

## **Ordinance No. 2025-23**

### **AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTION 15-1-12.5 CONTINUATIONS TO CLARIFY PLANNING COMMISSION AUTHORITY TO CONTINUE ITEMS SCHEDULED FOR REVIEW AND AMENDING CHAPTER 15-1 GENERAL PROVISIONS AND PROCEDURES, CHAPTER 15-8 ANNEXATION, CHAPTER 15-10 BOARD OF ADJUSTMENT, AND CHAPTER 15-15 DEFINED TERMS TO COMPLY WITH CHANGES TO STATE CODE REGARDING PUBLIC NOTICE, PUBLIC HEARINGS, BUILDING PERMIT REVIEWS, AND ANNEXATIONS**

WHEREAS, the Land Management Code (LMC) is designed, enacted, restated and reorganized to implement the goals and policies of the Park City General Plan;

WHEREAS, the City reviews the LMC on a regular basis and identifies necessary amendments to address planning and zoning issues that have arisen; and to address specific LMC issues raised by Staff, Planning Commission, and City Council;

WHEREAS, the Planning Commission, seeing several requests from Applicants to continue items that had already been publicly noticed with staff reports and exhibits published for Planning Commission action, directed the Planning Department to evaluate and update the Land Management Code regarding continuations;

WHEREAS, on July 9, 2025, the Planning Commission held a work session and provided direction on the drafting of the proposed amendments regarding continuations;

WHEREAS, on September 24, 2025, the Planning Commission held a duly noticed public hearing to receive input on the proposed amendments regarding continuations, and unanimously forwarded a positive recommendation to City Council;

WHEREAS, in 2025, the Utah Legislature enacted House Bill 368 requiring updates to the LMC;

WHEREAS, House Bill 368 requires updates to the LMC regarding public notice;

WHEREAS, House Bill 368 requires updates to the LMC regarding building permit plan reviews;

WHEREAS, House Bill 368 reorganized regulations regarding Annexations requiring updates to citations within the LMC;

WHEREAS, on October 8, 2025, the Planning Commission conducted a duly noticed public hearing regarding proposed amendments to the LMC in response to House Bill 368, and forwarded a positive recommendation to the City Council;

WHEREAS, the City Council conducted a duly noticed public hearing on the proposed amendments on December 11, 2025;

WHEREAS, it is in the best interest of Park City, Utah, to amend the LMC to update regulations related to continuations and incorporate updates required to reflect changes to the Utah Code; and

WHEREAS, the proposed LMC amendments are consistent with the following purposes of the Utah Municipal Land Use, Development, and Management Act Section 10-20-101, 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, allow growth in a variety of housing types, and contribute toward housing affordability; and
  - k. protect property values.

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

SECTION 1. AMEND MUNICIPAL CODE OF PARK CITY LAND MANAGEMENT CODE TITLE 15. The recitals are incorporated herein as findings of fact. Municipal Code of Park City Title 15 Land Management Code Chapter 15-1 *General provision and Procedures*, Chapter 8 *Annexation*, Chapter 10 *Board of Adjustment*, and Chapter 15-15 *Defined Terms* are hereby amended as outlined in Attachment 1.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS 11<sup>th</sup> day of December 2025.

PARK CITY MUNICIPAL CORPORATION

Signed by:

*Nann Worel*

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Nann Worel, Mayor

Attest:

DS



DocuSigned by:

*Michelle Kellogg*

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City Recorder

Approved as to form:

Signed by:

*Mark Harrington*

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City Attorney's Office

**ATTACHMENT 1**

**15-1-12 Notice**

~~N[all n]~~otice for each type of Application~~[of public hearing]~~, unless otherwise specified in this Code or State law, must be provided in accordance with this Section and must state the general nature of the proposed action; describe the land affected; and state the time, place, and date of the hearing. Once opened, the hearing may be continued, if necessary, without republication of notice until the hearing is closed. Notice shall be given according to Section 15-1-21 Notice Matrix and as follows:

