: The applicant has stated that; *The proposed development design is designed in a way to minimize the site impact, while providing a platform that is similar to the surrounding area.* The applicant did not further elaborate how this is being achieved.

The applicant has placed a plat note that all fencing be wildlife friendly fencing.

f. Complete Street Design: How is the proposed development street/circulation system designed to accommodate a variety of transportation modes (where appropriate), easy route finding, and safe speeds?

Analysis: Chalk Creek neighborhood does not have pedestrian type facilities/amenities. All lots will be accessed via a private road that is accessed off Chalk Creek Road. The property is in an area with little opportunity for multi-transportation mode. The applicant has added a 16-foot wide trail easement to allow for future connectivity. The applicant has also redesigned the access road to a public road standard and design allows for three future connection opportunities.

g. Parking Areas: How does the proposed development balance the need for parking with the need to design parking areas in a manner that minimize visibility, site grading, and exterior lighting?

Analysis: The applicant has stated that all single-family homes will have a minimum of two-car garages which will help minimize visibility and provide adequate lighting while not negatively affecting the night skies. County lighting requirements are going to be enforced during the building permit review.

h. Public and Private Outdoor Spaces: What are the proposed development's need(s) for outdoor space, open space, habitat/wildlife areas, parks, or outdoor amenity areas? How does the proposed development address these needs?

Analysis: The applicant is proposing to designate 13% open space (10% required by the MPD process). The open space is located on the Chalk Creek portion of the property. The applicant has stated that they plan to sell Open Space Parcel 1 (0.915 acres) with Lot 5 and Open Space Parcel 2 (0.915 acres) with Lot 1. The applicant is also providing trail easements on the property. Per the previous Planning Commission discussion and direction, the applicant is not proposing to construct the trails. An open space deed restriction will be required to be recorded at the time of recordation of the plat. The deed restriction will identify the trail easements and public access to the trail easements.

i. External Storage: How does the proposed project address needs for garbage collection, equipment storage, etc.?

Analysis: The applicant has stated that due to the lot size, there is sufficient area for garbage collection and equipment storage. The applicant has stated that all storage will be required to be indoors and that this would be enforced via CC&Rs. The applicant has also added a plat note which prohibits unscreened outdoor storage.

Recommendation

The Eastern Summit County Planning Commission has reviewed the application for compliance with all standards in the Eastern Summit County Development Code and has found that it meets the minimum required for approval. The Eastern Summit County recommends that the Summit County Council review, conduct a public hearing and vote to approve the proposed

Chalk Creek Run Subdivision Rezone and Master Planned Development (MPD) pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. Courtney Richins is the owner of record of Parcel CCRKR-1 (9.46 acres), located at 660 E Chalk Creek Road, Coalville, Summit County, UT.
2. Jay Adams, Linda Adams, and Travis Eaglin are the owners of record of Parcel CCRKR-2 (3.9 acres), located at 664 E Chalk Creek Road, Coalville, Summit County, UT.
3. Parcels CCRKR-1 and CCRKR-2 are located within the AG-5 Zone.
4. Parcel CCRKR-1 is developed with a single-family residence that was constructed in 1914.
5. Parcel CCRKR-2 is developed with a single-family residence that was constructed in 2017 and two accessory buildings that were constructed in 2018.
6. The applicants own the Chalk Creek Run Subdivision, approved as a two-lot subdivision in November of 2017 and are requesting to rezone and further subdivide Parcels CCRKR-1 (9.46 acres) and CCRKR-2 (3.90 acres) into 5 lots total in a newly configured subdivision (2 lots to 5 lots).
7. Per Section 11-4-12(B.2) of the Development Code, the Master Planned Development process is required for any application for a rezone and any application to subdivide at base density resulting in four (4) or more lots or parcels.
8. In order to further subdivide the Chalk Creek Run Subdivision, the applicants will need to rezone the properties from AG-5 to R-2.5 and will need to complete the MPD process.
9. The Eastern Summit County Planning Commission held an initial work session on this proposal on November 7, 2019.
10. The Eastern Summit County Planning Commission held a second meeting (a public hearing) on March 5, 2020.
11. During the March 5, 2020 meeting, the Planning Commission directed the applicant to redesign the layout of the subdivision.
12. The Eastern Summit County Planning Commission held and closed a public hearing on June 18, 2020.
13. During the June 18, 2020, the Eastern Summit County Planning Commission discussed and compared the revised subdivision layout and found that the June 18, 2020 iteration of the Chalk Creek Run Subdivision Rezone and Master Planned Development (MPD) meets the minimum required for approval and directed Staff to return with Findings of Fact, Conclusions of Law, and Conditions of Approval to support their decision.
14. Per Section 11-5-3(B.1.a) of the Eastern Summit County Development Code; *The county council may permit the rezoning of the property only after it has determined that said rezoning is generally consistent with the goals and objectives of the general plan, all other criteria and considerations described in this title, and said action is necessary to promote the public health, safety and welfare of the residents of eastern Summit County.*
15. Additionally, per Section 11-5-3(B.1.c) of the Eastern Summit County Development Code; *Approval of an amendment to the zone district map shall not be granted until both the planning commission and county council have reviewed the specific development proposal and determined:*

1.The amendment is generally consistent with the goals of the general plan;

2. The amendment is compatible with adjacent land uses and will not be overly burdensome on the local community;

3. The specific development plan is in compliance with all applicable standards and criteria for approval as described in chapter 4 of this title; and

4. The amendment does not adversely affect the public health, safety and general welfare.

16. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the proposal was consistent with the goals of the general plan based on the redesigned subdivision.
17. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the proposal is compatible with adjacent land uses and will not be overly burdensome on the local community based on the redesigned subdivision and compliance with the MPD criteria.
18. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the proposal is in compliance with all applicable standards and criteria for approval as described in Chapter 4 of the Eastern Summit County Development Code and that the amendment does not adversely affect the public health, safety and general welfare based on the Master Planned Development criteria analysis.
19. Per Section 11-4-12(B.2) of the Eastern Summit County Development Code, the Master Planned Development process is required for any application for a rezone and any application to subdivide at base density resulting in four (4) or more lots or parcels.
20. All applications for a Master Planned Development must meet the 17 minimum requirements outlined in Section 11-4-12(E) of the Eastern Summit County Development Code.
21. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the proposal is in compliance with the 17 minimum requirements for approval as described in 11-4-12(E) of the Eastern Summit County Development Code.
22. The applicant is not seeking a Density Bonus.
23. The applicant is not requesting to deviate from the development code setback requirements.
24. The property has historically been used as a hay field. The applicant is proposing lot sizes which range from 1.6 acres to 3.05 acres.
25. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the small overall size of the property makes viable commercial agriculture difficult.
26. Portions of the property are located within the FEMA 100-year floodplain.
27. The newly constructed home and accessory structures on Parcel CCRKR-2 have all been located outside of the identified floodplain.
28. The County Engineer approved the previously recorded and supports the current iteration of the subdivision.

29. The applicant has included a note which states; *"Building is prohibited within the flood plain".*
30. The applicant is proposing to designate 13% open space (10% required by the MPD process).
31. The open space is located on the Chalk Creek portion of the property.
32. The applicant has stated that they plan to sell Open Space Parcel 1 (0.915 acres) with Lot 5 and Open Space Parcel 2 (0.915 acres) with Lot 1.
33. The applicant is providing 16-foot wide public access trail easements on the property which run along Chalk Creek and have access from Chalk Creek Road.
34. Per the Planning Commission discussion and direction, the applicant is not proposing to construct the trails.
35. During the June 18, 2020 meeting the Eastern Summit County Planning Commission directed the applicant to dedicate a 16-foot wide trail easement along Chalk Creek to provide future external connectivity that would be in line with Coalville City's future trails plan.
36. An open space deed restriction will be required to be recorded at the time of recordation of the plat.
37. The deed restriction will identify the trail easements and public access to the trail easements.
38. The applicant has confirmed that the proposed lots are for single family dwelling uses only.
39. Parking requirements are going to be enforced during the building permit review. Due to the large lot sizes, Staff does not anticipate any minimum parking issues.
40. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the revised layout and variety in sizes was acceptable and conforms to the variety of common lot sizes throughout the Chalk Creek neighborhood.
41. The applicant has redesigned the subdivision to include a private road designed to a public road standard that has three potential connections should there be future road improvements in the area.
42. Both the County Engineer and Fire Marshal have stated that the proposed road design is acceptable.
43. Due to the size of the lots, there is adequate snow storage area.
44. The applicant has stated that due to the lot size, there is sufficient area for garbage collection and equipment storage.
45. The applicant has stated that all storage will be required to be indoors and that this would be enforced via CC&Rs.
46. The applicant has added a plat note which states; *Fencing within the subdivision shall be wildlife friendly fencing.*
47. The applicant has stated that they are not proposing vehicle access gates.
48. There are no designated wetlands present on this property.
49. The proposed subdivision is not located on a prominent hillside.
50. There are adequate development areas outside of 30% slopes.
51. The applicant has provided a Will-Serve letter from the Cluff Ward Pipeline Company.
52. Goal 7.1 of the Eastern Summit County General Plan promotes Moderate Income Housing and mix of housing types and availability.

53. The applicant is seeking single-family detached market rate units only and is not placing any deed restrictions.
54. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the applicant's redesign of the road to a public standard allowed for accessory dwelling units to be constructed. The Eastern Summit County Planning Commission further found that the accessory dwelling units would provide for affordability.
55. The Eastern Summit County Planning Commission also found that the variety in sizes of lots provided for additional mix of housing types and affordability.
56. The Eastern Summit County Development Code establishes that the Summit County Council is the Land Use Authority and that the Eastern Summit County Planning Commission is the recommending body for rezones and subdivisions resulting in four or more lots.
57. The Criteria for Approval are set forth in Section 11-5-3(B.1.c) and Section 11-4-12(B.2) of the Eastern Summit County Development Code.
58. Service providers have reviewed the plat for compliance with applicable standards.

Conclusions of Law

1. The amendment is generally consistent with the goals of the general plan;
2. The amendment is compatible with adjacent land uses and will not be overly burdensome on the local community;
3. The specific development plan is in compliance with all applicable standards and criteria for approval as described in chapter 4 of this title; and
4. The amendment does not adversely affect the public health, safety and general welfare.
5. The proposed project, as conditioned, meets the requisite standards set forth in Section 11-4-12(B.2) of the Eastern Summit County Development Code.

Conditions of Approval

1. All service provider requirements shall be met.
2. An open space deed restriction shall be recorded at the time of recordation of the plat in a form and manner acceptable to the Summit County Attorney's Office.
3. The open space deed restriction shall identify the trail easements and public access to the trail easements.

Public Notice, Meetings and Comments

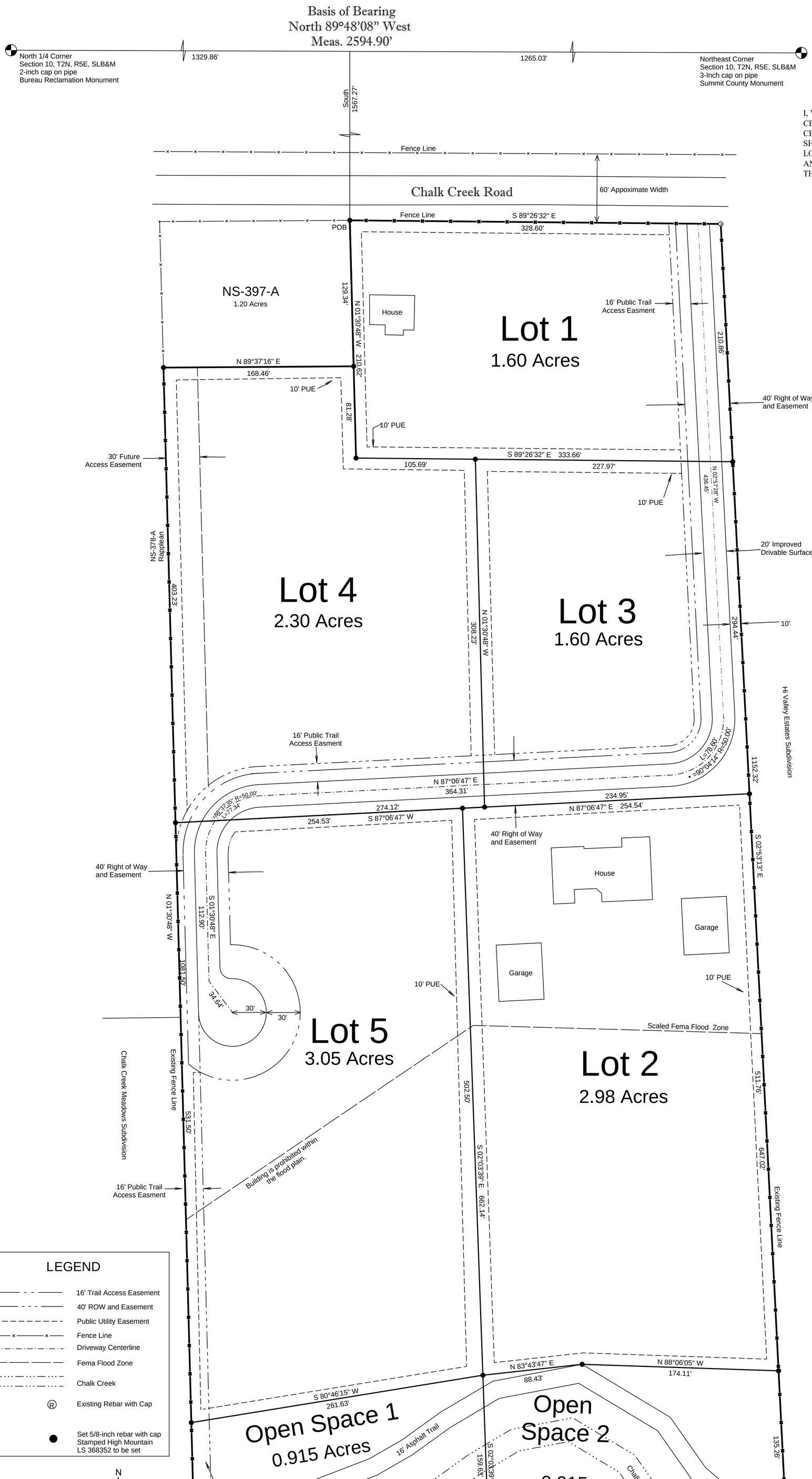
This item was publicly noticed as a public hearing with possible action by the Summit County Council. Notice of the public hearing was published in the Summit County News. Courtesy postcards were mailed to all property owners within 1,000 feet of the subject Parcel.

