

## **Memo**

**Date:** August 21, 2013  
**To:** County Council  
**From:** Kevin Callahan, Public Works Director  
**Subject:** Proposed Revisions to Closed Burning Season

### **Background:**

Summit County faces a significant and growing risk from wildland fires despite the relatively mild fire season we are experiencing this year. Historically, Summit County has experienced about 60 wildland fires on average over the last decade. We have contracted for a full time fire warden with the State since 2003 and have an active chipper program for fuels reduction since that time.

2012 was a challenging year for Summit County wildland fires with a total of 112 fire calls. What was most surprising was that 30 of those calls occurred prior to June 1. That date is the start of the official closed burn fire season. During the closed season, open burns are subject to the issuance of a permit from the County Fire Warden who determines if forecasted weather conditions would permit safe burning. Residents in the unincorporated area who want to burn must call into to County Dispatch prior to initiating a burn to notify them. This requirement meets several basic purposes:

1. County Dispatch knows where a controlled burn is planned and is therefore able to inform members of the public who call in that the burn is being monitored.
2. The notification prevents the unnecessary call out of fire personnel to a controlled burn thereby saving local fire districts time and money responding to "false alarms".
3. The notification protects the property owner who initiates the burn from potential liability since they have behaved responsibly and have not initiated a "reckless burn" as described by county code.

### **Changing Conditions**

This system has worked well for many years and is consistent with state law. However, changes in climatic and land use conditions make the current notification system problematic for the following reasons.

- According to scientific studies reported in the Age of Western Wildfires the average number of fires over 1,000 acres have doubled in Utah since the 1970s.
- More concerning is that the average burn season for the 11 western states has increased by nearly 50% with an additional 75 days added to the typical wildfire season since the 1970s.
- Wildfires now typically begin much earlier in the season than they did 4 decades ago and last longer once they have started.
- Rising spring and summer temperatures across the west appear to be correlated to the rising number and size of wildfires.

- The percentage of Summit County wildfires greater than 1 acre grew from 7% in 2008 to 26% in 2012 (see attached chart).
- Summit County rural areas have continued to develop over the last decades with more development moving adjacent to area ranches and increasing the risk of run-away burns affecting adjacent properties or structures.
- Concerns about regional air quality are growing and the Summit County health department now monitors for both ozone and PM 2.5 particulate pollution.

### **Summit County's Risk Factors**

- According to Utah Department of Public Safety, Summit County faces the second highest risk from wildland fire of all 29 Utah counties.
- 6500 square miles of Summit County are rated as having either high or extreme hazard from wildland fire.
- Approximately 5700 persons in Summit County live in areas that are rated as either high or extreme danger zones.
- The assessed values of homes within Summit County extreme of high wildland fire hazard areas is estimated at nearly \$1,000,000,000.
- Changing spring weather conditions increases the risk of uncontrolled open burns that could affect surrounding properties. Utah and Summit County have been experiencing increasingly erratic wind conditions in the last few years.

### **Wildland Fire Management**

Summit County has been quite proactive in identifying and attempting to mitigate its growing wildland fire risk by taking the following actions over the last decade.

- Transitioning from a seasonal to full time County Fire Warden in 2003
- Initiating and maintaining an active seasonal chipper program since 2003
- Working with 35 neighborhood associations on community wildland fire protection plans
- Adopting reasonable standards for water supply and access for newly developed properties in the wildland/urban interface.
- Approving a substantial increase in the wildland district tax assessment so that residents within the district now fund a considerable portion of the fire protection services that they receive.
- Supporting the training and equipping of local volunteer fire districts to increase their capability to fight wildland fires.
- Adopting a more effective cost recovery process and providing for citation authority for the County Fire Warden.
- Being a leader in instituting or requesting bans for open fires, fireworks and target shooting restrictions when conditions warranted these restrictions.
- Hiring a seasonal employee to conduct detailed assessments of risks within our highest risk wildland fire areas.

This is a proactive record that Summit County can be proud of having accomplished. We are considered to be one of the most effective counties in the state in addressing our wildland fire risk. However, despite these efforts, we still remain one of the highest risk communities in Utah for a major wildland fire. A major multi-day wildfire event could be devastating to both our communities and our economy.

#### Problems with the Current Notification Period

It may be asked why Summit County would need to expand the requirement to notify County Dispatch prior to initiating an open burn. Here are some of the problems with the current process.

- Unnoticed springtime agricultural burns required local volunteer fire departments and the County Fire Warden to respond to public calls for fires. In some cases this resulted in “false alarms” where conditions were appropriate for the burn and the response was unnecessary. In other cases, fire staff had to rescue ranchers whose burns had gotten out of control due to unanticipated high winds. In many of those cases, if notified, ranchers would have been told that forecasted conditions were not favorable for burning and their burns would have had to be delayed.
- Under the current ordinance, ranchers who initiate a burn in questionable conditions outside of the closed fire season that resulted in property damage could be found to have initiated a “reckless burn” under county code. This could result in both a citation and potentially a cost recovery action. This problem could be avoided if a call in requirement was in place. An expanded notification process would provide protection to ranchers from this potential liability.

#### Alternative Actions

Staff recognizes the tension between rules that increase public safety and the right of agricultural operators to manage their properties. State law also recognizes this tension and so the notification requirement is now only in place during the closed fire season. The question for the Council is the requirements under state law are adequate for the risks faced in Summit County. County staff obviously feels that we need more notification in order to enhance public safety and reduce the unnecessary call out of fire fighters. We have discussed this issue with all three fire districts in the county and they unanimously agree that more notification would increase safety and reduce unneeded responses.

While a safety argument could be made for a year-round notification, staff isn’t proposing this rule. However, it should be noted that this is now informally required in Duchene County and the County Emergency Manager notes that the level of voluntary compliance with this rule is quite high. Instead, staff has developed three alternatives for Council consideration which we did in consultation with the fire districts and the County Fire Warden. The alternatives and their pros and cons are noted below.

**1. Expand the Required Notification Period forward to April 1 through October 31.**

This option would expand the required notification period forward by 60 days from the current June 1 fire season start. The rationale for this option is that most agricultural ditch burning occurs in the spring. That is also when we have had to respond to the most unintended escaped fires. In most years, the risk of unintended escaped fires is likely to occur during a warm spring following a mild winter. Having a fixed date makes it easier to notify and train the public of the new rule and the need for the rule. This option has the support of all of the fire personnel contacted.

Pro Arguments

- This would be the most minimal change to cause the least disruption to current practices.
- This change would address the most likely time for uncontrolled springtime burns.
- Having a fixed date makes it much easier to communicate and justify to the public.

Con Arguments

- This change would not address the potential air quality impacts of field burning before April 1

**2. Expand the Required Notification Period forward to January 1 through October 31.**

This option would begin the notification process at the first of each year. While we wouldn't generally face significant wildfire risks in the County before April 1, winter burning can have a greater impact on local and regional air quality. If winter burns occurs during a low clearing index (under 500') the local and potential regional impact on air quality could be significant. Summit County is currently an attainment area relative to major pollutants but we are getting close to the point where we could be found out co compliance with certain air quality standards. The County Health Department is already monitors for ozone and PM 2.5 particulate matter. If Summit County is tasked with addressing means of reducing future pollutants, it could be beneficial to not that we have adopted this rule.

Pro Arguments

- Having a fixed date makes it much easier to communicate and justify to the public.
- This change would help to minimize air quality impacts from seasonal burning.

Con Arguments

- This rule would be harder to justify due to the minimal wildfire risk during the winter months.
- This rule would involve Summit County in air quality regulation of an established ranching practice.

**3. Make a Council Determination of Notification Season based on Actual Conditions Each Year**

This option is based on the precedent of Council action on fireworks or open burning bans that we have followed the last few years. In certain years of high fire danger, the Council may decide that ranchers

need to request permission to burn if conditions warrant that restriction. While this option provides the maximum flexibility and least intrusion, it may be difficult to communicate and justify changing rules on annual basis

#### Pro Arguments

- This option affords maximum flexibility and only imposes burn notification during high risk fire years depending on specific conditions.
- This approach has been used by Council regarding fireworks, open burns and target shooting.

#### Con Arguments

- Having a flexible date each year for when residents have to notify Dispatch will be confusing.
- This rule would be harder to enforce because of its variability. May be seen as a Chicken Little approach.

#### **Recommendation**

Based on the options noted above, staff feels that there is strong justification for Option 1 and would recommend that the Council adopts this change to code.

#### **Attachments:**

The Age of Western Wildfires Summary  
2012 Summit County Wildfire Events  
Utah Department of Public Safety Wildfire Hazard Analysis

### 2012 Summit County Wildfire Events

<b>Fire Type/Cost</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>5 year Average</b>
<b>Fires Under 1 Acre</b>						
Number of Fires	55	56	44	37	83	54
Number of Acres						
Percent	91.6%	93.3%	91.6%	97.3%	74.1%	85.7%
Cost	\$31,367.10	\$104,496.24	\$53,383.50	\$58,033.70	\$61,332.50	\$61,722.60
Average Cost/Fire	\$627.34	\$1,866	\$1,213.26	\$1,568.48	\$738.95	\$1,143.01
<b>Fires 1-5 Acres</b>						
Number of Fires	4	1	1	0	23	5.8
Number of Acres						
Percent	6.7%	1.7%	2.1%		20.5%	9.7%
Cost	\$5,461.50	\$759.50	\$16,064.30		\$46,909.25	\$13,383.91
Average Cost/Fire	\$1,365.38	\$759.50	\$16,064.30		\$2,039.53	\$2,307.57
<b>Fires Above 5 Acres</b>						
Number of Fires	1	3	3	1	6	2.8
Number of Acres						
Percent	1.7%	5.0%	6.3%	2.7%	5.4%	4.4%
Cost	\$1,020	\$7,794.90	\$1,406	\$53,087.60	\$32,327.50	\$19,127.20
Average Cost/Fire	\$1,020	\$2,988.30	\$468.66	\$53,087.60	\$5,387.92	\$6,381.14
<b>Total Fires</b>	<b>60</b>	<b>60</b>	<b>48</b>	<b>37</b>	<b>112</b>	<b>63.4</b>
<b>Total Acres</b>						
<b>Total Cost</b>	<b>\$37,848.60</b>	<b>\$113,050.64</b>	<b>\$67,853.80</b>	<b>\$111,121.30</b>	<b>\$140,569.25</b>	<b>\$94,088.72</b>
<b>Average Cost/Fire</b>	<b>\$630.81</b>	<b>\$1,884.18</b>	<b>\$1,4137.62</b>	<b>\$3,003.27</b>	<b>\$1,255.08</b>	<b>\$1,484.05</b>



## Wildfire

### Profiling Hazards

*Requirement §201.4(c)(2)(i): [The State risk assessment shall include an overview of the] location of all natural hazards that can affect the State, including information on previous occurrences of hazard events, as well as the probability of future hazard events, using maps where appropriate ... .*

A wildfire is an uncontrolled fire spreading through vegetative fuel often exposing or consuming structures. Wildfires often begin unnoticed and spread quickly and are usually sighted by dense smoke. Wildfires are placed into two classifications Wildland and Urban-Wildland Interface. Wildland fires are those occurring in an area where development is essentially nonexistent, except for roads, railroads, or power lines. Urban-Wildland Interface fire is a wildfire in a geographical area where structures and other human development meet or intermingle with wildland or vegetative fuels. URWIN areas are divided into three subclasses:

- **Occluded interface**  
Occluded interface are those areas of wildlands within an urban area for example a park bordered by urban development such as homes.
- **Intermixed**  
Mixed or intermixed interface areas contain structures scattered throughout rural areas covered predominately by native flammable vegetation.
- **Classic**  
Classic interface areas are those areas where homes press against wildland vegetation along a broad front.

When discussing wildfires it is important to remember that fires are part of a natural process and are needed to maintain a healthy ecosystem. When most of America was wilderness, wildfires burned 10 times the land that is consumed today. Yet, research shows forests were much healthier and hardier then. Wildfire is a natural part of forest ecosystems and is in fact, as necessary as water or sun. Fires cleanse and regenerate forests, giving new life to soil, and providing a new canvas for biodiversity to paint a new picture. Most all forest ecosystem types evolved with fire, and some trees, like the lodgepole pine, depend on the heat of fire to open their seed cones. A study conducted in 1995 found that of 146 threatened and endangered species of plants around the country, 135 benefited from wildland fire.

Three basic elements are needed for a fire to occur (1) a heat source (2) oxygen and (3) fuel. Two of the three sources are readily available throughout Utah. Major ignition sources for wildfire are lightning and human causes such as arson, recreational activities, burning debris, and carelessness with fireworks. On average, 65 percent of all wild fires started in Utah can be attributed to human activities. Once a wildfire has started, vegetation, topography and weather are all conditions having an affect wildfire behavior.

Vegetation Within Utah as it Relates to Wildfire

Fuels within Utah are generally conducive to high rates of spread, represented by National Fire Danger Rating System fuel models “L”, “K”, and “C”. Vegetation in with in Utah is broken into the following classifications based on fire hazard potential.

**Table I-34 State Vegetation Types Classified by Hazard Rating**

<b>Vegetation Types</b>	<b>Description</b>	<b>Hazard Rating</b>
Spruce/Fir, Mountain fir, Spruce Fir/Mountain Shrub, Mountain Fir/Mountain Shrub, Conifer/Aspen, Lodgepole Pine, Juniper, Pinyon/Juniper, Pinyon	High resistance to control, extreme intensity levels resulting in almost complete combustion of vegetation and possible damage to soils and seed sources depending on slope, rates of spread, wind speed and fuel loading.	EXTREME
Mountain Mahogany, Oak, Maple, Mountain Shrub, Sagebrush, Sagebrush/Perennial Grass, Salt Desert Scrub, Black Brush, Creosote/Bursage, Grease Wood, Ponderosa Pine/Mountain Shrub.	Moderate to high resistance to control, high to moderate intensity levels resulting in high to moderate damage to resources depending on slope, rates of spread, wind speed, and fuel loading.	HIGH
Ponderosa Pine, Grassland, Alpine, Dry Meadow, Desert Grassland	Moderate to low resistance to control, fire intensity levels would generally be low with moderate damage to resource values depending on slope, rates of spread, wind speed, fuel loading.	MODERATE
Aspen, Mountain Riparian, Lowland Riparian, Wet Meadow, Wetland	Low to moderate resistance to control, fire intensity levels would generally be low, little threat to human values and potentially beneficial to resource values depending on slope, rates of spread, wind speed, and fuel loading.	LOW

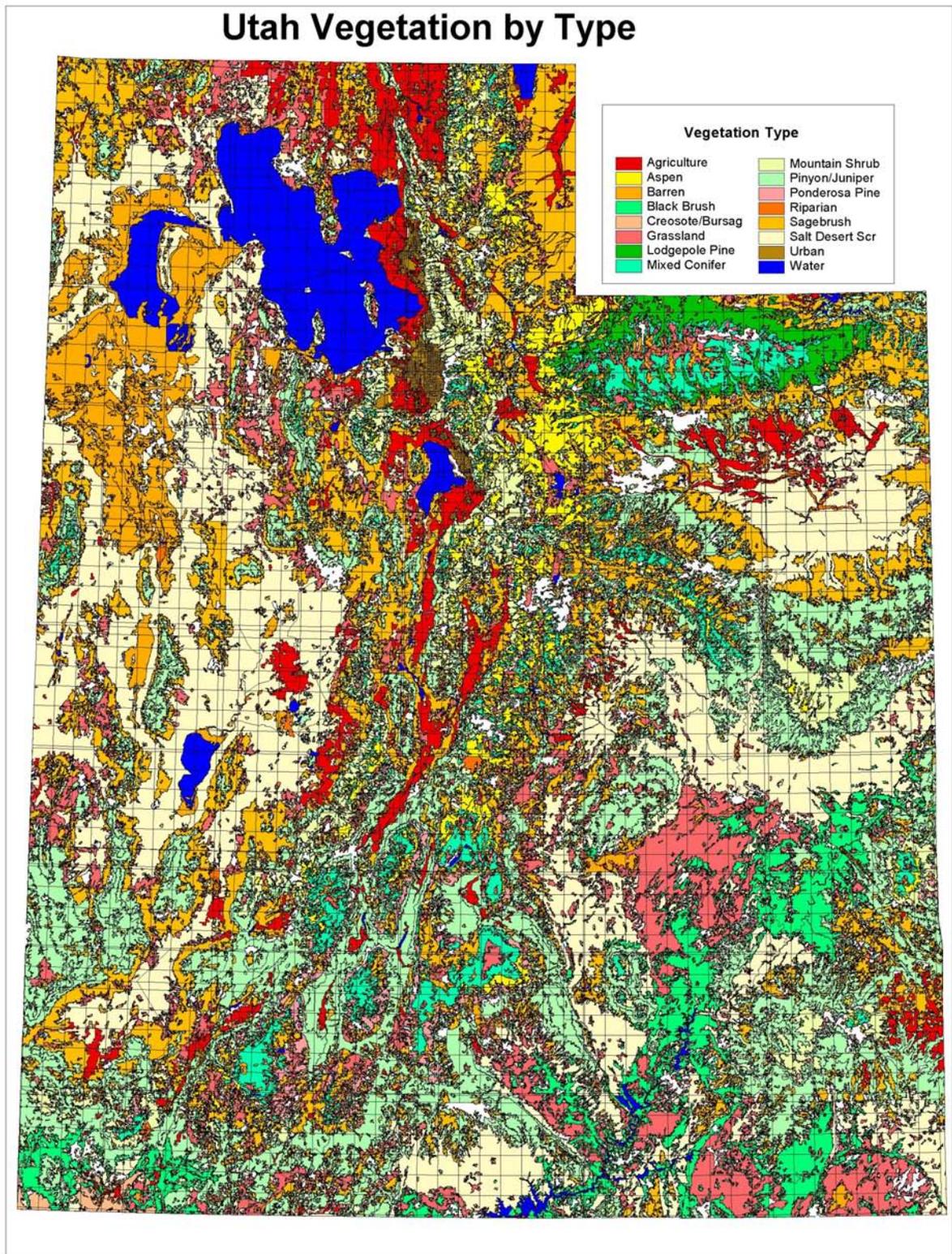
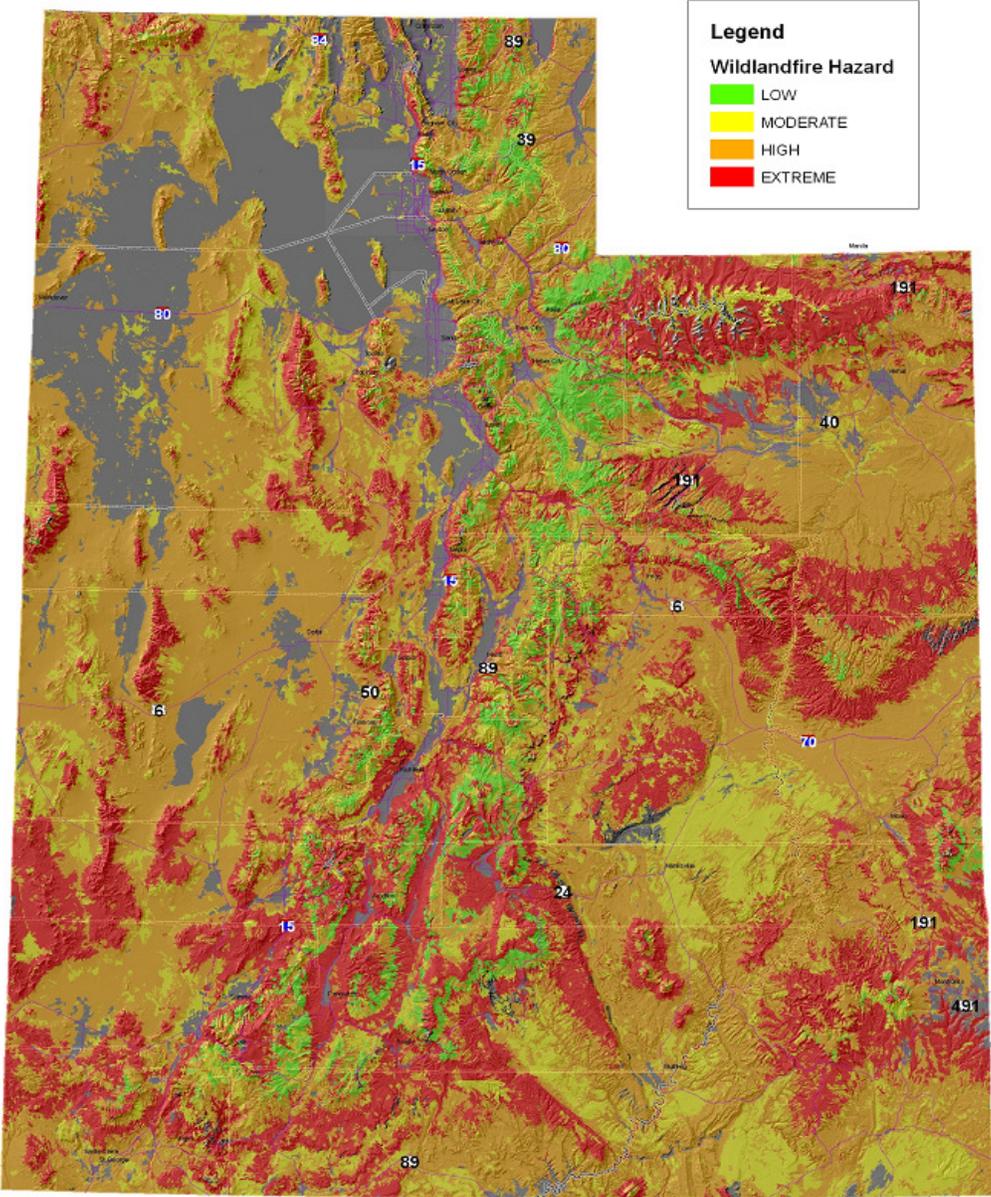


Figure I-25

# Utah Wildland Fire Hazard



**Legend**  
**Wildlandfire Hazard**

- LOW
- MODERATE
- HIGH
- EXTREME



Data Provide by the BLM and US Department of the Interior  
Map Created using ArcGIS  
September 6, 2007



Figure I-26

## **Development and Wildfire**

Throughout the United States, it is more and more common to see homes and other types of structures in wildland environments. This trend is greatly expanding wildland/urban interface areas, continually placing more and more structures in areas with large amounts of natural vegetation. Because of their location, these structures are extremely vulnerable to fire should a wildland fire occur in the surrounding area. Expansion into wildland areas also places wildland areas at risk, by increasing the number of ignition sources. The importance these wild areas have continues to grow with each passing year. The population of the Wasatch Front depends on water from our mountains and a wildfire can greatly impact the watershed.

Wildfire is a natural part of the ecosystems in Utah. Many of the grass, brush and tree species found in Utah have evolved with fire. Many of Utah's urban/wildland interface areas are located in our most fire prone wildland fuels. Generally, these fuels are found on drier, lower elevation sites, often very desirable for real estate development.

Families are moving into the Utah's countryside, just like they are all over the United States. They are building homes and associated buildings all through Utah's rural areas. People who live in urban areas want to "get away" from it all, even if it is only for the weekend. Developers are busy meeting their needs via summer home developments, recreational developments and other means. Use of fire prone wildland areas for homes and major recreational facilities create various threats: loss of life, homes, personal possessions, and natural resources.

## **Wildfire History**

The wildfire season for 2008, 2009 and 2010 did not produce a Fire Management Assistance Grants or large fires that impacted communities and infrastructure. The wetter than normal weather conditions and late springs contribute the lower number of wildfires in the state.

The 2007 wildfire season was one for the records. Dry conditions, high winds and heat primed Utah for a devastating wildfire season in 2007. Firefighters and resources poured into the state to control three large fires, Milford Flat, Neola North and Salt Creek. In all, firefighters battled 1,385 wildfires state-wide, more than a third of them were human caused. Nearly 650,000 acres went up in flames. The wildfire season also fouled our air. The Division of Air Quality reported 40 days last summer with unhealthy air, 24 days more than in 2006. When it was over, the dust did not settle over I-15 in Millard County. Dust storms created hazardous driving conditions.

The 2006 wildfire season was also an active one. The state experienced 1,843 total wildfires, 13 of which burned more than 5,000 acres. The 2004 and 2005 wildfire seasons combined experienced a total of 11 wildfires that burned over 5,000 acres.

In 2003, Utah was lucky. Early spring rains promoted grass growth. Grasses dry out prior to timber and ignite quite easy. This coupled with years of drought and high mortality rates in low elevation timber and shrubs made for prime fire conditions. Even

though the 2003 fire season had 635, which burned 115,798 acres things could have been much worse.

Table I-35, details the total number of fires that have occurred in Utah since 1985, number of acres burned, and the total cost to the state of suppressing these fires.

**Table I-35 Wildfire History 1985 to 2010**

Year	Number of Fires	Acres Burned	Suppression Fund	Total State Cost
1985	443	47,242	Pre-Fund	
1986	457	62,042	Pre-Fund	
1987	490	63,648	Pre-Fund	
1988	605	30,819	Pre-Fund	
1989	482	46,617	Pre-Fund	
1990	415	30,093	Pre-Fund	
1991	300	12,029	Pre-Fund	\$2,041,369
1992	499	40,025	Pre-Fund	\$2,106,927
1993	262	13,949	Pre-Fund	\$1,371,793
1994	703	165,670	Pre-Fund	\$3,057,815
1995	579	88,139	Pre-Fund	\$2,234,507
1996	732	519,669	Pre-Fund	\$6,281,902
1997	391	27,665	Pre-Fund	\$4,610,890
1998	495	80,058	\$237,649	\$2,089,295
1999	735	133,353	\$659,704	\$4,257,522
2000	841	101,924	\$1,192,052	\$5,268,459
2001	835	94,632	\$2,609,010	\$5,359,422
2002	613	265,902	\$7,176,203	\$9,544,574
2003	635	115,798	N/A	N/A
2004	1,530	76,654	N/A	N/A
2005	1,236	313,932	N/A	N/A
2006	1,843	340,572	N/A	N/A
2007	1,423	620,730	N/A	N/A
2008	999	28,940	N/A	N/A
2009	1,050	64,781	N/A	N/A
2010	1,136	112,753	N/A	N/A

Wild fire Statistics from 1985-2003 courtesy of Utah Forestry, Fire, and State Lands  
 Wild fire Statistics from 2004-2010 courtesy of the NIFC Fire Activity Reports.  
 Cost were not available update

Between 1984 and 2006 Utah had 15,121 fires of those 77 burned more than 5,000 acres. Between 2007 and 2010 Utah added 4,608 additional fires. From 1999 to present the state has received federal assistance through the Fire Management Assistance Grant Program FMAGP or Fire Suppression Assistance Grant Program FSA for three wildfires the Mollie wildfire, Mustang Wildfire, and Causey Wildfire.

For 2007, fire suppression assistance received for the Neola North Wildfire, the Milford Flats Wildfire, and the Salt Creek Wildfire, has yet to be finalized. Final fire suppression costs for FMAGP’s fires, especially with large fires, make take years due to the coordination between Federal, state and local fire agencies to gather costs associated with

the fire. The total federal fire suppression assistance received for the Mollie (\$53,687.00) and Mustang wildfires (\$282,119.04) was \$335,806.04. Listed below are those fires burning more than 5,000 acres from 1984 through 2006.

Wildfires that have burned 5000+ acres from 1984 - 2010 include the following:

Ten Mile	Hansel Valley Mountain	Blue Spring
Cattle Rock	Ox Valley-Central Meadow	Dammeron Complex
Topliff	Camp Williams	Diamond Complex
Tekoi	Johnson Canyon	Ditto
West Mona	Quincy	Park Valley
Pony Road	Uinta Flats	Red
Rose Ranch South	Sage Valley	Sunrise Complex
Sand Mountain	Dry Canyon II	West Gibson
Railroad Fire (61,009 acres)	Sarah	Westside Complex
Flat Fire	Fort Ranch	Kolob
Hogup	Lava Ridge	Jarvis
Ripple Valley	Affleck Park	Bull Complex
Dog Valley Wash	Davis Complex	Scorpio
Davis Knolls	Desert Mountain	Ranch
Milford Bench	Soldier Pass	Oak City Complex
Golden Spike	Turkey	Dog Valley
Honey Boy	Antelope Island #2	Twin Peaks
Indian Reservoir	Hansel Mt-Rattlesnake	Reilly Complex
Round Top	Magatsu Complex	Hogups
Milford Pass	Cunningham	Badger
Fool Creek	Black Rock	Devils Den
Negro Mag	Mollie	Valley
Big Hollow Complex	Beef Hallow	Salt Creek
Wide Canyon	Fort Ranch (35,600 acres)	Milford Flat
Cedar Packetts Wash	Mustang	Neola North
Diamond Peak	Hawkins	Coffee Pot Fire
North Stansbury Complex	Complex Square	Twitchell Canyon

### Assessing Vulnerability by Jurisdiction

*Requirement §201.4(c)(2)(ii): [The State risk assessment shall include an] overview and analysis of the State's vulnerability to the hazards described in this paragraph (c)(2), based on estimates provided in local risk assessments as well as the State risk assessment. The State shall describe vulnerability in terms of the jurisdictions most threatened by the identified hazards, and most vulnerable to damage and loss associated with hazard events. State owned critical or operated facilities located in the identified hazard areas shall also be addressed ... .*

*Requirement §201.4(d): Plan must be reviewed and revised to reflect changes in development...*

Geographic data mapped on the following pages was provided by the BLM and the US Department of the Interior and is current data through 2010. These analyses assess wildland fire hazards based on a combination of accumulated values including land

cover, fire hazard potential, and vegetation. SHMPC simplified the BLM ratings, categorizing them into one of four ratings low, moderate, high, and extreme. Using a series of overlays and clips, wildfire data for each individual county were clipped and queried in ArcView 9.3 in order to determine how many square miles per county fall within each wildfire hazard category.

**Table I-36 County Wildfire Vulnerability**

County Name	Extreme Hazard (square miles)	High Hazard (square miles)	Moderate Hazard (square miles)	Low Hazard (square miles)
Beaver	1170.5	969.2	310.4	54.1
Box Elder	291.2	2776.7	870.5	13.6
Cache	111.0	448.1	122.1	166.9
Carbon	484.6	634.3	216.6	117.7
Daggett	369.7	274.4	31.0	7.9
Davis	39.4	87.5	46.3	90.5
Duchesne	13.9	84.9	25.9	11.0
Emery	1112.0	1985.2	1075.3	78.1
Garfield	1942.9	1811.6	813.4	425.1
Grand	990.9	2236.8	321.2	63.0
Iron	1292.3	1039.6	397.7	97.4
Juab	482.2	2229.6	349.6	38.5
Kane	1238.8	1897.5	743.5	71.6
Millard	687.9	4568.7	799.9	79.7
Morgan	24.0	383.7	101.5	73.8
Piute	441.2	116.3	60.6	96.2
Rich	19.9	709.9	79.5	64.3
Salt Lake	69.5	233.7	86.2	52.1
San Juan	1954.0	3884.9	1656.6	89.6
Sanpete	303.4	555.0	302.9	200.5
Sevier	702.0	445.6	304.2	315.6
Summit	605.0	5921.0	253.0	311.2
Tooele	600.3	3058.0	926.0	16.4
Uintah	1193.3	2748.4	300.2	47.5
Utah	290.0	877.4	258.1	237.2
Wasatch	122.9	372.7	144.4	496.6
Washington	891.0	1121.2	297.8	24.6
Wayne	551.8	1036.7	706.5	85.1
Weber	19.1	204.3	70.4	77.2

## Estimating Potential Losses by Jurisdiction

*Requirement §201.4(c)(2)(iii): [The State risk assessment shall include an] overview and analysis of potential losses to the identified vulnerable structures, based on estimates provided in local risk assessments as well as the State risk assessment. The State shall estimate the potential dollar losses to State owned or operated buildings, infrastructure, and critical facilities located in the identified hazard areas.*

*Requirement §201.4(d): Plan must be reviewed and revised to reflect changes in development...*

The Utah counties are ranked based on total area in square miles that are within high or extreme wildfire risk areas.

1. San Juan	11. Iron	21. Rich
2. Millard	12. Duchesne	22. Daggett
3. Uintah	13. Beaver	23. Cache
4. Garfield	14. Washington	24. Piute
5. Tooele	15. Wayne	25. Wasatch
6. Grand	16. Summit	26. Morgan
7. Kane	17. Utah	27. Salt Lake
8. Emery	18. Sevier	28. Weber
9. Box Elder	19. Carbon	29. Davis
10. Juab	20. Sanpete	

The total amount of land area per county that is highly susceptible to wildfire provides insight as to where higher wildfire risk is located, however, it does not effectively rank wildfire risk to Utah's population and infrastructures. The next rankings and tables list the number of population per county within high or extreme wildfire areas. Daytime and night-time population data are provided by Landscan data which illustrates the location of a population and population density. The Landscan data set was derived by the Oak Ridge National Laboratory utilizing a combination of information such as 2000 census data, proximity of population to roads, slopes, land cover, night-time lights, and other information that is then apportioned to each three second arc-second grid areas. An arc-second is a measure of latitude and longitude used by geographers that equates to approximately 90 meters by 90 meters in area. It is important to note that when working with population density data points, a 90m X 90m resolution is at a finer scale than census block data.