- A. **POSTED NOTICES**. The Planning Department must post notice on the Property affected by the Application and as further specified in Section 15-1-21 Notice Matrix.
- B. **PUBLISHED NOTICE**. Published notice shall be given by publication on the City website and by publication on the Utah Public Notice Website, as further specified in Section 15-1-21 Notice Matrix.
- C. **MAILED NOTICE**. Pursuant to Section 15-1-21 Notice Matrix for required or courtesy mailed notice to adjacent and surrounding Property Owners, and to Affected Entities, the Applicant must provide the Planning Department with an electronic list of each Property Owner of record of each Parcel located entirely or partly within the distance designated by Application type in Section 15-1-21 from all Property Lines of the subject Property, and as further specified in Section 15-1-21 Notice Matrix. The addresses for Property Owners must be as shown on the most recently available Summit County tax assessment rolls. If the Property that is the subject of the Application is a Condominium, the Owners Association is sufficient in lieu of the address for each unit Owner. For courtesy mailed notice that is not a legal requirement per Utah Code, for specific actions and noted herein, and further specified in Section 15-1-21 Notice Matrix, any defect in

such courtesy mailed notice shall not affect or invalidate any hearing or action by the City Council or any Board or Commission.

D. **APPLICANT NOTICE**. For each land Use Application, the Planning Department must notify the Applicant of the date, time and place of each public hearing and public meeting to consider the Application and of any Final Action on the pending Application. A copy of each Staff report regarding the Applicant or the pending Application shall be provided to the Applicant at least three (3) business days before the public hearing or public meeting. If the requirements of this Subsection are not met, an Applicant may waive the failure so that the Applicant may stay on the agenda and be considered as if the requirements had been met.

E. **EFFECT OF NOTICE**. Proof that notice was given pursuant to this Section is prima facie evidence that notice was properly given. If notice given under authority of this Section is not challenged as provided for under State law within thirty (30) days after the date of the hearing or action for which the challenged notice was given, the notice is considered adequate and proper.

F. **OWNERS ASSOCIATION REGISTRATION AND NOTIFICATION**.

1. **REGISTRATION**. Owners associations desiring notice of requests for Building Permits within their boundaries must file written registration annually with the Park City Building Department and pay an annual fee of fifty dollars (\$50.00). The registration must consist of a copy of the Owners association's Utah State Business or corporate registration and the names, addresses including post office box numbers, and telephone numbers of at least three (3) authorized representatives of the Owners association and a notarized statement certifying that these individuals are the authorized representatives of said association.

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Associations not registered with the City will not be included in the published list of Owners associations and do not receive notice of Building Permit requests prior to their issuance.

Any change(s) in the above information must be forwarded in writing to the Building Department within ten (10) days of the change.

2. **NOTICE.** Prior to, or at the time of Application for a permit for any Development, the Applicant must file with the City evidence of notification to the appropriate registered Owners association(s). Acceptable evidence of notification shall be the following:

- a. the properly executed notice form, as approved by the City; or
- b. a signed return receipt from a certified letter posted to the registered association representative, with a copy of the notice form approved by the City.

3. **CITY NOT PARTY TO DISPUTES.** The City is not the arbiter of disputes between an Applicant and an Owners association. Nothing herein shall be interpreted to require Owners association consent prior to City Final Action. This notice is courtesy notice only.

G. **NOTICE FOR AN AMENDMENT TO PUBLIC IMPROVEMENTS.** Prior to implementing an amendment to adopted specifications for public improvements that apply to Subdivisions or Development, the City shall give thirty (30) days mailed notice and an opportunity to comment to anyone who has requested the notice in writing.