As of the date of this Staff Report, no public comment has been received.

Attachments

Exhibit A – Proposal
Exhibit B – November 7, 2019 Minutes
Exhibit C – March 5, 2020 Minutes
Exhibit D – June 18, 2020 Minutes (DRAFT)
Exhibit E – August 6, 2020 Minutes (DRAFT)

EXHIBIT A



Chalk Creek Run Subdivision Amended

Located in the East Half of Section 10,
Township 2 North, Range 5 East, Salt Lake Base and Meridian
Coalville, Summit County, Utah

SURVEYORS CERTIFICATE

I, WADE WILDE, DO CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 368352, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS "CHALK CREEK RUN SUBDIVISION AMENDED" AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

Preliminary

July 16, 2020
Date

Wade Wilde

LICENSED LAND SURVEYOR
368352
WADE
WILDE
STATE OF UTAH

BOUNDARY DESCRIPTION

A portion of land located in the Northeast Quarter of Section 10, Township 2 North, Range 5 East, Salt Lake Base and Meridian and having a Basis of Bearing taken as North 89°48'08" West between the Northeast Corner and the North 1/4 Corner of said Section 10, described as follows:

Beginning at a point North 89°48'08" West 1265.03 feet and South 1567.27 feet from the Northeast Corner of Section 10, Township 2 North, Range 5 East, Salt Lake Base and Meridian, which point being located at an existing fence line on the southerly line of Chalk Creek Road, and running thence South 89°26'32" East 328.60 feet along said line to the westerly line of the Hi Valley Estates Subdivision, said line being a fence line; thence South 02°53'13" East 1152.32 feet along said line; thence South 83°43'47" West 526.25 feet along said subdivision line; thence North 01°30'48" West 1081.50 feet along a fence line being the easterly line of the Chalk Creek Meadows Subdivision and along the easterly line of parcel NS-378-A; thence North 89°37'16" East 168.46 feet; thence North 01°30'48" West 129.34 feet to the point of beginning.

Containing 13.36 Acres

NOTES

1. Further subdivision of such lots, whether by deed, bequest divorce decree, or other recorded instrument shall not result in a buildable lot until the same has been approved in accordance with the Eastern Summit County Development Code.

2. The owners of property within the Eastern Summit County recognize the importance of agricultural lands and operations and small rural business enterprises. It is recognized that agricultural lands and operations and rural business enterprises have unique operating characteristics that must be respected. (Owners of each lot platted in this subdivision / the owner of the residence constructed upon this lot) has been given notice and recognizes that there are active agriculture lands and operations and rural business enterprises within Eastern Summit County and acknowledge(s) and respect(s) that, so long as such lands and operations exists, there may be dust, noise, odor, prolonged work hours, use of roadways for the purpose of herding / moving animals, and other attributes associated with normal agricultural operations and rural business.

3. Utilities shall have the right to install, maintain, and operate their equipment above and below ground and all other related facilities within the Public Utility Easements identified on this plat map as may be necessary or desirable in providing utility service within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. The utility may require the lot owner to remove all structures within the PUE at the lot owner's expense or the utility may remove such structures at the lot owner's expense. At no time may any permanent structures be placed within the PUE or any other obstruction which interferes with the use of the PUE or any without the prior written approval of the utilities with facilities in the PUE.

4. All lots within this subdivision must meet all building permit requirements at the time of building permit issuance.

5. The use of conventional septic tanks has been approved at the time of plat recordation, but property owners are still required to demonstrate that the property can adequately support a septic system per state/county requirements or has access to an operational, approved sewer system prior to the issuance of a building permit through an approval letter from the county health department.

6. Any well dug on the property must be located a minimum of 100 feet from the septic drainfield.

7. Dominion Gas approves this plat solely for the purpose of confirming that the plat contains public utility easements. Dominion may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgement of any terms contained in the plat, including those set forth in the Owners Dedication and the Notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Dominion's Right-of-Way department at 1-800-366-8532.

8. Water for this subdivision is being provided by the Cluff Ward Water Company.

9. Fencing within the subdivision shall be wildlife friendly fencing.

10. Unscreened outdoor storage is prohibited within the subdivison as per Summit County Planning Department.

11. No development is permitted within the open space area designated on this plat.

12. Chalk Creek Road right of way has historically been used from fence of fence where applicable. No right of way monuments has been found along Chalk Creek Road for serveral miles.

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS THE "CHALK CREEK RUN SUBDIVISION AMENDED" DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS WHEREOF _____ HAVE HEREUNTO SET _____ THIS _____ DAY OF _____ A.D. 20 _____.

_____ _____

_____ _____

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF SUMMIT

PERSONALLY APPEARED BEFORE ME THIS _____ DAY OF _____, 20_____ THE FOLLOWING:

_____ _____

_____ _____

WHO ACKNOWLEDGED TO ME THAT ___HE___ EXECUTED THE ABOVE OWNERS DEDICATION.

MY COMMISSION EXPIRES _____ _____
NOTARY PUBLIC

RESIDING IN _____

CONSENT TO RECORD

STATE OF UTAH
COUNTY OF SUMMIT

THE UNDERSIGNED LIEN HOLDER HEREBY CONSENTS TO THE RECORDATION OF THIS PLAT.

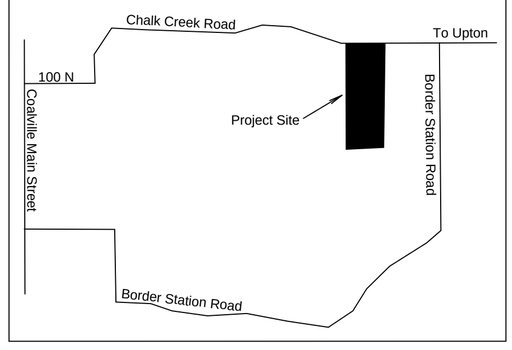
BY: _____
AUTHORIZED OFFICIAL

THE FOREGOING CONSENT TO RECORD WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20 _____. BY:_____

MY COMMISSION EXPIRES _____ _____
NOTARY PUBLIC

RESIDING IN _____

Vicinity Map



Address Table

LOT NO. 1	660 Chalk Creek Road
LOT NO. 2	664 Chalk Creek Road
LOT NO. 3	
LOT NO. 4	
LOT NO. 5	

PUBLIC SAFETY ANSWERING POINT APPROVAL

Approved this _____ day of _____, 20_____.

BY: _____
Jeff Ward GIS Director
The Summit County Public Safety Answering Point

APPROVAL AS TO FORM

Approved as to form this _____ day of _____, 20_____.

COUNTY ATTORNEY
BY:_____

ROCKY MOUNTAIN POWER

Approved and accepted this _____, day of _____, 20 _____.
ROCKY MOUNTAIN POWER

_____

NORTH SUMMIT FIRE DISTRICT

Approved and Accepted this _____ day of _____, 20_____.
_____ FIRE DISTRICT
BY: _____

GOVERNING BODY APPROVAL AND ACCEPTANCE

Approved this _____ day of _____, 20_____. On behalf of Summit County Council per Eastern Summit County Development Code, Section_____

_____
Summit County Community Development Director
The Land Use Authority

COUNTY ASSESSOR

Approved and accepted by the Summit County Assessor this _____, day of _____, 20_____.

_____
COUNTY ASSESSOR

PREPARED BY:

HIGH MOUNTAIN
SURVEYING, LLC
P.O. Box 445
1325 South Hoytsville Road
Coalville, Utah 84017
435-336-4210

Proj No. 1062-17
Chalk Creek Run Subdivision SPC Rezone 2019 Open Space

COUNTY ENGINEER

Approved and accepted by the Summit County Engineering Department this _____, day of _____, 20_____.

_____
COUNTY ENGINEER

SUMMIT COUNTY HEALTH

Approved and Accepted this _____ day of _____, 20_____.
DEPARTMENT OF HEALTH
BY: _____

DOMINION ENERGY

Approved and accepted this _____, day of _____, 20 _____.
DOMINION ENERGY

By: _____

Title: _____

COUNTY RECORDER

STATE of UTAH COUNTY SUMMIT
Recorded and filed at the request of

_____
Date: _____ Time: _____
Entry #_____ Fee:_____

_____
COUNTY RECORDER

Planner Caus said Staff is concerned about the 110'setback. It would result in a lot of grading. The original layout design may help to mitigate some of those issues. Commission Sargent said these are only suggestions for the applicant. Some of which may help create a better design and help financially.

The applicant thanked the Commission for their time and suggestions. **Chair Clyde** suggested the applicant discuss the possibility of working with the Hoytsville Water Pipeline.

2. **<u>Discussion</u> on a proposed Rezone and Master Planned Development applications for the Chalk Creek Run Subdivision, a 5-lot subdivision located at 660 E. Chalk Creek Road, Coalville, Courtney Richins, applicant–** ***Amir Caus, AICP, County Planner***

Planner Caus said this application is being processed as a Master Planned Development (MPD). The application is for a rezone and the creation of a subdivision of four or more lots. A vicinity map was shown of the property. The property is approximately 1 mile outside of Coalville.

Planner Caus said in 2017, the property was subdivided into two lots. The applicant is requesting to rezone the properties from AG 5 to Ag 2 ½. If granted, there will be an increase to five lots. All the lots will be residential. The applicant will have a minimum of 10% open space. A current zone map was shown. **Commissioner Sargent** asked where is the closest AG 2 ½ zone. Planner Caus said there aren't any at this point. This would be the first of its kind.

The layout of the subdivision was displayed. Planner Caus said there will be one driveway accessing all five lots. The fire district has signed off on the application. Most of the MPD application seems to comply with the Code, but there are a few discussion and clarification items. If the rezone is granted, the property will qualify for the density.

Planner Caus said there are many one-acre lots along the road; however, most of these have a lot of acreage behind the house. The applicant has not proposed any vehicular/pedestrian circulation. Staff is seeking direction for connectivity. The preservation of agricultural land is a requirement, but the question is how feasible is it to meet that goal.

Planner Caus said there are no neighborhood amenities within biking or walking distance. The closet amenities are available via car in Coalville. The subdivision will be single family market-rate units. The applicant, Courtney Richins, said this development will be similar to the surrounding area. Planner Caus responded that is true of the lot sizes; however, the applicant hasn't expanded on how the other impacts will be mitigated. Staff recommends a note be placed on the plat for wildlife friendly fencing. He said although there is a flood plain, there is still plenty of room to build.

Planner Caus said the applicant will have to comply with the four rezone criteria. This may be the largest hurdle the applicant faces. If the Commission finds these have been met, the applicant will then have to comply with the 14 MPD requirements in order to be approved. Planner Caus reminded the Commission this is just a Work Session.

COMMISSION COMMENTS AND QUESTIONS

Chair Clyde asked to review the vicinity map. He pointed out an "orphan" piece of land that will be a problem for all of the surrounding property owners. Planner Caus said that it is located in the flood plain. It can be privately owned.

Commissioner Sargent said that Coalville City has discussed creating a trail that would follow the river. Planner Caus said there are no trails being planned at this time on the parcel, but he thinks this is a great idea. One difficulty the applicant may have is that Lot 1 has already been sold. **Commissioner Sargent** advised the applicant that he may want to keep this area as open space. This would satisfy the open space and

connectivity. The applicant, Courtney Richins, said he has to put in a trail for another project that is approximately one mile away from the area.

Chair Clyde said the Chalk Creek Road right-of-way is narrow. Are there additional right-of-ways for the driveway? Planner Caus said the Fire District has signed off on the application as proposed. The County ordinance allows five lots to be accessed off one driveway. Lot 2 has a possibility to have a driveway off Chalk Creek. He said they have a will-serve letter from the water company. The septic was approved by ESAC.

Planner Caus said as far as connectivity, Staff believes the future trails and the internal connectivity will be sufficient. He addressed the preservation of agricultural land. It was noted that lots five and one will have enough land for agriculture to take place. Mr. Richins said there are no trees on the property. It is mostly a hay field at this time.

THE FOUR REZONE CRITERIA

Planner Caus said he would like to get input from the Commission on the applicant's ability to meet the four rezone criteria. These are:

1. ***The amendment is generally consistent with the goals of the General Plan.***
2. ***The amendment is compatible with adjacent land uses and will not be overly burdensome to the local community.***
3. ***The specific development plan is in compliance with all applicable standards and criteria for approval as described in chapter 4 of this title.***
4. ***The amendment does not adversely affect the public health, safety, and general welfare.***

Planner Caus said Staff would like to have more direction on these items so they can come prepared to the next meeting. Mr. Richins said he believes this fits the General Plan and meets criteria 1. One reason is because it will be the safest driveway on Chalk

Creek. Currently, people have to back out onto Chalk Creek. Vehicles coming from this subdivision will not have to do that. He added because this is what the County needs, it fits. It fits because it is what is already there. It has met the checks and balances requirements of water and sewer.

Commissioner Sonntag said this is a tough issue. The zoning was changed to stop the creation of small lots. **Chair Clyde** said his concern is the precedent that it will set. Everyone along Chalk Creek Road that owns long narrow parcels will want to do development in the usual way, rather than have internal streets and circulation.

Commissioner Rydalch asked what the thought process behind the 2½ acre parcels. Commission Wilde said the thought was to give another option. It would be a tool that could be used. He thinks this application fits the zone. Commission Sonntag said there would have been a revolution without that the creation of the 2 ½ zone.

Director Putt said this was an idea that came from the County Council. It was intended to be a bridge between the Highway Corridor density and the 5-acre density. The County Council was willing to create a zone that someone could request to change to, if they could demonstrate a good site design and they used the MPD process.

Mr. Richins said he doesn't think there are many lots that will qualify to subdivide to the 2 ½ acre zone. Administrator Barnes said the 2 ½ acre zone was to help property owners who may have lost density when the Highway Corridor was removed from their area. **Commissioner Sonntag** noted that in this instance, they have two people who are joining together in order to have enough property to make this work.

Chair Clyde commented that if the goal was to get the density off the highway, the logical consequence is that the density will be moved into the meadow. If that language didn't make it into the Code, he doesn't think they can enforce it.

Commission Sonntag said a question that needs to be answered is if two people can join together in order to qualify for the zone change. **Commissioner Sargent** said this could set a precedent where the AG 5 zone could disappear and be replaced with the AG 2 ½ zone. **Chair Clyde** said if that is going to happen, he would much rather see it happen under a Master Planned Development.

