PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
May 22, 2024

The Planning Commission of Park City, Utah, will hold its regular meeting in person at the Marsac Municipal Building, City Council Chambers, at 445 Marsac Avenue, Park City, Utah 84060. Meetings will also be available online and may have options to listen, watch, or participate virtually.

MEETING CALLED TO ORDER AT 5:30 PM.

1. ROLL CALL

2. MINUTES APPROVAL

2.A. Consideration to Approved the Planning Commission Meeting Minutes from April 24, 2024

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

4. PUBLIC COMMUNICATIONS

5. REGULAR AGENDA

5.A. **176 Main Street - Plat Amendment -** The Applicant Proposes to Create One Lot from a Metes and Bounds Parcel in the Historic Residential - 2 Zoning District. PL-24-06085
(A) Public Hearing; (B) Action

5.B. **1061 and 1063 Lowell Avenue - Condominium Plat Amendment -** The Applicant Proposes to Create Four Condos in Two Duplexes in the Historic Residential - 1 Zoning District. PL-24-06052
(A) Public Hearing; (B) Action

5.C. **2250 Deer Valley Drive South - Conditional Use Permit -** The Applicant Proposes a New Passenger Tramway (Ski Lift), Approximately 4.62 Miles of New Beginner Ski Runs, an 8,483-Square-Foot Terminal and Lift Storage Building, and a 375-square-foot Operator House in the Recreation and Open Space Zoning District and Sensitive Land Overlay. PL-23-05938 (40 mins.)
(A) Public Hearing; (B) Action

5.D. **Bonanza Park Small Area Plan –** The Consultants Will Present the Draft Plan to the Planning Commission, Which Establishes a Vision Statement and Project Goals to Create a Mixed-Use, Local, User-Friendly, Inclusive, Green, and Cultural Neighborhood. PL-24-06026.
(A) Public Hearing; (B) Continuation to June 12, 2024

6. ADJOURNMENT

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting.

***Parking is available at no charge for meeting attendees who park in the China Bridge parking structure.**

A majority of Planning Commissioners may meet socially after the meeting. If so, the location will be announced by the Planning Commission Chair. City business will not be conducted.

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
APRIL 24, 2024

COMMISSIONERS IN ATTENDANCE: Chair Sarah Hall, Vice Chair Christin Van Dine, Laura Suesser, Bill Johnson, John Frontero, Henry Sigg, Rick Shand

EX OFFICIO: Rebecca Ward, Planning Director; Virgil Lund, City Planner; Lillian Zollinger, City Planner; Spencer Cawley, City Planner; Jason Berntson, Planning Technician; Jaron Ehlers, Planning Technician; Mark Harrington, City Attorney

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1. ROLL CALL

Chair Sarah Hall called the meeting to order at approximately 5:30 p.m. She announced that all Commissioners were present, with the exception of Commissioner Henry Sigg and Commissioner Christin Van Dine, who were expected to join shortly.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from March 27, 2024.

MOTION: Commissioner Bill Johnson moved to APPROVE the Planning Commission Meeting Minutes from March 27, 2024. Commissioner Rick Shand seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission. Commissioners Van Dine and Sigg were not present for the vote.

B. Consideration to Approve the Planning Commission Meeting Minutes from April 10, 2024.

Commissioner Sigg joined the meeting.

MOTION: Commissioner John Frontero moved to APPROVE the Planning Commission Meeting Minutes from March 27, 2024. Commissioner Shand seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission. Commissioner Johnson abstained from the vote as he was not present at the April 10, 2024, Planning Commission meeting. Commissioner Van Dine was not present for the vote.

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3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Planning Director Rebecca Ward reported that per the Planning Commission's recommendations last year to amend the Land Management Code ("LMC"), appeals of Planning Commission final action were no longer reviewed by the City Council; rather, a new three-member Appeal Panel now reviewed appeals. She stated that the City Council adopted those recommended amendments, and in July 2023 established the Appeal Panel. City Council appointed Adam Strachan, Esteban Nunez, and Matthew Day to serve on the Appeal Panel. The Appeal Panel met for the first time in March to review the appeal of a denial for a sports court at 1115 Aerie Drive, and as a result of that review remanded it to the Planning Commission for review. That item is on tonight's Regular Agenda.

Director Ward also updated the Commission on the status of other pending appeals. She stated that the 220 King Road approval was scheduled for a hearing before the Appeal Panel on April 30th at 5:00 p.m. There was also an appeal of the Planning Commission's approval of the Smith Subdivision, scheduled for a hearing before the Appeal Panel on May 6, 2024.

Additionally, an appeal of the Planning Commission's denial of the 844 Empire Avenue Plat Amendment to change access from Empire Avenue to Crescent Tram Road was not yet scheduled for review by the Appeal Panel.

In response to an inquiry, Planning Technician Jaron Ehlers stated the address for the Smith Subdivision was 2685 Meadow Creek Drive.

Director Ward thanked the members of the public who were in attendance at the meeting and reminded those wishing to comment to state their full name and sign in. Comments would be limited to three minutes or less and should be directed to the Commission and not to the applicant or others in attendance. She also reminded speakers to be civil and address matters in the pending application before the Commission.

Commissioner Shand disclosed that he is a member of Park Meadows Country Club. He stated he would not be recusing himself from Regular Agenda Item 6.D., as his membership would not affect his vote on this item.

Commissioner Frontero also disclosed that he is a member of the Park Meadows Country Club, and stated he would be able to make an impartial decision on Regular Agenda Item 6. C. He did not recuse himself from this item.

Commissioner Sigg disclosed that for Work Session Item 5.A., he was originally contracted to purchase Snow Creek Drive, and was involved in the design of the current facility prior to the development of the Utah State Liquor Store, the coffee shop, and the Key Bank. He stated he would not recuse himself from that item.

Commissioner Johnson reported that for Regular Agenda Item 6.B., the Wildlife Management Plan and Open Space Management Plan were prepared by SWCA in 2001. He is a current employee of SWCA but was not employed with them in 2001. He stated this would not affect his decision on that matter.

With respect to Regular Agenda Item 6.C., Commissioner Johnson disclosed that his father-in-law was the original owner of Hidden Hollow LLC, which was part of the settlement agreement

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with Telemark Park. He reported that he was not privy to any of that information, and it would not affect his decision on the matter.

Chair Hall acknowledged that Commissioner Christin Van Dine joined the meeting.

4. PUBLIC COMMUNICATIONS

There were no public communications.

5. WORK SESSION

A. 1300 Snow Creek Drive – Minor or Substantive Determination for a Modification to a Master Planned Development – The Applicant Proposes to Construct 29 Additional Parking Spaces at the Snow Creek Master Planned Development. PL-23-05780.

City Planner, Virgil Lund reported that the applicant was present as represented by the property manager for the Snow Creek Marketplace. This application sought modification to a Master Planned Development ("MPD"). The applicant proposed to construct 29 additional parking spaces with two Electric Vehicle ("EV") Charging Stations. He presented a site plan that illustrated the location of these spaces. Planner Lund summarized the extensive background of this property. He stated that in April 1993, the Planning Commission originally denied a Large Scale MPD. That decision was appealed to the City Council, which then approved the MPD and removed the residential portion of the development.

In September 1993, the Planning Commission approved the MPD with 90,000 square feet of commercial shopping space. In October 1993, two Conditions of Approval were appealed to the City Council. He reported that the City Council removed the requirement found in Condition of Approval 17 that required the applicant to enter into an agreement with the City for event parking. He noted that the Final Action Letter contained in the packet might be slightly misleading as the first page had some communication from Staff and the applicant. He stated, however, that Condition of Approval 17 was removed.

Additionally, the City Council required that 365 parking spaces be constructed as part of the development instead of a total of 446 parking spaces over the course of three phases. Planner Lund reported that when the liquor store was constructed in 2006 42 parking spaces were removed. He presented a graphic showing the location of the liquor store and the parking spaces that were removed.

According to LMC Section 15-3-6, Planner Lund explained that the existing uses at the Snow Creek Shopping Center require approximately 396 parking spaces. There are currently 324 existing parking spaces, and the applicant has proposed 29 additional parking spaces for a total of 353 parking spaces. He explained that the Minor Modification Criteria include modifications that do not trigger additional off-street parking demand, do not reduce Open Space, and do not increase traffic by 5% or more.

Planner Lund reported that the applicant proposed to bring the MPD into greater compliance with the Finding of Fact regarding the number of parking spaces to be constructed originally. There were no other proposed changes to the Conditions of Approval. None of the dedicated Open Space parcels, which total 24 acres, would be affected by this proposal. There would still be

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approximately 55,000 square feet of landscaped Open Space, which would total approximately 38% of the parking area. Therefore, this project would continue to meet the 30% Open Space requirement for the MPD. Planner Lund reported that Staff recommended the Planning Commission review the proposal and consider whether the modification to the MPD would be considered Minor or Substantive.

Applicant-representative Kent Gibson reported that he is with Capstone Property Management, the property manager for the site. He stated they had been the property manager for this site for close to eight years. As he expressed his intent to retire, he promised the property owner to do some housekeeping that involved evaluating the site. As part of this evaluation, he was significantly concerned with three issues. First, the site does not have good ADA parking for the market and he would like to have the ADA parking closer to the market. He noted that during the last major snow event, it became obvious that the areas between the liquor store and the market were overdone with snow removal due to the way it was built. He stated they want to remove some of the curb areas to be able to create a more efficient snow removal process. The third issue they were trying to solve was related to some of the parking issues that were created when the liquor store was constructed. He added that they looked at where they could gather some additional parking and do so appropriately. Applicant-representative Gibson stated they were not trying to do anything overly significant, but wanted to help provide better public access and availability for this site.

Chair Hall invited clarifying questions from the Commission.

Commissioner Shand acknowledged the applicant's intentions with respect to this application and mentioned Planner Lund's comments regarding installing EV Charging Stations. Applicant-representative Gibson reported that they had been working on this for a year or longer, and had taken input from the Planning Department as they have worked through the process. He stated that the EV Charging Stations were one of the requirements suggested by Staff, and they would incorporate two EV Charging Stations, one of which would be ADA-compliant.

Commissioner Suesser asked if the issue was that the parking was currently not ADA-compliant, or whether the location was further away from the market. Applicant-representative Gibson stated the ADA parking was located out in the field, requiring a patron to cross over the traffic lane in order to get to the market. If they were constructing this site anew, the ADA codes would require ADA parking closer to the market with direct access.

On the issue of whether this would be Minor versus Substantive Modification, Commissioner Johnson offered that based on the Planning Commission's Final Action Letter from September 23, 1993, he questioned whether there was current compliance with many of those items. He asked if this Commission could address those issues with either a Substantive or Minor Modification to the MPD.

Senior City Attorney, Mark Harrington stated that if the issues did not implicate the standards of Substantive versus Minor, they might raise them for Staff to follow up on if the Commission agreed it was Minor. If it was Substantive, the Commission could request those be addressed when this item is scheduled for Final Action. He added that it would only come back to the Commission if it determined that the modification was Substantive. He stated the first threshold issue was whether this would be a Minor or Substantive Modification. Thereafter, the pathway to address any issues could be defined.

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Commissioner Suesser noted that this was a Work Session, and wondered if the Commission was being asked to determine whether this would be a Substantive or Minor Modification. Director Ward explained that for the initial determination, there would be no public hearing required; however, if this was determined to be a Minor Modification, then the application would be reviewed at the Staff level. If the Commission determined this to be Substantive, then it would come back to the Planning Commission for final action.

Commissioner Suesser had some questions about this application as well and expressed that she would need more information before making a decision on whether it would be a Substantive or Minor Modification.

Chair Hall directed the Commission to address the criteria for a Minor Modification as presented by Staff.

Commissioner Suesser observed that the proposal decreased Open Space, although not below the percentage required by the Code. She felt that given the plain meaning of the analysis, because the proposal would reduce Open Space it would trigger a Substantive Modification. Planner Lund clarified that the proposal would reduce the landscaped Open Space; however, the dedicated Open Space parcels included on the Plat would remain.

Commissioner Johnson noted that the Open Space would be reduced, but it would still be compliant with the Code. Commissioner Suesser proffered that if the proposal would reduce Open Space that would trigger a Substantive Modification. Commissioner Johnson agreed that was how he read it, and reiterated because there were some existing compliance issues with the property, his initial position was to consider this a Substantive Modification. He acknowledged that relying solely on the Open Space criterion would be a challenge. He desired to clean up some of the compliance issues and noted some were positive and some were negative, but felt there were ways to amend the MPD to benefit the community and the owner.

Commissioner Suesser also felt there were some issues in the application that needed to be addressed, particularly the amount of overflow parking in this center by Hotel Park City employees. She reported that she raised this issue with Planner Lund before this meeting, and asked the applicant to address it. Applicant-representative Gibson reported that there was no agreement that allowed Hotel Park City employees to park at this center, and additionally, he had contacted the employer to advise that the hotel employees were not allowed to use this parking lot. He added that prior to his involvement with this property, Hotel Park City had asked for some sort of agreement during construction activities at the Hotel, but nothing had been in place for years.

Commissioner Johnson noted that approximately 15 cars were shown parked on the aerial image, and asked if the applicant proposed to remove those and make this a non-parking area. Applicant-representative Gibson stated those spots were not part of their parking count, and was something that occurred organically due to insufficient parking. He added that they had not taken steps to tow those vehicles, but reiterated this area was not part of the applicant's recognized parking area, nor were they trying to make it part of the recognized parking area. Applicant-representative Gibson confirmed that was also the situation at the hammerhead and added that they sometimes had food trucks parked there that they needed to have towed. He stated the applicant has an ongoing agreement with Park City Towing to tow cars that are not authorized to park in those areas.

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Commissioner Johnson requested some ideas to address that, as he lives nearby and walks by every day. He noted there are constantly vehicles parked in that area and at the hammerhead. He also mentioned that tour buses park in that area as well. Applicant-representative Gibson stated that he has told tour bus operators that the site was not built to allow tour bus parking. He offered that by building additional parking spaces that are close and convenient, they hope that some of this other parking would go away. He stated the purpose of the drive lane is vehicular traffic whereas the hammerhead is used for deliveries. He stressed this was part of the reason they were trying to address this issue. He stressed that the challenge they have as property managers is that if they start towing the tenant's customers that would become problematic. He stated they were trying to solve the issue without becoming aggressive.

Commissioner Johnson noted the constant non-compliance with parking in that area and in the hammerhead, and would ideally like to see a plan in place to address that non-compliance. Additionally, as he looked at the proposed ADA parking, they would remove four spots in front of the market. Applicant-representative Gibson stated they would add one more space in that area for EV Charging. He stated they worked through this with the Building Department to make certain that this plan conformed to ADA requirements. Planner Lund confirmed that the Building Department signed off on the site plan presented as part of this application.

Commissioner Johnson observed that the plan would only leave two spots for ADA parking in front of the market. Applicant-representative Gibson stated that the Building Department also had them place two more ADA parking spaces on the other side for the other entry. Those two spots would still require the users to go across the road. He added that the Building Department required them to spread out the ADA parking stalls so they could function with the curb cuts.

Commissioner Johnson noted that was interesting, but trusted the Building Department's input. He noted, however, that it appeared there would actually be a deficiency in ADA-compliant parking spaces directly in front of the two most popular businesses: the market and the liquor store. He noted that the ADA spaces near the dental office would require a patron to navigate the blocked-out sidewalk all the way to the market. Applicant-representative Gibson clarified that the sidewalk along the street face is approximately 9 feet wide, and the sidewalk by the dental office is approximately 19'6" wide and would not be removed. He confirmed that the major sidewalks were all in place and would remain.

Planner Lund recalled that the Building Department reasoned that instead of having the ADA spaces in front of the market and across the road, they wanted the spaces to have direct sidewalk access so users would not have to cross the road to get to the market. Commissioner Johnson observed that the sidewalk on the street side directly in front of the market was too narrow and not ADA-compliant. Applicant-representative Gibson stated there would be ADA parking on both sides and explained that the Building Department wanted ADA on both sides so there would be ADA spaces for the other side of the market.

Commissioner Johnson next referenced the maintenance and management plan for the development set forth in the Final Action Letter. This requirement included maintenance of the trails, walkways, bike racks, bus shelters, and more. He noted that those areas did not appear to be maintained on a consistent basis. He added there was no real sidewalk access from any of the public trail meet-points surrounding the development. He made particular mention of the west side where there was no connection point from the major McLeod Creek public trail to the shopping center, as well as no available curb cuts. He clarified for the applicant that the area to the west is the area where Hotel Park City employees have parked.

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Applicant-representative Gibson noted there was a sidewalk along there, and if they created a curb cut he asked if that would satisfy Commissioner Johnson's concern. Commissioner Johnson agreed and stressed that this occurred on both sides, so they would need to figure out a way to connect the public trail to the shopping center sidewalks. He felt this would somewhat balance out the fact that the project was under-parked based on the center's current uses. It would also provide the community a benefit that would allow them to access this area safely.

Commissioner Johnson also mentioned keeping the sidewalks maintained. Applicant-representative Gibson stated that last year they performed substantial sidewalk work, as well as work on the storm water basins on the west side to make sure they were working well. He stated he would be open to Commissioner Johnson's suggestion of a curb cut off the trail.

Commissioner Johnson suggested it would be good for the applicant to sit down with the Trails Department before coming back before the Commission. Applicant-representative Gibson stated they would be happy to do that, and added that they were working with the Trails Department on the Snow Creek crossing on Kearns Boulevard.

Commissioner Johnson also addressed Condition of Approval 5 that no outdoor display of merchandise would be allowed without a Conditional Use Permit ("CUP"). He felt this was something that could be evaluated at the Staff level. He was unsure if the outdoor dining was compliant. Applicant-representative Gibson was also unsure whether the outdoor dining would be compliant with that Condition and explained that some of that arose during the pandemic. He stated that Wasatch Bagel had talked about creating an area for dining.

Commissioner Johnson clarified that he liked the outdoor dining, but noted the language in the Final Action Letter that "outdoor dining may be considered by the Planning Commission as a Conditional Use," and suggested making that an administrative use so it would be easier for the applicant.

Commissioner Johnson noted that the storm retention pond is and has been polluted for 14 years. He personally pulled three empty motor-oil bottles out of the pond and expressed concern that Park City Municipal owned the adjacent land that is classified as protected wetlands. Therefore, the polluted storm retention pond was not only draining into the City's land but also into the protected wetlands. He suggested that anyway this could be addressed would be appreciated.

Applicant-representative Gibson reported that the year before last, they received a neighbor complaint about trash in that area. He stated they noted that when snow was being relocated, they could have been part of the trash in that area; therefore they had cleaning crews clean up the entire area. He stated they would have the crew do the same thing this year. He mentioned that the oilcans were coming from somewhere else, but stressed they were trying to keep the area cleaned as best as possible. Commissioner Johnson understood but felt that under the Final Action Letter, it was the applicant's responsibility to maintain and manage the property.
Chair Hall suggested the Commission look into the issue of Minor versus Substantive Modification. She felt that the criterion that addressed the addition of off-street parking was moot because the applicant did not propose to add square footage. She also mentioned the component regarding increasing traffic by 5%, as the applicant would be adding stalls based on their ratio.

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Commissioner Frontero opined that by adding 29 spaces, they would increase parking by 9 percent. He felt that adding 9% more parking would increase traffic by more than 5%, thereby piercing the Substantive threshold.

Commissioner Suesser expressed concern about the applicant's statement that the overflow parking was coming from Hotel Park City employees. Applicant-representative Gibson clarified that he did not know for sure, and noted that today no one was parked there. He stated that it happens, and many times people cannot find a parking spot and that's where they go.

Commissioner Suesser noted the golf course was closed and there was no more Nordic skiing. She asked if the applicant undertook any efforts to monitor who used the parking lot because traditionally the Planning Department and City prefer not to pave their way out of problems. If there is overflow parking from Hotel Park City, for instance, they may need to find another place to park their employees. She agreed there was a need for additional parking, but she wanted to understand how that parking was being used and by whom. Commissioner Suesser wanted to see a Parking Management Plan in place wherein the applicant would monitor the parking before undertaking to pave their way out of the problem. She added that she was not saying she was completely opposed to this application and felt it was reasonable; however, these larger issues should be addressed in conjunction with any additional parking stalls.

Applicant-representative Gibson reported they had been active in letting the Hotel know that their employees cannot park there. There was initial verification that employees were parking there, and often it was the tenants who let property management know if they saw someone abusing the parking at the site. He assured that they act on that information, and mentioned the agreement with Park City Towing and the signs they erected to discourage parking in those areas. He stated that unless they actually saw the users, it was difficult to monitor who was parking there. He also spoke with the market operator about skiers who patronize the market and then leave their vehicles in the lot. The market requested that these vehicles not get towed because they view them as customers of the market.

Commissioner Johnson suggested making the entire overflow area a "No Parking" zone, as it already is not part of the center's parking area. If they need the spaces, then the applicant could come back. He noted that the concern was that the parking spaces were to be used for the uses at the Snow Creek Shopping Center, not for the adjacent properties. Applicant-representative Gibson stated that the east side utilization of the overall parking worked fine and there were available stalls on that side; however, the areas by the liquor store and the market were where they saw the over-demand that had never been solved. He did not believe it was just a matter of people poaching during certain times of the day; rather, there was simply a lot of demand. He confirmed that they needed the additional spaces outlined in this proposal because they lost 54 spots when the liquor store went in. Commissioner Johnson focused on the overflow issue on the west side.

Applicant-representative Gibson expressed hope that with the addition of parking spaces as proposed, the overflow parking along the curb by the trail would go away. Commissioner Johnson felt that the additional spots would not really allow room to come out, and his thought was to eliminate that overflow parking altogether if possible, or the applicant could include it in this proposal and add spots in that area as long as it was compliant.

Applicant-representative Gibson reported that because that is a truck lane, they assumed they could not add parking in that location.

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Commissioner Sigg suggested that a formal Parking Study might help address some of the concerns expressed by the Commission. The Parking Study could analyze peak use times and the adequacy of parking spaces, which could shed a lot of light on this discussion. Commissioner Suesser suggested adding information as to who is using the parking spaces. Commissioner Sigg added that a Parking Study might also address whether employees are parking in that area or if there was another alternative for employees to get to work. He observed that the central aisle that connects the market and the liquor store would be reduced under this proposal, and asked if the proposed sidewalk connecting these two uses would continue to be a raised sidewalk or be lowered to grade with bollards. He noted that currently, it was a pretty safe transition zone.

Applicant-representative Gibson stated this sidewalk would stay in place as is. The only thing that would be different would be the removal of the two flowerbeds at the end to facilitate snow plowing. He confirmed there would still be a buffer between the sidewalk and the back of curb at the parking. Commissioner Suesser agreed with the suggestion of a Parking Study and felt it would be helpful to include who is parking in the lot and address inadequate parking in that way rather than adding additional stalls.

Commissioner Shand asked to see the criteria for a Minor versus Substantive Modification. He did not feel that this proposal would trigger any additional off-street parking. He also did not believe that adding 29 parking spaces to an existing parking lot would increase traffic by 5% or more, as there would be no change in the footprint of the parking lot other than removing some of the median strips.

Commissioner Shand understood the points about not reducing Open Space, and noted that theoretically, this proposal would reduce Open Space; however, he stated it would not reduce Open Space below the threshold. He expressed this was the only real trigger point for him and stated that the Commission was not tasked at this time with looking at those other issues.

Commissioner Shand recognized the concerns expressed by other Commissioners, and agreed that there were likely improvements that could be made; however, considering the proposal before the Commission, he felt that a proposal that would add 29 parking spaces, add EV Charging Stations, and increase ADA parking would in his mind be a Minor Modification.

Commissioner Van Dine agreed with Commissioner Shand and did not feel the Commission required a Parking Study for 29 parking spaces that would bring the applicant closer to compliance. She agreed this would be a Minor Modification. Planner Lund explained that a Substantive Modification is one that creates additional impacts and requires review of the entire MPD. This includes modifications to a Finding of Fact or a Condition of Approval, a change in use or increase in Floor Area that triggers additional off-street parking, or a change in use that increases traffic or reduces Open Space.

Commissioner Johnson understood how this proposal could fit within the criteria for a Minor Modification and did not necessarily feel the need for a Parking Study. He noted that the applicant was currently required by Code to have 396 parking spaces, and with the proposal would increase the parking to 353 parking spaces. He struggled because he could see this as a Minor Modification to the MPD, but at the same time, he would challenge the applicant's compliance with Conditions of Approval 4, 5, 6, 7, 7.4, and 10 of the Final Action Letter. He posited that they could determine this proposal to be a Minor Modification with direction to Staff to address each of the aforementioned Conditions.

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Commissioner Johnson expressed that with this understanding he would be comfortable moving forward with this Minor Modification. He stressed he would like to get this property back into compliance with the Conditions of Approval.

In response to an inquiry, City Attorney Harrington explained that the Commission could ask Staff to focus on the issues raised, but expressed a preference that such direction be secondary to the threshold determination on the criteria.

Commissioner Suesser noted that references that the amount of stalls proposed would bring the parking into compliance. She asked for a breakdown of the parking that had been allocated and she questioned the calculation of the number of stalls required. She mentioned Silver King Coffee was allocated 34 stalls, and it is a drive-through.

Commissioner Suesser expressed that this proposal should be reviewed as a Substantive Modification because some other issues in the MPD should be addressed as raised by Commissioner Johnson. She felt that rather than just adding stalls, the applicant should monitor the parking lot so that the parking lot works more efficiently.

Commissioner Frontero agreed that there were issues with this lot that needed to be addressed as highlighted by Commissioner Johnson. That being said, looking at what is in front of the Commission he leaned towards viewing the addition of 29 parking spaces to an under-parked lot as being a Minor Modification. He requested a commitment from the property manager to address the items raised during this meeting. If the property manager made that commitment, he would be comfortable moving forward with a Minor Modification. Based on the statements made by the property manager, Commissioner Frontero felt comfortable that the applicant would address some of these issues; therefore he would consider this a Minor Modification.

Applicant-representative Gibson offered that they had been working with Planning Staff for over a year and demonstrated that they are flexible in trying to solve problems. He noted that by adding the ADA spaces they lost some other spaces, but they made the adjustments because that was the requirement. He stressed that the applicant was trying to do the best they could for the community and make this work.

Commissioner Sigg stated he was inclined to view this proposal as a Minor Modification. However, he concurred with the statements of some of the other Commissioners about fixing some of the issues raised during this meeting. If they could receive a commitment from the applicant, he was comfortable moving forward as a Minor Modification.

Commissioner Suesser asked if they could include some enforcement measures to make sure that the ‘no parking’ along the north curb was enforced. She felt they needed an analysis of who is parking there and whether they should be parking elsewhere. Planner Lund stated that Staff could work with the applicant to come up with something to monitor that area. Applicant-representative Gibson noted there are trails in that area, and sought clarification on whether people who park to use the trails should also be moved along.

Commissioner Johnson stated this was the problem with the parking along the street. He relayed that he is in the area every day and watches Hotel Park City employees park along there along with people using it for trailheads. He suggested that if the applicant wanted to keep this parking, and as long as it complied with City Streets and Fire requirements, then those spaces should be

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marked on the parking plan so that they could be counted as additional spaces. Alternately, if the applicant does not want people to park there, they should make it a "No Parking" zone.

Applicant-representative Gibson reported that he worked with an architect on this issue, and his impression was that they were not allowed to put parking in that area because it would be against Fire Codes and other requirements. Commissioner Johnson stated that the applicant could then simply make it a "No Parking" zone. Applicant-representative Gibson stated they could paint the curbs red.

Commissioner Suesser asked what would then prevent Hotel Park City employees from parking in the parking lot. It was noted that would be on the applicant to enforce pursuant to the parking plan and the allocation of the parking spaces. Commissioner Suesser was more interested in having parking available for people who use the shopping center or employees of the shopping center rather than having others park there all day.

Commissioner Van Dine stated that would come down to the applicant's enforcement, and it is not the Commission's job to enforce. Commissioner Suesser explained that was why she suggested a Parking Study or a monitoring plan so they know who is parking there and can enforce the plan appropriately. Commissioner Van Dine questioned whether it was the Commission's job to tell the applicant that they had to do that. As the property owner of the allocated spaces, that would be the applicant's decision to enforce.

Applicant-representative Gibson stated he did not have first-hand knowledge that hotel employees were parking in that area, but he would be happy to tell the hotel their employees could not park there. He stated he talks with the tenants about who is using the parking lot and monitors it that way, with enforcement by towing.

Commissioner Suesser proffered that if Hotel Park City employees were parking along the curb, they were likely parking in the lot, which takes spots away from people trying to access the shopping center. She felt that was creating the need for the additional spaces proposed by this application without addressing the bigger problem of people who are not using the shopping center parking in the lot.

Chair Hall expressed that there was consensus on this application being a Minor Modification. She stated there was a lot of feedback from the Commission for the applicant and Staff.

B. Land Management Code Amendment – The Planning Commission will Conduct a Work Session to Review Proposed Land Management Code Amendments Regarding Steep Slope Conditional Use Permit Regulations for the Historic Residential-1, Historic Residential-2, and Historic Residential Low-Density Zoning Districts. PL-23-05673.

City Planner Lillian Zollinger reported that Staff recommended the following be incorporated into the Steep Slope criteria in the LMC:

- Add geotechnical criteria, which would be reviewed by the Building and Engineering Departments;
- Add regulations to terracing modifications, wherein changes to the plans would trigger a re-review before the Planning Commission; and

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- Make the interior height regulation consistent within the Historic Residential – Low Density ("HRL"), Historic Residential – 1 ("HR-1"), and Historic Residential – 2 ("HR-2") Zoning Districts, eliminate loopholes and remove the crawlspace definition.

Planner Zollinger reported that currently, nine criteria apply to a Steep Slope Conditional Use Permit ("SSCUP") presented to the Planning Commission. Staff recommended the addition of an additional criterion for Geotechnical Analysis, as follows:

> "The Applicant shall provide the Planning Department with a Geotechnical report prepared by a registered geotechnical engineer, engineering geologist, or other qualified professional. The report must include information such as soil characteristics and preliminary structural recommendations intended to inform for the design and mitigation of soil conditions, slope limitations, and/or ground water. The Engineering or Building Department may request additional information in the form of a Geotechnical survey if additional information is deemed necessary."

She explained that this proposed criterion was reviewed by the Building and Engineering Departments.

She reported that Staff also recommended amending the criterion for terracing to read as follows:

> "The proposed plans shall include detailed information, including height from Existing Grade and width on all proposed retaining walls. The Applicant shall terrace retaining walls to return to Natural Grade. If the height of the retaining walls is proposed to be modified by more than six inches in height, width, length, or location, the Applicant shall file a modification application with the Planning Department and return it to the Planning Commission for review and Final Action for any proposed modification to retaining walls. Additionally, modification of pervious material to impervious material or changes to excavation depths requires a modification application and Planning Commission for review and Final Action."

Planner Zollinger explained that the impetus for this proposed amendment was that they often see excavators realizing that they need to construct a taller wall or change something from the plans. Staff would like that information presented to the Commission before that occurs so that those plans are continuous. If a builder unexpectedly encounters an issue, they would be required to return to the Planning Commission for re-review, thereby reducing modifications having to be reviewed by Staff.

Staff also recommended amending the interior height criteria. She reported that currently, the language in the Code regarding interior height in the HR-L zone states that "Structures shall have a maximum height of 35 feet measured from the lowest floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters." She noted that this language was inconsistent with the language for the HR-1 and HR-2 zoning Code, which states that interior heights should be measured from the lowest finish floor plane.
Planner Zollinger reported that Staff recommended removing "finish floor plane" and replacing it with language that interior height shall be measured from the lowest floor plane. This would make it consistent across all zones, and applicants would understand that 35 feet would be the absolute maximum depth for a floor plane. She noted that Staff also recommended the removal of the definition of "crawlspace" and including a definition of "lowest floor plane." She stated this was

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also reviewed by the Building Department and would state: "The bottom level of a structure, regardless of material (dirt, concrete, etc.), or the lowest point of excavation (excluding footings)."

Chair Hall noted that this was a Work Session, and the public hearing would be scheduled for a later date.

Commissioner Van Dine referenced the following language from SSCUP criterion 6 – Building Form and Scale, "Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District." She queried whether they wanted to establish stepping back versus stepping forward, and noted that was an issue they ran into on King Road.

Commissioner Frontero agreed this was a good point to bring up and concurred with Commissioner Van Dine's suggestion that the stepping should be back and not forward. If the Code just referred to "stepping," then he would be in favor of amending it to state, "stepback." Commissioner Van Dine noted that she liked the amendments proposed by Staff.

Chair Hall clarified that Commissioner Van Dine's suggestion related to the Steep Slope Criteria, number 6. Planner Zollinger reported that it would be changed to "Structures must be *stepped back* with the Grade…"

Commissioner Johnson and Commissioner Shand expressed support for this change.
Commissioner Shand sought clarification regarding eliminating the crawlspace definition. He questioned whether the 35-foot interior height limit would be measured from the dirt below the crawlspace. Planner Zollinger confirmed.

Commissioner Shand observed that would behoove people to construct slab on grade to maximize interior height. In terms of removing the definition of crawlspace in this section, Chair Hall asked if any other sections of the Code defined "crawlspace." Planner Zollinger confirmed that it was only in this section in the LMC; she noted that it was also included in the Building Code.

Commissioner Johnson referenced the second SSCUP criterion – Visual Analysis and expressed that he wanted to start seeing real-time photographs included in the Visual Analysis. He felt that it was required with the application criteria, but they continued to see Google Earth imagery that was not real-time. He suggested looking to incorporate that as part of these LMC Amendments.

Planner Zollinger suggested adding, "The applicant must provide the Planning Department with a visual analysis, *with real-time photographs taken within six months*…"
Commissioner Suesser sought confirmation that the terracing requirement specified that the terrace must be wide enough for vegetation to be planted. She noted that landscaping was the idea of the terracing. Planner Zollinger suggested amending the proposed amendment as follows, "The Applicant shall terrace retaining walls to return to Natural Grade. *The terracing shall leave enough space for sufficient vegetation between the steps."* Commissioner Frontero suggested identifying a specific measurement of three feet.

Commissioner Van Dine felt that specifying a dimension might be difficult as terracing is very site-specific, and it would come before the Commission for review anyway so the Commission would have input and flexibility.

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Commissioner Suesser questioned the phrase “sufficient landscaping” and suggested tightening the language. Planner Zollinger reported this would come back to the Commission before it goes before the City Council for review and possible adoption.

Commissioner Frontero supported the balance of the proposed amendments. Chair Hall did not think minor modifications needed to come back before the Commission. She felt it would be sufficient for the Planning Director to determine the sufficiency of modifications to the width, length, or location of terracing within six inches of the plan.

Planner Zollinger reported that currently, Staff issues an Administrative CUP for walls in the Setbacks. She explained that the idea with these amendments was to encourage architects and builders to get it right the first time. If they want to make it Administrative, Staff could rework the language.

Commissioner Van Dine suggested changing the modification from 6 inches to provide a little more leeway for Administrative review, and once it becomes a more significant modification then it could come back to the Commission.

Commissioner Johnson would keep the language regarding modifications in the Terracing amendment as is. Commissioner Van Dine was agreeable either way. There was a question off the record, and Chair Hall reported that when these amendments come back before the Planning Commission as a Regular Agenda Item, it would be noticed for a public hearing, and public comment would be taken at that time. In the interim, the public could email planning@parkcity.org to provide feedback.

6. REGULAR AGENDA

A. Land Management Code Amendments – The Planning Commission will Review Proposed Amendments to Create a Maximum Lot Size in the Recreation Commercial Zoning District. PL-23-05821.

City Planner, Spencer Cawley, stated that these proposed LMC Amendments had previously been presented to the Commission. He presented a map that illustrated where Maximum Lot Sizes had been established. He stated these proposed amendments would address the area highlighted in red. He explained that the General Plan states that its goals were to preserve the character of the Recreation Commercial (“RC”) Zoning District to have development that is compatible in scale and design with the Historic Districts, as well as to provide context-sensitive development. One of the purposes of the RC Zoning District was to provide development that reflects traditional patterns, character, designs, and historic character.

Planner Cawley presented a map that highlighted the vacant parcels in the RC Zoning District. These amendments would allow for establishing the Maximum Lot Size for redevelopment. The proposal for a Single-Family Dwelling was a maximum of two Old Town Lots, and for Duplexes it would be four Old Town Lots. The Historic Sites that are on the Historic Sites Inventory would be exempt from the Maximum Lot Size, and Fourplexes in this zone require a CUP approved by the Planning Commission.

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Planner Cawley noted that any Lots that had gone through a Subdivision or Plat Amendment prior to these regulations could be built according to the regulations in effect at the time of approval. These amendments would only affect amendments to Subdivisions or Plats moving forward.

Planner Cawley noted that during prior Planning Commission meetings, there was consensus to establish a Maximum Lot Size in the RC Zoning District. These amendments would allow for the preservation of smaller Lots, which would result in compatible infill and a balanced transition in development patterns. These amendments also aligned with the goals of the General Plan and support the purpose of the RC Zoning District. He indicated that Staff recommended the Planning Commission review these amendments, hold a public hearing, and consider forwarding a positive recommendation for the City Council's consideration on May 23, 2024.

Chair Hall invited clarifying questions from the Commission. There being none, Chair Hall opened the public hearing.

There was no public comment. Chair Hall closed the public hearing.

MOTION: Commissioner Johnson moved to forward a positive recommendation for Land Management Code Amendments to Create a Maximum Lot Size in the Recreation Commercial Zoning District, to the City Council for its consideration on May 23, 2024.

Commissioner Frontero seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

Following a brief recess, Chair Hall called the meeting back to order and confirmed the attendance of all Commissioners.

B. 2250 Deer Valley Drive South – Conditional Use Permit – The Applicant Proposes a New Passenger Tramway (Ski Lift), Approximately 4.62 Miles of New Beginner Ski Runs, an 8,483-Square-Foot Terminal and Lift Storage Building, and a 375-Square-Foot Operator House in the Recreation and Open Space Zoning District and Sensitive Land Overlay. PL-23-05938.

Planner Lund reported that this application sought a CUP for a new lift at the Deer Valley Resort. He presented a graphic showing the proposal and the location of the new lift. He explained that this proposal was for a six-passenger ski lift, 4.62 miles of new ski runs, an 8,000-square-foot terminal, and a lift storage building which would come back for a CUP at a later date. The proposal also included an operator house for the lift.

Planner Lund highlighted the Draft Final Action Letter included in the Packet and pointed to some updated Conditions of Approval. Condition of Approval 13 addressed an update and amendment to the Open Space Management Plan.

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Conditions of Approval 14 and 15 referenced the public trails affected by the construction of the lift and a re-route of those trails to be approved by the Trails and Open Space Department. He stated that Conditions of Approval 17 – 20 addressed wildlife management and mitigation.

Planner Lund reported that Staff recommended the Commission review the proposal, open a public hearing, and consider approving the CUP based on the Draft Final Action Letter. The following persons were present on behalf of the applicant: Steve Graff, Vice President of Mountain Operations for Deer Valley, Todd Bennett, President of Deer Valley, Wade Budge, counsel for Deer Valley, and Hannah Tyler, Vice President of Resort Planning.

Applicant-representative Tyler thanked the Commission for its continuing discussion on Lift 7 terrain and the lift itself. She also thanked the Commissioners and the members of the community for coming to Deer Valley last week for the site visit. Due to technical difficulties with the applicant's presentation, the Commission moved to Regular Agenda Item 6. C. Following the completion of that Agenda Item, the presentation on this Item proceeded.

Applicant-representative Graff reported that at the site tour on April 10th, attendees met at Silver Lake and went to the top of Flagstaff Mountain. At 9,100 feet, that provided a good view of Park Peak and the Lift 7 alignment. He stated the only part they could not see from that elevation was the bottom terminal. After viewing the area from Flagstaff Mountain, they skied down Ontario. In preparation for the site visit, the applicant flagged the proposed location of the bottom terminal as well as the lift carrier storage building.

Applicant-representative Graff reported that after spending some time at the site, they all went back down to Silver Lake and rode the Sterling Lift up, and then skied off Bald Mountain onto what would be the top of the new ski run down into the Lift 7 terrain itself. They then returned back to Homeward Bound just above the quad.

Applicant-representative Tyler added that during the site visit, the Commission recommended the applicant return with drone footage to provide current aerial footage. She explained that this new drone footage was overlaid onto the terrain, the lift, and the footprint for the bottom terminal.

Applicant-representative Graff presented the drone footage to the Commission with the overlay. He noted that the one to the far left was the one they did on the site visit. He stated that the graphic illustrated the Lift 7 alignment, which showed the ski run and the Lift 7 corridor together.

Commissioner Frontero understood that the applicant presented drone footage with the addition of the base and the lift. Applicant-representative Graff confirmed that the top

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was also shown, and confirmed that this represented the 60-foot wide clear-cut required to install the lift in this area.

Commissioner Sigg asked if there was a drone image that did not have the overlay of the lift alignment and the clear cut of the right-of-way for the lift. Applicant-representative Tyler stated she would present that image.

Commissioner Shand asked what consideration was given to the placement of the lower portion of the lift in relation to the Trump and Ontario ski runs. Applicant-representative Graff stated it was a good area to put the bottom terminal for the lift, and the mazing would be similar to Northside where there would be lanes on either side. He added that the capacity of Lift 7 would be so great that they would not need a lot of mazing. They did not believe the mazing would stick out into Ontario.

Commissioner Shand observed that Ontario was pretty heavily traveled, and he did not want the maze to stick out. Applicant-representative Graff expressed that Deer Valley has always prided itself on delivering an exceptional and uncrowded experience. He stated that the crowding on Ontario referenced by Commissioner Shand was largely due to the circulating beginner skiers on that run. He noted they were using a connecting trail to teach beginners and circulate them.

Applicant-representative Graff proffered that Lift 7 would give them an opportunity that they currently do not have—a vast amount of terrain to circulate beginning skiers and not trying to teach them on a connecting trail that causes those conflicts. He added that Ontario would always be a connecting trail, but taking the circulating skiers off of it would create a much better experience for everyone.

Applicant-representative Tyler presented the drone footage of existing conditions with no overlay. Commissioner Johnson asked if there was currently a run going down the gulley, and Applicant-representative Graff responded there currently was not a run in that location. It was noted that two runs would come down east and uphill of the gulley.

Commissioner Sigg asked if the run would require a cut to make the aspect of the run graded as opposed to pitched. Applicant-representative Graff stated it would require a cut, and the run was contemplated to be 50 – 60 feet wide, which would be similar to lower Ontario today.

In response to Commissioner Van Dine's inquiry regarding the width of the run next to the retention pond, Applicant-representative Graff estimated it would be around 50 – 75 feet. He then corrected himself and said 30 – 40 feet, and would be more like lower Homeward Bound.

Applicant-representative Tyler stated presented a graphic to tell the story of the beginner experience, and how the grading would occur. She explained that the next series of slides addressed the Flagstaff Open Space Management Plan referenced in the Staff Report.

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Not only would the improvements fall within the Recreation Open Space ("ROS") and the SLO, but they would also fall within the Open Space Management Plan area of the Flagstaff Development Agreement. She reported that they worked with Staff on additional Conditions of Approval to amend the Open Space Management Plan, and they discussed waiting for the gondola to do that because it would require a change for that as well.

Applicant-representative Tyler explained that not only would the Open Space Management Plan memorialize that they re-route trails temporarily during construction and then return them upon completion of construction, but their intent was to memorialize Deer Valley's Open Space tactics. She noted these tactics had evolved over the past 25 years, and the Open Space Management Plan did not reflect those changes. She assured those present that they would include some of the stewardship strategies in the Plan. She noted that they updated the map to show how Lift 7 would align. On this map, north is to the right and they found that the uses were consistent with what is listed in the Open Space Management Plan.

Applicant-representative Tyler provided a graphic that illustrated where they were in the last Commission meeting versus where they are today. She expressed that the applicant believed this was a permitted use in the ROS zone and complied with the SLO, which is consistent with the Findings of Fact drafted by Staff. She added that the applicant had met all the requirements of LMC Section 15-1-10(D). She stressed that the applicant had agreed to all of the Conditions of Approval proposed by Staff. She applauded Staff's efforts and steps to make sure that Deer Valley was in compliance. Applicants believed that not only were the Conditions of Approval achievable, but they were the right thing to do.

Chair Hall invited clarifying questions from the Commission.

With regard to the Open Space Management Plan and lift alignments, Commissioner Sigg requested information on the small red line shown on the graphic. Applicant-representative Tyler reported that there would be a future carpet that would be in Wasatch County. She stated it would not land in the Open Space Management area.

Commissioner Johnson appreciated that Staff added the Wildlife Management Plan as well as the Open Space Management Plan. He struggled in that while he liked the current alignment of the lift, he found that the Open Space Management Plan and the Wildlife Management Plan were quite cohesive. The intention when the Flagstaff Agreement was made was to preserve certain areas for certain uses. He noted that the ROS and the Developed ROS ("DROS") were defined in the Plan. He referenced page 486 of the Packet and commented that Section 1.1 of the Open Space Management Plan required compliance with the goals and objectives of that Plan, or an amendment to the Plan would be required.

Commissioner Johnson then referenced the goals and objectives of the Undeveloped ROS ("UROS") listed on page 488 of the Packet that clearly defined that the UROS was

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to be used for backcountry skiing or snowshoeing in the winter, and hiking or horseback riding in the summer. Some UROS contained trails suitable for mountain biking, but only on a limited basis relative to the DROS.

With respect to Condition of Approval 13, he suggested that the Wildlife Management Plan also be amended so that the two Plans create a cohesive document. He asked if there was a way to swap UROS with DROS in the designation to essentially re-designate the lands within the Open Space Plan. He interpreted that a lift was not an intended use based on the Wildlife Management Plan and the Open Space Management Plan.

Attorney Budge stated they scrutinized the Management Plan because Deer Valley had been living with it since its' adoption and was involved in its' preparation. He noted that it discusses DROS and UROS, but given how the resort is currently operating and intends to continue to operate with Lift 7, it contemplated lifts. He commented that the UROS was trying to get to the fact that there would be other uses, particularly in the summer. In this instance, the applicant was acting consistent with their understanding of this Plan. He noted this Plan was intended to operate as a guiding document and recognized that there would be a series of Small Scale MPDs and CUP applications that needed to take the Plan into account.

Attorney Budge stated that was what the applicant was doing. They were taking into account the Plan and recognizing that they would have trails in this area. He highlighted the level of ground disturbance as the distinction between DROS and UROS. He referenced the Grading Plan and noted they did not have any of the colored heavy areas within the UROS; instead, they would have the removal of vegetation for the run, which would then be re-vegetated per the standard.

Attorney Budge opined that this proposal was consistent with the Plan, but they recognized that as they accommodated other goals, including the gondola and connectivity, there would need to be further refinements adopted in the Open Space Plan. Therefore, in this approval, they felt they should communicate the need to bring forward what is going on at the site and have that reflected in an update to the Management Plan that would also include the gondola. He noted that the gondola would cross Lift 7, so that alignment needed to be accounted for as they update the Management Plan.

Commissioner Johnson understood and noted that his interpretation differed. He expressed that he was shocked that he did not see it as a lift service area where trails could be cut. That being said, he felt they could find a swap of the designation if there was land available within the large swath of DROS space. He understood the intention of the documents and noted there was no development at the time these documents were originally prepared. SWCA was tasked with finding those protection areas and designated the Morgan Pond area and Centennial as Protected Open Space so nothing could occur there.

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SWCA then came up with DROS, which was intended more for lift services. He felt the UROS was more directed towards low uses such as mountain biking, along with continuity with existing mining trails that might have existed on those properties.

Attorney Budge stated he read it the same, with the exception that he saw that lift services were still contemplated for the UROS because those uses exist elsewhere in the resort. He agreed that Lady Morgan and Centennial had explicit restrictions called out and were worked into conservation documents. He added that when this was being done, there was an area where they did not want to have runs, and that was part of Iron Mountain.

Attorney Budge stressed that the subject area was identified as an area for skiing, and all of those associated uses permeate these documents. He acknowledged the Plans were well done, but they were ready for an update, particularly given the new opportunity for a gondola.

Commissioner Johnson stated he had a different mindset regarding this application when he first received the Packet. He questioned why they would not include an updated Wildlife Management Plan with the updated Open Space Management Plan. He noted that those Plans would not say that the applicant could not install Lift 7; rather, it would include mitigation techniques for potential wildlife corridors or habitat protection.

Attorney Budge offered that the Wildlife Plan talked about monitoring the wildlife during construction, as it would be a very dynamic element. As a result, he liked the Staff's Conditions because once this is approved, the applicant would then prepare a Construction Mitigation Plan and evaluate when they would actually begin construction. Their consultants will analyze the areas that would be disturbed for this project to make sure they do not interfere with any of the wildlife activity that occurs. He explained that they wanted to do the updates because they want to take into account the conditions that result from this project, and also bring the details for the gondola into the Plan.

Attorney Budge stated the gondola alignment that goes all the way to the County line would be part of the second phase of Snow Park, which they anticipated bringing before the Commission at the end of the year. He stated the idea was to have a Management Plan in the next six months that would anticipate that use, and by the time the gondola permit was approved they could see how that compared with the summertime activity.

Additionally, a good time to have the consultants analyze the area is during the melt season, so this is perfectly timed in that regard.

Commissioner Johnson felt the Wildlife Management Plan needed updating along with the Open Space Management Plan, but stated it would be helpful to have had some narrative on how the applicant interpreted what is allowed. He noted that it could come down to smaller issues such as whether the building would be allowed in the UROS. He stated that there was a potential wildlife corridor coming down the gulley.

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Attorney Budge stated there were multiple wildlife corridors shown and they are in areas where they have lifts currently. He deferred to Applicant-representative Graff as to how they accommodate wildlife and noted that in the applicant's view, this lift would be a use that would not require any fencing that would interfere with the wildlife. He also stated that the first paragraph of the Open Space Management Plan contemplated that there would be refinements through the CUP process. Commissioner Johnson reiterated that he looked at it differently.

Attorney Budge offered that the Open Space Management Plan laid out the issues that needed to be considered so that as a CUP is presented, they do not gloss over those details. However, looking at everything that Alliance and others had submitted, they analyzed those components and identified what they need to address. Staff put that in the Conditions of Approval.

Applicant-representative Tyler clarified that the bottom terminal was located in the DROS, so the only parts of this proposal that would be in the UROS would be the upper portions of the lift and the top terminal.

Commissioner Johnson asked if there was anywhere in the entire Open Space parcel where they could swap UROS with DROS land. Attorney Budge stated that was not possible since the Plan is a management document and not a transfer of density or similar concept.

Attorney Budge stated that because they would prepare an update, any comments by the Commission would be taken into account in a fresh assessment. They could look at whether there would be areas where they could designate as UROS as they update the area over the next six months. He stressed that these Open Space values were important and it was clear that the Open Space was something enjoyed by people in a way that does not interfere with the other values. He felt that this proposal would make it so that people could get into this area in a way that was still protective of those other values.

Commissioner Johnson asked if they would have to update the Flagstaff Agreement in that the applicant would be updating this technical report, which is an exhibit to the Flagstaff Agreement.

City Attorney Harrington stated that the Flagstaff Development Agreement would not have to be amended; however, he reported the Commission to consciously choose their words. The applicant has used the word "update," whereas he opined that the Commission needed to approve the update. He reported that the Commission had the discretion to determine the intent of the Plan and the protection that it proposed, and whether the mitigation would be replaced by acreage in kind. He felt the Conditions of Approval proposed by Staff were somewhere in the middle of these two positions. It would provide the flexibility that there does not need to be an acreage for acreage exchange and was worded to contemplate that in combination with other measures that mitigate the difference.

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He thought the only problem Staff would have with the explanation offered by Attorney Budge was that it was not just additional uses because that would make the UROS less restricted than the DROS. At the same time, Staff agreed that it was self-regulated and the lift uses and ski uses were reserved uses in all of the overlying regulations above. It was not until Deer Valley submitted its own Management Plan that it became designated as more of a current status as UROS. He stated this area was always subject to future management by Deer Valley, but it was within the Commission's prerogative to make sure that the original intent of the Open Space protections were still balanced.

City Attorney Harrington stated the Commission had the discretion to look at what mitigation it would like to see in that update that is not just descriptive of what Deer Valley does in that area.

Commissioner Johnson struggled with analyzing this under the CUP criteria without having that information to provide any sort of mitigation techniques. City Attorney Harrington offered that it was a combination of everything, and mentioned the Forestry Board going through the same exercise to a lesser degree. The Forestry Board wanted increased management techniques in order to approve the necessary disturbance for the cut. He stated the Commission was charged with a similar exercise in approving or not approving the updated proposed Management Plan. He stressed that the Plan was not just descriptive, but it had to contemplate flexibility to allow the resort to run the resort.

As with any mitigation, City Attorney Harrington explained that it must be reasonably tied to the objective outlined in the Code and what they are trying to protect. Summit Lands had conversations with the applicant as well, and Staff would continue to be a resource as they work through this and identify the potential amendment that could also accommodate the gondola, which is the bigger issue in the background.

Chair Hall opened the public hearing. She reminded the public that comments would be limited to three minutes and that comments should be directed to the Commission and not the applicant.

Diane Bode stated she would read the letter she sent to the Planning Commission. She was honored to be here to engage in respectful, open-minded discussion to more effectively evaluate the proposed Deer Valley six-pack lift and the housing facility for the chair lift off the Ontario run. She presented some of my background. She noted that it would help to understand that her primary concern with the Deer Valley proposal was safety. She is the Executive Director of Another Way School in Park City. With a Master's degree in early childhood education and an American Montessori certification, she worked here for over 20 years to integrate alpine skiing and equestrian training into an experiential academic program that is nature-based for children 3 – 12.

She was determined to use skiing as a vehicle for studying how children learn, and because she was an instructor certified in 1964 in the Western Division of PSIA, it made

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sense because she loves skiing and Montessori. In that process, she developed a safe and effective instructional model for teaching adults to ski. By integrating perceptual motor theory, Montessori, and cognitive development, they developed the first integrated ski instructional program and it was presented as a pilot program at Dodge Ridge in 1979, at Squaw Valley in 1980, and Vail Beaver Creek in 1982.

Speaker Bode co-authored and fully illustrated a book draft with Dr. Rosemary Peterson and contributing author Dr. Carol Workman from the University of Utah. In 1988, PSIA published Child-Centered Skiing-The American Teaching System for Children. This ski instructional model was then introduced at Inner Ski in 1988 in Japan. Beginning at Dodge Ridge at the age of 10, she has 62 years of teaching skiing.

Speaker Bode stated that Deer Valley was her beloved home resort when Sal Raya was the Director of Skiing, and it remains beloved to this day. As someone who was given the opportunity to view the proposed site, offered the following for the Commission to weigh and consider. Having taught skiing at Deer Valley for 7 years, as well as free skiing at the resort, she was more than familiar with the proposed site. She understood the need for the access width to connect the east village ski resort complex to Deer Valley slopes, and resort complexes and to open access to new terrain to expand ski instructional services and open more green and blue runs for novice and intermediate skiers.

However, she expressed a very serious concern with the proposed site location that deserves focused attention on skier safety. There are converging runs that would have beginning, intermediate, and advanced skiers all moving at speeds on what is essentially a narrow trail or funnel that is already a dangerous gauntlet.

Chair Hall noted that Speaker Bode had exceeded her three-minute limit, but stated the Commission would be happy to read her letter and incorporate it as part of the record.

Speaker Bode stressed that she was asking that they look at the safety concerns because it would affect the ski instructors, the classes, and the general clientele of the resort. She stated she loves this resort and this industry, and Deer Valley carries a tremendous responsibility. She wanted to help in any way possible as her experience is deep and she has also been seriously injured on three occasions. She expressed that she wants this proposal to work, and it can but they have to figure out how to make it work.

Raelene Davis stated she is a Deer Valley skier. Unlike the prior speaker, she does not have teaching credentials. She thanked the Commission for the opportunity to lend her support for Deer Valley's desire to build a new lift on their expanded terrain. She has skied Deer Valley since it opened, and six of her grandchildren have learned to ski there. While they all had great experiences, she was always concerned when they advanced from the beginner terrain at the base to Success and then to Ontario, as these runs get very busy with beginners and others accessing the mountain. When she heard that the expanded terrain would include beginner terrain at the top, she was thrilled. She has

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witnessed the excitement of beginners being able to access terrain at the top of the mountain, as it seems to empower these skiers and give them a sense of accomplishment.

Ski Utah introduces thousands of children and ethnically diverse adults to skiing each year through its programs and media. Many of these individuals learn to ski at Deer Valley Resort. Having them able to travel to the top of the mountain for their first lessons would be amazing as they would be able to experience the beauty of Utah's mountains and learn to ski on the greatest snow on earth. She added that the new lift and terrain would disperse the skiers around the mountain to provide a better experience for all visitors. She believed it would be safer to have this lift and terrain because it would disperse the skiers around the mountain beyond the Homeward Bound and Ontario experience. Speaker Davis stated that as a Utah skier and a Deer Valley skier, she supported this application to build Lift 7 which would provide access to additional beginner terrain. She expressed certainty that Deer Valley would not do anything that would be unsafe for their skiers.

Glenn Price stated he came to Utah in the 1970s and met Speaker Bode at the National Children's Symposium in the late 1980s. He was a member of the group that piloted the Ski Utah program in the early 1990s. He has been a coach and ski instructor since the 1970s. Speaker Price attended the site visit on this application and expressed three concerns. The first was that he was told the current design was 4,800 square feet for the storage shed at the base of the lift which would cover approximately 40% of the chairs. Another 30% of the chairs would be at the summit. He was told that the remaining 30% would be left on the lift cable, which meant they would be subject to weather. As a result, they would be prematurely aged and would need replacement.

His second concern was with respect to the current design, which has the new lift trails coming into the building with a very narrow corridor around the outside of the shed and access to the lower trails. This would mean that beginner skiers would be required to move past a very narrow corridor. Speaker Price's biggest concern was the number of skiers arriving lower on the hill. He stated there would be a convergence zone of Trump, Ontario, and Homeward Bound. This new lift would load the equivalent of a couple more trails' worth of skiers. More skilled skiers would be trying to get onto Homeward Bound. He expressed concern with the fact that this plan contained no description as to how they would operate in this area. Right now it is a collision zone, and he felt the Commission should address how Deer Valley would adjust this area with the additional load onto this trail.

Ted Ligety stated he had skied much of the newly expanded terrain and felt it would be some of the best. However, having six-year-old and three-year-old twins, he saw a lot of green runs with his children, and part of the experience of skiing with his children involved being in the mountains. Getting the kids out of the base area was an amazing experience. Speaker Ligety expressed that the view for these skiers was stunning, and having the beginners out of the base area and in a true mountain setting was valuable for the skiing

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experience. He felt this proposal would be a great way to mitigate all of the congestion on Ontario. He added there was a great need to get more beginners and children out of the main congestion zones in the base area and into the mountain experience. He expressed excitement for the opportunity to take his children to this upper terrain that will be easier to ski while giving them a true mountain experience.

Mary Bransford Leader stated she is a fourth-generation property owner in 84060. She stated that earlier her sister, Ann Bransford, on behalf of Bransford Land Company, submitted a detailed written public comment. Skier safety and employee safety were of paramount importance to Bransford Land Company. They take pride in their land, their longstanding 40+ year relationship with Deer Valley, and with this community. Her daughters learned to ski at Deer Valley, and now her grandchildren are beginner skiers there. Over the years they watched the resort grow in skiers, amenities, lodging, hospitality, and reputation. They acknowledge and applaud Deer Valley and its' pride in its excellence.

Speaker Leader stated it was impossible for her to state the significance that Deer Valley holds to the Bransford family, which is why they feel responsible for supporting the resort's continued excellence. She noted, however, that the design and planning flaws related to Lift 7, and its' alignment and terminals were significant and would present safety issues that an alternative alignment would resolve. Additionally, impacts to the ski runs serviced by Lift 7, accessing Lift 7 and the increase in skiers that Lift 7 would bring to higher elevations could be resolved with re-alignment and a change in the ski run cutting.

On behalf of the Bransford Land Company, Speaker Leader asked the Commission to take public safety as seriously as they do and encourage Deer Valley to explore alternate alignments including one evaluated by Ecosign. In addition to the safety issues, she also felt that Deer Valley's proposal and Staff's Findings of Fact and Conditions of Approval failed to meet the requirements of the LMC. They also failed to satisfy protections for wildlife under the Flagstaff Agreement and the overlaying conservation easement.

Finally, Speaker Leader mentioned that based on precedent set by the Commission that was upheld by the Utah justice system, the applicant must prove compliance with its' own Development Agreement and Master Plan. She proffered that the Comfortable Carrying Capacity of the new Lift 7 and the effects on other lifts must be verified as safe and compliant with the Development Agreement. If the applicant was unable to confirm compliance with all Code and governing documents, she respectfully asked the Commission to continue this item or deny the application.

Benny Freeland stated that he resides in 84060 and is a frequent Deer Valley skier. He confirmed that Ontario is very congested. He was excited about everything else that Deer Valley was doing with the expansion of the east; however, for this proposal, he felt there might be a high environmental impact for a relatively low benefit for skiing. He was concerned about the impacts on the aesthetic beauty of the area, especially in the summer. Additionally, he mentioned the existing green train at Deer Valley. Speaker

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Freeland also raised potential wind exposure at the top and low visibility for beginners. Finally, he expressed concern with regard to connectivity to the eastward expansion with already existing trails.

With regard to his first point, he stated it was unfortunate that they were hearing this application in winter, because in the summer that zone is absolutely stunning. He felt it would be sad to see cutting through the Aspen grove, which is a living organism that is connected underground. Additionally, Speaker Freeland stated that Deer Valley was 27% green right now, and the average of the other main Wasatch resorts was 11.5%. He noted the limited benefit of Lift 7 and highlighted the visibility at the top. There was inclement weather on a significant minority of days with high winds and snow, and limited trees at the top of Park Peak. He stated that when looking at the Deer Valley trail map, there were already several ways to connect the eastern side of the resort to the main resort. Therefore, there was not a huge need for connectivity and the natural impacts on this pristine land were not worth the benefits of this lift.

There was no further public comment. Chair Hall closed the public hearing.

Commissioner Shand noted that a number of the public comments focused on safety, primarily with respect to the queue to get on the lift. He asked if the applicant had looked at alternatives, and requested some insight as to why they chose this particular alignment.

Applicant-representative Bennett appreciated the comments and stated that the group before the Commission had a lot of pride in what they do in making sure they provide a great experience. Not only did they look at a number of options, but he stressed that this was the right plan and the one that would work for the resort and be safe for the resort. He reported that they developed and vetted the plan. They brought in two primary international and world-renowned resort developers, SE Group and Ecosign, to vet this plan. Applicant-representative Bennett stated they took this very seriously and brought in experts to look at it, and they felt good about the alignment.

Applicant-representative Graff added that this alignment would eliminate a lot of cross traffic and they would not have the skiers going in a lot of different directions. Both C, which comes around the north side, and I, which comes around the south side would come into the terminal on either side. He remarked that this was actually a very good location for a lift terminal.

Chair Hall stated safety was important to her as she is a Montessori mom and her children are in the ski program. Commissioner Johnson stated it would have been nice to have an image of how it would flow in during the site visit, but he felt if there were enough clearance, the line would not potentially impede the adjacent trail. Applicant-representative Graff confirmed that the mazing would not go out into the trail.

Commissioner Johnson asked about the Carrying Capacity for the lift. Applicant-representative Graff reported that it was 2,800, but added that they rarely run lifts at their

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capacity. Commissioner Johnson stated it would be nice to have a conceptual from a safety standpoint.

Applicant-representative Graff added that the entire mountain was based more on comfort and experience rather than capacity, so whenever they talk about capacity that is not how Deer Valley does business. He added that they were trying to address all the concerns about safety with Lift 7. He stated that currently, they were teaching skiers on a connector trail. Being able to take those beginner skiers and move them to their own, larger location would decrease that conflict in Ontario.

Commissioner Johnson focused on the lift terminal congestion and asked about the distance between the corner of the building and the existing trail. Applicant-representative Graff estimated it was 100 feet, which was significant compared to other locations.

Applicant-representative Tyler stated that they had Ecosign review the plan as proposed, and they validated that this plan complied with the industry norms and could be deemed "safe." She felt there might be some confusion as to Ecosign's opinion, but stressed that they vetted the plan that was put together, and she would submit their letter confirming that validation. She reiterated that the applicant felt good about this plan, and two different resort-planning firms had vetted it. She expressed they did their diligence in knowing that it would be safe.

In response to an inquiry, she confirmed that the two firms came to the same conclusions.

Commissioner Van Dine sought clarification about the storage of the chairs. She understood that the chairs would be stored at the top terminal, the bottom terminal, and the storage shed so there would be no chairs on line during the summer. She asked if the chairs would be stored each night after hours. Applicant-representative Graff stated that 60% of the chairs would be stored in the building itself and the other 40% would be at the bottom terminal. He added that they also could store some at the top as well. He explained the chairs stack and would be stored inside the terminals, but the current plan was 60% in the building and 40% in the bottom terminal every night and all summer. The chairs are stored whenever the lift is not actively running, which also serves to preserve the views.

Commissioner Sigg asked if the Tramway Board approved this lift. Applicant-representative Graff reported they had not yet approved it, and Applicant-representative Tyler added that the Board would review it during construction to validate its' construction.

In response to a further inquiry from Commissioner Sigg, it was anticipated that the Tramway Board would look at this lift in the context of the gondola.

With respect to the geotechnical report in the Packet, Commissioner Johnson observed that it appeared to be related to the Park Peak gondola building and asked if it was related

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to this application. Planner Lund explained that as part of the SLO, there were provisions for Staff to require the applicant to submit additional materials, one of which is a geotechnical report.

Commissioner Johnson noted that the geotechnical report included in the Packet was for a different area. Applicant-representative Tyler stated it was for the same region and addressed the same mountain. Commissioner Johnson referenced Figure 1 on page 368 and noted that was not Lift 7. Applicant-representative Tyler agreed that was not Lift 7 but rather depicted an adjacent area where The Lodge in Wasatch County was located. She confirmed this report would apply to this application because it addressed an area very close to the Lift 7 location; therefore there was a level of comfort that the geotechnical report for the top terminal would be similar to the one presented. There was discussion about the location on the map.

Commissioner Johnson asked if the applicant was required to submit a geotechnical report for the base terminal. Planner Lund stated that Staff could require the applicant to do so, but did not think it was necessary. Applicant-representative Tyler stated that the applicant would be back before the Commission for the building, as this application was only for the building pad. They could provide the Commission with a geotechnical report specific to that location at that time.

In response to an inquiry, she did not believe it would be a Steep Slope for the lower building pad.

Commissioner Shand referenced page 269 of the Packet which showed a view of the base of the lift. He asked about the significance of the accuracy of the drawing with respect to the location of the base terminal. He noted that the bottom terminal seemed to shift around a bit, and this drawing appeared to be a fair distance away from Ontario and Trump and more in the area of the two runs that come down around the perimeter of the new area. He noted that most of the concerns related to skier safety in the Ontario and Trump areas. He understood how this lift would alleviate the congestion in the gulley of Ontario, but expressed concern about the ski school queuing up to get onto Lift 7.

Applicant-representative Graff confirmed that the drawing referenced by Commissioner Shand illustrated the location of the bottom of the lift. He added that the mazing would take place approximately where the “6s” were in the 8660 on the drawing, and on the other side just adjacent to that. The mazing would not run outwards into the ski run area. He confirmed this would be a left-hand up lift.

With respect to the Wildlife Protection Plan dated 2001, Commissioner Suesser struggled to accept that it had not been updated. She felt that in a number of places in the Staff Report, migration patterns were mentioned and they were not sure of the corridors or how they would be impacted by this lift. She felt that in order to move forward with this application, a Wildlife Protection Plan should be put in place rather than preparing it after and seeing conflicts that would then have to be addressed.

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Commissioner Suesser commented that it was the Commission's obligation to ensure that this lift was in the least impactful location possible, and updating the Wildlife Protection Plan would help establish that.

Commissioner Sigg concurred with Commissioner Suesser. He appreciated the critical path outlined for the various reports and plans, but it would be much more beneficial to look at these in real time of how things exist today prior to the disturbance. He noted they were looking at data that was 22 – 23 years old and conditions had likely changed as the areas had been developed.

Attorney Budge agreed that was a great suggestion, and Conditions of Approval 18 and 20 would impose an obligation on the applicant to be very current in terms of their approach both in terms of construction and use. Commissioner Sigg appreciated the response but noted the applicant was seeking approval prior to seeing the data.

Chair Hall asked if the 2001 data was what was submitted for the wildlife habitat areas for the SLO analysis. This was confirmed. Attorney Budge stated there had been approximately 7 updates to the Open Space Management Plan but not the Wildlife Plan. This would be an opportunity to update that plan as part of this project. Commissioner Frontero agreed that what was submitted as Exhibit K was outdated and strongly felt that prior to a vote that the Wildlife Plan be updated.

With regard to Exhibit P, the Open Space Management Plan, Commissioner Frontero noted that was also created 23 years ago and was an important piece of information to consider. He stated that the Plan contemplated three areas: a protected area, and ROS divided into developed and undeveloped. He found that the UROS was very restrictive and not flexible as described earlier. He quoted from page 20 of the Staff Report that the "UROS forms the second largest type of Open Space within the Plan Area. While these areas may contain a variety of hiking, biking, and equestrian trails, these facilities do not dominate the character of the land. Native vegetation coverage remains largely intact, and forest stands do not exhibit high levels of fragmentation characteristics of the DROS. Consequently, these tend to have greater visual appeal and higher quality wildlife habitats relative to DROS."

Commissioner Frontero proffered that having a majority of the trail and required cuts for this plan located in the UROS was a challenge. As presented, he believed it was not compliant with the Open Space Management Plan. He was open to re-routing the lift or a plan that would make him more comfortable with building this in the UROS. He offered that the Flagstaff Agreement contemplated 1,511 acres in the Plan, and called out 937 acres, or 62%, for DROS and 459 acres, or 30% for UROS. Protected Open Space was approximately 115 acres or roughly 7% of the total land area.

Commissioner Frontero averred that if the applicant wanted to put Lift 7 in the UROS, he would like to see the 30% preserved at the end of the project. He suggested it would be

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important to be consistent with the Flagstaff Agreement, and put back an equal amount of UROS acreage so that the UROS area would remain at 30%. Attorney Budge noted that the bottom lift terminal and the building were not located in the UROS. The only portion of this project in the UROS was the lift area, which would involve a cut of vegetation, but not of grading. He acknowledged there was also a ski run, which was a use found in both DROS and UROS throughout the mountain.

Commissioner Frontero opined that the definition of UROS did not contemplate ski runs. As he read the Open Space Management Plan, the UROS did not contemplate ski lifts or ski runs. Attorney Budge referenced page 4 which stated, "undeveloped Open Space may be skied in the winter and typically contains some summer trails." Commissioner Frontero stated that it does not state that UROS may be cut. Attorney Budge stated that these Management Plans were not regulating documents; rather, they were documents intended to guide the consideration of CUPs, Large Scale Master Plans, and Small Scale Master Plans. He recalled that in 1999 and into 2001, these documents resulted in certain zone changes, such as the POS zone. He added that in this particular instance however, there was no zoning restriction and the Management Plan did not rise to the level of a zoning restriction. He stressed this was a Management Plan approved by the Planning Commission to help guide future applications such as the one being presented.

Attorney Budge continued by stating that the documents state that the Commission must consider how this relates to other areas of the mountain. He did not want to view this document in an inappropriate manner considering how they regulate the use of land. The appropriate way to regulate the use of land was to determine if the use is included in the Use Table. This particular use is within the Use Table in the ROS zone. There was also a series of criteria that Staff required of the applicant. The applicant and Staff proposed mitigation to address the criteria, and to the extent that the mitigation was found to be lacking, the applicant would be happy to further discuss. He stressed that this language talked about this as a conceptual document designed to be implemented through a series of future land use approvals. This application is one of those land use approvals being sought.

Attorney Budge expressed concern about an acre-for-acre trade of land and identified another area of land as UROS that is currently designated DROS. Commissioner Frontero confirmed that was his intention. He agreed the Plan was a guiding document meant to guide future development such as this application. Attorney Budge questioned the amount of acreage that would be involved. He reiterated that there would be two applications and suggested that the updated information be presented between this application and the next. He viewed it as an opportunity to update this information but did not know if the applicant could go elsewhere in the resort to find an acre-by-acre trade. He stressed that the activities proposed for the UROS were the removal of Aspens, not a "heavy disturbance."

Commissioner Suesser commented that the Wildlife Plan had not been updated, so this proposal might disturb more than just an Aspen grove. Attorney Budge agreed but added

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that the corridors would be preserved. He stated there was an opportunity to move forward with Lift 7, and in advance of construction, they would make sure there is current data for the construction activities and the planning process. As part of that, they would look at whether there would be a way to identify other areas that could be set aside to achieve the kind of trade suggested by Commissioner Frontero.

Attorney Budge stated they would be happy to look into that, but the applicant could not agree to a swap without analyzing whether there would be an area of land to swap. Commissioner Frontero stated that just as Attorney Budge was uncomfortable committing to a swap, he was uncomfortable committing to approving this project without seeing an updated Wildlife Plan.

Attorney Budge stated that an updated Wildlife Plan was not required in order to move forward. Commissioner Frontero emphasized that the Commission was charged with ensuring that the wildlife would not be greatly disturbed by this plan, and if it would be that there is a mitigation plan in place. Without an updated Wildlife Plan, it would be difficult for the Commission to address the required mitigation. Attorney Budge noted the Condition of Approval that would require an updated report prior to construction.

Commissioner Johnson requested a summary of the road map going forward. He understood that the applicant intended to update these plans, but was waiting on the gondola information to do so. Attorney Budge explained they would have these reports by the fall. Applicant-representative Tyler added that as soon as the snow melts they would have the biologist on site to do the work for the whole area regardless of whether they have the information on the gondola alignment. As soon as they have the gondola alignment, the biologist can then address that information as well.

Attorney Budge stated for the Wildlife Plan, they would narrow in on the area of construction with the biologist prior to construction. In terms of the update, however, they would be looking at a much broader area that would include the gondola. He commented that the original 2001 Wildlife Plan was prepared by a reputable firm, and they identified an area of particular concern that was located on the other side of Flagstaff. He acknowledged that they would intend to impact migration, which they would be held to in their Construction Mitigation Plan. Commissioner Johnson noted that if they find a species nesting in one of the proposed runs, then they would leave a patch of trees there. Attorney Budge stated they would have a wildlife consultant advise during certain activities in certain areas.

In response to Commissioner Frontero's question regarding runs and lifts in the UROS, Attorney Budge referenced page 3 of the Open Space Management Plan, in the paragraph starting with "To that end…" at the bottom of Section 1.2. He read as follows: "Some currently undeveloped areas have been proposed for ski lift run development." He acknowledged it talked about it in the immediate 8-year period; however, it communicated to the applicant that there would be certain impacts in those areas, and the idea of having the building outside of the UROS was consistent with their interpretation. He reiterated

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that they tried to glean what was intended by this Plan and in that instance it was recognized that there would be trail development.

Commissioner Frontero stated he had a different interpretation, but appreciated the building being located in the DROS. Commissioner Frontero asked if the storage building would be required if they installed standard chairs as opposed to bubble chairs. Applicant-representative Graff confirmed that the storage building would not be required and the chairs would stay on the line. Planner Lund confirmed that the CUP for the building would come before the Commission at a later date. Commissioner Frontero stated that if this were put to a vote this evening he would struggle with this application and would be more comfortable with a continuation of this item.

There was discussion regarding continuing this item. Commissioner Shand stated that his concerns regarding safety were answered. Commissioner Sigg stated it would be helpful to have the capacity numbers and the intersections that people would use to get home, which also feeds into that capacity number. He encouraged the applicant to look at the congregation points for the beginner skiers. If the intent were to give beginner skiers the upper mountain experience, there would likely be more people at Snow Park starting their day in the ski school. He noted that everything starts at the bottom and drives toward the top.

Applicant-representative Bennett stated they would look at that, and added that they have a mix of Snow Park and people coming from different pods. If they get more beginners up on the mountain from Lift 7, they could look at how that would affect the end of the day. One of the options was for a beginner to take the gondola up to the top and then take the gondola back down at the end of the day.

Commissioner Sigg noted that was a point well taken, understanding that the East Village would have a pretty significant ski school base. He stated the way that is diffused would have a large impact on Snow Park, for example.

Applicant-representative Graff added that Lift 7 would also take people from Lady Morgan, Empire, and Flagstaff and would help with congestion.

With regard to the map before the Commission, Applicant-representative Tyler pointed out the location of the gondola from Deer Valley East Village, Lift 6, Lift 7, and Lift 17. Additionally, she confirmed that the section of DROS referenced by Commissioner Suesser was the gulley that they looked at during the site visit.

Commissioner Suesser commented that part of the Commission's obligation is to ensure that this lift was positioned in the least impactful location, and she wanted to understand why that alternative was not explored. She understood that Deer Valley did not own that property; however, if Deer Valley did own that property she queried whether the lift would go up that corridor because it was already naturally cleared.

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Applicant-representative Bennett stated that was hypothetical since Deer Valley does not own that land. He stressed that Deer Valley had been a good partner with Bransford for many years, but the land referenced by Commissioner Suesser was not currently available and was in litigation.

Commissioner Van Dine expressed that she did not require further information to take action at this time, but would not oppose a continuance. Commissioner Johnson stated he had the information he needed, but felt a continuance would be helpful to allow the Commission to go through the Findings of Fact and Conditions of Approval.

Commissioner Suesser suggested a continuance and requested the applicant provide an updated wildlife study, as well as confirmation from the Tramway Board that Lift 7 would not be an impediment to bringing the gondola to Silver Lake and Snow Park. She liked Commissioner Frontero's suggestion of keeping the 30% UROS as part of this plan and encouraged the applicant to look into a land swap.

She was concerned about the environmental impact caused by this lift, but a land swap could help them get there.

In terms of public safety, Commissioner Suesser would like to see information on the Comfort and Carrying Capacity of this lift and noted the courts have stated the Commission had a duty to verify that for public safety reasons.

Commissioner Sigg concurred that it would be wise to continue this item, and would like to see it move forward at a good pace. He would like to see more of the data as discussed, as well as information on how the gondola would impact this application. He would not want this lift to limit the ability of the gondola to make that very important transit connection.

In terms of safety, he queried whether there was another way off the mountain from here because this would head back toward the top of Bald Mountain. He appreciated what Deer Valley was trying to do, but wanted to see more data.

Commissioner Johnson asked if they could have a Condition of Approval that would require a biologist on-site during construction. Attorney Budge stated that generally the biologist has to clear an area before construction, and agreed that could be included. Commissioner Sigg also felt it would be helpful to have a construction timeline.

There was discussion about the sufficiency of Condition of Approval 3. Applicant-representative Graff stated it was fairly standard to have lifts cross over other lifts, and as long as the gondola is enclosed, it would take the high ground over the other aerial lift.

Chair Hall suggested that the Condition be modified to include that the Tramway Board must approve this lift. Applicant-representative Graff did not believe the Board would

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approve a hypothetical lift, and the applicant would have to present an approved design in order for the Board to approve it.

Applicant-representative Bennett stated they could address Commissioner Suesser's concern even if it would not be through a Tramway Board approval. There was discussion about the continued date for this item. Director Ward stated there was room on the May 8th Agenda.

MOTION: Commissioner Van Dine moved to CONTINUE 2250 Deer Valley Drive South – Conditional Use Permit – to May 8, 2024. Commissioner Suesser seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

Chair Hall noted that it was 9:00 p.m. and two long Agenda Items were remaining. She stated that both she and Commissioner Van Dine would need to leave by 9:30 p.m. for childcare reasons. She noted there would still be a quorum and they could appoint a Chair Pro Tem.

C. 11343 Snow Top Road – Conditional Use Permit – The Applicant Proposes Constructing an Outdoor Swimming Pool (Private Recreation Facility) Eight Feet Wide by 12 Feet Long by Five Feet Deep (480 Cubic Feet) in the Estate Zoning District and Sensitive Land Overlay. PL-24-06055.

City Planning Technician, Jason Berntson, reported that the applicant's representative, Kevin Horn, was also present. Planner Berntson presented a graphic that illustrated the location of the property within the Hidden Hollow at Deer Crest Subdivision. He explained that the applicant proposed to build a swimming pool on the same site as the Single-Family Dwelling. This property is located within the Estate Zoning District. The swimming pool was proposed to be 12' x 8' or 96 square feet in size. The applicant referred to the pool as a swim spa and offered that it would only be used by the owner and their guests. He presented a graphic showing the location of the proposed pool.

Planner Berntson stated that the proposed pool met the Estate Zoning District Lot and site requirements, as well as the Hidden Hollow at Deer Crest Subdivision Plat requirements. In addition to being within the Estate Zoning District, this property is located within the Sensitive Land Overlay ("SLO"). In 1995, this Lot was subject to the Telemark Settlement Agreement that exempted this Subdivision from the provisions of the SLO; therefore applicants were not required to submit an SLO analysis for this project.

Planner Berntson reported that the proposed pool would be within the existing Building Pad and within an existing enclosed courtyard. Because this pool would be built within an already existing house, and the applicants would not add any footprint to the existing home. He identified the retaining walls that enclose the courtyard. Additionally, no

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additional landscaping was proposed and the existing retaining walls would screen the pool from the surrounding properties.

Planner Berntson reported that this proposal, as conditioned, complied with the Estate Zoning District requirements and the requirements for Private Recreation Facilities. As conditioned, the proposal also complied with the LMC. He highlighted Condition of Approval 2 that no signs would be allowed. He also noted the Conditions that any lighting must be compliant and the applicant must comply with the Noise Ordinance, Chapter 6-3. Staff recommended the Commission review the CUP for a Private Recreation Facility, open a public hearing, and consider approving the CUP based on the Findings of Fact, Conclusions of law, and Conditions of Approval.

Chair Hall invited any clarifying questions from the Commission. There were none. She opened the public hearing. There were no public comments. Chair Hall closed the public hearing.

Commissioner Frontero found the application to be in compliance with the Estate Zone and had no concerns about this application. Commissioner Johnson felt this proposal complied with the criteria outlined in LMC Section 15-1-10.

MOTION: Commissioner Johnson moved to APPROVE 11343 Snow Top Road – Conditional Use Permit for a Private Recreation Facility, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter as follows:

Findings of Fact

1. The Site is located at 11343 Snow Top Road.

2. 11343 Snow Top Road is located in the Estate (E) Zoning District and the Sensitive Land Overlay (SLO).

3. The site contains an existing Single-Family Dwelling constructed in 2021.

4. 11343 Snow Top Road is Lot 2 of the Hidden Hollow Subdivision at Deer Crest.

5. In 1995, the Telemark Park Settlement Agreement was recorded that allowed for 4 Single-Family Plots in the current Hidden Hollow Subdivision.

6. On October 21, 1998, the property was annexed by Park City (Ordinance No. 98- 52).

7. On April 13, 2000, the City Council approved the Hidden Hollow Subdivision at Deer Crest.

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8. The Lot contains 10.26 acres (446,925.6 square feet).

9. Private Recreation Facilities (outdoor swimming pool) are a Conditional Use in the RD Zoning District and require Planning Commission review and approval.

10. The 1995 Settlement Agreement exempts the Hidden Hollow Subdivision from the provisions of the Sensitive Land Overlay.

11. On February 2, 2024, the Planning Department received a Conditional Use Permit Application to construct an outdoor swimming pool.

12. The proposed outdoor swimming pool is for the benefit of the Property Owner and will not be accessible to the general public.

13. The proposed outdoor swimming pool is located within an enclosed courtyard behind the Single-Family Dwelling.

14. The proposed outdoor swimming pool is within the platted Building Pad.

15. Front Setback – The required Front Setback in the E Zoning District is 30 feet. The outdoor swimming pool is set back approximately 200 feet from the front property line.

16. Side Setback – The required Side Setback in the E Zoning District is 30 feet. The outdoor swimming pool is set back approximately 180 feet from the rear property line.

17. Rear Setback – The required Rear Setback in the E Zoning District is 30 feet. The outdoor swimming pool is set back approximately 500 feet from the side property line.

18. Conditional Use Permits require review pursuant to the criteria outlined in Land Management Code (LMC) § 15-1-10(E).

    a. Size and Location of Site – 11343 Snow Top Road is Lot 2 of the Hidden Hollow Subdivision. The Lot contains 10.26 acres (446,762 square feet). The Building Pad is 19,000 square feet. The outdoor swimming pool is within the existing Building Pad and the Limits of Disturbance.

    b. Traffic Capacity – The outdoor swimming pool will not generate traffic beyond the property's primary Use as a Single-Family Dwelling.

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c. Utility Capacity – No unmitigated impacts.

d. Emergency Vehicle Access – The proposal will not change emergency access to the property.

e. Off-Street Parking – Parking requirements are met by the existing garage and driveway.

f. Internal Vehicle and Pedestrian Circulation – The outdoor swimming pool will be used primarily by the property owner and their guests which will not change the Lot's vehicle and pedestrian circulation.

g. Fencing, Screening, and Landscaping – The outdoor swimming pool is located within a courtyard and will be screened from surrounding properties by formed concrete retaining walls that fully enclose the 3 courtyards. The swimming pool will not be visible from surrounding properties or from Snow Top Road. No additional landscaping is proposed with this CUP.

h. Structure Mass, Bulk, and Orientation – The property gradually slopes upward from Snow Top Road on the east to the west side of the property. The proposed outdoor swimming pool is behind the Single-Family Dwelling on the northwest within an enclosed courtyard area.

i. Useable Open Space – There are no open space requirements for a Single-Family Dwelling.

j. Signs and Lighting – No Signs or additional lighting are proposed or approved with this application.

k. Physical Design and Compatibility with Surrounding Structures – The Planning, Engineering, and Building Departments will review the final design prior to the issuance of a building permit. The Planning Department will review the swimming pool materials for compliance with the Conditions of Approval of this CUP.

l. Noise, Vibration, Odors, Steam, or Other Mechanical Structures – Mechanical equipment for the outdoor swimming pool will be located in the basement of the Single-Family Dwelling.

m. Control of Delivery and Service Vehicles; Loading and Unloading; Screening of Trash and Recycling Pickup Areas – Vehicles for

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service and swimming pool maintenance will access the property from Snow Top Road.

n. Expected Ownership – The Applicant is the owner of record, and the property is maintained as a Single-Family Dwelling.

o. Environmentally Sensitive Lands, Physical Hazards, Historic Mining Waste, Park City Soils Ordinance, or Steep Slope – As per the 1995 Settlement Agreement, the Hidden Hollow Subdivision is exempted from the provisions of the Sensitive Land Ordinance.

p. General Plan Consistency – Goal 7 of the General Plan states that the City strives to create a diversity of primary housing opportunities, allowing full-time residents to have local options for work and play.

19. The Hidden Hollow Subdivision is exempted from the Sensitive Land Overlay criteria due to the 1995 Telemark Settlement Agreement.

20. On March 19, 2024, the Development Review Committee reviewed the proposal and does not require additional Conditions of Approval.

21. On April 10, 2024, staff published public notice on the City and Utah Public Notice websites and mailed courtesy notices to property owners within 300 feet.

22. *The Park Record* published notice on April 10, 2024.

Conclusions of Law

1. The Application complies with the requirements of the LMC.

2. The Use is compatible with the surrounding Structures in Use, scale, mass, and circulation.

3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval

1. The swimming pool shall be within the Building Pad as indicated on the plans.

2. No Sign installations are allowed.

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3. All outdoor lighting must be down-directed, fully shielded, with bulbs 3000-degree Kelvin or less. A fully shielded light is installed in such a manner that all light emitted either directly from the bulb, or indirectly by reflection or refraction, is below the horizontal plane through the fixture's lowest light-emitting part. The top and sides of a Fully Shielded fixture are made of completely opaque material such that light only escapes through the bottom of the fixture. Final lighting details shall show compliance with this condition and shall be reviewed by the Planning Staff prior to installation.

4. The Applicant shall adhere to Park City's Noise Ordinance.

Commissioner Sigg seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

D. 2000 Meadows Drive (Park Meadows Golf Course) – Conditional Use Permit and Modification to the Master Planned Development – The Applicant Proposes to Construct a 6,386-Square-Foot Maintenance Building, a 2,018-Square-Foot Lean-To Shed, and a 20,744-Square-Foot Paved Parking Area for 20 Off-Street Parking Spaces within the Park Meadows Master Planned Development and Recreation and Open Space Zoning District. PL-23-05986, Modification to MPD. PL-2305893.

City Planning Technician, Jaron Ehlers, recalled that on February 28, 2024, the Planning Commission held a Work Session on this item. He presented a graphic that illustrated the location of the area affected by this application. He presented the proposed Site Plan, with the lean-to shed, the proposed storage building, parking, and soil storage areas. On April 4, 2024, the Housing Authority approved the applicant's waiver request for the affordable housing obligation.

Planner Ehlers noted that per a letter from the Army Corp of Engineers, no permit was required. Condition of Approval 12 would require another letter if there are modifications to the proposal. On behalf of the applicant, a representative from Park Meadows Golf Club was in agreement with the Staff Report and was present to respond to any questions.

There were statements made off the record. Chair Hall opened the public hearing. There was no public comment. The public hearing was closed.

Commissioner Frontero reported that he visited the site a few days ago and toured the area with the head groundskeeper. He proffered that the proposal complied all the way around and would be an improvement. Currently, there is equipment strewn about the blacktop, and it needs to be put away. He felt that the proposed building would go a long way towards cleaning up this area. Commissioner Frontero noted there was a significant amount of perimeter fence and wondered if any portion of that would be removed and replaced with trees.

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The Applicant's Representative reported that the new areas around the new building would have fencing beginning and ending at the building and the building would act as the fence itself. There would also be a berm behind the building and the current fairway to the east. The fence would continue clockwise around the southerly pond and to the roadway that enters into the maintenance yard. On the west side, the fence would begin and end at the lean-to and the lean-to would also act as the fence in that location.

Commissioner Frontero commented that the proposed employee parking was shown on page 5 in the Staff Report, and inquired about the improvement in the parking situation.

The Applicant's Representative reported that they would add 18 - 20 spaces. Planner Ehlers confirmed there would be 18 spaces in that area, and then two additional spaces by the soil storage. Commissioner Frontero felt that would be a vast improvement over the current situation, and noted that currently that area was a mess. He felt the bump-out for parking would increase the utilization of this area.

Commissioner Suesser sought confirmation that no soil would be removed from the site or would be used to berm around the fencing at the perimeter of the maintenance facility. The applicant's representative stated that was the intention, and the berming would help to shield the building from the golf course and surrounding properties, as well as serve as a way to remove the material from the site.

MOTION: Commissioner Johnson moved to APPROVE 2000 Meadows Drive (Park Meadows Golf Course) – Conditional Use Permit and Modification to Master Planned Development, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter as follows:

Findings of Fact

1. The Site is located at 2000 Meadows Drive.

2. The Site is located within the Recreation Open Space (ROS) Zoning District.

3. The Site is part of the Park Meadows Master Planned Development (MPD).

4. The Site is currently used as a maintenance yard for the Park Meadows Golf Course.

5. The Applicant proposes to construct a 6,386-square-foot Maintenance Building, a 2,018-square-foot lean-to shed, and a Parking Area with 20 spaces.

6. The Applicant proposes to increase the total paved area of the maintenance yard from 44,419 square-feet to 55,163 square-feet.

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7. On March 15, 1973, the City Council approved the Holiday Ranch Annexation, the boundaries within which the Park Meadows Golf Course primarily exists.

8. On August 28, 1975, a Declaration of Restrictive Covenants was recorded with Summit County, which placed the following conditions on any development:

    a. A maximum of 1600 Residential Units would be allowed within the property;

    b. A portion of the property was restricted to only be utilized for "construction, maintenance, and operation of a golf course, golf clubhouse, and related improvements and facilities."

9. The recorded document was "executed at the request of and for the benefit of the Park City Municipal Corporation and may be enforced by Park City Municipal Corporation."

10. On September 29, 1980, the 1975 Restrictive Covenants were released due to additional open space being added to the Park Meadows Golf Course. A new restrictive covenant was then recorded. The language from the 1975 Restrictive Covenants used to restrict what could be built on the Park Meadows Golf Course was carried over to the updated 1980 covenant. The addition of the open space was authorized by the City Council on August 16, 1979 (minutes are attached to the recorded document) and the release and recording of the new Restrictive Covenant was signed by the Mayor.

11. On May 8, 1981, an Amendment to the 1980 Restrictive Covenant was recorded to correct errors in the legal description. The legal description was the only portion amended, and the document makes clear the open space restrictions for the Park Meadows Golf Course remain in effect. The Restrictive Covenants have not been amended since 1981.

12. In July of 1982, Park Meadows submitted a Planned Unit Development (PUD) Master Plan Update.

13. The MPD encompasses the golf course and numerous residential subdivisions, from Park Meadows 1-6A, Gleneagles, Four Lakes, Fairway Meadows, Meadows Planning Department Estates, and Racquet Club, amongst others. As the MPD was built out, the residential subdivisions were platted and density (lots) were assigned. The area of the MPD has been platted in total, except for the Golf Course, which exists as a metes-and-bounds parcel.

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14. On June 5, 1992, the Community Development Director sent a letter determining that the construction of the Clubhouse was a permitted use and "does not require a conditional use approval."

15. On October 14, 1996, in response to a request for a zoning certification, the Assistant City Attorney sent a letter determining that no additional approvals would be needed to convert the Golf Course to a private, members-only golf course. It was also determined that any old approvals for any unbuilt structures or density would be expired and so "any new structures or expansion of the existing Golf Course would have to go through a permit process."

16. On December 16, 1998, the Planning Commission approved a Conditional Use Permit (CUP) allowing the construction of a swimming pool and fitness center, amending the MPD.

17. On June 14, 2006, the Planning Commission considered an application that included a request to rezone a portion of the Golf Course to construct residences. Staff determined the density allocated by the MPD had all been used and neighbors were concerned about an increase in density (PL-05-0242). While no motion was taken, the Commission voiced strong concerns about the proposal.

18. On November 7, 2023, the Application was reviewed by the Development Review Committee.

19. On March 1, 2024, the Applicant was issued a complete application notice for the applications for a Conditional Use Permit and a Modification to the Park Meadows Master Planned Development.

20. On February 14, 2024, the Planning Commission held a work session to consider the current proposal for a CUP and Modification of the MPD. The Commission voiced support for the additional density that would be approved under this proposal, subject to the results of the US Army Corps of Engineers (Army Corps) Determination and the requested Waiver from the Affordable Housing Obligation.

21. On February 28, 2024, the Army Corps sent a letter to the applicant determining that a permit from the Army Corps would not be required for this proposal.

22. On April 4, 2024, the Park City Housing Authority held a public hearing and approved the Applicant's requested waiver from the Affordable Housing Obligation.

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23. The proposal requires a modification to the existing Park Meadows Master Planned Development.

24. Staff published notice on the City's website and posted notice to the property on April 10, 2024.

25. Staff mailed courtesy to property owners within 300 feet on April 10, 2024.

26. *The Park Record* published notice on April 10, 2024.

Recreation and Open Space Zoning District Requirements

27. The proposal, as conditioned, complies with the Recreation Open Space Zoning District Requirements.

    a. 2000 Meadows Drive is within the ROS Zoning District. Per the LMC, Accessory Buildings greater than 600 square-feet and Parking Areas with five (5) or more spaces are Conditional Uses within the ROS Zoning District.

    b. The following table analyzes the proposal in relation to the Building Height and Lot and Site Requirements of the ROS Zoning District

Front, Side, and Rear Setbacks
Per LMC §15-2.7-3: "All Structures must be no less than twenty-five feet (25') from the boundary line of the Lot, district or public Right-of-Way". This is the same size of Setbacks as is required under the MPD in LMC § 15-6-5(C). 2000 Meadows Drive (PCA-2-2100-A-9) is a 180.09-acre parcel. The property lines nearest to the existing maintenance yard are those that border Estates Drive, directly to the east and southeast of the maintenance yard. The existing maintenance building is 240 feet from the nearest property line that borders Estates Drive. The proposed shed is 140 feet from the nearest property line that borders Estates Drive. The proposed maintenance building is 310 feet from the nearest property line. The proposed parking area is 102 feet from the nearest property line. Per LMC §15-2.7-3(A): "Fences, walls, stairs, paths, trails, sidewalks, patios, driveways, Ancillary Structures, approved Parking Areas, and Screened mechanical and utility equipment are allowed as exceptions in the Front, Side and Rear Setbacks" Construction within the Setbacks is not proposed as part of this application.
Building Height
Per LMC §15-2.7-4: "No Structure No Structure may be erected to a height greater than twenty-eight feet (28') from Existing Grade. This is the Zone Height".

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Complies: The existing maintenance building is 20'-5" tall at the height point. The maintenance building is proposed to be 20'-9 ¼" tall. The shed is proposed to be 17'-7 ¾" tall at the highest point.

Conditional Use Permit Requirements

28. The proposal, as conditioned, complies with Conditional Use Permit Requirements outlined in LMC Section 15-1-10(E).

29. The Analysis of the Conditional Use Permit Requirements are outlined in the following table:

CUP Review Criteria	**Analysis of Proposal**
Size and Location of the Site	**No Mitigation Required:** This is a 55,163 square feet site. There is an existing maintenance building on site that has an area of 8,522 square-feet. The proposed maintenance building will have an area of 6,386 square feet and the new lean-to shed will have an area of 2,018 square feet. The combined area of the proposed structures is 8,404 square-feet, which is slightly less than the area of the existing maintenance building. The existing maintenance building, along with the proposed maintenance building and shed, comply with the setback and height requirements of the ROS Zoning District.
Traffic	**No Mitigation Required:** The Traffic Impact Study Guidelines adopted by the Planning Commission outline the following: "a transportation impact study is required when a proposed development or redevelopment will generate 25 or more net new vehicle trips during the weekday AM or PM peak hour or other analysis hour at the discretion of Park City staff." Depending on the season, the maintenance yard is accessed by 5-20 employees daily. No increase in employees is proposed and therefore,

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	there will not be enough new trips generated to require a Traffic Impact Study.
Emergency Vehicle Access	**No Mitigation Required:** The Park City Fire District (PCFD) reviewed this application on November 7, 2023. PCFD does not require Conditions of Approval.
Parking	**See Conditions of Approval 13, 14, & 15** As mentioned earlier, depending on the season, the existing maintenance yard is accessed by 5-20 employees daily. There are currently no formal parking spaces on site for existing employees. The applicant proposes to create a Parking Area with 20 Parking Spaces. According to the Applicant, the additional spaces will reduce the conflict between parked cars and equipment activity within the maintenance yard.
Internal Vehicular and Pedestrian Circulation System	**No Mitigation Required:** The proposed construction will not impact existing circulation. Access to the maintenance yard is currently achieved from Estates Drive. The proposal will not change how vehicular or pedestrian access is achieved.
Fencing, Screening, and Landscaping	**See Conditions of Approval 6 & 7** The proposed landscape plan will add 28 Colorado Blue Spruce trees, 16 Aspen trees, and 12,032 square-feet of native grass seed mix. 20 Evergreen trees, 11 Cottonwood trees, and six Aspen trees will remain on the north and northwestern perimeter of the maintenance yard. No plantings are proposed to be removed, and native grasses are proposed to be replaced with equivalency. The proposal also calls for a six-foot-tall wood fence that will extend along the southern perimeter of the proposed maintenance building and parking area.
Building Mass, Bulk, and Orientation	**No Mitigation Required:**

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	The proposed maintenance building and shed will mimic the design and appearance of the existing maintenance building. The parking area will be shielded from neighboring residences with fencing and landscaping.
Usable Open Space	**No Mitigation Required:** MPDs require 60% Open Space under LMC § 15-6- 5(D). 2000 Meadows Drive (PCA-2-2100-A-9) is a 180.09-acre parcel. The proposal increases the total paved area and reduces Open Space by 12,171 square feet, or 0.28 acres. The majority of the site remains Open Space
Signs and Lighting	**See Condition of Approval Recommended 5** Per the proposed plans, no exterior lighting is proposed. Neither are Signs.
Physical Design and Compatibility with Surrounding Structures	
See Conditions of Approval Recommended 2, 8, & 9 The proposal will not impede any ridgelines. The LMC defines the Park Meadows Country Club Clubhouse as a Vantage Point. The existing Maintenance Building is slightly visible but mostly shielded from the clubhouse. The proposed structures will complement the design of the existing maintenance building. The siding for the new maintenance building will be comprised of horizontal cedar and pre-cast concrete blocks. The roofing material will be Presidential TL shingles. The siding materials for the new shed will be corrugated metal and the roofing material will be Presidential TL shingles.	
Noise, Vibration, Odors, Stream, or Other Mechanical Factors	**No Mitigation Required:** The existing maintenance yard is currently used for the storage and maintenance of vehicles and equipment that support the Park Meadows Golf Course.

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	The new buildings will allow for maintenance activities to take place indoors.
Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas	**No Mitigation Required:** The proposed maintenance building, shed, landscaping and fencing will further shield the existing maintenance yard and its uses from the adjoining residential neighbors.
Expected Ownership and Management	**No Mitigation Required:** The facilities are proposed to remain private in association with the Use of the Park Meadows Country Club. Current operations are from 4:30 am till 5 pm seasonally. The proposal will not modify the existing hours of operation.
Within and Adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and Appropriateness of the Proposed Structure to the Existing Topography of the Site	**See Conditions of Approval 11 & 12** There are no Steep Slopes located on or near the proposed site and the site is not located within the Sensitive Lands Overlay or Park City Soils Ordinance.
Reviewed for Consistency with the Goals and Objectives of the Park City General Plan	**No Mitigation Required:** The proposal does not compromise the key characteristics of the Park Meadows neighborhood, Neighborhood 2 of the General Plan. The Golf Course is listed in the General Plan as a community amenity, and the proposal will not change the character of that amenity considering it is intended for maintenance and employee use. The General Plan also requires that there should be “careful mitigation of negative impacts such as traffic, lighting, and compatibility.” These concerns are minimal in this application and are proposed to be mitigated through Conditions of Approval.

Master Planned Development Requirements

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30. The proposal, as conditioned, meets the standards of the Park Meadows MPD and the Master Planned Development Criteria outlined in LMC Chapter 15-6.

31. Complies with all requirements of the Land Management Code.

32. Meets the minimum requirements of Section 15-6-5;

    a. **Density - No Mitigation Required:** The 1982 MPD did not allocate specific density units to the Golf Course. There are no specific limitations in prior approvals governing what accessory structures can be built to support the Club House. The only restriction is what is imposed by the LMC and Zoning. The ROS Zone allows Golf Courses and accessory uses. The proposed Maintenance Building, lean-to shed, and Parking Area are accessory uses to the Golf Course necessary to support its functions.

    b. **Traffic - No Mitigation Required:** The Traffic Impact Study Guidelines adopted by the Planning Commission outlined the following: "a transportation impact study is required when a proposed development or redevelopment will generate 25 or more net new vehicle trips during the weekday AM or PM peak hour or other analysis hour at the discretion of Park City staff." Depending on the season, the existing maintenance yard is accessed by 5-20 employees daily. As the new Maintenance Building is primarily so that employees can be shifted from the old building, there will not be enough new trips generated to cause a Traffic Impact Study to be required.

    c. **Parking - See Conditions of Approval 13, 14, & 15:** Depending on the season, the existing maintenance yard is accessed by 5-20 employees daily. There are currently no formal parking spaces on site for existing employees. The applicant proposes to create a Parking Area with 20 Parking Spaces, one for each existing employee. The Applicant's proposal will not increase the need for additional employees. Per the Applicant, the additional spaces will reduce the conflict between parked cars and equipment activity within the maintenance yard and this proposal will ensure the site can accommodate up to 20 vehicles parked on-site.

    d. **Setbacks – See Condition of Approval 5:** Per LMC §15-6-5(C): "The minimum Setback around the exterior boundary of a Master Planned Development shall be twenty-five feet (25') for Parcels greater than two (2) acres." Complies: 2000 Meadows Drive (PCA-2-2100-A-9) is a 180.09-acre parcel. The property lines nearest to

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the existing maintenance yard are those that border Estates Drive, directly to the east and southeast of the maintenance yard. The existing maintenance building is 240 feet from the nearest property line that borders Estates Drive. The proposed shed is 140 feet from the nearest property line that borders Estates Drive. The proposed maintenance building is 310 feet from the nearest property line. The proposed parking area is 102 feet from the nearest property line. Construction within the Setbacks is not proposed as part of this application.

e. **Usable Open Space - No Mitigation Required:** MPDs require 60% Open Space under LMC § 15-6-5(D). 2000 Meadows Drive (PCA-2-2100-A-9) is a 180.09-acre parcel. The proposal increases the total paved area and reduces Open Space by 12,171 square feet, or 0.28 acres. The majority of the site remains Open Space.

f. **Building Height - No Mitigation Required:** LMC § 15-6-5(F) requires buildings subject to an MPD to meet the Building Height requirements outlined in the Zoning District the MPD is located in. For Recreation and Open Space, LMC § 15-2.8-4 states: “No Structure may be erected to a height greater than twenty-eight feet (28') from Existing Grade. This is the Zone Height”. Complies: The existing maintenance building is 20’-5” tall at the highest point. The second maintenance building is proposed to be 20’-9 ¼” tall. The lean-to shed is proposed to be 17’- 7 ¾” tall at the highest point.

g. **Site Planning – See Condition of Approval 1:** LMC § 15-6-5(G) requires that “A Master Planned Development shall be designed to take into consideration the characteristics of the Site upon which it is proposed to be placed. The project should be designed to fit the Site, not the Site modified to fit the project.” The proposed plans will see an expansion in the area that is disturbed on the site, but it remains clustered around the disturbance created by the existing Maintenance Building and access road.

h. **Landscaping and Lighting – See Conditions of Approval 6, 7, & 8:** The applicant submitted a proposed landscaping plan (EXHIBIT E) and it is compliant with: LMC § 15-5-5(N) (water-wise landscaping) and Park City Municipal Code Chapter 11-21, Utah Wildlife-Urban Interface Code.

i. **Sensitive Land Analysis – See Condition of Approval 12:** While part of the Golf Course is located within the Sensitive Land Overlay (SLO), the actual portion of the parcel subject to the Application is not within the SLO. Located south-west of the lot is a pond.

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Considering the proximity of the proposed construction, the Engineering Department requested the Army Corps of Engineers' review. On February 28, 2024, the Army Corps sent a letter stating they had determined that the Applicant wouldn't need a permit from the Army Corps for the proposed construction. The letter did state that "(i)f future plans would result in a change to the design or construction methods of proposed action, we recommend you contact our office for a new determination."

j. **Employee/Affordable Housing – Waiver Granted:** LMC § 15-6-5(J) requires the applicant submit "a housing mitigation plan that addresses employee Affordable Housing required by the adopted housing resolution in effect at the time of a complete Application." Resolution 05-2021 Section 12(A) states "Developments, which received development plan approvals prior to the adoption of this housing resolution, shall conform to the provisions of the resolution in place at the time of applicable complete application. Any modifications to an existing Planning Department Development Agreement that results in an increase in housing units or employee generation shall be subject to the provisions of this Resolution." While there is not a Development Agreement governing the Park Meadows MPD, it is a "Development, which received development plan approvals prior to the adoption" of the resolution. As such, the Applicant is required to submit a housing mitigation plan for a recommendation by the Planning Commission to the Park City Housing Authority. The Applicant requested a waiver from the Affordable Housing Obligation and on April 4, 2024, the Park City Housing Authority granted that waiver (Exhibit M).

k. **Child Care – No Mitigation Required:** No Child Care facility is proposed as part of this Application, nor will there be an increase in demand as the number of employees will not increase.

l. **Mine Hazards – No Mitigation Required:** There are no known Mine Hazards located on the site.

m. **Historic Mine Waste Mitigation - No Mitigation Required:** The site is not located in the Park City Soils Ordinance Boundary.

n. **Reviewed for Consistency with the Goals and Objectives of the Park City General Plan - No Mitigation Required:** The proposal does not compromise the key characteristics of the Park Meadows neighborhood, Neighborhood 2 of the General Plan. The Golf Course is listed in the General Plan as a community amenity, and the proposal will not change the character of that amenity considering it

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is intended for maintenance and employee use. The General Plan also requires that there should be "careful mitigation of negative impacts such as traffic, lighting, and compatibility." These concerns are minimal in this application and are proposed to be mitigated through Conditions of Approval.

o. **Historic Sites - No Mitigation Required:** There are no Historic Sites located on the site.

p. **Land Management Code Review** – This proposal, as conditioned, complies with the requirements of the Recreation and Open Space Zoning District and the Conditional Use Permit Requirements.

33. Provides the highest value of Open Space, as determined by the Planning Commission; MPDs require 60% Open Space under LMC § 15-6-5(D). 2000 Meadows Drive (PCA-2-2100-A-9) is a 180.09-acre parcel. The proposal Planning Department increases the total paved area and reduces Open Space by 12,171 square feet, or 0.28 acres. The majority of the site remains Open Space.

34. Strengthens and enhances the resort character of Park City; this proposal enhances the operations of a well-known Golf Course and Country Club.

35. Compliments the natural features on the Site and preserves significant features or vegetation to the extent possible; The proposed plans will see an expansion in the area that is disturbed on the site, but it remains clustered around the disturbance created by the existing Maintenance Building and access road. To ensure this and maintain visual continuity with the existing structure, Conditional of Approval 1 is required.

36. Is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where appropriate, and protects residential neighborhoods and Uses; The 1982 MPD did not allocate specific density units to the Golf Course. There are no specific limitations in prior approvals governing what accessory structures can be built to support the Club House. The only restriction is what is imposed by the LMC and Zoning. The ROS Zone allows Golf Courses and accessory uses. The proposed Maintenance Building, lean-to shed, and Parking Area are accessory uses to the Golf Course necessary to support its functions.

37. Provides amenities to the community so that there is no net loss of community amenities; allows for enhanced operations of a well-known Golf Course and Country Club, while mostly confining additions to previously disturbed area.

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38. Is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time staff determined the Application to be complete.

39. Meets the Sensitive Lands requirements of the Land Management Code and is designed to place Development on the most developable land and least visually obtrusive portions of the Site; As no new employees will be generated, the Applicant requested a waiver from the Affordable Housing Obligation and on April 4, 2024, the Park City Housing Authority granted that waiver (Exhibit M).

40. Promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; The project is located within a Golf Course and Country Club. It will not create more traffic and those accessing the site will be limited to employees only.

41. Was noticed and the Planning Commission held a public hearing in accordance with this Chapter; Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on April 10, 2024. Staff Planning Department mailed a courtesy notice to property owners within 300 feet on April 10, 2024. The Park Record published notice on April 10, 2024. On April 24, 2024, the Planning Commission held a public hearing.

42. Incorporates best planning practices for sustainable development, including water conservation measures and energy-efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application; all buildings will be required to meet existing Building Code Standards.

43. Addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies; There are no known Mine Hazards located on the site.

44. Addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance; The site is not located in the Park City Soils Ordinance Boundary.

45. Addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan; There are no Historic Sites on the site.

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46. Addresses and mitigates traffic; Depending on the season, the existing maintenance yard is accessed by 5-20 employees daily. As the new Maintenance Building is primarily so that employees can be shifted from the old building, there will not be enough new trips generated to cause a Traffic Impact Study to be required.

Conclusions of Law

1. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.7 Recreation Open Space.

2. The proposal complies with the Land Management Code Requirements pursuant to Section 15-1-10, Conditional Use Review Process.

3. The proposal complies with the Land Management Code Requirements pursuant to Chapter 15-6, Master Planned Developments.

Conditions of Approval

1. Prior to the issuance of a building permit, Planning Staff shall review final plans for consistency with plans reviewed by the Planning Commission on April 24, 2024.

2. Final building plans and construction details shall reflect substantial compliance with the plans dated October 20, 2023, and approved by the Planning Commission on February 14, 2024.

3. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.

4. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.

5. No construction activity is proposed or approved within the required 25-foot Front, Rear, and Side Setbacks.

6. Existing vegetation shall be preserved and protected during construction. The Applicant shall submit a vegetation protection plan for Planning approval prior to building permit issuance. The landscape plan is subject to LMC Section 15-5- 5(N) Water Wise Landscaping, Park City Municipal Code 11-21, Utah Wildland-Urban Interface Code. Any Irrigation must be water-wise compliant with LMC Section 15-5-5(N) Water Wise Landscaping and needs a watersense/smart label.

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7. Any modifications to the approved landscape plan shall be submitted to the Planning Department to ensure compliance with LMC Section 15-5-5(N) Water Wise Landscaping, and the Municipal Code of Park City Chapter 11-21, Utah Wildland-Urban Interface Code.

8. No exterior lighting is proposed or approved as part of this Conditional Use Permit. Exterior lighting shall comply with LMC Section 15-5-5(J) and shall be fully shielded and down-directed with light bulbs that are 3,000 degrees Kelvin or less. New lighting details shall be reviewed by Planning Staff prior to installation.

9. Building materials shall comply with LMC Section 15-5-5, which states that each building facade may have a maximum of three different types of materials, stone siding must be natural, and metal siding shall be non-reflective.

10. Roofing materials shall comply with LMC Section 15-5-5(E), which states all roofing materials shall be natural earth-toned in color and shall have a Solar Reflective Index of 35 or less.

11. The Applicant shall provide an updated Storm water management to the Engineering Department prior to issuance of a Building Permit.

12. If the Applicant proposes a modification or new development on site, the Applicant shall provide written approval from the Army Corps of Engineers which permits the proximity of the proposed construction to the neighboring ponds.

13. Parking Spaces must be at least nine feet (9') wide by eighteen feet (18') long as required by LMC § 15-3-3(F).

14. All bicycle parking, both Enclosed Storage and Exterior Bike Racks, must comply with LMC § 15-3-9. 15. The Outdoor Parking Area must contain Electric Vehicle Charging Station Installations and Conduit as required by LMC § 15-3-11.

Commissioner Van Dine seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

E. 1115 Aerie Drive – Conditional Use Permit – The Appeal Panel Granted an Appeal in Part and Remanded to the Planning Commission an Appeal in Part of the Planning Commission's July 13, 2022, Denial of a Conditional

PENDING APPROVAL

Use Permit to Construct a Private Recreation Facility at 1115 Aerie Drive. PL-21-05101.

Planner Cawley reported that he would forego his presentation and noted that the Staff Report outlined the status of the Appeal. Staff's recommendation was to decide if there was enough information for the Commission to make an informed decision, and if not, continue this item to a date certain. If the Planning Commission felt there was adequate information to approve, Staff recommended the Commissioner direct Staff to prepare Findings of Fact and Conditions of Approval and continue this item to May 8, 2024, for ratification.

Attorney Budge appeared on behalf of the applicant, along with Jason Boll and the owner's son. Attorney Budge thanked those who were able to visit the site today. He stated the history of this application was detailed in the Staff Report, and despite the long history, they were at a point where they could wrap this entire matter up today.

Attorney Budge highlighted some important dates. Applicant filed this application on December 20, 2021. He recalled that they had some permits in hand but the contractor jumped the gun, and the applicant did not have all the required permits. He became involved once the stop-work orders were issued, and as a result, the appropriate applications were filed. In July 2022, there was a public hearing and denial. The denial was reviewed by the State and following that decision, they went to the Appeal Authority that considered the Ombudsman's opinion.

The Appeal Authority then granted the Appeal relative to some issues and remanded the issue before the Commission at this hearing, which relates to some of the materials relative to the slopes.

Attorney Budge reminded the Commission that this application was being processed under the Code that existed prior to a number of updates that had since occurred. This application was for a Recreation Facility, which was a sports court. In terms of the current conditions, he reported that the tennis court was poured. The applicant would remove much of that material and make it a sports court to make it comply with Code. He presented the pertinent provisions that were also before the Appeal Authority.

Attorney Budge presented the Appeal Authority's ruling and explained that it granted the appeal and remanded the matter, in part, to the Planning Commission with a direction to make Findings on whether reasonable conditions may be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards in the LMC. The applicant was also directed to put before the Commission the details provided relating to the Steep Slopes. He presented images of the site and the re-sized court. He noted that the image showed the amount of screening, and pointed out locations where the hard surface would instead be trees. He also explained that the applicant would move the retaining wall near the road after it was engineered and they had taken into consideration its conditions so as to not compromise a public improvement.

PENDING APPROVAL

They would re-size the wall so that this area would be screened. He reported that the applicant also entered into an agreement with the neighbor and would install landscape mitigation on the neighbor's property in an area where they obtained an easement. He mentioned that this would include 42 Spruces, 35 Maples, 20 Quaking Aspens and shrubs as indicated. The next slide would help everyone to understand how there would be an improvement in the area by removing the hard surface. He offered that the area would remain as a more appropriately sized and scaled sports court for the site.

Attorney Budge also explained that they removed all of the sports court material from the Setbacks and the current retaining wall would be removed. With regard to the question regarding compliance with the requirement that there be a Setback from the Very Steep Slopes, he stated that Alliance performed an analysis on this issue. He explained that the area of Very Steep Slopes was shown below the house depicted by the crossed lines. The Code definition of a Very Steep Slope required not only that it be greater than 40%, but also that it be of a certain dimension. Attorney Budge stressed that this was the only area on the site with Very Steep Slopes.

The dashed line above the area of the Very Steep Slopes represented the required Setback, and he stated the applicant complied with the Setback and did not propose improvements in the Very Steep area. The map before the Commission was prepared after the comments discussed before the Appeal Authority, and removed any of the issues. He recalled that one of the issues was ground disturbance prior to submitting the application. To address this issue, they consulted with Alliance who referred to topography information they had prior to the ground disturbance so they were comfortable that the information presented was accurate.

Attorney Budge expressed that the location of the sports court was the only suitable location on the site where the applicant could locate a Recreational Facility because otherwise, it would be in the Setback or on a Very Steep Slope. A small area outside the Setback was not sized appropriately for a sports court. He presented a further slide with added detail relative to the landscaping and screening that would be provided. They were pleased to include those as Conditions as indicated.

Because there were Steep Slopes involved, the applicant prepared a Visual Assessment to make sure that they would not create any impact from any of the Vantage Points identified in the Code. He stated that the sports court would not be visible from the identified Vantage Points. He noted these were the Vantage Points at the time the applicant submitted the application in 2021.

There was some additional mitigation that should be added as Conditions. One of the uses would be for pickleball, and they hired a consultant to advise on the latest technology with respect to noise. Based on this analysis, the applicant offered to add four requirements. One was that the applicant would employ a self-surface system that absorbs 20% of the downward reflected sound waves.

PENDING APPROVAL

The next component was to install an acoustic fence around the court. He stated that the only way they could get approval for a fence was if the Planning Director later determined that a fence was appropriate for this site. If the Commission determined that this fence was not a needed mitigation, then the applicant would not install the fence. However, if a fence was needed, they would put that material on the fence for the added mitigation. He mentioned a ball technology and a paddle technology that has sound mitigation components. Any paddle play would have to use only these materials.

Attorney Budge presented a summary of how this application complies with the Code criteria.

- The Zoning Ordinance references this as being an appropriate use for this zone.
- The proposal would not add traffic.
- As conditioned, stormwater mitigation would be required due to the surface and would be handled on-site and reviewed by the Engineering Department. He stated that this would be a daytime-only facility.
- There were no changes for Nos. 4, 5, or 6.
- He mentioned the fencing and the proposed landscaping/screening.
- The mass of the hard surface would be reduced.
- This project was approved as part of an overall Subdivision and the Open Space would not be impacted or changed by this proposal.
- There would be no lights or signs.
- As conditioned, the pour size would be reduced.
- He stated that 12, 13, 14, 15, and 16 would not be impacted. He mentioned the right to install landscaping on the neighbor's property
- This project was not inconsistent with the General Plan, which anticipated accessory uses such as this.

Chair Hall opened the public hearing.

Karen Antonsson resides in zip code 84060 and lives on Aerie Drive. She noted that the applicant stated this project complied with the prior Code; however, her understanding was that the applicant did not have the permit during the time of the prior Code and did not understand why they would therefore have the benefit of that timing. She did not understand the noise mitigation but expressed concerns about the mitigation and how it would be enforced. She wondered if she would be required to use her binoculars to see if they were using the correct racquet. Speaker Antonsson also did not know how the water runoff would work. She questioned whether the Commission could allow the applicant to do what they want when they did not have a permit in place and felt they should adhere to the current Code.

Tyler Sutton deeply regretted that his neighbors had to endure the past couple of years. He stated that he was looking forward to the Commission's decision and as they worked

PENDING APPROVAL

with Attorney Budge and the applicant's team, they followed the path set out by the State and the City.

There was no further public comment. Chair Hall closed the public hearing.

Commissioner Van Dine mentioned that LMC Section 15-4-22 for Outdoor Pickleball Courts in Residential Areas had very specific requirements, and she did not see those outlined in the Staff Report or the applicant's presentation. She inquired whether this Code would be applicable to this application.

Attorney Budge stated that was considered in January 2022 and then approved in April 2022, and because this application was submitted approximately six weeks prior to January 2022, it was vested under the prior ordinance. Commissioner Suesser asked what aspects of the new pickleball ordinance this application did not comply with.

Attorney Budge recalled that the new Ordinance required sound studies; instead, they engaged someone to suggest mitigation. Commissioner Suesser requested confirmation that the drainage from the sports court would be onsite and not directed to the neighboring property. Attorney Budge confirmed. He also confirmed that the fencing and soundproofing of the fencing, if approved by the Planning Director, would be on four sides of the court.

Commissioner Shand mentioned time limitations for play and whether that was in the Conditions of Approval. Attorney Budge referenced proposed Condition I that the court could not be used between 10:00 p.m. and 7:00 a.m. He noted the sun would also limit the time, as the court would not be lighted.

Commissioner Shand respected and understood the noise mitigation, but he had an issue with playing from 7:00 a.m. to 10:00 p.m. Attorney Budge suggested 8:00 a.m. Commissioner Shand suggested that at a minimum it should be 8:00 a.m. to 8:00 p.m. for the pickleball use. Commissioner Suesser noted that basketball could be quite loud as well.

Chair Hall noted the Condition that no exterior lighting was proposed or approved included the relevant Code that it would be shielded downward and those details would be reviewed by Planning Staff prior to installation.

Attorney Budge explained that was for lighting outside, but agreed it should be removed as to the sports court. He noted the applicant installed some path lighting, but there would be no light fixtures on the court itself or shining onto the court for illumination.

Chair Hall stated they could enhance the first sentence of Condition of Approval A to clarify that there would be no exterior lighting for the court and would only be on the walkway leading to the court.

PENDING APPROVAL

Director Ward asked if this Condition was proposed to extend to all outdoor lighting for the Single-Family Dwelling. Attorney Budge stated that there were a lot of other improvements, and any of the other fixtures installed since 2021 complied with this section of the Code.

Commissioner Frontero requested Planner Cawley to pull up the Conditions of Approval. Planner Cawley clarified that Staff did not draft a Final Action Letter, as the Commission would direct Staff to do so. Commissioner Suesser noted that they had not seen the applicant's proposed Conditions.

Director Ward noted that the Conditions were included in Exhibit A to the Staff Report.

Commissioner Johnson asked if the lower section of the retaining walls would be subject to the Administrative CUP approval. Attorney Budge confirmed and stated that would be done later.

Attorney Budge presented the proposed Conditions of Approval:

- Portions of the sports court and retaining walls located outside the Front and Side Setbacks must be relocated as discussed.
- Any disturbed area offsite from the property must be revegetated. He stated that the applicant poured onto the neighbor's property so this would require correction of that condition.
- The applicant shall relocate the retaining wall that is north of the sports court within the applicable Setbacks.
- The applicant must engineer plans for the relocated retaining wall if it is over 4 feet in height.
- Prior to obtaining a Building Permit for the relocated retaining wall, the applicant shall submit to the City's Engineering Department an Excavation and Grading Plan showing no erosion, land subsidence, or avalanche.
- The applicant shall submit a Construction Mitigation Plan for approval
- The Stormwater Mitigation Plan shall be reviewed and approved by the Engineering Department prior to Building Permit submittal for onsite retention.
- The applicant shall notify the Planning Department prior to making any change to the plans approved as part of the sports court CUP.
- The property is located outside of the Soils Ordinance, but if those conditions are found they must be handled in accordance with law.
- No overhead lighting is permitted for the sports court and all exterior lighting for walkways shall be down-directed, fully shielded pursuant to the Code. He stated that the fully shielded outdoor lights were intended to show compliance with the Code for those lights leading to the sports court.
- Use of the sports court shall be prohibited from 10:00 p.m. to 7:00 a.m. and between 8:00 p.m. and 8:00 a.m. as to any paddle sports, including pickleball.
- The surface shall be comprised of the sports game PB open-cell material or similar noise-reducing material.