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**15-1-21 Notice Matrix**

NOTICE MATRIX (See Section 15-1-12 for specific notice requirements)			
ACTION:	POSTED IN A PUBLIC LOCATION WITHIN THE CITY:	MAILING:	PUBLISHED ON THE CITY WEBSITE AND ON THE UTAH PUBLIC NOTICE WEBSITE):
<b><u>CLASS A:</u></b>			
<b><u>General Plan</u></b>	10 days prior to the first hearing before Planning Commission	Required mailing 10 days prior to the first hearing to each	10 days prior to the first hearing before the Planning Commission and City Council. Any subsequent hearings shall be so published at least 24 hours prior to hearing.
<b><u>General Plan Amendments</u></b>	and City Council in the area to be zoned or rezoned, <u>or in a place reasonably likely to be seen by residents.</u> Any subsequent hearings	<del>[resident in the area to be zoned or rezoned;]</del> Affected Entity, and to each Property Owner whose property is at least partially within the area <del>[to be]</del> <u>affected by the amendments [zoned or rezoned]</u> .	
<b><u>Zoning<del>, and</del></u></b>			
<b><u>Rezoning</u></b>	shall be posted at least 24 hours prior to hearing.		
<b><u>CLASS B:</u></b>			

<p><b>LMC Amendments</b></p>	<p>10 days prior to the first hearing before the Planning Commission and City Council in a place reasonably likely to be seen by residents. Any subsequent hearings shall be posted at least 24 hours prior to hearing.</p>	<p>Required mailing 10 days prior to the first hearing to each Affected Entity and to each resident and Property Owner in the area directly affected by the amendments.</p>	<p>10 days prior to the first hearing before the Planning Commission and City Council. Any subsequent hearings shall be so published at least 24 hours prior to hearing.</p>
<p><b><u>MINISTERIAL:</u></b></p>			
<p><b><u>Zoning or LMC Amendments that: A. update the LMC to align with State or Federal law; B. affect an entire zoning district or</u></b></p>	<p><u>10 days prior to the first hearing before Planning Commission and City Council in the area to be zoned or rezoned, or in a place reasonably likely to be seen by residents. Any subsequent hearings</u></p>		<p><u>10 days prior to the first hearing before the Planning Commission and City Council. Any subsequent hearings shall be so published at least 24 hours prior to hearing.</u></p>



<u>multiple zoning districts;</u> <u>C. make minor clerical correction text amendments;</u> <u>D. recodify existing land use ordinances;</u> <u>E. or designate an affected area of a boundary adjustment or annexation.</u>	<u>shall be posted at least 24 hours prior to hearing.</u>		
<b>[General Plan Amendments]</b>	<del>[10 days prior to the first hearing before the Planning Commission and City Council in a place reasonably likely to be seen by residents. Any subsequent hearings</del>	<del>[Required mailing 10 days prior to the first hearing to each Affected Entity.]</del>	<del>[10 days prior to the first hearing. Any subsequent hearings shall be so published at least 24 hours prior to hearing.]</del>

	<del>shall be posted at least 24 hours prior to hearing.]</del>		
<b><u>All OTHER NOTICES:</u></b>			
<b>Master Planned Developments (MPD)</b>	14 days prior to the first hearing.	Courtesy mailing 14 days prior to the first hearing, to Property Owners within 300 ft.	14 days prior to the first hearing.
<b><u>Conditional Use Permit (CUP)</u></b>			
<b>Appeals of Planning Director, Historic Preservation Board, or City Council Call-Up and Reconsideration</b>	14 days prior to the date set for the appeal <u>or</u> reconsideration (See Section 15-1-18).	Courtesy mailing 14 days prior to the appeal or reconsideration to all parties who received mailed notice for the action being appealed <u>or</u> <u>reconsidered</u> (See Section 15-1-18).	14 days prior to the date set for the appeal <u>or</u> reconsideration (See Section 15-1-18).
<b>Appeals of Planning Commission to Hearing Officer</b>	None	None	24 hours prior to the appeal.