Mr. Richins responded that the 2 ½ acre zone was intended to be an option. If not, why is it there? He said the rezone might not be available in other places because there may not be water or sewer. **Chair Clyde** said he would have a hard time supporting this application because of the precedent it sets. He said the zone is listed in the Code.

Attorney Strachan said that rezones are entirely discretionary. They are a legislative act. Simply because it exists in the Code, doesn't bind the Commission to permit it. She said it might be worthwhile to look at the approval for the existing lots. This would help the Commission see what the conditions were for the property at that time. Why it was approved?

Chair Clyde said he worries that an adjoining property owner might submit a similar request. It would be difficult to say their property doesn't qualify for the rezone, even though this one did. He is concerned about the lack of internal connectivity and putting more density on Chalk Creek Road. Mr. Richins said this is a work session. If everyone is against it, then it may not be a possibility. Currently, the lots have 3.9 and 9 acres.

Commissioner Sonntag said he could be persuaded this might be a good thing under certain conditions. Those conditions might be an added road and trail. **Chair Clyde** said the difficulty with an additional road is that it would involve many different property owners.

Commissioner Wilde said he thinks it is a plus that the applicant has water and septic. He thinks the lot sizes are great. People want to have parcels this size. Attorney

Strachan recommended they review the history of the 2 ½ acre zone. Having that background might be helpful. The applicant thanked the Commission for their time. They have given him something to work with.

3. <u>Extra Space Storage request</u> for a Rezone from AG-5 to light Industrial (LI) and a Master Planned Development for Commercial Storage units on Parcel #CD-245, Property consists of 13.28 acres located on South side of SR 248, West of UDOT Storage Facility – *Kirsten Whetstone, AICP, County Planner*

Planner Whetstone introduced Bart Coons who is representing the applicant and owner. Chris Ure said he is also representing the applicant. Planner Whetstone said this item is a request for a rezone and an accompanying Master Plan Development (MPD). The use is a conditional use in both the light industrial (LI) and commercial(C) zones and therefore a CUP has also been filed. Staff has compared the plan with both of these zones. The findings were found in the Staff Report.

The application is for a self-storage facility. The property has 13.2 acres. The current zoning is AG-5. The requested zone is light industrial. It is located on the south side of SR 238. It is west of the UDOT facility. There is a shared paved access. Both properties have gates. The property is currently being used for wood processing for Chappell Log Homes. It has a CUP for the use. Photographs supplied by the applicant were displayed.

Planner Whetstone said this is a one-story facility with a two story caretaker's unit. The project will be built in phases. The first phase will have 625 units with 134,140 square feet. The units will range in size from 50 to 600 square feet. Phase 2 will have 410 units with 82,050 square feet. The site plan was shown.

Planner Whetstone said that an amended zone map requires compliance with the four established criteria, which is outlined in Section 11-5-3 of the Development Code. She reviewed the criteria.

EXHIBIT C.1

MINUTES

Eastern Summit County Planning Commission

REGULAR MEETING
THURSDAY, MARCH 5, 2020
SOUTH SUMMIT COUNTY SERVICES BUILDING
110 NORTH MAIN STREET
KAMAS, UT 84036

COMMISSIONERS PRESENT:

Tom Clyde
Bill Wilde
Don Sargent
Marion Wheaton
Clint Benson

Regrets: Amy Rydalch, Rich Sonntag

STAFF PRESENT:

Kirsten Whetstone–*County Planner*
Blaine Thomas – *County Attorney*
Pat Putt- *Community Development Director*
Katy Staley-*Secretary*
Ray Milliner-*Principal Planner*
Helen Strachan-*County Attorney*
Amir Caus-*County Planner*

REGULAR SESSION

Chair Clyde called the meeting of the Eastern Summit County Planning Commission to order at 6:00 PM.

1. **Pledge of Allegiance**

2. **Public input for items not on the agenda or pending applications.**

The Public hearing was opened. No comment was made and the Public hearing was closed.

3. **Approval of Minutes; June 6, 2019, July 18, 2019, August 15, 2019.**

Commissioner Wheaton made a motion to approve the Minutes of June 6, 2019 as written. Commissioner Wilde seconded the motion.

- **MOTION CARRIED (4-0) Commissioner Sargent abstained**

address the public concerns. A big concern is a possible future sale of the property with a change to an undesirable commercial use. This could be mitigated with the Development Agreement that would be the governing document.

Commissioner Wheaton made a motion to table this application and bring it back for a Work Session with a draft Development Agreement. There will be time for Public Comment when this application gets to the County Council. Commissioner Benson seconded the motion.

- **MOTION CARRIED (5-0)**

5. Public hearing and possible action regarding a Rezone and 5-lot Master Planned Development (MPD) located at 660 Chalk Creek Rd; Parcels CCRKR-1 and CCRKR-2; Courtney Richins, Applicant – ***Amir Caus, AICP, County Planner***

Planner Caus shared the background for the application. A Master Planned Development (MPD) is a strategy to produce a superior product and design with a rezone for a subdivision with four or more lots. Chalk Creek Run is a two-lot subdivision that was approved in November 2017. The prior zoning was Highway Corridor in the area along Chalk Creek Road and Agriculture Protection in the back. The subdivision was approved as part of the temporarily reinstated AP zone two-lot split provision. The current application is to rezone from AG5 to R2.5, increasing the number of lots from two to five, with the lot size of 2.5 acres.

The County Council can only approve a rezone if the application meets the standards for a rezone. Analysis found there is currently one unit per seven acres under the current zoning, and property within the Coalville annexation declaration boundaries is one unit per twenty

acres. There are no similar properties adjacent to the applicant's property with the smaller parcels.

The MPD requirements were discussed as listed in the Staff Report.

Staff is seeking direction, discussion and feedback from the Planning Commission. There were two submitted comments (included with the minutes).

Commissioner Sargent stated that at the Work Session the Planning Commission was unanimous in not supporting the project and asked if anything has changed. **Planner Caus** answered that the application is mostly the same.

Mike Brown, representing the applicant stated there was a procedural error and the applicant has the right to due process. The R2.5 zone is in the Code. Work Sessions are not for formal actions. This rezone is very different from the other application that was discussed tonight. 11-3-2 of the Code states that establishment zones are permitted and can be applied for, including R2.5. If the zone could not meet the intent of the General Plan, then it should not be listed as a potential zone. The R2.5 zone is assigned to AG5 through the MPD process. The applicant has property in the AG5 zone. The Code allows for the change and R2.5 would be compatible to the area. The area is a residential zone, not with agriculture as a requirement. When the General Plan was amended agriculture became one of many higher and better uses. The Planning Commission needs to see if the proposed use can work in this area through the MPD process. The applicant is trying to be sensitive to the surrounding properties. The MPD has identified four problems that are discretionary and can be discussed. Agricultural viability is under threat. This application is trying to accomplish what the County Council knew would happen when the Code was updated.

There is nothing wrong with having residential next to agriculture. This is not a reason to kill the project. If the applicant was asking for a change to R1 then the project should be under extreme scrutiny, but R2.5 is listed as a potential zone in the area.

Commissioner Sargent clarified that official action was not taken at the Work Session. The applicant does have the right to submit an application to have official action taken. Has the applicant considered an annexation request? **Courtney Richins**, the applicant responded that annexation would be too long away and this subdivision would protect the area from sprawl. **Mike Brown** stated that R2.5 is only specific to the AG5 zone. This property is the perfect scenario, with homes already in the already platted subdivision.

Commissioner Wilde stated that when the decision was made to do away with the Highway Corridor, Chalk Creek was negotiating for the R2.5 zone. **Commissioner Benson** stated that he can see the necessity and that the application could be the highest and best use. If R2.5 was intended to be used in the AG5 zone, then it is not necessarily against the Code.

Commissioner Wheaton stated that she does not believe this application is consistent with the goals of the General Plan, and permitting this rezone would create an island. **Courtney Richins** replied that the current subdivisions are already denser than the surrounding area which is zoned AG40, but there are still some that can subdivide.

Chair Clyde stated that the property is difficult because of the shape and the two existing houses to work around. Currently there is no connectivity, but the trail is a great starting point. An easement for a trail would help.

Mike Brown stated that everything needs to be laid out right at the right time. The applicant is willing to meet the requirements of the Code. The best thing would be to put roads next to property lines and designate buffer zones with open space. The MPD can be used to get the layout and design right.

The Public hearing was opened.

Kelvin Judd stated that he is going through a similar process. The requirement for ten percent open space is in the Code, but is not what makes the most sense. Speaking on behalf of himself and Mark and LaRene Judd, there is a need for responsible growth. Agricultural preservation does not make sense for this discussion.

Chris Ure stated that he was here for the Work Session. The Code has R1 as a recommended zone change for AG5. There are many people who had mink, pigs and other animals and now do not know what to do with their property. With a zone change to R2.5 agriculture should not be addressed, because the zone is for residential use. R2.5 is an overlay zone for AG5 to put density where it belongs. The vision of R2.5 was to put smaller parcels where density makes sense. The MPD is the governing document for the rezone. The change of the Code was plain in the intent and everything should go smoothly. Agriculture needs to be eliminated from this discussion. Including agriculture in this discussion is offensive to those who work in agriculture.

Russell Judd owns property across the river from the applicant property. There are some lots in the area that are smaller than 2.5 acres. Approving this application will open up Pandora's box and will set a precedence for those buying property. If people want

affordability then they can buy Courtney's properties that are for sale in Coalville. Other people have been told they cannot subdivide.

Vaughn Staples has been dealing with agriculture his whole life and has had the same problem of not being able to subdivide. Mr. Staples could not give his son a building lot because it was only nine acres. The real estate agent deemed the entire 9.5 acres as agriculture and lowered the property value. There are houses being built everywhere and hardly anyone is still doing full-time farming. Farmers have to have a second job. The whole valley could be R2.5. Many people are renting out basements because they cannot get any ground to build on.

Randy Timm is opposed to the project and submitted comment (Exhibit D in the Staff Report). The reason Mr. Timm purchased property was because it was in a subdivision of lots larger than six acres. Development pushed Mr. Timm out of West Jordan and it is heartbreaking to see the same thing happen here. There are currently big land parcels behind smaller lots.

Courtney McQueen stated that many people cannot afford to buy four to six acre lots but need horse property. The subdivision that the applicant is trying to create would fill that need. There is a big need for 2.5 acre lots. The County needs to look at more development. If people do not want to have the subdivision, then they should buy the property.

Jeff Richens lives up Chalk Creek and can see both sides of the debate. Chalk Creek is not built for one or 2.5 acre lots. There would be groundwater issues with more wells. Coalville is already seeing air pollution. Open space is nice. Because of the growth in Kamas, Park

City and Heber, there is more crime in the area. Mr. Richens is against the application because of the lack of open space.

Stephen Bowen stated he is for the rezone and is tired of agriculture. People are trying to sell their ground for a reason. The people who move here because of open space are not locals. Property owners have the right to do what they want with their property within the Code requirements. Growth is going to happen and needs to be done in a controlled manner. Give people the chance to do things with their property.

Commissioner Sargent stated that people would love to have a public hearing in Coalville.

The Public hearing was closed for today, with the option to Continue to a later date.

Commissioner Sargent stated that the lot size being presented is in limited supply in the area. The applicant has subdivisions with smaller lots available. The proposed lot size is in high demand. The question is whether the area is appropriate. Open space is hard to design. Coalville is in the process of updating their Master Plan for trails. The easements in the General Plan are twenty feet wide.

Chair Clyde stated that he agrees with Mike Brown that the R2.5 zone was built into the Code. The question is whether this layout fits with the property. A trail easement would be a great asset someday with the possibility of a horse trail. There are potential constraints on the property that may make the proposed plan the only plan that could work. Chair Clyde is not concerned with the density. More density would contribute to more roads, a trail and utility connectivity.

Mike Brown stated that this residential subdivision would set a precedence in Eastern Summit County that should be strategic. The applicant is open to suggestions for the layout and design to determine how to make the subdivision the most compatible to the precedence the County would like to set.

Commissioner Wilde stated that the trail system needs to be looked at. The road meets the Code requirements. There are no wells as the lots would be served by a private water system. Open space is included as part of the property. Commissioner Wilde clarified that he was not opposed to the project at the work session.

Chair Clyde, Commissioner Sargent, and Commissioner Wilde asked that a twenty-foot easement be included for a trail system, which could be used as open space. The design should have a more rural feel in the road and layout.

Director Putt suggested that the Public Hearing be continued to the next meeting in Coalville to allow the applicant time to study the layout and design to present to the Planning Commission.

Commissioner Sargent made a motion to continue the Public Hearing for Chalk Creek Run Subdivision to the next available meeting. Commissioner Benson seconded the motion.

- **MOTION CARRIED (5-0)**

Work Session

1. Discussion regarding a rezone (from AG-80 to Commercial) and Master Planned Development (MPD) for the Whisper Ridge development, a 200-unit multi-family project. PC Development, LLC, applicant. ***-Ray Milliner, Principal Planner***

Commissioner Sonntag made a motion to approve the Conditional Use Permit as proposed according to the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Staff Report. Commissioner Benson seconded the motion.

- **MOTION CARRIED (5-1) Commissioner Clyde dissented, Commissioner Wilde was not yet in attendance.**

3. Public hearing regarding a Rezone and 5-lot Master Planned Development (MPD) located at 660 E Chalk Creek Rd., parcels CCRKR-1 and CCRKR-2, Courtney Richins, Applicant – ***Amir Caus, AICP, County Planner***

Planner Caus shared the background for this application. The last meeting for this application focused on public comment and the rezone discussion. Staff is now seeking direction on the revised layout and the MPD requirements.

Chair Sargent asked what the open space will be used for. **Courtney Richins**, the applicant answered that the open space will have space for a trail and may be deeded with Lot 5 to stay as open space for everyone to enjoy. **Planner Caus** stated that the open space is not required to be public versus private. There is no standard size for a trail easement, as far as Planner Caus is aware.

Mike Brown, representing the applicant stated that the applicant has met with Staff to work on the design of the MPD, and page 8 of the Staff Report talks about the deviations from the current development pattern. One of the overall objectives of the new Code promotes pushing development off of the County roads and using the MPD process. Agriculture is allowed in the R2.5 zone and the current site plan helps enhance and promote agricultural use. Each lot will have secondary water for the anticipated continuing

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agricultural use. This proposed MPD promotes the goals of the County and promotes new agricultural uses.

Chair Sargent stated he likes the varying lot sizes and the connectivity to the adjacent properties.