PENDING APPROVAL

- An acoustic fence or similar fencing must be installed around all four sides.
- The sports court may be used for paddle games, including pickleball, but only when the USA quiet category-compliant paddles and softballs are used.

Commissioner Suesser felt that removing the current retaining wall would require another retaining wall, and the applicant should work with Staff and the Engineering Department to determine the best way to remove that wall. She did not think they should necessarily require the removal of that wall, as it would likely be more disruptive.

Commissioner Johnson commented that the Conditions were a good way to reasonably mitigate any concerns and reflected a different application than previously presented.

City Attorney Harrington suggested that the motion could be to direct Staff to return with the suggested Conditions of Approval as amended and to include the Findings of Fact that support the approval. The Commission could then vote to approve subject to ratification of the Final Action Letter prepared by Staff.

Commissioner Suesser questioned whether the proposed Condition of Approval A captured what they observed during the site visit regarding the reduced size of the sports court. She wanted to ensure that this reflected what they saw mapped out and the sports court would only be the size of that area identified at the site.

Commissioner Frontero suggested including square footage. Attorney Budge stated they would include that in the Conditions of Approval.

City Attorney Harrington understood that Commissioner Suesser did not suggest that any part of the retaining wall remain exposed unless an engineer determined that some portion of it needed to remain as the grade is re-established. He noted the proposal was to re-establish the grade to the smaller retaining wall and not to have two exposed retaining walls. Commissioner Suesser confirmed and noted that the proposal during the site visit was a 2-foot retaining wall, not anything over 4 feet, and recommended amending that Condition of Approval.

MOTION: Commissioner Suesser moved to APPROVE the Conditional Use Permit for 1115 Aerie Drive for a Private Recreation Facility, direct Staff to draft Findings of Fact, Conclusions of Law, and Conditions of Approval consistent with these discussions, and continue this item to May 8, 2024 for ratification. Commissioner Shand seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission. Commissioner Van Dine did not participate in the vote as she left the meeting before the vote was taken.

Chair Hall reported that the Commissioners would not be meeting following this meeting.

PENDING APPROVAL

7. ADJOURNMENT

MOTION: Commissioner Frontero moved to adjourn.

The meeting adjourned at approximately 10:00 P.M.

PENDING APPROVAL

11343 SNOW TOP ROAD
CONDITIONAL USE PERMIT

PENDING APPROVAL

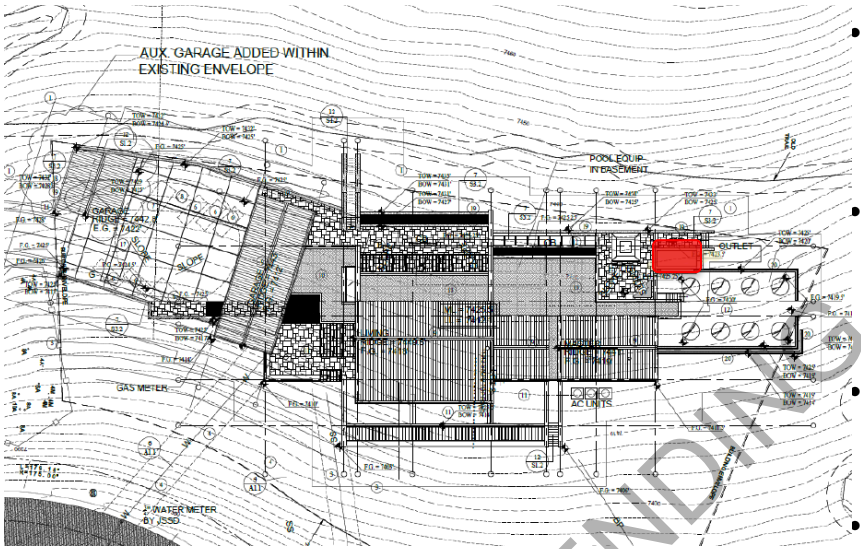
Planning Commission
PL-24-06055 | April 24, 2024

PARK CITY
1884

11343 Snow Top Road

PENDING FINAL APPROVAL

11343 Snow Top Road



- The Applicant proposes to build a swimming pool on the same site as a Single-Family Dwelling at 11343 Snow Top Road.
- 11343 Snow Top Road is in the Estate (E) Zoning District, the Sensitive Land Overlay (SLO), and the Hidden Hollow at Deer Crest Subdivision
- Swimming pool is proposed to be 12 ft. x 8 ft. (96 sq. ft.)
- Pool is proposed to be used as a swim spa for owner and guests.

PENDING APPROVAL

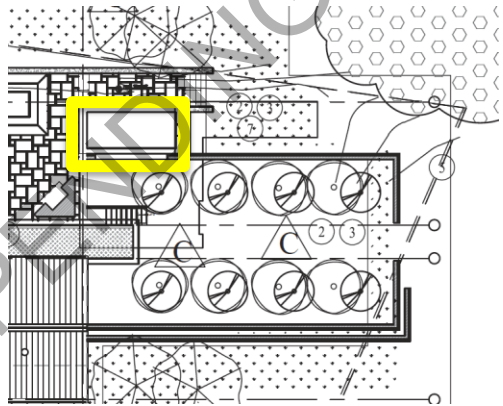
11343 Snow Top Road

The proposed swimming pool meets the Estate Zoning District lot and site requirements.

The proposed swimming pool meets the Hidden Hollow at Deer Valley Subdivision Plat requirements.

- This lot was subject to a Settlement Agreement (Telemark Settlement Agreement) in 1995. This Settlement Agreement exempts the subdivision from the provisions of the SLO.

- The swimming pool is within the existing Building Pad and within an existing enclosed courtyard.



PENDING APPROVAL

11343 Snow Top Road

The proposal, as conditioned, complies with the E Zoning District requirements.

The proposal, as conditioned, complies with the requirements for private recreation facilities.

PENDING APPROVAL

Conditions of Approval

The proposal, as conditioned, complies with LMC §15-1-10(E)

- Condition of Approval 2 – No signs are allowed
- Condition of Approval 3 – Compliant lighting
- Condition of Approval 4 – Noise ordinance/Chapter 6-3

PENDING APPROVAL

11343 Snow Top Road

Recommendation:

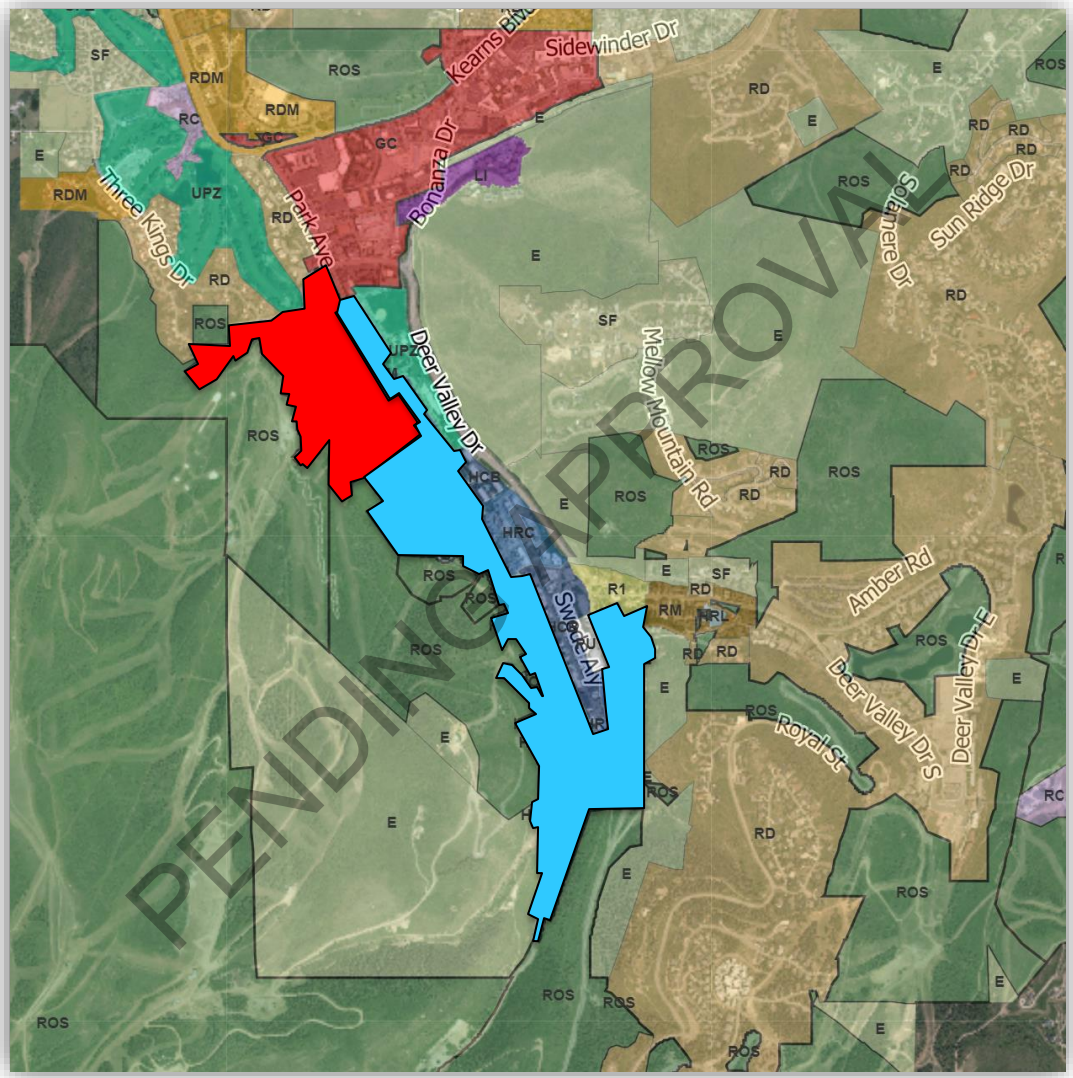
(I) Review the Conditional Use Permit to construct a Private Recreation Facility (swimming pool) at 11343 Snow Top Road, (II) hold a public hearing, and (III) consider approving the Conditional Use Permit based on the Findings of Fact, Conclusions of Law, and Conditions of Approval.

PENDING APPROVAL

LAND MANAGEMENT CODE

MAXIMUM RESIDENTIAL LOT SIZE

PARK CITY
1884


Sidewinder Dr
Kearns Blvd
Bonanza Dr
Park Ave
Three Kings Dr
Deer Valley Dr
Mellow Mountain Rd
Solamere Dr
Sun Ridge Dr
Amber Rd
Deer Valley Dr E
Deer Valley Dr S
Royal St
Swede Alley
SF
RDM
ROS
RC
GC
LI
UPZ
RD
E
HCB
HRC
R1
RM
HRL
PENDING APPROVAL

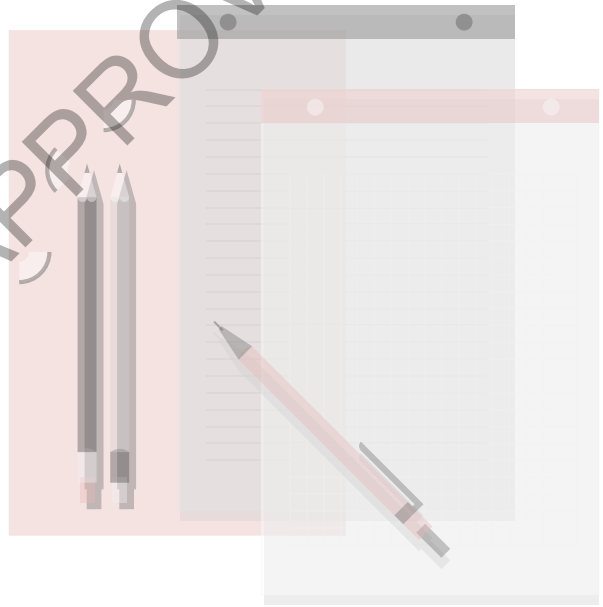
MAXIMUM LOT SIZE

General Plan Goals:

- Preservation of Character
- Compatibility and Scale
- Context-Sensitive Development

RC Zoning District Purposes:

- Development that reflects traditional patterns, character, designs, & historic character



PENDING APPROVAL

MAXIMUM LOT SIZE

MAXIMUM LOT SIZE

MAX LOT SIZE PER HOUSING TYPE*			
SINGLE FAMILY	DUPLEX	TRIPLEX	FOURPLEX
3,750 SF 2 Old Town Lots	7,750 SF 4 Old Town Lots		+

*Exempt Historic Sites that exceed the maximum lot size.

+Conditional Use

Lots previously approved by Subdivision or Plat Amendment may be built pursuant to the regulations in effect at the time the plat was approved. These amendments apply only to new Subdivisions or Plat Amendments for Single-Family or Duplex proposals.

PENDING APPROVAL

MAXIMUM LOT SIZE

Recommendation:

- Consensus in establishing a maximum lot size in the RC Zoning District.
- Preservation of smaller lots = compatible infill, balanced transition in development patterns.
- Aligns with the General Plan goals and strategies.
- Supports the purpose of the RC Zoning District (fosters traditional styles, preserves character, safeguards historic and mountain town identity).

- **Forward a positive recommendation for Council's consideration on May 23, 2024.**

PENDING APPROVAL

Planning Commission
Staff Report

Subject: **176 Main Street**
Application: **PL-24-06085**
Author: **Lillian Zollinger, Planner II**
Date: **May 22, 2024**
Type of Item: **Subdivision**

Recommendation

(I) Review the proposed 176 Main Street Subdivision to create one Lot from a Metes and Bounds Parcel in the Historic Residential - 2 Zoning District; (II) conduct a public hearing; and (III) consider approving the Subdivision based on the Draft Final Action Letter Findings of Fact, Conclusions of Law, and Conditions of Approval (Exhibit A).

Description

Applicant:	Mountain Seas Development Limited Ltd, represented by Marshall King
Location:	176 Main Street
Zoning District:	Historic Residential – 2, Sub-Zone B
Adjacent Land Uses:	Residential Commercial
Reason for Review:	The Planning Commission reviews and takes Final Action on Subdivisions that are not for Single-Family, Duplex, or Townhomes.[1]

CUP	Conditional Use Permit
HDDR	Historic District Design Review
HR-2	Historic Residential
LMC	Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Background

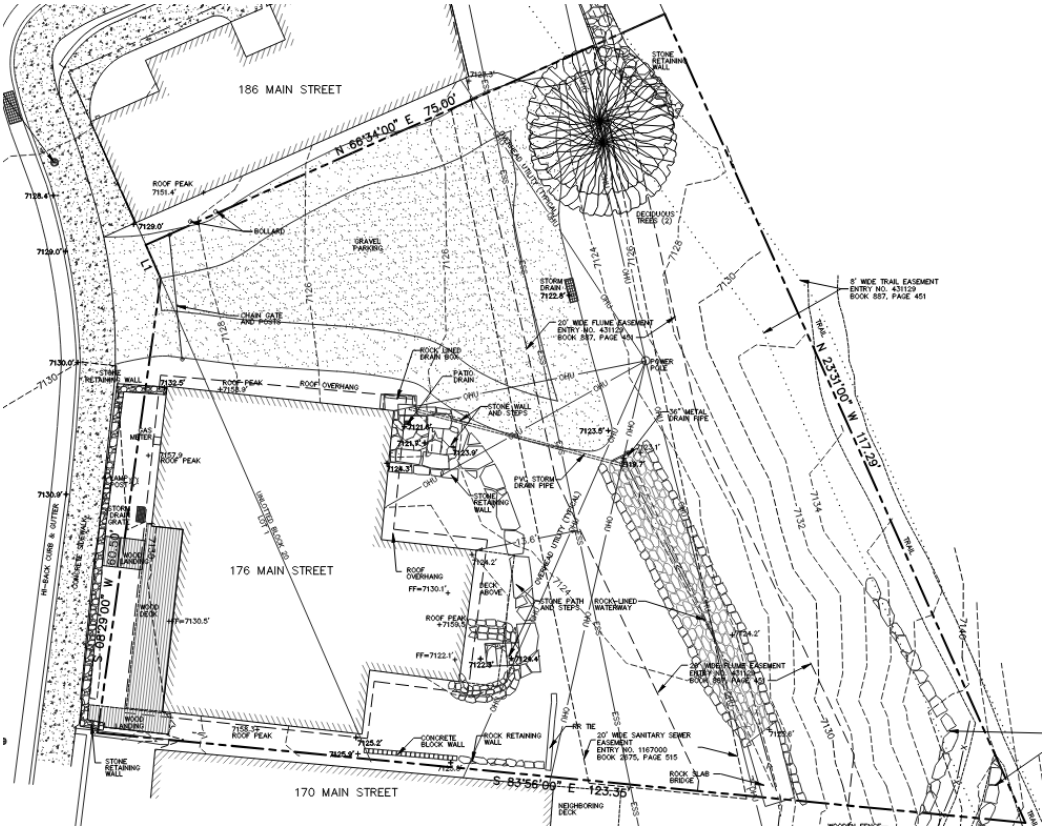
176 Main Street is a Historic Landmark Site constructed circa 1901 (Historic Site Inventory Form) and was also known as the Durkin Boarding House and the Centennial House. The five-sided Unusual Lot is in the Historic Residential – 2 (HR-2) Zoning District, Sub-Zone B, and is accessed from Main Street. The Applicant proposes creating

[1] LMC § 15-1-8

one Lot from a Metes and Bounds Parcel (PC-262-A) in the Historic Residential - 2 Zoning District.

Staff highlighted 176 Main Street in blue on the image on the left, taken from the Summit County Parcel Viewer. The image on the right is 176 Main Street viewed from Main Street

There is an existing 20-foot-wide Utility Easement (Entry No. 1167000), a 20-foot-wide Flume Easement (Entry No. 431129), and a five-foot-wide Trail Easement (Entry No. 431129) at the Rear of the property.



Existing conditions survey provided by the applicant.

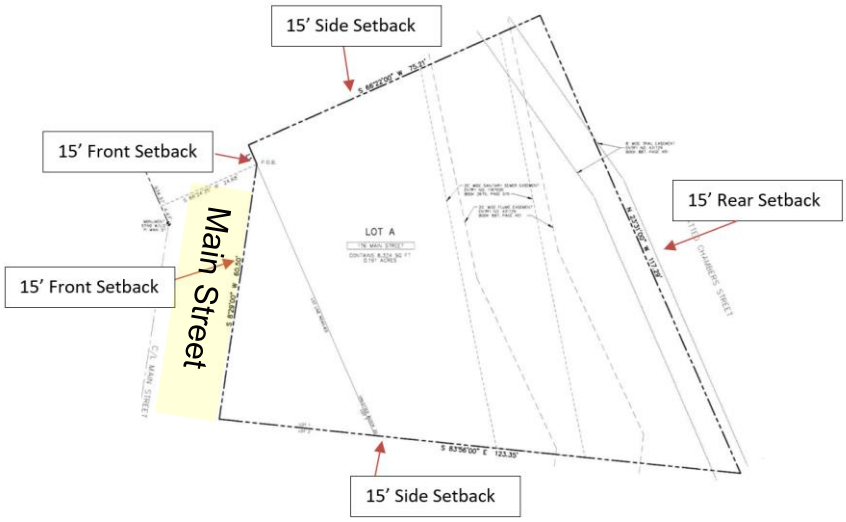
Analysis

(I) The proposed Subdivision, as conditioned, complies with the Historic Residential – 2 (HR-2) Zoning District requirements outlined in LMC Chapter 15-2.3.

The existing structure is unoccupied. The existing Landmark Historic Structure was previously a Boarding House.

For uses that are not Single-Family Dwellings or Duplexes, the HR-2 Zoning District does not establish a maximum or minimum Lot size, and therefore the proposed Lot complies with Lot and Site requirements. 176 Main Street is 8,324 square feet. Pursuant to LMC § 15-2.3-3, the maximum Building Footprint for this site is 2,607 square feet. The existing structure has an existing Footprint of 1,416, allowing for an additional footprint of up to 1,131 square feet. Any addition requires a Historic District Design Review approval, as well as Material Deconstruction approval from the Historic Preservation Board (see Condition of Approval 3).

Pursuant to LMC § 15-4-17, the Planning Director determines Setbacks for Lots with more than four sides. The Setbacks for this Site are as follows (see Exhibit B):



The Landmark Historic Structure encroaches in the Front Setback by 12 feet. However, pursuant to LMC § 15-2.3-4, existing Historic Structures that do not comply with current code are valid Non-Complying Structures. Any additions are required to be compliant with all facets of LMC Chapter 15-2.3 (see Condition of Approval 4).

Pursuant to LMC § 15-2.13-4, the Maximum Height in the HR-2 Zoning District is 27 feet from Existing Grade and 35 feet from the lowest floor plane to the highest top wall plate. The existing structure is 37.2 feet from Existing Grade, and a Non-Complying Structure. LMC § 15-2.3-4 also allows for existing Historic Structures that do not comply with current height regulations to continue as a valid Non-Complying Structure.

If a future Commercial Use is proposed for the Landmark Historic Site, pursuant to LMC § 15-2.3-9, there are special requirements for Sub-Zone B for Commercial Uses and a Commercial Use requires a Conditional Use Permit (CUP) approval by the Planning Commission (see Condition of Approval 5).

Any Conditional Use must meet the on-site parking requirements outlined in LMC § 15-3-6, or seek Planning Commission approval for a reduction through the CUP process as outlined in LMC § 15-3-7.

(II) Staff finds Good Cause for the Subdivision.

Pursuant to LMC § 15-7.1-6(C), the Planning Commission shall make a finding as to Good Cause prior to taking Final Action.

LMC § 15-15-1 defines Good Cause as "[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City Community."

Staff finds Good Cause to create one Lot for the existing Historic Structure so that the structure may be repaired and used, and the Lot is buildable.

(IV) The Development Review Committee reviewed the proposed Subdivision on April 16, 2024, and requires Conditions of Approval.[2]

6. The Applicant shall record a 10-foot public utilities easement for existing power and telecommunication lines on the Final Plat.

7. The Applicant shall record a 10-foot snow storage and public utilities easement off of Main Street Right-of-Way on the Final Plat. Existing historic structures, or historic designated features, and their repair and maintenance are permitted to encroach within the 10-foot snow storage easement.

8. The Applicant shall record an encroachment agreement with the Engineering Department for the existing retaining wall in the Main Street Right-of-Way.

Department Review

The Planning Department, Engineering Department, Executive Department, and City

[2] The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 8, 2024. Staff mailed courtesy notice to property owners within 300 feet on May 8, 2024. The *Park Record* published courtesy notice on May 8, 2024.[3]

Public Input

Staff did not receive any public input at the time this report was published.

Exhibits

Exhibit A: Draft Final Action Letter
Attachment 1 – Proposed Plat
Exhibit B: 176 Main Street Planning Director Setback Determination

[3] LMC § 15-1-21

Planning Department

May 22, 2024

Mountain Seas Development Limited Ltd.
PO Box 680844
Park City, UT 84068

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	176 Main Street
Zoning District:	Historic Residential – 2, Sub-Zone B
Application:	Plat Amendment
Project Number:	PL-24-06085
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	May 22, 2024
Project Summary:	The Applicant Proposes to Create One Lot of Record from a Metes and Bounds Parcel.

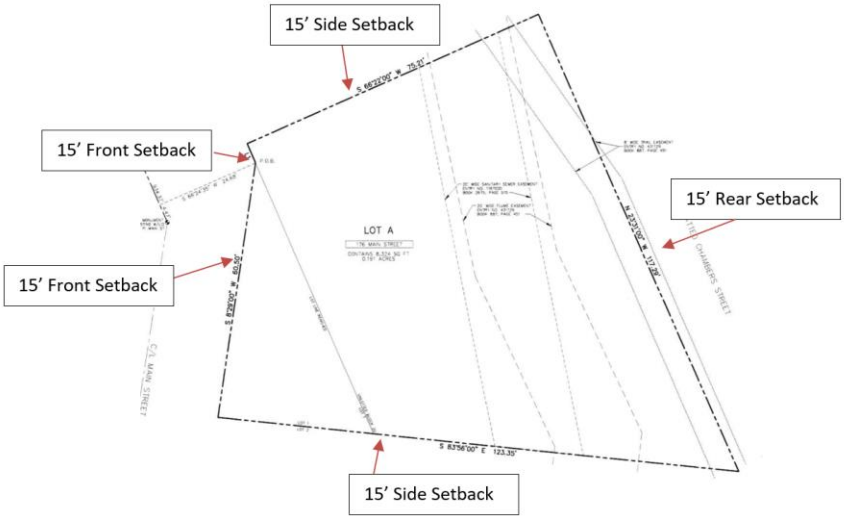
Action Taken

On May 22, 2024, the Planning Commission conducted a public hearing and approved the 176 Main Street Plat Amendment according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. 176 Main Street is a Landmark Historic Structure located within the Historic Residential - 2 Zoning District, Sub-Zone B.
2. The Applicant proposes to remove a Lot Line and create one Lot of Record from a Meets and Bounds parcel.
3. The site is 8,324 square feet and has a maximum building footprint of 2,607 square feet.
4. The existing Structure has a footprint of 1,416 square feet.
5. The proposal creates a five-sided unusual Lot. The Planning Director determined the Setbacks for the Lot are:

DRAFT



6. The historic structure encroaches into the Front Setback by 12 feet.
7. LMC § 15-2.3-4 notes that existing historic structures that do not comply with current code are valid Non-Complying Structure.
8. 176 Main Street is a Landmark Historic Structure and a valid Non-Complying Structure.
9. The maximum height in the HR-2 Zoning District is 27' from existing grade.
10. The existing structure is 37.2 feet and a Non-Complying Structure.
11. The existing Structure was previously used as a Boarding House and known as the Durkin Boarding House and the Centennial House.
12. The Development Review Committee reviewed the proposed Plat Amendment on April 16, 2024, and required Conditions of Approval 6, 7, and 8.
13. Staff published notice of the Planning Commission's public hearing on the City website, the Utah Public Notice website, and posted notice to the property on May 8, 2024. Staff mailed courtesy notice to property owners within 300 feet on May 8, 2024. The Park Record published courtesy notice on May 8, 2024.

Conclusions of Law

1. There is Good Cause for this Plat Amendment because it creates one Lot of record for the existing Historic Structure, so the structure may be repaired and used, and the Lot is buildable.
2. The Plat Amendment is consistent with the Land Management Code, including LMC Chapter 15-2.3, *Historic Residential -2 (HR-2) Zoning District* and § 15-7.1-3(B) *Classification Of Subdivision – Plat Amendment*.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.

DRAFT

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 Planner, City Attorney, and City Engineer shall review and approve the final form and content of the Plat Amendment for compliance with State law, the Land Management Code, and these Conditions of Approval, prior to recordation of the plat.
2. The Applicant shall record this Plat Amendment at the County within one year from the date of Planning Commission approval. If recordation has not occurred within one years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.
3. Any additions to the Historic Structure require a Historic District Design Review and approval from the Historic Preservation Board for Material Deconstruction.
4. Any additional Structures or additions must comply with LMC Chapter 15-2.3 and 15-3 and are not exempt from Setbacks, Height, Footprint, or Parking requirements.
5. Any Conditional Use on the site shall be reviewed from compliance under a Conditional Use Permit and LMC § 15-2.3-7 and § 15-2.3-9 and must comply with parking requirements outlined in LMC § 15-3-6.
6. The Applicant shall record a 10' public utilities easement for existing power and telecommunication lines on the Final Plat.
7. The Applicant shall record a 10' snow storage and public utilities easement off of Main Street Right-of-Way on the Final Plat. Existing historic structures, including deck, decorative light, and other historic designated features and their repair and maintenance are permitted to encroach within the 10' snow storage easement.
8. The Applicant shall record an encroachment agreement with the Engineering Department for the existing retaining wall in the Main Street Right-of-Way.
9. Single-Family Dwelling and Duplex Uses are not allowed Uses on this Lot.

If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5068 or email lillian.zollinger@parkcity.org.

Sincerely,

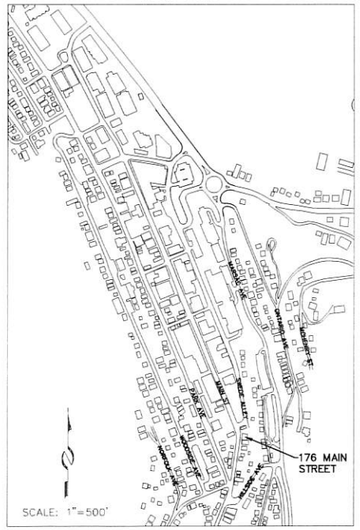
Sarah Hall,
Planning Commission Chair

DRAFT

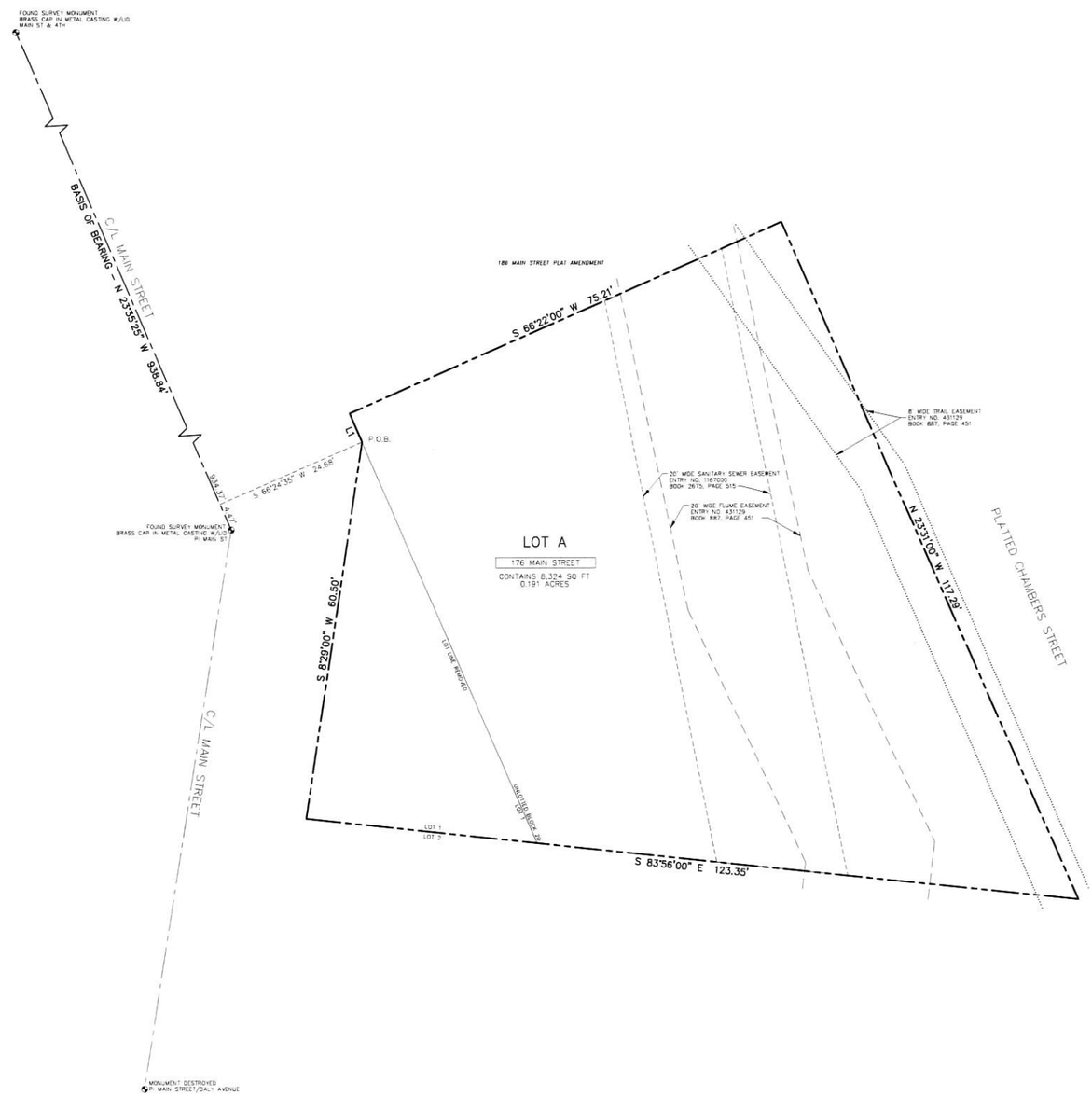
CC: Lillian Zollinger

DRAFT

VICINITY MAP



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 23°31'00" W	4.94'



SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 4857264 in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I further certify that I have completed a survey and have referenced a record of survey map of the existing property boundaries in accordance with Section 17-23-17 and have verified the boundary locations and have placed monuments as represented on the plat. I do further certify that by authority of the owners, I have prepared this subdivision plat of the property described hereon, hereafter to be known as THE CENTENNIAL PLAT AMENDMENT.

PROFESSIONAL LAND SURVEYOR
No. 4857264
MICHAEL DEMKOWICZ
STATE OF UTAH

LEGAL DESCRIPTION

Beginning at the Northernmost corner of Lot 1, Block 20 of the amended plat of Park City, and running thence South 08°29'00" West a distance of 60.50 feet, thence South 83°56'00" East a distance of 123.35 feet, thence North 23°31'00" West a distance of 117.29 feet, thence South 66°22'00" West a distance of 75.21 feet, thence South 23°31'00" East, a distance of 4.937 feet to the point of beginning.

OWNER'S DEDICATION & CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned, on behalf of Mountain Seas Development Limited LTD., having complied with the requirements of both Statutes and the Recorded Declaration, hereby consents to the recording of this subdivision plat amendment.

Mountain Seas Development Limited LTD

By: _____
Manager

ACKNOWLEDGMENT

State of _____)
: ss
County of _____)

On this _____ day of _____, 2024, _____ personally appeared before me, the undersigned Notary Public, in and for said County and State, being duly sworn, acknowledged to me that he is the manager of Mountain Seas Development Limited LTD., and that he signed the above Consent to Record for and on behalf of Mountain Seas Development Limited LTD., and that he acknowledged to me that he executed THE CENTENNIAL PLAT AMENDMENT.

By: _____
Notary Public

A Notary Public Commissioned in _____

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No.: _____

NOTES

1. This plat amendment is subject to the Conditions of Approval in the Final Action Letter dated the _____ day of _____, 2024, and on file with the Planning Department (PL-24-_____).

THE CENTENNIAL PLAT AMENDMENT

A PORTION OF BLOCK 20, PARK CITY SURVEY,
LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

4/1/2024 | JOB NO.: 9-3-24 | FILE: X:\ParkCitySurvey\dwg\srv\plat2024\090324.dwg

435-649-9467
ALLIANCE ENGINEERING
CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS
P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	PUBLIC SAFETY ANSWERING POINT APPROVAL	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2024 BY _____	APPROVED BY THE PARK CITY PLANNING COMMISSION THE _____ DAY OF _____, 2024 BY _____ CHAIR	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2024 BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 2024 BY _____ PARK CITY ATTORNEY	APPROVED THIS _____ DAY OF _____, 2024 BY _____ SUMMIT COUNTY GIS COORDINATOR	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ _____ FEE _____ RECORDER TIME _____ DATE _____ ENTRY NO. _____

Planning Department

April 16, 2024

Lynda Sammons
176 Main Street
Park City, UT 84060
CC: Alliance Engineering
marshall@alliance-engr.com

RE: Determination of Setbacks for an Unusual Lot Configuration for 176 Main Street

176 Main Street is a metes and bounds parcel located in Subzone B of the Historic Residential-2 Zoning District. The parcel is currently undergoing a Subdivision to create one Lot. 176 Main Street will have an unusual lot configuration due to its five (5) Lot Lines highlighted in green below on an excerpt from the Centennial Subdivision.

Planning Department

Land Management Code (LMC) § 15-4-17 outlines regulations for lots with unusual configurations and states "Lots with more than four (4) sides shall have a Side Yard on either side of the Front Yard. The third Side Yard and Rear Yard may be specified by the Planning Director". The LMC provides an illustration to clarify:

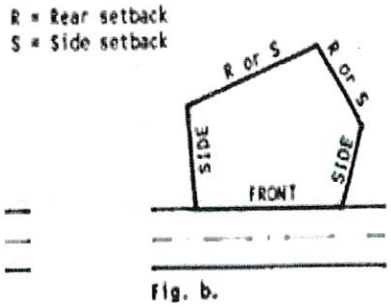
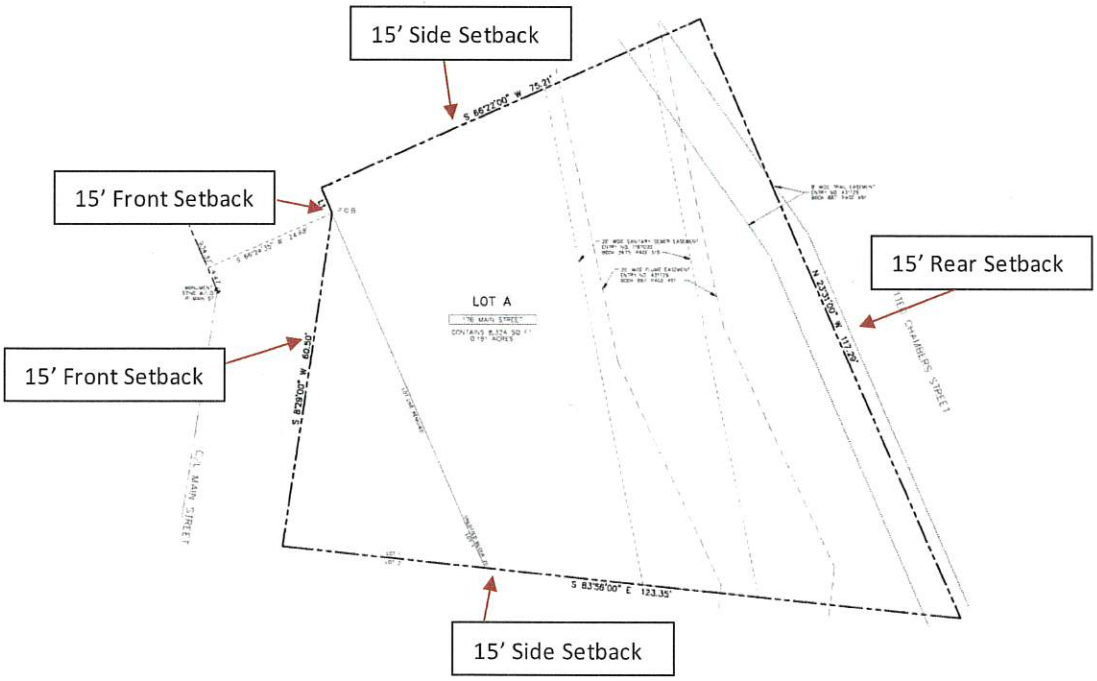


Fig. b.

LMC § 15-2.3-3 outlines the setback requirements for the Historic Residential-2 Zoning District, and establishes, for lots over 100-feet deep, a 15-foot front setback, a 15-foot rear setback, and a minimum 15-foot side setback.

Planning Department

The illustration below outlines the required setbacks for 176 Main Street:



Planning Department

If you have questions or concerns regarding this Determination Letter, contact the Planning Department.

Sincerely,

Rebecca Ward
Planning Director
(435) 615-5046
rebecca.ward@parkcity.org
CC: Project Planner, Meredith Covey

Planning Commission
Staff Report

Subject: **1061 and 1063 Lowell Avenue**
Application: **PL-24-06052**
Author: **Lillian Zollinger, Planner II**
Date: **May 22, 2024**
Type of Item: **Condominium Plat**

Recommendation

(I) Review the proposed Condominium Plat at 1061 and 1063 Lowell Avenue, (II) conduct a public hearing, and (III) consider approving the Condominium Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant:	Lowell Project, LLC Represented by Stacy Head
Location:	1061 and 1063 Lowell Avenue
Zoning District:	Historic Residential - 1
Adjacent Land Uses:	Residential
Reason for Review:	The Planning Commission reviews and takes Final Action on Condominium Plats.[1]

HDDR	Historic District Design Review
HR-1	Historic Residential - 1
LMC	Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Background

1061 and 1063 Lowell are in the Historic Residential – 1 Zoning District. 1061 is a Duplex under construction under building permit TEMP23-450. 1063 is a Duplex under construction under building permit 23-824.

On October 28, 2021, the City Council approved the Northstar Subdivision – Lot 1 Amended Plat Amendment at 1061 and 1063 Lowell Avenue (Staff Report, Minutes, p.13, and Ordinance No. 2021-42). The Plat was recorded on March 8, 2022 (see Exhibit B).

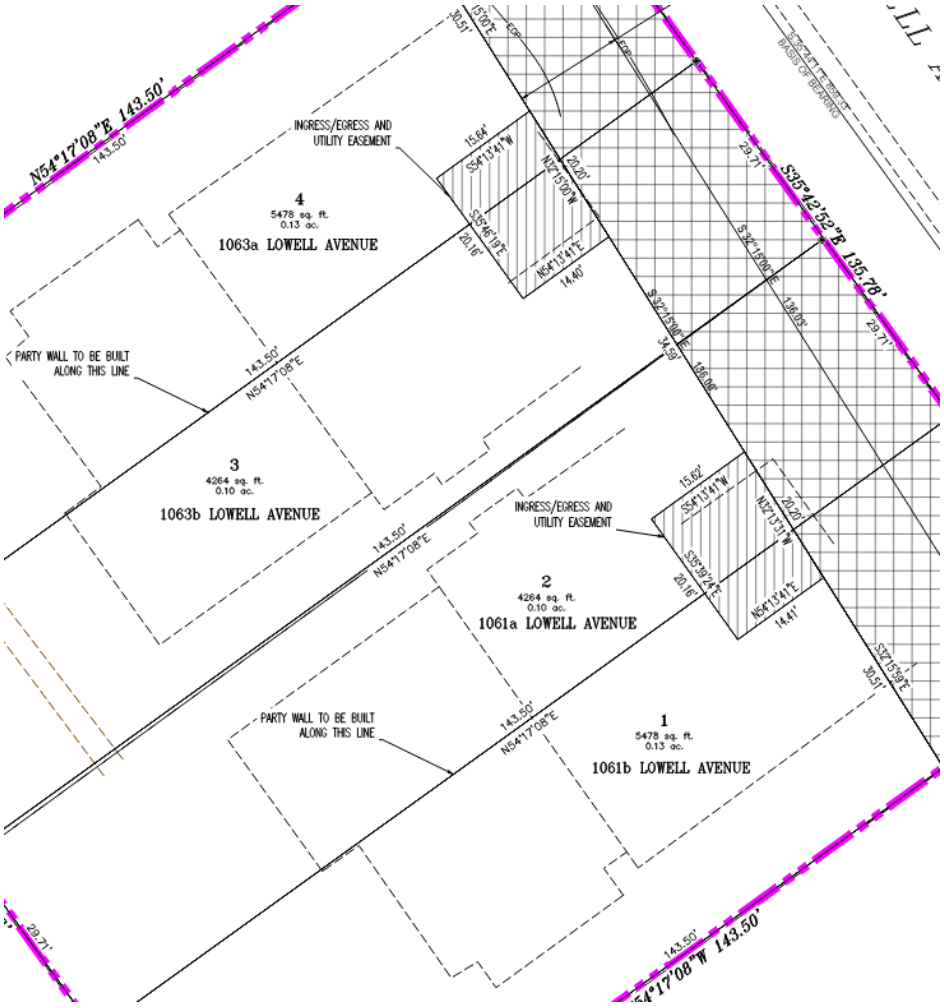
On March 22, 2023, the Planning Commission approved Conditional Use Permits (PL-22-05491 and PL-22-05492) for both Duplexes

[1] LMC § 15-1-8

(See Exhibit C, Minutes, p. 25-34).

On May 4, 2023, the Planning Director approved Historic District Design reviews for both Duplexes (PL-22-05444 and PL-22-05445).

The Applicant proposes to convert both Duplexes into Condominiums, for a total of four Units, which requires a Condominium Plat[2].



Analysis

(I) The proposed Condominium Plat complies with the Historic Residential (HR-1) Zoning District requirements.

The proposed Condominium Plat is consistent with the Lot and Site requirements of the HR-1 Zoning District. The proposed conversion does not change the existing structures or modify the CUP or HDDR approvals.

[2] LMC § 15-4-12

(II) The proposed Condominium Plat complies with previous approvals.

The Condominium Plat is not proposing to modify previous approvals. The Duplexes are compliant with the May 4, 2023 HDDR approval (See Exhibit D and E), wherein, there are no proposed changes to the design, Footprint, Height, or Setbacks.

The Condominium plat is compliant with the March 23, 2023 CUP (see Exhibit C), wherein, there are no proposed changes to the CUP approval, and the two Duplexes will remain Duplexes

All existing Conditions of Approval under the HDDR and CUP continue to apply. Any proposed modifications to the HDDR or CUP require a Modification application (see Condition of Approval 3).

(III) The proposed Condominium Plat complies with the Plat requirements outlined in LMC Chapter 15-7.1.

LMC § 15-15-1 defines Good Cause as "[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City Community."

No public street, Right-of-Way, or easement is vacated or amended. The Planning Commission must find Good Cause to approve a Plat Amendment.

There is Good Cause for this Condominium Plat because there are no proposed changes to the existing structures and no additional impacts from the conversion to condominiums.

(III) The Development Review Committee reviewed the proposal on May 7, 2024, and requires Conditions of Approval.[3]

The Engineering Department requires a 10' snow storage Easement off Lowell Avenue (see Condition of Approval 4).

Department Review

The Planning Department, Executive Department, and City Attorney's Office reviewed this report.

[3] The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 8, 2024. Staff mailed courtesy notice to property owners within 300 feet on May 8, 2024. The *Park Record* published courtesy notice on May 8, 2024.[4]

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

- The Planning Commission may approve the Condominium Plat Amendment;
- The Planning Commission] may deny the Condominium Plat Amendment and direct staff to make Findings for the denial; or
- The Planning Commission may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Final Action Letter
    Attachment 1 – Proposed Northstar Condominium Plat
Exhibit B: Northstar Subdivision - Lot 1 Amended Plat
Exhibit C: Conditional Use Permit Approved March 22, 2023
Exhibit D: 1061 Lowell Avenue HDDR Approved May 4, 2023
Exhibit E: 1063 Lowell Avenue HDDR Approved May 4, 2023

[4] LMC § 15-1-21

Planning Department

May 22, 2024

Lowell Project, LLC
Stacy Head
1675 Soniat St
New Orleans, LA 70115

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	1061 and 1063 Lowell Avenue
Zoning District:	Historic Residential - 1
Application:	Condominium Plat
Project Number:	PL-24-06052
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	May 22, 2024
Project Summary:	The Applicant proposes to remove a Lot Line and create one Lot of Record.

Action Taken

On May 22, 2024, the Planning Commission conducted a public hearing and approved the 1061 and 1063 Condominium Plat according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. 1061 and 1063 Lowell Avenue are in the Historic Residential – 1 (HR-1) Zoning District and are both Duplexes under construction.
2. On October 28, 2021, the City Council approved the Northstar Subdivision – Lot 1 Amended Plat Amendment at 1061 and 1063 Lowell Avenue (Ordinance No. 2021-42).
3. On March 22, 2023, the Planning Commission approved Conditional Use Permits (PL-22-05491 and PL-22-05492) for both Duplexes.
4. On May 4, 2023, the Planning Director approved Historic District Design reviews for both Duplexes (PL-22-05444 and PL-22-05445).
5. The Applicant proposes to covert two Duplexes to four Condominium Units.
6. There are no proposed changes to the existing structures or HDDR or CUP

DRAFT

approvals.

7. The Development Review Committee reviewed the proposed Plat Amendment on May 7, 2024, and required Condition of Approval 4.
8. Staff published notice of the Planning Commission's public hearing on the City website, the Utah Public Notice website, and posted notice to the property on May 8, 2024. Staff mailed courtesy notice to property owners within 300 feet on May 8, 2024. The Park Record published courtesy notice on May 8, 2024.

Conclusions of Law

1. There is Good Cause for this Plat Amendment because it does not change the footprints or masses of the existing Structures, will have no negative impacts to the public, and does not create any non-conformities.
2. The Plat Amendment is consistent with the Land Management Code, including LMC Chapter 15-2.2, *Historic Residential - 1 (HR-1) Zoning District* and § 15-7.1-3(C) *Classification Of Subdivision – Condominium*.
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 Planner, City Attorney, and City Engineer shall review and approve the final form and content of the Plat Amendment for compliance with State law, the Land Management Code, and these Conditions of Approval, prior to recordation of the plat.
2. The Applicant shall record this Plat Amendment at the County within one year from the date of Planning Commission approval. If recordation has not occurred within one years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.
3. All existing Conditions of Approval under the HDDR and CUP continue to apply. Any proposed modifications to the HDDR or CUP require a Modification Application.
4. The Applicant shall provide a 10' snow storage easement off Lowell Avenue.
5. The final Condominium Plat shall comply with Utah Code § 57-8-13.

If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5068 or email lillian.zollinger@parkcity.org.

Sincerely,

DRAFT

Planning Department

Sarah Hall,
Planning Commission Chair

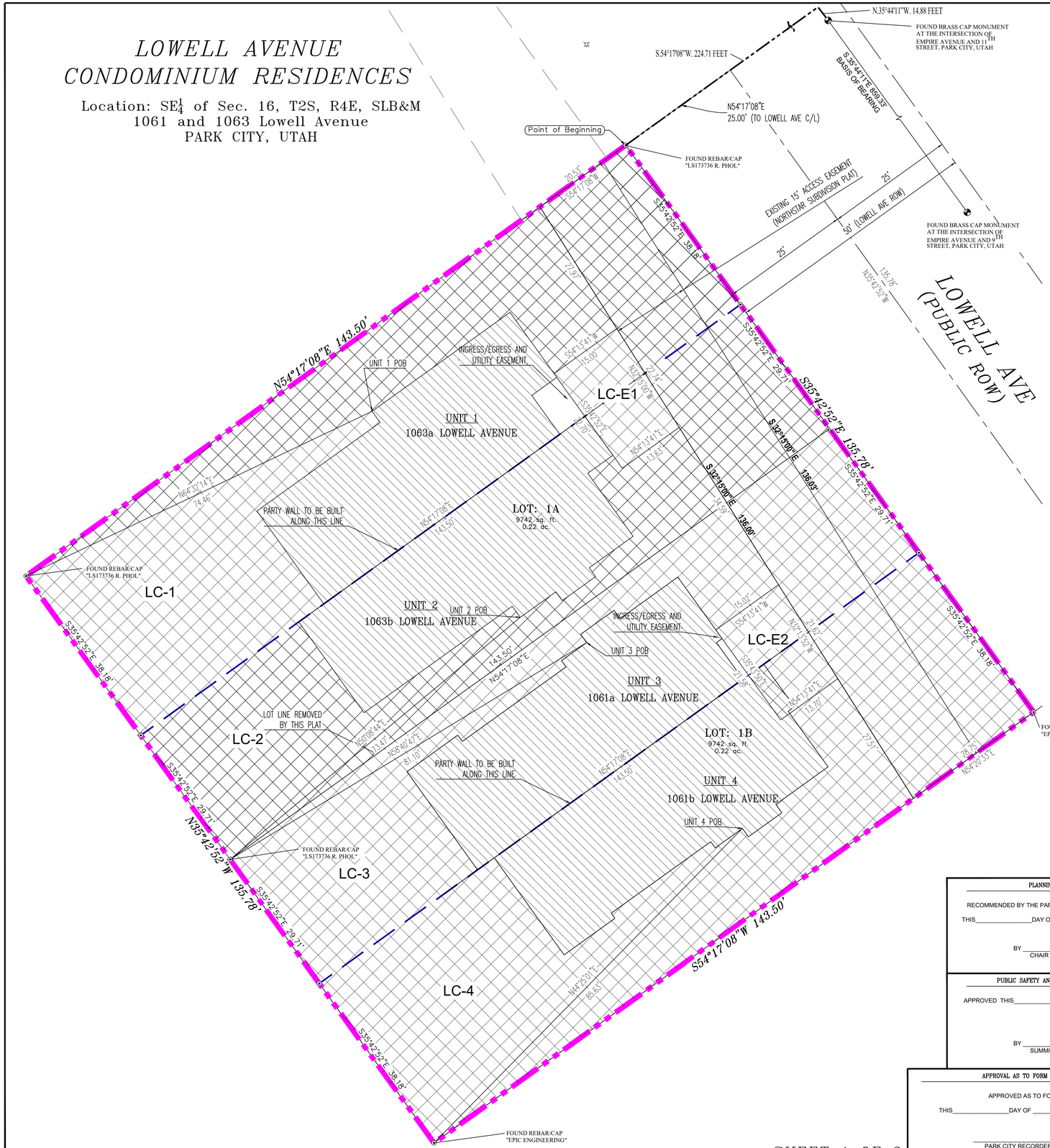
CC: Lillian Zollinger, Project Planner

Attachment 1 – Proposed Plat

DRAFT

LOWELL AVENUE CONDOMINIUM RESIDENCES

Location: SE$\frac{1}{4}$ of Sec. 16, T2S, R4E, SLB&M
1061 and 1063 Lowell Avenue
PARK CITY, UTAH

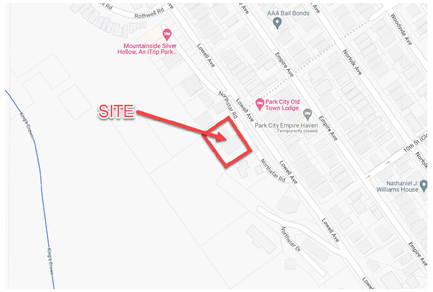


NORTH
1" = 10

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.



VICINITY MAP

LEGEND

- FOUND SECTION COR. AS NOTED
- SET 5/8" IRON PIN TO BE SET AT ALL LOT CORNERS
- FOUND STREET MONUMENT (AS DESCRIBED ABOVE)
- SET STREET MONUMENT
- PROPERTY BOUNDARY
- CENTERLINE
- RIGHT-OF-WAY LINE
- LOT LINE
- PUBLIC UTILITY EASEMENT
- SECTION LINE
- CALCULATED POINT (NOT SET)
- UNIT DIVIDING LINE (PARTY WALL)
- LIMITED COMMON AREA (LC)
- PRIVATE OWNERSHIP

NARRATIVE:
The purpose of ROS survey was to locate the existing improvements and show the proposed division of the lots. There was a building being constructed on the North side of the property.
Basis of bearing is between found monuments at 11th and 9th on Empire Street, S.35°44'11"E. 859.73 feet. Information found on the Northstar Subdivision, Lot 1 Amended.

See Record of Survey drawing, filed January 18, 2024 at Entry No. S0011479 in the office of the Summit County Recorder

The purpose of this plat is to create a condominium plat of the units shown hereon.

PLANNING COMMISSION	CITY ENGINEER
RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS_____DAY OF _____, 2024 BY _____ CHAIR	I FIND THIS PLAT IN ACCORDANCE WITH INFORMATION ON FILE IN THE PARK CITY ENGINEERING DEPARTMENT, THIS_____DAY OF _____, 2024 _____ CITY ENGINEER
PUBLIC SAFETY ANSWERING POINT APPROVAL	**SNYDERVILLE BASIN WATER RECLAMATION DISTRICT**
APPROVED THIS_____DAY OF _____, 2024 BY _____ SUMMIT COUNTY GIS COORDINATOR	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2024 _____ S.B.W.R.D.

APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
APPROVED AS TO FORM THIS_____DAY OF _____, 2024 _____ PARK CITY RECORDER	I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS_____DAY OF _____, 2024 _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ___, DAY OF _____, 2024 _____ MAYOR	ENTRY NO._____BOOK _____ PAGE _____ STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AS THE REQUEST OF: _____ COUNTY RECORDER

Surveyor's Certificate

I, ROBBIN J. MULLEN DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 368356 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAS VERIFIED ALL MEASUREMENTS, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS IS TRUE AND CORRECT.

Boundary Description

LOT 1A & LOT 1B, NORTHSTAR SUBDIVISION LOT 1 AMENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 1, NORTHSTAR SUBDIVISION, ENTRY NUMBER 138365 IN THE SUMMIT COUNTY RECORDERS OFFICE, SAID POINT ALSO BEING N.35°44'11"W. 14.88 FEET AND S.54°17'08"W. 224.71 FEET FROM A FOUND BRASS CAP MONUMENT AT THE INTERSECTION OF EMPIRE AVENUE AND 11TH STREET, PARK CITY, UTAH;

THENCE S.35°42'52"E. 135.78 FEET; THENCE S.54°17'08"W. 143.50 FEET; THENCE N.35°42'52"W. 135.78 FEET; THENCE N.54°17'08"E. 143.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 19,484 SQ. FT. OR 0.44 ACRES OF LAND MORE OR LESS.

PROFESSIONAL LAND SURVEYOR
No. 368356
ROBBIN J. MULLEN
STATE OF UTAH

_____ DATE

_____ SURVEYOR

OWNERS DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED REPRESENTATIVE(S) OF LOWELL PROJECT, LLC, DO HEREBY CERTIFY THAT THEY HAVE CAUSED THIS SURVEY TO BE MADE THIS AMENDED CONDOMINIUM RECORD OF SURVEY MAP TO BE PREPARED AND DO CONSENT TO THE RECORDATION OF THIS AMENDED CONDOMINIUM PLAT.

IN WITNESS HEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____ A.D. 20____.

ACKNOWLEDGMENT

STATE OF UTAH
S.S.
COUNTY OF _____

ON THIS ___DAY OF, 20____, _____ PERSONALLY APPEARED BEFORE ME , WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE, AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY THAT HE/SHE IS THE _____ OF _____ AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER ON BEHALF OF SAID HOME OWNERS ASSOCIATION BY AUTHORITY OF ITS BYLAWS, AND HE/SHE ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME.

MY COMMISSION EXPIRES _____ A NOTARY PUBLIC COMMISSIONED IN UTAH

NOTARY ADDRESS _____ PRINTED FULL NAME OF NOTARY

PROJECT ENGINEER & SURVEYOR
REGION ENGINEERING & SURVEYING
1776 NORTH STATE STREET #110
OREM, UTAH 84057
PH - 801.376.2245

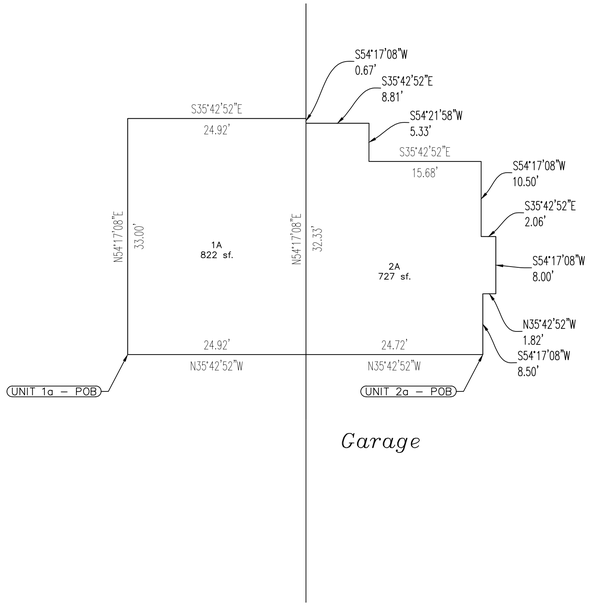
LOWELL AVENUE CONDOMINIUM RESIDENCES

Location: NW1/4 of Sec. 16, T2S, R4E, SLB&M

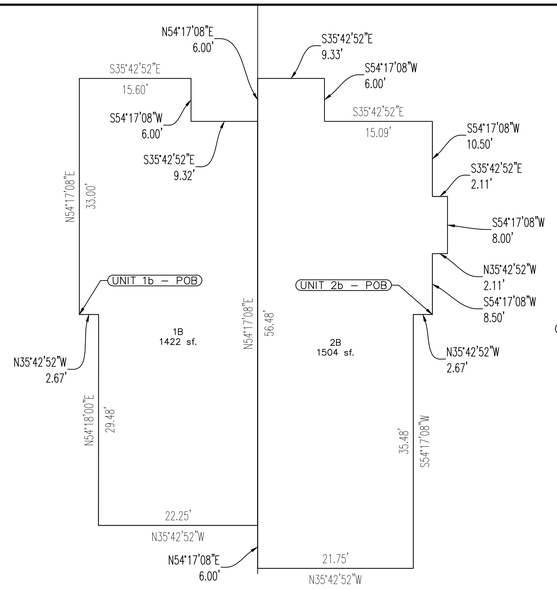
PARK CITY _____ SUMMIT COUNTY, UTAH

SCALE: 1" = 30 FEET

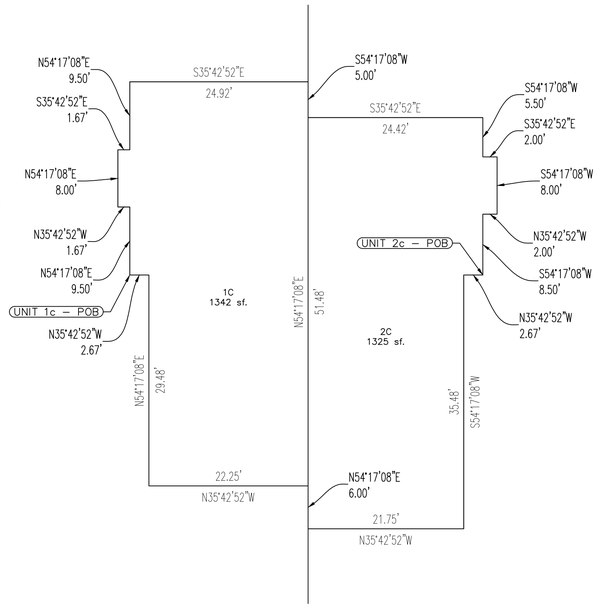
SHEET 1 OF 3



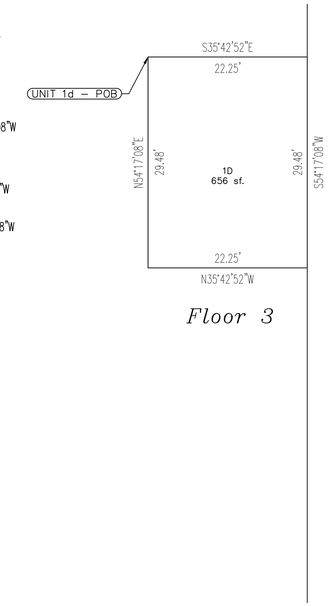
Carage



Floor 1

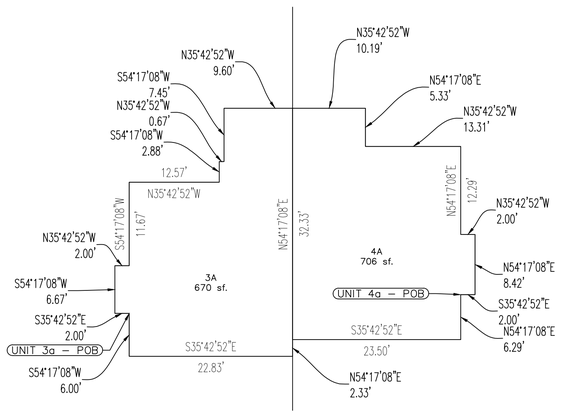


Floor 2

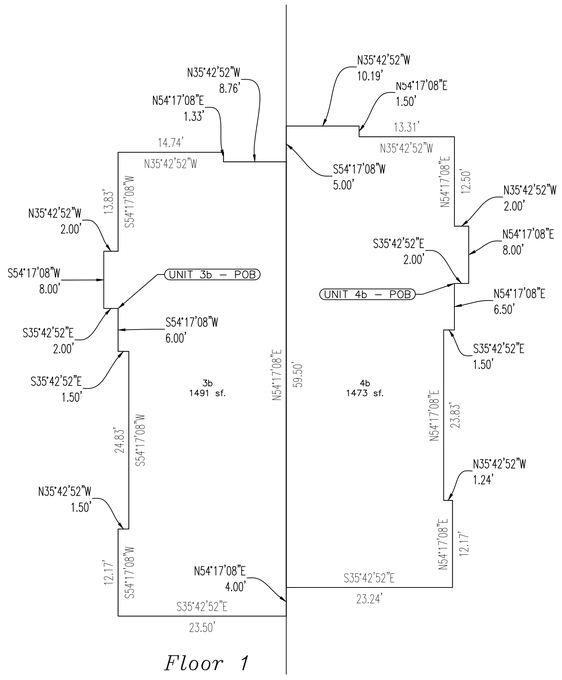


Floor 3

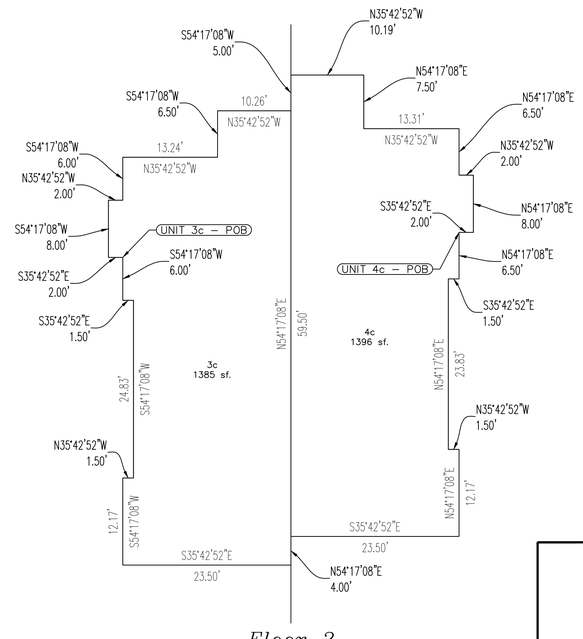
1063 LOWELL AVENUE



Garage



Floor 1



Floor 2

1061 LOWELL AVENUE

NORTH
1" = 10

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

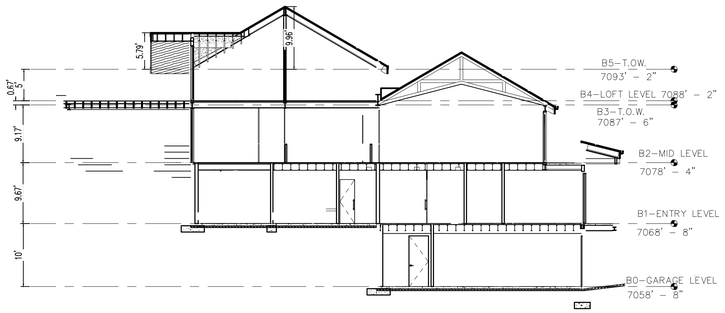
LOWELL AVENUE CONDOMINIUM RESIDENCES

Location: NW1/4 of Sec. 16, T2S, R4E, SLB&M

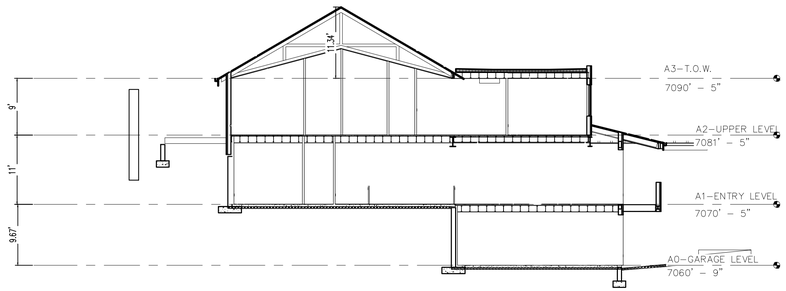
PARK CITY SUMMIT COUNTY, UTAH

SCALE: 1" = 30 FEET

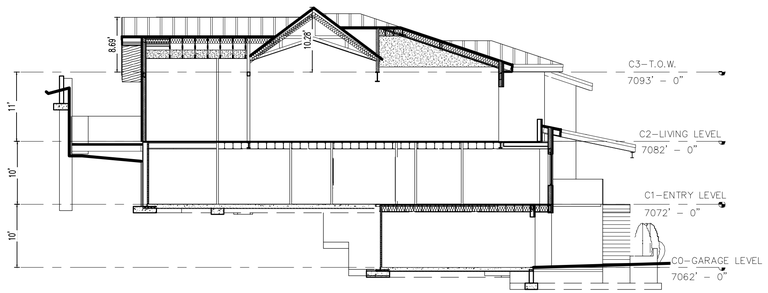
SHEET 2 OF 3



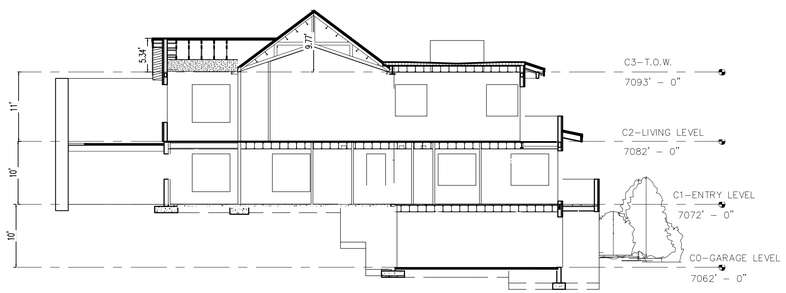
UNIT 1 ELEVATIONS
1063a LOWELL AVENUE



UNIT 2 ELEVATIONS
1063b LOWELL AVENUE



UNIT 3 ELEVATIONS
1061a LOWELL AVENUE



UNIT 4 ELEVATIONS
1061b LOWELL AVENUE

LOWELL AVENUE
CONDOMINIUM RESIDENCES

Location: NW1/4 of Sec. 16, T2S, R4E, SLB&M

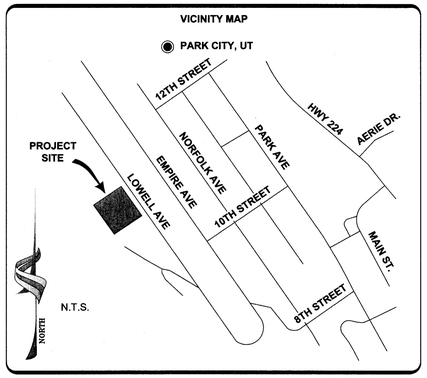
PARK CITY SUMMIT COUNTY, UTAH

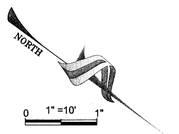
SCALE: 1" = 30 FEET

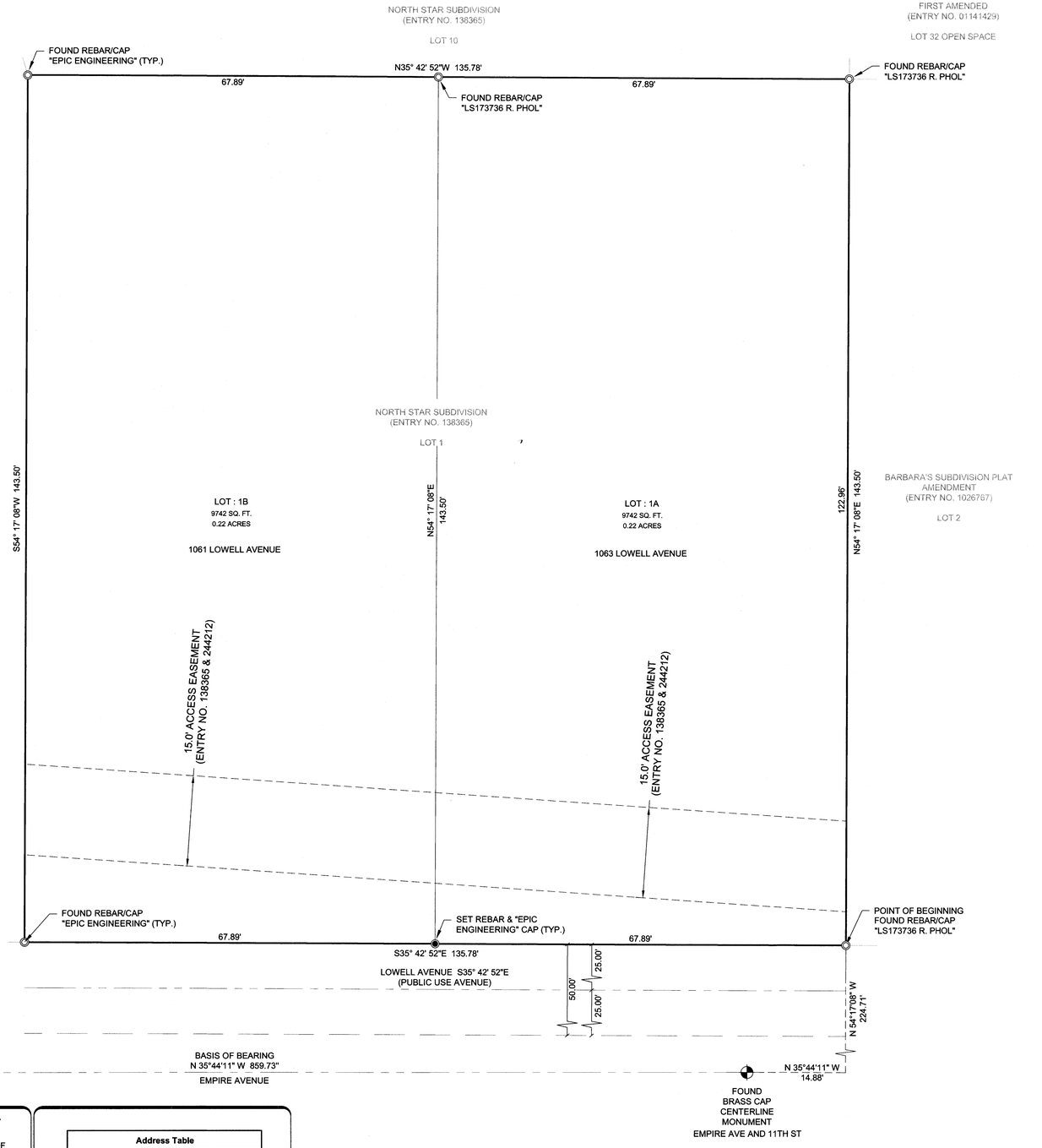
SHEET 2 OF 3

NORTHSTAR SUBDIVISION - LOT 1 AMENDED

LOCATED IN THE:
SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH







NOTES

1. BUILDING FOOTPRINT FOR EACH LOT IS 2,818 SQUARE FEET.
2. ONE SIDE OF THE DUPLEX CANNOT BE DEMOLISHED WITHOUT THE OTHER. IF DEVELOPMENT IS PROPOSED, BOTH LOTS REQUIRE AGREEMENT REGARDING CONCURRENT DEMOLITION.
3. THIS PROPERTY LIES WITHIN FLOOD ZONE X, UNDER TITLE 49043C0919D, WITH AN EFFECTIVE DATE OF MARCH 23, 2021.
4. THE EASEMENT (ENTRY #24421, SUMMIT COUNTY RECORDER'S OFFICE) GIVES A DESCRIPTION THAT BLANKETS PARCELS 1A AND 1B AND INCLUDES THE ACCESS EASEMENT AS REFLECTED ON THIS PLAT.
5. THE NORTHSTAR SUBDIVISION PLAT IS AFFECTED BY A ROCKY MOUNTAIN POWER EASEMENT (ENTRY #00784871, SUMMIT COUNTY RECORDER'S OFFICE) BUT DOES NOT AFFECT LOT 1.
6. THIS PLAT AMENDMENT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 2021-42.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOWN ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNER(S) OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION PLAT, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS NORTHSTAR SUBDIVISION - LOT 1 AMENDED, AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY AND OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSE SHOWN HEREON SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

AS WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THIS 14 DAY OF January, 2022.

LOWELL PROJECT, LLC, A LOUISIANA LIMITED LIABILITY COMPANY

BY: _____ January 14, 2022
STACY HEAD DATE

ACKNOWLEDGMENT

STATE OF ~~UTAH~~ Louisiana)
Jefferson ; SS.
COUNTY OF Orleans)

ON THIS 14th DAY OF January, 2022, STACY HEAD PERSONALLY APPEARED BEFORE ME, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE, AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY THAT SHE IS THE member (TITLE OR OFFICE) OF LOWELL PROJECT, LLC, A LOUISIANA LIMITED LIABILITY COMPANY AND THAT SAID DOCUMENT WAS SIGNED BY HER ON BEHALF OF SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS OPERATING AGREEMENT OR RESOLUTION OF ITS MEMBERS, AND SHE ACKNOWLEDGED TO ME THAT SHE EXECUTED THE ABOVE OWNER'S DEDICATION AND CONSENT TO RECORD.

_____ (#287557)
NOTARY PUBLIC

MY COMMISSION EXPIRES: At Death

LEGAL DESCRIPTION

ALL OF LOT 1, NORTHSTAR SUBDIVISION (ENTRY NO. 138365) ON FILE IN THE SUMMIT COUNTY RECORDER'S OFFICE.

NARRATIVE

THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 1 OF NORTHSTAR SUBDIVISION (ENTRY NO. 138365, SUMMIT COUNTY RECORDER'S OFFICE) INTO TWO (2) RESIDENTIAL LOTS.

THIS SUBDIVISION BOUNDARY HONORS SAID NORTHSTAR SUBDIVISION AS WELL AS A 2016 RECORD OF SURVEY FILED BY EPIC ENGINEERING (ENTRY #S-8642, SUMMIT COUNTY SURVEYORS OFFICE).

TWO BRASS CAP MONUMENTS FOUND IN THE INTERSECTIONS OF EMPIRE AVENUE & 11TH STREET AND EMPIRE AVENUE & 9TH STREET WITH A BEARING OF NORTH 35°44'11" WEST 859.73 FEET WAS USED AS THE BASIS OF BEARING FOR THIS SURVEY.

PROPERTY CORNERS WERE MONUMENTED AS DEPICTED ON THIS SURVEY.

SURVEYOR'S CERTIFICATE

I, TRAVIS R. GOWER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 6439364, AND HOLDS A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE COMPLETED A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AS DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO A SINGLE PARCEL TOGETHER WITH EASEMENTS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - LOT 1 AMENDED, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS REPRESENTED ON THIS PLAT.

Travis R. Gower — January 5, 2022
TRAVIS R. GOWER DATE
P.L.S. 6439364

PROFESSIONAL LAND SURVEYOR — No. 6439364 — TRAVIS R. GOWER — 1-5-2022 — STATE OF UTAH

PARK CITY COUNCIL APPROVAL

APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS 28 DAY OF OCTOBER, 2021. A.D.

Nann Worel — Michelle Kellogg
MAYOR — CITY RECORDER

PUBLIC SAFETY ANSWERING POINT APPROVAL

APPROVED AND ACCEPTED THIS 8th DAY OF March, 2022. A.D.

SUMMIT COUNTY GIS COORDINATOR

Address Table	
Lot #	Address
1A	1063 LOWELL AVENUE
1B	1061 LOWELL AVENUE

PARK CITY PLANNING COMMISSION

RECOMMENDED BY THE PARK CITY PLANNING COMMISSION ON THIS 22 DAY OF SEPTEMBER, 2021. A.D.

CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 14th DAY OF February, 2022. A.D.

CITY ATTORNEY

PARK CITY ENGINEER

I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE INFORMATION ON FILE IN MY OFFICE THIS 11 DAY OF February, 2022. A.D.

CITY ENGINEER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 7th DAY OF January, 2022. A.D.

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

CERTIFICATE OF ATTEST

I CERTIFY THIS PLAT WAS APPROVED BY THE PARK CITY COUNCIL THIS 28 DAY OF October, 2021 AD.
TIME: _____ ENTRY# _____ FEE _____

Michelle Kellogg — 1-7-22
CITY RECORDER

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 11, 1884

SUMMIT COUNTY RECORDER

STATE OF UTAH, COUNTY OF SUMMIT AND FILED AT THE REQUEST OF CAPSTONE TITLE AND ESCROW INC
APPROVED THIS 6th DAY OF MARCH, 2022 AD.
TIME: 9:39AM ENTRY# 01184843 FEE $54.00

COUNTY RECORDER — Deputy

LEGEND

- STREET MONUMENT (FOUND)
- MONUMENT LINE
- PROPERTY LINE
- LOT LINE
- SET MONUMENT
- FOUND MONUMENT

NORTHSTAR SUBDIVISION - LOT 1 AMENDED
1061 AND 1063 LOWELL AVENUE
SE1/4NW1/4 SEC. 16, T.2S., R.4E., SLB&M
PARK CITY, SUMMIT COUNTY, UTAH

epic ENGINEERING
3341 South 4000 West
West Valley, Utah 84120
(801)955-5505
50 East 100 South
Heber City, Utah 84032
(435)654-6600

0 1" = 10' 1"	PROJECT #: 16SM1891.14
DRAWN: JF	DATE: 01/03/2021
CHECKED: TG	SHEET NO: 1 OF 1

NORTHSTAR SUBDIVISION LOT 1 AMENDED

N:\PROJ2021\SM PROJECTS\STACY HEAD\LOWELL AVE PARK CITY\DWG\SHEETS\PLAT 2021\0525.DWG

PARK CITY 1884

Planning Department

March 22, 2023

Chimso Onwuegbu
1675 Soniat St.
New Orleans, LA 70115
801-712-4078

CC: Lowell Project, LLC c/o Stacy Head

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	1061 Lowell Avenue
Zoning District:	HR-1 Historic Residential
Application:	Conditional Use Permit – New Duplex
Project Number:	PL-22-05491
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	March 22, 2023
Project Summary:	Applicant Proposes to Demolish an Existing Duplex that Straddles 1061 & 1063 Lowell Avenue and Construct a New Duplex on 1061 Lowell Avenue in the Historic Residential (HR-1) Zone.

Action Taken

On March 22, 2023, the Planning Commission conducted a public hearing and approved the Conditional Use Permit to construct a new Duplex at 1061 Lowell Avenue according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. The Property is located at 1061 Lowell Avenue and is also known as Lot 1B of the Northstar Subdivision Lot 1 Amended Plat.
2. Lot 1B is 9,742 square feet in size.
3. The Property is located within the Historic Residential – 1 (HR – 1) Zoning District.
4. On July 19, 1977, the Declaration of Protective Covenants for the Northstar Subdivision was recorded.

5. The 1980s Land Management Code permitted a Two-Unit Dwelling as an Allowed Use in the HR-1 District.
6. In 1983 the City issued a building permit for a Duplex on Lot 1 of the Northstar Subdivision.
7. In 1985 a Party Wall Agreement for the shared wall of the Duplex was recorded with Summit County.
8. At some point a deed was recorded with Summit County to bifurcate the originally platted lot along the shared wall of the Duplex.
9. The Northstar Homeowners Association recorded a *Notice of Removal of Protective Covenants* to remove Lot 1 from the Northstar Homeowners Association.
10. On August 18, 2021 the City received a complete application for the Northstar Subdivision – Lot 1 Amended Plat amendment.
11. The Planning Commission reviewed a Plat Amendment Application to formally create Lots 1A and 1B on September 22, 2021 and forwarded a positive recommendation to City Council.
12. The City Council reviewed the Plat Amendment Application on October 28, 2021 and approved the amendment by Ordinance 2021-42.
13. On December 21, 2022, the City received a Conditional Use Permit application for the construction of a new Duplex on 1061 Lowell Avenue.
14. A Duplex is a Conditional Use in the HR-1 Zoning District for lots with a minimum area of 3,750 square feet.
15. Currently, Lot 1B contains a legal non-complying Duplex Structure which is bifurcated by the Lot Line between Lot 1B and Lot 1A of the Northstar Subdivision – Lot 1 Amended Plat.
16. The current Duplex would be described as a non-complying structure, which is defined in LMC §15-15-1.172 as "A Structure that 1) legally existed before its current zoning designation; and 2) because of subsequent zoning changes, does not conform to the zoning regulation's Setback, Height restrictions, or other regulations that govern the Structure."
17. Existing on the Lot is a (15') foot non-exclusive Access easement to access Lot 1A, Lot 2, and parts of Lot 3 of Northstar Subdivision.
18. The maximum building footprint allowed on the Lot is 2,818 square feet. The proposed building has a footprint of 2,815 square feet.
19. The HR-1 Zoning District's required Front and Rear Setbacks are 15 feet each, totaling a minimum of 30 feet. The proposed Front Setback is approximately 31 feet from the property line and the proposed Rear Setback is approximately 29 feet from the property line.
20. The HR-1 Zoning District's required Side Setback is a minimum of 5 feet, totaling a minimum of 18 feet. The proposed northern Side Setback is 5 feet, and the proposed southern Side Setback is 13 feet.

21. The HR-1 Zoning District's maximum Building Height is 27 feet. The HR-1 Zoning District requires a maximum height of 35 feet from the lowest finish floor plane to the top of the highest wall plate. The proposed Structure is 27 feet in height and is 35 feet from the lowest finish floor plane to the top of the highest wall top plate.
22. The proposed Structure complies with the underlying requirements of the HR-1 Zoning District.
23. On March 8, 2023, City staff provided a public hearing notice to all property owners within 300 feet of the proposed CUP and posted a sign to the subject property.
24. On March 3, 2023 City staff published a public hearing notice to the City website and to the Utah Public Notice website.

Conclusions of Law

1. The proposed Conditional Use Permit complies with the requirements of the HR-1 Zoning District and LMC §15-1-10.
2. The effects of any differences in Use or scale have been mitigated through careful planning.
3. The proposed Use, as conditioned, will be compatible with the surrounding Structures in Use, scale, mass, and circulation.
4. The Application was duly noticed in advance of the public hearing date and the Planning Commission conducted a public hearing as required by law prior to taking Final Action.
5. Approval of the Conditional Use Permit, 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 proposed Duplex Structure is subject to Historic District Design Review (HDDR) approval and must obtain such approval prior to the issuance of a building permit.
2. A building permit must be obtained prior to construction and the Structure must be inspected by the Building Department prior to occupancy.
3. The proposed Structure shall be in accordance with all adopted codes, including, but not necessarily limited to the Land Management Code (LMC), International Building, Fire and related Codes, and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of Park City.
4. If a building permit, or Extension of Approval, has not been obtained prior to March 22, 2024, this Conditional Use Permit approval shall expire.
5. No exterior advertising signs or lighting are approved with this Conditional Use Permit.
6. Any proposed exterior lighting must be reviewed by the Planning Department prior to installation and must be compliant with LMC §15-5-5(J).
7. All proposed mechanical equipment must be screened.

8. Any modifications to the design of the proposed Structure must be provided in writing in advance to the Planning and Building Departments for review and must comply with all adopted Codes, Standards, and Ordinances.
9. The Owner shall demonstrate compliance with applicable standards prior to establishing a Lockout Unit or Nightly Rental use.
10. The Applicant shall meet with the Building Department to establish a Construction Mitigation Plan (CMP) prior to the issuance of a building permit.

If you have questions or concerns regarding this Final Action Letter, please call (435)-615-5063 or email caitlyn.tubbs@parkcity.org.

Sincerely,

Laura Suesser, Planning Commission Chair OR
Sarah Hall, Planning Commission Vice-Chair

CC: Caitlyn Tubbs, Sr. Historic Preservation Planner

PARK CITY
1884

Planning Department

May 4 2023

Lowell Project, LLC
1675 Soniat St.
New Orleans, LA 20115
(504)-301-4440
stacyhead08@yahoo.com

CC: Chimso Onwuegbu
(801)-712-4078
chimso@be-wow.com

NOTICE OF PLANNING DIRECTOR ACTION

Description

Address:	1061 Lowell Avenue
Zoning District:	Historic Residential 1 (HR-1)
Application:	Historic District Design Review (HDDR)
Project Number:	PL-22-05444
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	May 4, 2023
Project Summary:	Applicant seeks to demolish an existing Duplex and construct two new Duplexes, one at 1061 Lowell Avenue and another at 1063 Lowell Avenue. 1061 Lowell Avenue is located in the HR-1 District and is subject to HDDR review.

Action Taken

On May 4, 2023, the Planning Director conducted a public hearing and approved the 1061 Lowell Avenue Historic District Design Review according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. The Property is located at 1061 Lowell Avenue and is also known as Lot 1B of the Northstar Subdivision Lot 1 Amended Plat.
2. Lot 1B is 9,742 square feet in size.

3. The Property is located within the Historic Residential-1 (HR-1) Zoning District.
4. On July 19, 1977, the Declaration of Protective Covenants for the Northstar Subdivision was recorded.
5. The 1980's Land Management Code permitted a Two-Unit Dwelling as an Allowed Use in the HR-1 District.
6. In 1983 the City issued a building permit for a Duplex on Lot 1 of the Northstar Subdivision.
7. In 1985 a Party Wall Agreement for the shared wall of the Duplex was recorded with Summit County.
8. At some point a deed was recorded with Summit County to bifurcate the originally platted lot along the shared wall of the Duplex.
9. On February 2, 2010 the Northstar Homeowners Association recorded a Notice of Removal of Protective Covenants to remove Lot 1 from the Northstar Homeowners Association.
10. On August 19, 2021 the City received a complete application for the Northstar Subdivision – Lot 1 Amended Plat amendment.
11. The Planning Commission reviewed a Plat Amendment Application to formally create Lots 1A and 1B on September 22, 2021 and forwarded a positive recommendation to City Council.
12. The City Council reviewed the Plat Amendment Application on October 28, 2021 and approved the amendment by Ordinance 2021-42.
13. On December 21, 2022, the City received a Conditional Use Permit application for the construction of a new Duplex on 1061 Lowell Avenue.
14. A Duplex is a Conditional Use in the HR-1 Zoning District for lots with a minimum area of 3,750 square feet.
15. On March 22, 2023 the Planning Commission reviewed the Conditional Use Permit application, held a public hearing, and approved a Conditional Use Permit to establish a new Duplex at 1061 Lowell Avenue.
16. Currently, Lot 1B contains a legal non-complying Duplex Structure which is bifurcated by the Lot Line between Lot 1B and Lot 1A of the Northstar Subdivision – Lot 1 Amended Plat.
17. The current Duplex would be described as a non-complying structure, which is defined in LMC §15-15-1.172 as "A Structure that 1) legally existed before its current zoning designation; and 2) because of subsequent zoning changes, does not conform to the zoning regulation's Setback, Height restrictions, or other regulations that govern the Structure."

18. Existing on the Lot is a fifteen foot (15') non-exclusive Access easement to access Lot 1A, Lot 2, and parts of Lot 3 of the Northstar Subdivision.
19. The maximum building footprint allowed on the Lot is 2,818 square feet. The proposed building has a footprint of 2,815 square feet.
20. The HR-1 Zoning District's required Front and Rear Setbacks are 15 feet each, totaling a minimum of 30 feet. The proposed Front Setback is approximately 31 feet from the property line and the proposed Rear Setback is approximately 29 feet from the rear property line.
21. The HR-1 Zoning District's required Side Setback is a minimum of 5 feet, totaling a minimum of 18 feet. The proposed northern Side Setback is 5 feet, and the proposed southern Side Setback is 13 feet.
22. The HR-1 Zoning District's maximum Building Height is 27 feet. The HR-1 Zoning District requires a maximum height of 35 feet from the lowest finish floor plane to the top of the highest wall plate. The proposed Structure is 27 feet in height and is 35 feet from the lowest finish floor plane to the top of the highest wall plate.
23. The proposed Structure complies with the underlying requirements of the HR-1 Zoning District.
24. On April 19, 2023 City staff provided a public hearing notice to all property owners within 300 feet of the proposed HDDR and posted a sign to the subject property.
25. On April 19, 2023 City staff published a public hearing notice to the City website and to the Utah Public Notice website.

Conclusions of Law

1. The proposal complies with the LMC requirements pursuant to LMC Chapter 15-2.2 Historic Residential 1 (HR-1) District.
2. The proposal complies with the criteria for the Design Guidelines for New Residential Infill Construction in Historic Districts outlined in LMC §15-13-8.

Conditions of Approval

1. Final building plans and construction details shall be the same as the plans approved May 4, 2023 by the Planning Department. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.
2. If the Applicant does not obtain a complete building permit within one ear of the date of this approval, this HDDR approval will expire unless the Applicant

submits a written extension request to the Planning Department prior to the expiration date and the Planning Department approves an extension.

3. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.
4. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.
5. The property is located outside of the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine-related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance with State and Federal Law.
6. All Conditions of Approval from the Northstar Subdivision Lot 1 Plat Amendment (listed in Ordinance 2021-42) and the Conditional Use Permit (PL-22-05491) shall also apply.
7. The Applicant shall provide an analysis detailing the species and caliper of existing mature vegetation on the subject property and outline how any mature vegetation removed from the Site will be replaced.
8. A finalized landscaping plan shall be submitted to the Planning Department for review and approval or denial in accordance with LMC §15-5-5(N) with the submittal of the building permit application. All outdoor lighting shall also be noted on the plan and comply with LMC §15-5-5(J).
9. All gutters and/or downspouts shall be located away from architectural features and visually minimized when viewed from the public right-of-way per LMC §15-13-8(B)(2)(g).
10. Any mechanical equipment (e.g. hot tubs, air conditioner condensers, etc.) shall comply with the requirements set forth in LMC §15-13-8(B)(3).
11. Any exterior wood shall have an opaque rather than transparent finish. When possible, low-VOC (volatile organic compound) paints and finishes shall be used. Rustic, unfinished wood is inappropriate.
12. The standing seam metal roofing shall be muted and neutral in color and shall have a non-reflective finish.
13. Any areas disturbed during construction surrounding the proposed work shall be brought back to its original state.
14. Construction shall not impact surrounding Historic Structures.
15. Vinyl or aluminum doors and windows are prohibited.

PARK CITY
1884

Planning Department

If you have questions or concerns regarding this Final Action Letter, please call (435)-615-5063 or email caitlyn.tubbs@parkcity.org.

Sincerely,

Gretchen Milliken, Planning Director

CC: Caitlyn Tubbs, Senior Historic Preservation Planner

Planning Department

May 4 2023

Lowell Project, LLC
1675 Soniat St.
New Orleans, LA 20115
(504)-301-4440
stacyhead08@yahoo.com

CC: Chimso Onwuegbu
(801)-712-4078
chimso@be-wow.com

NOTICE OF PLANNING DIRECTOR ACTION

Description

Address:	1063 Lowell Avenue
Zoning District:	Historic Residential 1 (HR-1)
Application:	Historic District Design Review (HDDR)
Project Number:	PL-22-05445
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	May 4, 2023
Project Summary:	Applicant seeks to demolish an existing Duplex and construct two new Duplexes, one at 1061 Lowell Avenue and another at 1063 Lowell Avenue. 1063 Lowell Avenue is located in the HR-1 District and is subject to HDDR review.

Action Taken

On May 4, 2023, the Planning Director conducted a public hearing and approved the 1063 Lowell Avenue Historic District Design Review according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. The Property is located at 1063 Lowell Avenue and is also known as Lot 1A of the Northstar Subdivision Lot 1 Amended Plat.
2. Lot 1A is 9,742 square feet in size.

3. The Property is located within the Historic Residential-1 (HR-1) Zoning District.
4. On July 19, 1977, the Declaration of Protective Covenants for the Northstar Subdivision was recorded.
5. The 1980's Land Management Code permitted a Two-Unit Dwelling as an Allowed Use in the HR-1 District.
6. In 1983 the City issued a building permit for a Duplex on Lot 1 of the Northstar Subdivision.
7. In 1985 a Party Wall Agreement for the shared wall of the Duplex was recorded with Summit County.
8. At some point a deed was recorded with Summit County to bifurcate the originally platted lot along the shared wall of the Duplex.
9. On February 2, 2010 the Northstar Homeowners Association recorded a Notice of Removal of Protective Covenants to remove Lot 1 from the Northstar Homeowners Association.
10. On August 19, 2021 the City received a complete application for the Northstar Subdivision – Lot 1 Amended Plat amendment.
11. The Planning Commission reviewed a Plat Amendment Application to formally create Lots 1A and 1B on September 22, 2021 and forwarded a positive recommendation to City Council.
12. The City Council reviewed the Plat Amendment Application on October 28, 2021 and approved the amendment by Ordinance 2021-42.
13. On December 21, 2022, the City received a Conditional Use Permit application for the construction of a new Duplex on 1063 Lowell Avenue.
14. A Duplex is a Conditional Use in the HR-1 Zoning District for lots with a minimum area of 3,750 square feet.
15. On March 22, 2023 the Planning Commission reviewed the Conditional Use Permit application, held a public hearing, and approved a Conditional Use Permit to establish a new Duplex at 1063 Lowell Avenue.
16. Currently, Lot 1A contains a legal non-complying Duplex Structure which is bifurcated by the Lot Line between Lot 1A and Lot 1B of the Northstar Subdivision – Lot 1 Amended Plat.
17. The current Duplex would be described as a non-complying structure, which is defined in LMC §15-15-1.172 as "A Structure that 1) legally existed before its current zoning designation; and 2) because of subsequent zoning changes, does not conform to the zoning regulation's Setback, Height restrictions, or other regulations that govern the Structure."

18. Existing on the Lot is a fifteen foot (15') non-exclusive Access easement to access Lot 1B, Lot 2, and parts of Lot 3 of the Northstar Subdivision.
19. The maximum building footprint allowed on the Lot is 2,818 square feet. The proposed building has a footprint of 2,800 square feet.
20. The HR-1 Zoning District's required Front and Rear Setbacks are 15 feet each, totaling a minimum of 30 feet. The proposed Front Setback is approximately 30 feet from the property line and the proposed Rear Setback is approximately 29 feet from the rear property line.
21. The HR-1 Zoning District's required Side Setback is a minimum of 5 feet, totaling a minimum of 18 feet. The proposed northern Side Setback is 13 feet, and the proposed southern Side Setback is 5 feet.
22. The HR-1 Zoning District's maximum Building Height is 27 feet. The HR-1 Zoning District requires a maximum height of 35 feet from the lowest finish floor plane to the top of the highest wall plate. The proposed Structure is 27 feet in height and is 35 feet from the lowest finish floor plane to the top of the highest wall plate.
23. The proposed Structure complies with the underlying requirements of the HR-1 Zoning District.
24. On April 19, 2023 City staff provided a public hearing notice to all property owners within 300 feet of the proposed HDDR and posted a sign to the subject property.
25. On April 19, 2023 City staff published a public hearing notice to the City website and to the Utah Public Notice website.

Conclusions of Law

1. The proposal complies with the LMC requirements pursuant to LMC Chapter 15-2.2 Historic Residential 1 (HR-1) District.
2. The proposal complies with the criteria for the Design Guidelines for New Residential Infill Construction in Historic Districts outlined in LMC §15-13-8.

Conditions of Approval

1. Final building plans and construction details shall be the same as the plans approved May 4, 2023 by the Planning Department. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.
2. If the Applicant does not obtain a complete building permit within one ear of the date of this approval, this HDDR approval will expire unless the Applicant

submits a written extension request to the Planning Department prior to the expiration date and the Planning Department approves an extension.

3. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.
4. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.
5. The property is located outside of the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine-related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance with State and Federal Law.
6. All Conditions of Approval from the Northstar Subdivision Lot 1 Plat Amendment (listed in Ordinance 2021-42) and the Conditional Use Permit (PL-22-05492) shall also apply.
7. The Applicant shall provide an analysis detailing the species and caliper of existing mature vegetation on the subject property and outline how any mature vegetation removed from the Site will be replaced.
8. A finalized landscaping plan shall be submitted to the Planning Department for review and approval or denial in accordance with LMC §15-5-5(N) prior to a final inspection for the building permit. All outdoor lighting shall also be noted on the plan and comply with LMC §15-5-5(J).
9. All gutters and/or downspouts shall be located away from architectural features and visually minimized when viewed from the public right-of-way per LMC §15-13-8(B)(2)(g).
10. Any mechanical equipment (e.g. hot tubs, air conditioner condensers, etc.) shall comply with the requirements set forth in LMC §15-13-8(B)(3).
11. Any exterior wood shall have an opaque rather than transparent finish. When possible, low-VOC (volatile organic compound) paints and finishes shall be used. Rustic, unfinished wood is inappropriate.
12. The standing seam metal roofing shall be muted and neutral in color and shall have a non-reflective finish.
13. Any areas disturbed during construction surrounding the proposed work shall be brought back to its original state.
14. Construction shall not impact surrounding Historic Structures.
15. Vinyl or aluminum doors and windows are prohibited.

16. The Applicant shall update the design of the proposed southern wing wall to end under the front porch and be no greater than six feet (6') in height above Final Grade.

If you have questions or concerns regarding this Final Action Letter, please call (435)-615-5063 or email caitlyn.tubbs@parkcity.org.

Sincerely,

Gretchen Milliken, Planning Director

CC: Caitlyn Tubbs, Senior Historic Preservation Planner

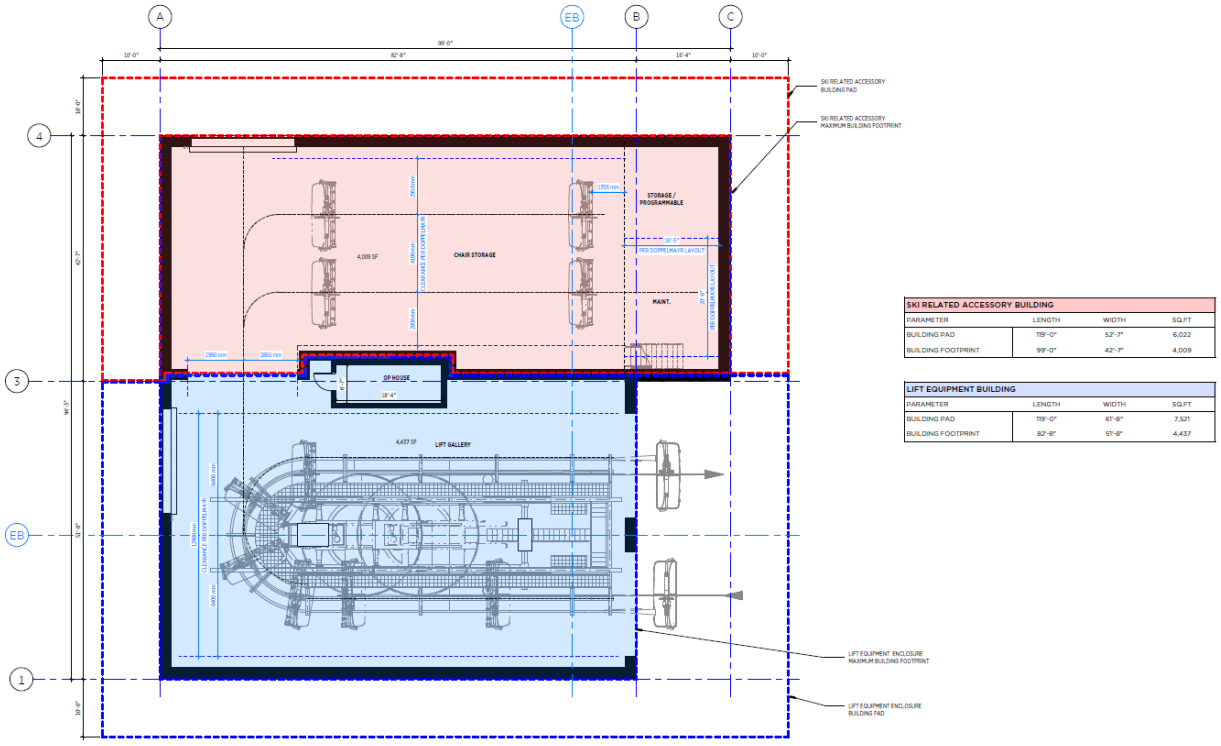
Planning Commission
Staff Report

Subject: **2250 Deer Valley Drive South**
Parcels PCA-S-98-R, PCA-S-85, PCA-S-85-D, PCA-S-81-A
Application: **PL-23-05938**
Author: **Virgil Lund, Planner I**
Date: **May 22, 2024**
Type of Item: **Conditional Use Permit**

Recommendation

(I) Review the Conditional Use Permit for a new ski lift (Lift 7), a 375-square-foot operator house, a 4,437-square-foot terminal lift gallery building footprint, and 4.62 miles of new ski runs at Deer Valley Resort, (II) conduct a public hearing, and (III) consider approving the Conditional Use Permit based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Since the last Planning Commission review, the Applicant revised their proposal to exclude the 4009-square-foot ski related accessory building (shown in pink below) and will submit a separate Conditional Use Permit for this building at a future date. The Applicant's updated request is limited to the 4,437-square-foot lift equipment building (shown in blue).



Description

Applicant:	Hannah Tyler, Deer Valley Resort
Location:	Parcels PCA-S-98-R, PCA-S-85, PCA-S-85-D, PCA-S-81-A
Zoning District:	Recreation and Open Space Sensitive Land Overlay
Adjacent Land Uses:	Recreation, Resort Open Space
Reason for Review:	The Planning Commission reviews and takes Final Action on Conditional Use Permits.[1]

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary

On November 6, 2023, Deer Valley Resort submitted a Conditional Use Permit application to construct:

- 4.62 miles of new ski runs.
- A new six-passenger 0.56-mile-long ski lift on Park Peak between Bald Mountain Peak and Flagstaff Peak for beginner skier access to the higher elevations of Deer Valley Resort.
- A 4,437-square-foot terminal lift gallery building footprint.
- A 375-square-foot operator house.

On April 10, 2024, the Planning Commission reviewed the proposal, opened a public hearing, requested a site visit, and continued the public hearing to April 24, 2024 (Staff Report, Minutes).

On April 15, 2024, the Planning Commission and City staff participated in a site visit to see the proposed project area. The Applicant provided a tour to show the proposed lift alignment and ski runs from three separate vantage points: West- Flagstaff Mountain, East- Bald Mountain, and the proposed bottom terminal and lift storage building footprint.

On April 24, 2024, the Planning Commission reviewed the proposal, held a public hearing, requested additional information, and continued the public hearing to May 8, 2024 (Staff Report, Minutes).

On May 8, 2024, the Planning Commission opened a public hearing and continued the public hearing to May 22, 2024, to allow the Applicant time to gather additional information (Continuation Report, Minutes).

[1] LMC § 15-2.7-2

Analysis

Conditional Use Permit Standard of Review

Ski lifts and ski-related buildings greater than 600 square feet require a Conditional Use Permit with Planning Commission review in the Recreation and Open Space Zoning District (LMC § 15-2.7-2(C)). The Planning Commission reviews Conditional Use Permits pursuant to the sixteen criteria outlined in LMC § 15-1-10(E).

According to LMC § 15-1-10, there are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

The Planning Department will evaluate all proposed Conditional Uses and may recommend conditions of approval to preserve the character of the zone, and to mitigate potential adverse effects of the Conditional Use.

A Conditional Use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards.

If the reasonable anticipated detrimental effects of a proposed Conditional Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards, the Conditional Use may be denied.

Please refer to the April 10, 2024 Staff Report for the Conditional Use criteria analysis.

Sensitive Land Overlay

LMC § 15-2.21-7 outlines development for ski area construction and expansion. The Planning Director may, after consultation, request the Applicant prepare alternatives for consideration and a mitigation plan that modifies the project to mitigate the environmental and visual impact of the project. The Applicant agreed to make modifications to the initial ski lift location to comply with Recreation and Open Space Zoning District setback requirements from adjacent properties and placed the top of the ski lift slightly below Park Peak.

To the Maximum Extent Feasible—defined in LMC § 15-15-1 as the maximum mitigation where no prudent, practical and feasible alternative exists to completely mitigate the adverse impact[2]—the Applicant must design the ski facilities to preserve the natural character of the Sensitive Lands. The mitigation plan must also address revegetation of

[2] Economic considerations may be taken into account but shall not be the overriding factor in determining "Maximum Extent Feasible."

disturbed areas and temporary and permanent erosion control measures (see Final Action Letter Conditions of Approval 4, 8, 9, and 16).

Please refer to the April 10, 2024 Staff Report for the full Sensitive Land Overlay analysis and staff's report identifying areas suitable for the ski lift and accessory buildings pursuant to LMC § 15-2.21-2(C). The Applicant's updated materials regarding wildlife are addressed below.

Passenger Tramways and Ski Base Facilities Criteria

LMC § 15-4-18 *Passenger Tramways and Ski Base Facilities* establishes criteria the Planning Commission reviews for ski lifts:

- Ownership of liftway
- Width
- Base or terminal facilities
- Crossing of public roads
- Utility clearance
- Parking and traffic plans
- Liftway setback
- State regulation
- Public purpose served
- Status of land within liftway
- Structures within liftway
- Preservation of historic structures

Please refer to the April 10, 2024 Staff Report for the analysis.

The Bransford Parcels

The proposed ski lift 7 is in the vicinity of two parcels known as the Bransford Parcels totaling 19.8 acres—PCA-S-79-B and PCA-S-79-B. These parcels are not part of the Applicant's lease. Rather, after extensive staff, Planning Commission, and City Council review and consideration, on April 27, 2023, the City Council approved a rezone for the construction of two Single-Family Dwellings on six acres, contingent upon certain conditions of approval that must be satisfied by April 27, 2025 (Ordinance No. 2023-03). Please see:

- April 13, 2022 Planning Commission Staff Report; Minutes
- June 8, 2022 Planning Commission Staff Report; Minutes
- June 15, 2022 Planning Commission Staff Report; Minutes
- August 10, 2022 Planning Commission Staff Report; Minutes

- November 9, 2022 Planning Commission Staff Report; Minutes
- December 14, 2022 Planning Commission Staff Report; Minutes
- January 24, 2023 City Council Staff Report; Minutes

Ordinance No. 2023-03 requires the property owner of the two parcels to record a conservation easement for the Recreation and Open Space acreage and to establish a Limits of Disturbance within the 19.8 acres limited to the construction of the Single-Family Dwellings. No other site disturbances are allowed beyond the Limits of Disturbance. Because these parcels are not part of the Applicant's lease, and after much time and consideration, approval of Ordinance No. 2023-03 prohibits any development outside of the Limits of Disturbance, staff did not request the Applicant consider aligning the ski lift over property for which the Applicant has no control and which would violate the requirements of Ordinance No. 2023-03.

On April 24, 2024, the Planning Commission requested additional information, outlined below:

(I) The Planning Commission requested the Applicant update the Wildlife Management Plan and submit updated Wildlife Data for the Project Area

LMC § 15-2.21-8 outlines considerations for wildlife and wildlife habitat protections in the Sensitive Land Overlay (SLO). The requirements are developed to promote, preserve, and enhance wildlife and wildlife habitat areas in and around Park City, and to protect these areas from adverse effects and potentially irreversible impacts.[3]

LMC § 15-15-1 defines *Sensitive or Specially Valued Species*:

> Federally Threatened and Endangered Species; State of Utah Threatened and Endangered Species; State of Utah Species of Concern as identified in the document; animals and plants of special concern to the Park City Community as identified in the General Plan and in need of special protection.

LMC § 15-2.21-8(B)(1) establishes protection of wildlife habitat and ecological character through four considerations:

> (1) Construction timing must be organized and timed to minimize disturbance of Sensitive or Specially Valued Species occupying or using on-site and adjacent natural areas.
>
> (2) If the site contains or is within 500 feet of a natural area or habitat area, and

[3] LMC § 15-2.21-8(A)

the wildlife and habitat report show the existing of Sensitive or Specially Valued Species, the development plans shall include provisions to ensure any habitat contained in any such natural area shall not be disturbed or diminished, and to the Maximum Extent Feasible, shall be enhanced.

(3) If the development site contains existing natural areas to connect to other off-site natural areas, to the Maximum Extent Feasible, the development plan shall preserve such natural area connections. If natural areas lie adjacent to the development site but such natural areas are not presently connected across the development site, then the development plan shall to the extent reasonable feasible, provide such connection. Such connections shall be designed and constructed to allow for the continuance of existing wildlife movement between natural areas and to enhance the opportunity for the establishment of new connections for movement of wildlife.

(4) If wildlife that may create conflicts for future occupants of the development are known to exist in areas adjacent to or on the development site, then the development plan must include provisions to minimize these conflicts to the extent reasonably feasible.

The Applicant submitted a letter from BIO-WEST INC, a wildlife consultant, outlining the wildlife species in the project area and potential wildlife impacts from the ski lift 7. The letter includes the following conclusion regarding the construction and development of ski lift 7:

“The project area does provide habitat for some of the species; however, the majority of the species would not be utilizing the project area during the winter ski season. Assuming that Deer Valley Resort conducts additional onsite habitat investigations, and utilizes appropriate impact minimization and mitigation measures, the project should be able to be constructed and to operate without a significant effect on the populations of these species within Utah. The species listed can coexist within a recreational use site with winter skiing and summer hiking and biking as long as proper mitigation and management measures are utilized.”

The consultant recommends mitigation measures that are amended by staff and outlined in the Final Action Letter as Conditions of Approval 17-27:

17. Fencing is prohibited and users of the project area must be directed away from the wildlife movement corridors during the spring and fall migration periods.
18. Construction must be organized and timed to minimize the disturbance of wildlife habitat areas.
19. To the Maximum Extent Feasible, the Applicant shall preserve any natural habitat Area connections. If natural Areas lie adjacent to the Development Site, but such natural Areas are not presently connected across the Development Site, then the Development plan shall, to the extent reasonably feasible, provide such connection. Such connections shall be designed and constructed to allow

for the continuance of existing wildlife movement between natural Areas and to enhance the opportunity for the establishment of new connections for movement of wildlife.

20. If wildlife that may create conflicts for future occupants of the Development are known to exist in Areas adjacent to or on the Development Site, then the Development plan must include provisions to minimize these conflicts to the extent reasonably feasible.
21. A nest clearance for all migratory birds should be performed if land clearing is required during the nesting season.
22. Signage and warnings to hikers and bikers must be installed advising of moose activity. If adult cow moose with calves are utilizing the project area then a buffer zone around those animals should be blocked from human activity including closing trails and preventing hiking and biking until the animals are no longer in the area.
23. Any areas where Mule Deer are giving birth to and raising fawns within the project area must be blocked off.
24. Hiking and biking in those areas could be restricted if fawns were observed to prevent disturbance to the deer.
25. If Elk with calves are observed or if large herds of Elk are utilizing a particular part of the project area, then that area must be closed off to human activity such as hiking and biking until those animals were no longer present.
26. The Applicant must conduct an additional site visit and habitat evaluation with BIO-WEST INC for further mitigation and management considerations to be refined following the snow melt. The Applicant and BIO-WEST INC shall submit their findings and plans for review and approval by Planning staff prior to issuance of a Building Permit.
27. The Applicant must submit a modification application to amend Technical Report #13 Wildlife Management Plan which shall include updated Wildlife Data. The Applicant shall submit a modification application to the Planning Department within two months of this Conditional Use Permit approval. The modification must be reviewed and approved by the Planning Commission within six months of the date of Planning Commission approval of this Conditional Use Permit.

Please see Exhibit P for the Applicant's Wildlife Habitat Report.

(II) The Planning Commission requested the Applicant replace the Developed Recreation Open Space (DROS) with Undeveloped Recreation Open Space. (UROS)

The new ski runs, ski lift, 375-square-foot operator house, and 4,437-square-foot terminal lift gallery building footprint are proposed to be constructed on Parcels PCA-S-98-R, PCA-S-85, PCA-S-85-D, PCA-S-81-A in the Upper Deer Valley neighborhood of the General Plan (p. 13), the Recreation and Open Space Zoning District, and the Sensitive Land Overlay. A Grant of Conservation Easement (Summit County Recorder Entry No. 643790, Exhibit M), Amendment to Grant of Conservation Easement (Ski

Area) (Summit County Recorder Entry No. 994227, Exhibit J) and Deed of Conservation Easement Agreement (Summit County Recorder Entry No. 1207561, Exhibit K) are recorded for these Parcels.

These Parcels are also within the Flagstaff/Empire Pass Master Planned Development. The Flagstaff Development Agreement (pg.15) outlines the review process for Upper Deer Valley ski lifts that are part of the Deer Valley Ski Area Master Plan (Exhibit B). Ski lifts included in the Deer Valley Ski Area Master Plan require an Administrative Conditional Use Permit with Planning Director Final Action. The proposed ski lift, ski runs, 375-square-foot operator house, and 4,437-square-foot terminal lift gallery building footprint are not in the Deer Valley Ski Area Master Plan or the Flagstaff Development Agreement and therefore require a Conditional Use Permit and Planning Commission Final Action.

The Flagstaff Development Agreement includes an Open Space Management Plan revised and approved in December of 2001, prepared by SWCA, Inc. Environmental Consultants (Exhibit N). The Open Space Management Plan includes Developed Recreational Open Space (DROS) and Undeveloped Recreational Open Space (UROS). The Planning Commission requested the Applicant proposes an exchange for the site disturbance within the UROS.

The Applicant submitted a map showing where DROS could be converted to UROS as part of the Open Space Management Plan Update. Exhibit Q shows 111 acres of UROS for the ski lift 7 project. The Applicant shows 111 acres of DROS that will be converted to UROS. The areas that will be designated and converted from DROS to UROS meet the definition for UROS from the Open Space Management Plan. UROS is defined as “areas containing steep, rocky, and/or heavily vegetated south- or west-facing slopes as well as areas lying beyond practical lift-served terrain.” The proposed UROS acres are in the Daly Chutes area, which is very steep and heavily vegetated terrain, and a west/east facing ridgeline with steep slopes located between Flagstaff and Bald Mountain. The updated UROS areas will protect additional wildlife habitat and scenic viewsheds.

Staff recommends Condition of Approval 13:

> The Applicant must submit a modification application to amend Technical Report #5 Open Space Management Plan which shall include an adjustment of the designated Undeveloped Recreation Open Space and Developed Recreation Open Space Areas, with a 111-acre replacement of the Undeveloped Recreation Open Space, and/or additional mitigation measures from the result of increased lift disturbance within Undeveloped Recreation Open Space. The Applicant shall submit a modification application to the Planning Department within two months of this Conditional Use Permit approval. The modification must be reviewed and approved by the Planning Commission within six months of the date of Planning Commission approval of this Conditional Use Permit.

(III) The Planning Commission requested the Applicant provide a letter showing the safety of the proposed lift as approved and vetted by mountain planning consultants Ecosign and SE Group

The Applicant submitted a letter from SE Group and Ecosign addressing the proposed Lift 7 alignment and ski runs (Exhibit R).

(IV) The Planning Commission requested verification from the Passenger Ropeway Safety Committee verifying the safety of the proposed lift 7 and verifying the alignment of the future gondola crossing Lift 7.

The Applicant submitted a letter from Alterra Company's Engineer stating the proposed Lift 7 will not affect the future alignment of the proposed gondola from Snow Park (Exhibit S). Condition of Approval 3 states the project is subject to safety regulation by the Passenger Ropeway Safety Committee of the Utah State Department of Transportation. The Applicant must work with the Safety Committee for final approval consistent with the standard state review authority review process prior to submitting a Building Permit.

(V) The Development Review Committee reviewed the proposal on December 5, 2023, and does not require additional Conditions of Approval.[4]

Department Review

The Planning Department, Executive Department, and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on March 27, 2024. Staff mailed courtesy notice to property owners within 300 feet on March 27, 2024. The *Park Record* published courtesy notice on March 27, 2024.[5]

Public Input

Public input is attached as Exhibit O to this report.

Alternatives

- The Planning Commission may approve the Conditional Use Permit;
- The Planning Commission may deny the Conditional Use Permit and direct staff to make Findings for the denial; or

[4] The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).
[5] LMC § 15-1-21

- The Planning Commission may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Final Action Letter
Exhibit B: Deer Valley Ski Area Master Plan
Exhibit C: Proposed Plans
Exhibit D: Utah Division of Water Rights Stream Corridor Determination
Exhibit E: Sensitive Lands Analysis
Exhibit F: Memo Of Lease
Exhibit G: Historic Structures Map
Exhibit H: Applicant's Narrative
Exhibit I: Technical Report #13 Wildlife Management Plan
Exhibit J: Amendment to Grant of Conservation Easement
Exhibit K: Deed of Conservation Easement
Exhibit L: Planning Director Height Determination
Exhibit M: Grant of Conservation Easement
Exhibit N: Technical Report #5 Open Space Management Plan
Exhibit O: Public Input
Exhibit P: Wildlife Consultant Letter
Exhibit Q: Open Space Management Map
Exhibit R: SE Group and Ecosign Safety Letters
Exhibit S: Alterra's Engineer Letter

Planning Department

May 22, 2024

Deer Valley Resort
2250 Deer Valley Drive South
Park City, Utah 84060

CC: Hannah Tyler

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	Parcels PCA-S-98-R, PCA-S-85, PCA-S-85-D, PCA- S-81-A
Zoning District:	Recreation Open Space and Sensitive Land Overlay
Application:	Conditional Use Permit
Project Number:	PL-23-05938
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	May 22, 2024
Project Summary:	The Applicant proposes to install a new ski lift (Lift 7), a 375-square-foot operator house, a 4,437-square-foot terminal lift gallery building footprint, and 4.62 miles of new ski runs in the Recreation and Open Space Zoning District and Sensitive Land Overlay.

Action Taken
On May 22, 2024, the Planning Commission conducted a public hearing and approved the new ski lift (Lift 7), a 375-square-foot operator house, a 4,437-square-foot terminal lift gallery building footprint, and 4.62 miles of new ski runs according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Site includes Parcels PCA-S-98-R, PCA-S-85, PCA-S-85-D, and PCA-S-81-A and is within the Recreation and Open Space (ROS) Zoning District and Sensitive Land Overlay (SLO).

2. The new ski runs, ski lift, 375-square-foot operator house, and a 4,437-square-foot terminal lift gallery building footprint are proposed to be constructed on Parcels PCA-S-98-R, PCA-S-85, PCA-S-85-D, and PCA-S-81-A in the Upper Deer Valley neighborhood of the General Plan, the Recreation and Open Space Zoning District, and the Sensitive Land Overlay.
3. A Grant of Conservation Easement, Amendment to Grant of Conservation Easement (Ski Area), and Deed of Conservation Easement Agreement are recorded for these Parcels.
4. Parcels PCA-S-98-R, PCA-S-85, PCA-S-85-D, and PCA-S-81-A are within the Flagstaff/Empire Pass Development Agreement.
5. Ski lifts included in the Flagstaff/Empire Pass Development Agreement Deer Valley Ski Area Master Plan require an Administrative Conditional Use Permit with Planning Director Final Action.
6. The proposed ski lift and ski runs are not in the Deer Valley Ski Area Master Plan and therefore require a Conditional Use Permit and Planning Commission Final Action pursuant to Land Management Code (LMC) § 15-2.7-2(C)(8).
7. The proposed 375-square-foot operator house, and a 4,437-square-foot terminal lift gallery building footprint require Planning Commission review of a Conditional Use Permit pursuant to LMC § 15-2.27-2(C)(14) for Ski-Related Accessory Buildings greater than 600 square feet proposed within the ROS Zoning District.
8. The Applicant proposes constructing approximately 4.62 miles of ski runs.
9. The Applicant proposes the ski lift and ski runs to increase beginner ski terrain at the resort.
10. On March 1, 2024, Planning staff issued a complete application notice to the Applicant for the Conditional Use Permit.
11. On April 15, 2024, the Planning Commission and City staff participated in a Site Visit to see the proposed project area. The Applicant provided a tour showing the proposed lift alignment and ski runs from three separate vantage points: West- Flagstaff Mountain, East- Bald Mountain, and the proposed bottom terminal and lift storage building.
12. The application as conditioned complies with LMC Chapter 15-2.7 ROS Zoning District as follows:
    a. The proposed ski lift, ski runs, 375-square-foot operator house, and terminal building provide additional recreational opportunities for residents and visitors of Park City – especially for beginner skiers.

    b. Setbacks

i. The ski lift, ski runs, 375-square-foot operator house, and terminal building are proposed to be constructed on metes-and-bounds Parcels leased by Deer Valley Resort.
ii. The ski lift bottom terminal and terminal building are proposed to be constructed adjacent to Parcel PCA-S-79C, which is excluded from Deer Valley Resort's lease and is under separate ownership.
iii. The ski lift bottom terminal must meet at least a 25-foot Setback from Parcel PCA-S-79-C. The Applicant exceeds this requirement, and the proposed ski lift and terminal building are set back 90 feet from Parcel PCA-S-79-C.
iv. The top ski lift terminal and 375-square-foot operator house maintain a 61-foot Setback from the nearest property line.

c. Vegetation Protection
   i. LMC § 15-2.7-6 requires the Applicant to protect Significant Vegetation during construction within the ROS Zoning District. Significant Vegetation includes large trees six inches in diameter or greater measured four and one-half feet above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet or more measured at the drip line.
d. ROS Zoning District Height
   i. In the ROS Zoning District, no Structure may be erected to a height greater than twenty-eight feet from Existing Grade.
   ii. The applicant proposes installing 10 ski lift towers.
   iii. The ski lift towers range in height as follows:
      - Tower 1 – 19.54 feet (complies with ROS height).
      - Tower 2 – 33.01 feet (exceeds ROS height by 5.01 feet).
      - Tower 3 – 46.33 feet (exceeds ROS height by 18.33 feet).
      - Tower 4 – 52.87 feet (exceeds ROS height by 24.87 feet).
      - Tower 5 – 46.31 feet (exceeds ROS height by 18.31 feet).
      - Tower 6 – 49.59 feet (exceeds ROS height by 21.59 feet).
      - Tower 7 – 39.75 feet (exceeds ROS height by 11.75 feet).
      - Tower 8 – 46.31 feet (exceeds ROS height by 18.31

feet).