**County Ranking of Daytime Population Within High or Extreme Wildfire Areas**

1. Washington	11. Uintah	21. Juan
2. Salt Lake	12. Emery	22. Kane
3. Utah	13. Sanpete	23. Wasatch
4. Iron	14. Sevier	24. Morgan
5. Summit	15. Garfield	25. Cache
6. Tooele	16. Millard	26. Wayne
7. San Juan	17. Grand	27. Daggett
8. Duchesne	18. Davis	28. Piute
9. Carbon	19. Beaver	29. Rich
10. Weber	20. Box Elder	

**County Ranking of Night-time Population Within High or Extreme Wildfire Areas**

1. Washington	11. Sanpete	21. Millard
2. Salt Lake	12. Uintah	22. Grand
3. Duchesne	13. Cache	23. Sevier
4. Utah	14. Davis	24. Garfield
5. Summit	15. Box Elder	25. Piute
6. Iron	16. Juab	26. Beaver
7. Weber	17. Emery	27. Daggett
8. Tooele	18. Wasatch	28. Wayne
9. Carbon	19. Morgan	29. Rich
10. San Juan	20. Kane	

<b>Utah Statewide County Wildfire Risk 2010</b>		
	<b>Number of Structures in Areas of Extreme or High Hazard</b>	<b>Replacement Costs of Residential Units and Annual Sales of Commercial Units</b>
Salt Lake	14318	\$4,451,593,266
Davis	4317	\$1,133,070,054
Utah	8752	\$1,066,773,800
Weber	3295	\$1,007,733,375
Summit	5701	\$962,304,400
Washington	2823	\$905,279,402
Iron	2322	\$530,277,587
Tooele	2119	\$444,770,611
Carbon	2337	\$434,643,208
Kane	1777	\$326,275,285
Morgan	1289	\$267,080,372
Cache	923	\$238,363,505
Wasatch	1573	\$179,572,400
Uintah	2428	\$155,372,800
Grand	715	\$123,851,909
Sevier	1574	\$113,328,000
San Juan	442	\$97,003,423
Rich	452	\$59,177,014
Box Elder	541	\$52,073,841
Juab	663	\$50,388,000
Beaver	553	\$45,596,542
Daggett	710	\$38,600,000
Duchesne	462	\$29,576,960
Sanpete	301	\$22,876,000
Garfield	290	\$19,976,751
Millard	109	\$6,278,400
Piute	4	\$240,000
Emery	0	\$0
Wayne	0	\$0
<b>State Total</b>	<b>60790</b>	<b>\$12,762,076,905</b>

Figures from latest Local Hazard Mitigation Plans

**Table I-39 Daytime Population Totals within High or Extreme Wildfire Areas**

<b>County</b>	<b>Total Vulnerable Persons</b>
Beaver	1,738
Box Elder	1,639
Cache	606
Carbon	4,706
Daggett	459
Davis	1,751
Duchesne	5,026
Emery	2,783
Garfield	2,264
Grand	1,818
Iron	10,236
Juab	1,389
Kane	1,114
Millard	2,026
Morgan	727
Piute	374
Rich	51
Salt Lake	27,478
San Juan	6,102
Sanpete	2,757
Sevier	2,281
Summit	7,271
Tooele	7,040
Uintah	3,416
Utah	15,638
Wasatch	1,097
Washington	38,720
Wayne	462
Weber	4,020
<b>Total</b>	<b>253,631</b>

**Table I-40 Night-time Population Totals within High or Extreme Wildfire Areas**

County	Total Vulnerable Persons
Beaver	390
Box Elder	1,537
Cache	1,772
Carbon	5,327
Daggett	350
Davis	1,751
Duchesne	13,657
Emery	1,279
Garfield	561
Grand	694
Iron	7,931
Juab	1,399
Kane	944
Millard	796
Morgan	967
Piute	469
Rich	248
Salt Lake	15,540
San Juan	4,750
Sanpete	2,654
Sevier	685
Summit	8,289
Tooele	5,612
Uintah	2,178
Utah	12,354
Wasatch	988
Washington	43,056
Wayne	339
Weber	6,668
<b>Total</b>	<b>238,585</b>

**Wildfire Loss Calculations**

Calculating structural damage, economic loss, and deaths due to wildfire is difficult as no loss estimation tables or curves exist. FEMA publication 386-2 State and Local Mitigation Planning how-to guide Understanding Your Risks identifying hazards and estimating losses states the following under the determine the extent of damage from wildfires section:

- No loss estimation tables for wildfires
- No standard loss estimation model or table for wildfire damaged content
- No standard displacement time or functional downtime tables for wildfire
- No death or injury curves for wildfires.

However, as demonstrated in the previous section, at-risk populations to wildfire hazard can be identified, so proper mitigation actions can be taken to protect lives and property.

## Assessing Vulnerability by State Facilities

*Requirement §201.4(c)(2)(ii): [The State risk assessment shall include an] overview and analysis of the State's vulnerability to the hazards described in this paragraph (c)(2), based on estimates provided in local risk assessments as well as the State risk assessment. The State shall describe vulnerability in terms of the jurisdictions most threatened by the identified hazards, and most vulnerable to damage and loss associated with hazard events. State owned critical or operated facilities located in the identified hazard areas shall also be addressed ... .*

*Requirement §201.4(d): Plan must be reviewed and revised to reflect changes in development...*

State facilities data updated in April 2010 was provided by Utah's Risk Management. The data presented in this shape file was compiled with the help of several state agencies and entities. This state owned facilities data set was overlaid on top of the state wildfire risk map. The updated state wildfire risk map was produced as a result of the State-wide Fire Risk Assessment and is available through the AGRC. Using the "select by location" feature in ArcView 9.3, all of the vulnerable structures intersecting the high or extreme wildfire susceptibility areas were selected. The selected items were then saved as a layer files, and the current value of the facilities were calculated.

**Table I-41 Total Number of State Owned Facilities in Wildfire Risk Areas**

County Name	Facilities in Wildfire Risk Areas (Mod, High, Extreme)
Beaver	10
Box Elder	11
Cache	30
Carbon	39
Daggett	16
Davis	27
Duchesne	23
Emery	55
Garfield	12
Grand	10
Iron	31
Juab	16
Kane	32
Millard	8
Morgan	23
Piute	11
Rich	3
Salt Lake	67
San Juan	42
Sanpete	10
Sevier	26

Summit	39
Tooele	16
Uintah	11
Utah	52
Wasatch	61
Washington	63
Wayne	5
Weber	16
<b>OVERALL TOTAL</b>	<b>765</b>

### Estimating Potential Losses by State Facilities

*Requirement §201.4(c)(2)(iii): [The State risk assessment shall include an] overview and analysis of potential losses to the identified vulnerable structures, based on estimates provided in local risk assessments as well as the State risk assessment. The State shall estimate the potential dollar losses to State owned or operated buildings, infrastructure, and critical facilities located in the identified hazard areas.*

*Requirement §201.4(d): Plan must be reviewed and revised to reflect changes in development...*

Approximate current values for state owned facilities were provided by Risk Management. Current values of the state owned facilities were updated in 2010. ArcView 9.3 was used to determine which state-owned facilities are within high or extreme wildfire risk areas. The current values of those facilities within high or extreme wildfire risk areas were then summed in order to determine the total estimated current value of at-risk facilities for each county.

**Table I-42 Total Insured Value of State Owned Facilities in Wildfire Risk Areas**

County Name	Facilities in Wildfire Risk Areas (Mod, High, Extreme)	Insured Value of Facilities in Wildfire Risk Areas
Beaver	10	\$927,911
Box Elder	11	\$2,743,321
Cache	30	\$3,502,847
Carbon	39	\$12,232,384
Daggett	16	\$1,908,870
Davis	27	\$2,731,220
Duchesne	23	\$1,760,018
Emery	55	\$3,629,640
Garfield	12	\$2,070,271
Grand	10	\$1,884,185
Iron	31	\$78,972,501
Juab	16	\$1,706,506
Kane	32	\$5,110,428
Millard	8	\$1,228,806

Morgan	23	\$1,125,440
Piute	11	\$538,264
Rich	3	\$870,000
Salt Lake	67	\$108,365,493
San Juan	42	\$20,969,784
Sanpete	10	\$1,866,725
Sevier	26	\$4,220,688
Summit	39	\$5,988,891
Tooele	16	\$2,391,722
Uintah	11	\$614,502
Utah	52	\$124,187,281
Wasatch	61	\$17,413,564
Washington	63	\$160,410,887
Wayne	5	\$1,433,212
Weber	16	\$41,854,166
<b>OVERALL TOTAL</b>	<b>765</b>	<b>\$612,659,527</b>

## Staff Report

To: Summit County Council  
From: Alison Weyher  
Date: August 16, 2013  
Re: 2012-2013 BEAR Summary

In July 2012, Summit County was awarded a \$27,500 grant from the Governor's Office of Economic Development to participate in the Business Expansion and Retention Program.

This program is available only for rural counties. Summit County is considered a 'shoulder' county because of the rural nature of eastern Summit County and is therefore eligible. The goal of the program is to learn more about the businesses within the County and strengthen the business community through providing information about additional funding availability, access to employees, linkages to other State programs, help with various local issues and networking amongst businesses.

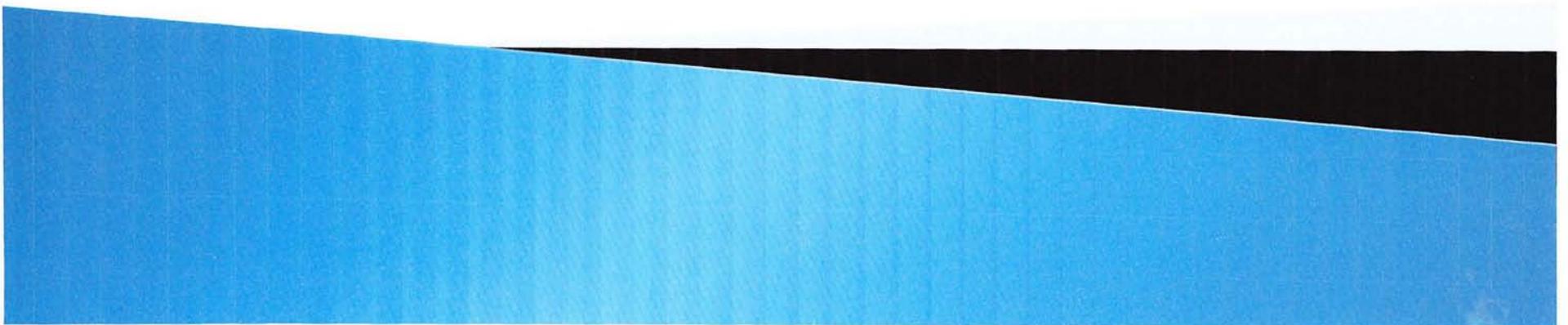
The State contracted with a national firm (Executive Pulse) to create the survey and codify the results. Each interview requires that the business owner respond to approximately 150 questions and GOED prefers that all interviews be conducted in person. The data is then entered into a computer program, which can be accessed by GOED as well as Summit County. Alison Weyher conducted the majority of the Summit County interviews between September 2012 and June 2013. A copy of the survey is attached.

The collected data has been summarized into the attached PowerPoint presentation. Because of the scope of questions, staff has only included highlights of the survey. However, should the Council desire additional information, staff is happy to provide it.

Encl: BEAR survey  
PowerPoint

# Business Expansion and Retention Program

2012–2013 Summary

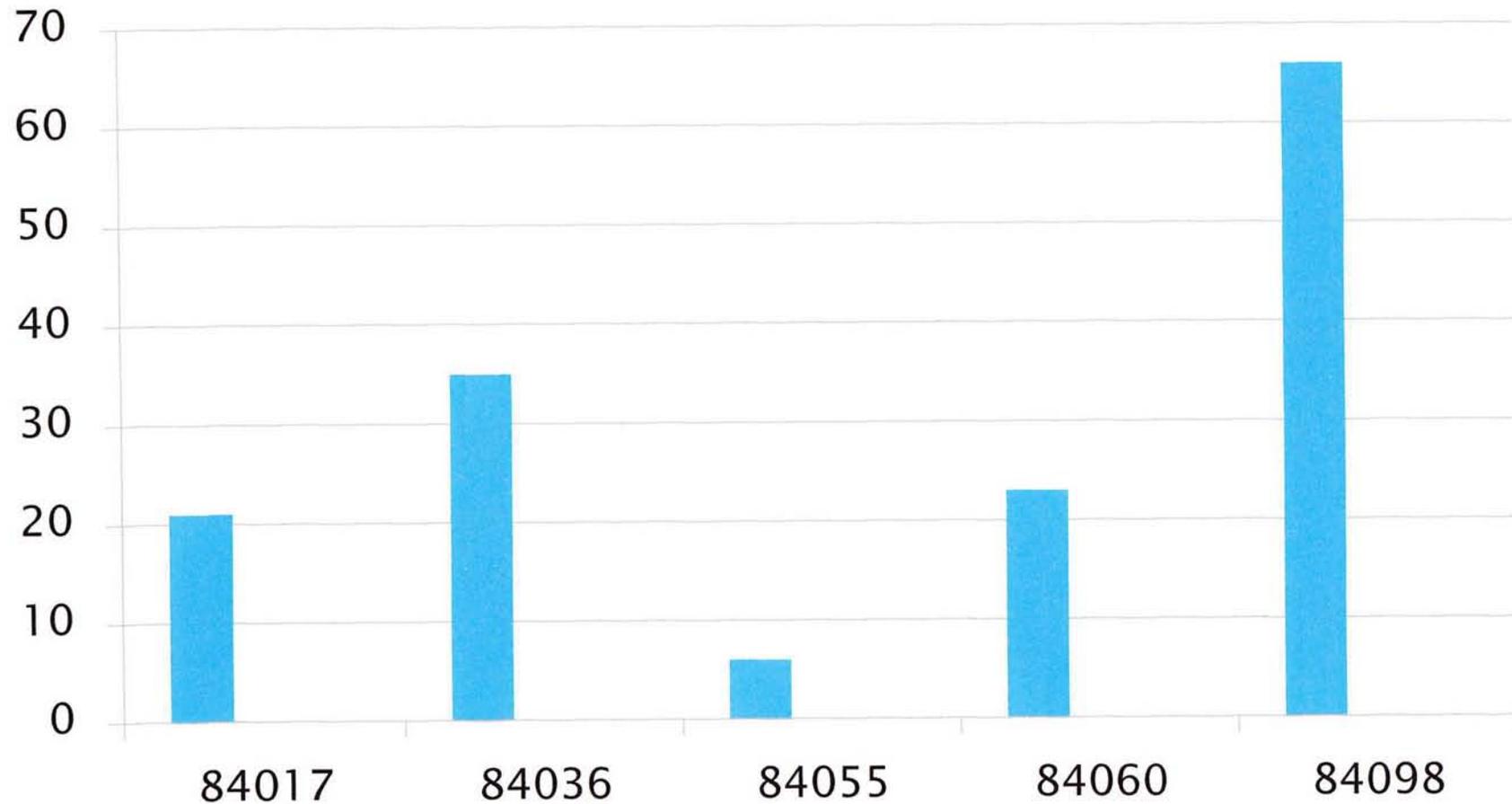


# Program Summary

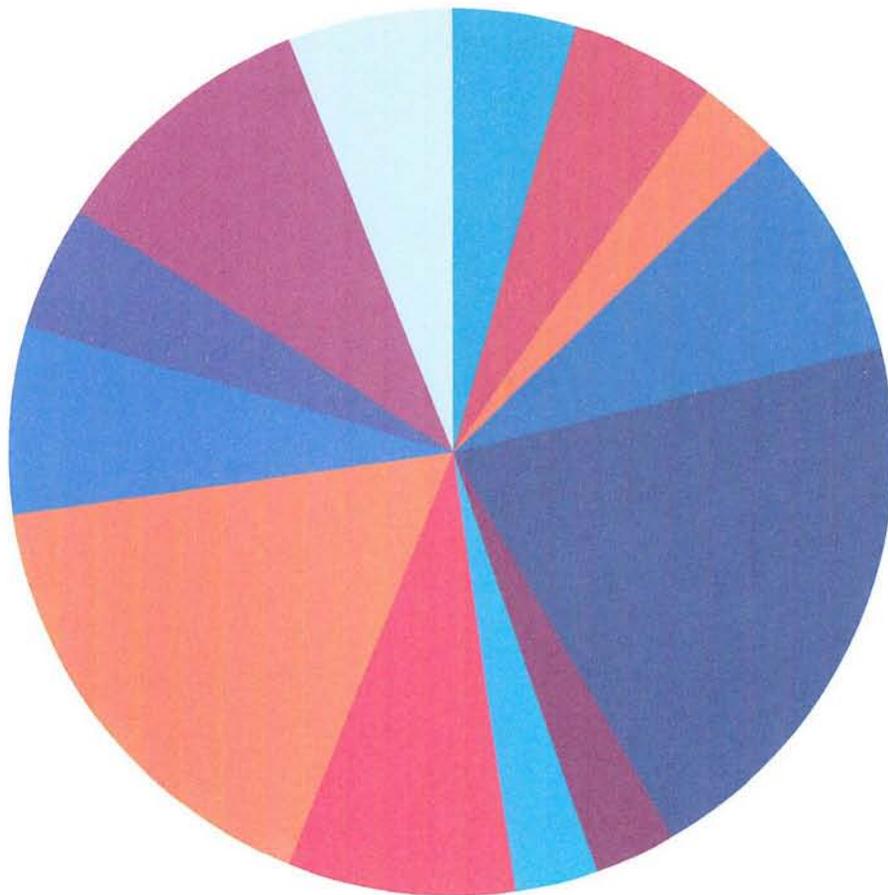
- ▶ Program is funded through the Governor's Office of Economic Development
- ▶ Objective is to grow new and existing rural businesses by enhancing local support
- ▶ Desired outcomes are business growth and expansion, job creation and increased economic diversity in rural regions



# 153 businesses surveyed (sorted by zip code)



# NAICS Code breakout (summarized)

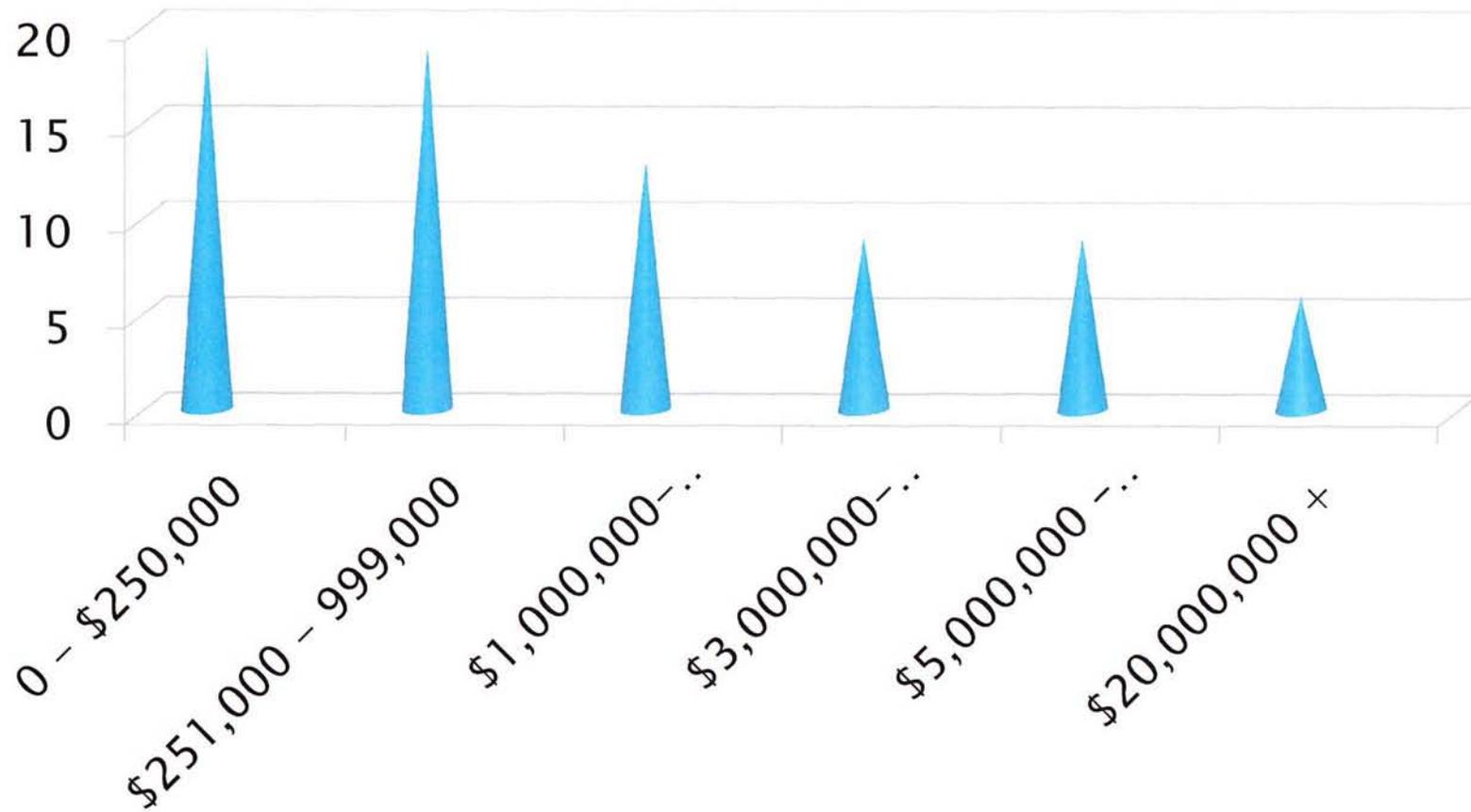


- Agriculture/mining - 6
- Construction - 7
- Mfg - food/bev - 4
- Mfg - wood/metal - 11
- Retail - all categories - 27
- Transportation - 4
- Finance/Insurance - 4

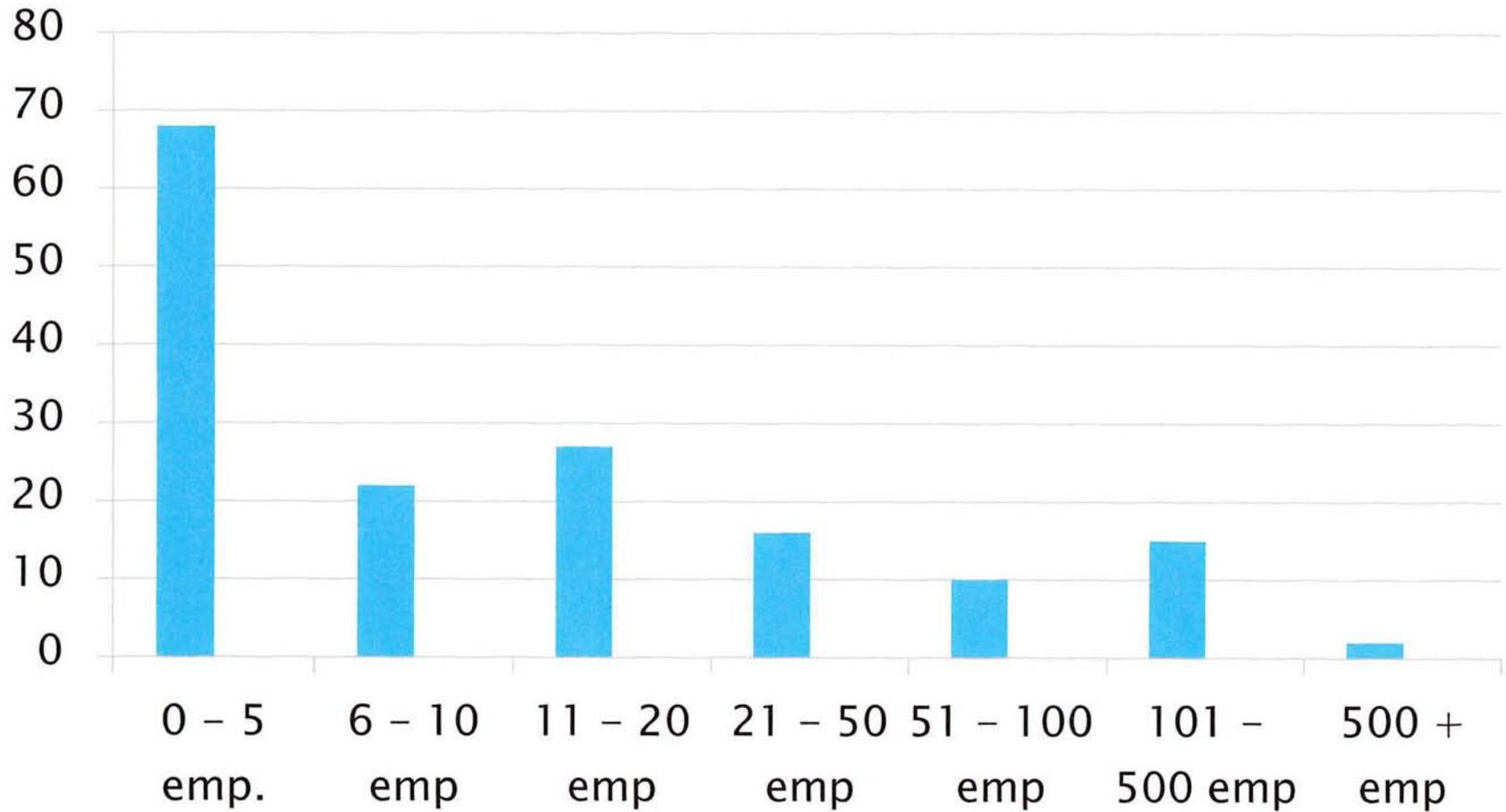


# Annual Sales / Gross Revenue

note: only 50% of businesses reported sales

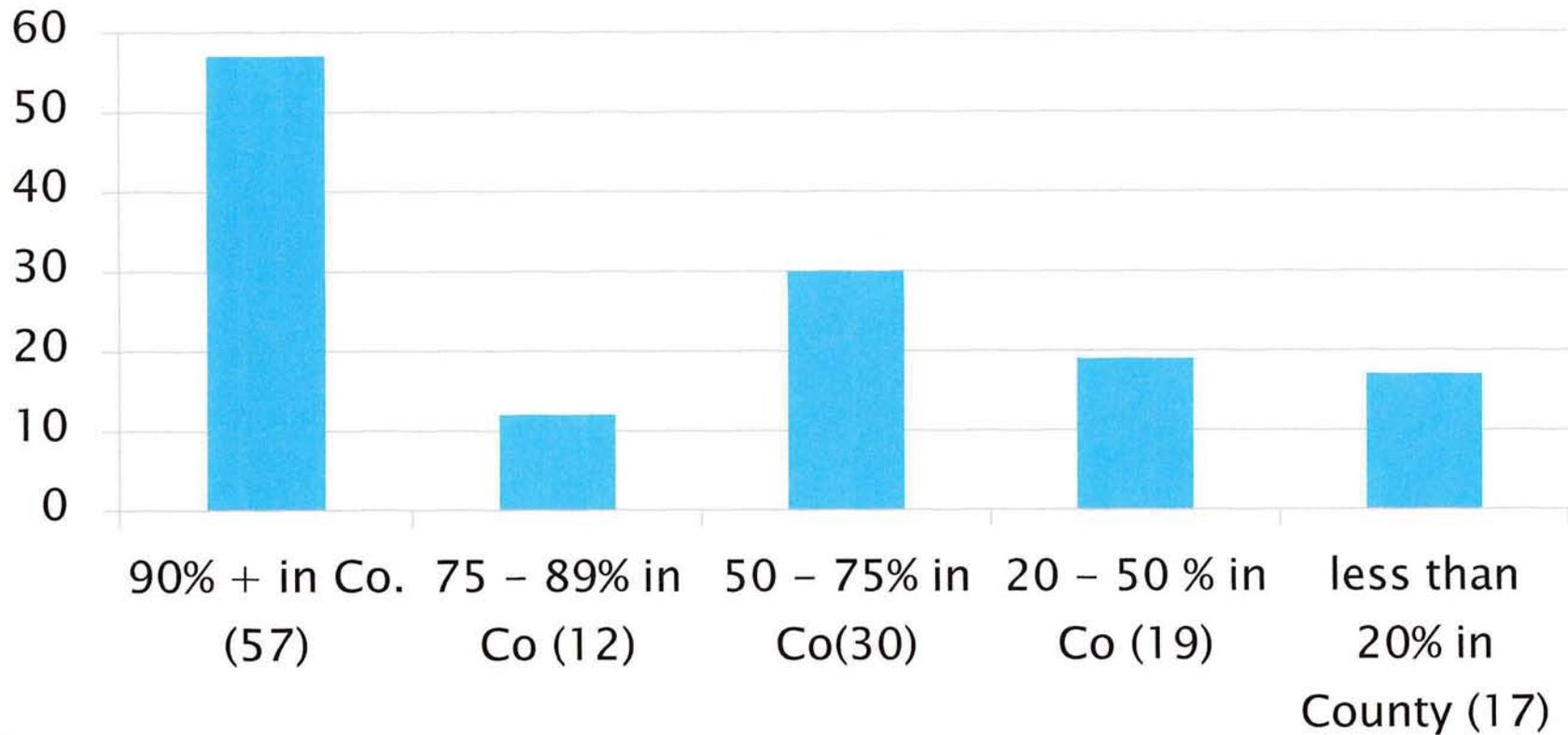


# Companies sorted by number of employees

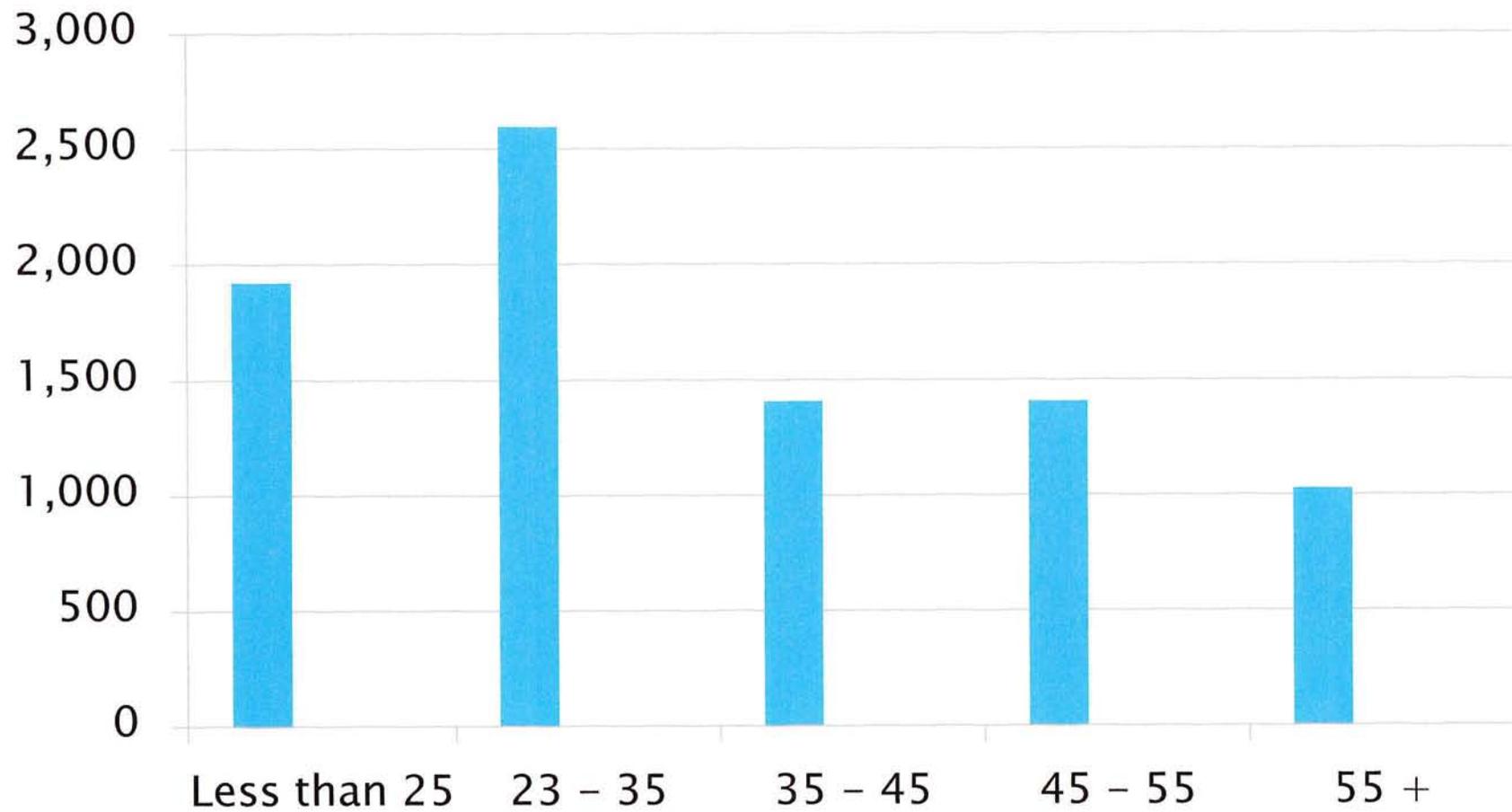


# Where do your employees live? (data sorted by business)

## Sales



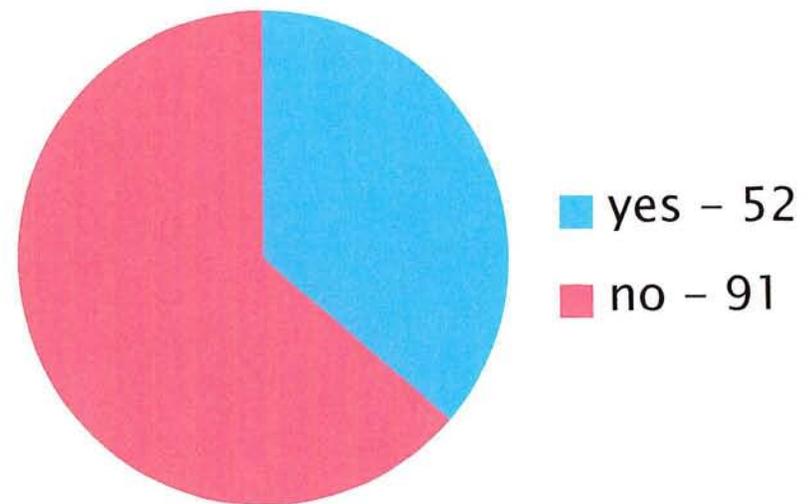
# Ages of Employees



# Employee Retention/Recruitment



Problems retaining employees



Problems recruiting employees

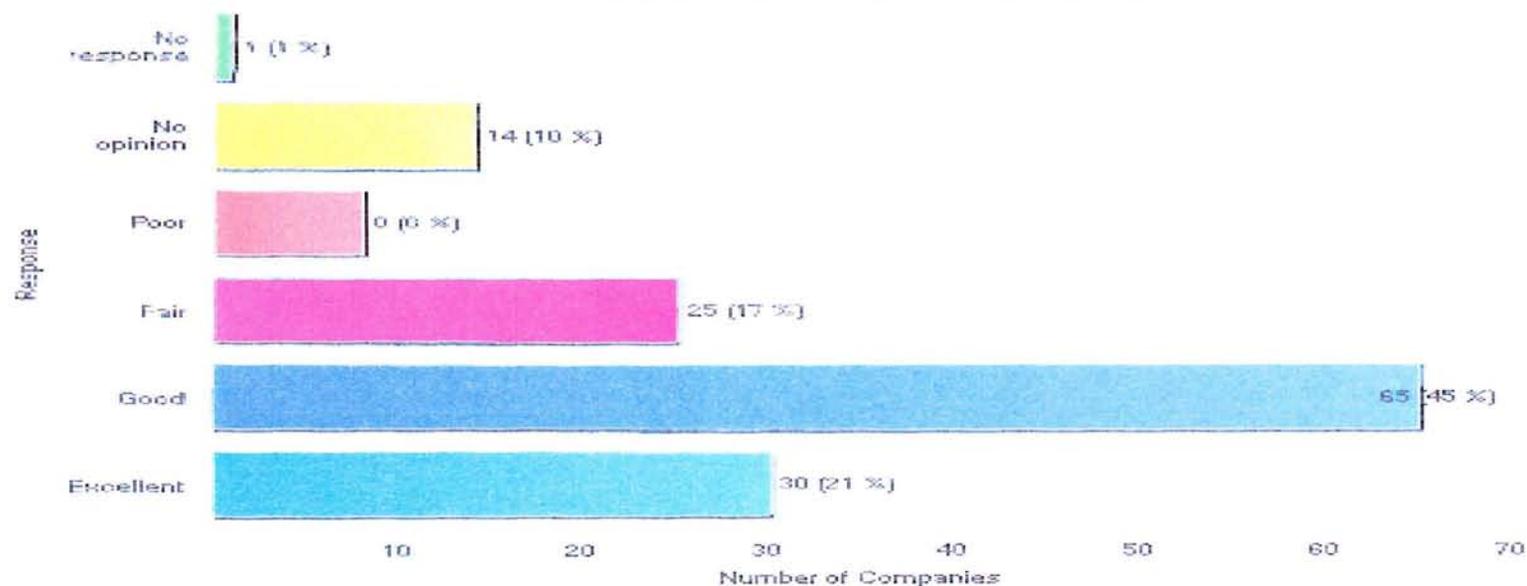
# Ratings

- ▶ Businesses were asked to rate municipal services and specific items in the business climate.
- ▶ Here is a snapshot of significant findings.
- ▶ NOTE: Because the sample is only 150 companies, this information is not statistically reliable!