Commissioner Wheaton asked what can be done to keep the easement in place. **Mike Brown** answered that the trail easement has flexibility for the future as Coalville expands. A certain width of trail will be dedicated on the plat for trail use. The easement will be dedicated in perpetuity, so if the landowner puts up a fence, it would have to come down when the trail is put in. The shape of the open space can be reconfigured to meet the ten to thirteen percent open space requirement and include the trail within the open space area.

Chair Sargent stated he would like the easement increased to sixteen feet.

Planner Caus stated that this subdivision is within Coalville's annexation declaration zone.

Commissioner Wheaton stated that lots 2 and 3 are small for preserving agricultural use.

Courtney Richins answered that there is a need for the proposed lot sizes. **Chair Sargent** stated that one acre lots can provide an agricultural opportunity for a small family to have a cow, a sheep, and chickens.

The Public hearing was opened.

Pam Rapplean lives at 650 East Chalk Creek Road on an adjoining property. The proposal is for 2.5-acre lots, which could produce 205 lots up Chalk Creek. The street could not handle the traffic that would be produced. Pollution and the noise level would increase, and noise carries far in the area. The speed limit on Chalk Creek Road is 35 miles per hour, but

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it is lucky if people drive 40 to 45 miles per hour. An increase in traffic could cause havoc. There are not enough police to patrol Chalk Creek. Approving this application would set a precedence that will never stop. With four homes being built with more animals and children, the noise will increase. Sound prevention at the property line should be required. Having an easement is a great idea, but easements will be needed all the way to Coalville Main Street to have the trail happen, which will require a vote in the County. Most of the proposed homes will not be conducive to affordability to local residents.

Les Marsh asked if Mr. Adams already owns Lot 1, and if so, how can it be open space. **Courtney Richins** stated he will talk to Mr. Adams. **Les Marsh** also asked what type of agriculture would be allowed on the lots. The lots could just be a pet shop. **Courtney Richins** stated that most agriculture up Chalk Creek is hobby farming.

Marilyn stated that the land is going from five-acre lots to 2.5-acre lots, and if the lots keep getting smaller, people may as well live in town. Open space should not be included in the lot size because it cannot be built on. **Planner Caus** explained the 2.5 residential zoning.

Chair Sargent stated that the 2.5-acre lots are not cookie cutter lots, and the number of lots did not increase. Development rights were increased on the property through the MPD process. Lot sizes can be smaller, but the density is not changed.

The Public hearing was closed.

Commissioner Clyde stated that the zone change was built into the amendments to the Code. The 2.5-acre zone is not an agricultural zone, but a residential zone. The 2.5-acre zone was created to give the ability to have a patch of suburbia. This zone is to build houses on. Allowing this MPD would set a precedent. The revised plan solves the connectivity

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concern. The density would require another road system or road widening over time, which needs to be included in the planning. Reconfiguring the open space to include the trail would solve the issues with the trail and make the open space functional.

Commissioner Rydalch stated that connectivity of the trail would be better and the open space change should be considered.

Commissioner Benson stated he likes the reconfiguration of the open space. The lot sizes are reasonable and promotes the opportunity for having a home with a rural feel.

Commissioner Sonntag agreed that the open space should include the trail and he could forward a positive recommendation.

Commissioner Wheaton stated that she personally does not like this type of development, but if the trail is in the open space then she could forward a positive recommendation.

Chair Sargent stated that he would like a sixteen-foot easement for the trail. Coalville has a trail plan, and including an easement for the trail is a good opportunity.

Planner Caus clarified some points of the MPD requirements. A note should be included that building cannot be done on a flood plain. The lots will be designed similarly to adjacent uses. **Chair Sargent** stated that similar lot sizes are fairly common through Chalk Creek.

Commissioner Clyde stated that if the County Council did not want the 2.5-acre residential zone, then they would not have allowed it in the Code. The applicant has made an effort to create connectivity.

Chair Sargent stated that accessory dwelling units are allowed, and the varying lot sizes creates affordability.

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Mike Brown stated that Staff agrees that the R2.5 zone was adopted specifically for the AG5 zone and must have been discussed by the County Council. The design is generally consistent with the General Plan.

Planner Caus stated that the proposal is compatible with adjacent land uses and is not overly burdensome. The proposal is compliant with the standards in Chapter 4 of the Code.

Planner Caus will have draft Findings of Fact, Conclusions of Law and Conditions of Approval for the next discussion of this application. The owners of Lot 1 and Lot 5 have signed the application.

WORK SESSION

1. Cedar Crest Village Overlay Committee and Staff will provide an update and lead a discussion with the Commission on the Cedar Crest Village Plan, Cedar crest Village Overlay Committee, representing applicants. – ***Kirsten Whetstone, AICP, County Planner; Peter Barnes, Director of Planning & Zoning and Design; Patrick Putt, Community Development Director***

Planner Whetstone shared the background for this discussion. There have been several Cedar Crest Village Overlay Committee meetings. A strength and weakness analysis has been done. A draft Future Land Use Map has been put together to determine where the village core will be. There will be a future public outreach.

The overlay story map can be accessed at www.summitcounty.org/307/planning-zoning.

There has been an effort to provide housing that is affordable and safe.

Director Barnes stated that five or six character areas have been identified, and shared the idea overview for one character area.

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Commissioner Clyde made a motion to forward a positive recommendation for the Plat Amendment to the Community Development Director according to the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Staff Report. Commissioner Wheaton seconded the motion.

- **MOTION CARRIED (7-0)**

4. CANCELLED (NEW NOTICES WILL BE SENT) <u>Public hearing and possible action</u> regarding the Cottonwood Canyon Master Planned Development. The applicant is proposing to subdivide Parcel NS-101-A into ten lots through the Master Planned Development process with Highway Corridor (HC) Zone density, located at 1479 S Hoytsville Road; Kelvin Judd, Applicant, - ***Amir Caus, AICP, County Planner***

5. <u>Public meeting notice (Notice of Action)</u> regarding the Chalk Creek Run Rezone and 5-Lot Subdivision/Master Planned Development. The Eastern Summit County Planning Commission closed the Public Hearing on June 18, 2020 and may take action on the proposal. Parcels CCRKR-1 and CCRKR-2 located at 660 E Chalk Creek Road; Courtney Richins, Applicant, - ***Amir Caus, AICP, County Planner***

Chair Sargent stated that this application has been reviewed on several occasions.

Planner Caus shared that the last time this application was discussed, the Planning Commission saw a revised design of the Master Planned Development and decided the changes were significant enough for approval. Staff was asked to return with Findings of Fact, Conclusion of Law and Conditions of Approval to forward a positive recommendation to the County Council.

Commissioner Rydalch stated she is happy to see the Open Space and that the trail area is further clarified. The 2.5-acre zone makes it difficult to maintain agricultural use, but the property owner's rights are not affected.

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Commissioner Wheaton stated she does not like this type of development and precedent, but the applicant has made an effort to include Open Space, public trails, and connectivity.

Commissioner Wilde stated this is a good project.

Commissioner Clyde stated the applicant did what he was asked to do to improve the Open Space, and increase the connectivity of the development.

Chair Sargent stated that the applicant has responded to any questions and concerns from the Planning Commission. The project serves the intent of the Master Planned Development purposes.

Findings of Fact:

1. Courtney Richins is the owner of record of Parcel CCRKR-1 (9.46 acres), located at 660 E Chalk Creek Road, Coalville, Summit County, UT.
2. Jay Adams, Linda Adams, and Travis Eaglin are the owners of record of Parcel CCRKR-2 (3.9 acres), located at 664 E Chalk Creek Road, Coalville, Summit County, UT.
3. Parcels CCRKR-1 and CCRKR-2 are located within the AG-5 Zone.
4. Parcel CCRKR-1 is developed with a single-family residence that was constructed in 1914.
5. Parcel CCRKR-2 is developed with a single-family residence that was constructed in 2017 and two accessory buildings that were constructed in 2018.
6. The applicants own the Chalk Creek Run Subdivision, approved as a two-lot subdivision in November of 2017 and are requesting to rezone and further subdivide Parcels CCRKR1 (9.46 acres) and CCRKR-2 (3.90 acres) into 5 lots total in a newly configured subdivision (2 lots to 5 lots).
7. Per Section 11-4-12(B.2) of the Development Code, the Master Planned Development process is required for any application for a rezone and any application to subdivide at base density resulting in four (4) or more lots or parcels.
8. In order to further subdivide the Chalk Creek Run Subdivision, the applicants will need to rezone the properties from AG-5 to R-2.5 and will need to complete the MPD process.
9. The Eastern Summit County Planning Commission held an initial work session on this proposal on November 7, 2019.
10. The Eastern Summit County Planning Commission held a second meeting (a public hearing) on March 5, 2020.
11. During the March 5, 2020 meeting, the Planning Commission directed the applicant to redesign the layout of the subdivision.
12. The Eastern Summit County Planning Commission held and closed a public hearing on June 18, 2020.
13. During the June 18, 2020, the Eastern Summit County Planning Commission discussed and compared the revised subdivision layout and found that the June 18, 2020 iteration of the Chalk Creek Run Subdivision Rezone and Master Planned Development (MPD) meets the minimum

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required for approval and directed Staff to return with Findings of Fact, Conclusions of Law, and Conditions of Approval to support their decision.
14. Per Section 11-5-3(B.1.a) of the Eastern Summit County Development Code; The county council may permit the rezoning of the property only after it has determined that said rezoning is generally consistent with the goals and objectives of the general plan, all other criteria and considerations described in this title, and said action is necessary to promote the public health, safety and welfare of the residents of eastern Summit County.
15. Additionally, per Section 11-5-3(B.1.c) of the Eastern Summit County Development Code; Approval of an amendment to the zone district map shall not be granted until both the planning commission and county council have reviewed the specific development proposal and determined:

1.The amendment is generally consistent with the goals of the general plan;

2.The amendment is compatible with adjacent land uses and will not be overly burdensome on the local community;

3. The specific development plan is in compliance with all applicable standards and criteria for approval as described in chapter 4 of this title; and

4. The amendment does not adversely affect the public health, safety and general welfare.

16. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the proposal was consistent with the goals of the general plan based on the redesigned subdivision.
17. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the proposal is compatible with adjacent land uses and will not be overly burdensome on the local community based on the redesigned subdivision and compliance with the MPD criteria.
18. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the proposal is in compliance with all applicable standards and criteria for approval as described in Chapter 4 of the Eastern Summit County Development Code and that the amendment does not adversely affect the public health, safety and general welfare based on the Master Planned Development criteria analysis.
19. Per Section 11-4-12(B.2) of the Eastern Summit County Development Code, the Master Planned Development process is required for any application for a rezone and any application to subdivide at base density resulting in four (4) or more lots or parcels.
20. All applications for a Master Planned Development must meet the 17 minimum requirements outlined in Section 11-4-12(E) of the Eastern Summit County Development Code.
21. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the proposal is in compliance with the 17 minimum requirements for approval as described in 11-4-12(E) of the Eastern Summit County Development Code.
22. The applicant is not seeking a Density Bonus.
23. The applicant is not requesting to deviate from the development code setback requirements.
24. The property has historically been used as a hay field. The applicant is proposing lot sizes which range from 1.6 acres to 3.05 acres.
25. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the small overall size of the property makes viable commercial agriculture difficult.
26. Portions of the property are located within the FEMA 100-year floodplain.

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27. The newly constructed home and accessory structures on Parcel CCRKR-2 have all been located outside of the identified floodplain.
28. The County Engineer approved the previously recorded and supports the current iteration of the subdivision.
29. The applicant has included a note which states; "Building is prohibited within the flood plain". 18 Chalk Creek Run Subdivision Rezone and MPD August 6, 2020
30. The applicant is proposing to designate 13% open space (10% required by the MPD process).
31. The open space is located on the Chalk Creek portion of the property.
32. The applicant has stated that they plan to sell Open Space Parcel 1 (0.915 acres) with Lot 5 and Open Space Parcel 2 (0.915 acres) with Lot 1.
33. The applicant is providing 16-foot wide public access trail easements on the property which run along Chalk Creek and have access from Chalk Creek Road.
34. Per the Planning Commission discussion and direction, the applicant is not proposing to construct the trails.
35. During the June 18, 2020 meeting the Eastern Summit County Planning Commission directed the applicant to dedicate a 16-foot wide trail easement along Chalk Creek to provide future external connectivity that would be in line with Coalville City's future trails plan.
36. An open space deed restriction will be required to be recorded at the time of recordation of the plat.
37. The deed restriction will identify the trail easements and public access to the trail easements.
38. The applicant has confirmed that the proposed lots are for single family dwelling uses only.
39. Parking requirements are going to be enforced during the building permit review. Due to the large lot sizes, Staff does not anticipate any minimum parking issues.
40. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the revised layout and variety in sizes was acceptable and conforms to the variety of common lot sizes throughout the Chalk Creek neighborhood.
41. The applicant has redesigned the subdivision to include a private road designed to a public road standard that has three potential connections should there be future road improvements in the area.
42. Both the County Engineer and Fire Marshal have stated that the proposed road design is acceptable.
43. Due to the size of the lots, there is adequate snow storage area.
44. The applicant has stated that due to the lot size, there is sufficient area for garbage collection and equipment storage.
45. The applicant has stated that all storage will be required to be indoors and that this would be enforced via CC&Rs.
46. The applicant has added a plat note which states; Fencing within the subdivision shall be wildlife friendly fencing.
47. The applicant has stated that they are not proposing vehicle access gates.
48. There are no designated wetlands present on this property.
49. The proposed subdivision is not located on a prominent hillside.
50. There are adequate development areas outside of 30% slopes.
51. The applicant has provided a Will-Serve letter from the Cluff Ward Pipeline Company.

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52. Goal 7.1 of the Eastern Summit County General Plan promotes Moderate Income Housing and mix of housing types and availability.
53. The applicant is seeking single-family detached market rate units only and is not placing any deed restrictions.
54. During the June 18, 2020 meeting the Eastern Summit County Planning Commission found that the applicant's redesign of the road to a public standard allowed for accessory dwelling units to be constructed. The Eastern Summit County Planning Commission further found that the accessory dwelling units would provide for affordability.
55. The Eastern Summit County Planning Commission also found that the variety in sizes of lots provided for additional mix of housing types and affordability.
56. The Eastern Summit County Development Code establishes that the Summit County Council is the Land Use Authority and that the Eastern Summit County Planning Commission is the recommending body for rezones and subdivisions resulting in four or more lots.
57. The Criteria for Approval are set forth in Section 11-5-3(B.1.c) and Section 11-4-12(B.2) of the Eastern Summit County Development Code.
58. Service providers have reviewed the plat for compliance with applicable standards.