- Tower 9 – 36.29 feet (exceeds ROS height by 8.29 feet). Tower 10 – 29.72 feet (exceeds ROS height by 1.72 feet).

iv. The bottom terminal reaches a height of approximately 22 feet from Existing Grade, and the top terminal reaches a height of approximately 24 feet from Existing Grade.

v. LMC § 15-2.7-4(A)(4) states ski lifts within the ROS Zoning District may extend above the maximum Height subject to a visual analysis and administrative approval by the Planning Director.

vi. On March 29, 2024, the Planning Director approved the proposed lift tower heights, pending Planning Commission approval of the top terminal and Lift Tower 10 within a Ridge Line Area.

13. The application as conditioned complies with LMC Chapter 15-2.21 SLO:

a. LMC § 15-2.21-2(A) requires Applicants proposing construction within the SLO to submit a Sensitive Lands Analysis, including sensitive environmental and aesthetic Areas such as Steep Slopes, Ridge Line Areas, Crest of Hills, wetlands, Stream Corridors, Wildland interface, and wildland habitat Areas. The Applicant submitted a Sensitive Lands Analysis prepared by Alliance Engineering.

b. Additionally, LMC § 15-2.21-3(A)(3) requires a Soils Investigation Report and Geotechnical Report. The Applicant submitted a Geotechnical Investigation prepared by AGEC Applied GeoTech, dated November 17, 2023.

c. Sensitive Land Overlay Evaluation for Ski Area Construction and Expansion:

i. LMC § 15-2.21-7 establishes Sensitive Land Regulations for Ski Area Construction and Expansion within the SLO. LMC § 15-2.21-7(A) requires the following: “The Developer must submit a plan detailing the location, alignment, and scope of the undertaking. If the Planning Director determines that the project may have significant visual and environmental impacts, a consultation meeting will be scheduled. No Development shall occur until after the consultation meeting

and any required approvals have been granted."

ii. Since submittal, the Applicant has modified the proposed ski lift to comply with the ROS Zoning District setbacks.

d. Steep Slopes: The proposed ski lift does not cover a topographic Area at least twenty-five feet vertically upslope or downslope and fifty feet horizontally and is not within fifty feet of Very Steep Slopes. The average slope for the length of the ski lift and the proposed ski runs are between 15 and 30 percent. LMC § 15-2.21-4(B) exempts ski slopes from the limitation of a 3 to 1 slope.

e. Ridge Line Area Protection:

i. The Applicant's Sensitive Lands Analysis shows the proposed ski lift from the Vantage Points designated in LMC § 15-2.21-3(A)(6). The proposed ski lift is visible from one Vantage Point only. The top terminal of the ski lift will be visible from the Park Meadows Golf Course Clubhouse Vantage Point.

ii. The Applicant states: "The top terminal of Lift 7 will be situated on the ridge line that separates Wasatch and Summit Counties at an elevation of approximately 9285'. While sitting on a ridge line, this structure will only be visible from one of the Park City's Designated Vantage Points (Vantage Point "G": Park Meadows Golf Course Clubhouse) and will not be placed directly onto the peak. Given that the proposed Lift 7 will be a vital piece of infrastructure in the terrain expansion efforts to improve the recreational opportunities and experiences offered by Deer Valley Ski Resort, it's [sic] construction shall be to great public benefit. Furthermore, there are numerous examples of existing ski area chairlifts in the Park City area that appear in greater prominence from the Designated Vantage Points than the proposed lift 7."

iii. LMC § 15-2.21-7(B), Development Approvals for Ski Area Construction and Expansion within the SLO, requires the Applicant to mitigate impacts to the "Maximum Extent Feasible." LMC § 15-15-1 defines "Maximum Extent Feasible" as the maximum mitigation where no prudent, practical and

feasible alternative exists to completely mitigate the adverse impact. Economic considerations may be taken into account but shall not be the overriding factor in determining "Maximum Extent Feasible."

iv. From Vantage Points within Park City, there are ski lifts visible within Ridge Line Areas. The proposed ski lift will be minimally visible from the Park Meadows Golf Course Clubhouse Vantage Point, which is approximately four map miles north of the proposed ski lift. However, the Planning Commission may require a Condition of Approval establishing a minimum required distance from the Ridge Line Area.

f. Wetlands and Stream Protection

i. According to the Applicant's Sensitive Lands Analysis, the Utah Department of Environmental Quality data does not identify any wetlands within the area proposed for the ski lift and ski runs. However, the Utah Department of Environmental Quality identifies an intermittent or ephemeral stream channel.

ii. On November 6, 2023, Daren Rasmussen, an Environmental Scientist – Dam Safety & Stream Alterations with the Utah Department of Natural Resources Division of Water Rights outlines the designated stream channel as a natural stream and therefore will not require special permitting for stream alteration.

iii. LMC § 15-2.21-6(F) establishes a minimum of fifty feet outward from the Ordinary High Water Mark in the SLO for streams

g. Wildlife and Wildlife Habitat Protection

i. LMC § 15-2.21-8 establishes the intent of the Wildlife and Wildlife Habitat Protection to "promote, preserve, and enhance wildlife and wildlife habitat Areas in and around Park City, and to protect them from adverse effects and potentially irreversible impacts." The LMC explains further: "If the Development Site contains or is within five hundred feet (500') of a natural Area or habitat Area, and the wildlife and

habitat report show the existence of Sensitive or Specially Valued Species, the Development plans shall include provisions to ensure that any habitat contained in any such natural Area shall not be disturbed or diminished, and to the Maximum Extent Feasible, such habitat shall be enhanced."

ii. Technical Report #13 from the Flagstaff Development Agreement outlines that "there are no federally listed threatened or endangered species likely to make substantive use of the Plan Area." The proposed ski lift is not located within a Sensitive Wildlife Area as designated on Appendix B of Technical Report #13.

iii. The Utah Division of Wildlife Resources has compiled a list of all Sensitive and Specially Valued Species in the State of Utah. The Applicant submitted analysis to show there are no Sensitive or Specially Valued species occupying or using on-Site and adjacent Areas where the proposed ski lift, ski runs, and associated facilities are proposed. Sensitive or Specially Valued Species includes Federally Threatened and Endangered Species; State of Utah Threatened and Endangered Species; State of Utah Species of Concern and animals and plants of special concern to the Park City Community as identified in the General Plan and in need of special protection.

iv. The Flagstaff Development Agreement Technical Report #13 "Wildlife Management Plan" describes the major habitat types that occur within the Plan Area and provides information on common wildlife species that have the potential to occur within these habitats. The goal of the Wildlife Management Plan is to preserve wildlife habitat values within the Plan Area by minimizing habitat loss and human/wildlife conflicts. There are no federally threatened or endangered species likely to occur in the Plan Area. The proposed Lift 7 is located near a potential wildlife movement corridor.

v. The Wildlife Management Plan explains "It should be noted that the primary cause of habitat fragmentation within the Plan Area is associated with the clearing of lift alignments

and construction of ski runs. It is imperative that existing wildlife movement corridors continue to function in this capacity. Accordingly, habitat modifications should be minimized, fencing prohibited, and recreationists should be directed away from these areas in the spring and fall migration periods." Staff recommends Conditions of Approval to mitigate any potential wildlife corridor impacts.

h. Preserve the Natural Character of the Sensitive Lands, Revegetate, and Establish Permanent Erosion Control Measures.
    i. The Applicant included a vegetative cover evaluation in their Sensitive Land Analysis submittal.
    ii. On March 14, 2024, the Forestry Board approved the removal of Significant Vegetation for the proposed ski lift, ski runs, terminal building, and 375-square-foot operator house with the following Condition of Approval: The Applicant is responsible for the removal of dead and dying Significant Vegetation in an area equal to the proposed area of disturbance.

14. The application, as conditioned, complies with the Flagstaff Mountain Development Agreement Technical Reports
    a. Several technical reports were prepared as part of the Flagstaff Development Agreement and are relevant to the development of the proposed Lift 7.
        i. Technical Report #5 "Open Space Management Plan" details objectives, goals, and strategies for the Open Space areas that are not located within any of the designated development pods. The overall goal of the Open Space Management Plan is to ensure the preservation and maintenance of Flagstaff Mountain's open space for public enjoyment and the protection of ecological values. The proposed project area for Lift 7 is in an area designated as Recreational Open Space (ROS). The purpose of ROS is to establish and preserve districts for land uses requiring large areas of undeveloped open land; permit, preserve, and encourage recreational use of these lands; and preserve and enhance environmentally

sensitive lands such as wetlands, steep slopes, ridge lines, meadows, stream corridors, and forests.

ii. According to the Flagstaff Development Agreement, all land outside of the development pods was zoned as Recreation Open Space. Upon issuance of the first MPD or CUP for any portion of the Project, Deer Valley Resort executed a conservation easement for the benefit of the City and a third party conservation trust, to limit the use of Flagstaff Mountain to construction, development, and operation of ski lifts, ski runs, one skier day lodge, and other similar winter and summer recreational uses and services

iii. The Open Space Management Plan classifies two separate types of ROS. Developed Recreational Open Space (DROS), and Undeveloped Recreational Open Space (UROS). The proposed Lift 7 project area is located within UROS. Undeveloped Recreational Open Space (UROS) may be skied in the winter and typically contains some summer trails, but it has not been heavily modified for these purposes. Where the main purpose of DROS is to provide year-round public recreation opportunities, UROS serves a wider variety of functions. The general management objectives for UROS are to continue to allow human access and use while maintaining the scenic qualities and habitat values of these areas.

iv. The Open Space Management Plan further clarifies the goals and objectives of UROS: “Much of the Plan Area consists of moderately steep, north-facing slopes that provide ideal opportunities for downhill skiing. Most of these areas have or will be developed by Deer Valley Resort for this purpose. As mentioned above, these areas are considered DROS. Areas containing steep, rocky, and/or heavily vegetated south- or west-facing slopes as well as areas lying beyond practical lift-served terrain are less well-suited for alpine skiing and more appropriate for other forms of recreation such as hiking, biking, or horseback riding. These areas are designated UROS. Other amenities associated with designated UROS

include the preservation of wildlife habitat and the protection of scenic viewsheds."

v. "UROS forms the second largest type of open space within the Plan Area. While these areas may contain a variety of hiking, biking, and equestrian trails, these facilities do not dominate the character of the land. Native vegetation cover remains largely intact and forest stands do not exhibit the high level of fragmentation characteristic of DROS. Consequently, these areas tend to have greater visual appeal and higher quality wildlife habitats relative to DROS. While these areas will continue to experience summer trail construction and maintenance, the overall character of UROS within the Plan Area is unlikely to experience substantive change over time."

vi. Staff recommends a Condition of Approval which requires separate review and approval of an amendment to the Open Space Management Plan by the Planning Commission.

b. Technical Report #8 "Trails Master Plan" outlines the goals and objectives of trails planning for the Flagstaff Mountain area. The goal of the Trails Master Plan is to establish guidelines to maintain and enhance public access and provide quality public recreation opportunities for hikers, mountain-bikers, and equestrians. Staff recommends Conditions of Approval to comply with the Trails Master Plan.

c. Technical Report #12 "Drainage Study" outlines the methodology and criteria to be used to design the drainage structures and systems for the Flagstaff Mountain Area. Staff recommends a Condition of Approval for ski runs to comply with the Drainage Study technical report.

d. Technical Report #15 "Construction Mitigation Plan" outlines specific measures to mitigate the impacts of infrastructure construction associated with the Resort.

15. The application as conditioned complies with LMC § 15-4-18 Passenger Tramways and Ski Base Facilities as follows:

a. Ownership

i. The Applicant owns or controls the Liftway necessary to construct and operate the Passenger Tramway. For the purpose of this section, ownership or control is established if the Applicant can demonstrate that he has title to the Property being crossed by the Liftway, or an easement over that Property, or options to acquire the Property or an easement or a leasehold interest in the Property, or an option to acquire a leasehold, of at least fifteen (15) years duration.
ii. The Applicant (Deer Valley Resort Company, LLC) has an existing lease with the property owner (BLX LEASE 2 LLC) for 105 years, commencing on August 24, 2023 and expiring on August 23, 2128.

b. Width
   i. The Liftway shall extend a distance of at least ten feet (10') outward from the vertical plane established by the outermost surface of the Passenger Tramway, which generally is the outside edge of the chair or passenger compartment, on each side of the tramway's course excluding base and terminal Structures. Width is computed in this manner, rather than measuring from the center line of the Passenger Tramway or the cable in order to provide a minimum clearance of ten feet (10') on each side of the Liftway regardless of the configuration of the passenger-carrying elements.
   ii. The Applicant has proposed a 15' foot clearance on either side of the lift and therefore complies with this requirement.

c. Base or Terminal Facilities
   i. The Passenger Tramway must be constructed without the installation of base or terminal facilities within the HR-1 or HRL zones. Mid-loading and unloading points are allowed in the HR-1 and HRL zones.
   ii. The proposed ski lift, base terminals, and accessory structures are within the ROS Zoning District.

d. Crossing of Public Roads
   i. The Applicant must show that all components of the Passenger Tramway and any components of the Liftway, such as safety netting provide a minimum clearance of eighteen feet (18') over major roads and fourteen feet (14') over residential Streets. In addition, the Applicant must show compliance or the ability to comply with any safety or height restrictions, which might be imposed by any governmental agency having jurisdiction over public roads crossed by the Liftway.

ii. There is no required mitigation, the proposed ski lift will not cross any public roads or ROW.

e. Utility Clearance
   i. The Applicant must show all portions of the Passenger Tramway including any associated safety netting constructed with it provides a minimum clearance of ten feet (10') over any wires or utility line which it crosses, and that the Applicant has complied with or has the ability to comply with safety restrictions or regulations imposed by utilities having possession or control over wires that tramway crosses over.
   ii. No required mitigation, the proposed ski lift, associated lift terminals, and ski runs will not cross over any existing utilities.

f. Parking and Traffic Plans
   i. The Applicant must present a parking, traffic, and transportation plan pertaining to the Passenger Tramway for review and approval by the Planning Commission. The plan must address at least the following considerations: auto, bus, and pedestrian traffic, which could be generated by the Passenger Tramway, the impacts of this traffic on the adjoining landowners and the neighborhood in general, parking demand created by the Passenger Tramway and how that parking would be provided.
   ii. The traffic and parking plan may be included in the neighborhood impact analysis. The parking requirements and impacts of a Passenger Tramway will vary within the zones depending upon the location and the ability of the Applicant to make use of existing public and private parking facilities; therefore, no specific requirement has been set. The Applicant is expected to show workable means of dealing with the traffic generated by the Passenger Tramway construction and operation, including such regulations as resident parking permits, Off-Site traffic controls and facilities, or similar means for controlling traffic and minimizing Off-Site impacts on adjoining Properties.
   iii. The Applicant has stated: "The proposed Ski Lift will circulate skiers on the new beginner ski runs. The new Ski Lift will not move skiers to or from any base area skier portal (current Deer Valley or expanded terrain), rather, this is a circulator Ski Lift that will move skiers within the newly created beginner terrain pod near Park Peak. Those skiers can choose to ski back to the various skier portals or other Ski Lift infrastructure. All of this is to say that no parking, traffic, or transportation plan is required because there is no direct connection between the various base area skier portals

and the proposed Ski Lift infrastructure."

iv. While the Applicant states the new ski lift is intended for beginner skiers already at the resort, staff recommends Conditions of Approval regarding the overall parking and traffic mitigations required for the Snow Park Area. The Applicant has a pending Master Planned Development amendment application before the Planning Commission for the Snow Park parking lot development and parking and traffic evaluation will be key in the Planning Commission's review of that project. Pending Final Action on the Snow Park project, staff recommends Conditions of Approval to address parking and traffic mitigation in the meantime.

v. The *Deer Valley Resort Twelfth Amended and Restated Large Scale Master Planned Development Permit*, dated November 30, 2016, includes the following: Paragraph G, Off-Street Parking: *If the capacity of the surface parking lots in the Snow Park Community is exceeded on 10% or more of the days during any single ski season the need for constructing additional parking in said area shall be reviewed by the Commission*.

vi. This provision has been included in the Deer Valley approvals since 1993 when the Seventh Development Agreement was completed. Since 1993, Deer Valley constructed temporary parking for the 2002 Winter Olympics and after the Olympics, the resort converted the additional parking area into a snowmaking pond.

vii. Deer Valley provides parking within the Snow Park area in two ways: 1,340 on-site parking spaces in five lots, as approved by the Planning Commission; up to 142 parking spaces on Deer Valley Drive not to exceed 10% of the operating days (averaging 13 to 14 days per season), as approved by the City Council.

viii. Deer Valley exceeded parking overflow allowances during the 2018-2019 ski season. On August 14, 2019, the Planning Commission conducted a work session to discuss parking in the Snow Park area. The report includes the following: Surface parking lot capacity at that time provided approximately 1,250 spaces; during the 2018-2019 ski season there was considerable traffic and congestion; an average of 80 vehicles parked along Deer Valley Drive, creating conflicts with City buses and pedestrians.

ix. As part of an August 14, 2019 work session, the Planning Commission approved an expansion of parking lot 5 to create an additional 90 parking spaces and encouraged the applicant to

collaborate with the City to mitigate additional impacts. In November of 2019, the Planning Director approved an Administrative Permit for the construction of the 90 parking space addition to lot 5.

x. On December 19, 2019, the City Council discussed resort overflow parking on Deer Valley Drive in a work session and authorized a temporary parking program that allowed the resort up to 142 on-street parking spaces not to exceed 10% of the operating days.

xi. The Applicant provides reports to the City outlining compliance. As of March 8, 2024, the Applicant's last report, Deer Valley has not exceeded overflow parking days this year.

xii. To further mitigate traffic and parking impacts in the Snow Park area, on October 5, 2023, the Transit team presented a staff communication to City Council outlining winter transit service from Richardson Flat Park & Ride to Snow Park. On November 1, 2023, Deer Valley entered into an agreement with the City to pay $150,000 toward the cost of running a direct bus route from Richardson Flat Park & Ride to Snow Park during the 2023-2024 winter season. Transit service was offered from December 10, 2023 through March 30, 2024 in 20-minute intervals from 6:00 AM through 6:00 PM.

g. Liftway Setback

i. The minimum Setback between the outermost surface of Structure of the Liftway and any existing dwelling shall be ten feet (10'), in addition to the width of the Liftway itself. This Setback may be waived with the written consent of the Owner of the affected dwelling, which consent shall be in a form suitable for recording with the County Recorder.

ii. There are no existing dwellings or Structures within the proposed Liftway. The nearest Structure is approximately 0.35 miles away from the bottom terminal and lift storage building. The nearest Structure is approximately 0.5 miles away from the top terminal.

h. State Regulation

i. Any Passenger Tramway constructed under a Conditional Use permit is subject to safety regulation by the Passenger Tramway Safety Committee of the State Department of Transportation. The Applicant is expected to involve the State in the planning process to the extent necessary to inform the Commission of State requirements in order to avoid the imposition of inconsistent requirements by the State and the Planning Commission.

ii. Condition of Approval 4 requires the Applicant to work with the Tramway Board for final approval consistent with the standard state review authority review process.

i. Public Purpose Served
   i. The Planning Commission must find that the construction and operation of the tramway serves the overall community interest by accomplishing or furthering community goals such as reducing traffic congestion and volume between the downtown Area and the base facilities of the ski resorts, mitigating the demand for, parking in the Historic District, and that adequate controls on noise, mechanical equipment, smoking and safety aspects of the tramway have been provided to mitigate the effects of the Passenger Tramway on adjoining Properties.
   ii. According to the Applicant: “The initiative aligns seamlessly with the objectives outlined in the Park City General Plan (2014). Specifically, it contributes to Objective 10A, aimed at enhancing the competitiveness of Park City as a world-class, multi-season destination resort community through the expansion of year-round recreational events. Furthermore, it supports Objective 11A, emphasizing the importance of allowing primary resorts to evolve within the tourism industry, thus ensuring sustained relevance and attractiveness to visitors. Finally, as per Section K of the 12th Amended and Restated Large Scale Master Planned Development Permit dated November 30, 2016, access to Lift 7 remains accessible to all users of the resort, further underlining its inclusive and community-oriented nature. This underscores Deer Valley’s commitment to providing enhanced recreational opportunities while maintaining alignment with established regulatory frameworks and long-term development objectives.”

j. Status of Land Within Liftway
   i. Owners of Lots or other land, which is burdened by the easement for the Liftway are entitled to count the land within the Liftway for calculation of open space for improvement of that Property. Normal Setback and Side Yard requirements apply from the Lot Line or Property boundary.
   ii. There are no other property owners who will be affected by the proposed Liftway.

k. Structures Within Liftway
   i. Structures may be constructed within the Liftway, subject to the terms of the easement agreement between the Lot Owner and the owner of the Liftway.

ii. No Structures are proposed to be constructed within the Liftway.

l. Preservation of Historic Structures

i. It is the policy of the City to protect and preserve Historic Structures within the City. The Applicant for the Passenger Tramway must provide a study, which catalogues any Structures within the Liftway easement and identifies their Historic value, and indicates whether the Structure will be removed to accommodate the tram.

ii. There are no Historic Structures or Historic Mine Sites within the proposed project area.

16. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E)

a. Size and Location of Site

i. The proposed ski lift, ski runs, 375-square-foot operator house, and terminal building are located within the existing Deer Valley Resort ski area and will increase beginner ski terrain on the upper portion of the mountain. The proposed lift is similar in size and dimensions of the exiting lifts in the resort and is in an appropriate location on the mountain to connect to the future Deer Valley East Village expansion area. The proposed lift will help distribute skiers on the mountain.

b. Traffic

i. The City's adopted Traffic Impact Study Guidelines require a Traffic Impact Study when a land use generates 25 or more net new vehicle trips during the weekday AM or PM peak hour.

ii. The Applicant states: "The proposed ski sift will circulate skiers on the new beginner ski runs. The new ski lift will not move skiers to or from any base area skier portal (current Deer Valley or expanded terrain), rather, this is a circulator Ski Lift that will move skiers within the newly created beginner terrain pod near Park Peak. Those skiers can choose to ski back to the various skier portals or other Ski Lift infrastructure. All of this is to say that no parking, traffic, or transportation plan is required because there is no direct connection between the various base area skier portals and the proposed Ski Lift infrastructure."

c. Utility Capacity

i. As part of the ski improvements, the Applicant proposes installing a snowmaking line and power line.

ii. The proposed ski lift, associated lift terminals, and ski runs do not cross existing utilities. The Development Review Committee reviewed the Application on December 5, 2023, and does not require additional Conditions of Approval.

d. Emergency Vehicle Access
   i. The Park City Fire District reviewed this Application on December 5, 2023, and confirmed the proposal conforms with their requirements.

e. Parking
   i. LMC § 15-3-6 “Parking Ratio Requirements For Specific Land Use Categories” does not outline any specific Off-Street Parking requirements for ski lifts.
   ii. Parking for Deer Valley resort is regulated by the Twelfth Amended and Restated Large Scale Master Planned Development Permit. The Deer Valley MPD Permit states the following: “Parking required with relation to each portion of the Project shall be based upon Code as in effect at the time application for a building permit for such portion of the Project as is filed with City. Parking for each separate development parcel in the Project shall be determined in accordance with the Code at the time of application for Conditional Use approval. Any additional parking shall not encroach into zoned open space.” The MPD permit continues: “If the capacity of the surface parking lots in the Snow Park Community is exceeded on 10% or more of the days during any single ski season, the need for construction additional parking in said area shall be reviewed by the Commission.”
   iii. The Applicant has stated: “The proposed Ski Lift will circulate skiers on the new beginner ski runs. The new Ski Lift will not move skiers to or from any base area skier portal (current Deer Valley or expanded terrain), rather, this is a circulator Ski Lift that will move skiers within the newly created beginner terrain pod near Park Peak. Those skiers can choose to ski back to the various skier portals or other Ski Lift infrastructure. All of this is to say that no parking, traffic, or transportation plan is required because there is no direct connection between the various base area skier portals and the proposed Ski Lift infrastructure.”

f. Internal Vehicular and Pedestrian Circulation System
   i. The proposed ski lift will help improve the circulation and distribution of beginner skiers throughout the resort. The proposed location of the lift located between Flagstaff Mountain and Bald Mountain gives beginner skiers additional area on the mountain to

ski. The additional 4.62 miles of ski run helps distribute the number of skiers on the mountain.

g. Fencing, Screening, and Landscaping
    i. The Applicant is responsible for the removal of dead and dying Significant Vegetation in an area equal to the proposed area of disturbance.

h. Building Mass, Bulk, and Orientation
    i. The proposed ski lift, terminal building, and 375-square-foot operator house are appropriate in size and scale. The Structures comply with the ROS Zoning District Height and Setbacks. The Planning Director determined the ski lift towers may exceed ROS Zoning District Height pursuant to LMC § 15-2.7-4(A)(4).

i. Useable Open Space
    i. The proposed ski lift will increase the amount of recreational open space for beginner skiers at Deer Valley Resort.

j. Signs and Lighting
    i. The lights proposed for the ski lift are emergency lights and utility lighting that is consistent with current ski lift infrastructure.
    ii. Condition of Approval 6 states that all Outdoor Lighting must be down-directed, fully shielded, with bulbs 3,000 degrees Kelvin or less. A fully shielded light is installed in such a manner that all light emitted either directly from the bulb, or indirectly by reflection or refraction, is below the horizontal plane through the fixture's lowest light-emitting part. The top and sides of a Fully Shielded fixture are made of completely opaque material such that light only escapes through the bottom of the fixture. Final lighting details shall show compliance with this condition and shall be reviewed by the Planning Staff prior to installation
    iii. No signs are proposed or approved as part of this CUP Application.

k. Physical Design and Compatibility with Surrounding Structures
    i. The proposed ski lift will be similar in design to the existing ski lifts in Deer Valley Resort. The proposed lift will be 0.56 miles long and the towers will range in height from 19 feet to 52 feet. The lift will be manufactured by Doppelmayr.
    ii. The proposed materials for the ski lift will be constructed with materials similar to other standard ski lifts across the resort and painted with colors to match the existing Deer Valley ski lifts. The ski lift towers will be constructed of steel and painted green consistent with the existing Deer Valley lift towers. The bottom and

top terminals will be of the same aesthetic as the existing Deer Valley lift terminals.

l. Noise, Vibration, Steam, or Other Mechanical Factors
    i. The proposed ski lift will be 70 to 80 decibels, typical for ski lifts. It will not be located near any existing residences (the proposed ski lift is located 0.35 miles away from the nearest residence), and it must comply with the City Noise Ordinance in Chapter 6-3.
    ii. The ski lift bottom terminal and terminal building are proposed to be constructed adjacent to Parcel PCA-S-79C, which is excluded from Deer Valley Resort's lease and is under separate ownership. The ski lift bottom terminal must meet at least a 25-foot Setback from Parcel PCA-S-79-C. The Applicant exceeds this requirement and the proposed ski lift and terminal building are set back 90 feet from Parcel PCA-S-79-C.

m. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas
    i. There is an existing service road through Ontario Canyon that will serve as access for the construction of the new lift. The Applicant is responsible for providing trash and recycling areas during construction and operation of the ski lift.
    ii. The construction site must be maintained in a neat manner. Trash and other debris may not accumulate outside the construction dumpster. The construction site shall be cleaned prior to the end of each workday.

n. Expected Ownership and Management
    i. The parcels are owned by BLX Lease, LLC and BLX Lease 2, LLC and are being leased by Deer Valley Resort. BLX Lease has given written permission for the construction of the proposed ski lift. The Applicant (Deer Valley Resort Company, LLC) has an existing lease with the property owner (BLX LEASE 2 LLC) for 105 years, commencing on August 24, 2023 and expiring on August 23, 2128.

o. Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site
    i. See above sections for analysis of Steep Slopes. The Sustainability Department reviewed the proposal on March 6, 2024, and confirmed the project area is not within the Park City Soils Ordinance. The proposed ski lift does not cover a topographic Area at least twenty-five feet vertically upslope or

downslope and fifty feet horizontally and is not within fifty feet of Very Steep Slopes. The average slope for the length of the ski lift and the proposed ski runs are between 15 and 30 percent. LMC § 15-2.21-4(B) exempts ski slopes from the limitation of a 3 to 1 slope

p. Reviewed for consistency with the goals and objectives of the Park City General Plan
    i. The project is proposed within the Upper Deer Valley Neighborhood of the General Plan, home to resort-oriented development, surrounded by open space.
    ii. The proposed ski lift, ski runs, terminal building, and 375-square-foot operator house align with Goals 9, 10, and 11 outlined in the Park City General Plan. Goal 9 of the Geneal Plan states: “Park City will continue to provide unparallel parks and recreation opportunities for residents and visitors.”
    iii. Goal 10 of the General Plan is to “provide world-class recreation and public infrastructure to host local, regional, national, and international events that further Park City’s role as a world-class, multi-seasonal destination resort while maintaining a balance with our sense of community.” Objective 10A of the General Plan is to “remain competitive as a world-class, multi-season, destination resort community by increasing year-round recreation events and demand for resort support services, such as hotels and restaurants.”
    iv. Goal 11 of the General Plan is to “Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience.” Objective 11A of the General Plan states the “vibrancy of Park City’s resorts is essential to the success of resort support businesses. The City must provide flexibility to allow the primary resorts to evolve with the tourism industry, increase occupancy rates year round, and create more demand for the resort support industries throughout the City.”

17. Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on March 27, 2024.
18. Staff mailed courtesy notice to property owners within 300 feet on March 27, 2024.
19. The Park Record published courtesy notice on March 27, 2024.
20. On April 10, 2024, the Planning Commission reviewed the proposal, opened a public hearing, requested a site visit, and continued the public hearing to April

24, 2024.

21. On April 15, 2024, the Planning Commission and City staff participated in a site visit to see the proposed project area. The Applicant provided a tour to show the proposed lift alignment and ski runs from three separate vantage points: West- Flagstaff Mountain, East- Bald Mountain, and the proposed bottom terminal and lift storage building footprint.
22. On April 24, 2024, the Planning Commission reviewed the proposal, held a public hearing, requested additional information, and continued the public hearing to May 8, 2024.
23. On May 8, 2024, the Planning Commission opened a public hearing and continued the public hearing to May 22, 2024, to allow the Applicant time to gather additional information.

Conclusions of Law

1. The proposed ski lift, ski runs, and accessory structures comply with the Land Management Code requirements pursuant to Chapter 15-2.7 *Recreation and Open Space Zoning District,* Chapter 15-2.21 *Sensitive Land Overlay*, Section 15-4-*18 Passenger Tramways and Ski Base Facilities*, and Section 15-1-10*, Conditional Use Review Process*.
2. The use will be compatible with surrounding Structures in use, scale, mass, and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. Final buildings plans and construction details shall reflect substantial compliance with the final plans dated March 19, 2024, submitted to the Planning Department and reviewed May 22, 2024, by the Planning Commission.
2. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director prior to construction.
3. The project is subject to safety regulation by the Passenger Ropeway Safety Committee of the Utah State Department of Transportation. The Applicant must work with the Safety Committee for final approval consistent with the standard state review authority review process prior to submitting a Building Permit.

4. The Applicant is responsible for the removal of dead and dying Significant Vegetation in an area equal in square footage to the proposed areas of disturbance.
5. All Outdoor Lighting must be down-directed, fully shielded, with bulbs 3,000 degrees Kelvin or less. A fully shielded light is installed in such a manner that all light emitted either directly from the bulb, or indirectly by reflection or refraction, is below the horizontal plane through the fixture's lowest light-emitting part. The top and sides of a Fully Shielded fixture are made of completely opaque material such that light only escapes through the bottom of the fixture. Final lighting details shall show compliance with this condition and shall be reviewed by the Planning Staff prior to installation.
6. The operation of the ski lift must comply with the City Noise Ordinance found in Chapter 6-3.
7. The Applicant shall retain the minimum fifty-foot Setback for the natural stream.
8. The finish surface of ski runs shall be graded with a three-foot maximum topsoil and native soils.
9. The Applicant shall install erosion control blankets on all slopes steeper than 2:1.
10. The Applicant is responsible for providing trash and recycling areas during construction and operation of the ski lift. The construction site must be maintained in a neat manner. Trash and other debris may not accumulate outside the construction dumpster. The construction site shall be cleaned prior to the end of each workday.
11. Pending approval of the Snow Park Master Planned Development, the Applicant shall submit an annual report that provides an overview of overflow on-street parking to the Planning Commission no later than May 31. The Planning Commission retains authority to add Conditions of Approval if future traffic and parking mitigation is required.
12. The annual report and Planning Commission review shall continue until the Transportation Demand Management and Parking Management Plan are updated, reviewed, and approved by the Planning Commission through the Snow Park Master Planned Development amendment, or other Planning Commission approval. If Deer Valley fails to secure off-site parking and winter bus service prior to the 2024-2025 ski season and on an annual basis, Deer Valley shall obtain Planning Commission approval for an amendment their Parking Management Plan pursuant to Paragraph G of the Deer Valley Resort

Twelfth Amended and Restated Large Scale Master Planned Development Permit, dated November 30, 2016.

13. The Applicant must submit an application to amend Technical Report #5 Open Space Management Plan which shall include a substitution of the designated Undeveloped Recreation Open Space impacted by this application and adjustment of Developed Recreation Open Space Areas, with a minimum 111-acre replacement of the Undeveloped Recreation Open Space, and any proposed additional mitigation measures from the result of increased lift disturbance within Undeveloped Recreation Open Space. The Applicant shall submit the application to the Planning Department within two months of this Conditional Use Permit approval. Planning Commission review and approval must be obtained within six months of the date of Planning Commission approval of this Conditional Use Permit. This approval will expire if either deadline is not met or extended by the Planning Commission.
14. Any trails or portions of trails that must be closed as a result of development will be rerouted prior to their closure. Thus, trail continuity will be maintained during and after construction. Where and when feasible, temporary trail detours will be established to maintain trail continuity during closures.
15. The Applicant must submit a temporary trail alignment for all re-routed public trails to be reviewed and approved by the Trails and Open Space department prior to construction.
16. Silt fencing will be placed at the toe of fill slopes to control erosion during construction. Erosion control will consist of re-vegetating all exposed ski run surfaces including cut and fill slopes. Where appropriate, ditches will be placed to protect cut slopes. Lined channels may be used to convey runoff along ski runs and trails depending on design conditions. Erosion control blankets will be placed as necessary.
17. Fencing is prohibited and users of the project area must be directed away from the wildlife movement corridors during the spring and fall migration periods.
18. Construction must be organized and timed to minimize the disturbance of wildlife habitat areas.
19. To the Maximum Extent Feasible, the Applicant shall preserve any natural habitat Area connections. If natural Areas lie adjacent to the Development Site, but such natural Areas are not presently connected across the Development Site, then the Development plan shall, to the extent reasonably feasible, provide such connection. Such connections shall be designed and constructed to allow for the continuance of existing wildlife movement between natural Areas and to enhance the opportunity for the establishment of new connections for movement of wildlife.
20. If wildlife that may create conflicts for future occupants of the Development are known to exist in Areas adjacent to or on the Development Site, then the

Development plan must include provisions to minimize these conflicts to the extent reasonably feasible.

21. A nest clearance for all migratory birds should be performed if land clearing is required during the nesting season.
22. Signage and warnings to hikers and bikers must be installed advising of moose activity. If adult cow moose with calves are utilizing the project area then a buffer zone around those animals should be blocked from human activity including closing trails and preventing hiking and biking until the animals are no longer in the area.
23. Any areas where Mule Deer are giving birth to and raising fawns within the project area must be blocked off.
24. Hiking and biking in those areas could be restricted if fawns were observed to prevent disturbance to the deer.
25. If Elk with calves are observed or if large herds of Elk are utilizing a particular part of the project area, then that area must be closed off to human activity such as hiking and biking until those animals were no longer present.
26. The Applicant must conduct an additional site visit and habitat evaluation with BIO-WEST INC for further mitigation and management considerations to be refined following the snow melt. The Applicant and BIO-WEST INC shall submit their findings and plans for review and approval by Planning staff prior to issuance of a Building Permit.
27. The Applicant must submit a modification application to amend Technical Report #13 Wildlife Management Plan which shall include updated Wildlife Data. The Applicant shall submit a modification application to the Planning Department within two months of this Conditional Use Permit approval. The modification must be reviewed and approved by the Planning Commission within six months of the date of Planning Commission approval of this Conditional Use Permit.
28. The Applicant must submit a Construction Mitigation Plan that complies with all applicable Park City Construction Mitigation Guidelines, at the time of Building Permit submittal.

If you have questions or concerns regarding this Final Action Letter, please call 385-481-2036 or email virgil.lund@parkcity.org

Sincerely,

Sarah Hall
Planning Commission Chair

CC: Virgil Lund, Project Planner

SKI AREA PLAN

DEER VALLEY RESORT COMPANY

EXISTING SKI RUNS (NAMED)

PROPOSED SKI RUNS (NUMBERED)

EXISTING SKI LIFTS (NAMED)

PROPOSED SKI LIFTS (LETTERED)

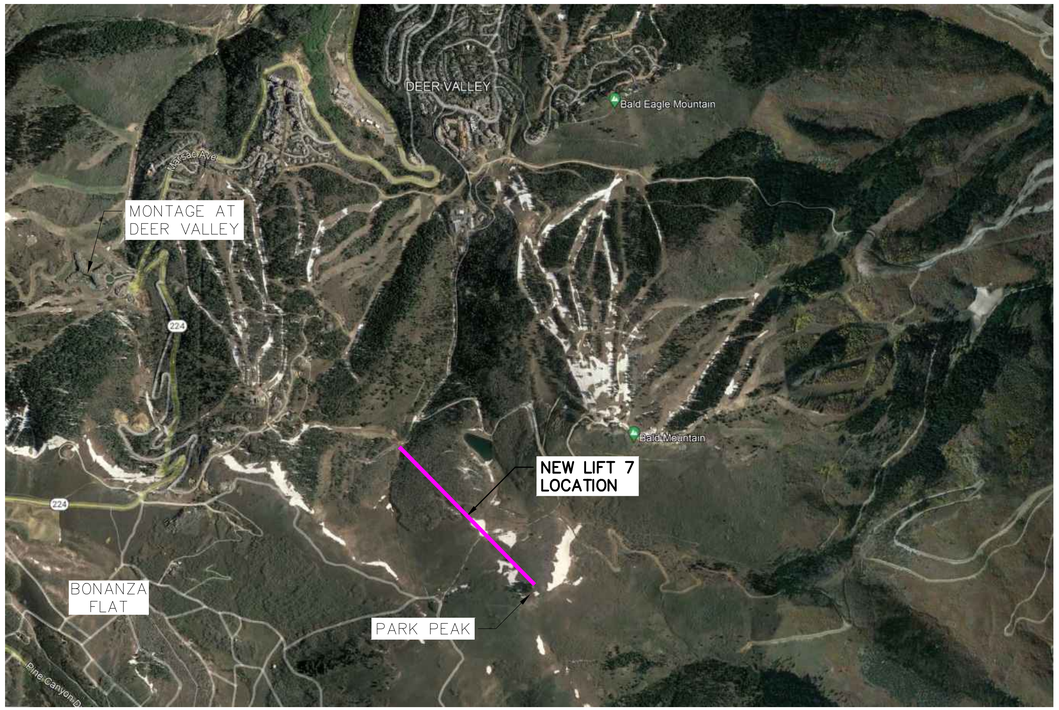
NOTE:
THIS EXHIBIT IS NOT INTENDED TO BE A SURVEY OF BOUNDARY AND PLANIMETRIC FEATURES SHOWN. MAP ACCURACY IS LIMITED TO GENERAL DESCRIPTIVE PURPOSES ONLY.

400 0 400 800 FEET

Exhibit F

SHANER
Design Graphics

VICINITY MAP



DEER VALLEY EXPANSION
PARK PEAK
CHAIRLIFT 7

DEER VALLEY MOUNTAIN RESORT
2250 DEER VALLEY DRIVE
PARK CITY, UTAH 84060

MARCH 11, 2024

SHEET INDEX

1. EXISTING CONDITIONS & TOPOGRAPHY
2. CONSTRUCTION ACCESS
3. OVERALL SITE PLAN
4. SITE & GRADING PLAN
5. BOTTOM TERMINAL GRADING PLAN
6. CMP & SWPPP
7. DOPPELMAYR LIFT PROFILE
8. SE GROUP PLAN & PROFILE
9. LIFT TERMINAL DETAILS 1
10. LIFT TERMINAL DETAILS 2

CIVIL ENGINEER

ALLIANCE ENGINEERING

2700 W HOWESTEAD RD
STE 50 & 60
PARK CITY, UT 84098
435.258.6934

REGISTERED PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
03/11/24
STATE OF UTAH

GENERAL NOTES

1. ALL WORK PERFORMED SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING PLANS & SPECIFICATIONS:
   - A. PCMC Design Standards, Construction Specifications, and Standard Drawings, Latest Edition.
   - B. Manual of Uniform Traffic Control Devices 2009 Edition with 2012 revisions.
   - C. Special conditions of approval and/or permits as required and/or issued by regulatory bodies.
   - D. Approved construction plans and details.
   - E. Approved Traffic Control Plan.
   - F. Storm Water Pollution Prevention Plan. (SWPPP)
2. Contractor/Bidder shall obtain a copy of the specifications, at his cost. Copies of the specifications shall be kept at the job site by the contractor and be available for the contractor, subcontractor, owner or his agent, design engineer, PCMC engineer and their designated representatives and inspectors.
3. The Contractor shall be responsible for ground and surface water control during construction. This requirement shall include, but not be limited to the installation of utilities, manholes, vaults, catch basins, earthwork operations, and road construction.
4. The contractor shall maintain accurate records of "As Built" conditions of all underground work. The "As Builts" shall be tied to easily defined monuments and/or surface improvements or as required by accuracy for the as-built conditions. The as-built information shall be given to the owner and be incorporated in the final "As Built" drawings.
5. Prior to any excavation work, the contractor shall contact Blue Stakes for location of existing utilities. The contractor shall be responsible for determining the location of utilities, whether shown on the plans or not, and protecting the utilities during construction. If existing utility lines conflict in location with new construction, the contractor shall notify the engineer in order to resolve the conflict.
6. The contractor shall have a qualified representative to handle grade determination, drainage flow, and connections to existing features using proper grade setting techniques such as, but not limited to, string line, rod and level, GPS, or Surveying.
7. All work performed shall be guaranteed by the contractor and/or his surety against all defects in materials and workmanship of whatever nature for a period of one (1) year from the date of final acceptance of the work by the project owner.
8. The contractor shall be responsible for the installation and maintenance of adequate signs, traffic devices, and warning devices to inform and protect the public during all phases of construction. The contractor shall submit to the Owner and Design Engineer for approval.
9. Compaction testing shall be an integral part of the project. Compaction testing shall include, but shall not be limited to earthwork, trench back-fill, base course, and concrete pavement. Compaction testing shall be performed by a qualified, independent testing company retained by the contractor.

PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
03/11/24
STATE OF UTAH

ALLIANCE ENGINEERING
2700 W HOMESTEAD RD
STE 50 & 60
PARK CITY, UT 84098
435.258.6934

STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 03/11/2024

EXISTING CONDITIONS & TOPOGRAPHY
DEER VALLEY EXPANSION
LIFT 7 CUP

FOR: ALTERRA
JOB NO.: 7-10-23
FILE: \\10.0.0.5\x\WasatchCounty\dwg\Mayflower 2023\Lift 7 PCMC CUP\Mayflower Lift 7 (CUP).dwg

SHEET 1 OF 10

NOTES:
1. CONTRACTOR TO CONTACT PARK CITY AND MOUNTAIN TRAILS ORGANIZATION AND PROVIDE SIGNS & FENCING AT PUBLIC TRAIL CROSSINGS ALONG CONSTRUCTION ACCESS ROUTES.

CONTRACTOR HAUL ROUTE

CONSTRUCTION STAGING AREA

MARSAC AVE (SR-224)

DEER VALLEY MAINTENANCE BUILDINGS

FUTURE DEER VALLEY EXPANSION IN WASATCH COUNTY/MIDA JURISDICTION

ONTARIO CANYON

PROPOSED SKI RUN TO CONNECT FROM EXISTING SNOWMAKING POND TO BIRDSEYE SKI RUN

PROPOSED CONSTRUCTION ACCESS FROM DEER VALLEY MAINTENANCE BUILDINGS TO BOTTOM OF LIFT 7. CONSTRUCTION ACCESS FOR LIFT 7 WILL USE EXISTING SERVICE ROAD IN ONTARIO CANYON.

WASATCH COUNTY
SUMMIT COUNTY

FLAGSTAFF MOUNTAIN

PROPOSED LIFT 7 BOTTOM TERMINAL & LIFT STORAGE BUILDING

BALD MOUNTAIN

CONSTRUCTION STAGING AREA

RED CLOUD TRAIL

ONTARIO SKI RUN

PARCEL: PCA-S-79-C

TRUMP SKI RUN

PARCEL: PCA-85-D

EXISTING SNOWMAKING POND

PARCEL: PCA-S-79-B

PARCEL: PCA-S-98-R

GUARDSMAN PASS ROAD

PROPOSED LIFT 7

FUTURE DEER VALLEY EXPANSION IN WASATCH COUNTY/MIDA JURISDICTION

SUMMIT COUNTY
WASATCH COUNTY

PARCEL: PCA-S-85

CONSTRUCTION STAGING AREA

PROPOSED SKI RUN (TYP.)

PROPOSED LIFT 7 TOP TERMINAL

PROPOSED SKIWAY/SERVICE ROAD WIDTH=30' MIN SLOPE=20% MAX.

PARCEL: PCA-S-81-A

PROPOSED CHAIRLIFT 6 IN WASATCH COUNTY/MIDA JURISDICTION

PARK PEAK

PROPOSED SKIWAY/SERVICE ROAD WIDTH=30' MIN SLOPE=20% MAX.

500' 0 500' 1000'

PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
03/11/24
STATE OF UTAH

ALLIANCE ENGINEERING
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STE 50 & 60
PARK CITY, UT 84098
435.258.6934

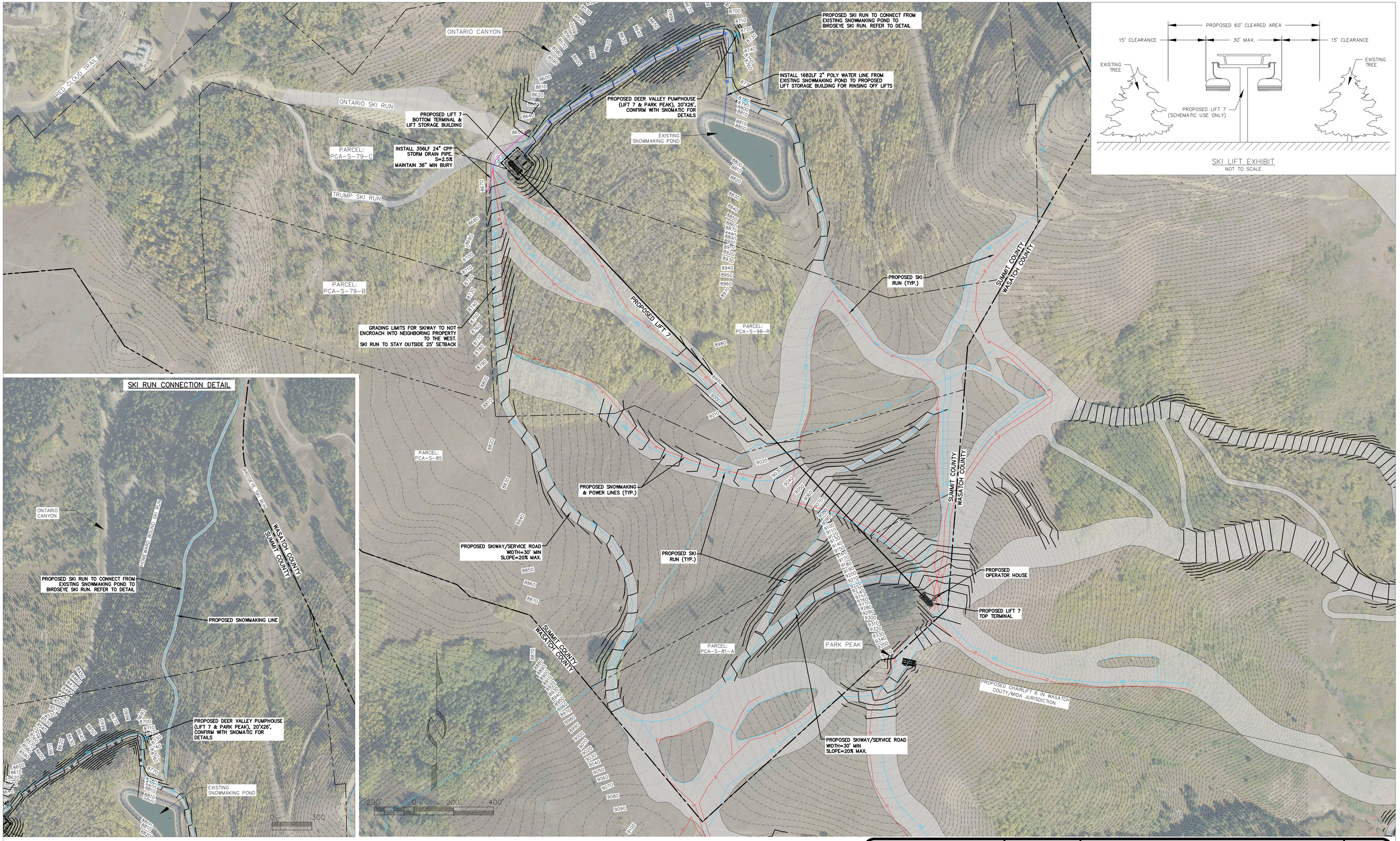
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 03/11/2024

CONSTRUCTION ACCESS
DEER VALLEY EXPANSION
LIFT 7 CUP

FOR: ALTERRA
JOB NO.: 7-10-23
FILE: \\10.0.0.5\x\WasatchCounty\dwg\Mayflower 2023\Lift 7 PCMC CUP\Mayflower Lift 7 (CUP).dwg

SHEET 2 OF 10



SKI LIFT EXHIBIT
NOT TO SCALE

SKI RUN CONNECTION DETAIL

DRAINAGE AND CMP NOTES:
1. SAVE EXISTING VEGETATION IN AREAS OUTSIDE OF LIMITS OF DISTURBANCE.
2. STRIP & STOCKPILE EXISTING TOPSOIL
3. USE STOCKPILED TOPSOIL TO VEGETATE SLOPES
4. INSTALL EROSION CONTROL BLANKETS ON ALL SLOPES STEEPER THAN 2:1
6. PROVIDE SILT FENCE ON DOWNHILL SIDE OF CHAIRLIFT TOWERS DURING CONSTRUCTION.
7. RE-VEGETATE VEGETATION DISTURBED BY CONSTRUCTION ACCESS.

SM — PROPOSE SNOWMAKING LINE

P — PROPOSE POWER LINE

PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
03/11/24
STATE OF UTAH

ALLIANCE ENGINEERING
2700 W HOMESTEAD RD
STE 50 & 60
PARK CITY, UT 84098
435.258.6934

STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 03/11/2024

OVERALL SITE PLAN
DEER VALLEY EXPANSION
LIFT 7 CUP

FOR: ALTERRA
JOB NO.: 7-10-23
FILE: \\10.0.0.5\x\WasatchCounty\dwg\Mayflower 2023\Lift 7 PCMC CUP\Mayflower Lift 7 (CUP).dwg

SHEET 3 OF 10

ONTARIO CANYON

PARCEL: PCA-85-D

INSTALL 1682LF 2" POLY WATER LINE FROM EXISTING SNOWMAKING POND TO PROPOSED LIFT STORAGE BUILDING FOR RINSING OFF LIFTS

PROPOSED LIFT 7 BOTTOM TERMINAL & LIFT STORAGE BUILDING

ONTARIO SKI RUN

INSTALL 356LF 24" CPP STORM DRAIN PIPE. S=2.5% MAINTAIN 36" MIN BURY

PARCEL: PCA-S-79-C

PARCEL: PCA-S-79-B

GRADING LIMITS FOR SKIWAY TO NOT ENCROACH INTO NEIGHBORING PROPERTY TO THE WEST. SKI RUN TO STAY OUTSIDE 25' SETBACK

PROPOSED LIFT 7

PROPOSED SKI RUN (TYP.)

CLEAR EXISTING TREES & VEGETATION FOR SKI RUN. USE EXISTING TOPOGRAPHY FOR SKI RUN GRADE

PROPOSED SNOWMAKING & POWER LINES (TYP.)

PARCEL: PCA-S-98-R

PARCEL: PCA-S-85

PROPOSED SKIWAY/SERVICE ROAD WIDTH=30' MIN SLOPE=20% MAX.

CLEAR EXISTING TREES & VEGETATION FOR SKI RUN. USE EXISTING TOPOGRAPHY FOR SKI RUN GRADE

WASATCH COUNTY
SUMMIT COUNTY

PROPOSED OPERATOR HOUSE

PROPOSED LIFT 7 TOP TERMINAL

GRADING FOR CHAIRLIFT 6 CROSSES INTO SUMMIT COUNTY

PROPOSED SKI RUN (TYP.)

PROPOSED SKIWAY/SERVICE ROAD WIDTH=30' MIN SLOPE=20% MAX.

PARK PEAK

PROPOSED CHAIRLIFT 6 TOP TERMINAL IN WASATCH COUNTY/MIDA JURISDICTION

PARCEL: PCA-S-81-A

WASATCH COUNTY
SUMMIT COUNTY

100' 0 100' 200'

DRAINAGE AND CMP NOTES:
1. SAVE EXISTING VEGETATION IN AREAS OUTSIDE OF LIMITS OF DISTURBANCE.
2. STRIP & STOCKPILE EXISTING TOPSOIL
3. USE STOCKPILED TOPSOIL TO VEGETATE SLOPES
4. INSTALL EROSION CONTROL BLANKETS ON ALL SLOPES STEEPER THAN 2:1
6. PROVIDE SILT FENCE ON DOWNHILL SIDE OF CHAIRLIFT TOWERS DURING CONSTRUCTION.
7. RE-VEGETATE VEGETATION DISTURBED BY CONSTRUCTION ACCESS.

SM PROPOSED SNOWMAKING LINE

P PROPOSED POWER LINE

PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
03/11/24
STATE OF UTAH

ALLIANCE ENGINEERING
2700 W HOMESTEAD RD
STE 50 & 60
PARK CITY, UT 84098
435.258.6934

STAFF: MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 03/11/2024

SITE & GRADING PLAN
DEER VALLEY EXPANSION
LIFT 7 CUP

FOR: ALTERRA
JOB NO.: 7-10-23
FILE: \\10.0.0.5\x\WasatchCounty\dwg\Mayflower 2023\Lift 7 PCMC CUP\Mayflower Lift 7 (CUP).dwg

SHEET 4 OF 10

DRAINAGE AND CMP NOTES:
1. SAVE EXISTING VEGETATION IN AREAS OUTSIDE OF LIMITS OF DISTURBANCE.
2. STRIP & STOCKPILE EXISTING TOPSOIL
3. USE STOCKPILED TOPSOIL TO VEGETATE SLOPES
4. INSTALL EROSION CONTROL BLANKETS ON ALL SLOPES STEEPER THAN 2:1
6. PROVIDE SILT FENCE ON DOWNHILL SIDE OF CHAIRLIFT TOWERS DURING CONSTRUCTION.
7. RE-VEGETATE VEGETATION DISTURBED BY CONSTRUCTION ACCESS.

PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
03/11/24
STATE OF UTAH

ALLIANCE ENGINEERING
2700 W HOMESTEAD RD
STE 50 & 60
PARK CITY, UT 84098
435.256.6934

STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 03/11/2024

BOTTOM TERMINAL GRADING PLAN
DEER VALLEY EXPANSION
LIFT 7 CUP

FOR: ALTERRA
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SHEET 5 OF 10

PROPOSED LIFT 7 BOTTOM TERMINAL

CONSTRUCTION STAGING AREA

INSTALL CONCRETE WASHOUT, PORTABLE TOILET, & CONSTRUCTION DUMPSTER

INSTALL STRAW WATTLE ON DOWNHILL SIDE OF DISTURBED SLOPES

INSTALL STRAW WATTLE AROUND DETENTION POND

SUMMIT COUNTY
WASATCH COUNTY

REMOVE TREES ALONG 60' CORRIDOR FOR LIFT INSTALLATION

PROPOSED LIFT 7

INSTALL WATER BARS ALONG PROPOSED SKI RUNS (TYP.)

CONSTRUCTION STAGING AREA

INSTALL CONCRETE WASHOUT, PORTABLE TOILET, & CONSTRUCTION DUMPSTER

INSTALL STRAW WATTLE ON DOWNHILL SIDE OF DISTURBED SLOPES

PROPOSED LIFT 7 TOP TERMINAL

SUMMIT COUNTY
WASATCH COUNTY

SUMMIT COUNTY
WASATCH COUNTY

SKI RUN WILL MATCH EXISTING GRADING AND NO GRADING WILL TAKE PLACE. MINIMAL CLEARING AND GRUBBING DISTURBANCE WILL OCCUR IN THESE AREAS.

REMOVE TREES & EXISTING VEGETATION. REVEGETATE DISTURBED AREA W/ STOCKPILED TOPSOIL & RESORT APPROVED SEED MIX. PROVIDE STRAW EROSION CONTROL BLANKETS.

AREA WHERE SKI RUN GRADING TO OCCUR. RE-VEGETATE DISTURBED AREA W/ STOCKPILED TOPSOIL & RESORT APPROVED SEED MIX. PROVIDE STRAW EROSION CONTROL BLANKETS.

CONSTRUCTION STAGING AREA

200' 0 200' 400'

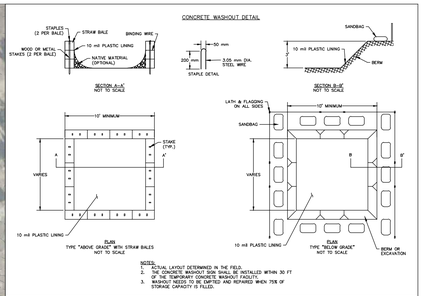
NOTES:
1. SAVE EXISTING VEGETATION IN AREAS OUTSIDE OF LIMITS OF DISTURBANCE.
2. STRIP & STOCKPILE EXISTING TOPSOIL
3. USE STOCKPILED TOPSOIL TO VEGETATE SLOPES
4. INSTALL EROSION CONTROL BLANKETS ON ALL SLOPES STEEPER THAN 2:1

CMP NOTES:
1. CONSTRUCTION PARKING/TRAFFIC MAY NOT BLOCK STREETS WITHOUT A PERMIT (AVAILABLE FROM THE ENGINEERING DIVISION)
2. MUD TRACKED OUT ONTO THE STREET MUST BE CLEANED PRIOR TO THE END OF THE WORK DAY
3. THE CONSTRUCTION SITE MUST BE MAINTAINED IN A NEAT MANNER. TRASH AND OTHER DEBRIS MAY NOT ACCUMULATE OUTSIDE THE DUMPSTER.
4. ROADSIDE PARKING IS NOT ALLOWED FROM NOVEMBER 1ST TO APRIL 1ST
5. PROVIDE STABILIZED CONSTRUCTION ENTRANCE AT LOCATION OF CONSTRUCTION ACCESS TO PRIVATE OR PUBLIC ROAD.
6. PROVIDE SILT FENCE ON DOWNHILL SIDE OF CHAIRLIFT TOWERS DURING CONSTRUCTION.
7. REVEGETATE VEGETATION DISTURBED BY CONSTRUCTION ACCESS.

APPROVED SEED MIX TO BE USED REQUIRED PER: 4LBS/1000 SF OF DISTURBANCE

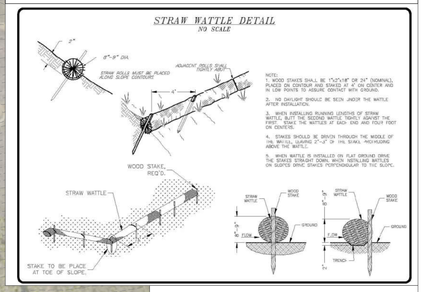
	AREA (sqft)	SEED MIX (lbs)
TOTAL AREA OF DISTURBANCE- CHAIRLIFT TOP & BOTTOM TERMINALS, CHAIRLIFT TOWERS & NEW SKI RUN GRADING	1,219,644	4,879

CONCRETE WASHOUT DETAIL

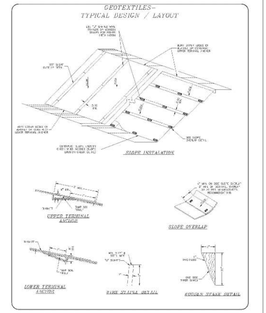


NOTES:
1. ACTUAL LAYOUT DETERMINED IN THE FIELD.
2. THE CONCRETE WASHOUT SIGN SHALL BE INSTALLED WITHIN 30 FT OF THE TEMPORARY CONCRETE WASHOUT FACILITY.
3. ALL WASHOUTS SHALL BE MAINTAINED AND REPAIRED WHEN 75% OF STORAGE CAPACITY IS FILLED.

STRAW WATTLE DETAIL
N/3 SCALE



GEOTEXTILES-
TYPICAL DESIGN / LAYOUT



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No. 12275305
MARTIN CONNOR DINSMORE
03/11/24
STATE OF UTAH

ALLIANCE ENGINEERING
2700 W HOMESTEAD RD
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PARK CITY, UT 84098
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STAFF:
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CMP & SWPPP
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LIFT 7 CUP

FOR: ALTERRA
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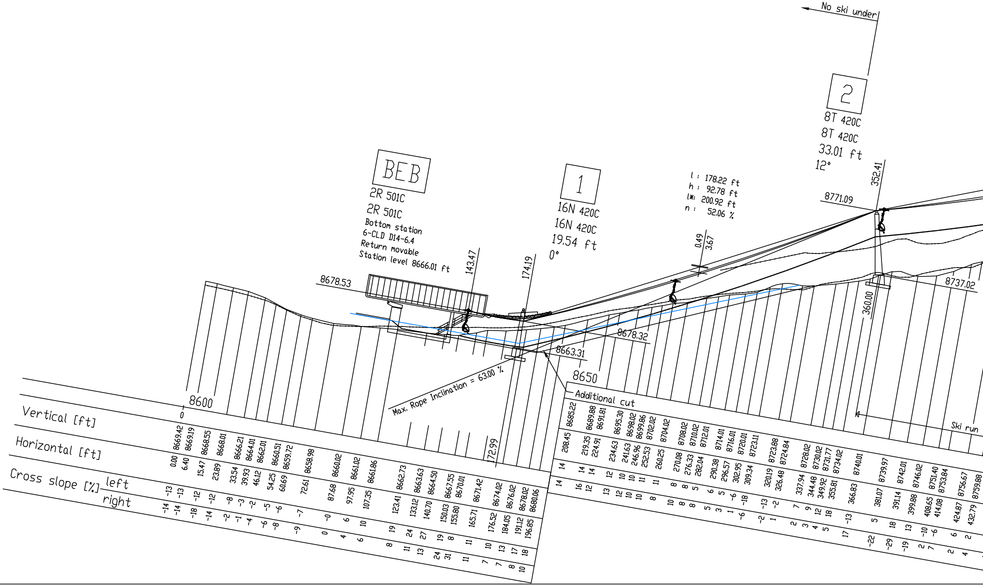
SHEET 6 OF 10


No ski under
BEB
2R 501C
2R 501C
Bottom station
6-CLD D14-6.4
Return movable
Station level 8666.01 ft
1
16N 420C
16N 420C
19.54 ft
0°
l : 178.22 ft
h : 92.78 ft
l*: 200.92 ft
n : 52.06 %
0.49
3.67
2
8T 420C
8T 420C
33.01 ft
12°
352.41
8771.09
360.00
8737.02
8678.53
143.47
174.19
8678.32
8663.31
8650
8600
Max. Rope Inclination = 63.00 %
Additional cut
Ski run
172.99
Vertical [ft]
Horizontal [ft]
Cross slope [%]
left
right
0
8669.42
8669.19
8668.55
8668.01
8666.21
8664.01
8662.01
8660.51
8659.72
8658.98
8660.02
8661.02
8661.86
8662.73
8663.63
8664.50
8667.55
8670.01
8671.42
8674.02
8676.02
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8689.88
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8695.30
8698.02
8699.86
8702.02
8704.02
8708.02
8710.02
8712.01
8714.01
8716.01
8720.01
8723.11
8723.88
8724.84
8728.02
8730.02
8731.77
8734.02
8740.01
8739.97
8742.01
8746.02
8751.40
8753.84
8756.67
8759.88
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6.40
15.47
23.89
33.54
39.93
46.12
54.25
60.69
72.61
87.68
97.95
107.35
123.41
133.12
140.70
150.03
155.80
165.71
176.52
184.05
191.12
196.85
208.45
219.35
224.91
234.63
241.63
246.96
252.53
260.25
270.08
276.33
282.04
290.38
296.57
302.95
309.34
320.19
326.48
337.94
344.48
349.92
355.81
366.83
381.07
391.14
399.88
408.65
414.08
424.87
432.79
-13
-13
-12
-12
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-6
-18
-13
-2
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-13
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-10
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6
2
-14
-14
-18
-14
-2
-1
-4
-6
-8
-9
0
4
6
8
11
13
24
31
11
7
7
8
10
14
16
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-6
-2
1
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4
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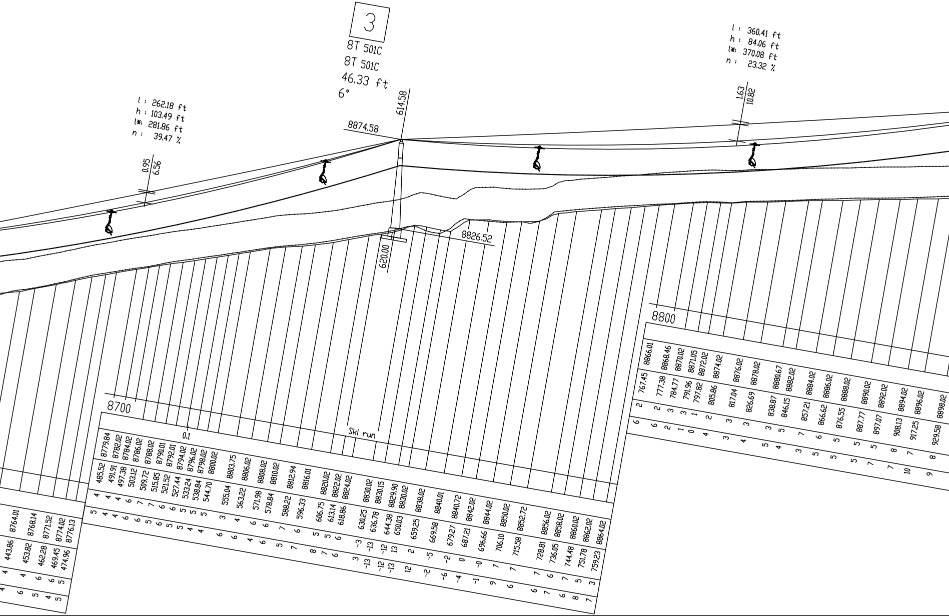
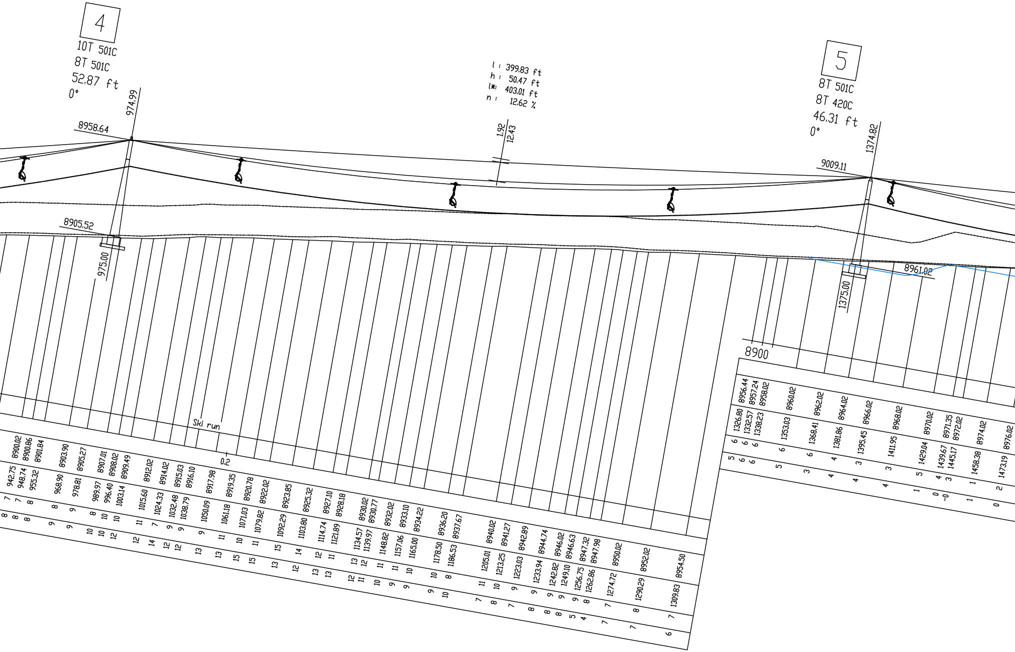
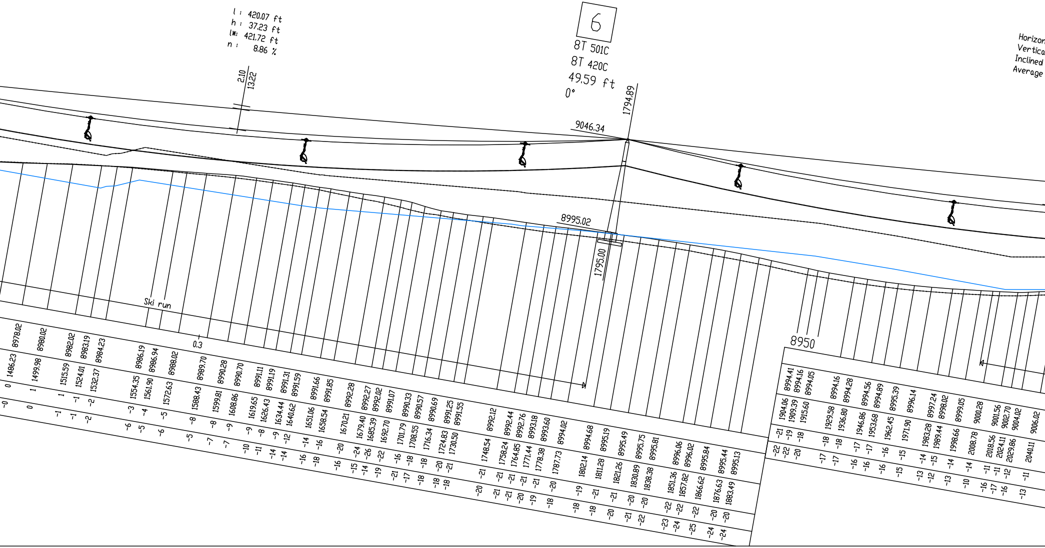
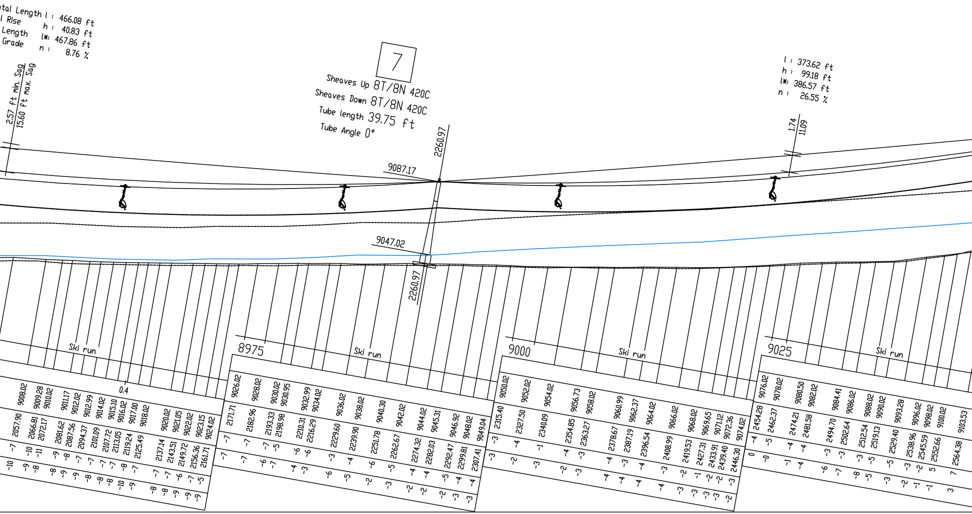
17
-22
-29
-19
2
7
2
4

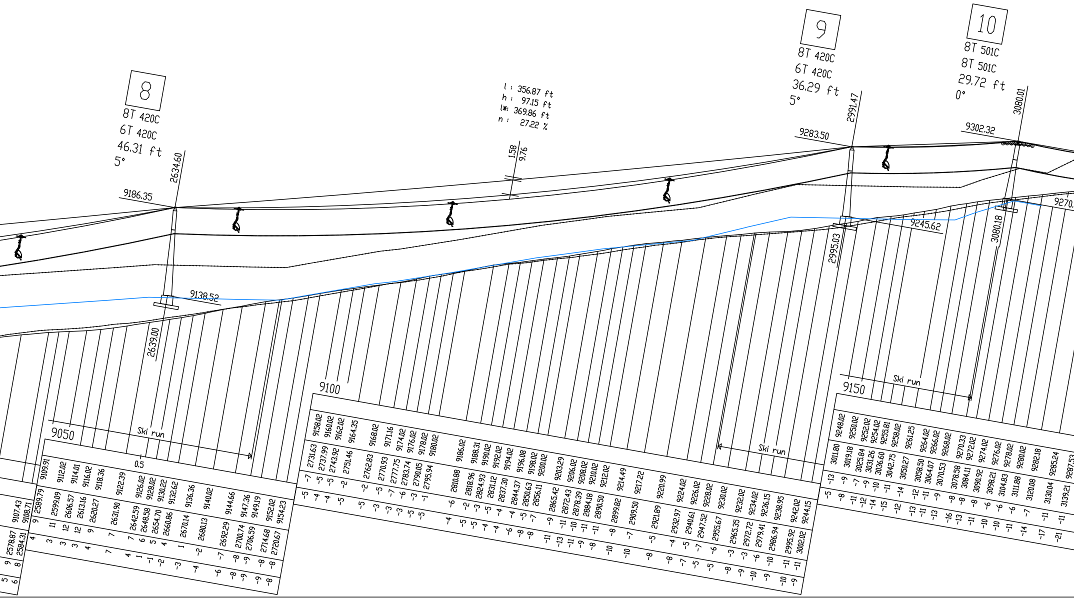


3
8T 501C
8T 501C
46.33 ft
6°
614.58
8874.58
620.00
8826.52
l : 262.18 ft
h : 103.49 ft
l(*: 281.86 ft
n : 39.47 %
0.95
6.56
l : 360.41 ft
h : 84.06 ft
l(*: 370.08 ft
n : 23.32 %
1.63
10.82
8700
8800
0.1
Ski run


4
10T 501C
8T 501C
52.87 ft
0°
974.99
8958.64
8905.52
975.00
l : 399.83 ft
h : 50.47 ft
l* : 403.01 ft
n : 12.62 %
1.92
12.43
5
8T 501C
8T 420C
46.31 ft
0°
1374.82
9009.11
8961.02
1375.00
8900
Ski run
0.2
8900.02
8900.86
8901.84
8903.90
8905.27
8907.01
8908.02
8909.49
8912.02
8914.02
8915.03
8916.10
8917.98
8919.35
8920.78
8922.02
8923.85
8925.32
8927.10
8928.18
8930.02
8930.77
8932.02
8933.10
8934.22
8936.20
8937.67
8940.02
8941.27
8942.89
8944.74
8946.02
8946.63
8947.32
8947.98
8950.02
8952.02
8954.50
942.75
948.74
955.32
968.90
978.81
989.97
996.40
1003.14
1015.60
1024.33
1032.48
1038.79
1050.09
1061.18
1071.03
1079.82
1092.29
1103.80
1114.74
1121.89
1134.57
1139.97
1148.82
1157.06
1165.00
1178.50
1186.53
1205.01
1213.25
1223.03
1233.94
1242.82
1249.10
1256.75
1262.86
1274.72
1290.29
1309.83
8956.44
8957.24
8958.02
8960.02
8962.02
8964.02
8966.02
8968.02
8970.02
8971.35
8972.02
8974.02
8976.02
1326.80
1332.57
1338.23
1353.03
1368.41
1381.86
1395.45
1411.95
1429.04
1439.67
1445.17
1458.38
1473.19


l : 420.07 ft
h : 37.23 ft
l* : 421.72 ft
n : 8.86 %
2.10
13.22
6
8T 501C
8T 420C
49.59 ft
0°
1794.89
9046.34
8995.02
1795.00
Ski run
0.3
8950
Horizon
Vertica
Inclined
Average


ntal Length l : 466.08 ft
l Rise h : 40.83 ft
Length l* : 467.86 ft
Grade n : 8.76 %
2.57 ft min. Sag
15.60 ft max. Sag
7
Sheaves Up 8T/8N 420C
Sheaves Down 8T/8N 420C
Tube length 39.75 ft
Tube Angle 0°
2260.97
9087.17
9047.02
2260.97
l : 373.62 ft
h : 99.18 ft
l* : 386.57 ft
n : 26.55 %
1.74
11.09
Ski run
8975
Ski run
9000
Ski run
9025
Ski run
0.4


8
8T 420C
6T 420C
46.31 ft
5°
2634.60
9186.35
9138.52
2639.00
l : 356.87 ft
h : 97.15 ft
l(✱): 369.86 ft
n : 27.22 %
1.58
9.76
9
8T 420C
6T 420C
36.29 ft
5°
2991.47
9283.50
2995.03
9245.62
10
8T 501C
8T 501C
29.72 ft
0°
3080.01
9302.32
3080.18
9270.
9050
Ski run
0.5
9100
Ski run
9150
Ski run
9109.91
9112.02
9114.01
9116.02
9118.36
9122.39
9126.02
9128.02
9130.22
9132.62
9136.36
9140.02
9144.66
9147.36
9149.19
9152.02
9154.23
9158.02
9160.02
9162.02
9164.35
9168.02
9171.16
9174.02
9176.02
9178.02
9180.02
9186.02
9188.31
9190.02
9192.02
9194.02
9196.08
9198.02
9200.02
9203.29
9206.02
9208.02
9210.02
9212.02
9214.49
9217.22
9220.99
9224.02
9226.02
9228.02
9230.02
9232.02
9234.02
9236.15
9238.95
9242.02
9244.15
9248.02
9250.02
9252.02
9254.02
9255.81
9258.02
9261.25
9264.02
9266.02
9268.02
9270.33
9272.02
9274.02
9276.02
9278.02
9280.02
9282.18
9285.24
9287.53
2578.87
2584.31
2589.79
2599.09
2606.57
2613.16
2620.27
2631.90
2642.59
2648.58
2654.70
2660.86
2670.14
2680.13
2692.29
2700.74
2706.59
2714.68
2720.67
2731.63
2737.99
2743.92
2751.46
2762.83
2770.93
2777.75
2783.74
2790.05
2795.94
2810.88
2818.96
2824.93
2831.12
2837.30
2844.37
2850.63
2856.11
2865.42
2872.43
2878.39
2884.18
2890.50
2899.82
2909.50
2921.89
2932.97
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2986.94
2995.92
3002.02
3011.80
3019.18
3025.84
3031.26
3036.60
3042.75
3050.27
3058.50
3064.07
3070.53
3078.58
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3139.21
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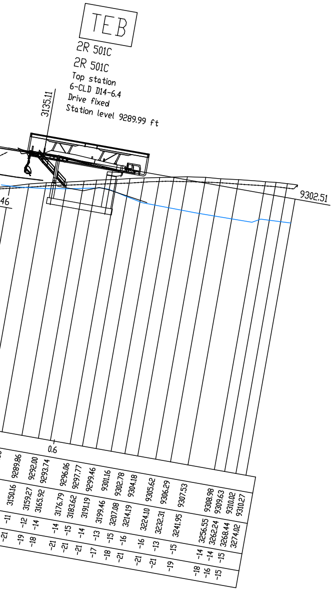
9108.71


TEB
2R 501C
2R 501C
Top station
6-CLD D14-6.4
Drive fixed
Station level 9289.99 ft
3135.11
9302.51
46
0.6
9289.86
9292.00
9293.74
9296.06
9297.77
9299.46
9301.16
9302.78
9304.18
9305.62
9306.29
9307.53
9308.98
9309.63
9310.02
9310.27
3150.16
3159.27
3165.92
3176.79
3183.62
3191.19
3199.46
3207.08
3214.19
3224.10
3232.31
3241.95
3256.55
3262.24
3268.44
3274.02
-11
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-18
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-15

Profile origin:
Profile file: SAA0003215r01 Mayflower Lift 7.gel
Ropeway file: SAA0003215r03 Mayflower Lift 7 6CLDB.cldb
Program: Seiba 1.68.3 CIN:1691191886

Profile
6-CLD-B Lift 7

Customer: Mayflower
Location: Utah

Technical Data:

Uphill Side	Left	ø Haul Rope	1.77 in
Drive Station	Top	Minimum Breaking Strength	330919 lb
Tension Station	Bottom	ø Drive Bullwheel	20.83 ft
Return Station	Bottom	ø Return Bullwheel	20.83 ft
Horizontal Length	2991.63 ft	Rope Gauge on Line	21.00 ft
Vertical Rise	623.98 ft	Drive Output Continuous	404 HP
Average Grade	20.86 %	Drive Output Starting	565 HP
Max. Rope Inclination	63.00 %	Elevation of Drive Station	9302 ft
Inclined Length	3078.39 ft	Uphill Transportation	100 %
Spliced Rope Length	6345.54 ft	Downhill Transportation	25 %

	Initial	Final
Drive Speed	fpm	984 fpm
Capacity	pph	3000 pph
Number of Carriers		58
Carrier Spacing	ft	118.11 ft
Carrier Interval	s	7.20 s
Trip Time	min	3.53 min

Index	Revision	Date	Name

	Drawn	2023-08-04	DBR
Doppelmayr®	Scale 1"=40'	Project No. SAA0003215	
	Drawing No.		Index

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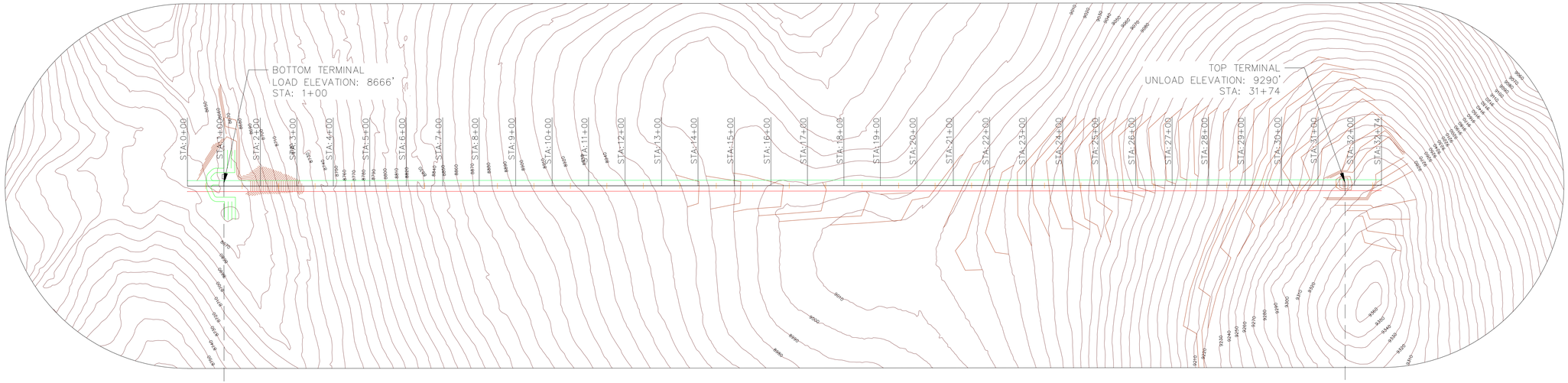


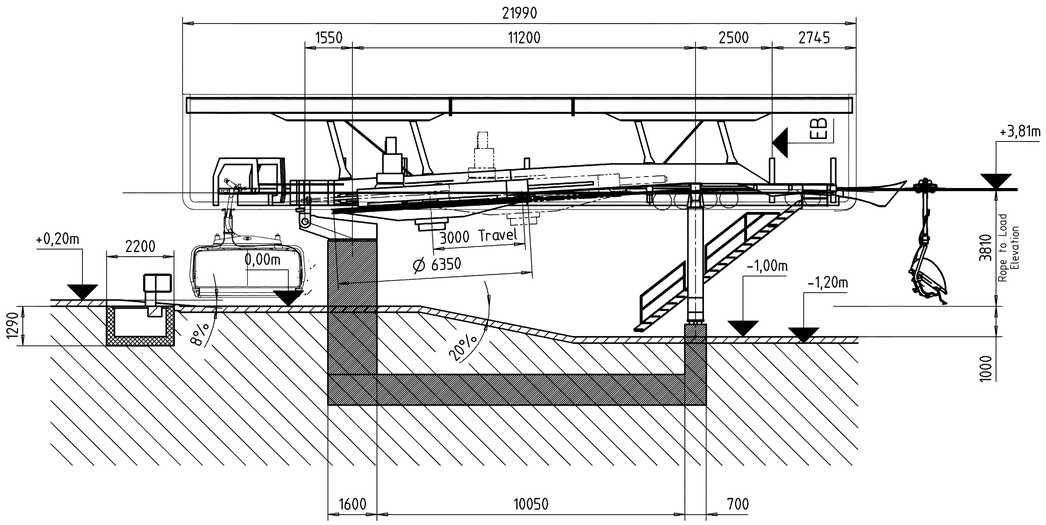
LIFT SPECS:
SLOPE LENGTH: 3163'
VERTICAL: 624'

MAYFLOWER MOUNTAIN | LIFT 7 - PLAN & PROFILE

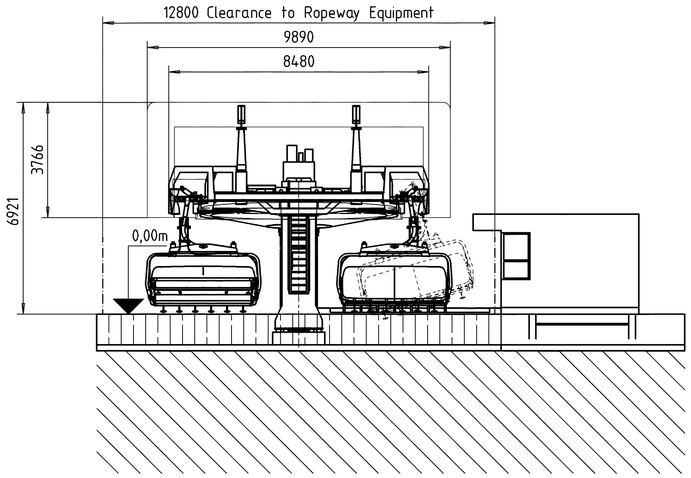
0 75' 150' 300'

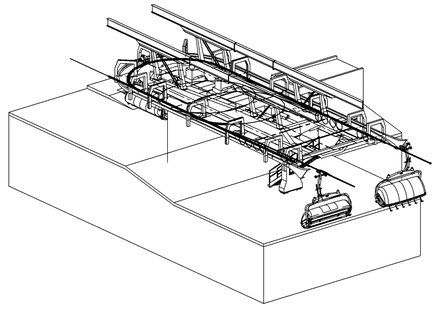
Prepared by:
SE GROUP
June, 2021

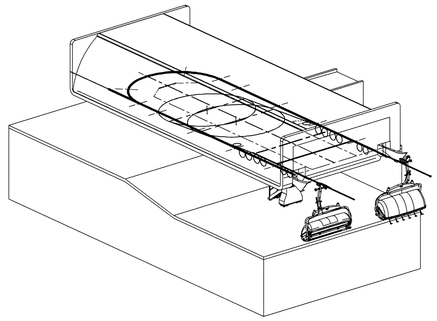
Section A-A

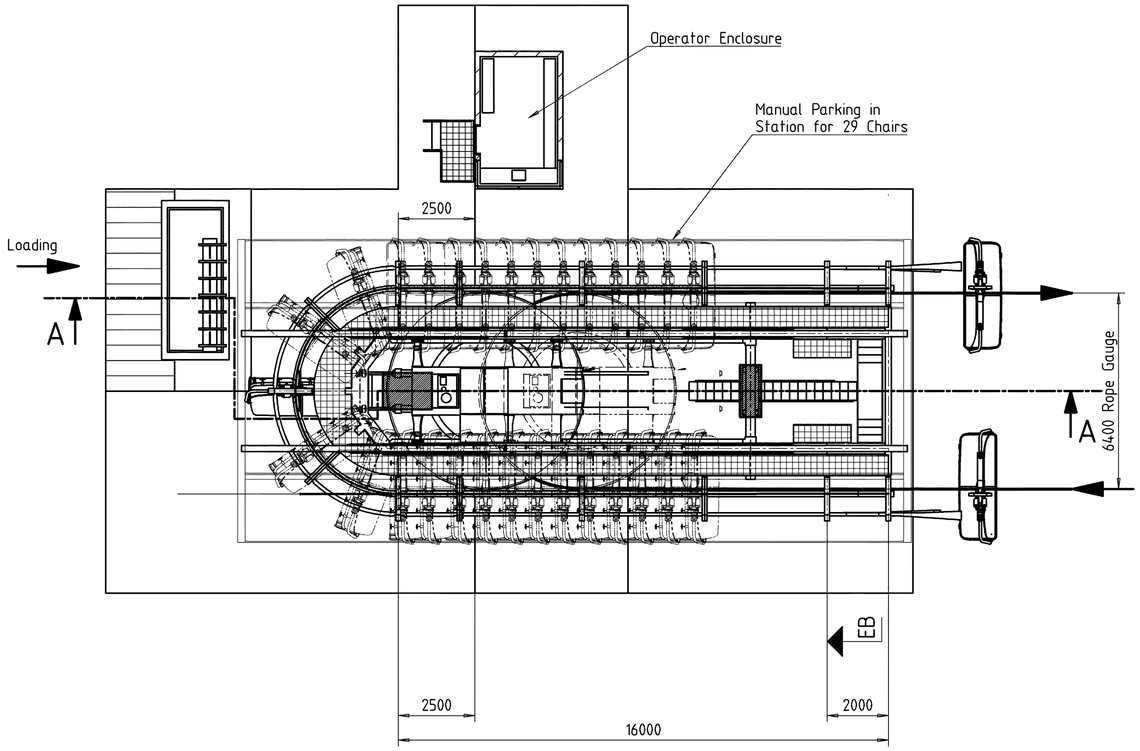


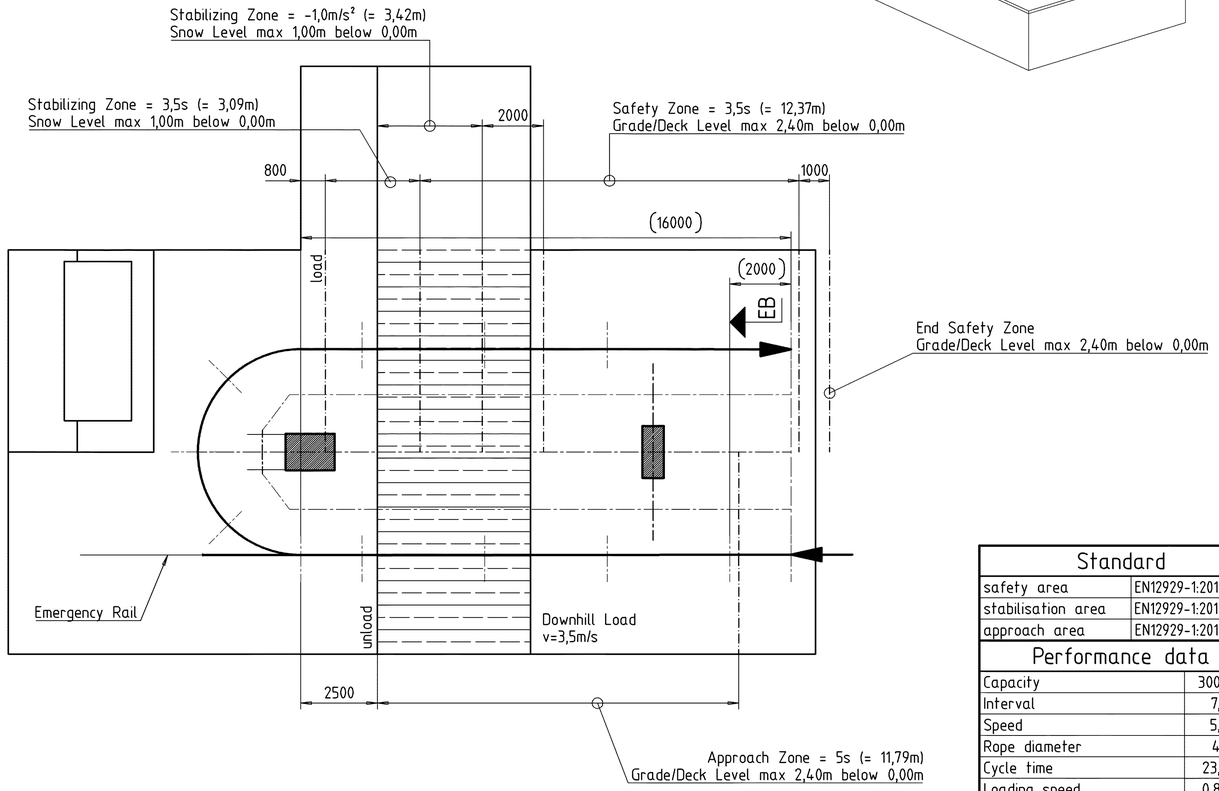
VIEW B











Standard	
safety area	EN12929-1:2015, 11.2
stabilisation area	EN12929-1:2015, 11.2
approach area	EN12929-1:2015, 11.3

Performance data	
Capacity	3000 pph
Interval	7,2 s
Speed	5,0 m/s
Rope diameter	45 mm
Cycle time	23,6 s
Loading speed	0,80 m/s
Unloading speed	0,70 m/s
Rope tension SmaxR	197 kN
Rope tension □Smax	421 kN
	55089934

IMPORTANT:
PRELIM. DRAWING
DETAIL PLANNING
ONLY UPON CONSULTATION
AN APPROVAL OF ENGINEERING DEPT.

Index	Revision	Date	Name	Configuration	ID No.

Doppelmayr
Doppelmayr USA, Inc.
3160 West 500 South
Salt Lake City UT 84104

Scale 1/100
Q-Class 0
Mass kg

	Date	Name
drawn	15.08.2023	Frenchik Jim
approved	16.08.2023	Frenchik Jim
saved	17.08.2023	Frenchik Jim

Plot Remark

Installation Mayflower Roller7 - 6-CLDB
Order SAA0003215 Piece X

RETURN/TENSION BOTTOM STATION
DCD6B / D16-6.4 / v=5.0m/s

Master-3D

Original Drawing No. 90008620NAE309001 ID No. 55058410
Drawing No. 90011081NAE309001 Index A

A1

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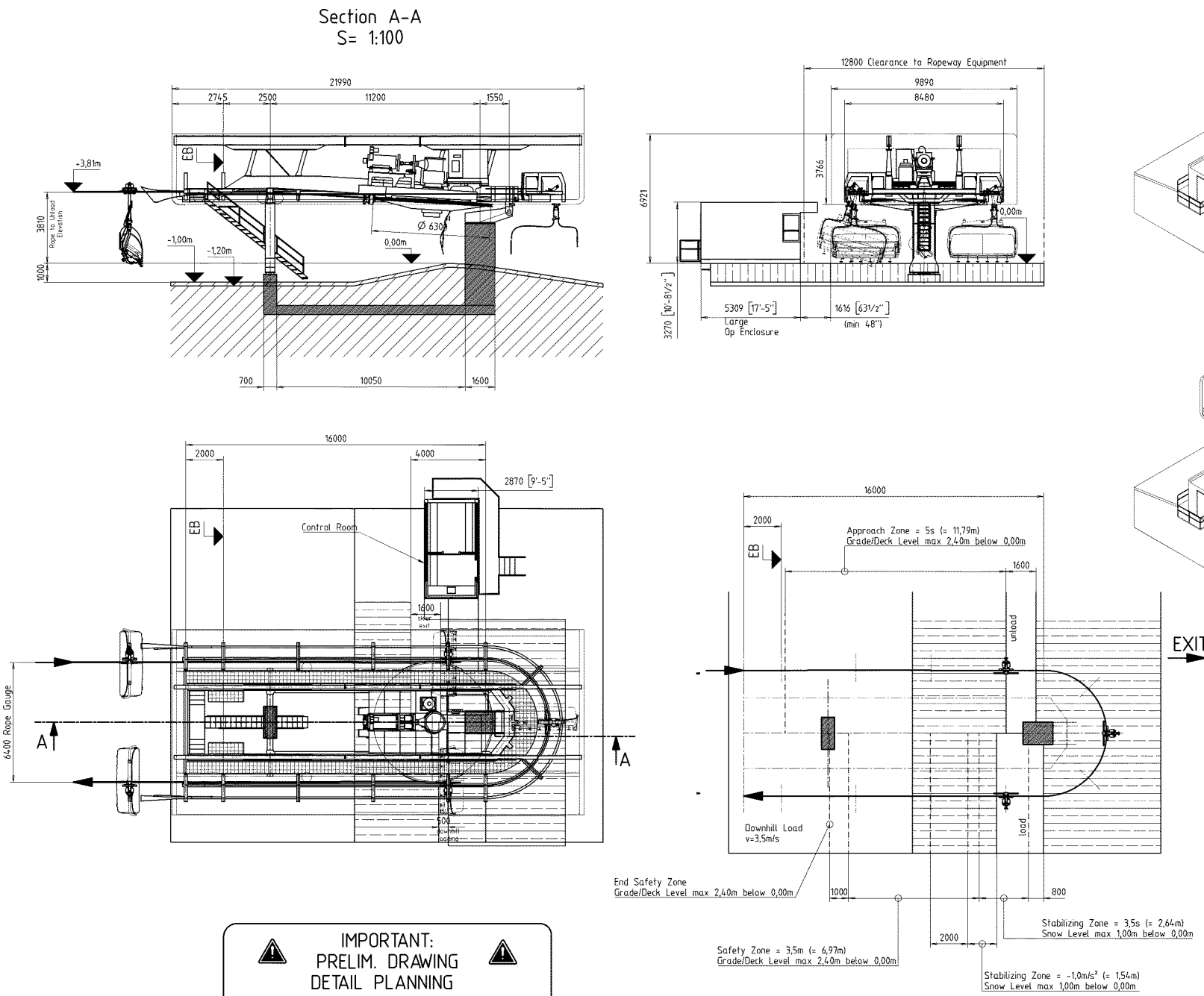
created: jf 2023-08-17 16:17 State: released



IMPORTANT:
PRELIM. DRAWING
DETAIL PLANNING
ONLY UPON CONSULTATION
AN APPROVAL OF ENGINEERING DEPT.

Standard	
safety area	EN12929-1:2015, 11.2
stabilisation area	EN12929-1:2015, 11.2
approach area	EN12929-1:2015, 11.3

Performance data	
Capacity	3000 pph
Interval	7,2 s
Speed	5,0 m/s
Rope diameter	45 mm
Cycle time	25,2 s
Loading speed	0,70 m/s
Unloading speed	0,80 m/s
Rope tension SmaxR	291 kN
Rope tension □Smax	565 kN

Index	Revision	Date	Name
b	large Op Enclosure, no station parking	27.02.2024	Campanella M.

Configuration

55089946
ID No.

Doppelmayr
Doppelmayr USA, Inc.
3160 West 500 South
Salt Lake City UT 84104

Installation Mayflower Roller 7 - 6-CLDB
Order SAA0003215 Piece X

DRIVE/FIXED TOP STATION
DCD6B / D16-6.4 / V=5.0M/S

Scale 1/100
Q-Class 0
Mass kg

	Date	Name
drawn	17.08.2023	Frenzhik Jim
approved	28.02.2024	Campanella M.
saved	28.02.2024	Campanella M.

Plot Remark

Master-3D
Original Drawing No. 90008624NAE309001
ID No. 55058413
Drawing No. 90011086NAE309001
Index B
A1

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US Draft

created: mce 2024-02-28 01:19 State: released

Zachary Alhamra

From: Daren Rasmussen <darenrasmussen@utah.gov>
Sent: Monday, November 6, 2023 6:31 PM
To: Zachary Alhamra
Cc: Mike Walker; Garrett Lang (DV); Connor Dinsmore; Hannah Tyler (DV); Eric Mann (DEN); Joe Kilar; Steve Graff (DV); Michael Demkowicz
Subject: Re: Lift 7 CUP & SLO - Stream Corridor Follow-up

With the review today of the drainage from aerial maps and discussion, I concur.

-Daren

Daren Rasmussen
Environmental Scientist- Dam Safety & Stream Alterations
M: (801) 244-1748 **W:** 801-538-7377
E: DarenRasmussen@utah.gov

Utah Department of Natural Resources
Division of Water Rights (State Engineer's Office)

waterrights.utah.gov

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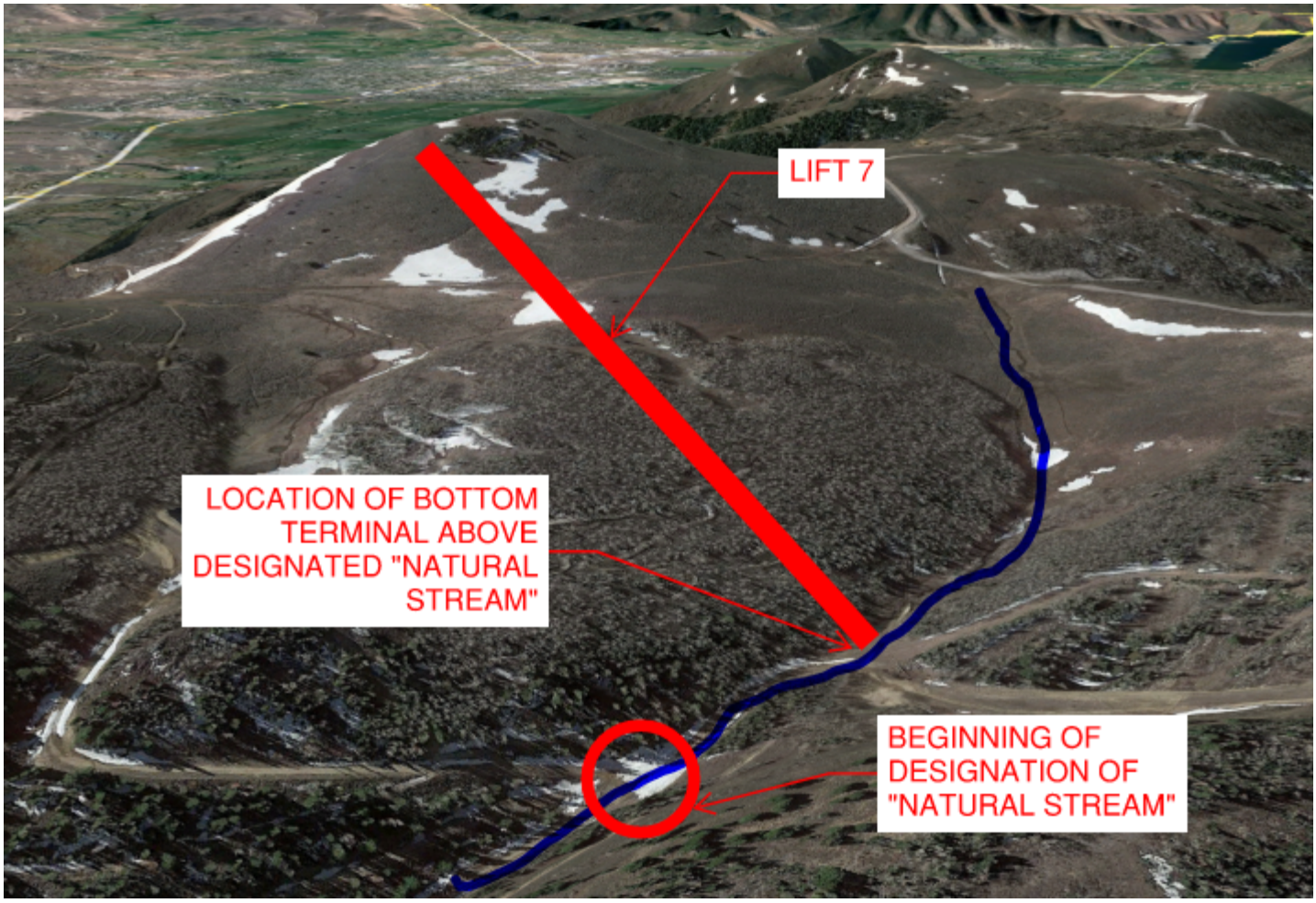
On Mon, Nov 6, 2023 at 4:50 PM Zachary Alhamra <zachary@alliance-engr.com> wrote:

> Hi All,
>
> I spoke with Daren Rasmussen with the Utah Division of Water Rights (cc'd to this correspondence) regarding the placement of the bottom terminal of Lift 7 in the location shown in image below.
>
> Daren has decided to designate the stream channel identified on the National Wetlands Inventory Map (shown below by the blue line) as a "natural stream" that begins at the intersection of Ontario ski run and the service road that leads to the pond (location shown by red circle below). Everything below this point (running into Ontario Canyon) will be designated as such. This is great news, as the location of the bottom terminal of proposed Lift 7 is upstream of this and will, as result, NOT be subject to any special permitting processes for stream alteration.



Best,

Zachary Alhamra, P.E.

Civil Engineer

ALLIANCE ENGINEERING

SINCE 1978

Alliance Engineering

2700 W Homestead Rd

STE 50 & 60

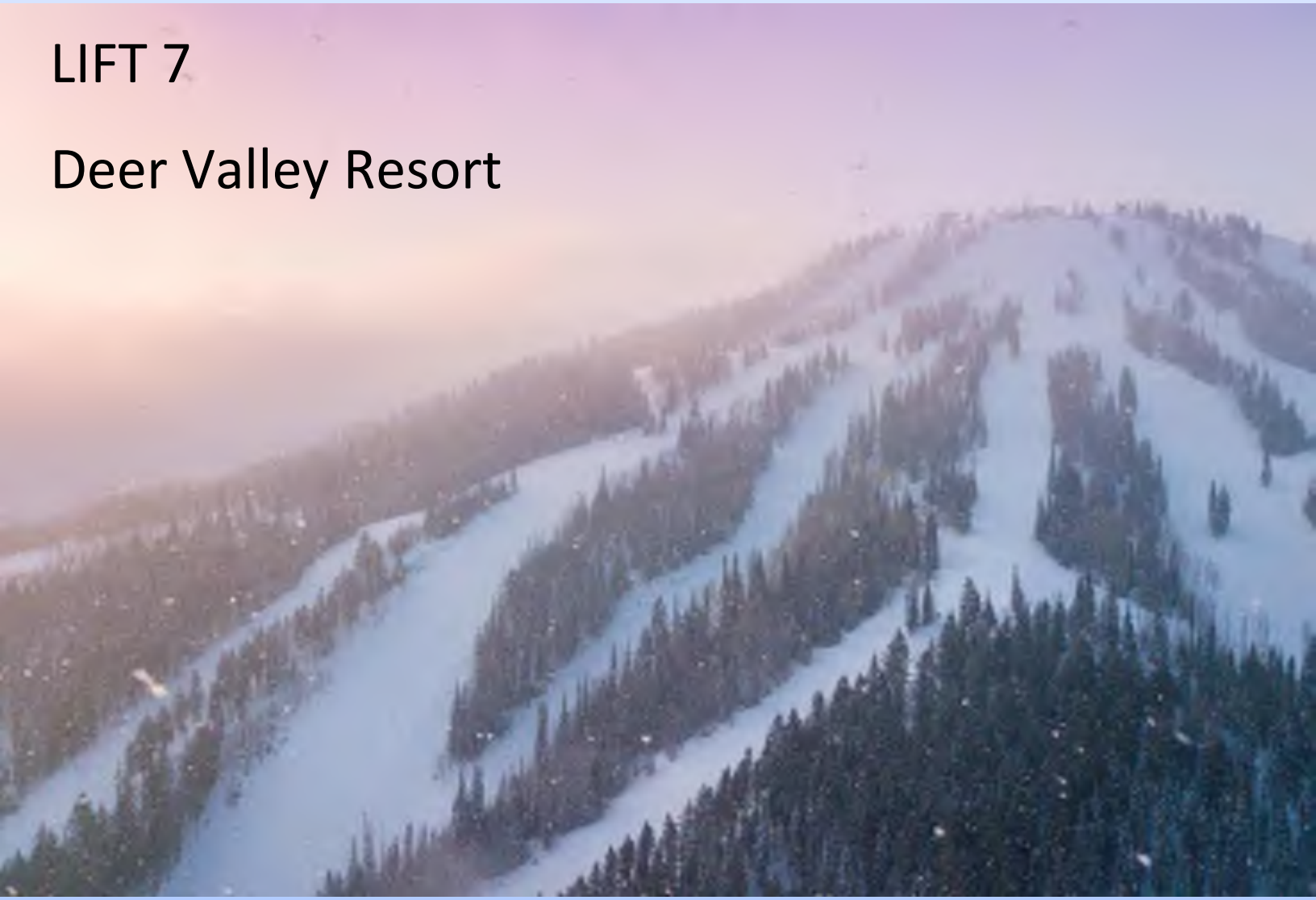
Park City, UT 84098

Direct 435.602.4994

alliance-engr.com

LIFT 7

Deer Valley Resort



SENSITIVE LAND OVERLAY ZONE – ORDINANCE PROVISIONS

PREPARED IN ACCORDANCE WITH PARK CITY LAND MANAGEMENT CODE

BY ZACHARY ALHAMRA

ALLIANCE-ENGR.COM

INDEX:

PARK CITY LAND MANAGEMENT CODE SECTIONS

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15-2.21-2 Overlay Review Process..... 3
15-2.21-3 Sensitive Lands Overlay Zone – Ordinance Provisions..... 4

SENSITIVE LAND OVERLAY ZONE

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3. **Soil Investigation/Geotechnical Report.....16**
4. **Ridge Line Area.....16**
5. **Vegetative Cover..... 18**
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7. **Wetlands..... 20**
8. **Stream Corridors, Canals and Irrigation Ditches..... 21**
9. **Wildlife Habitat Areas..... 22**

APPENDIX A – GEOTECHNICAL REPORT
APPENDIX B – UTAH ECOREGIONS

***Notice:** All photos and maps, unless otherwise stated, was obtained from the city website and various other sources. Alliance Engineering does not take credit for the supporting material provided within this report.*

15-2.21-1 PURPOSE:

The purpose of the Sensitive Land overlay (SLO) is to:

A) Require dedicated open space in aesthetically and environmentally sensitive Areas;
B) Encourage preservation of large expanses of open space and wildlife habitat;
C) Cluster development while allowing a reasonable use of property;
D) Prohibit development on ridge line areas, steep slopes, and wetlands; and
E) Protect and preserve environmentally sensitive land.

(*Amended by Ord. No. 07-81)*

15-2.21-2 REVIEW PROCESS:

A) **SENSITIVE LAND ANALYSIS**
- Applicants for development within the SLO must identify the property's sensitive environmental and aesthetic areas such as steep slopes, ridge line areas, wetlands, stream corridors, wild land interface, and wildlife habitat areas and provide at time of application a sensitive land analysis.

B) **APPLICATION OF OVERLAY ZONE REGULATIONS**
- Regulatory standards apply to the type of sensitive land delineated.

C) **SITE DEVELOPMENT SUITABILITY DETERMINATION**
- Staff shall review the sensitive land analysis, apply the applicable sensitive land overlay regulations, Section 15-2.21-4 through 15-2.21-8, and shall prepare a report to the applicant and the Planning Commission identifying those areas suitable for development as developable land.

D) **HARDSHIP RELIEF**
- If the Applicant demonstrates that the regulations PARK CITY MUNICIPAL CODE - TITLE 15 LMC, Chapter 2.21 Sensitive Land Overlay Zone (SLO) Regulations 15-2.21-2 would deny all reasonable use of the property, the Planning Commission may modify application of these regulations to provide the applicant reasonable use of the property.

(Amended by Ord. No. 2023-19)

15-2.21-3 SENSITIVE LANDS OVERLAY ZONE – ORDINANCE PROVISIONS:

A. <u>SENSITIVE LANDS ANALYSIS</u>

1. **Visual Assessment.** A visual assessment of the Property from Vantage Points designated by the Planning Department and identified by the Applicant with latitude and longitude coordinates, depicting conditions before and after the proposed Development, including the proposed location, size, design, landscaping, and other visual features of the project.

2. **Slope & Topographic Map.** A slope and topographic map based on a certified boundary survey depicting contours at an interval of five feet (5') or less. The map must highlight area of high geologic hazard, areas subject to land sliding, and all significant steep slopes in the following categories:
   - **a.** Greater than 15% but less than or equal to 30%
   - **b.** Greater than 30% but less than or equal to 40%
   - **c.** Very steep slopes, greater than 40%.

3. **For Properties with Steep Slopes or with Very Steep Slopes within Fifty Feet (50') of the Property, the Following are also Required:**
   - **a. Soil Investigation Report.** A soil investigation report, including but not limited to shrink-swell potential water table elevation, general soil classification and suitability for Development, erosion potential, hazardous material analysis, and potential frost action. The soils report shall indicate whether the property is 1) within the Prospector Soils Ordinance area and 2) within a Point Source water protection zone.
   - **b. Geotechnical Report.** A geotechnical report which must include the location of major geographic and geologic features, the depth of bedrock, structural features, folds, fractures, etc., and potential land slide and other high-hazard Areas such as mine shafts and avalanche paths.
   - **c. Additional Slope Information**. A Slope/topographic map depicting contours at an interval of two feet (2').

4. **Ridge Line Areas.** A map depicting all crests of hills and ridge line areas.

5. **Vegetative Cover.** A detailed map of vegetative cover, depicting the following:
   - **a.** Deciduous trees
   - **b.** Coniferous trees
   - **c.** Gamble oak or high shrub
   - **d.** Sage, grassland, and agricultural crops.

The Planning Department may require a more detailed tree/ vegetation survey if the site has unusual or significant vegetation, stand of trees, or woodlands.

6. **Designated Vantage Points.** Designated vantage points from which the proposed project is visible as identified by Staff and confirmed by the Applicant with latitude and longitude coordinates.

(Typical vantage points are listed in Section 15-2.21-3 of the Park City Municipal Code)

7. **Wetlands.** A map delineating all wetlands established by using the 1987 *Federal Manual for identifying and Delineating Jurisdictional Wetlands,* as amended. (*See Section 15-2.21-6)*.

8. **Stream Corridors, Canals & Irrigation Ditches.** A map delineating all stream corridors, canals, and irrigation ditches, defined by the Ordinary High-Water Mark.

9. **Wildlife Habitat Areas.** A map depicting all wildlife habitat areas, as defined by the wildlife habitat report shall be provided by the applicant. The wildlife habitat report shall be prepared by a professional, qualified in the areas of ecology, wildlife biology, or other relevant disciplines and describe the following:
    - **e.** The ecological and wildlife Use characterization of the Property explaining the species of wildlife using the Areas, the times or seasons the Area is used by those species, and the value, e.g. meaning feeding, watering, cover, nesting, roosting, or perching, that the Area provides for such wildlife species;
    - **f.** The existence of critical wildlife movement corridors;
    - **g.** The existence of special habitat features, including Key nesting Sites, feeding Areas, calving or production Areas, Use Areas for migrant song birds and grassland birds, fox and coyote dens, deer and elk winter concentration Areas as identified by the Utah Division of Wildlife, and Areas of high terrestrial or aquatic insect diversity.
    - **h.** Areas inhabited by or frequently utilized by any species identified by state or Federal agencies as Threatened or Endangered.
    - **i.** The general ecological functions provided by the Site and its features;
    - **j.** Potential impacts on these existing wildlife species that would result from the proposed development.

B. **ADDITIONAL INFORMATION AND STUDY REQUIREMENTS**. The planning department may require the Applicant to submit additional information as necessary (not presented in this document).

C. **SENSITIVE LANDS DETERMINATION**. The Planning Department shall review the information presented in the Sensitive Lands Analysis, as described in Section 15-2.21-3(A) and Section 15-2.21-3(B), and provide a recommendation to the Planning Commission determining and delineating all Sensitive Lands on the parcel, including Steep Slope Areas, Ridge Lines Areas, Entry Corridors, Wetlands, Stream Corridors, Irrigation Ditches, Wildland and Wildfire Interface Areas, and Critical Wildlife Movement Corridors and Habitat Areas.

