

Ordinance 2016-52

AN ORDINANCE APPROVING THE SECOND AMENDED ASPEN SPRINGS RANCH SUBDIVISION PHASE II PLAT AMENDMENT, AMENDING RANCH LOT 3 AND LOT 46, LOCATED AT 2636 AND 2644 ASPEN SPRINGS DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as Ranch Lot 3 and Lot 46 of the Aspen Springs Ranch Phase II Subdivision, located at 2636 and 2644 Aspen Springs Drive in Park City, Utah, have petitioned the City Council for approval of a plat amendment; and

WHEREAS, legal notice of the public hearing was published in the Park Record and on the Utah Public Notice website on October 22, 2016, and the property was posted on October 26, 2016, according to the requirements of the Land Management Code; and

WHEREAS, courtesy notice was sent to surrounding property owners on October 26, 2016, according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on November 9th, 2016, to receive input on the plat amendment and no public input was provided;

WHEREAS, the Planning Commission, on November 9th, 2016, unanimously forwarded a recommendation to the City Council; and,

WHEREAS, on December 1, 2016, City Council held a public hearing on the plat amendment; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the Second Amended Aspen Springs Ranch Subdivision Phase II plat amendment.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The plat amendment as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located at 2636 and 2644 Aspen Springs Drive in the Single Family (SF) District and consists of Ranch Lot 3 and Lot 46 of the Aspen Springs Ranch Subdivision Phase II. These lots are commonly owned.
2. The property is subject to conditions of approval and applicable plat notes of the Aspen Springs Ranch Subdivision Phase II plat approved by the City Council on May 28, 1992 and recorded at Summit County on June 26, 1992.

3. There was one previous amendment to the Phase II plat in 1995 amending Ranch Lot 4 and a lot line adjustment in 2014 amending the lot line between Lots 66 and 67. Both plats were recorded at Summit County, in January of 1996 and October 2014, respectively.
4. Lots 3 and 46 are recognized by Summit County as Parcel ASR-II-R-3 and Parcel ASR-II-46 (Tax ID).
5. A single family house and associated barn are located on Ranch Lot 3. Lot 46 is vacant.
6. A fence and a driveway that provides access to Lot 3 were constructed partially on Lot 46.
7. The owner of the two lots desires to shift the common lot line between Ranch Lot 3 and Lot 46 approximately fifty feet (50') to the west to resolve the encroachment of the fence and driveway for Ranch Lot 3 that is partially on Lot 46.
8. Lot 3 increases by 0.280 acres from 17.353 acres to 17.633 acres.
9. Lot 46 decreases by 0.280 acres from 1.857 acres to 1.577 acres.
10. No remnant lots or parcels are created.
11. There are no minimum or maximum lot sizes or lot widths in the SF District.
12. Ranch Lots in the Aspen Springs Subdivision range in area from 13.611 acres to 22.445 acres.
13. Non-ranch Lots in the Aspen Springs Subdivision range in area from 1.00 acres to 56.945 acres.
14. Aspen Springs Ranch Subdivision Phase II identifies maximum limits of disturbance (LOD) and maximum building floor area (FA) for each lot. Lot 3 has a maximum LOD of 50,000 sf and maximum FA of 15,000 sf. Lot 46 has a maximum LOD of 12,000 sf and a maximum FA of 8,250.
15. No changes to the maximum limits of disturbance or maximum building floor area are proposed as the existing limits of disturbance and floor area are within the range for lots of similar or smaller area.
16. All applicable requirements of Land Management Code Section 15-2.11 (SF District) apply.
17. Single-family dwellings are an allowed use in the Single Family (SF) District and barns are permitted per the Aspen Springs Ranch Subdivision Phase II when located within platted barn limits of disturbance (LOD) areas.
18. There is not a minimum or maximum lot width identified in the SF District. Access to the property is from Aspen Springs Drive, a public street.
19. Utility easements recorded on the Aspen Springs Ranch Subdivision Phase II plat are required to be shown on the amended plat, including 10' wide non-exclusive utility easements along the front lot lines and relocated 5' wide non-exclusive utility easements along the side lot lines.
20. Public utility easements are indicated on the amended lots, consistent with existing plat notes (10' wide non-exclusive PUE (public utility easement) along all front lot lines, 5' wide non-exclusive PUE and drainage easements along all side lot lines).
21. The final Mylar plat is required to be signed by the Snyderville Basin Water Reclamation District to ensure that requirements of the District are addressed prior to plat recordation.
22. An existing dual meter box is located on the current shared property line. The Water

Department requests a condition of approval that prior to plat recordation, a new dual meter box at the new property line shall be installed and the old dual meter box shall be abandoned, along with the existing service, at the main.

23. Snow storage area is required along public streets and rights-of-way due to the possibility of large amounts of snowfall in this location.
24. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Land Management Code and the Aspen Springs Ranch Phase II subdivision plat and plat notes.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval

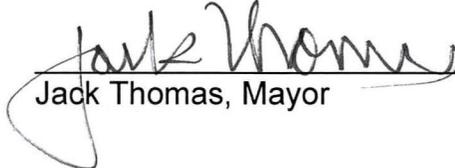
1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void unless a written request for an extension is submitted to the City prior to the expiration date and the City Council grants an extension.
3. A note shall be included on the plat indicating that all applicable conditions of approval and plat notes of the original Aspen Springs Ranch Subdivision Phase II continue to apply.
4. A table showing Lots 3 and 46, the lot area, maximum Limits of Disturbance (LOD), and maximum allowable building floor area for each lot, shall be included on the amended plat.
5. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the lots.
6. Non-exclusive public utility easements (PUE) shall be indicated on the plat per the Aspen Springs Ranch Subdivision Phase II plat with 10' wide easements across the front lot line and 5' wide easements, to include drainage easements, along each side lot line.
7. A financial security to guarantee for the installation of any required public improvements is required prior to plat recordation in a form approved by the City Attorney and in an amount approved by the City Engineer.
8. Prior to plat recordation, an existing water valve for Lot 3 shall be relocated to Lot 3 and a separate water valve for Lot 46 shall be installed per requirements of the City's Water Department.
9. A ten foot (10') wide public snow storage easement is required along Aspen Springs Drive.