<b>Conditional Use Permit</b>	<del>14 days prior to the first hearing before the Planning Commission.</del>	<del>Courtesy mailing 14 days prior to the first hearing before the Planning Commission, to Property Owners within 300 ft.</del>	<del>14 days prior to the first hearing before the Planning Commission.</del>
<b>Administrative Conditional Use Permit</b>	10 days prior to Final Action.	Courtesy mailing 10 days prior to Final Action, to adjacent Property Owners.	<u>10 days prior to Final Action.</u>
<u><b>Administrative Permit</b></u>			[ <del>No published notice required.</del> ]
<b>Administrative Permit</b>	<del>10 days prior to Final Action.</del>	<del>Courtesy mailing 10 days prior to Final Action, to adjacent Property Owners.</del>	<del>No published notice required.</del>
<u><b>Variance Requests</b></u>	14 days prior to the <u>public meeting</u> [ <del>first hearing</del> ] before the Board of Adjustment. <u>Appeals and</u>	Courtesy mailing to owners within 300 ft. 14 days prior to the <u>public meeting</u> [ <del>first hearing</del> ] before the Board of Adjustment[ <del>to owners within 300 ft.</del> ].	14 days prior to the <u>public meeting</u> [ <del>first hearing</del> ] before the Board of Adjustment.
<u><b>Non-Conforming Use Modifications</b></u>			
<b>[Variance Requests, Non-conforming Use Modifications]</b>			

<del>and</del> ]Appeals to Board of Adjustment			
<b>Certificate of Appropriateness for Demolition (CAD)</b>	45 days on the Property upon refusal of the City to issue a CAD; 14 days prior to the first hearing before the CAD Hearing Board.	Courtesy mailing 14 days prior to the first hearing before the Historic Preservation Board, to Property Owners within 300 ft.	14 days prior to the first hearing before the Historic Preservation Board.
<b>Determination of Significance</b>	14 days prior to the first hearing before the Historic Preservation Board.	Courtesy mailing 14 days prior to the first hearing before the Historic Preservation Board to property owners within 100 feet.	14 days prior to the first hearing before the Historic Preservation Board.
<u><b>Historic Preservation Board Review for Material Deconstruction</b></u>			
<b>Historic Preservation Board Review</b>	<del>14 days prior to the first hearing before the Historic Preservation Board.</del>	<del>Courtesy mailing 14 days prior to the first hearing before the Historic Preservation Board to</del>	<del>14 days prior to the first hearing before the Historic Preservation Board.</del>

<b>for Material Deconstruction</b>		<del>property owners within 100 feet.</del>	
<b>Historic District or Historic Site Design Review</b>	<p>First Posting: The Property shall be posted for a 14 day period once a Complete Application has been received. The date of the public hearing shall be indicated in the first posting. Other posted legal notice not required.</p> <p>Second Posting: For a 30 day period once the Planning Department has determined the proposed plans comply or does not comply with the Design Guidelines for</p>	<p>First Courtesy Mailing: To Property Owners within 100 feet once a Complete Application has been received, establishing a 14 day period in which written public comment on the Application may be taken. The date of the public hearing shall be indicated.</p> <p>Second Courtesy Mailing: To Property Owners within 100 feet and individuals who provided written comment on the Application during the 14 day initial public comment period. The second mailing occurs once the Planning Department determines whether the proposed plans comply or do not comply with the Design Guidelines for</p>	<p>If appealed, then once 14 days before the date set for the appeal.</p>

	Historic Districts and Historic Sites. Other posted legal notice not required.	Historic Districts and Historic Sites and no later than 45 days after the end of the initial public comment period. This establishes a 30 day period after which the Planning Department's decision may be appealed.	
<b>Annexations</b>	Varies, depending on number of Owners and current State law. Consult with the Legal Department.		
<b>Termination of Project Applications</b>	-----	Required mailing to Owner/Applicant and certified Agent by certified mail 14 days prior to the Planning Director's termination and closure of files.	-----
<b>Simple Boundary Adjustments: Between 2 Lots without a plat amendment</b>	10 days prior to Final Action on the Property. Other posted legal notice not required.	Courtesy mailing to Property Owners within 300 ft. at time of initial Application for Lot line adjustment. Need consent letters, as described on the Planning Department	<u>10 days prior to Final Action on the Property.</u>