1. VISUAL ASSESSMENT (INCLUDE ITEM 5 – DESIGNATED VANTAGE POINTS)

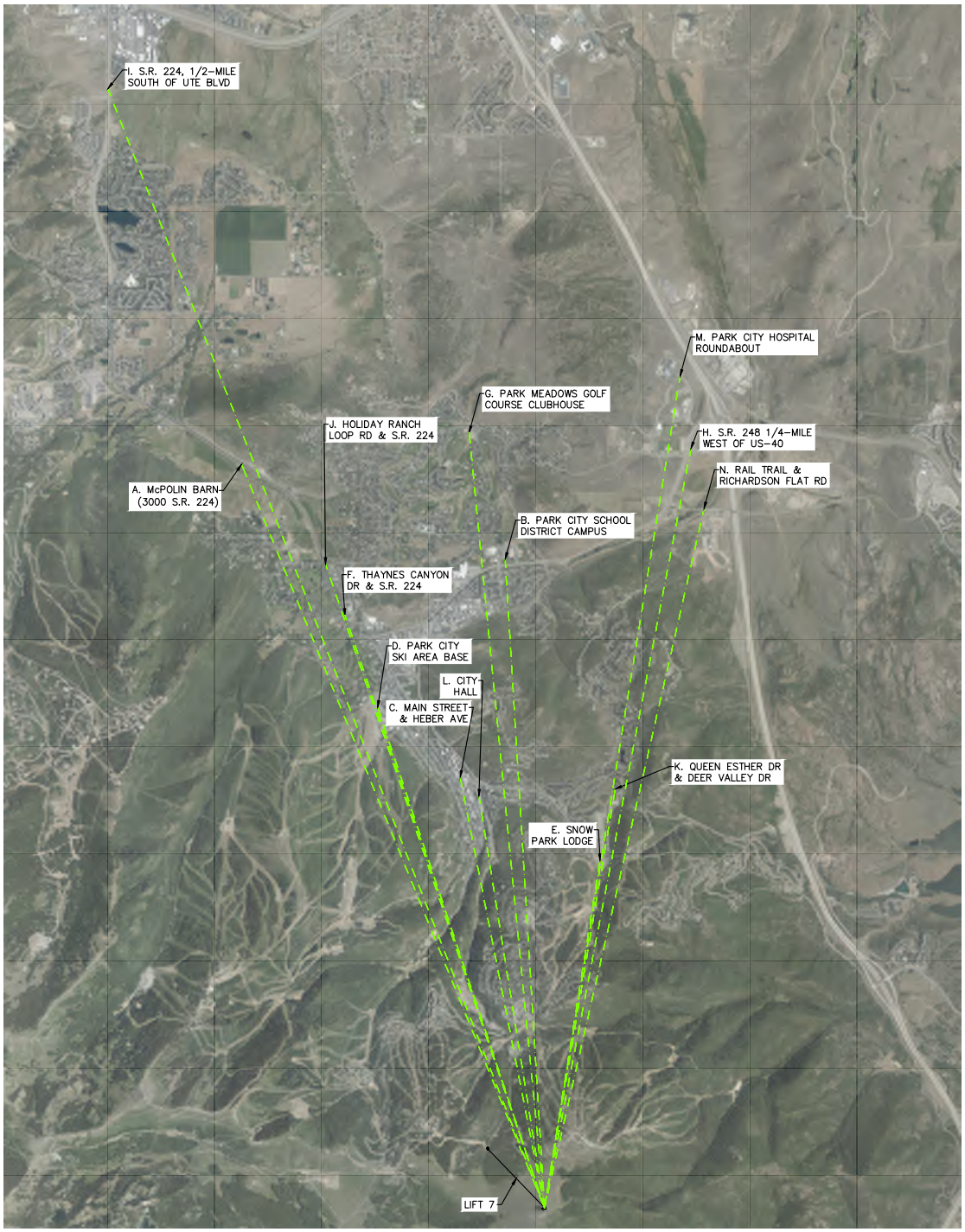


FIGURE 1: MAP OF DESIGNATED VANTAGE POINT

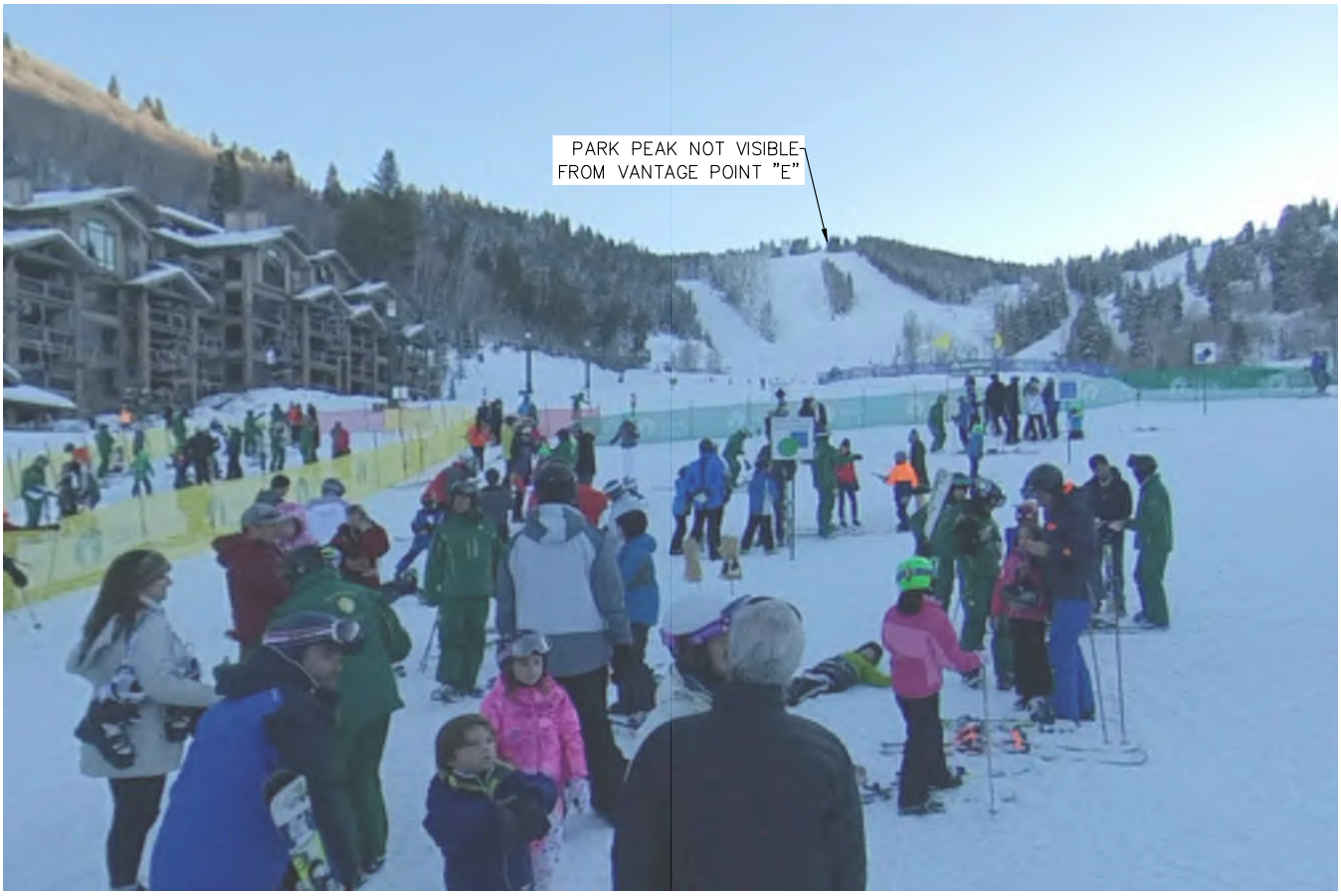
Vantage Point “A”: McPolin Barn (3000 S.R. 224)

Vantage Point “B”: Park City School District Campus

Vantage Point “C”: Intersection of Main Street and Heber Avenue

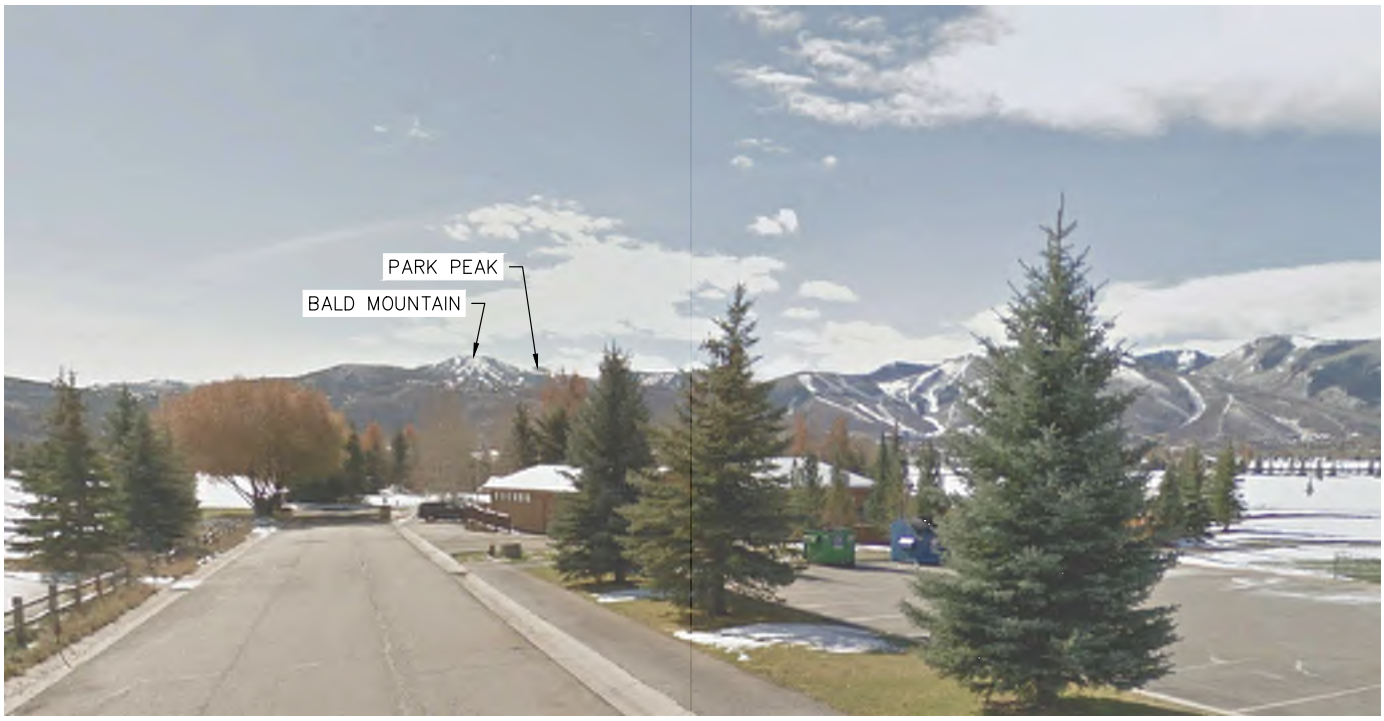
Vantage Point “D”: Park City Ski Area Base

Vantage Point "E": Snow Park Lodge



Vantage Point "F": Intersection of Thaynes Canyon Drive and S.R. 224/Park Avenue

Vantage Point "G": Park Meadows Golf Course Clubhouse

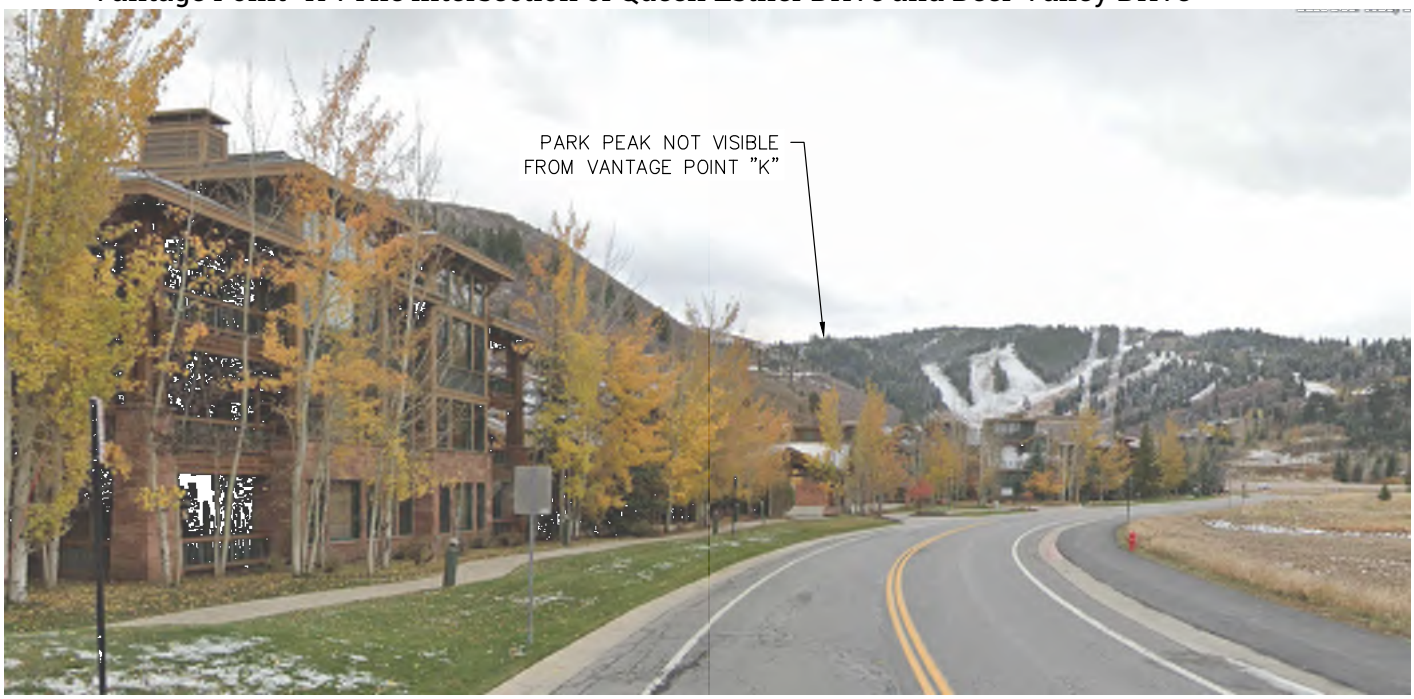


Vantage Point "H": S.R. 248 at the turn-out one quarter mile west from HWY 40

Vantage Point "I": S.R. 224, one-half mile south of the intersection with Ute Boulevard

Vantage Point "J": The intersection of S.R. 224 and Holiday Ranch Loop Road

Vantage Point "K": The intersection of Queen Esther Drive and Deer Valley Drive



Vantage Point "L": City Hall (445 Marsac Avenue)

Vantage Point “M”: The roundabout at the Park City Hospital (900 Round Valley Drive)

Vantage Point “N”: The intersection of the Rail Trail and Richardson Flat Road

2. SLOPE/TOPOGRAPHIC MAP

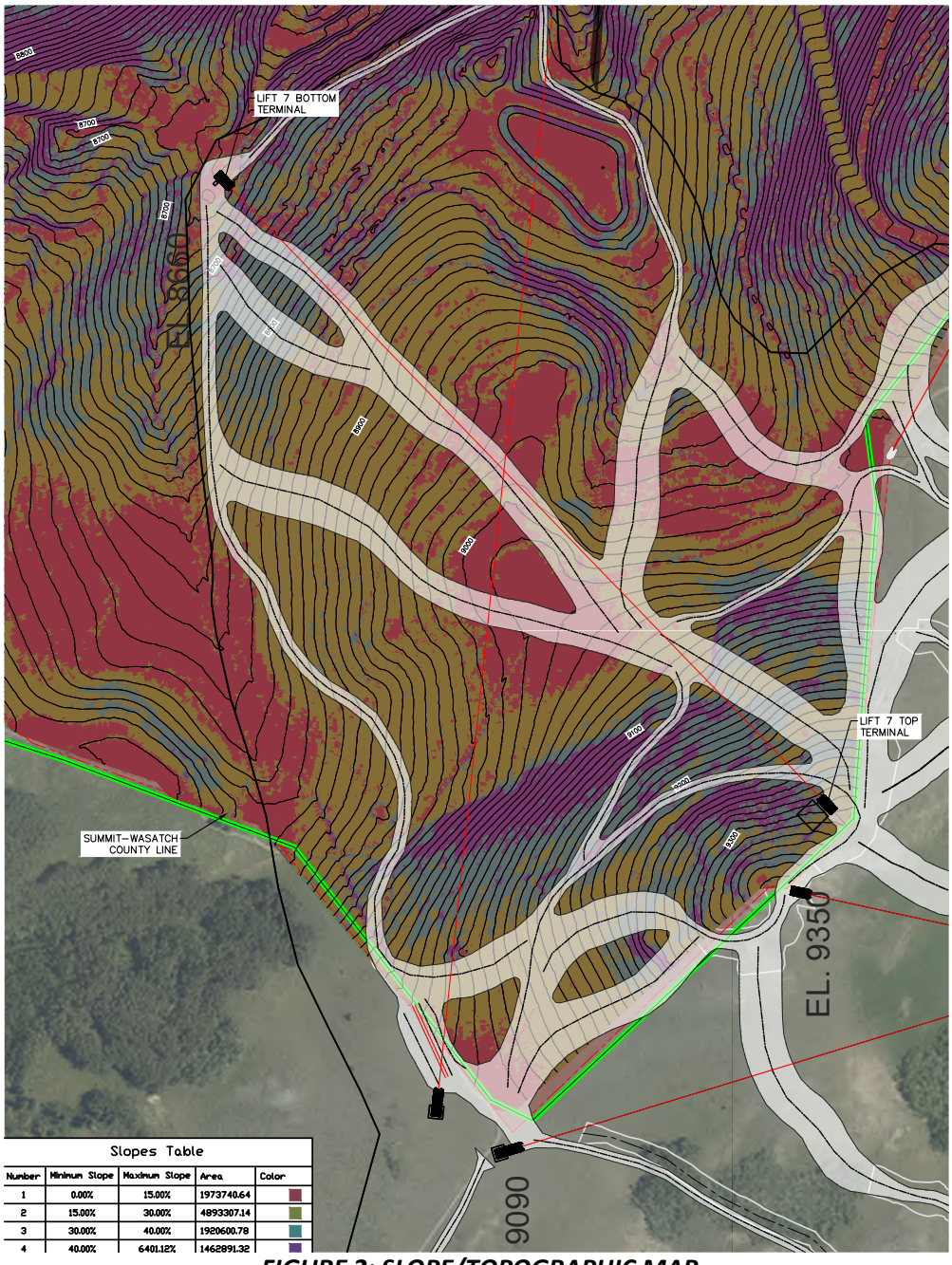


FIGURE 2: SLOPE/TOPOGRAPHIC MAP

A slope analysis was performed in order to better understand the area of interest's topography. The contours displayed represent every 10'.

3. SOIL INVESTIGATION/GEOTECHNICAL REPORT

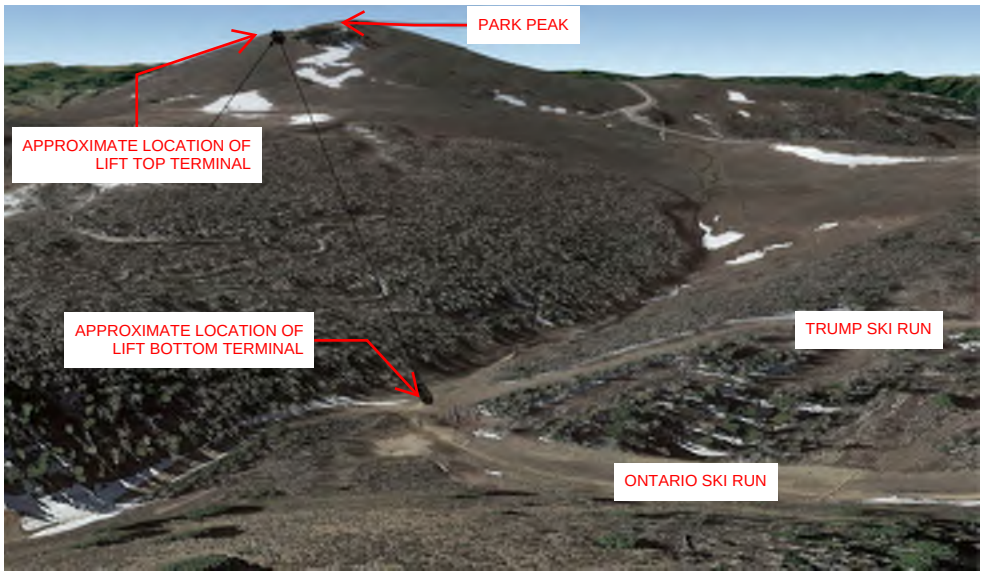
Refer to geotechnical report provided in Appendix A - “Geotechnical Report”.

4. RIDGE LINE AREAS

A ridge line study was performed to understand how future development will fit into the existing topography of Park City.

LIFT 7

a. The bottom terminal of Lift 7 will be situated at an approximate elevation of 8660’ near the intersection of the Trump and Ontario Ski Runs at Deer Valley and will not impact on the surrounding natural ridge lines.
b. The top terminal of Lift 7 will be situated on the ridge line that separates Wasatch and Summit Counties at an elevation of approximately 9285’. While sitting on a ridge line, this structure will only be visible from one of the Park City’s Designated Vantage Points (Vantage Point “G”: Park Meadows Golf Course Clubhouse) and will not be placed directly onto the peak. Given that the proposed Lift 7 will be a vital piece of infrastructure in the terrain expansion efforts to improve the recreational opportunities and experiences offered by Deer Valley Ski Resort, it’s construction shall be to great public benefit. Furthermore, there are numerous examples of existing ski area chairlifts in the Park City area that appear in greater prominence from the Designated Vantage Points than the proposed Lift 7.



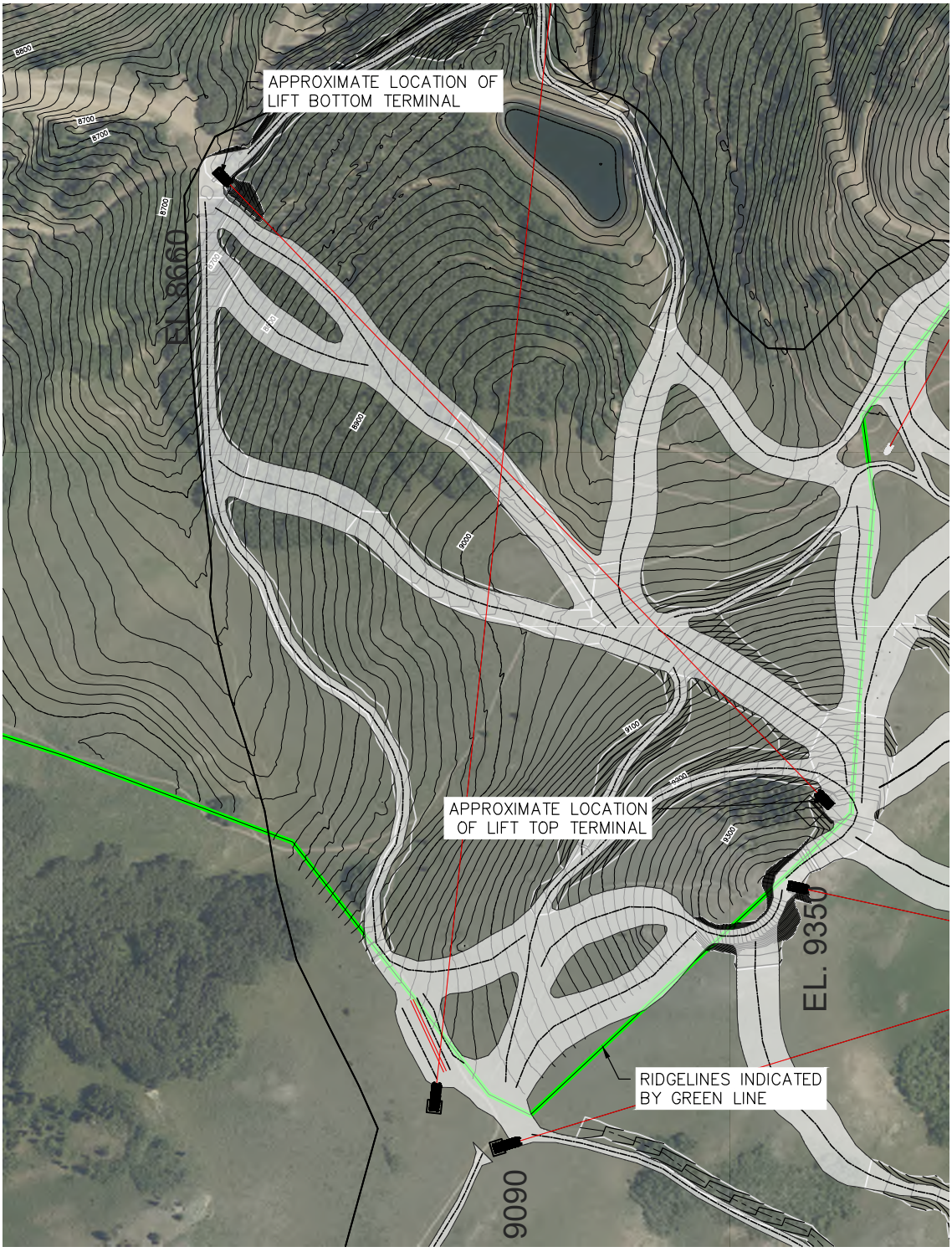


FIGURE 3: RIDGE LINE IDENTIFICATION

6. Vegetative Cover

The area of study on the Deer Valley property falls within the Wasatch Montane Zone (Region 19d) ecoregion and zone 6A of USDA's Plant Hardiness Zone Map (PHZM) and ranges from 8660 to 9300 ft in elevation.

Expected vegetation: Douglas-fir and Spruce-fir with an understory of big sagebrush, snowberry, elderberry and mountain grasses. On some north-facing slopes, subalpine fir and Engelmann Spruce may be present.

Below is a comprehensive list of the plant make-up of this eco-region:

(For more detailed information on Eco-Region 19d, see Appendix B)

Dry Meadow	**Common Name**
Geum rossii	Alpine Avens
Carex rupestris	Curly Sedge
Carex scirpoidea	Canadian Single-spike Sedge
Carex elynoides	Blackroot Sedge
Kobresia myosuroides	Mouse-Tail Bog Sedge
Deschampsia caespitosa	Tufted Hair Grass

Shrub Thicket	**Common Name**
Salix planifolia	Diamondleaf Willow
Salix Glauca	Gray Willow
Salix drummondiana	Drummonds Willow
Polygonum bistortoides	Western Bistort
Quercus gambelii	Gamble Oak
Quercus turbinella	Scrub Oak

Evergreens	**Common Name**
Pinus ponderosa	Ponderosa Pine
Pseudotsuga menziesii	Douglas Fir

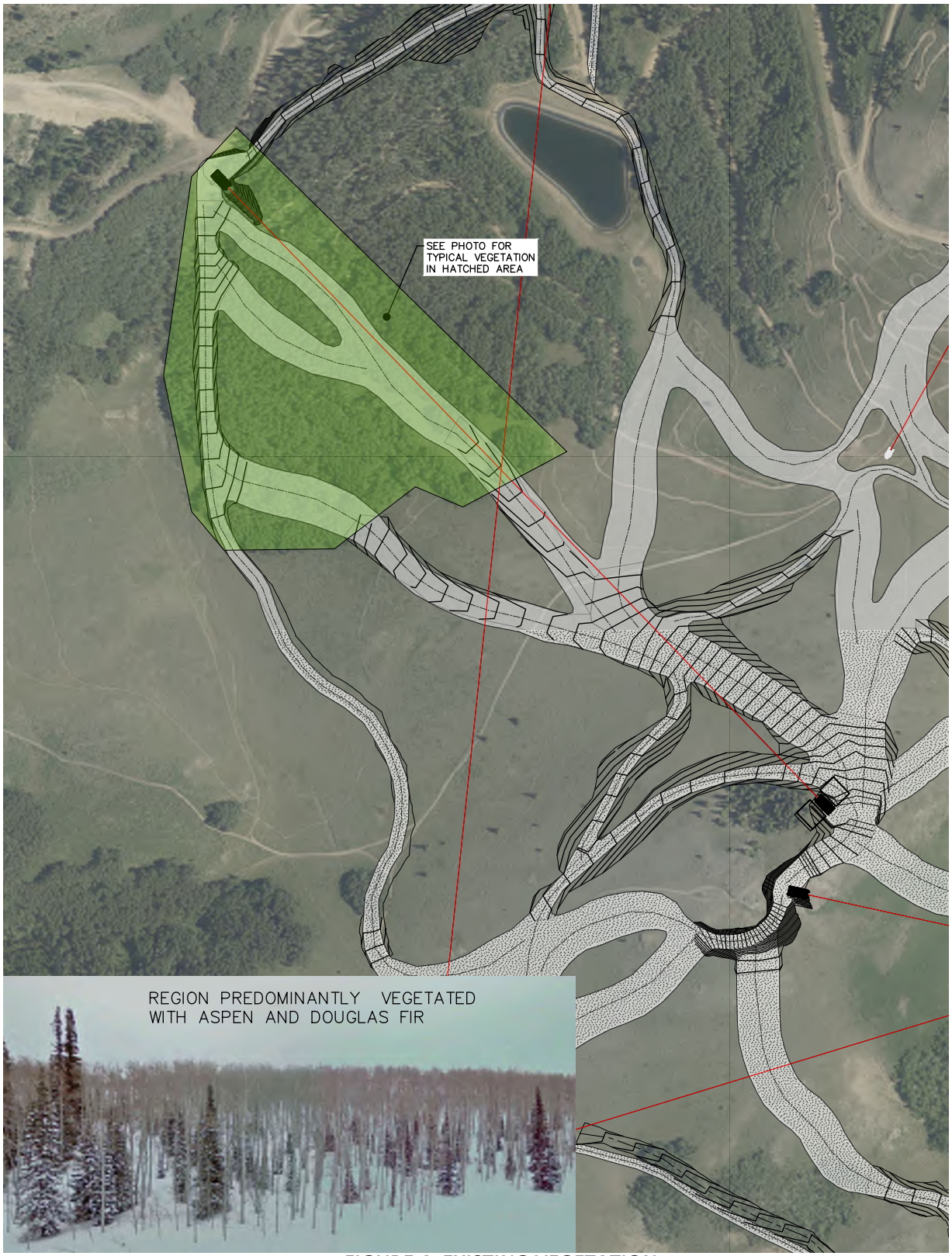
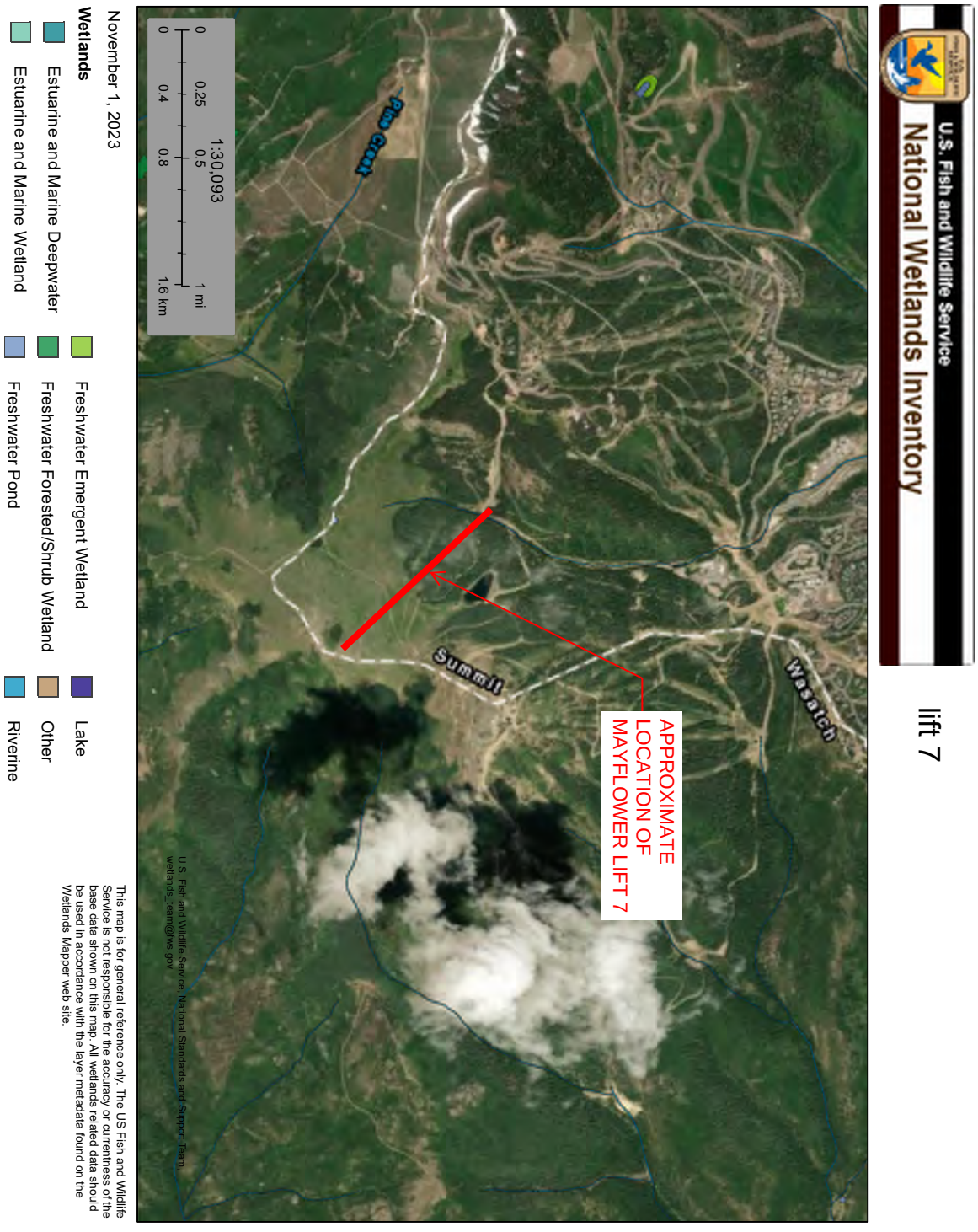


FIGURE 4: EXISTING VEGETATION

7. Wetlands

The Utah Department of Environmental Quality data does not identify any wetlands within the subject property.



8. Stream Corridors, Canals & Ditches

The Utah Department of Environmental Quality data identifies, a "Riverine Intermittent Streambed Seasonally Flooded" (R4SBC) drainage channel running through the area of the planned bottom terminal of Lift 7. This drainage channel contains surface water intermittently during spring/early summer snow runoff and drains towards Ontario Canyon. This drainage channel shall be preserved and protected outside of the project limits and for the approximately 300'-section that falls within the project limits, it will be improved through the installation of an underground culvert to protect water quality and minimize disturbance.

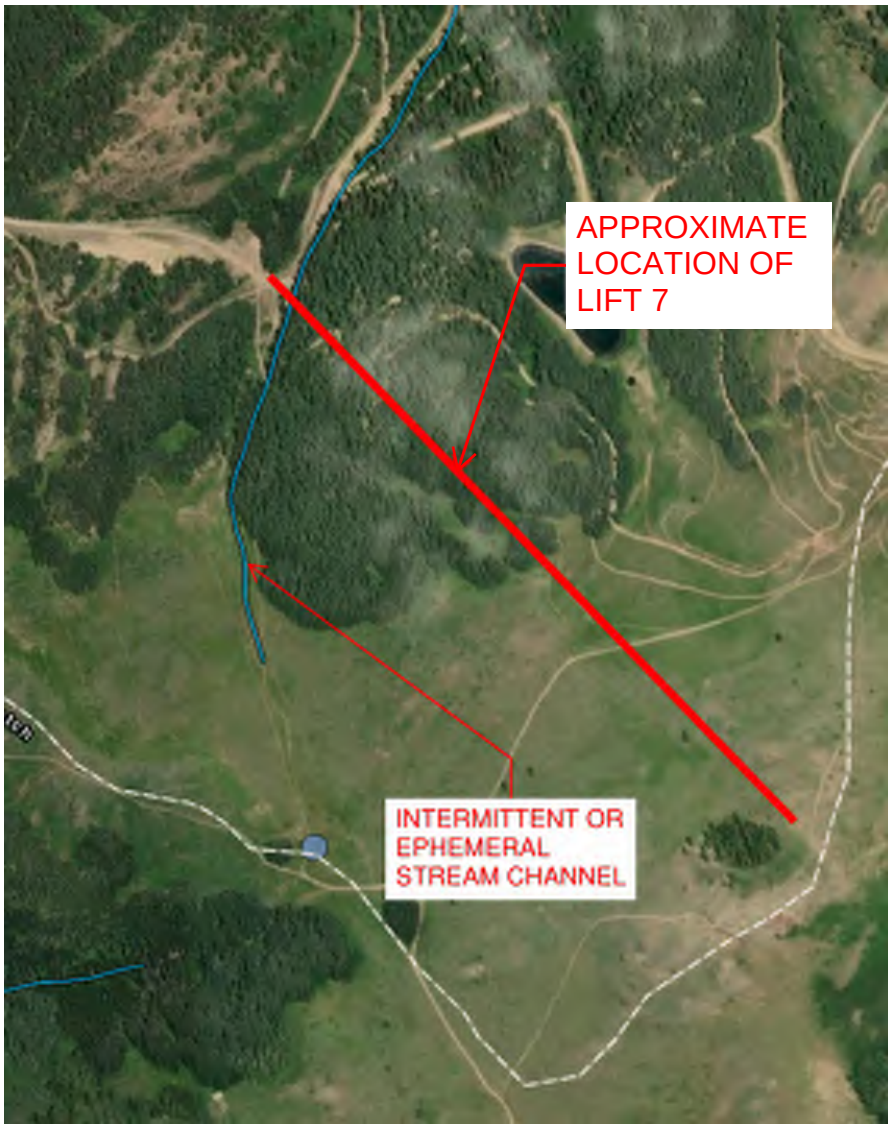
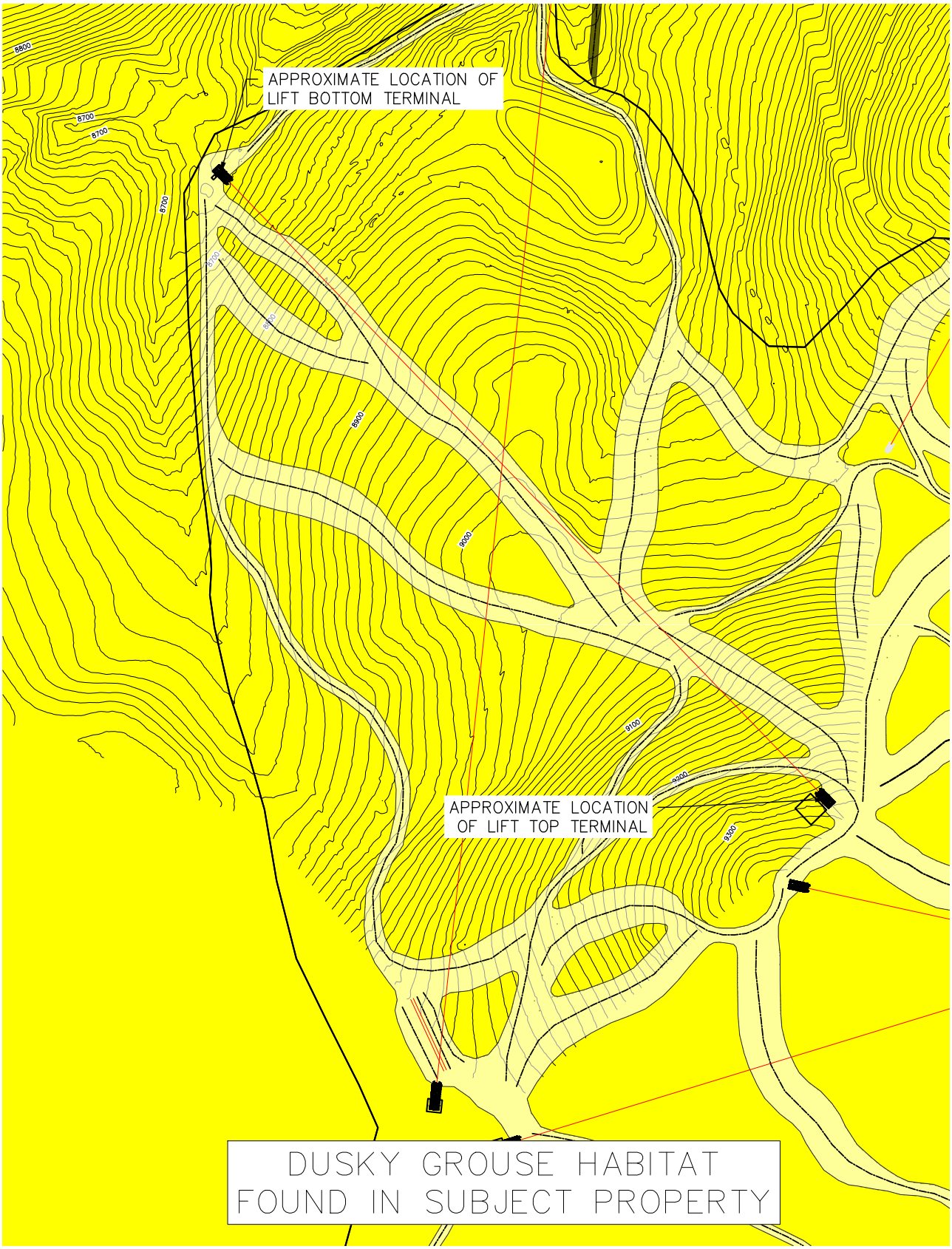


FIGURE 5: INTERMITTENT STREAM LOCATION

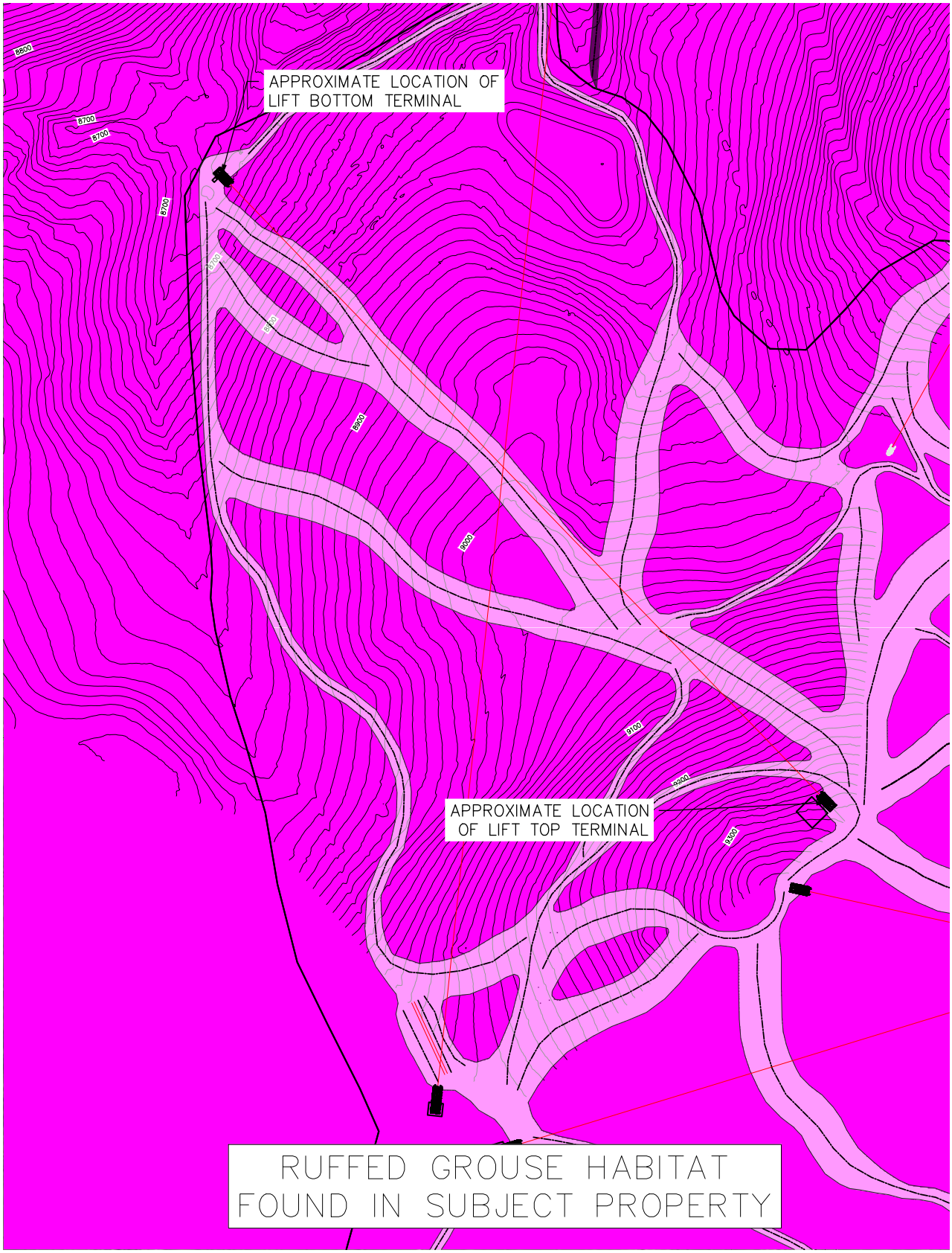
9. Wildlife Habitat Areas

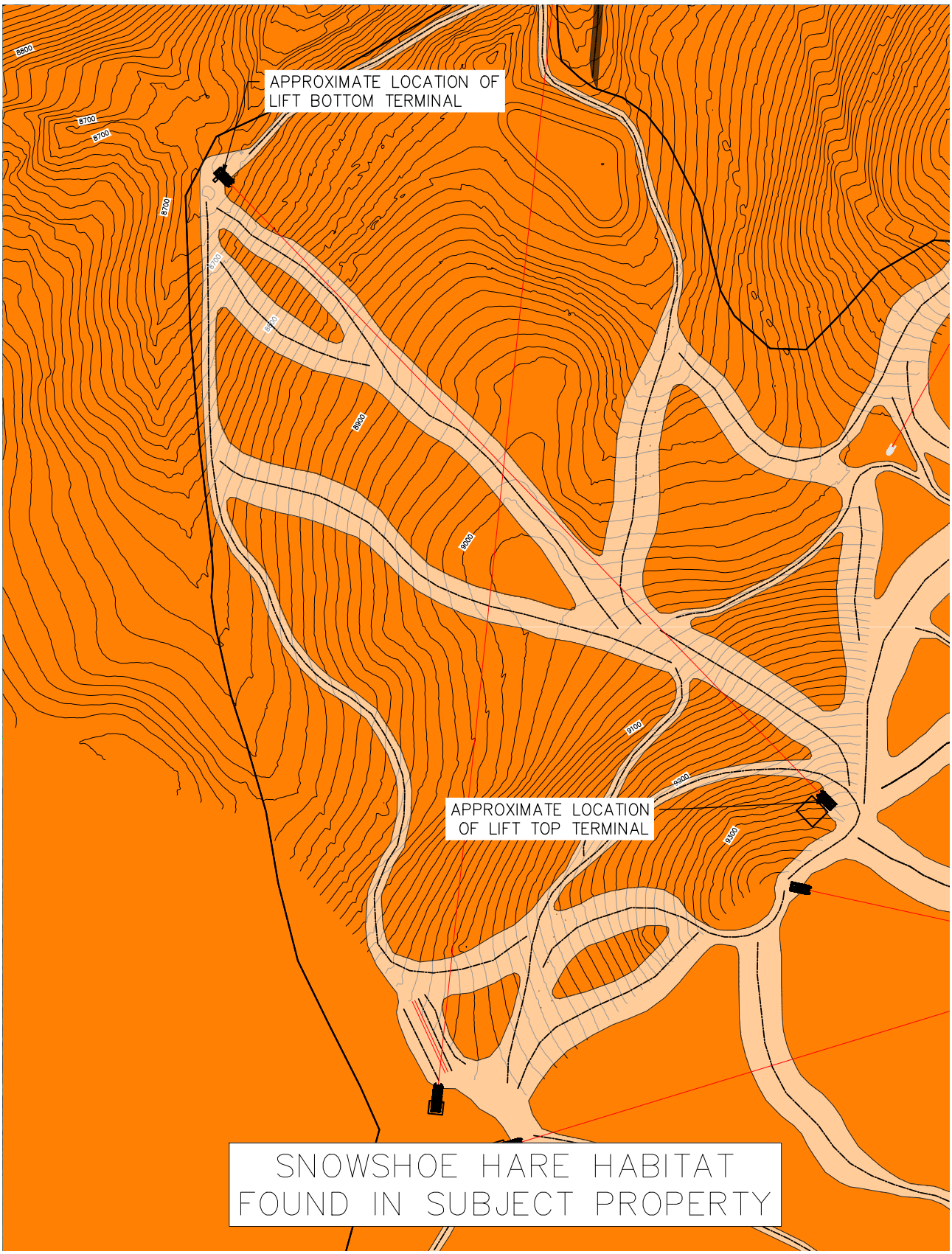
The project area is identified as a wildlife habitat by the Utah Department of Natural Resources for the following species: black bear, dusky grouse, ruffed grouse, moose, mule deer, rocky mountain elk, white-tail jackrabbit and snowshoe hare. Specified as either **crucial**- the local population depends heavily on the area for survival, as there are no available alternative habitats in the area, or **substantial-** the habitat is used by the species but is not crucial for the population's survival. Each study (**detailed in the sheets to follow)** shows the species' approximate habitat zone using the latest data uploaded by Utah's Division of Wildlife Resources. Data was collected by wildlife biologists using observations, surveys and radio/satellites. The following is a table of the wildlife directly impacting subject property:

Species	**Habitat**
Black Bear	Year-Long Crucial
Dusky Grouse	Year-Long Crucial
Ruffed Grouse	Year-Long Crucial
Moose	Year-Long Crucial, Calving Habitat
Mule Deer	Summer Crucial
Rocky Mountain Elk	Winter Crucial
White-Tailed Jackrabbit	Year-Long Crucial
Snowshoe Hare	Year-Long Crucial

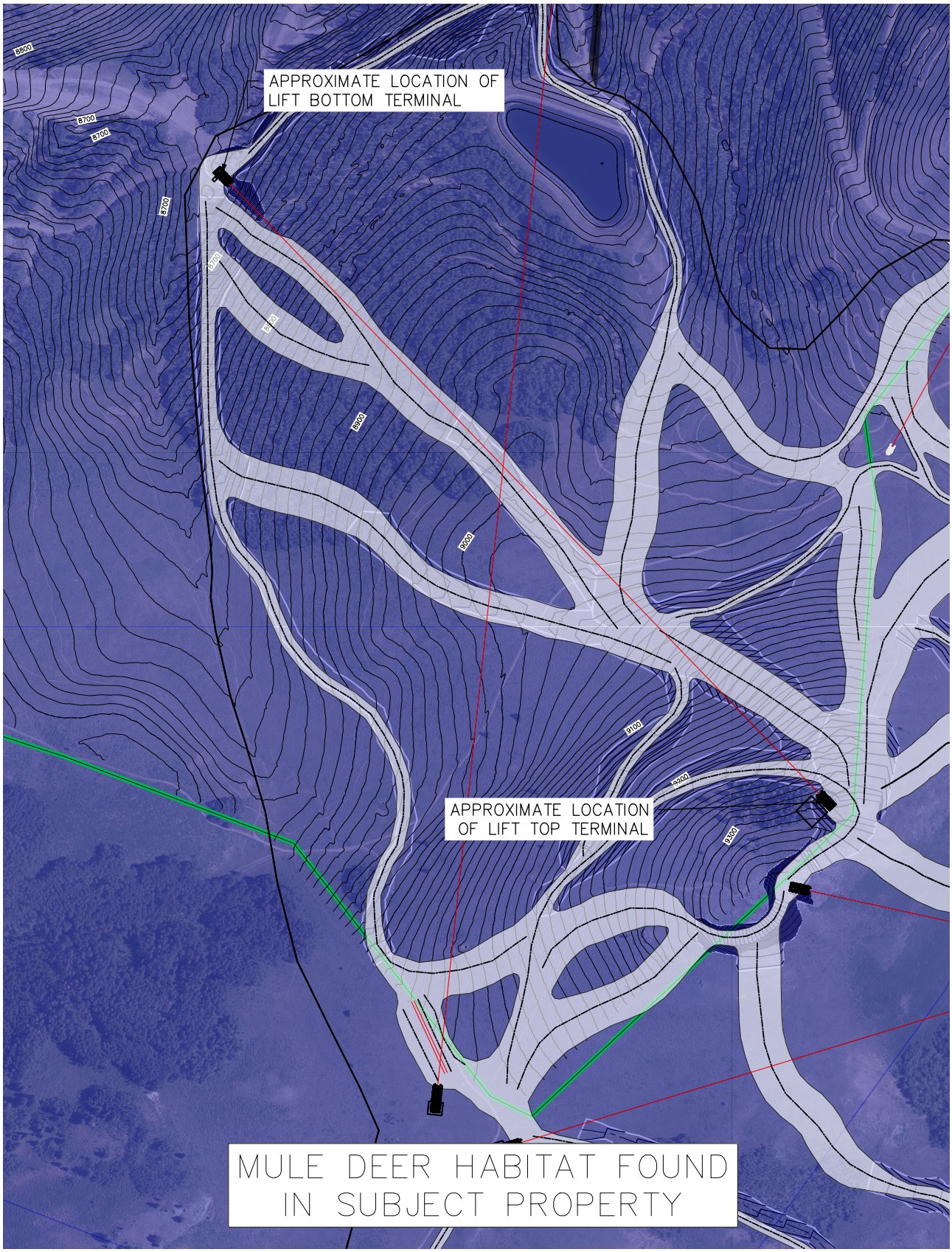

APPROXIMATE LOCATION OF LIFT BOTTOM TERMINAL
APPROXIMATE LOCATION OF LIFT TOP TERMINAL
DUSKY GROUSE HABITAT FOUND IN SUBJECT PROPERTY

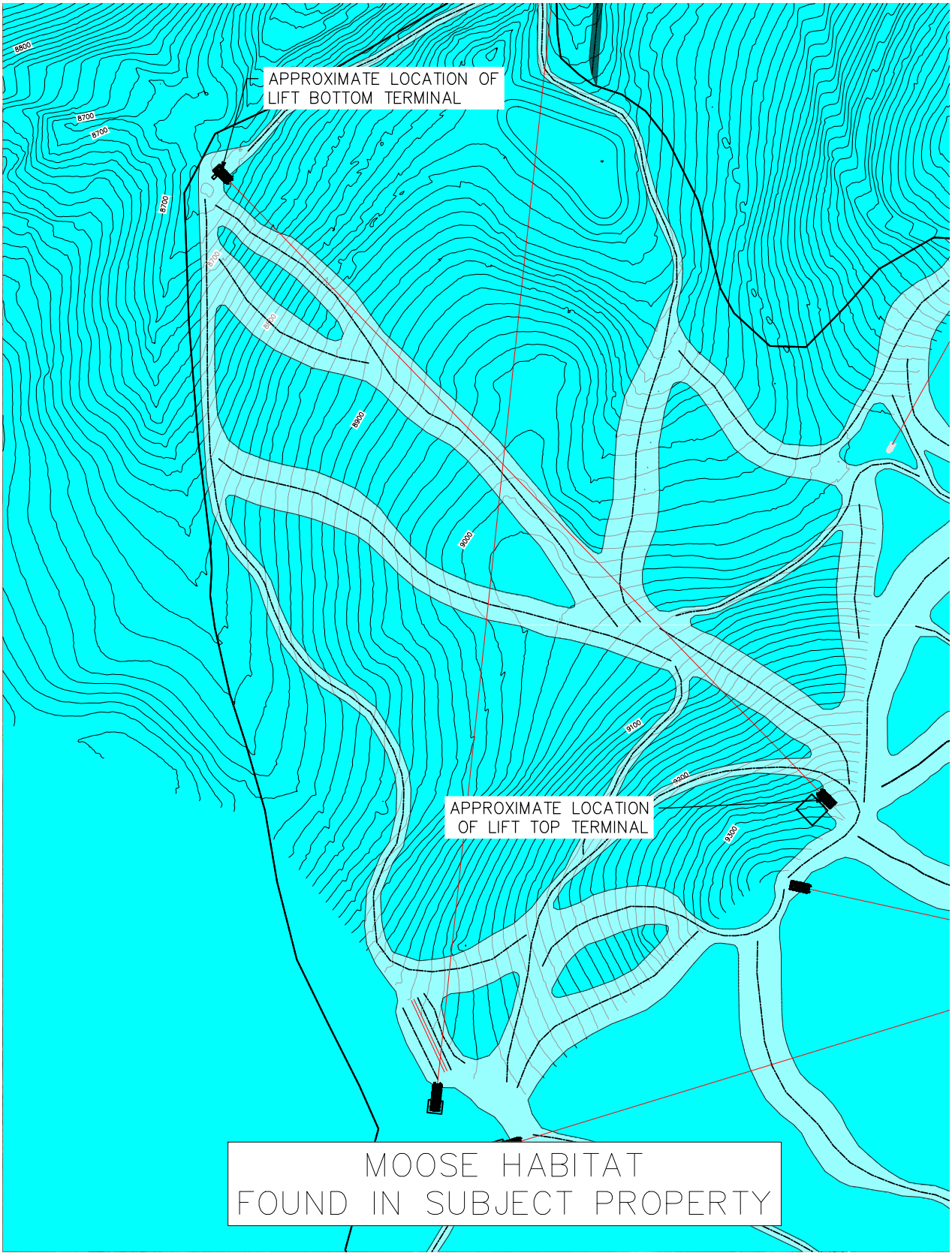
APPROXIMATE LOCATION OF LIFT BOTTOM TERMINAL
APPROXIMATE LOCATION OF LIFT TOP TERMINAL
BLACK BEAR HABITAT FOUND IN SUBJECT PROPERTY


APPROXIMATE LOCATION OF LIFT BOTTOM TERMINAL
APPROXIMATE LOCATION OF LIFT TOP TERMINAL
RUFFED GROUSE HABITAT FOUND IN SUBJECT PROPERTY


APPROXIMATE LOCATION OF LIFT BOTTOM TERMINAL
APPROXIMATE LOCATION OF LIFT TOP TERMINAL
SNOWSHOE HARE HABITAT FOUND IN SUBJECT PROPERTY

APPROXIMATE LOCATION OF LIFT BOTTOM TERMINAL
APPROXIMATE LOCATION OF LIFT TOP TERMINAL
WHITE-TAILED JACKRABBIT HABITAT FOUND IN SUBJECT PROPERTY


APPROXIMATE LOCATION OF LIFT BOTTOM TERMINAL
APPROXIMATE LOCATION OF LIFT TOP TERMINAL
MULE DEER HABITAT FOUND IN SUBJECT PROPERTY


APPROXIMATE LOCATION OF LIFT BOTTOM TERMINAL
APPROXIMATE LOCATION OF LIFT TOP TERMINAL
MOOSE HABITAT FOUND IN SUBJECT PROPERTY

APPROXIMATE LOCATION OF LIFT BOTTOM TERMINAL
APPROXIMATE LOCATION OF LIFT TOP TERMINAL
ELK HABITAT FOUND IN SUBJECT PROPERTY

APPENDIX A - GEOTECHNICAL REPORT

APPENDIX B - UTAH ECOREGIONS

Ecoregions of Utah

Ecoregions denote areas of general similarity in ecosystems and in the type, quality, and quantity of environmental resources; they are designed to serve as a spatial framework for the research, assessment, management, and monitoring of ecosystems and ecosystem components. Ecoregions are directly applicable to the immediate needs of state agencies, including the development of biological criteria and water quality standards and the establishment of management goals for nonpoint-source pollution. They are also relevant to integrated ecosystem management, an ultimate goal of most federal and state resource management agencies.

The approach used to compile this map is based on the premise that ecological regions can be identified through the analysis of the spatial patterns and the composition of biotic and abiotic phenomena that affect or reflect differences in ecosystem quality and integrity (Wiken 1986; Omernik 1987, 1995). These phenomena include geology, physiography, vegetation, climate, soils, land use, wildlife, and hydrology. The relative importance of each characteristic varies from one ecological region to another regardless of the hierarchical level. A Roman numeral hierarchical scheme has been adopted for different levels of ecological regions. Level I is the coarsest level, dividing North America into 15 ecological regions. Level II divides the continent into 52 regions (Commission for Environmental Cooperation Working Group 1997). At level III, the continental United States contains 104 ecoregions and the conterminous United States has 84 ecoregions (United States Environmental Protection Agency [USEPA] 2000). Level IV is a further subdivision of level III ecoregions. Explanations of the methods used to define the USEPA's ecoregions are given in Omernik (1995), Griffith and others (1994), and Gallant and others (1989).

Utah is made up of arid deserts and canyonlands, salt flats, wetlands, semiarid shrublands, irrigated valleys, woodlands, forested mountains, and glaciated peaks. Ecological diversity is enormous. There are 7 level III ecoregions and 37 level IV ecoregions in Utah and most continue into ecologically similar parts of adjacent states.

The level III and IV ecoregion map on this poster was compiled at a scale of 1:250,000 and depicts revisions and subdivisions of earlier level III ecoregions that were originally compiled at a smaller scale (USEPA 2000; Omernik 1987). This poster is part of a collaborative project primarily between USEPA Region VIII, USEPA National Health and Environmental Effects Research Laboratory (Corvallis, Oregon), Utah Department of Environmental Quality, Utah Division of Wildlife Resources, Utah Department of Natural Resources, United States Department of Agriculture-Forest Service (USFS), United States Department of Agriculture-Natural Resources Conservation Service (NRCS), United States Department of the Interior-Bureau of Land Management (BLM), and United States Department of the Interior-Geological Survey (USGS)-Earth Resources Observation Systems (EROS) Data Center.

The project is associated with an interagency effort to develop a common framework of ecological regions. Reaching that objective requires recognition of the differences in the conceptual approaches and mapping methodologies applied to develop the most common ecoregion-type frameworks, including those developed by the USFS (Bailey and others, 1994), the USEPA (Omernik 1987, 1995), and the NRCS (U.S. Department of Agriculture-Soil Conservation Service, 1981). As each of these frameworks is further refined, their differences are becoming less discernible. Regional collaborative projects such as this one in Utah, where agreement has been reached among multiple resource management agencies, is a step toward attaining consensus and consistency in ecoregion frameworks for the entire nation.

Literature Cited:

Bailey, R.G., Avers, P.E., King, T., and McNab, W.H., eds., 1994, Ecoregions and subregions of the United States (map) (supplementary table of map unit descriptions compiled and edited by McNab, W.H. and Bailey, R.G.): Washington, D.C., U.S. Department of Agriculture-Forest Service, scale 1:7,500,000.

Commission for Environmental Cooperation Working Group, 1997, Ecological regions of North America - toward a common perspective: Montreal, Quebec, Commission for Environmental Cooperation, 71 p.

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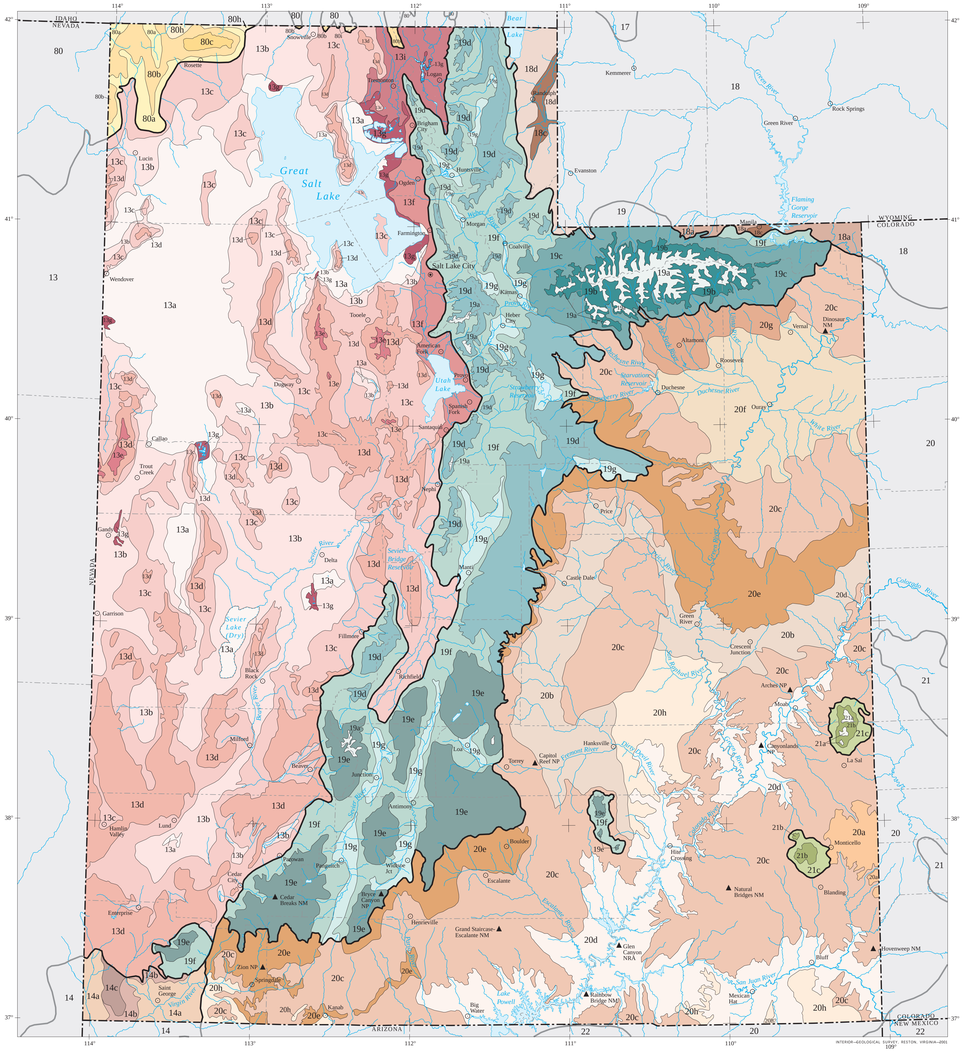
Omernik, J.M., 1987, Ecoregions of the conterminous United States (map supplement): Annals of the Association of American Geographers, v. 77, no. 1, p. 118-125, scale 1:7,500,000.

Omernik, J.M., 1995, Ecoregions - a framework for environmental management, *in* Davis, W.S. and Simon, T.P., eds., Biological assessment and criteria-tools for water resource planning and decision making: Boca Raton, Florida, Lewis Publishers, p. 49-62.

U.S. Department of Agriculture-Soil Conservation Service, 1981, Land resource regions and major land resource areas of the United States: Agriculture Handbook 296, 156 p.

U.S. Environmental Protection Agency, 2000, Level III ecoregions of the continental United States (revision of Omernik, 1987): Corvallis, Oregon, U.S. Environmental Protection Agency-National Health and Environmental Effects Research Laboratory, Map M-1, various scales.

Wiken, E., 1986, Terrestrial ecozones of Canada: Ottawa, Environment Canada, Ecological Land Classification Series no. 19, 26 p.



13 Central Basin and Range
- 13a Salt Deserts
- 13b Shadscale-Dominated Saline Basins
- 13c Sagebrush Basins and Slopes
- 13d Woodland- and Shrub-Covered Low Mountains
- 13e High Elevation Carbonate Mountains
- 13f Moist Wasatch Front Footslopes
- 13g Wetlands
- 13i Malad and Cache Valleys

14 Mojave Basin and Range
- 14a Creosote Bush-Dominated Basins
- 14b Arid Footslopes
- 14c Mountain Woodland and Shrubland

18 Wyoming Basin
- 18a Rolling Sagebrush Steppe
- 18c Wet Valleys
- 18d Semiarid Bear Hills

19 Wasatch and Uinta Mountains
- 19a Alpine Zone
- 19b Uinta Subalpine Forests
- 19c Mid-elevation Uinta Mountains
- 19d Wasatch Montane Zone
- 19e High Plateaus
- 19f Semiarid Foothills
- 19g Mountain Valleys

20 Colorado Plateaus
- 20a Monticello Upland
- 20b Shale Deserts
- 20c Semiarid Benchlands and Canyonlands
- 20d Arid Canyonlands
- 20e Escarpments
- 20f Uinta Basin Floor

20 Colorado Plateaus (continued)
- 20g Northern Uinta Basin Slopes
- 20h Sand Deserts

21 Southern Rockies
- 21a Alpine Zone
- 21b Subalpine Forests
- 21c Dry Forests and Shrublands

80 Northern Basin and Range
- 80a Dissected High Lava Plateau
- 80b Semiarid Hills and Low Mountains
- 80c High Elevation Forests and Shrublands
- 80h Saltbush-Dominated Valleys
- 80i Sagebrush Steppe Valleys

Level III ecoregion
Level IV ecoregion
County boundary
State boundary

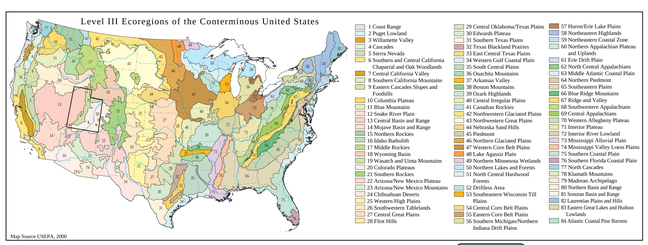
SCALE 1:1 175 000

15 10 5 0 30 60 mi

30 20 10 0 60 120 km

Albers Equal Area Projection
Standard parallels 38° N and 41° N

Level III Ecoregions of the Conterminous United States



Map Source USEPA, 2000

PRINCIPAL AUTHORS: Alan J. Woods (Dynamac Corporation), Duane A. Lammers (USFS), Sandra A. Bryce (Dynamac Corporation), James M. Omernik (USEPA), Richard L. Denton (Utah Division of Water Quality), Mike Domeier (NRCS), and Jeffrey A. Comstock (OAO Corporation).

COLLABORATORS AND CONTRIBUTORS: Tom Collins (USFS), Larry D. Ellicott (NRCS), Elise Giddings (USGS), Don Jensen (Climate Center, Utah State University), Nancy Keate (Utah Office of Planning and Budget), John Lott (USFS), Thomas R. Loveland (USGS), Larry Maxfield (BLM), Chad McGrath (NRCS), George Oliver (Utah Division of Wildlife Resources), Tony Selle (USEPA), Thor D. Thorson (NRCS), and Tom Toole (Utah Division of Water Quality).

REVIEWERS: Janis L. Boettinger (Utah State University), Joel Tuhy (The Nature Conservancy), and James H. Wheeler (Environmental Technology Office, West Desert Test Center, U.S. Army).

CITING THIS POSTER: Woods, A.J., Lammers, D.A., Bryce, S.A., Omernik, J.M., Denton, R.L., Domeier, M., and Comstock, J.A., 2001, Ecoregions of Utah (color poster with map, descriptive text, summary tables, and photographs): Reston, Virginia, U.S. Geological Survey (map scale 1:1,175,000).

This project was partially supported by funds from the USEPA-Office of Research and Development - Regional Applied Research Effort (RARE) program and USEPA-Office of Water, Biological Criteria Program.

EPA · USDA Forest Service · USDA NRCS Natural Resources Conservation Service · U.S. Department of the Interior · USGS science for a changing world · STATE OF UTAH Natural Resources · Division of Wildlife Resources

13. Central Basin and Range

Ephemeral streams, internal drainage, dry shrub-covered valleys, alluvial fans, and fault-block mountains are characteristic of the Central Basin and Range (13). In this aerial photograph taken near Lund, big sagebrush grows in the semi-arid valleys and juniper-pinyon woodland is found at higher elevations on rocky, rugged mountain slopes.

Ecoregion 13 is composed of northerly trending, fault-block ranges and intervening, drier basins. Valleys, slopes, and alluvial fans are either shrub and grass-covered, shrub-covered, or barren. Woodland, mountain brush, and scattered open forests are found at higher elevations on mountain slopes. The potential natural vegetation is, in order of increasing elevation and ruggedness, saltbush-greasewood, Great Basin sagebrush, juniper-pinyon woodland, and scattered western spruce-fir forest. In addition, tule marshes occur locally, especially along the Great Salt Lake shoreline. The Central Basin and Range (13) is intermittently drained by ephemeral streams. In Utah, most of Ecoregion 13 lower than about 5,200 feet elevation was inundated by Pleistocene Lake Bonneville. Extensive playas occur and are nearly flat, clayey, and salty. In general, Ecoregion 13 is drier than the Wasatch and Uinta Mountains (19), cooler than the Mojave Basin and Range (14), and warmer and drier than Ecoregions 12 and 80. Ecoregion 13 has more shrubland and less grassland than the Snake River Plain (12) but lacks both the creosote bush of Ecoregion 14 and the extensive, dense forests of Ecoregion 19. Soils grade upslope from mesic Aridisols to frigid Mollisols; Entisols also occur on fans, floodplains, and valley bottoms. Basin soils of Ecoregions 13a, 13b, and 13c are typically more saline and alkaline than those of the sagebrush Steppe Valleys (80i) to the north. The land is primarily used for grazing and a greater percentage is used for livestock grazing than in Ecoregion 14. In addition, some irrigated cropland is found in valleys near mountain water sources. Military bases also are found in Ecoregion 13 and are of environmental significance because of their large area and their unique land uses and management practices.

13a The **Salt Deserts** ecoregion is nearly level, internally-drained, mostly barren, arid, and nonarable. It contains playas, salt flats, mud flats, and saline lakes. Water levels and salinity fluctuate seasonally and yearly. Lakes, including the Great Salt Lake, can be too saline for fish. Soils are mostly clayey and poorly-drained. Vegetation, where present, is sparse and composed of salt-tolerant plants such as saliconia and saltgrass. Ecoregion 13a is used for recreation, transportation, defense installations, and industry including salt production.

13b The **Shadscale-Dominated Saline Basins** ecoregion is arid, internally-drained, and gently sloping to nearly flat. Light-colored soils with high salt and alkali content occur and are dry for extended periods. Vegetation is salt- and drought-tolerant. It is dominated by shadscale, winterfat, and greasewood and is distinct from the Wasatch Montane Zone's big sagebrush of the less saline Ecoregion 13c and the mostly barren Salt Deserts (13a). Ecoregion 13b is primarily rangeland, but large livestock and poultry farms are found locally. Irrigated farming is less common than in Ecoregion 80h or the densely populated Moist Wasatch Front Footslopes (13f).

13c The **Sagebrush Basins and Slopes** ecoregion is semiarid. The potential natural vegetation is Great Basin sagebrush. It is dominated by Wyoming big sagebrush but perennial bunchgrasses occur and become increasingly common northward as available moisture increases. However, cool season grasses are less abundant than in Ecoregions 80a and 80i, which are wetter, cooler, and have a potential natural vegetation of sagebrush steppe. The major land use is grazing, but feedlots, dairy operations, and irrigated cropland are found locally. Ecoregion 13c includes valleys, alluvial fans, and mountain flanks that are not as saline nor as arid as Ecoregions 13a or 13b. It is less rocky, rugged, and wooded than Ecoregion 13d and not as level as Ecoregions 13a and 13b.

13d The rocky **Woodland- and Shrub-Covered Low Mountains** ecoregion is covered by woodland or, at higher elevations, by mountain brush. Its vegetation mosaic is distinct from the surrounding ecoregions. Its mountain slopes, hills, and alluvial fans are higher, wetter, rockier, and more rugged than Ecoregions 13c and 13i and lower and drier than Ecoregion 13e. Entisols and Mollisols occur and are often stony or shallow; Aridisols are not as common as in Ecoregions 13b and 13c. Juniper is typically found at lower elevations than pinyon or is intermixed with it. Stock grazing is common and trees have been extensively cleared in an effort to increase livestock forage. Bitterbrush and western serviceberry are important browse for mule deer.

Ecoregion 13a is sonorable and nearly barren. Only sparse stands of salt-tolerant plants occur.

The marshland and open water of Ecoregion 13g support plentiful birdlife.

13e The disjunct **High Elevation Carbonate Mountains** ecoregion is higher, wetter, and more rugged than nearby ecoregions and is largely underlain by limestone, dolomite, or quartzite. Only a few streams originate in its fault-block mountains and provide water to lower and drier ecoregions. Mollisols support subalpine fir, Engelmann spruce, bristlecone pine, limber pine, Douglas-fir, mountain big sagebrush, and aspen. Forest stands are most extensive on upper, north facing slopes. Carbonates influence floristic composition, extend the elevational limits of trees, decrease vegetation density, and affect the quantity and quality of water.

13f The **Moist Wasatch Front Footslopes** ecoregion supports the bulk of Utah's population and commercial activity. It is fed by perennial streams and aqueducts that originate in the adjacent Wasatch Range. Irrigated cropland growing alfalfa, vegetables, and small grains as well as orchards are common outside of urban areas. Land use has affected stream quality and irrigation diversions have reduced stream flow.

13g The nearly level **Wetlands** ecoregion contains rushes, reed grasses, and areas of open water. It is critical habitat for migratory birds and many state and federal wildlife refuges are found within it. Water levels are often managed, but, nevertheless, marshes can be periodically contaminated by rising saline lakes or drowned by high river runoff. Soils are poorly-drained or very poorly-drained and often salty. Potential natural vegetation consists of tule marshes and differs from that of nearby Ecoregions 13a, 13b, 13c, 13i, 80a, and 80i.

13i The **Malad and Cache Valleys** ecoregion contains wide terraces, narrow floodplains, and alluvial fans. Mountain-fed perennial streams and canals provide water to pastureland, municipalities, and hay, small grain, sugar beet, and fruit crops. Ecoregion 13i is cooler, has a shorter growing season, and has less lake influence than Ecoregion 13f. It is wetter, more extensively farmed, and more populated than Ecoregion 13c. Mollisols occur and contrast with the Aridisols of Ecoregion 13c. The Cache Valley has a shorter growing season and more snow in winter than the Malad Valley.

Irrigated farming has modified the original habitat of Ecoregion 13f. Resultant soil erosion and runoff has increased the turbidity and sedimentation rates of surface waters.

The Sagebrush Basins and Slopes (13c) ecoregion is dominated by Wyoming big sagebrush and primarily used as rangeland.

14. Mojave Basin and Range

Ecoregion 14a is dry, warm, and dominated by creosote bush. Land use is mostly grazing, although forage is often limited. Near St. George, urban and suburban areas are rapidly growing.

Ecoregion 14 is composed of basins and scattered mountains that are generally lower, warmer, and drier than those of the Central Basin and Range (13). The potential natural vegetation is mapped as creosote bush and is distinct from the saltbush-greasewood, Great Basin sagebrush, sagebrush steppe, and juniper-pinyon woodlands that occur to the north in the Central Basin and Range (13) and Northern Basin and Range (80); it is also distinct from the creosote bush-bur sage and the palo verde-cactus shrub that occur in the Sonoran Basin and Range (81) to the south. Soils are mostly Entisols and Aridisols and have a thermic temperature regime; they are warmer than the soils of Ecoregion 13. Most of Ecoregion 14 is federally-owned and there is relatively little grazing activity because of the lack of water and forage for livestock. Heavy use of off-road vehicles and motorcycles in some areas has caused severe wind and water erosion problems.

14a The **Creosote Bush-Dominated Basins** ecoregion is composed of alluvial fans, valleys, and scattered buttes. Ecoregion 14a is lower in elevation, warmer, and has a higher average potential evapotranspiration than more northerly ecoregions. Soils are alkaline and have a thermic temperature regime. They are warmer than the soils of Ecoregion 13 and support creosote bush, Joshua tree, blackbrush, big sagebrush, and associated grasses. Some of its plant species, including Joshua tree, are typical of the Mojave Desert and are absent from the rest of Utah. Fauna, particularly reptiles and birds, can also be distinctive; many species occur nowhere else in Utah. Today, rangeland is common and irrigated cropland occurs near water sources. Urban and suburban development is rapidly expanding in the Saint George area.

14b The **Arid Footslopes** ecoregion is composed of footslopes, alluvial fans, hills, basalt flows, mesas, and badlands between 3,000 and 5,000 feet elevation in southwesternmost Utah. Sparsely vegetated slopes are characteristic and have a high sediment yield during summer thunderstorms. The soils are Petrocalcids that sustain Wyoming big sagebrush, blackbrush, Mormon tea, yellowbrush, galleta, Indian ricegrass, cheatgrass, and cholla. The vegetation is distinct from the warmer, lower Creosote Bush-Dominated Basins (14a) and the cooler, higher Mountain Woodland and Shrubland (14c).

14c The **Mountain Woodland and Shrubland** ecoregion is found in extreme southwestern Utah between 4,000 and 7,800 feet elevation. Its mountains and mesa tops are higher and temperatures are cooler than those of the surrounding Arid Footslopes (14b). Nevertheless, Ecoregion 14c has no perennial streams and its Mollisols and Entisols support only sparse vegetation. Juniper-pinyon woodland and mountain brush occur; vegetation is distinct from the creosote bush and sagebrush that are found nearby in Ecoregions 14a and 14b, respectively. The fauna is composed of Mojave Desert indicators including the desert tortoise and the speckled rattlesnake. In Utah, Ecoregion 14c is confined to the Beaver Dam Mountains, an eroded fault block with a core of Precambrian metamorphic rock.

Reptiles occur in the arid Creosote Bush-Dominated Basins (14a). A sidewinder, pictured here, inhabits sandy areas of the Mojave and Sonoran deserts. *Photo: © Lynn Chamberlain*

Rapid suburban growth is occurring in the dry, warm, and sunny Creosote Bush-Dominated Basins (14a). Here residential development in St. George is shown next to Joshua trees that occur in the Mojave Desert.

18. Wyoming Basin

The Wyoming Basin (18) is a vast sagebrush steppe. Its rolling plains, mesas, and high hills are most extensive in Wyoming but they also extend into Utah, Colorado, Idaho, and Montana. Grazing pressure and repeated fires have affected its natural vegetation and introduced annual grasses can be common. The Utah portion is flanked by the high Wasatch and Uinta Mountains (19) and often contains foothills.

Ecoregion 18 is a broad intermontane basin containing rolling plains, high hills, mesas, and low mountains. It is dominated by arid grasslands and shrublands. Ecoregion 18 is somewhat drier than the Northwestern Great Plains (43) to the northeast, lacks the extensive pinyon-juniper woodland of the Colorado Plateaus (20) to the south, and does not have the extensive forests of the neighboring Middle Rockies (17), Wasatch and Uinta Mountains (19), and Southern Rockies (21). Much of the ecoregion is used for livestock grazing, although many areas lack sufficient vegetation to adequately support this activity in the long term. Ecoregion 18 also contains major oil and natural gas fields.

18a The **Rolling Sagebrush Steppe** is composed of semiarid rolling plains, hills, and mesas; wetter hills, ridges, and outwash fans occur near the Uinta Mountains. Soils have an aridic, bordering on ustic, moisture regime and receive more moisture during the growing season than the xeric soils of the Semiarid Bear Hills (18d). Big sagebrush and bluebunch wheatgrass are common and unlike the vegetation of the neighboring Wasatch and Uinta Mountains (19) and Colorado Plateaus (20). Ecoregion 18a is primarily rangeland. Repeated fires and grazing have affected the natural vegetation and, today, introduced annual grasses can be common.

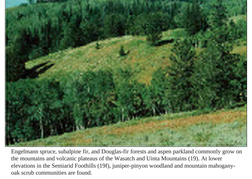
18c The **Wet Valleys** ecoregion consists of very poorly-drained, nearly flat floodplains, low terraces, and alluvial fans along the Bear River. The ecoregion is characterized by cold winters, frigid soils, and a short growing season. Wetlands are common and are dominated by sedges, rushes, cattails, and marsh grasses. Its Mollisols and Entisols support irrigated haylands, meadow pasture, and rangeland. Land use, terrain, and drainage are all different from neighboring ecoregions.

18d The **Semiarid Bear Hills** ecoregion is located in the rainshadow of high mountains and is dry during the summer. Soils characteristically have a xeric moisture regime and are drier during the growing season than the ustic soils of Ecoregion 18a. The terrain is hilly and is distinct from the Rolling Sagebrush Steppe (18a), the nearly flat Wet Valleys (18c), and the rugged Wasatch and Uinta Mountains (19). Bunchgrasses and big sagebrush are common and contrast with the forests of neighboring, mountainous ecoregions. Today, Ecoregion 18d is primarily rangeland. The land use mosaic contrasts with that of Ecoregions 18c and 19.

Pronghorn antelope coexist with cattle and sheep on the rangeland of the Rolling Sagebrush Steppe (18a).

Important oil discoveries have been made since the 1970s in the Wyoming Basin (18).

19. Wasatch and Uinta Mountains



Engelmann spruce, subalpine fir, and Douglas-fir forests and aspen parkland commonly grow on the mountains and volcanic plateaus of the Wasatch and Uinta Mountains (19). At lower elevations in the Semiarid Foothills (19f), juniper-pinyon woodland and mountain mahogany-oak scrub communities are found.

Ecoregion 19 is composed of high, glaciated mountains, dissected plateaus, foothills, and intervening valleys. It includes the extensively glaciated Uinta Mountains, the Wasatch Range, and the Wasatch Plateau. Agricultural valleys occur especially in the eastern part of the Wasatch Range. The Was

1. VISUAL ASSESSMENT (INCLUDE ITEM 5 – DESIGNATED VANTAGE POINTS)

Refer to originally-submitted Lift 7 Sensitive Land Overlay report, which illustrates that this small connector trail is not visible from any of the designated vantage points listed by the Park City Municipal Code.

2. SLOPE/TOPOGRAPHIC MAP

Refer to Figure 1 for slope map depicting the area of concern.

3. SOIL INVESTIGATION/GEOTECHNICAL REPORT

Refer to geotechnical report provided in Appendix A - "Geotechnical Report".

4. RIDGELINE AREAS

A ridgeline study was performed to understand how future development will fit into the existing topography of Park City.

A ridgeline exists that closely follows the existing Birdseye ski run as shown in Figure 2. The proposed connector trail of concern to this report is therefore below the ridgeline and out of the direct field of view from major vantage points as detailed in the visual assessment section.

6. Vegetative Cover

The area of study on the Deer Valley property falls within the Wasatch Montane Zone (Region 19d) ecoregion and zone 6A of USDA's Plant Hardiness Zone Map (PHZM) and ranges from 8450 to 9000 ft in elevation.

Expected vegetation: Douglas-fir and Spruce-fir with an understory of big sagebrush, snowberry, elderberry and mountain grasses. On some north-facing slopes, subalpine fir and Engelmann Spruce may be present.

Below is a comprehensive list of the plant make-up of this eco-region:

(For more detailed information on Eco-Region 19d, see Appendix B)

Dry Meadow	**Common Name**
Geum rossii	Alpine Avens
Carex rupestris	Curly Sedge
Carex scirpoidea	Canadian Single-spike Sedge
Carex elynoides	Blackroot Sedge
Kobresia myosuroides	Mouse-Tail Bog Sedge
Deschampsia caespitosa	Tufted Hair Grass

Shrub Thicket	**Common Name**
Salix planifolia	Diamondleaf Willow
Salix Glauca	Gray Willow
Salix drummondiana	Drummonds Willow
Polygonum bistortoides	Western Bistort
Quercus gambelii	Gamble Oak
Quercus turbinella	Scrub Oak

Evergreens	**Common Name**
Pinus ponderosa	Ponderosa Pine
Pseudotsuga menziesii	Douglas Fir

7. Wetlands

The Utah Department of Environmental Quality data does not identify any wetlands around the proposed connector trail. Refer to originally-submitted Lift 7 Sensitive Land Overlay report for National Wetlands Inventory map.

8. Stream Corridors, Canals & Ditches

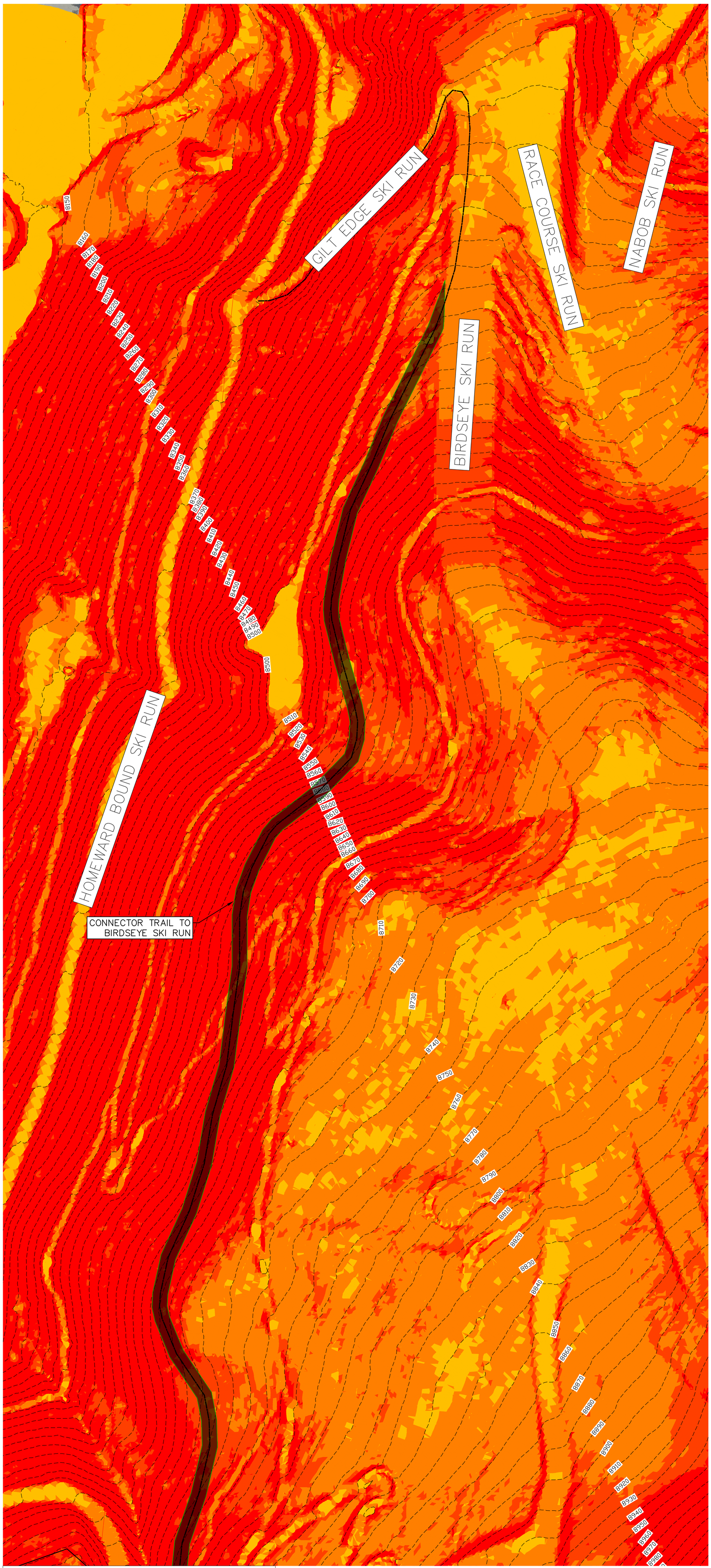
The Utah Department of Environmental Quality data does not identify any of the following: stream corridors, canals, ditches along the proposed connector trail studied by this report. Refer to originally-submitted Lift 7 Sensitive Land Overlay report for Stream Corridor map.

9. Wildlife Habitat Areas

The project area is identified as a wildlife habitat by the Utah Department of Natural Resources for the following species: black bear, dusky grouse, ruffed grouse, moose, mule deer, rocky mountain elk, white-tail jackrabbit and snowshoe hare. Specified as either **crucial**- the local population depends heavily on the area for survival, as there are no available alternative habitats in the area, or **substantial-** the habitat is used by the species but is not crucial for the population's survival. Each study (**detailed in the sheets to follow)** shows the species' approximate habitat zone using the latest data uploaded by Utah's Division of Wildlife Resources. Data was collected by wildlife biologists using observations, surveys and radio/satellites. The following is a table of the wildlife directly impacting subject property:

Species	**Habitat**
Black Bear	Year-Long Crucial
Dusky Grouse	Year-Long Crucial
Ruffed Grouse	Year-Long Crucial
Moose	Year-Long Crucial, Calving Habitat
Mule Deer	Summer Crucial
Rocky Mountain Elk	Winter Crucial
White-Tailed Jackrabbit	Year-Long Crucial
Snowshoe Hare	Year-Long Crucial

SEE FIGURES 3-10 FOR MAPS OF WILDLIFE HABITATS.



Slopes Table			
Number	Minimum Slope	Maximum Slope	Color
1	0.00%	15.00%	
2	15.00%	30.00%	
3	30.00%	40.00%	
4	40.00%	2980.69%	

FIGURE 1: SLOPE/TOPOGRAPHIC MAP

A slope analysis was performed in order to better understand the area of interest's topography. The contours displayed represent every 10'.

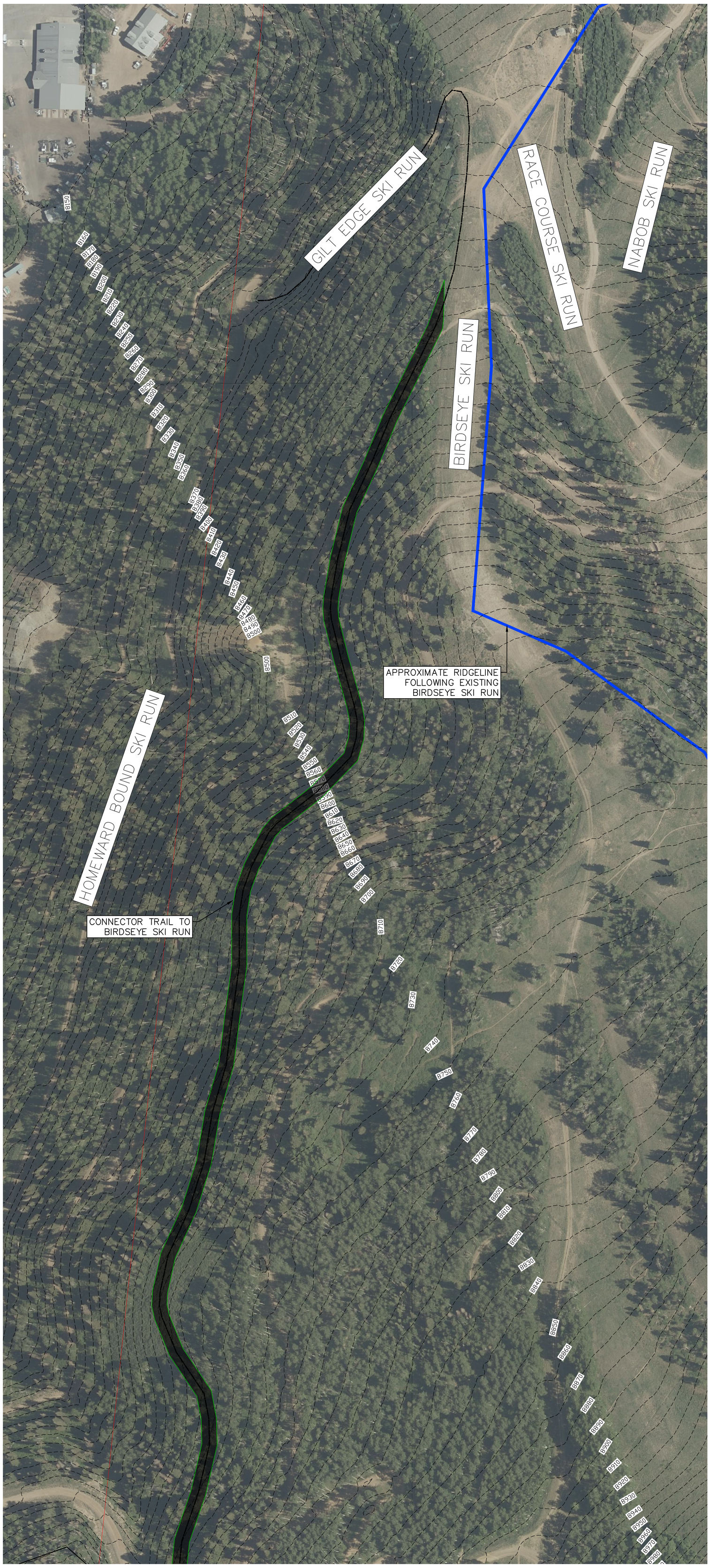
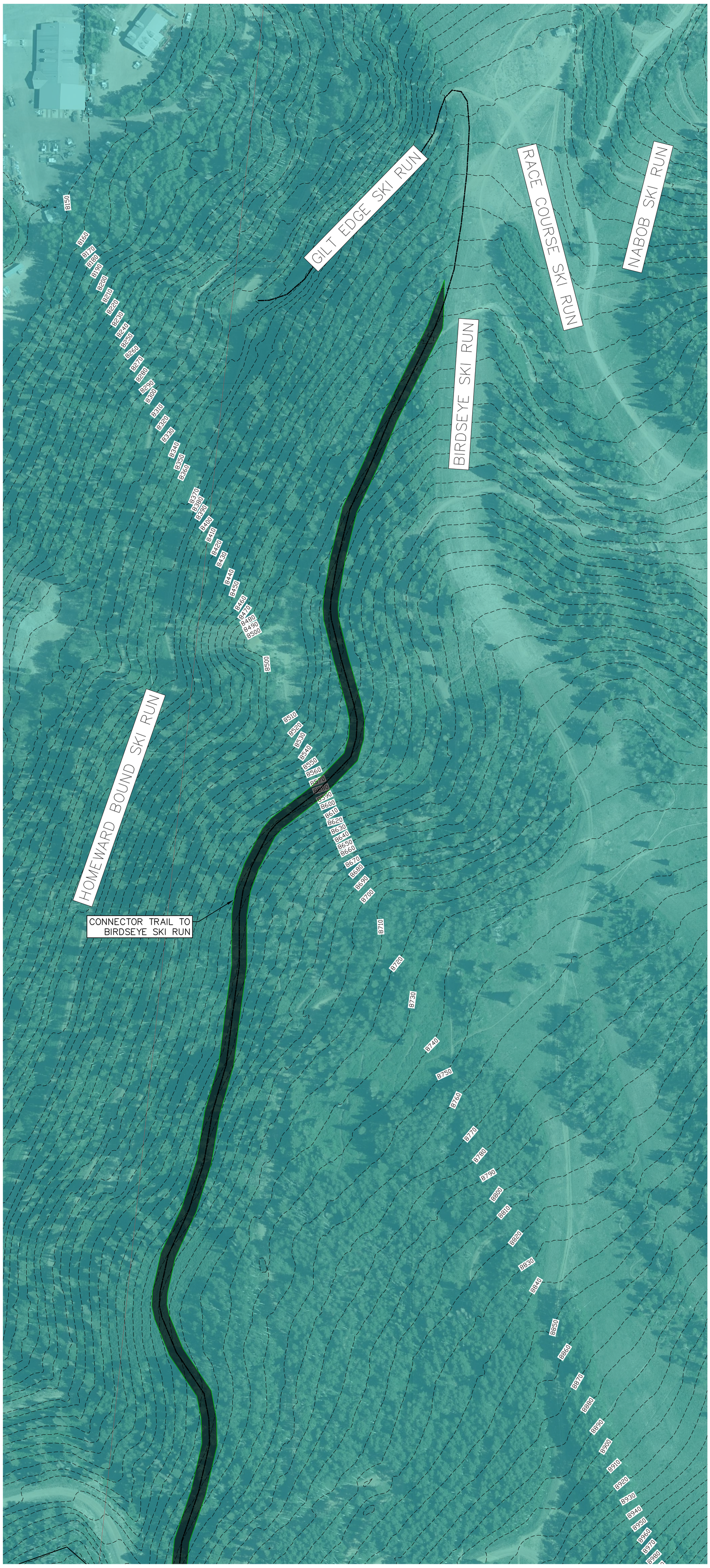


FIGURE 2: RIDGELINE IDENTIFICATION
The proposed connector trail of concern to this report is therefore below the ridgeline and out of the direct field of view from major vantage points as detailed in the visual assessment section.

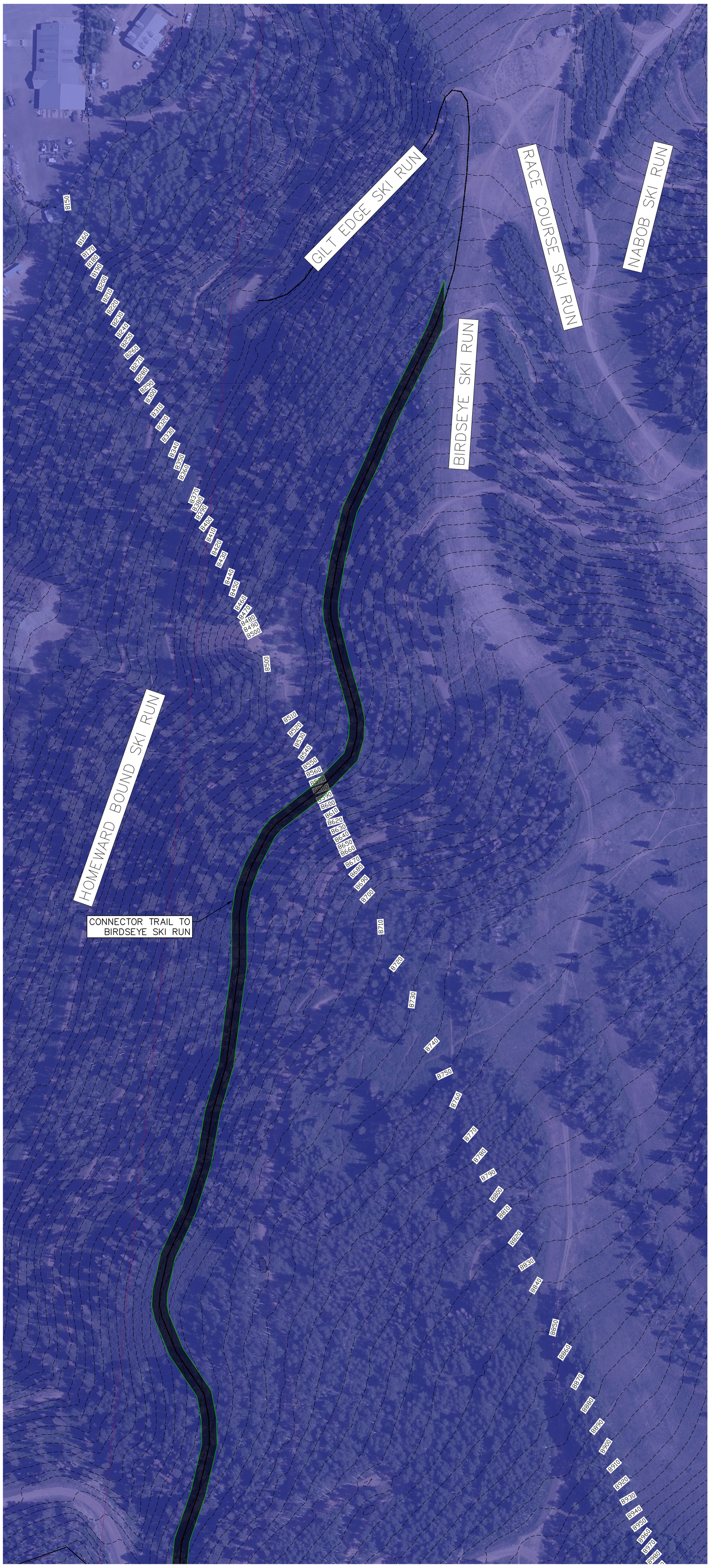
BLACK BEAR HABITAT
FOUND IN SUBJECT PROPERTY

DUSKY GROUSE HABITAT
FOUND IN SUBJECT PROPERTY

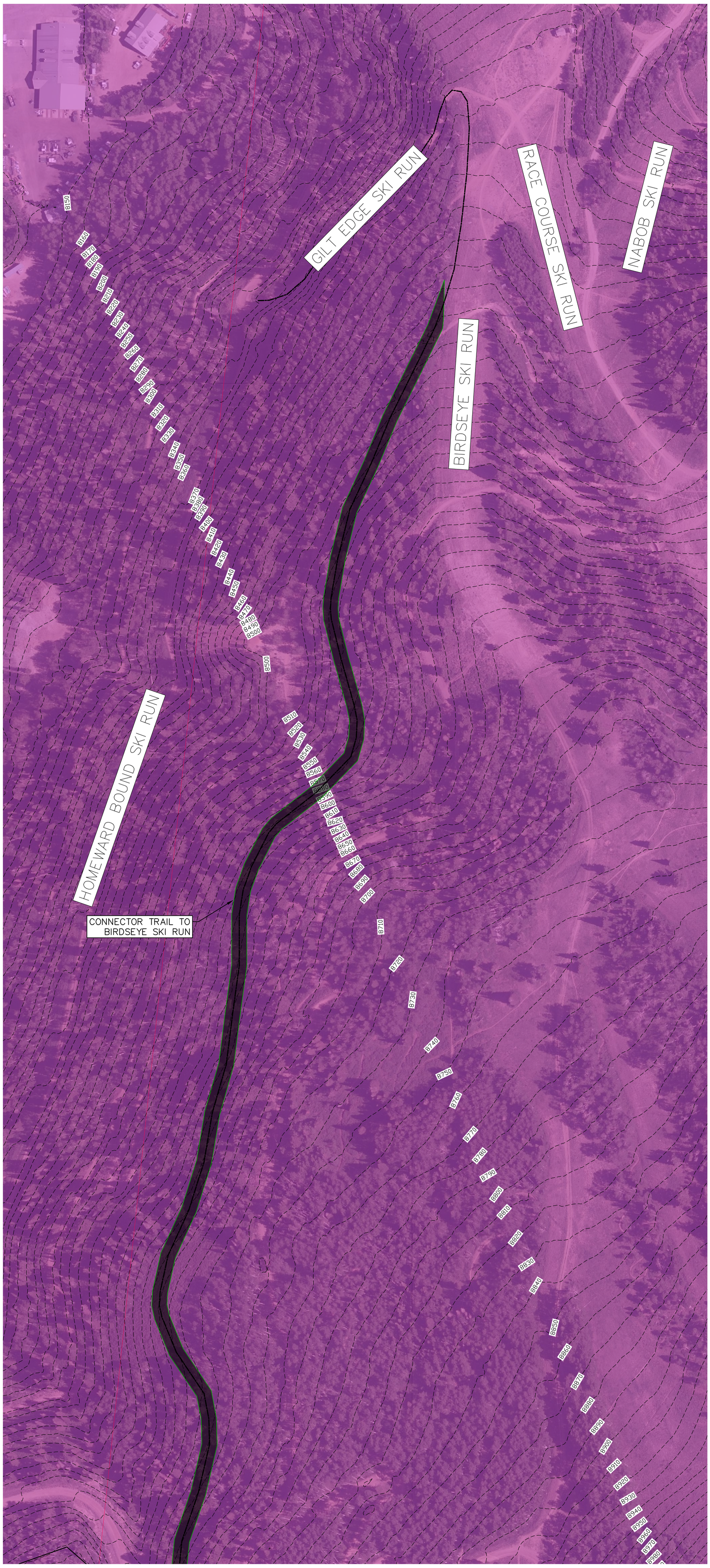
ELK HABITAT
FOUND IN SUBJECT PROPERTY



MOOSE HABITAT
FOUND IN SUBJECT PROPERTY



MULE DEER HABITAT
FOUND IN SUBJECT PROPERTY



RUFFED GROUSE HABITAT
FOUND IN SUBJECT PROPERTY

SNOWSHOE HARE HABITAT
FOUND IN SUBJECT PROPERTY

WHITE-TAILED JACKRABBIT HABITAT FOUND IN SUBJECT PROPERTY

9. Wildlife Habitat Areas

The project area is identified as a wildlife habitat by the Utah Department of Natural Resources for the following species: black bear, dusky grouse, ruffed grouse, moose, mule deer, rocky mountain elk, white-tail jackrabbit and snowshoe hare. Specified as either **crucial**- the local population depends heavily on the area for survival, as there are no available alternative habitats in the area, or **substantial-** the habitat is used by the species but is not crucial for the population's survival. Each study (**detailed in the sheets to follow)** shows the species' approximate habitat zone using the latest data uploaded by Utah's Division of Wildlife Resources. Data was collected by wildlife biologists using observations, surveys and radio/satellites. The following is a table of the wildlife directly impacting subject property:

Species	**Habitat**
Black Bear	Year-Long Crucial
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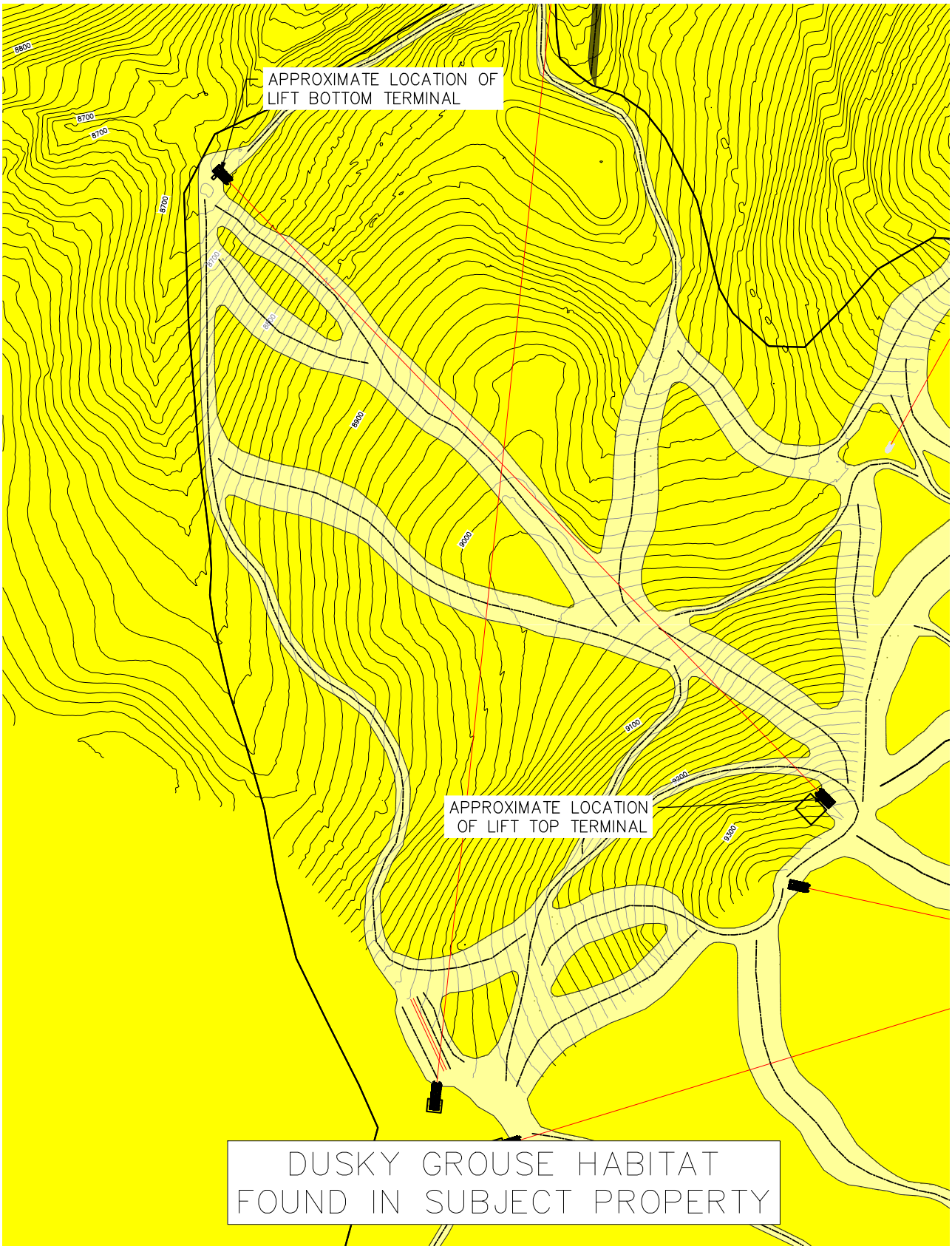
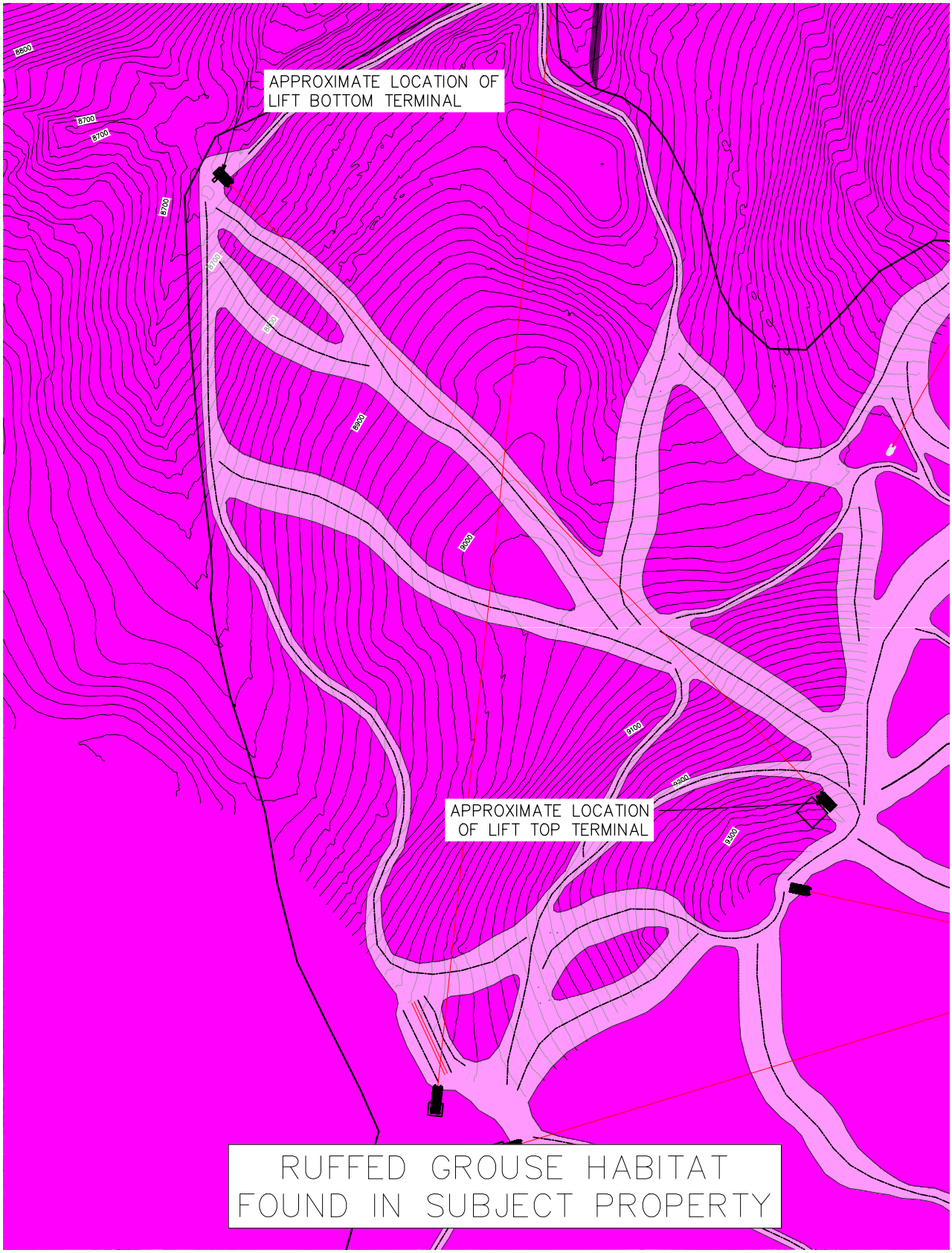
Rocky Mountain Elk	Winter Crucial
White-Tailed Jackrabbit	Year-Long Crucial
Snowshoe Hare	Year-Long Crucial


APPROXIMATE LOCATION OF LIFT BOTTOM TERMINAL
APPROXIMATE LOCATION OF LIFT TOP TERMINAL
DUSKY GROUSE HABITAT FOUND IN SUBJECT PROPERTY

APPROXIMATE LOCATION OF LIFT BOTTOM TERMINAL
APPROXIMATE LOCATION OF LIFT TOP TERMINAL
BLACK BEAR HABITAT FOUND IN SUBJECT PROPERTY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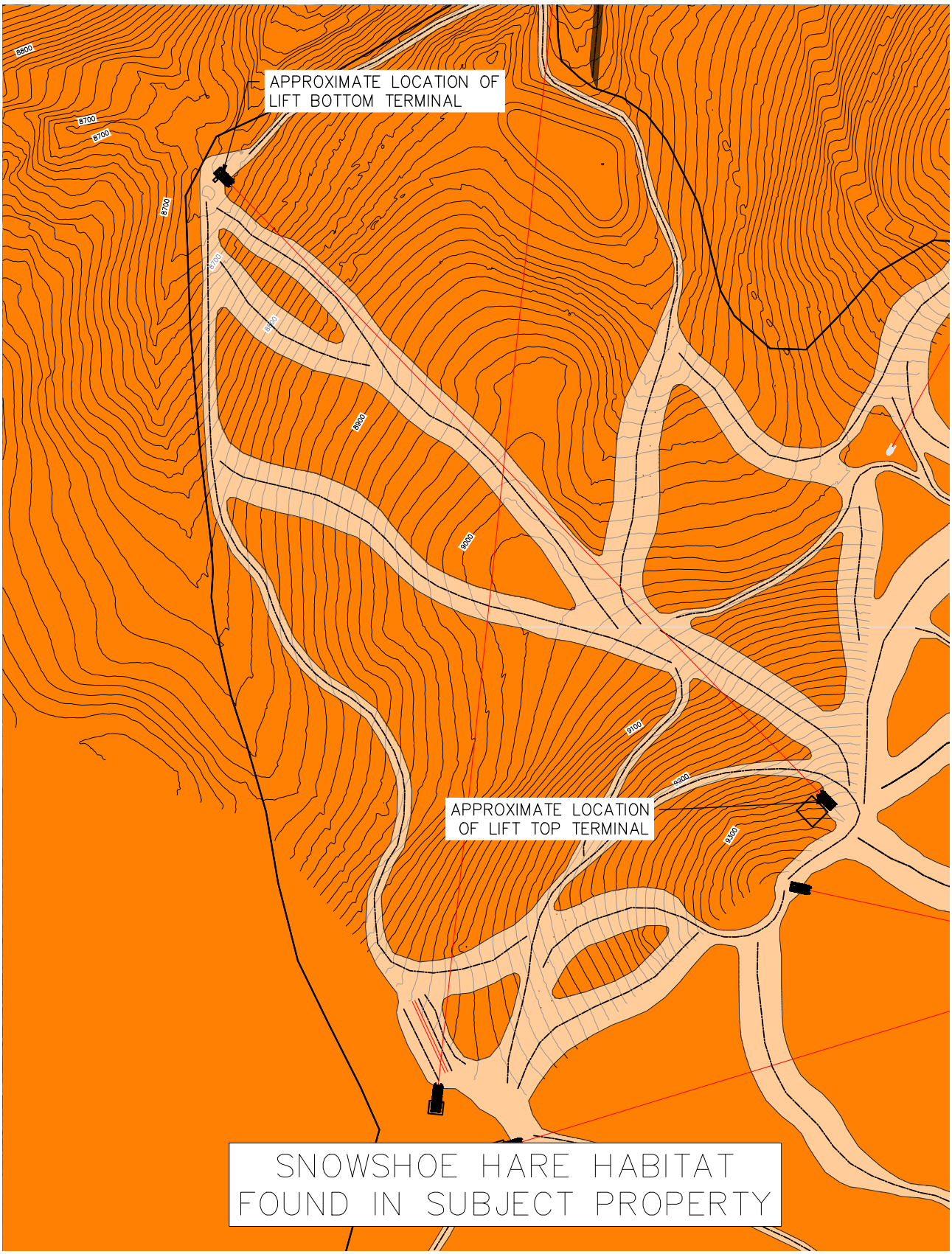
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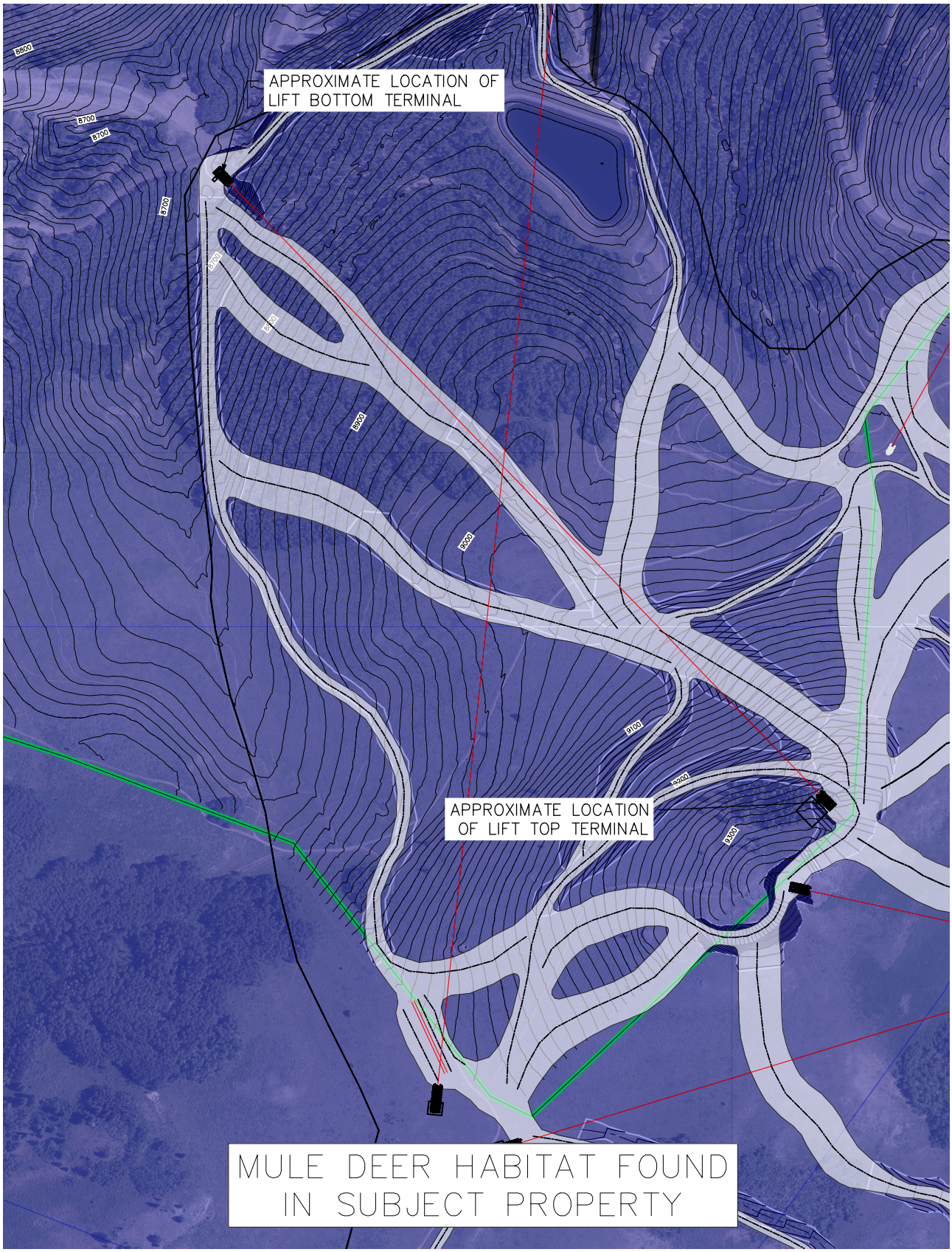
APPROXIMATE LOCATION OF LIFT BOTTOM TERMINAL
APPROXIMATE LOCATION OF LIFT TOP TERMINAL
WHITE-TAILED JACKRABBIT HABITAT FOUND IN SUBJECT PROPERTY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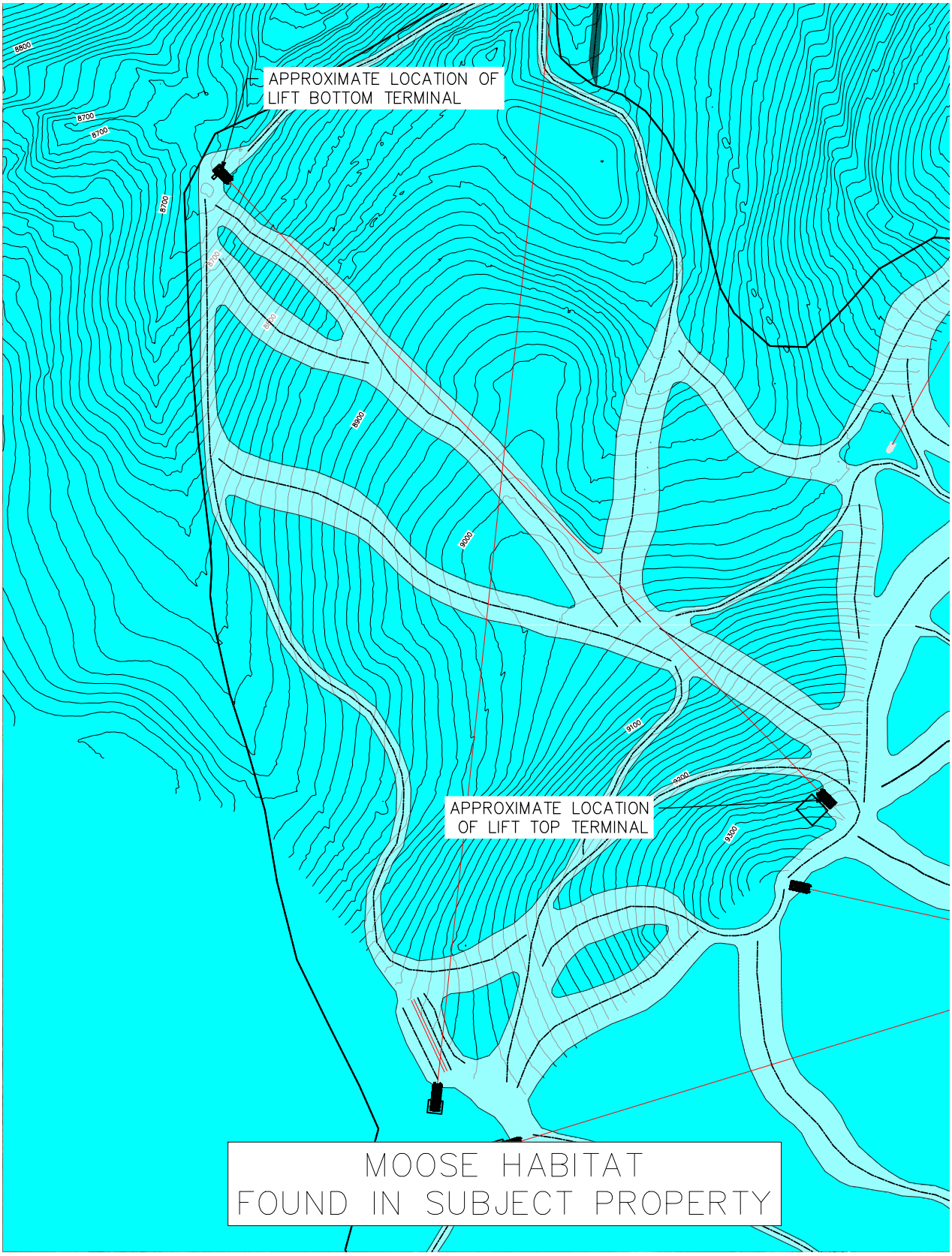
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MOOSE HABITAT FOUND IN SUBJECT PROPERTY

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APPROXIMATE LOCATION OF LIFT TOP TERMINAL
ELK HABITAT
FOUND IN SUBJECT PROPERTY

GEOTECHNICAL INVESTIGATION

PARK PEAK GONDOLA BUILDING
DEER VALLEY RESORT

WASATCH COUNTY, UTAH

PREPARED FOR:

DEER VALLEY RESORT
PO BOX 889
PARK CITY, UTAH 84060

ATTENTION: MIKE WALKER

EMAIL: MIKE.WALKER@CREDEGROUP.COM

PROJECT NO. 1230768 **NOVEMBER 17, 2023**

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EXECUTIVE SUMMARY

1. We understand the proposed gondola building will consist of a multi-level building. The building is anticipated to serve as an upper terminal for two gondolas and will likely include skier services, dining and lodging. Below-grade parking is planned to be included in one or two of the lower building levels.

   The structural engineer indicates the lowest floor level of the building is planned at an elevation of 9,060 feet. Structural column loads are estimated to be up to 700 kips. We have assumed wall loads will be up to 10 kips per lineal foot.

   Site grading around the proposed building is anticipated to consist of up to 10 feet of fill.

   We anticipate parking and access roads will be constructed around the proposed building.

2. Four borings were drilled in the area of the proposed building to investigate subsurface conditions. Approximately 1 to 1½ feet of topsoil was encountered overlying igneous bedrock in the borings. The bedrock extends the full depth of the borings. The maximum depth investigated was approximately 59 feet.

3. No subsurface water was encountered in the borings during the field investigation. Based on our experience in the area, we anticipate subsurface water may occur in a perched condition during the spring and early summer as snow melts.

4. The proposed building may be supported on spread footings bearing on the undisturbed bedrock or structural fill extending down to the bedrock.

   Footings bearing on the undisturbed bedrock or compacted structural fill extending down to the bedrock may be designed using a net allowable bearing pressure of 4,000 pounds per square foot (psf). If the footings extend to a depth of more than 10 feet, the bearing pressure may be increased to 6,000 psf.

   If a footing would bear partially on bedrock and partially on compacted structural fill, at least 2 feet of structural fill should be provided below the footing or the footing extended down to bear entirely on the bedrock.

Executive Summary (continued)

5. We anticipate temporary and permanent shoring may be needed for portions of the excavation. Recommendations for design and construction of shoring are presented in the report.

6. Excavation in the bedrock will be difficult, however we anticipate much of the bedrock could be excavated using heavy-duty excavation equipment with rock teeth and/or a narrow bucket or a ripper tooth. Some of the bedrock may require jack-hammering or other rock excavation methods. Increased difficulty should be expected in confined excavations, such as utility trenches.

7. Consideration may be given to providing a geofoam backfill to reduce lateral earth pressure on the building. Recommendations for geofoam are included in the report.

8. Geotechnical information regarding foundations, subgrade preparation and materials is included in the report.

SCOPE

This report presents the results of a geotechnical investigation for the Park Peak gondola building to be constructed at Deer Valley Resort in Wasatch County, Utah. The report presents the subsurface conditions encountered, laboratory test results and provides geotechnical recommendations for the proposed building and pavement. The study was conducted in general accordance with our proposal dated September 26, 2023.

Samples obtained from the field investigation were tested in the laboratory to determine physical and engineering characteristics of the bedrock, to define the subsurface conditions at the site for our engineering analysis and to develop recommendations for the proposed improvements.

This report has been prepared to summarize the data obtained during the study and to present our conclusions and recommendations based on the proposed construction and the subsurface conditions encountered. Design parameters and a discussion of geotechnical engineering considerations related to construction are included in the report.

SITE CONDITIONS

The area of the proposed building is located at Deer Valley Resort at approximately North Latitude 40.599° and West Longitude 111.4903°. The area of the proposed building consists of undeveloped mountain terrain. An unpaved road extends through the proposed building area. There were no buildings or pavement at the site during our field investigation.

There is a mountain peak west of the proposed building area. The ground surface slopes up to the west in this area. The ground surface slopes steeply down to the northeast and southeast from

the proposed building area. Vegetation in the area consists of brush and grass. There is undeveloped mountain terrain surrounding the site.

FIELD STUDY

The field study was performed from October 10 to 16, 2023. Four borings were drilled at the approximate locations shown on Figure 1. The borings were drilled using air rotary with a 4-inch diameter drill bit powered by a track-mounted drill rig. The borings were logged and samples obtained by representatives from AGEC. Logs of the subsurface conditions encountered in the borings are graphically shown on Figure 2 with legend and notes shown on Figure 3.