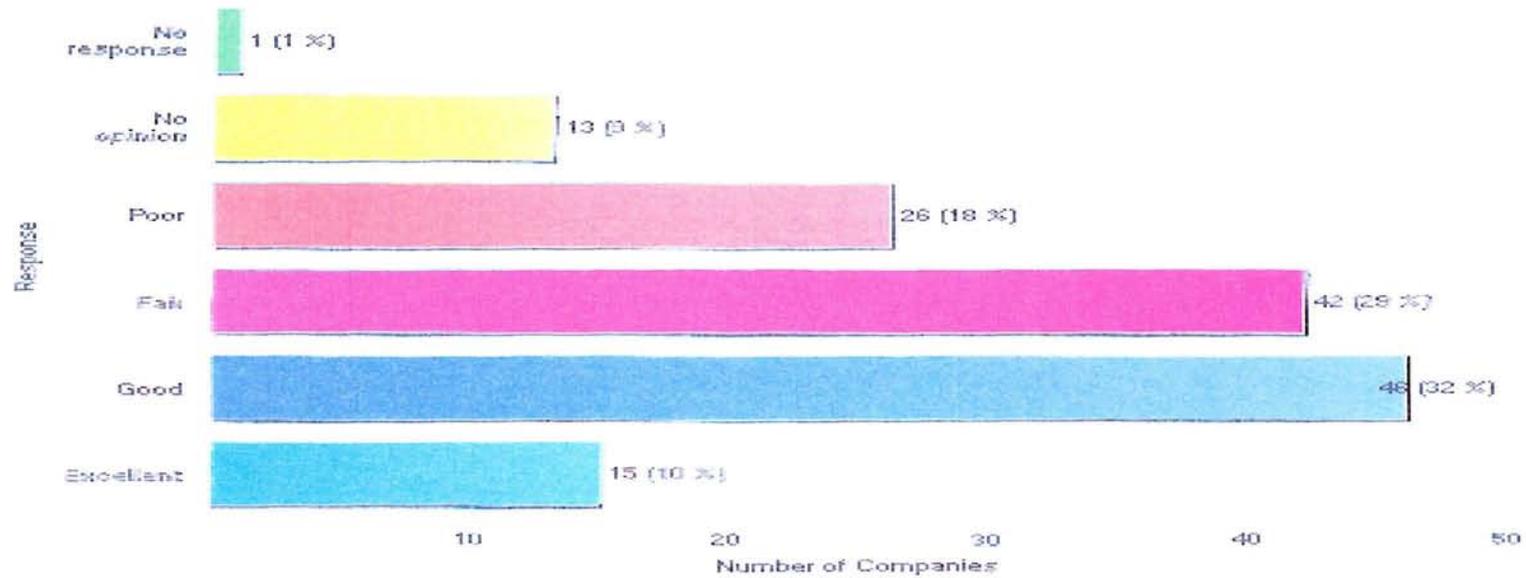
## Power Search - Graph

Please rate the following - (Workforce quality)



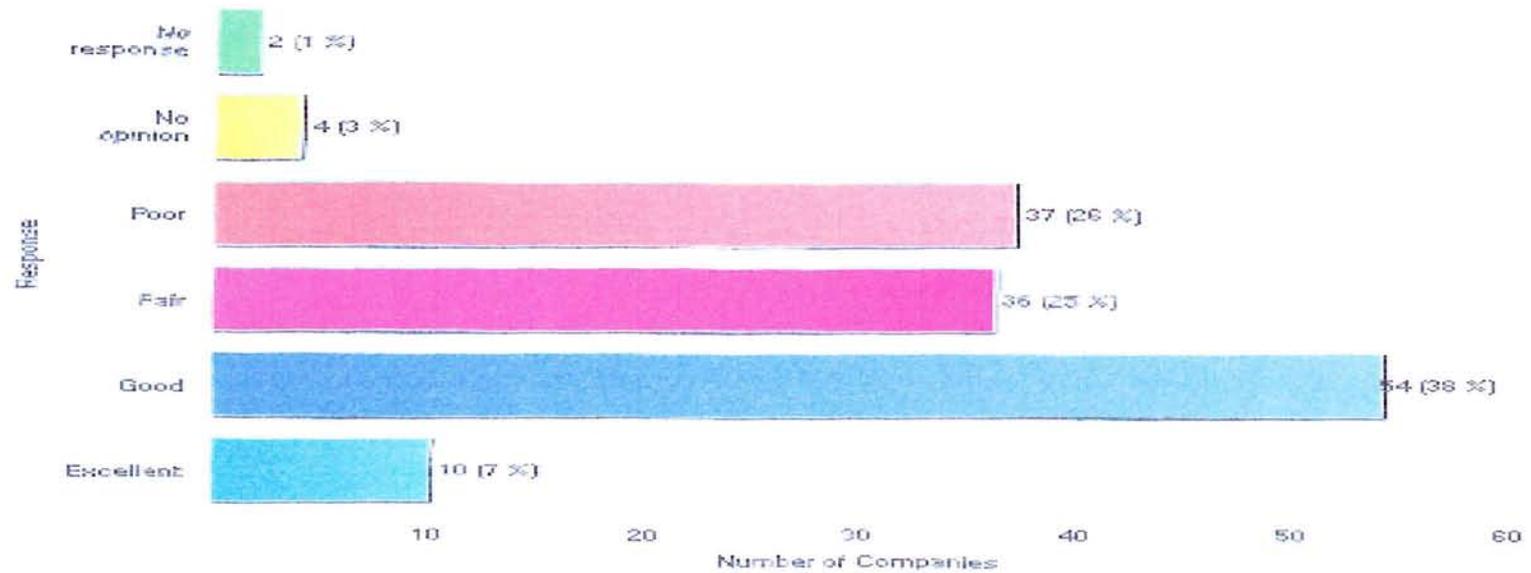
Responses	Series 1	Series 1 (%)	Total	Total (%)
No response	1	1%	1	1%
No opinion	14	10%	14	10%
Poor	0	0%	0	0%
Fair	25	17%	25	17%
Good	65	45%	65	45%
Excellent	30	21%	30	21%
Total	143	100%	143	100%

Please rate the following - (Workforce availability)



Responses	Series 1	Series 1 (%)	Total	Total (%)
No response	1	1%	1	1%
No opinion	13	9%	13	9%
Poor	26	18%	26	18%
Fair	42	29%	42	29%
Good	46	32%	46	32%
Excellent	15	10%	15	10%
Total	143	100%	143	100%

Please rate the following - (Housing)



Responses	Series 1	Series 1 (%)	Total	Total (%)
No response	2	1%	2	1%
No opinion	4	3%	4	3%
Poor	37	26%	37	26%
Fair	36	25%	36	25%
Good	54	38%	54	38%
Excellent	10	7%	10	7%
Total	143	100%	143	100%

# How Can Summit County Enhance Our Business Community?

- ▶ Areas of Concern
  - Employee Recruitment
  - Access to Capital
  - Business Planning
  - Navigate government processes
  - Health Care Requirement Concerns



# Employee Recruitment

Referred 25 businesses to Department of Workforce Services.

... we have more information on our website. Visit [www.wa.gov](http://www.wa.gov) and search for our education-calendar for more information on our summer-camp-and-activities-for-5th-and-6th-graders.

## BEST BUY JOB FAIR

Best Buy will host a job fair at the Park City Department of Workforce Services, 1500 Broadway, 100-1101, on Tuesday, July 30, from 10 a.m. to 1 p.m. The store is hiring sales associates, customer service and Best Buy agents. Members of the public are invited to bring their resumes and talk with a Best Buy representative for more information. Visit [www.bestbuy.com](http://www.bestbuy.com) for more information.

PARK CITY BRIDGE CLUB

By SCC  
*The Park*

For the Art Center coming at edge to services and through its. The production just time need into emerging a school with. These part-life experiences who learn of their established. Yarmouth,

# Referred Businesses seeking capital to:

- ▶ Park City Small Business Resource Center
- ▶ Utah Microenterprise Loan Fund
- ▶ MAG Revolving Loan Fund
- ▶ Goldman Sachs
- ▶ Local Banks



# Helped navigate governmental processes



This is not a radiator shop!  
This is LuAnn's Cupcakes. We worked with the County Planning Dept. to get signage approved for this yummy business!

# Hosted Workshop on Succession Planning



## A Seminar For Inland Business Owners at Recent Change

### TOPIC: PROTECTION STRATEGIES FOR BUSINESS OWNERS

This seminar will provide a thorough overview of estate planning and asset protection strategies for business owners and their families, including trusts, medical directives and pay set plans. It will also discuss business succession strategies used to reduce or eliminate the risks of disability and family deaths. These strategies include transfer of power and ownership among children and key family members, strategies involving a broad transfer of first-order business assets from one generation to the next, and finally, the discussion will address the impact of the American Taxpayer Relief Act of 2012 (the law) on estate planning for business owners and their families.

### PRESENTER:

**MATT MITTON** is a licensed attorney and shareholder with the law firm of Jones Watson. Matt has dedicated his legal practice to helping people ensure that their estate will go to the right people, at the right time, at the least cost possible. Specializing in the area of estate planning, he uses Mr. Mitton to focus his time, energy and attention on his clients.

### DETAILS:

**Wednesday, May 29, 2013, 7 p.m.**

Kansas City Hall  
170 North Main (SR 32)  
Kansas, Utah

### AGENDA:

- 7:00pm Networking and refreshments
- 7:15pm Light refreshment
- 7:30pm Seminar
- 7:45pm Q&A
- 8:00pm Adjourn

# We work with a variety of governmental entities

Shirana Stokes <stokes@parkcity.org>

City of Park City

Adam Wright <awright@parkcity.org>

via Aftab:

I believe the sign you are referring to would be considered a Public Necessity sign which are non-regulated signs and are exempt from the city's sign ordinance. However, you must receive approval from the Public Works Director, Steve Formisack. He can be reached at 435-634-2111. Also, Kearns and 224 are owned by the Utah Department of Transportation so you will also need to work with them, if they should have the contact information. Please let me know if you have questions. Thank!

Shirana Stokes

Planning Technician

435-634-2111

stokes@parkcity.org

Snow Creek Medical Center is an urgent care facility, yet they have no signage on Kearns or 224. We are working with Park City Municipal to have Public Necessity Signs installed.

# Parting thoughts:

- ▶ 95 companies rate the local business climate excellent or good
- ▶ 109 companies believe the business climate will be better in five years
- ▶ 61 companies have expansion plans in the next 12–18 months



**COMPANY PROFILE**

Key:  = Required

1. Company name:

\_\_\_\_\_

2. Address:

\_\_\_\_\_

\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Country: \_\_\_\_\_

3. Mailing address:

\_\_\_\_\_

\_\_\_\_\_

Mailing city: \_\_\_\_\_ Mailing state: \_\_\_\_\_ Mailing zip code: \_\_\_\_\_

Country: \_\_\_\_\_

4. Region/County:

\_\_\_\_\_

5. Phone number:

\_\_\_\_\_

6. Fax number:

\_\_\_\_\_

7. Web address (URL):

\_\_\_\_\_

8. NAICS code:

\_\_\_\_\_

9. Company notes:

\_\_\_\_\_

**VISIT INFORMATION**

Key:  = Required,  = Select Multiple,  = Select One

10. Date of meeting:

Format: mm/dd/yyyy

11. Visit number:

\_\_\_\_\_

12. Outreach Specialist:

\_\_\_\_\_

13. Contact visited:

Contact Type: \_\_\_\_\_

Title: \_\_\_\_\_

Salutation: \_\_\_\_\_

First Name: \_\_\_\_\_

Last Name: \_\_\_\_\_

Corporate Name: \_\_\_\_\_ Corporation is only needed if different than company

Address: \_\_\_\_\_ Address is only needed if different than company  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Mobile Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_  No email address

Prefers to communicate via:

Phone  Mobile  Fax  Email

Note: \_\_\_\_\_

Facebook: \_\_\_\_\_

LinkedIn: \_\_\_\_\_

MySpace: \_\_\_\_\_

Twitter: \_\_\_\_\_

14. Should this company be re-visited?

Yes  No

15. Revisit month and year:

\_\_\_\_\_ of \_\_\_\_\_

**COMPANY INFORMATION**

Key:  = Select Multiple,  = Select One

16. Description of products/services:

\_\_\_\_\_

\_\_\_\_\_

17. Who are your competitors?

\_\_\_\_\_

\_\_\_\_\_

18. What are the factors that make your company successful here?

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---

19. Status of primary product/service:

- Proprietary  Commodity

20. Nature of service:

---

---

21. Type of product:

---

---

22. Life cycle stage of firm's primary product/service:

- Emerging  Growing  Maturing  Declining

23. What is this company's ownership status?

- Privately owned  Publicly owned

24. What is this company's legal status?

- Sole proprietorship  Partnership  Corporation  Limited liability corporation (LLC)  Employee owned (ESOP)  Non-profit  Other  Home Based Business

25. If Other, please specify:

---

---

26. Location of company's headquarters:

- In state  Elsewhere in nation  Outside USA

27. What year was this facility started?

---

28. Name of parent company, if different:

---

29. Functions located at this facility:

- Distribution  Engineering/RD  Headquarters  Manufacturing  Services  Warehousing

30. Does this company have another U.S. location that provides a similar product/service as the local operation:

- Yes  No

31. Similar U.S. notes:

---

---

32. Does this company have another location elsewhere in the world that provides a similar product/service as the local operation:

- Yes  No

33. Similar world notes:

---

---

34. Has the local facility changed owners in the past 5 years?

- Yes  No

35. If Yes, describe the local impact of the change in ownership:

- Positive  Neutral  Negative

36. Is an ownership change pending for this facility?  
 Yes  No
37. Has the local facility changed management in the past 5 years?  
 Yes  No
38. If Yes, describe the local impact of the change in management:  
 Positive  Neutral  Negative
39. Is there a formal succession plan?  
 Yes  No  Not applicable
40. If No, would you like assistance in preparing a succession plan?  
 Yes  No
41. Do you have adequate capital?  
 Yes  No
42. Would you like assistance in obtaining additional capital?  
 Yes  No
43. Does this firm have a current strategic plan?  
 Yes  No
44. Is this business insured?  
 Yes  No
45. Company information notes:

---



---

**LOCAL WORKFORCE**

Key:  = Select Multiple  = Select One

46. Current employment by major O\*Net code:  
 To search for O\*Net Codes, use this website: <http://www.onetcodeconnector.org>

Job Family  
 \_\_\_\_\_

Occupation  
 \_\_\_\_\_

Employees  
 \_\_\_\_\_

47. Open positions by major O\*Net code:  
 To search for O\*Net Codes, use this website: <http://www.onetcodeconnector.org>

Job Family  
 \_\_\_\_\_

Occupation  
 \_\_\_\_\_

Positions  
 \_\_\_\_\_

48. Total number of employees at this facility:

\_\_\_\_\_ Total employees

50. Historical employment trend:

Increasing  Staying the same  Declining

52. Projected number of employees at this facility in 12 months:

\_\_\_\_\_

53. What are your training and workforce, education and other related needs?

\_\_\_\_\_

54. Percent of workforce:

\_\_\_\_\_ % Skilled/Professional

\_\_\_\_\_ % Semi-skilled

\_\_\_\_\_ % Entry-level

55. Average hourly wage:

\$ \_\_\_\_\_ Skilled/Professional

\$ \_\_\_\_\_ Semi-skilled

\$ \_\_\_\_\_ Entry-level

56. Describe the wage scale here compared to all other firms locally:

Greater than  Same as  Lower than

57. What benefits do you offer your employees?

None  Vision  Medical  Life Insurance  Dental  401K

58. Percent of workforce who live in:

\_\_\_\_\_ % In this county

\_\_\_\_\_ % Outside this county

\_\_\_\_\_ % Outside Utah

59. Describe the majority of essential personnel at this location:

Age	Number of employees
<input type="radio"/> Youth (under 25 years)	_____
<input type="radio"/> Youthful (25 - 35)	_____
<input type="radio"/> Young (35 - 45 years)	_____
<input type="radio"/> Middle Age (45 - 55 years)	_____
<input type="radio"/> Near Retirement (55 + years)	_____

60. Do you have problems retaining employees?

Yes  No

61. Employee retention notes:

\_\_\_\_\_

62. Do you have problems recruiting employees?

Yes  No

63. Employee recruitment notes:

---

---

64. Is there a formal workforce training program in place?

Yes  No

65. Union status:

Yes  No  Not applicable

66. If Yes, what is the status of labor-management relations?

Excellent  Good  Fair  Poor

67. ISO certification:

Yes  No  In process  Not applicable

68. Workforce / O\*Net notes:

---

---

**SALES**

Key:  = Select Multiple  = Select One

69. Annual sales at this facility:

\$ \_\_\_\_\_  Annual sales private

70. What is the projected sales growth in the next year at this facility?

Greater than or equal to 100%  50 - 99%  25 - 49%  10 - 24%  1 - 9%  0%  Declining

71. Historical sales trend at this facility:

Increasing  Staying the same  Declining

72. Historical sales trend at the parent company:

Increasing  Staying the same  Declining  Not applicable

73. Historical sales trend within the industry:

Increasing  Staying the same  Declining

74. Sales trend notes:

---

---

75. Percent of total sales generated by top 3 customers:

76 - 100%  51 - 75%  26 - 50%  10 - 25%  1 - 9%

76. Do you engage in government procurement:

Yes  No

77. Please identify the source of your sales by percentage:

\_\_\_\_\_ % Local (within 50 miles)

\_\_\_\_\_ % Regional (51 - 250 miles)

\_\_\_\_\_ % National

\_\_\_\_\_ % International



78. Please identify the source of your supplies by percentage:

- \_\_\_\_\_ % Local (within 50 miles)  
\_\_\_\_\_ % Regional (51 - 250 miles)  
\_\_\_\_\_ % National  
\_\_\_\_\_ % International

79. International trade status:

- Import  Export  None  Not applicable

80. Historical export sales trend:

- Increasing  Staying the same  Declining  Not applicable

81. Sales notes:

---

---

#### E-COMMERCE

Key:  = Select Multiple  = Select One

82. Use of Internet:

- Email  Website  Market research  Sell products/services  Buy products/services  Exchange data internally/externally  Don't use

83. Type of Internet connection:

- Dial-up/56k  ISDN  DSL  Cable  T1  T3  Wireless  Don't know  None

84. Importance of Internet for your business today:

- Important  Somewhat important  Not important

85. Do you have dedicated IT staff or vendor to handle your IT?

- Yes  No

86. What is the status of your investment in IT over the past 18 months?

- Increasing  Staying the same  Declining

87. Condition of computers and other information technology equipment:

- Excellent  Good  Fair  Poor

88. E-Commerce notes:

---

---

#### FACILITY/EQUIPMENT

Key:  = Select One

89. Status of facility:

- Owned  Leased

90. If *Leased*, expiration date:

\_\_\_\_\_   
Format: mm/dd/yyyy

91. Condition of facility:

- Excellent  Good  Fair  Poor

92. Condition of equipment:

- Excellent  Good  Fair  Poor

93. Describe the operations at this site:  
 One shift  Two shifts  24 hours
94. How much of this facility's space are you currently using?  
 More than 90%  76 - 90%  51 - 75%  Less than 50%
95. How much equipment capacity are you currently using?  
 More than 90%  76 - 90%  51 - 75%  Less than 50%
96. Historical investment trends over past 18 months in the facility:  
 Increasing  Staying the same  Declining
97. Historical investment trends over past 18 months in the equipment at this facility:  
 Increasing  Staying the same  Declining
98. Is there room for expansion at this site?  
 Yes  No
99. Are you planning to expand locally in the next 12 - 18 months?  
 Yes  No

100. Facility/Equipment notes:

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**MUNICIPAL SERVICES** Key:  = Select One

101. Please rate the following:  
 Use the following rating system:  
 1 = Excellent  
 2 = Good  
 3 = Fair  
 4 = Poor  
 5 = No opinion  
 6 = Not applicable

	1	2	3	4	5	6
Public water/sewer:	<input type="radio"/>					
Code enforcement:	<input type="radio"/>					
Building inspection/permitting:	<input type="radio"/>					
Zoning/Land use:	<input type="radio"/>					
Local road network/condition:	<input type="radio"/>					
Interstate highway system/condition:	<input type="radio"/>					
Airport:	<input type="radio"/>					
Utility (Gas):	<input type="radio"/>					
Utility (Electric):	<input type="radio"/>					
Police protection:	<input type="radio"/>					
Fire/emergency services:	<input type="radio"/>					

102. Municipal services notes:

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103. Government Assistance Received:

	Yes	No	If Yes, amount rec'd
HUB Zone:	<input type="radio"/>	<input type="radio"/>	\$
Targeted Business Tax Credits:	<input type="radio"/>	<input type="radio"/>	\$
Enterprise Zone Employee:	<input type="radio"/>	<input type="radio"/>	\$
Enterprise Zone Plant and Equipment:	<input type="radio"/>	<input type="radio"/>	\$
Enterprise Zone Building Rehabilitation:	<input type="radio"/>	<input type="radio"/>	\$
Recycling Zone Credits:	<input type="radio"/>	<input type="radio"/>	\$
Economic Dev Tax Increment Finance:	<input type="radio"/>	<input type="radio"/>	\$
Aviation Tax Increment Finance:	<input type="radio"/>	<input type="radio"/>	\$
Custom Fit Training:	<input type="radio"/>	<input type="radio"/>	\$
RDA/EDA Area:	<input type="radio"/>	<input type="radio"/>	\$
Municipal Funding Program:	<input type="radio"/>	<input type="radio"/>	\$
Revolving Loan Funds:	<input type="radio"/>	<input type="radio"/>	\$
Southeast Utah Community Dev Corp:	<input type="radio"/>	<input type="radio"/>	\$
Local Two Year Community/Trade College:	<input type="radio"/>	<input type="radio"/>	\$
Four year university:	<input type="radio"/>	<input type="radio"/>	\$
Other:	<input type="radio"/>	<input type="radio"/>	\$

104. Government assistance notes:

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**BUSINESS CLIMATE** Key:  = Select One

105. Please rate the following:

Use the following rating system:

- 1 = Excellent
- 2 = Good
- 3 = Fair
- 4 = Poor
- 5 = No opinion

	1	2	3	4	5
Workforce quality:	<input type="radio"/>				
Workforce availability:	<input type="radio"/>				
Local government:	<input type="radio"/>				
Local tax structure:	<input type="radio"/>				
State tax structure:	<input type="radio"/>				
Workers compensation rates:	<input type="radio"/>				
Economic development:	<input type="radio"/>				
Cultural/Recreational amenities:	<input type="radio"/>				
Housing:	<input type="radio"/>				
K - 12 education:	<input type="radio"/>				
Colleges/Universities:	<input type="radio"/>				
Technical training:	<input type="radio"/>				

106. Notes on business climate rankings:

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107. Please rate the local business climate:

- Excellent  Good  Fair  Poor

108. Please compare the local business climate today versus 5 years ago:

- Better today  No change  Worse today  No opinion

109. Please indicate this company's attitude toward this facility:

- Positive  Neutral  Negative

110. Please forecast the condition of the local business climate 5 years from today:

- Will be better  No change  Will be worse  No opinion

111. Please indicate this company's attitude toward this community:

- Positive  Neutral  Negative

112. Business climate notes:

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**ASSESSMENT**

Key  = Select One

113. How would you rate this facility's overall health?

- Excellent  Good  Fair  Poor

114. How would you rate the overall health of the parent company?

- Excellent  Good  Fair  Poor  Not applicable

115. How would you rate the local management's affinity to the community?

- Excellent  Good  Fair  Poor

116. How would you rate the parent company's affinity to the community?

- Excellent  Good  Fair  Poor  Not applicable

117. How would you rate the risk of this facility closing in the next 1 - 3 years?

- Low  Moderate  High

118. How would you rate the risk of this facility downsizing in the next 1 - 3 years?

- Low  Moderate  High

119. Are there any local expansion plans in the next 12 - 18 months?

- Yes  No

120. Assessment notes:

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Aug. 1<sup>st</sup> Receive Valuation Notice

Receive Appellants Appeals

Appeal Reviewed by Auditor

Evidence Accepted & input

Insufficient Evidence

Market Analysis by Appraiser

Request additional info. by Assessor

No Response

Process ends

Appellant responds with evidence. Evidence input.

Stipulation mailed to property owner

Market Analysis by Appraiser

Still insufficient evidence

Process Ends

Appellant accepts value

Appellant requests hearing

Council Signs off, Notice of Determination letter sent

BOE Hearing

Process ends

Hearing officer decision

Appellant and County Agree

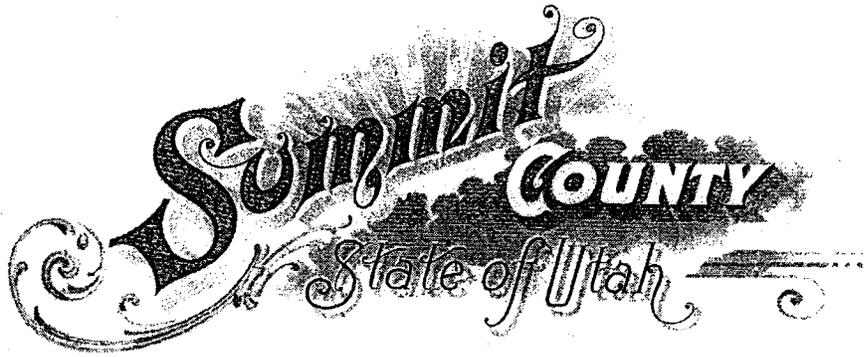
Appellant or County Disagree

Council signs off, BOE process ends

To Utah State Tax Commission

Auditor

Blake Frazier



August 12, 2013

Summit County Council;

Please consider approving the 2013 Board of Equalization Stipulations on August 21<sup>st</sup>. They will be prepared for your review prior to that date.

Thank You,

A handwritten signature in black ink that reads "Kathryn Rockhill". The signature is written in a cursive style with a large initial "K".

Kathryn Rockhill

Board of Equalization Clerk

# 2013 BOE Adjustments

Account #	Serial #	New Market Value	Old Market Value	MV Difference	New Taxable Value	Old Taxable Value	Taxable Difference
0112338	AP-145	\$ 50,000.00	\$ 93,942.00	\$ (43,942.00)	\$ 50,000.00	\$ 93,942.00	\$ (43,942.00)
0376842	CCRK-F-10	\$ 90,000.00	\$ 90,000.00	\$ -	\$ 49,500.00	\$ 90,000.00	\$ (40,500.00)
0226500	CD-638-G-1	\$ 248,381.00	\$ 248,381.00	\$ -	\$ 151,099.00	\$ 248,381.00	\$ (97,282.00)
0337018	CEM-1-50	\$ 560,000.00	\$ 560,000.00	\$ -	\$ 308,000.00	\$ 560,000.00	\$ (252,000.00)
0388433	CEM-II-90-1AM	\$ 1,200,000.00	\$ 1,200,000.00	\$ -	\$ 660,000.00	\$ 1,200,000.00	\$ (540,000.00)
0357065	CRQJ-8-AM	\$ 390,000.00	\$ 390,000.00	\$ -	\$ 214,500.00	\$ 390,000.00	\$ (175,500.00)
0342513	CSLC-A201-AM	\$ 1,008,000.00	\$ 1,500,000.00	\$ (492,000.00)	\$ 1,008,000.00	\$ 1,500,000.00	\$ (492,000.00)
0342745	CSLCA-424-AM	\$ 955,000.00	\$ 1,100,000.00	\$ (145,000.00)	\$ 955,000.00	\$ 1,100,000.00	\$ (145,000.00)
0075956	ECR-42	\$ 40,694.00	\$ 52,127.00	\$ (11,433.00)	\$ 40,694.00	\$ 52,127.00	\$ (11,433.00)
0076251	ECR-7	\$ 34,990.00	\$ 38,371.00	\$ (3,381.00)	\$ 34,990.00	\$ 38,371.00	\$ (3,381.00)
0409858	EP-IV-64	\$ 2,109,356.00	\$ 2,109,356.00	\$ -	\$ 1,205,190.00	\$ 2,109,356.00	\$ (904,166.00)
0396832	FPRV-13-B	\$ 240,000.00	\$ 240,000.00	\$ -	\$ 132,000.00	\$ 240,000.00	\$ (108,000.00)
0397327	FPRV-20-C-1	\$ 340,000.00	\$ 340,000.00	\$ -	\$ 187,000.00	\$ 340,000.00	\$ (153,000.00)
0201529	FVL-2-46	\$ 650,000.00	\$ 650,000.00	\$ -	\$ 357,500.00	\$ 650,000.00	\$ (292,500.00)
0282545	FWM-2	\$ 765,178.00	\$ 585,108.00	\$ 180,070.00	\$ 415,897.00	\$ 585,108.00	\$ (169,211.00)
0282875	FWM-35	\$ 922,000.00	\$ 1,076,254.00	\$ (154,254.00)	\$ 507,100.00	\$ 591,940.00	\$ (84,840.00)
0133383	HE-B-227-B	\$ 37,500.00	\$ 150,000.00	\$ (112,500.00)	\$ 37,500.00	\$ 150,000.00	\$ (112,500.00)
0133466	HE-B-234	\$ 513,153.00	\$ 513,153.00	\$ -	\$ 294,144.00	\$ 513,535.00	\$ (219,391.00)
0106751	HL-87-AM	\$ 203,730.00	\$ 203,730.00	\$ -	\$ 112,051.00	\$ 203,730.00	\$ (91,679.00)
0037998	HR-77	\$ 557,515.00	\$ 557,515.00	\$ -	\$ 557,515.00	\$ 306,633.00	\$ 250,882.00
0153316	IC-2	\$ 1,323,392.00	\$ 1,323,392.00	\$ -	\$ 1,323,392.00	\$ 812,916.00	\$ 510,476.00
0281059	IHPC-B-AM	\$ 1,890,400.00	\$ 1,940,000.00	\$ (49,600.00)	\$ 1,890,400.00	\$ 1,940,000.00	\$ (49,600.00)
0250914	IHPC-G-AM	\$ 1,800,000.00	\$ 1,980,000.00	\$ (180,000.00)	\$ 1,800,000.00	\$ 1,980,000.00	\$ (180,000.00)
0011126	KT-208-210	\$ 123,616.00	\$ 123,616.00	\$ -	\$ 123,616.00	\$ 67,989.00	\$ 55,627.00
0211189	LKSD-6-D	\$ 675,000.00	\$ 675,000.00	\$ -	\$ 371,250.00	\$ 675,000.00	\$ (303,750.00)
0073613	LR-3-310-A	\$ 201,039.00	\$ 201,039.00	\$ -	\$ 110,571.00	\$ 201,039.00	\$ (90,468.00)
0200356	MCL-32	\$ 564,561.00	\$ 564,561.00	\$ -	\$ 564,561.00	\$ 310,509.00	\$ 254,052.00
0252951	NOR-23	\$ 770,458.00	\$ 770,458.00	\$ -	\$ 423,751.00	\$ 770,458.00	\$ (346,707.00)
0104327	OTBV-246	\$ 395,554.00	\$ 395,554.00	\$ -	\$ 222,374.00	\$ 395,554.00	\$ (173,180.00)
0104517	OTBV-260-A	\$ 1,224,336.00	\$ 1,224,336.00	\$ -	\$ 234,051.00	\$ 1,224,336.00	\$ (990,285.00)
0033524	PAC-37-AM	\$ 280,000.00	\$ 280,000.00	\$ -	\$ 154,000.00	\$ 280,000.00	\$ (126,000.00)
0476660	PCTC-2	\$ 45,450.00	\$ 1,414,175.00	\$ (1,368,725.00)	\$ 45,450.00	\$ 1,414,175.00	\$ (1,368,725.00)
0476677	PCTC-3	\$ 8,240,530.00	\$ 8,240,530.00	\$ -	\$ 4,532,291.00	\$ 8,240,530.00	\$ (3,708,239.00)
0448481	PI-C-64-AM	\$ 220,681.00	\$ 323,548.00	\$ (102,867.00)	\$ 121,419.00	\$ 177,996.00	\$ (56,577.00)
0039721	PKM-20	\$ 526,650.00	\$ 526,650.00	\$ -	\$ 289,657.00	\$ 526,650.00	\$ (236,993.00)

0045199	PSA-28-B	\$ 600,600.00	\$ 899,984.00	\$ (299,384.00)	\$ 600,600.00	\$ 899,984.00	\$ (299,384.00)
0055248	PT-10-B-2	\$ 115,000.00	\$ 115,000.00	\$ -	\$ 63,250.00	\$ 115,000.00	\$ (51,750.00)
0223697	PWL-7-B	\$ 102,500.00	\$ 102,500.00	\$ -	\$ 56,375.00	\$ 102,500.00	\$ (46,125.00)
0193056	PWV-B-24-AM	\$ 325,000.00	\$ 325,000.00	\$ -	\$ 178,750.00	\$ 325,000.00	\$ (146,250.00)
0050520	RC-3-82	\$ 310,000.00	\$ 310,000.00	\$ -	\$ 170,500.00	\$ 310,000.00	\$ (139,500.00)
0245054	RCC-1B-B-104	\$ 150,000.00	\$ 190,000.00	\$ (40,000.00)	\$ 150,000.00	\$ 190,000.00	\$ (40,000.00)
0245252	RCC-1B-B-204	\$ 418,902.00	\$ 570,000.00	\$ (151,098.00)	\$ 418,902.00	\$ 570,000.00	\$ (151,098.00)
0035950	SFT-A	\$ 290,000.00	\$ 290,000.00	\$ -	\$ 159,500.00	\$ 290,000.00	\$ (130,500.00)
0176176	SLS-56	\$ 506,445.00	\$ 506,445.00	\$ -	\$ 278,544.00	\$ 506,445.00	\$ (227,901.00)
0230296	SMT-A-96	\$ 345,106.00	\$ 345,106.00	\$ -	\$ 189,808.00	\$ 345,106.00	\$ (155,298.00)
0139810	SS-59-7-A-1	\$ 524,200.00	\$ 2,969,564.00	\$ (2,445,364.00)	\$ 524,200.00	\$ 2,969,564.00	\$ (2,445,364.00)
0205751	TPL-3	\$ 300,000.00	\$ 300,000.00	\$ -	\$ 165,000.00	\$ 300,000.00	\$ (135,000.00)
0475807	TW-8-AM	\$ 179,191.00	\$ 179,191.00	\$ -	\$ 98,555.00	\$ 179,191.00	\$ (80,636.00)
0214597	VLC-32	\$ 340,000.00	\$ 396,060.00	\$ (56,060.00)	\$ 340,000.00	\$ 396,060.00	\$ (56,060.00)
0214639	VLC-36	\$ 340,000.00	\$ 650,000.00	\$ (310,000.00)	\$ 340,000.00	\$ 650,000.00	\$ (310,000.00)
0214647	VLC-37	\$ 340,000.00	\$ 400,000.00	\$ (60,000.00)	\$ 340,000.00	\$ 400,000.00	\$ (60,000.00)
0425565	WILK-56-A	\$ 1,300,000.00	\$ 1,300,000.00	\$ -	\$ 715,000.00	\$ 1,300,000.00	\$ (585,000.00)
0427256	WWS-2C-C12	\$ 365,954.00	\$ 365,954.00	\$ -	\$ 201,274.00	\$ 365,954.00	\$ (164,680.00)
0377154	CCRK-G-21	\$ 175,000.00	\$ 175,000.00	\$ -	\$ 96,250.00	\$ 175,000.00	\$ (78,750.00)
0338529	CD-374-M	\$ 465,748.00	\$ 64,500.00	\$ 401,248.00	\$ 271,686.00	\$ 64,500.00	\$ 207,186.00
0260285	CHC-313	\$ 80,010.00	\$ 80,010.00	\$ -	\$ 44,005.00	\$ 80,010.00	\$ (36,005.00)
0134092	HE-B-286	\$ 396,407.00	\$ 396,407.00	\$ -	\$ 338,526.00	\$ 396,407.00	\$ (57,881.00)
0228258	NC-106	\$ 110,000.00	\$ 110,000.00	\$ -	\$ 60,500.00	\$ 110,000.00	\$ (49,500.00)
0411144	NPKTH-2-42	\$ 335,000.00	\$ 335,000.00	\$ -	\$ 184,250.00	\$ 335,000.00	\$ (150,750.00)
0272777	NSS-B-87	\$ 516,750.00	\$ 553,869.00	\$ (37,119.00)	\$ 284,212.00	\$ 304,628.00	\$ (20,416.00)
0340723	PBP-B-M-21	\$ 180,000.00	\$ 180,000.00	\$ -	\$ 99,000.00	\$ 180,000.00	\$ (81,000.00)
0045744	PSC-116	\$ 42,500.00	\$ 42,500.00	\$ -	\$ 23,375.00	\$ 42,500.00	\$ (19,125.00)
0045975	PSC-139	\$ 42,500.00	\$ 42,500.00	\$ -	\$ 23,375.00	\$ 42,500.00	\$ (19,125.00)
0048599	PSC-915	\$ 52,500.00	\$ 52,500.00	\$ -	\$ 28,875.00	\$ 52,500.00	\$ (23,625.00)
0407670	PSSR-9	\$ 1,500,000.00	\$ 1,708,684.00	\$ (208,684.00)	\$ 825,135.00	\$ 939,911.00	\$ (114,776.00)
0223150	PWL-3-T	\$ 102,500.00	\$ 102,500.00	\$ -	\$ 56,375.00	\$ 102,500.00	\$ (46,125.00)
0094270	SC-46	\$ 143,160.00	\$ 143,160.00	\$ -	\$ 78,738.00	\$ 143,160.00	\$ (64,422.00)
0411326	SGNH-11	\$ 1,274,529.00	\$ 1,274,529.00	\$ -	\$ 700,990.00	\$ 1,274,529.00	\$ (573,539.00)
0030514	SNC-1042	\$ 95,000.00	\$ 95,000.00	\$ -	\$ 52,250.00	\$ 95,000.00	\$ (42,750.00)
0215149	SOL-2-A-110	\$ 1,438,764.00	\$ 1,438,764.00	\$ -	\$ 1,438,764.00	\$ 791,320.00	\$ 647,444.00
0214654	VLC-38	\$ 340,000.00	\$ 800,000.00	\$ (460,000.00)	\$ 340,000.00	\$ 800,000.00	\$ (460,000.00)
	<b>Totals for 8/21/2013</b>	<b>\$ 43,340,430.00</b>	<b>\$ 49,490,523.00</b>	<b>\$ (6,150,093.00)</b>	<b>\$29,421,027.00</b>	<b>\$46,124,544.00</b>	<b>\$ (16,703,517.00)</b>

The Market value decrease for 2013 is (\$ 6,150,093) As of 8/21/2013

The Taxable Value decrease for 2013 is (\$ 16,703,517 )



**MEMORANDUM:**

Date: August 21, 2013

To: Council Members

From: Robert Jasper

Re: Recommendation to appoint members to the Summit County Board of Health

Advice and consent of County Manager's recommendation to appoint Karen West-Ellis to serve the unexpired term of Herbert Joe on the Summit County Summit County Board of Health.

