

**Ordinance No. 2020-07**

**AN ORDINANCE APPROVING EVERGREEN – LOT 1 AMENDED PLAT,  
LOCATED AT 7058 SILVER LAKE DRIVE, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 7058 Silver Lake Drive petitioned the City Council for approval of the Evergreen – Lot 1 Amended Plat; and

WHEREAS, on December 21, 2019, legal notice was published in the *Park Record* and on the Utah Public Notice website; and

WHEREAS, on December 23, 2019, notice was posted to the property and courtesy notice was sent to affected property owners; and

WHEREAS, the Planning Commission held a public hearing on January 8, 2020, to receive input on the Evergreen – Lot 1 Amended Plat; and

WHEREAS, on January 8, 2020, the Planning Commission forwarded a positive recommendation to the City Council; and

WHEREAS, on January 16, 2020, the City Council held a public hearing and took final action on the subdivision plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the Evergreen – Lot 1 Amended Plat.

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 Evergreen – Lot 1 Amended Plat, attached, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. On November 19, 2019, the Applicant submitted an application to amend the area of disturbance for Lot 1 of the Evergreen Subdivision Plat.
2. On November 21, 2019, staff determined the application to be complete.
3. The Applicant proposes to increase the area of disturbance for Lot 1 of the Evergreen Subdivision from 5,270 square feet to 6,260 square feet, a total increase of 990 square feet.
4. On March 19, 1987, the City Council approved the 36-Lot Evergreen Subdivision Plat (Summit County Recorder Entry 269685).
5. On May 17, 1988, the City Council approved an Amended Evergreen Subdivision Plat (Summit County Recorder Entry 290308).
6. Since the 1988 subdivision approval, City Council approved enlarging at least two Evergreen Subdivision Lot areas of disturbance (Ordinance No. 94-42 and Ordinance No. 02-06).
7. On April 27, 1995, the City Council passed Ordinance No. 95-17, *An Ordinance Approving a Plat Amendment to the Evergreen Subdivision Area of Disturbance in Park City, Utah*, requiring Evergreen Architectural Committee review and approval to amend the area of disturbance for the Evergreen Subdivision Lots.

8. Altering areas of disturbance on a subdivision plat requires a plat amendment.
9. Subdivision plat amendments are reviewed by staff and submitted to the Planning Commission for recommendation to the City Council. The City Council takes final action on plat amendments.
10. Lot 1 of the Evergreen Subdivision (7058 Silver Lake Drive) is located in the Residential Development Zoning District (RD Zone) within the Deer Valley Master Planned Development.
11. Lot 1 is adjacent to a residential property. The Deer Valley Last Chance Ski Trail runs directly behind Lot 1. A portion of Lot 1 contains a dedicated ski easement.
12. Single-Family Dwellings are an allowed use in the RD Zone.
13. There are no minimum or maximum Lot size requirements in the RD Zone and the maximum density for Lot 1 of the Evergreen Subdivision will be determined by Setback and Height restrictions outlined in the Land Management Code and contained within the area of disturbance established by the plat.
14. The Evergreen – Lot 1 Amended Plat complies with the Evergreen Subdivision plat requirements.
15. On December 18, 2019, the Applicant provided a letter demonstrating Evergreen Architectural Committee approval of the proposed enlargement of the Lot 1 area of disturbance.
16. The approval letter requires the following two conditions of approval: (1) the building pad adjustment must not encroach upon the recorded ski easement; and (2) the proposed building pad must maintain all lot setbacks required by the Land Management Code.
17. The Evergreen Subdivision Plat requires a 10-foot-wide non-exclusive utilities and drainage easement along all subdivision boundary lines, a five-foot-wide non-exclusive utilities and drainage easement along all side and rear lot lines, a five-foot-wide non-exclusive utilities and snow storage easement along all front lot lines, and the installation of an individual pressure reducer valve for each house constructed within the subdivision.
18. The proposed Evergreen Lot 1 Subdivision Amended Plat contains a note that all Conditions of Approval of the Evergreen Subdivision Plat continue to apply and that the house on Lot 1 will be required to install an individual pressure reducer valve.

**Conclusions of Law:**

1. There is good cause for the Evergreen – Lot 1 Amended Plat.
2. The subdivision plat amendment is consistent with the Park City Land Management Code and applicable Utah law.
3. The subdivision plat amendment is consistent with the Evergreen Subdivision Plat.
4. Neither the public nor any person will be materially injured by the proposed plat amendment.
5. Approval of the subdivision plat amendment, subject to the conditions stated below, does not adversely affect the health, safety, or 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 Evergreen – Lot 1 Amended Plat 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 amended plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year, this approval for the plat will be void, unless a request for an extension is submitted in writing and approved by the City Council.
3. All applicable recorded public utility and access easements shall be indicated on the plat prior to recordation.

4. The building pad adjustment must not encroach upon the recorded ski easement.
5. The proposed building pad must maintain all lot setbacks required by the Land Management Code.

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

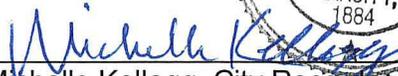
PASSED AND ADOPTED this 16<sup>th</sup> day of January, 2020.

PARK CITY MUNICIPAL CORPORATION



  
Andy Beerman, MAYOR

ATTEST:

  
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

  
Margaret Plane, Special Counsel