SUBSURFACE CONDITIONS

Approximately 1 to 1½ feet of topsoil was encountered overlying igneous bedrock in the borings. The bedrock extends the full depth of the borings. The maximum depth investigated was approximately 59 feet.

A description of the subsurface conditions encountered in the borings follows:

Topsoil - The topsoil consists of lean clay with sand. The topsoil is slightly moist, dark brown and contains roots.

Igneous Bedrock - The bedrock is hard to very hard, moist and yellowish brown to grayish brown.

Laboratory tests performed on samples of the bedrock indicate it has natural moisture contents ranging from 8 to 16 percent and natural dry densities ranging from 100 to 120 pounds per cubic foot.

Results of the laboratory tests are presented on the logs of the borings, Figure 2.

SUBSURFACE WATER

No subsurface water was encountered in the borings during the field investigation. Based on our experience in the area, we anticipate subsurface water may occur in a perched condition, especially during the spring and early summer as snow melts.

PROPOSED CONSTRUCTION

We understand the proposed gondola building will consist of a multi-level building. The building is anticipated to serve as an upper terminal for two gondolas and will likely include skier services, dining and lodging. Below-grade parking is planned to be included in one or two of the lower building levels.

The structural engineer indicates the lowest floor level of the building is planned at an elevation of 9,060 feet. Structural column loads are estimated to be up to 700 kips. We have assumed wall loads will be up to 10 kips per lineal foot.

Site grading around the proposed building is anticipated to consist of up to 10 feet of fill.

We anticipate parking and access roads will be constructed around the proposed building. We have assumed that traffic will consist of up to 100 cars per day, 5 light trucks per day and 1 heavy truck per day. Light trucks are assumed to consist of delivery trucks. Heavy trucks are assumed to consist of garbage trucks, buses, semi trucks and similar vehicles. Significant construction traffic is not included in the assumed traffic.

We should be requested to review the proposed construction and building loads when more information is available.

RECOMMENDATIONS

Based on the subsurface conditions encountered, laboratory test results and the proposed construction, the following recommendations are given:

A. Site Grading

Excavation for the proposed building is assumed to extend to a depth of up to approximately 40 feet below the surrounding ground surface. We anticipate site grading around the building will consist of up to 10 feet of fill.

1. <u>Temporary Excavation Slopes</u>

Temporary excavation slopes in the bedrock may be constructed at 1 horizontal to 1 vertical or flatter. A horizontal bench, approximately 4 feet wide, should be provided in the temporary excavation slopes at a vertical spacing of approximately 10 feet. Surface water should be directed away from temporary excavation slopes.

Some erosion and sloughing of the bedrock on the face of excavation slopes should be expected. Consideration should be given to protecting the face of temporary excavation slopes using chain link fencing. Sloughed bedrock that collects at the bottom of the slopes can be removed periodically, if needed.

The excavator is responsible to provide safe working conditions around temporary excavation slopes.

2. Long-term Slopes

Long-term, unretained cut and fill slopes may be constructed at 2 horizontal to 1 vertical. Fill placed on slopes steeper than 5 horizontal to 1 vertical should be keyed into the slope with a key for every 4 feet of vertical rise. Prior to placement of fill, the subgrade should be prepared by removing the topsoil, unsuitable fill, debris and other deleterious materials.

Slopes should be protected from erosion by revegetation, erosion control mats or other methods.

3. Shoring

Temporary and permanent shoring may be needed in areas where there is not sufficient horizontal space to construct temporary excavation slopes. With the bedrock encountered at the site, we anticipate shoring would consist of soil nails with a shotcrete facing. Other types of shoring could be considered, such as soldier piles with lagging. Driven sheet piles and jet grouting are not recommended due to the bedrock encountered at the site.

Shoring should be designed to retain the load of the soil, along with any surcharge and other loading conditions located above and adjacent to the excavation.

Lateral loads used in design of the shoring should be increased due to sloping excavations above the top of the wall. This load will be dependent on the steepness of the slope and height of material above the wall.

Observation of the installation of the shoring system should be made by the geotechnical engineer. Details and calculations of proposed shoring and excavation should be submitted to the geotechnical engineer for review prior to beginning excavation.

4. Dewatering

As indicated above, subsurface water in the area typically occurs in a perched condition during the spring and early summer as snow melt occurs. Subsurface water is more likely to be encountered in excavations during these times. We recommend a drainage plan be provided to collect and remove water from the site excavations. Shoring should be designed to include drainage to facilitate collection of subsurface water. With the planned depth of excavation, we anticipate water will be directed to collection points where it will be removed by pumping.

5. Subgrade Preparation

Prior to placing grading fill, the topsoil, organic material, debris and other deleterious material should be removed.

6. Excavation

Excavation in the bedrock will be difficult, however we anticipate much of the bedrock could be excavated using heavy-duty excavation equipment with rock teeth and/or a narrow bucket or a ripper tooth. Some of the bedrock may require jack-hammering or other rock excavation methods. Increased difficulty should be expected in confined excavations, such as utility trenches.

7. Materials

Materials used as fill for the project are anticipated to consist of imported fill, and the on-site bedrock. Recommendations for these materials are shown below.

a. Imported Fill

Listed below are materials recommended for imported structural fill.

Fill Location	Recommendation
Below Footings	Non-expansive granular soil Passing No. 200 Sieve <15% Liquid Limit < 30% Maximum size 3 inches
Below Floor Slabs (Upper 4 inches)	Free-draining Gravel Passing No. 200 Sieve <5% Maximum size 2 inches
Below Floor Slabs (Deeper than 4 inches)	Non-expansive granular soil Passing No. 200 Sieve <35% Liquid Limit <30% Maximum size 4 inches
Subsurface Drain	Free-draining Gravel Passing No. 200 Sieve <5% Maximum size 2 inches
Base Course Below Pavement	Follow APWA requirements

b. On-Site Bedrock

The on-site bedrock is not recommended for use as structural fill below the proposed building or floor slabs. The bedrock may be considered for use as grading fill around the proposed building, as fill below exterior concrete flatwork and as utility trench backfill. The bedrock may also be used in landscape areas. The bedrock should be broken down to a size that allows for proper compaction.

Prior to using the on-site soil as fill, the topsoil, organic material, oversize material, and other deleterious material should be removed.

c. Moisture Conditioning

Depending on the moisture content of the bedrock at the time of construction, the bedrock may require wetting or drying prior to use as fill. Drying of the soil and bedrock may not be practical during cold or wet times of the year.

8. Compaction

Compaction of materials placed at the site should equal or exceed the minimum densities as indicated below when compared to the maximum dry density as determined by ASTM D 1557.

Fill Location	Compaction
Below Foundations	≥ 95%
Below Concrete Flatwork and Pavement	≥ 90%
Landscaping	≥ 90%
Foundation Wall Backfill	≥ 90%
Pavement - Subgrade Fill	≥ 90%
Pavement - Base Course	≥ 95%

To facilitate the compaction process, the fill should be compacted at a moisture content within 2 percent of the optimum moisture content. Fill should be placed in lifts thin enough to allow for adequate compaction with the type of compaction equipment used.

Fill placed for the project should be frequently tested for compaction.

9. Drainage

The ground surface surrounding the proposed building should be sloped away from the building in all directions. Roof downspouts and drains should discharge beyond the limits of backfill.

The collection and diversion of drainage away from pavement and concrete flatwork is important to the satisfactory performance of the pavement. Proper surface drainage should be provided.

B. Foundations

1. Bearing Material

The proposed building may be supported on spread footings bearing on the undisturbed bedrock or structural fill extending down to the undisturbed bedrock.

If a footing would bear partially on bedrock and partially on compacted structural fill, at least 2 feet of structural fill should be provided below the footing or the footing extended down to bear entirely on the bedrock.

Unsuitable fill, organic material, topsoil and other deleterious materials should be removed from below proposed foundation areas.

2. Bearing Pressure

Footings bearing on the undisturbed bedrock or compacted structural fill extending down to the bedrock may be designed using a net allowable bearing pressure of 4,000 pounds per square foot (psf). If the footings extend to a depth of more than

10 feet below the original ground surface, the bearing pressure may be increased to 6,000 psf.

Additional evaluation of the allowable bearing pressure used in footing design should could be performed when more information regarding the proposed construction is available.

3. Settlement

We estimate total and differential settlement will be on the order of 1 inch and ½ inch, respectively, for footings bearing on the undisturbed bedrock or on compacted structural fill extending down to the bedrock. We anticipate much of the settlement will occur during construction.

Loose, disturbed soil and bedrock below footings could result in increased settlement. Care should be taken during excavation for footings. Loose soil and bedrock should be removed from below footing areas or be compacted.

4. Minimum Footing Width and Embedment

Footings should have a width of at least 2 feet and a depth of embedment of at least 1 foot.

5. Temporary Loading Conditions

The allowable bearing pressure may be increased by one-half for temporary loading conditions such as wind or seismic loads.

6. Frost Depth

Exterior footings and footings beneath unheated areas should be placed at least 40 inches below grade for frost protection.

7. Foundation Base

The base of excavations should be cleared of loose or deleterious material prior to fill or concrete placement.

8. Construction Observation

A representative of the geotechnical engineer should observe footing excavations prior to structural fill or concrete placement. AGEC should also observe placement and compaction of fill to support the building.

C. Concrete Slab-on-Grade

1. Slab Support

Concrete slabs may be supported on the undisturbed natural bedrock or on compacted structural fill extending down to the undisturbed natural bedrock.

The topsoil, organics, unsuitable fill and other deleterious materials should be removed from below proposed floor slabs.

2. Underslab Sand and/or Gravel

A 4-inch layer of free-draining sand and/or gravel (less than 5 percent passing the No. 200 sieve) should be placed below the concrete slabs for ease of construction and to promote even curing of the slab concrete.

3. Vapor Barrier

A vapor barrier should be placed under the concrete floors if the floors will receive an impermeable floor covering. The barrier will reduce the amount of water vapor passing from below the slab to the floor covering.

D. Lateral Earth Pressures

1. Lateral Resistance for Footings

Lateral resistance for footings placed on the natural clayey gravel, bedrock or on compacted structural fill is controlled by sliding resistance between the footing and the structural fill or bedrock. A friction value of 0.45 may be used in design for ultimate lateral resistance for footings. The passive pressure for the soil and bedrock adjacent the footings may be considered to add to the lateral resistance of the footings.

2. Subgrade Walls and Retaining Structures

The following equivalent fluid weights are given for the design of subgrade walls and retaining structures. The active condition is where the wall moves away from the soil. The passive condition is where the wall moves into the soil and the at-rest condition is where the wall does not move. The values listed below assume a horizontal surface adjacent the top and bottom of the wall.

Material Type	Active	At-Rest	Passive
Bedrock or Compacted Structural Fill	40 pcf	55 pcf	300 pcf

3. Seismic Conditions

Under seismic conditions, the equivalent fluid weight should be increased by 20 pcf for the active condition, increased by 5 pcf for the at-rest condition and decreased by 20 pcf for the passive condition. This assumes a horizontal ground acceleration of 0.31g which represents a 2 percent probability of exceedance in a 50-year period.

4. Safety Factors

The values recommended above assume mobilization of the soil to achieve ultimate soil strength. Conventional safety factors used for structural analysis for such items as overturning and sliding resistance should be used in design.

5. Geofoam

In areas where a lower lateral pressure is desired, such as adjacent building foundation walls, a lightweight material, such as geofoam, may be considered. Geofoam consists of blocks of expanded polystyrene foam and are typically produced in blocks that are 3 to 4 feet tall, 4 feet wide and 8 feet long. Geofoam is produced with different densities ranging from approximately 0.9 to 2.4 pounds per cubic foot. Denser geofoam has greater stiffness and strength than lower density geofoam.

The following types of geofoam are available from a local manufacturer:

Geofoam Type	Geofoam Density (pcf)
EPS 15	0.9
EPS 19	1.15
EPS 22	1.35
EPS 29	1.80
EPS 39	2.40

The lateral earth pressure depends on the wall height and geofoam thickness. Estimated lateral earth pressures are provided for several wall heights and geofoam thicknesses in the following table:

Estimated Equivalent Fluid Pressure for Several Wall Heights and Geofoam Widths (pcf)			
Wall Height (feet)	Geofoam Width Against Building Foundation Wall (feet)		
	4 feet	6 feet	8 feet
20	15	10	7
30	30	20	15
40	35	25	20
50	–	30	25

If geofoam is used for the project, AGEC should perform additional evaluation and provide project-specific recommendations with regards to the geofoam density and installation.

The following recommendations should be followed for placing the geofoam and fill:

a. Unsuitable fill, topsoil, debris and other deleterious material should be removed from areas where geofoam is planned to be placed. The ground surface should be excavated relatively level.

b. A bedding layer of free-draining gravel should be placed up to approximately ½ foot above the top of the footing. The gravel should be densified using vibratory compaction equipment.

   Geofoam blocks should be placed on the free-draining gravel. Care should be taken to provide good contact between the gravel and geofoam.

c. Geofoam should be placed in level layers. The initial layer of geofoam blocks should be checked often to verify that they are placed level. Geofoam blocks should be well-fitted together. We anticipate that some blocks will need to cut or shaped to provide a tight fit.

d. Structural loads, such as footings, retaining walls or other settlement-sensitive structures should not be placed on the geofoam.

e. Free-draining gravel, at least 1 foot wide, should be placed adjacent the geofoam. The gravel should connect to the drainage pipe near the base of the footing. The gravel should be separated from the adjacent fill with a filter fabric. The filter fabric may be omitted if the fill between the excavated slope and the geofoam consists of free-draining gravel.

f. The density of the geofoam needed for the project depends on the depth at which it will be placed. The following minimum geofoam densities should be placed at the depth intervals in the following table. A higher density geofoam may be substituted for a lower density.

Depth Range (feet)	Geofoam Type	Geofoam Density (pcf)
0 - 18	EPS 19	1.15
18 - 26	EPS 22	1.35
26 - 40	EPS 29	1.80
40 - 50	EPS 39	2.40

g. A maximum thickness of 2 feet of topsoil may be placed above the geofoam in landscaping and grass areas. Deeper topsoil may be placed in

localized areas for trees, if needed. These areas should be observed by AGEC prior to topsoil placement.

A filter fabric should be placed between the topsoil and the geofoam.

h. Free-draining gravel with a maximum particle size of 1 inch should be placed above geofoam in areas of proposed concrete flatwork. The free-draining gravel should range from 1½ to 2 feet in thickness. The gravel should be placed in lifts of up to 6 inches in thickness and each lift should be compacted using several passes of vibratory compaction equipment.

i. Concrete flatwork in areas of geofoam should contain steel reinforcement to reduce the effect of potential differential movement. Cold joints and shrinkage joints should extend at least ¼ the slab thickness.

j. AGEC should observe the subgrade soil prior to geofoam placement and placement of the geofoam.

E. Seismic Design Considerations

1. Building Code Parameters

Listed below is a summary of the site parameters that may be used with the 2021 International Building Code.

Description	Value
Site Class	C[1]
S_s - MCE_R ground motion (period=0.2s)	0.59g
S_1 - MCE_R ground motion (period=1.0s)	0.21g
F_a - Site amplification factor at 0.2s	1.26
F_v - Site amplification factor at 1.0s	1.5
PGA - MCE_G peak ground acceleration	0.26g
PGA_M - Site modified peak ground acceleration	0.31g

[1]Site Class C was assumed based on the subsurface conditions encountered at the site and our understanding of the geology in the area.

2. Faulting

No active faults are mapped as being located on the property. The nearest mapped active fault is the Wasatch fault located approximately 16 miles to the west (Utah Geological Survey, 2023).

3. Liquefaction

Based on our experience in the area and the subsurface conditions encountered, liquefaction is not considered a potential hazard at the site.

F. Water Soluble Sulfates

Laboratory tests performed in other areas of the Mayflower Resort indicate the amount of water soluble sulfate in the soil and rock in the area is relatively low. Based on results of the laboratory tests and published literature, the bedrock possess negligible sulfate attack potential on concrete. No special cement type is required for concrete placed in contact with the natural soil or bedrock. Other conditions may dictate the type of cement to be used in concrete for the project.

G. Subsurface Drain

With the potential for perched water conditions to develop during the wet times of the year, we recommend that a subsurface drain be provided around the below-grade portions of the building. The subsurface drain system should consist of at least the following items.

1. The subsurface drain system should consist of a perforated pipe installed in a gravel filled trench around the perimeter of the subgrade floor portion of the building. A geosynthetic drain could be used as an alternative. The drain should extend up the foundation walls high enough (to within approximately 3 feet of the ground surface) to intercept potential subsurface water.

2. At least 6 inches of free-draining gravel should be placed below the floor slabs of the building. The gravel should connect to the perimeter drainage pipe.

3. The flow line of the pipe should be placed at least 18 inches below the finished floor level and should slope to a sump or outlet where water can be removed by pumping or by gravity flow.

4. If placing the gravel and drain pipe requires excavation below the bearing level of the footing, the excavation for the drain pipe and gravel should have a slope no steeper than 1:1 (horizontal to vertical) so as not to disturb the soil below the residence.

5. A filter fabric should be placed between the natural soil and the drain gravel. This will help reduce the potential for fine grained material filling in the void spaces of the gravel.

6. Consideration may be given to installing cleanouts to allow access into the perimeter drain should cleaning of the pipe be required in the future.

H. Pavement

Based on the subsurface conditions encountered, laboratory test results and the assumed traffic, the following pavement support recommendations are given.

1. Subgrade Support

   We anticipate roads and parking areas will be supported on bedrock or on compacted grading fill that extends down to the bedrock. We have assumed a CBR value of at least 10 percent for these materials.

2. Pavement Thickness

   Based on the subsurface conditions encountered, assumed traffic conditions presented in the Proposed Construction section of this report, a design life of 20 years for flexible pavement and 30 years for rigid pavement and methods presented by AASHTO, a pavement section consisting of 3 inches of asphaltic concrete overlying 9 inches of base course is calculated.

3. Pavement Material

   a. Flexible Pavement (Asphaltic Concrete)

      The pavement materials should meet the APWA specifications for gradation and quality.

b. Rigid Pavement (Portland Cement Concrete)

The pavement thicknesses assume that a concrete shoulder or curb will be placed at the edge of the pavement and that the pavement will have aggregate interlock joints.

Pavement materials should meet APWA specifications. The pavement thicknesses indicated above assume that the concrete will have a 28-day compressive strength of 5,000 pounds per square inch. Concrete should be air entrained with approximately 6 percent air. Maximum allowable slump will depend on the method of placement but should not exceed 4 inches.

All joints for concrete pavement should be laid out in a square or rectangular pattern. Joint spacings should not exceed 30 times the thickness of the slab. The depth of joints should be approximately one-fourth of the slab thickness.

I. Additional Services

It is important that AGEC be involved during design and construction of the building. There are several items where we can provide value, help the design of the geotechnical aspects of the project be more efficient and help reduce the risk to the design team and the owner.

We recommend that at least the following additional services be provided:

1. Review the proposed building construction and structural loads when available. Review recommendations provided in this report relative to the planned construction.
2. Observe the foundation excavations for the building.
3. Provide geotechnical consultation during building construction as needed.
4. Perform compaction testing for structural fill placed to support the proposed building, pavement and concrete flatwork.
5. Observe building construction and perform special inspections and testing as described in the International Building Code.

LIMITATIONS

This report has been prepared in accordance with generally accepted soil and foundation engineering practices in the area for the use of the client for design purposes. The conclusions and recommendations included within the report are based on the proposed construction, the information obtained from the borings drilled at the site and the data obtained from laboratory testing. Variations in the subsurface conditions may not become evident until additional exploration or excavation is conducted. If the subsurface conditions or groundwater level is found to be significantly different from what is described above, we should be notified to reevaluate the recommendations given.

APPLIED GEOTECH

Scott D. Anderson, P.E.

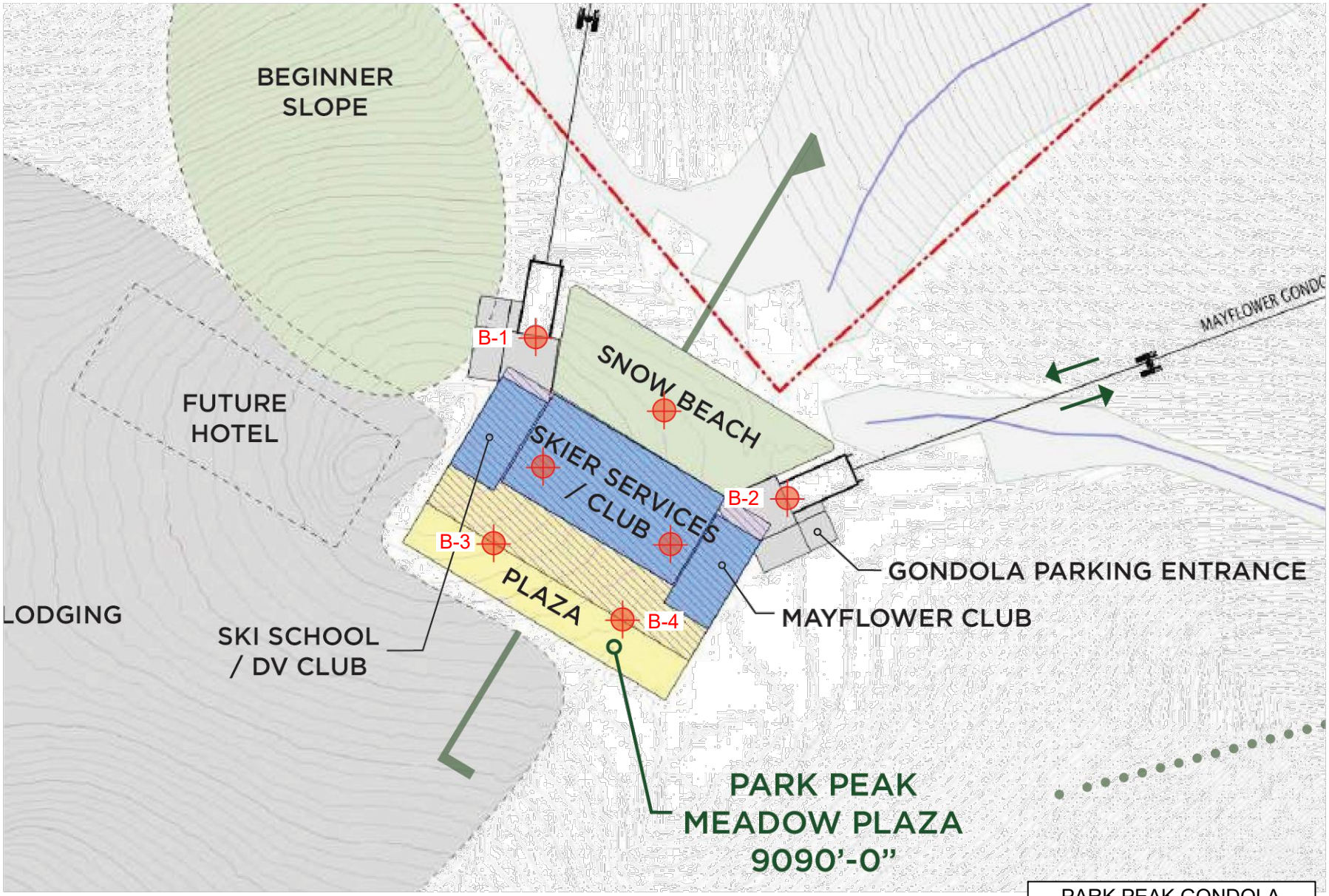
Reviewed by Douglas R. Hawkes, P.E., P.G.

SDA/rs

REFERENCES

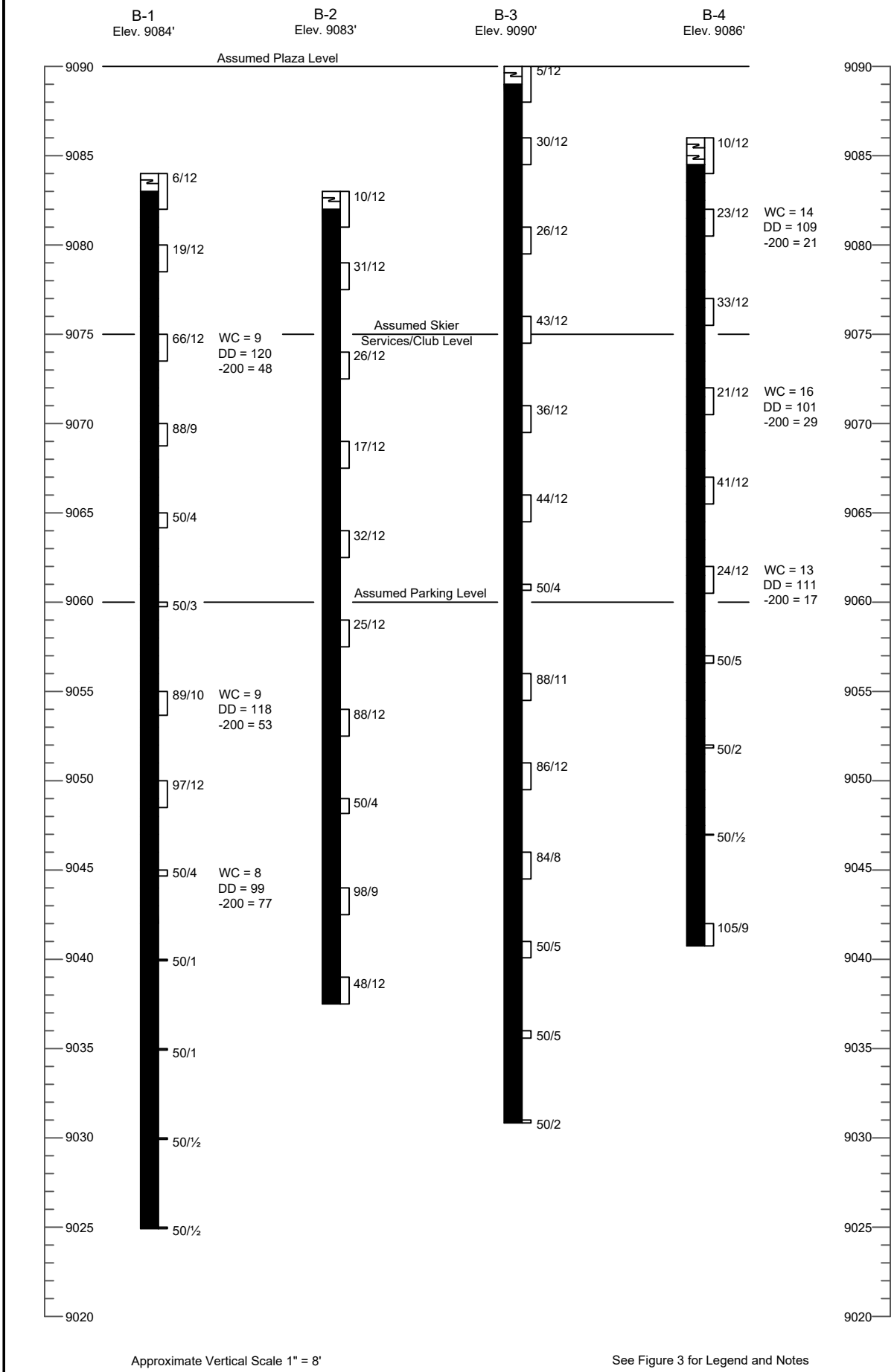
International Code Council 2020, 2021 International Building Code, Falls Church, Virginia.

Utah Geological Survey, 2023; Utah Quaternary Fault and Fold Database, http://geology.utah.gov/apps/qfaults/ accessed November 17, 2023.



PARK PEAK GONDOLA
DEER VALLEY RESORT
WASATCH COUNTY, UTAH

1230768	AGEC	Site Plan with Exploratory Boring Locations	Figure 1



Approximate Vertical Scale 1" = 8'

See Figure 3 for Legend and Notes

1230768	AGEC	Exploratory Boring Logs	Figure 2

LEGEND:

Topsoil; lean clay with sand, slightly moist, dark brown, roots.

Igneous Bedrock; hard to very hard, moist, yellowish brown to grayish brown.

10/12 California Drive sample taken. The symbol 10/12 indicates that 10 blows from a 140-pound automatic hammer falling 30 inches were required to drive the sampler 12 inches.

NOTES:

1. The borings were drilled on October 10 through 16, 2023 with air rotary.
2. Locations of the borings were measured approximately by pacing from features shown on the site plan provided.
3. Elevations of the borings were determined by interpolating between contours shown on a site plan provided by the Civil Engineer.
4. The boring locations and elevations should be considered accurate only to the degree implied by the method used.
5. The lines between materials shown on the boring logs represent the approximate boundaries between material types and the transitions may be gradual.
6. No free water was encountered in the borings at the time of drilling.
7. WC = Water Content (%);
   DD = Dry Density (pcf);
   -200 = Percent Passing the No. 200 Sieve.

APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.

TABLE I
SUMMARY OF LABORATORY TEST RESULTS

PROJECT NUMBER: 1230768

SAMPLE LOCATION		NATURAL MOISTURE CONTENT (%)	NATURAL DRY DENSITY (PCF)	GRADATION			ATTERBERG LIMITS		UNCONFINED COMPRESSIVE STRENGTH (PSF)	WATER SOLUBLE SULFATE (%)	SAMPLE CLASSIFICATION
BORING	DEPTH (FEET)			GRAVEL (%)	SAND (%)	SILT/ CLAY (%)	LIQUID LIMIT (%)	PLASTICITY INDEX			
B-1	9	9	120			48					Igneous Bedrock
	29	9	118			53					Igneous Bedrock
	39	8	99			77					Igneous Bedrock
B-4	4	14	109			21					Igneous Bedrock
	14	16	101			29					Igneous Bedrock
	24	13	111			17					Igneous Bedrock

01208656 B: 2791 P: 1484
Page 1 of 8
Rhonda Francis Summit County Recorder
08/25/2023 08:14:09 AM Fee $40.00
By HIGH COUNTRY TITLE
Electronically Recorded

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

PAUL HASTINGS LLP
200 Park Avenue
New York, New York 10166
Attention: Bruce DePaola, Esq.

(Space Above For Recorder's Use)

Tax ID Numbers listed on
Exhibit B attached hereto.

MEMORANDUM OF LEASE

This MEMORANDUM OF LEASE AGREEMENT (this "**Memorandum**"), dated as of August 24, 2023, is entered into by and among **BLX LEASE 2 LLC**, a Delaware limited liability company ("**Landlord**"), and **DEER VALLEY RESORT COMPANY, LLC**, a Utah limited liability company ("**Tenant**").

WHEREAS, Landlord and Tenant have entered into that certain Ground Lease, dated as of August 24, 2023 (the "**Lease Agreement**");

WHEREAS, the term of the Lease Agreement is approximately one hundred and five (105) years, commencing on August 24, 2023 and expiring on August 23, 2128; and

WHEREAS, this Memorandum is prepared for recordation purposes only, and it in no way modifies the terms, conditions, provisions and covenants of the Lease Agreement. The rent and other obligations of Landlord and Tenant are set forth in the Lease Agreement, to which reference is made for further information. This Memorandum describes only selected provisions of the Lease Agreement, and reference is made to the full text of the Lease Agreement for the full terms and conditions thereof. In the event of any inconsistency between the terms, conditions, provisions and covenants of this Memorandum and the Lease Agreement, the terms, conditions and covenants of the Lease Agreement shall prevail.

NOW, THEREFORE, Landlord and Tenant have caused this Memorandum to be executed and recorded in the Official Records of Summit County and Wasatch County, Utah to provide constructive notice of the Lease Agreement, and all parties taking title to the property described on Exhibit A attached hereto owned by Landlord shall be deemed to have notice of each and every provision contained in the Lease Agreement.

This Memorandum may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

[Signature Page Follows]

IN WITNESS WHEREOF, Landlord and Tenant have duly executed this Memorandum of Lease as of the day and year first above written.

TENANT:

DEER VALLEY RESORT COMPANY, LLC
a Utah limited liability company

By: _____
Name: Todd Bennett
Title: President and Chief Operating Officer

[Acknowledgement Follows]

STATE OF UTAH)

)

COUNTY OF Summit) ss.:

On the 11th day of August, 2023, personally appeared before me Todd Bennett, who being duly sworn, did say that he is the President and Chief Operating Officer of Deer Valley Resort Company, LLC, a Utah limited liability company, and that the foregoing instrument was signed in his capacity of such entity.

ALISSA BATCHELOR
Notary Public, State of Utah
Commission # 713076
My Commission Expires On
July 20, 2024

Alissa Batchelor
NOTARY SIGNATURE AND SEAL

SIGNATURE PAGE TO MEMORANDUM OF GROUND LEASE

LANDLORD:

BLX LEASE 2 LLC,
a Delaware limited liability company

By: _____
Name: Gary Barnett
Title President

[Acknowledgement Follows]

STATE OF NEW YORK)
)
COUNTY OF NEW YORK) ss.:

On August 10, 2023 before me, Notary Public, personally appeared, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

IAN TYLER ROSS
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01RO6279225
Qualified in New York County
Commission Expires 04/08/2025

EXHIBIT A

Legal Description of Demised Premises

Parcels B, C, D, E, F, G, H, I, M, O, P, U, Z, AA, BB, CC, DD, EE, FF, GG, HH, 1E1, 1E2, 6A1 and 6B1, **MIDA Mountain Plat Amending the Park Peak Assessment Plat** on file and of record in the Wasatch County Recorder's Office as such parcels are depicted by metes & bounds on said MIDA Mountain Plat recorded June 9, 2023 as Entry No. 533309 in Book 1444 at Page 142-149 of the official records.

Parcels 1A, 1B, 1C, 1D, and 1F, **MIDA Master Development Plat Amended 2022**, according to the official plat thereof, recorded July 27, 2022 as Entry No. 522596 in Book 1417 at Page 852 of the official records in the office of the Wasatch County Recorder.

Parcels A, B & C, **McHenry Estates Subdivision**, according to the official plat thereof on file and of record in the office of the Wasatch County Recorder, recorded April 18, 2023 as Entry No. 531622 at Book 1439 Page 1070-1082.

Parcels E, H & J, **Overlook Estates Subdivision**, according to the official plat thereof on file and of record in the office of the Wasatch County Recorder, recorded April 20, 2023 as Entry No. 531683 at Book 1439 Page 1377-1390.

Lot 29, 30 & 32, **MIDA Master Development Plat Amended 2023**, according to the official plat thereof on file and of record in the office of the Wasatch County Recorder, recorded April 18, 2023 as Entry No. 531618 at Book 1439 at Page 1055.

The **Rattler No. 2 Patented Lode Mining Claim, Lot No. 154**, as the same is more particularly described in that certain United States Mineral Entry Patent recorded April 14, 1922 as Entry No. 38392 in Book 9 of Mining Deeds at Page 420 of the official records in the office of the Wasatch County Recorder.

Wasatch County Parcel IDs:

00-0021-5543, 00-0021-7757, 00-0021-7758, 00-0021-7759, 00-0021-7760, 00-0021-7762, 00-0021-8446, 00-0021-8447, 00-0021-8449, 00-0021-8481, 00-0021-8482, 00-0021-8483, 00-0021-8544, 00-0021-8547, 00-0021-8549, 00-0021-8632, 00-0012-5380, 00-0021-8636, 00-0021-8638, 00-0021-8640, 00-0021-8642, 00-0021-8644, 00-0021-8646, 00-0021-8652, 00-0021-8655, 00-0021-8656, 00-0021-8658, 00-0021-8662, 00-0021-8631, 00-0021-8633, 00-0021-8635, 00-0021-8637, 00-0021-8639, 00-0021-8641, 00-0021-8643, 00-0021-8645, 00-0021-8626, 00-0021-8627, 00-0021-8628, 00-0021-8629

Parcels Q, R &T as created pursuant to that certain **Boundary Line Agreement and Consolidation with Quit Claim**, recorded June 21, 2023 as Entry No. 01206048, in Book 2785 Page 0088 on file and of record in the Summit County Recorder's Office, with reference to that

61°41'03" West 2092.69 feet to the county line; thence coincident with the county line the following ten (10) courses: 1) North 39°50'39" West 472.53 feet; thence 2) North 72°49'49" West 317.34 feet; thence 3) North 46°44'51" West 87.91 feet; thence 4) North 70°56'49" West 502.06 feet; thence 5) North 51°55'48" West 481.96 feet; thence 6) North 55°53'11" West 467.33 feet; thence 7) North 21°49'11" West 317.76 feet; thence 8) North 59°58'53" West 360.43 feet; thence 9) North 33°23'10" West 467.37 feet; thence 10) South 85°11'28" West 162.96 feet to the POINT OF BEGINNING.
Containing 89.35 acres, more or less.

PARCEL T

SAID PARCEL T BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Basis of Bearings for the herein described parcel being North 88°38'16" East, 8,029.15 feet between the 2006 Wasatch/Summit Co. aluminum pipe cap marking the Quarter Corner common to Sections 28 & 33, and the 2016 Summit County aluminum pipe cap marking the common Corner of Sections 26, 27, 33 & 34 of Township 2 South, Range 4 East, Salt Lake Base and Meridian.

BEGINNING AT A POINT, said point being on the Summit/Wasatch County Line, said point also being South 43°22'06" East 2165.08 feet from the Section corner common to Sections 27, 28, 33 & 34 Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 73°58'01" West 1168.86 feet; thence North 65°34'17" West 585.49 feet; thence South 68°42'41" West 107.73 feet to corner No. 4 of the Sunnyside MS 5931 Mine Claim; thence coincident with the boundary of said claim the following four (4) courses: 1) South 88°25'31" West 599.10 feet; thence 2) North 05°09'36" West 68.10 feet; thence 3) North 03°37'18" West 612.49 feet; thence 4) North 00°20'54" West 599.67 feet to a southerly boundary of Parcel A as shown on Record of Survey 10192 on file and of record in the Summit County Recorder's Office; thence coincident with said southerly boundary of Parcel A the following two (2) courses: 1) South 71°23'14" East 2138.46 feet; thence 2) North 80°23'25" East 598.80 feet to the Summit/Wasatch County line; thence coincident with the county line the following two (2) courses: 1) South 29°54'12" West 393.72 feet; thence 2) South 04°19'40" West 219.23 feet to the POINT OF BEGINNING.

Containing 50.75 acres, more or less.

Summit County Parcel IDs:
PCA-85-D, PCA-S-85, PCA-S-81-A, PCA-S-98-R

TOGETHER WITH CERTAIN EASEMENT RIGHTS OF RECORD

4853-4177-9578, v. 1

Date: 2/12/2015

Mine Sites

- Mine_Sites
- FlagstaffBoundary
- PCMR_annex
- Mining Claims
- Talisker Land Holdings
- Park Properties
- United Park City Mines
- National Forest
- Parcels

Critical mine sites

Counterweight
water tank
fire hose house
fire hose house 2
water tower 3
Alliance Mine Site--Mine Office/Dwelling
Alliance Mine Power House
Judge Mine Site - Assay Office and Change Room Building
California-Comstock Mine Site - Mill Structure
Ontario Mine Water Tank A
Ontario Mine Water Tank B, C, and D
Jupiter mine - Ore bin
Little Bells Ore Bin
Little Bell Mine--Ore Bin

1:25,100

Spencer Lace, Park City Municipal Corp

Ore bin and pump house
Spiro mine tunnel
Silver king consolidated-industrial structure (sundance ins)
Armstrong bench water tank (above Silver Star)
Silver king consolidated-mill bldg

Counterweight

Marsac mill site
Marsac City Hall

Union Pacific High-Line Spur
Ontario Drain Tunnel No. 1 portal site
Judge Loading Station site
Ontario Mill site
test

Silver King Consolidated Mine - Ore Bin
silver queen tank fire hose house
water tank
retaining wall
Silver King Mine Site - Mill Building
mill building
fire hose house
concentrator
Silver King Mine Site - Stores Dept Building
Silver King Mine Site - Change House
Silver King Mine Site - Hoist House
water tower 3

Daly-Judge Mill foundations
American Flag Mine site
Alliance Drain Tunnel site
Massachusetts Mine Site
Alliance Mine Power House
Massachusetts Mine site
Alliance Mine Site - Mine Office/Dwelling
Judge Mine Explosives Bunker Portal
Judge Mine - Shed Structure
Judge Mine Site - Assay Office and Change Room Building

Ontario Mine No. 3 Shaft
Ontario Mine No. 2 Shaft site
Ontario Mine Water Tank A
Ontario Mine Water Tank E
Ontario Mine Site
Ontario Mine No. 1 Shaft site
Ontario Mine Water Tank B, C, and D

Thaynes Mine Conveyor Gallery
Thaynes Mine Fire Hydrant Shack
California-Comstock Mine Site - Mill Structure
Thaynes Mine Hoist House
Silver King Mine Site - Boarding House

Daly Mine Shaft No. 2 site
Daly Mine Shaft #1
Daly Mine Shaft #1
Daly Mine Shaft #2
Daly Mine Shaft #1
Daly Mine Shaft No ?? Wrong site
Diamond-Nemrod Mine site
Mears Company shaft site
#23 on map. No sign. Some tailings
Daly-West Mine site
Daly West Mine

Proposed Lift 7 Location

Jupiter mine - Ore bin
Anchor (Daly-Judge) Mine site
Quincy Mine site
Quincy
Little Bell Mine--Ore Bin
Old Pipe?!
Little Belle Ore Bin
Mine waste dump
Log structure
White Pine Mine site
Lucky Bill Mine site
Flagstaff Mine site
Not sure
Thing

N 1:9,272

Spencer Lace, Park City Municipal Corp

DEER VALLEY

EXPANDED EXCELLENCE

Lift 7: Supplemental Submittal

March 28, 2024

Lift 7 serves as a vital connector lift operated by Deer Valley, facilitating skier access to beginner terrain within the existing ski terrain under Deer Valley's control. Notably, Lift 7 does not offer up-mountain access from any of Deer Valley's base areas, thereby not augmenting the resort's capacity or creating additional parking demand. In accordance with Land Management Code Section 15-4-18(B), Lift 7 has been meticulously designed to avoid crossing any public roads, ensuring sufficient utility clearance, and imposing no additional parking impacts or requirements, while adhering to mandated setbacks.

Traffic and parking arrangements for the entire resort are comprehensively addressed within the ongoing Snow Park development applications. This strategic approach guarantees that Lift 7's implementation remains in harmony with broader resort infrastructure plans.

This initiative aligns seamlessly with the objectives outlined in the Park City General Plan (2014). Specifically, it contributes to Objective 10A, aimed at enhancing the competitiveness of Park City as a world-class, multi-season destination resort community through the expansion of year-round recreational events. Furthermore, it supports Objective 11A, emphasizing the importance of allowing primary resorts to evolve within the tourism industry, thus ensuring sustained relevance and attractiveness to visitors.

Finally, as per Section K of the 12th Amended and Restated Large Scale Master Planned Development Permit dated November 30, 2016, access to Lift 7 remains accessible to all users of the resort, further underlining its inclusive and community-oriented nature. This underscores Deer Valley's commitment to providing enhanced recreational opportunities while maintaining alignment with established regulatory frameworks and long-term development objectives.

FLAGSTAFF MOUNTAIN RESORT

A PLANNED RESORT COMMUNITY
DEER VALLEY, UTAH

WILDLIFE MANAGEMENT PLAN

EXHIBIT 13

MAY 2001
REVISED AND APPROVED DECEMBER 2001

PREPARED FOR:
FLAGSTAFF MOUNTAIN PARTNERS
P.O. BOX 1450
PARK CITY, UTAH

WILDLIFE MANAGEMENT PLAN

FLAGSTAFF MOUNTAIN RESORT

EXHIBIT 13

Prepared for

Flagstaff Mountain Partners
P. O. Box 1450
Park City, Utah 84060

Prepared by

SWCA, INC.
Environmental Consultants

MAY 2001
(Revised and Approved December 2001)

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EXECUTIVE SUMMARY

The Flagstaff Mountain Resort Wildlife Management Plan describes the major habitat types that occur within the Plan Area (e.g., conifer, conifer/aspen, and aspen forests; mountain shrub herbaceous, willow/tall forb, and rock talus communities) and provides information on common wildlife species associated with these habitats.

There are no federally listed threatened and endangered species likely to occur in the Plan Area.

A discussion of human-wildlife interactions within the Plan Area describes past impacts associated with the mining era, current influences associated with ski area development and summer trail use, and future effects likely to result from increased recreation and the development of a new resort community.

Two sensitive wildlife areas, Lady Morgan and Centennial Draw, are described and delineated on Figure 2. A discussion of existing and desired future conditions for these two areas is also presented. Potential seasonal wildlife movement corridors are defined and shown on Figure 2.

General Plan Area-wide management prescriptions including minimizing human impacts and habitat fragmentation, vegetation management, forest cutting guidelines, speed limits, wetland protection, pet control, fencing, and nuisance wildlife and off-road vehicle prohibitions are presented. Management directions for the Lady Morgan and Centennial Draw Sensitive Wildlife Areas as well as for the semi-urban settings of the proposed development pods are also discussed. An appendix to the plan lists all wildlife observed in the Plan Area during field surveys conducted by Bio-Resources in 1993 and SWCA in 1999.

1.0 INTRODUCTION

This study is one of several reports that have been prepared to support the Flagstaff Mountain Resort's Large Scale Master Plan Development (LSMPD) application. As LSMPDs are programmatic in nature and subject to refinement at subsequent Master Planned Development (MPD) or Conditional Use Permit (CUP) stages, correspondingly, the contents of this report should be viewed as conceptual in nature and subject to change as specific plans are developed. Details developed at the MPD or CUP stage will not require a modification of this plan provided that they comply with the Goals and Objectives of this Plan.

1.1 Flagstaff Mountain Resort

The Flagstaff Mountain Resort (Flagstaff Mountain) Plan Area is a 1,600-acre parcel of land located in the southwest corner of Summit County, Utah. Ranging from elevations of 7,800 to 9,000 feet above sea level, it forms the western portion of Deer Valley Resort, a four-season resort facility that specializes in alpine skiing in the winter; hiking, mountain biking, and horseback riding in the summer. Flagstaff Mountain Partners (FMP) will develop four distinct sites as additional year-round residential communities within the boundary of the existing ski area. These sites, or development pods, are depicted along with the overall Plan Area in Figure 1. The proposed development pods include the Mountain Village area (Pods A and B-1), the Daly West area (Pod B-2), and the Northside Neighborhood (Pod D). These pods conform to those sites identified in the Annexation Resolution: Development Agreement for Flagstaff Mountain, Bonanza Flat, Richardson Flat, the 20-acre Quinn's Junction Parcel, and Iron Mountain (Park City Municipal Corporation Ordinance no. 99-30) hereafter referred to as the Development Agreement.

Within the Plan Area, native vegetation comprises a mosaic of quaking aspen and coniferous (primarily Engelmann spruce, subalpine fir, and Douglas fir) forests, Gambel oak, and mountain shrub communities. A few natural meadows occur in the area and are characterized by a variety of native grasses and wildflowers. Willows, sedges, and rushes dominate wet areas. Rock outcrops occur on the eastern boundary of Pod D and along the ridgeline at the head of Empire Canyon.

Some of the most notable features of the Plan Area are, however, of human origin. Large piles of mine waste rock, or overburden, are located in the Flagstaff Mountain Plan Area. These features consist predominantly of un-vegetated grayish-white crushed rock associated with the former Flagstaff, Little Bell, Quincy, Anchor, and Daly West Mines. Ski lifts and runs are another notable human-made feature of the Plan Area. Within the Flagstaff Mountain portion of Deer Valley Resort, there are six existing ski lifts and approximately 36 ski runs, many of which have been cut through forest

stands, graded, and seeded with non-native grasses and forbs. Four additional lifts are currently planned for Flagstaff Mountain. One of these will serve the ski in/ski out needs of Pod A, one will access existing terrain between the Red Cloud and Northside Lifts (Ski Pod D), and the other two (Ski Pods X and Z) will access new intermediate and advanced ski terrain in Empire Canyon.

1.2 Wildlife Management Goals and Objectives

The goal of this management plan is to preserve wildlife habitat values within the Plan Area by minimizing habitat loss and human/wildlife conflicts. This plan identifies existing wildlife species and habitats that occur within the Flagstaff Mountain Resort Plan Area, and establish management guidelines to help maintain the biotic integrity of the area while ensuring the long-term attractiveness and marketability of the proposed developments.

2.0 FLAGSTAFF MOUNTAIN WILDLIFE

2.1 Background

Three summer wildlife inventory surveys of the Plan Area have been conducted. Bio-Resources, Inc. undertook the first of these in June and July of 1993. The second survey was conducted by SWCA, Inc. Environmental Consultants in September of 1999 and was used to produce the Preliminary Biological Resources Report, Flagstaff Mountain Development (SWCA 2000). A third survey was conducted in June and July of 2000 by SWCA. These surveys documented and described the various habitat types present in the Plan Area and provided lists of wildlife species observed in each of the habitats.

While there are no federally listed threatened or endangered species likely to make substantive use of the Plan Area, SWCA has identified several sensitive or special status plant and animal species with potential to occur at Flagstaff Mountain.

2.2 Common Wildlife

The Flagstaff Mountain Plan Area is located in the Northern Utah Ecoregion. This ecoregion is characterized by a variety of topographic and climatic conditions providing habitat for numerous species of wildlife. Public forestlands adjacent to the Plan Area in the Wasatch and Uinta Mountains are known to contain an estimated 300 species of vertebrates including 67 species of mammals, 186 species of birds, 18 species of reptiles, 6 species of amphibians, and 23 species of fish. Typical large mammal species include elk, mule deer, coyote, bobcat, and mountain lion. Common small mammals are yellow-bellied marmot, American beaver, snowshoe hare, pika, northern pocket gopher, red squirrel, least chipmunk, and golden-mantled ground squirrel. Clark's nutcracker, Steller's jay, northern flicker, mountain chickadee, and red-breasted nuthatch are familiar bird species in the Wasatch Mountains. Reptiles and amphibians common to the region include the Great Basin gopher snake, wandering garter snake, and boreal chorus frog. A brief description of wildlife habitats and common wildlife species associated with these habitats is presented below. A map showing where these habitats occur within the Plan Area is provided in Figure 2. Figure 2 also depicts disturbed lands within the Plan Area. Disturbed ground comprises approximately 85 acres (five percent) of the Plan Area and consists primarily of mine waste rock piles, road scars, and other areas devoid of vegetation and wildlife habitat value.

Conifer

The conifer community is dominated by engelmann spruce and subalpine fir with white fir common in some locations. Douglas fir is a dominant species at lower elevations near the Judge Portal. Overall, the spruce/fir association is the most common upper montane forest type in the Wasatch Mountains. On more biologically productive sites

(i.e., sites with deeper, more fertile soils and good water availability), the shrub layer contains snowberry while the forb/grass layer commonly consists of englemann aster, aspen bluebell, fireweed, sticky geranium, and Colorado columbine. In areas characterized by a dense forest canopy, the groundcover consists primarily of duff and downed wood, with very little herbaceous plant material present. Within the Plan Area, conifer stands tend to be located on north and west-facing slopes. A large contiguous conifer stand is located on the north-facing slope just south of the Ruby and Empire Express Lift bases. Wildlife species most commonly found in coniferous forest include mountain chickadee, dark-eyed junco, ruby-crowned kinglet, American robin, hermit thrush, yellow-rumped warbler, pine siskin, red squirrel, porcupine, snowshoe hare, southern red-backed vole, and elk. Conifer habitats comprise approximately 128 acres or eight percent of the Plan Area.

Conifer/Aspen

The conifer/aspen community consists of a combination of aspen and conifers, with the conifers comprising over 50 percent of the over-story. In the absence of fire, succession will favor the gradual replacement of aspen by subalpine fir. As a result, this community typically succeeds to the conifer community. The groundcover is similar to that of the aspen/tall forb community, but tends to be sparser as a result of the higher tree density. The conifer/aspen community occurs around the Northside Neighborhood and in various other locations (e.g., Centennial Draw) within Empire Canyon. Wildlife species most commonly found in the conifer/aspen habitat type include a combination of those listed in the conifer and aspen, aspen/tall forb sections of this plan. Conifer/aspen habitats occur on approximately 491 acres or 30 percent of the Plan Area.

Aspen/Tall Forb

The aspen/tall forb community is dominated by quaking aspen. Scattered subalpine fir, and occasional engelmann spruce and white fir occur near transitional areas. Shrub cover includes mountain snowberry, mallow ninebark, and red and blue elderberries. Common herbaceous species in these communities include cow parsnip, which provides up to 100 percent groundcover in some places, western coneflower, Colorado columbine, Fendler meadowrue, sticky geranium, horsemint, and Jacob's ladder. Within the Plan Area, the aspen/tall forb vegetation type is most prevalent in upper Ontario Bowl, Prospect Ridge (including Pod A) and the east-facing slopes on the west side of Empire Canyon. American robin, house wren, mountain bluebird, warbling vireo, townsend's solitaire, least chipmunk, and elk frequent aspen stands. Aspen/tall forb habitats occupy approximately 439 acres or 27 percent of the Plan Area.

Mountain Shrub

The mountain shrub community occurs intermittently on dry, rocky slopes and ridgelines throughout the Plan Area. Dominant shrub species include snowberry, chokecherry, and mountain lover. Rock mountain ash, Gambel oak, mallow ninebark, Wood's rose, serviceberry, and sagebrush may be locally abundant. Common herbaceous species include a variety of native grasses, showy golden-eye, whorled buckwheat, and sticky geranium. Mammal species typically associated with mountain shrub habitat include the elk, mule deer, moose, and pika. Associated bird species include the American pipit, broad-tailed hummingbird, ruffed grouse, American robin, and white-crowned sparrow. Mountain shrub habitats comprise approximately 194 acres or 12 percent of the Plan Area.

Herbaceous

Within the Plan Area, the herbaceous cover type is generally comprised of two communities dominated by non-woody plant species: native herbaceous and seeded herbaceous. The native herbaceous community is further divided into three associations: tall forb, short forb, and graminoid. Figure 2 depicts the native and seeded herbaceous communities but does not differentiate between these three associations. The tall forb association occurs in open areas between aspen and conifer stands. This community appears to be relatively stable in the Wasatch Mountains and covers extensive areas. False hellebore, or skunk cabbage, is a common component within the wetter extremes of this community. Showy forbs including bluebells, glandular cinquefoil, lupine, Louisiana sagewort, Jacob's ladder, sticky geranium, scarlet paintbrush, fireweed, Engelmann aster, Colorado columbine, Fendler meadowrue, sulfur buckwheat, cow parsnip, duncecap larkspur, valerian, anise sweetroot, and numerous other wildflower species are common throughout.

The short forb association also occurs in open areas, but is generally found at higher elevations than the tall forb community described above. It is typically shorter in stature with sparser coverage. Some of the species that distinguish the short forb association from the taller type include scarlet gilia, stonecrop, mountain monardella, and lobeleaf groundsel. Other species that commonly occur on drier sites include yarrow, elkweed, whorled buckwheat, sulfur buckwheat, little sunflower, and various species of beardtongue. Graminoids may include slender wheat grass, western needle grass, mutton grass, spike fescue, and onion grass.

The graminoid association is similar to that described above and occurs where grasses and grass-like species are dominant and forbs form a relatively minor component of the overall species composition. Within this association, sedges may be locally dominant. An example of the sedge-dominated variant of this plant association may be found on a

northeast-facing hillslope in the southeast corner of the Plan Area. Overall, the native herbaceous habitat type covers approximately 137 acres or nine percent of the project area.

The seeded herbaceous community occurs where native vegetation types have been cleared to provide for open ski slopes. These areas are often dominated by introduced grass species including various cereal grains, timothy, smooth brome, and orchard grass. Forbs observed in seeded areas include yarrow, curly dock, an unidentified orange-flowered mustard, and varieties of California golden poppy. Various thistles and other undesirable plant species have become established along seeded ski trails and the sides of access roads. Seeded herbaceous habitats comprise approximately 181 acres or 11 percent of the Plan Area.

In the native herbaceous community type and, to a lesser extent, in the seeded type, commonly observed species include white-crowned sparrow, horned lark, mountain bluebird, American robin, American pipit, northern pocket gopher, montane vole, western jumping mouse, deer mouse, Uinta groundsquirrel, elk, mule deer, and yellow-bellied marmot.

Willow/Sedge

Within the Flagstaff Mountain Plan Area, the willow/sedge community covers a small area (approximately 0.3 acre) around Lady Morgan Pond. Willows approximately 10 feet in height form a discontinuous ring around the pond. Interspersed between the willows and extending downslope into the pond itself are a variety of sedges likely including beaked sedge, water sedge, and others. In the arid west, wetland and riparian area habitats often support a greater diversity of species per unit area than other habitat types. In particular, these habitats may harbor a variety of birds including MacGillivray's, Wilson's, and yellow warblers, and a number of sparrows including the song sparrow and Lincoln's sparrow. In alpine areas and wet meadows, American pipits may be locally common. Also commonly present are moose, elk, mule deer, and a variety of amphibians and invertebrates.

Rock/Talus

Non-vegetated areas including rock outcrops, and talus and scree slopes dominate this cover type. High elevation rock outcrop areas are habitat for some sensitive plants described in the section below. Other low-growing plants adapted to these harsh environments may occur in the crevices of rocks and in shallow soils associated with higher elevations. While there are no boulder or talus slopes *per se* within the Plan Area, rock outcrops occur on the east-facing slopes below Flagstaff Mountain on the eastern portion of the Northside Neighborhood area. Rock/talus habitats typically support yellow-bellied marmot, least chipmunk, pika, and white-crowned sparrow. Reptiles often associated with rock/talus habitat include the gopher snake and

wandering garter snake. Rock/talus habitats comprise approximately 15 acres (less than one percent) of the Plan Area.

2.3 Threatened, Endangered, and Sensitive (TES) Species

Two federally listed threatened and endangered species, the bald eagle (threatened) and the Canada lynx (endangered), have potential to occur within the Flagstaff Mountain Plan Area. The following state listed wildlife species of concern, many of which are also considered Forest Service sensitive species, also have potential to occur in the Flagstaff Mountain Plan Area: the American marten, northern flying squirrel, Townsend's big-eared bat, three-toed woodpecker, northern goshawk, smooth green snake, and boreal toad. While not on the state list, the flammulated owl is a Forest Service sensitive species known to occur in the Plan Area. Brief descriptions of these TES wildlife species are presented below.

Bald Eagle

The Bald Eagle is federally listed as a threatened species under the Endangered Species Act of 1973, as amended. This species has been proposed for de-listing in 2000. Bald Eagles typically construct large, conspicuous stick nests in sizeable trees, or on cliffs adjacent to streams or lakes supporting fish populations, which are capable of serving as this species' primary prey base. Secondary food sources include small mammals and birds. Four known nesting pairs of Bald Eagles currently exist within the State of Utah. There are no records of this species nesting or roosting in the Flagstaff Mountain Plan Area and this behavior is unlikely given the relative lack of water. Bald Eagles are thus only likely to occur within the Plan Area on a transitory basis during migration.

Canada Lynx

The Canada lynx became federally listed as endangered as of April 2000. This species occurs within northern boreal forests in association with its primary prey species, the snowshoe hare. Early successional forest stands characterized by high densities of shrubs and seedlings are optimal for hares and, subsequently, important hunting grounds for lynx. Large, contiguous stands of mature forest are used by lynx for denning, providing cover for kittens, and as travel corridors. Given that the forest stands within the Plan Area are relatively small and/or highly fragmented and snowshoe hare are uncommon, Flagstaff Mountain is unlikely to support Canada lynx. Furthermore, the lack of any documented lynx sightings in Utah for over 17 years suggests that this species has been extirpated from the region.

American Marten

American marten primarily utilize mature coniferous forest habitats between 8,000 and 13,000 feet elevation. These carnivores are generally associated with 30 percent or more canopy cover. Coarse woody debris, especially in the form of large-diameter tree boles, is an important habitat component for marten, providing thermal protection, access to subnivean spaces, and escape cover. Although there are tracts of mature coniferous forest habitat within the Plan Area, the capability of this habitat to support marten is questionable due to its highly fragmented condition.

Flying Squirrel

In the Intermountain West, the northern flying squirrel is typically associated with mature coniferous forests and riparian woodlands. Nests occur either inside tree cavities or on limbs where they are built of twigs, bark, and/or roots. According to the Utah Division of Wildlife Resources' (UDWR) Sensitive Species List, the northern flying squirrel is well distributed throughout forested riparian habitats in the mountain ranges of central and eastern Utah. Despite the lack of forested riparian habitats within the Plan Area, a flying squirrel was observed in the Centennial Draw area on July 10, 2000. The presence of a flying squirrel in this area suggests that this species may be common in other mesic, mixed forest stands at Flagstaff Mountain.

Townsend's big-eared bat

The Townsend's big-eared bat utilizes a variety of vegetation types in rocky, broken landscapes up to about 9,500 feet elevation. Vegetation types used include western shrubland, piñon/juniper woodland, oak woodland, and open montane forest. This species is typically associated with caves and abandoned mines and buildings for use as day roosts and winter residences. During summer, individuals may use cracks within cliffs as day roosts. This species typically forages over water, along the margins of vegetation, and over sagebrush. Suitable summer roosts likely occur in and adjacent to the Plan Area in the form of abandoned mine buildings. Suitable winter hibernacula may be present within and adjacent to the Plan Area in various abandoned mine shafts and adits located in the area.

Three-toed woodpecker

The three-toed woodpecker is a year-round resident primarily associated with mature and old growth spruce/fir and mixed forest types up to about 9,000 feet elevation. Given that they attract large populations of wood-boring insects, forest stands with extensive damage due to disturbance such as fire, storm, and/or avalanche, provide an important food source for the three-toed woodpecker. Other food sources utilized by the three-toed woodpecker include berries and some cambium and inner bark. The Forest Service has documented the presence of three-toed woodpeckers at Brighton,

approximately three miles west of Flagstaff Mountain. While this species could occur at Flagstaff Mountain on a sporadic basis during insect outbreaks in larger, contiguous conifer stands, species-specific surveys conducted by SWCA in June 2000 did not detect three-toed woodpeckers within the Plan Area.

Northern goshawk

Goshawks typically breed in mature stands of aspen, lodgepole pine, spruce/fir, or mixed forests at elevations of between 7,500 and 11,500 feet. Nesting areas are typically 20-25 acres in size. In southwestern spruce/fir forests, stands containing nests tend to be greater than 150 years old with moderately high densities of trees (35 trees per acre of 20 inches dbh) and an overstory canopy cover of at least 70 percent. Nest sites are also typically located on either north-facing slopes with gradients less than 60 percent, or in drainages or canyon bottoms protected by such slopes. Goshawks require water within 0.25 mile of the nest site and a given nest may be reused on successive years. The goshawk's preferred prey includes the American robin, blue grouse, hairy woodpecker, northern flicker, golden-mantled ground squirrel, chipmunk, and red squirrel. Goshawks are found throughout the neighboring Wasatch-Cache National Forest, including one pair which nests south of Brighton Circle in Big Cottonwood Canyon. This pair is known to use areas near Clayton Peak, Hidden Canyon, and the Guardsman Pass Road (Salt Lake County portion) for foraging. A stick nest found in the Bonanza Flat area (approximately one mile from the Plan Area) during wildlife surveys conducted approximately six years ago (Bio-Resources 1993), indicates the potential for goshawk to occur in the immediate vicinity of Flagstaff Mountain.

Flammulated Owl

The flammulated owl is listed as a sensitive species by Region 4 of the U.S. Forest Service (including Utah) but it is not federally threatened or endangered and generally does not receive any special consideration outside of National Forest System lands. Nevertheless, given the potential for this species to be added to the Utah State sensitive species list and/or be proposed for federal listing in the future, the potential for it to be affected by development of Flagstaff Mountain is being considered here. The flammulated owl's apparent preference for mature ponderosa pine, montane conifer, or aspen forests above approximately 7,000 feet (in Utah), and its general avoidance of cut over areas, suggests that the species may be largely dependent on mature and old-growth forest. Flammulated owl surveys were conducted in the Plan Area on June 21 and 22 and July 10, 2000. A single flammulated owl was detected in an aspen stand.

Smooth Green Snake

The smooth green snake typically inhabits meadows, grassy marshes, and moist grassy fields along forest edges. Although this species is known to occur in the Uinta

Mountains of northeastern Utah, its distribution is unclear. While there is potential for this species to occur in the Plan Area in sites such as the meadow in Northside Neighborhood, and the area around Lady Morgan Pond, there are no records of occurrence for this species in the area. No smooth green snakes were observed during field surveys conducted during the summer of 2000.

Boreal Toad

The boreal toad inhabits areas near springs, streams, meadows, or woodlands ranging from 7,500 to 12,000 feet elevation. Beaver ponds with abundant riparian vegetation are considered preferred habitat. Although suitable breeding habitat is present at Lady Morgan Pond, there are no records of occurrence for this species within the Plan Area. Surveys conducted for this species during the summer 2000 field season did not detect any boreal toads at Lady Morgan Pond.

2.4 Humans and Wildlife

2.4.1 Past Impacts

Several factors in human behavior and practice affected wildlife during the mining era. Most directly, there was a massive influx of people, vehicles, machinery, and associated noise. Most wildlife species, with the exception of those species, which have adapted to urban or semi-urban environments, deliberately avoid human contact. Thus, many animals moved away from the immediate area when miners moved in. The loud noise from mining explosions and machinery operations could be heard for quite a distance and undoubtedly frightened animals from the vicinity. In addition to noise disturbance, mining activities caused sedimentation of area streams. Increased turbidity and influx of heavy metals diminished water quality and impacted or even extirpated aquatic life in affected waters.

Deforestation was another direct result of mining activities and was a major source of habitat loss for cavity-nesting birds and small mammals, as well as a loss of adequate cover and associated understory for a variety of animals including deer, black bear, and others.

By the 1950's, the price of metals had dropped and the mining era came to a close. Miners left the mountains and the forest began to grow again. Along with this new growth, early successional species inhabited the mountain and surrounding areas.

2.4.2. Current Influences

Following the mining era, the alpine ski industry slowly started to become the primary developed land use in the area. Ski runs were cut through the young forest stands, lifts were installed, and resort establishments were built to offer amenities for vacationing

recreationists. Snowshoeing and cross-country skiing have become popular in the backcountry and snowmobiling is a popular winter pasttime. At Deer Valley Resort, facility operations began in the fall of 1981. Since then, this area has not only become a popular winter destination; summer recreationists such as hikers, mountain bikers, horseback riders, and wildlife and birding enthusiasts enjoy the area, as well. Each of these activities has added to the overall impact on wildlife in the area.

Habitat fragmentation and loss have resulted from cutting and grading roads, lift alignments, ski runs, and trails through forest stands. From an increase in noise to a decrease in habitat, the development of ski resorts and resort communities has pushed wildlife increasingly farther into the backcountry. As recreationists have expanded unauthorized trail systems (often by utilizing established game trails), certain forest-interior or otherwise sensitive wildlife species have been forced into more remote areas of the property or extirpated from the area altogether.

2.4.3. Future Influences

Each of the impacts described in the previous section will apply to new development within the Plan Area. However, given that the developed portion of Flagstaff Mountain Resort will be limited to 147 acres out of a total of approximately1600 acres (nine percent of the Plan Area), development of the resort itself will not result in extensive habitat fragmentation. While habitat conversion occurring within the development pods will likely cause an increase in adaptable, open habitat and edge-tolerant species and a localized decrease in forest-interior species, with proper management, negative impacts can be partially mitigated and positive effects may result.

Many species of wildlife may become habituated to human activity if it is consistent and non-threatening. This means wildlife species would be less likely to alter their natural behavior in response to people. This could potentially become dangerous for both animals and wildlife watchers. For this reason, it is imperative that backcountry users remain on established trail systems.

In the future, snowmobiling will no longer be allowed as a backcountry recreational activity within the Plan Area. This change in management will eliminate a substantial source of impacts to winter resident wildlife such as voles and other subnivean (under the snow) small mammals.

3.0 SENSITIVE WILDLIFE AREAS

Sensitive wildlife areas have been designated because they include habitats that are uncommon and/or necessary to support certain species. These areas are identified in Figure 2.

3.1 Lady Morgan Area

3.1.1 Existing Condition

Lady Morgan Pond is the only natural pond within the Plan Area. This open water/emergent marsh complex and surrounding watershed is considered sensitive because of its high plant, animal, and habitat diversity, and its overall uniqueness within the Flagstaff Mountain Plan Area. The Lady Morgan subwatershed contains aspen, conifer, and mixed forest communities, as well as mountain shrub, willow/tall forb, herbaceous, wet meadow, emergent marsh, and open water habitats. This habitat diversity allows for a high level of species diversity in this area. During a general wildlife survey on July 7, 2000, a variety of deer, elk, and moose sign, including bedding areas, were observed in mountain shrub habitat to the north of the pond. This evidence of bedding and the abundant forest cover adjacent to water suggest that this area may be an important calving/fawning area in the spring.

3.1.2 Desired Future Condition

The desired future condition of Lady Morgan Pond is to maintain the natural successional trajectory of the ecosystem. Over the next 20 years the pond will likely progress into an emergent marsh complex dominated by reeds and sedges. The marsh will eventually turn into a seasonally flooded depressional wet meadow. This transition will limit the water-associated species, which previously inhabited the Lady Morgan Pond area. However, the new meadow will provide habitat for species such as the white-crowned sparrow, meadow vole, and American pipit. Big game will also likely continue to use the area, particularly in the spring when open water is still present.

Previous management prescriptions made for the Lady Morgan area included dredging the pond, constructing a wildlife viewing area to the east of the pond, and placing three to five wood duck nesting boxes in the vicinity. These recommendations are not consistent with the desired future condition of the area because they disrupt the natural successional dynamics of this system. In addition, periodic dredging of the pond would be costly, labor intensive, and require a Section 404 permit from the U.S. Army Corps of Engineers Utah Regulatory Office.

3.2 Centennial Draw

3.2.1 Existing Condition

Centennial Draw contains closed canopy habitat comprised of the aspen/tall forb community on south-facing slopes and mixed forest stands on north-facing slopes. In 1993, Bio-Resources identified a portion of this area as elk calving habitat, and several deer were observed at the same location by SWCA in 1999. Evidence of deer bedding was observed by SWCA in mountain shrub-dominated opening in the aspen canopy in the upper right fork of Centennial Draw on July 7, 2000. This area also contains prime habitat for forest-interior bird species including the hermit thrush, and ruby-crowned kinglet (in mixed and coniferous stands), and the warbling vireo (in aspen stands). Several narrow trails currently wind through the trees offering summertime hiking and mountain biking opportunities. At present, winter use consists only of occasional back-country ski access along the north ridge.

3.2.2 Desired Future Condition

To the extent practicable, the desired future condition for Centennial Draw is to maintain closed canopy forest habitats and preserve the integrity of the elk calving area.

3.3 Potential Wildlife Movement Corridors

Wildlife movement corridors are areas that tend to be used by a large number of deer and/or elk and moose in their seasonal altitudinal migrations. These corridors are typically found in saddles along prominent ridgelines. Based on this criterion, four potential wildlife movement corridors have been identified and are depicted on Figure 2. With the exception of the potential movement corridor located where Guardsman Pass road crosses the Wasatch/Summit County line, none of these corridors would be directly affected by development of Flagstaff Mountain Resort.

4.0 MANAGEMENT

4.1 Management Authority

Two groups will have management authority for wildlife within the Plan Area. Within the development pods, the appropriate Homeowners' Association will deal with wildlife management issues. Outside of the development pods, Deer Valley Resort will be responsible for implementing the management prescriptions detailed below.

4.2 General Management Prescriptions

Wildlife Education

Minimizing human impacts to wildlife at Flagstaff Mountain will require a variety of approaches centered around public education. A combination of education, signs, and enforcement is the best method of control. An educated public is best obtained through outreach activities and the distribution of appropriate information. During the spring, summer, and fall seasons FMP will sponsor weekly talks and/or field trips by qualified naturalists. The goal of these talks will be to garner interest and a sense of stewardship in Flagstaff Mountain's abundant wildlife.

In addition, a "Living with Wildlife" brochure will be produced and any person(s) wishing to rent equipment or rent or purchase property within the area will be required to sign a statement that they have read, understand, and will abide by the rules for living with wildlife at Flagstaff Mountain Resort. The goal of this literature will be to educate and provide guidelines to the public regarding interaction with wild animals. The guide will include information on wildlife species known to occur in the area, their relative abundance, animals they are likely to encounter while utilizing the trail system, proper interaction behavior, preventative instruction and contact information for problem wildlife, and safety tips. It will also include the natural history and behavior patterns of animals commonly encountered (e.g., a cow moose will fiercely defend her young against any apparent threat including a curious visitor who decides to approach the young for a better view or photograph). These brochures along with posters presented at trailhead kiosks will help to ensure that appropriate wildlife information is disseminated throughout the various user groups. Wildlife notices and information will also be provided on Flagstaff Mountain Resort's Intranet system. In addition to providing detailed information on wildlife habitats and species present within the Plan Area, the Intranet will contain a variety of links to other pertinent web sites such as the Utah Division of Wildlife Resources and the Wasatch-Cache National Forest.

Interpretive signs are another form of outreach and will be combined with regulatory signs to control access in sensitive areas such as Lady Morgan Pond. Most outdoor recreationists tend to obey directions presented along a trail system. However, there is a small segment of the population that will disregard the posted requests and proceed

into protected wildlife areas. For this reason, enforcement is necessary. Deer Valley Resort currently uses bike patrols to respond to backcountry emergencies and enforce proper trail use. These patrollers will take on the additional task of ensuring that recreationists obey restrictions associated with protected wildlife areas.

Habitat Fragmentation

Any type of development that divides a large, continuous area of habitat may cause fragmentation. To the extent feasible, large habitat patches will be left intact and be separated from heavy human use areas by a buffer zone characterized by less intensive human uses. Where unavoidable, the effects of habitat fragmentation can be ameliorated by clearing vegetation in the fall and winter (rather than during the breeding/nesting season) and by providing suitable movement corridors. Where conventional (cleared and graded) ski runs are constructed through dense forest stands, large forest "islands" will be left to provide cover for forest-interior species as they cross these openings. These islands will help to maintain habitat connectivity while still allowing for a quality skiing experience.

It should be noted that the primary cause of habitat fragmentation within the Plan Area is associated with the clearing of lift alignments and construction of ski runs. Residential development will be limited to approximately 84 acres in Pods A, B-1 and B-2 and 63 acres in Pod D. This will minimize fragmentation by keeping the highest level of human use in the most developed areas and keeping less intensively used areas largely intact. Recreational open space will provide a buffer between these concentrated use areas and protected areas such as Lady Morgan Pond.

Wildlife Plantings

The term wildlife plantings refers to plant species used for revegetation with the intent of attracting wildlife. While this practice may be quite successful in attracting wildlife species to developed areas, many negative impacts may result including nuisance animals, dangerous animals, health risks for animals, safety concerns for people and animals, displeasing appearance of animal droppings and footprints, and property damage. Because of these risks, planting preferred forage species in and around development pods will be minimized. Wildlife plantings will, however, be used to mitigate project-related habitat loss by enhancing habitat in previously unattractive areas and encouraging wildlife use in open space well away from the development pods.

Soft Edge

Another method that will be used to minimize the impacts to wildlife associated with urban development will entail creating a gradual transition from natural landscape to urban environment, thereby creating a "soft edge." This practice will include planting

and/or maintaining native vegetation cover around the immediate perimeter of the development pods. Using native vegetation in these areas will make the development less aversive to wildlife without actively luring them into the area where they may become a problem.

Vehicle Speed and Road Signs

For the safety of people and wildlife, roads built in existing habitat will be designed for a maximum vehicle speed of 25 mph or less. These roads will have wildlife-crossing signs posted at regular intervals throughout their length.

Protection of Wetlands

Wetlands are critical habitat because many species depend entirely upon them for survival, and many more species are frequent or occasional users. In September,1993, the developer contracted with Natural Resources Consulting; Bio-Resources, Inc.; and Basin Hydrology to identify and delineate wetland areas within the Plan Area. Three wetland types were identified: forested riparian wetlands, scrub-shrub wetlands, and wet meadow wetlands. Forested riparian wetlands are located along the tributary that joins Empire Canyon from the east in the vicinity of the Judge Mine. The scrub-shrub wetlands occur in Centennial Draw and, to a limited extent, around Lady Morgan Pond. The scrub-shrub wetlands in Centennial Draw are discontinuous along the drainage and consist of patches of hydrophytic shrubs over a groundcover of hydrophytic herbaceous vegetation. Wet meadow wetlands are extensive around Lady Morgan Pond and occur in two other areas at Flagstaff Mountain. One of these areas is located near the mouth of Centennial Draw and the other occurs at the base of the Anchor Mine overburden. Any ground-disturbing activities (e.g., the grading of ski runs) slated to occur in these areas may require a Section 404 permit from the U.S. Army Corps of Engineers (ACOE) Utah Regulatory Office. The 404 permit process is sufficient to ensure that wetland wildlife habitat values are maintained during and after development of Flagstaff Mountain Resort. FMP will address these issues directly with the ACOE on an as-needed basis.

In addition to the areas identified as jurisdictional wetlands, several stream channels within the Plan Area qualify as waters of the United States due to the presence of a defined bed and bank. These jurisdictional waters occur in both Ontario and Empire Canyons. In Empire Canyon, these stream channels are interrupted by the Anchor, Little Bell, and Daly West Mine overburden piles but are continuous above and below these features. Any development activities resulting in impacts to these channels will require a state stream alteration permit issued through the Utah Division of Water Rights.

Hunting Policies

Hunting activities will not be permitted within the confines of Flagstaff Mountain Resort. Discharge of firearms is prohibited within the city limits of Park City, which encompasses the entire resort property. No archery hunting will be allowed. Nuisance and/or dangerous animals will be dealt with according to established Park City Police Department procedure. Should overpopulation of deer or elk become an issue, state management authorities will determine the best method of control.

Dog Policies

Unleashed dogs will not be permitted in the Plan Area. Unleashed dogs have the potential to harass wildlife and Park City ordinances require that dogs be leashed within city limits. Enforcement of this dog policy will be the responsibility of Park City and the Homeowners' Associations within development pods and of Park City and Deer Valley Resort in the remainder of the Plan Area.

Protection of Calving Areas

Based on the results of wildlife surveys within the Plan Area, there are two areas with potential to shelter calving elk. These areas include Lady Morgan Pond and Centennial Draw. Refer to Section 4.2 for management of these sensitive wildlife areas.

Revegetation of Disturbed Areas

There are several major mine overburden areas on the Flagstaff Mountain property. These areas will be dealt with in accordance with the Mine/Soil Hazard Mitigation Plan. Where feasible and appropriate, a mixture of native seed will be used to establish and stabilize the organic layer and attract wildlife. Native trees and wildlife plantings will be utilized for landscaping purposes and, if necessary for aesthetics, native vegetation having low forage or cover value to deer and elk will be used for landscaping along roadsides.

Perimeter Fencing

Perimeter fencing around individual properties (e.g., single family residential lots and multi-family parcels) will not be permitted as it may impede the natural movement of wildlife in and out of the Plan Area.

Nuisance Wildlife Control

At the urban/wildland interface, there are often conflicts between wildlife and people. Consequently, there is a broad range of potential nuisance wildlife situations. For example, raccoons, skunks, and even black bears may proliferate in areas where

garbage or other human-generated food sources become readily available. Deer and elk may become problematic when residential areas are landscaped with preferred forage. Bats and rodents may colonize buildings and European starlings often develop nests in cavities accessible from the exterior of buildings.

One method of nuisance wildlife control, which will be employed by the resort, will be to maintain adequate garbage collection facilities and enforce the proper use of these facilities. Uncovered garbage tends to attract wildlife and, in the course of feeding, refuse may be strewn across the property creating a displeasing appearance and attracting additional wildlife. Garbage-fed animals tend to lose their fear of humans and may become dangerous. Exercising garbage control will greatly reduce the incidences of nuisance wildlife. Due to the wide variety of potential nuisance wildlife situations, it is impossible to develop a contingency plan for every type of occurrence. There are individual contractors who specialize in removing problem wildlife. These individuals are specialists and have a great deal of knowledge regarding nuisance wildlife and methods of control. Wildlife control contractors will be utilized when and where they are necessary.

Off-Road Vehicles

The public within the Flagstaff Mountain Plan Area expressly forbids off-road vehicles from use. These include, but are not limited to, dirt bikes, ATV's, snowmobiles (with the exception of Wasatch County landowners winter access), and off-road vehicles. Residents and landowners are also included in this ban. The only exceptions are the use of off-road vehicles for routine maintenance, public safety, and mountain operations activities.

4.3 Management of Sensitive Wildlife Areas

4.3.1 Lady Morgan Pond

Clearing trees for downhill ski runs or developing summer trails through the Lady Morgan Pond area is prohibited. Spring and summer access will not be permitted due to the sensitivity of breeding and calving animals. Interpretive signage will be placed at the perimeter of this area indicating its biological/habitat value and prohibiting access during these times. Non-mechanized fall and winter access (e.g., hiking, downhill and cross-country skiing, snowshoeing, etc.) will be permitted, but only along the established loop trail on the south end of the pond. Mountain bikes will be prohibited from entering this area. Pets will be allowed in the Lady Morgan area only during the fall and winter and leash laws will be strictly enforced during this time.

4.3.2 Centennial Draw

Centennial Draw has been proposed for development as a portion of a ski pod (Pod Z) by Deer Valley Resort. Cutting and grading of ski runs through this area during the development of Pod Z will fragment forest habitat and reduce thermal and hiding cover for deer and elk. In order to maintain the suitability of this site as a calving ground, the clearing and grading associated with the proposed ski run development will be minimized in the area delineated in Figure 2. The Development Agreement states that only two graded runs will be allowed in Pod Z. Forest thinning and other, limited vegetation removal may occur in the balance of Pod Z for skier safety and glade skiing. No more than two ski runs will be created in the delineated wildlife management area portion of this ski pod. In addition, Run 121 nearest the center of the drainage (north end of ski pod) will be a gladed rather than conventionally cleared run. In order to preserve hiding cover for calves, no ground disturbance or removal of the shrub layer will be permitted in this area. Large tree islands containing suitably dense forest and shrub cover to hide calves will be maintained following lift development. Native herbaceous ground cover will be maintained in the cleared run.

While habitat conversion due to ski run development could reduce the extent of suitable calving habitat in Centennial Draw, as long as hiding cover is preserved elk should still use the site. A more important consideration during the calving period is human (and domestic dog) intrusion and disturbance. Elk calving can begin as early as April and extend into July. This area will therefore be closed to recreationists and their pets from the time of snowmelt through the end of the calving season each year. Given that this is an important recreation area that is crossed by a number of popular trails, it will be opened as soon as possible after a qualified wildlife biologist has confirmed that elk are no longer calving in the area. It is anticipated that, on average, these trails will be suitable for opening by the July 4 holiday. The above measures will help to ensure that the area retains at least some suitable habitat for calving elk and forest-interior bird species.

4.3.3 Potential Wildlife Movement Corridors

It is imperative that existing wildlife movement corridors continue to function in this capacity. Accordingly, habitat modifications should be minimized, fencing prohibited, and recreationists should be directed away from these areas in the spring and fall migration periods. It is critical that game trails remain intact as wildlife movement corridors and recreationists utilize only established back-country trails designed specifically for their use. Adherence to the established trail system will be encouraged through education, signs, and enforcement.

4.4 Management of Wildlife in Development Pods

Initial Loss of Habitat

The initial loss of habitat associated with clearing, grading, and construction within the development pods has the potential to impact sensitive wildlife species that currently utilize these areas (e.g., flammulated owl in Pod A). In order to minimize such impacts, the clearing of construction sites will be conducted in the fall, winter, and early spring, outside of the wildlife breeding/nesting season. When it is not feasible to clear vegetation during this period, pre-clearing surveys will be conducted by a qualified wildlife biologist to ensure that there are no sensitive species within a given project site. If sensitive species are present, appropriate measures, such as maintaining nest trees and a suitable buffer around them, will be taken to avoid impacts.

Urban Wildlife Considerations

Some species of animals have adapted to urban environments. Typical examples of this are the house sparrow, pigeon, American robin, European starling, black-capped chickadee, Steller's jay, raccoon, mule deer, and coyote. Some of these animals are popular and desirable while others are not. Regardless of general popularity, all of these animals will eventually become part of the overall wildlife picture at Flagstaff Mountain Resort.

Backyard feeders can bring tremendous benefits to local bird populations if regularly cleaned and stocked. However, this responsibility should not be taken lightly. Unsanitary conditions may promote bacterial growth, which can lead to death in several species of common backyard birds. Another consideration is regular stocking of the feeder. Wild birds become dependent upon backyard feeders during winter and once a feeding station is established, it must continue to supply the necessary feed or the birds may die of starvation. Coyotes and raccoons are both omnivorous and will be found near garbage. In the wild, both species tend to avoid human contact but may become bold in urban settings if food is made consistently available (see Nuisance Wildlife Control above).

Mule deer and elk may graze in backyards and feed on ornamental plantings, often to the frustration of the landowner. However, these animals are generally popular as viewing species and most people are excited to have them near their homes. In fact, some people will be so excited about seeing these large animals that they will deliberately entice them with food. This is an unacceptable practice and will not be allowed on the property. Just as with birdfeeders, deer and elk may become dependent on an artificial food source that is likely to disappear arbitrarily and/or impact the health of dependent animals.

5.0 RELATED PLANNING DOCUMENTS

5.1 Flagstaff Mountain Resort Open Space Management Plan

The Open Space Management Plan identifies two general types of open space designations within the Plan Area: Recreational Open Space (ROS) and Protected Open Space (POS). ROS is further divided into Developed and Undeveloped Recreational Open Space (DROS and UROS, respectively). POS also include historic sites susceptible to damage and/or posing safety hazards to unsuspecting individuals. The Open Space Plan overlaps the Wildlife Management plan in its designation of the Lady Morgan sub-watershed as Sensitive Land and its designation of Centennial Draw as a special wildlife management area within DROS (Future Ski Pod Z).

5.2 Flagstaff Mountain Resort Trails Master Plan

The Trails Master Plan identifies existing and proposed hiking, biking, and equestrian trails within the Plan Area. It outlines trail management and use considerations and restrictions. The Trails Plan interfaces with this Wildlife Management Plan where trails pass adjacent to or through the Lady Morgan and Centennial Draw Sensitive Wildlife Areas.

APPENDIX A

Wildlife Species/Sign Observed Within The Flagstaff Mountain Plan Area (Bio-Resources 1993, SWCA 1999 & 2000)

Appendix A

Wildlife Species/Sign Observed Within The Flagstaff Mountain Plan Area (Bio-Resources 1993, SWCA 1999 & 2000)			
Scientific Name	**Common Name**	**Habitat Associations***	**Relative Abundance****
Mammals			
Alces alces	Moose	C, CA, A, W	C
Canis latrans	Coyote	E	U
Cervus elaphus	Elk	CA, MSO, W	C
Erethizon dorsatum	Porcupine	C, CA	C
Eutamius minimus	Least chipmunk	C, CA, MSO	C
Lepus americanus	Snowshoe hare	C, CA, MSO	U
Lynx rufus	Bobcat	CA	R
Marmota flaviventris	Yellow-bellied marmot	RT	U
Microtus spp.	Vole	C, CA, A, MSO, H, W	R
Neotoma cinerea	Bushytail woodrat	RT	U
Odocoileus hemionus	Mule deer	E	A
Procyon lotor	Racoon	W	U
Spermophilus armatus	Uinta ground squirrel	MSO	C
Tamiasciurus hudsonicus	Red squirrel or chickaree	C, CA	A
Ursus americanus	Black bear	MSO	R
Birds			
Accipiter cooperii	Cooper's hawk	E	U
Bonasa umbellus	Ruffed grouse	CA	R
Buteo jamaicensis	Red-tailed hawk	E	C
Carduelis pinus	Pine siskin	C, CA, A, MSO	C

Wildlife Species/Sign Observed Within The Flagstaff Mountain Plan Area (Bio-Resources 1993, SWCA 1999 & 2000)			
Scientific Name	**Common Name**	**Habitat Associations***	**Relative Abundance****
Carpodacus cassinii	Cassin's finch	MSO	U
Catharus guttatus	Hermit thrush	C, CA, A	A
Colaptes auratus	Northern flicker	C, CA, A, MSO	A
Contopus sordidulus	Western wood peewee	CA, A	C
Contopus borealis	Olive-sided flycatcher	C, CA	U
Cyanocitta stelleri	Steller's jay	C, CA, MSO	C
Dendroica coronata	Yellow-rumped warbler	CA, A, MSO	C
Empidonax oberholseri	Dusky flycatcher	A	U
Euphagus cyanocephalus	Brewer's blackbird	MSO	R
Junco hyemalis	Dark-eyed junco	C, CA, A, MSO, W	A
Melospiza melodia	Song sparrow	W	R
Myadestes townsendi	Townsend's solitaire	A	R
Nucifraga columbiana	Clark's nutcracker	CA	R
Oporornis tolmiei	MacGillivray's warbler	CA, A, MSO	C
Parus atricapillus	Black-capped chickadee	A, MSO	U
Parus gambeli	Mountain chickadee	C, CA, A	A
Passerina amoena	Lazuli bunting	W	R
Pheucticus melanocephalus	Black-headed grosbeak	C, CA, A	C
Pica pica	Black-billed magpie	RT	C
Pipilo chlorurus	Green-tailed towhee	CA, A, MSO	C
Piranga ludoviciana	Western tanager	A, MSO	U

Wildlife Species/Sign Observed Within The Flagstaff Mountain Plan Area (Bio-Resources 1993, SWCA 1999 & 2000)			
Scientific Name	**Common Name**	**Habitat Associations***	**Relative Abundance****
Selasphorus platycercus	Broad-tailed hummingbird	CA, A, MSO, H	C
Sitta canadensis	Red-breasted nuthatch	C, CA, A	A
Spizella passerina	Chipping sparrow	C, CA, A, MSO, W	A
Spizella breweri	Brewer's sparrow	MSO	C
Tachycineta thalassina	Violet-green swallow	CA, A, MSO	U
Tachycineta bicolor	Tree swallow	CA	R
Troglodytes aedon	House wren	A, MSO	U
Carduelis tristis	American goldfinch	MSO	C
Cathartes aura	Turkey vulture	E	U
Certhia americana	Brown creeper	C	C
Dendroica townsendi	Townsend's warbler	C	R
Picoides villosus	Hairy woodpecker	C, CA, A	U
Pinicola enucleator	Pine grosbeak	C	U
Regulus satrapa	Golden-crowned kinglet	C	U
Falco mexicanus	Prairie falcon	MSO	R
Actitus macularia	Spotted sandpiper	W	R
Sphyrapicus nuchalis	Red-naped sapsucker	CA, A	U
Sialia currucoides	Mountain bluebird	MSO	U
Vermivora celata	Orange-crowned warbler	CA, A, MSO	C
Molothrus ater	Brown-headed cowbird	MSO	U
Loxia curvirostra	Red crossbill	CA	A
Cocothraustes	Evening grosbeak	C, CA	U

Wildlife Species/Sign Observed Within The Flagstaff Mountain Plan Area (Bio-Resources 1993, SWCA 1999 & 2000)			
Scientific Name	**Common Name**	**Habitat Associations***	**Relative Abundance****
Turdus migratorius	American robin	E	A
Vireo gilvus	Warbling vireo	CA, A	A
**Key to habitat types: C = conifer; CA = conifer/aspen; A = aspen, aspen/tall forb; MSO = mountain shrub, mountain shrub/oak; H = herbaceous; W = willow/tall forb, wetland pond/wet meadow; RT = rock/talus; and E = every habitat type.* ***Relative Abundance: A = abundant, C = common; U = uncommon; and R = rare.*			

APPENDIX B

Figures

Figure 1. Location of Flagstaff Mountain Resort Plan Area, Summit County, Utah
Figure 2. Wildlife Habitats
Figure 3. Sensitive Wildlife Areas

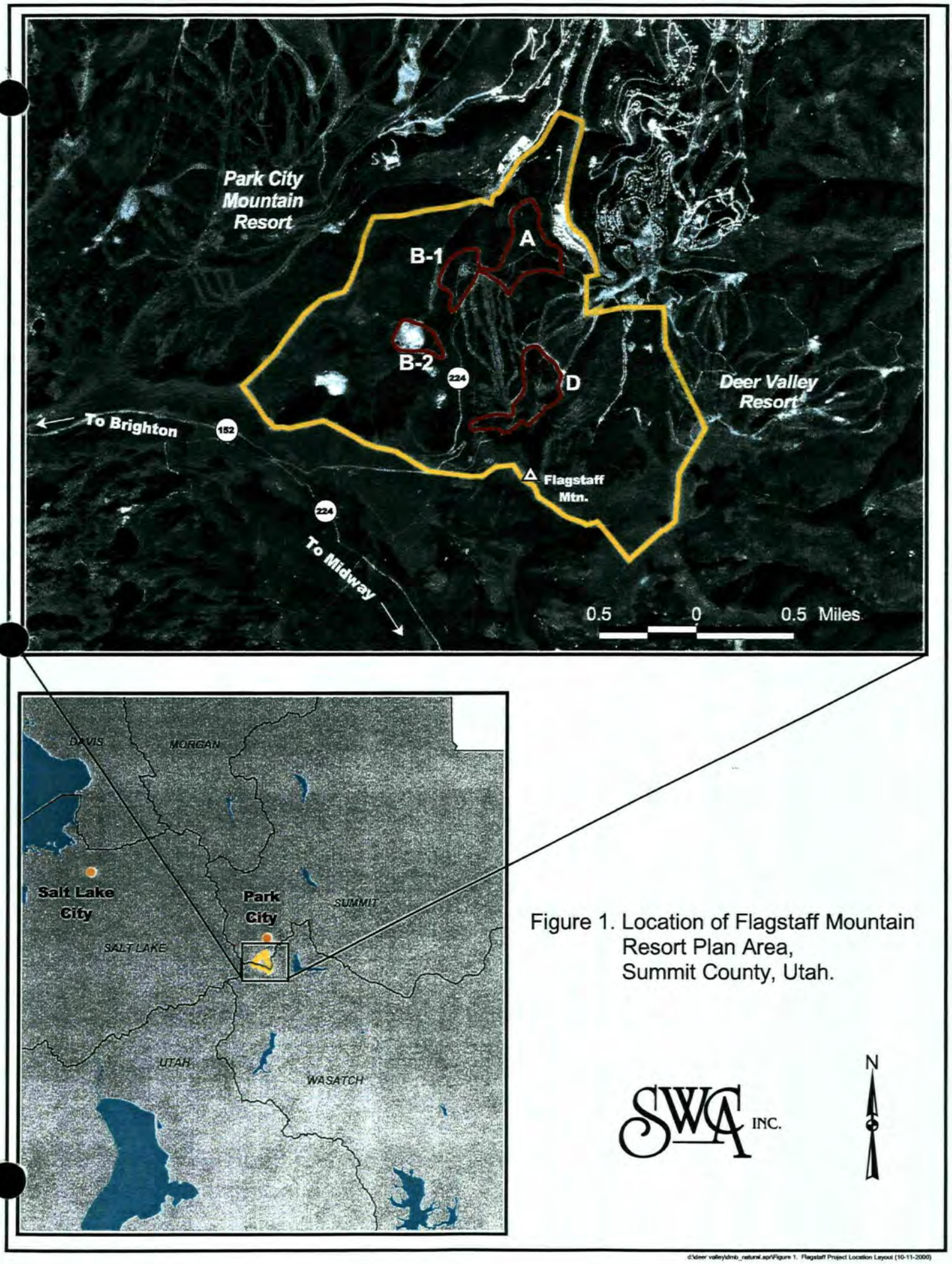

Figure 1. Location of Flagstaff Mountain Resort Plan Area, Summit County, Utah.

d:\deer valley\dmb_natural.apr\Figure 1. Flagstaff Project Location Layout (10-11-2000)

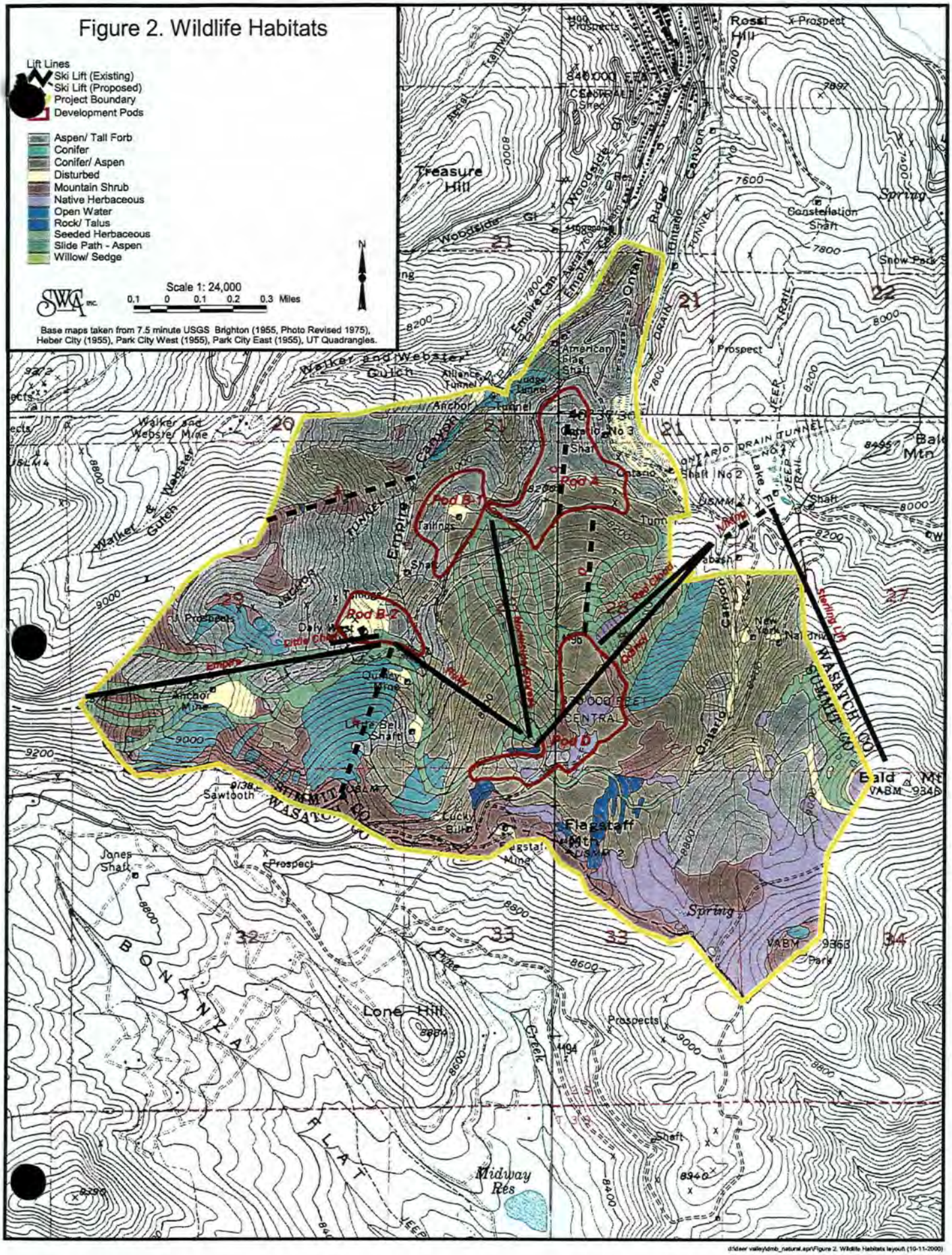
Figure 2. Wildlife Habitats
Lift Lines
Ski Lift (Existing)
Ski Lift (Proposed)
Project Boundary
Development Pods
Aspen/ Tall Forb
Conifer
Conifer/ Aspen
Disturbed
Mountain Shrub
Native Herbaceous
Open Water
Rock/ Talus
Seeded Herbaceous
Slide Path - Aspen
Willow/ Sedge
Scale 1: 24,000
0.1 0 0.1 0.2 0.3 Miles
N
Base maps taken from 7.5 minute USGS Brighton (1955, Photo Revised 1975), Heber City (1955), Park City West (1955), Park City East (1955), UT Quadrangles.
Pod A
Pod B-1
Pod B-2
Pod B
Pod C
Treasure Hill
Rossi Hill
Flagstaff Mtn
Lone Hill
Bald Mt
Midway Res
Bonanza Flat
Empire Canyon
Walker & Webster Gulch
Woodside Gulch
Ontario Drain Tunnel
Alliance Tunnel
Anchor Tunnel
Spring Lift
Wasatch Summit
Sawtooth
Constellation Shaft
Ontario Shaft No 3
Ontario Shaft No 2
Anchor Mine
Lucky Bill Shaft
Jones Shaft
Prospects
Tailings
Snow Park Trail
Jeep Trail
Lake Fk
Park
Creek
Shaft
Spring
VABM 9363
VABM 9346
8400
8600
8800
9000
9200
7600
7800
8000
8200

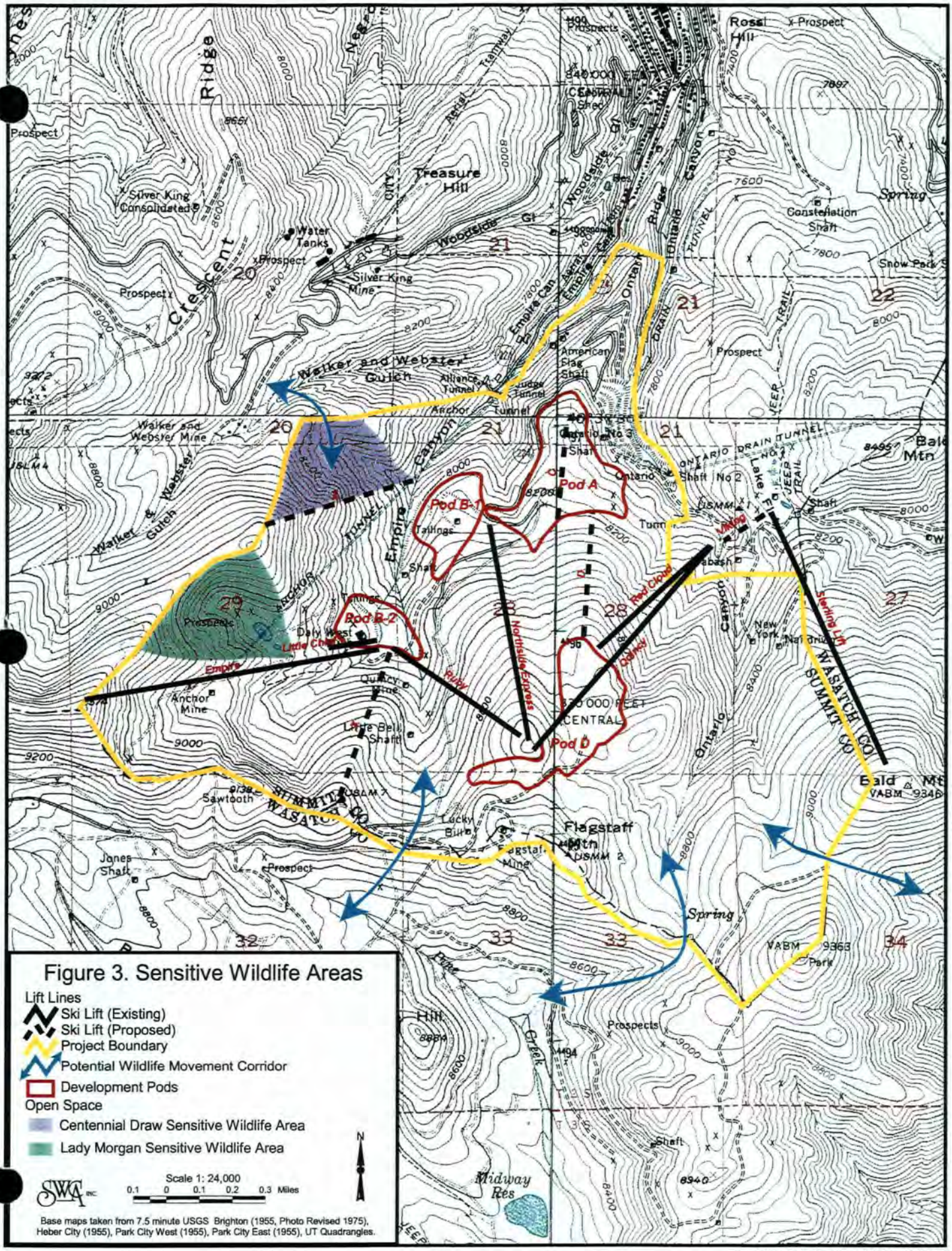

Figure 3. Sensitive Wildlife Areas

d:\deer valley\dmb_natural.apr\Figure 3. Flagstaff Wildlife layout (10-11-2000)

00994227 B: 2237 P: 1522
Page 1 of 11
Mary Ann Trussell, Summit County Utah Recorder
04/29/2014 02:24:00 PM Fee $34.00
By COALITION TITLE AGENCY, INC.
Electronically Recorded

WHEN RECORDED, RETURN TO:
Summit Land Conservancy
P.O. Box 1775
1650 Park Avenue, Suite 202
Park City, Utah 84060

AMENDMENT TO

GRANT OF CONSERVATION EASEMENT (SKI AREA)

THIS AMENDMENT TO GRANT OF CONSERVATION EASEMENT ("Amendment") is made this 29 day of January, 2014, by and between Deer Valley Resort Company ("Owner"), and Park City Municipal Corporation ("City") and Summit Land Conservancy, a Utah nonprofit corporation, formerly known as Conserving Our Open Lands ("Conservancy"). (Owner, City and the Conservancy are referred to individually as a "Party" and collectively as the "Parties")

WHEREAS, the Parties together with UNITED PARK CITY MINES COMPANY ("United Park City Mines") entered into a GRANT OF CONSERVATION EASEMENT (SKI AREA) with an effective date of December 19, 2002, recorded with the office of the Summit County Recorder on January 7, 2003, Book 1502, Page 732, as Instrument #643790 ("Conservation Easement") for the property described in Exhibit A attached hereto (Conservation Easement Property); and

WHEREAS, on or about February 7, 2003, United Park City Mines Company quitclaimed the Conservation Easement Property and other lands located in the Deer Valley Resort ski area to Owner with a Quitclaim Deed recorded with the office of the Summit County Recorder on July 18, 2003, Book 1552, Page 1848, as Instrument # 665946 ("Quitclaim"); and

WHEREAS, on or about December 18, 2008, Mary Bransford Leader, Carolyn Bransford MacDonald, The Trust of Carolyn Bransford MacDonald and Anne L. Bransford ("Bransford Parties"), filed a Second Amended Complaint with the Third District Court of Summit County against Owner, United Park City Mines, City and Conservancy (Defendants) pertaining to three properties located within the Deer Valley ski area; and

WHEREAS, one of the properties subject to the Bransford Parties' law suit is part of the Conservation Easement Property and is described as the Dutchman Lode Mining Claim Lot No. 3008, and further described in Exhibit B attached hereto ("Dutchman Parcel"); and

WHEREAS, the Bransford Parties' claims included the claim that the Defendants did not have the authority to enter into the Conservation Easement for the Dutchman Parcel; and

WHEREAS, on October 2, 2009, Judge Lubeck of the Third District Court executed an order stating that the terms, conditions, promises and restrictions in the Conservation Easement do not apply to or bind the Bransford Parties undivided interest or ability to use the Dutchman Parcel; and

WHEREAS, on May 3, 2012, the Bransford Parties filed with the Third District Court a "Verified Notice, Re; Non-Applicability of Terms in Quitclaim Deed and Conservation

THIS IS AN ACCOMMODATION RECORDING ONLY

WHEREAS, on May 3, 2012, the Bransford Parties filed with the Third District Court a "Verified Notice, Re; Non-Applicability of Terms in Quitclaim Deed and Conservation Easement", which was amended and corrected on May 7, 2012, and recorded with the office of the Summit County Recorder on May 18, 2012, Book 2128, Page 1608, Instrument #945570; and

WHEREAS, on or about July 30, 2013, the Bransford Parties together with the Mary Bransford Leader Family Trust quitclaimed the Dutchman Parcel to Owner in a deed recorded with the Office of the Summit County Recorder on August 30, 2013, Book 2204, Page 1543, Instrument #978193; and

WHEREAS, Owner has right, title and interest to the Dutchman Parcel and wishes to restore the Dutchman Parcel to the Conservation Easement Property.

NOW THEREFORE, in consideration of the recitals set forth above, the parties hereby agree:

1. To restore the Dutchman Parcel to the Conservation Easement, such that the property encumbered is described in the legal description attached hereto as Exhibit A, and identical to the property subject to the Conservation Easement as of the effective date of the Conservation Easement.

2. The Conservation Easement shall remain unchanged and Owner, City and Conservancy acknowledge and agree that the Easement, as amended by this amendment, is hereby reaffirmed, ratified and confirmed in its entirety and is in full force and effect

3. This Amendment may be executed in any number of counterpart copies, each of which counterpart copy shall be deemed an original for all purposes.

OWNER, CITY and CONSERVANCY have executed this Amendment to Conservation Easement as of the Effective Date.

(Signature pages to follow)

OWNER:
Deer Valley Resort Company

By:_____
Robert W. Wells, Vice President

CITY:
Park City Municipal Corporation

By:_____
Jack Thomas, Mayor

CONSERVANCY:
Summit Land Conservancy, a Utah nonprofit corporation

By:_____
Lawrence Stevens, Board Chair

OWNER:
Deer Valley Resort Company

By:_____
Robert W. Wells, Vice President

CITY:
Park City Municipal Corporation

By:_____
Jack Thomas, Mayor

CONSERVANCY:
Summit Land Conservancy, a Utah
nonprofit corporation

By:_____
Lawrence Stevens, Board Chair

STATE OF UTAH)
: ss.
COUNTY OF Summit)

The foregoing instrument was acknowledged before me this 29 day of January, 2014, by Robert W. Wells, Vice President of Deer Valley Resort Company.

Julie Kalar
NOTARY PUBLIC
Residing at: Summit Co

My Commission Expires:
Feb 18, 2015

Notary Public
JULIE KALAR
Commission #605182
My Commission Expires
February 18, 2015
State of Utah

STATE OF _____)
: ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this __ day of _____, 2014, by Jack Thomas, the Mayor of Park City Municipal Corporation.

NOTARY PUBLIC
Residing at: _____

My Commission Expires:
_____

STATE OF Utah)
: ss.
COUNTY OF Summit)

The foregoing instrument was acknowledged before me this 18th day of February, 2014, by Lawrence Stevens, the Board Chair of Summit Land Conservancy, a Utah nonprofit corporation.

NOTARY PUBLIC
Residing at: Wasatch county

My Commission Expires:
Aug 25, 2015

JOSE MELENDEZ
Notary Public
State of Utah
Comm. No. 611975
My Comm. Expires Aug 25, 2015

STATE OF _____)
: ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this __ day of _____, 2014, by Robert W. Wells, Vice President of Deer Valley Resort Company.

_____
NOTARY PUBLIC
Residing at: _____

My Commission Expires:
_____

STATE OF Utah)
: ss.
COUNTY OF Summit)

The foregoing instrument was acknowledged before me this 23 day of January 2014, by Jack Thomas, the Mayor of Park City Municipal Corporation.

_____
NOTARY PUBLIC
Residing at: 5564 So. 150 W. Ogden, UT 84405

My Commission Expires:
October 17, 2017

Notary Public
MARCI SUE HEIL
Commission #671197
My Commission Expires
October 17, 2017
State of Utah

STATE OF _____)
: ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this __ day of _____, 2014, by Lawrence Stevens, the Board Chair of Summit Land Conservancy, a Utah nonprofit corporation.

_____
NOTARY PUBLIC
Residing at: _____

My Commission Expires:
_____

EXHIBIT A
TO
AMENDMENT

CONSERVATION EASEMENT
SUNNYSIDE MINING CLAIM PARCEL

A parcel of land located in the northeast quarter of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

More particularly described as:
The SUNNYSIDE MINING CLAIM, Mineral Survey No. 5931, Uintah Mining District, Summit County Utah.

AND ALSO

CONSERVATION EASEMENT
12-14-2002
WEST PARCEL

A parcel of land located in the southeast quarter of Section 20, the southwest quarter of Section 21, the west half of Section 28, Section 29, and the northeast quarter of Section 32, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is South 00°30'49" East 1342.05 feet along Section Line and East 147.24 feet from the northwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 35°43'21" East 536.94 feet; thence South 20°26'14" West 899.92 feet; thence North 67°40'20" West 360.46 feet; thence North 80°25'18" West 202.84 feet; thence North 67°31'45" West 135.42 feet; thence North 73°07'50" West 100.33 feet; thence North 87°06'36" West 106.94 feet; thence South 61°42'34" West 79.63 feet; thence South 27°43'54" West 484.46 feet; thence South 10°53'24" West 85.65 feet; thence South 21°48'36" East 87.11 feet; thence South 40°53'24" East 169.75 feet; thence South 58°21'35" East 92.50 feet; thence South 84°46'19" East 334.15 feet; thence North 82°18'26" East 161.11 feet; thence North 34°31'29" East 155.16 feet; thence South 10°07'39" East 88.12 feet; thence South 55°07'39" East 129.63 feet; thence North 79°52'21" East 94.35 feet; thence South 35°40'02" East 47.30 feet; thence South 61°52'36" East 311.67 feet; thence South 47°13'14" East 268.07 feet; thence South 02°06'34" East 136.35 feet; thence South 07°54'15" West 981.02 feet; thence South 78°26'39" West 434.39 feet; thence

South 50°24'02" West 516.40 feet; thence South 06°30'52" East 1015.13 feet to a point on the Wasatch – Summit County Line and on the boundary line of the Flagstaff Mountain Resort Annexation Plat, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah; thence along the Annexation Plat boundary the following twenty-eight (28) courses and the Wasatch – Summit County Line the following ten (10) courses: 1) North 59°43'30" West 677.04 feet to County Line Point 2338; thence 2) South 79°07'30" West 494.73 feet to County Line Point 80; thence 3) North 70°28'30" West 339.90 feet to County Line Point 81; thence 4) North 60°14'30" West 550.10 feet to County Line Point 82 and Triangulation Point 2339; thence 5) North 64°07'00" West 727.60 feet to County Line Point 83; thence 6) South 77°44'00" West 966.80 feet to County Line Point 85; thence 7) North 77°28'00" West 161.00 feet to a County Line Point and Triangulation Point 2340 which is also Judge Triangulation Point Q; thence 8) South 85°36'00" West 219.10 feet to County Line Point 86; thence 9) North 46°44'00" West 384.70 feet to County Line Point 87; thence 10) North 34°37'00" West 1,077.30 feet more or less to County Line Point 2343 and to a point on the demarcation line between the Park City Ski Area and the Deer Valley Resort; thence along said demarcation line North 44°09'00" East 1236.63 feet; thence North 35°07'44" East 548.54 feet; thence North 37°33'27" East 779.84 feet; thence North 49°33'13" East 616.72 feet; thence North 71°34'40" East 644.26 feet; thence North 30°09'00" East 354.14 feet; thence North 20°48'44" East 698.02 feet; thence North 10°48'36" East 569.75 feet; thence North 23°55'00" East 604.00 feet; thence North 87°35'00" East 778.00 feet; thence North 77°17'18" East 735.40 feet; thence North 82°14'00" East 672.44 feet more or less to a point on the Westerly boundary line of the "Anchor Tunnel Portal Mining Reservation", said point being North 39°17'38" East 942.39 feet more or less (North 39°21'57" East 945.50 feet actual) from the Southwest corner of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also lying along the ridge line between Empire Canyon and Walker and Webster Gulch; thence along said ridgeline the following six (6) courses: 1) North 64°44'13" East 136.79 feet; thence 2) North 67°45'58" East 149.28 feet; thence 3) North 81°11'10" East 122.88 feet; thence 4) North 77°19'44" East 85.84 feet; thence 5) North 77°48'30" East 79.25 feet; thence 6) North 86°11'16" East 94.42 feet; thence South 32°52'26" East 223.47 feet; thence South 69°09'13" East 102.23 feet; thence North 67°07'06" East 155.24 feet; thence North 04°25'53" East 132.87 feet; thence North 40°33'53" East 119.12 feet; thence North 76°50'53" East 73.80 feet; thence North 58°12'04" East 367.31 feet; thence South 60°36'00" East 292.85 feet; thence South 37°37'22" East 197.63 feet; thence South 56°34'49" West 512.21 feet; thence South 16°53'53" East 594.40 feet; thence South 25°28'58" West 970.31 feet; thence North 81°04'17" West 419.72 feet; thence North 02°53'37" West 404.59 feet; thence North 86°31'59" West 351.13 feet; thence South 59°54'31" West 564.66 feet; thence South 25°58'38" West 776.89 feet to the Point of Beginning.

Description contains 542.171 acres.

PCA-5-96-C

AND ALSO

CONSERVATION EASEMENT
12-14-2002
EAST PARCEL

A parcel of land located in the west half of Section 27, Section 28 and the northwest quarter of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is South 00°30'49" East 1865.30 feet along Section Line and East 814.96 feet from the northwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 31°55'31" East 246.23 feet; thence North 33°36'22" East 308.16 feet; thence North 28°16'22" East 321.39 feet; thence North 60°08'37" East 68.26 feet; thence North 85°27'32" East 49.33 feet; thence South 74°14'12" East 43.58 feet; thence South 61°44'30" East 207.31 feet; thence South 62°38'22" East 303.63 feet; thence South 55°40'50" East 182.09 feet; thence South 33°05'03" East 81.61 feet; thence South 14°58'12" East 170.16 feet; thence South 49°44'57" East 35.95 feet; thence North 29°47'06" East 252.30 feet; thence North 38°56'14" East 284.34 feet; thence North 37°01'40" East 177.45 feet; thence North 80°22'11" East 289.77 feet; thence North 75°02'27" East 190.91 feet; thence South 86°52'45" East 196.66 feet; thence South 77°28'34" East 189.26 feet; thence South 59°24'44" East 215.66 feet; thence South 61°24'54" East 194.69 feet; thence South 74°17'18" East 288.14 feet; thence South 40°13'59" East 173.65 feet; thence South 66°23'15" East 126.43 feet to a point on the boundary line of the Flagstaff Mountain Resort Annexation Plat, according to the official plat thereof on file and of record in the office of the recorder, Summit County Utah, thence along the Annexation Plat boundary the following seven (7) courses: 1) South 655.47 feet; thence 2) North 69°00'00" East 360.00 Feet; thence 3) South 29°20'00" West 117.60 feet; thence 4) North 78°10'00" East 714.30 feet; thence 5) East 1106.71 feet more or less to a point on the Wasatch-Summit County line; thence along the Wasatch – Summit County line the following two (2) courses: 1) South 04°15'00" East 1,028.07 feet; thence 2) South 25°30'30" East 1373.05 feet; thence South 79°17'00" West 74.23 feet more or less to Corner Number 3 of the Period No.2 Mining Claim, Mineral Survey No.6567, located in the Uintah Mining District; thence along the northerly side line of the Period No.2 Mining Claim South 79°17'00" West 1478.20 feet more or less; thence along the northerly side line of the Period No.1 Mining Claim, Mineral Survey No.6567, located in the Uintah Mining District South 79°51'00" West 1499.60 feet more or less; thence along the westerly end line of the R.P.H. Mining Claim, Lot 560, located in the Uintah Mining District North 10°30'00" West 48.77 feet more or less to a point on the southerly side line of the Sunset Mining Claim, Lot 705, located in the Uintah Mining District; thence along the southerly side line of the Sunset Mining Claim South 39°46'00" West 467.26 feet more or less; thence along the westerly end line of the Sunset Mining Claim North 49°15'00" West 425.61 feet more or less;

thence along the northerly side line of the Sunset Mining Claim North 47°05'27" East 433.08 feet more or less; thence along the easterly end line of the Harwood Mining Claim, Lot 450, located in the Uintah Mining District North 42°54'33" West 200.00 feet more or less; thence North 08°04'55" West 292.97 feet; thence North 28°26'50" East 328.73 feet; thence North 50°02'36" West 215.78 feet; thence North 25°32'19" West 210.51 feet; thence North 37°04'49" West 64.38 feet; thence North 53°11'52" West 301.16 feet; thence North 34°57'27" West 259.63 feet; thence North 67°09'50" West 93.65 feet; thence South 83°45'19" West 150.83 feet; thence South 61°14'42" West 124.74 feet; thence South 43°40'11" West 113.75 feet; thence South 02°39'14" East 518.83 feet; thence South 02°31'44" East 549.12 feet; thence South 33°54'42" West 222.11 feet; thence South 40°06'56" West 338.44 feet; thence South 10°48'54" West 245.43 feet; thence South 88°33'34" West 636.00 feet; thence South 43°19'22" West 103.91 feet; thence South 58°22'25" West 126.67 feet; thence South 71°26'21" West 57.91 feet; thence North 83°22'14" West 72.43 feet; thence South 53°02'42" West 230.82 feet; thence South 33°12'17" West 198.33 feet; thence South 59°22'40" West 315.07 feet to a point on a 1475.00 foot radius curve to the right; thence northerly along the arc of said curve 35.65 feet (chord bears North 06°22'46" East 35.65 feet); thence North 07°04'19" East 47.66 feet to a point on a 425.00 foot radius curve to the right of which the radius point bears South 82°55'41" East; thence northerly along the arc of said curve 149.21 feet through a central angle of 20°06'54"; thence North 27°11'13" East 61.73 feet to a point on a 585.00 foot radius curve to the left of which the radius point bears North 62°48'47" West; thence northerly along the arc of said curve 351.03 feet through a central angle of 34°22'50"; thence North 07°11'37" West 305.69 feet to a point on a 975.00 foot radius curve to the right of which the radius point bears North 82°48'23" East; thence northerly along the arc of said curve 86.38 feet through a central angle of 05°04'35"; thence North 02°07'02" West 377.85 feet to a point on a 475.00 foot radius curve to the right of which the radius point bears North 87°52'58" East; thence northerly along the arc of said curve 174.99 feet through a central angle of 21°06'28"; thence North 18°59'26" East 16.18 feet to a point on a 525.00 foot radius curve to the left of which the radius point bears North 71°00'34" West; thence northerly along the arc of said curve 121.66 feet through a central angle of 13°16'39"; thence North 05°42'47" East 140.71 feet to a point on a 375.00 foot radius curve to the left of which the radius point bears North 84°17'13" West; thence northerly along the arc of said curve 49.51 feet through a central angle of 07°33'54"; thence North 10°37'50" East 290.14 feet; thence North 13°15'16" East 300.66 feet; thence North 08°13'38" West 474.19 feet; thence North 18°16'11" West 386.11 feet; thence North 00°31'06" East 408.27 feet to the Point of Beginning.

EXCEPTING THEREFROM THE FOLLOWING MINING CLAIMS:

Mining Claims located in the Uintah Mining District
Alida MS 583, Ella MS 582, Evergreen MS 591, Gouge Game MS 494, Helen MS 571, Kid MS 584, Viola MS 273, Sag MS 447, Naildriver MS 161

Mining Claims located in the Blue Ledge Mining District
Bald Eagle MS 138, Custer MS 106, Oneida MS 109, Payroll MS 3020

Description contains 340.8 acres more or less.

PCA-5-91-C

EXHIBIT B
TO
AMENDMENT

The Dutchman Lode, Mineral Survey No. 3008 patented mining claim in the Uintah Mining District, located in Section 29, Township 2 South, Range 4 East, Salt Lake Baseline and Meridian,Park City, Summit County, Utah, and being more particularly described as follows:

Beginning at a point which is N 32°18'38" W 2342.56 feet from the One-Quarter Corner common to Sections 29 and 32 of said Township and Range, thence S 56°00'00" W 1013.00 feet, thence N 32°00'00" W 189.80 feet, thence N 44°32'00" E 1041.00 feet, thence S 32°00'02" E 396.88 feet to the point of beginning.

The above is the property presently described in Summit County, Utah Tax Serial Numbers PCA-30-B and PCA-30-B-1.

ENTRY NO. 01207561
08/01/2023 04:22:21 PM B: 2788 P: 1857
Easements PAGE 1/41
RHONDA FRANCIS, SUMMIT COUNTY RECORDER
FEE 40.00 BY UTAH OPEN LANDS CONSERVATION ASSOC INC

DEED OF CONSERVATION EASEMENT AGREEMENT

(FORTY-FIFTH STAR CONSERVATION PRESERVE)

by

BLX LEASE 2 LLC

and

THE UTAH OPEN LANDS CONSERVATION ASSOCIATION, INC.