Karen's term to expire December 31, 2014.

Advice and consent of County Manager's recommendation to appoint Dan Davis to serve the unexpired term of Carolyn Hales Hollingshead on the Summit County Summit County Board of Health. Dan's term to expire December 31, 2013.

**SUMMIT COUNTY COUNCIL  
ELECTRONIC COUNCIL MEETING POLICIES AND PROCEDURES**

- I. **Policy:** This shall be known as the Summit County Council (the “Council”) Electronic Board Meeting Policy (the “Policy”).
- II. **Electronic Meetings:**
- A. **General:** A Council meeting may be convened and conducted by means of telephonic, telecommunications, or computer conference by satisfying the requirements of Utah Code Ann. § 52-4-207.
- B. **Participation:** The primary purpose for holding electronic meetings is to enable members of the Council to participate in the meeting electronically. Nevertheless, provision may be made for a member of the public to monitor an open meeting of the Council through electronic means provided that the member of the public so requests in writing at least three days prior to the meeting, and further provided that the Council will not be required to acquire any equipment, facilities or expertise which the Council does not already possess in order to accommodate the request. Notwithstanding anything to the contrary in this Policy, with the exception of a public hearing, the general public and other interested persons need not be provided an opportunity to participate in, as opposed to attend and monitor, an electronic meeting.
- C. **Anchor Location:** Anchor locations must be established for all electronic meetings. The anchor location is the physical location from which the electronic meeting originates or from which the participants are connected. There will be at a minimum two anchor locations for an electronic meeting, one in the Summit County Courthouse, Coalville, Utah and the other at the Sheldon D. Richins Building, Kimball Junction, Utah. A quorum of the Council, including the Chair, shall be physically present at a single anchor location for an electronic meeting to be held. Space and facilities must be provided at the anchor location(s) so that all interested persons may attend and monitor the open portions of the meeting. In addition, if the meeting is a public hearing, space and facilities must be provided at the anchor location(s) so that interested persons and the public may attend, monitor and participate in the hearing.
- D. **Notice:** Not less than 24 hours’ advance public notice, including the agenda, date, time, location, and a description of how the Council Members will be connected to the electronic meeting, will be given for each electronic meeting of the Council by posting a written notice at the principal office of the County and providing written or electronic notice to at least one newspaper of general circulation in the County and to a local media correspondent, and by posting the notice on the Utah Public Notice Website created under Utah Code Ann. § 63F-1-701. In addition, the notice must be posted at the anchor location and must be provided to all Council Members at least 24 hours before the meeting. These notice requirements are minimum requirements and are not to be

construed as precluding such additional postings and notifications as may be directed by the Council.

- E. Budget or Logistical Considerations:** The Chair, or the Vice-Chair in the Chair's absence, may determine, based upon budget or logistical considerations, that it is not in the best interest of the Council to hold an electronic meeting, in which event the meeting will not be held as an electronic meeting. The Chair, or the Vice-Chair in the Chair's absence, may also restrict the number of separate electronic connections that are allowed for an electronic meeting based on available equipment capacity. The request from a member of the public to participate in a meeting electronically may be denied by the Chair, or Vice-Chair in the Chair's absence, based on budget, public policy or logistical considerations deemed sufficient by the Chair or Vice-Chair.
- F. Conduct of Meeting:** No action may be taken and no business may be conducted at a meeting of the Council unless a quorum, consisting of a simple majority of the members of the Council, is present. Any Council Member participating via electronic means may make, second and vote on all motions and participate in the discussion as though present, except that the Council Member who chairs the meeting must be present at the anchor location. If neither the Chair nor the Vice Chair is physically present at the anchor location (but there is still a quorum) a Council Member who is physically present at the anchor location will preside over the meeting.

**ELECTRONIC COUNCIL MEETING  
POLICIES AND PROCEDURES**

- I. Policy .....1
  
- II. Electronic Meetings .....1
  - A. General .....1
  - B. Participation .....1
  - C. Anchor Location .....1
  - D. Notice .....1
  - E. Budget or Logistical Considerations .....2
  - F. Conduct of Meeting .....2



## STAFF REPORT

**To:** Summit County Council (SCC)  
**Report Date:** Thursday, August 15, 2013  
**Meeting Date:** Wednesday, August 21, 2013  
**Author:** Patrick Putt, Community Development Director  
**Project Name:** Murnin Kilgore (Base Camp Plaza) Consent Agreement Amendment

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**EXECUTIVE SUMMARY:** The applicant is requesting that the County Council grant an additional extension to the Base Camp Final Subdivision Plat recordation deadline (to October 31, 2013) in order that a public open house can be conducted regarding the proposed hotel project.

**Staff recommends that the County Council grant an extension to October 31, 2013.**

### A. Project Description

- **Project Name:** Base Camp Development Consent Agreement Amendment
- **Applicant(s):** George Chachas, Cameron Gunter
- **Property Owner(s):** PC Venture Partners III LLC
- **Location:** 4395 N Hwy 224
- **Zone District:** Hillside Stewardship (HS)
- **Setbacks:**
  - **Front:** 100 feet from SR 224 Right of Way
  - **Rear/Side:** 12 feet from property line
- **Adjacent Land Uses:** Commercial/Residential
- **Existing Uses:** Residential
- **Parcel Number and Size:** PP-106, 5.35 acres; PP-106-1, 0.51 acres
- **Land Use Authority:** Summit County Council (SCC)
- **Type of Process:** Legislative
- **Future Routing:** Recommendation to SCC

### B. Background

The applicant, PC Venture Partners III, LLC, owns property (PP-106 and PP-106-1) on SR-224 near Sun Peak Drive that is subject to a Consent Decree. The applicant seeks to amend the Consent Decree to allow consideration of a hotel on the property. At a June 12, 2013 work session, Council instructed Staff to conduct a Planning Commission public hearing on the proposal. The purpose of the public hearing was to obtain the Planning Commission's recommendation on the proposed change of use, traffic impacts, and

consistency with the General Plan. A conditional extension to the Base Camp Final Subdivision Plat recordation deadline was granted by the Council. The extension for the plat recordation was granted to September 30, 2013.

The Snyderville Basin Planning Commission held a public hearing on the proposal on August 13, 2013. The hearing was well attend and significant public input was taken on matters related to traffic circulation along SR-224 and within the adjacent neighborhoods, lighting, and noise. At the conclusion of the discussion, the Planning Commission encouraged the applicant to hold a neighborhood open house to allow the area residents an opportunity to familiarize themselves with the project, provide input, and consider potential design options/project mitigation strategies. The applicant agreed to host such a gathering. A reasonable amount of additional time is necessary to prepare and properly notice the open house. The applicant is requesting an additional extension to the plat recordation deadline in order to hold the public open house and return to the Planning Commission for a recommendation.

C. **Staff Analysis and Recommendation:**

The Planning Department fully endorses the opportunity for further neighborhood engagement that can be brought about by the public open house. Staff recommends that the Base Camp Final Subdivision Plat recordation deadline be extended to October 31, 2013.

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## STAFF REPORT

**To:** County Council  
**Report Date:** August 21, 2013  
**Meeting Date:** August 21, 2013  
**Author:** Brian Bellamy  
**Description:** Park City Fire District and Summit County Interlocal Agreement regarding South Summit Ambulance  
**Type of Item:** Discussion and Decision

---

### A. Background

On July 20, 1982 the Summit County Commission met to discuss the state of ambulance service in Summit County. At the time ambulance service was being provided by Holy Cross Hospital. This led to a series of meetings that formally established three local ambulance service districts, North Summit, Park City and South Summit.

Both North and South Summit created 501-C-3 non-profit organizations under the names of North Summit Emergency Medical Technicians Association and South Summit Emergency Medical Technicians Association respectively. Summit County ran payroll for both associations. In 2001 Park City Fire District, which already ran Park City Ambulance, took responsibility for North Summit Ambulance. South Summit Ambulance continued to be supervised at the local ambulance level with Summit County running their payroll.

After the Council's discussion on April 17, 2013, South Summit Ambulance entered into discussions with Park City Fire District. These discussions have led to South Summit Ambulance wanting to participate with the Park City Fire District. The South Summit Emergency Medical Technicians Association voted unanimously to affiliate with Park City Fire District.

For informational purposes all three ambulance district's revenues and expenditures flow through Summit County. Each district is subsidized by the County to varying degrees.

This agreement is identical to the Interlocal Agreement between Park City Fire District and Summit County for North Summit Ambulance.

### B. Recommendation

Staff recommends:

Approval of the Park City Fire District and Summit County Interlocal Agreement regarding South Summit Ambulance.

**INTERLOCAL COOPERATION AGREEMENT  
BETWEEN PARK CITY FIRE SERVICE DISTRICT  
AND SUMMIT COUNTY REGARDING  
SOUTH SUMMIT AMBULANCE SERVICE**

This agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2013, (pursuant to the provisions of the Interlocal Cooperation Act (UCA 11-13-1 U.C.A. et. seq., as amended), by and between the *PARK CITY FIRE SERVICE DISTRICT*, (hereinafter referred to as “*District*”), and *SUMMIT COUNTY* (hereinafter referred to as “*County*”). The *County* and *District* are hereinafter sometimes referred to individually as a “*Party*” and collectively as the “*Parties*.”

**WITNESSETH**

**WHEREAS**, pursuant to Chapter 13, Title 11 of the Utah Code Annotated 1953, as amended, governmental entities can enter in Interlocal Cooperation Agreements; and,

**WHEREAS**, for purposes of providing quality emergency medical care to the residents, guests, employees and visitors of the South Summit area (Peoa, Oakley, Kamas, Francis, and surrounding areas) of Summit County, the *District* and *County* have agreed to enter into a positive and mutually satisfying working relationship recognizing their respective needs for now and the future; and,

**WHEREAS**, the *District* has prepared the *Emergency Medical Services Program and Plan for South Summit Ambulance Service* which includes a formal plan to provide an Intermediate Life Support Ambulance Transport Service, in order to advance and improve emergency medical care within the jurisdictional boundaries of South Summit, and,

**WHEREAS**, the *Parties* hereto recognize that each desires to provide services to their citizens; and, the *Parties* hereto agree that the purpose of this Agreement is to permit the *County* and the *District* to cooperate together to ensure that the provision of emergency medical care in South Summit will be of the highest quality, and will be provided in the most efficient and effective methods possible; and,

**WHEREAS**, this Agreement has been approved by the County Council of Summit County and the Administrative Control Board of the Park City Fire Service District,

**NOW, THEREFORE, BE IT RESOLVED** that this Agreement includes the following premises, terms and conditions as may be applicable to each of the *Parties* hereto:

**Section 1. Purpose of Agreement**

The purpose of this Agreement is to authorize the provision of emergency medical services including emergency response Intermediate Life Support Ambulance services and routine Intermediate Life Support Ambulance services as described in the *District's Emergency Medical Services Program and Plan for South Summit Ambulance Service*, which is incorporated into this Agreement by this reference, within the jurisdictional boundaries of South Summit, and other areas as necessary and/or approved by the *County*.

**Section 2. Fire District Responsibilities**

**The *District* agrees as follows:**

- A. To furnish and provide emergency medical services to those areas identified in the *District's Emergency Medical Services Program and Plan for South Summit Ambulance Service*, and this Agreement.
- B. To ensure that the level of emergency medical care provided to the areas identified within this Agreement, and in the *Emergency Medical Services Plan of Operation for South Summit Ambulance Service* will be of the highest quality.
- C. To determine and maintain staffing levels, including those levels for standby and special events, as necessary for an appropriate and quality level of service, as set forth in the Ambulance Rules of the Utah Emergency Medical Services System Act (U.C.A. §26-8a).
- D. To submit annual EMS Program Budgets to the *County* for approval and adoption by the *County* prior to the budget review process of each year.
- E. To submit quarterly reports, including budgetary status, performance data, fleet maintenance data, etc. to the *County*.
- F. To provide to the *County* performance and operational reports and data, and an independent audit report of the *District* on an annual basis.
- G. To maintain current certification levels of all *District* EMS personnel, as set forth in the Ambulance Rules of the Utah Emergency Medical Services System Act (U.C.A. §26-8a).

- H. To maintain current certification of all emergency medical vehicles as set forth in the Ambulance Rules of the Utah Emergency Medical Services System Act (U.C.A. §26-8a).
- I. To maintain a competitive and comprehensive compensation program, including required State and Federal benefit programs for all EMS personnel, as determined by the *District* from time to time.
- J. To provide general liability insurance, errors and omissions insurance, vehicle comprehensive, collision and liability insurance, and EMT malpractice insurance for *District* EMS personnel, and name the *County* as an additional insured under the *District's* insurance policies, respective to the activities and responsibilities as in accordance with this Agreement.
- K. To maintain a drug free workplace as in accordance with *District* policy, and Utah and Federal regulations.
- L. The *District* agrees to hold harmless and indemnify the *County* from any and all injury, damage, or liability in any form resulting from the errors, acts, omissions, negligence, or other fault of the *District* EMTs, their drivers, assistants, aides, or any other *District* employee when treating, assisting in treatment, or transporting any individual covered within this agreement.

### **Section 3. Summit County Responsibilities**

#### **The *County* agrees as follows:**

- A. To provide capital funding for new ambulances to the *District* according to a schedule established by a *County/District* agreed upon fleet management plan.
- B. To provide funding for the ambulance service based on budgetary proposals submitted by the *District* to the *County* on an annual basis in accordance with this Agreement. Revenue dedicated for the ambulance service general operational expenses will be forwarded to the *District* on a quarterly basis.
- C. To own and maintain ambulances. The *County* will provide a scheduled preventative maintenance program for all ambulances used by the *District* to provide ambulance services. The *County* will also provide for regularly scheduled repairs and maintenance, and emergency repairs to ambulances in a proficient and timely manner, at no cost to the *District*.

- D. To provide for housing of ambulances located in the South Summit area, whether in Summit County owned facilities or leased facilities.
- E. Provide twenty-four-hour emergency towing and road repair for ambulances, as necessary.
- F. Provide dispatch and communications service to the *District* for EMS services, at no additional cost to the *District*.
- G. To hold harmless and indemnify the *District* from any and all injury, damage, or liability in any form resulting from errors, acts, omissions, negligence, or other fault of the *County* due to scheduled preventative maintenance of ambulances, general maintenance and repairs of ambulances, alerting notification services, and dispatch and communications services provided by the *County*.

**Section 4. Duration, Termination, Assignment and Amendment of Agreement**

**A. Duration**

This Agreement shall remain effective from the date of its execution by its *Parties* hereto for a period of not less than six (6) years, unless terminated by either *Party* hereto. If not terminated prior to, or at the end of, the 6-year period, it shall continue in effect for an additional one year.

**B. Termination**

This Agreement may be terminated by either *Party* after two (2) years upon ninety (90) days written notice to the other *Party*.

**C. Assignment**

Neither *Party* to this Agreement shall assign its benefits or obligations under this Agreement to any other legal entity without the prior written consent of the other *Party*.

**D. Amendment**

This Agreement shall not be modified or amended except in writing, and, before any amendment is effective, it shall be signed by the duly authorized representative of each of the

member entities after the adoption of a resolution of each entity approving the modification or amendment.

**E. Joint Board**

This Agreement does not establish an interlocal entity. Any joint or cooperative undertaking shall be administered by a joint board consisting of the Fire Chief and the County Manager, or their designees. No real or personal property shall be acquired, held or disposed of by such joint board. The *Parties* shall retain full ownership over their respective real and personal property which is utilized to satisfy this Agreement. Upon termination of this Agreement, the *Parties* agree to return to the respective *Party* or *Parties* their real and personal property.

**Section 5. Required Formalities**

**Approving Resolutions**

This Agreement shall not be effective until approved by a resolution of the governing body of each member entity. Each entity agrees that a signed copy of this Agreement will be filed with the keeper of the public records of said member entity. As required by Utah Code Annotated § 11-13-202.5, and as a condition precedent to this Agreement's entry into force, it shall be submitted to an authorized attorney for each entity who shall approve the Agreement as being proper in form and compatible with the laws of the State of Utah.

**PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2013.**

PARK CITY FIRE SERVICE DISTRICT  
ADMINISTRATIVE CONTROL BOARD

By: \_\_\_\_\_  
Chair

Attest:

\_\_\_\_\_

Approved as to Form:

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SUMMIT COUNTY COUNCIL

By: \_\_\_\_\_  
Claudia McMullin, Chair

Attest:

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Kent Jones  
County Clerk

Approved as to Form:

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David L. Thomas  
Chief Civil Deputy

Resolution #2013-10

<b>Resolution Adopting Final Tax Rates and Budgets</b> <b>Report 800</b>	Form PT-800 pt-800.xls Rev. 12/07
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County: **SUMMIT**

Tax Year: **2013**

It is hereby resolved that the governing body of:

**MUNICIPAL TYPE SERVICE AREA**

approves the following property tax rate(s) and revenue(s) for the year: **2013**

1. Fund/Budget Type	2. Revenue	3. Tax Rate
10 General Operations	\$3,988,005	0.000663
50 Tort Liability	\$186,468	0.000031
250 Capital Improvements		0.000000
270 Special School Levy		0.000000
<b>Totals</b>	<b>\$4,174,473</b>	<b>0.000694</b>

This resolution is adopted after proper notice and hearing in accordance with UCA 59-2-919 and shall be forwarded to the County Auditor and the Tax Commission in accordance with UCA 59-2-913 and 29-2-920.

**Signature of Governing Chair**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Resolution #2013-11

<b>Resolution Adopting Final Tax Rates and Budgets</b> <b>Report 800</b>	<b>Form PT-800</b> pt-800.xls Rev. 12/07
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County: **SUMMIT**

Tax Year: **2013**

It is hereby resolved that the governing body of:

**SUMMIT COUNTY SERVICE AREA #6**

approves the following property tax rate(s) and revenue(s) for the year: **2013**

<b>1.</b> <b>Fund/Budget Type</b>	<b>2.</b> <b>Revenue</b>	<b>3.</b> <b>Tax Rate</b>
570 County Service Area	\$980,417	0.000613
<b>Totals</b>	<b>\$980,417</b>	<b>0.000613</b>

This resolution is adopted after proper notice and hearing in accordance with UCA 59-2-919 and shall be forwarded to the County Auditor and the Tax Commission in accordance with UCA 59-2-913 and 29-2-920.

**Signature of Governing Chair**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

## COMMUNITY DEVELOPMENT

- The department received 17 new building applications and 2 new planning applications this past week as follows:

### NEW BUILDING PERMITS August 8 – August 14, 2013

Number	Full Address	Description	Tax ID
2013-1311	7080 PINECREST DR	Snow Melt System	EKH-D-5
2013-1313	175 COTTONWOOD LN	Roof Mounted Solar / Photovoltaic	NS-103-1-A
2013-1315	1414 W MEADOWS CONNECTION	Remodel / Addition	SLS-24
2013-1298	5860 E CARIBOU DR	Detached Garage	PM-1-45
2013-1299	4163 W SUNRISE DR	Deck	SR-1-45
2013-1300	3831 W BLACKSMITH RD	Electrical meter change out	PB-2-I-70
2013-1304	2327 UPPER RIDGE RD	Garage / Extension of wall	SC-22
2013-1308	4468 N WILLOW CRK DR	Dog Park Pavilions / fence	SMIL-I-54
2013-1301	3072 W FAWN DR	Concrete and wooden stair replacement	ELK-2B-704
2013-1307	134 WHITE PINE CANYON RD	Mader Residence	CWPC-3C-124-1AM
2013-1312	150 N DEMOCRAT ALLEY	Photovoltaic / Solar	CD-574-1-A
2013-1314	1406 W PHEASANT Way	Roof Mount / Photovoltaic	SPC-2AM-A-60
2013-1302	7096 CANYON DR	Single Family Dwelling	PB-PR-117
2013-1303	3000 CANYONS RESORT DR	Pump house / Golf Corse / Hole 16	WGC-1
2013-1309	7628 GLENWILD DR	Deck, Window Change-out & Door	GWLD-84
2013-1297	6520 N HIGHWAY 224	Mattress Store TI	PP-81-D-1
2013-1306	989 E TOLLGATE RD	Single Family Dwelling	SL-A-10

### Planning Applications August 8 - 14, 2013

Project Number	Description
2013-689	Powder Paws Signs 2780 Rasmussen Road
2013-690	Lassetter RedHawk LIP Low Impact Permit Lot 10 the Ridge at Redhawk

Respectfully Submitted, Patrick Putt  
Community Development Director



## STAFF REPORT

**To:** Summit County Council (SCC)  
**Report Date:** Thursday, August 15, 2013  
**Meeting Date:** Wednesday, August 21, 2013  
**Author:** Kimber Gabryszak, AICP / Patrick Putt, Community Development Director  
**Project Name & Type:** Planning, Building, Engineering Fee Schedule Review & Update

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**EXECUTIVE SUMMARY:** Staff is currently proposing changes to the fee schedule, including both increases and decreases to various individual fee categories for the Planning, Building, and Engineering Departments.

The SCC held a work session on July 17, 2013, and directed Staff to return for a public hearing. The SCC was primarily in support of the changes, with only two potential fee changes still up for discussion.

**Staff recommends that the SCC conduct a public hearing, take public comment, and vote to approve the updates to the fee-schedule through adoption of a resolution.**

### A. Project Description

- **Project Name:** Fee schedule review and update
- **Applicant(s):** Summit County
- **Land Use Authority:** Summit County Council (SCC)
- **Type of Process:** Legislative
- **Future Routing:** None

### B. Background

A consultant completed a Planning, Building, and Engineering fee study in 2010, which determined that the cost of providing services was not being covered by the existing fee schedule. The fee schedule was then updated, with the current fee schedule adopted on September 1, 2010 through Resolution 2010-13.

Fees had not been increased since 1996, so the SCC decided to take an intermediate step and increase the fees to a level that would cover approximately 50% of the cost of providing services, but that would still approximately double the fees. Some Engineering and Building fees were also increased, with others reduced where costs were being covered.

Later, in September of 2011, Staff recommended an additional increase of approximately 3% to cover electronic payment (credit card) costs that the County was incurring. At that time, the SCC decided not to increase fees, but rather absorb the cost and continue providing the credit card / electronic payment options.

According to Section 5 of the Resolution, the fee schedule is to be reviewed every two (2) years, with additional increases to be considered during each review.

In January 2013, the County Auditor informed Staff that the Planning Department fees were covering approximately 60% of operating costs. The increase of from 50% in 2012 to 60% in 2013 partially stems from an increase in applications but also from reductions in Staff.

At the biennial review on January 30, 2013, the SCC reviewed recommendations by Staff to increase, cap, and decrease fees based on lessons learned through the past 2.5 years of implementation. They requested that Staff provide additional examples of a 10%, 15%, 20%, and 25% increase to the fees.

On July 17, 2013 Staff provided the requested comparison, and made recommendations to each fee category. The SCC was supportive of Staff's recommendations, and directed Staff to schedule a public hearing.

C. **Community Review**

This item has been scheduled as a public hearing, noticed in *The Summit County News* and on the State website, and posted. As of the date of this report, no public comment has been received.

D. **Identification and Analysis of Issues**

**Recommended Changes**

At the July 17, 2013 Staff provided the analysis of a 10%, 15%, 20%, and 25% increase to the fees for Planning, Building, and Engineering in an Excel spreadsheet. Based on the discussion at that meeting, Staff has deleted the comparison, and only left the original fee and Staff's suggested change in the attached fee-schedule draft, included in the draft Resolution (Exhibit C). The Excel sheets are attached showing the original and changed fees (Exhibit D).

Based on the practical application of the fees, in several instances Staff is suggesting that the methodology be completely altered to simplify the application process and provide consistency across the board. Key changes include:

- PLANNING
  - Recognizing that there is a minimum amount of Staff time to take any item to a public hearing, whether simple or complex, and recommending that most items requiring a public hearing have a minimum fee of \$1000.
  - Changing fees that used to be calculated on a per-square-foot basis to a flat fee.
  - Changing the fees for Special Events to be based on categorization (minor, major, etc.) rather than location.
- BUILDING
  - Simplifying the fee calculation to decrease the cost for lower value homes / structures and increase the cost for higher value homes and structures.
- ENGINEERING
  - Changing the fees on applications where the most staff time is spent and where field inspections take additional staff resources. Minor changes only.

**Impact**

- The changes to the Planning fees will slightly increase revenues, with the goal of exceeding 60% operating cost coverage, but still below 80%.
- The changes to the Engineering fees will only slightly increase revenues, with no overall change to cost coverage.
- The changes to the Building fees will result in a close to net-zero change, however the costs will be shifted somewhat from smaller-scale projects to larger-scale / higher end projects.

**SCC Discussion**

The SCC was generally in support of the amendments, with two areas of concern:

- The SCC was not fully in agreement on the increase to the Appeal fee from \$400 to \$1000, even with the public hearing component. Staff changed the appeal fee back to \$400; if the SCC feels that \$1000 is more appropriate, they may make such a change.

- The SCC was concerned with the potential for a very high-end project to bring in a fee higher than the cost to review the fee. The Building Department does not expect this to be an issue unless an extremely high-value building (likely exceeding \$10,000,000 valuation) is submitted. The draft Resolution contains a clause allowing evaluation of the fee in these circumstances.

**E. Recommendation(s)/Alternatives**

Staff recommends that the SCC conduct a public hearing, take public comment, and vote to approve the updates to the fee-schedule through adoption of a resolution, with draft Findings of Fact and Conclusions of Law below:

**Findings of Fact:**

1. The County obtained a Planning, Building, and Engineering fee study from consultants in 2010.
2. The fee study showed that fee revenues were not covering operating costs.
3. The Summit County Council adopted the current fee-schedule in 2010 through Resolution 2010-13.
4. The 2010 fee schedule update increased revenues to cover approximately 50% of operating costs, and also reduced some fees where costs were being covered.
5. The County Assessor notified the Community Development Department in January 2013 that Planning fees were covering approximately 60% of Planning operating costs.
6. Resolution 2010-13 requires a biennial review of the fee schedule.
7. The Summit County Council conducted the biennial review in work sessions on January 30, 2013 and July 17, 2013.
8. The Summit County Council directed Staff to move forward with proposed fee changes in a public hearing.
9. The public hearing on August 21, 2013 was appropriately noticed.
10. The Planning fee changes include a methodology change from per-1000-s.f. calculations to a flat fee, along with other changes.
11. The Planning fee changes will clarify and streamline fee calculations.
12. The Planning fee changes will provide a slight increase in revenue.
13. The Building fee changes will change from a sliding valuation fee to a flat per-square-foot fee.
14. The Building fee changes will simplify fee calculation and shift some cost from small projects to larger projects.
15. The proposed fee increases will still be well below the operating costs as identified in the 2010 fee study.

**Conclusions of Law:**

1. The updated fee schedule remains in concert with the 2010 fee study.
2. The updated fee schedule will improve the usability and efficiency in fee collection.
3. The updated fee schedule will increase overall revenue to the County.
4. The updated fee schedule will not bring in revenue that exceeds the cost to provide services.

**Attachment(s)**

Exhibit A – Resolution 2010-13	(pages 4-12)
Exhibit B – 2010 Fee Study	(pages 13-22)
Exhibit C – Draft Resolution 2010-13-A, with amended fees	(pages 23-32)
Exhibit D – Excel sheets showing changes	
1.Planning	(page 33)
2.Engineering	(pages 34-35)
3.Building	(pages 36-37)

**SUMMIT COUNTY, UTAH  
RESOLUTION NO. 2010-13**

**AMENDMENT TO DEVELOPMENT PERMIT, BUILDING, AND ENGINEERING APPLICATION  
FEES**

**WHEREAS**, the Snyderville Basin Development Code, Title 10, and the Eastern Summit County Development Code, Title 11 empower the Summit County Council to establish fees for the purpose of covering specific County costs incurred during the review and processing of any development permit application, and

**WHEREAS**, on July 12, 2006, the previous legislative body, the Summit County Commission, adopted Resolution 99-11A, creating development permit application fees for the 1998 Snyderville Basin Development Code and the 1996 Eastern Summit County Development Code, and

**WHEREAS**, on July 22, 2009, the Summit County Council adopted Ordinance No. 723 that added a Special Exception Process to the Snyderville Basin and Eastern Summit County Development Codes; and

**WHEREAS**, on August 12, 2009, the Summit County Council adopted Resolution No. 2009-22 creating the Special Exception Application Fee that is required to be submitted with an associated special exception application; and

**WHEREAS**, certain Summit County ordinances require the Engineering Department to review and administer permit applications and to inspect the work permitted under these ordinances; and

**WHEREAS**, on July 12, 2006, the Summit County Commission adopted Resolution 2006-09, creating permit application fees and bond requirements for the Engineering Department; and

**WHEREAS**, Utah Code Annotated Title 58, Chapter 56 provides for the statewide adoption of construction Codes; and

**WHEREAS**, these codes provide for the payment of building permit fees, plan check fees, plumbing permit fees, mechanical permit fees, and electrical permit fees upon the issuance of permits authorizing building construction within Summit County; and

**WHEREAS**, on December 19, 1994, the Summit County Commission adopted Resolution No. 94-21, creating building, plumbing, mechanical, and electrical permit fees; and

**WHEREAS**, since the adoption of the aforementioned resolutions, the interim County Manager contracted with Daly Summit Consulting on September 17, 2009 to conduct a fee study to determine the actual costs of providing development permit application services, and

**WHEREAS**, the Summit County Council determined that the fee study, attached hereto as **Exhibit A** and incorporated herein, documents and supports the need for an adjustment to certain permit application fees.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Council of the County of Summit, State of Utah [hereinafter the "Council"] resolves as follows:

**Section 1:**

- a. The Council hereby repeals Summit County, Utah Resolution No 99-11A in order to establish an amended fee schedule for the Snyderville Basin Development Code and the Eastern Summit County Development Code.
- b. The Council hereby repeals Summit County, Utah Resolution No. 2009-22 in order to establish an amended fee for special exceptions within the Snyderville Basin and Eastern Summit County Development Code.
- c. The Council hereby repeals Summit County, Utah Resolution No 2006-09 in order to establish appropriate revisions to the fee and bond schedules for the Engineering Department.
- d. The Council hereby repeals Summit County, Utah Resolution No. 94-21 in order to establish an amended fee schedule for the Building Department.

**Section 2:**

The Council, hereby establishes new fee schedules for the Community Development, Building, and Engineering Departments attached hereto as **Exhibit B**. Indicated Engineering Fees shall be credited to the Summit County Engineering Department and all other fees shall be credited to the Summit County Community Development Department.

**Section 3: Refund of Fees**

*Community Development Department Fees and Engineering Department Fees*

A refund may be given in an amount not to exceed fifty percent of the application fee or fees paid, when the application is withdrawn, in writing, prior to any of the following:

- 1. Issuance of any notice of public hearing or prior to begin placed on agenda of the County Manager, Planning Commission, Board of Adjustment, or County Council.
- 2. Completion of the review of any documents or plans submitted with the application.
- 3. An inspection or site visit requested by the applicant or performed by Staff.

*Building Department Fees*

A refund may be given in an amount not to exceed eighty percent of the building permit fees paid, at the discretion of the Building Official, if work has not commenced on the permitted project and more than six months have not passed since the granting of the permit. Plan review fees are not refundable.