		Application form, from all adjacent Owners.	
<b>Preliminary and Final Subdivision Plat Applications</b>	14 days prior to the first hearing.	Courtesy mailing 14 days prior to the first hearing to Property Owners within 300 ft.	14 days prior to the first hearing before the Planning Commission.
<b><u>Condominium Plats</u></b>			
<b><u>Condominium Plat Amendments</u></b>			
<b><u>Subdivision Plat Amendments</u></b>			
<b><del>Condominium Plats</del></b>	<del>14 days prior to the first hearing.</del>	<del>Courtesy mailing 14 days prior to the first hearing to Property Owners within 300 ft.</del>	<del>14 days prior to the first hearing before the Planning Commission.</del>
<b><del>Condominium Plat Amendments</del></b>	<del>14 days prior to the first hearing.</del>	<del>Courtesy mailing 14 days prior to the first hearing, to Property Owners within 300 ft.</del>	<del>14 days prior to the first hearing before the Planning Commission.</del>

<b><del>Subdivision Plat Amendments</del></b>	<del>14 days prior to the first hearing.</del>	<del>Courtesy mailing 14 days prior to the first hearing, to Property Owners within 300 ft.</del>	<del>14 days prior to the first hearing before the Planning Commission.</del>
<b>Implementing an Amendment to Adopted Specifications for Public Improvements that Apply to a Subdivision or Development</b>		The City shall give a thirty (30) day mailed notice and an opportunity to comment to anyone who has requested the notice in writing.	
<b>Vacating or Changing a Public Street, Right-of-Way, or Easement</b>	10 days prior to each hearing before the City Council on or adjacent to the Street, Right-of-Way, or easement or in a public location that is reasonably likely to be seen by persons who	Required mailing to each Property Owner of record of each Parcel or Lot that is accessed by the Public Street, Right-of-Way or easement and each Affected Entity at least 10 days prior to the hearing before the City Council.	10 days prior to the hearing before the City Council.



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76 Planning Staff shall have the authority to approve an applicant's request for a

continuanance for an item scheduled for a public hearing or an item scheduled for an appeal, up to two (2) times, so long as the request for the continuance is made in writing, is for a reasonable cause, and is received by Planning Staff at least ~~five (5)~~ business seven (7) days prior to the scheduled public hearing or appeal. If Planning Staff does not have the authority to continue an item, the Board, Commission or ~~Council~~ Land Use Appeal Authority will determine if there is a reasonable cause ~~sufficient reason~~ to continue the item on the scheduled date. If it is determined there is not ~~sufficient reason~~ reasonable cause to continue the item, the item will remain on the agenda and be considered.

Justifications which the Planning Staff or Commission may find reasonable cause include, but are not limited to: demonstrated travel or work disruption beyond the applicant's control; illness of the applicant, representative, or family; other demonstrated emergency circumstances; the need for additional time to respond to recent public, staff or third party/Development Review Committee input; or other circumstances justifying additional time in order to ensure due process.

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### **15-8-1 Purpose**

The annexation requirements specified in this Chapter are intended to protect the general interests and character of the community; assure orderly growth and Development of the Park City community in terms of utilities and public services; preserve open space, enhance parks and trails; ensure environmental quality; protect entry corridors, view sheds and environmentally Sensitive Lands; preserve Historic and cultural resources; create buffer Areas; protect public

99 health, safety, and welfare; and ensure that annexations are approved consistent with the Park  
100 City General Plan and Utah State law.