Date: August 1, 2023

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WHEN RECORDED, MAIL TO:
Utah Open Lands Conservation Association, Inc.
1488 South Main Street
Salt Lake City, Utah 84115
Attn: Executive Director

Parcel Serial Numbers: *See Exhibit A attached hereto*

DEED OF CONSERVATION EASEMENT AGREEMENT

(FORTY-FIFTH STAR CONSERVATION PRESERVE)

THIS DEED OF CONSERVATION EASEMENT AGREEMENT (this "Easement Agreement") is made and given this 1st day of August, 2023 (the "Effective Date"), by **BLX LEASE 2 LLC,** a Delaware limited liability company ("Grantor"), whose address for purposes of this Easement Agreement is 805 Third Avenue, 7th Floor, New York, New York 10022, to **THE UTAH OPEN LANDS CONSERVATION ASSOCIATION, INC.**, a Utah nonprofit corporation ("Grantee"), whose address is 1488 South Main Street, Salt Lake City, Utah 84115. The Parties are sometimes referred to herein separately as a "Party" and collectively as the "Parties".

PREMISES:

WHEREAS, Grantor owns certain real property located in Summit and Wasatch Counties, Utah, and which is more particularly described on Exhibit A attached hereto (the "Conserved Property"); and

WHEREAS, the Conserved Property is currently approved for the development of, among other things, six hundred sixty-eight (668) equivalent residential units (the "ERUs") under the land use laws applicable to the Conserved Property; and

WHEREAS, Grantee is a publicly supported, tax-exempt nonprofit corporation qualified under Sections 501(c)(3) and 170(h)(3) of the Internal Revenue Code (the "I.R.C."), whose primary mission is to conserve and protect open space and natural areas for ecological, recreational, scientific, historic, scenic, agricultural and educational purposes; and

WHEREAS, the State of Utah has authorized the creation of land conservation easements pursuant to Utah Code Ann. § 57-18-1 *et seq*. (the "Conservation Easement Act"); and

WHEREAS, the Parties desire to avail themselves of the provisions of the Conservation Easement Act, but without intending that the perpetual enforcement of this Easement Agreement be dependent upon the continuing existence of the Conservation Easement Act; and

WHEREAS, a portion of the Conserved Property is located in a Military Recreation Facility Project area (the "MRF Project Area") within unincorporated Wasatch County, Utah adjacent to the Jordanelle Reservoir and Wasatch Mountain State Park and within a region known for its ski and recreational terrain. The MRF Project Area was created by an independent Utah state governmental authority for the purpose, *inter alia*, of creating military morale, welfare and recreation facilities and related amenities within year-round recreational areas that benefit both military personnel and the general

public. Preserving the Conserved Property within the MRF Project Area supports the state's strategic objectives and is critical to enhancing the desired recreational opportunities; and

WHEREAS, the Conserved Property provides for significant public recreational use and access as well as public educational opportunities; scenic views over various parts of the Conserved Property from numerous public lands; natural, ecological and wildlife habitat; and open space values, as more fully described in this Easement Agreement (collectively, the "Conservation Values"), which are of great importance to the Parties and provide significant and immeasurable public benefit to the citizens of the State of Utah and the United States; and

WHEREAS, portions of the Conserved Property (designated herein as the Recreation Area) are of particular importance for the Conservation Value of recreational use, including skiing and other winter and non-winter recreational uses (as described herein within the Reserved Use Rights) consistent with the Conservation Values of the Conserved Property; and

WHEREAS, natural habitat values attendant to the landscape of the Conserved Property have been identified and mapped and reflect seasonal use by wildlife in certain areas and year-round use in other areas. This Easement Agreement provides for the conservation and management of the Conserved Property in a manner that balances the Conservation Values of public recreational use and enjoyment with the Conservation Values of protecting natural habitat and wildlife use areas that are sensitive, crucial, year-round and/or seasonal on the Conserved Property; and

WHEREAS, cultural resources related to the region's precious metals and industrial metals mining history are located within areas of the Conserved Property, and the preservation of the Conserved Property enables enhanced education and understanding of the public regarding the history and nature of local mid-20th century mining in the region; and

WHEREAS, Grantor has developed and is willing to develop on the Conserved Property public trail improvements as identified herein for the regular and substantial use and enjoyment of the general public; and

WHEREAS, balancing the Conservation Values of public recreational use and access with scenic and natural habitat conservation has been considered in the holistic approach to the Conserved Property to foster appropriate public use and enjoyment in a free and accessible manner during certain times of the year with needed sensitivity for wildlife; and

WHEREAS, the purpose of this Easement Agreement is to forever protect and preserve the Conservation Values of the Conserved Property as contemplated by the Conservation Easement Act, and Grantor intends to convey the Conservation Easement (as defined herein) under the statutory provisions of the Conservation Easement Act and other applicable provisions of Utah statutory and common law, subject to the Reserved Use Rights; and

WHEREAS, the Parties agree that the Conservation Easement is to be held and enforced forever by Grantee, in accordance with the terms of this Easement Agreement, including the Reserved Use Rights, for the benefit of the public, including residents of Summit and Wasatch Counties, the State of Utah, and the United States of America; and

WHEREAS, the Conserved Property possesses significant public benefit and the purpose of this Easement is to protect in perpetuity the Conservation Values, in accordance with I.R.C. § 170(h)(4)(A) and accompanying Treasury Regulations, including as described in more detail in paragraphs A through D immediately below:

A. Protection of public recreational and educational values and public access to recreation in accordance with I.R.C. § 170(h)(4)(A)(i), through facilitating public engagement on the Conserved Property through (i) the creation of regional trail connections including, but not limited to the Dutch Hollow Trails in Wasatch County, the Wasatch Over Wasatch (WOW) trail which provides a vital connection for residents of Wasatch County and Summit County, the Dutch Trails system currently managed by Wasatch State Parks, and the 9000 foot trail connecting Wasatch County, Summit County and Salt Lake County, all of which provide regional trail access and sustainable trail connections on and through the Conserved Property affording free and open access of these trails to the general public, which access was not previously available to the general public, and (ii) the creation and preservation of additional trail accessibility increasing the ability to disperse public recreational users to alleviate trail congestion and trail conflicts that have been recognized by local and state leaders as necessary to enhance the public recreational experience while providing where appropriate the ability for the public to experience wildlife and scenic viewing, and to enjoy free and open outdoor recreational and educational opportunities in a manner that promotes a balanced and sustainable engagement with the other Conservation Values protected on the Conserved Property by this Easement Agreement;

B. Protection and preservation of habitat appropriate for several wildlife species, in accordance with I.R.C. § 170(h)(4)(A)(ii), including some species that have been identified as priorities for conservation by the State of Utah. As identified by the Utah Division of Wildlife Resources ("DWR"), the Conserved Property serves as critical spring, summer and fall habitat for nine key wildlife game species in Utah: Band-tailed Pigeon (*Patagioenas fasciata*), Mountain Lion (Puma concolor), Black Bear (*Ursus americanus*), Blue Grouse *(Dendragapus obscurus)*, Moose (*Alces Alcesi*), Mule Deer (*Odocoileus hemionus*), Rocky Mountain Elk (*Cervus canadensis nelsoni*), Ruffed Grouse (*Bonasa umbellus*), and Snowshoe Hare (*Lepus americanus*). The Conserved Property further provides important migration corridors for mule deer, Rocky Mountain elk, and moose, and as such is a vital link between critical habitat in the nearby Wasatch-Cache National Forest, the Wasatch Mountain State Park, and the Bonanza Flat Conservation Area. High priority habitat, as identified by DWR, exists on the Conserved Property in the form of wet meadows and smaller ponds, aspen and coniferous forests, and lower elevation mountain shrub natural communities;

C. Protection of scenic, aesthetic and open space, in accordance with I.R.C. § 170(h)(4)(A)(iii), through the protection and enhancement of the view shed, views of the Conserved Property's unique landscape which can be viewed from several public vantage points, including Empire Pass, Bald Mountain, Wasatch State Park, the Bonanza Flat Conservation Area, Jordanelle State Park, Heber Valley, and other surrounding open lands and protected landscapes; and

D. Protection of areas that serve to augment protected habitat, and public recreational opportunities for existing protected open space, as the Conserved Property is adjacent and in close proximity to several permanently protected open spaces, including the Sunnyside Conservation Area, Bonanza Flat Conservation Area, Empire Canyon, Wasatch Mountain State Park, Wasatch-Cache National Forest, and the Snake Creek Canyon Preserve; and

WHEREAS, the specific Conservation Values are documented in a baseline documentation report prepared by Grantee and dated as of August 1, 2023 (the "Baseline Report"), which by this reference is made a part hereof, comprised of reports, maps, photographs and other documentation that establishes the condition of the Conserved Property and its natural resources as of the Effective Date, in accordance with Treas. Reg. § 1.170A-14(g)(5)(i); and

WHEREAS, the Parties intend that: (A) the perpetual conservation easement granted by this Easement Agreement (the "Conservation Easement") will constitute a restriction granted in perpetuity on the Conserved Property's use, in accordance with I.R.C. § 170(h)(2)(C); (B) the Conservation Easement's conservation purpose will be "protected in perpetuity," in accordance with I.R.C. § 170(h)(5)(A), by permitting only those activities and uses on the Conserved Property that do not significantly impair or interfere with such conservation purpose; (C) the grant of the Conservation Easement will be "exclusively for conservation purpose," in accordance with I.R.C. § 170(h)(1)(C), by permitting only those activities and uses on the Conserved Property that do not significantly impair or interfere with such conservation purpose; and (D) notwithstanding any rule of construction to the contrary, the Conservation Easement will be construed and administered in accordance with the intent of the Parties as set forth in this paragraph; and

WHEREAS, the Parties greatly value the Conserved Property and its Conservation Values; and

WHEREAS, the portion of the Conserved Property reserved for ski runs constitutes not more than 20% of the entire Conserved Property, many of which have already been developed and are documented as pre-existing conditions in the Baseline Report. The Baseline Report has determined that the benefit to the public resulting from protection of public recreation, public access and employing best practices through management protocols established in the SAMS Plan (as defined below), together with the implementation of seasonal use restrictions to limit or eliminate impact or use on portions of the Conserved Property in the late spring and summer calving and fawning areas, and in the areas known as Dutch Hollow and Cottonwood Canyon, as well as other habitat values and general open space values, provide substantial conservation benefits that would be diminished in the absence of the preservation and protection of the Conservation Values by this Agreement; and

WHEREAS, the Conserved Property meets Grantee's criteria for acceptance of conservation easements and Grantee's Board of Directors has duly adopted a resolution approving Grantee's execution, acceptance, and recordation of this Easement Agreement; and

WHEREAS, Grantee's mission is to conserve and protect open space and natural areas for ecological, scientific, historic, public recreational, agricultural, and educational purposes; and Grantee is a charitable tax-exempt organization under I.R.C. § 501(c)(3), a qualified conservation easement holder under Utah Code Ann. § 57-18-3; and a qualified organization as defined in I.R.C. § 170(h)(3) and Treasury Regulation Section 1.170A-14(c); and

WHEREAS, Grantee has agreed to accept the Conservation Easement upon the condition and understanding that the mutual intentions of the Parties regarding the future uses of the Conserved Property and the permanent protection and preservation of the Conservation Values as expressed in this Easement Agreement shall be forever honored and defended; and

WHEREAS, the Parties desire and agree that each provision of the Conservation Easement be construed to further the protection, preservation, and enhancement of the Conservation Values;

NOW, THEREFORE, in consideration of the recitals set forth above and the covenants, terms, conditions and restrictions contained herein, and pursuant to Utah Code §§ 57-18-1 *et seq.*, Grantor hereby voluntarily and irrevocably grants and conveys to Grantee and its successors in interest, without representation or warranty except as expressly set forth herein, a PERPETUAL CONSERVATION EASEMENT to be held and enforced for the use and benefit of the general public, including residents of Wasatch and Summit Counties, the State of Utah, and the United States of America, and Grantee hereby accepts the grant of the Conservation Easement from Grantor, exclusively for the purposes and subject to

the terms and conditions set forth in this Easement Agreement. The Conservation Easement shall forever bind Grantor, Grantee, and their successors in interest and assigns. The Conservation Easement is granted in perpetuity and any lease, mortgage lien or other encumbrances shall be subordinate to all rights and intentions of the Conservation Easement, including Grantee's right to enforce the perpetual protection and preservation of the Conservation Values. The scope of the Conservation Easement is set forth in this Easement Agreement.

1. Purposes. The purpose of the Conservation Easement is exclusively to protect and preserve in perpetuity the Conservation Values of the Conserved Property by prohibiting any use of the Conserved Property that may materially impair or interfere with the protection and preservation of the Conservation Values or injure or destroy other significant conservation interests (the "Conservation Purpose"). Accordingly, (a) Grantor's use of the Conserved Property shall be confined to the Reserved Use Rights, and (b) Grantee shall hold, administer and enforce the Conservation Easement for the benefit of the public and in accordance with the terms of this Easement Agreement. The Parties agree that the Conservation Values will not be materially adversely affected by the use of the Conserved Property as authorized in this Easement Agreement and that no significant conservation interest will be injured or destroyed by the use of the Conserved Property as contemplated herein.

2. Forty-Fifth Star Adaptive Management and Stewardship Plan. The Parties have developed and approved a Forty-Fifth Star Conservation Preserve Adaptive Management and Stewardship Plan dated August 1, 2023, prepared by Grantee (the "SAMS Plan"). The SAMS Plan provides direction on best management practices and protocol considerations for the protection of the Conservation Values, with particular consideration given to the balance of scenic and public recreation Conservation Values and the nexus of those values with wildlife management and habitat Conservation Values. The Recreation Area is an area within the Conserved Property within which Recreation Uses and Reserved Rights will occur, as such terms are defined in Section 4(a) hereof. The Recreation Uses and Reserved Use Rights in the Recreation Area have been fully evaluated in relation to the Conservation Values in the Baseline Report and it has been determined that the Recreation Uses and Reserved Use Rights in the Recreation Area are not inconsistent with the Conservation Values. Notably, enhanced public recreational use of and access to the Conserved Property in accordance with the terms specified herein, has been determined to provide substantial public benefit for regular and substantial public recreational access, one of the primary Conservation Values. As such, the SAMS Plan does not impose restrictions on the Reserved Use Rights in the Recreation Area during the Winter Season (as defined in Section 4(a) hereof). The SAMS Plan delineates management of the Conserved Property in a manner sensitive to the seasonality of habitat areas, viewshed values, and sustainable public recreational values and provides additional guidance on appropriate exercise of Reserved Use Rights such that the exercise of such Reserved Use Rights and any potential material effect on the protection of Conservation Values is minimized or avoided. This constant evaluation of existing conditions and management practices pursuant to the SAMS Plan in connection with the exercise of Reserved Use Rights outside of the Recreation Area specific to seasonal public recreational use will provide and guide best practices following established monitoring protocols to ensure that specific Conservation Values are balanced and sustainable in context of the Conservation Value of public recreation, one of the primary Conservation Values. The Parties shall review the SAMS Plan not less frequently than every five (5) years and make such changes they deem necessary for the protection of the Conservation Values and to further guide permitted uses and practices. A copy of the SAMS Plan and any updates thereto shall remain on file at the offices of the Parties.

3. Grantee's Affirmative Rights. To accomplish the Conservation Purpose, Grantee is hereby granted the following rights, which rights shall be in addition to and not in limitation of any other rights and remedies available to Grantee hereunder:

(a) the right to identify, preserve, and protect in perpetuity the Conserved Property's Conservation Values consistent with the terms of the Conservation Easement;

(b) the right to enter upon the Conserved Property at reasonable times and upon reasonable prior notice in order to monitor Grantor's compliance with and otherwise enforce the terms of this Easement Agreement, provided that Grantee shall not unreasonably interfere with Grantor's exercise of its right to engage in permitted uses and practices;

(c) the right to enter onto the Conserved Property in the case of an emergency, as determined by Grantee, in which event Grantee shall notify Grantor prior to entering onto the Conserved Property, if possible, or as soon thereafter as is reasonably practical;

(d) the right to erect signage at such locations on the Conserved Property, as determined mutually between the Parties, identifying Grantee as the holder of the Conservation Easement, terms of the Conservation Easement, or the Conserved Property's protected status;

(e) the right to prevent Grantor or third persons (whether or not claiming by, through, or under Grantor) from conducting any activity on or use of the Conserved Property that is inconsistent with the terms of this Easement Agreement and to require Grantor or third persons to restore any areas or features of the Conserved Property that may be damaged by an inconsistent activity or use, pursuant to Section 7 hereof;

(f) the right to enforce this Easement Agreement by appropriate legal proceedings, after providing Grantor with reasonable notice and opportunity to cure, pursuant to the provisions of Section 7 hereof, including the right to obtain any remedy at law, injunctive and other equitable relief, or other available remedy or relief against any violations, including restoration of the Conserved Property to the condition that existed prior to any such violation, as provided in Section 7 hereof.

4. Grantor's Reserved Use Rights. Grantor hereby relinquishes and waives any use right Grantor otherwise has as the record owner of the Conserved Property, except as specifically set forth in this Easement Agreement. Notwithstanding the foregoing or anything to the contrary in this Easement Agreement, Grantor shall have the right to use and engage in practices with respect to the Conserved Property that are described in this Section 4, which uses and practices the Parties agree are consistent with the Conservation Purpose of the Conservation Easement (the "Reserved Use Rights") and shall be permitted without any further approval by Grantee, except to the extent such uses and practices expressly require Grantee's approval in accordance with Section 6 as explicitly stated in this Section 4. The following uses and practices are consistent with the Conservation Values and shall not be precluded or prevented by this Easement Agreement:

(a) Recreation Uses and Recreation Area Facilities. The following Reserved Use Rights are undertaken in furtherance of specific conservation values. Use rights listed in this Section 4(a) and in Section 4(b) hereof further promote regular and substantial use by the general public of the Property.

(i) *Recreation Area and Recreation Uses.* The Conserved Property currently includes the area identified on Exhibit B hereto (the "Recreation Area") as the area on the Conserved Property that is and may hereafter be used during various seasons of the year as identified herein for recreation uses typical of mountain resorts, such as snow skiing, hiking trails, bicycle trails, the uses described on Exhibit B-1 hereto (including ziplines to the extent allowed pursuant to Exhibit B-1 and Exhibit C hereto), and other similar recreational uses found at mountain resorts (collectively, the "Recreation Uses"). Recreation Uses shall not be conducted in any area

of the Conserved Property located outside of the Recreation Area except as may be authorized pursuant to Section 6 hereof and the SAMS Plan (as defined above).

(ii) *Recreation Area Facilities.* Within the Recreation Area, Grantor has developed and intends to further develop and operate commercial all-season recreational improvements, systems, and facilities typical of a mountain resort, as identified on Exhibit C hereto ("Recreation Area Facilities"), enhancing recreational opportunities that are valuable. The location and general features of the Recreation Area Facilities within the Recreation Area are generally depicted on the map described on Exhibit C-1 hereto (the "Recreation Area Facilities Plan"). The areas within the Recreation Area Facilities Plan that are identified as ski runs, ski terrain, ski lifts/tramways, gondolas, snowmaking ponds, snowmaking facilities, utilities, and mountain access roads (the "Ski Facilities"), may be used by Grantor for the grading, installation, construction, development and operation of the Recreation Area Facilities in connection with the Recreation Uses. Any material deviation of the location of the Ski Facilities outside of the corridors identified on Exhibit C-1 hereto shall require the prior approval of Grantee pursuant to Section 6 hereof.

(A) *Non-Winter Season.* The Recreation Area Facilities Plan contemplates, among other things, free, regular and substantial use and access by the general public of non-winter trails within the Recreation Area during the period from May 1 through September 30 (the "Non-Winter Season"), including the non-winter trails in the area within the Recreation Area Facilities Plan and the Previously Disturbed Areas (defined below) in Dutch Hollow and Cottonwood Canyon depicted on Exhibit D hereto. Notwithstanding use of the Conserved Property by the public on certain trails in the Recreation Area during the Non-Winter Season, the Ski Facilities within the Recreation Area Facilities Plan shall at all times be controlled by and subject to the rules and requirements of Grantor or its lessee or operator of such Ski Facilities (including the acquisition of a ticket or other pass).

(B) *Winter Season.* The Recreation Area Facilities Plan contemplates, among other things, regular and substantial use and access by the general public of the Recreation Area during of the period from October 1 to April 30 (the "Winter Season"), with the explicit understanding that access to the ski related runs, ski lifts, ski terrain, and related Recreation Area Facilities within the Conserved Property during the Winter Season shall be controlled by and subject to the rules and requirements of Grantor or its lessee or operator of such facilities (including the acquisition of a ticket or other pass). The ability of the general public to access the Recreation Area during the Winter Season shall at all times be subject to rules and requirements of Grantor or its lessee or operator of such facilities.

(iii) *Cottonwood Canyon and Dutch Hollow.* The Baseline Report identifies Cottonwood Canyon and Dutch Hollow as areas with sensitive ecological resources and therefore, to safeguard Conservation Values and the ecological functioning including seasonal wildlife uses and avoidance of water resource encroachment and habitat fragmentation, any Recreational Uses within Cottonwood Canyon and Dutch Hollow areas shall occur only on previously disturbed areas where historic mining activities and prior human disturbance have impacted the Conserved Property as identified on Exhibit D hereto (the "**Previously Disturbed Areas**").

(b) *Trails.* As of the Effective Date, the Parties have developed trail maps for the Winter Season and the Non-Winter Season, which trail maps are attached as Exhibit E hereto as the Winter Season Maps and the Non-Winter Season Maps (collectively, the "Trail Maps").

(i) *Non-Winter Season Public Trails.* The Non-Winter Season Trail Maps provide conceptual and existing trail alignments and access routes along with regional trail connections that Grantee and Grantor have determined will provide a sustainable trail system for the Non-Winter Season on the Conserved Property, with connections to the multi-county network of public trails and trailheads for the use and benefit of the general public. The precise location of the trails shown on the Non-Winter Season Trail Maps shall be subject to minor adjustments based on terrain characteristics, (e.g., rock outcroppings, drainages, and other physical conditions). Implementation of the Non-Winter Season trail system shall be at the discretion of Grantor; however, construction of Non-Winter Season trails (including any adjustments of such trails) shall follow the procedures and protocols for such adjustments set forth in the SAMS Plan to avoid impacts to other Conservation Values. Grantor, or its designee, shall create, design, construct, maintain, reroute, and relocate Non-Winter Season public trails (including but not limited to any required bridging, boardwalks, culverts, separated road crossings, gates, or other trail related improvements identified on the Non-Winter Trail Map) in accordance with trail building and maintenance techniques for hiking and non-motorized human-powered activities approved by International Mountain Biking Association ("IMBA") or, if IMBA ceases to exist, by such other nationally recognized mountain biking association identified by the Parties and utilizing a designer selected by Grantor, to plan and construct the Non-Winter Season Trails, provided that with respect to Non-Winter Season trails: (i) trails are designated for hiking and non-motorized human-powered activities only; (ii) all backcountry trails and regional connection trails are designed for rural to primitive experiences (as set forth in the BLM Guidelines to a Quality Trail Experience, 2017) in nature; (iii) trail development shall provide a sensitive balance to other Conservation Values and avoid sensitive water resources; (iv) trails will be built to IMBA standards applicable to the types the use and user of the trail; (v) any interpretive trails that may be built shall be built to accommodate a diversity of abilities as may be defined by the accessibility standards of the Americans with Disabilities Act of 1990; and (vi) trails, once constructed, shall be promptly documented by Grantee in an addendum to the Baseline Report. While the trails mentioned above are intended to benefit the conservation wildlife and public use recreation balance on the Conserved Property, Grantor in consultation with Grantee retains the right, based on a determination that inappropriate trail use (or trail use at certain times of the year) conflicts with the protection and preservation of the Conservation Values, to close, reroute, restrict use, restore or relocate existing trails as may be necessary, provided that any proposed rerouting, restoration or relocation of a trail shall be approved by Grantee as described in the SAMS Plan. As used herein, the term "non-motorized human-powered activities" includes but is not limited to hiking and biking (all season). Trail biking or mountain biking on a bicycle with fully operational pedals and an integrated electric motor as more specifically described in the SAMS Plan may, upon consent of Grantor and/or its operator/lessee, also be considered a "non-motorized human-powered activity".

(ii) *Winter Season Trails*. The Winter Season Trail Maps provide conceptual and existing trail alignments and access routes based on work, plans and designs prepared by Snow Engineering Group (SE Group). Implementation of the Winter Season trail system shall be at the discretion of Grantor. The precise location of the trails shown on the Winter Season Trail Maps shall be subject to minor adjustments based on terrain characteristics, as determined by Grantor or its lessee.

(iii) *Material Adjustments in Trail Locations.* Material alteration of the location of a trail identified on either of the Trail Maps for the applicable season shall require approval of Grantee pursuant to the requirements of Section 6 hereof. A copy of the then current Trail Maps shall remain on file at the office of Grantee.

(c) Events, Special Uses and Related Temporary Structures. In the limited circumstances set forth in this Section 4(c), from time-to-time Grantor may temporarily engage in an event or special use, and allow one or more temporary structures associated with an event or a special use within or on the Recreation Area provided that: (i) the event or special use is limited to a specified period of time; (ii) the event or special use defines the maximum number of participants; (ii) any temporary structure is located to minimize impacts on Conservation Values; (iii) the staging, event or special use and any associated temporary structures are located, to the extent possible, in areas where adequate infrastructure already exists; (iv) such use does not materially adversely impact the Conservation Values, and (v) if such event or special use, or temporary structure(s) associated with an event or a special use is located outside of the Recreation Area Facilities, such use or temporary structure(s) is approved by Grantee pursuant to the provisions of Section 6 hereof. Grantee may further condition, qualify or otherwise circumscribe its consent under the foregoing subpart (v) in any manner, including by: (w) making the consent revocable either in Grantee's discretion or upon the occurrence or termination of specified conditions; (x) further limiting the duration of the consent, including by providing for termination of the consent upon abandonment or suspension of the activity or use; (y) limiting the time of the day or year in which the activity or use may be conducted; and (z) specifying the individuals or entities who may engage in the activity or use, including specifying professional qualifications of individuals or entities conducting the activity or use. Nothing in this Section 4(c) shall require Grantee to agree to any consent request. The provisions of this Section 4(c) are not intended for any other purpose, including, without limitation, to allow continuation of an existing or threatened violation of the Conservation Easement or for an activity or use expressly prohibited by the Conservation Easement.

(d) Animals and Husbandry.

i. Dogs. Dogs are permitted in connection with typical operations, avalanche safety, and emergency response activities within the Recreation Area during the Winter Season and have been determined to be consistent with the Conservation Purpose of the Conservation Easement and the Reserved Use Rights. In addition and not in limitation of the foregoing, dogs are permitted on designated trails within the Conserved Property, provided (i) all dog use must comply with Grantor's rules and regulations regarding dog use and must be consistent with the Conservation Purpose of the Conservation Easement and the Reserved Use Rights; and (ii) the Parties may by mutual written agreement close the Conserved Property or a non-winter trail or trails within the Conserved Property to dogs should water quality monitoring, wildlife disturbance monitoring or other monitoring protocols indicate an increase in the presence of algae or waterborne pathogens, a deterioration of water quality, or a finding that trail use or other behavior related to dog use materially impairs or damages one or more Conservation Values or the Reserved Use Rights.

ii. Problem or Diseased Animals. Grantor may use methods to control diseased and problem animals as permitted by local, state and federal laws.

iii. Hunting. Hunting of wildlife is permitted, provided that such activities are undertaken in compliance with applicable laws and regulations and only to the extent permitted by Section 5(d) hereof, and provided further that such hunting shall not be carried out for commercial purposes.

iv. Agricultural Leases. Grantor reserves the right to maintain the existing, and enter into additional, agricultural leases on the Conserved Property or portions thereof in order to provide for biological control of weeds and wildfire management, provided that such use

ensures protection of the riparian values of the Conserved Property and avoids any impairment of the natural ecosystems and their processes.

(e) Fencing and Gating. Grantor may construct new fencing, replace existing fencing and place gates for the purpose of defining Conserved Property boundaries, delineating specific uses or sensitive areas, or restricting unauthorized access across the Conserved Property, including but not limited to, fencing used in connection with the operation of the Recreation Area during the Winter Season. Except for fencing used in connection with the operation of the Recreation Area during the Winter Season, such fencing and gating shall be subject in all cases to Grantee's approval pursuant to the provisions of Section 6 hereof, and all such fencing must be sensitive to wildlife and wildlife migration and must not be considered "game proof," unless, in Grantee's sole opinion, game proof fencing is necessary for the protection of sensitive vegetation, but in no event shall game proof fencing restrict wildlife migration routes.

(f) Existing Uses and Utilities.

(1) The Conserved Property is subject to existing rights of way and utility easements of record at the time of the recording of this Conservation Easement and the Conservation Easement is and shall be subject to the rights of the holders of such rights to enter upon the Conserved Property for the construction, installation, operation, maintenance, repair, replacement and relocation of such rights of way, utility lines and related facilities within existing rights of way and utility easements and in accordance with such existing rights of way and easements, including any required restoration of any surface disturbance to the Conserved Property; and

(2) Within the Recreation Area, Grantor may construct, install, use, maintain, repair, replace and relocate water wells, water lines and facilities (including snowmaking ponds), sanitary sewer lines and facilities, storm sewer lines and facilities, natural gas lines and facilities, electric power lines and facilities, telecommunication lines and facilities, snowmaking power, air and water lines, ponds and facilities, and other utility lines and facilities, together with the right to temporarily stage construction materials and equipment as approved by governmental authorities with jurisdiction, and the right to grant easements to third parties for the foregoing uses, so long as such uses are necessary for the exercise of the Reserved Use Rights and are located within the proposed or existing disturbed areas (such as ski run corridors, utility corridors and access routes), provided that, in the case of any utility relocation or new construction outside the proposed or existing disturbed areas in the Recreation Area Facilities Plan: (A) it must be approved by Grantee pursuant to the provisions of Section 6 hereof; (B) the utility must be buried to the extent reasonably practicable; (C) any surface disturbance to the Conserved Property must be restored, to the extent reasonably practicable, to its original undisturbed state; and (D) location must be selected and installation must be conducted to minimize potential negative impacts (including soil erosion) on the Conservation Values and the Conservation Purpose.

(g) Signs. Grantor may place signs on the Conserved Property for the following purposes: (i) relating to recreational activities permitted by Section 4 hereof; (ii) stating rules and regulations; (iii) describing safety or hazardous conditions; (iv) identifying trails or interpretive sites; (v) identifying Cottonwood Canyon and Dutch Hollow, and Previously Disturbed Areas within such areas; (vi) describing the Conservation Easement's Conservation Purpose and the Conserved Property's protected status; and (vii) identifying restoration areas.

(h) Boundaries.

i. Conserved Property Inclusion. Private inholdings, land currently owned by any governmental entity within the Conserved Property's boundaries, if any, and adjacent lands may be incorporated into the Conservation Easement if such incorporation improves the overall Conservation Values and public benefit. Any land incorporated into the Conservation Easement pursuant to this paragraph must be made expressly subject to all terms and conditions of this Easement Agreement, and the condition of such land, including any improvements therewith, shall be acknowledged at the time of inclusion as consistent with the Conservation Values. Any such incorporation must be (1) documented through appropriate legal descriptions and updates to the Baseline Report at the time of incorporation and (2) promptly recorded in the official records of the Wasatch or Summit County Recorder, as applicable.

ii. Boundary Adjustment. Pursuant to Notice 2023-30, Grantor and Grantee agree that boundary line adjustments to the real property subject to the Conservation Easement may be made only pursuant to a judicial proceeding to resolve a bona fide dispute regarding a boundary line's location.

(i) Public Safety.

(1) Evacuation and Emergency Response. Grantor may provide for emergency response and evacuation routes and maintain such routes at a minimal level for those purposes in the event of an emergency. Notwithstanding other provisions of this Easement Agreement, access to and use of the Conserved Property by police, fire, medical, search and rescue, ski/bike patrol, and other emergency vehicles and personnel to comply with or execute an emergency response plan, disaster management plan, or to respond and assist in the event of an accident, natural or man-made disaster, or other emergency situation is expressly permitted.

(j) Avalanche and Safety Control. Notwithstanding other provisions of this Easement Agreement, Grantor shall have the right in its sole and absolute discretion to engage in avalanche control and mitigation and other safety control procedures on the Conserved Property, including but not limited to detonation of explosive devices, snow cat and snowmobile operations related to such control and mitigation procedures during winter conditions, and search and rescue operations. Use of motorized vehicles for such procedures and operations is expressly permitted.

(k) Historic Mining Considerations. The Parties acknowledge that a thorough Phase I Environmental Assessment and Cultural Resource Inventory of a number of mining era resources, historic mine explorations, adits and possible mine sites were identified within the Conserved Property of the type that local governmental and community leaders dedicate resources for preservation and historic educational purposes related to the cultural context and historic value of the region's mining history. Although not currently expected some additional safety precautions for the public may need to be made at these sites and are permitted as described in the SAMS Plan, such as trail avoidance, adit closures, recontouring, grating, or other safety precautions. In the event that a natural disaster, event of force majeure or activities of owners of property outside of the Conserved Property occur, Grantor or Grantee may restore and protect water quality or prevent or remedy other deleterious effects on the Conserved Property. If future regulations or studies demonstrate a need for Grantor to perform investigation, remediation, closure and/or reclamation work consistent with or required by law with respect to any portion of the Conserved Property, including but not limited to, any activity undertaken pursuant to the Utah Voluntary Cleanup Program, Utah Code Ann. §19-8-101 *et seq.*, or any Utah Pollution Discharge Elimination System (UPDES) permit or requirement, Utah Code Ann. §19-5-101 et seq., or any successor legal requirements, those activities shall be allowed after notice to and an opportunity to comment from

Grantee. In furtherance thereof, and without limiting the foregoing, Grantor shall also have the right to conduct environmental studies and characterization of the Conserved Property and, if contamination is discovered, to characterize and remediate such contamination in a manner consistent with applicable law and governmental requirements.

(l) Mountain Access Road and Emergency Access Roads. Grantor may construct, install, use, maintain, repair, replace and relocate an unpaved mountain access roads and unpaved emergency access roads in the Recreation Area but only within the corridors and areas identified on Exhibit F hereto (the "Access Map"), and as necessary for Grantor's exercise of the Reserved Use Rights.

(m) Grading Activities. Grantor may grade portions of the area within the Recreation Area Facilities Plan as needed for the development of the Recreation Area for the Reserved Uses, provided that such grading (i) is solely to prepare the area within the Recreation Area Facilities Plan for the Reserved Uses; (ii) is in conjunction with activities expressly permitted by this Easement Agreement and is subordinate to and supportive of such uses; (iii) uses methods that have a limited and localized impact on the Conserved Property and are not irremediably destructive of the Conservation Values; (iv) is accomplished in a manner consistent with the preservation and protection of the Conservation Values; and (v) disturbed areas are addressed within a reasonable time by reseeding, soil amendment or other reasonable methods consistent with the use of such areas for the Reserved Uses and the provisions of this Conservation Easement. Grading shall not occur in any area of Cottonwood Canyon or Dutch Hollow that is outside of Previously Disturbed Areas. In no event shall grading be conducted for the sale or transfer of such material for any commercial use. Extraction or removal of minerals by any surface mining method is prohibited. This provision shall be interpreted in a manner consistent with I.R.C § 170(h) and the Treasury Regulations adopted pursuant thereto.

(n) On-going Maintenance of Conserved Property.

(1) Forest Management. Grantor reserves the right to manage vegetation in forested areas on the Conserved Property, including the right to cut, or remove timber in accordance with this paragraph, for non-commercial purposes, to remove exotic or invasive species, and to restore healthy successional forest processes, by mimicking natural processes in particular related to the health of mid-successional aspen forests which are considered to be a habitat of concern by the Utah Department of Natural Resources and to implement such forest management as may be necessary to mitigate wildfire risk, control and eradication of bark beetle and similar destructive pests or parasites and to enhance overall forest health. Such forest management shall be conducted in accordance with then current Best Management Practices published by USDA in 2012 BMP's for Water Quality Management on National Forest Lands and in accordance with then-current habitat management guidelines approved by Grantee, and by using silvicultural methods or forest health practices designed to retain the natural forested character of the area. Grantee shall use reasonable diligence to respond to such a request within the forty-five (45) days after its receipt. Grantee's failure to respond to such a request within the forty-five (45) day period shall be deemed a constructive denial. Because a constructive denial is not a decision by Grantee based on the merits of Grantor's request, it is not final or binding on Grantee, and Grantor may resubmit the same or a similar request for approval.

(2) Fire Suppression. Grantor may remove brush and vegetation necessary to minimize the risk of wildfire on the Conserved Property. Potential means to reduce or remove high-risk fuel loads should require removal of deadfall and slash created during the maintenance of trails. Removal methods shall limit the effect on the native biological diversity and may include, but would not be limited to, hand removal, mechanized methods, and biological methods

such as short-duration grazing, and shall employ techniques and wildfire management determinations consistent with the governing fire authority for the Conserved Property.

(3) Invasive Weed and Insect Control. Grantor may use biological invasive weed and insect controls, including but not limited to the temporary use of animals, provided such use ensures protection of the riparian values of the Conserved Property and avoids any impairment of the natural ecosystems and their processes. Grantor may use chemical controls only in those amounts and with the frequency of application constituting the minimum necessary to accomplish reasonable invasive weed and insect control, provided such use ensures protection of the riparian values of the Conserved Property and avoids any impairment of the natural ecosystems and their processes.

(4) Maintenance and Restoration of the Native Ecosystem. Grantor may use techniques and methods recognized as effective in maintaining and restoring the native biological diversity of the Conserved Property, including but not limited to invasive weed suppression, restoration of areas that have eroded, restoration of forests and other passive restoration efforts, provided in all cases that restoration is done in accordance with best-practice stewardship decisions.

(5) Water Resources. Grantor may enhance water quality and wetland features on the Conserved Property to protect the watershed and headwater value or to benefit the wildlife or carbon sequestration. Such enhancements may include the protection of the springs, wetlands and streams on the Conserved Property, maintenance and repair of water related infrastructure, and the enhancement of ecological resources, including habitat.

(o) Other Reserved Rights. Grantor reserves to Grantor and to Grantor's successors and assigns as the owner of the Conserved Property the right to engage in or permit or invite others to engage in the Reserved Use Rights, including through a lease or other arrangement with an operator or lessee. Subject to Sections 5 and 18 hereof, Grantor retains the right to sell, give, pledge, mortgage, lease, license, or otherwise convey all of the Conserved Property at any time, for any reason whatsoever, including for tax or estate planning purposes, provided, however, any such sale, gift, pledge, mortgage, encumbrance, lease, license or conveyance is subject to the terms of this Easement Agreement. The Parties acknowledge and agree that such reservation of rights to Grantor does not in any way impair the Conservation Values or defeat the Conservation Purpose of the Easement Agreement.

5. Prohibited Uses and Practices. Any activity or use of the Conserved Property that is inconsistent with the Conservation Purpose of the Conservation Easement or would likely cause material damage or permit destruction of significant conservation interests is prohibited, except that a use that is destructive of significant conservation interests will be permitted if such use is necessary for the protection of the Conservation Values that are the subject of the Conservation Easement, as provided in Treasury Regulation § 1.170A-14(e). The Parties and Baseline Report have determined that the Reserved Use Rights are consistent with and are not likely to cause material damage or destruction of significant conservation interests and are therefore permitted uses on the Conserved Property consistent with the Conservation Values and Conservation Purpose. Grantor agrees that the following uses and practices, though not an exhaustive recital of all prohibited uses and practices, are inconsistent with the Conservation Purpose of the Conservation Easement and thus prohibited:

(a) Subdivision. Division or subdivision of the Conserved Property, and any action that creates an actual or de facto subdivision of the Conserved Property, is prohibited; provided that the subdivision or combining of parcels of the Conserved Property for only the purpose of minimizing land fragmentation, facilitating effective easement stewardship, converting historic mining claim descriptions

into survey, parcel or lot descriptions, or consolidating, correcting or clarifying tax parcels for property tax assessment purposes, shall be permitted; provided that the terms of this Easement Agreement shall remain in full force and effect with regard to any such subdivided or combined parcel(s) located within the Conserved Property.

(b) Retirement, Proffers, Dedications, Transfer of Development Rights. Grantor hereby grants to Grantee all development rights held by Grantor for residential, commercial, industrial, or other uses on the Conserved Property, including the residential development ERUs under land use entitlements for the Conserved Property, that are now or hereafter allocated to, implied, reserved or inherent in the Conserved Property, and the Parties agree that subject to such reservations, such development rights are terminated and extinguished by the Conservation Easement, and may not be used or transferred to any portion of the Conserved Property as it is now or hereafter may be described, or to any other property, whether adjacent or otherwise. Proffer or dedication of the Conserved Property or any portion thereof as open space in or as part of any residential subdivision, any real estate development plan or any other type of residential, commercial or industrial development is prohibited. Proffer or dedication of the Conserved Property or any portion thereof for the purpose of fulfilling density requirements to obtain approvals for any zoning, subdivision, site plan or building permits, is prohibited. Transfer of any development rights that have been encumbered or extinguished by the Conservation Easement to any other property pursuant to a transferable development rights scheme, cluster development arrangement, or otherwise is prohibited. Nothing in this subpart (b) shall affect the Reserved Use Rights.

(c) Construction. Structures or facilities for residential, commercial or industrial use are prohibited. Only those structures and facilities permitted pursuant to a Reserved Use Right are allowed.

(d) Wildlife Disturbance or Harassment. Disturbance or harassment of wildlife by any means (for example, by people or domestic animals) is prohibited. The taking, removal, translocation or captivation of wildlife is prohibited; provided, however, that nothing within this provision shall restrict the Parties from determining healthy carrying capacities of species on the Conserved Property, working with the Utah Division of Wildlife and employing appropriate management mechanisms, including but not limited to permitting select and limited wildlife take methods to remove problem or diseased animals.

(e) Alteration of Watercourses, Wetlands or Topography. Disturbance, alteration, excavation or impairment of any watercourse or wetland or the topography of the Conserved Property is prohibited, except as permitted in connection with the Reserved Use Rights in Section 4 hereof.

(f) Non-Native Species. Intentional introduction onto the Conserved Property of any non-native plant or animal species is prohibited, except as permitted in connection with the Reserved Use Rights in Section 4 hereof.

(g) Roads. New roads over, through or across the Conserved Property are prohibited except as depicted on Exhibit F hereto in conjunction with a Reserved Use Right in Section 4 hereof.

(h) Motorized Vehicles. Motorized vehicles are prohibited on the Conserved Property except for:

(1) emergency vehicles;

(2) vehicles within an evacuation corridor as mutually identified by the Parties;

(3) vehicles used in routine maintenance of the Conserved Property, provided the vehicles are under the direction or operation of Grantor or Grantee; and

(4) vehicles used in conjunction with a use permitted by Section 4 hereof.

(i) Agricultural Uses. Agricultural uses are prohibited on the Conserved Property except as may be consistent with fire suppression and invasive weed control activities or as otherwise permitted under Section 4 hereof.

(j) Camping; Manmade Fires. Camping is prohibited on the Conserved Property. Manmade fires are prohibited except in connection with fire suppression activities or as permitted under Section 4 hereof.

(k) Dumping. The dumping or other disposal of trash, debris, ashes, sawdust or other refuse on the Conserved Property is prohibited.

(l) Utilities. New utilities and new utility corridors are prohibited, except as permitted under Section 4 hereof.

(m) Mining and Natural Resource Development. As of the Effective Date, Grantor does not own any of the coal, oil, gas, hydrocarbons and other minerals (collectively, "Minerals") located on, under or in the Conserved Property or otherwise associated with the Conserved Property. For this reason, a minerals assessment report dated June 29, 2020 and updated in August 2022 has been completed by George W. Condrat, P.E., P.G. and Van F. King, P.G., in compliance with I.R.C. § 170(h)(5)(B)(ii) and Treas. Reg. § 1.170A-14(g)(4). The report concludes that the probability of extraction or removal of Minerals from the Conserved Property by any surface mining method is so remote as to be negligible.

(n) Sand, Gravel and Rock. Any surface or subsurface exploration, extraction or removal of sand, gravel or rock, located in or under the Conserved Property is prohibited.

(o) Signs and Billboards. Except as permitted in Section 3(d) and Section 4(h) hereof, the construction, maintenance, lease or erection of any signs or billboards on the Conserved Property is prohibited. This prohibition encompasses, without limitation, commercial and political signs and billboards.

(p) Hazardous Waste. The storage, dumping or other disposal of any toxic or hazardous material on the Conserved Property is prohibited. Use of small quantities of hazardous materials necessary to accomplish a permitted use or practice is allowed but only if such use does not (i) violate any federal, state or local environmental law, regulation or other requirement or (ii) negatively impact the Conservation Easement's Conservation Purpose. Neither this provision nor any other right encompassed by the Conservation Easement shall impose liability on Grantee, nor shall Grantee be construed as having liability as a "responsible party" under CERCLA or other similar local, state or federal statute.

6. Advance Notification of Use or Practice Requiring Grantee's Approval.

(a) Grantee Approval. For uses and practices that are expressly permitted by the terms of this Easement Agreement only with Grantee's approval, Grantor's request for approval shall be in writing, shall be consistent with the SAMS Plan and shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed use or practice in sufficient detail to permit Grantee to make an informed determination regarding approval or denial of the request. Such a request

shall be delivered to Grantee at least fifteen (15) days prior to the anticipated start date of such use or practice. Grantee shall use reasonable diligence to respond to such a request within the fifteen (15) days after its receipt. Grantee's failure to respond to such a request within the fifteen (15) day period shall be deemed a constructive denial. Because a constructive denial is not a decision by Grantee based on the merits of Grantor's request, it is not final or binding on Grantee, and Grantor may resubmit the same or a similar request for approval without prejudice. Any resubmittal for the same approval shall be treated as a new request and processed within the time periods set forth in this Section 6(a).

(b) Force Majeure. Notwithstanding Section 6(a) above, Grantor will not be obligated to obtain Grantee's prior approval, and Grantee will not be entitled to bring an action against Grantor for undertaking any prudent activity in a bona fide emergency situation to prevent, abate, or mitigate the immediate threat of significant damage to the Conserved Property resulting from causes beyond Grantor's control, including fire, flood, storm, and earth movement. Grantor will promptly notify Grantee of any damage to the Conserved Property caused by such events and of any efforts to prevent, abate, or mitigate any damage caused by such events.

7. Remedies.

(a) Initiation and Scope. If either Grantor or Grantee becomes aware of a violation or potential violation of this Easement by the other Party, the Party who has become aware must promptly notify the other Party of such violation or potential violation. The responding Party shall have thirty (30) days from the date of receipt of a notice from the other of a violation or potential violation (the "Response Period") to investigate such allegation and provide the other Party with verification that no such violation or potential violation has occurred or is imminent. If the responding Party fails to do so within the Response Period, then within a period of thirty (30) days after the expiration of the Response Period, the responding Party shall commence actions, including restoration of the Conserved Property, that are reasonably calculated to prevent or correct the violation or if such correction cannot be reasonably corrected within such thirty (30) day period, to commence such correction and to thereafter diligently pursue such correction to completion. If the defaulting Party fails to take such corrective action within such thirty (30) day period, the other Party may undertake appropriate action, including legal action, to affect such prevention or correction. Grantor and/or Grantee shall each have the right to petition for and obtain injunctive relief, or an order of specific performance, which shall either prohibit the action constituting such breach or require such action as shall be required to cure such breach, as applicable, or seek any legal remedy to stop or prevent unauthorized activities and to force the restoration of the portion of the Conserved Property affected by an unauthorized activity to a similar or equivalent condition that existed prior to the unauthorized activity. Such restoration may include, but is not limited to, restoring soils, and replanting suitable native vegetation. The Party recovering damages shall apply any damages recovered to the cost of undertaking any corrective action on the Conserved Property. A Party's rights under this Section apply equally in the event of either actual or threatened violations of the terms of this Easement Agreement, and the Parties agree that remedies at law for any violation of the terms of this Easement Agreement are inadequate and that each Party shall be entitled to the injunctive relief described in this Section, in addition to such other relief to which such Party may be entitled. Each Party's remedies described in this Section shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity.

(b) Costs of Enforcement. The costs and third-party expenses of prevention, correction, restoration, and litigation, including court costs and reasonable attorney's fees, shall be borne by the Party against whom a judgment is entered.

(c) Grantee's Discretion. Enforcement of the terms of this Easement Agreement by Grantee shall be at the discretion of Grantee subject to Grantee's fiduciary obligations to the public as

beneficiary of this Easement Agreement. Any forbearance by either Party to exercise its rights under this Easement Agreement in the event of any breach of any term of this Easement Agreement by the other Party shall not be deemed or construed to be a waiver by such Party of such term or of any subsequent breach of the same or any other term of this Easement Agreement.

(d) Waiver of Certain Defenses. The Parties hereby waive any defense of laches, estoppel or prescription.

(e) Acts Beyond Grantor's Control. Nothing contained in this Easement Agreement shall be construed to entitle Grantee to bring any action against Grantor for any damage to or change in the Conserved Property or resulting from injuries or damage to individuals or property occurring by reason of the presence of the public on the Conserved Property or from causes beyond Grantor's control, including, without limitation, fire, flood, storm and earth movement, pandemics or endemics or from any prudent action taken by Grantor under emergency conditions to prevent, abate or mitigate significant injury to the Conserved Property or adjacent Conserved Property resulting from such causes.

8. Costs and Liabilities. Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep and maintenance of the Conserved Property, including the maintenance of adequate comprehensive general liability insurance coverage, which coverage may be provided by or through any lessee of the Conserved Property. Grantor shall keep the Conserved Property free of any liens arising out of any work performed for, materials furnished to or obligations incurred by Grantor.

9. Taxes. Grantor shall pay or cause to be paid before delinquency all taxes, assessments, fees and charges of whatever description levied on or assessed against the Conserved Property by competent authority (collectively "taxes"), including any taxes imposed upon, or incurred as a result of, the Conservation Easement, and shall furnish Grantee with satisfactory evidence of payment upon request.

10. Hold Harmless. Grantor shall hold harmless, indemnify, and defend Grantee and its members, directors, officers, employees, agents and contractors (collectively "Grantee Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands or judgments, including, without limitation, reasonable attorneys' fees arising from or in any connection with: (a) injury to or the death of any person or physical damage to any property, resulting from any negligent act, omission, condition or other matter caused or created by Grantor and related to or occurring on or about the Conserved Property, except to the extent caused by the negligence or willful misconduct of any of the Grantee Indemnified Parties; and (b) the obligations specified in Section 8 and Section 9 hereof. Grantee shall hold harmless, indemnify, and defend Grantor and its members, directors, officers, employees, agents and contractors (collectively "Grantor Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands or judgments, including, without limitation, reasonable attorneys' fees arising from or in any connection with: (a) injury to or the death of any person or physical damage to any property, resulting from any negligent act, omission, condition or other matter caused or created by Grantee and related to or occurring on or about the Conserved Property, except to the extent caused by the negligence or willful misconduct of any of the Grantor Indemnified Parties.

11. Extinguishment.

(a) Pursuant to Notice 2023-30, Grantor and Grantee agree that, if a subsequent unexpected change in the conditions surrounding the property that is the subject of a donation of the Conservation Easement renders impossible or impractical the continued use of the property for

Conservation Purposes, the Conservation Purpose can nonetheless be treated as protected in perpetuity if (1) the restrictions are extinguished by judicial proceeding and (2) all of Grantee's portion of the proceeds (as determined below) from a subsequent sale or exchange of the property are used by the Grantee in a manner consistent with the Conservation Purposes of the original contribution.

(b) Determination of Proceeds. Grantor and Grantee agree that the donation of the Conservation Easement gives rise to a property right, immediately vested in Grantee, with a fair market value that is at least equal to the proportionate value that the Conservation Easement, at the time of the gift, bears to the fair market value of the property as a whole at that time. The proportionate value of Grantee's property rights remains constant such that if a subsequent sale, exchange, or involuntary conversion of the subject property occurs, Grantee is entitled to a portion of the proceeds at least equal to that proportionate value of the Conservation Easement, unless state law provides that the Grantor is entitled to the full proceeds from the conversion without regard to the terms of the prior Conservation Easement.

12. Limited Power of Amendment. The Parties intend that the Conservation Values of the Conserved Property and other significant conservation interests as well as the Conservation Purpose of the Conservation Easement will be protected in perpetuity. While the Parties have endeavored to foresee all possible threats to the perpetual protection of the Conserved Property's Conservation Values and other significant conservation interests and the Conservation Easement's Conservation Purpose, there may come a time when the Conservation Easement should be amended to correct an error, to eliminate or reduce reserved rights, to clarify a provision of this Easement Agreement that may be ambiguous or otherwise further or better protect the Conserved Property's Conservation Values and the Conservation Easement's Conservation Purpose. To that end, the Parties have the right to amend this Easement Agreement in a manner consistent with the preceding sentence, provided, however, that the Parties shall have no right or power to consent to agree to any amendment that (a) affects the Conservation Easement's perpetual duration, (b) permits development, improvements, or uses prohibited by this Easement Agreement on the Effective Date, (c) conflicts with or is contrary to or inconsistent with the Conservation Purpose of this Easement Agreement, (d) reduces the protection of the Conserved Property's Conservation Values, (e) affects the qualification of the Conservation Easement as a "qualified conservation contribution" or "interest in land", (f) affects the status of Grantee as a "qualified organization" or "eligible donee", (g) creates an impermissible private benefit or private inurement in violation of federal tax law, (h) alters or removes the restrictions on transfer of the Conservation Easement under the provision of Section 17 hereof, (i) alters or removes the provisions on extinguishment, Minimum Percentage, or condemnation under the provision of Section 11 hereof, (j) causes this Conservation Easement to be subordinate to any lease, mortgage, lien or other encumbrance, or (k) in any way causes the provisions of this Section 12 to be less restrictive. A proposed amendment that is not within the scope of the discretion granted the Parties under this Section 12 is not permitted except by order of a court having jurisdiction in a proceeding that the Utah Attorney General or other public official charged with enforcement responsibilities regarding charitable gifts is given notice of and an opportunity to participate in to represent the interest of the public in ensuring that the Conservation Easement is administered pursuant to its terms and Conservation Purpose. The Parties acknowledge that the Conservation Easement constitutes a donor-restricted charitable gift. Nothing in the limited power of amendment granted by this Section 12 shall require Grantor or Grantee to agree to any amendment. Any putative amendment to the Conservation Easement that does not comply with the requirements, limitations and procedures prescribed by this Section 12 shall be invalid. No amendment shall be effective unless documented in a notarized writing executed by the Parties and recorded in the Wasatch County Recorder's office.

13. Interaction with State Law. The Parties are prohibited from exercising any power or discretion granted under state law that would be inconsistent with the provisions of the Conservation

Easement, the status of the Conservation Easement as a "qualified conservation contribution" under I.R.C. § 170(h) and the Treasury Regulations, the status of Grantee as an "eligible donee" under such Regulations or the continued protection in perpetuity of the Conservation Values and the Conservation Purpose of the Conservation Easement.

14. No Merger. The Parties intend that the Conservation Easement is to constitute a "qualified conservation contribution" within the meaning of I.R.C. § 170(h) and the Treasury Regulations and that this Conservation Easement may be extinguished in whole or in part only as provided in Section 11 hereof. To that end, the Parties hereby agree that (1) no purchase by or transfer to Grantee of the underlying fee interest in the Conserved Property shall be deemed to extinguish the Conservation Easement, or any portion thereof, under the doctrine of merger or other legal doctrine, and (2) if Grantee comes to own all or a portion of the underlying fee interest in the Conserved Property, (a) Grantee, as successor in title to Grantor, shall observe and be bound by the obligations of Grantor under and the restrictions imposed upon the Conserved Property by the Conservation Easement, and (b) Grantee shall continue to hold the Conservation Easement as a restricted charitable gift for the benefit of the public and be bound by its terms.

15. Grantee's Status as Eligible Donee. Grantee represents and warrants that it is a "qualified organization" within the meaning of I.R.C. § 170(h)(3). Grantee agrees, by accepting the Conservation Easement, that it is committed to protect the Conservation Easement's Conservation Purpose, and that it has the resources to enforce the restrictions in the Conservation Easement as required by Treasury Regulation § 1.170A- 14(c)(1).

16. Inspection and Enforcement.

(a) Grantee has the right and obligation to enter upon the Conserved Property, or to authorize its agent to enter upon the Conserved Property, to inspect the Conserved Property to determine if there is compliance with the terms of the Conservation Easement and to obtain evidence for the purpose of seeking judicial enforcement of the Conservation Easement, provided that such entry shall not unreasonably interfere with Grantor's reserved rights with respect to the Conserved Property as provided herein. When reasonable under the circumstances, Grantee shall advise Grantor in advance of its intention to enter the Conserved Property to inspect or monitor.

(b) Grantee has the right and obligation to enforce the Conservation Easement, including the right to prevent any activity on or use of the Conserved Property that is inconsistent with the protection of the Conservation Values of the Conserved Property or the Conservation Purpose of the Conservation Easement, by legal proceedings or otherwise as appropriate, and to require restoration of any areas or features of the Conserved Property damaged by any activity or use that is inconsistent with the protection of the Conservation Values of the Conserved Property or the Conservation Purpose of the Conservation Easement. If Grantee reasonably determines that circumstances require immediate action to prevent, terminate or mitigate damage to the Conservation Values of the Conserved Property, or to prevent, terminate or mitigate a violation of the Conservation Easement, Grantee may pursue its remedies under this Section 16(b) without prior notice to Grantor. Grantee may exercise discretion in enforcing the Conservation Easement subject, however, to its fiduciary obligations to the public as beneficiary of the Conservation Easement. No delay or omission by Grantee in the exercise of any right or remedy under this Easement Agreement or applicable law shall impair such right or remedy or be construed as a waiver. Enforcement of this Easement Agreement shall not be defeated because of any subsequent adverse possession, laches or estoppel. The rights of the public, as beneficiary of the Conservation Easement, shall not be forfeited by any acts or omissions of Grantee.

17. Restrictions on Grantee's Assignment of Conservation Easement.

(a) Grantee is prohibited from assigning or otherwise transferring the Conservation Easement, whether or not for consideration, unless:

(1) the transferee is, at the time of the transfer, a "qualified organization" and an "eligible donee," as those terms are defined in I.R.C. § 170(h) and the Treasury Regulations promulgated thereunder;

(2) Grantee, as a condition of the transfer, requires that the transferee agree in writing that the Conservation Purpose that the contribution of the Conservation Easement was originally intended to advance will continue to be carried out; and

(3) the transferee is authorized to acquire and hold conservation easements under Utah law.

(b) If Grantee shall cease to exist or cease to be a qualified organization or eligible donee (as those terms are defined in I.R.C. § 170(h) and the Treasury Regulations promulgated thereunder), and a prior transfer is not made in accordance with the requirements of this Section 17, then Grantee's rights and obligations under this Easement Agreement shall vest in such entity as a court of competent jurisdiction shall direct pursuant to the applicable laws of the State of Utah, provided that the requirements of this Section 17 shall be satisfied. A transfer of the Conservation Easement in connection with a judicial extinguishment that satisfies the requirements of Section 11 hereof shall not violate the provisions of this Section 17. Any subsequent transfer of the Conservation Easement shall also be subject to this Section 17. Any attempted transfer of all or a portion of the Conservation Easement contrary to this Section 17 shall be invalid. Grantee shall require that the Conservation Easement's purposes and Conservation Values continue to be carried out.

18. Grantor's Subsequent Transfers. Grantor shall incorporate the terms of this Easement Agreement in any deed or other legal instrument by which it divests itself of any interest in all or a portion of the Conserved Property, including, without limitation, a leasehold interest. Grantor further agrees to give written notice to Grantee of the transfer of any interest at least twenty (20) days prior to the date of such transfer. The failure of Grantor to perform any act required by this Section 18 shall not impair the validity of this Easement Agreement or limit its enforceability in any way.

19. Estoppel Certificates. Upon request by Grantor, Grantee shall within thirty (30) days execute and deliver to Grantor any document, including an estoppel certificate, which certifies Grantor's compliance with any obligation of Grantor contained in this Easement Agreement and otherwise evidences the status of this Easement Agreement as may be requested by Grantor.

20. Baseline Report. The Parties acknowledge that the Baseline Report relating to the Conserved Property has been completed by competent professionals familiar with the Conserved Property. Copies of the Baseline Report are on file in Grantor's and Grantee's offices. The Parties acknowledge that the Baseline Report contains an accurate representation of the condition of the Conserved Property subject to the Conservation Easement and the natural resources associated with the Conserved Property, as of the date of the execution of this Easement Agreement in accordance with Treasury Regulation § 1.170A-14(g)(5)(i), and is intended to serve as an objective, but nonexclusive, information baseline for monitoring compliance with the Conservation Easement. By its execution of this Conservation Easement, Grantee acknowledges that Grantor's present uses of the Conserved Property and the Reserved Use Rights are compatible with the purposes of this Conservation Easement. Notwithstanding the foregoing, in the event of a controversy arising with respect to the nature of the

biological and/or physical condition of the Conserved Property, the Parties shall not be foreclosed from using any and all other relevant or material documents, surveys, reports and other information to assist in the resolution of that controversy.

21. Grantee's Obligation to Maintain Enforceability. Grantee hereby acknowledges and agrees that, if a state's marketable title act or similar law requires that this Easement Agreement be rerecorded or that another form of legally sufficient notice be filed periodically for the Conservation Easement to remain enforceable, Grantee has a fiduciary obligation to take the actions necessary to maintain the Conservation Easement's enforceability, and Grantor hereby authorizes Grantee to take the actions necessary to comply with this provision.

22. Successors in Interest. All covenants, terms, conditions, restrictions and other provisions of this Easement Agreement shall be binding upon, and inure to the benefit of, the Parties and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the Conserved Property. The term "Grantor" wherever used herein, and any pronouns used in place thereof, shall include the above-named Grantor and its successors and assigns, including, but not limited to, all future owners of any interest in the Conserved Property and, to the extent designated by Grantor in a separate writing, a party who is an operator or lessee of the Recreation Area. The term "Grantee" wherever used herein, and any pronouns used in place thereof, shall include the above-named Grantee and its successors and assigns.

23. Grantee's Acceptance of Grant. As attested by its authorized signature below, Grantee hereby accepts the rights and responsibilities conveyed by Grantor's grant of the Conservation Easement, agrees that it is bound by the terms and provisions of this Easement Agreement, and acknowledges its fiduciary obligation to enforce the terms and provisions of this Easement Agreement on behalf of the public in perpetuity.

24. Notices. Any notice, demand, request, consent, approval or communication that any Party to this Easement Agreement desires or is required to give to the other parties shall be in writing and shall be served either personally or sent by first class mail, postage prepaid, addressed as follows:

To Grantor:

BLX Lease 2 LLC
c/o EX Utah Development LLC
850 Third Avenue, 7th Floor
New York, New York 10022
Attention: President

with a required copy to:

EX Utah Development LLC
P.O. Box 980728
Park City, UT 84098
Attn: Executive Vice President-Development *and*
Vice President-Development

and

Parr Brown Gee & Loveless
101 South 200 East, Suite 700
Salt Lake City, Utah 84111
Attn: Roger D. Henriksen
Robert A. McConnell

To Grantee: The Utah Open Lands Conservation Association, Inc.
1488 South Main Street
Salt Lake City, Utah 84115
Attention: Executive Director

or to such other address as any party to this Agreement from time to time shall designate by written notice to the other parties.

25. General Provisions.

(a) Change of Conditions. The fact that any use of the Conserved Property expressly prohibited by the Conservation Easement or otherwise determined inconsistent with the purpose of the Conservation Easement may become significantly more valuable or economical than permitted uses, or that neighboring properties may in the future be put entirely to uses inconsistent with the Conservation Easement, has been considered by Grantor in granting the Conservation Easement. It is Grantor's belief that any such changes will increase the public's benefit and interest in the continuation of the Conservation Easement, and it is the intent of both the Parties that any such changes are not considered circumstances sufficient to terminate the Conservation Easement, in whole or in part. In addition, the inability to carry on any or all of the permitted uses, or the unprofitability of doing so, shall not impair the validity of the Conservation Easement or be considered grounds for its termination.

(b) Controlling Law. The laws of the State of Utah shall govern the interpretation and performance of this Easement Agreement.

(c) Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Easement Agreement shall be liberally construed in favor of the grant to effect the purpose of the Conservation Easement and the policy and purposes of Utah law. If any provision in this Easement Agreement is found to be ambiguous, an interpretation consistent with the perpetual protection of the Conservation Values and the purpose of the Conservation Easement that would render the provision valid shall be favored over any interpretation that would render it invalid.

(d) Severability. If any provision of this Easement Agreement, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions of this Easement Agreement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.

(e) Entire Agreement. This Easement Agreement (including all Exhibits attached hereto, which Exhibits are hereby incorporated herein by reference) sets forth the entire agreement of the parties hereto with respect to the Conservation Easement and supersedes all prior discussions, negotiations, understandings or agreements relating to the Conservation Easement, all of which are merged herein.

(f) Amendments. Any amendments to this Easement Agreement must be in writing and must be executed by the Parties hereto.

(g) No Forfeiture. Nothing contained herein will result in the forfeiture or reversion of Grantor's title in any respect.

(h) Joint Obligation. The obligations imposed by this Easement Agreement upon Grantor shall be joint and several.

(i) Captions. The captions in this Easement Agreement have been inserted solely for convenience of reference and are not a part of this Easement Agreement and shall have no effect upon the construction or interpretation hereof.

(j) State Law Notice Requirements. Grantor hereby acknowledges that Grantee, at least three days prior to the execution of this Easement Agreement, discussed with Grantor the types of conservation easements available, the legal effect of each conservation easement, and the advisability of consulting legal counsel concerning any possible legal and tax implications associated with granting the Conservation Easement.

(k) References. All references to the Internal Revenue Code, Treasury Regulations, and the Utah Code Annotated in this Easement Agreement shall be to the code and regulation provisions in effect as of the Effective Date.

(l) No Third-Party Rights. No term or provision of this Agreement or the Exhibits hereto is intended to be, nor will any such term or provision be construed to be, for the benefit of any person, firm, corporation or other entity that is not a named Party hereto, and no such other person, firm, corporation or entity will have any right or cause of action hereunder.

(m) Reasonableness Standard. The Parties shall act in good faith, shall follow a commercially reasonableness standard, and shall use commercially reasonable efforts to make any determinations that are necessary or contemplated to be made by them (either separately or jointly) under this Easement Agreement in a timely manner, without unreasonable conditions, and shall cooperate with one another and take all other commercially reasonable action suitable to these ends.

(n) Further Assurances. In addition to the actions recited herein and contemplated to be performed, executed, and/or delivered by the Parties, the Parties agree to cause to be performed, executed, and/or delivered any and all such further acts, instruments, and assurances as may be reasonably required to effectuate the intent of the parties under this Easement Agreement.

[Signature page follows]

IN WITNESS WHEREOF the Parties have caused this Easement Agreement to be executed by persons duly authorized to execute the same as of the Effective Date.

GRANTOR:

BLX LEASE 2 LLC

By: _____
Marc Kwestel, Vice President

GRANTEE:

THE UTAH OPEN LANDS CONSERVATION ASSOCIATION, INC.

By: _____
Katherine Ferguson, President

ACKNOWLEDGMENT OF PROPERTY CONDITION

In compliance with Section 1.170A-14(g)(5) of the Treasury Regulations, the undersigned acknowledges that the Baseline Report (as defined in this Easement Agreement) is an accurate representation of the Conserved Property as of the Effective Date when the Conservation Easement was conveyed to the Grantee.

GRANTOR:

BLX LEASE 2 LLC

By: _____
Marc Kwestel, Vice President

GRANTEE:

THE UTAH OPEN LANDS CONSERVATION ASSOCIATION, INC.

By: _____
Katherine Ferguson, President

STATE OF NEW YORK)
ss:
COUNTY OF NASSAU)

The foregoing instrument was acknowledged before me this 27th day of July, 2023 by Marc Kwestel, who executed the foregoing instrument in his capacity as the Vice President of BLX Lease 2 LLC, a Delaware limited liability company.

NOTARY PUBLIC

ALAN MARC RUBIN
Notary Public, State of New York
No. 02RU4858594
Qualified in Nassau County
Commission Expires April 14, 20 26

STATE OF UTAH)
ss:
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this ____ day of July, 2023, by Katherine Ferguson, who executed the foregoing instrument in his/her capacity as the President of The Utah Open Lands Conservation Association, Inc., a Utah nonprofit corporation.

NOTARY PUBLIC

IN WITNESS WHEREOF the Parties have caused this Easement Agreement to be executed by persons duly authorized to execute the same as of the Effective Date.

GRANTOR:

BLX LEASE 2 LLC

By: _____
Marc Kwestel, Vice President

GRANTEE:

THE UTAH OPEN LANDS CONSERVATION ASSOCIATION, INC.

By: _____
Wendy Zeigler, Past President

ACKNOWLEDGMENT OF PROPERTY CONDITION

In compliance with Section 1.170A-14(g)(5) of the Treasury Regulations, the undersigned acknowledges that the Baseline Report (as defined in this Easement Agreement) is an accurate representation of the Conserved Property as of the Effective Date when the Conservation Easement was conveyed to the Grantee.

GRANTOR:

BLX LEASE 2 LLC

By: _____
Marc Kwestel, Vice President

GRANTEE:

THE UTAH OPEN LANDS CONSERVATION ASSOCIATION, INC.

By: _____
Wendy Zeigler, Past President

STATE OF NEW YORK)
ss:
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of July, 2023 by Marc Kwestel, who executed the foregoing instrument in his capacity as the Vice President of BLX Lease 2 LLC, a Delaware limited liability company.

_____
NOTARY PUBLIC

STATE OF UTAH)
ss:
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 1ST day of ~~July~~ AUGUST, 2023, by Wendy Zeigler, who executed the foregoing instrument in his/her capacity as the Past President and Member of the Executive Committee of The Utah Open Lands Conservation Association, Inc., a Utah nonprofit corporation.

NOTARY PUBLIC NICHOLAS J WEBB COMM. # 715237 MY COMMISSION EXPIRES NOVEMBER 28, 2024 STATE OF UTAH

_____
NOTARY PUBLIC

EXHIBIT A

to

DEED OF CONSERVATION EASEMENT AGREEMENT

(MAYFLOWER MOUNTAIN)

Legal Description of Conserved Property and Map

The surface rights in and to all of the following real property located in Wasatch County, Utah:

Parcels A, B, C, D, E, F, G, H, I, M, AA, KK, LL, 1E2, and 6A1, MIDA MOUNTAIN PLAT, recorded June 9, 2023 as Entry No. 533309 on file and of record in the Wasatch County Recorder's Office, as such parcels are depicted and described by metes and bounds on said MIDA MOUNTAIN PLAT.

Less and excepting from Parcel M the following parcel:

An undivided 29/30ths interest in and to the **Magnet Patented Lode Mining Claim, Lot No. 41**, as the same is more particularly described in that certain United States Mineral Entry Patent recorded March 5, 1973 as Entry No. 99151 in Book 89 at Page 115 of the official records in the office of the Wasatch County Recorder.

Parcel 1C MIDA Master Development Plat Amended 2022, recorded July 27, 2022 as Entry No. 522596 on file and of record in the Wasatch County Recorder's Office, as such parcel is depicted and described by metes and bounds on said MIDA Master Development Plat Amended 2022 PLAT, *less and excepting the following parcel:*

The Libert Extension lode mining claim, designated by the surveyor general as Survey No. 6751 and identified in United States Patent No. 958140, dated April 22, 1925 and recorded in the official records of the Wasatch County Recorder in Book 9, Page 626, as Entry No. 41321 on April 29, 1925.

Parcel 1F MIDA Master Development Plat Amended 2022, recorded July 27, 2022 as Entry No. 522596 on file and of record in the Wasatch County Recorder's Office, as such parcel is depicted and described by metes and bounds on said MIDA Master Development Plat Amended 2022 PLAT.

AND

The surface rights in and to all of the following real property located in Summit County, Utah:

Parcel R as created pursuant to that certain Boundary Line Agreement and Consolidation with Quit Claim, recorded June 21, 2023 as Entry No. 1206048 in Book 2785 at Page 88 of the official records, on file and of record in the Summit County Recorder's Office, with reference to that certain Record of Survey titled Summit County Mountain Parcels, recorded in the office of the Summit County Surveyor on June 20, 2023 and bearing Survey No. S0011256, and is described by metes and bounds as follows:

Basis of Bearings for the herein described parcel being North 88°38'16" East, 8,029.15 feet between the 2006 Wasatch/Summit Co. aluminum pipe cap marking the Quarter Corner common to Sections 28 & 33, and the 2016 Summit County aluminum pipe cap marking the

common Corner of Sections 26, 27, 33 & 34 of Township 2 South, Range 4 East, Salt Lake Base and Meridian.

BEGINNING AT A POINT, said point being on the Summit/Wasatch County Line, said point also being South 30°01'32" West 1065.86 feet from the quarter corner common to Sections 28 & 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence North 48°22'38" East 428.37 feet; thence North 38°35'30" East 304.91 feet; thence North 41°36'07" East 432.24 feet to a point on the westerly boundary of Logan 724 Mine Claim; thence coincident with the boundary of the Logan 724 and the U.P. 724 Mine Claims the following three (3) courses: 1) South 00°22'34" East 478.77 feet; thence 2) South 03°22'40" East 610.09 feet; thence 3) South 73°41'21" East 1503.20 feet to the westerly boundary of the Sunny Side M.S. 5931 Mine Claim; thence coincident with the boundary of the Sunny Side M.S. Mine Claim the following two (2) courses: 1) South 05°09'36" East 68.10 feet; thence 2) North 88°25'31" East 599.10 feet to the southeast corner of said claim; thence North 68°42'41" East 107.73 feet; thence South 65°34'17" East 585.49 feet; thence North 73°58'01" East 1168.86 feet to the Summit/Wasatch County Line; thence coincident with the county line South 04°19'40" West 505.15 feet; thence South 61°41'03" West 2092.69 feet to the county line; thence coincident with the county line the following ten (10) courses: 1) North 39°50'39" West 472.53 feet; thence 2) North 72°49'49" West 317.34 feet; thence 3) North 46°44'51" West 87.91 feet; thence 4) North 70°56'49" West 502.06 feet; thence 5) North 51°55'48" West 481.96 feet; thence 6) North 55°53'11" West 467.33 feet; thence 7) North 21°49'11" West 317.76 feet; thence 8) North 59°58'53" West 360.43 feet; thence 9) North 33°23'10" West 467.37 feet; thence 10) South 85°11'28" West 162.96 feet to the POINT OF BEGINNING.

Containing 89.35 acres, more or less.

The following is for informational purposes only:

Wasatch County:

Parcel No.	Tax ID Number
PARCEL A	00-0021-8930
PARCEL B	00-0021-8632
PARCEL C	00-0012-5380
PARCEL D	00-0021-8636
PARCEL E	00-0021-8638
PARCEL F	00-0021-8640
PARCEL G	00-0021-8642
PARCEL H	00-0021-8644
PARCEL I	00-0021-8646
PARCEL M	00-0021-8652
PARCEL AA	00-0021-8631
PARCEL KK	00-0021-8649
PARCEL LL	00-0021-8651
PARCEL 1E2	00-0021-8627
PARCEL 6A1	00-0021-8628
Parcel 1C	00-0021-7759
Parcel 1F	00-0021-7762

Summit County:

Parcel No.	Tax Serial Number
R	PCA-85-D & PCA-S-85

The boundaries of the Conserved Property included in the Conservation Easement are depicted as follows.

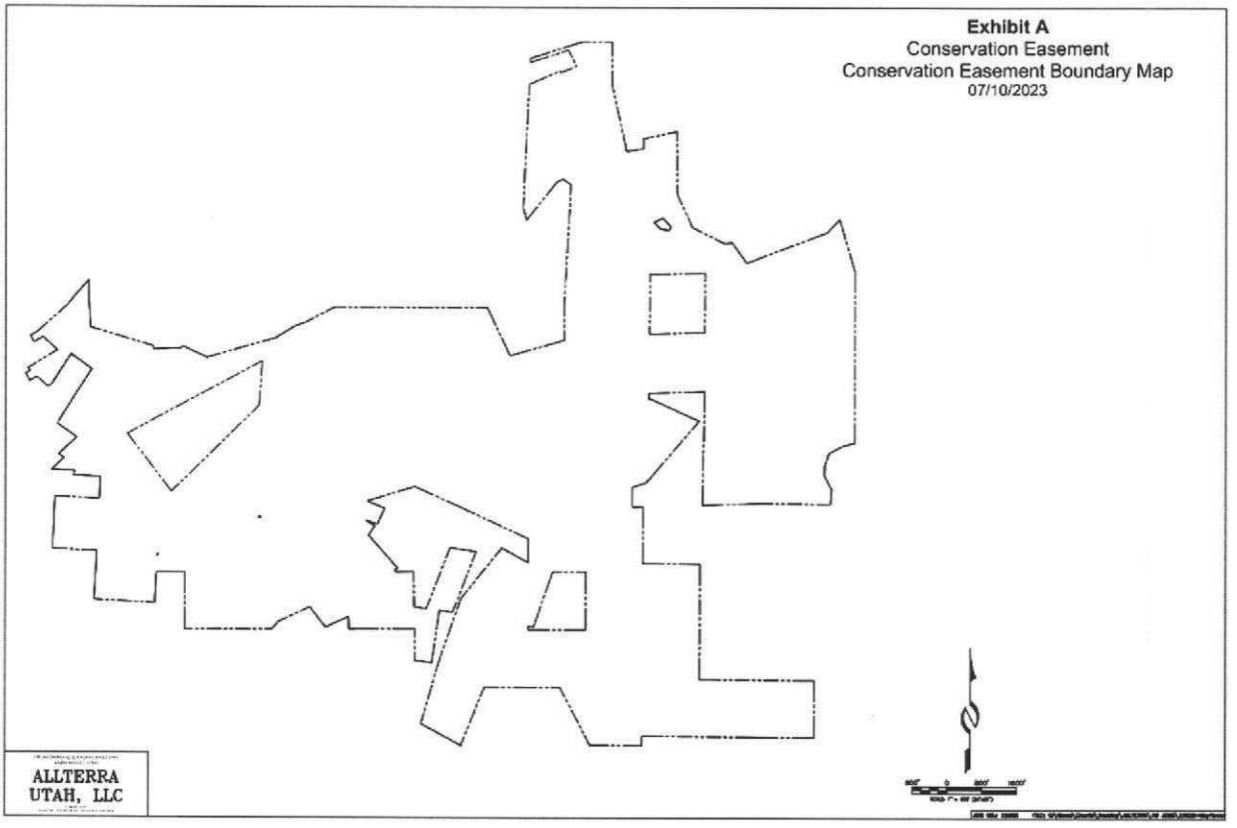


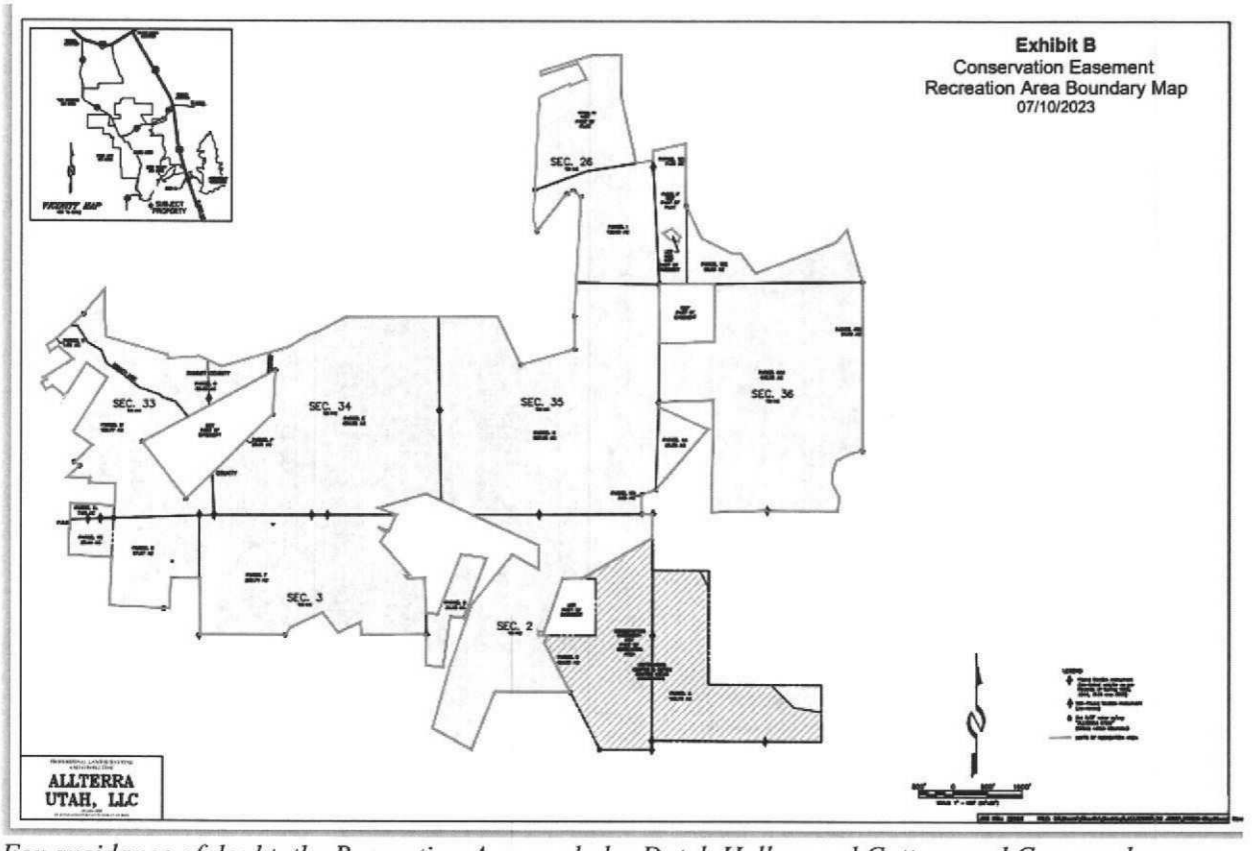
EXHIBIT B

to

DEED OF CONSERVATION EASEMENT AGREEMENT

(MAYFLOWER MOUNTAIN)

Recreation Area



For avoidance of doubt, the Recreation Area excludes Dutch Hollow and Cottonwood Canyon shown as hatched areas on this Exhibit except for the Previously Disturbed Areas identified on Exhibit D hereto.

EXHIBIT B-1

to

DEED OF CONSERVATION EASEMENT AGREEMENT

(MAYFLOWER MOUNTAIN)

Recreation Uses

1. Alpine and nordic skiing, inclusive of snowboarding/monoskis and other methods of snowsport, as well as any future advances thereto to the extent such advances do not conflict with the Conservation Values.

2. Other snowsports that take place within the Recreation Use Area on ski trails or Winter Season Trails (e.g. fat bikes, snowshoeing, snowbikes, ski equipment for skiers with a disability/adaptive skiers, snowsleds, etc.).

3. Maintenance access, if any, within the Mountain Access Roads identified on the Access Map attached as Exhibit F hereto or such other areas as may be included within the SAMS Plan.

4. Hiking and biking to the extent permitted by Section 4 of the Conservation Easement.

5. Passive recreational uses that do not require structures or impervious surfaces.

6. Recreational uses that may come to exist or be introduced for the benefit of outdoor recreation enthusiasts during the Winter Season or Non-Winter Season that are consistent with the Conservation Values and this Conservation Easement and not otherwise prohibited by Section 5 of the Conservation Easement.

7. Uses included in Section 4 of the Conservation Easement.

EXHIBIT C

to

DEED OF CONSERVATION EASEMENT AGREEMENT

(MAYFLOWER MOUNTAIN)

Recreation Area Facilities

1. Aerial passenger tramways which include but are not limited to ski lifts/tramways, s gondolas, surface conveyors and surface tows, and other equipment and systems for movement from one area to another.

2. Ski runs, terrain parks, kid features, timing facilities, and related improvements.

3. Snowmaking, including all necessary snowmaking equipment, water supply and storage/reservoirs, air supply, distribution systems and lines, snowmaking air and electrical facilities, holding tanks, associated pumps and maintenance/operational equipment with operations facility, weather and monitoring equipment, such facilities to be located, if at all, in the areas designated for such use on the Recreation Area Map, or such other areas as may be included within the SAMS Plan.

4. Ski Patrol facilities with radio capacity and on mountain storage of ski patrol equipment, including avalanche control and other typical ski patrol vehicles/gear including emergency equipment and incidental fuel storage.

5. Trails for mountain bikes, hiking and other non-winter uses within the Recreation Area as indicated on the Non-Winter Season Maps on Exhibit C attached hereto.

6. Ziplines and other aerial recreational activities during the Non-Winter Season, within the Recreation Area Facilities Plan as indicated on the Recreation Area Map on Exhibit C-1 attached hereto, together with reasonably necessary supporting structures; provided that such structures shall be subject to the review and approval of Grantee pursuant to Section 6 hereof and compliance with protocols provided for in the SAMS Plan.

7. Mountain Access Roads identified on the Access Map attached as Exhibit F hereto or such other areas as may be included within the SAMS Plan.

8. Facilities included in Section 4 of the Conservation Easement.

9. Sustainable energy systems and facilities, such as solar facilities and wind turbines, provided that such systems and facilities are ancillary to the foregoing uses and necessary and incident to the Recreation Uses, and the construction, operation, repair, maintenance and replacement and any of the foregoing Recreation Area Facilities shall be subject to the review and approval of Grantee pursuant to Section 6 hereof and compliance with protocols provided for in the SAMS Plan.

10. Power, telecommunications, utilities, and weather facilities and systems ancillary to the foregoing uses and necessary and incident to the Recreation Uses and the construction, operation, repair, maintenance and replacement and any of the foregoing Recreation Area Facilities.

EXHIBIT C-1

to

DEED OF CONSERVATION EASEMENT AGREEMENT

(MAYFLOWER MOUNTAIN)

Recreation Area Facilities Plan

The following Recreation Area Facilities Plan depicts the location of ski runs, ski lifts/tramways, snowmaking water reservoir(s), utility corridors and maintenance road corridor locations within the Recreation Area.

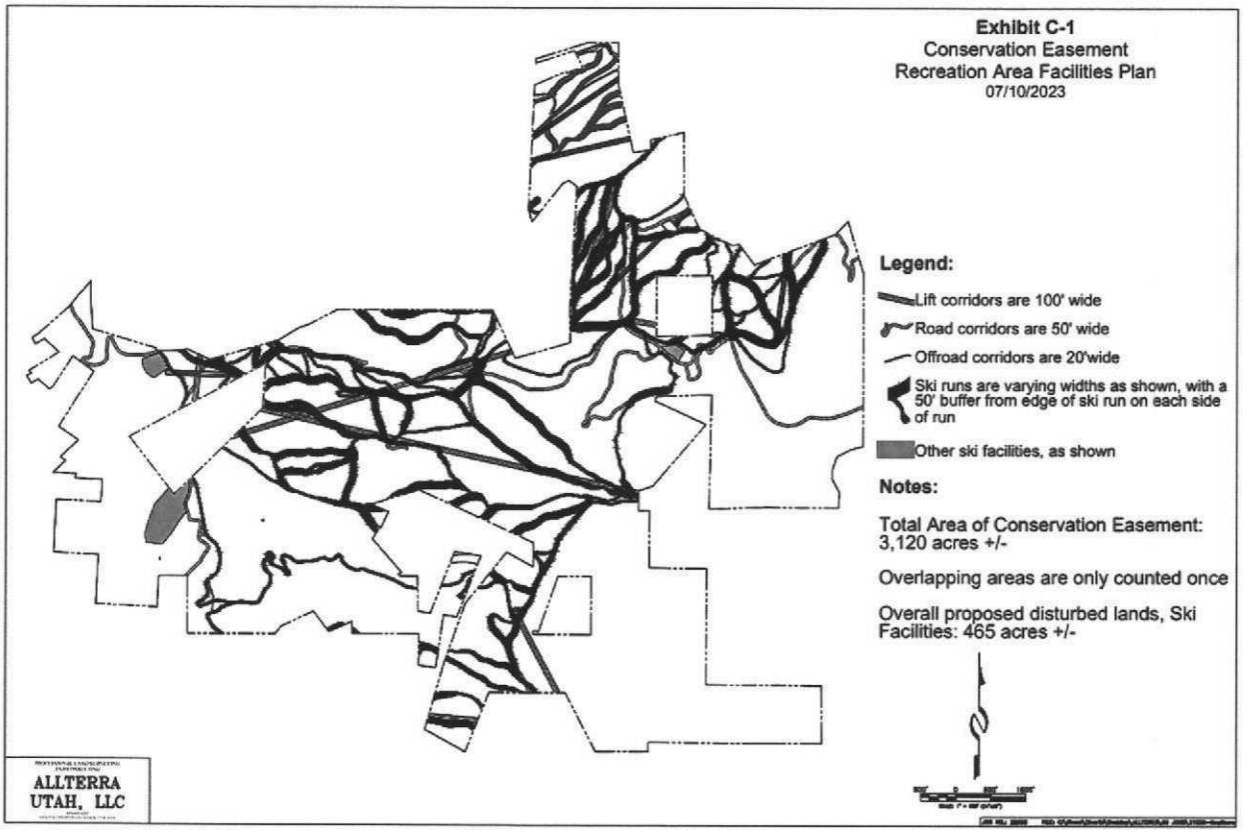


EXHIBIT D

to

DEED OF CONSERVATION EASEMENT AGREEMENT

(MAYFLOWER MOUNTAIN)

Map Depicting Location of Previously Disturbed Areas

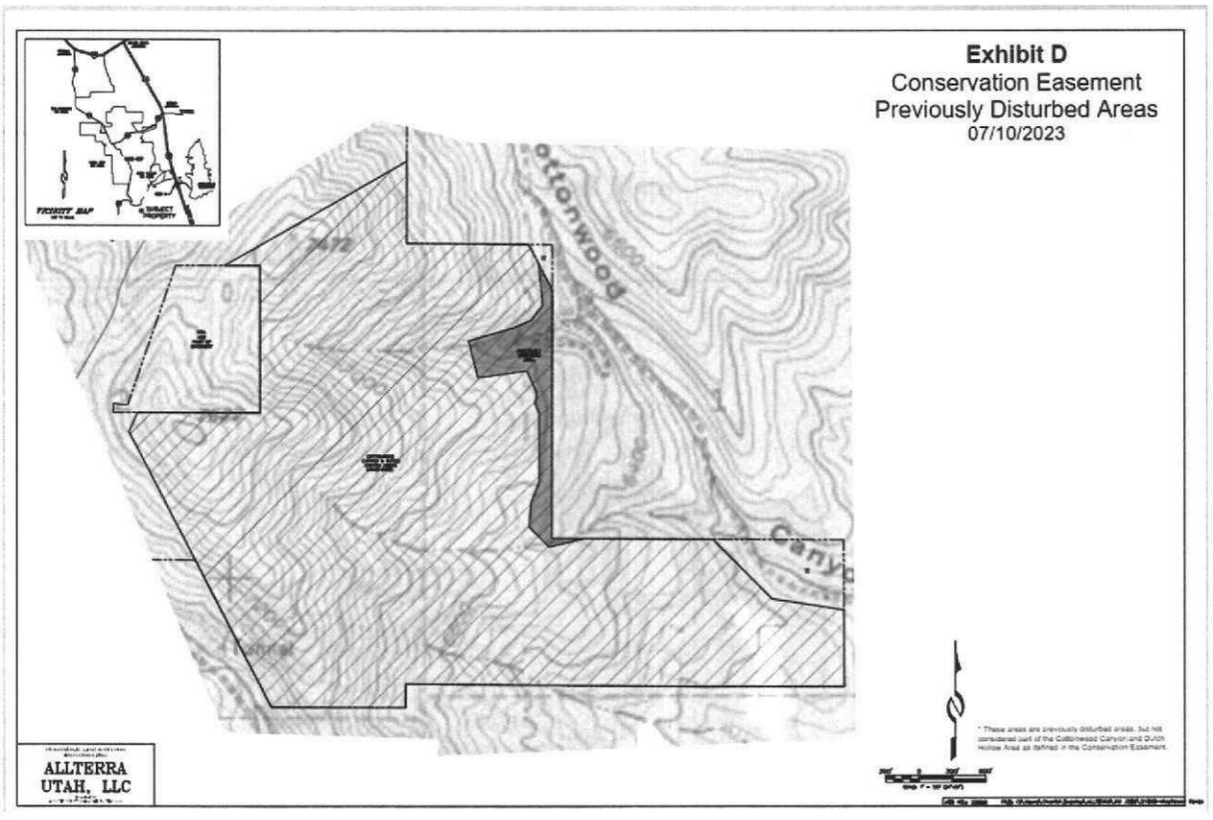


EXHIBIT E

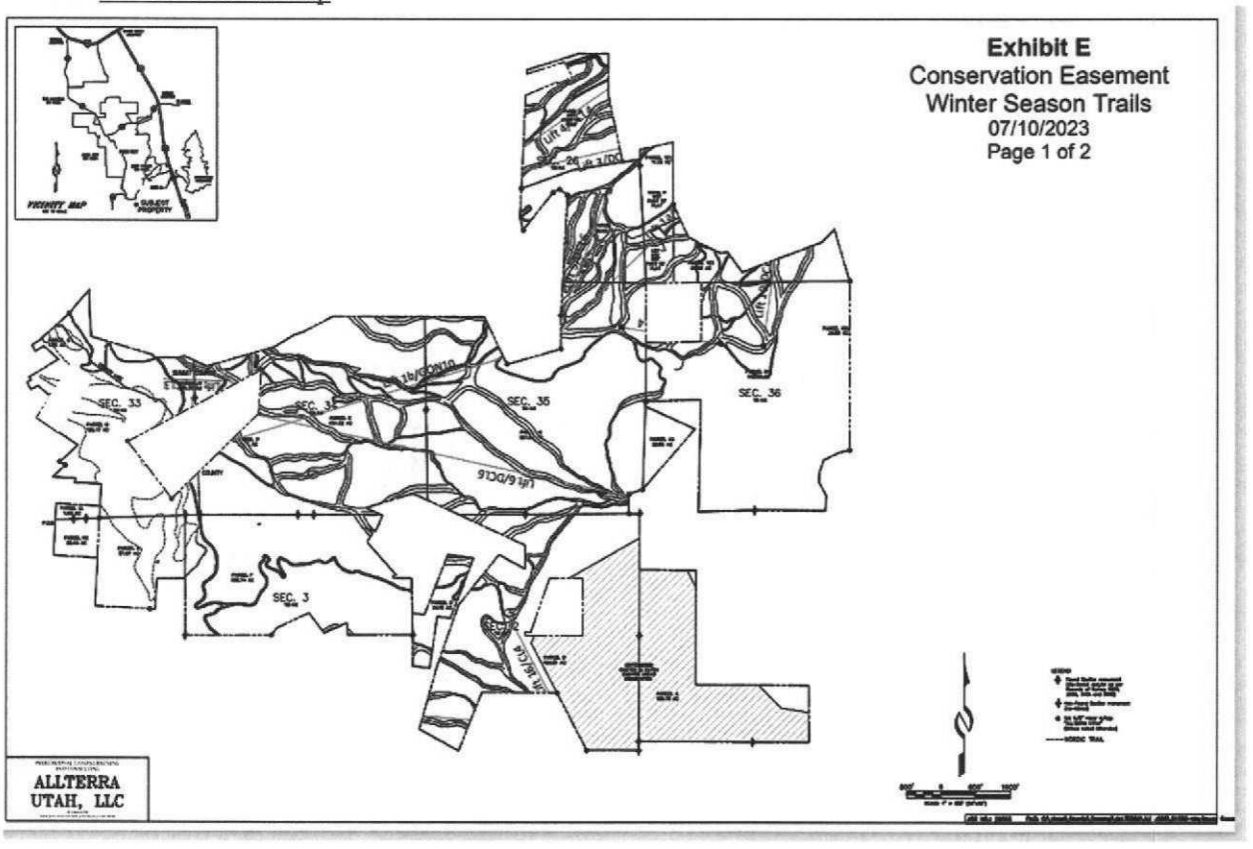
to

DEED OF CONSERVATION EASEMENT AGREEMENT

(MAYFLOWER MOUNTAIN)

Trail Maps

A. Winter Season Map



B. Non-Winter Season Map

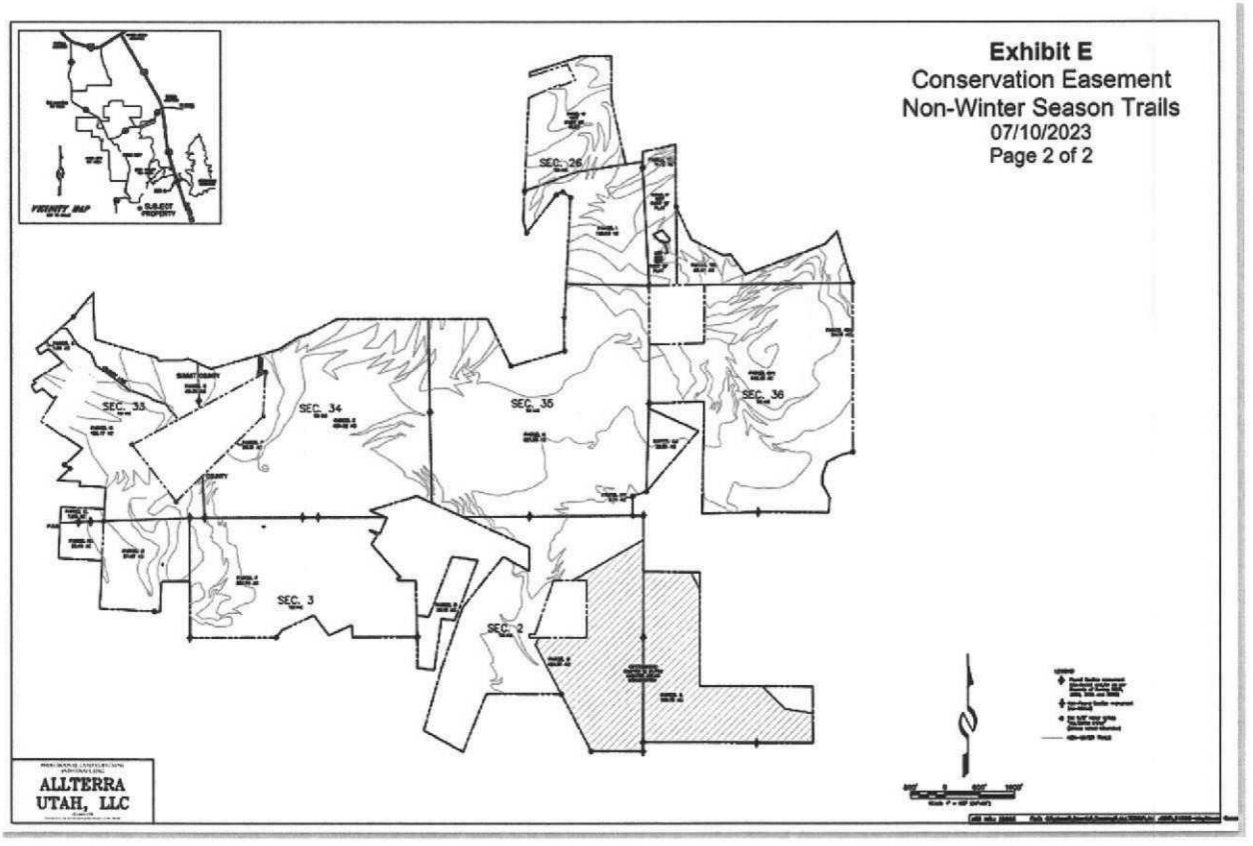


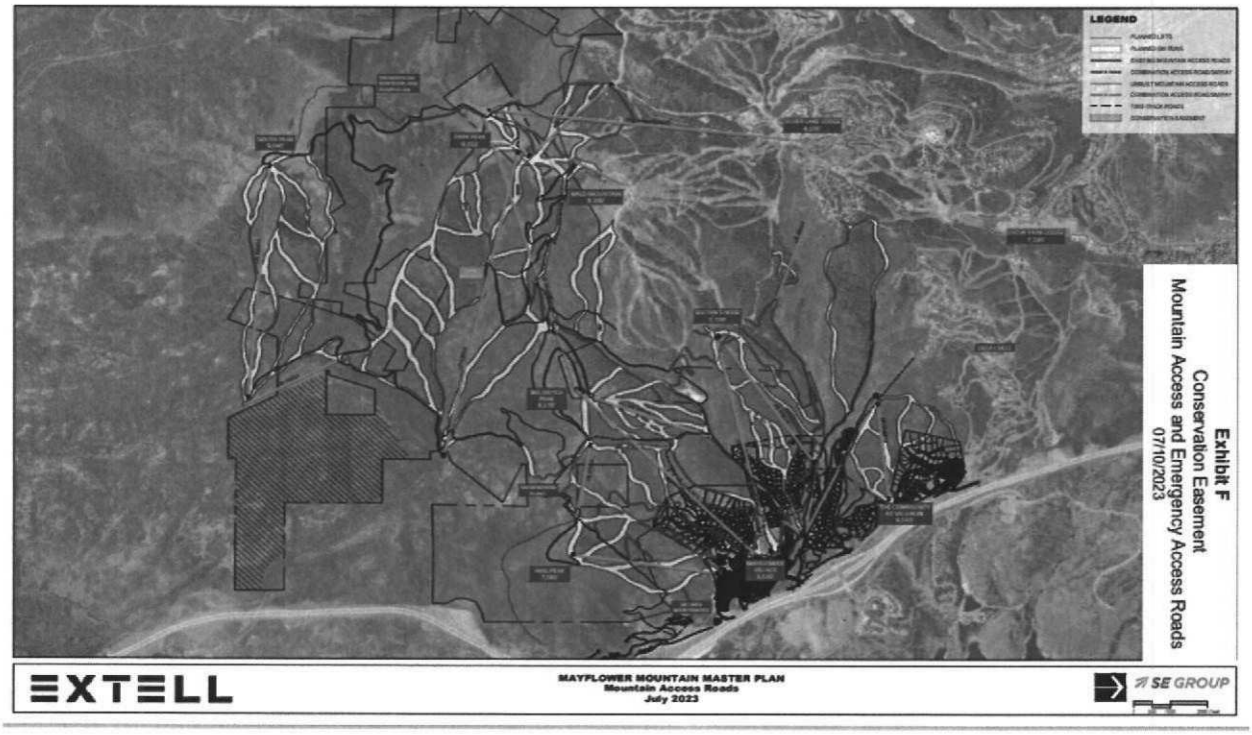
EXHIBIT F

to

DEED OF CONSERVATION EASEMENT AGREEMENT

(MAYFLOWER MOUNTAIN)

Mountain Access Road and Emergency Vehicle Access Corridors



Planning Department

March 29, 2024

Deer Valley Resort
2250 Deer Valley Drive South
Park City, Utah 84060
CC: Hannah Tyler

NOTICE OF PLANNING DIRECTOR DETERMINATION

RE: Determination of ski lift (Lift 7) height proposed to be installed on Parcels PCA-S-98-R, PCA-S-85, PCA-S-85-D, and PCA-S-81-A within the Flagstaff/Empire Pass Master Planned Development, the Recreation and Open Space Zoning District, and the Sensitive Land Overlay (Conditional Use Permit PL-23-05938)

On November 6, 2023, Deer Valley Resort submitted a Conditional Use Permit application for 4.62 miles of new ski runs, a new six-passenger 0.56-mile-long ski lift on Park Peak, an 8,483-square-foot terminal and lift storage building, and a 375-square-foot operator house to expand the beginner terrain at Deer Valley Resort.

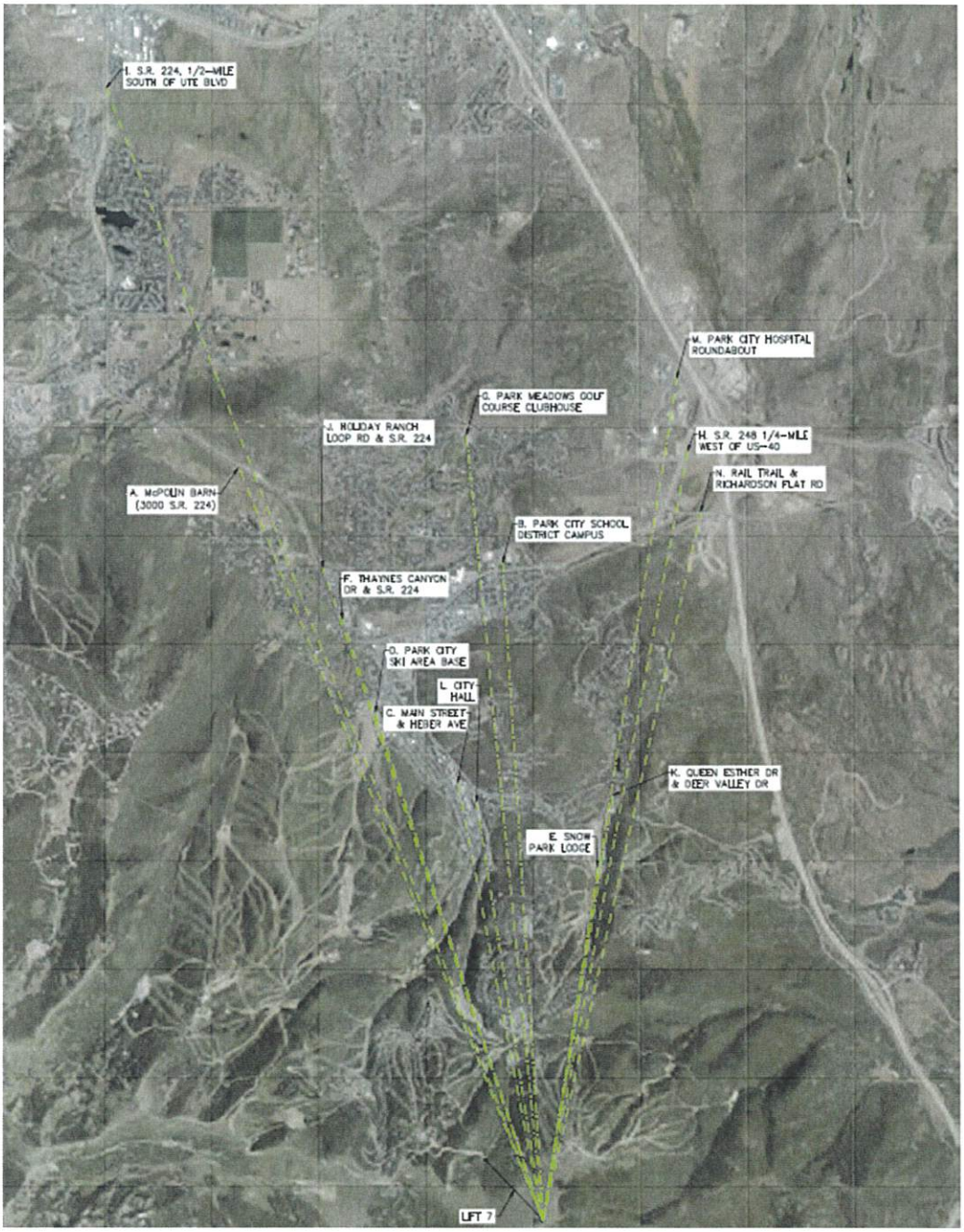
The ski lift is proposed to be installed within the Recreation and Open Space Zoning District and Sensitive Land Overlay. Land Management Code Section 15-2.7-4 establishes a maximum height of 28 feet from existing grade within the Recreation and Open Space Zoning District. Land Management Code Section 15-2.7-4(A)(4) states ski lifts may extend above the 28-foot height maximum subject to visual analysis and approval by the Planning Director.

Applicants proposing development within the Sensitive Land Overlay must submit a Sensitive Lands Analysis, including an evaluation of Ridge Line Areas and Vantage Points. As part of the Conditional Use Permit submittal, the Applicant completed a Sensitive Land Analysis for the proposed ski lift prepared by Zachary Alhamra with Alliance Engineering.

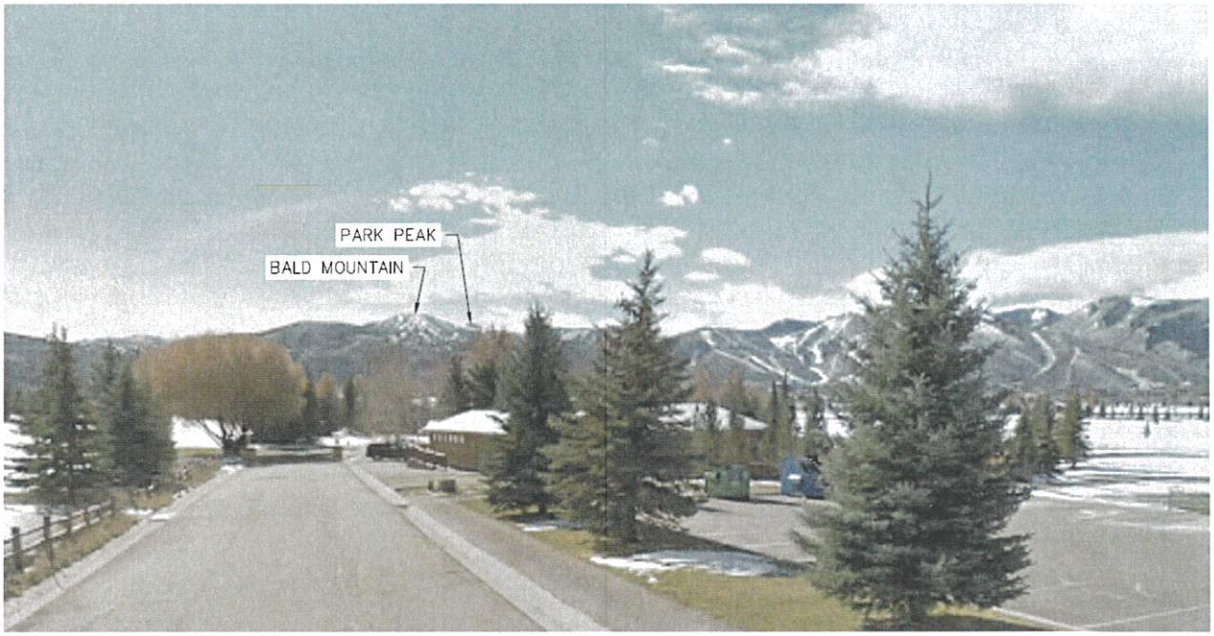
Lift Tower 10 at a height of 29.72 feet and the top terminal of the proposed ski lift at 24 feet in height are proposed to be installed within a Ridge Line Area, defined in Land Management Code Section 15-15-1 as the top, ridge or crest of hill, or slope, plus the land located within 150 feet on both sides of the top, crest, or ridge.

Land Management Code Section 15-2.21-5(A) states development near Ridge Line Areas must blend with the natural contour of these landforms and that significant Ridge Line Areas be retained in a natural state with development site in such a manner so as not to create a silhouette against the skyline or mountain backdrop when viewed from Designated Vantage Points.

Land Management Code Section 15-2.21-3(A)(6) establishes designated Vantage Points. The applicant's Sensitive Land Analysis includes an exhibit showing the ski lift from these designated Vantage Points:



The applicant concludes that the proposed ski lift within a Ridge Line Area is visible from one Vantage Point: the Park Meadows Golf Course Clubhouse shown in the applicant's submittal below:



The Applicant requests permission to construct the top terminal within the Ridge Line Area:

> *The top terminal of Lift 7 will be situated on the ridge line that separates Wasatch and Summit Counties at an elevation of approximately 9285'. While sitting on a ridge line, this structure will only be visible from one of the Park City's Designated Vantage Points (Vantage Point "G": Park Meadows Golf Course Clubhouse) and will not be placed directly onto the peak. Given that the proposed Lift 7 will be a vital piece of infrastructure in the terrain expansion efforts to improve the recreational opportunities and experiences offered by Deer Valley Ski Resort, it's [sic] construction shall be to great public benefit. Furthermore, there are numerous examples of existing ski area chairlifts in the Park City area that appear in greater prominence from the Designated Vantage Points than the proposed lift 7.*

Land Management Code Section 15-2.21-7 establishes regulations for ski area construction and expansion within the Sensitive Land Overlay. Ski lifts installed within the Sensitive Land Overlay must mitigate the environmental and visual impacts of the project to the maximum extent feasible and the ski facilities must be designed to preserve the natural character of sensitive lands.

As part of the ski lift Conditional Use Permit review, the Planning Commission may require a Condition of Approval establishing a required distance from the Ridge Line Area. Therefore, this determination is dependent upon the Planning Commission's approval of the proposed ski lift top terminal and Lift Tower 10 within a Ridge Line Area. Pending Planning Commission approval, this determination approves the proposed heights for the Deer Valley ski lift (Lift 7) as follows:

- The applicant proposes installing 10 ski lift towers.
- The ski lift towers range in height as follows:
    - Tower 1 – 19.54 feet (complies with ROS height)
    - Tower 2 – 33.01 feet (exceeds ROS height by 5.01 feet)
    - Tower 3 – 46.33 feet (exceeds ROS height by 18.33 feet)
    - Tower 4 – 52.87 feet (exceeds ROS height by 24.87 feet)
    - Tower 5 – 46.31 feet (exceeds ROS height by 18.31 feet)
    - Tower 6 – 49.59 feet (exceeds ROS height by 21.59 feet)
    - Tower 7 – 39.75 feet (exceeds ROS height by 11.75 feet)
    - Tower 8 – 46.31 feet (exceeds ROS height by 18.31 feet)
    - Tower 9 – 36.29 feet (exceeds ROS height by 8.29 feet)
    - Tower 10 – 29.72 feet (exceeds ROS height by 1.72 feet)

Nine of the 10 ski lift towers exceed Recreation and Open Space Zoning District height. As noted above, the proposed Lift Tower 10 and top terminal will be visible from one Vantage Point, the Park Meadows Golf Course Clubhouse, which is approximately four miles away. The remaining lift towers are not visible from designated Vantage Points, mitigate the environmental and visual impacts of the project, and preserve the natural character of the Sensitive Land Overlay. As a result, pending Planning Commission approval of the ski lift top terminal and Lift Tower 10 within the Ridge Line Area, the ski lift tower heights are approved in the maximum heights outlined herein and in Attachment 1.