**Section 4: Additional Fees**

In the event the Director of Community Development, Building Official, or County Engineer determines that a specific project requires additional resources (e.g. specialized consultant, special mapping, etc.) to review extraordinary conditions related to the development proposal, additional fees to cover the cost of these additional resources shall be assessed to the applicant.

**Section 5: Review and Revision of Fee Schedule**

The Community Development Department and Engineering Department shall review the fee schedule every two (2) years after the effective date of this resolution, and recommend revisions to the fee schedule to ensure that the fees cover the actual cost of processing applications, but in no case exceeds that amount. In no case shall there be longer than a five (5) year period without the review and recommendation of the Community Development Department and Engineering Department regarding necessary changes to the fee schedule.

**Section 6: Effective Date**

This Resolution shall take effect immediately upon its adoption.

APPROVED, ADOPTED, PASSED and ordered published by the Summit County Council, this 1 day of September, 2010

**SUMMIT COUNTY COUNCIL, SUMMIT COUNTY, UTAH**

By: Claudia McMullin  
Claudia McMullin, Chair

Councilor Hanrahan voted	<u>Aye</u>
Councilor Elliott voted	<u>Aye</u>
Councilor McMullin voted	<u>Aye</u>
Councilor Ure voted	<u>Aye</u>
Councilor Robinson voted	<u>Aye</u>

**Exhibit "B"**

**COMMUNITY DEVELOPMENT DEPARTMENT FEE SCHEDULE**

- 1) **Agricultural Protection Area:** \$100
- 2) **Administrative Appeal:** \$400 for Planning Department review, \$600 for Planning and Engineering Department review
- 3) **Board of Adjustment Application:** \$400
- 4) **Conditional Use Permit**
  - a. **Residential:** \$400
  - b. **Non-Residential:** \$1,000 /acre of disturbed land or 1,000 square feet of building footprint area (whichever is greater).
    1. If the parcel is less than one acre, the fee shall be \$1,000
  - c. **Wind Turbine, Solar, or Recycling Facility**
    1. Residential: \$200
    2. Non-Residential: \$500 acre of disturbed land or 1,000 square feet of building footprint area (whichever is greater).
      - a. If the parcel is less than one acre, the fee shall be \$500
- 5) **Condominium Plat:** \$200 /lot or unit
- 6) **Development Agreement:** \$1,000 paid with initial application, plus an additional \$2,000 to be paid prior to County Council action
- 7) **Development Agreement Amendment:** \$1,000
- 8) **Development Code Amendment:** \$2,000
- 9) **Final Site Plan**
  - a. **Residential:** \$30 /lot or unit
  - b. **Non-Residential:** \$75 /acre of disturbed land or 1,000 square feet of building footprint area (whichever is greater).
    1. If the parcel is less than one acre, the fee shall be \$75
- 10) **Final Subdivision Plat:** \$300 /lot or unit
- 11) **General Plan Amendment:** \$2,500
- 12) **Lot Line Adjustment:** \$500
- 13) **Lot of Record Determination:** \$50 /parcel
- 14) **Low Impact Permit**
  - a. **Residential:** \$210
  - b. **Non-Residential:** \$500
  - c. **Wind Turbine, Solar, or Recycling Facility**
    1. Residential: \$105

2. **Non-Residential:** \$250 /acre of disturbed land or 1,000 square feet of building footprint area (whichever is greater).
  - a. If the parcel is less than one acre, the fee shall be \$250

**15) Plat Amendment**

- a. **Administrative process (if no public hearing is held):** \$360
- b. **Public process (if a public hearing is held):** \$760

**16) Preliminary Plan**

- a. **Residential:** \$250 /lot or unit
- b. **Non-Residential:** \$250 /acre of disturbed land or 1,000 square feet of building footprint area (whichever is greater).
  1. If the parcel is less than one acre, the fee shall be \$250

**17) Public Hearing Notification and Publication:** \$2.00/individual notice and actual cost of newspaper publication.

**18) Rezone (Zone District Map Amendment):** \$2,000

**19) Sign Permit:** \$100/sign

**20) Sketch Plan**

- a. **Residential:** \$20 /lot or unit
- b. **Non-Residential:** \$95 /acre of disturbed land or 1,000 square feet of building footprint area (whichever is greater).
  1. If the parcel is less than one acre, the fee shall be \$95

**21) SPA Plan**

- a. **Residential:** \$25 /lot
- b. **Non-Residential:** \$75 /acre of disturbed land or 1,000 square feet of building footprint area (whichever is greater).
  1. If the parcel is less than one acre, the fee shall be \$75

**22) Special Event Permit**

- a. **Single Location Event:** \$250
- b. **Mobile/Multi-Location Event:** \$400

**23) Special Exception:** \$400

**24) Temporary Use Permit**

- a. **Residential:** \$400
- b. **Non-Residential:** \$1,000 first-time fee (\$100 renewal fee for each time permit is renewed)

**25) Vested Rights Determination**

- a. **Residential:** \$500
- b. **Non-Residential:** \$550

## **ENGINEERING DEPARTMENT FEE AND BONDING SCHEDULE**

- 1) **Board of Adjustment Application: \$170**
- 2) **Conditional Use Permit**
  - a. **Residential: \$20**
  - b. **Non-Residential: \$90 /acre of disturbed land**
    1. If the development parcel is less than one acre, the fee shall be \$90
  - c. **Wind Turbine, Solar, Recycling Facility**
    1. **Residential: \$10**
    2. **Non-Residential: \$45 /acre of disturbed land**
      - a. If the development parcel is less than one acre, the fee shall be \$45
- 3) **Condominium Plat: \$35 /lot or unit**
- 4) **Construction Plan**
  - a. **Residential of less than 10 lots: \$100**
  - b. **Residential of 10 lots or more: \$250**
  - c. **Non-Residential of less than 100,000 square feet of disturbed land: \$175**
  - d. **Non-Residential of 100,000 square feet or more of disturbed land: \$400**
  - e. **Engineering Construction Inspection Fee**
    1. For projects whose estimated construction cost is less than or equal to \$500,000, the fee is 1.5% times the construction cost.\*
    2. For projects whose estimated construction cost is more than \$500,000, the fee is \$7,500 plus 0.1% times the construction cost.\*

\* Construction costs to be included in the fee calculation are all "Civil" Improvements less sewer, water, and landscaping; it does not include building or structure improvement costs.
- 5) **Development Agreement: \$85**
- 6) **Development Agreement Amendment: \$85**
- 7) **Final Site Plan**
  - a. **Residential: \$5 /lot or unit**
  - b. **Non-Residential: \$5 /acre of disturbed land**
    1. If the development parcel is less than one acre, the fee shall be \$5
- 8) **Final Subdivision Plat: \$15 /lot or unit**
- 9) **Lot Line Adjustment: \$40**
- 10) **Low Impact Permit**
  - a. **Residential: \$40**
  - b. **Non-Residential: \$130**
  - c. **Wind Turbine, Solar, Recycling Facility**
    1. **Residential: \$20**
    2. **Non-Residential: \$65 /acre of disturbed land**
      - a. If the development parcel is less than one acre, the fee shall be \$65

- 11) **Plat Amendment:** \$40
- 12) **Preliminary Plan**
  - a. **Residential:** \$30/lot or unit
  - b. **Non-Residential:** \$30 /acre of disturbed land
    - 1. If the development parcel is less than one acre, the fee shall be \$30
- 13) **Public Hearing Notification and Publication:** \$2.00/individual notice and actual cost of newspaper publication
- 14) **Road Vacation Petition:** \$300
- 15) **SPA Plan**
  - a. **Residential:** \$15 / lot
  - b. **Non-Residential:** \$15 /acre of disturbed land
    - 1. If the development parcel is less than one acre, the fee shall be \$15
- 16) **Ordinance 181-D Excavation Encroachments and Structures in the County Right of Way**
  - a. **Excavation Permit:** \$25 Base Fee for the first 100 linear feet plus \$5 per additional 100 linear feet
  - b. **Driveway Encroachment Permit**
    - 1. \$100 per Encroachment
    - 2. \$100 Re-inspection Fee
  - c. **Structure Encroachment Permit:** \$50 first structure plus \$10 per additional structure
  - d. **Excavation Completion Bond:** \$250 per 100 feet of trench (\$250 min)
  - e. **Asphalt Cut Repair Bond:** \$250 plus \$25 per square foot
  - f. **Driveway Bond**
    - 1. \$250 per Encroachment for lots having average slopes of less than 10%
    - 2. \$500 per Encroachment for lots having average slopes between 10% and 15%
    - 3. \$2,000 per Encroachment for lots having average slopes over 15%
  - g. **Road Closure Permit:** \$25
- 17) **Ordinance 315-C Excavation, Grading, and Filling on Private Property**
  - a. **Grading Permit**
    - 1. **Less than 5,000 cubic yards:** \$40/application
    - 2. **Equal to or more than 5,000 cubic yards:** \$110/application
  - b. **Revegetation Bond:** 120% of the estimated cost to complete revegetation
  - c. **Completion Bond:** 120% of the estimated cost to complete restoration
- 18) **Ordinance 212-A Floodplain Development**
  - a. **Application Review:** \$100 per application
  - b. **Floodplain Determinations:** \$20 per request
- 19) **Ordinance 381-A Storm Water Pollution Prevention Plan and Erosion Control Plan**
  - a. **Sites Less Than One Acre:** \$25 per application
    - 1. \$100 Re-inspection Fee
  - c. **Sites of 1 Acre or More:** \$25 per Application + \$10 per additional acre
    - 1. \$100 Re-inspection Fee
  - d. **SWP3 and ECP Bond:** 120% estimated cost to implement

**BUILDING DEPARTMENT FEE SCHEDULE**  
**(fees are based on cost per square foot)**

**1) Building Valuations**

- a. **Agricultural Buildings:** \$20 per square foot
- b. **Commercial Structures per the International Building Code (IBC):** Cost per square foot as reported in the Building Safety Journal published by the International Code Council (ICC)
- c. **Residential Structures per the International Residential Code (IRC):** Cost per square foot is based on the table listed below:

**Residences (single family and townhouses)**

250 – 1300 = \$98.95	1801 – 1900 = \$104.89	2401 – 2500 = \$110.82
1301 – 1400 = \$99.94	1901 – 2000 = \$105.88	2501 – 2600 = \$111.81
1401 – 1500 = \$100.93	2001 – 2100 = \$106.87	2601 – 2700 = \$112.80
1501 – 1600 = \$101.92	2101 – 2200 = \$107.86	2701 – 2800 = \$113.79
1601 – 1700 = \$102.91	2201 – 2300 = \$108.55	2801 – 2900 = \$114.78
1701 – 1800 = \$103.90	2301 – 2400 = \$109.83	2901 – 3000 = \$115.77
		3001 & up = \$116.76

- d. **Garages:** \$37.87 per square foot
- e. **Decks:** \$5 per square foot

**2) Building Fees**

- a. **Agricultural Buildings:** \$6 per \$1,000 of valuation or fraction thereof
- b. **Commercial Structures built per the IBC:** Fees determined using Appendix L of the currently adopted edition of the IRC and based on the valuations calculated using Section 1 above.
- c. **Residential Structures built per the IRC:** Fees determined using Appendix L of the currently adopted edition of the IRC and based on the valuations calculated using Section 1 above.

**3) Plan Review Fees**

- a. **Agricultural Buildings:** No fee
- b. **Commercial Structures:** 65% of building permit fee
- c. **Residential Structures:** 65% of building permit fee
- d. **Detached garages with no living space, decks/porches for existing structures, and accessory buildings:** 15% of building permit fee

**4) Plumbing Permit Fees**

- a. **Permit Issuance Fee:** \$10
- b. **System Fee (does not include \$10 issuance fee):**
  - i. **Agricultural Buildings:** \$0.025 per square foot
  - ii. **Commercial Structures per the International Plumbing Code (IPC):** \$0.03 per square foot
  - iii. **Residential Structures per the IRC:** \$0.025 per square foot

- 5) **Mechanical Permit Fees**
  - a. **Permit Issuance Fee: \$10**
  - b. **System Fee (does not include \$10 issuance fee):**
    - i. **Agricultural Buildings: \$0.025 per square foot**
    - ii. **Commercial Structures per the International Mechanical Code (IMC): \$0.03 per square foot**
    - iii. **Residential Structures per the IRC: \$0.025 per square foot**
  
- 6) **Electrical Permit Fees**
  - a. **Permit Issuance Fee: \$10**
  - b. **System Fee (does not include \$10 issuance fee):**
    - i. **Agricultural Buildings: \$0.025 per square foot**
    - ii. **Commercial Structures per the National Electric Code (NEC): \$0.035 per square foot**
    - iii. **Residential Structures per the IRC: \$0.03 per square foot**
  
- 7) **Alternative Energy Permits: These permits are separate from the permits issued for new construction. These permits include, but are not limited to, solar hot water, photovoltaic, geo-thermal, and wind generated power.**
  - a. **Photovoltaic System: \$700**
  - b. **Geo-Thermal: \$500**
  - c. **Solar Hot Water: \$250**
  - d. **Wind Generator: \$250**
  - e. **Permit Issuance: 10% of review fee**
  
- 8) **Utah State Surcharge: A 1% surcharge on all permits to be collected and remitted to the State of Utah as per UCA 58-54-9-3, as amended**
  
- 9) **Other Inspections and Fees**
  - a. **Inspections outside of normal office hours: \$100 per hour (minimum of one hour)**
  - b. **Re-Inspection fee assessed under the provisions of Chapter 1 of both the IBC and IRC: \$100 per occurrence**
  - c. **Inspections and permits for which no fee is specifically indicated: \$100**
  - d. **Additional plan review required by changes, additions, or revisions to approved plans: \$100 per hour (minimum of one hour)**

## Executive Summary

The purpose of the Fee Analysis Study is to evaluate the total cost of providing Community Development Department and Engineering Department services compared to the current fees charged, and to use this information to provide updated fee recommendations. Summit County Community Development includes the: Planning Department, Building Department, and Community Development Administration services. The Summit County Engineering Department was also included as part of the fee analysis.

Summit County has not comprehensively examined nor adjusted its Community Development Services/Engineering application fees for over seven+ years. Rosenthal & Associates Inc, a financial consulting firm, completed a "Cost of Service Analysis" and an "Indirect Cost of Service Analysis" in 2002. The studies demonstrated that opportunities exist for the County to move toward greater cost recovery in land use, engineering, and building fee application processes. A complete revision to the County's Community Development Services/Engineering Department application fees has not occurred since the conclusion of the Rosenthal studies; and since 1994 in some cases. In the meantime, development and land use applications have increased in Summit County, as well as the costs to provide the services (personnel expenses, cost of living, inflation, etc).

Analysis of the County's actual revenue and spending for the past several years show that revenue brought in from the fees for Community Development/Engineering services have never covered more than 50% of the costs of operating the overall departments. While efficiency measures have been taken where possible to reduce and keep costs down, there are still significant gaps between costs to the County for processing development applications and the fees charged. Furthermore, the current fee schedules do not reflect the rate of inflation through present day (2010) from when they were last updated. These factors, as well as ongoing changes to the zoning code and staff review, results in a need to re-examine application fees in an attempt to recover a greater share of the cost of providing services.

Daly Summit Consulting has reviewed the historical information, studied other fee analysis reports prepared for the County, assessed other similar communities' fee structures, and conducted an analysis of the Community Development/Engineering Services application fees to provide an understanding of the actual cost per application type for the County as described in this document and attachments. This report's findings would help to bridge the gaps with appropriate increases in fees paid by the applicants who are requesting land use changes and/or submitting associated Community Development and/or Engineering applications for processing.

Staff's fee recommendations created for Summit County Community Development/Engineering services are based on the costs borne by the County to provide these services. The total cost of service includes the cost of work provided by each department directly, and the cost of additional support services provided by other departments. The total cost of services analysis is the data used for fee recommendations. A comparative analysis that looks at other western U.S. communities Community Development/Engineering fees as evaluated next to Summit County's was also completed. This information was reviewed as a "gut check" discussion and not utilized as the basis for fee recommendation.

The findings of the fee analysis are provided within this study and the proposed new fee schedule attachment. The intent is to utilize the fee spreadsheet attachment as a stand-alone document for use and reference as a hardcopy handout and possibly posted on the Summit County website. Our findings

show a gap between the cost of providing services and the costs received through application fees on 50 of the total 53 Community Development/Engineering applications analyzed. We recommend updating the Community Development/Engineering fees so that fees cover a higher percentage of the cost of providing services to applicants. The adjusted fees would meet a public need by allowing the County to ensure that new development and land use applications meets the public objectives while recovering the cost of the review from the direct user of the respective permits. Although increased fees will affect some applicants with limited resources, all of the proposed fee increases are in line with the rate of inflation and the cost of staff time and resources. The proposed changes are timely given that it has been approximately 16 years since the last time the entire fee schedule was updated. The proposed fees are the staff recommendations based on the Fee Analysis cost findings.

## Purpose

The purpose of this report is to evaluate the total cost of providing services compared to fees currently charged by the Summit County Community Development Department and Engineering Department. Community Development includes the: Planning Department, Building Department, and Community Development Administration.

## Introduction and Background

Summit County has not comprehensively examined nor adjusted its Community Development Services/Engineering application fees for over seven-plus years. Rosenthal & Associates Inc, a financial consulting firm, completed a “Cost of Service Analysis” and an “Indirect Cost of Service Analysis” in 2002. The studies demonstrated that opportunities exist for the County to move toward greater cost recovery in land use, engineering, and building fee application processes. A complete revision to the County’s Community Development Services/Engineering Department application fees has not occurred since the conclusion of the Rosenthal studies; and since 1994 in some cases. In the meantime, development and land use applications have increased in Summit County, as well as the costs to provide the services (personnel expenses, cost of living, inflation, etc).

Analysis of the County’s actual revenue and spending for the past several years show that revenue brought in from the fees for Community Development/Engineering services have never covered more than 50% of the costs of operating the overall departments – and in many cases covered considerably less. While efficiency measures have been taken where possible to reduce and keep costs down, there are still significant gaps between costs to the County for processing development applications and the fees charged. Furthermore, the current fee schedules do not reflect the rate of inflation through present day (2010) from when they were last updated. These factors, as well as ongoing changes to the zoning code and staff review, results in a need to re-examine application fees in an attempt to recover a greater share of the cost of providing services.

Daly Summit Consulting has reviewed the historical information, studied other fee analysis reports prepared for the County, assessed other similar communities’ fee structures, and conducted an analysis of the Community Development/Engineering Services application fees to provide an understanding of the actual cost per application type for the County as described in this document and attachments. This report’s findings would help to bridge the gaps with appropriate increases in fees paid by the applicants who are requesting land use changes and/or submitting associated Community Development/Engineering applications for processing.

## Summary of Approach

The fee recommendations created for Summit County Community Development/Engineering services are based on the costs borne by the county to provide these services. Staff reviewed the total costs of service for each application type with the consultant and then determined the appropriate recommended fee for County Council’s review and approval. The total cost of service includes the cost of work provided by each department directly, and the cost of additional support services provided by other departments. The total cost of services analysis is the data used for fee recommendations. We also completed a comparative analysis that looks at other western U.S. communities Community Development fees as evaluated next to Summit County’s. This information was reviewed as a “gut

check” discussion and not utilized as the basis for fee recommendation. The fee analysis methodology discussion is provided below, along with the fee comparative chart.

### **Fee Analysis Methodology**

The methodology used to determine the total cost of services is based on the direct and indirect costs of each application. Direct costs of an application are those costs (time, materials, etc) spent by the department issuing or processing the application. An application’s indirect costs are those expenses incurred by other departments during the process of review/approval of an application (interdepartmental review, legal analysis, etc.). It was extremely important to recognize and account for all the time spent on each type of application processed by the each of the Departments, as significant hours are tallied by the County’s many departments in order to do “business as usual”. The background data was generated by a collaborative effort with the Planning, Building, and Engineering departments.

To complete the total cost of services analysis, expenditure of staff time per application type was first identified. We examined the personnel inventory for each department, listing each employee by title and salary tier. Then the amount of time per application type was determined based upon detailed staff record maintained by the respective department.

In order to calculate the cost of the individual time associated with each hour of staff time per application, an analysis of the expenses directly and indirectly associated with each department per the Summit County Year-End Financials between 2003 and 2008 was conducted. 2008 was considered the baseline year and the expenses associated with all prior years were adjusted for its corresponding year’s Consumer Price Index (CPI). Then an average of the costs per year was determined. This average cost of expenses per year, per department was then divided by the total number of employees multiplied by the total hours per employee per year (2,080 which is a standard number of work hours per employee per year based upon the average work week of 40 hours times 52 weeks per year). Collectively, these expenses determined an average cost of each hour per employee.

A similar method was used to determine the cost per hour of supporting departments (indirect costs), with the exception that these total costs were prorated based upon the approximate amount of time and services from each department that are needed and used to support the various Community Development/Engineering departments. This hourly cost basis was then multiplied against the total number of staff hours per application type in order to determine the total average amount of time used to process each of the various types of applications. Since many of the applications are based upon the total number of lots, units, acres, commercial square footage or other; an analysis of the actual development product per project was then considered. This permitted the evaluation of average cost based upon the actual development program.

## **Legal Context**

### **State Code**

The County’s Community Development Department fees are administered within the context of **U.C.A. 17-27a-509 Limit on fees – Requirements to itemize fees**, which states the following:

“(1) A county may not impose or collect a fee for reviewing or approving the plans for a commercial or residential building that exceeds the lesser of:

- (a) the actual cost of performing the plan review; and
- (b) 65% of the amount the county charges for a building permit fee for that building.

(2) Subject to Subsection (1), a county may impose and collect only a nominal fee for reviewing and approving identical plans.

(3) A county may not impose or collect a hookup fee that exceeds the reasonable cost of installing and inspecting the pipe, line, meter, or appurtenance to connect to the county water, sewer, storm water, power, or other utility system.

(4) A county may not impose or collect:

- (a) a land use application fee that exceeds the reasonable cost of processing the application; or

- (b) an inspection or review fee that exceeds the reasonable cost of performing the inspection or review.

(5) Upon the request of an applicant or an owner of residential property, the county shall itemize each fee that the county imposes on the applicant or on the residential property, respectively, showing the basis of each calculation for each fee imposed.

(6) A county may not impose on or collect from a public agency any fee associated with the public agency's development of its land other than:

- (a) subject to Subsection (4), a fee for a development service that the public agency does not itself provide;

- (b) subject to Subsection (3), a hookup fee; and

- (c) an impact fee for a public facility listed in Subsection [11-36-102](#)(13)(a), (b), (c), (d),

- (e), or (g), subject to any applicable credit under Subsection [11-36-202](#)(2)(b)."

Code excerpt from: <http://www.le.state.ut.us/UtahCode/getCodeSection?code=17-27a-509>

### **County Legal Parameters**

Summit County must follow the regulations set out by State statute for Planning, Engineering and Building fee assessment. The fee schedules currently in place for the Community Development/Engineering Departments reflect the state's requirements; however as discussed, the fees have not been updated for many years.

*Summit County Code* Titles 10 and 11 and more specifically, *Snyderville Basin Development Code* Chapter 10, Section 10-9-14 (Ord. 708, 12-10-2008), and the *Eastern Summit County Development Code* Chapter 7, Section 11-7-4 (Ord. 708, 12-10-2008) empower the Summit County Council to establish fees for the purpose of covering specific county costs incurred during the review and processing of development permits. The County Council is required to establish the fees by resolution.

The most recent Building, Plumbing, Mechanical, and Electrical Permit Fees were set by Summit County Resolution 94-21 passed in December 1994. According to discussions with staff, the fee schedule set in 1994 was purposely established lower than other regional communities and lower than could have been

charged at that time due to the County Commission's desires to encourage low income and/or affordable housing in Summit County.

On the Planning Department side, the first established fee structure resembling the modern code was created in 1991. In 1998 and 1999 the fee structure Summit County is essentially working under now was created due to the requirements to charge fees for new types of applications and significant changes to the code. 2006 brought a few updates and changes to the Planning fees with the most recent changes occurring to add one type of new permit in 2009.

Engineering's fee structure set in 1997 and 1999 reflected the basic types of permits the county saw during that time and the relatively low volume of permits being processed. In 2000 and again in 2006 the county added numerous types of permits and updated fees to reflect the changing landscape of development.

In the early 2000's, a need to assess the discrepancies between actual costs of doing business in the Building, Engineering, and Planning Departments and the costs of the applications was recognized by staff and the Commission. The building boom and economic boost of the preparations for the 2002 Winter Olympics created a busy and unusual situation for the Community Development/Engineering Departments from approximately 2000-2003. The demand for quick output and focus on hosting a great Olympics took the spotlight away from the fee issues. Rosenthal's important findings demonstrating the gap between costs and fees in 2002 were never adopted nor implemented.

## County Financial Data

In data provided by the Summit County Auditor's office, the percentage of department expenditures covered by the related revenue sources for Planning, Engineering and Community Development are expected to be less than 40% for 2009. Fees collected for the work completed by these departments do not cover 60% of their costs. In fact, the fees collected for Planning, Engineering and Community Development from 2003-2009 have typically covered less than 50% of the costs (for the dates 2007/2008 data was provided). The deficiencies between fees and costs have largely been supported by the County's General & Municipal Fund.

## Fee Comparison

The purpose of the fee comparison section is to provide a context for Summit County development fees by looking at other jurisdictions fee schedules. This section exists to provide verification that Summit County's proposed fee changes "fit" and are comparable to fee rates charged in other areas. The County is NOT required to match fees charged by other jurisdictions for like services; however, it is prudent to look to other communities as a gauge, especially when looking at possible fee increases.

The information presented here shows that every community takes a different approach to not only how much is charged for development application fees, but also diversity in the types of fees charged and the types of applications they support. For example, an applicant might apply for a pre-application conference in one community, whereas the same development application in another community would go directly to the sketch plan process. In addition, a fee comparison between communities does not discover what the costs are based upon, only what it charged. A fee in one community may be higher because they use a Senior Planner to review and process an application where another community

might use a Planner II. In other words, the costs in one community to actually provide the service could be dramatically different than the costs of providing services another similar community.

As part of the analysis, fee rates and structures from seven relevant jurisdictions throughout the west were reviewed comparatively to Summit County. The data collection consulted the published information available and included direct survey of some of the subject communities to learn the cost of fees to applicants in processing typical planning and development applications. Please see the Fee Comparison Chart below for the fee rate data.

<b>Fee Comparison: Summit County, Utah to other western U.S. communities (2008).</b>								
<b>Community and State</b>	<b>Summit County, Utah – Snyderville Basin</b>	<b>Summit County, Utah – Eastern County</b>	<b>Park City, Utah</b>	<b>Wasatch County, Utah</b>	<b>Routt County, Colorado</b>	<b>Summit County, Colorado</b>	<b>Jackson Hole, Wyoming</b>	<b>Teton County, Wyoming</b>
Sample Application Type & Cost								
<b>Planning</b>								
Pre-Application Conference			\$610 (special meeting w/staff and PC wk session)	\$500 (special meeting, + other fees)	\$1,000	(Work Session) Planning Commission \$1,585. PC & BCC \$5,305	\$300 w/staff, \$500 w/PC and/or Council	\$100-\$600+
Conditional Use Permit	Res: \$50/lot Non-Res: \$200/acre or 1,000 SF	Res: \$75/lot Non-Res: \$250	\$720 (Discretionary)	\$200 + costs	\$ 600 + \$50 annual fee*	\$3,560	+\$500 to main applicat	\$400-\$2,000
Special Use Permit	\$100 (special event – one time use)			\$100 + costs (mass gathering is more)	\$ 800 + \$100 annual fee*			\$2,000
Sketch Plan	Res: \$10/lot, unit Non-Res: \$40/acre or 1,000 SF	Res: \$10/Unit Non-Res: \$40/ac.			\$500 + \$20/lot		\$2,500	\$5,000 (major only)
Appeals	\$100		\$365 for PC, Board of Appeals, and/or HDC, \$100 staff appeals	Case by case	Min basic fees and hrly fees at same rate as the original application	½ fee for the type of applic involved (BCC). \$1,585 fee (Admin Decision) Appeal Fee refunded to successful appellants	\$500 for Admin Decision	\$800

Preliminary Subdivision	Res: \$75/lot, unit Non-Res: \$75/acre or 1,000 SF	Res: \$75/Unit Non-Res: \$75/ac.	\$255/unit	Res: \$300 + \$100/lot/unit/eru, + costs Other: \$100/1,000 s f, + costs	\$2,000 + \$40/lot	\$3,560 + \$175/lot	See Sketch Plan	\$600-\$3,000* + \$50/lot over 20 lots, and \$50/1,000 s.f. if over \$15,000 s.f.
Final Subdivision Plat	\$60/lot, unit	Res: \$75/Unit Non-Res: \$75/ac.	\$180/unit	Res: \$50 lot/unit/eru, + costs Other: \$25/1,000 s f, + costs	\$1,000 + \$20/lot	\$1,740 + \$175/lot	\$1,000 + \$100 per lot max \$3,000	\$450

If we take a comparative look at the Preliminary Subdivision costs per jurisdiction we find Summit County charges less per application than the majority of other communities. In a scenario with 100 residential lots/units we observe the following costs:

Community and State	Summit County, Utah	Park City, Utah	Wasatch County, Utah	Routt County, Colorado	Summit County, Colorado	Jackson Hole, Wyoming	Teton County, Wyoming
Preliminary Subdivision	\$7,500	\$25,500	\$10,300 + costs	\$6,000	\$21,060	\$2,500 + fees/costs	\$7,600-\$8,000+

**Wasatch County, Utah**

Wasatch County is located in the north-central part of Utah, approximately 40 miles east of Salt Lake City. Within Wasatch County there are approximately 772,835 acres (1,207 square miles), of which about 70% are publicly owned. The public lands are administered by: U.S. Forest Service, U.S. Bureau of Reclamation, U.S. Bureau of Land Management, State Division of Lands, State Division of Parks and Recreation, and right-of-ways administered by the Utah State Department of Transportation. There are eight municipalities located within the County, including: Heber City (County Seat), Midway, Charleston, Wallsburg, Daniel, Independence, Hideout, and part of Park City. The County is bordered on the north by Summit County, on the east by Duchesne County, on the south and southwest by Utah County and the northwest by Salt Lake County. By area, Wasatch County is one of the smaller counties in the state with a total surface area of 1,207 square miles and a population estimated at 22,845 in 2008.

The fee schedule for Wasatch County provides for Community Development fees to be charged by the Planning and Zoning Department, Engineering Department, and/or the Building Inspection Department. The Planning fees are set up into two categories: development fees and other fees, with a total of 28 types of applications or processes listed. The county also charges for “costs” for most applications and these are described separately. Engineering fees for subdivisions and capital improvements are charged as 5% of the total estimated cost of the improvements. Additionally, the county charges for encroachment and excavation permits. The building permit fees charged are based on a basic total valuation of the structure formula. Plan review fee is 65% of the building permit fee. Other building department fees charged include: investigation fees, hourly fees charged for inspections outside normal business hours, re-inspection fees (hourly), other inspections (hourly), additional plan review due to

changes, and costs. <http://www.co.wasatch.ut.us/>, <http://www.ulct.org/ulct/> and <http://www.mountainland.org/>

### **Routt County, Colorado**

Routt County is a diverse environment offering mountain vistas and ranch lands. Located in northwest Colorado, the county encompasses a total of 2,231 square miles. Communities located in Routt County include Clark, Hahns Peak, Milner, Phippsburg, and Toponas, the towns of Hayden, Oak Creek and Yampa, and the city of Steamboat Springs. About 50% of the land in Routt County is publicly owned. The 2000 census reports the full time residential population of the county is approximately 19,690. During the winter months the resort town of Steamboat Springs thrives due to a world-class ski resort, while ranching, agriculture, forestry, mining and power generation provide a year-round economy in the surrounding areas.

Routt County's planning fee schedule categorizes the main fees charged into three groups: Minimum Basic Fees, Hourly Fees and Annual Fees. All applications pay the minimum basic fee for their proposal type. In addition, the applicant may have to pay hourly fees and/or annual fees if the workload exceeds the maximum time allotted to the application or if the application/project needs monitoring over the course of a year. The building fees charged are based on a total valuation of the structure formula. When a plan or other information is required to be submitted to the building department, a plan review fee of 65% of the building permit fee shall be paid at the time of submitting plans and specifications for review. <http://www.co.routt.co.us/index.php>

### **Summit County, Colorado**

Summit County is located among the high peaks of the Colorado Rockies, just on the west side of the Continental Divide. Colorado's main east-west transportation corridor bisects the County and enhances the proximity of the County to Denver and the Front Range communities. Included within the county are six municipalities (Blue River, Breckenridge, Dillon, Frisco, Montezuma, and Silverthorne), four major ski resorts (Arapahoe Basin, Breckenridge, Copper Mountain, and Keystone), National Forest and Bureau of Land Management lands, and two Congressionally-designated Wilderness Areas (Eagles Nest and Ptarmigan Peak). The County is relatively small in geographic terms, occupying a total land area of approximately 396,000 acres (about 619 square miles). In the context of ownership roughly 80 percent of the land in the County is public lands managed by the U.S. Forest Service and Bureau of Land Management. The remaining 20 percent is privately owned (this correlates to approximately 150 square miles). The majority of the private lands are found in narrow bands along the valley bottoms and adjacent to the major road corridors. It is along these major roadways that most of the existing and approved development occurs. Summit County's 2009 permanent resident population is estimated at 29,000. <http://www.co.summit.co.us/Planning/overview.html>

Summit County, Colorado's Planning Department Development Review schedule is organized by type of application (zoning, PUD, Subdivision, etc.) and then (if appropriate) by residential, other structural or non-structural use. Summit CO also charges hourly rates for additional time spent on an application and non-standard reviews.

### **Town of Jackson and Teton County, Wyoming**

Jackson, Wyoming sits at 6,500 feet above sea level. The population of the Town of Jackson is 8,452, with the remaining population of Teton County at 10,345. Jackson Hole is a common nickname for the area and refers to the entire valley which is surrounded by Yellowstone National Park on the north, the Tetons on the west, the Gros Ventres on the east and the Wyoming Range on the south. Jackson/Teton County contains roughly 2.6 million acres of federally protected and resource-rich land. With 73,000 acres (or 3%) of land in the county available for private development, there are limited resources available to meet the demands of the many people who want to live in and visit the area.

<http://www.ci.jackson.wy.us/content/index.cfm> and <http://tetonwyo.org/AgencyHome>

The Town of Jackson's Fee Schedule is relatively straight forward with only 19 total Planning application types. Each type of application has further clarification (residential vs. non-residential or with or without CUP) within each grouping. Jackson's Town Council may also reduce, defer, or waive application fees if the project advances community goals (e.g. publicly sponsored/funded project, project with extraordinary charitable, civic, educational, etc benefits). Teton County summarizes their development permit applications, other permits and amendments, and fees into about 32 main categories. The county notes that "Application fees are based upon the estimated costs processing the application (Planning Staff time, advertising and overhead)".

