

Ordinance No. 2019-38

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FROM ESTATE (E) DISTRICT, TRANSFER OF DEVELOPMENT RIGHTS SENDING (TDR-S) OVERLAY ZONE, AND HISTORIC RESIDENTIAL-1 (HR-1) DISTRICT TO RECREATION AND OPEN SPACE (ROS) WITHIN THE SWEENEY PROPERTIES MASTER PLAN MID-STATION AND CREOLE-GULCH SITES AKA TREASURE HILL, PARK CITY, UTAH.

WHEREAS, the owner of the property known as the Sweeney Properties Master Plan (SPMP) Mid-Station and Creole-Gulch sites has petitioned the City Council for approval of a Zoning Map Amendment; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on June 12, 2019, to receive input on Zoning Map Amendment; and

WHEREAS, the Planning Commission, on June 12, 2019, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 11, 2019, the City Council held a public hearing to receive input on the Zoning Map Amendment; and

WHEREAS, the proposed zoning map amendment is consistent with the following purposes of the Utah Municipal Land Use, Development, and Management Act (LUDMA) section 10-9a-102. Purposes -- General land use authority.

- 1) The purposes of this chapter are to:
 - a. provide for the health, safety, and welfare;
 - b. promote the prosperity;
 - c. improve the morals, peace, good order, comfort, convenience, and aesthetics of each municipality and each municipality's present and future inhabitants and businesses;
 - d. protect the tax base;
 - e. secure economy in governmental expenditures;
 - f. foster the state's agricultural and other industries;
 - g. protect both urban and nonurban development;
 - h. protect and ensure access to sunlight for solar energy devices;
 - i. provide fundamental fairness in land use regulation;
 - j. facilitate orderly growth and allow growth in a variety of housing types; and
 - k. protect property values..

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

SECTION 1. APPROVAL. Zoning Map Amendment from Estate (E) District, Transfer of Development Rights Sending (TDR-S) Overlay Zone, and Historic Residential-1 (HR-1) District to Recreation and Open Space (ROS) District is approved subject to the following Findings of Facts and Conclusions of Law:

Findings of Fact

1. The property is located known as the Mid-Station and Creole Gulch sites of the Sweeney Properties Master Plan (SPMP).
2. The property is also known as Treasure or Treasure Hill.
3. The sites are currently zoned Estate District.
4. A small portion of the Lowell / Empire Avenue switchback area is zoned HR-1 District.
5. The site is vacant.
6. On August 16, 2018, City Council voted unanimously to support a \$48M Treasure Hill and Armstrong/Snow Ranch Pasture open space bond.
7. On November 6, 2018, Park City residents voted (77% for and 23% against) to pass the Treasure Hill and Armstrong/Snow Ranch Pasture open space bond.
8. The land is to remain permanently preserved and protected from development.
9. In order for the site to be consistent with the purchase the site should be zoned ROS.
10. The site is adjacent to the HR-1 District to the north and east.
11. The site is adjacent to the ROS District to the south and west.
12. The requested Zoning Map Amendment from HR-1 / E to ROS is appropriate.
13. The proposed Zoning Map Amendment is consistent with the following Park City General Plan goals:
 - a. Goal 1: Park City will protect undeveloped lands, discourage sprawl, and direct growth inward to strengthen existing neighborhoods.
 - b. Goal 4: Open Space: Conserve a connected, healthy network of open space for continued access to and respect for the Natural Setting.
 - c. Goal 9: Parks & Recreation: Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors.
 - d. Goal 11: Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience.
 - e. Goal 14: Living within Limits: The future of the City includes limits (ecological, qualitative, and economic) to foster innovative sustainable development, protect the community vision, and prevent negative impacts to the region.

Conclusions of Law:

1. There is Good Cause for this Zoning Map Amendment.
2. The Zoning Map Amendment request is consistent with the Park City General Plan and the Park City Land Management Code.
3. The Zoning Map Amendment is consistent with applicable State law.

4. The zone amendment further the purposes UCA § 10-9a-102(1) .
5. Approval of the Zoning Map Amendment is necessary or appropriate for the protection of open space consistent with UCA § 10-9a-102(2)(c),

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

PASSED AND ADOPTED this 11th day of July, 2019.