PARK CITY
1884

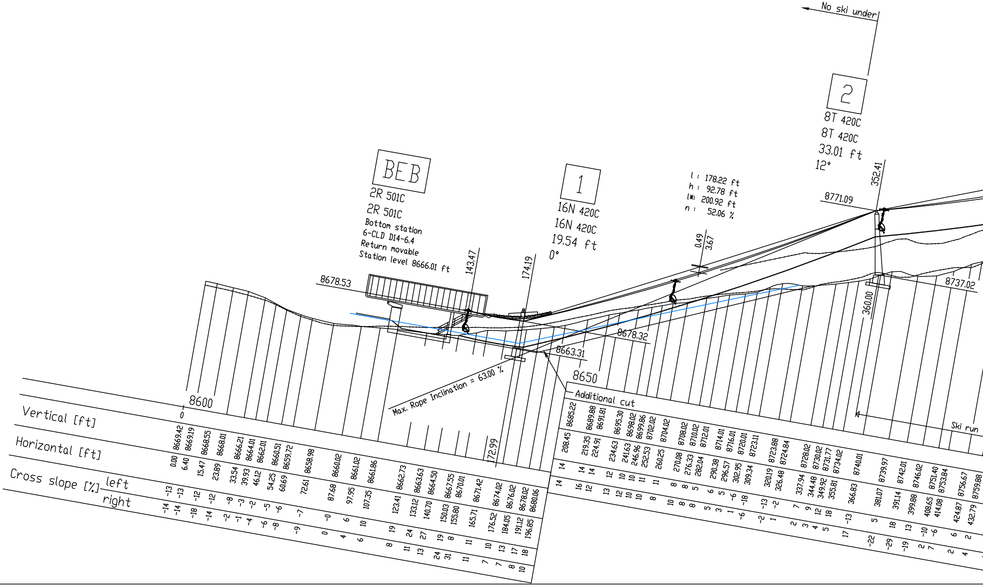
Planning Department

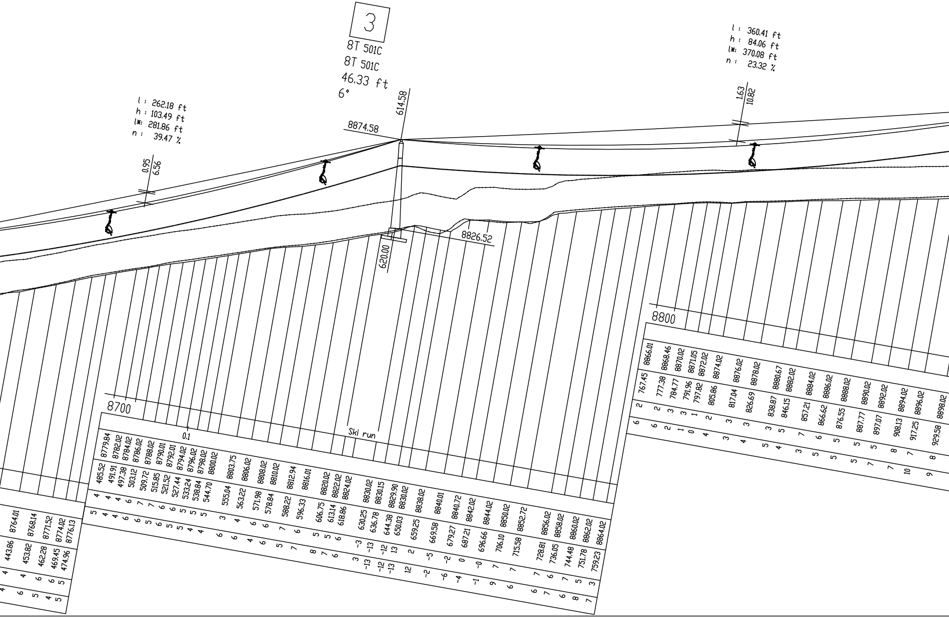
Sincerely,

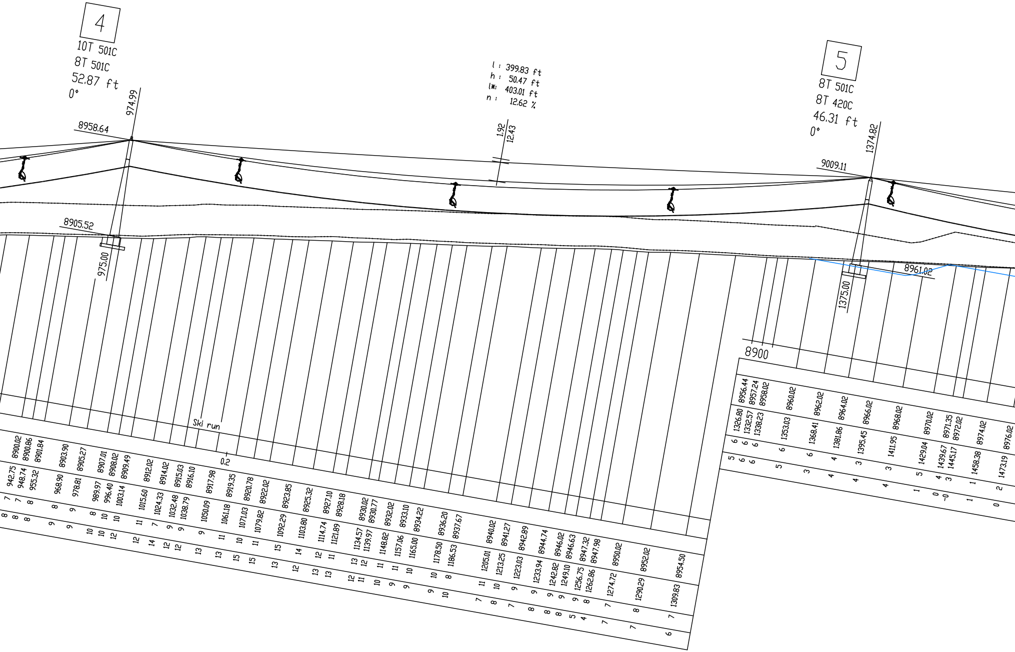
Rebecca Ward, Planning Director

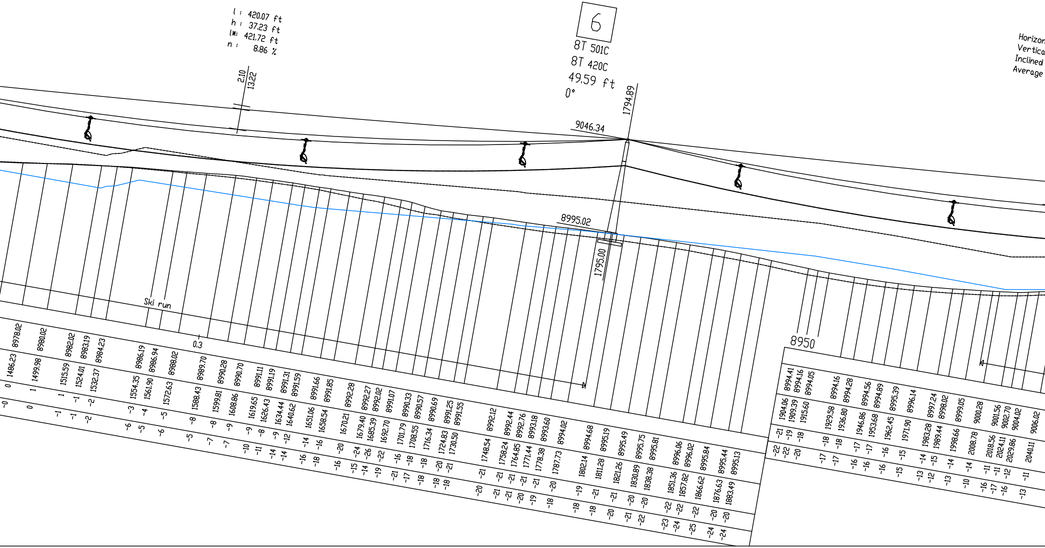
CC: Virgil Lund, Project Planner

Attachment 1 – Proposed Ski Lift Tower Heights

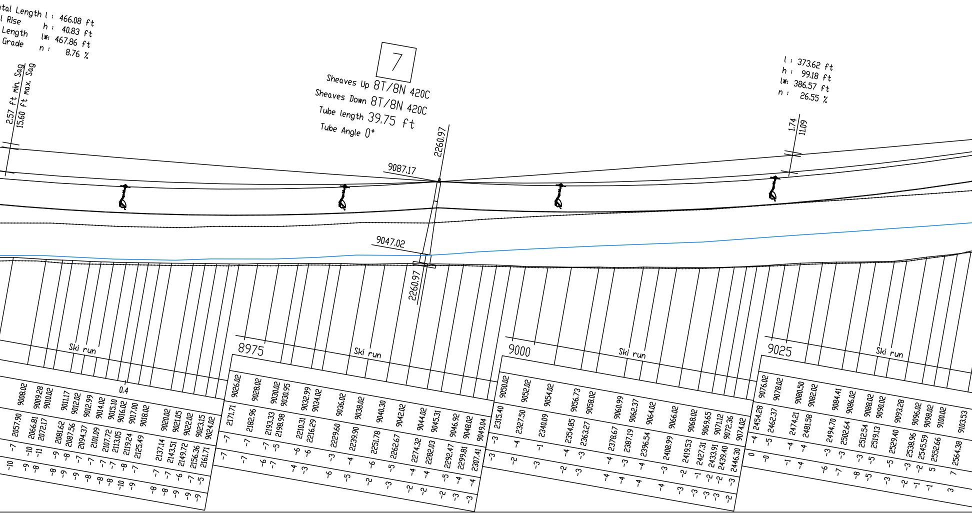

No ski under
BEB
2R 501C
2R 501C
Bottom station
6-CLD D14-6.4
Return movable
Station level 8666.01 ft
1
16N 420C
16N 420C
19.54 ft
0°
l : 178.22 ft
h : 92.78 ft
l* : 200.92 ft
n : 52.06 %
0.49
3.67
2
8T 420C
8T 420C
33.01 ft
12°
352.41
8771.09
360.00
8737.02
8678.53
143.47
174.19
8678.32
8663.31
8650
8600
Max. Rope Inclination = 63.00 %
Additional cut
Ski run
172.99
Vertical [ft]
Horizontal [ft]
Cross slope [%]
left
right
0
8669.42 8669.19 8668.55 8668.01 8666.21 8664.01 8662.01 8660.51 8659.72 8658.98 8660.02 8661.02 8661.86 8662.73 8663.63 8664.50 8667.55 8670.01 8671.42 8674.02 8676.02 8678.02 8680.06
0.00 6.40 15.47 23.89 33.54 39.93 46.12 54.25 60.69 72.61 87.68 97.95 107.35 123.41 133.12 140.70 150.03 155.80 165.71 176.52 184.05 191.12 196.85
-13 -13 -12 -12 -8 -3 -2 -5 -6 -7 -0 6 10 19 24 27 19 8 11 10 13 17 18
-14 -14 -18 -14 -2 -1 -4 -6 -8 -9 0 4 6 8 11 13 24 31 11 7 7 8 10
8685.22 8689.88 8691.81 8695.30 8698.02 8699.86 8702.02 8704.02 8708.02 8710.02 8712.01 8714.01 8716.01 8720.01 8723.11 8723.88 8724.84 8728.02 8730.02 8731.77 8734.02 8740.01 8739.97 8742.01 8746.02 8751.40 8753.84 8756.67 8759.88
208.45 219.35 224.91 234.63 241.63 246.96 252.53 260.25 270.08 276.33 282.04 290.38 296.57 302.95 309.34 320.19 326.48 337.94 344.48 349.92 355.81 366.83 381.07 391.14 399.88 408.65 414.08 424.87 432.79
14 14 14 12 10 10 11 11 8 8 5 6 5 -6 -18 -13 -2 7 9 12 18 -13 5 18 13 -10 -6 6 2
14 16 12 13 12 10 10 8 10 8 8 5 3 1 -6 -2 1 2 3 4 5 17 -22 -29 -19 2 7 2 4


3
8T 501C
8T 501C
46.33 ft
6°
614.58
8874.58
620.00
8826.52
l : 262.18 ft
h : 103.49 ft
l(*: 281.86 ft
n : 39.47 %
0.95
6.56
l : 360.41 ft
h : 84.06 ft
l(*: 370.08 ft
n : 23.32 %
1.63
10.82
8700
8800
0.1
Ski run

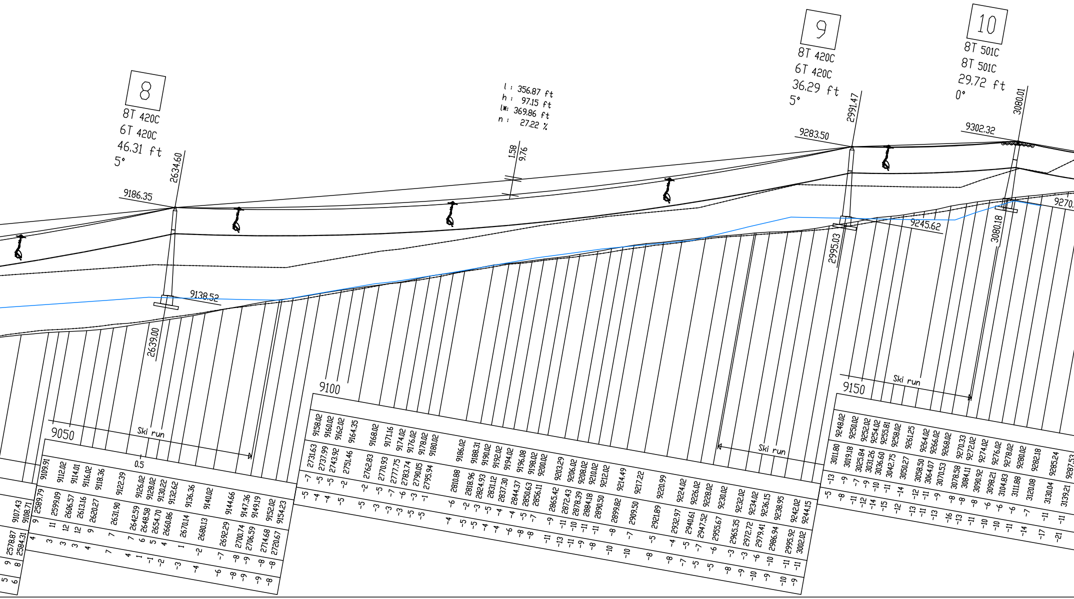

4
10T 501C
8T 501C
52.87 ft
0°
974.99
8958.64
8905.52
975.00
l : 399.83 ft
h : 50.47 ft
l* : 403.01 ft
n : 12.62 %
1.92
12.43
5
8T 501C
8T 420C
46.31 ft
0°
1374.82
9009.11
8961.02
1375.00
8900
Ski run
0.2
8900.02
8900.86
8901.84
8903.90
8905.27
8907.01
8908.02
8909.49
8912.02
8914.02
8915.03
8916.10
8917.98
8919.35
8920.78
8922.02
8923.85
8925.32
8927.10
8928.18
8930.02
8930.77
8932.02
8933.10
8934.22
8936.20
8937.67
8940.02
8941.27
8942.89
8944.74
8946.02
8946.63
8947.32
8947.98
8950.02
8952.02
8954.50
942.75
948.74
955.32
968.90
978.81
989.97
996.40
1003.14
1015.60
1024.33
1032.48
1038.79
1050.09
1061.18
1071.03
1079.82
1092.29
1103.80
1114.74
1121.89
1134.57
1139.97
1148.82
1157.06
1165.00
1178.50
1186.53
1205.01
1213.25
1223.03
1233.94
1242.82
1249.10
1256.75
1262.86
1274.72
1290.29
1309.83
8956.44
8957.24
8958.02
8960.02
8962.02
8964.02
8966.02
8968.02
8970.02
8971.35
8972.02
8974.02
8976.02
1326.80
1332.57
1338.23
1353.03
1368.41
1381.86
1395.45
1411.95
1429.04
1439.67
1445.17
1458.38
1473.19

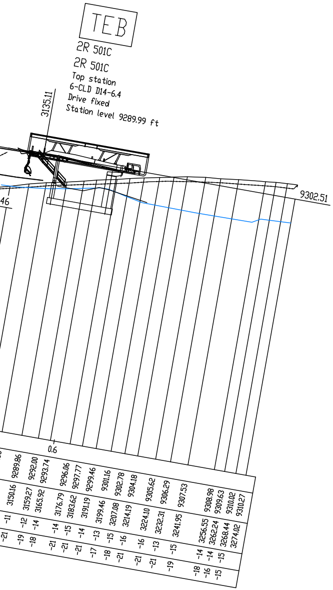


l : 420.07 ft
h : 37.23 ft
l*: 421.72 ft
n : 8.86 %
2.10
13.22
6
8T 501C
8T 420C
49.59 ft
0°
1794.89
9046.34
8995.02
1795.00
Ski run
0.3
8950
Horizon
Vertica
Inclined
Average
8978.02
8980.02
8982.02
8983.19
8984.23
8986.19
8986.94
8988.02
8989.70
8990.28
8990.70
8991.11
8991.19
8991.31
8991.59
8991.66
8991.85
8992.28
8992.27
8992.02
8991.07
8990.33
8990.57
8990.69
8991.25
8991.55
8992.12
8992.44
8992.76
8993.18
8993.60
8994.02
8994.68
8995.19
8995.49
8995.75
8995.81
8996.06
8996.02
8995.84
8995.44
8995.13
8994.41
8994.16
8994.05
8994.16
8994.28
8994.56
8994.89
8995.39
8996.14
8997.24
8998.02
8999.05
9000.28
9001.56
9002.70
9004.02
9006.02
1486.23
1499.98
1515.59
1524.01
1532.37
1554.35
1561.90
1572.63
1588.43
1599.81
1608.86
1619.65
1626.43
1634.44
1640.62
1651.06
1658.54
1670.21
1679.40
1685.39
1692.70
1701.79
1708.55
1716.34
1724.83
1730.50
1748.54
1758.24
1764.85
1771.44
1778.38
1787.73
1802.14
1811.28
1821.26
1830.89
1838.38
1851.36
1857.82
1866.62
1876.63
1883.49
1904.06
1909.39
1915.60
1929.58
1936.80
1946.86
1953.68
1962.45
1971.90
1983.28
1989.44
1998.66
2008.78
2018.56
2024.11
2029.86
2040.11



ntal Length l : 466.08 ft
l Rise h : 40.83 ft
Length l* : 467.86 ft
Grade n : 8.76 %
2.57 ft min. Sag
15.60 ft max. Sag
7
Sheaves Up 8T/8N 420C
Sheaves Down 8T/8N 420C
Tube length 39.75 ft
Tube Angle 0°
2260.97
9087.17
9047.02
2260.97
l : 373.62 ft
h : 99.18 ft
l* : 386.57 ft
n : 26.55 %
1.74
11.09
Ski run
8975
Ski run
9000
Ski run
9025
Ski run
0.4


8
8T 420C
6T 420C
46.31 ft
5°
2634.60
9186.35
9138.52
2639.00
l : 356.87 ft
h : 97.15 ft
l(*): 369.86 ft
n : 27.22 %
1.58
9.76
9
8T 420C
6T 420C
36.29 ft
5°
2991.47
9283.50
2995.03
9245.62
10
8T 501C
8T 501C
29.72 ft
0°
3080.01
9302.32
3080.18
9270.
9050
9100
9150
Ski run
Ski run
Ski run
0.5


TEB
2R 501C
2R 501C
Top station
6-CLD D14-6.4
Drive fixed
Station level 9289.99 ft
3135.11
46
9302.51
0.6
9289.86
9292.00
9293.74
9296.06
9297.77
9299.46
9301.16
9302.78
9304.18
9305.62
9306.29
9307.53
9308.98
9309.63
9310.02
9310.27
3150.16
3159.27
3165.92
3176.79
3183.62
3191.19
3199.46
3207.08
3214.19
3224.10
3232.31
3241.95
3256.55
3262.24
3268.44
3274.02
-11
-12
-14
-14
-15
-14
-13
-15
-16
-16
-13
-15
-14
-14
-15
-21
-19
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-21
-21
-21
-17
-18
-21
-21
-21
-19
-18
-16
-15

Profile origin:
Profile file: SAA0003215r01 Mayflower Lift 7.gel
Ropeway file: SAA0003215r03 Mayflower Lift 7 6CLDB.cldb
Program: Seiba 1.68.3 CIN:1691191886

Profile
6-CLD-B Lift 7

Customer:	Mayflower
Location:	Utah

Technical Data:

Uphill Side	Left	ø Haul Rope	1.77 in
Drive Station	Top	Minimum Breaking Strength	330919 lb
Tension Station	Bottom	ø Drive Bullwheel	20.83 ft
Return Station	Bottom	ø Return Bullwheel	20.83 ft
Horizontal Length	2991.63 ft	Rope Gauge on Line	21.00 ft
Vertical Rise	623.98 ft	Drive Output Continuous	404 HP
Average Grade	20.86 %	Drive Output Starting	565 HP
Max. Rope Inclination	63.00 %	Elevation of Drive Station	9302 ft
Inclined Length	3078.39 ft	Uphill Transportation	100 %
Spliced Rope Length	6345.54 ft	Downhill Transportation	25 %

	Initial	Final
Drive Speed	fpm	984 fpm
Capacity	pph	3000 pph
Number of Carriers		58
Carrier Spacing	ft	118.11 ft
Carrier Interval	s	7.20 s
Trip Time	min	3.53 min

Index	Revision	Date	Name

	Drawn	2023-08-04	OBR

Doppelmayr®

Scale	Project No.
1"=40'	SAA0003215

Drawing No.
Index

This drawing is the intellectual property of .
It must not be copied nor utilized in whole or in part without permission and is subject to return upon request.

WHEN RECORDED, MAIL TO:
Park City Municipal Corporation
Legal Department
P.O. Box 1480
Park City, UT 84060-1480

Fee Exempt per Utah Code Annotated 1953 21-7-2

GRANT OF CONSERVATION EASEMENT (SKI AREA)

THIS GRANT OF CONSERVATION EASEMENT (this "Easement Agreement") is made this 19th day of December, 2002, by UNITED PARK CITY MINES COMPANY, a Delaware corporation ("UPCMC"), and DEER VALLEY RESORT COMPANY, a Utah limited partnership ("Deer Valley") in favor of PARK CITY MUNICIPAL CORPORATION, a third class city of the State of Utah ("City"), and CONSERVING OUR OPEN LANDS, a Utah nonprofit corporation ("COOL"). UPCMC and Deer Valley are collectively referred to herein as "Grantor." City and COOL are collectively referred to herein as "Grantee".

WITNESSETH:

WHEREAS, Grantor owns certain real property located in Park City, Summit County, Utah (the "Property") more particularly described on Exhibit A attached hereto and made a part hereof; and

WHEREAS, the Property possesses natural, scenic, open space, wildlife and wetland values (collectively referred to herein as "Conservation Values") of great importance to Grantee, and to the people of Park City, Summit County, and the State of Utah; and

WHEREAS, the specific Conservation Values of the Property are documented, in part, in a resource manual and is hereinafter sometimes referred to as the "Baseline Documentation," which consists of reports, maps, photographs and other documentation intended to provide the parties with an accurate representation of the Property at the time of the granting of the Easement as defined below; and

WHEREAS, the Property is appropriate for skiing, recreational and other uses as hereinafter described as the Reserved Use Rights, and the Property is necessary to the operation of the Deer Valley Resort owned by Deer Valley; and

WHEREAS, Grantor intends that the Conservation Values of the Property be preserved and maintained by the continuation of land use patterns, including, without limitation, those existing at the time of the recording of this Easement Agreement, subject to the Reserved Use Rights; and

WHEREAS, Grantor further intends, as owner of the Property, to preserve and protect the conservation values of the Property in perpetuity, subject to the Reserved Use Rights; and

00643790 Bk01502 Pg00732-00747
ALAN SPRIGGS, SUMMIT CO RECORDER
2003 JAN 07 09:54 AM FEE $.00 BY DMG
REQUEST: PARK CITY MUNICIPAL CORP

WHEREAS, City is a governmental unit qualified under Sections 170(b)(1)(A)(v) and 170(c)(1) of the Internal Revenue Code of 1986, as amended (the "Code"), whose primary purpose is to promote the health, safety and welfare of its citizens; and

WHEREAS, COOL is a publicly supported, tax-exempt nonprofit organization qualified under Sections 501(c)(3) and 170(h)(3) of the Code whose primary purpose is the preservation, protection, or enhancement of land in its natural, scenic, historical, agricultural, forested, ecological and/or open space condition; and

WHEREAS, Grantee agrees by accepting this grant to honor the intentions of Grantor stated herein and to preserve and protect in perpetuity the Conservation Values of the Property for the benefit of this generation and the generations to come;

NOW THEREFORE, in consideration of the foregoing recitals and the mutual covenants, terms, conditions, and restrictions contained herein, and pursuant to the laws of the State of Utah and in particular U.C.A. Title 57, Chapter 18, Grantor hereby grants and conveys to Grantee a conservation easement in perpetuity over the Property of the nature and character and to the extent set forth herein (the "Easement").

1. Purpose. It is the purpose of the Easement, subject to the Reserved Use Rights described in Section 3 of this Easement Agreement, to assure that the Property will be retained forever in its open, undeveloped condition as provided herein and to prevent any use of the Property that will significantly impair or interfere with the Conservation Values of the Property. Grantor intends that the Easement will confine the use of the Property to those activities, including without limitation the Reserved Use Rights that are consistent with the terms of this Easement Agreement.

2. Rights of Grantee. To accomplish the purpose of this Easement, the following rights are conveyed to Grantee by this Easement Agreement:

(a) The right to preserve and protect the Conservation Values of the Property;

(b) The right to enter upon the Property at reasonable times in order to monitor Grantor's compliance with and otherwise enforce the terms of this Easement Agreement; provided that such entry shall be upon prior reasonable notice to Grantor, and Grantee shall not unreasonably interfere with Grantor's use and quiet enjoyment of the Property;

(c) The right to prevent any activity on or use of the Property that is inconsistent with the terms of this Easement Agreement and to enforce the restoration of such areas or features of the Property that may be damaged by inconsistent activity or use, pursuant to Section 7 hereof; and

(d) The right to enforce this Easement Agreement by appropriate legal proceedings, after providing Grantor with reasonable notice and opportunity to cure, as provided in section 7 herein.

3. Reserved Use Rights. The following uses and practices (referred to herein as the "Reserved Use Rights"), while not an exhaustive recital of permitted uses and practices, are

consistent with the purpose of the Easement, and the following purposes and practices shall not be precluded or prevented by this Easement Agreement:

(a) The construction, development and operation of Ski-Related Development and other allowed uses as provided by the Development Agreement For Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel and Iron Mountain, dated June 24th, 1999;

(b) The construction, installation, use, maintenance, repair, replacement and relocation of water wells, water lines, sanitary sewer lines, storm sewer lines and the right to discharge their flows, natural gas lines, electric power lines, cable television lines, telephone lines, and other utility lines, together with the right to temporarily stockpile construction materials and equipment as approved by the City, so long as such uses are necessary for the Reserved Use Rights and are located in disturbed areas such as ski runs or existing utility corridors, unless otherwise approved by the City, such approvals not to be unreasonably withheld;

(c) The construction, installation, use, maintenance, repair, replacement and relocation of secondary access roads provided all applicable land use approvals are obtain from Grantee (nothing herein shall be deemed as such approval) ;

(d) With respect to the Anchor Mine overburden pile, all necessary activities in the vicinity of the Anchor Mine overburden pile to crush, reprocess and recycle the material in the overburden pile and to transport such material to a location outside the Property, and thereafter to revegetate the overburden pile site;

(e) With respect to the overhead electric power transmission lines located in Empire Canyon, all necessary activities to relocate such overhead electric power transmission lines in accordance with the provisions of Section 5 of this Easement Agreement, and subject to the City Engineer's approval of a specific relocation plan, such approval not to be unreasonably withheld;

(f) All activities on the Property that are necessary to perform investigation, remediation, closure and/or reclamation work consistent with or required by law with respect to any portion of the Property that has been used previously for mining activities or mining operations; and

(g) Passive uses otherwise allowed by the Park City Land Management Code in the ROS District intended to preserve and protect the Conservation Values.

4. Prohibited Uses and Practices. Any activity on or use of the Property inconsistent with the purpose of the Easement or which would impair the Conservation Values of the Property is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited:

(a) Any surface mining, hotel, lodging, residential or commercial construction or use, except the uses and practices permitted by the Reserved Use Rights; and

(b) Hunting or trapping for any purpose other than predatory or problem animal control.

The foregoing prohibited activities and uses may be amended by the express written agreement of the City, COOL and Grantor.

5. Utilities. The Property is subject to existing utility easements and the Easement is and shall be subject to the rights of City, the Snyderville Basin Water Reclamation District, or any other agency or utility to enter upon the Property for the construction, installation, operation, maintenance, repair, replacement and relocation of utility lines and related facilities within such existing utility easements.

6. Reserved Rights. Grantor reserves to Grantor and to Grantor's successors and assigns as the owner of the Property all rights accruing from the ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are not expressly prohibited herein and all uses of the Property that are consistent with the purpose of the Easement, including without limitation the right to engage in or permit others to engage in Reserved Use Rights.

6.1 Minor Boundary Adjustments. Grantor reserves the right to make reasonable and minor boundary line adjustments in the legal description of the Property, provided that any such adjustments are consistent with the Reserved Use Rights and provided that the total area of the Property that is subject to the Easement shall not be reduced as the result of any such boundary line adjustments. The City and COOL shall execute, acknowledge and record in the Office of the Recorder of Summit County, Utah any amendments to this Easement Agreement proposed by Grantor for such purpose.

7. Grantee's Remedies. If Grantee determines that Grantor is in violation of the terms of this Easement or that a violation is threatened, Grantee shall give written notice to Grantor of such violation and demand corrective action sufficient to cure the violation and, where the violation involves injury to the Property resulting from any use or activity inconsistent with the terms of this Easement Agreement, to restore the portion of the Property so injured. If Grantor fails to cure the violation within thirty (30) days after receipt of notice thereof from Grantee, or under circumstances where the violation cannot reasonably be cured within a thirty (30) day period, fails to begin curing such violation within the thirty (30) day period, or fails to continue diligently to cure such violation until finally cured, Grantee may bring an action at law or in equity in a court of competent jurisdiction to enforce the terms of this Easement Agreement, to enjoin the violation, ex parte as necessary, by temporary or permanent injunction, to recover any damages to which it may be entitled for violation of the terms of this Easement Agreement or injury to any Conservation Values protected by the Easement, including damages for the loss of scenic, aesthetic, or environmental values, and to require the restoration of the Property to the condition that existed prior to any such injury. Without limiting Grantor's liability therefor, Grantee, in its sole discretion, may apply any damages recovered to the cost of undertaking any corrective action on the Property. If Grantee, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the Conservation Values of the Property, Grantee may pursue its remedies under this Section without prior notice to Grantor or without waiting for the period provided for cure to expire. Grantee's

rights under this Section apply equally in the event of either actual or threatened violations of the terms of this Easement Agreement, and Grantor agrees that Grantee's remedies at law for any violation of the terms of this Easement Agreement are inadequate and that Grantee shall be entitled to the injunctive relief described in this Section, both prohibitive and mandatory, in addition to such other relief to which Grantee may be entitled, including specific performance of the terms of this Easement Agreement, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies. Grantee's remedies described in this Section shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity.

7.1 Costs of Enforcement. Any costs incurred by Grantee in enforcing the terms of this Easement Agreement against Grantor, including, without limitation, costs of suit and attorneys' fees, and any costs of restoration necessitated by Grantor's violation of the terms of this Easement Agreement shall be borne by Grantor. If Grantor prevails in any action to enforce the terms of this Easement Agreement, Grantor's costs of suit, including, without limitation, attorneys' fees, shall be borne by Grantee.

7.2 Grantee's Discretion. Enforcement of the terms of this Easement Agreement shall be at the discretion of Grantee, and any forbearance by Grantee to exercise its rights under this Easement Agreement in the event of any breach of any term of this Easement Agreement by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent breach of the same or any other term of this Easement Agreement.

7.3 Waiver of Certain Defenses. Grantor hereby waives any defense of laches, estoppel, or prescription.

7.4 Acts Beyond Grantor's Control. Nothing contained in this Easement Agreement shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from causes beyond Grantor's control, including, without limitation, fire, flood, storm, and earth movement, or from any prudent action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.

8. Access. No right of access by the general public to any portion of the Property is conveyed by this Easement Agreement.

9. Costs and Liabilities. Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property, including the maintenance of adequate comprehensive general liability insurance coverage. Grantor shall keep the Property free of any liens arising out of any work performed for, materials furnished to, or obligations incurred by Grantor.

9.1 Taxes. Grantor shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed against the Property by competent authority (collectively "taxes"), including any taxes imposed upon, or incurred as a result of, the Easement, and shall furnish Grantee with satisfactory evidence of payment upon request.

9.2 Hold Harmless. Grantor shall hold harmless, indemnify, and defend Grantee and its members, directors, officers, employees, agents, and contractors (collectively "Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands or judgments, including, without limitation, reasonable attorneys' fees arising from or in any connection with: (a) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition, or other matter related to or occurring on or about the Property, regardless of cause, unless due solely to the negligence of any of the Indemnified Parties; (b) the obligations specified in Sections 9 and 9.1; and (c) the existence or administration of this Easement.

10. Extinguishment. If circumstances arise in the future that render the purpose of the Easement impossible to accomplish, the Easement can only be terminated or extinguished, whether in whole or in part, either (a) by the written agreement of Grantor and Grantee in accordance with Section 17(e) of this Easement Agreement or (b) by judicial proceedings in a court of competent jurisdiction, and the amount of the proceeds to which Grantee shall be entitled, after the satisfaction of prior claims, from any sale, exchange, or involuntary conversion of all or any portion of the Property subsequent to such termination or extinguishment, shall be determined, unless otherwise provided by Utah law at the time, in accordance with Section 10.1. Grantee shall use all such proceeds in a manner consistent with the conservation purposes of this Easement Agreement.

10.1 Proceeds. The Easement constitutes a real property interest immediately vested in Grantee, which, for the purposes of Section 10, the parties stipulate to have a fair market value determined in accordance with the requirements of the Code, as applicable to conservation easements. Grantee makes no representation as to the tax consequences of the transaction contemplated by this Easement Agreement. Grantor will obtain independent tax counsel and be solely responsible for compliance requirements of the Code. The values as of the date of this Easement Agreement shall be those values used to calculate the deduction, if any, for federal income tax purposes allowable by reason of this Easement Agreement, pursuant to Section 170(h) of the Code.

10.2 Condemnation. If the Easement is taken, in whole or in part, by exercise of the power of eminent domain, Grantee shall be entitled to compensation in accordance with applicable law.

11. Assignment. The Easement is transferable, but Grantee may assign its rights and obligations under this Easement Agreement only to an organization that is a qualified organization at the time of transfer under Section 170(h) of the Code (or any successor provision then applicable) and the applicable regulations promulgated thereunder and that is authorized to acquire and hold conservation easements under Utah law. Grantee shall require that the conservation purposes that the Easement is intended to advance continue to be carried out.

12. Subsequent Transfers. Grantor agrees to incorporate the terms of this Easement Agreement in any deed or other legal instrument by which it divests itself of any interest in all or a portion of the Property, including, without limitation, a leasehold interest. Grantor further agrees to give written notice to Grantee of the transfer of any interest at least twenty (20) days prior to the date of such transfer. The failure of Grantor to perform any act required by this

Section 12 shall not impair the validity of this Easement Agreement or limit its enforceability in any way.

13. Estoppel Certificates. Upon request by Grantor, Grantee shall within thirty (30) days execute and deliver to Grantor any document, including an estoppel certificate, which certifies Grantor's compliance with any obligation of Grantor contained in this Easement Agreement and otherwise evidences the status of this Easement Agreement as may be requested by Grantor.

14. Baseline Documentation. The parties acknowledge that an inventory of Baseline Documentation relating to the Property has been completed by competent professionals familiar with the Property and furnished by Grantor to Grantee. Copies of this inventory of Baseline Documentation are on file in Grantee's offices and in Grantor's offices. The parties acknowledge that this collection of Baseline Documentation contains an accurate representation of the condition of the Property subject to the Easement and the natural resources associated with the Property as of the date of the execution of this Easement Agreement in accordance with Treasury Regulation § 1.170A-14(g)(5)(i). Notwithstanding the foregoing, in the event of a controversy arising with respect to the nature of the biological and/or physical condition of the Property, the parties shall not be foreclosed from using any and all other relevant or material documents, surveys, reports and other information to assist in the resolution of that controversy.

15. Notices. Any notice, demand, request, consent, approval, or communication that any party to this Easement Agreement desires or is required to give to the other parties shall be in writing and shall be served either personally or sent by first class mail, postage prepaid, addressed as follows:

To United Park City Mines Company, Grantor:	United Park City Mines Company Attn.: Hank Rothwell, President P. O. Box 1450 Park City, Utah 84060
With copy to:	Craig B. Terry Parsons Behle & Latimer P.O. Box 45898 Salt Lake City, Utah 84145-0898
To Deer Valley Resort Company, Grantor:	Deer Valley Resort Company Attn.: Bob Wheaton, President P. O. Box 889 Park City, Utah 84060
With copy to:	Wendy A. Faber, General Counsel Royal Street Corporation P. O. Box 3179 Park City, Utah 84060

To Park City Municipal Corporation, Grantee:	Park City Municipal Corporation Attn: City Attorney 445 Marsac Avenue P.O. Box 1480 Park City, UT 84060
To Conserving Our Open Lands, Grantee:	Conserving Our Open Lands P.O. Box 1775 Park City, UT 84060

or to such other address as any party to this Agreement from time to time shall designate by written notice to the other parties.

16. Recordation. Grantee shall record this Easement Agreement in timely fashion in the Office of the Recorder of Summit County, Utah, and Grantee may re-record it at any time as may be required to preserve Grantee's rights in the Easement.

17. General Provisions.

(a) Controlling Law. The laws of the State of Utah shall govern the interpretation and performance of this Easement Agreement.

(b) Liberal Construction. Any general rule of construction to the contrary notwithstanding this Easement Agreement shall be liberally construed in favor of the grant to effect the purpose of the Easement and the policy and purposes of Utah statute. If any provision in this Easement Agreement is found to be ambiguous, an interpretation consistent with the purpose of the Easement that would render the provision valid shall be favored over any interpretation that would render it invalid.

(c) Severability. If any provision of this Easement Agreement, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions of this Easement Agreement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.

(d) Entire Agreement. This Easement Agreement sets forth the entire agreement of the parties hereto with respect to the Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Easement, all of which are merged herein.

(e) Amendments. Any amendments to this Easement Agreement must be in writing and must be executed by all parties hereto.

(f) No Forfeiture. Nothing contained herein will result in the forfeiture or reversion of Grantor's title in any respect.

(g) Joint Obligation. The obligations imposed by this Easement Agreement upon Grantor shall be joint and several.

(h) Successors. The covenants, terms, conditions, and restrictions of this Easement Agreement shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, and assigns and shall continue as a servitude running in perpetuity with the Property.

(i) Termination of Rights and Obligations. A party's rights and obligations under this Easement Agreement terminate upon transfer of the party's interest in the Easement or the Property, except that responsibility for acts or omissions occurring prior to transfer shall survive transfer.

(j) Captions. The captions in this Easement Agreement have been inserted solely for convenience of reference and are not a part of this Easement Agreement and shall have no effect upon the construction or interpretation hereof.

IN WITNESS WHEREOF Grantor and Grantee have caused this Easement Agreement to be executed by persons duly authorized to execute the same as of the day and year first above written.

GRANTOR:

UNITED PARK CITY MINES COMPANY, a Delaware corporation

By: _____
Hank Rothwell, President

GRANTOR:

DEER VALLEY RESORT COMPANY, a Utah limited partnership,

By Royal Street of Utah, a Utah corporation, a general partner

By: _____
Robert W. Wells, Vice President

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GRANTEE:

PARK CITY MUNICIPAL CORPORATION

By: Dana Williams
Dana Williams, Mayor

ATTEST:

Janet M. Scott
City Recorder

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

APPROVED AS TO FORM:

Mark D. Harrington, City Attorney

GRANTEE:

CONSERVING OUR OPEN LANDS, a Utah nonprofit corporation

By:
Title: VICE PRESIDENT

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 19th day of December, 2002 by Hank Rothwell in his capacity as the President of United Park City Mines Company, a Delaware corporation.

NOTARY PUBLIC
ROBYN RICHARDS
450 N. Main St. • PO Box 248
Heneter, Utah 84033
Commission Expires
December 21, 2005
STATE OF UTAH

Robyn Richards
NOTARY PUBLIC
Residing at: Heneter, UT

My Commission Expires:
December 21, 2005

00643790 Bk01502 Pg00741

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 19 day of December, 2002 by Robert W. Wells in his capacity as the Vice President of Royal Street of Utah, a Utah corporation, that executed the foregoing instrument in its capacity as a general partner of Deer Valley Resort Company, a Utah limited partnership.

NOTARY PUBLIC
ROBYN RICHARDS
450 N. Main St. • PO Box 248
Heneter, Utah 84033
Commission Expires
December 21, 2005
STATE OF UTAH

Robyn Richards
NOTARY PUBLIC
Residing at: Heneter, UT

My Commission Expires:

December 21, 2005

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 23 day of December, 2002 by Richard Sheinberg, as the Vice President of Conserving Our Open Lands, a Utah nonprofit corporation.

Sharon C Bauman
NOTARY PUBLIC
Residing at: Park City Utah

My Commission Expires:

7-13-2006

Notary Public
SHARON C. BAUMAN
445 Marsac Avenue, P.O. Box 1480
Park City, Utah 84060
My Commission Expires
July 13, 2006
State of Utah

EXHIBIT A
TO
GRANT OF CONSERVATION EASEMENT

Legal Description of the Property

CONSERVATION EASEMENT
SUNNYSIDE MINING CLAIM PARCEL

A parcel of land located in the northeast quarter of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

More particularly described as:
The SUNNYSIDE MINING CLAIM, Mineral Survey No. 5931, Uintah Mining District, Summit County Utah.

AND ALSO

CONSERVATION EASEMENT
12-14-2002
WEST PARCEL

A parcel of land located in the southeast quarter of Section 20, the southwest quarter of Section 21, the west half of Section 28, Section 29, and the northeast quarter of Section 32, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is South 00°30'49" East 1342.05 feet along Section Line and East 147.24 feet from the northwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 35°43'21" East 536.94 feet; thence South 20°26'14" West 899.92 feet; thence North 67°40'20" West 360.46 feet; thence North 80°25'18" West 202.84 feet; thence North 67°31'45" West 135.42 feet; thence North 73°07'50" West 100.33 feet; thence North 87°06'36" West 106.94 feet; thence South 61°42'34" West 79.63 feet; thence South 27°43'54" West 484.46 feet; thence South 10°53'24" West 85.65 feet; thence South 21°48'36" East 87.11 feet; thence South 40°53'24" East 169.75 feet; thence South 58°21'35" East 92.50 feet; thence South 84°46'19" East 334.15 feet; thence North 82°18'26" East 161.11 feet; thence North 34°31'29" East 155.16 feet; thence South 10°07'39" East 88.12 feet; thence South 55°07'39" East 129.63 feet; thence North 79°52'21" East 94.35 feet; thence South 35°40'02" East 47.30 feet; thence South 61°52'36" East 311.67 feet; thence South 47°13'14" East 268.07 feet; thence South 02°06'34" East 136.35 feet; thence South 07°54'15" West 981.02 feet; thence South 78°26'39" West 434.39 feet; thence

South 50°24'02" West 516.40 feet; thence South 06°30'52" East 1015.13 feet to a point on the Wasatch – Summit County Line and on the boundary line of the Flagstaff Mountain Resort Annexation Plat, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah; thence along the Annexation Plat boundary the following twenty-eight (28) courses and the Wasatch – Summit County Line the following ten (10) courses: 1) North 59°43'30" West 677.04 feet to County Line Point 2338; thence 2) South 79°07'30" West 494.73 feet to County Line Point 80; thence 3) North 70°28'30" West 339.90 feet to County Line Point 81; thence 4) North 60°14'30" West 550.10 feet to County Line Point 82 and Triangulation Point 2339; thence 5) North 64°07'00" West 727.60 feet to County Line Point 83; thence 6) South 77°44'00" West 966.80 feet to County Line Point 85; thence 7) North 77°28'00" West 161.00 feet to a County Line Point and Triangulation Point 2340 which is also Judge Triangulation Point Q; thence 8) South 85°36'00" West 219.10 feet to County Line Point 86; thence 9) North 46°44'00" West 384.70 feet to County Line Point 87; thence 10) North 34°37'00" West 1,077.30 feet more or less to County Line Point 2343 and to a point on the demarcation line between the Park City Ski Area and the Deer Valley Resort; thence along said demarcation line North 44°09'00" East 1236.63 feet; thence North 35°07'44" East 548.54 feet; thence North 37°33'27" East 779.84 feet; thence North 49°33'13" East 616.72 feet; thence North 71°34'40" East 644.26 feet; thence North 30°09'00" East 354.14 feet; thence North 20°48'44" East 698.02 feet; thence North 10°48'36" East 569.75 feet; thence North 23°55'00" East 604.00 feet; thence North 87°35'00" East 778.00 feet; thence North 77°17'18" East 735.40 feet; thence North 82°14'00" East 672.44 feet more or less to a point on the Westerly boundary line of the "Anchor Tunnel Portal Mining Reservation", said point being North 39°17'38" East 942.39 feet more or less (North 39°21'57" East 945.50 feet actual) from the Southwest corner of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also lying along the ridge line between Empire Canyon and Walker and Webster Gulch; thence along said ridgeline the following six (6) courses: 1) North 64°44'13" East 136.79 feet; thence 2) North 67°45'58" East 149.28 feet; thence 3) North 81°11'10" East 122.88 feet; thence 4) North 77°19'44" East 85.84 feet; thence 5) North 77°48'30" East 79.25 feet; thence 6) North 86°11'16" East 94.42 feet; thence South 32°52'26" East 223.47 feet; thence South 69°09'13" East 102.23 feet; thence North 67°07'06" East 155.24 feet; thence North 04°25'53" East 132.87 feet; thence North 40°33'53" East 119.12 feet; thence North 76°50'53" East 73.80 feet; thence North 58°12'04" East 367.31 feet; thence South 60°36'00" East 292.85 feet; thence South 37°37'22" East 197.63 feet; thence South 56°34'49" West 512.21 feet; thence South 16°53'53" East 594.40 feet; thence South 25°28'58" West 970.31 feet; thence North 81°04'17" West 419.72 feet; thence North 02°53'37" West 404.59 feet; thence North 86°31'59" West 351.13 feet; thence South 59°54'31" West 564.66 feet; thence South 25°58'38" West 776.89 feet to the Point of Beginning.

Description contains 542.171 acres.

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AND ALSO

CONSERVATION EASEMENT
12-14-2002
EAST PARCEL

A parcel of land located in the west half of Section 27, Section 28 and the northwest quarter of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is South 00°30'49" East 1865.30 feet along Section Line and East 814.96 feet from the northwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 31°55'31" East 246.23 feet; thence North 33°36'22" East 308.16 feet; thence North 28°16'22" East 321.39 feet; thence North 60°08'37" East 68.26 feet; thence North 85°27'32" East 49.33 feet; thence South 74°14'12" East 43.58 feet; thence South 61°44'30" East 207.31 feet; thence South 62°38'22" East 303.63 feet; thence South 55°40'50" East 182.09 feet; thence South 33°05'03" East 81.61 feet; thence South 14°58'12" East 170.16 feet; thence South 49°44'57" East 35.95 feet; thence North 29°47'06" East 252.30 feet; thence North 38°56'14" East 284.34 feet; thence North 37°01'40" East 177.45 feet; thence North 80°22'11" East 289.77 feet; thence North 75°02'27" East 190.91 feet; thence South 86°52'45" East 196.66 feet; thence South 77°28'34" East 189.26 feet; thence South 59°24'44" East 215.66 feet; thence South 61°24'54" East 194.69 feet; thence South 74°17'18" East 288.14 feet; thence South 40°13'59" East 173.65 feet; thence South 66°23'15" East 126.43 feet to a point on the boundary line of the Flagstaff Mountain Resort Annexation Plat, according to the official plat thereof on file and of record in the office of the recorder, Summit County Utah, thence along the Annexation Plat boundary the following seven (7) courses: 1) South 655.47 feet; thence 2) North 69°00'00" East 360.00 Feet; thence 3) South 29°20'00" West 117.60 feet; thence 4) North 78°10'00" East 714.30 feet; thence 5) East 1106.71 feet more or less to a point on the Wasatch-Summit County line; thence along the Wasatch – Summit County line the following two (2) courses: 1) South 04°15'00" East 1,028.07 feet; thence 2) South 25°30'30" East 1373.05 feet; thence South 79°17'00" West 74.23 feet more or less to Corner Number 3 of the Period No.2 Mining Claim, Mineral Survey No.6567, located in the Uintah Mining District; thence along the northerly side line of the Period No.2 Mining Claim South 79°17'00" West 1478.20 feet more or less; thence along the northerly side line of the Period No.1 Mining Claim, Mineral Survey No.6567, located in the Uintah Mining District South 79°51'00" West 1499.60 feet more or less; thence along the westerly end line of the R.P.H. Mining Claim, Lot 560, located in the Uintah Mining District North 10°30'00" West 48.77 feet more or less to a point on the southerly side line of the Sunset Mining Claim, Lot 705, located in the Uintah Mining District; thence along the southerly side line of the Sunset Mining Claim South 39°46'00" West 467.26 feet more or less; thence along the westerly end line of the Sunset Mining Claim North 49°15'00" West 425.61 feet more or less;

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thence along the northerly side line of the Sunset Mining Claim North 47°05'27" East 433.08 feet more or less; thence along the easterly end line of the Harwood Mining Claim, Lot 450, located in the Uintah Mining District North 42°54'33" West 200.00 feet more or less; thence North 08°04'55" West 292.97 feet; thence North 28°26'50" East 328.73 feet; thence North 50°02'36" West 215.78 feet; thence North 25°32'19" West 210.51 feet; thence North 37°04'49" West 64.38 feet; thence North 53°11'52" West 301.16 feet; thence North 34°57'27" West 259.63 feet; thence North 67°09'50" West 93.65 feet; thence South 83°45'19" West 150.83 feet; thence South 61°14'42" West 124.74 feet; thence South 43°40'11" West 113.75 feet; thence South 02°39'14" East 518.83 feet; thence South 02°31'44" East 549.12 feet; thence South 33°54'42" West 222.11 feet; thence South 40°06'56" West 338.44 feet; thence South 10°48'54" West 245.43 feet; thence South 88°33'34" West 636.00 feet; thence South 43°19'22" West 103.91 feet; thence South 58°22'25" West 126.67 feet; thence South 71°26'21" West 57.91 feet; thence North 83°22'14" West 72.43 feet; thence South 53°02'42" West 230.82 feet; thence South 33°12'17" West 198.33 feet; thence South 59°22'40" West 315.07 feet to a point on a 1475.00 foot radius curve to the right; thence northerly along the arc of said curve 35.65 feet (chord bears North 06°22'46" East 35.65 feet); thence North 07°04'19" East 47.66 feet to a point on a 425.00 foot radius curve to the right of which the radius point bears South 82°55'41" East; thence northerly along the arc of said curve 149.21 feet through a central angle of 20°06'54"; thence North 27°11'13" East 61.73 feet to a point on a 585.00 foot radius curve to the left of which the radius point bears North 62°48'47" West; thence northerly along the arc of said curve 351.03 feet through a central angle of 34°22'50"; thence North 07°11'37" West 305.69 feet to a point on a 975.00 foot radius curve to the right of which the radius point bears North 82°48'23" East; thence northerly along the arc of said curve 86.38 feet through a central angle of 05°04'35"; thence North 02°07'02" West 377.85 feet to a point on a 475.00 foot radius curve to the right of which the radius point bears North 87°52'58" East; thence northerly along the arc of said curve 174.99 feet through a central angle of 21°06'28"; thence North 18°59'26" East 16.18 feet to a point on a 525.00 foot radius curve to the left of which the radius point bears North 71°00'34" West; thence northerly along the arc of said curve 121.66 feet through a central angle of 13°16'39"; thence North 05°42'47" East 140.71 feet to a point on a 375.00 foot radius curve to the left of which the radius point bears North 84°17'13" West; thence northerly along the arc of said curve 49.51 feet through a central angle of 07°33'54"; thence North 10°37'50" East 290.14 feet; thence North 13°15'16" East 300.66 feet; thence North 08°13'38" West 474.19 feet; thence North 18°16'11" West 386.11 feet; thence North 00°31'06" East 408.27 feet to the Point of Beginning.

EXCEPTING THEREFROM THE FOLLOWING MINING CLAIMS:

Mining Claims located in the Uintah Mining District
Alida MS 583, Ella MS 582, Evergreen MS 591, Gouge Game MS 494, Helen MS 571, Kid MS 584, Viola MS 273, Sag MS 447, Naildriver MS 161

Mining Claims located in the Blue Ledge Mining District
Bald Eagle MS 138, Custer MS 106, Oneida MS 109, Payroll MS 3020

Description contains 340.8 acres more or less.

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FLAGSTAFF MOUNTAIN RESORT

A PLANNED RESORT COMMUNITY
DEER VALLEY, UTAH

OPEN SPACE MANAGEMENT PLAN

EXHIBIT 5

MAY 2001
REVISED AND APPROVED DECEMBER 2001

PREPARED FOR:
FLAGSTAFF MOUNTAIN PARTNERS
P.O. BOX 1450
PARK CITY, UTAH

FLAGSTAFF MOUNTAIN RESORT

OPEN SPACE MANAGEMENT PLAN

Exhibit 5

May 2001
Revised and Approved December 2001

Prepared for

Flagstaff Mountain Partners
P. O. Box 1450
Park City, Utah 84060

Prepared by

SWCA, INC.
Environmental Consultants

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APPENDIX A **17**
Figure 1 Location of Project Area
Figure 2 Open Space

EXECUTIVE SUMMARY

This Open Space Management Plan outlines the goals and objectives of open space planning for the proposed Flagstaff Mountain Resort located in Park City, Summit County, Utah (Figure 1). It presents an inventory of existing conditions and describes other open space planning efforts in the surrounding region. The plan also describes the opportunities and constraints related to open space at Flagstaff Mountain Resort. These factors include the physiography, viewshed considerations, historic sites, wetlands, wildlife habitat, recreation, as well as the existing and proposed uses associated with various portions of the Plan Area.

This plan describes two types of open space present at Flagstaff Mountain Resort: Recreational Open Space (ROS) and Protected Open Space (POS). Recreational Open Space is further divided into Developed and Undeveloped Recreational Open Space (DROS and UROS, respectively). DROS consists of lands currently managed and likely to be owned and managed in the future by Deer Valley Resort for the purpose of lift-served downhill skiing. UROS comprises the portion of the Plan Area that has not been modified for this purpose but does contain a preponderance of hiking and/or mountain biking trails. Figure 2 shows the distribution of DROS and UROS within the Plan Area.

A special case of DROS occurs in an area proposed for future ski lift and run development. The Centennial Draw Wildlife Management Area (Figure 2) includes a known elk calving site in Deer Valley's Pod Z, proposed for development in 2008. This plan outlines certain development/management constraints designed to minimize potential impacts to elk in this area. A special case of UROS occurs on Prospect Ridge (Figure 2). This area has been identified as a sensitive viewshed for Old Town Park City. This plan outlines specific management practices designed to maintain the visual character (as specified in the Development Agreement) of this area.

Protected Open Space (POS) refers to portions of the Plan Area that will be preserved for their outstanding natural and/or cultural resource characteristics. To ensure the protection of its outstanding natural resource values, the Lady Morgan sub-watershed (Figure 2) has been designated POS. The wide variety of natural, undisturbed habitats in this sub-watershed confers a high degree of biological diversity to this area. Management prescriptions designed to maintain the unique characteristics and natural dynamics of Lady Morgan Pond are specified. Another type of POS within the Plan Area is associated with specific cultural resource sites. These include a number of mining sites considered sensitive due to their historic value, vulnerability to vandalism, and/or the hazard they pose to an uninformed public (Figure 2). Brief descriptions of these sites and why they qualify for POS are provided in this plan. More detailed management considerations for these sites are provided in the Flagstaff Mountain Resort Historic Preservation Plan (Exhibit 6 to this LSMPD).

1.0 INTRODUCTION

1.1 Flagstaff Mountain Resort

This study is one of several reports that have been prepared to support the Flagstaff Mountain Resort's Large Scale Master Plan Development (LSMPD) application. As LSMPDs are programmatic in nature and subject to refinement at subsequent Master Plan Development (MPD) application and Condition Use Permit (CUP) stages, correspondingly, the contents of this report should be viewed as conceptual in nature and subject to change as specific plans are developed. Details developed at MPDs and CUPs stage will not require a modification of this plan provided that they comply with the Goals and Objectives of this Plan.

The Flagstaff Mountain Resort (Flagstaff Mountain) Plan Area is a 1,600-acre parcel of land located in the southwest corner of Summit County, Utah. Ranging from elevations of 7,800 to 9,000 feet above sea level, it forms the western portion of Deer Valley Resort, a four-season resort facility that specializes in alpine skiing in the winter; hiking, mountain biking, and horseback riding in the summer. Four distinct sites will be developed by Flagstaff Mountain Partners (FMP) as additional year-round residential communities within the boundary of the existing ski area. These sites, or development pods, are depicted along with the overall Plan Area in Figure 1. The proposed development pods include the Mountain Village area (Pods A and B-1), the Daly West area (Pod B-2), and the Northside Neighborhood (Pod D). These pods conform to those sites identified in the Annexation Resolution: Development Agreement for Flagstaff Mountain, Bonanza Flat, Richardson Flat, the 20-acre Quinn's Junction Parcel, and Iron Mountain (Park City Municipal Corporation Ordinance no. 99-30) hereafter referred to as the Development Agreement.

Within the Plan Area, native vegetation comprises a mosaic of quaking aspen and coniferous (primarily Engelmann spruce, subalpine fir, and Douglas fir) forests, Gambel oak, and mountain shrub communities. A few natural meadows occur in the area and are characterized by a variety of native grasses and wildflowers. Wet areas are dominated by willows, sedges, and rushes. Rock outcrops occur on the eastern boundary of Pod D and along the ridgeline at the head of Empire Canyon.

Some of the most notable features of the Plan Area are, however, of human origin. Large piles of mine waste rock, or overburden, are located in the Flagstaff Mountain Plan Area. These features consist predominantly of un-vegetated grayish-white crushed rock associated with the former Flagstaff, Little Bell, Quincy, Anchor, and Daly West Mines. Ski lifts and runs are another notable human-made feature of the Plan Area. Within the Flagstaff Mountain portion of Deer Valley Resort, there are six existing ski lifts and approximately 36 ski runs, many of which have been cut through forest stands, graded, and seeded with non-native grasses and forbs. Four additional lifts are currently planned for Flagstaff Mountain. One of these will serve the ski-in/ski-out

needs of Pod A, one will access existing terrain between the Red Cloud and Northside Lifts (Ski Pod D), and the other two (Ski Pods X and Z) will access new intermediate and advanced ski terrain in Empire Canyon.

1.2 Open Space Planning Goals and Objectives

The overall goal of this plan is to ensure the preservation and maintenance of Flagstaff Mountain's open space for public enjoyment and the protection of ecological values. There are two general types of open space in the Plan Area: Recreational Open Space (ROS) and Protected Open Space (POS). The purpose of ROS is to establish and preserve districts for land uses requiring large areas of undeveloped open land; permit, preserve, and encourage recreational use of these lands; and preserve and enhance environmentally sensitive lands such as wetlands, steep slopes, ridge lines, meadows, stream corridors, and forests.

The primary purpose of POS is to promote useable, public, non-improved, non-commercial, connected, and contiguous open space for community benefit; promote the preservation of undisturbed open lands; prohibit construction on ridge lines and steep slopes, or in wetlands, watersheds, and viewsheds; promote the preservation of historic sites; and preserve the vegetation and habitat of natural areas. More detailed descriptions of the Recreational and Protected Open Space classes are provided below.

Given that the Flagstaff Mountain Plan Area is largely contained within the boundaries of Deer Valley Resort, it should be apparent that ROS comprises the bulk of the Plan Area (approximately 1450 acres or 91 percent of the Plan Area). With this in mind, it should be noted that the entire Plan Area outside of the development pods is currently zoned as Recreational Open Space (ROS-MPD) under Park City's zoning ordinance. The areas proposed as Protected Open Space (POS) within this plan will be rezoned at the completion of the Mountain Village MPD. In addition the Centennial Draw (Ski Pod Z) area will also be zoned POS. The remaining ROS-MPD zone will be managed in accordance with the recommendations of this document.

To that end, there are two types of Recreational Open Space at Flagstaff Mountain: developed and undeveloped. Developed Recreational Open Space (DROS) consists of areas served by ski lifts and contains a preponderance of graded and/or cut ski runs and summer trails. Typical vegetation consists of islands of native forest cover interlaced with ski trails that have been seeded with a limited variety of exotic grasses and forbs. These areas are designed for and receive the bulk of recreational use in the Plan Area. Some currently undeveloped areas have been proposed for ski lift/run development to occur over the next eight years. These areas have been identified as DROS for the purpose of this plan. One of these areas, Centennial Draw, is a known elk calving ground and, as such, is subject to special management considerations described in Section 4.2.2, below. DROS comprises approximately 987 acres or 62 percent of the Plan Area (Figure 2). The general management objectives for DROS include

maintaining high quality, safe, attractive, publicly accessible recreational facilities on a year-round basis.

Undeveloped Recreational Open Space (UROS) may be skied in the winter and typically contains some summer trails, but it has not been heavily modified for these purposes. Consequently, it is dominated by naturally occurring, unfragmented stands of native vegetation. Summer trails in UROS tend to either be remnants of the mining era or have developed from small, volunteer efforts, or from the repeated human use of existing game trails. Where the main purpose of DROS is to provide year-round public recreation opportunities, UROS serves a wider variety of functions. In terms of recreation, UROS is typically used for backcountry skiing or snowshoeing in the winter and hiking or horseback riding in the summer. Some UROS contains trails suitable for mountain biking but only on a limited basis relative to DROS. In some areas, UROS is also important in maintaining scenic viewsheds and wildlife habitats. There are two areas designated as UROS within Flagstaff Mountain Resort (Figure 2). Together, these areas comprise approximately 464 acres or 29 percent of the Plan Area. The general management objectives for UROS are to continue to allow human access and use while maintaining the scenic qualities and habitat values of these areas.

One type of Protected Open Space is so designated because it has outstanding and/or unique natural resource values. Accordingly, the management objective of these lands is to preserve and maintain the biological integrity of these resource values. Thus, while non-motorized winter recreational activities are permissible in and adjacent to designated POS, development of recreational facilities such as cut ski runs or developed summer trails are prohibited. Interpretive signage may be used in or adjacent to POS to help limit access, minimize disturbance, and inform the public of the importance of the area's natural resource values. Designated POS makes up approximately 66 acres or four percent of the Plan Area.

Another type of POS applies to certain cultural resource sites. Several of the Plan Area's historic mine buildings and associated structures are designated as POS. It should be noted, however, that this designation only applies to the historic structure and its immediate surroundings, not a substantial land area as in the case of natural resource POS. Accordingly, the acreages of these sites are not included in the figures presented above.

The management objective of cultural resource POS is to preserve and maintain the cultural integrity of a given site. These areas are typically adjacent to existing trails and many have been damaged as a result of this easy public access. Again, interpretive signage may be used in these areas to dissuade further disturbance, warn the public of the dangers associated with deteriorating buildings, and inform people about the context and importance of the site's cultural resource values.

2.0 INVENTORY OF EXISTING CONDITIONS & INFORMATION

2.1 Existing Conditions

At present, the majority of the Flagstaff Mountain Plan Area is considered open space–but it has not always been so. During the peak of the mining era, the Plan Area could more appropriately have been called an industrial zone. At that time, the area was almost completely deforested and characterized by high levels of human activity and the presence of large buildings and elaborate ore conveyances. Streams were diverted for use in the mining or milling process, there was frequent use of high explosives, and the large overburden piles that now characterize the area were created.

Following the mining era, the area reverted back to defacto open space and the forests began to regrow. During this time, many of the mine buildings and appurtenant facilities were destroyed or removed and the shafts and adits were sealed. The streams, while disturbed, were again allowed to make their way down Empire and Ontario Canyons.

With the creation of Deer Valley Resort in 1981, the focus shifted from natural rehabilitation to ski area development. Access roads were built (or restored from those created during the mining era), ski lifts were installed, runs were cut and graded, and the area once again became filled, at least on a seasonal basis, with people. Recreation continues to be the dominant use of the area today. Thus, while the Plan Area remains open space, much of this open space is characterized by the visual impacts of forest fragmentation associated with roads, lift alignments, and ski runs. Other areas, as yet undeveloped by the ski industry, are characterized by second-growth forest and other native habitats and remain essentially wild with vestiges of the bygone industrial era interspersed throughout. Many of these areas comprise important wildlife habitat, contain significant cultural resources, and/or are important components of the local viewshed. Because they contain few developed trails or other facilities, these areas provide an opportunity for solitude and wildlife study in close proximity to the developed areas of Park City and Deer Valley.

2.2 Regional Open Space Planning Efforts

2.2.1 Park City

The 11-member Citizens Open Space Advisory Committee (COSAC) was formed by the Park City Council in 1998 when Park City voters passed a $10 million bond issue to preserve open space in the area. In order to be considered for acquisition by COSAC, property must meet some of the following criteria:

- The land offers or protects a critical viewshed;
- The land directs or checks the location, timing, and pace of surrounding development;

- The land is contiguous with other open space parcels (i.e., it contributes to a "green belt" around the city);
- The land provides open space along Park City's entry corridors (SR 224 or SR 248).

In addition to fee simple acquisition of key properties, COSAC works with the owners of identified open spaces to enact legal easements and deed restrictions that will ensure the protection of the land in perpetuity. Any parcels obtained by COSAC will continue to remain undeveloped and will be dedicated to the public for scenic beauty, passive recreation, and continued access by non-motorized means.

2.2.2 Summit County

Summit County requires that, for any type of residential development project within the Snyderville Basin, a minimum of sixty percent of a parcel, inclusive of the developable and non-developable lands, must be reserved for open space whenever density is increased beyond the "base" zoned density described in the County's Development Potential Matrix.

Summit County mandates that, where required, open space within developments be located in areas that will protect the most important attributes of a site and the key focal points that are important qualities of the character of the area. These attributes may include scenic viewsheds, slopes that are less than 30 percent, significant wildlife habitat, agricultural lands and antiquities, open space corridors/connections through the development, and other such features. Modified open spaces such as ski trails and golf courses may be included in a development's open space calculation if they meet the County's objectives of preserving these attributes. Required parks may be included in the open space requirement. Open spaces should be contiguous within a development site and when feasible and appropriate, connect with open spaces on adjacent parcels.

Open spaces that are required to be set aside to meet the requirements of Summit County's open space policies shall be preserved in perpetuity. Preserving these areas may be accomplished either by conveying the parcel to the County, granting a conservation easement to the Utah Land Trust or another appropriate entity, conveying the parcel to a homeowner's association, recording a deed restriction to the benefit of the public to limit the use of the property, or an appropriate combination of the above.

2.2.3 Wasatch County

Wasatch County requires a minimum of 20 to 30 percent open space (depending on location) for each new subdivision that it approves for development. While this is the minimum required per County Code, larger percentages are typically pursued on a case by case basis. During the master planning process, Wasatch County typically solicits developers to donate significant tracts of land and/or create conservation easements to

ensure the preservation of open space as part of their development. The County also prohibits building on slopes greater than 30 percent and requires the creation of parks and other recreational areas (trails, etc.) as part of their master planning process.

2.2.4 Non-Profit Organizations

A variety of non-profit organizations including Utah Open Lands and its local affiliate, Conserving Our Open Lands (COOL), the Citizens Open Space Advisory Committee, and the Swaner Nature Preserve are actively involved in open space protection and planning in Summit County north of the Flagstaff Mountain Plan Area.

Utah Open Lands provides land owners with a variety of estate and tax-planning tools that have allowed this group to preserve more than 19,000 acres of open space in northern Utah. Under its "Historic Farms and Ranches Campaign," Utah Open Lands is currently negotiating the preservation of more than 12,000 acres of wildlife habitat, heritage, and ranch lands in western Summit County. In 1998, COOL formed to assist Utah Open Lands in raising money for the group's Summit County efforts. The money that COOL raises in Summit County is used within the county and will augment Utah Open Lands' Summit County land protection projects and educational programs.

The Swaner Nature Preserve was founded in 1993 as a 20-acre memorial park dedicated to Leland Swaner, a Summit County developer and rancher. The park now consists of nearly 940 acres of montane wetland, meadow, and sagebrush habitats in the heart of Snyderville Basin. The Preserve is currently pursuing acquisition of an additional 120 acres of land on its northeast corner following which it will commence planning the development of an education center and interpretive trail system.

3.0 OPPORTUNITIES & CONSTRAINTS

There are a variety of important physical, biological, and human factors that determine the primary purpose for a given piece of land within the Plan Area. These factors are often interrelated and overlapping in the opportunities and constraints they confer to that land. Physiography, viewsheds, historic sites, wetlands, wildlife habitat, recreation, existing and proposed uses comprise a few of these factors and are described in greater detail below.

3.1 Physiography

Much of the Plan Area consists of moderately steep, north-facing slopes that provide ideal opportunities for downhill skiing. Most of these areas have or will be developed by Deer Valley Resort for this purpose. As mentioned above, these areas are considered DROS.

Areas containing steep, rocky, and/or heavily vegetated south- or west-facing slopes as well as areas lying beyond practical lift-served terrain are less well-suited for alpine skiing and more appropriate for other forms of recreation such as hiking, biking, or horseback riding. These areas are designated UROS. Other amenities associated with designated UROS include the preservation of wildlife habitat and the protection of scenic viewsheds.

Areas characterized by relatively flat terrain are better suited for commercial and residential development. Accordingly, Development Pods A, B-1, B-2, and D are situated on flat or mildly sloping ground surrounded by recreational open space.

3.2 Viewsheds

An important consideration in whether and how to develop a given parcel is the effect the proposed development would have on views in the surrounding areas. Such visual impacts have been an issue with respect to development of Prospect Ridge, the northern portion of the Plan Area visible from downtown Park City. Preliminary visual impact analyses have been completed for the Mountain Village.

3.3 Historic Sites

There are several historic mine sites within the Flagstaff Mountain Plan Area. An historic preservation plan has been prepared for the Plan Area which provides an inventory of these sites and a detailed management plan outlining the interpretive opportunities as well as any legal or safety constraints associated with them.

3.4 Wetlands

Any development activities which result in the placement of dredge or fill material in over 0.10 acre of wetlands or other waters of the U.S. require notification of the Army Corps of Engineers and a permit under Section 404 of the Clean Water Act. A wetland delineation report has been prepared for the Plan Area by Natural Resources Consulting, Inc. and was submitted to the Army Corps' Utah Regulatory Office in February, 2000. While this report did identify a limited number of wetlands within the Plan Area, none of these were contained in areas planned for residential development. Given that the development pods contain no jurisdictional waters of the U.S., construction of Flagstaff Mountain Resort will have no significant effect on these resources. Wetlands were, however, identified in Centennial Draw, an area proposed for development as a ski pod (Pod Z) in 2008. Depending on the final design of this ski pod, the clearing and/or grading of ski runs in this area may require acquisition of a 404 permit.

3.5 Wildlife Habitat

Much of the Plan Area, particularly those areas that have not been developed for downhill skiing, provide high quality wildlife habitat. A variety of native vegetation types including aspen, conifer, and mixed forests, mountain shrublands, meadows, and wetlands provide habitat for a diversity of seasonal and year-round wildlife species. Opportunities for wildlife watching are one of the attractive amenities of the Flagstaff Mountain Plan Area for casual recreationists as well as future homeowners. Depending upon site-specific conditions, a desire to preserve and maintain wildlife habitat values within the Plan Area could constrain certain aspects of development. Please refer to the Wildlife Management Plan for more information on this important resource.

3.6 Recreation Access

During the winter, recreation consists primarily of alpine skiing and access is controlled by Deer Valley Resort (refer to Section 5.3, below). During the summer, recreation use consists of dispersed hiking, mountain biking, and horseback riding. Access to the property is open in the summer and recreationists are free to roam throughout the Plan Area, subject to rules and regulations established from time to time by Deer Valley Resort. A detailed assessment of recreation access, existing and future trails, and trail management may be found in the Trails Master Plan for Flagstaff Mountain Resort.

3.7 Existing Uses

With the exception of the recreational uses mentioned in Section 3.6, commercial uses are limited to snowmobile rentals during the winter and hiking and biking uses in the

summer. With the exception of snowmobile rentals (which are being discontinued as of the winter of 2001-2002), existing uses of the Plan Area will be preserved during and after development.

3.8 Proposed Uses

Beyond the proposed development pods, the Development Agreement gives Flagstaff the opportunity to develop a restaurant/club facility (AKA "Beno's Cabin") in the DROS. The facility is to be located within the ski terrain near to the Mountain Village. Proposed ski area expansion in the DROS area includes two ski pods (Pods X and Z) that will be developed over the next three to eight years, respectively. These proposed uses will provide additional skiing opportunities; however, they will also limit the distribution and abundance of forested wildlife habitats.

4.0 MASTER PLAN

4.1 Designated Recreational Open Space

4.1.1 Developed Recreational Open Space

Deer Valley Resort has developed ski lifts and ski runs throughout the majority of the Plan Area. Two currently undeveloped areas are proposed for ski lift and run development over the next eight years. Collectively, these areas fall under the category of DROS. Refer to Figure 2 (Appendix B) for a depiction of DROS within the Plan Area. Deer Valley will continue to have management responsibility for all DROS within the Plan Area.

4.1.1.1 Centennial Draw Wildlife Management Area

Centennial Draw, while part of DROS in proposed Ski Pod Z, has been identified as containing an elk calving area. Early planning efforts for the project identified this wildlife use and consequently provided for restrictions on ski run construction activities in Pod Z as set forth in the Development Agreement. In order to maintain the suitability of this site as a calving ground, the clearing and grading associated with the proposed ski run development will be minimized in the area delineated in Figure 2. The Development Agreement states that only two graded runs will be allowed in Pod Z. Forest thinning and other, limited vegetation removal may occur in the balance of Pod Z for skier safety and glade skiing. No more than two ski runs will be created in the delineated wildlife management area portion of this ski pod. In addition, Run 121 nearest the center of the drainage (north end of the ski pod) will be a gladed rather than conventionally cleared run. In order to preserve hiding cover for calves, no ground disturbance or removal of the shrub layer will be permitted in this area. Large tree islands containing suitably dense forest and shrub cover to hide calves will be maintained following lift development. Native herbaceous ground cover will be maintained in the cleared run. The process of approving the ski related development in this Pod and the balance of the project is an Administrative Conditional Use. Review of the ski related improvements shall require compliance with the goals and objectives of this plan.

While habitat conversion due to ski run development could reduce the extent of suitable calving habitat in Centennial Draw, as long as hiding cover is preserved elk should still use the site. A more important consideration during the calving period is human (and domestic dog) intrusion and disturbance. Elk calving can begin as early as April and extend into July. This area will, therefore, be closed to recreationists and their pets from the last day of skiing at the resort through June to minimize disturbance to calving elk.

4.1.2 Undeveloped Recreational Open Space

UROS forms the second largest type of open space within the Plan Area. While these areas may contain a variety of hiking, biking, and equestrian trails, these facilities do not dominate the character of the land. Native vegetation cover remains largely intact and forest stands do not exhibit the high level of fragmentation characteristic of DROS. Consequently, these areas tend to have greater visual appeal and higher quality wildlife habitats relative to DROS. While these areas will continue to experience summer trail construction and maintenance, the overall character of UROS within the Plan Area is unlikely to experience substantive change over time.

4.1.2.1 Prospect Ridge Viewshed

Prospect Ridge is considered a special area within the designated UROS (Figure 2). This area comprises a critical viewshed for Old Town Park City. Within 30 days of issuance of a MPD application or CUP Permit, FMP will grant to the City a conservation easement, with free public trail access (without encumbrances) over acreage located in this area contiguous with City-owned open space. This conservation easement will be to the reasonable satisfaction of the City and shall be first in priority in title.

4.2 Designated Protected Open Space

4.2.1 Lady Morgan Pond Area

With the exception of a few highly localized historic sites, the only designated POS parcel in the Plan Area is the Lady Morgan sub-watershed (Figure 2). This area contains the most extensive emergent marsh and depressional wet meadow habitats and the only natural pond within the Plan Area. It contains aspen, conifer, and mixed forest communities as well as mountain shrub habitats. This diversity of habitats provides for high species diversity within this area. Also, the dense forest cover in close proximity to open water indicates that this area has potential to be another important elk calving ground. Accordingly, evidence of deer and elk bedding down in mountain shrub habitat north of the pond was observed in July, 2000. Vegetation management in this area shall occur solely for the purposes of maintaining health and diversity. The high biological diversity associated with this area warrants its designation and rezoning as POS.

According to the Development Agreement, use of the Lady Morgan area will be restricted, by conservation easements acceptable to Park City and by signs and monitoring (if necessary), to skiing (without cutting runs, glading, or thinning trees) and daytime recreational hiking. While an old road grade cuts through the upper portion of the Lady Morgan POS, no additional summer trails will be developed in this area. No construction activity or motorized vehicle use of any kind shall be allowed in the Lady Morgan POS except as allowed, with City staff approval, for forestry and wetlands

management. Mountain biking trails currently skirt the area and will continue to do so in the future. Installation of interpretive facilities at the edge of the POS will help to inform the public of the importance of the Lady Morgan sub-watershed to the overall biodiversity of the Plan Area.

4.2.2 Flagstaff Mine

While the Flagstaff Mine Site does not contain any remaining structures, the importance of this site to the history of mining in Utah warrants its designation as POS. For a detailed history of this site and is historical significance refer to the Flagstaff Mountain Resort Historic Preservation Plan (HPP). Management of this site will simply consist of installing interpretive signage to inform the public of the mine's role in the history of Park City and mining in Utah.

4.2.3 Little Bell Mine Site

The Little Bell Mine Site contains an old ore bin with both historic and aesthetic importance. Consequently, this site is considered POS. For a detailed history of this site and a discussion of historic preservation concerns regarding the ore bin in particular, refer to the Flagstaff Mountain Resort HPP. Management of this site is expected to involve stabilization of the ore bin and installation of interpretive signage explaining the role of the ore bin in the mining process.

4.2.4 Quincy Mine Site

The Quincy Mine Site contains an old hoist and a boiler that were used when the area was being actively mined. Just as with the ore bin at the Little Bell mine, these features have both historic and aesthetic significance and warrant designation of this site as POS. For a detailed history of this site and a discussion of the hoist and the boiler, refer to the Flagstaff Mountain Resort HPP. Management of this site will involve installation of interpretive signage explaining the role of the hoist and boiler in the mining process and cautionary signage warning the public of dangers associated with the mine shaft which, though filled, appears to be subsiding.

4.2.5 Daly West Mine Site

The Daly West Mine is characterized by a large, rusted steel headframe. In addition to its historical and aesthetic importance, this headframe is still in operation and provides maintenance access to the Anchor Tunnel. Consequently, this site is considered POS. Detailed information on the Daly West Mine may be found in the Flagstaff Mountain Resort HPP. Management of this site will involve installation of interpretive signage discussing historical and current use of the headframe.

4.2.6 Judge Mine Complex

As defined for the purposes of this Open Space Plan, the Judge Mine Complex consists of the Judge Drain Tunnel, the Judge Mining & Smelting Company office building, the Judge Mining & Smelting Company explosives bunker, a wooden house, the remains of the Daly-Judge Mill, and the Judge aerial tramway towers. The historical and aesthetic importance of the office building, remaining rail tracks, and the explosives bunker and the huge industrial operation for which these and the other facilities are the only vestige warrant designation of this area as POS. Detailed information on the historical context of this site may be found in the Flagstaff Mountain Resort HPP. Detailed stabilization, restoration, and management actions are also provided in the HPP. These facilities, particularly the office building and wooden house, have been severely vandalized. Thus, at a minimum, management will include installation of interpretive and cautionary signage designed to educate the public on the historical importance of these facilities and foster a sense of stewardship in order to minimize future vandalism.

4.3 Phasing of Plan Implementation

According to the Development Agreement, all land outside of the development pods will be zoned as Recreation Open Space. Upon issuance of the first MPD or CUP for any portion of the Project, FMP and Deer Valley Resort will execute a conservation easement, for the benefit of the City and a third party conservation trust (or similar entity), to limit their use of the Flagstaff Mountain ski terrain to construction, development, and operation of ski and mountain bike lifts, ski and mountain bike runs and trails, one skier day lodge, and other similar winter and summer recreational uses and services. Such conservation easements will prohibit any hotel, lodging, residential, or commercial construction or use on ROS-zoned land in Flagstaff Mountain. Such conservation easement will be to the reasonable satisfaction of the City and shall be first in priority in title.

With respect to the Prospect Ridge Viewshed area (Figure 2), within 30 days of issuance of a subsequent MPD or CUP, FMP will grant to the City a conservation easement, with free public trail access and no encumbrances, over acreage located on Prospect Ridge contiguous with City-owned open space. Such conservation easement will be to the reasonable satisfaction of the City and shall be first in priority in title.

4.4 Management Authority

Deer Valley Resort has management authority and responsibility for all ROS and POS lands within the Plan Area. During development, FMP will be responsible for managing the development pods and any open space within these areas. Following development, the respective Homeowners Association will assume management authority for open space within the development pods.

5.0 RELATED PLANNING DOCUMENTS

5.1 Flagstaff Mountain Resort Trails Master Plan

The Trails Master Plan identifies existing and proposed hiking, biking, and equestrian trails within the Plan Area. It outlines trail management and use considerations and restrictions. The Trails Plan interfaces with this Open Space Plan where trails pass adjacent to or through the Lady Morgan POS and the Centennial Draw Wildlife Management Area.

5.2 Flagstaff Mountain Resort Wildlife Management Plan

The Wildlife Management Plan was prepared to facilitate the preservation of wildlife habitat values within the Plan Area by minimizing habitat loss and human/wildlife conflicts. This plan identifies existing wildlife species and habitats that occur within the Flagstaff Mountain Resort Plan Area, and establishes management guidelines to help maintain the biotic integrity of the area while ensuring the long-term attractiveness and marketability of the proposed developments.

5.3 Deer Valley Open Space Plan

Deer Valley Resort has developed its own Open Space Management Plan for the portion of the ski area within the Flagstaff Mountain Resort property. The Deer Valley plan is considered part of the overall plan presented here. There are six components to the Deer Valley plan: A) General, B) Ski Area Development, C) Winter Skiing Operations, D) Summer Trail Use, E) Commercial Snowmobile Operation, and F) Wasatch County Homeowner Winter Snowmobile Access.

Under the "General" component of this plan, all of the area outside of the identified development pods is designated as Recreational Open Space under the Park City Land Management Code and use of the land is subject to the restrictions of that zone. No later than the issuance of the first MPD or CUP for Pods A - D, United Park City Mining Company (UPK) and Deer Valley are required to execute a conservation easement to limit the use of the Flagstaff Mountain ski terrain to construction, development, and operation of ski and mountain bike lifts, ski and mountain bike runs and trails, a skier day lodge, and other similar winter and summer recreational uses and services. This conservation easement will prohibit any commercial or residential development or use on the ROS-zoned land included in the annexation.

Ski area development restrictions outlined in this plan include the following:

- Only two graded ski runs shall be allowed in Ski Pod Z, with thinning and other limited vegetation removal for skier safety and glade skiing.

- The Lady Morgan Springs area is restricted to skiing without cutting runs, glading, or thinning trees, and summer daytime hiking.

Winter skiing operations and maintenance are the responsibility of Deer Valley Resort. During the winter skiing season (including preparation and shutdown activities immediately before the seasonal opening and closing of the resort, respectively), public access to the ski area is at the discretion of Deer Valley and public use of the property is subject to the operating policies of Deer Valley Resort.

There are two provisions contained in this component of the plan:

- The ski facilities shall be open to the general public and use thereof shall not be restricted to owners of property located within the Deer Valley or Flagstaff Mountain Resort developments or to members of any private club.

- All charges, fees, and costs paid by the general public for the use of the resort facilities shall not exceed those paid by owners of property located within the two resort developments.

The summer trail use component of Deer Valley's Open Space Plan provides a Trails Master Plan for the area. This component of the plan is described in the Flagstaff Mountain Resort Trails Master Plan and the reader is referred to that plan for a more complete description of the summer trail use component.

Commercial snowmobile operations currently utilize a designated route through the Plan Area to access state and private lands outside of the control of Deer Valley Resort. This route conflicts with FMP development plans and will be terminated accordingly.

Deer Valley and UPK have historically cooperated with the Utah Department of Transportation (UDOT) in providing a base parking area and snowmobile route through the Deer Valley ski area for use by property owners in Wasatch County in accessing cabins and/or lots outside the boundaries of Deer Valley ski resort. This route is the same as that referred to under the commercial snowmobile operations section, above. While the parking area and trailhead will ultimately be relocated, Deer Valley and FMP will continue to work with UDOT in providing winter access to Wasatch County landowners.

APPENDIX A

FIGURES

Figure 1. Location of Project Area
Figure 2. Open Space

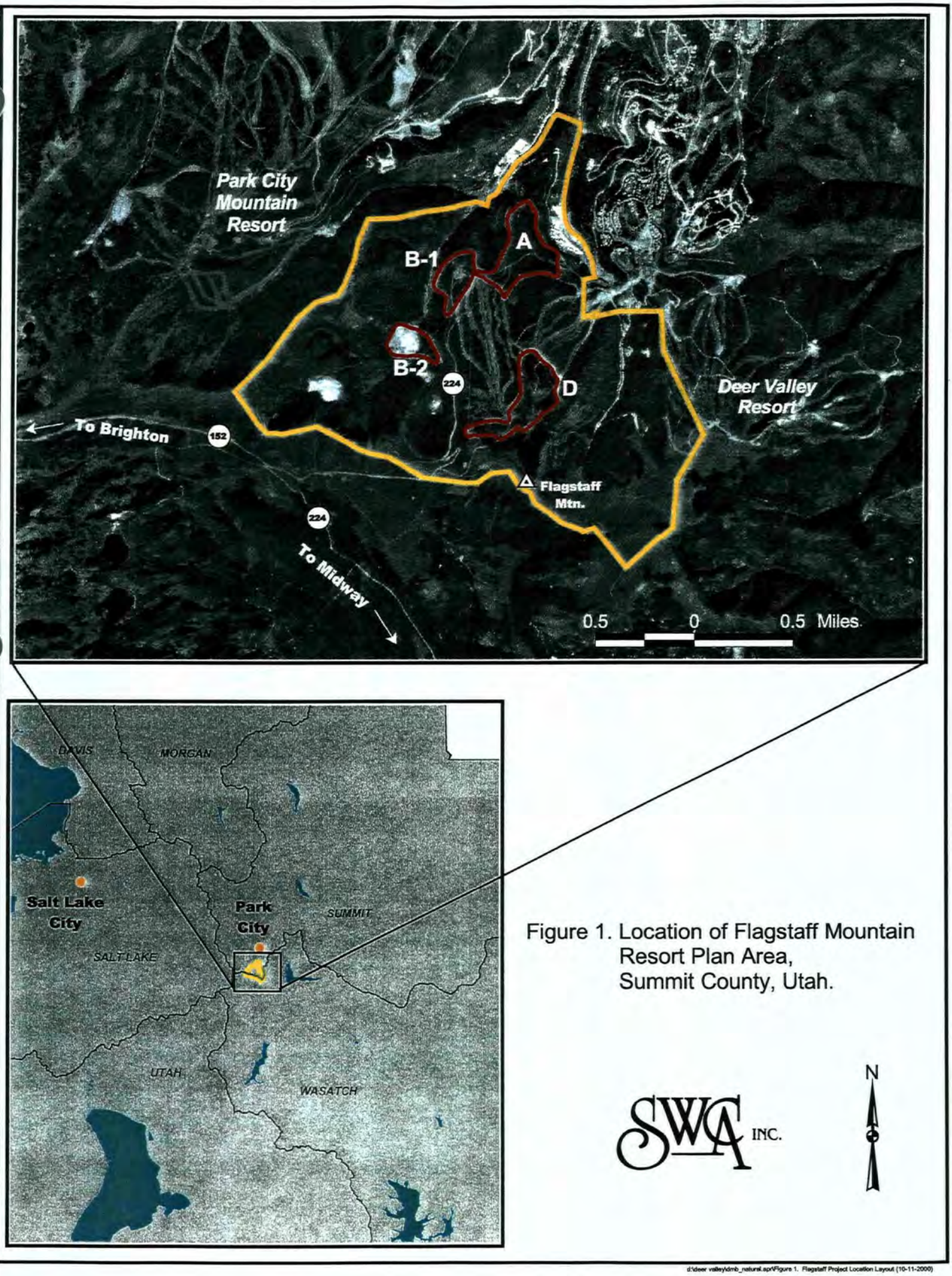

Figure 1. Location of Flagstaff Mountain Resort Plan Area, Summit County, Utah.

SWCA INC.

d:\deer valley\dmb_natural.spr\Figure 1. Flagstaff Project Location Layout (10-11-2000)

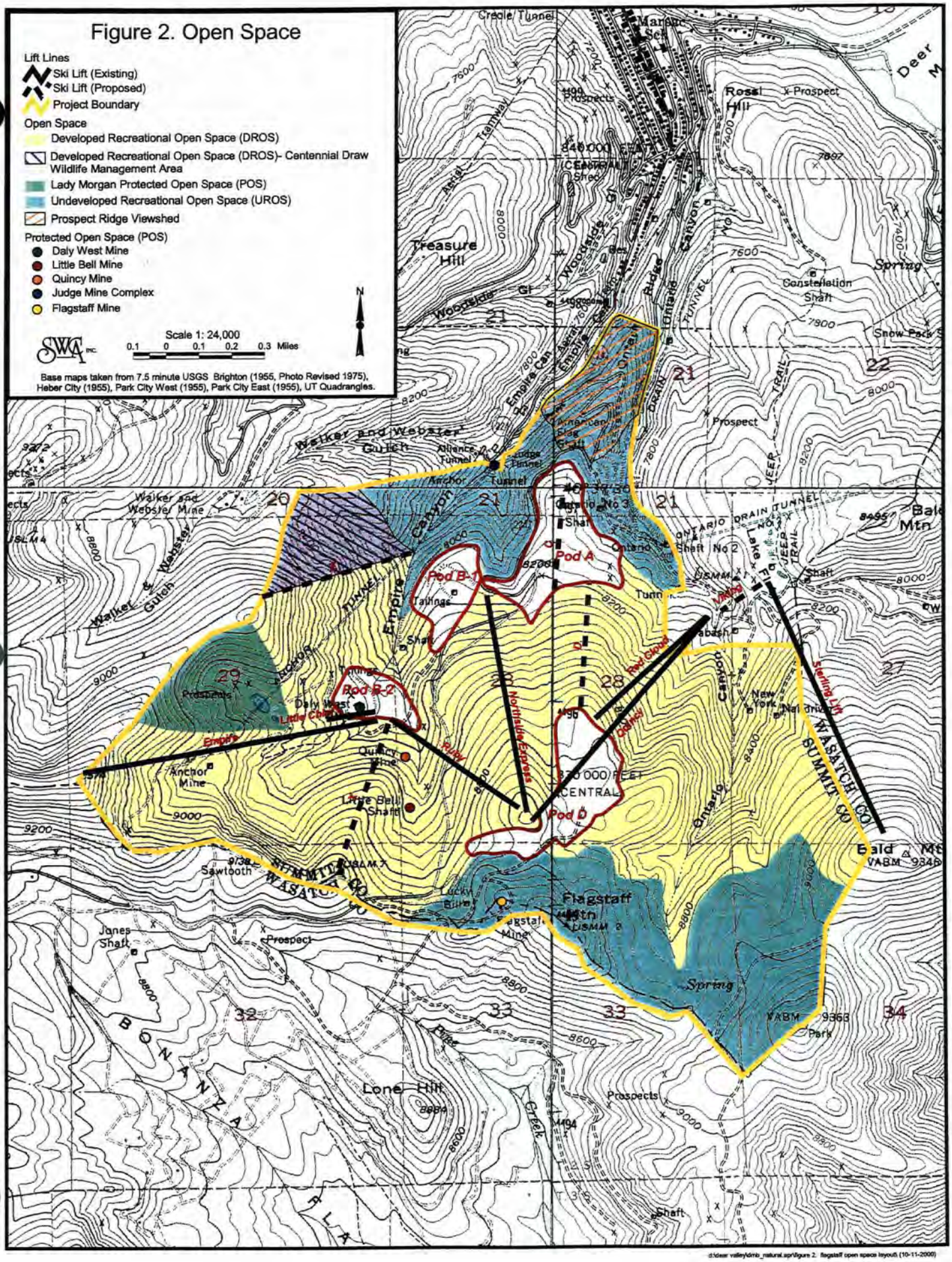
Figure 2. Open Space
Lift Lines
Ski Lift (Existing)
Ski Lift (Proposed)
Project Boundary
Open Space
Developed Recreational Open Space (DROS)
Developed Recreational Open Space (DROS)- Centennial Draw Wildlife Management Area
Lady Morgan Protected Open Space (POS)
Undeveloped Recreational Open Space (UROS)
Prospect Ridge Viewshed
Protected Open Space (POS)
Daly West Mine
Little Bell Mine
Quincy Mine
Judge Mine Complex
Flagstaff Mine
Scale 1: 24,000
0.1 0 0.1 0.2 0.3 Miles
SWCA INC.
Base maps taken from 7.5 minute USGS Brighton (1955, Photo Revised 1975), Heber City (1955), Park City West (1955), Park City East (1955), UT Quadrangles.
Pod A
Pod B-1
Pod B-2
Pod b
Treasure Hill
Rossi Hill
Flagstaff Mtn
Lone Hill
Bald Mtn
Daly West Mine
Quincy Mine
Anchor Mine
Little Bell Shaft
Flagstaff Mine
Ontario No 3 Shaft
Ontario No 2 Shaft
Constellation Shaft
Jones Shaft
Sawtooth
Walker and Webster Mine
Walker and Webster Gulch
Empire Canyon
Woodside Gulch
Ontario Drain Tunnel
Lake Park Jeep Trail
Prospect Trail
Creole Tunnel
Empire Tunnel
Ontario Tunnel
Alliance Tunnel
Judge Tunnel
Anchor Tunnel
Jackson Tunnel
Daly West Tunnel
Little Chief Tunnel
Empire Aerial Tramway
Ontario Aerial Tramway
Northside Express
Ruby
Red Cloud
Quincy
Sterling Lift
Wasatch Co Summit Co
Bonanza Flat
Prospects
Spring
Shaft
Tailings
Creek
Park
VABM 9368
VABM 9348
USLM 4
USLM 3
USMM 1
USMM 2
USMM 3
USMM 4
USMM 5
USMM 6
USMM 7
USMM 8
USMM 9
USMM 10
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USMM 13
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USMM

Park City Planning Commission

Park City, Utah April 22, 2024

Dear Commissioners

I am a 50 year resident of Summit County, a past Park City resident, a avid skier, and a local Real Estate
Broker.
I am writing regarding the application for a new chair lift in Deer Valley.
I saw the information in the local news and went to the site tour to Deer Valley on April 15th.
I have the following comments on Deer Valley's request to build a new chair lift off the Ontario ski trail.2
1. I am extremely concerned how narrow the site is and that without major excavation it will be dangerous for more skiers to go through that area. Just below their Ontario ski run is a major bottle neck and this chair will make things way worse.
2. A Six Pack Orange Bubble chair lift, like the Canyons has, is to big for that site. Having a 8000 square foot building dug into the hill is a bad idea,. The back of the building will have to have at least a 20 ft tall wall. A orange bubble type chair is not the right choice to put there.
3. I am in favor of a new chair, but I think at most that area should only have a more traditional high speed quid without that large ski chair storage building.
4. That area is a big “wild life”area and what is proposed is too big to not affect the wild life.
5. All the new ski trails on the hillside is way too much. It will cause a large loss of trees. Why not keep the skiers going down the valley instead of tearing up the hillside with multiple runs? A valley trail would be a much flatter ski run for beginners.!
Thank you.

Sincerely yours,

Roger Stephens

Dear Commissioners,

It has come to my attention that there are plans before you to expand Deer Valley's lift network which would

include a new "6 pack bubble lift" and a 70,000 square foot Day Lodge at the summit. While it is great that Deer

Valley's reputation and stature in the ski world continue to grow (which is a result of its phenomenal powdery snow

and the luxury experience provided to visitors/skiers), I would like to highlight my concerns regarding hyper-growth

and its potential effect on the environment. As an owner of a 4-bedroom unit at Stein Eriksen Lodge (my family and

I first started skiing at Deer Valley approximately 30 years ago), I believe that it is imperative that the qualities that

make Deer Valley so unique and special in the ski world be maintained. Highest on the special qualities list are the

lower capacity and less intrusive infrastructure as compared with comparable resorts in Colorado. Before

approving any expansion of the lift network, I request that you consider how it will impact congestion and

crowding, and the overall ski experience. Additionally, I hope that you will maintain Deer Valley's pristine

environment.

Many thanks for your consideration.

Sincerely,

Fenton C. Tom

New York, NY

Dear Commissioners:

I am an out of state resident who loves my annual ski trip to Utah. I have been a west coast skier for many decades, and Deer Valley has been my destination of choice because of its snow, natural beauty and wonderful service. I follow the Park City and Deer Valley community of KPCW pod casts and the Park Record from a distance.

To that end, I am writing with concern about the planned chairlift 7 (the so-called 6 pack) as it will undoubtedly compromise safety, the environment, wildlife and the landscape. More people on the slope will lead to congested and dangerous skiing. The proposed lift will also eliminate the habitat of animals as I am sure it will require the cutting of trees to be replaced by lift terminals. I love Deer Valley because it is 'wild' and the opposite of Vail skiing.

The 6 pack will pour more skiers on what is an already crowded mountain. How many more skiers will crowd the slope? Have you studied the congestion impact on the runs and importantly, on where the runs merge? Have you looked at the Comfort, Care and Capacity impact? Have you looked at increased liability?

I am also very concerned about the impact on the sensitive lands and the deleterious effects the 6 pack chairlift and 70,000 square foot Day Lodge would have. Has there been an independent environmental study on the impact a 70,000 square foot Day Lodge with thousands of visitors each day would have on the environment? Has there been an environmental impact study on the construction process of the planned chairlift as well as the impact of the actual 6 person chairlift once constructed? Has there been a good solution as to where all the excavated soil will be placed?2 As a board member of Rivers Alliance of Connecticut, I know the necessity of conducting extensive third party independent impact studies before even thinking of executing on a proposed plan. I also know the importance of working to preserve our lands not only for the sake of the habitat but also to preserve what makes something so special. Once changed, forever gone. There has to be a better way; please consider an alternative plan so as to keep Deer Valley special.

Sincerely,

Sarah Lee Martin

New Preston, CT

To The Deer Valley Planning Commission,

I write as a very frequent Deer Valley skier and pass-holder. I have many close friends who are property owners in Deer Valley and Park City. I have become aware of expansion plans, specifically lift 7 and the support building and new cut trails.

I have always appreciated Deer Valley's variety of terrain and elevated beauty and curation—what an exceptional stand-out skier-friendly/ low-density experience. While change can often be good, please proceed with extreme caution. Deer Valley is a gem, too easily brought down by overly expansive appetites and reckless thoughtless development.

The size of the new lift building is large and ascetically concerning. High towers, massive vegetation loss and building envelop. Further, the land disruption from this facility and the chair and run cuts will forever alter this pristine area, impacting flora and fauna. Lastly, the additional terrain will surely add capacity, BUT also crowding. And the intended run architecture includes access for all abilities and 6-pack loading—at best a long line situation at worst a collision-inviting calamity.

Think Hypocritic Oath! Do no harm. Deer Valley is matchless among US resorts for its low-density, top-shelf skier experience. I regret to think that this unique gem would be despoiled in pursuit of expansive normalcy.

Sincerely,

Jim Williams

Skier

Interested Party

April 24th, 2024

John Frontero
Sarah Hall
Bill Johnson
Rick Shand
Henry Sigg
Laura Suesser
Christin Van Dine

Re: CUP Application PL-23-05938
New 6 Passenger Chair & Beginner Terrain

Honorable Planning Commissioners, Staff, and others concerned:

It is with tremendous sincerity and care that Bransford Land Company writes to you today. For more than forty years, we have leased land to Deer Valley. In this time, we have worked together as symbiotic partners in support of our shared goal – to make Deer Valley the best resort it can be.

As mentioned in our previous communication to Planning Commission, BLC is thrilled with Deer Valley's overall proposed terrain expansion. However, and specific to Lift 7 and the new beginner terrain pod it intends to service, our concerns with the CUP application before you have only grown in the last two weeks as we have taken time to delve further into the packet. The application is riddled with serious flaws impacting skier safety and creating unnecessary disturbance within Conservation Easements ("CE") and Sensitive Land Overlay ("SLO"). It is also woefully incomplete both in terms of support/fact finding and mitigations. As proposed, BLC believes the Lift 7 alignment and construction of new ski trails and support facilities will tarnish Deer Valley's reputation and its espoused commitment to excellence.

On February 29th, BLC received a preview of the Deer Valley application, including Alliance Engineering drawings, submitted in November 2023. That preview was inadequate to properly evaluate the proposed expansion, so BLC engaged the services of Ecosign Mountain Resort Planners to better review both the terrain constraints and opportunities to improve the skier experience by incorporating BLC land holdings into the proposed plan for Lift 7.

BLC/Ecosign Analysis of Expansion Plan as Submitted November 3, 2023

SKI RUNS/LIFT ALIGNMENT FLAWS

Deer Valley proposes to construct a six-passenger chairlift ("*Lift 7*") to service beginner terrain east and south of the BLC properties. As proposed, *Lift 7* will service two beginner trails - one is a gentle, winding route taking skiers around the snowmaking reservoir and back to the bottom of *Lift 7* by way of a narrow cat track (the "*Cat Track*"), and the second is a trail ("*Sunnyside*") running North-South along the western boundary of the *Sunnyside* mining claim, which is included in the CE detailed in Exhibits L and M. *Lift 7* also services three intermediate trails that all merge onto the *Sunnyside* Trail. The lift will be accessed around the confluence of the *Ontario* and *Trump* ski runs. It will carry 3,000 skiers per hour and will unload near the top of the future *East Village Gondola* and *Lift 6* six-pack on Park Peak.

This means that *Sunnyside* will be the primary beginner trail on a 3,000 passenger/hour six-pack lift intended to serve beginner skiers. With four trails merging onto the *Sunnyside* trail and only one trail (the *Cat Track*) coming in from the east, it is reasonable to assume that 70-80% of the 3,000 skiers/hour (not including additional skiers unloading from Lift 6) will converge on *Sunnyside.* **The proposed Sunnyside trail is a 50'-70' wide trail with a slope of nearly 20%.** *S*ki instructors, ski patrollers, and skiers of all levels informally surveyed by BLC all agree this is far too narrow and steep for the beginner skier. Additionally, Deer Valley posted numerous 4' x 6' "Know the Zone" signs around the resort directing skiers to keep 15' of safe space on all sides to avoid collisions. The width of the trail in this zone hardly seems to support such distance with the sheer volume of skiers that will be crowded onto it.

In contrast:

- 4 passenger *High Meadow* beginner chair at Canyons features a 250' wide trail at ~15% slope
- 4 passenger *First Time* chair at Park City Mountain features a 250' wide trail at ~15% slope
- 2 passenger *Snowflake* chair at Deer Valley's Snow Park features a 250' wide trail at ~13% slope
- 3 passenger *Lift 3* chair at Deer Valley's East Village base features a trail ~300' wide at ~13% slope.

Funneling 3000 skiers/hour down a 50'-70' wide ski trail with a nearly 20% slope will create significant safety hazards for Deer Valley guests and employees.

Furthermore, **the proposed alignment of *Sunnyside* trail is on a significant cross slope**. Any effort to widen the trail would require significant cut and fill eradicating the existing vegetation (including significant trees) while creating major scars on the hillside with the Summit Land Conservancy conservation easement. Despite all this cutting, it would still result in a beginner trail far narrower than those in any of the other prime learning areas at Deer Valley or Park City Mountain. And adding insult to potential literal injury, very little allowance has been made for a deceleration zone for skiers entering the *Lift 7* queue at the bottom of *Sunnyside* trail*.* Skiers bypassing *Lift 7* will continue down lower *Ontario,* which Deer Valley's mountain operations staff alarmingly refer to as the *Killing Field,* the *Pinball Machine,* and the *Bowling Alley.*

LIFT TERMINAL FLAWS

Alliance Engineering's drawings submitted to the Planning Commission conveniently omit any lift queue for Lift 7. *Silverlode, Bonanza*, and *Payday* are six-pack chairlifts at Park City Mountain. During peak periods, the queues for these lifts routinely extend over 150' back from their terminals. And further down Ontario at the end of the *Killing Field*, Deer Valley's *Quincy Express* is well known to have the longest queue of any chairlift at Deer Valley on busy days and during peak periods. A 150' lift queue directly behind the *Lift 7* terminal would extend clear to the north side of the lower *Ontario* ski trail, and an increasing number of skiers overall in this area will be using narrow lower *Ontario* to ski into extended queue lines at the congested confluence of *Quincy Express, Judge, Viking*, and *Red Cloud* lifts.

SUMMARY OF PLANNING FLAWS

Deer Valley is planning a high-capacity six-pack ski lift, *Lift 7*, effectively serviced by one extremely narrow ski trail, *Sunnyside*. Congestion on *Sunnyside* will be significant and so will be the potential for conflict between skiers of different abilities at the various merge points connecting Flagstaff and Bald Mountains, including the base of *Lift 7*. The lift terminal, lift alignment, and terrain expansion will also increase skier traffic on the already busy *Ontario* ski trail creating further potential conflicts.

Opportunities to Improve the Ski Experience

For two years now, Deer Valley has been aware of the opportunity to improve the ski experience by working cooperatively with BLC to identify different lift alignment and ski run cutting using BLC parcels. Alliance Engineering prepared a grading plan in 2022 showing *Sunnyside* following the natural drainage along BLC property. At the request of BLC, Ecosign studied this alternate alignment and confirmed it would require less risk management, less excavation, and a much-improved skier experience. Moving *Sunnyside* to follow the natural drainage on BLC property would enable construction of a much wider trail more suitable to the beginner skiers using *Lift 7*. It would also facilitate shifting the lift terminal and queue maze south off *Ontario* ski trail and eliminating the congestion and safety hazards present in the current Deer Valley plan.

Furthermore, by working with BLC, there is an opportunity to provide a cat track bypass around the steepest section of the *Trump* ski trail to establish an easier route for skiers from Empire and Flagstaff to access Deer Valley's new *Lift 7* beginner terrain pod. At the end of this letter is a conceptual grading plan and lift alignment showing *Sunnyside* trail widened to 150' by shifting it onto BLC property.

Zoning, Code, and Lands Analysis

SENSITIVE LANDS OVERLAY - VEGETATION

Page 4 of the Staff Report hearing affirms the purpose “of the ROS Zoning District is to preserve… forests, and encourage sustainability, conservation…”

> LMC **15-2.7-6 Vegetation Protection**
>
> The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4½') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.
>
> Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in Sections 15-3-3 and 15-5-5(N), and Title 14.

The Staff Report references, but does not include, a March 14th 2024 Forestry Board approval for “the removal of Significant Vegetation for the proposed ski lift, ski runs, 8,483-square-foot terminal and lift storage building, and 375-square-foot operator house with the following Condition of Approval: The Applicant is responsible for the removal of dead and dying Significant Vegetation in an area equal to the proposed area of disturbance.”

To comply with code, the Applicant shall be required to submit an inventory of Significant Vegetation within 20’ of ski lift, ski runs, 8,483-square-foot terminal and lift storage building, and 375-square-foot operator house, as well as a subsequent Preservation and Replacement Plan from a licensed Arborist to the Planning Director for review and analysis in advance of any consideration for final action. This is not currently satisfied by the referenced Forestry Board approval nor the Applicant’s map indicating intent to remove unspecified Significant Vegetation and replace with seed nor Findings of Fact and Conditions of Approval.

SENSITIVE LANDS OVERLAY - WILDLIFE

> **15-2.21-8 Sensitive Land Regulations - Wildlife And Wildlife Habitat Protection**

1. **INTENT**. The following requirements and standards have been developed to promote, preserve, and enhance wildlife and wildlife habitat Areas in and around Park City, and to protect them from adverse effects and potentially irreversible impacts.
2. **JURISDICTION**. All Sensitive or Specially Valued Species, including all species identified by state or federal agencies as Threatened or Endangered Wildlife are regulated as provided below:

    1. **PROTECTION OF WILDLIFE HABITAT AND ECOLOGICAL CHARACTER**.

        1. CONSTRUCTION TIMING. Construction shall be organized and timed to minimize disturbance of Sensitive or Specially Valued Species occupying or using on-Site and adjacent natural Areas.

2. SENSITIVE AND SPECIALLY VALUED SPECIES. If the Development Site contains or is within five hundred feet (500') of a natural Area or habitat Area, and the wildlife and habitat report show the existence of Sensitive or Specially Valued Species, the Development plans shall include provisions to ensure that any habitat contained in any such natural Area shall not be disturbed or diminished, and to the Maximum Extent Feasible, such habitat shall be enhanced.
3. CONNECTIONS. If the Development Site contains existing natural Areas that connect to other Off-Site natural Areas, to the Maximum Extent Feasible the Development plan shall preserve such natural Area connections. If natural Areas lie adjacent to the Development Site, but such natural Areas are not presently connected across the Development Site, then the Development plan shall, to the extent reasonably feasible, provide such connection. Such connections shall be designed and constructed to allow for the continuance of existing wildlife movement between natural Areas and to enhance the opportunity for the establishment of new connections for movement of wildlife.
4. WILDLIFE CONFLICTS. If wildlife that may create conflicts for future occupants of the Development are known to exist in Areas adjacent to or on the Development Site, then the Development plan must include provisions to minimize these conflicts to the extent reasonably feasible.

The Staff Report affirms "LMC § 15-2.21-8 establishes the intent of the Wildlife and Wildlife Habitat Protection to 'promote, preserve, and enhance wildlife and wildlife habitat Areas in and around Park City, and to protect them from adverse effects and potentially irreversible impacts.'"

It goes on to suggest the CUP Application for *Lift 7* is not subject to code protecting wildlife on account of no "Sensitive or Specially Valued Species" being present in the area. The expressed intent of LMC 15-2.21-8 is clear in promotion and preservation of wildlife broadly. Sensitive and Specially Valued Species are addressed in subsection B.1.b:

> "Development plans shall include provisions to ensure that any habitat contained in any such natural Area shall not be disturbed or diminished, and to the Maximum Extent Feasible, such habitat shall be enhanced" if two conditions are established: "the Development Site contains or is within five hundred feet (500') of a natural Area or habitat Area, ***AND*** the wildlife and habitat report show the existence of Sensitive or Specially Valued Species."

Additionally, the language in preceding **15-2.21-3 Sensitive Lands Overlay Zone - Ordinance Provisions** Subsection A. 9. WILDLIFE HABITAT AREAS demands identification of the following for the purposes of their preservation and protection:

1. The ecological and wildlife Use characterization of the Property explaining the species of wildlife using the Areas, the times or seasons the Area is used by those species, and the value, e.g. meaning feeding, watering, cover, nesting, roosting, or perching, that the Area provides for such wildlife species;
2. The existence of critical wildlife movement corridors;
3. The existence of special habitat features, including Key nesting Sites, feeding Areas, calving or production Areas, Use Areas for migrant song birds and grassland birds, fox and coyote dens, deer and elk winter concentration Areas as identified by the Utah Division of Wildlife, and Areas of high terrestrial or aquatic insect diversity.

4. Areas inhabited by or frequently utilized by any species identified by state or Federal agencies as Threatened or Endangered.
5. The general ecological functions provided by the Site and its features.
6. Potential impacts on these existing wildlife species that would result from the proposed Development.

Per the Alliance Engineering report, the Utah Department of Wildlife Resources identifies the parcels in this SLO as crucial habitats for black bear, dusky grouse, ruffed grouse, moose, mule deer, rocky mountain elk, white-tail jackrabbit and snowshoe hare. Crucial means "the local population depends heavily on the area for survival, as there are no available alternative habitats in the area."

Furthermore, the Wildlife Management Plan for Flagstaff Mountain Resort submitted as Exhibit K indicates the General Plan for the entire Flagstaff Area. It states, "General Plan Area-wide management prescriptions including minimizing human impacts and habitat fragmentation."

And it specifically addresses future resort development:

> 2.4.3. Future Influences
> Each of the impacts described in the previous section will apply to new development within the Plan Area. However, given that the developed portion of Flagstaff Mountain Resort will be limited to 147 acres out of a total of approximately1600 acres (nine - percent of the Plan Area), development of the resort itself will not result in extensive habitat fragmentation. While habitat conversion occurring within the development pods will likely cause an increase in adaptable, open habitat and edge-tolerant species and a localized decrease in forest-interior species, with proper management, negative impacts can be partially mitigated and positive effects may result.

And finally, Finding of Fact 13.g.iii states: "Sensitive or Specially Valued Species includes… animals and plants of special concern to the Park City Community as identified in the General Plan and in need of special protection."

While the General Plan does not identify specific flora or fauna, Park City's public art, social and traditional media documentation, the homes along the *Last Chance* ski run, and even Deer Valley's name and logo affirm wildlife species that are of special concern to the Park City and Deer Valley communities. These include moose, deer, elk, bears, and more. Relevant General Plan excerpts include:

1. The first step in defining open space is defining the primary purpose for a parcel of land. Determining primary purpose will involve consideration of existing land use and the most important traits of the land, including:

   - Recreational opportunities

   - Conservation of wildlife habitat and biodiversity

2. As Park City and Summit County becomes more developed, wildlife corridors and habitat are lost. Future regional planning should consider the remaining wildlife corridors and prevent further loss.
3. As stewards of the land, Parkites can collaborate to protect biodiversity of public and private lands, enhancing wildlife habitat while strengthening ecosystem health.

Lastly, if interpreted correctly, subsection B.1.b does not negate protections for all wildlife, regardless of designation or status.

The application and conditions of approval fail to protect wildlife as mandated by code and the Flagstaff Agreement. The Applicant, with the help of wildlife specialists, should be required to submit a plan that addresses impacts to crucial habitats, limits disturbance of habitats and wildlife populations, provides support for displaced populations during construction (including seasonal considerations as noted by the Department of Wildlife Resources), and accounts for restoration or relocation of crucial habits post construction “to the maximum extent feasible.”

PARKING & TRANSPORTATION

Staff states in Exhibit A: “All of this is to say that no parking, traffic, or transportation plan is required because there is no direct connection between the various base area skier portals and the proposed Ski Lift infrastructure.

The two nearby gondolas with portals near the *Lift 7* terminal provide that connection, as promoted by the Applicant and their Extell landlord throughout expansion announcements and Right of Way (ROW) vacation process. The *Lift 7* (and *Lift 6*) system allows a much larger number of skiers, including beginners, to ski higher on the mountain than ever before, not only skiers circulating over from existing Deer Valley portals (Snow Park, Silver Lake, Empire), but also an indeterminate number of variable ability skiers originating from the East Village portal. Another of the functions *Lift 7* provides is the ability to move beginners back to the two base areas via the two gondolas when early and late season conditions make it too dangerous or difficult for beginners to ski back to the base areas. In consideration of what happens at Park City Mountain when the function of the Canyons portal is reduced by winds or crowds and skiers are bused over to the Mountain Village portal, Deer Valley must provide a transportation plan that accounts for less than ideal conditions, including closure of lifts, gondolas, and terrain. Failure to address this in the Staff Report and Final Action Letter amounts to an unsatisfied Condition of Approval that simply passes the buck to the Snow Park Base project.

SAFETY & CAPACITY

The Applicant’s narrative (Exhibit J) states:

> Lift 7 serves as a vital connector lift operated by Deer Valley, facilitating skier access to beginner terrain within the existing ski terrain under Deer Valley's control. Notably, Lift 7 does not offer up-mountain access from any of Deer Valley's base areas, thereby not augmenting the resort's capacity or creating additional parking demand.
>
> Traffic and parking arrangements for the entire resort are comprehensively addressed within the ongoing Snow Park development applications. This strategic approach guarantees that Lift 7's implementation remains in harmony with broader resort infrastructure plans.

In addition to the “existing ski terrain under Deer Valley’s control, *Lift 7* will serve as a crucial connector to the expanded terrain and thousands of skiers accessing Deer Valley from the East Village portal. The installation of Lift 7, whether as proposed by Deer Valley or as alternatively proposed by BLC, will have significant impacts to skier traffic along surrounding runs and bring

significant impacts to Quincy Express. As such, and consistent with the Planning Commission decision on the Park City Mountain Lift Appeal in which Planning Commission determined that individual lift Comfortable Carrying Capacity is within the purview of any permit issuing authorities, staff and Planning Commission should confirm a CCC for *Lift 7* based on its alignment, and top and bottom terminal locations, and other inputs. Additionally, it should analyze impacts to CCCs for nearby lifts including but not limited to Quincy Express, Judge, Viking, Sterling Express, North Side, and Silver Strike to assure compliance with the Development Agreement and support for skier and employee safety. Planning Commission will recall the interplay between individual lift CCCs is significant and calculable according to SE Group, which offered the example of introduction of the McConkey's lift at Park City Mountain and its impact to Pioneer.

Per the Third District Court ruling of Judge Richard Mrazik, which upheld Planning Commission's decision, it is the express "duty" of Planning commissioners not to assume or accept staff or expert claims as fact, but rather to verify for themselves. This is a matter of public safety and its importance and relevance in this matter, or any matters in which Deer Valley may potentially modify resort flow and function, cannot be overstated.

CONSERVATION EASEMENT

It is curious to BLC why the original grant of the CE including the Sunnyside Claim and parcels impacted by this CUP application is not included as an exhibit and only an amendment referencing Bransfords' initial exclusion of the disconnected and unaffected Dutchman parcel is. Nevertheless, it invites some history. Bob Wells originally and illegally included BLC land in the CE with Summit Lands Conservancy detailed in Exhibits L and M. BLC originally used the legal process to remove our land from the easement, but eventually swapped our Dutchman land for the land known today as the Trump ski run to support Wells' original intentions for the CE. BLC was involved in this process for years and, along with Summit Lands, understands the spirit of the CE. The spirit and intentions are expressed clearly in what the CE repeatedly refers to as "Conservation Values," values which cannot be undermined or diminished. Relevant excerpts include:

- WHEREAS, portions of the Conserved Property (designated herein as the Recreation Area) are of particular importance for the Conservation Value of recreational use, including skiing and other winter and non-winter recreational uses consistent with the Conservation Values of the Conserved Property
- WHEREAS, natural habitat values attendant to the landscape of the Conserved Property have been identified and mapped and reflect seasonal use by wildlife in certain areas and year-round use in other areas. This Easement Agreement provides for the conservation and management of the Conserved Property **in a manner that balances** the Conservation Values of **public recreational use** and enjoyment **with** the Conservation Values of protecting natural habitat and **wildlife use areas that are sensitive, crucial, year-round and/or seasonal** on the Conserved Property
- WHEREAS, **balancing** the Conservation Values of public recreational use and access with scenic and natural habitat conservation **has been considered in the holistic approach** to the Conserved Property to foster appropriate **public use** and enjoyment in a **free and accessible manner** during certain times of the year with needed sensitivity for wildlife

- WHEREAS, the Parties agree that the Conservation Easement is to be held and enforced **forever**
- Protection and preservation of habitat appropriate for several wildlife species in accordance with I.R.C 170 H4AII… As identified by the Utah Division of Wildlife Resources, the Conserved Property serves as critical spring, summer and fall habitat for nine key wildlife game species in Utah [including]: bear, grouse, mule deer, elk, hare. The Conserved Property further provides important migration corridors for mule deer, Rocky Mountain elk, and moose, and as such is a vital link between critical habitat in the nearby [areas].
- WHEREAS, the portion of the Conserved Property reserved for ski runs constitutes no more than 20% of the entire Conserved Property, many of which have already been developed
- 1. Purposes. The purpose of the Conservation Easement is exclusively to protect, and preserve in perpetuity the Conservation Values of the Conserved Property by prohibiting any use of the Conserved Property that may materially impair or interfere…or destroy other significant conservation interests

Additional Considerations

- LMC Section 15-2.21-7.2 Sensitive Land Regulations - Development Approvals For Ski Area Construction And Expansion MITIGATION specifically gives Planning Director the authority to request alternative plans.

  The Planning Director must review the proposed project and after consultation may request the Developer to prepare alternatives for consideration and to prepare a mitigation plan that modifies the project to mitigate the environmental and visual impact of the project. To the Maximum Extent Feasible, the Developer must design the ski facilities to preserve the natural character of the Sensitive Lands. The mitigation plan must also address re-vegetation of disturbed Areas and temporary and permanent erosion control measures.

- Maps used in Exhibit M to support analysis and findings of fact are difficult to read and inconsistent with historical records and recorded plats. Staff and Planning Commission should work to independently verify that Summit Lands Conservancy and Utah Open Lands easements are valid as represented in the application.

- Additionally, all agents of PCMC should verify that associated plat amendments and maps are consistent with recorded plat amendments.

- BLC believes that a REDUS holding may be wrongly included in Applicant's plans and preclude development and use as proposed by Deer Valley.

- The nature of a bubble chair seems to necessitate the large accessory buildings. Perhaps a standard detachable chair would be more suitable to the proposal and reduce overall impact.

Missing Documents Required for Complete Analysis According to Findings of Fact

- Grant of Conservation Easement
- Flagstaff/Empire Pass Development Agreement (included as a catalogued exhibit)

- Deer Valley Ski Area Master Plan
- Snow Park Master Planned Development Agreement
- Amendments 1 thru 13

Conclusion

BLC's door has *always* been and remains open to our neighbor and long-time land lessee, Deer Valley, to sit down and discuss a win-win solution for *Lift 7* that works for Deer Valley while supporting the safety of guests (including our grandchildren) and employees while also meeting the safety and protection standards demanded of the LMC and the various governing agreements. In our most recent letter to Vice President of Resort Development and Applicant Hannah Tyler dated March 28th, BLC urged Deer Valley to postpone its CUP hearing on April 10th and meet with our land planners to discuss collaboration and safety improvements for the benefit of all, most especially Deer Valley skiers and employees. Deer Valley continues to refuse to meet and discuss, and so today BLC implores the Planning Commission to acknowledge that the CUP application for *Lift 7* and the Findings of Fact/Conditions of Approval drafted by staff do not satisfactorily address public safety, SLO protections, CE requirements, or provisions of the governing development agreements. Accordingly, we ask that you remand the application back to staff and the Applicant to explore alternatives, identify additional and satisfactory mitigations for any plans, and provide clarity and verification using confirmed maps, plats, governing documents, and ski lift safety analysis.

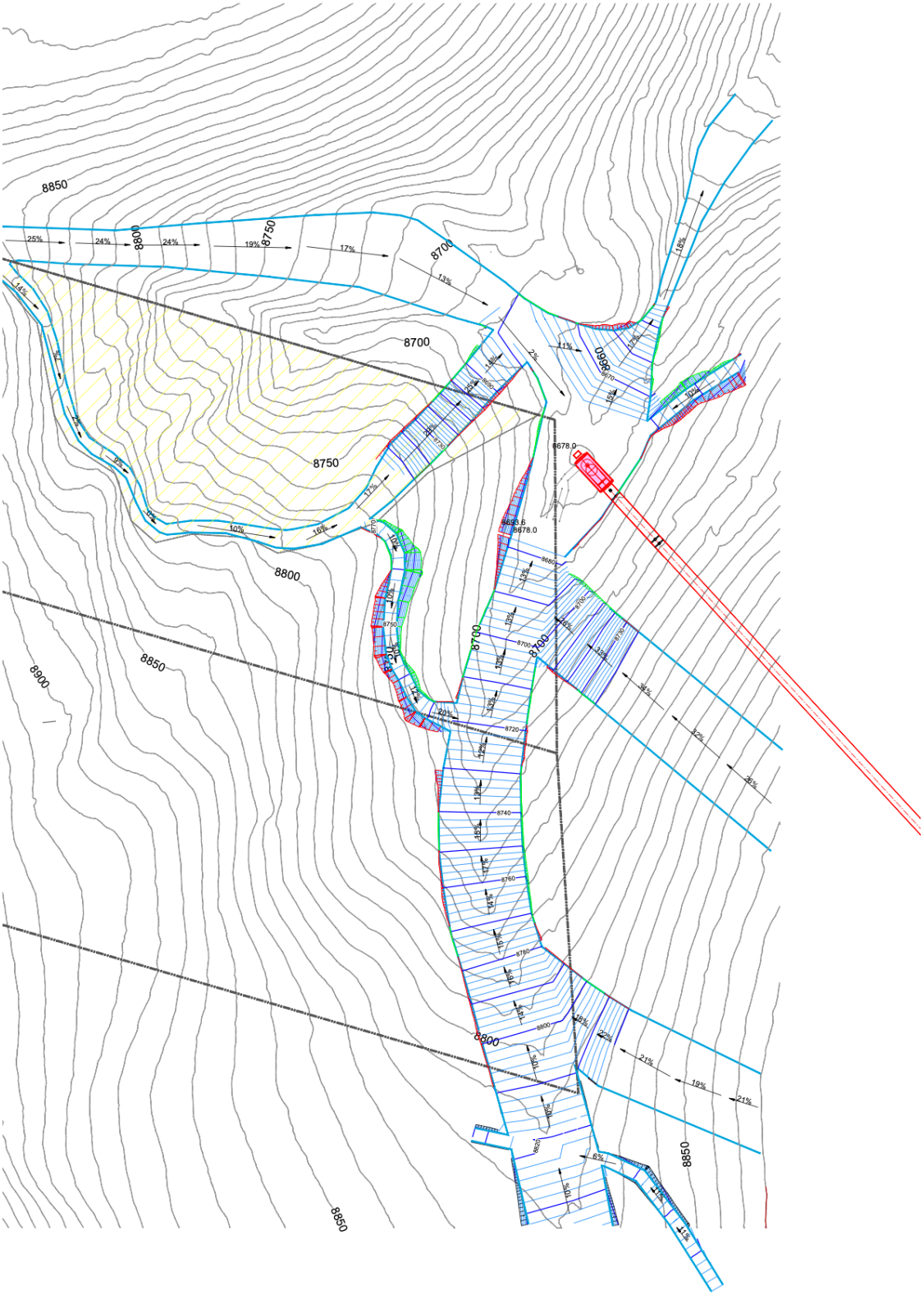
Respectfully submitted,

Anne Bransford

Anne Bransford
Chairman
Bransford Land Company, LLC

CC:

Park City Municipal Staff



CONCEPT USING PROPOSED BRANSFORD CONFIGURATION
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Rev 4 April 2, 2024

Dear Planning Commission:

I learned to ski 45 years ago at Alta. Although we owned a Park City condo years ago, Alta quickly became my family's resort of choice in Utah.

This past winter, we had an opportunity to ski Deer Valley for the first time. We absolutely loved it! We took the expert complimentary tour twice. I remember when we stopped at the bottom of the Trump ski run, the mountain host told us all to ski slowly and be extremely careful. Another skier in the group added, "yeah, all the locals call this run the "bowling alley" or the "pinball machine". As a mother of two avid skiers, I could only imagine the severity of a skier collision in that spot.

Please take the time to make an informed decision on the 6 pack lift and a width of the trails that feed into it.

Sincerely,

Lisa Erbin

Good afternoon planners and commissioners,

As most of you have probably already figured out, the two embedded links are 2D to 3D composite topographical animations of two versions for the Sunnyside beginner ski runs that Bransford Land Company commissioned me to create. One is the Alliance Engineering background, and one is a version created by Echosign.
I had hoped to get this to you early enough that it could be included in public comments – but the technology gets extremely more complicated when I am working from images of topographical maps than when I have access to the same data in AutoCAD.
Last year when I facilitated Bransford's Zone Change application, we learned that the general public can more easily understand a 3-D graphic than a 2-D Graphic, but when we2 elevate it from 2D into 3D and put it in motion, nearly everyone can grasp the actual lay of the land. We hope these two displays have the same effect for you and any interested parties with access to the public input folder.
It is my opinion that the project, as proposed, will have negative impacts to Bransford Land Company but if done more thoughtfully it could be of great benefit to them as well as everyone in park city that issues the trails and runs.
Please feel free to reach out if there are any questions…
Regards,

John Phillips

April 23, 2024

Dear Planning Commission:

I am honored to be here with you all to engage in respectful, open-minded discussion to more effectively evaluate the proposed Deer Valley 6-pack lift and chairlift housing facility off the Ontario run.

My name is Diane Bode. Here is some of my background. Though what I am presenting is a bit long and seemingly indirect, it may help you all understand why my primary concern with the Deer Valley site proposal is focused on Skier Safety.

I am the Executive Director of Another Way School in Park City. With a Master's degree in Early Childhood Education and American Montessori Society certification, I have worked out here in the county for over 20 years to integrate alpine skiing and equestrian training into an experiential, nature based academic program for children ages 3-12.

A graduate student at Saint Mary's College in Moraga, California in 1978, I had to do a research project. Since I was an instructor certified in 1964 in the Western Division of the Professional Ski Instructors of America (PSIA), I determined to use skiing as a vehicle to study how children learn. Applying the Montessori Method, Perceptual-Motor theory and Cognitive Development to ski instruction, a fully integrated, safe and effective instructional model for children and adults was developed. It was called the Panda Skee Program.

The model was presented to the ski industry in a pilot program first implemented at Dodge Ridge Ski Resort in 1979; the second at Squaw Valley in 1980, and the third at Vail Beaver Creek in 1982.

I coauthored and fully illustrated a book draft with Dr. Rosemary Peterson and contributing author Dr. Carol Workman. In 1988, PSIA published Child-Centered Skiing: The American Teaching System for Children. The ski instructional model was introduced to the international skiing community via the PSIA National Demonstration Team at the 1988 INTERSKI in Japan.

Starting at age 20 at Dodge Ridge Ski Resort in California, I have 62 years in ski instruction at resorts in California and Utah. Deer Valley was my beloved home resort when Sal Raio was the Director of Skier Services and remains dear to my heart.

I was a member of the group that was given a presentation and the opportunity to view the proposed site for the 6-pack chair and housing facility on April 15th. Having taught skiing at Deer Valley for seven years as well as free skiing at the resort over many years, I was more than familiar with the proposed site.

I understand and appreciate the need for an access lifts to connect the East Village Ski Resort complex to Deer Valley slopes and resort complexes and to open access to new upper mountain terrain to expand ski instructional services and to make available lovely green and blue runs for beginning, novice and intermediate level skiers. Yes!!

My concern with the current proposal is Skier Safety.

With due respect given to all parties concerned, I am submitting to the Planning Commission that unless there is another way for beginning and lower skilled skiers to get down off the new proposed upper mountain terrain other than skiing down Trump or upper Ontario from Bald Mountain to lower

Ontario and Homeward Bound pre-existing safety concerns may be compounded due to the current Deer Valley proposal.

Lower level skiers need another way to get safely down off the upper mountain to Snow Park. With the proposed Gondola transporting lower level skiers to and from Snow Park, this would help address a very real and present need.

Without alternative access off the upper mountain, converging runs will have beginning, intermediate, and advanced skiers moving at speed down what is essentially nothing more than a narrow trail – a funnel.

Lower Ontario funneling into the Quincy/Red Cloud/Viking and Judge lifts is already a dangerous gauntlet. Currently, skiers are dropping down into the run on the left from Ontario Bowl and from the right with skiers snaking down through the trees below Homeward Bound and launching onto Ontario. With potentially increased traffic on this run due to the new lift, preexisting and already very serious skier safety issues may be compounded.

The ground rule for Another Way School and for myself personally is: Respect for Self, Others, and the Environment. Increased skier numbers on runs with identified and currently unaddressed safety issues further jeopardizes the safety of Deer Valley ski instructors, children and adults in ski school classes, and, for skiing clientele across the board.

Working together, cooperating and collaborating to find respectful, effective solutions to identified safety issues, it is certainly possible for us to come up with a proposal that meets Deer Valley's need to link the two sides of the mountain, in providing expanded teaching terrain, in opening access to lovely runs for appropriate for beginning, novice and intermediate skiers, and, in meeting the need for skier safety

Thank you for taking the time to listen to my heartfelt plea.

I am respectfully submitting my letter to the Planning Commission with points to weigh, consider and place in your public records.

Sincerely,

Diane Bode, Executive Director

To Planning Commission,

I very much appreciated your thoughtful discussion in regards the Deer Valley CUP. It is clear we, Deer Valley included, are all vested in the matter.

If you took the time to analyze our lengthy letter, thank you. The purpose of this email is more narrow in focus and seeks only to clarify a comment made by Todd Bennett late in the discussion.

Commissioner Suesser inquired as to whether Deer Valley considered alternatives. Todd Bennett replied that the land in question is “in litigation.” Being that the only alternative clearly defined and proposed came from Bransford Land, one might deduce it was our land Todd was referring to in his response to Commissioner Suesser. We wish to clarify for the record that the parcels on which we propose Deer Valley pursue alternate lift and ski run alignment is not and has never been involved in litigation. It is free and clear, and we still welcome legitimate vetting and exploration by Planning Commission, the Applicant and Planning Director (to whom code expressly provides authority to request alternatives from the applicant).

We look forward to the ongoing dialogue.

Sincerely,

Anne Bransford

Chairman, Bransford Land Company

Re: Bransford Land Company / Park City Planning Commission Meeting April 24, 2024

Dear Jennifer,

This firm represents Bransford Land Company ("BLC") with respect to property owned in Park City, Utah. Information about the BLC property was misrepresented at the Park City Planning Commission meeting on April 24, 2024 and repeated in an article published by the Salt Lake Tribune and the record must be corrected.

At the April 24th Park City Planning Commission meeting, in response to Planning Commissioner Laura Suesser's questions about Deer Valley's consideration of using other land to support alternative lift and ski run alignments for the proposed Lift 7, Mr. Bennett, as reported by the Salt Lake Tribune today, stated:

"We don't own the land. We're open to discussions about land, but that land … You know, we've been a good partner with Bransford for many years.

When there was an opportunity for us to expand, we partnered with folks like MIDA and Extell to acquire land, but the land that you're talking about in the hypothetical is not currently available, and it's in litigation."

Mr. Bennett's statement is false and implies that alternative alignment over BLC's land is not possible. This is incorrect; BLC's land is not "in litigation" or otherwise encumbered in a way that would prevent it being used to provide a less impactful alternative for Deer Valley's proposed lift and ski run.

With the broad distribution of this claim by publication in the Salt Lake Tribune, the effects of the misstatement go beyond misleading the Planning Commission. This misstatement now undermines the safer and better alternative that should be considered by the Park City Planning Director. Section 15-2.21-7 of the Park City Municipal Code requires careful consideration and mitigation for sensitive lands, including: B. Mitigation. The Planning Director must review the proposed project and after consultation may request the Developer to prepare alternatives for consideration and to prepare a mitigation plan that modifies the project to mitigate the environmental and visual impact of the project. To the Maximum Extent Feasible, the Developer must design the ski facilities to preserve the natural character of the Sensitive Lands.