Conclusions of Law:
1. The amendment is generally consistent with the goals of the general plan;
2. The amendment is compatible with adjacent land uses and will not be overly burdensome on the local community;
3. The specific development plan is in compliance with all applicable standards and criteria for approval as described in chapter 4 of this title; and
4. The amendment does not adversely affect the public health, safety and general welfare.
5. The proposed project, as conditioned, meets the requisite standards set forth in Section 11-4-12(B.2) of the Eastern Summit County Development Code.

Conditions of Approval:
1. All service provider requirements shall be met.
2. An open space deed restriction shall be recorded at the time of recordation of the plat in a form and manner acceptable to the Summit County Attorney's Office.
3. The open space deed restriction shall identify the trail easements and public access to the trail easements.

Commissioner Clyde made a motion to forward a positive recommendation for the Rezone and Master Planned Development (MPD) to the County Council according to the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Staff Report.

Commissioner Wilde seconded the motion.

- **MOTION CARRIED (7-0)**

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STAFF REPORT

To: Summit County Council
From: Ray Milliner, County Planner
Date of Meeting: September 9, 2020
Type of Item: Public Hearing / Possible Action
Subject: Development Code Amendment

Recommendation: Staff recommends that the Summit County Council review the proposed Development Code Amendment to create a Neighborhood Mixed Use Zone conduct a public hearing and adopt the attached ordinance.

August 19, 2020 Council Meeting

On August 19, 2020, the County Council conducted a public hearing to discuss the proposed NMU zone. There was a significant amount of input from the public, but the meeting ended before all of the Council members were able to provide direction to staff. As a result, only one change to the language has been made:

1. Property subject to the terms and conditions of any prior Development Agreement, Settlement Agreement or similar instrument shall remain subject to those terms and conditions until such time as the prior agreement expires or is amended.

This change was placed in the eligibility section of the document in response to concerns from the public that the NMU would be improperly applied to areas such as the Canyons that have existing Development Agreements governing them.

Prior to the August 19, 2020 meeting, staff received a letter from Park City Municipal Corp. requesting that language be inserted into the Eligibility for Rezone section that would prohibit properties within the Park City Municipal Corp Annexation Boundaries from applying for a rezone to NMU (letter attached Exhibit A). The Council discussed that letter at the meeting, but no specific direction was given as to whether or not the language should be inserted. Staff requests that the Council discuss this issue and consider whether to add this language.

Purpose

The purpose of the Neighborhood Mixed Use (NMU-1) zone and Master Planned Development process is to prevent the challenges caused by urban sprawl in the Basin. If implemented correctly, they will provide the County with innovative and solution-based urban design practices and limit the damage caused by unsustainable development. They are intended to be environmentally focused, centered around public health and well-being and economic stimulation.

Benefits of the NMU-1 and MPD Process:

1. Decreased Reliance on Transportation: The process promotes alternative transportation with an emphasis on walkabiltiy. Mixed-used design brings a wider variety of uses together in proximity. This helps reduce pollution, keep congestion down, and enables a healthier, more active lifestyle.
2. Increased Economic Viability: Lower costs per capita, increase of tax base, and greater accessibility to patrons allow people to spend less on transportation, as well as numerous other benefits which add to a healthier economy.
3. Improved Community Health: An emphasis on mixed-use design and similar concepts provides a healthier and more engaging life. It also helps promote safer planning.
4. Sustainability: These Regulations encourage green transportation and promote various sustainable building methods. This will help the County achieve a greater level of sustainability.

Background:

The applicant is requesting an amendment to the Snyderville Basin Development Code to create a Neighborhood Mixed Use zoning district (NMU-1). The NMU-1 zone is a concept that was initially created and presented to the Planning Commission by Staff in July of 2017. However, because the process was not moving forward (due to other staff priorities and responsibilities) the applicant took the NMU-1 draft, modified it, and applied to amend the Development Code.

The Snyderville Basin Planning Commission forwarded a positive recommendation to the County council on November 20, 2019. The Council conducted a work session for the item on March 4, 2020 and a public hearing on June 5, 2020.

Highlights of the NMU

1. Establishes eligibility requirements for rezone to NMU-1. Primarily the land must be featured as Mixed – Use in the Future land use map of the Snyderville Basin General Plan.

2. All Rezones must be processed as a Master Planned Development which would be approved by the County Council.
3. Establishes an open space requirement of 25%. Types of open space shall be based on the definition of open space in the Snyderville Basin General Plan.
4. Creates incentives that will allow for additional density if the developer provides additional affordable housing or structured parking.
5. Establishes a base height limit of 45 feet with incentives that, if certain criteria were met, would allow a height of 60 feet. Height would be measured per the standard definitions in the Development Code.
6. Creates performance standards that the County Council and Planning Commission will use when making decisions.
7. Creates parking requirements for Commercial and Residential uses. A maximum of 5 parking spaces per 1,000 square feet is required for commercial uses.
8. Establishes base requirements for architectural design.
9. Establishes sustainability requirements to ensure environmentally sensitive design.

The General Plan identifies several current and future mixed-use neighborhoods in the Snyderville Basin. The General Plan contemplates the creation and adoption of zoning tools to guide future development in these areas.

Analysis:

Section 10-7-3 of the Snyderville Basin Development Code states that whenever there is initiated an amendment to the Code, it must be reviewed by the Planning Commission who will deliver a recommendation to the County Council. The County Council, after holding a public hearing, shall approve, approve with modifications or deny the amendment according to the following criteria.

Criteria 1: The amendment shall be consistent with the goals, objectives, and policies of the general plan. **COMPLIES**

> **Analysis**: The following Goals and Policies of the General Plan apply to this amendment:
>
> OBJECTIVE A: Encourage the creation of highly livable neighborhoods and mixed-use areas that are connected by open spaces and multi-modal transportation systems.
>
> Policy 2.1: Identify, plan, and create neighborhood master planned specific areas where development/redevelopment should occur. These designated areas should be rezoned accordingly.

OBJECTIVE B: Incentivize compact, dense, and nodal development, defined by abundant and contiguous open spaces, as well as a predictable process to achieve this goal through clear regulations in the Snyderville Basin Development Code.

OBJECTIVE C: Create Zoning Districts that match existing development and/or promote desired future development.

Policy 2.13: Create new mixed-use, inclusive neighborhoods within existing development areas and/or future designated redevelopment areas.

Policy 2.14: Identify specific nodes where development and/or redevelopment will be encouraged and zone these areas accordingly.

OBJECTIVE D: Ensure future development is well designed and appropriately located.

Policy 2.17: Within defined mixed-use areas, a range of uses should be supported that are appropriate for each individual location and neighborhood, and may include small scale retail, offices, business and personal services, schools, and parks designed to meet the needs of the neighborhood.

Policy 2.18: Identify specific areas where mixed use areas may be appropriate in order to preserve natural open spaces and vistas, prevent urban sprawl, and 7 promote the mountain resort community through managed growth. These areas should contain an appropriate mix of residential and commercial development as well as recreational opportunities that provide connections to existing and future community trails and transit facilities.

Policy 2.21: Encourage locally based and neighborhood commercial businesses.

Policy 2.23: Identify appropriate areas for light industrial/service commercial activities to meet the needs of local businesses and development activities. Light industrial/service commercial activities should be discouraged along scenic corridors or at community gateways.

Policy 2.25: Strongly discourage roadside or strip commercial development where there is continuous or intermittent linear development generally one store deep, one or more access points for separate properties and with highly visible parking located between the road and the building.

Policy 2.26: Discourage large scale commercial “one story” structures.

The proposed amendments to the Snyderville Basin Development Code clarify the process for appeals in the Code and brings it into conformance with current County practices and what has been the practice of Courts of Law. The changes make the procedures in the Code clear and easy to understand.

The proposed language was created specifically to address the goals and objectives written in the current version of the Snyderville Basin General Plan.

Criteria 2: The amendment shall not permit the use of land that is not consistent with the uses of properties nearby. **COMPLIES**

Analysis: Provisions have been made in the Performance Standards in the language to ensure that adjoining properties will not be negatively affected.

Criteria 3: The amendment will not permit suitability of the properties affected by the proposed amendment for the uses to which they have been restricted. **COMPLIES**

Analysis: The amendment will not permit suitability of the properties affected by the proposed amendment to the uses to which they have been restricted.

Criteria 4: The amendment will not permit the removal of the then existing restrictions which will unduly affect nearby property. **COMPLIES**

Analysis: The proposed Code language does not remove any existing restrictions that would unduly affect nearby property owners.

Criteria 5: The amendment will not grant special favors or circumstances solely for one property owner or developer. **COMPLIES**

Analysis: Although the amendment was initiated by a member of the public, Staff finds no evidence that these regulations would constitute a special favor or create a favorable circumstance for a single property owner, as the NMU-1 zone would be available for any property owner who meets the minimum eligibility requirements.

Criteria 6: The amendment will promote the public health, safety and welfare better than the existing regulations for which the amendment is intended to change. **COMPLIES**

Analysis: The proposed changes are consistent with County Council goals of creating well managed and well-designed neighborhoods, promoting additional affordable/employee housing and mitigating traffic impacts caused by development. Performance standards established in the zone will require

developers to address connectivity, sustainability, parking, open space, transportation and other mitigating issues that will have a positive effect on the County population.

Recommendation:

Staff recommends that the Snyderville Basin Planning Commission (SBPC) review the proposed Development Code Amendment to create a Neighborhood Mixed Use Zone and forward a positive recommendation to the County Council per the findings of fact, and conclusions of law below:

Findings of Fact

1. The applicant is requesting an amendment to the Snyderville Basin Development Code to create a Neighborhood Mixed Use zoning district (NMU-1).
2. The NMU-1 zone is a concept that was initially created and presented to the Planning Commission by Staff in July of 2017.
3. Because the process was not moving forward (due to other staff priorities and responsibilities) the applicant took the NMU-1 draft, modified it, and applied to amend the Development Code.
4. The Commission reviewed the proposal as a standalone document at a work session on April 23, 2019 and June 11, 2019.
5. The Planning Commission conducted a public hearing on August 27, 2019 and on September 24, 2019.
6. On November 20, 2019, the Planning Commission forwarded a positive recommendation to the County Council.
7. On June 4 and July 15, 2020, the County Council conducted public hearings for the NMU zone amendments.
8. The General Plan identifies several current and future mixed-use neighborhoods in the Snyderville Basin.
9. The General Plan contemplates the creation and adoption of zoning tools to guide future development in these areas.

Conclusions of Law:

1. The amendment is consistent with the goals, objectives, and policies of the General Plan.
2. The amendment will not permit the use of land that is not consistent with the uses of properties nearby.
3. The amendment will not permit suitability of the properties affected by the proposed amendment for the uses to which they have been restricted.
4. The amendment will not permit the removal of the then existing restrictions which will unduly affect nearby property.

5. The amendment will not grant special favors or circumstances solely for one property owner or developer.
6. The amendment will promote the public health, safety and welfare better than the existing regulations for which the amendment is intended to change.

Attachments

Exhibit A - Letter from Park City Municipal Corp.
Exhibit B - Proposed Ordinance.

Office of the Mayor and City Council

August 17, 2020

Summit County Council
60 N. Main St.
P.O. Box 128
Coalville, UT 84107

Dear Summit County Council,

We appreciate the County's diligent efforts over the past few weeks contesting the town of Hideout's annexation of Richardson Flats. As Summit County legal staff presented in their recent 4th District court case, this is an area that has already been voluntarily submitted through a development entitlement process and as a result, restricted by the property owner and consistently protected against density and development by both Summit County and Park City for many years. The city appreciates your partnership in this protection of our recreational and open space lands.

This Wednesday, August 19th, the Summit County Council is scheduled to consider the Neighborhood Mixed Use (NMU) zone. This zone has the potential to focus clustered development in transit served areas instead of encouraging subdivision sprawl. This is an admirable goal and Park City appreciates all attempts at better planning, especially where transit and transportation can be a focal point. The county's objective of "Incentivize compact, dense and nodal development, defined by abundant and contiguous open spaces" seems ideal.

While we support these goals, the proposed NMU zone may allow density proposals that seem more apropos for Salt Lake than for Summit County. The Snyderville Basin Planning Commission recommended a 25% open space requirement, a floor area ratio (FAR) of 0.60 and a 45-foot building height. Using that, a 100-acre development would require only 25 acres of open space and the remaining 75 acres could include almost two million square feet of development. That is before the bonuses for structured parking and additional affordable housing that can add another 500,000 square feet and raise building height to 60 feet. At an earlier Summit County Council meeting on the NMU zone, there was discussion about removing the 0.60 FAR requirement and allowing additional height, which could grant significantly more density.

The current Snyderville Basin General Plan includes seven areas for mixed-use development. All are adjacent and often surrounded by medium or high density residential and commercial development. Most are near highways with substantial access and they are either already served by transit or it is currently very close by. These areas could make sense for utilization of the NMU zoning with an appropriate development application.

Park City's concern is that the NMU zone could be applied to land in Park City's Annexation Expansion Area, including the Quinn's Junction – Richardson Flats area, which serves as the primary southern entry corridor for both the city and the county. Our councils have consistently identified this area as recreation, open space, or low density residential. The Park City Flagstaff Development Agreement, first crafted in 1997, established Richardson Flats development limitations and the county's base zoning reaffirms those restrictions. As we have recently seen with third party efforts, there is an obvious desire to use this land for development in ways completely inconsistent with the county's well thought out Snyderville Basin General Plan. There is frequent consideration given to the General Plan's Policy 2.3 regarding additional entitlements. Equally important, and perhaps more applicable in this case, is Policy 2.2 that states "Identify specific areas where development should not occur and zone it accordingly." Isn't this one of those areas?

To continue to protect this area as it has been planned, Park City requests that the county consider adding the phrase "*and not located in the current Park City Annexation Expansion Area as of the date of this legislation*" to the Rezoning Eligibility section of the NMU ordinance. We have discussed this recommendation with the County Council Chair and the Community Development Director. This amendment would maintain the county's considerable flexibility to utilize the NMU zoning, but still respect Park City's annexation plans and keep the promises we both made to our constituents to protect the land. Such an addition would be consistent with the rezoning considerations the Summit County Council gave to the incorporated towns in the eastern part of the county, respecting the impacts zoning changes can have on adjacent lands.

We respect the years of hard work and thought that have gone into the NMU zone proposal. We ask that you similarly respect Park City's annexation expansion plans and well documented development agreements by simply excluding our current Annexation Expansion Area from possible application of the NMU zone.