PARK CITY MUNICIPAL CORPORATION



Andy Beerman, MAYOR

ATTEST:




Michelle Kellogg, City Recorder

APPROVED AS TO FORM:



Margaret Plane, Special Counsel

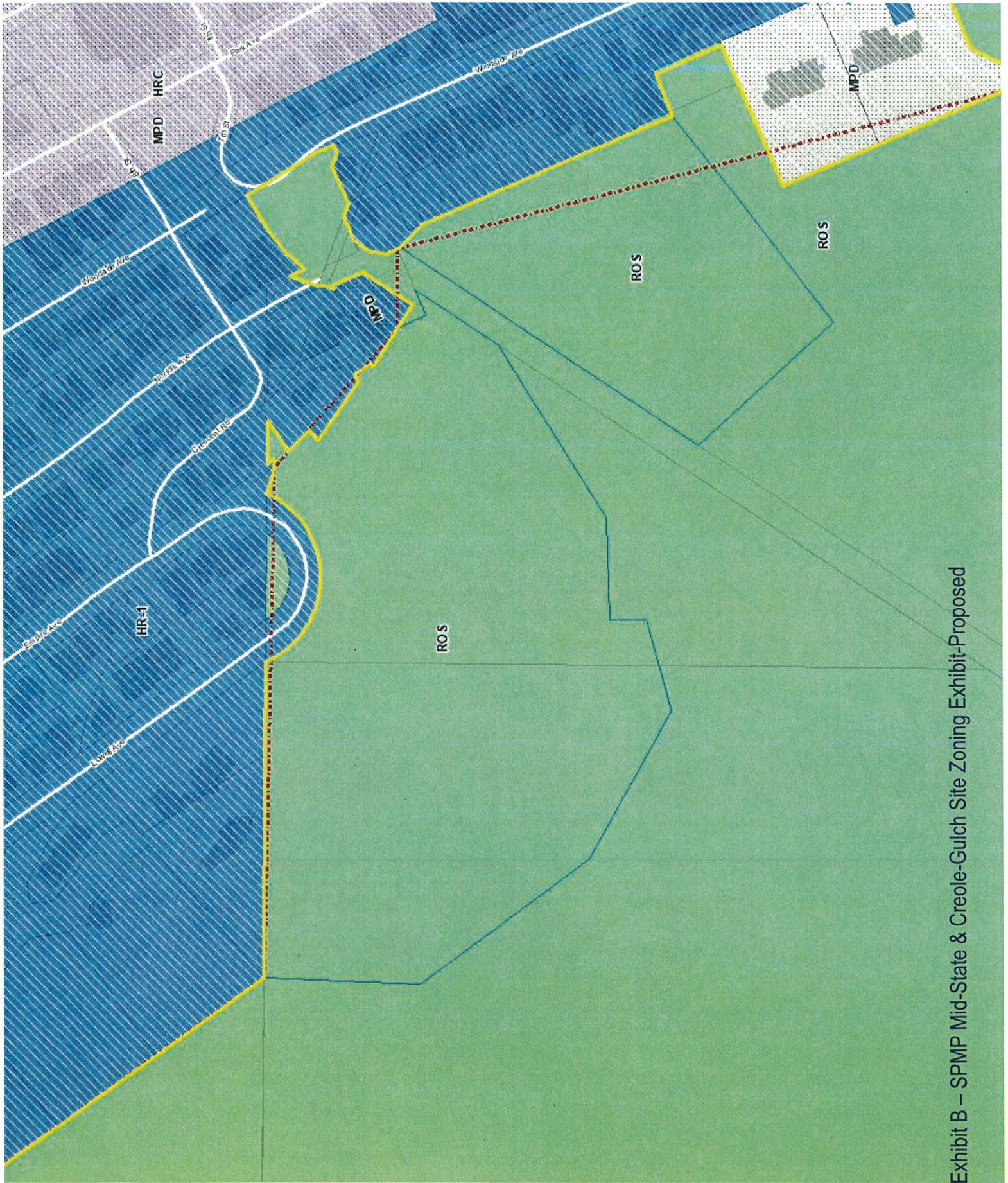


Exhibit B – SPMP Mid-State & Creole-Gulch Site Zoning Exhibit-Proposed