101 In meeting the goals of Park City's annexation policy plan, contained herein, the Planning  
102 Commission and City Council shall strive to avoid gaps between or overlaps with the expansion  
103 Area of other municipalities; consider the population growth projections for Park City and adjoining  
104 Areas for the next twenty (20) years; consider current and projected costs of infrastructure, urban  
105 services, and necessary public facilities; facilitate full Development of Areas within Park City;  
106 expand infrastructure, services, and facilities into the Area being considered for inclusion in the  
107 expansion Area when practical and feasible; consider, in conjunction with Park City's General  
108 Plan, the need over the next twenty (20) years for additional land suitable for residential,  
109 commercial, and industrial Development; consider the reasons for including agricultural lands,  
110 forests, recreation Areas, and wildlife management Areas in Park City; and be guided by the  
111 following principles:

112 If practical and feasible, boundaries of an Area proposed for annexation shall be drawn:

113 A. Along the boundaries of existing special districts for sewer, water, fire, and other services,  
114 along the boundaries of school districts whose boundaries follow City boundaries or school  
115 districts adjacent to school districts whose boundaries follow City boundaries, and along  
116 the boundaries of other taxing entities;

117 B. To eliminate islands and peninsulas of territory that are not receiving municipal type  
118 services;

119 C. To facilitate the consolidation of overlapping functions of local government;

120 D. To promote the efficient delivery of services; and

E. To encourage the equitable distribution of community resources and obligations.

It is the intent of this Chapter to ensure that Property annexed to the City will contribute to the attractiveness of the community and will enhance the resort image which is critical for economic viability, and that the potential deficit of revenue against expense to the City is not unreasonable. This Chapter shall be considered Park City's annexation policy plan and declaration.

This Chapter hereby incorporates by reference all standards required and suggested by Sections 10-2-~~401~~801 et seq. of the Utah Code, as amended.

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### **15-8-3 Property Owner Initiation Of Annexation**

When initiated by a Property Owner, the process for annexation shall be as follows:

A. The Property Owner or Owners shall submit to the City a petition for annexation. The petition shall meet the criteria and shall be in the form as established by the City and in compliance with State law as set forth in Sections ~~10-2-401, 402, and 403~~ 801, 804, and 806 of the Utah Code, as amended.

1. The petition shall contain signatures of Property Owners representing a majority of the private land Area and at least one-third (1/3) of the value of all private real Property within the Area proposed for annexation.
2. If the Area is within an Agriculture Protection Area created under State law Title 17, Chapter 41, Agriculture, Industrial, or Critical Infrastructure Materials Protection Areas, or a Migratory Bird Production Area created under State law Title 23~~A~~, Chapter ~~28~~13, Migratory Bird Production Area, then the petition must cover one hundred percent (100%) of the private land Area within the Area proposed for annexation;

144 **15-8-4 Procedure For Petition And Annexation Plats**

145 The procedure for processing annexation petitions and plats shall be as follows:

146 A. A petition and proper plat certified by a licensed surveyor shall be submitted to the City  
 147 Recorder in accordance with Section 10-2-[403]806(3)(C) of the Utah Code, as amended,  
 148 together with any other information required by the City staff to enable the staff to prepare  
 149 an annexation impact report.

150 B. Prior to City Council action on the petition, the petition and plat shall be reviewed by the  
 151 Planning Director, who shall determine the feasibility of expanding the annexation  
 152 boundaries and who shall prepare a written recommendation for consideration by the City  
 153 Council.

154 C. If the City Council accepts the annexation petition, the petition shall be delivered to the City  
 155 Recorder for certification pursuant to Section 10-2-[405]807 of the Utah Code, as  
 156 amended.

157 D. If the annexation petition is certified by the City Recorder, the City Council shall provide for  
 158 public notice as set forth in Section 10-2-[406]808 of the Utah Code, as amended.

159 E. The Planning Commission, upon referral from the Planning Director, shall hold a public  
 160 hearing and make a recommendation on the annexation proposal, including the  
 161 recommended zoning, to the City Council. After receipt of the Planning Commission's  
 162 recommendation and after giving notice pursuant to Section 10-2-[406]808 of the Utah  
 163 Code, as amended, the City Council shall hold a public hearing on all proposed  
 164 annexations. After closure of the public hearing, the City Council may either grant or deny  
 165 the annexation petition; provided, however, that protests to an annexation petition shall be

dealt with as set forth in Section ~~10-2-[407]~~810 of the Utah Code, as amended. ~~[Denial of or granting the petition under protest is subject to Section 10-2-408 of the Utah Code, as amended.]~~ If City Council grants the annexation petition, it shall assign a zone to the annexed territory at the time the territory is annexed.