Thank you for your consideration,

Park City Mayor and City Council

SUMMIT COUNTY, UTAH
ORDINANCE NO. 912

AN ORDINANCE CREATING SECTION 10-2-17 THE NEIGHBORHOOD MIXED USE ZONE (NMU-1) IN THE SNYDERVILLE BASIN DEVELOPMENT CODE

PREAMBLE

WHEREAS, Utah Code Annotated ("UCA") §17-27a-102(b) provides that counties can enact all ordinances that they consider necessary or appropriate to govern, among other things, land uses; and,

WHEREAS, Policy 2.5 of the Snyderville Basin General Plan states that language from the Code include clear, predictable, and measurable standards; and

WHEREAS, in furtherance of this goal, §10-1-1(D) of the Summit County Code ("Code") states that the intention of the county is to assure the managed, proper and sensitive development of land to protect and enhance these desired qualities and the lifestyle that exists; and,

WHEREAS, the creation of the NMU-1 zone is an important component in promoting and reaching these goals and policies; and,

WHEREAS, the requirements and performance standards in the NMU-1 zone are written specifically to promote the goals and objectives in the Snyderville Basin General Plan; and,

WHEREAS, the Snyderville Basin Planning Commission held a public hearing on September 24, and August 28, 2019; and

WHEREAS, the Snyderville Basin Planning Commission recommended adoption of the amended sections of the Snyderville Basin Development Code on October 9, 2019; and

WHEREAS, the County Council held a public hearing on August 19, 2020 and September 9, 2020; and,

NOW, THEREFORE, the County Council of the County of Summit, State of Utah, ordains as follows:

Section 1. **SNYDERVILLE BASIN DEVELOPMENT CODE** The Snyderville Basin Development Code is amended as depicted in Exhibit A.

Section 2. **Effective Date.** This Ordinance shall take effect immediately after publication.

Enacted this ___ day of_____.

ATTEST:

_____
Kent Jones
Summit County Clerk

APPROVED AS TO FORM

_____
David L. Thomas
Chief Civil Deputy

SUMMIT COUNTY COUNCIL

_____
Doug Clyde, Chair

VOTING OF COUNTY COUNCIL:

Councilmember Carson	_____
Councilmember Robinson	_____
Councilmember Clyde	_____
Councilmember Armstrong	_____
Councilmember Wright	_____

SECTION 10-2-17

Neighborhood-Mixed Use-1 (NMU-1) Zone

A. Purpose: The purpose of the Neighborhood Mixed-Use 1 (NMU-1) Zone is to create new Development and redevelopment areas that are:

- Compact,
- Mixed use,
- Pedestrian-focused
- Transit-oriented, and
- Performance-based.

The desired development pattern of the NMU-1 Zone shall be facilitated through flexible site and community design principles that:

- Provides a mix of land uses that are compatible, mutually supportive, and efficiently served by a variety of multi-modal transportation options,
- Establishes convenient, safe, direct, and well-connected transit and pedestrian linkages,
- Reduce the need for parking,
- Clusters Development to create functional and aesthetically pleasing public realm, including but not limited public spaces, plazas, and outdoor amenity areas; and
- Achieves sustainable infrastructure and building design consistent with best practices (as stated in Section 11 of this Chapter).

B. Uses: Uses in the NMU-1 zone are limited to the Following:

Allowed Uses

1. Bars, Taverns, clubs
2. Dwelling Unit, Multi-Family
3. Dwelling unit, single-family attached
4. Home Based Business, Class 1 (see Section XX)
5. Live-Work Unit
6. Mixed Use Structure
7. Mobile Food Business
8. Open Space
9. Park, Community
10. Park, Neighborhood
11. Recycling Facilities, Class I
12. Solar Array, Minor
13. Telecommunication Facilities, Co-location

14. Trails, Community Wide
15. Trailhead Parking Designated within 300 feet of a residential parcel
16. Major Trailhead Parking up to 10 spaces
17. Minor trailhead parking less than 10 spaces
18. Offices, General
19. Restaurant, Deli or Takeout (no drive through)
20. Restaurant Full Service
21. Retail Sales, Convenience Store
22. Retail sales, Food, less than 50,000 sf in size
23. Retail Sales, General, less than 10,000 square feet in size

Low Impact Uses

1. Banks and Financial Services
2. Building and Maintenance Services
3. Childcare Center with more than 16 children
4. Construction Management Office
5. Construction Services, Contract
6. Cultural Activity
7. Dwelling Unit, Employee
8. Funeral Services
9. Healthcare Facilities
10. Home Based Business, Class II (see Section XX)
11. Indoor Entertainment such as bowling alleys, skating rinks, movie theaters, performing arts center
12. Laundromat
13. Offices, Medical and Dental
14. Personal Improvement Services
15. Personal Services
16. Property Management Offices, Check-in
17. Public Community Event Center
18. Recreation and Athletic Facilities, Commercial
19. Rehearsal or Teaching Studio for creative, performing and/or martial arts with no public performances
20. Telecommunication Facilities other than Co-location or Stealth
21. Telecommunication Facilities, Stealth
22. Trails, Neighborhood
23. Transportation Services
24. Utility Facilities, Above Ground
25. Utility Facilities, Major
26. Utility Facilities, Underground
27. Veterinarian

Conditional Uses

1. Churches, Schools, Institutional uses

2. Commercial Event Center
3. Hazardous Liquids or Materials Transmission Pipelines
4. Historic Structures, preservation of, including related Accessory and supporting Uses
5. Hotel, Motel or Inn
6. Mobile Food Court
7. Nursing Home
8. Office, Intensive
9. Open Recreation Uses, Commercial
10. Park and Ride Lot
11. Parking Lot, Commercial
12. Public Facilities
13. Recreation and Athletic facilities, Private
14. Recreation, Public
15. Retail sales, General, larger than 10,000 sf less than 50,000 sf in size

Temporary Uses

1. Temporary Use or Structure

B. Rezoning Eligibility: Properties must meet all the following criteria to be eligible for consideration for a rezone to NMU-1:

2. The property(s) must be designated for mixed use on the Snyderville Basin General Plan, Future Land Use Map;
3. The property(s) must be adjacent to (or a redevelopment of) existing commercial, mixed use, or Institutional/civic Development:
4. The property(s) must be located along the existing Park City/Summit County transit system or as a condition of approval, receive a commitment to provide service from the County Regional Transportation Planning Director 3. The property(s) must be located along the existing Park City/Summit County transit system or as a condition of approval, receive a commitment to provide service from the County Regional Transportation Planning Director.
5. Property subject to the terms and conditions of any prior Development Agreement, Settlement Agreement or similar instrument shall remain subject to those terms and conditions until such time as the prior agreement expires or is amended.

C. Rezoning and Master Planned Development: A proposal for a rezone to the NMU-1 Zone shall be processed concurrently with a Master Planned Development application subject to Section 10-3-16 of this title.

D. Affected Properties: All rezoning applications to the NMU-1 Zone shall include all contiguous holdings by the Owner, unless specifically waived by the Planning Commission, as well as land in the "same ownership." If the Property is under

contract for sale, the application shall specify the contract Owner of the Property and the date a contract of sale was executed. In the event corporations are involved, a copy of the resolution legally empowering the Applicant to make application shall be provided with the Application.

E. Density: The maximum Density in the NMU-1 shall be determined by the ability of the proposed development to meet all required development and performance standards and criteria set forth in this title.
G. Setbacks: Unless otherwise exempted by this title, all Setbacks in the NMU-1 Zone shall be established at the time of the Master Planned Development approval.

H. Height: Unless otherwise permitted through the Master Planned Development (MPD) process, the maximum building height in the NMU-1 Zone shall be forty-five feet (45').

Exception: The County Council may grant a height exception up to a maximum of 60 feet to accommodate affordable housing and structured parking through the MPD process.

For any Building abutting a Detached Single-Family Dwelling Unit, the maximum height is limited to forty-five feet (45') and may not be increased through any process.

Step back Requirement: Floors rising above thirty-five feet (35') in height shall be stepped back fifteen (15) horizontal feet from the building foundation at grade for building elevations that are facing a public street, public trail, or public open space. This step back does not apply to balconies on buildings with floors rising above thirty-five feet (35') in height.

I. Performance Standards: In addition to compliance with all Master Planned Development criteria set forth in Section 10-3-16 of this title, the following performance criteria shall apply to the NMU-1 Zone.

1. **Open Space:** Unless otherwise approved through the Master Planned Development process, all Master Planned Developments in the NMU-1 Zone shall provide twenty five percent (25%) of the project area for outdoor space, plaza. pathways, and/or trails and open Space.

2. **Mixed Use:** All Master Planned Developments in the NMU-1 Zone shall have a minimum of three land uses (residential, commercial, office, recreation, civic, etc.) integrated into the project area. A range of different uses along the street, as well as diversity in building design and scale is encouraged wherever practicable.

3. **Limitation on Direct Retail Sales:** Unless otherwise approved through the Master Planned Development process, no single retail use may exceed 50,000 square feet.

4. **Single-Story Commercial Building Standards** Unless otherwise approved by the County Council through the Master Planned Development process, no single-story commercial structures greater than 900 square feet are permitted it the NMU-1 Zone.

5. **Access to Public Transportation:** All Master Planned Developments in the NMU-1 Zone shall provide facilities to promote the use of alternative public transportation options such as transit services, neighborhood circulators, employee shuttles, care share, bicycle share, and bicycle and pedestrian infrastructure. Unless otherwise permitted through the Master Planned Development process, all Master Planned Developments in the NMU-1 Zone shall provide a Transit Center, transportation stops and other improvements to access to the public transit system necessary to meet the needs of the Development. Unless otherwise permitted through the Master Planned Development process, all Transit Centers shall include a building with a waiting area, restrooms; bicycle lockers, and bike racks. All transportation stops shall include shelters and bicycle racks to meet the needs of the neighborhood. The gross square footage associated with Transit Center buildings shall not be counted towards the project Density. The gross square footage of any commercial uses within a Transit Center building shall count towards the project Density.

6. **Neighborhood Connectivity:** All Master Planned Developments in the NMU-1 Zone shall provide a means of direct, continuous, convenient, and safe pedestrian and bicycle linkages within the project area as well as connections to adjacent/off site sidewalk, pathway, and trail systems. Wherever possible, the Developer shall separate pedestrian and bicycle linkages from vehicular areas without disrupting the pedestrian way.

7. **The Public Realm:** All Master Planned Developments in the NMU-1 Zone shall provide a project-specific Public Realm Plan for the integration of a functional, safe, healthy, and quality environment for all areas to which the public has access including but not limited to streets, plazas, parking areas, sidewalks, pathways, and associated green spaces. The design of all utilities, infrastructure, and signs/wayfinding shall be included with the plan.

8. **Parking:**

   A. Residential Uses: Unless otherwise modified by the Master Planned Development process, residential parking shall comply with Section 10-4-9 of this title.

B. Non-Residential Uses: The base parking ratio shall be three and one-half (3.5) off street parking spaces per each one thousand (1,000) square feet of nonresidential space.

a. Exception: Parking that exceeds or is less than 3.5 off street parking spaces per 1,000 square feet of non-residential area may be permitted by the Summit County Council as part of a Master Planned Development only after the applicant submits a parking study for comparable uses which demonstrates that a higher/lower demand can be anticipated.

   a. When reviewing a request to exceed or reduce the overall parking requirement the County Council shall consider:

      i. Structured parking.
      ii. Requiring spaces for van pooling
      iii. Carpool spaces
      iv. Covered bike parking
      v. Site location as it relates to transit
      vi. Shared Parking
      vii. Other conclusions from the Parking Study
      viii. The change in parking shall not result in adverse impacts to public walkways, plazas or other pedestrian circulation areas.

C. Parking Design: To minimize the potential adverse visual impacts of exterior parking, the following requirements shall apply to all parking areas:

1. Off-street parking areas shall be located to the rear of the building where possible and be designed to facilitate and optimize the traffic and pedestrian flow of the development. Single purpose uses exceeding 10,000 square feet shall be permitted to design parking to the front façade provided exterior parking lots, parking structures are hidden from view from most primary streets and crossings serving the project and don't create unsafe pedestrian conditions. Where possible, parking structures shall be designed to have the appearance of horizontal storied buildings that reflect the character of adjacent buildings. Where practicable storefronts are encouraged to be located on the street level and designed to create street scape.
2. Parking facilities are part of the public realm and therefore shall be readily accessible by pedestrian/bicycle linkages and associated facilities.
3. Structured parking is encouraged in the NMU zone. Structured parking design and space count shall consider project access, circulation, convenience and practicality and be required to conform to the parking guidelines in the NMU Zone

4. Developers are encouraged to utilize innovative parking reduction techniques such as shared parking, structured parking, smaller stalls, car stackers and valet parking

9. **Architecture and Building Construction:** The project architecture shall foster a distinct neighborhood character and sense of place. Designs shall be context based, climate responsive and sensitive to the unique landscape and topography of the site. While new structures are not required to mimic historic structures or themed designs, buildings in the NMU-1 Zone should reflect local and regional practices regarding materials, roof forms, fenestration, textures and colors. Streetscapes should respond to the human, pedestrian scale rather than the automobile. Architecture that relies on standardized corporate designs, mechanical climate control and automobile accessibility is strongly discouraged.

10. **Sustainability:** Projects shall be socially, economically and environmentally sustainable. Buildings should be designed, oriented and constructed to maximize the potential for improved efforts regarding:

    a. connectivity
    b. energy efficiency
    c. on-site energy generation
    d. solar orientation, natural light and ventilation
    e. thermal and light reduction
    f. sustainable materials
    g. water efficient landscaping

11. **Site topography:** The project shall be designed to incorporate existing site topography into its design features and to practice sustainable excavation and site work that minimizes import and export of materials. Final project grades and elevations may be established as part of the development application and determined through the MPD process.

STAFF REPORT

To: Summit County Council
From: Ray Milliner, County Planner
Date of Meeting: September 9, 2020
Type of Item: Public Hearing/Possible Action
Subject: Development Code Amendment

Recommendation: Staff recommends that the Summit County Council review the proposed Development Code Amendment, conduct a public hearing, and adopt the attached ordinance creating a Master Planned Development process in the Snyderville Basin Development Code.

August 19, 2020 Council Meeting

On August 19, 2020, the County Council conducted a public hearing to discuss the proposed Master Planned Development process. There was a significant amount of input from the public, but the meeting ended before all the Council members were able to provide direction to staff. Council Member Wright stated that he would like to amend the Environmental Management section to see more specific language. Staff is requesting further discussion to ensure clarity. As a result, no changes to the document have been made.