### **Summary of Findings**

Revenue collected by Summit County to provide Building, Community Development, Engineering and Planning services is, in many cases, grossly short of the costs of doing business. The intent of this study is for the County to utilize the fee spreadsheet attachment as a stand-alone document for use and reference as a hardcopy handout and possibly posted on the Summit County website. Our findings show a gap between the cost of providing services and the costs received through application fees on 50 of the total 53 Community Development/Engineering fees analyzed. We recommend updating the Community Development/Engineering fees so that they cover a higher percentage of the cost of providing services to applicants. The adjusted fees would meet a public need by allowing the County to ensure that new development and land use applications meets the public objectives while recovering the cost of the review from the direct user of the respective permits. Although increased fees will affect some applicants with limited resources, all of the proposed fee increases are in line with the rate of inflation and the cost of staff time and resources. The proposed changes are timely given that it has been approximately 16 years since the last time the entire fee schedule was updated. The proposed fees are the staff recommendations based on the consultant developed Fee Analysis cost findings.

**SUMMIT COUNTY, UTAH  
RESOLUTION No. 2010-13-A**

**AMENDMENT TO DEVELOPMENT PERMIT, BUILDING, AND  
ENGINEERING APPLICATION FEES**

**WHEREAS**, the Snyderville Basin Development Code, Title 10, and the Eastern Summit County Development Code, Title 11 empower the Summit County Council to establish fees for the purpose of covering specific County costs incurred during the review and processing of any development permit application, and

**WHEREAS**, on July 12, 2006, the previous legislative body, the Summit County Commission, adopted Resolution 99-11A, creating development permit application fees for the 1998 Snyderville Basin Development Code and the 1996 Eastern Summit County Development Code, and

**WHEREAS**, on July 22, 2009, the Summit County Council adopted Ordinance No. 723 that added a Special Exception Process to the Snyderville Basin and Eastern Summit County Development Codes; and

**WHEREAS**, on August 12, 2009, the Summit County Council adopted Resolution No. 2009-22 creating the Special Exception Application Fee that is required to be submitted with an associated special exception application; and

**WHEREAS**, certain Summit County ordinances require the Engineering Department to review and administer permit applications and to inspect the work permitted under these ordinances; and

**WHEREAS**, on July 12, 2006, the Summit County Commission adopted Resolution 2006-09, creating permit application fees and bond requirements for the Engineering Department; and

**WHEREAS**, Utah Code Annotated Title 58, Chapter 56 provides for the statewide adoption of construction Codes; and

**WHEREAS**, these codes provide for the payment of building permit fees, plan check fees, plumbing permit fees, mechanical permit fees, and electrical permit fees upon the issuance of permits authorizing building construction within Summit County; and

**WHEREAS**, on December 19, 1994, the Summit County Commission adopted Resolution No. 94-21, creating building, plumbing, mechanical, and electrical permit fees; and

**WHEREAS**, the interim County Manager contracted with Daly Summit Consulting

on September 17, 2009 to conduct a fee study to determine the actual costs of providing development permit application services, and

**WHEREAS**, on September 1, 2010 the Summit County Council adopted Resolution 2010-13, and

**WHEREAS**, the Summit County Council determined that the fee study, incorporated in Resolution 2010-13, documents and supports the need for an adjustment to certain permit application fees, and

**WHEREAS**, Resolution 2010-13 repealed Resolutions No. 99-11A, No. 2009-22, No. 2006-09, and No. 94-21, and

**WHEREAS**, Resolution 2010-13 requires a biennial review of the fee schedule, and

**WHEREAS**, the Summit County Council held work sessions to conduct the biennial review on January 30, 2013 and July 17, 2013, and

**WHEREAS**, the Summit County Council held a public hearing on August 21, 2013 to consider amendments to the fee schedule.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Council of the County of Summit, State of Utah [hereinafter the "Council"] resolves as follows:

**Section 1:**

The Council, hereby amends the fee schedules for the Community Development, Building, and Engineering Departments attached hereto as Exhibit A. Indicated Engineering Fees shall be credited to the Summit County Engineering Department and all other fees shall be credited to the Summit County Community Development Department.

**Section 3: Refund of Fees**

*Community Development Department Fees and Engineering Department Fees*

A refund may be given in an amount not to exceed fifty percent of the application fee or fees paid, when the application is withdrawn, in writing, prior to any of the following:

1. Issuance of any notice of public hearing or prior to begin placed on agenda of the County Manager, Planning Commission, Board of Adjustment, or County Council.
2. Completion of the review of any documents or plans submitted with the application.
3. An inspection or site visit requested by the applicant or performed by Staff

*Building Department Fees*

A refund may be given in an amount not to exceed eighty percent of the building permit fees paid, at the discretion of the Building Official, if work has not commenced on the permitted project and more than six months have not passed since the granting of the permit. Plan review fees are not refundable.

For structures with a valuation of over \$10,000,000, the Building Department may consider a partial refund if there is evidence that the fee collected exceeds the cost to provide services for that structure.

**Section 4: Additional Fees**

In the event the Director of Community Development, Building Official, or County Engineer determines that a specific project requires additional resources (e.g. specialized consultant, special mapping, etc.) to review extraordinary conditions related to the development proposal, additional fees to cover the cost of these additional resources shall be assessed to the applicant.

**Section 5: Review and Revision of Fee Schedule**

The Community Development Department and Engineering Department shall review the fee schedule every two (2) years after the effective date of this resolution, and recommend revisions to the fee schedule to ensure that the fees cover the actual cost of processing applications, but in no case exceeds that amount. In no case shall there be longer than a five (5) year period without the review and recommendation of the Community Development Department and Engineering Department regarding necessary changes to the fee schedule.

**Section 6: Effective Date**

This Resolution shall take effect immediately upon its adoption.

APPROVED, ADOPTED, PASSED and ordered published by the Summit County Council, this \_\_\_\_\_ day, 2013

**SUMMIT COUNTY COUNCIL, SUMMIT COUNTY, UTAH**

**By:** \_\_\_\_\_  
**Claudia McMullin, Chair**

- Councilor McMullin voted** \_\_\_\_\_
- Councilor Ure voted** \_\_\_\_\_
- Councilor Robinson voted** \_\_\_\_\_
- Councilor Carson voted** \_\_\_\_\_
- Councilor Armstrong voted** \_\_\_\_\_

## Exhibit "B"

### COMMUNITY DEVELOPMENT DEPARTMENT FEE SCHEDULE

- 1) **Agricultural Protection Area:** \$100
- 2) **Administrative Appeal:** \$400
- 3) **Board of Adjustment Application:** \$1000
- 4) **Conditional Use Permit**
  - a. **Residential:** \$1000
  - b. **Non-Residential:** \$2500
  - c. **Wind Turbine, Solar, or Recycling Facility**
    - i. Residential: \$100
    - ii. Non-Residential: \$500 for first acre or 1,000 s.f. of disturbed area, and \$100 per additional acre or 1000 s.f.
      - a. If the parcel is less than one acre, the fee shall be \$500
- 5) **Condominium Plat:** \$250/ lot or unit
- 6) **Development Agreement:** \$1,000 paid with initial application, plus an additional \$2,000 to be paid prior to County Council action
- 7) **Development Agreement Amendment:**
  - a. \$1,000 for amendments requiring a public hearing
  - b. \$500 for minor amendments that do not require a public hearing
- 8) **Development Code Amendment:** \$2,500
- 9) **Final Site Plan**
  - a. **Residential:** \$30 / lot or unit
  - b. **Non-Residential:** \$2500 flat fee
- 10) **Final Subdivision Plat:** \$150 / lot or unit
- 11) **General Plan Amendment:** \$3000
- 12) **Lot Line Adjustment:** \$500
- 13) **Lot of Record Determination:** \$50 / parcel
- 14) **Low Impact Permit**

- a. **Residential:** \$250
- b. **Non-Residential:** \$1000
- c. **Wind Turbine, Solar, or Recycling Facility**
  - i. Residential: \$100
  - ii. Non-Residential: \$250 for first acre or 1,000 s.f. of disturbed area, and \$100 per additional acre or 1000 s.f.
    - a. If the parcel is less than one acre, the fee shall be \$250

**15) Plat Amendment**

- a. Administrative process (if no public hearing is held): \$500
- b. Public process (if a public hearing is held): \$1000

**16) Preliminary Plan**

- a. **Residential:** \$300 /lot or unit
- b. **Non-Residential:** \$2500 flat fee

**17) Public Hearing Notification and Publication:** \$2.00/individual notice and actual cost of newspaper publication.

**18) Rezone (Zone District Map Amendment):** \$2,000

**19) Sign Permit:** \$100/sign

**20) Sketch Plan**

- a. **Residential:** \$25 / lot or unit
- b. **Non-Residential:** \$500

**21) SPA Plan**

- a. **Residential:** \$30 /lot
- b. **Non-Residential:** \$90 /acre of disturbed land or 1,000 square feet of building footprint area (whichever is greater).
  - i. If the parcel is less than one acre, the fee shall be \$90

**22) Special Event Permit**

- a. **Minor event:** \$250\*
- b. **Major event, up to 5,000 people:** \$400\*
- c. **Major event, exceeding 5,000 people:** \$1000\*

*\*Applications submitted late shall be charged double fees to cover the cost of expediting the review process.*

**23) Special Exception:** \$1000

**24) Temporary Use Permit**

- a. **Residential:** \$400 first time (\$100 renewal fee for each time permit is renewed)

- b. **Non-Residential:** \$1,000 first time fee (\$250 renewal fee for each time permit is renewed)

**25) Vested Rights Determination**

- a. **Residential:** \$500 for first commonly owned lot; \$150 for each additional lot with a cap of \$2500 total for a single application
- b. **Non-Residential:** \$500 for use up to 5,000 s.f. (or 1 acre for outdoor use); \$2500 for all others

**ENGINEERING DEPARTMENT FEE AND BONDING SCHEDULE**

**1) Board of Adjustment Application: \$170**

**2) Conditional Use Permit**

- a. **Residential:** \$20
- b. **Non-Residential:** \$90 /acre of disturbed land
  - i. If the development parcel is less than one acre, the fee shall be \$90
- c. Wind Turbine, Solar, Recycling Facility
  - i. Residential: \$10
  - ii. Non-Residential: \$45 /acre of disturbed land
    - a. If the development parcel is less than one acre, the fee shall be \$45

**3) Condominium Plat: \$35 /lot or unit**

**4) Construction Plan**

- a. **Residential of less than 10 lots:** \$100
- b. **Residential of 10 lots or more:** \$250
- c. **Non-Residential of less than 100,000 square feet of disturbed land:** \$175
- d. **Non-Residential of 100,000 square feet or more of disturbed land:** \$400
- e. **Engineering Construction Inspection Fee**
  - i. For projects whose estimated construction cost is less than or equal to \$500,000, the fee is 1.5% times the construction cost.\*
  - ii. For projects whose estimated construction cost is more than \$500,000, the fee is \$7,500 plus 0.1% times the construction cost.\*

\* Construction costs to be included in the fee calculation are all "Civil" Improvements less sewer, water, and landscaping; it does not include building or structure improvement costs.

- 5) **Development Agreement: \$85**
- 6) **Development Agreement Amendment: \$85**
- 7) **Final Site Plan**
  - a. **Residential: \$5 /lot or unit**
  - b. **Non-Residential: \$5 /acre of disturbed land**
    - i. If the development parcel is less than one acre, the fee shall be \$5
- 8) **Final Subdivision Plat: \$15 /lot or unit**
- 9) **Lot Line Adjustment: \$40**
- 10) **Low Impact Permit**
  - a. **Residential: \$40**
  - b. **Non-Residential: \$130**
  - c. **Wind Turbine, Solar, Recycling Facility**
    - i. **Residential: \$20**
    - ii. **Non-Residential: \$65 /acre of disturbed land**
      - a. If the development parcel is less than one acre, the fee shall be \$65
- 11) **Plat Amendment: \$40**
- 12) **Preliminary Plan**
  - a. **Residential: \$30/lot or unit**
  - b. **Non-Residential: \$30 /acre of disturbed land**
    - i. If the development parcel is less than one acre, the fee shall be \$30
- 13) **Public Hearing Notification and Publication: \$2.00/individual notice and actual cost of newspaper publication**
- 14) **Road Vacation Petition: \$300**
- 15) **SPA Plan**
  - a. **Residential: \$15 / lot**
  - b. **Non-Residential: \$15 /acre of disturbed land**
    - i. If the development parcel is less than one acre, the fee shall be \$15
- 16) **Ordinance 181-D Excavation Encroachments and Structures in the County**
  - Right of Way**
    - a. **Excavation Permit: \$75 Base Fee for the first 100 linear feet plus \$5 per additional 100 linear feet**
    - b. **Driveway Encroachment Permit**
      - i. \$100 per Encroachment

- ii. \$100 Re-inspection Fee
- c. **Structure Encroachment Permit:** \$75 first structure plus \$10 per additional structure
- d. **Excavation Completion Bond:** \$250 per 100 feet of trench (\$250 min)
- e. **Asphalt Cut Repair Bond:** \$250 plus \$25 per square foot
- f. **Driveway Bond**
  - i. \$250 per Encroachment for lots having average slopes of less than 10%
  - ii. \$500 per Encroachment for lots having average slopes between 10% and 15%
  - iii. \$2,000 per Encroachment for lots having average slopes over 15%
- g. **Road Closure Permit:** \$25

**17) Ordinance 315-C Excavation, Grading, and Filling on Private Property**

- a. **Grading Permit**
  - i. **Less than 5,000 cubic yards:** \$100/application
  - ii. **Equal to or more than 5,000 cubic yards:** \$200/application
- b. **Revegetation Bond:** 120% of the estimated cost to complete revegetation
- c. **Completion Bond:** 120% of the estimated cost to complete restoration

**18) Ordinance 212-A Floodplain Development**

- a. **Application Review:** \$100 per application
- b. **Floodplain Determinations:** \$20 per request

**19) Ordinance 381-A Storm Water Pollution Prevention Plan and Erosion Control Plan**

- a. **Sites Less Than One Acre:** \$25 per application
  - i. \$100 Re-inspection Fee
- b. **Sites of 1 Acre or More:** \$25 per Application + \$10 per additional acre
  - i. \$100 Re-inspection Fee
- c. **SWP3 and ECP Bond:** 120% estimated cost to implement

**BUILDING DEPARTMENT FEE SCHEDULE**

(fees are based on cost per square foot)

**1) Building Valuations**

- a. **Agricultural Buildings:** \$20 per square foot
- b. **Commercial Structures per the International Building Code (IBC):**  
Cost per square foot as reported in the Building Safety Journal published by the International Code Council (ICC)
- c. **Residential Structures per the International Residential Code (IRC):**

Cost per square foot is based on the table listed below:

**Residences (single family and townhouses)**

250 — 1300	= \$98.95
1301 — 1400	= \$99.94
1401 — 1500	= \$100.93
1501 — 1600	= \$101.92
1601 — 1700	= \$102.91
1701 — 1800	= \$103.90
1801 — 1900	= \$104.89
1901 — 2000	= \$105.88
2001 — 2100	= \$106.87
2101 — 2200	= \$107.86
2201 — 2300	= \$108.55
2301 — 2400	= \$109.83
2401 — 2500	= \$110.82
2501 — 2600	= \$111.81
2601 — 2700	= \$112.80
2701 — 2800	= \$113.79
2801 — 2900	= \$114.78
2901 — 3000	= \$115.77
3001 & up	= \$116.76

d. **Garages:** \$37.87 per square foot

e. **Decks:** \$5 per square foot

**2) Building Fees**

- a. **Agricultural Buildings:** \$6 per \$1,000 of valuation or fraction thereof
- b. **Commercial Structures built per the IBC:** Fees calculated at a rate of 0.0075 (3/4 of 1%) of the construction valuation.
  - i. **Minimum fee:** \$25
- c. **Residential Structures built per the MC:** Fees calculated at a rate of 0.0075 (3/4 of 1%) of the construction valuation.
  - i. **Minimum fee:** \$25

**3) Plan Review Fees**

- a. **Agricultural Buildings:** No fee
- b. **Commercial Structures:** 65% of building permit fee
- c. **Residential Structures:** 65% of building permit fee
- d. **Detached garages with no living space, decks/porches for existing structures, and accessory buildings:** 15% of building permit fee

**4) Plumbing Permit Fees**

- a. **Permit Issuance Fee:** \$10

- b. **System Fee (does not include \$10 issuance fee):**
  - i. **Agricultural Buildings:** \$0.025 per square foot
  - ii. **Commercial Structures per the International Plumbing Code (IPC):** \$0.03 per square foot
  - iii. **Residential Structures per the IRC:** \$0.025 per square foot

**5) Mechanical Permit Fees**

- a. **Permit Issuance Fee:** \$10
- b. **System Fee (does not include \$10 issuance fee):**
  - i. **Agricultural Buildings:** \$0.025 per square foot
  - ii. **Commercial Structures per the International Mechanical Code (IMC):** \$0.03 per square foot
  - iii. **Residential Structures per the MC:** \$0.025 per square foot

**6) Electrical Permit Fees**

- a. **Permit Issuance Fee:** \$10
- b. **System Fee (does not include \$10 issuance fee):**
  - i. **Agricultural Buildings:** \$0.025 per square foot
  - ii. **Commercial Structures per the National Electric Code (NEC):** \$0.035 per square foot
  - iii. **Residential Structures per the ERC:** \$0.03 per square foot

**7) Alternative Energy Permits: These permits are separate from the permits issued for new construction. These permits include, but are not limited to, solar hot water, photovoltaic, geo-thermal, and wind generated power.**

- a. **Photovoltaic System:** \$700
- b. **Geo-Thermal:** \$500
- c. **Solar Hot Water:** \$250
- d. **Wind Generator:** \$250
- e. **Permit Issuance:** 10% of review fee

**8) Utah State Surcharge: A 1% surcharge on all permits to be collected and remitted to the State of Utah as per UCA 58-54-9-3, as amended**

**9) Other Inspections and Fees**

- a. **Inspections outside of normal office hours:** \$100 per hour (minimum of one hour)
- b. **Re-Inspection fee assessed under the provisions of Chapter 1 of both the IBC and IRC:** \$100 per occurrence
- c. **Inspections and permits for which no fee is specifically indicated:** \$100
- d. **Additional plan review required by changes, additions, or revisions to approved plans:** \$100 per hour (minimum of one hour)

Application Type	Planning Fee	Current Base Fee	Proposed Base Fee Changes	Comments
Administrative Appeal	\$400	\$ 400.00	\$400	
Ag Exempt	-	No fee	no fee	
Ag Protection Area	\$100	\$ 100.00	\$100	
Board of Adjustment Application	\$400	\$400	\$1,000	Cost for all Public Hearing review is about \$2000-\$2500; more if more than 1 hearing. Recommended increasing all items with PH to \$1000 to at least come close to ~1/2 cost coverage; however, based on SCC comments, Staff recommends keeping the appeal fee at \$400.
Conditional Use Permit	Residential: \$400	\$ 400.00	\$1,000	
	Non-Residential \$1000 / acre of disturbed land or 1,000 s.f. of building footprint, whichever is greater (minimum \$1000)	\$ 1,000.00	\$2,500	
	Wind turbine, solar, recycling facility - Residential \$200	\$ 200.00	Reduce to \$100	
	Amendment or extension requiring PH	n/a	\$1000 commercial / \$500 residential	
	Wind turbine, solar, recycling facility - Non-Residential \$500 /acre of disturbed land or 1,000 s.f. of building footprint, whichever is greater \$500 min.)	\$ 500.00	\$500 for first acre or 1,000 s.f.; \$100 for each additional acre / 1000 s.f.	Kept at a per lot / s.f. basis, since potential for large scale and high complexity.
Condominium Plat	\$200 per lot or unit	\$ 200.00	\$250/unit	
Development Agreement	\$1000 paid with initial application, plus additional \$2000 to be paid prior to County Council FIRST MEETING	\$ 3,000.00	\$1000 / \$2000 (total \$3000)	
Development Agreement Amendment (PH / Public action)	\$1,000	\$ 1,000.00	\$1,000	
Development Agreement Amendment (Administrative)	\$500	n/a	\$500	
Development Code Amendment (public initiated)	\$2,000	\$ 2,000.00	\$2,500	
Final Site Plan	Residential: \$30 per lot or unit	\$ 30.00	\$ 30.00	Typically reviewed along with another higher cost permit
	Non-Residential: \$75 /acre of disturbed land or 1000 s.f. of building footprint area, whichever is greater (\$75 min.)	\$ 75.00	\$2,500	Requires 1-2 public hearings; put at same cost as CUP
Final Subdivision Plat	\$300 per lot or unit	\$ 300.00	\$150/lot	Reduce to \$150 per lot, since review mostly done through Preliminary
General Plan Amendment (public initiated)	\$2,500	\$ 2,500.00	\$3,000	
Lot Line Adjustment	\$500	\$ 500.00	\$500	
Lot of Record Determination	\$50 / parcel	\$ 50.00	\$50	
Low Impact Permit	Residential: \$210	\$ 210.00	\$250	
	Non-Residential: \$870	\$ 870.00	\$1,000	
	Wind turbine, solar, recycling facility - Residential \$105	\$ 105.00	Reduce to \$100	
	Wind turbine, solar, recycling facility - Non-Residential \$435 / acre of disturbed land or 1000 s.f. of building footprint, whichever is greater (\$435 min)	\$ 435.00	Reduce to \$250 for first 1,000 s.f. / acre, then \$100 for every additional 1,000 s.f. / acre	Left at a per-1000 since potentially very large scale with lots of review.
Plat Amendment (regular & condominium)	Administrative Process (no PC action): \$360	\$ 360.00	\$500	Increase to \$500 to match Lot Line Adjustment
	Public Process (PC action): \$760	\$ 760.00	\$1,000	
Preliminary Plan	Residential: \$250 per lot or unit	\$ 250.00	\$300/lot	Most review done at this stage.
	Non-Residential: \$250 / acre of disturbed land or 1000 s.f. of building footprint area, whichever is greater (\$250 min.)	\$ 250.00	\$2500 flat fee	\$2500 flat fee
	Example 30 lot subdivision plat	\$ 7,500.00		
	Example 20,000 s.f. commercial office	\$ 5,000.00		
Public Hearing Notification & Publication	\$2.00 /individual notice & actual cost of newspaper publication	\$ 2.00	\$2	
Rezone (Zone District Map Amendment)	\$2,000	\$ 2,000.00	\$2,000	
Sign Permit	\$100 per sign	\$ 100.00	\$100 per sign	
Sketch Plan	Residential: \$20 / lot or unit	\$20	\$25	Was missed in the previous table; increase residential, and put flat fee on commercial.
	Commercial: \$95 / acre or 1,000 s.f.	\$95	\$500	
SPA Plan	Residential: \$25 per lot	\$ 25.00	\$30 per lot	
	Non-Residential: \$75 /acre of disturbed land or 1000 s.f. of building footprint area, whichever is greater (\$75 min.)	\$ 75.00	\$90 per lot / 1000 s.f.	Kept at a per lot / s.f. basis, also since potential for very complex.
Special Event Permit	Minor event, stationary: \$250	\$ 250.00	All minor events: \$250	All minor events: \$250
	Major Event, stationary: \$250	\$ 250.00	All major up to 5,000: \$400	All major up to 5,000: \$400
	Major or minor event, mobile: \$400	\$ 400.00	n/a	Suggest breaking down by size, rather than stationary/mobile.
	Major Event, exceeding 5,000 participants: currently n/a (all under the above)	--	All major exceeding 5,000: \$1000	All major exceeding 5,000: \$1000
	Late application: Double fees	--	Late: double fees.	Late: double fees.
Special Exception	\$400	\$ 400.00	\$1,000	
Temporary Use Permit	Residential: \$400 (\$100 renewal for each renewal)	\$ 400.00	\$400	Add residential renewal of \$100
	Non-residential: \$1,000 first time (\$100 renewal for each renewal)	\$ 1,000.00	\$1,000	Increase renewals to \$250
Vested Rights Determination	Residential: \$500 / lot or unit	\$ 500.00	\$500 for first commonly owned lot, \$150 for each additional, cap of \$2500	Kept at per lot with a cap.
	Non-Residential \$550 / acre of disturbed land or 1,000 s.f. of building footprint, whichever is greater (minimum \$550)	\$ 550.00	\$500 for use up to 5,000 s.f. or 1 acre if outdoor use; \$2500 for all others.	Two-tier. Can also apply to Solar CUP and SPA if preferred.
	Example 5 unit vested rights application	\$ 2,500.00	\$2,500	
	Example 80 unit vested rights application	\$ 44,000.00	\$2,500	

Application Type	Engineering Fee	Current Base Fee	Proposed Base Fee Changes
Administrative Appeal	\$400 - Engineering only	\$ 400.00	
Ag Exempt	-	No fee	
Board of Adjustment Application	\$170	\$ 170.00	
Bond - Asphalt Cut Repair	\$250 plus \$25/sq.ft.		Exhibit D.2 - Engineering  Bond
Bond - Completion	120% estimated cost to complete restoration efforts		
Bond - Driveway	\$250 per Enc for lots having average slopes of less than 10% \$500 per Enc for lots having average slopes between 10% & 15% \$2000 per Enc. For lots having average slopes over 15%		
Bond - Excavation Completion	\$250 up to 100 feet (\$250 min.); \$250 per 100 ft. thereafter		
Bond - Re-vegetation	120% estimated cost to complete		
Bond - SWP3 and ECP	120% estimated cost to implement		
Conditional Use Permit	Residential: \$20 Non-Residential \$90 / acre of disturbed land (\$90 min.) Wind turbine, solar, recycling facility - Residential \$10 Wind turbine, solar, recycling facility - Non-Residential \$45 /acre of disturbed land (\$45 min.)	\$ 20.00 \$ 90.00 \$ 10.00 \$ 45.00	
Condominium Plat	\$35 per lot or unit	\$ 35.00	
Construction Plan	Residential under 10 lots: \$100 Residential 10 lots or more: \$250 Non-Residential, max area of disturbance less than 100,000 sq.ft.: \$175 Non-Residential, max area of disturbance more than 100,000 sq.ft.: \$400 Inspection Fee 1.5% times the const. cost (For projects less than or equal to \$500,000) For projects est. const. cost is more than \$500,000 the fee is \$7,500 plus 0.1% times the construction cost	\$ 100.00 \$ 250.00 \$ 175.00 \$ 400.00 Depends on Construction Costs \$ 7,500.00	
Development Agreement	\$85	\$ 85.00	
Development Agreement Amendment	\$85	\$ 85.00	
Driveway Encroachment Permit	\$100 per Encroachment	\$ 100.00	
Excavation Permit	\$25 for the first 100 linear feet Base fee + \$5 per additional 100 linear feet	\$ 25.00	\$75.00*
Final Site Plan	Residential: \$5 per lot Non-Residential: \$5 /acre of disturbed land (\$45 min.)	\$ 5.00 \$ 45.00	
Final Subdivision Plat	\$15 per lot or unit	\$ 15.00	
Flood Plain Development Permit	\$100	\$ 100.00	
Flood Plain Request	\$20	\$ 20.00	
Grading Permit	Less than 5,000 cubic yards: \$40/app. Equal to or more than 5,000 cubic yards: \$110/app.	\$ 40.00 \$ 110.00	\$100.00* \$200.00*
Lot Line Adjustment	\$40	\$ 40.00	
Low Impact Permit	Residential: \$40 Non-Residential: \$130 Wind turbine, solar, recycling facility - Residential \$20 Wind turbine, solar, recycling facility - Non-Residential \$65 /acre of disturbed land	\$ 40.00 \$ 130.00 \$ 20.00 \$ 65.00	
Plat Amendment	\$40	\$ 40.00	
Preliminary Plat	Residential: \$30 per lot or unit	\$ 30.00	

Preliminary Plan	Non-Residential: \$30 /acre of disturbed land (\$45 min.)	\$ 45.00	
Public Hearing Notification & Publication	\$2.00 /individual notice & actual cost of newspaper publication	\$ 2.00	
Road Closure Permit	\$25	\$ 25.00	
Road Vacation Petition	\$300	\$ 300.00	
Re-Inspection Fee	\$100 for each re-inspection after the 1st	\$ 100.00	
SPA Plan	Residential: \$15 per lot	\$ 15.00	
	Non-Residential: \$15 /acre of disturbed land (\$15 min.)	\$ 15.00	
Structure Encroachment	\$50 first structure + \$10 per add. Structure	\$ 50.00	\$75.00 + \$10/add. Structure*
SWP3 < 1 acre	\$25 per application	\$ 25.00	\$100.00
SWP3 > 1 acre	\$25 per application + \$10 per add. Acre	\$ 25.00	\$100.00 + \$10.00/add. Acre
Transportation Impact Fee (Snyderville Basin)	SFD - \$1766.00 Commercial - \$1924.38 per PM peak trip generated by development *For specific areas and questions please contact our Traffic Engineer	Transportation Impact Fee	

\* Includes SWP3 Fee & Inspections

Building Permit Associated Fees								
Prepared by : Robert Taylor, Chief Building Official		Date: July 17, 2013						
Application Type	Fee Type	Current Base Fee	Base + 10%	Base + 15%	Base + 20%	Base + 25%	Recommended Changes	
Agriculture Buildings	Building Permit	\$6 per \$1,000 of valuation or fraction thereof	\$6.60 per \$1,000 or fraction	\$6.90 per \$1,000 or fraction	\$7.20 per \$1,000 or fraction	\$7.50 per \$1,000 or fraction	None	
Commercial Structures and Residential Structures	Building Permit Fees	<b>Total Valuation</b>	<b>Fee</b>	<b>Fee</b>	<b>Fee</b>	<b>Fee</b>	The Building Official recommends a rate of 0.0075 (3/4 of 1%) of the construction valuation (with a minimum \$25 fee) be used as a simplified method of calculating building permit fees. This would become the new base fee. It is expected that this change will be revenue  The effects of this change would be that building permit fees for projects of less than \$500,000 would decrease and building permit fees for projects greater than \$500,000 would increase.  This change is recommended because the current decreasing percentage method of calculating building permit fees is intended to be used for One- and Two-family dwellings. Large multi-family residential projects and large commercial projects are not currently generating the fees necessary to service them.	
		\$1 to \$500	\$24	\$26	\$28	\$29		\$30
		\$501 to \$2,000	\$24 for the first \$500; plus \$3 for each additional \$100 or fraction thereof, to and including \$2,000	\$26 for the first \$500; plus \$3.30 for each additional \$100 or fraction thereof, to and including \$2,000	\$28 for the first \$500; plus \$3.45 for each additional \$100 or fraction thereof, to and including \$2,000	\$29 for the first \$500; plus \$3.60 for each additional \$100 or fraction thereof, to and including \$2,000		\$30 for the first \$500; plus \$3.75 for each additional \$100 or fraction thereof, to and including \$2,000
		\$2,001 to \$40,000	\$69 for the first \$2,000; plus \$11 for each additional \$1,000 or fraction thereof, to and including \$40,000	\$73.30 for the first \$2,000; plus \$12.10 for each additional \$1,000 or fraction thereof, to and including \$40,000	\$79.75 for the first \$2,000; plus \$12.65 for each additional \$1,000 or fraction thereof, to and including \$40,000	\$83 for the first \$2,000; plus \$13.20 for each additional \$1,000 or fraction thereof, to and including \$40,000		\$86.25 for the first \$2,000; plus \$13.75 for each additional \$1,000 or fraction thereof, to and including \$40,000
		\$40,001 to \$100,000	\$487 for the first \$40,000; plus \$9 for each additional \$1,000 or fraction thereof, to and including \$100,000	\$535.30 for the first \$40,000; plus \$9.90 for each additional \$1,000 or fraction thereof, to and including \$100,000	\$560.45 for the first \$40,000; plus \$10.35 for each additional \$1,000 or fraction thereof, to and including \$100,000	\$584.60 for the first \$40,000; plus \$10.80 for each additional \$1,000 or fraction thereof, to and including \$100,000		\$608.75 for the first \$40,000; plus \$11.25 for each additional \$1,000 or fraction thereof, to and including \$100,000
		\$100,001 to \$500,000	\$1027 for the first \$100,000; plus \$7 for each additional \$1,000 or fraction thereof, to and including \$500,000	\$1129.30 for the first \$100,000; plus \$7.70 for each additional \$1,000 or fraction thereof, to and including \$500,000	\$1181.45 for the first \$100,000; plus \$8.05 for each additional \$1,000 or fraction thereof, to and including \$500,000	\$1232.60 for the first \$100,000; plus \$8.40 for each additional \$1,000 or fraction thereof, to and including \$500,000		\$1283.75 for the first \$100,000; plus \$8.75 for each additional \$1,000 or fraction thereof, to and including \$500,000
		\$500,001 to \$1,000,000	\$3827 for the first \$500,000; plus \$5 for each additional \$1,000 or fraction thereof, to and including \$1,000,000	\$4,209.30 for the first \$500,000; plus \$5.50 for each additional \$1,000 or fraction thereof, to and including \$1,000,000	\$4401.45 for the first \$500,000; plus \$5.75 for each additional \$1,000 or fraction thereof, to and including \$1,000,000	\$4592.60 for the first \$500,000; plus \$6 for each additional \$1,000 or fraction thereof, to and including \$1,000,000		\$4783.75 for the first \$500,000; plus \$6.25 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
		\$1,000,001 to \$5,000,000	\$6,327 for the first \$1,000; plus \$3 for each additional \$1,000 or fraction thereof, to and including \$5,000,000	\$6,959.30 for the first \$1,000; plus \$3.30 for each additional \$1,000 or fraction thereof, to and including \$5,000,000	\$7,276.45 for the first \$1,000,000; plus \$3.45 for each additional \$1,000 or fraction thereof, to and including \$5,000,000	\$7,592.60 for the first \$1,000; plus \$3.60 for each additional \$1,000 or fraction thereof, to and including \$5,000,000		\$7908.75 for the first \$1,000; plus \$3.75 for each additional \$1,000 or fraction thereof, to and including \$5,000,000
\$5,000,001 and over	\$18,327 for the first \$5,000,000; plus \$1 for each additional \$1,000 or fraction thereof	\$20,159.30 for the first \$5,000,000; plus \$1.10 for each additional \$1,000 or fraction thereof	\$21,076.45 for the first \$5,000,000; plus \$1.15 for each additional \$1,000 or fraction thereof	\$21,992.60 for the first \$5,000,000; plus \$1.20 for each additional \$1,000 or fraction thereof	\$22908.75 for the first \$5,000,000; plus \$1.25 for each additional \$1,000 or fraction thereof			
Commercial Structures and Residential Structures	Plan Review Fees	<b>Current Base Fee</b>					None	
		Agricultural Buildings	No fee	No fee	No fee	No fee		
		Residential and Commercial Structures Detached garages with no living space, decks, porches for existing structures and accessory	65% of the building permit fee  15% of the building permit fee	Plan review fees will change relative to the change of the building permit fee				
Commercial Structures and Residential Structures	Plumbing Permit Fees	Permit Issuance Fee	\$10	\$11	\$12	\$12	\$13	The Building Official recommends simplifying the fee calculation method to a constant rate of \$0.0275 per sqft for all commercial and residential plumbing, mechanical and electrical permit fees. This revision is recommended as the new base fee.
		System Fee	Agriculture Buildings: \$0.025 per sqft Commercial Structures: \$0.03 per sqft One and Two Family : \$0.025 per sqft	Agriculture Buildings: \$0.028 per sqft Commercial Structures: \$0.03 per sqft One and Two Family : \$0.028 per sqft	Agriculture Buildings: \$0.029 per sqft Commercial Structures: \$0.03 per sqft One and Two Family : \$0.029 per sqft	Agriculture Buildings: \$0.03 per sqft Commercial Structures: \$0.036 per sqft One and Two Family : \$0.03 per sqft	Agriculture Buildings: \$0.03 per sqft Commercial Structures: \$0.038 per sqft One and Two Family : \$0.03 per sqft	
		Permit Issuance Fee	\$10	\$11	\$12	\$12	\$13	
		System Fee	Agriculture Buildings: \$0.025 per sqft Commercial Structures: \$0.03 per sqft One and Two Family : \$0.025 per sqft	Agriculture Buildings: \$0.028 per sqft Commercial Structures: \$0.03 per sqft One and Two Family : \$0.028 per sqft	Agriculture Buildings: \$0.029 per sqft Commercial Structures: \$0.03 per sqft One and Two Family : \$0.029 per sqft	Agriculture Buildings: \$0.03 per sqft Commercial Structures: \$0.036 per sqft One and Two Family : \$0.03 per sqft	Agriculture Buildings: \$0.03 per sqft Commercial Structures: \$0.038 per sqft One and Two Family : \$0.03 per sqft	
	Mechanical Permit Fees	Permit Issuance Fee	\$10	\$11	\$12	\$12	\$13	
		System Fee	Agriculture Buildings: \$0.025 per sqft Commercial Structures: \$0.03 per sqft One and Two Family : \$0.025 per sqft	Agriculture Buildings: \$0.028 per sqft Commercial Structures: \$0.03 per sqft One and Two Family : \$0.028 per sqft	Agriculture Buildings: \$0.029 per sqft Commercial Structures: \$0.03 per sqft One and Two Family : \$0.029 per sqft	Agriculture Buildings: \$0.03 per sqft Commercial Structures: \$0.036 per sqft One and Two Family : \$0.03 per sqft	Agriculture Buildings: \$0.03 per sqft Commercial Structures: \$0.038 per sqft One and Two Family : \$0.03 per sqft	
		Permit Issuance Fee	\$10	\$11	\$12	\$12	\$13	
		System Fee	Agriculture Buildings: \$0.025 per sqft Commercial Structures: \$0.035 per sqft One and Two Family : \$0.030 per sqft	Agriculture Buildings: \$0.028 per sqft Commercial Structures: \$0.039 per sqft One and Two Family : \$0.03 per sqft	Agriculture Buildings: \$0.029 per sqft Commercial Structures: \$0.04 per sqft One and Two Family : \$0.03 per sqft	Agriculture Buildings: \$0.03 per sqft Commercial Structures: \$0.042 per sqft One and Two Family : \$0.036 per sqft	Agriculture Buildings: \$0.03 per sqft Commercial Structures: \$0.044 per sqft One and Two Family : \$0.038 per sqft	
	Electrical Permit Fees	Permit Issuance Fee	\$10	\$11	\$12	\$12	\$13	
		System Fee	Agriculture Buildings: \$0.025 per sqft Commercial Structures: \$0.035 per sqft One and Two Family : \$0.030 per sqft	Agriculture Buildings: \$0.028 per sqft Commercial Structures: \$0.039 per sqft One and Two Family : \$0.03 per sqft	Agriculture Buildings: \$0.029 per sqft Commercial Structures: \$0.04 per sqft One and Two Family : \$0.03 per sqft	Agriculture Buildings: \$0.03 per sqft Commercial Structures: \$0.042 per sqft One and Two Family : \$0.036 per sqft	Agriculture Buildings: \$0.03 per sqft Commercial Structures: \$0.044 per sqft One and Two Family : \$0.038 per sqft	
		Permit Issuance Fee	\$10	\$11	\$12	\$12	\$13	
		System Fee	Agriculture Buildings: \$0.025 per sqft Commercial Structures: \$0.035 per sqft One and Two Family : \$0.030 per sqft	Agriculture Buildings: \$0.028 per sqft Commercial Structures: \$0.039 per sqft One and Two Family : \$0.03 per sqft	Agriculture Buildings: \$0.029 per sqft Commercial Structures: \$0.04 per sqft One and Two Family : \$0.03 per sqft	Agriculture Buildings: \$0.03 per sqft Commercial Structures: \$0.042 per sqft One and Two Family : \$0.036 per sqft	Agriculture Buildings: \$0.03 per sqft Commercial Structures: \$0.044 per sqft One and Two Family : \$0.038 per sqft	