F. Once the City Council enacts an ordinance annexing an unincorporated Area or adjusting a boundary all applicable zoning and Land Management Code sections shall apply to the annexed Property.

G. Within thirty (30) days after enacting an ordinance annexing an unincorporated Area or adjusting a boundary, the City shall file with the Lieutenant Governor of the State of Utah the notice of annexation, as required by Section ~~10-2-[425]~~813 of the Utah Code, as amended.

H. Upon receipt of the Certificate of Annexation from the Lieutenant Governor, the City shall record with the County Recorder:

1. The original notice of annexation filed with the Lieutenant Governor;
2. The Certificate of Annexation issued by the Lieutenant Governor;
3. The original approved plat or map prepared by a licensed surveyor and approved by the City; and
4. A certified copy of the ordinance approving the annexation.

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#### **15-8-6 Municipal Initiation Of Annexation**

It shall be the policy of the City to annex Areas meeting all of the following criteria with or without receipt of a petition from the Property Owners:

- 188 A. The annexation is an island within or a peninsula contiguous to the City;
- 189 B. The majority of each island or peninsula consists of residential or commercial Development;
- 190 C. The Area proposed for annexation requires the delivery of municipal-type services;
- 191 D. The City has provided most or all of the municipal-type services to the Area for more than
- 192 one (1) year; and
- 193 E. Annexation of the Area is supported by the goals of the Park City General Plan, including
- 194 open space, land Use, Affordable Housing, recreation, growth management, and
- 195 economic Development.

196 Such annexations shall be processed as provided under Section ~~10-2-[448]~~812 of Utah Code, as

197 amended, including all noticing and public hearing requirements. This review shall be in addition

198 to the review required in Section 15-8-5 herein.

199 If written protest to such annexation is timely filed and complies with Section ~~10-2-[448]~~812

200 Subsection ~~[(8)]~~6 of the Utah Code, as amended, the City may not adopt an ordinance annexing

201 the Area proposed for annexation, and the annexation proceedings under this Section shall be

202 considered terminated.

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204 **15-10-9 Persons Entitled To Appear**

205 ~~At Utah Code prohibits a public hearing for Variance and Appeal Applications. The meeting~~

206 ~~hearing is open for public attendance. [on any matter before the Board of Adjustment, any Person~~

207 ~~aggrieved or interested in the matter may appear in person or through their attorney to testify on~~

208 ~~the matter.]~~ The Applicant shall have the right to respond to testimony offered in opposition to the

209 Application.

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211 **15-15-1 Definitions**

212 **APPLICATION.** A written request, completed in a manner prescribed in this Code, for review,  
 213 approval, or issuance of a [~~Development~~] land use permit, including but not limited to Conditional  
 214 Use Permits, [~~permits, Building Permits,~~] variances, annexations, Master Planned Developments,  
 215 and re-zoning requests, Subdivision and Condominium plats, plat amendments, Code  
 216 amendments, design review, and Administrative Permits.

217 1. **Application, Complete.** A submission that includes all information required [~~requested~~]  
 218 on all applicable [~~the appropriate~~] forms, all required documents and exhibits to show  
 219 project compliance with the standards established in this Title, and payment of all  
 220 applicable fees.

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222 **BUILDING PERMIT.** A permit issued by the Chief Building Official authorizing Construction  
 223 Activity on a Property or Lot.

224 1. **Building Permit Submittal, Complete.** A submission that includes all information  
 225 required, completed in a manner prescribed in this Code, which may include: the  
 226 name, address, and contact information of the applicant and the construction  
 227 manager or general contractor, a site plan, construction plans and drawings,  
 228 documentation of energy code compliance, structural calculations, a geotechnical  
 229 report, other documents to demonstrate compliance with the requirements of this  
 230 Code, and any required plan review fees.