Background:

On July 19, 2019, the County Council held a joint work session with the Snyderville Basin Planning Commission. The purpose of the work session was to hold discussion on the work program for the revision/updating of the Snyderville Basin Development Code. At the meeting, the Planning Department received input on what the Council and the Commission sees as the key areas of focus and direction for prioritizing a Commission/Council review of the proposed amendments. One of the principal issues that the Council directed was to Continue discussions on the creation of a replacement document for the existing Specially Planned Area (SPA) process.

Whereas a SPA involves negotiating density, use, and design, the draft MPD process is intended to create a land planning and design tool using more predictable standards and offering incentive-based design flexibility in exchange for neighborhood connectivity, public space, alternative transportation strategies, and workforce housing. A key distinction between a SPA and the draft MPD process is that the MPD process

does not permit increased density beyond that permitted by the zone with the exception for workforce housing.

On August 27, November 12, 2019 and January 10, 2020 the Planning Commission held work sessions to review and discuss the process. On February 11, 2020, the Planning Commission forwarded a positive recommendation to the County Council.

On March 4, 2020, the County Council held a work session to discuss the language, and on May 6, 2020 conducted a public hearing. Staff is requesting that the County Council review the language and conduct a public hearing and consider adopting the attached ordinance.

Highlights of the MPD

1. Establishes applicability requirements. All applications for a rezone, residential projects over 10 units or commercial projects greater than 10,000 square feet in size required to be reviewed as an MPD.
2. Creates performance standards that the County Council and Planning Commission will use when making decisions. These criteria are based on the goals and policies adopted in the Kimball Junction Neighborhood Master Plan approved by the County Council.
3. Created requirements for open/public spaces. Provides guidelines for public spaces relating to location and design.
4. Requires that all MPD applications submit an "Environmental Impact Report." The report is a written explanation of how the project plans to address issues such as water and air quality, energy efficiency, protection of critical lands etc.
5. Requires that all MPD applications submit a "Site Design Narrative." This narrative is a written explanation of how the development will be designed. The applicant will be required to explain how it will be integrated into the surrounding vernacular, what is being done to address the County's housing needs, open areas, parking, external storage etc.
6. Establishes a list of required findings of fact. These are the basic findings that the Council must make before they approve any project.

Analysis:
Section 10-7-3 of the Snyderville Basin Development Code states that whenever there is initiated an amendment to the Code, it must be reviewed by the Planning Commission who will deliver a recommendation to the County Council. The County Council, after holding a public hearing, shall approve, approve with modifications or deny the amendment according to the following criteria.

Criteria 1: The amendment shall be consistent with the goals, objectives, and policies of the general plan. **COMPLIES**

Analysis: The following Goals and Policies of the General Plan apply to this amendment:

OBJECTIVE A: Encourage the creation of highly livable neighborhoods and mixed-use areas that are connected by open spaces and multi-modal transportation systems.

Policy 2.1: Identify, plan, and create neighborhood master planned specific areas where development/redevelopment should occur. These designated areas should be rezoned accordingly.

OBJECTIVE B: Incentivize compact, dense, and nodal development, defined by abundant and contiguous open spaces, as well as a predictable process to achieve this goal through clear regulations in the Snyderville Basin Development Code.

Policy 2.13: Create new mixed-use, inclusive neighborhoods within existing development areas and/or future designated redevelopment areas.

Policy 2.14: Identify specific nodes where development and/or redevelopment will be encouraged and zone these areas accordingly.

OBJECTIVE D: Ensure future development is well designed and appropriately located.

Policy 2.17: Within defined mixed-use areas, a range of uses should be supported that are appropriate for each individual location and neighborhood, and may include small scale retail, offices, business and personal services, schools, and parks designed to meet the needs of the neighborhood.

Policy 2.18: Identify specific areas where mixed use areas may be appropriate in order to preserve natural open spaces and vistas, prevent urban sprawl, and 7 promote the mountain resort community through managed growth. These areas should contain an appropriate mix of residential and commercial development as well as recreational opportunities that provide connections to existing and future community trails and transit facilities.

Policy 2.21: Encourage locally based and neighborhood commercial businesses.

Policy 2.23: Identify appropriate areas for light industrial/service commercial activities to meet the needs of local businesses and development activities. Light industrial/service commercial activities should be discouraged along scenic corridors or at community gateways.

Policy 2.25: Strongly discourage roadside or strip commercial development where there is continuous or intermittent linear development generally one store deep, one or more access points for separate properties and with highly visible parking located between the road and the building.

Policy 2.26: Discourage large scale commercial "one story" structures.

The proposed language was created specifically to address the goals and objectives written in the current version of the Snyderville Basin General Plan.

Criteria 2: The amendment shall not permit the use of land that is not consistent with the uses of properties nearby. **COMPLIES**

Analysis: Provisions have been made in the Performance Standards in the language to ensure that adjoining properties will not be negatively affected.

Criteria 3: The amendment will not permit suitability of the properties affected by the proposed amendment for the uses to which they have been restricted. **COMPLIES**

Analysis: The amendment will not permit suitability of the properties affected by the proposed amendment to the uses to which they have been restricted.

Criteria 4: The amendment will not permit the removal of the then existing restrictions which will unduly affect nearby property. **COMPLIES**

Analysis: The proposed Code language does not remove any existing restrictions that would unduly affect nearby property owners.

Criteria 5: The amendment will not grant special favors or circumstances solely for one property owner or developer. **COMPLIES**

Analysis: This language was created as a replacement document for the existing Specially Planned Area (SPA) process. Whereas a SPA involves negotiating density, use, and design, the MPD process is intended to create a land planning and design tool using more predictable standards and offering incentive-based design flexibility in exchange for neighborhood connectivity, public space, alternative transportation strategies, and workforce housing.

Criteria 6: The amendment will promote the public health, safety and welfare better than the existing regulations for which the amendment is intended to change. **COMPLIES**

Analysis: The proposed changes are consistent with County Council goals of creating well managed and well-designed neighborhoods, promoting additional

affordable/employee housing and mitigating traffic impacts caused by development. Performance standards will require developers to address connectivity, sustainability, parking, open space, transportation and other mitigating issues that will have a positive effect on the County population.

Recommendation:

Staff recommends that the Summit County Council review the proposed Development Code Amendment, conduct a public hearing and adopt the attached ordinance creating a Master Planned Development process in the Snyderville Basin Development Code.

Findings of Fact

1. On July 19, 2019 the County Council held a joint work session with the Snyderville Basin Planning Commission.
2. The purpose of the work session was to hold discussion on the work program for the revision/updating of the Snyderville Basin Development Code.
3. One of the principal issues that the Council directed staff to do was to create a replacement document for the existing Specially Planned Area (SPA) process.
4. The SPA process involves negotiating density, use, and design.
5. The draft MPD process is designed to create a land planning and design tool using more predictable standards and offering incentive-based design flexibility.
6. On August 27, November 12, 2019 and January 10, 2020 the Planning Commission held work sessions to review and discuss the process.
7. The Planning Commission conducted a public hearing on February 11, 2020.
8. The Summit County Council held a work session on March 4, 2020, and Public Hearings on May 6, 2020 and July 15, 2020.
9. The General Plan contemplates the creation and adoption of zoning tools to guide future development in these areas.

Conclusions of Law:

1. The amendment is consistent with the goals, objectives, and policies of the General Plan.
2. The amendment will not permit the use of land that is not consistent with the uses of properties nearby.
3. The amendment will not permit suitability of the properties affected by the proposed amendment for the uses to which they have been restricted.
4. The amendment will not permit the removal of the then existing restrictions which will unduly affect nearby property.
5. The amendment will not grant special favors or circumstances solely for one property owner or developer.
6. The amendment will promote the public health, safety and welfare better than the existing regulations for which the amendment is intended to change.

Attachments

Exhibit A - Proposed Ordinance.

SUMMIT COUNTY, UTAH
ORDINANCE NO. 913

AN ORDINANCE AMENDING THE SNYDERVILLE BASIN DEVELOPMENT CODE SECTION 10-2-7 CREATING A MASTER PLANNED DEVELOPMENT (MPD) PROCESS

PREAMBLE

WHEREAS, Utah Code Annotated ("UCA") §17-27a-102(b) provides that counties can enact all ordinances that they consider necessary or appropriate to govern, among other things, land uses; and,

WHEREAS, Policy 2.5 of the Snyderville Basin General Plan states that language from the Code include clear, predictable, and measurable standards; and

WHEREAS, in furtherance of this goal, §10-1-1(D) of the Summit County Code ("Code") states that the intention of the county is to assure the managed, proper and sensitive development of land to protect and enhance these desired qualities and the lifestyle that exists; and,

WHEREAS, the creation of the MPD process is an important component in promoting and reaching these goals and policies; and,

WHEREAS, the requirements and performance standards in the MPD process are written specifically to promote the goals and objectives in the Snyderville Basin General Plan; and,

WHEREAS, the Snyderville Basin Planning Commission held a public hearing on February 11, 2020; and

WHEREAS the Snyderville Basin Planning Commission recommended adoption of the amended sections of the Snyderville Basin Development Code on February 11, 2020; and

WHEREAS the County Council held a public hearing on May 6, 2020, August 19, 2020 and September 9, 2020; and,

NOW, THEREFORE, the County Council of the County of Summit, State of Utah, ordains as follows:

Section 1. **SNYDERVILLE BASIN DEVELOPMENT CODE** The Snyderville Basin Development Code is amended as depicted in Exhibit A.

Section 2. **Effective Date.** This Ordinance shall take effect immediately after publication.

Enacted this ___ day of_____.

ATTEST:

_____
Kent Jones
Summit County Clerk

SUMMIT COUNTY COUNCIL

_____
Doug Clyde, Chair

APPROVED AS TO FORM

_____
David L. Thomas
Chief Civil Deputy

VOTING OF COUNTY COUNCIL:

Councilmember Carson	_____
Councilmember Robinson	_____
Councilmember Clyde	_____
Councilmember Armstrong	_____
Councilmember Wright	_____

MASTER PLANNED DEVELOPMENTS

INTENT

A Master Planned Development (MPD) is a comprehensive project design strategy. MPDs are intended to provide better opportunities to create projects that address site conditions, the characteristics of the surrounding properties, as well as community and market demands. The MPD process creates administrative tools to promote the efficient use of land resources as well as efficient public infrastructure and utility services. The goal of this strategy is to produce superior project design through flexibility and innovation to advance the goals of the Snyderville Basin General Plan and this Code.

APPLICABILITY

Required: Unless the property is subject to an approved Development Agreement, Settlement Agreement or Consent Agreement, the MPD process shall be required in all zones for the following:

1. Any Application for a rezone.
2. A Residential project with ten (10) or more Units of Density.
3. Any new Hotel or lodging project, Commercial, Retail, Office, Public, Quasi-public, Mixed Use, or Industrial project with 10,000 square feet or more of Gross Floor Area.

USES

An MPD can only contain Uses, which are Allowed, Low Impact or Conditional in the existing Zone District(s) in which it is located. When the project area includes more than one (1) Zone District, Uses may be relocated across Zone District lines if the Planning Commission determines that relocation results in a project design that advances the goals set forth in the Snyderville Basin General Plan.

PROCESS

1. Pre-Application Conference: A pre-application conference shall be held with staff for the Applicant to become acquainted with the MPD procedures and related County requirements and schedules. Staff may give preliminary feedback to the Applicant based on information available at the conference and may inform the Applicant of potential issues or special requirements which may result from the proposal. Any direction or feedback given at the pre-application conference is not vested. Vesting occurs once a complete application is filed and the project has been reviewed and approved by the County Council or Planning Commission.

2. **Pre-Application Work Session Public Meeting:** In order to provide an opportunity for the public and the Planning Commission to give preliminary input on a concept for an MPD, the Applicant may request a work session discussion with the Planning Commission after the pre-application conference with staff. Any direction or feedback given at the pre-application work session public meeting is not vested. Vesting occurs

once a complete application is filed and the project has been reviewed and approved by the County Council or Planning Commission.

At the pre-Application work session public meeting, the Applicant will have an opportunity to present the preliminary concepts for the proposed MPD. The public will be given an opportunity to comment on the preliminary concepts so that the Applicant can address neighborhood concerns in preparation of an Application for an MPD.

It is recommended that the Applicant host neighborhood meetings in preparation of filing of a formal Application for an MPD and provide a report conveying neighborhood concerns discussed.

3. **The MPD Application**: Plans for the MPD shall be submitted with a completed Application form supplied by the County. A list of minimum requirements will accompany the Application form. The Application must include written consent by all owners of the property to be included in the MPD. Once an Application is received, it shall be assigned to a staff planner who will review the Application for completeness. The Applicant will be informed if additional information is necessary to constitute a complete Application.

   Planning Commission Review and Public Hearing**:** Except in the case of MPDs that include a rezone, the Planning Commission shall approve, approve with modifications, or deny a requested MPD. The Planning Commission action shall be in the form of written findings of fact, conclusions of law, and in the case of approval, conditions of approval. Action shall occur only after public hearing is held. To approve an MPD, the Planning Commission will be required to make the findings outlined in Section ____ herein. In the case of MPDs that include a rezone, the Planning Commission shall review and forward a recommendation to the County Council, including findings of fact, conclusions of law and conditions of approval.

   County Council Review and Public Hearing: In the case of MPDs that include a rezone, the County Council shall approve, approve with modifications, or deny a requested MPD. The County Council action shall be in the form of written findings of fact, conclusions of law and in the case of approval, conditions of approval. Action shall occur only after a public hearing is held. To approve an MPD, the County Council will be required to make the findings outlined in Section _____ Herein.