**Building Permit Associated Fees**

Prepared by : Robert Taylor, Chief Building Official      Date: July 17, 2013

Application Type	Fee Type	Current Base Fee	Base + 10%	Base + 15%	Base + 20%	Base + 25%	Recommended Changes	
<b>Alternative Energy Permits</b>	These permits are separate from permits issued for new construction and are based on 50% of the actual permit cost. These permits include, but are note limited to, solar hot water, photovoltaic, geothermal and wind generated power	Photovoltaic System	\$350	\$385	\$443	\$531	\$664	None
		Geothermal	\$250	\$275	\$316	\$380	\$474	
		Solar Hot Water	\$125	\$138	\$158	\$190	\$237	
		Wind Generator	\$125	\$138	\$158	\$190	\$237	
		Permit Issuance Fee	\$10	\$11	\$13	\$15	\$19	
<b>Utah State Surcharge</b>		A 1% surcharge on all permits to be collected and remitted to the State of Utah as per UCA 58-54-9-3	A 1% surcharge on all permits to be collected and remitted to the State of Utah as per UCA 58-54-9-4	A 1% surcharge on all permits to be collected and remitted to the State of Utah as per UCA 58-54-9-5	A 1% surcharge on all permits to be collected and remitted to the State of Utah as per UCA 58-54-9-6	A 1% surcharge on all permits to be collected and remitted to the State of Utah as per UCA 58-54-9-7	A 1% surcharge on all permits to be collected and remitted to the State of Utah as per UCA 58-54-9-8	None
<b>Other Inspections and Fees</b>		Inspections outside of normal office hours	\$100 (minimum of one hour)	\$110 (minimum of one hour)	\$115 (minimum of one hour)	\$120 (minimum of one hour)	\$125 (minimum of one hour)	None
		Re-inspection fee assessed un the provisions of Chapter 1 of both the IBC and IRC	\$100 per occurrence	\$110 per occurrence	\$115 per occurrence	\$120 per occurrence	\$125 per occurrence	
		Inspections and miscellaneous permits for which no fee is otherwise indicated	\$100	\$110	\$115	\$120	\$125	
		Additional plan review required by changes, additions, or revisions to approved plans	\$100 per hour (minimum of one hour)	\$110 per hour (minimum of one hour)	\$115 per hour (minimum of one hour)	\$120 per hour (minimum of one hour)	\$125 per hour (minimum of one hour)	

## STAFF REPORT

**To:** Summit County Council  
**Report Date:** August 7, 2013  
**Meeting Date:** August 21, 2013  
**Author:** Derrick Radke, PE - Summit County Engineer

**EXECUTIVE SUMMARY:** The applicant, Mike Buchanan of M.K.B. Construction, Inc., has submitted a request to the Summit County Council for a special exception to the application of the Driveway Grade requirement of Ordinance 181-D, Appendix B, Section 3(2) and Chapter 10-4-10 (E) of the Summit County Code for the entire length of the proposed driveway (900 feet from the front property line). This is a post-construction request on Lot 13 of Redhawk subdivision.

### A. Project Description

- **Applicant(s):** Mike Buchanan
- **Property Owner(s):** Troy Williams
- **Location:** 1775 West Redhawk Trail
- **Parcel Number and Size:** RRH-13, 45.89 acres

### B. Community Review

This item has been scheduled as a public hearing. Public notice was sent to all property owners within 1,000 feet of the subject property, as well as published in the Park Record. At the time of this report, Staff has not received any public comment.

### C. Background

M.K.B. Construction Inc. applied for a grading permit on July 28, 2010 for the driveway only. Their Site Plan was reviewed by Staff from the Engineering Department on July 28, 2010 and a correction letter issued.

On August 30, 2010, a revised set of plans was reviewed and approved by Summit County Engineering. These plans show that the driveway meets the conditions of the Driveway Ordinance and Code Section.

On September 7, 2010, a driveway staking inspection was requested and it was completed and passed on September 9, 2010. Grading Permit 10-G-13 was issued on September 9, 2010 with an expiration date of March 9, 2011.

On October 21, 2010, the applicant filed an application for an encroachment permit (10-E-132). On January 10, 2011, the applicant requested a rough grade inspection. On January 11, 2011, the inspection was completed and passed.

However, it was noted on the inspection form that the driveway was not to grade yet. The next inspection required is a pre-surface inspection for the driveway to ensure that driveway grades are met.

On November 2, 2012, the applicant requested a final inspection which was completed on November 5, 2012. The inspection form notes that the pavers near the home were in process and the rest of the driveway was complete with asphalt paving.

Ordinance 181-D was adopted by the Summit County Commission in May of 1999. Section 3(2) of Appendix B states:

“The maximum average grade of any driveway shall not exceed ten (10) percent. Up to twelve (12) percent grades may be allowed for short distances which shall not exceed a total of 250 feet when approved by local Fire District.”

Approximately 500 feet of the driveway had a grade of 10.4% to 12% and the Ordinance allows a maximum of 250 feet. The inspector was told by the applicant that the house was lowered eight (8) feet and changes were made to the driveway for the fire department. No pre-surface inspection was requested by the applicant and was not completed by the County, nor did the applicant ask his surveyor to check the driveway grades and elevations prior to surfacing.

**D. Code Criteria and Compliance**

Before an application for a special exception can be approved, it must conform to the following criteria:

1. The special exception is not detrimental to the public health, safety, and welfare.

*The special exception is detrimental to public health and safety if the driveway does not meet the driveway grades. This is because emergency equipment (i.e. fire engines, ambulances, etc.) may not be able to get up and down the slope in inclement weather. The welfare of the occupants may be impacted due to the steepness of the driveway. If granted, the special exception would put the burden of emergency services and access on the emergency service providers.*

2. The intent of the Driveway Ordinance will be met.

*The intent of the Driveway Ordinance will not be met by the granting of the special exception.*

3. The applicant does not reasonably qualify for any other equitable processes provided through the provisions of the Code (i.e. does not qualify for a variance).

*The applicant provided driveway plans that met the requirement of the Driveway Ordinance on August 30, 2010. The applicant's engineer, Evergreen Engineering, provided stamped site plans to the applicant for a revised driveway design after the location of the home was brought to a location that is closer the road and lowered eight (8) feet. The applicant failed to provide the County with the revised site plans. Additionally, the applicant admitted openly on May 30, 2013 that he did not follow the approved driveway plans when constructing the driveway. Further, the applicant did not schedule the required inspections and surfaced the driveway with asphalt before the inspection could be completed.*

*The applicant shows no evidence of a hardship due to the following:*

- *The applicant had approved driveway plans that met the requirement of the Ordinance;*
- *The applicant did not build the driveway according to the plans and did not schedule the required inspections;*
- *The applicant was given a design to alter the driveway on June 24, 2013 and made no attempt to fix it to code; and*
- *The applicant has openly admitted that he knowingly did not build the driveway to the approved plan.*

4. There are equitable claims or unique circumstances warranting the special exception.

*The applicant has shown no equitable claims or unique circumstances warranting the special exception. The applicant did not follow the County's process of inspections and has made no effort to bring the driveway to code since the revised plans were stamped on June 24, 2013.*

#### **E. Recommendation(s)/Alternatives**

Staff recommends that the County Council conduct a public hearing on the proposed special exception. Taking into account any public comment, as well as Staff's analysis, Staff further recommends that the County Council deny the special exception, and uphold the driveway grade requirement of Ordinance 181-D based on the following findings:

1. The special exception is detrimental to the health and safety of the residents;
2. The applicant has shown intent to not meet the requirements of the Ordinance; and
3. The intent of the Ordinance is not being met.

#### **Attachment(s)**

Exhibit A – Applicants application and supporting data.

Exhibit B – Vicinity Map (aerial)

Exhibit C – Site Plan

Exhibit D – Site Photo(s)

# M.K.B. Construction, Inc.

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1776 Park Ave, Suite 4-222 • Park City, UT 84060 • 435-659-0406 cell • 435-640-5710 cell

Email : [mkbparkcity@comcast.net](mailto:mkbparkcity@comcast.net)

Email : [debinparkcity@msn.com](mailto:debinparkcity@msn.com)

July 5, 2013

Summit County  
Community Development Department  
PO Box 128  
Coalville, Utah 84017

**RE: Special Exceptions**

To whom it may concern;

Our request for the "Special Exception" is because of the following reasons:

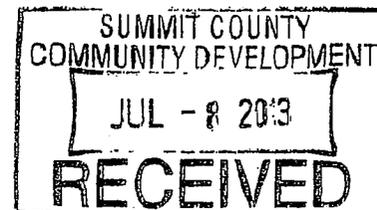
First and foremost is the safety of the homeowners and the controlling of water running down the driveway and into the house causing damage.

We chose to lessen the degree of slope at the top of the driveway for 2 reasons. 1) When coming off of the street there will be enough flat area to slow and control a car if icy or there is a car exiting. 2) When exiting there is enough flat area to stop and check traffic.

Next we lessened the degree of slope at the first "Switchback" after discovering for 2 winters of construction that when this area was icy it was very easy to slide off the driveway and into the retaining wall. This area is north facing and is almost always in the shade in the winter months. We also discovered that if this Switchback was steeper a moving truck could not make it around the corner without help.

These two changes made the slope between the top and the first Switchback a little steeper but safer than the existing code allows. This section of driveway has direct southern exposure which helps to keep it dry and free of ice which seemed like a good trade. The code allows for a 1% plus or minus variance from design for construction error. This 1% means that I need to change a 150 foot length of driveway from 0" to less than 4" and back to 0". (see drawing #2 and driveway profile).

Changing this first 420+- feet of driveway also allowed us to lower the highest point of the first Garage apron thus making it possible to control the water flowing down the apron to the garage door and running into the basement. I chose not to install driveway drains because they can freeze or become plugged which would result in the water reaching the house.



The 2nd part of the driveway would have the same water issue at the second Garage apron if I wouldn't have made the 50 foot section leading to it steeper although it is beyond the 12% allowed by code.

I believe that these changes have made this driveway safer and more practical than the original design.

I have attached 2 drawings; 6 photos of the areas where I am asking for the special exception (plan 1 shows where the photos were taken from and the direction); several emails between Andrew Moran our civil engineer and Derrick Radke; email from Phil Faber of Faber Construction (longtime excavator in Summit County) and a Staff Report from Summit county on the "Proposed Development Code Amendments-Driveway Access Design".

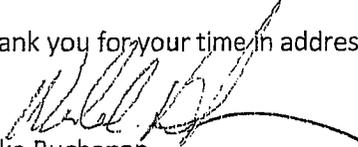
Plan # 1 shows what part of this driveway we need to change if we are not granted the Special Exception. These 2 areas are designated by the cross hatching. Plan #2 shows the 4" in 150 feet. (also cross hatched) and has a driveway profile attached. This is acceptable under the construction error as indicated by Derrick Radke in his emails. You will see in both drawings that the average grade is under 10%.

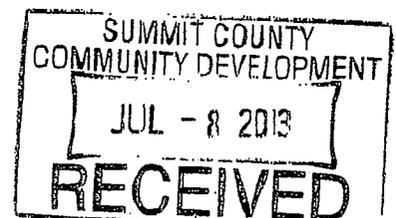
I have attached copies of emails between Derrick and our civil engineer which explain the 1% for construction error.

Lastly attached is a copy of the Summit County taff report dated June 19,2013 for a Proposed Driveway Code Amendment. This amendment if changed will make our driveway well within the Counties code. The fact that the County has already taken up this amendment indicates that they recognize that the old code is not practical for the severe sloping lots or acreage that is common in this area.

On a personal matter I was told by a county employee that she would fight me all the way when trying to get this approval. It is my belief that the county is there to enforce codes and to work with contractors to resolve issues and or make adjustment. When I called for the driveway to be inspected she did not even bother to try and find me on the job so that we could walk the site together. I never even had the chance to explain why I made the decisions to change the driveway. By the time I saw her she had written up the non approval and would not listen to what I had to say. I have been working in the county for 18 years and have a very good relationship with all of the county inspectors who will tell you that I do not try to cut corners nor do I intentionally not abide by the county codes. This is a small request when compared to the overall length and size of the driveway. Lastly the Fire Department has been on site 3 times for inspections, they have taken a look at the driveway and it meets all of their requirements.

Thank you for your time in addressing this issue.

  
Mike Buchanan  
MKB Construction, Inc.  
435-659-0406





Summit County, Colorado, Esri, DigitalGlobe, GeoEye, Earthstar, USDA, USGS, AeroGRID, IGN, JCF, swisstopo, and the GIS User Community



Map Title

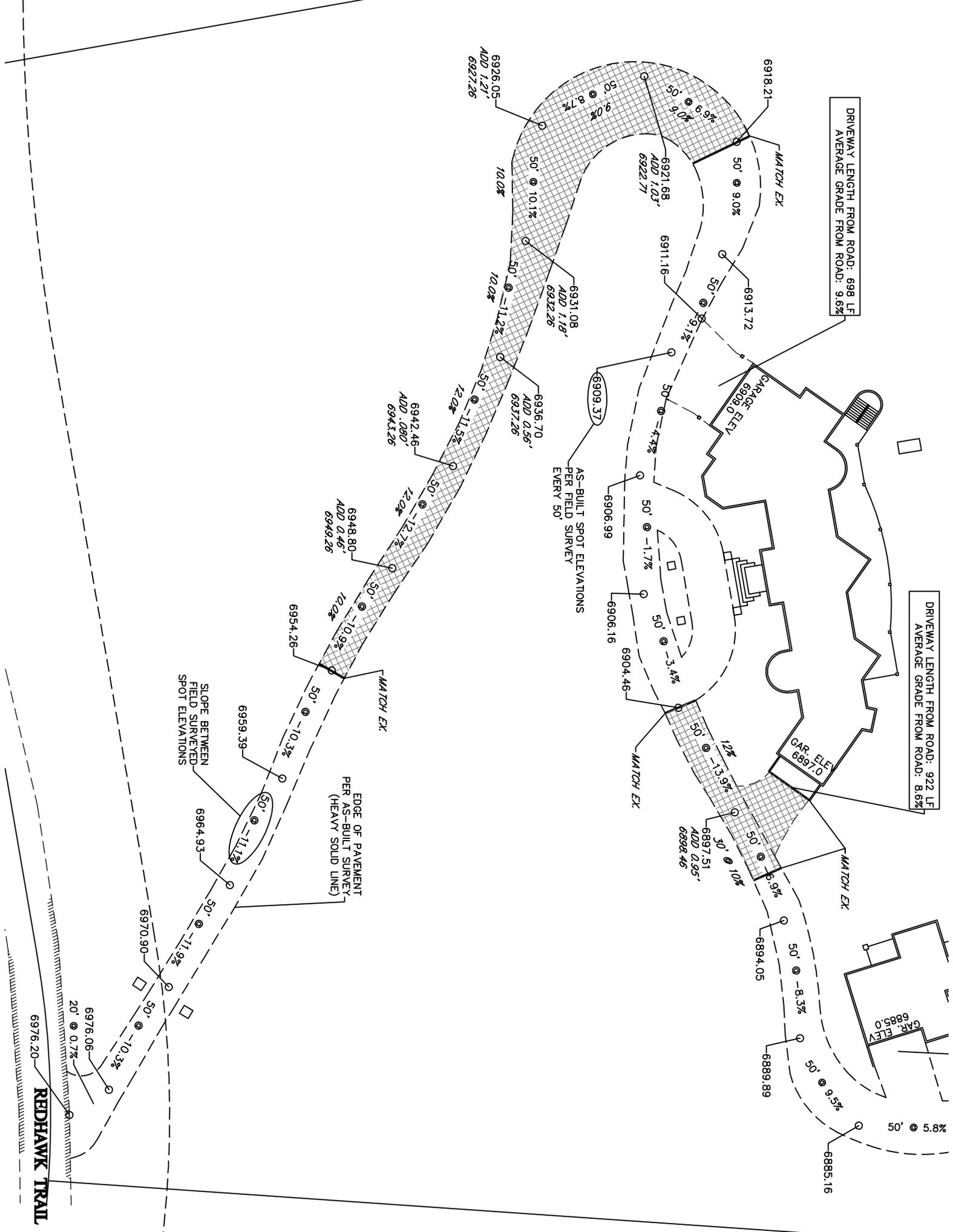
1 in = 375 feet

Summit County Online Parcel Reference Map

Printed on: 8/7/2013



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information and data obtained from various sources, including Summit County which is not responsible for its accuracy or timeliness.



DRIVEWAY LENGTH FROM ROAD: 698 LF  
 AVERAGE GRADE FROM ROAD: 9.6%

DRIVEWAY LENGTH FROM ROAD: 922 LF  
 AVERAGE GRADE FROM ROAD: 8.6%

AS-BUILT SPOT ELEVATIONS  
 PER FIELD SURVEY  
 EVERY 50'

EDGE OF PAVEMENT  
 PER AS-BUILT SURVEY  
 (HEAVY SOLID LINE)

SLOPE BETWEEN  
 FIELD SURVEYED  
 SPOT ELEVATIONS

REDHAWK TRAIL

MATCH EX.

MATCH EX.

MATCH EX.

MATCH EX.

GARAGE ELEV  
 6909.0

GAR. ELEV  
 6897.0

GAR. ELEV  
 6885.0

6926.05  
 ADD 1.21'  
 6927.26

6921.68  
 ADD 1.03'  
 6922.71

6931.08  
 ADD 1.18'  
 6932.26

6936.70  
 ADD 0.56'  
 6937.26

6942.46  
 ADD 0.80'  
 6943.26

6948.80  
 ADD 0.46'  
 6949.26

6954.26

6959.39

6964.93

6970.90

6976.06  
 20' @ 0.7%

6918.21

6913.72

6911.16

6909.37

6906.99

6906.16

6904.46

6897.51  
 ADD 0.95'  
 6898.46

6894.05

6889.89

6885.16

5.8%

10%

ADD 0.95'

6898.46

8.3%

5.0'

6.5%

8.3%

5.0'

9.3%

10%

30'

ADD 0.95'

6898.46

13.9%

5.0'

1.7%

5.0'

4.7%

50'

9.1%

50'

11.2%

50'

11.5%

50'

12.2%

50'

12.7%

50'

12.0%

50'

10.1%

50'

10.0%

8.1%

9.0%

5.0'

8.9%

5.0'

9.0%

5.0'

8.1%

5.0'

10.0%

5.0'

10.1%

5.0'

10.0%

5.0'

12.0%

5.0'

12.2%

5.0'

12.7%

5.0'

12.0%

5.0'

10.9%

5.0'

10.3%

5.0'

11.1%

5.0'

11.9%

5.0'

10.3%

5.0'

10.3%

5.0'

0.7%















## STAFF REPORT

**To:** Summit County Council (SCC)  
**Report Date:** Wednesday, August 14, 2013  
**Meeting Date:** Wednesday, August 21, 2013  
**Author:** Molly Orgill, Assistant Planner  
**Project Name:** Willow Creek, Lot 52 Setback Special Exception

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**EXECUTIVE SUMMARY:** The applicant is requesting a Special Exception from Section 10-2-4 of the Snyderville Basin Development Code (the Code) regarding setbacks in the Rural Residential Zoning District and Section 10-11-1.287 the definition of a Front Setback for Lot 52 of the Willow Creek Subdivision. This parcel is a corner lot at Cottonwood Lane and Split Rail Lane. The applicant is requesting the exception to allow an 18 foot reduction from the minimum required 30 foot front yard setback on the Split Rail Lane side for an addition to an existing home. This action will allow for the addition to be 12 feet from the front setback requirement instead of 30 feet.

**Based upon Staff's review and analysis, Staff finds that the request does not meet the requirements for approval of a Special Exception, and recommends that the SCC deny the Special Exception request.**

### A. Project Description

- **Project Name:** Willow Creek Setback Special Exception Request
- **Applicant(s):** Ivan Broman
- **Property Owner(s):** Brian & Elisha Mulhern
- **Location:** 1157 Cottonwood Lane
- **Zone District:** Rural Residential (RR)
- **Setbacks:**
  - **Front:** 30 feet from Cottonwood Lane
  - **Front:** 30 feet from Split Rail Lane
  - **Rear/Side:** 12 feet from property line
- **Adjacent Land Uses:** Residential
- **Existing Uses:** Residential
- **Parcel Number and Size:** WLCRK-52, 0.69 acres
- **Type of Item:** Special Exception
- **Land Use Authority:** Summit County Council
- **Type of Process:** Administrative
- **Future Routing:** None
-

B. **Background**

Lot 52 of the Willow Creek Subdivision is a corner lot (*see attached site plan exhibit*). A home was constructed on this parcel in 2004. As built the existing home is currently approximately 50 feet from Cottonwood Lane and approximately 11 feet from Split Rail Lane at the closest points. The Development Code Front Yard definitions in effect at the time of construction were as follows:

*Lot Line, Front- The boundary of a lot which separates the lot from the road. In the case of the corner lot, the front lot line is the shorter of the two (2) lot lines separating the lot from the road except that where these lot lines are equal or within fifteen (15) feet of being equal, either lot line may be designated the front lot line but not both.*

*Setback- The distance between a lot line and the front, side, or rear line of a building or any projection thereof, excluding uncovered steps or roof eaves.*

On January 13, 2007 Ordinance #660 became effective that changed the Development Code definitions for a Front Setback as follows:

*Lot Line, Front: The boundary of a lot which separates the lot from a road, whether public or private, or located adjacent to the principal means of access. (Note that the concept of a "corner lot" with a smaller/reduced setback requirement was eliminated from the Code).*

*Setback: The distance between a lot line and the front, side or rear line of the foundation of a structure or finished exterior surface of a structure, whichever is closer to the property line, excluding uncovered steps, roof eaves that do not extend into the setback more than three feet (3'), and decks that do not exceed one foot (1') in height, measured from the top of the deck to the grade directly below.*

*Setback, Front: A front setback shall be required for each side of a lot bordering a road or other right-of-way.*

Section 10-2-4-D.7 Rural Residential Zone of the Codes states: "The minimum front yard setback shall be thirty (30) feet, unless otherwise indicated on a recorded plat or an approved site plan."

The applicant's lot has two front yards, each requiring a 30 foot setback. The applicant is proposing to construct an addition on the Split Rail side of the existing home. As proposed, the addition will be 12' from the property line as proposed which does not meet the 30 foot front setback requirements per current code.

The applicant cannot meet the statutory hardship criteria for a variance as outlined in the Code since a reasonable addition could be placed on this home that would meet current setback requirements. In addition, there are no special circumstances attached to the property that do not apply to other properties in the same area. The applicant

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has elected to apply for a Special Exception in order to seek relief from the full 30 foot setback requirement along Split Rail Drive. The applicant seeks the Special Exception on the grounds that the 2007 Code changes relating to setbacks creates a hardship and the proposed addition will not be located closer to the Split Rail Drive than the existing house.

C. **Staff Analysis**

Section 10-3-7.B of the Code addresses Special Exceptions. In order for the SCC to approve an exception to the Code, an applicant must demonstrate compliance with all the criteria set forth below. Staff's analysis of these criteria is in *italics*.

1. The special exception is not detrimental to the public health, safety, and welfare.  
*Complies. Staff has not found evidence that the granting of the Special Exception will create a detrimental impact to the public health, safety, or welfare.*
2. The intent of the Development Code and General Plan will be met.  
*Complies. Approval of the Special Exception will not substantially deviate from the intent of the Development Code which seeks to establish functional front yard setbacks for building/street separation, parking, and snow storage or the General Plan that promotes single family residential development in this neighborhood.*
3. The applicant does not reasonably qualify for any other equitable processes provided through the provisions of this Title.  
*Complies. The proposal does not meet the statutory hardship requirements necessary to warrant the granting of a variance.*
4. There are equitable claims or unique circumstances warranting the special exception.  
*Does Not Comply. Staff finds that there are not equitable claims or unique circumstances that warrant the granting of the Special Exception. An addition may be designed and constructed which meets the code required setbacks.*

Due to the fact that the applicant does not meet all the above-cited criteria, Staff recommends the Special Exception be denied.

D. **Community Review**

This item appears on the agenda as a public hearing and possible action by the SCC. Notice of the public hearing was published in the August 10, 2013 issue of *The Park Record*. Courtesy postcards were mailed to all property owners within 1,000 feet of the subject parcels.

At the time of writing this report, Staff has received no public comment regarding the proposal.

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**E. Staff Recommendation**

Staff recommends that the SCC deny the Special Exception request due to the fact that not all of the necessary standards set forth in section 10-3-7.B of the Code have been satisfied.

Staff has prepared specific Findings of Fact and Conclusions of Law to support denial by the SCC.

**F. Findings of Fact**

1. The applicant, Ivan Browman, represents Brian & Elisha Mulhern, the owners of record of parcel WLCRK-52.
2. Parcel WLCRK-52 is .69 acres in size.
3. Parcel WLCRK-52 is located within the Willow Creek Subdivision.
4. Summit County records indicate that a 3,887 square foot Single Family Residence with a 1,155 square foot garage was constructed on parcel WLCRK-52 in 2004.
5. On January 13, 2007, Summit County adopted Ordinance #660 amending the front setback definitions.
6. The subject property is currently zoned Rural Residential.
7. A survey submitted by the applicant shows the distance between the existing house and the boundary line along Split Rail Lane as 11.04 feet.
8. Section 10-2-4-D.7 of the Codes states: "The minimum front yard setback shall be thirty (30) feet, unless otherwise indicated on a recorded plat or an approved site plan."
9. Section 10-11-1.286 of the Code states: "A front setback shall be required for each side of a lot bordering a road or other right-of-way."
10. Section 10-3-7 of the Code allows the County Council to grant a Special Exception to the Code if an applicant can demonstrate that they meet the criteria for approval as outlined in the code.

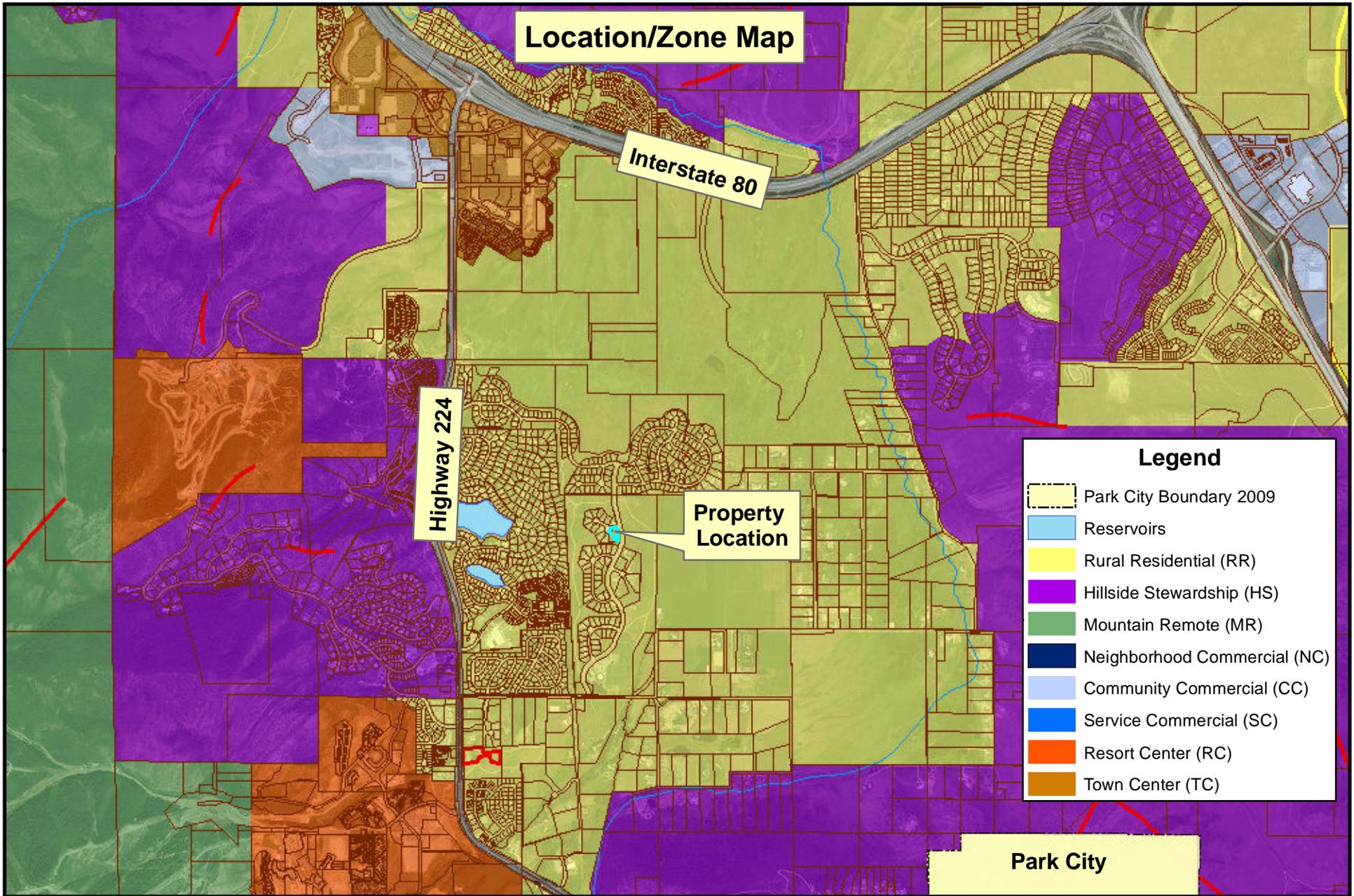
**Conclusions of Law:**

1. The Special Exception does not meet all the required criteria set forth in the Snyderville Basin Development Code, Section 10-3-7 inasmuch as there are no equitable claims or unique circumstances warranting the special exception.

**Attachment(s)**

- Exhibit A – Zoning/Vicinity map
  - Exhibit B – Proposed Site Plan
  - Exhibit C – Aerial Photo
  - Exhibit D – Applicant documents
-

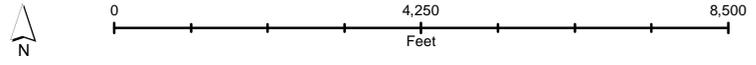
### Location/Zone Map



**Legend**

- Park City Boundary 2009
- Reservoirs
- Rural Residential (RR)
- Hillside Stewardship (HS)
- Mountain Remote (MR)
- Neighborhood Commercial (NC)
- Community Commercial (CC)
- Service Commercial (SC)
- Resort Center (RC)
- Town Center (TC)

**Park City**



## Summit County, Utah Vicinity Map

Prepared by Summit County  
Community Development Department

This drawing is neither a legally recorded map, nor a survey, and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources including Summit County. Summit County is not responsible for the timeliness or accuracy of information shown.