10. A note shall be added to the plat requiring residential fire sprinklers for new construction as stipulated by the Chief Building Official at the time of review of any building permit on these lots.
11. Prior to plat recordation, letters of approval from utility providers (SBWRD, City Water Department, Questar, Rocky Mountain Power, and communications entities) shall be submitted indicating approval of utility easements associated with the new lot lines and public utility easement locations.
12. Prior to plat recordation, a new dual meter box at the new common property line shall be installed and the old dual meter box shall be abandoned, along with the existing service, at the main.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 1st day of December, 2016.

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, Mayor

ATTEST:




Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

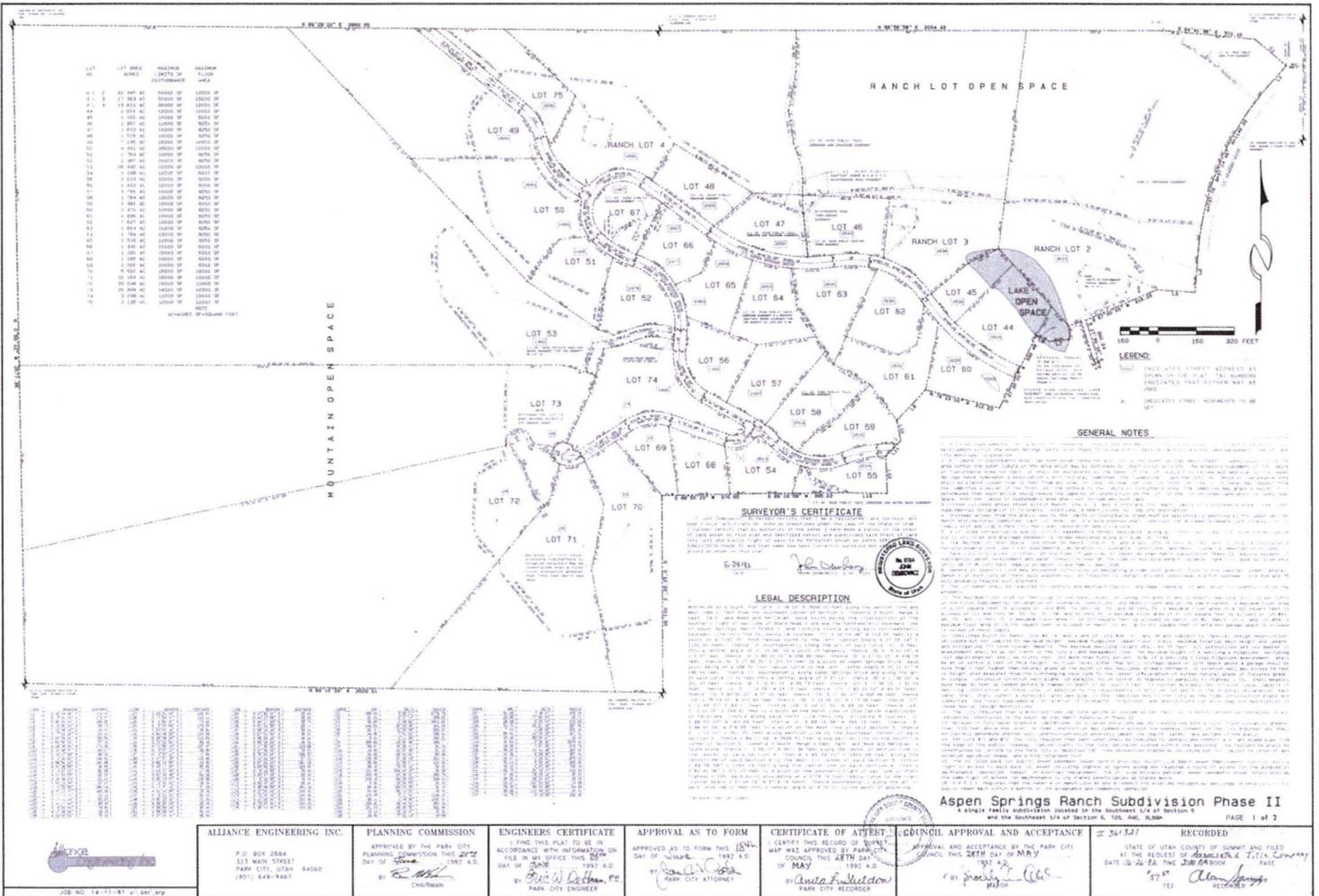


Mark Harrington, City Attorney

Exhibits

Exhibit A – Proposed plat amendment

EXHIBIT B



ALLIANCE ENGINEERING INC. P.O. BOX 2844 123 MAIN STREET PARK CITY, UTAH 84302 (801) 543-7867	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 22ND DAY OF JUNE, 1992 A.D. BY: [Signature] CHAIRMAN	ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 22ND DAY OF JUNE, 1992 A.D. BY: [Signature] PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS 15TH DAY OF MAY, 1992 A.D. BY: [Signature] PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 22TH DAY OF MAY, 1992 A.D. BY: [Signature] PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 22TH DAY OF MAY, 1992 A.D. BY: [Signature]	RECORDED STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE OFFICE OF ASSESSOR & TITLE COMPANY DATE IS 22ND DAY OF JUNE 1992 BY: [Signature] RECORDER
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