4. Vesting of Approval:

   a. MPDs Not Associated with A Final Subdivision Plat: Construction within the MPD area will be required to commence within five (5) years of the date of the MPD approval. After construction commences, the MPD shall remain valid if it is consistent with the approved specific project-phasing plan as set forth in the approved Final Site Plan and associated documents. It is anticipated that the specific project-phasing plan may require review and re-evaluation of the project at specified points in the Development of the project to be described in the Development Agreement.

b. MPDs Not Associated with A Rezone but Requiring A Final Subdivision Plat: A final Subdivision plat must be recorded within five (5) years of the date of the MPD approval. Additionally, construction within the MPD area will be required to commence within five (5) years of the date of the MPD approval. If the required final Subdivision plat recordation and construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the final Subdivision plat shall be void.

c. MPDs Associated with A Rezone, But Not Requiring A Final Subdivision Plat: Construction within the MPD area will be required to commence within five (5) years of the date of the MPD approval. After construction commences, the MPD shall remain valid if it is consistent with the approved specific project-phasing plan as set forth in the approved final Site Plan and associated documents. It is anticipated that the specific project-phasing plan may require review and re-evaluation of the project at specified points in the Development of the project. If the required construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the zone shall revert to the previous zone designation.

d. MPDs Associated with A Rezone and Final Subdivision Plat: Unless otherwise extended per the provisions set forth in this chapter, a final Subdivision plat associated with a rezone must be recorded within five (5) years of the date of the MPD approval. Additionally, construction within the MPD area will be required to commence within five (5) years of the date of the MPD approval. In the event that the required final Subdivision plat recordation and construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the zone shall revert to the previous zone designation.

   After recordation of the final Subdivision plat and the commencement of construction, the MPD shall remain valid as long as it is consistent with the approved specific project plan and associated documents.

5. MPD Modifications:

   a. Minor Amendment: A minor amendment is defined as an amendment that does not increase square footage, density, or intensity of the previously approved MPD. A minor amendment shall be processed as a Low Impact Permit.
   b. Major Amendment: A major amendment is defined as an amendment that increases square footage, density, or intensity of the previously approved MPD. A major amendment shall be processed as an MPD.

MPD REQUIREMENTS

All MPD Applications shall meet the following minimum requirements. Additional project information necessary for the project analysis may be required at the discretion of the Community Development Director, Planning Commission, or County Council.

1. **AFFECTED PROPERTIES:** All MPD Applications shall include all contiguous holdings by the Owner, unless specifically waived by the Planning Commission. The rezoning Application shall be accompanied by an affirmation of ownership which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present owner as recorded in the Summit County Recorder's Office. The affirmation shall advise as to the legal owner of the Property. If the Property is under contract for sale, the affirmation shall specify the contract Owner of the Property and the date a contract of sale was executed. In the event corporations are involved, a copy of the resolution legally empowering the Applicant to make Application shall be provided with the Application.

2. **DENSITY.** The type of Development, number of units and Density permitted on a given Site will be determined as a result of a site suitability analysis and shall not exceed the maximum Density in the zone, except as otherwise provided in this section. The Site shall be looked at in its entirety and the Density located in the most appropriate locations.

   In cases where a project site contains more than one (1) Zone District, the Planning Commission may permit a shift of Density between Zone Districts if the shift results in the project advancing the goals set forth in the General Plan.

   Square footage associated with underground/structured parking areas within an MPD is exempt from MPD Density calculations.

   Square footage associated with deed-restricted affordable housing units within an MPD is exempt from MPD Density calculations.

3. **SETBACKS.** In order to mitigate negative impacts, preserve view corridors or create a compatible street design/streetscape, the Planning Commission or County Council may require setbacks around the exterior boundary of the project to match those of the abutting zone. In some cases, that Setback may be increased to create an adequate buffer to adjacent Uses at the discretion of the County. The Planning Commission/County Council may reduce Setbacks within the project from those otherwise required provided the project meets minimum International Building Code and Fire Code requirements and advances the goals set forth in the General Plan.

4. **BUILDING HEIGHT.** The maximum Building Height for all structures within an MPD shall not exceed the requirements found in each individual Zone District.

5. **SITE PLANNING**. An MPD shall be designed to take into consideration characteristics of the Site upon which it is proposed to be placed. The project should be designed to fit the site, not the site modified to fit the project. The following shall be addressed in the site planning for an MPD:

   a. Designing with the Topography: MPDs shall be designed to fit into the topography of the site. The Planning Commission/County Council may consider flexibility in the siting of the Development to best fit into the natural terrain, minimize excessive site grading and the need for excessive retaining.

Efforts shall be made to mitigate impacts of the Development on the natural environment and resources of the surrounding area. The project design shall make suitable provisions for the preservation of all affected Critical Lands.

b. Designing with Adjacent Uses: The MPD site plan shall take adjacent land uses into consideration. Development along the project perimeter shall adequately mitigate any potentially adverse influences, including but not limited to flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances.

c. Building Location: All Buildings shall be located to avoid, to the extent practicable, Critical Lands. Building locations and associated lot configurations should be oriented to encourage active and passive solar design principles wherever practicable. Building design should create recognizable streets and other spaces with their edges defined by Buildings, making it easy for anyone to find their way around, and promote safety and accessibility.

d. Access: All MPDs shall have vehicular access from a state highway or County road. All Developments shall have a secondary point of access/emergency access unless otherwise mitigated to the satisfaction of the Summit County Engineer and Fire Marshall. Roads, utility lines, and Buildings should be designed to work with the Existing Grade. Cuts and fills should be minimized.

e. Trails: Existing trails should be incorporated into the project and should be maintained in their existing location whenever possible. Trail easements for existing trails may be required. Construction of new transportation and/or recreational trails will be required to be consistent with Summit County's Active Transportation Plan and/or Snyderville Basin Special Recreation District's Trails Master Plan, respectively. All new construction will meet or exceed the design standards set forth in the plans.

f. Connectivity: All MPDs shall provide a means of direct, continuous, convenient, and safe pedestrian and bicycle linkages within the project area as well as connections to adjacent/off site sidewalk, pathway, and trail systems. Pedestrian/ equestrian/bicycle circulation shall be separated from vehicular circulation wherever reasonable.

Where applicable, MPDs will have a system of streets, alleys, and pedestrian pathways with multiple routes and connections serving the same origins and destinations. All streets, alleys, and pedestrian pathways shall connect to other streets and to existing and projected streets outside the proposed MPD or other Development. Dead ends or cul-de-sacs are discouraged.

g. Snow Removal: Snow storage shall be compliant with the requirements of Chapter 10-4-14 of this Title. The Site plan shall include adequate areas for snow removal and snow storage. The landscape plan shall allow for snow storage areas. Structures shall be set back from any hard surfaces to provide adequate

areas to remove and store snow. Snow should be stored on Site and not removed to an Off-Site location.

h. Waste Disposal/Recycling Facilities: All waste disposal and recycling facilities shall be compliant with the requirements of Chapter 10-4-13 of this Title. The Site plan shall include adequate areas for trash dumpsters and recycling containers, including an adequate circulation area for pick-up vehicles. These facilities shall be enclosed and shall be included on the site and landscape plans for the Project. Pedestrian Access shall be provided to the refuse/recycling facilities from within the MPD for the convenience of residents and guests.

i. Service and Delivery Access: Service and delivery Access and loading/unloading areas must be included in the Site plan. The service and delivery should be kept separate from pedestrian Areas.

j. Utilities: Existing or proposed utility and public services for MPDs will be adequate to support the proposed project at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources. Unless otherwise permitted by this Chapter.

6. **TRANSPORTATION:** MPDs shall include transportation approaches that add more options for public transportation, pedestrians and bicycle users, and reduce the need for driving. An MPD should include:

   a. Transportation amenities including drop-off Areas for van and shuttle service, and a bus stop, if applicable.
   b. Bike facilities including but not limited to lockers and racks.
   c. Upgraded bike lanes or bike paths
   d. Agreements between businesses to stagger delivery services and commute times.

7. **EMPLOYEE/AFFORDABLE HOUSING**. All MPD Applications shall include a housing mitigation plan which must address employee Affordable Housing as required by Chapter 10-5 of this Title. The plan shall include consideration for underserved populations such as seniors, ability challenged and people in need of transitional housing.

8. **OPEN SPACE/PUBLIC SPACES.** All MPDs shall provide at least the minimum zone-required Open Space unless further increased through this MPD Process.

   In more urbanized areas such as the Town Center (TC), Neighborhood Mixed Use (NMU) and Community Commercial (CC) zones, Open Space areas shall include Public Space as defined in this title. Public Spaces shall:

   a. Be well located to support a wide variety of activities and encourage social interaction, that promote health, well-being, social and civic inclusion;
   b. have a hierarchy of spaces that range from large and strategic to small and local spaces, including parks, squares, greens and pocket parks;

c. have public spaces that feel safe, secure and attractive for all to use; and
d. have trees and other planting within Public Spaces for people to enjoy, while also providing shading, and air quality and climate change mitigation.

Ownership and maintenance all Open Space lands shall be specified in the MPD Application.

9. **OFF-STREET PARKING.** Unless modified pursuant to this chapter or an individual Zone District, all MPDs shall meet the parking requirements set forth in Section 10-4-9 of this title.

10. **COMPLIANCE WITH DEVELOPMENT EVALUATION STANDARDS.** Unless otherwise permitted by this Chapter, all MPD shall comply with all requisite Development evaluation standards found in Chapter 4 of this Title.

11. **GENERAL PLAN REVIEW.** All MPD applications shall be reviewed for consistency with the goals and objectives of the Snyderville Basin General Plan; however, such review for consistency shall not alone be binding.

12. **ENVIRONMENTAL MANAGEMENT REPORT:** An MPD Application shall include a written explanation of how the project plan addresses the following environmental issues:

    a. Natural Environment. How does the proposed project integrate existing, and incorporate new natural features into a multifunctional network that supports quality of place, biodiversity and water management? How does it address climate change mitigation and resilience? Will landscaping work to achieve this goal?
    b. Water Quality: What measures are being taken to manage water use by the Development, and what is being done to ensure the Development does not contaminate ground water or surrounding water ways.
    c. Air Quality: Explain what measures are being taken to ensure the Development does not have a negative effect on Summit County's air quality.
    d. Protection of Critical Lands: If the Development is adjacent to Critical Lands, or within a flood plain or wildfire interface area, explain what is being done to mitigate any negative impacts of the Development on those lands. How is the Development meeting the requirements in Chapter 10-4-3 of this Title?
    e. Energy Efficiency: Explain what is being done to ensure the Development is energy efficient. Are actions being taken to ensure the Development exceeds the minimum requirements found in the International Building Code?
    f. Building Materials: Explain what sustainable materials are being incorporated into the Development.
    g. Recycling/Waste Disposal: Explain the recycling program for the Development. How is it meeting the requirements found in Chapter 10-4-13 of this Title?
    h. Climate Responsive Design: Explain how the Development will work with the Snyderville Basin's climate, how architecture will consider seasonality, the

direction of the sun (sun path and solar position), natural shade provided by the surrounding topography and environmental factors (such as wind, rainfall, humidity). Explain how the shaping Massing and Architecture will be designed to:

i. Reduce snow accumulations at entrances / exits
ii. Incorporate passive solar heating
iii. Wind driven natural ventilation
iv. Locate windows, skylights etc. to benefit daylighting These also impact natural ventilation
v. Provide adequate snow storage and snow melt run-off capacity

i. Landscaping: Explain how the proposed landscaping will be appropriate for the climate and topography of the site. Explain how the irrigation system will be water wise and designed to preserve as much water as possible.

13. **SITE DESIGN NARRATIVE.** A MPD Application shall include a written explanation of how the project plan addresses the following design questions:

a. Project Neighborhood Connectivity. How does the proposed Development interconnect with the surrounding properties, neighborhood, and area? Including but not limited to:

i. Where will vehicles enter and exit the site?
ii. Where will new streets be developed?
iii. How pedestrian and bicycle routes (including commuter pathways, trails and sidewalks) be provided through the project area?

b. Availability of Neighborhood Facilities and Services. Is the location of the proposed Development within reasonable proximity (including walking and biking) to community facilities such as schools, retail centers, parks, etc.?

c. Housing Needs. How does the proposed Development advance the community need for a mix of housing types and affordability?

d. Character. What are the design objectives for the built environment, including Buildings and the public spaces that connect them? How do these design objectives address the local context, climate, and/or community needs?

e. Site Design. How is the proposed Development designed to take advantage of the existing topography, landscape features, trees, wildlife corridors, existing structures, existing water ways, minimize site grading, etc.?

f. Complete Street Design. How is the proposed Development street/circulation system designed to accommodate a variety of transportation modes (where appropriate), easy route finding, and safe speeds?

g. Parking Areas. How does the proposed Development balance the need for parking with the need to design parking areas in a manner that minimize visibility, site grading, stormwater runoff and exterior lighting?

h. Public and Private Outdoor Spaces. What is the proposed Development's need(s) for outdoor space, open space, habitat/wildlife areas, parks, or outdoor amenity areas? How does the proposed Development address these needs?

i. External Storage and Service Facilities. How does the proposed project address needs for recycling, garbage collection, above ground utility equipment, mail facilities, service and delivery areas, equipment storage, etc.?

j. Building Design. How does the Building/Buildings within the Development provide good quality internal and external environments for their users, promoting health and welfare? How does the Building/Buildings relate positively to the private, shared and public spaces in the area?

F. REQUIRED FINDINGS OF FACT

The County must find enough evidence to support the following conclusions in order to approve a MPD. In some cases, conditions of approval will be attached to the approval to ensure compliance with these findings.

a. The MPD is designed to fit well into the natural terrain, minimize excessive site grading and protect, preserve, and enhance the level of quality of the surrounding area.
b. The MPD makes suitable provisions for the protection, preservation, and enhancement of watercourses, drainage areas, wooded areas, rough terrain and similar natural features and areas.
c. The MPD takes adjacent land uses into consideration and mitigates potential impacts, including but not limited to flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances, through careful planning.
d. The MPD has direct vehicular access from a state highway or County road or suitable private road or driveway access meeting all requirements of the County Engineer and Fire Marshall.
e. The MPD has a secondary point of access/emergency access or other mitigation satisfactory to the Summit County Engineer and Fire Marshall.
f. All roads/streets within MPD follow the natural contours of the site wherever possible to minimize the amount of grading.
g. Existing or proposed utility and public services are adequate to support the proposed MPD at normal service levels and are designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources.
h. The proposed structures within the MPD are located on the most developable and least environmentally sensitive portions of the site. The open areas within the MPD are designed so that existing significant vegetation can be maintained to the greatest degree possible.
i. The MPD includes adequate internal vehicular and pedestrian/equestrian/bicycle circulation.

j. The Building/Buildings within the Development provide good quality internal and external environments for their users, promoting health and welfare.
k. The proposed project integrates existing, and incorporates new natural features into a multifunctional network that supports quality of place, biodiversity and water management
l. The MPD, as conditioned, complies with all the requirements of Chapter 4 of the Snyderville Basin Development Code.
m. The MPD, as conditioned, is consistent with the General Plan.
n. The MPD has been noticed and public hearing held in accordance with this Code.