DATE	REVISION

**IVAN BROMAN**  
**ARCHITECT AIA**  
 1000 S. 1000 E. SUITE 100  
 PARK CITY, UT 84302  
 TEL: 435.633.1113



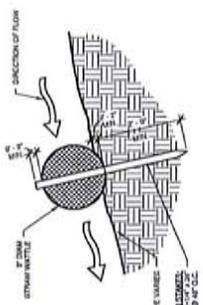
**MULHLEN ADDITION**  
 LOT 52 WILLOW GREEN ESTATES  
 PARK CITY, UTAH

**PROJECT TITLE:**  
**SITE PLAN**

**PROJECT #:**  
**DRAWN BY:** TM  
**CHECKED BY:** IB  
**SCALE:** AS SHOWN  
 10/10/2013  
 10/10/2013

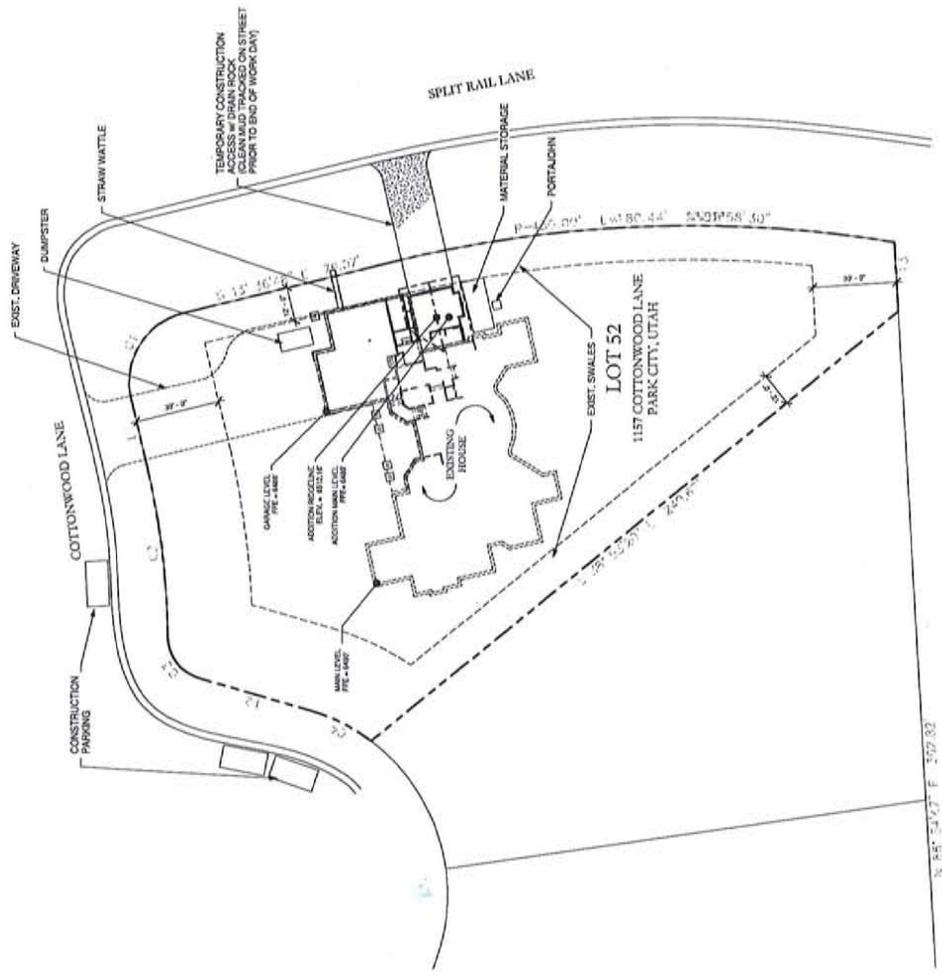
**DATE:**

**DRAWING NO.:**  
**A101**



1. PLACE STRAW WATTLE ON SLOPE AT 4' ON CENTER.
2. PLACE WOOD STAKE AT INTERSECTION OF STRAW WATTLE.
3. FOLLOW THE CONTOUR OF THE SLOPE AND STAKE SHALL BE PLACED AT 4' ON CENTER.
4. PLACE WATTLE OVER STAKE TO COVER SLOPE.
5. PLACE WATTLE OVER STAKE TO COVER SLOPE.
6. PLACE WATTLE OVER STAKE TO COVER SLOPE.

**2 STRAW WATTLE**  
 (SEE SCALE) SCALE: 3/4" = 1'-0"



NOTE: US ELEVATION CERTIFICATE IS REQUIRED AS GRADE DOES NOT EXCEED 2% AND STRUCTURE HEIGHT @ LOT CORNER IS 23.1'.

**SUMMIT COUNTY**  
**COMMUNITY DEVELOPMENT**

**JUL 16 2013**

**RECEIVED**

**1 SITE PLAN**  
 SCALE: 1/8" = 1'-0"



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# Summit County, Utah Vicinity Map

Prepared by Summit County  
Community Development Department





# Summit County, Utah Vicinity Map

Prepared by Summit County  
Community Development Department



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Community Development Department  
 P.O. Box 128  
 60 North Main Street  
 Coalville, Utah 84017  
 Phone: 435-615-3124  
 Fax: 435-615-3046  
 www.summitcounty.org

## SPECIAL EXCEPTION APPLICATION FORM

**Owner(s) of Record:**

Name: Brian & Elisa Mulhern Phone: 917-710-2585  
 Mailing Address: 31 Crawford Rd.  
 City: Westport State: UT Zip: 04080  
 E-Mail Address: brianmulhern@yahoo.com Fax: \_\_\_\_\_

**Authorized Representative to Whom All Correspondence is to be Sent:**

Name: Ivan Browman - Architect Phone: 435962-0113  
 Mailing Address: 8506 Highfield Rd.  
 City: Park City State: UT Zip: 84098  
 E-Mail Address: ibrowman@hart-hoxerton.com Fax: none

**Project Information:**

Parcel #: 52 Subdivision Name: Willow Creek Estates  
 Address: 1157 Cottonwood Ln. Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

Do you currently have constructions plans turned in for Building Permit review?  YES (plan check #) 2013-1136  NO

**Description of Special Exception Request (please attach additional materials if necessary):**

Prior to sale of property real estate asked Tiffanie Robinson to confirm side yard setbacks & we were told it was 12' (over)

**FOR OFFICE USE ONLY**

\$400.00

**Snyderville Basin**  
 **Eastern Summit County**

RECEIPT #: 2354 DATE RECEIVED: 7-15-13 RECEIVED BY: (M)

sale proceeded based on this information and Architect was hired to do design & construction documents for an Addition of a Bedroom/Bath & Bunk Room above that met the 12' side yard setback. At plan check we were informed setback is 30' because the side yard faces a street. Current home has the Garage on the 12' setback line. Willow Creek Estates HOA has approved the plans for the addition.

OWNER(S) ACKNOWLEDGEMENT

All application fees must be paid at time of application submittal. No application will be processed until all application fees are paid. Notification and publication fees for required public hearing notices (individual notices mailed to property owners - \$2.00 per notice; 14 day publication of legal notice in local newspaper - cost of notice) will be billed to applicant at the time a hearing is scheduled. Notification fees must be paid within 10 days of billing.

PLEASE NOTE REGARDING FEES; the payment of fees and /or the acceptance of such fees by County Staff does not constitute any sort of approvals, vesting, or signify that the application is complete or appropriate in any manner. The collection of fees is simply a requirement to begin the review process that will ultimately make such determinations.

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I hereby declare under penalty of perjury that this application form, and all information submitted as part of this application form is true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application form be incorrect or untrue, I understand that Summit County may rescind any approval or sufficiency determination, or take other appropriate action.

Owner(s) Signature:  Date: 7/16/2013

DATE	10/22/13
BY	IVAN BROMAN
CHECKED BY	IVAN BROMAN
SCALE	AS SHOWN
TITLE	SITE PLAN

**Ivan Broman**  
 Architect AIA  
 1000 UNIVERSITY BLVD  
 PARK CITY, UTAH 84302  
 TEL: 435.724.1113



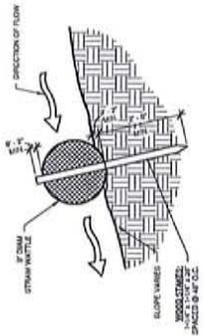
**MULTI-PHASE ADDITION**  
 LOT 52 WILLOW GREEN ESTATES  
 1157 COTTONWOOD LANE  
 PARK CITY, UTAH

**DRAWING TITLE:**  
 SITE PLAN

**PROJECT #:**  
 DRAWN BY: TBH  
 CHECKED BY: TBH  
 SCALE: AS SHOWN

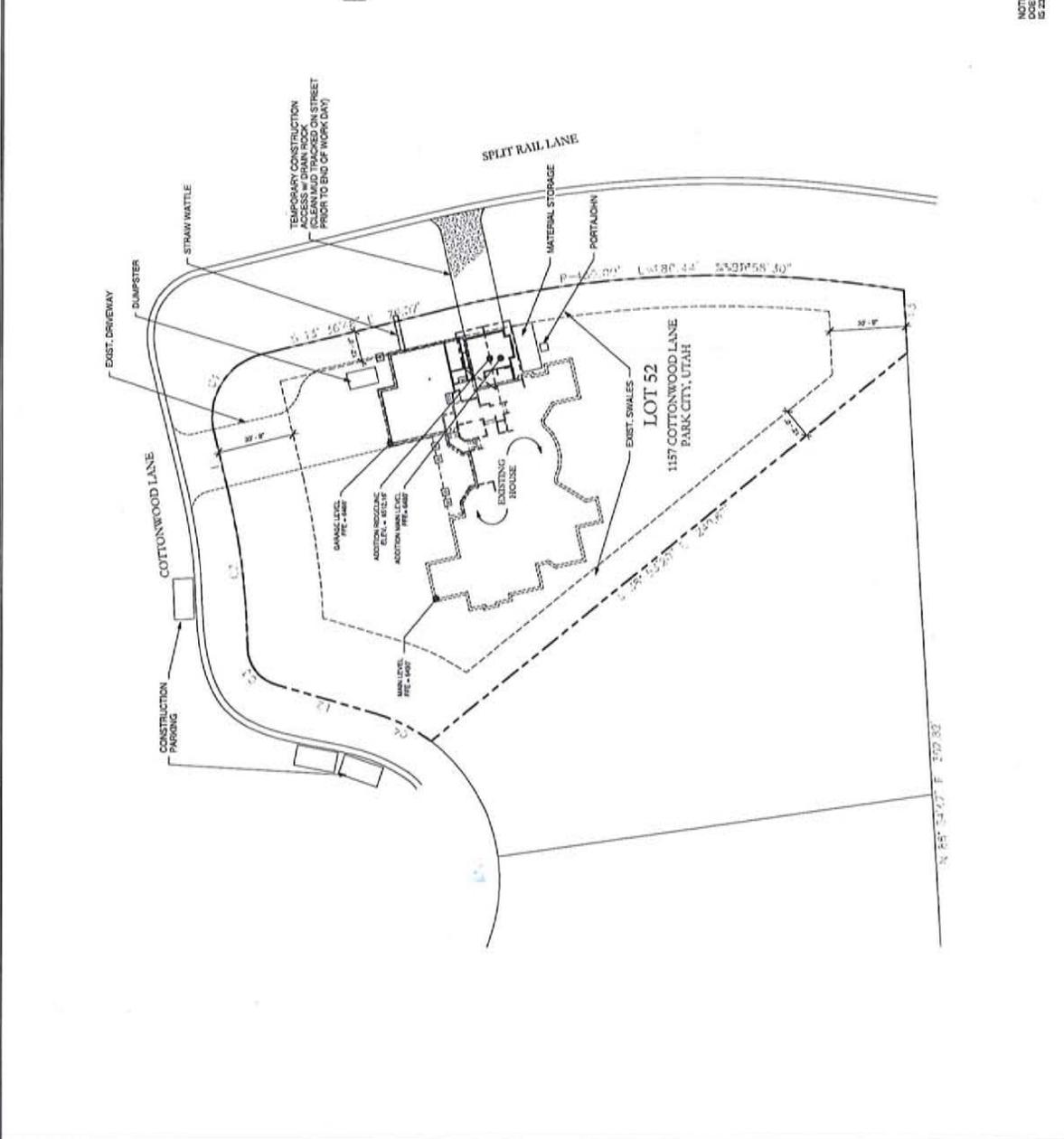
**DATE:**

**DRAWING NO.:**  
 A101



- NOTES:**
1. PROVIDE A STRAW WATTLE TO PROTECT THE EXISTING WATTLE.
  2. PROVIDE A STRAW WATTLE TO PROTECT THE EXISTING WATTLE.
  3. PROVIDE A STRAW WATTLE TO PROTECT THE EXISTING WATTLE.
  4. PROVIDE A STRAW WATTLE TO PROTECT THE EXISTING WATTLE.
  5. PROVIDE A STRAW WATTLE TO PROTECT THE EXISTING WATTLE.
  6. PROVIDE A STRAW WATTLE TO PROTECT THE EXISTING WATTLE.
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  8. PROVIDE A STRAW WATTLE TO PROTECT THE EXISTING WATTLE.
  9. PROVIDE A STRAW WATTLE TO PROTECT THE EXISTING WATTLE.
  10. PROVIDE A STRAW WATTLE TO PROTECT THE EXISTING WATTLE.

**2 STRAW WATTLE**  
 SCALE 3/4" = 1'-0"



NOTE: NO ELEVATION CERTIFICATES REQUIRED AS GRADE DOES NOT EXCEED 24" AND STRUCTURE HEIGHT 8'0" MAX.



**[1] SITE PLAN**  
 SCALE: 1/4" = 1'-0"

**SUMMIT COUNTY**  
**COMMUNITY DEVELOPMENT**

**JUL 16 2013**

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NO.	DATE	REVISION	BY
1	05.11.11	REVISIONS	IA
2	06.11.11	REVISIONS	IA
3	07.11.11	REVISIONS	IA
4	08.11.11	REVISIONS	IA
5	09.11.11	REVISIONS	IA
6	10.11.11	REVISIONS	IA
7	11.11.11	REVISIONS	IA
8	12.11.11	REVISIONS	IA
9	01.12.11	REVISIONS	IA
10	02.12.11	REVISIONS	IA
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15	07.12.11	REVISIONS	IA
16	08.12.11	REVISIONS	IA
17	09.12.11	REVISIONS	IA
18	10.12.11	REVISIONS	IA
19	11.12.11	REVISIONS	IA
20	12.12.11	REVISIONS	IA

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 THIS DRAWING IS THE PROPERTY OF IVAN BROGAN ARCHITECT AIA  
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**IVAN BROGAN**  
**ARCHITECT AIA**  
 1001 W. 200 SOUTH, SUITE 211  
 HAYDEN, CO, UTAH 82403  
 TEL: 435.654.1456  
 WWW.IVANSBROGAN.COM



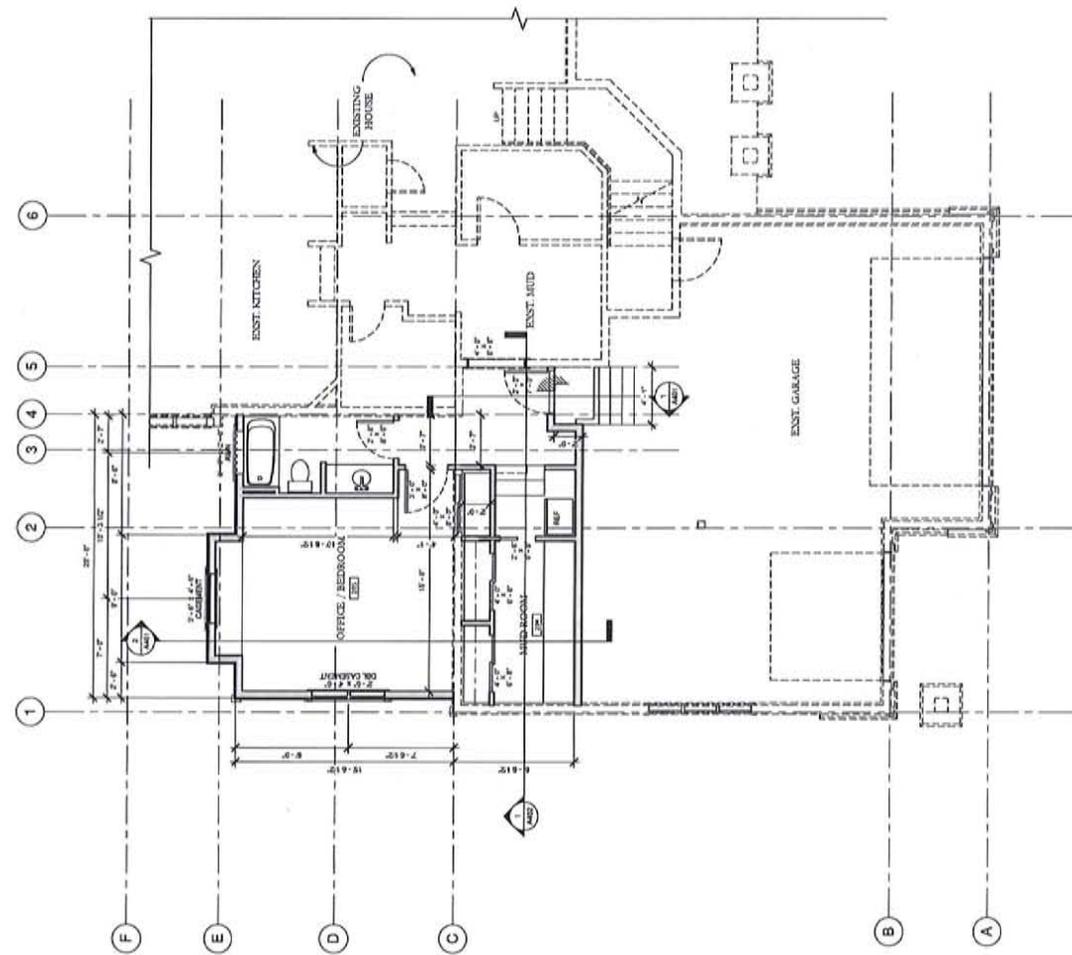
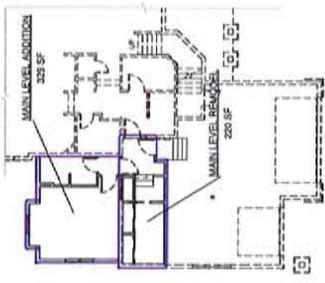
**MULHERN ADDITION**  
 115 COTTAGEWOOD PLANE  
 PARK CITY, UTAH

**DRAWING TITLE**  
**MAIN LEVEL**  
**REMODEL PLAN**

**PROJECT #**  
**DATE**  
**SCALE**  
**DATE APPROVED**  
**BY**

**SCALE**

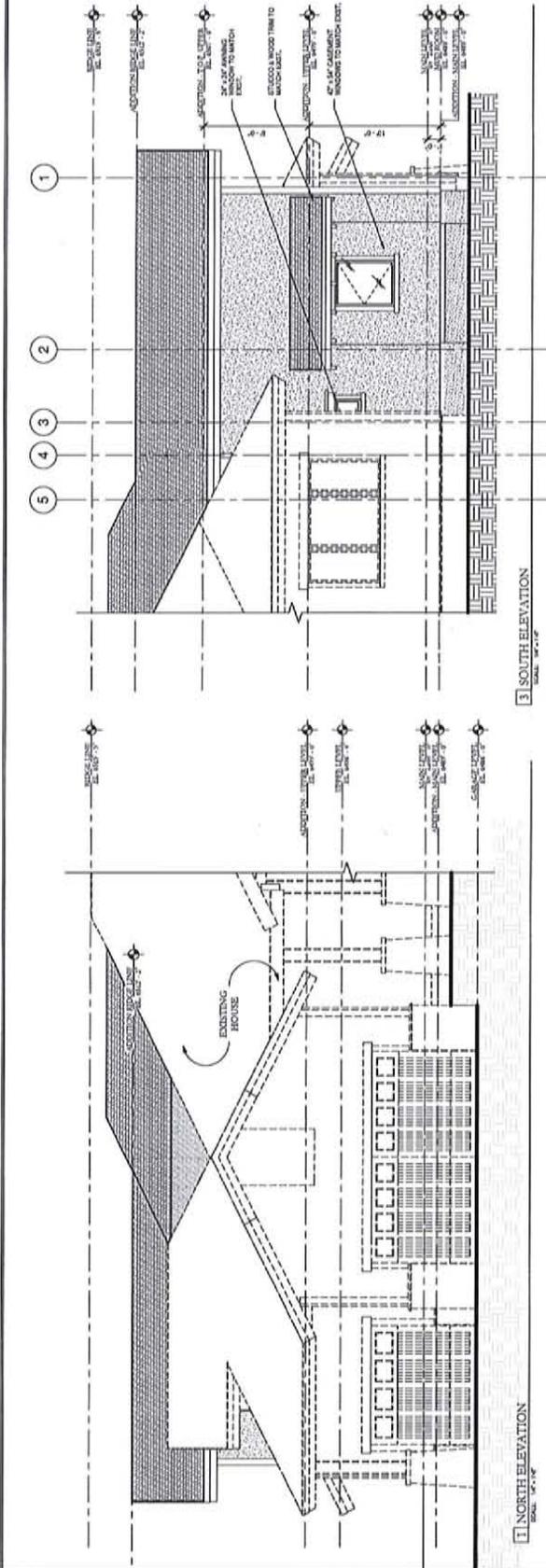
**REVISION NO.**  
**A203**



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**COMMUNITY DEVELOPMENT**  
**JUL 16 2013**  
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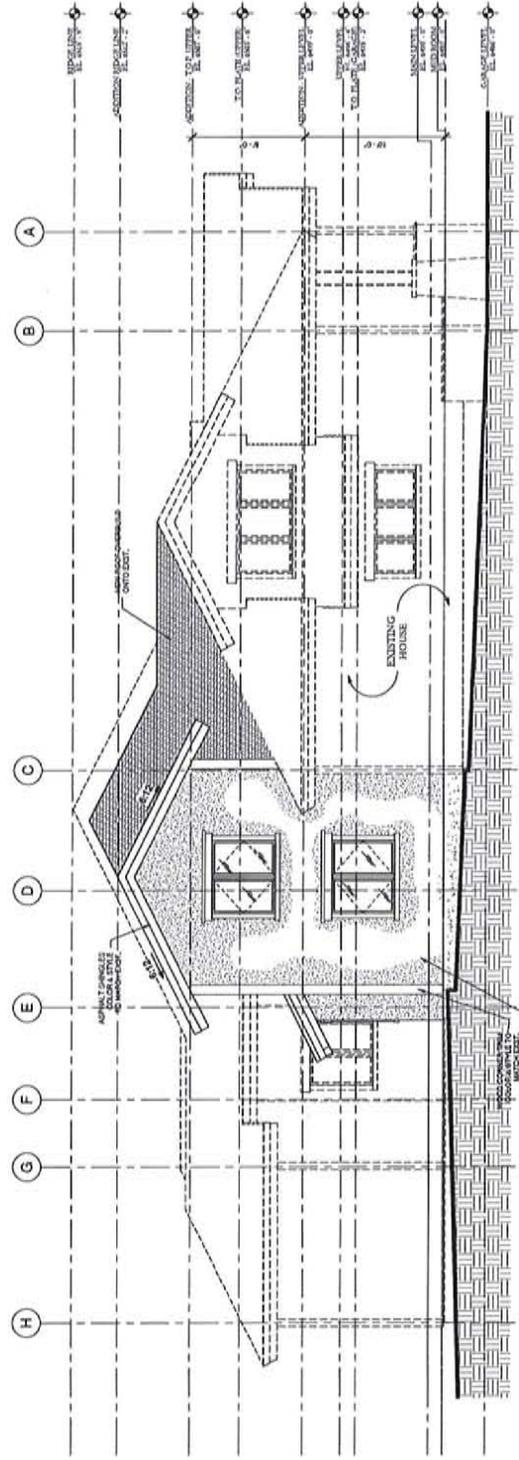
ALL DIMENSIONS ARE APPROXIMATE AND NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE NOTED OTHERWISE INDICATED.

**1** REMODEL PLAN - MAIN LEVEL  
 SCALE: 1/8\"/>



1 NORTH ELEVATION  
Scale: 1/4" = 1'-0"

3 SOUTH ELEVATION  
Scale: 1/4" = 1'-0"



2 EAST ELEVATION  
Scale: 1/4" = 1'-0"

DATE	ISSUE

**IVAN BROMAN**  
ARCHITECT AIA  
604 HUNTERFIELD RD.  
PARK CITY, UTAH 84303  
TEL: 435.664.1468  
www.ivanbroman.com

**PAKKE ENGINEERING**  
90 West 200 South, Suite #1  
Heber City, Utah 84033  
TEL: 435.664.1468  
www.pakkeengineering.com

**MULHERRN ADDITION**  
117 COTTONWOOD LANE  
PARK CITY, UTAH

**ELEVATIONS**  
DRAWING BY: TM  
CHECKED BY: JM  
SCALE: 1/4" = 1'-0"  
DATE: 10/20/12  
PROJECT: MULHERRN ADDITION

SCALE:  
DATE:

DRAWING NO.:  
**A301**

**SUMMIT COUNTY**  
**COMMUNITY DEVELOPMENT**  
JUL 16 2013  
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## Ivan Broman

---

**From:** Heidi Gatch <heidi@pru-utah.com>  
**Sent:** Friday, July 05, 2013 11:47 AM  
**To:** Ivan Broman  
**Cc:** Liz Sharp  
**Subject:** FW: Willow Creek Subdivision in Park City - setbacks

Hi Ivan,

Here is what Tiffanie Robinson/Summit County told Liz. (See both emails below.)

Cheers,  
Heidi

Heidi Gatch  
Sr. Partner  
Prudential Utah Real Estate  
[Heidi@Pru-Utah.com](mailto:Heidi@Pru-Utah.com)  
[Liz@Pru-Utah.com](mailto:Liz@Pru-Utah.com)  
Toll Free: 800-553-4666  
Cell: 435-640-0892  
Private Fax: 435-655-2503  
[www.HeidiGatch.com](http://www.HeidiGatch.com)



---

**From:** Tiffanie Robinson [<mailto:trobenson@summitcounty.org>]  
**Sent:** Thursday, April 18, 2013 9:08 AM  
**To:** Liz Sharp  
**Subject:** RE: Willow Creek Subdivision in Park City - setbacks

Liz,

Under the current code, this is correct. Please keep in mind that Codes and policies change, so if your client were to building some time from now, the requirements may change with regards to the survey.

Thank you!  
Tiffanie

---

**From:** Liz Sharp [<mailto:liz@pru-utah.com>]  
**Sent:** Thursday, April 18, 2013 8:57 AM  
**To:** Tiffanie Robinson  
**Subject:** FW: Willow Creek Subdivision in Park City - setbacks

Dear Tiffanie,

Thank you for your help yesterday. If you would not mind replying to the email so this information comes from someone with authority, I would very much appreciate it.

I understand that the setbacks in Willow Creek Subdivision are 30' in the front, 12' feet on the sides and rear of the home. Property corners should be clearly marked and no survey is required if building expansion does not encroach within 3 feet of regulated setbacks.

Attachments can contain viruses that may harm your computer. Attachments may not display correctly.

**Ivan Broman**

**From:** Elisa Nicely Mulhern [elisamulhern@yahoo.com] **Sent:** Sun 4/21/2013 6:23 PM  
**To:** Ivan Broman  
**Cc:** *ibroman@yahoo.com*  
**Subject:** Mulhern/1157 Cottonwood Addition  
**Attachments:**  1157 Cottonwood house plans.pdf(1MB)

Ivan,

It was nice speaking with you a few minutes ago - to further our conversation, attached are the house plans. We would like to add an additional bedroom and bath - we think that the most natural location would be on the left-hand side of the house, basically behind the garage. We think it would be accessed where the pantry is currently located?

The garage is built right to the set-back (12 feet from property line), so we can build out that far (will need a survey or can build out 15 feet from the property line without needing a survey - we've confirmed this in writing with town building dept.).

Our wish list is to have a bedroom as large as possible, a bathroom, and retain as large of a pantry as possible. Also, if it's possible we would like to add a 2nd story room above the new bedroom, with enough room for some bunk beds for guest overflow. A future owner may choose to use this space as a workout room.

Looking at the plans, it seems like the roof-line might provide some challenges.

Another separate item on our wishlist is to have some small desk space somewhere near the kitchen where I can easily put mail and incoming/outcoming school papers/forms/permission slips, etc. and keep/use my laptop and some files so that they're easily accessible. Maybe we could somehow incorporate this into the new space or reconfigure the beverage bar/cabinet space that is across the pantry for this use.

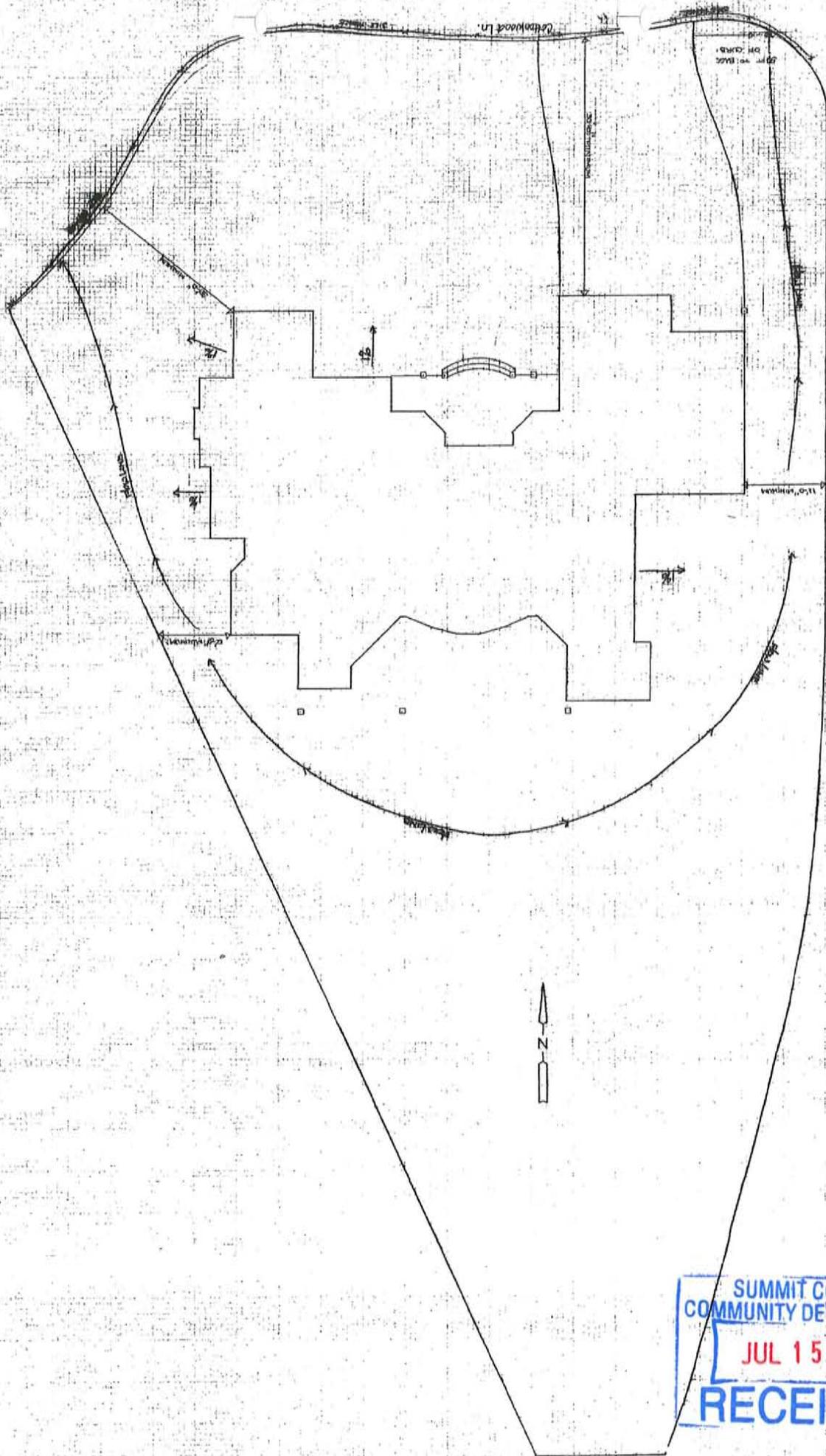
We will take occupancy of the house 7/15 and hope to be able to start construction immediately.

I'm looking forward to hearing your initial thoughts about the complexity of the project and hopefully a rough cost estimate.

Thanks very much, Elisa  
 Cell: 917-710-3585



Original site plan



WILLOW CREEK LOT 50  
1157 CEDARWOOD LN. PARK CITY, UT  
BIGHANNA RESIDENCE  
DATED: 3-17-04

General Contractor:  
M.K.B. Construction  
P.O. Box 170222  
Park City, UT 84000  
PH: 435 640-2450  
FAX: 435 658-1433

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COMMUNITY DEVELOPMENT

JUL 15 2013

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Exhibit D 12



Exhibit D 13

## Request for Special Exception

Lot 52-Willow Creek Estates, Park City, UT

8/5/13

The reason we are requesting this special exception to the side yard setback on the above referenced lot is because the Owners, Brian & Elisa Mulhern, had asked the real estate agent representing them in the purchase of the existing home back in April to verify with Summit County what the side yard setbacks would be as they were interested in doing an Addition to the home. The answer to this question was very important to them in their due diligence on the purchase of the home as they felt the current home did not have enough Bedrooms to meet their needs. Liz Sharp with Prudential Utah Real Estate contacted Tiffanie Robinson and asked her to verify the setbacks in Willow Creek Estates and she was told in an e-mail dated April 18, 2013 that the front yard setback was 30' and the side yard setbacks were 12'. There was no mention of an exception for lots that had a side yard on a street where the setback requirement was increased to 30'. This requirement occurred after the home was built by an amendment to the Development Code that occurred sometime in 2007. If the Owners had known this was the case they would not have gone through with the purchase of the home.

Based on this information from Tiffanie that the Owner had in writing, they retained the services of myself, Ivan Broman, Architect, to do an addition to their home on the east side next to Split Rail Lane. Mr. Broman was told by the Owners that they needed a Survey of the property corners and the location of the home to begin the work. Mr. Broman asked Alliance Engineering to prepare the Survey and based on the approved plat for Willow Creek Estates, they too showed on the Survey the 12' side yard setback and the 30' front yard setback. This all made sense as the current Garage of the home is at the minimum 12' side yard setback. The addition was to be located behind the Garage next to the Kitchen and was to be for Guest Bedroom/Office with a second story space above for a Bunk Room. I proceeded with the construction documents for the home with the hope that we could obtain a Building Permit in mid-July and have the Addition completed by Thanksgiving. However, during the review of the plans, Molly Orgill informed me of the 30' setback requirement which meant none of the Addition could be built. This is the reason for the current exception request and why we feel we have a hardship. A considerable amount of money and time was spent preparing the drawings for the Addition and this was all based on the e-mail response from Tiffanie Robinson stating the side yard setbacks were 12' for Willow Creek Estates.

Prior to submitting the plans to County for permit we received the approval of the Willow Creek HOA. An e-mail stating this approval is in the County's files. The Owners and I believe that the addition will have no negative impact on anyone in the neighborhood. It is located behind a large 6' high berm on Split Rail Lane that is located in the east 30' of ROW between the curb and setback line. There are also no homes located across the street on the east of the home as this is a large tract of dedicated open space (please see photos attached to the Exception Application). The Mulherns and I respectfully request you grant this special exception to the Development Code and allow us to proceed with construction.

Sincerely,

Ivan L. Broman, AIA

Architect