Contrary to the representation made by Mr. Bennett to the Park City Planning Commission, the fact is that an alternative using the BLC land remains wholly viable. BLC remains willing and able to offer an easement to support development of a safer ski experience on its land.

On behalf of BLC, we request that Deer Valley correct the public record and resulting false information distributed by the Salt Lake Tribune by 5:00 p.m. Mountain Standard Time today, April 26, 2024. Additionally, we request that Deer Valley take steps to insure that its employees and agents refrain from making false statements and inferences, whether oral or in writing.

Sincerely,

Melanie R. Clark

Hi Planning Commission-

The plan for lift #7 has major problems with it. It disrupts the very sensitive lands which have great, long-term

vegetation, trees, and wildlife habitat. The Utah Department of Wildlife Resources report should be taken

seriously and protected.

There are also safety concerns of the ill designed merging of multiple beginner trails being used by

different skill levels onto a narrow trail heading to the base area. Isn't there a better alternative than the option submitted?

Please do not rubber stamp this proposal- it deserves more scrutiny and care to protect this stellar wild area from being destroyed.

Thank you for your time.

Tracy Taylor

Dear Planning Commissioner:

My name is Gerry Chauvin. My wife Michelle and I have been primary residents of greater Park City since 2016 and have

been coming to PC and skiing DV since the early 90's. We've owned property here since 1998. Both of us are avid skiers and have had Deer Valley season passes for over 10+ years.

I have recently become aware of the terrain expansion plans as a result of the Mayflower (East Village) development. I am very concerned about this expansion and the plans, as I understand them, for a 6 passenger bubble lift. All very exciting but equally very concerning!

Has the safety of the skiers been comprehensively analyzed? The narrow trail from the top of Park Peak looks to be more treacherous than the lower Ontario to Viking lift. My ski buddies and I have all either had either scary incidents and/or a close calls on the infamous "killing field".

Please follow your continued urging for skiers to slow down and keep DV safe.

I have 8 grandchildren and the number is growing and I want be able to ski safely with them for many years to come.

Sincerely,

Gerry Chauvin

After reviewing Deer Valley’s planned expansion of an addition of lift. #7, I believe there is a safety issue merging the

beginner green trails, and this should be taken into consideration. My husband suffered a traumatic brain injury this

winter at Deer Valley in a collision with another skier and I am particularly sensitive to any scenario that could lead to over crowding in what is already known locally as the ‘Killing field' or the 'Pinball machine'. I encourage you to look at a safer alternative route.

Sarah Langridge

Hi,

I would support rejecting the lift 7 plans proposed by deer valley. I am both a park city resident and a cabin owner in the

Brighton estates cabin community. My property is on the east side of lone hill, directly facing both flagstaff Mtn and park peak. Lift 7 location appears to be such that the li0 would be visible from Brighton estates community, especially those who

reside on the east side of line hill. Currently there is no visible infrastructure in these mountains and is why both cabin owners as well as park city resident paid tax dollars to conserve bonanza flats, and church of dirt has been “loved to death”. Although maybe not technically a “backside” chair li0 it seems li0 7 specifically will be a man made eye sore in an otherwise natural backside scenic paradise that is one of the largest tourist and local draws in all of salt lake/park city area, especially during summer and for those who call this area home. There are well over 15 homes that are less the

1/4mile away from this area which deer valley is expanding outside of there master plans. There are currently 0 lights at night visible to the brighton estates community in this direction, and this proposal should be mandated for absolutely no nighttime lighting if approved. In addition, Deer valley should be forced to gather brighton estates community feedback on this lift, as aside from wildlife we are the group of citizens that will be most affected.

However, my string opinion is peak 7 li0 should not be approved. Let deer valley expand in the frontside on park peak, and bald mountain, no issues there, but no li0s should be visible from empire pass lookout, the new parking areas for scenic view point on 224, bonanza flats, nor brighton estates subdivision… no other portion of pc, canyons, brighton ski resort is visible, deer valley shouldn’t either… protect this slice of natural views… its not in the master plan furthermore why would a beginner section be at summit of a Mtn! It makes no logical sense! All other parts of the development are ok but not peak 7. Furthermore as someone who has spent much time looking directly at this location, this is a highly trafficked area for the moose who live in this section of the range.

Don’t ruin what we just paid millions to preserve. The beauty of biding empire pass… no the peak 7 or backside ski run for park peak, flagstaff or bald mountain.

Matt Broussard

Dear Planning Board Members,

I recently toured the proposed area for Lift No. 7 at Deer Valley with a variety of the staff of the resort. I came away with several concerns about the new facility. I think that everyone wants the best possible outcome for the enlargement of the resort but I have several concerns that I think need to be addressed prior to this infrastructure development.

1. The current design employs a 8,483 sq ft storage shed that is large enough for only 40% of the enclosed chairs to be stored, 30% of the chairs are to be stored in the top terminal building(according to the description provided by DV staff). Where are the other 30% of the chairs stored? Left outside they will be subject to weather and sun degradation that will require premature replacement. Clearly a larger storage and lift operations building is required as the current design is inadequate for initial operations.

2. Their current design has four new, lower skill trails converging above the current bullwheel station. The trail width on approach to the current lift design entrance is very narrow. This is inadequate for the proposed volume of lower skill level skiers to efficiently come to a stop and enter the current maze/corral. There is not enough room in the current design to ski around the No.7 base station to continue down the mountain.

3. The number of skiers arriving at the trails converging area of Trump, Ontario, and Homeward bound with the additional load of skiers passing the proposed lift 7 base area will make a congested area dangerously overcrowded unless mitigation measures are imposed(ex:enlarging or providing a lower skill level bypass for Homeward bound and Ontario). The area is currently narrow for skiers to transition onto Homeward bound to return to Silver Lake base area. The additional traffic load of the four new trails of lower skill level skiers will not be easier to navigate, and will increase the risk for collisions.

4. A greater effort is needed to design a lift base and trail configuration that will reduce congestion, increase safety and maintain the pleasant skiing experience that has earned Deer Valley's deserved reputation for excellence.

Thank you for your efforts.

Glenn Price

Dear Commissioners:

I am a fourth generation property holder in Park City. I am presently residing outside of Utah which causes me to imagine, more and more, what could become of our beautiful State if the development on Deer Valley Mountain continues to expand. Utah is my home. I keep up to date through local friends and the Park Record. As an alumna of Camp Cloud Rim, I have fond memories and have witnessed a lot of change over the years. I am 72 years old and no longer ski, but enjoy walking and hiking in the pristine land when I am home.

Skiing, mountain biking and the Olympics (and I think more to come?) have brought employment and prosperity to our State. That cannot be denied.

With this next phase, perhaps compromise and by slowing down the train to really get the best result for people, owners (even developers) the natural terrain and of course the animals who were present long before it became inhabited by skiers and bikers, might be the best way forward.

Would you please take some time to contemplate the consequences of the present proposal of lift 7 and related buildings? A six pack bubble chairlift with an 8000 sq. ft. outer storage bldg. seems over the top to me.

Thank you for considering my request.

Sincerely, Carolyn MacDonald

Dear Members of the Planning Commission:

We have deeply valued our trips to Deer Valley for almost 40 years. After enjoying so many things during our many visits, we have recently heard some concerning news. Thus, we are writing about the proposed “Lift 7” project.

Our times at Deer Valley bring to mind many wonderful things. Some are about family, such as our children (now in their 40’s) skiing with their grandfather, and then enjoying the local restaurants. But others come from the settings and the surroundings of a beautiful mountain with a feeling of quiet peace. We don’t think that we are naive about the practicalities of a major ski area, but Deer Valley has somehow managed to harmonize practical necessity with preserving the integrity of the mountain setting. This is rare, as only a brief comparison with other ski areas quickly shows.

Please do not let them jeopardize this balance. We flinch at the prospect of skiing Ontario with hugely more people than what we navigated with our children. And, if we lose the mountain birds, and the animals whose tracks we saw in the morning snow, would they ever return?

We live on the Maine seacoast, which balances development and quiet beauty, in large part due to planning commissions such as yours. Deer Valley offers the same in a mountain setting, and we hope that it will not be lost.

Thank you for considering our views.

Robert and Katharine Davis

York, Maine

TO: The Park City Planning Commission

FR: Priscilla Barsotti

RE: Proposed Ski Lift 7

I write as a frequent Deer Valley visitor and friend of several property owners in Deer Valley and Park City. I love the serenity of the low-density experience and unique beauty of the area with the many beautiful mountain trails which I have hiked innumerable times. The vistas and variety of fauna and flora never cease to amaze me.

The proposed expansion plans, specifically Lift 7 require an 8000 square foot maintenance shed on the mountain and a huge day lodge, which will require cutting down many trees. The destruction of trees and potential elimination of animal habitat is not only aesthetically concerning but environmentally and climatically alarming.

I am a native of Colorado and live within close range of Breckenridge and Vail. I have seen the results of the ski industry's expansion across our mountains. Please proceed with caution, so that the charm of Deer Valley is not lost to greed and reckless development.

--

P. Barsotti, consultant & Owner

Bridges to Art Business & Education

Dear Commissioners

Re: Deer Valley Lift 7

Many residents have voiced concerns regarding skier safety if Lift 7 is erected by Deer Valley near the Sunnyside Claim.

My concern also focuses on wild life; 8 species of wildlife use the corridor where the proposed ski Lift 7 will be. When has the ski industry ever cared one whit about wildlife and the environment? WHEN WAS THE LAST WILDLIFE STUDY ORDERED AND COMPLETED FOR THIS AREA?

Many years ago we were able to save this view (attached) from being developed; The ICONIC white McPolan barn as you enter Summit County. It was destined to be a shopping center with box stores. Thank heavens the initiative to stop its development resulted in the spoiling acreage that has been preserved.

Now we are facing a different kind of development; one which calls for the falling of acres of trees to use as 'cut and fill'-in other words a graveyard for fallen trees and displaced animals. Please consider the consequences. In addition to a chair lift, there will lodges and maintenance buildings to service the lift and skiers. Can stack condominiums be far behind?

As always, more than grateful for you hard work and consideration.

Sincerely, Carolyn MacDonald

Dear Park City Planning,

I am writing this in opposition to Lift 7. My family was fortunate to have owned property at Deer Valley. We raised our children to be responsible skiers and members of the DV community. One has gone one to become a PSIA instructor. We are very familiar the Ontario / Trump area of the mountain. While growth is inevitable it is obvious that more work needs to bring done regarding alignment and wildlife/environmental studies.

Please help keep Deer Valley a special place.

Thanks for allowing input,

Jon Cook

Dear Planning Commission:

My name is Paula Naugle. I have been a resident in Park City 84060 for 28 years. My family and I have such fond memories skiing Deer Valley when they were young. This past February my oldest daughter who

is now married skied Deer Valley with her husband. I don't ski anymore, but a family tradition has always been to have lunch at Stein's. Two of the three days they skied I met them at Stein's. Not one of them, but both of them

were either brushed by other skiers or had near misses navigating their way to the Viking lift. Unfortunately, this became the topic at lunch. Ali and Will said the lower Ontario ski run was way too narrow and had ski schools criss-crossing through it.

All I ask is that you plan the new beginner terrain with wider runs so my grandchildren someday will not be as terrified skiing as my daughter and son in-law were in February.

Sincerely,

Paula Naugle

Dear Planning Commission:

First of all, I want to thank you for your service as Planning Commissioners. Having served in various elected and appointed position in Park City and Summit County over the years, I know what a time-consuming tough job you have and I thank you for your willingness to serve.

For those of you who don't know me, my name is Shauna Kerr. I have recently retired as a Justice Court Judge for Summit County. Prior to that appointment, I served as a Summit County Commissioner and two-term Park City Councilmember and as Assistant City Attorney for Park City. I have been involved with the Deer Valley development processes since some of the early days starting in 1989. I have also worked in land conservation as a founding member of the Utah Quality Growth Commission and as the Utah and Arizona State Director for the Trust for Public Land. In addition to these positions, my personal favorite part-time career was as a Mountain Host at Deer Valley for 27 consecutive seasons. In that role, I became intimately familiar with the area before you for review of Lift 7 and the proposed beginner terrain. I've spent hours in this area shoveling snow onto the runs pre-snowmaking and doing speed control during heavy skier traffic. I know the limitations and congestion at the merge of the Trump and Ontario runs, further complicated by the intersection of Homeward Bound and Ontario just below this site. It's a tight, busy area.

Accordingly, I have some concerns about adding more skiers into this area by siting the new proposed lift as submitted in this proposal. In addition to the beginning skiers on these existing green runs, this is also one of the highways and byways back to the Silverlake and the RedCloud/Quincy lift areas. As such, often there are expert skiers popping out of the trees or bowls in this area onto these narrow runs or skiing faster than they should in this location. To the extent that the lift location could be moved uphill and further to the west, it may be a less congested and a more appropriate location, particularly for the safety of the beginning skiers congregating to load this lift.

In addition, wearing my prior City Councilmember and conservation hat, I know that this mountain was a highly debated area because of the sensitive lands and conservation values in the original approvals. I still have Pod D flashbacks. Preserving the trees and wildlife values must continue to be a concern and a goal of this Planning Commission. I fear that this proposed site may result in losing more trees and more disturbance to the natural lands. Please take that into your consideration as well.

Thank you for your time and service and I welcome the opportunity to speak with you or answer any questions you may have. Best regards,

Shauna L. Kerr

Dear planning commission,

I have lived in the park city area for 40 years, even working at Deer Valley from '87 to '92...

I know the area that you are proposing for new ski runs/buildings, please take your time and make the right decisions. Thank you for your consideration,

Sincerely, Bruce Croft

Dear Mr Bennett and Members of the Planning Commission,

I came upon Deer Valley by chance. It was in 2002 when I attended the Sundance Film Festival as one of the producers for the movie 'The Kid Stays in the Picture' about Hollywood film director Robert Evans.

I stayed, along with senior editors, at Stein Eriksen Lodge, arranged by Vanity Fair magazine where I worked as managing editor for 25 years. I spent a couple of days in film festival movie screenings, but I'd heard of the ski resort and had packed a ski jacket, and a helmet, and on my last day rented boots and skis. I went out to ski on a cold January day and, for some 20 years thereafter I have returned, uninterested in returning to other resorts.

If you travel out from New York City, as I do, and drive out of Salt Lake City airport, one of the first sites is the range of Wasatch mountains, overwhelming in their majesty. One of the blessings of the Deer Valley location is that it's just a 45-minute drive and you can be skiing the same day (unlike the Colorado resorts where it's a 2 ½ hour trek). As a New Yorker, and in media, I patronize the glossy designer shops and department stores. I love them but when I come to the mountains I need to leave it all behind. It is my escape.

What brought me back and keeps bringing me back to Deer Valley is ...

- The astonishing natural beauty
- Ski-runs that are well looked-after and unspoilt
- Ski-runs that are generous and the intermediate runs not too challenging for intermediate skiers
- This area has been largely left to nature with its wild beauty. Unlike the over-developed Vail and Aspen. Once I had skied in Deer Valley I had no wish to return to those commercial circuses
- The beauty of Deer Valley is the lack of development.
- The quiet: skiers here have respect for it
- The short or non-existent lines at the ski lifts
- The lack of artificiality and consumerism that is so prevalent elsewhere. Hugely refreshing
- The friendliness of the local people
- The above reasons are why we meet keen skiers on the mountain from all over the world

But now I hear that this exquisite parcel of the US is under threat. That there is a plan for a chairlift 7 (called 6-pack) to carry some 3000 skiers an hour. It concerns me that the plan calls for an 8000 square foot storage facility, and accompanying lodge. Will this become a concrete jungle in the style of many of the Colorado resorts?

I hear this will double the size of Deer Valley and in doing so trees will be cut that will rob animals of their habitat. I hear also that the plan is woefully incomplete both in terms of support/fact finding and mitigations and that it will bring trails far too narrow and steep for the beginner skier. So are we going into this without necessary facts, consideration and appreciation?

Please, please, stop and consider. Staying as we are ensures the continuity of this precious part of Utah. Pushing forward without due care and consideration surely risks destroying it.

Sincerely,

Chris Garrett (she/her)

Planning Commission,

Following up on comments and presentations from Deer Valley team for lift 7 proposal.

I strongly support rejecting this proposal, even after listening to the DV team at your meeting 2 weeks ago.

Predominately for previous reasons stated:

1. The entire ski terrain and lift terrain is undeveloped recreational open space. There should be no swapping of developed/undeveloped land as a compromise.

a. This area is one of the most popular snowshoeing and ski touring areas as it is a quick and easy left turn at the top of empire pass.

2. As stated in previous email, as a cabin owner in Brighton estates just 1/8th of mile away from this development, I have spent a lot of time in this region and can attest that this is one of the main zones that moose travel as they move north from midway ridgeline.

3. The open recreational opportunities for locals and tourists from empire pass should be protected and this was zoned as such.

a. This is why PC bought bonanza flats correct? Well this closer to empire pass access and more snow shoe trafficed than even bonanza flats – it may not be well understood by those who doesn't come back here often but for those of us in this area most often its completely apparent.

The more I learn of these plans the more the proposal seems like "smoke and mirrors." What about the magic carpet beginner track that is shown also in this area but not referenced in this proposal? DV have a proposed restaurant on the Wasatch side of park peak, and this is an attempt to push beginner tourists to the restaurant so they can sell more concessions… I believe the traffic and volume of people that DV really intends to shuttle into this zone will make a massive mess of what is now pristine wilderness that IS used for recreation and wildlife.

Let them have the frontside the mountain of course. But asking the PC planning commission to protect our ridgelines, protect empire pass recreational zones that are the most popular "backcountry" areas locals enjoy.

Regards,

Matt Broussard

Planning Commission,

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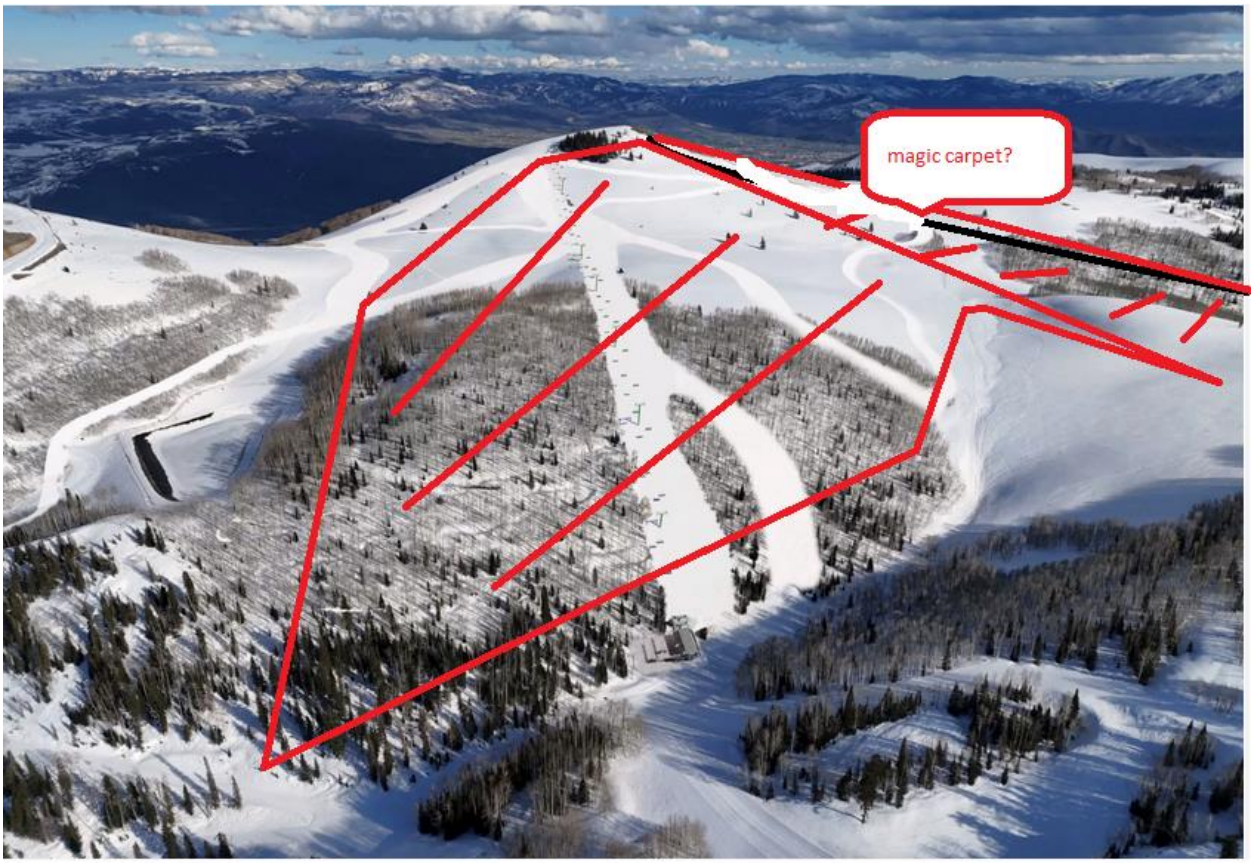
This is my understanding of the overlay of undeveloped recreational land vs the rendering of lift terrain



Let them have the frontside the mountain of course. But asking the PC planning commission to protect our ridgelines, protect empire pass recreational zones that are the most popular “backcountry” areas locals enjoy.

Regards,

Matt Broussard

Good evening, Planning Commissioners.
Tonight I speak to you sincerely and from the heart, but to be succinct, I will be reading my comments.
Earlier today, my sister Anne Bransford on behalf of Bransford Land Company, submitted to you a detailed written public comment. Skier and employee safety is of paramount importance to Bransford Land Company. We take pride in our land, our longstanding relationship with this community, and also our 40+ year relationship with Deer Valley. My daughters learned to ski at Deer Valley. And now, the family grandbabies are learning on the beginner slopes.
Over the years we have watched the resort grow in skiers, amenities, lodging, hospitality, and reputation. We acknowledge and applaud that Deer Valley prides itself on excellence. It is impossible to state the significance Deer Valley holds for the Bransford family, which is why we feel responsible in supporting the Resort's continued excellence. However,
the design and planning flaws related to the Lift 7 alignment and terminals are **significant** and present safety issues that an alternative alignment would resolve. Additionally, impacts to ski runs serviced by Lift 7, accessing Lift 7, and further crowded by the increase in skiers

Lift 7 will draw to higher elevations, could also be resolved with realignment and a change in ski run cutting. Bransford Land asks that you take public safety as seriously as we do and encourage Deer Valley to explore alternate alignments including the alignment evaluated by Ecosign at our request.
In addition to safety issues raised by the current proposed plan, Deer Valley's application, and staff's findings of fact and conditions of approval fail to meet the requirements of the Land Management Code. They also fail to satisfy protections for wildlife under the Flagstaff Agreement and the overlaying Conservation Easement.
Finally, based on precedent established by this Planning Commission and upheld by Utah's Justice System, the Applicant must include as part of any development application, but especially those involving lifts, **proof of compliance with its own Development Agreements and Master Plans**. The comfortable carrying capacity of the new Lift 7 and its effects will have on other lifts must be verified as safe and compliant with the Development Agreement

If unable to confirm compliance with all code and governing documents today, on behalf of Bransford Land , I respectfully ask the

Planning Commission to continue the item or deny the permit.
Thank you,
Mary Leader

Hi Planning commission, sorry for the multiple emails but one follow up consideration.

If this were approved, it would beneficial if it were contingent upon Deer Valley supporting the conversion of SR224 over to twisted branch to establish safe winter access for park city residents to the remaining undeveloped recreational areas and Bonanza Flats as well as relocating the current congested parking on 224 (by guardsman gate) which is always full. Include sufficient parking for locals day tripping and expanding overnight parking which is also always full.

In previous years, there was a “strong encouragement” from planning to dialog with UDOT about this potential switch over, but no support since and I suspect DV is fighting against it to keep it exclusive to 25mil dollar homes… You guys know more than us but I would hope there is a way that these can be tied together and motivate Deer Valley and REDUS to work with Park City.

The value of backcountry experiences for locals and tourists, is often underestimated, but these backcountry areas and experiences are what really leaves “the forever memories” for tourists and locals alike.

Regards,

Matt

Park City Planning Commission –

I am an owner at the Silver Baron Lodge and a Deer Valley ski instructor. I support Deer Valley's request for a Conditional Use Permit (CUP) for the new 'Lift 7' within the expanded terrain of Deer Valley. This lift will provide much need additional beginning terrain to alleviate heavy skier traffic experienced on our wonderful Ontario run. Deer Valley needs to get moving on their terrain expansion and this is a good early step in this effort.

Thank you,

Stefan A. Kampe

BIO-WEST Inc.
1063 West 1400 North
Logan, Utah
84321-2291
Ph: 435.752.4202
Fx: 435.752.0507
www.bio-west.com

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Wetland Resources

Wildlife Resources

May 3, 2024

Snell & Wilmer
Attention: Mr. Wade Budge
Gateway Tower West
15 West South Temple, Suite 1200
Salt Lake City, UT 84101-1547

Subject: Preliminary Desktop Evaluation, Wildlife Impact Assessment of Deer Valley Lift #7 Expansion Project in Summit County, Utah

Dear Mr. Budge:

I have reviewed the available materials describing the Deer Valley, Lift #7 Expansion Project within Summit County, Utah, as well as the background materials describing wildlife habitat and management within the existing resort and the future expansion of the resort areas including areas in Wasatch County. This letter provides a preliminary professional opinion of the potential impacts to the native wildlife community that could result from that portion of the expansion project located within Summit County (Lift #7). I have not had an opportunity to visit the site due to winter conditions so this assessment is based on a desktop review of available information and my best professional judgement and opinion. As the plans for the expansion within Wasatch County have already been approved, and construction is underway, I am not assessing that area. This preliminary desktop assessment is focused only on the Lift #7, Summit County Site, hereafter referred to as the project area.

The documents I have reviewed as part of this preliminary assessment include;

Deer Valley Expansion, Park Peak Chair Lift 7, Engineering Plan Set Prepared by Alliance Engineering, February 28, 2024 (Cover Sheet and 10 pages).

Alliance Engineering, Chapter 9, Wildlife Habitat Areas, Sensitive Land Overlay Zone, Ordinance Provisions, Pages 22-30.

Flagstaff Mountain Resort, Wildlife Management Plan, May 2001, Revised and Approved December 2001, SWCA Inc. Environmental Consultants (22 pages plus Appendices).

DISCUSSION

The project area is mapped by the State of Utah, Division of Wildlife Resources as "Crucial Habitat" (either year-round or seasonally), for several species of mammals and birds including Black Bear, Dusky Grouse, Ruffed Grouse, Moose, Mule Deer, Rocky Mountain Elk, White Tailed Jackrabbit, and Snowshoe Hare. This mapping and habitat designation is done by the State of Utah, Department of Natural Resources, and is

performed at a broad level for project planning purposes. This region (Park City, Kamas, Heber areas) of Utah is experiencing high growth and development and a significant increase in human population and infrastructure has taken place since the time of the 2001 Flagstaff Mountain Wildlife Management Plan was prepared. These cumulative human development impacts within the region are generally detrimental to the wildlife species and populations listed above, with some species being less tolerant of disturbance than others. An assessment of the regional cumulative impacts of development are not part of our assessment. Large highways in particular are well known for creating habitat fragmentation, blocking migration corridors, and contributing to high mortality for many species due to vehicle collisions. These surrounding impacts to wildlife are happening now and are likely to continue into the future, with or without this project, so we do not feel that it is appropriate to attempt to address those impacts in this letter. Our assessment includes the project related construction and human use impacts associated with the project area only.

We are providing a brief description of the habitat requirements for each of the species listed in the State of Utah Crucial Habitat designation. Each species includes a very brief description of the potential for impacts to that particular species by this project within the project area. The description also includes possible mitigation measures that could help to minimize impacts. It is important to note that many other wildlife species are utilizing the project area beyond the list designated by the State. These other species are also important, and as part of our assessment we are recommending that Deer Valley hire a qualified biologist or consulting group to conduct an assessment of use for those species to help minimize and mitigate impacts to those species as well. Impacts to these other species are not addressed in this preliminary desktop assessment letter. The assessment for those species as well as additional habitat suitability studies will need to be done during the growing season without snow cover.

The State of Utah has designated the following species as having some level of Crucial Habitat within the project area.

American Black Bear (*Ursus americanus*)

Black Bears are known to occur within the general region of the project area. It is unlikely that Black Bears would utilize the project area during the winter months when the ski lift would be operational and skiers would be present. According to the Utah Division of Wildlife Resources the black bears within Utah typically enter their dens for denning in November and spend the next six months (through approximately March) in a deep sleep or torpor (not true hibernation) without eating, drinking, or eliminating waste (*UDWR 2024*). This period of torpor would overlap the Deer Valley ski season and would not result in any interaction between skiers and black bears even if a bear were denning in the project area. Mr. Garrett Lang indicated that in his 13 seasons as the Director of Mountain Operations at the Deer Valley Resort, he has not seen or been made aware of any sightings of black bears within the Deer Valley Resort (*Lang Personal Communication 2024*). If a Black Bear den were established within the project area in the future, it would likely be located in some type of cave, rock overhang or crevasse, or a hole in the ground or within a large log or stump within a forested area. If that were to occur Deer Valley could commit to closing this area and a buffer around it, off to human access to leave the den undisturbed. It is possibly that black bears do utilize the forested and more remote areas within the resort during the time that are not in winter dens, April – October. Most likely any Black Bears within the project area would be utilizing it as a movement or migration corridor to more remote areas. Other mitigation measures during those seasons could include closing trails off in areas where Black Bears are observed and limiting the

clearing of trees, woody shrubs, and riparian areas to the greatest extent possible. Further mitigation and management considerations can be refined after a site visit and habitat evaluation are done following snow melt.

Ruffed Grouse (*Bonasa umbellus*) and Dusky Grouse (*Dendragapus obscurus*)

These two species of Grouse are common in Utah's mountain habitats and are together often referred to as Forest Grouse. The habitat for these species consists of forested aspen and conifer habitats, shrublands, especially those with fruit or berry producing shrubs, riparian areas adjacent to stream beds, and transitional areas between fields and forests (*USU 2024*). These Grouse species likely inhabit the forestlands, shrublands, and shrubby riparian habitats within the Deer Valley Resort, including the project area. These Grouse species would primarily utilize the coniferous forest and aspen habitats. Within the project area, impacts to these species can be mitigated through management practices, such as avoiding impacts to existing forest and shrubland habitats to the maximum extent possible. If impacts are necessary for construction, then clearing should not be done during the nesting season, April – August if possible. If land clearing must be done during that time a nest clearance for grouse should be performed prior to the work. If possible some areas of fruit or berry producing shrubs should be left intact within the forest habitats to provide fall and winter food for the grouse.

A nest clearance for all migratory birds should also be performed if land clearing is required during the nesting season. Migratory birds are protected under the Migratory Bird Treaty Act of 1918, a federal law. Mr. Garrett Lang indicated that grouse are sometimes sighted on the Deer Valley property (*Lang Personal Communication 2024*). An assumption can be made that forest grouse do occupy the forest and woody shrub habitats within the project area and a more detailed assessment with specific impact minimization and mitigation measures can be provided after a site visit and habitat assessment following snow melt. Grouse do commonly live in other developed ski resorts in Utah.

Moose (*Alces alces*)

Moose in northern Utah are found primarily within forest habitats, especially those areas with streams, lakes, and wetlands (*UDWR 2017*). The project area does not appear to contain streams; however, the aspen grove habitat and any shrubby areas could provide seasonal habitat for moose. Mr. Garrett Lang has indicated that moose have been seen in the past on the Deer Valley property; however, he is not aware of any calving that has taken place (*Lang Personal Communication 2024*). As with the forest grouse; the clearing of aspen or woody shrub type habitat should be limited if possible to mitigate the overall impacts to any potential moose habitat. The construction and operation of lift 7 is unlikely to contribute to significant disruptions of moose populations within the region. The surrounding areas within Wasatch County and Park City are experiencing significant growth and any moose utilizing the Deer Valley area are likely habituated to human activity. An update to the wildlife management plan in the area should allow for moose to utilize the project area in the summer by signage and warnings to hikers and bikers advising of moose activity. If adult cow moose with calves are utilizing the project area then a buffer zone around those animals should be blocked from human activity including closing trails and preventing hiking and biking until the animals are no longer in the area. Adult cow moose with young are very protective and can be extremely dangerous to humans. It is also possible that moose could cross through the ski area in the winter when migrating between winter feeding habitats around rivers, streams, lakes, wetlands, or large blocks of aspen forestland. The moose are able to navigate deep winter snow because they have very long legs and are adapted to traveling in deep snow. Any moose migrating across the

ski slopes within the project area during the winter would not be blocked by any fences or structures and would likely continue moving through in a natural fashion. Additional and more refined recommendations can be made for minimization and mitigation measures for moose can be made following the snowmelt when a site visit and habitat assessment can be done. Moose are known to inhabit and migrate through other ski resort areas within Utah.

Mule Deer (*Odocoileus hemionus)*

Mule deer are somewhat common within the Deer Valley Resort, the project area, and the surrounding region of Summit and Wasatch Counties. Mule deer will utilize many different types of habitats including open fields, forests, riparian areas, and developed neighborhoods (*UDWR 2019*). The primary conflict with humans and Mule Deer results from vehicle collisions on the highway, and high numbers of deer are killed by vehicles each year. The project area will continue to provide spring, summer, and fall habitat for Mule Deer. Deer would not likely utilize the project area during the winter ski season due to deep snow. Any south or west facing slopes that experience mid-winter snow melt could be utilized by Mule Deer for extended periods during the winter. At this time, I am not aware of any slopes that would meet those criteria. Part of an impact minimization or mitigation plan could include blocking off any areas where Mule Deer are giving birth to and raising fawns within the project area. These areas would likely have cover for the fawns such as aspen forests or shrublands. Hiking and biking in those areas could be restricted if fawns were observed to prevent disturbance to the deer. Further impact minimization and mitigation recommendations can be made following snowmelt when a site visit and habitat assessment can be done.

Rocky Mountain Elk (*Cervus elaphus*)

Elk in Utah will utilize a variety of habitat types, however, they generally spend their summers at high elevations in aspen conifer forests and spend the winter months at mid to low-elevation habitats that contain mountain shrub and sagebrush communities (*UDWR 2022*). Mr. Lang has indicated that as recently as last September and October he had seen upwards of 20 Elk utilizing snow free south and west facing slopes within the Deer Valley Resort (*Lang Personal Communication 2024*). This indicates that the project area is likely habitat for Elk at least on a seasonal basis, or it is used for migration purposes. It is unlikely that Elk would utilize the deep snow winter habitats during the ski season, meaning that interactions with skiers are unlikely. It is likely and probable that Elk will utilize the project area during the spring, summer, and fall seasons. One way to minimize and mitigate impacts to Elk would be to limit disturbance of the aspen forest habitat as much as possible. If Elk with calves are observed or if large herds of Elk are utilizing a particular part of the project area, then that area could be closed off to human activity such as hiking and biking until those animals were no longer present. A more detailed assessment and recommendations can be made following snow melt when a site visit can be conducted.

White Tailed Jackrabbit (*Lepus townsendii*)

The White-Tailed Jackrabbit is found throughout Utah with the exception of the southeastern corner and west desert. Habitat consists of open, grassy, or sagebrush plains. Jackrabbits are for the most part nocturnal and they eat primarily grasses in the spring, summer, and fall, and in the winter they feed mainly on buds and bark (UDWR 2018). It is possible that Jackrabbits are living within the project area, however, they would most likely be found in more open areas with sagebrush communities. A more detailed assessment of the potential

habitat suitability will need to be performed; however, at this time and with the information available, it is unlikely that the project area supports a significant population of White Tailed Jackrabbits due to lack of appropriate habitat, and the construction of this project is unlikely to significantly effect this species.

Snowshoe Hare (*Lepus americanus*)

Snowshoe Hare habitat is typically coniferous forests and aspen, alder, and willow thickets of the higher mountains (UDWR 2018). Hares are for the most part nocturnal and they sit in cover during the day. In the summer hares feed on grasses and other green vegetation and in the winter they feed on buds, bark and twigs. Mr. Lang has indicated that Snowshoe Hares do utilize the project area (*Lang Personal Communication 2024*). Snowshoe Hares commonly occur within Utah ski resorts and since they are nocturnal, for the most part they are able to coexist with this recreational land use. We can make further recommendations for impact minimization and mitigation after snowmelt and site visit is conducted. One simple way to minimize disturbance to Snowshoe Hare habitat is to protect forest habitat to the greatest extent possible.

SUMMARY CONCLUSION AND RECOMMENDATIONS

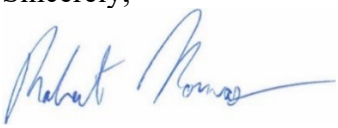
After our summary review of the best available information, the project area is likely supporting a year-round population of Forest Grouse (Ruffed Grouse and Dusky Grouse) and Snowshoe Hare. It is possible that the project area is providing seasonal habitat in the spring, summer, and fall for Mule Deer. The project area could be providing a role as a migration corridor for Moose and to a lesser extent but possible, Black Bear. Rocky Mountain Elk may utilize the project area for seasonal habitat in the fall and during migration. The project area could be providing habitat for White Tailed Jackrabbits; however, based on our understanding of the habitat conditions present we fell that is unlikely.

The State of Utah broad regional mapping indicates that the project area falls within a Crucial Habitat designation for all of the species listed above. This habitat mapping has been done at a broad regional scale and it may not take into account the rapid development of the surrounding region that has taken place in the last several decades. Also, the specific habitat types present within the project area are not part of the large scale regional wildlife mapping. The project area does provide habitat for some of the species; however, the majority of the species would not be utilizing the project area during the winter ski season. Assuming that Deer Valley Resorts conducts additional onsite habitat investigations, and utilizes appropriate impact minimization and mitigation measures, the project should be able to be constructed and to operate without a significant effect on the populations of these species within Utah. The species listed can coexist within a recreational use site with winter skiing and summer hiking and biking as long as proper mitigation and management measures are utilized. This assessment is preliminary and based on our understanding of the project and the project area. This assessment provides our best professional judgement and would provide the basis for further field work assessments of habitat suitability during the spring, summer, and fall of 2024. We also recommend that all bird species that will be protected under the Migratory Bird Treaty Act of 1918 be taken into account during the planning and construction of the project. These species are not listed in the initial study of the project area; however, they are important aspects of the present existing habitat.

Please feel free to contact me with any questions or comments you may have. I can be reached by phone at the office (435) 752-4202, by mobile phone (435) 890-9311, or by e-mail at bthomas@bio-west.com. We look

forward to further assisting you with this project and helping to protect the valuable natural resources of the Deer Valley Resort property.

Sincerely,



Robert W. Thomas
Biologist/ Environmental Project Manager

References:

Lang Personal Communication 2024.
Telephone Conversation with Mr. Garrett Lang, Director of Operations for Deer Valley Resort. Robert Thomas via telephone, April 30, 2024.

UDWR 2017
Utah Division of Wildlife Resources, Department of Natural Resources. Utah Moose, Statewide Management Plan. https://wildlife.utah.gov/pdf/bg/moose_plan.pdf

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UDWR 2022
Utah Division of Wildlife Resources, Department of Natural Resources. Utah Statewide Elk Management Plan 2022-2032. https://wildlife.utah.gov/pdf/bg/elk_plan.pdf

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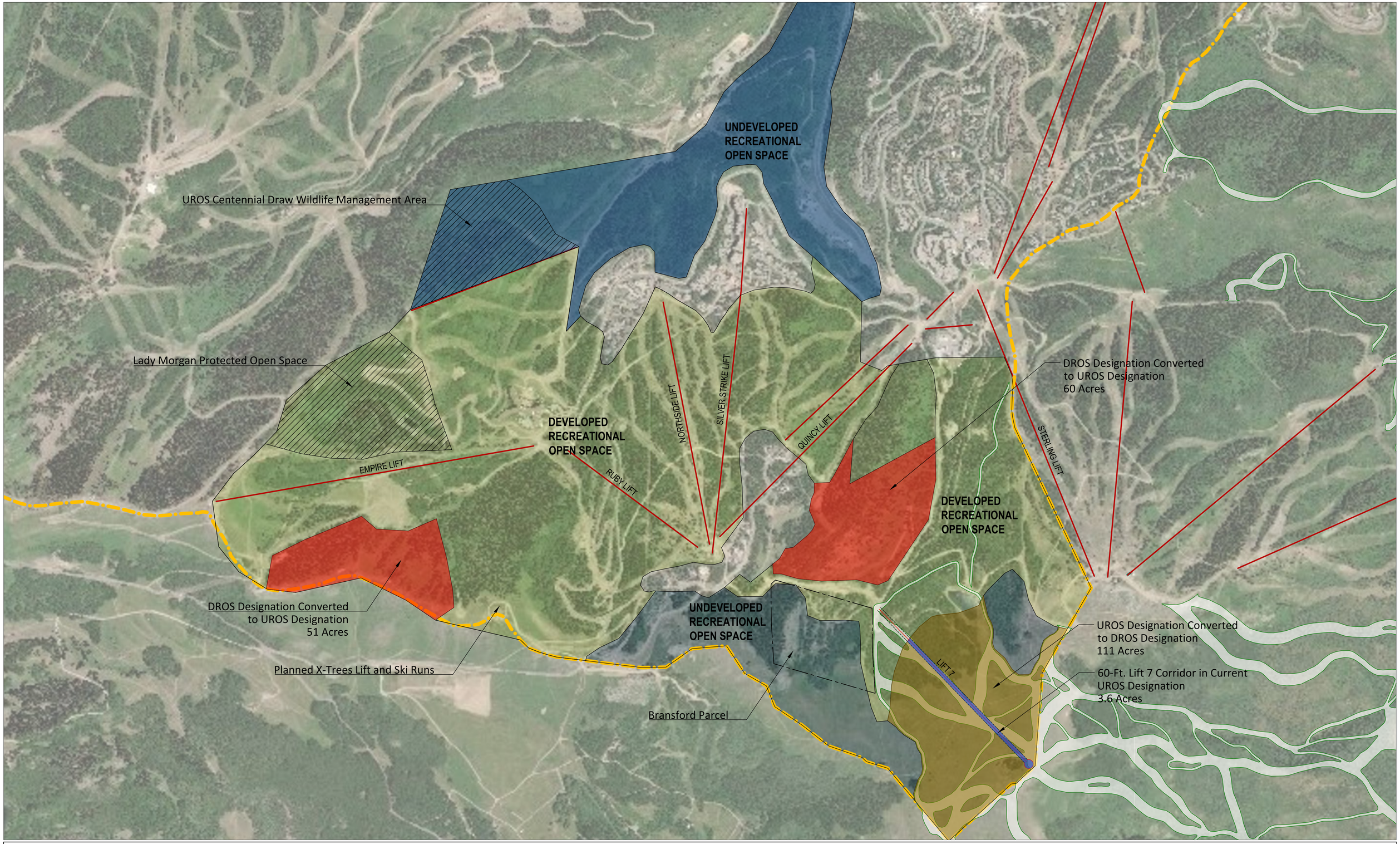
State of Utah Natural Resources, Division of Wildlife Resources, Wildlife Notebook Series No. 1 written and

USU 2024
Utah State University Extension, Forest Grouse in the Fall. Chuck Carpenter III, Skyler Farnsworth, and David Dahlgren. https://wildlife.utah.gov/pdf/upland/forest_grouse_in_the_fall.pdf



DEER VALLEY®

SUMMIT COUNTY OPEN SPACE
MAP
April 2024

SE GROUP

0 300 600 1200 Feet

Hannah,
As you know, SE Group designed the ski run and lift layout for the Lift 7 application. This email is to confirm that our run, cueing, and lift designs comply with all applicable ski industry standards related to skier safety. If there are specific questions from you or the planning commission, please let us know.
Thank you,

Chris Cushing
Principal, Mountain Planning
801.231.7089

SE GROUP
UTAH | VERMONT | COLORADO

ecosign
MOUNTAIN RESORT PLANNERS
Whistler BC Canada • (604)932-5976 • www.ecosign.com

April 24, 2024

ERIC MANN
VP of Operations, Mountains
Alterra Mountain Company
Via Email: emann@alterramtnco.com

RE: Deer Valley Expansion / Lift 7 Pod Evaluation

Dear Eric,

At your request, Ecosign has undertaken a high-level review of the proposed "Lift 7" development proposal at Deer Valley Resort, referred to as the regular agenda item "6.D 2250 Deer Valley Drive South- Conditional Use Permit" application from the Park City Planning Commission meeting of April 10th, 2024. Primary reference materials used for our review include the "Deer Valley Lift 7 CUP_03.11.24.pdf" document you provided and a review of the public recording of Deer Valley's presentation to the Park City Planning Commission on April 10th.

Terrain Acceptability

Ecosign uses the following slope gradients, measured over the steepest 100ft of vertical, to classify ski runs which are generally between 100-200 feet wide.

8-20%	Beginner (green circle)
20-30%	Novice (green circle)
30-40%	Low Intermediate (blue square)
40-45%	Intermediate (blue square)
45-50%	High Intermediate (blue square)
50-65%	Advanced (Black Diamond)
65%+	Expert (Double Black Diamond)

Using these general slope gradients, the majority of proposed ski trails are Novice (green circle) and Low Intermediate (blue square). We agree with Deer Valley's observation that this is high-quality return-cycle ski terrain which is somewhat underserved at the existing Deer Valley resort, as the majority of existing green

circle routes are narrow skiways or “cat tracks”. Ecosign is confident that the proposed Lift 7 terrain will be very popular with Deer Valley clientele, and that the proposed development is complementary to and fills a needed gap in the resort’s current offering of easy, lower skill ski terrain.

Capacity Review

Lift 7 is proposed as a high-speed six passenger chairlift with a protective “bubble”, with a design capacity of 3000 people per hour (pph) at the design drive speed of 984 feet per minute. Typical industry practice is to operate chairlifts at 80% of design speed, resulting in a typical operating capacity of 2,400 pph. In addition, six passenger chairlifts typically operate at a maximum of 80% loading efficiency- meaning that not all seats are occupied, and one or two lift stops per hour is typical- resulting in an expected actual delivery of approximately 1,920 skiers per hour. As Lift 7 will also be used as a transport / staging lift for skiers to access other regions of the resort, if we assume that 10% of riders use Lift 7 to access other regions of the resort, approximately 1,730 pph of skiers will be supplied for return-cycle skiing within the Lift 7 ski pod.

The proposed ski trail network serviced by Lift 7 contains a number of different ski trails of varying lengths- approximately four of the routes are continuous “top to bottom”. Without doing detailed calculations, a general rule of thumb is to provide a ski trail flow of between 600 to 800 pph per fall-line ski trail to provide a comfortable, uncrowded ski experience. Dividing the delivered 1,730 pph of skiers by four main ski trails results in an average ski flow of 433 skiers per hour per trail, which aligns with the high-quality / uncrowded ski experience valued by Deer Valley guests.

Skiway trails, which are defined as narrow ski routes with slope gradients of 15% and less can manage significantly higher skier traffic volume because it is not essential for skiers to make turns to control their speed. Skiway flows in excess of 3000 pph are possible if the skiway is designed and maintained (groomed) regularly- i.e. a minimum of 25 foot wide when slope gradients are between 8-12% and a minimum of 50 feet wide with slope gradients between 12-15%.

The Deer Valley proposed trail development features two collector skiways which provide access to Lift 7. The northern skiway is proposed to be 30 feet wide with a slope gradient of 8%, while the southern skiway is proposed as 50 feet wide with a 15% slope gradient.

Ecosign is therefore confident that both proposed skiways provide sufficient skier capacity and safety in accordance with ski industry norms. As noted in the Park City Staff Report, the proposed skiways and all development complies with ROS Zoning District Lot and Site requirements.

We also note that the ski experience on the proposed 50 foot wide skiway collector between the elevations of 8800-8700 ft will be a significantly better ski experience than the existing ski experience on the adjacent existing Ontario ski run, which for example- between the elevations of 8450-8500 feet has an average slope gradient of 18% and is 35 feet wide.

In summary, Ecosign is supportive of Deer Valley's proposed Lift 7 and associated ski trail development as proposed in their application.

Respectively submitted

Eric Callender
Vice President
Ecosign Mountain Resort Planners

ALTERRA
MTN CO

May 3rd, 2024

Park City Planning Commission
Park City Corporation
445 Marsac Ave.
Park City, UT 84060

Re: PL-23-05398 Deer Valley Lift 7 – Lift Crossings

Dear Planning Commission,

During my 20+ years in the ski industry, I have worked predominantly as an engineer and as Director of Engineering for Doppelmayr in Salt Lake City. I am now the Director of Lift Engineering for Alterra Mountain Company. In my role, I am responsible for ensuring the safe transport of passengers on Alterra's full portfolio of aerial ropeways (Ski lifts, Gondolas, Tramways, etc).

During the Planning Commission meeting from April 24th, 2024, additional information was requested regarding the viability of a gondola crossing lift 7. Specifically, whether placing lift 7 in its proposed alignment will preclude the proposed gondola from Snow Park to Park Peak from being realized.

There are many instances where lifts cross each other in this country, the Alterra Mountain Company portfolio and even one instance in the State of Utah at Snowbasin. Lift crossings are routine worldwide and well defined in the ANSI B77.1-2022 national standard for ropeways and their designs are carefully reviewed by manufacturers at the time of design, construction, testing, and maintenance intervals.

The proposed Silver Lake Gondola design will incorporate the ANSI standard design considerations and be governed by the Utah Passenger Ropeway Safety Committee in the following aspects:

1. Vertical and horizontal clearances with regards to the other lift under all loading conditions.
2. Control system integration to prevent a lift cable from de-roping and in the event a de-ropement does occur, both lifts would stop immediately.
3. Operational reliability to ensure both systems can operate in harsh winter environments including wind, driving rain, snow and sleet, etc.
4. Evacuation modes and procedures to ensure safe and timely evacuation of both ropeways.

Through thoughtful and sophisticated design and engineering and ANSI B77.1 compliance, lifts have been designed and constructed to cross each other for decades now and have demonstrated an excellent history of safety and operational availability. Enforcement of the ANSI standard by the State of Utah ensures that all lifts are safe for public transportation. Deer Valley and Alterra Mountain Company are confident that both proposed ropeways can operate and comply with regulatory requirements and ski industry norms in their proposed alignments.

Best Regards,

Steven J. Kirner, P.E.
Lift Engineering Director
Utah Ropeway Qualified Engineer
Alterra Mountain Company

Planning Commission
Staff Report

Subject: **Bonanza Park Small Area Plan**
Application: **PL-24-06026**
Author: **Rebecca Ward, Planning Director**
Date: **May 22, 2024**
Type of Item: **Legislative**

Recommendation
(I) Review the draft Bonanza Park Small Area Plan (Exhibit A), (II) open a public hearing; and (III) continue the discussion and public hearing to June 12, 2024.

Description
Applicant:	Planning Department
Reason for Review:	The Planning Commission conducts a public hearing and forwards a recommendation to the City Council for adoption of modifications to the General Plan.[1]

LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary
Bonanza Park was the City's northern entry corridor until the 1970s, when the area began to transform from agricultural and industrial rail uses to uses that supported the developing resort community. In the 1970s, the first few developments—a mortuary, a lumber yard, a restaurant, and a grocery store—advertised the advantage of their location on the outskirts of town – no traffic and plenty of parking. However, as the City's boundary expanded over the decades, Bonanza Park eventually became the City's geographic core and the City's key intersections—Kearns Boulevard and Park Avenue, Bonanza Drive and Park Avenue, Deer Valley Drive and Park Avenue, and Bonanza Drive and Deer Valley Drive—intersect this central neighborhood. As a result, the neighborhood is impacted by not only local traffic, but traffic passing through.

Long-range planning initiatives for the Bonanza Park neighborhood started in 2010, but ultimately, in 2015, were discontinued. Since that time, much has changed. The City purchased the five-acre site at the southwest corner of Kearns Boulevard and Bonanza Park (formerly the Arts + Culture District), the Planning Commission approved the EngineHouse Affordable Master Planned Development—the City's first ever public-private partnership in the development of affordable units—in the center of the neighborhood with 99 affordable and 24 market-rate units, and many property owners

[1] Utah Code Section 10-9a-404

have applied to redevelop their sites, including:

- 1800 Park Avenue, Park and Kearns Master Planned Development
- 1100-1255 Iron Horse Drive, Iron Horse Master Planned Development
- 1555 Lower Iron Horse Loop, Deer Valley's Ski Rail Affordable Master Planned Development

Now is the time to solidify the community vision for the future of this local neighborhood through the Bonanza Park Small Area Plan so that the Planning Commission can then begin the important work of implementing the vision for the built environment through Land Management Code amendments. The Bonanza Park Small Area Plan is a high-level guiding document. For the document to have any impact on future development, it must be codified.

On March 2, 2023, the City Council approved a contract with MKSK and subconsultants Fehr & Peers and Future IQ to complete the Bonanza Park Small Area Plan (Consent Agenda). The planning process included substantial community engagement, as well as work sessions with the Planning Commission and City Council:

- July 19, 2023 Community Meeting I
- July 19, 2023 Survey I Issued (Phase I Survey Data)
- August 29, 2023 City Council Work Session (Agenda; Minutes, p. 1)
- October 18, 2023 Neighborhood Tour
- October 18, 2023 Community Meeting II (Presentation)
- October 18, 2023 Survey II Issued (Phase II Engagement Summary; Phase II Survey Data)
- January 10, 2024 Planning Commission Work Session (Agenda; Minutes, p. 29)
- January 11, 2024 City Council Work Session (Agenda; Minutes, p. 3)
- April 9, 2024 Community Meeting III (Phase III Engagement Summary)

Executive and Planning team members conducted additional community outreach, including the Senior Center, Historic Park City Alliance, the lodging and restaurant associations, the Prospector Square Property Owners Association, the Chamber, Park City High School students, young families, and community members who speak Spanish.

The Mayor selected an advisory group, representing a broad spectrum of residents, advocates, employers, partners, property owners, and key stakeholders, to meet four

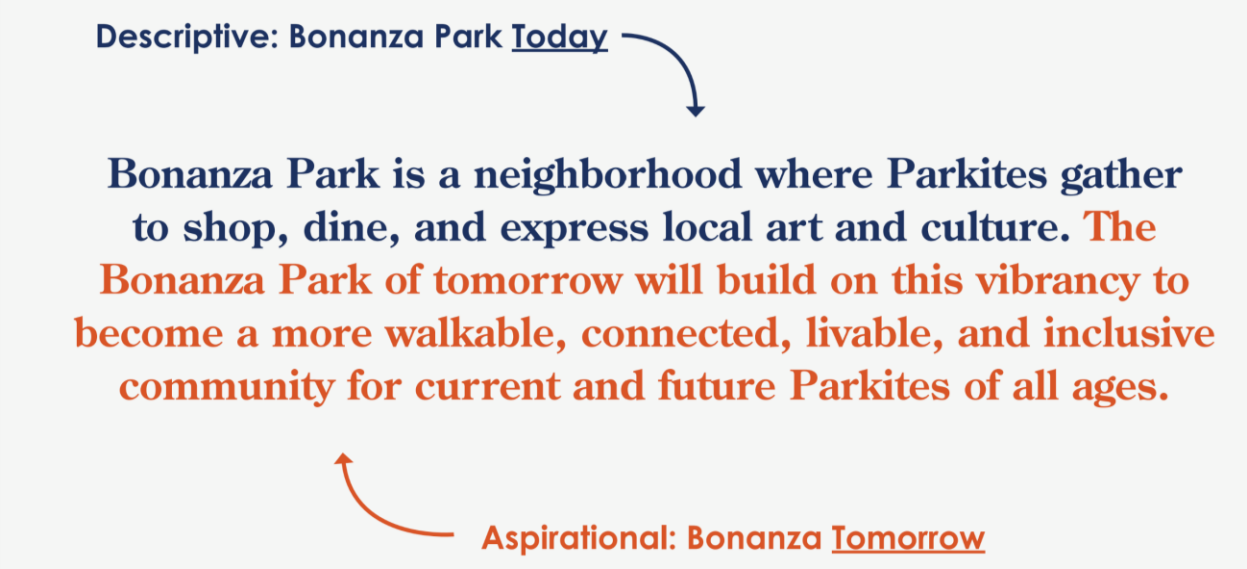
times throughout the process to support and augment the community engagement process, to provide feedback, and to serve in a partner in the implementation of the plan's concepts and recommendations. The 13-member advisory group includes:

- Seth Adams
- Veronica Monroy Alvaro
- John Burdick
- Craig Dennis
- Mark J Fischer
- Elyse Kats
- Casey Metzger
- Angela Moschetta
- Deborah Rentfrow
- Brian Richards
- Joel Shine
- Teri Whitney
- Charlie or Mary Wintzer

The draft Bonanza Park Small Area Plan incorporates extensive community, advisory group, Planning Commission, and City Council input. Staff requests the Planning Commission thoroughly review the draft Bonanza Park Small Area Plan and provide detailed input. The plan will be updated for the Planning Commission's June 12, 2024 review and public hearing for a potential recommendation to the City Council.

Analysis

The community description of what Bonanza Park is today and what it can become is captured in the Bonanza Park Vision Statement:



The draft Small Area Plan is centered around six goals to make this vision a reality:

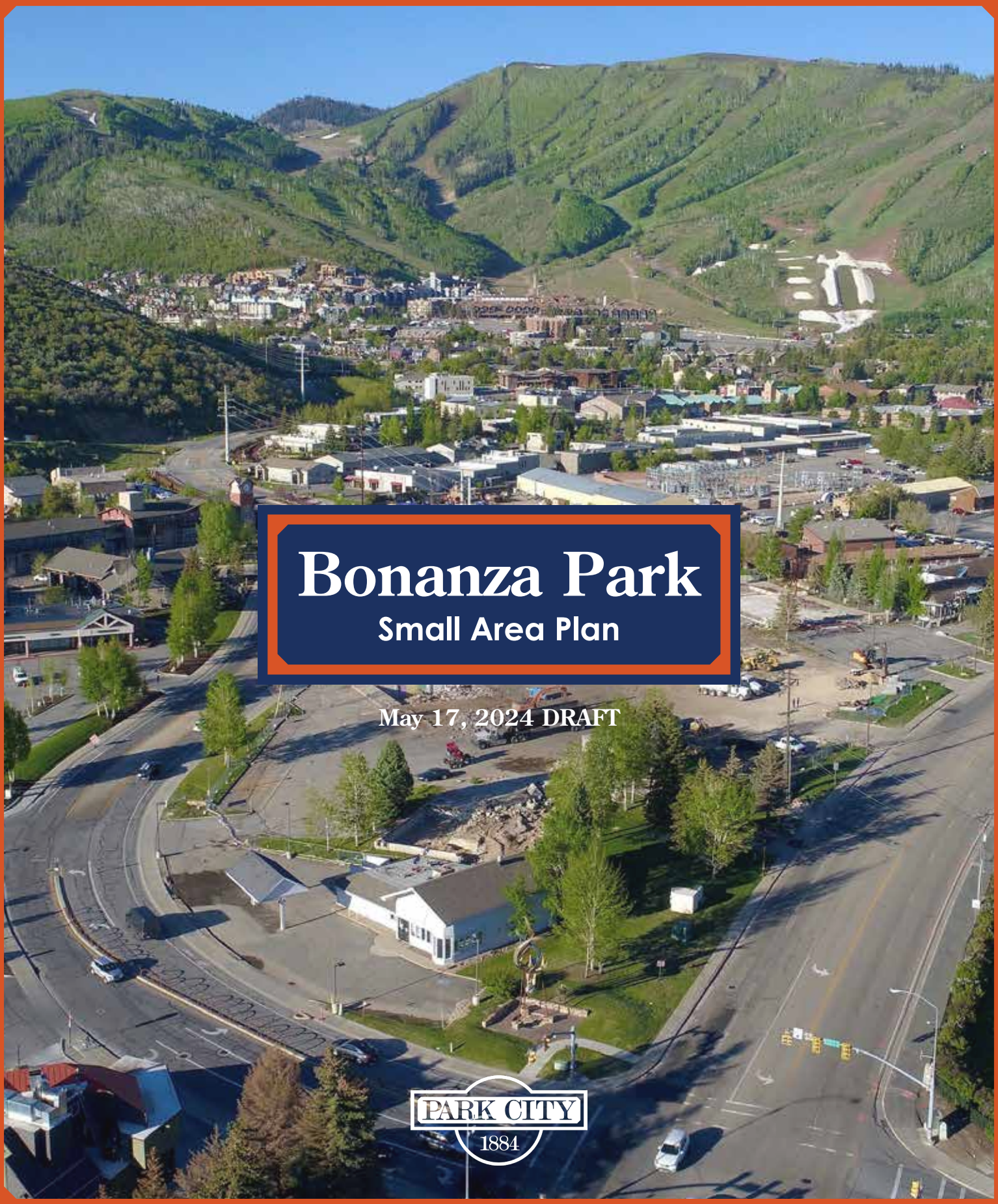
The draft Small Area Plan outlines the recommendations to implement the six goals. The consultants will walk through the draft with the Commission for input and direction.

Department Review

The Planning Department, Executive Department, and City Attorney's Office reviewed this report.

Exhibits

Exhibit A: Bonanza Park Small Area Plan
Attachment 1: Mobility Component



Bonanza Park

Small Area Plan

May 17, 2024 DRAFT

PARK CITY
1884

MKSK FEHR & PEERS future→iQ

Bonanza Park
Small Area Plan

This vision for Bonanza Park represents thousands of ideas, comments, and conversations we conducted through this process. We thank Parkites for their passion and engagement.

City Council

Nann Worel, Mayor & Liaison
Bill Ciraco
Ryan Dickey
Ed Parigian
Jeremy Rubell, Liaison
Tana Toly

Planning Commission

Christin Van Dine
John Frontero
Sarah Hall, Chair
Bill Johnson, Liaison
Rick Shand
Henry Sigg
Laura Suesser

Advisory Group

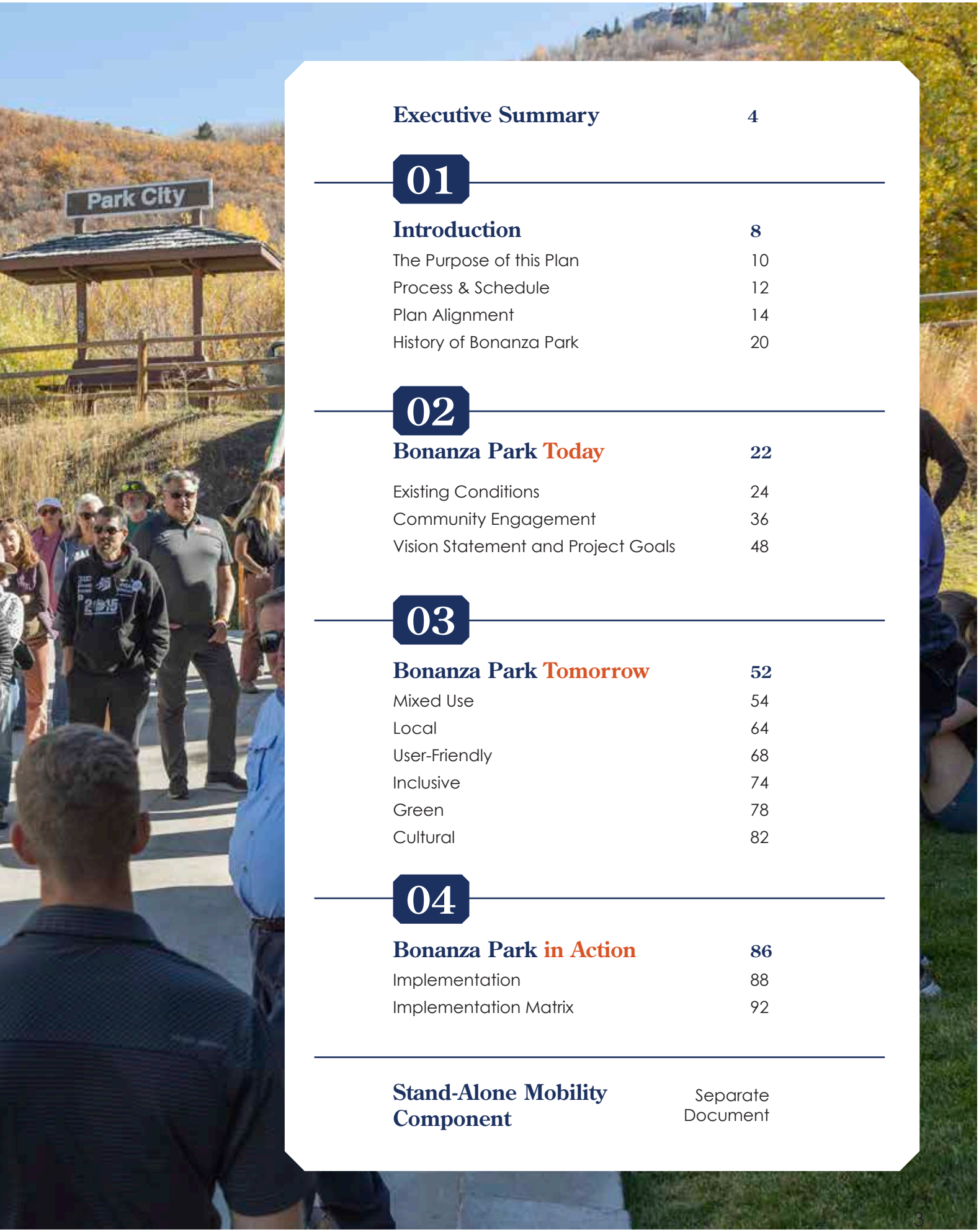
Seth Adams
Veronica Monroy Alvaro
John Burdick
Craig Dennis
Mark Fischer
Elyse Kats
Casey Metzger
Angela Moschetta
Deborah Rentfrow
Brian Richards
Joel Shine
Teri Whitney
Mary Wintzer

Project Leadership

Mayor Nann Worel
Rebecca Ward, Planning Director
Jennifer McGrath, Deputy City Manager

Consultant Team

MKSK
Fehr & Peers
Future IQ



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Stand-Alone Mobility Component Separate Document

Executive Summary

Mixed Use | Local | User-Friendly | Inclusive | Green | Cultural

A community-driven vision for Bonanza Park

The Bonanza Park Small Area Plan is a long-term vision that builds on the area's rich history and its meaningful place in the community.

With community engagement at its core, this plan re-imagines Bonanza Park as a more walkable, mixed-use, and livable community that continues to serve and be home to Parkites of all ages, incomes, and backgrounds. With a vision statement, six project goals, and 19 recommendations, this plan will guide public and private investment in Bonanza Park for the next ten years.

More than 1,500 Park City voices helped shape the ideas and concepts in this plan. The planning process included three community meetings, two online surveys, 12 stakeholder roundtables, a project website with interactive features, and additional in-person engagement such as walking tours, coffee and pastries events, and meetings with students. The planning process was led by Park City Staff, with multiple touchpoints between the planning team, Planning Commission, and City Council at the culmination of three phases of community engagement. The process was advised by a 14-member Advisory Group including community leaders, business owners, and residents, that met four times through this process at key milestones to provide feedback to the planning team.

The plan's engagement set the foundation for a

1,500+
Park City Voices Engaged

- **3 Community Meetings** (500+ Attendees)
- **2 Online/Paper Surveys** (970 Responses)
- **12 Stakeholder Roundtables** (62 Stakeholders)
- **4 Advisory Group Meetings** (13 Members)
- **Ongoing Project Website**
- **Additional In-Person Engagement**

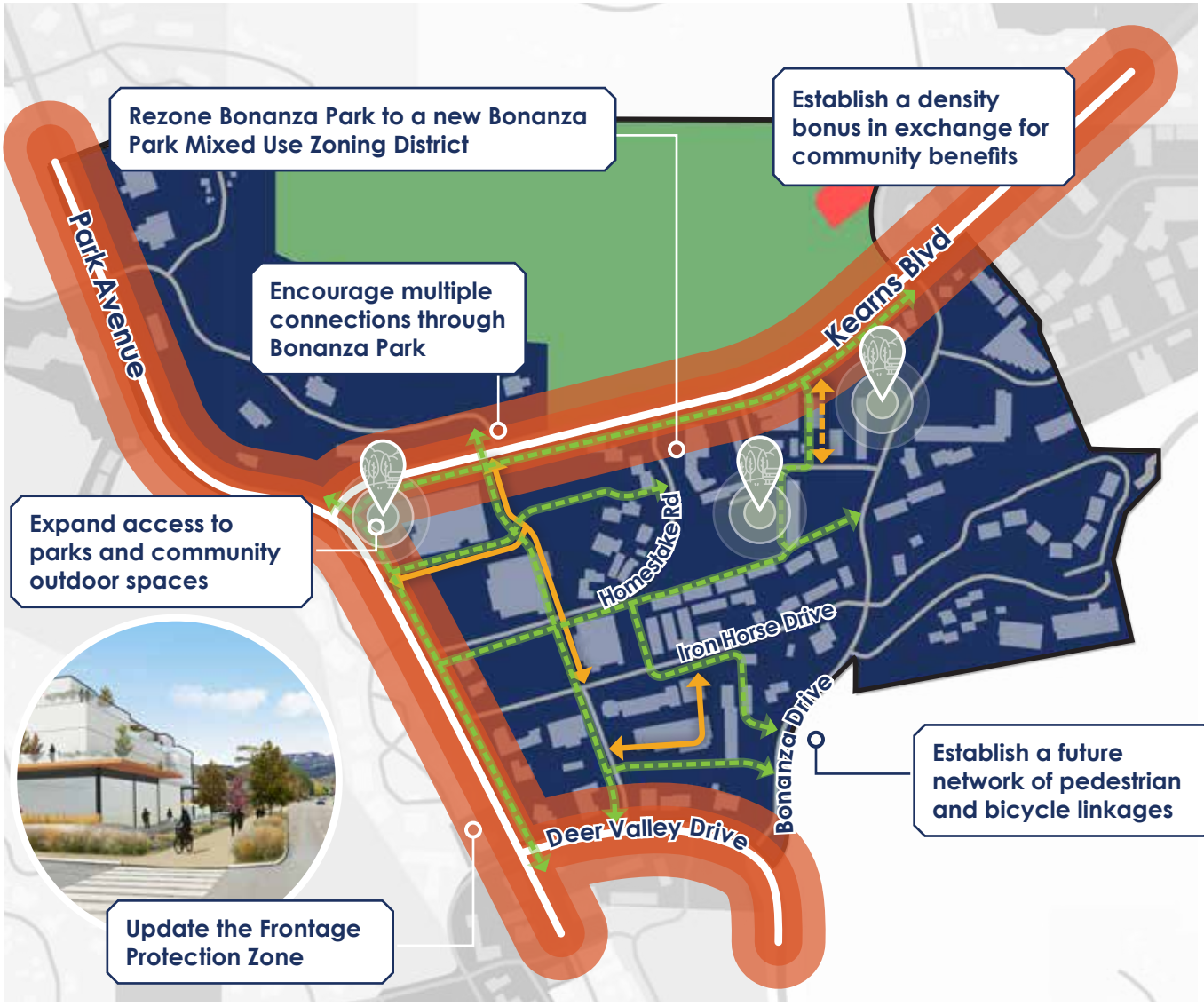
Vision Statement & Project Goals

Bonanza Park is a neighborhood where Parkites gather to shop, dine, and express local art and culture. The Bonanza Park of tomorrow will build on this vibrancy to become a more walkable, connected, livable, and inclusive community for current and future Parkites of all ages.

project vision statement that helped synthesize the community's hopes, needs, and expectations for the future of Bonanza Park. This statement, along with the results from the first phase of engagement, set the framework for the development of six project goals. These goals establish desired outcomes for Bonanza Park that are supported by the community and create the topic areas by which the plan's recommendations are organized. The goals were introduced to the community at the second community meeting, and were revised, refined, and added to following community feedback. The goals, listed below and shown in the accompanying graphic, build on what Parkites described as the future for Bonanza Park:

- **Bonanza Park is Mixed Use:** The Bonanza Park of tomorrow will be a mixed use neighborhood with livability in mind.
- **Bonanza Park is User-Friendly:** The future Bonanza Park will be a safe haven for pedestrians, cyclists, and transit riders.
- **Bonanza Park is Local:** Bonanza Park will continue to be a locals neighborhood that serves Parkites through and through.
- **Bonanza Park is...Inclusive:** Bonanza Park will remain attainable to Park City's workforce.
- **Bonanza Park is Green:** Bonanza Park will add community gathering spaces and new sustainable development.
- **Bonanza Park is Cultural:** Bonanza Park will weave arts and culture into the community fabric.

Key Recommendations



One of the plan's key recommendations, and a major tool in ensuring that Bonanza Park grows into a more vibrant neighborhood, is the creation of a new Bonanza Park Mixed Use Zoning (BPMX) District to replace the current outdated and more commercial- and auto-driven zoning. This future BPMX is an umbrella recommendation that will enable and overlap with many of the concepts and ideas in many of the plan's goals. The BPMX will not only establish a zoning tool that is appropriate for the area's existing conditions, but it will also guide growth and development for key redevelopment sites in Bonanza Park. The BPMX does so by encouraging a mix of uses and providing a path toward increasing building heights to 45-feet through the addition of a density bonus in which developers provide significant community benefit in return for increased density.

Understanding that this additional density, while largely supported by the community, will impact viewsheds in Park City's scenic corridors, the plan also recommends updating the Frontage Protection Zone (FPZ). Updates to the FPZ will ensure that development along these key corridors will honor Park City's scale and character and will ensure that any increases to allowable building heights with community benefits, are stepped back to protect mountain views.

- Bonanza Park Mixed Use Zoning
- ROS - Recreation Open Space
- Frontage Protection Zone
- Potential Future Connections
- Potential Future Bike/Ped Links
- New park/outdoor space

The plan also has a clear and definitive focus on improvements to the public realm to support this additional density and create an environment in which Parkites can safely walk, bike, and ride transit. The plan's User-Friendly goal ensures that all streets in Bonanza Park include basic pedestrian facilities, such as sidewalks and marked crossings at intersections, and all current sidewalk gaps identified in this plan are addressed. As well, the plan recommends potential future pedestrian and trail connections within the neighborhood to fix a connectivity gap between the nearby Rail Trail, the McLeod Creek Trail, and Poison Creek Trail.

The plan also includes recommendations to ensure that Bonanza Park remains a "locals' neighborhood," such as policies to limit chain businesses, creating new community gathering spaces, and working with the development community to build more affordable and workforce housing. As the home for the Kimball Art Center, Bonanza Park is also a significant hub for Park City's art scene. Through recommendations in the Cultural goal, this plan builds on this momentum to encourage new public art and placemaking elements throughout the neighborhood.

Combined, these recommendations will facilitate the vision for Bonanza Park and create the community that Parkites desire.

Mixed Use	**Create a mixed use neighborhood with livability in mind**
MU1	Create a Bonanza Park Mixed Use District
MU2	Update the Frontage Protection Zone
MU3	Establish development guidelines for new multifamily and mixed-use buildings
Local	**Support locally-owned business & entrepreneurship**
L1	Limit nightly rentals, hotels, and timeshares
L2	Limit conventional chain businesses
L3	Cap commercial square footage per building
User-Friendly	**Create a safe & intuitive network for pedestrians, cyclists, and transit users**
UF1	Establish a future network of pedestrian and bicycle linkages through Bonanza Park
UF2	When considering development proposals, encourage multiple connections through Bonanza Park
UF3	Leverage future developments to fund and implement mobility improvements
UF4	Create a vibrant pedestrian-oriented neighborhood
Inclusive	**Expand the availability of affordable and workforce housing units**
I1	Work with the development community to build more affordable and workforce housing
I2	Establish bold affordability metrics to guide decision-making
I3	Work with residents and property owners to preserve naturally occurring moderate income housing
I4	Ensure that new housing and public spaces in Bonanza Park follow Universal Design Principles.
Green	**Create a more welcoming and sustainable community**
G1	Ensure that all current and future Bonanza Park residents are within a safe and comfortable 10-minute walk to a park
G2	Provide examples of publicly accessible green spaces or outdoor community spaces
G3	Incentivize sustainable development within Bonanza Park
Cultural	**Weave arts and culture into the community fabric**
C1	Use public art and placemaking elements to inspire, delight, and enliven public spaces and streets in Bonanza Park.
C2	Ensure that public art is meaningfully incorporated into development proposals

01

Introduction

This Chapter Includes:

Plan Purpose

Process & Schedule

Plan Alignment

History of Bonanza Park

The Purpose of this Plan

The Bonanza Park Small Area Plan addresses the planning needs and policy goals of residents, business owners, and stakeholders.

Located just north of Old Town, Bonanza Park is considered by many a "local's" neighborhood. Home to hundreds of residents and businesses, the area is where Parkites come to shop, run errands, recreate, and visit local destinations.

Over the last five years, Bonanza Park and its nearby areas have continued to welcome new visitors and residents. Within its boundary, current and proposed developments will bring in new residential units, restaurants, hotel rooms, and retail.

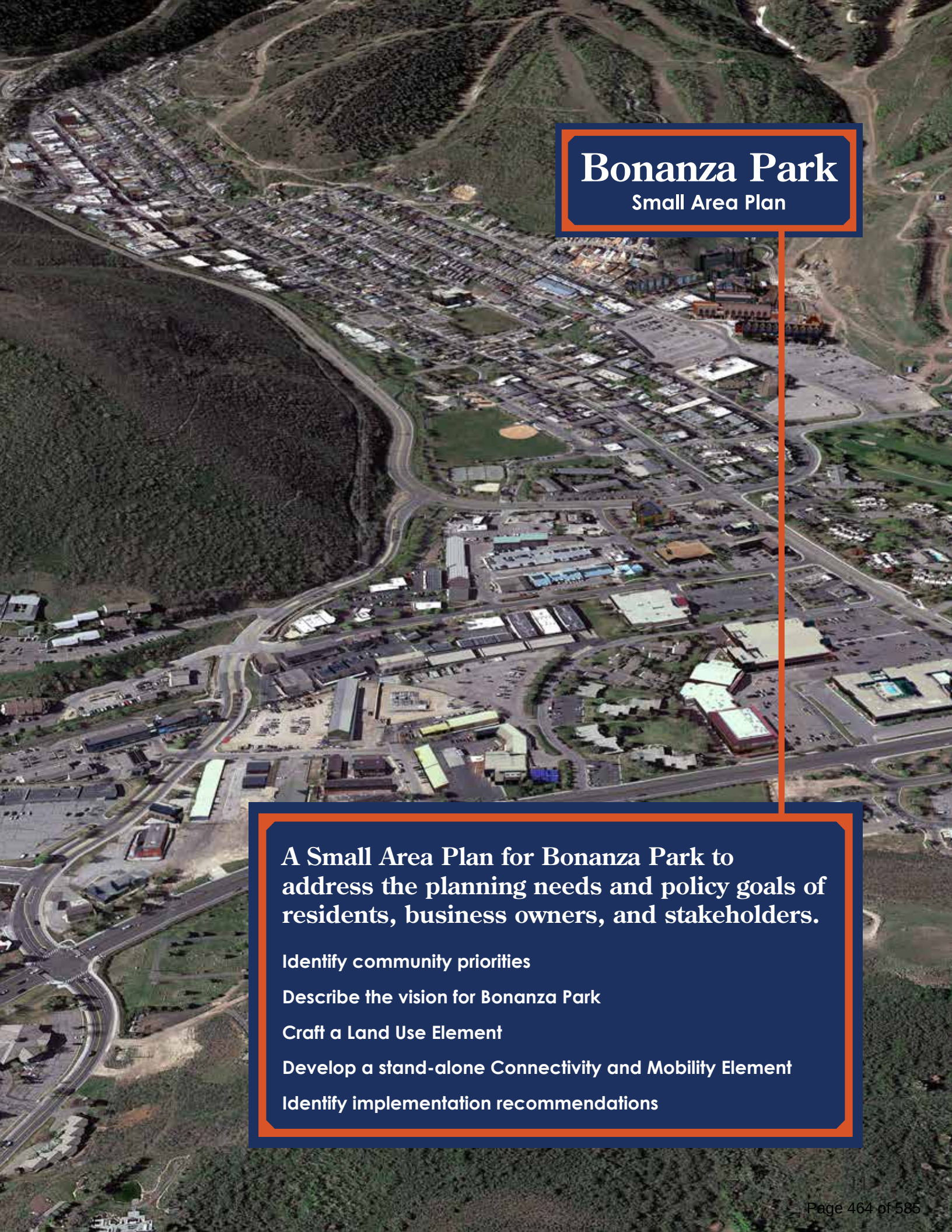
As such, Bonanza Park is at the crux of a transformation. With more redevelopments on the horizon, the neighborhood may experience a significant shift in its character and scale. From a redevelopment of the five acre site at the intersection of Kearns Boulevard and Bonanza Drive, to a potential redevelopment of the DoubleTree Hotel site, the future Bonanza Park and Iron Horse District will likely include hundreds of new residents, businesses, and destinations. **With walkability and livability in mind, the time to plan for the future of Bonanza Park is now.**

This plan is an opportunity to reflect on the past, examine current trends, and chart a future for this expected growth. As redevelopment occurs, this plan sets a vision to align improvements with the needs and expectations of Parkites.

This plan does so by engaging the Park City Community to establish a long term vision for the neighborhood, and outline recommendations that get the community closer to this vision. Through community meetings, online surveys, walking tours, stakeholder roundtables, and one-on-one engagement with community groups, this plan represents the ideas, aspirations, and optimism of more than 1,500 Park City voices engaged through this process.

Their vision for the future of the neighborhood is distilled through a single vision statement for the future of the community, followed by six project goals outlining focus areas. A series of recommendations are introduced under each goal in the third chapter of this document, Bonanza Park Tomorrow.

Together, this vision, the goals, and the recommendations will help steer Bonanza Park toward a more walkable, connected, livable, and inclusive community for current and future Parkites.



Bonanza Park
Small Area Plan

A Small Area Plan for Bonanza Park to address the planning needs and policy goals of residents, business owners, and stakeholders.

- Identify community priorities
- Describe the vision for Bonanza Park
- Craft a Land Use Element
- Develop a stand-alone Connectivity and Mobility Element
- Identify implementation recommendations

Process & Schedule

Launched in May of 2023, the 14-month process was divided into six major project tasks from project kickoff to plan adoption.

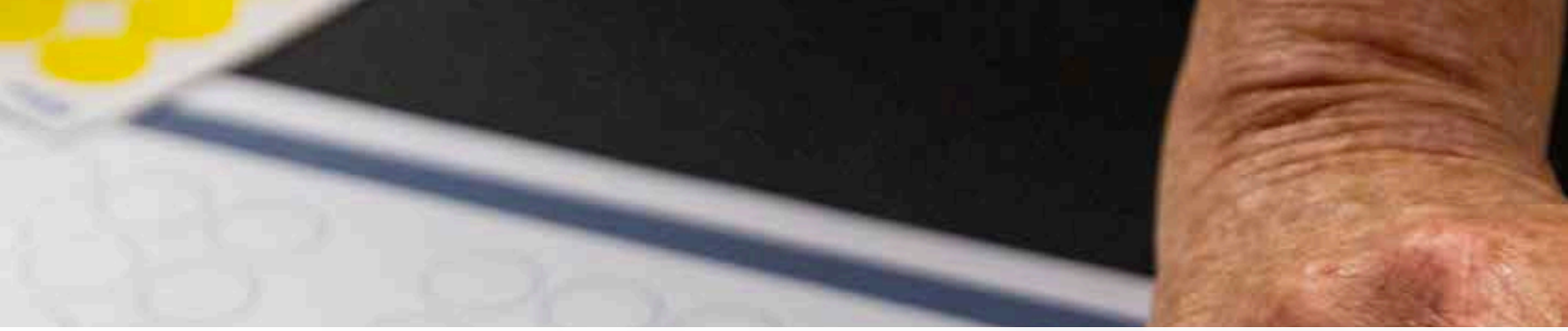
The Bonanza Park Small Area Plan was led by Park City Municipal Corporation (PCMC) Planning Staff, in collaboration with a consultant team composed by planning and design firm MKSK, engagement specialists FutureIQ, and mobility and transportation experts Fehr and Peers. Between May of 2023 and June of 2024, this planning team engaged with the Park City community and steered this process from kickoff through plan adoption.

The planning process was guided by a Project Management Team (PMT) composed of PCMC Staff, meeting biweekly with members of the planning team. This PMT reported on progress to Park City's Planning Commission and City Council.

As seen on the graphic on the adjoining page, the first three tasks of this process, from May to July of 2023, consisted of project initiation and understanding, and included the first phase of community engagement. Starting with a kickoff meeting with the Advisory Group on May 23 and a Community Kickoff Meeting on July 19, 2023, and culminating with an update to City Council to share engagement results on August 29, 2023, the first phase of engagement provided initial direction for the plan's vision and goals.

The plan's second phase of engagement occurred in Task 4, between August and November of 2023, overlapping with the development of the plan's land use and connectivity frameworks. This second phase, which included a third meeting with the Advisory Group and a second Community Meeting on October 18, 2023, culminated with an update to Planning Commission on January 10, 2024 and City Council on January 11, 2024, to share Phase 2 Engagement results.

Tasks 5 and 6 oversaw the third and final phase of engagement, and the creation of this final document outlining the plan's process and recommendations. This third phase of engagement included a fourth Advisory Group Meeting on February 14 and a third and final Community Meeting on April 9, 2023. Following this meeting, the plan's adoption process, including meetings with Planning Commission and City Council, occurred between May and July of 2024.



Task 1: Define plan timetable and existing conditions [May 2023]

Existing Conditions Assessment

Plan Alignment

Advisory Group Meeting 1 (May 23, 2023)

Task 2: Develop a community engagement plan [June 2023]

Project Website Launch

Stakeholder Roundtables

Stakeholder Roundtables (July 20, 2023)

Task 3: Develop neighborhood vision & plan goals/objectives [July 2023]

Plan Goals and Objectives

Vision Statement

Advisory Group Meeting 2 (July 19, 2023)

Community Meeting 1 (July 19, 2023)

Community Engagement Phase 1

Task 4: Develop plan components [August 2023 - January 2024]

Land Use Component

Stand-Alone Mobility Component

Advisory Group Meeting 3 (October 18, 2023)

Community Meeting 2 (October 18, 2023)

Task 5: Develop an implementation plan [January 2024 - April 2023]

Land Use and Mobility Component Refinement

Implementation Strategy

Task 6: Develop Final Report and Plan Adoption [January - June 2024]

Final Document

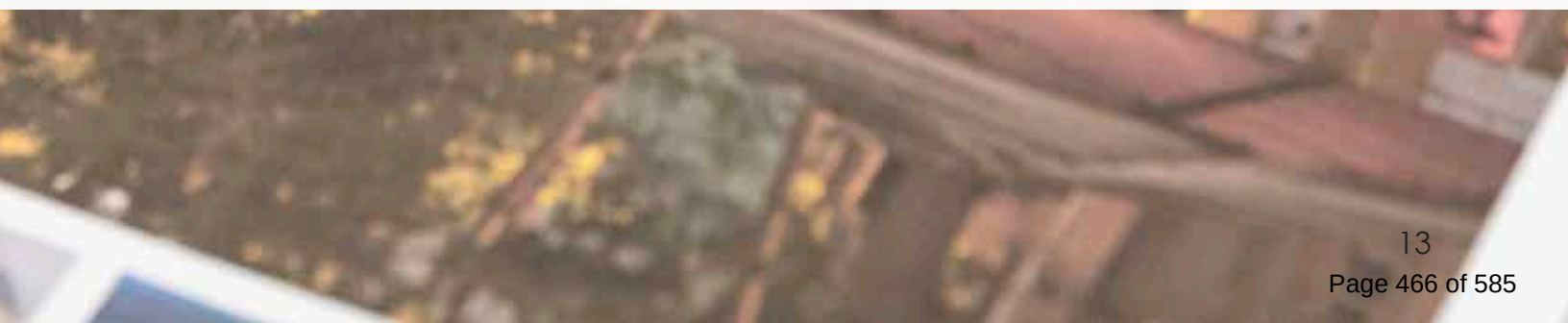
Advisory Group Meeting 4 (February 14, 2024)

Community Meeting 3 (April 9, 2024)

Adoption Process

Community Engagement Phase 2

Community Engagement Phase 3



Plan Alignment

An analysis of previous and ongoing planning efforts in Park City that overlap with the site boundaries of this project

Throughout the last decade, Park City has engaged its residents in various planning processes. These plans, studies, and visioning documents establish a strong foundation for the Bonanza Park Small Area Plan. The plans touch on issues and themes relevant to Bonanza Park and this plan, from housing and transportation needs, to citywide goals and visioning.

At the onset of this planning process, the planning team conducted a review of the most recent and applicable studies, listed to the right. These studies were examined through the lens of their applicability to Bonanza Park to help understand the study area from a regional and citywide perspective. Their inclusion into this study honors and respects the thousands of Parkites engaged through these plans.

Plans Reviewed:

Draft Bonanza Park Plan (2012, Not Adopted)

Park City General Plan (2014)

Transportation Demand Management Report (2016)

Arts + Culture Master Planned Development Submittal (2020)

Affordable Housing Assessment (2021)

Park City Vision 2020 (2021)

Sustainability Plan (2022)

Rail Trail Master Plan (2022)

Moderate Income Housing Plan (2022)

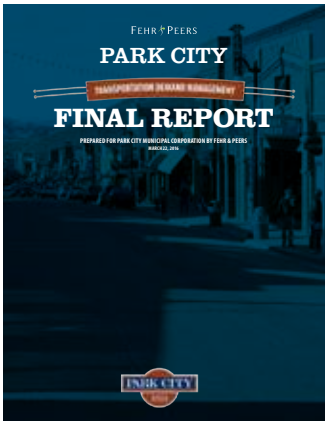
Park City Forward - Long Range Transportation Plan (2022)

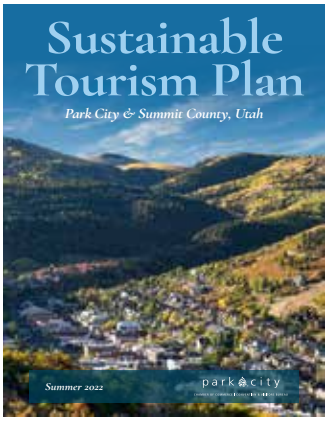
Park City Forward Vision Summary (2022)

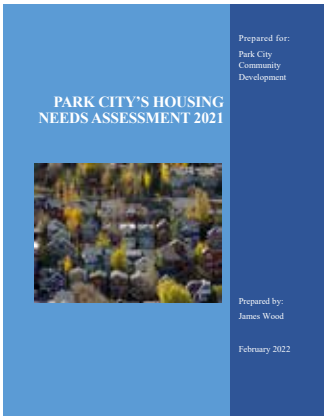
Short-Range Transit Plan (2016 and 2023 Update)

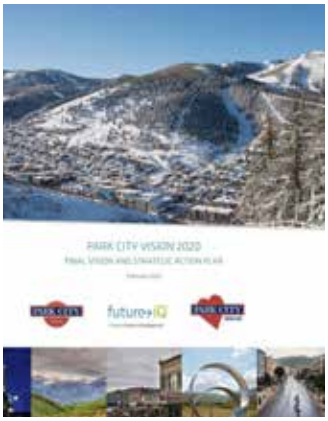
5-Acre Site Feasibility Study (2023-2024, concurrent)

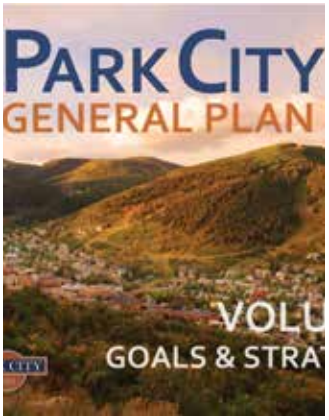
PARK CITY
SHORT RANGE
TRANSIT PLAN
2023


FEHR PEERS
PARK CITY
FINAL REPORT

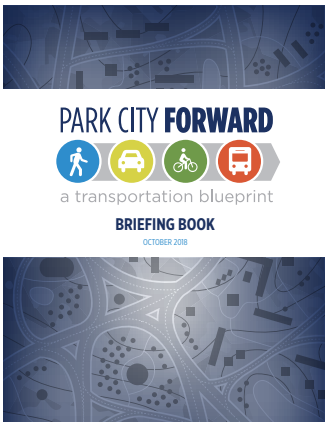

Sustainable
Tourism Plan
Park City & Summit County, Utah
Summer 2022
park city


PARK CITY'S HOUSING
NEEDS ASSESSMENT 2021
Prepared for:
Park City
Community
Development
Prepared by:
James Wood
February 2022


PARK CITY VISION 2020
future>IQ


PARK CITY
GENERAL PLAN
GOALS & STRA

Park City
RAIL TRAIL
MASTER
PLAN
FINAL PLAN
AUGUST 2022


PARK CITY FORWARD
a transportation blueprint
BRIEFING BOOK
OCTOBER 2018

Park City Vision 2020

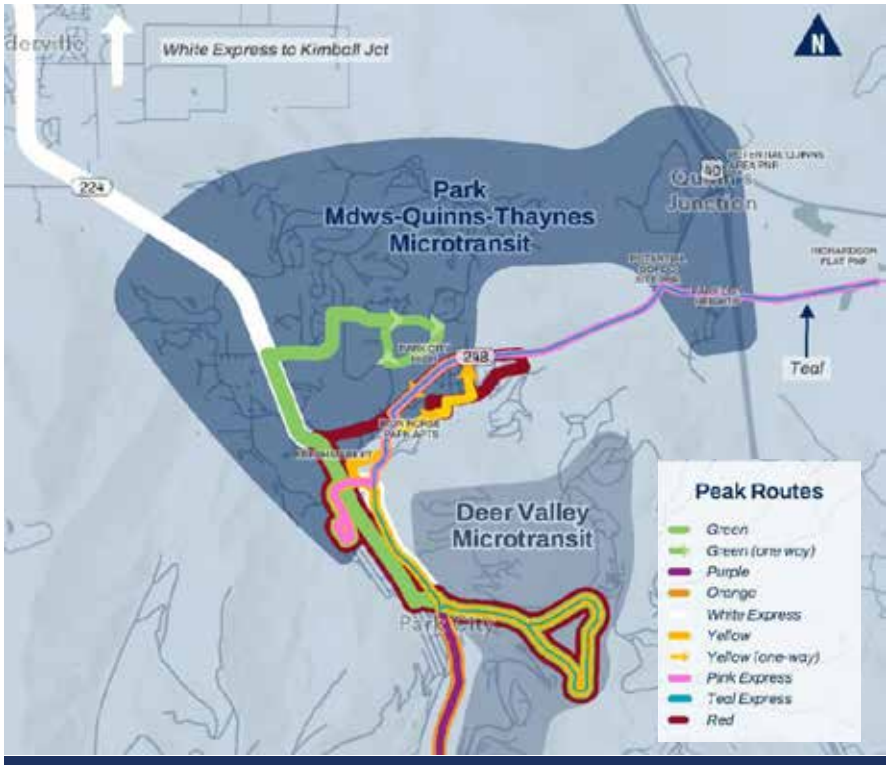
Through Vision 2020, Park City established a community-supported future of 'Embracing Bold Action'.

- Regional Approach: The scale of development occurring around Park City threatens to dwarf and overwhelm local efforts to manage growth and change.
- Social Fabric: Park City residents are concerned about neighborhoods turning over to nightly rentals, lack of affordability and displacement of locals.
- Living laboratory: Experimenting and testing new approaches to solve key challenges.

Transportation Plans (2016-2023)

Various transportation plans have identified priority projects around Bonanza Park.

- Improve sidewalks and crossings and develop multimodal improvements in the Bonanza District along Bonanza Drive, Park Avenue, Kearns Boulevard, and Deer Valley Drive (Park City Forward)
- SR-248 (Kearns Boulevard) has pronounced AM and PM peaks year-round, though they are more pronounced in the winter (TDMR).
- The 2023 Short Range Transit Plan recommends improvements to the SR-248 Corridor via new express routes with 15-20 minute peak frequency and longterm BRT (bus rapid transit) infrastructure.

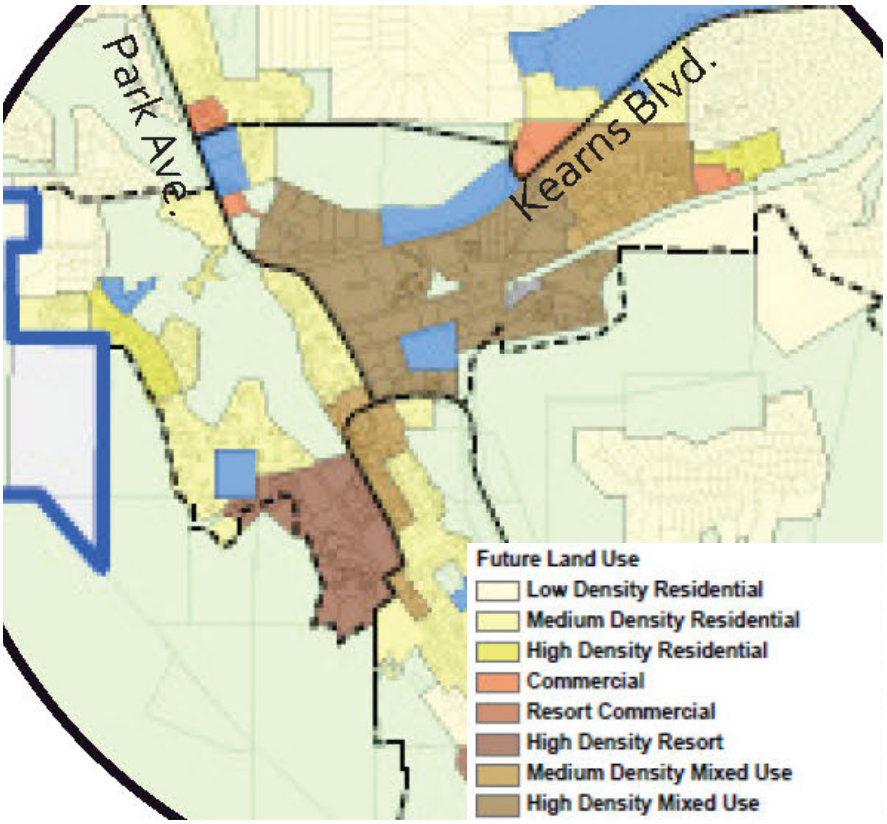


2023 Short-Range Transit Plan
2022 Park City Forward - Long-Range Transportation Plan
2016 Transportation Demand Management Report (TDMR)

Park City General Plan (2014)

The General Plan identifies Bonanza Park as a potential future compact, mixed-use center along a priority transit corridor.

- Future land uses for the neighborhood show a concentration of mixed use to replace commercial land uses.
- There is an opportunity to expand the Transfer of Development Rights (TDR) program for Bonanza Park to receive density from "sending zones."
- Establish a neighborhood economic development tool for the Bonanza Park District to utilize increased tax revenues into the redevelopment area.



Evolution of Place (2012) & General Plan (2014)

The General Plan described Bonanza Park and Snow Creek as "A mixed use neighborhood in which locals live and work."

- Gentrification is one of the greatest threats to the neighborhood's affordability.
- Light Industrial zoning is within walking proximity of residential units.
- Multifamily residential uses should be concentrated within the Bonanza Park redevelopment area to provide more Life-cycle Housing.
- Establish a limit on nightly rentals to protect the area as a locals neighborhood.

Images in the General Plan Neighborhoods Section reference the 2012 Bonanza Park - The Evolution of Place (2012, draft plan not adopted)

Housing Studies (2021 - 2022)

Both housing studies identified a need for affordable housing units in Park City.

- Park City has an inventory of 650 affordable housing units with a 99% occupancy rate, with 600 units planned for development by 2026 (Housing Needs Assessment).
- The city's affordable inventory meets the housing needs of about 6% of the workforce. The 600 units planned would bring the share to 11%, about 400 units short of the 15% goal.
- Park City will need to add 800 to 1,000 new units in the next five years, adding both rental and for-sale (80-20 ratio) to the inventory with rental units targeted to households at 63% or below AMI (Moderate Income Housing Plan).

Affordable Housing Assessment (2021)
Moderate Income Housing Plan (2022)

Arts & Culture District (2020)

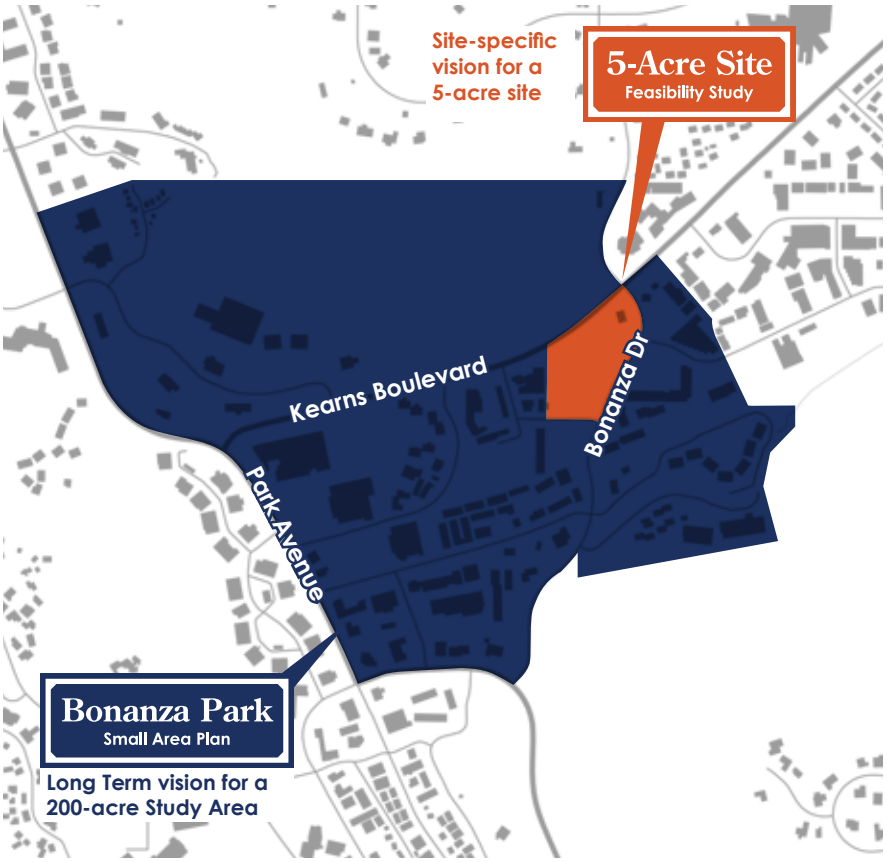
A previous planning study and development proposal for the 5-acre site included the following:

- Two cultural anchors - a permanent location for the Kimball Art Center and Utah offices for Sundance Institute.
- 50 rental units, ranging in size from 400 square feet to 900 square feet. Rents proposed as restricted workforce or otherwise affordable stock, with 8 restricted to artist-in-residency programs and 12 unfinished co-op spaces available to rent.
- A food hall with an anchor tenant as well emerging food purveyors.
- Creative spaces like classrooms, artist exhibition space, and event spaces.

5-Acre Site Feasibility Study (2023-2024, concurrent)

Running concurrently to this process and sharing engagement events, the 5 Acre Site Feasibility Study will craft a community-supported vision for the city-owned property at the intersection of Kearns Boulevard and Bonanza Drive. This feasibility plan, which shared engagement meetings with the Bonanza Park Small Area plan, focused entirely on the 5-acre site and included its own activities, presentation slides, and informational displays. This feasibility study:

- Identified best practices for community-based redevelopment.
- Engaged the community to understand and quantify support for various land uses and densities.
- Identified market and economic feasibility for development scenarios.
- Provided strategic recommendations for implementation next steps.



Bonanza Park History

Looking back to understand Bonanza Park's history and background, and how that will help us shape its future.

Bonanza Park served as Park City's northern entry corridor for nearly 100 years. While Old Town developed with commerce along Main Street and residences tucked within the Old Town canyons, Bonanza Park provided vast undeveloped land on the outskirts of town for small farms, pastures, and community gathering spaces like baseball fields and land for the circuses and carnivals that passed through town.

When rail came to town in the 1880s, two lines converged in Bonanza Park with support uses providing a much-needed link from the mines to the markets. When the first of Ford's "Tin Lizzies" arrived in Park City by rail in 1909, within a few years one of the neighborhood's major roads, Kearns Boulevard, was under construction to connect Park City with the broader region by car.

As more people passed through the neighborhood by car, in the 1930s, local Pop Jenks opened a popular restaurant at the corner of Park Avenue and Kearns Boulevard. In the 1940s, Coffee John's and Fred Ealy's gas station were built alongside.

Also in the 1940s, the open acreage in Bonanza Park became a dumping ground for Pacific Bridge, the company that reprocessed mill tailings, and properties within the neighborhood are now part of the Soils Ordinance Boundary to remediate the soils.

In the 1960s, as Park City transformed from a mining town to a resort town with the opening of Treasure Mountain Resort in 1963, Bonanza Park developed into a commercial and residential neighborhood, and a selling point was plenty of parking at a location away from congested Old Town.

Historical rail lines in Bonanza Park (Park City Museum)

Today, Bonanza Park is a neighborhood many call home and continues to be an area for local gathering, and a neighborhood that will transform in the coming decade through redevelopment.

Photos provided by the Park City Museum, unless noted otherwise

Anderson Lumberyard (current location of Boneyard).

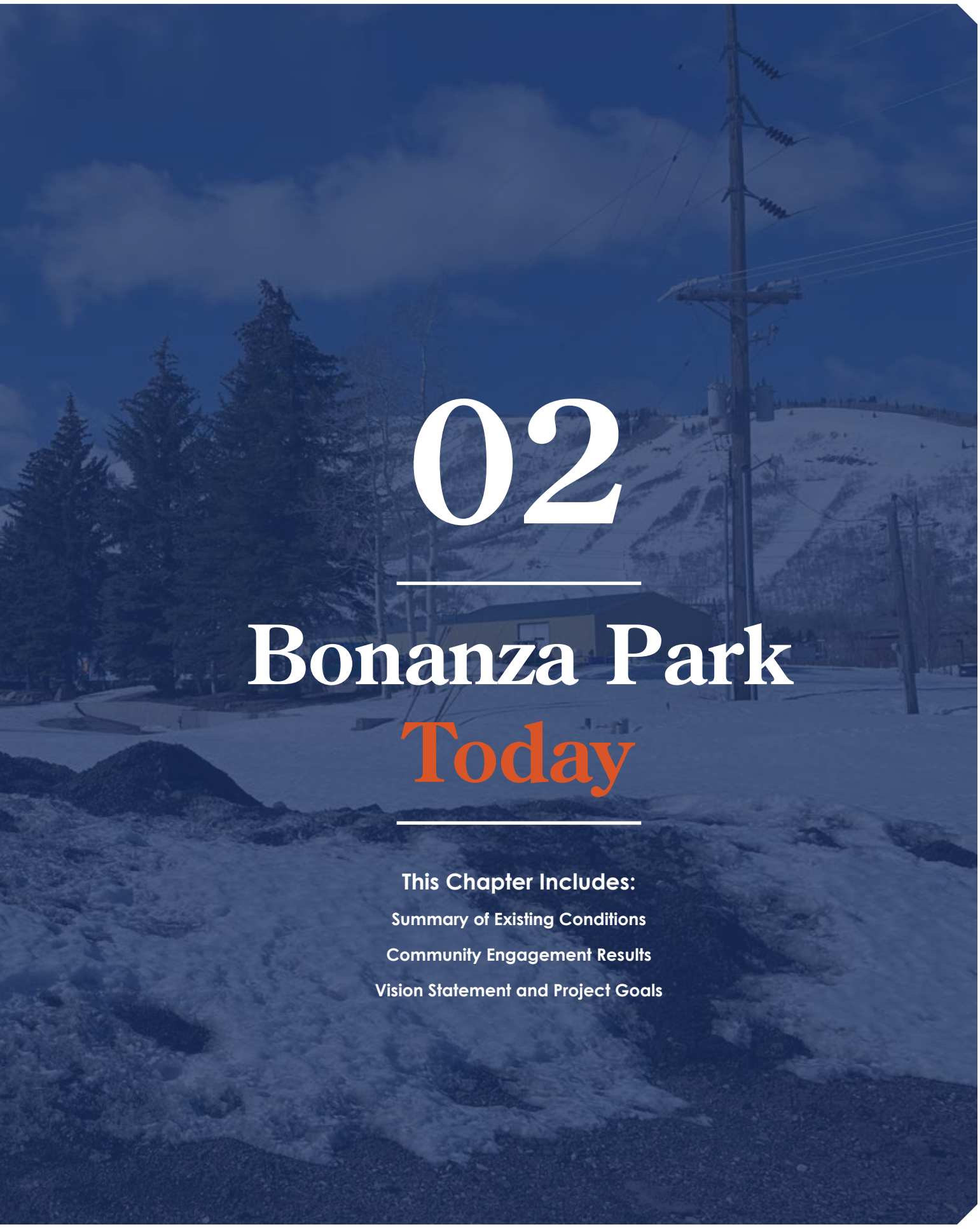
Pop Jenk's Cafe was a popular restaurant on the NE corner of Park Avenue and Kearns Boulevard. Subject to a fire, the location is now home to the Roadhouse Grill.

An early structure in Bonanza Park

Bonanza Park in 1938 (Source: Utah Geological Survey)

Construction of the Rail Trail

Bonanza Park in 1978 (Source: Utah Geological Survey)



02

Bonanza Park Today

This Chapter Includes:

Summary of Existing Conditions

Community Engagement Results

Vision Statement and Project Goals

Summary of Existing Conditions

Located at the geographical center of Park City, Bonanza Park is home to hundreds of residents, businesses, and daily visitors.

Bonanza Park is a diverse Park City neighborhood located just north of Old Town, centered around the intersection of Kearns Boulevard and Park Avenue. Bonanza Park is long considered where locals live, shop, and dine.

For the purposes of this plan the planning team focused on a 200-acre study area boundary established in Park City's 2014 General Plan, shown on the map in the adjacent page. Generally bound by Park Avenue to the west, Deer Valley Drive to the south, Bonanza Drive and Prospector to the east, and the Park City Cemetery toward Snow Creek Drive to the north, the study area encapsulates much of what Parkites anecdotally described Bonanza Park in the engagement process.

The neighborhood is largely composed of retail, commercial, and municipal uses, as well as large surface parking lots. With 159 businesses employing 1,393 workers (Esri, 2023), Bonanza Park is vital to Park City's local economy. The neighborhood is home to vital services and shopping destinations, such as two full-size groceries, banks, coffee shops, and a variety of restaurants.

Nonetheless, Bonanza Park continues to serve as one of Park City's residential neighborhoods, and is home to a 2023 population of 729 full time residents in 229 housing units (U.S. Census). Bonanza Park is mostly a plan where Parkites rent to live in their residence - a majority, or 54.1%, of the 181 households living in Bonanza Park rent their home, with 45.9% owning their home (Esri, 2020).

Demographics At a Glance

729
2023 Population in 184 Households (U.S. Census)

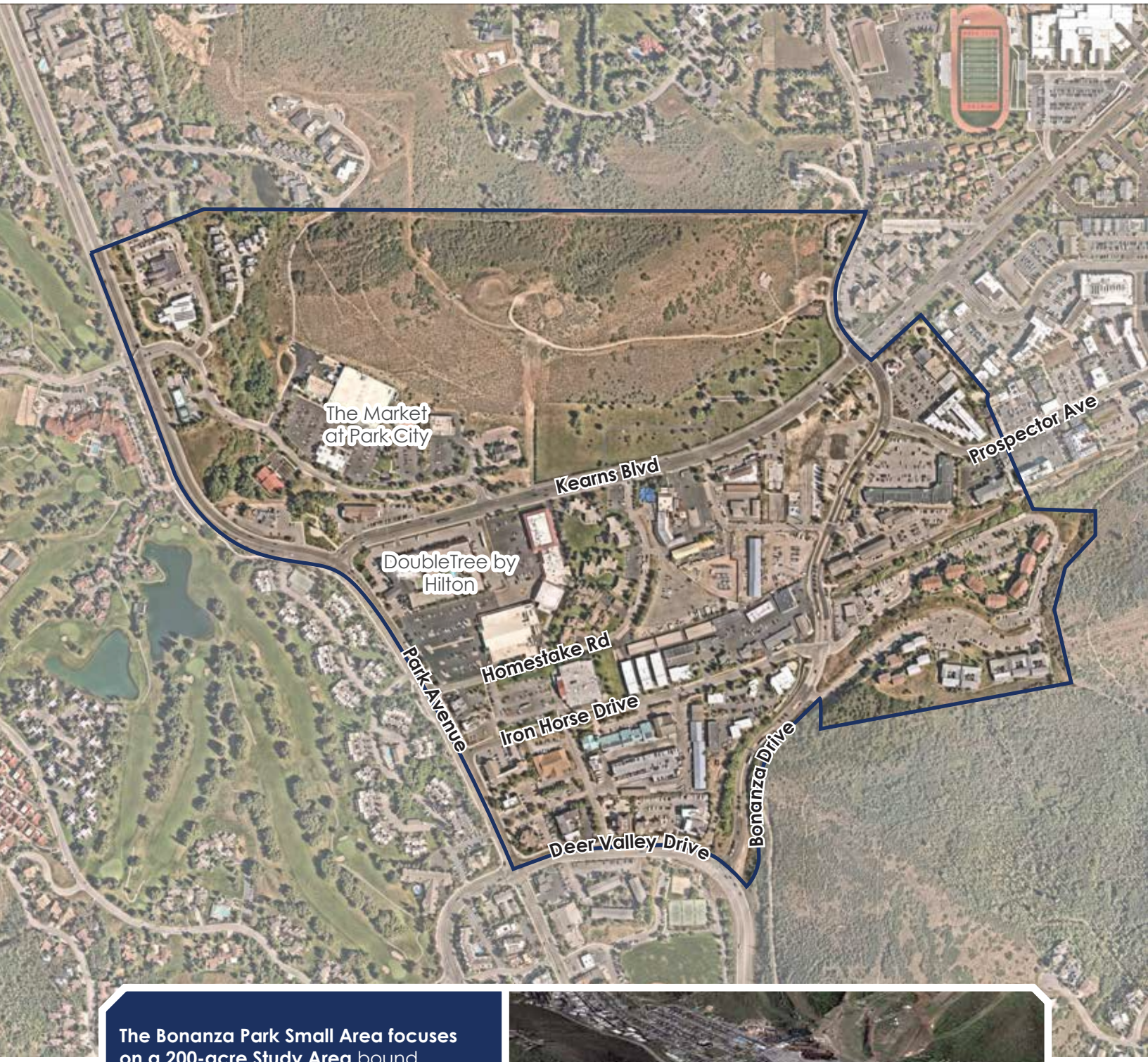
229
2020 Total Housing Units, 43.7% rentals (Esri)

$152,828
Median Household Income - $131,916 in Summit County (Esri)

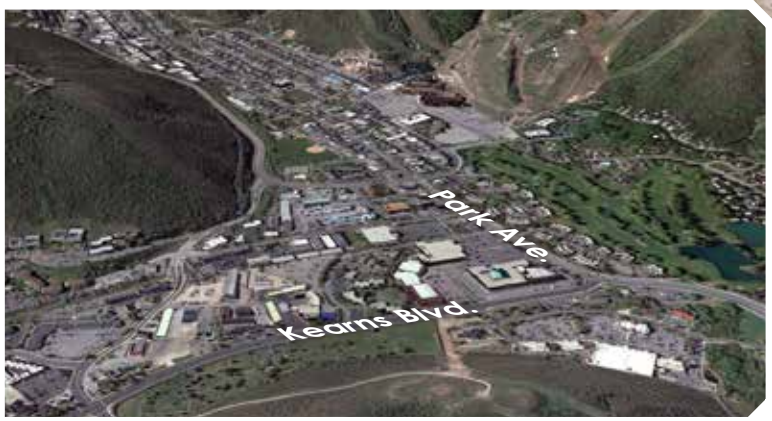
159
Total Businesses (Esri)

1,393
Total Employees (Esri)

Bonanza Park Study Area



The Bonanza Park Small Area focuses on a 200-acre Study Area bound by Park Avenue, Deer Valley Drive, Bonanza Drive, Prospector Square, and the Park City Cemetery toward Snow Creek Drive. Nonetheless, the Area Plan considered the neighborhood's connections and transitions to its nearby communities, as well as its positioning within Park City.



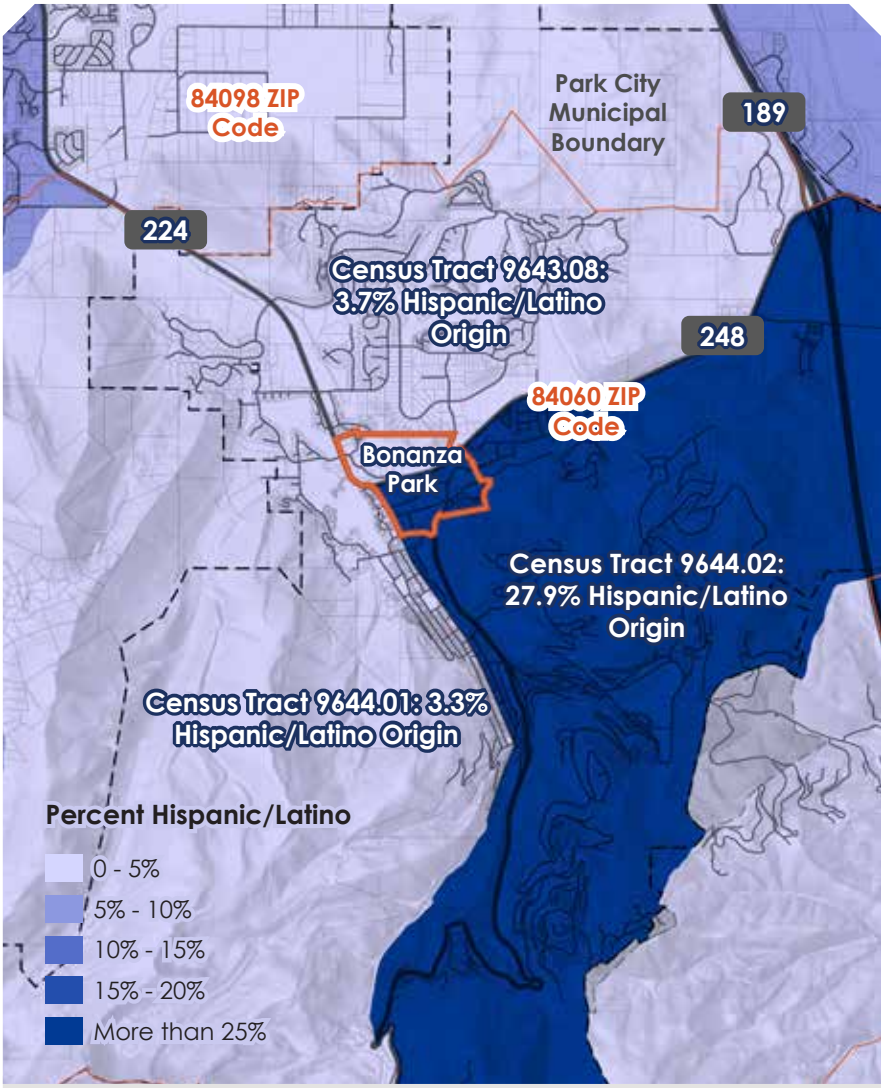
Percent Hispanic/Latino

Of its 2022 estimated citywide population of 8,374 residents, 15.3% are of Hispanic/Latino origin. As a hub for Park City's Latino community, Bonanza Park's 200-acre boundary has 44.3% of its population identifying as having Hispanic/Latino origin. This is a higher number than its surrounding census tracts, as shown on the map to the right (U.S. Census).

Bonanza Park is significant gateway into Park City. Its two main roadways, Park Avenue and Kearns Boulevard, funnel vehicular traffic into and out of the city from nearby State Route 189 and Interstate 80, respectively. As such, many tourists, residents, and commuters experience these corridors and move through Bonanza Park when heading toward Old Town and Park City's ski resorts.

As a geographical center for the city, Bonanza Park sits between vibrant residential and commercial communities. Nestled between the charming residences of Park Meadows, the mixed use character of Prospector, and the picturesque and world-renowned Old Town, Bonanza Park has the opportunity to connect the city.

Despite this centrality, and its location at the crux of various vibrant neighborhoods, Bonanza Park remains a neighborhood where many drive through, but few walk toward. Its auto-oriented physical nature, exacerbated by auto-oriented land uses and development patterns, both challenge connectivity and create an opportunity for this plan to explore.



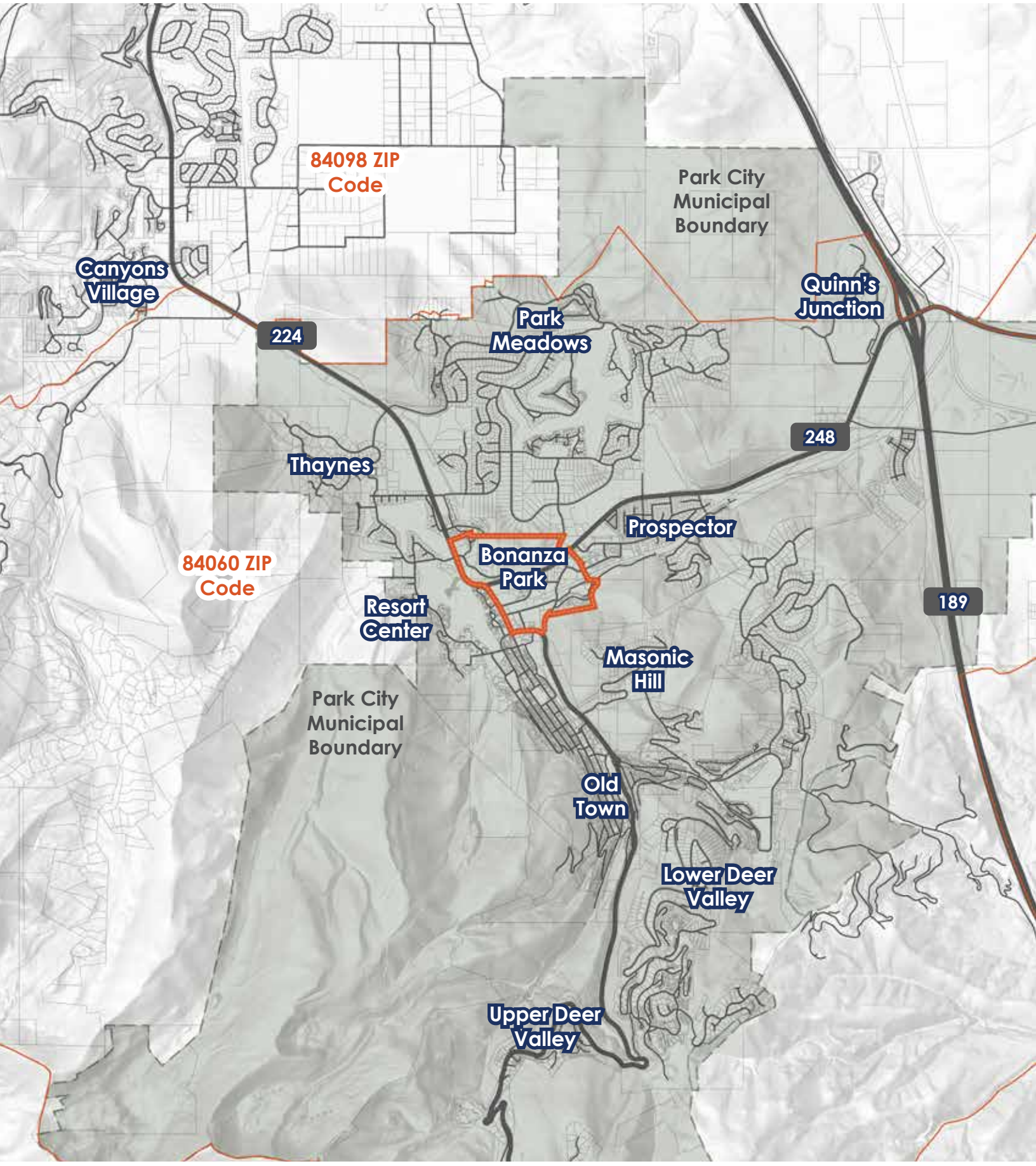
Bonanza Park Boundary 2023 Population by Race/ Ethnicity (Esri)

White	53.7%
Black	0.8%
American Indian	0.4%
Asian	2.9%
Pacific Islander	0.0%
Some Other Race	28.8%
Two or More Races	13.3%

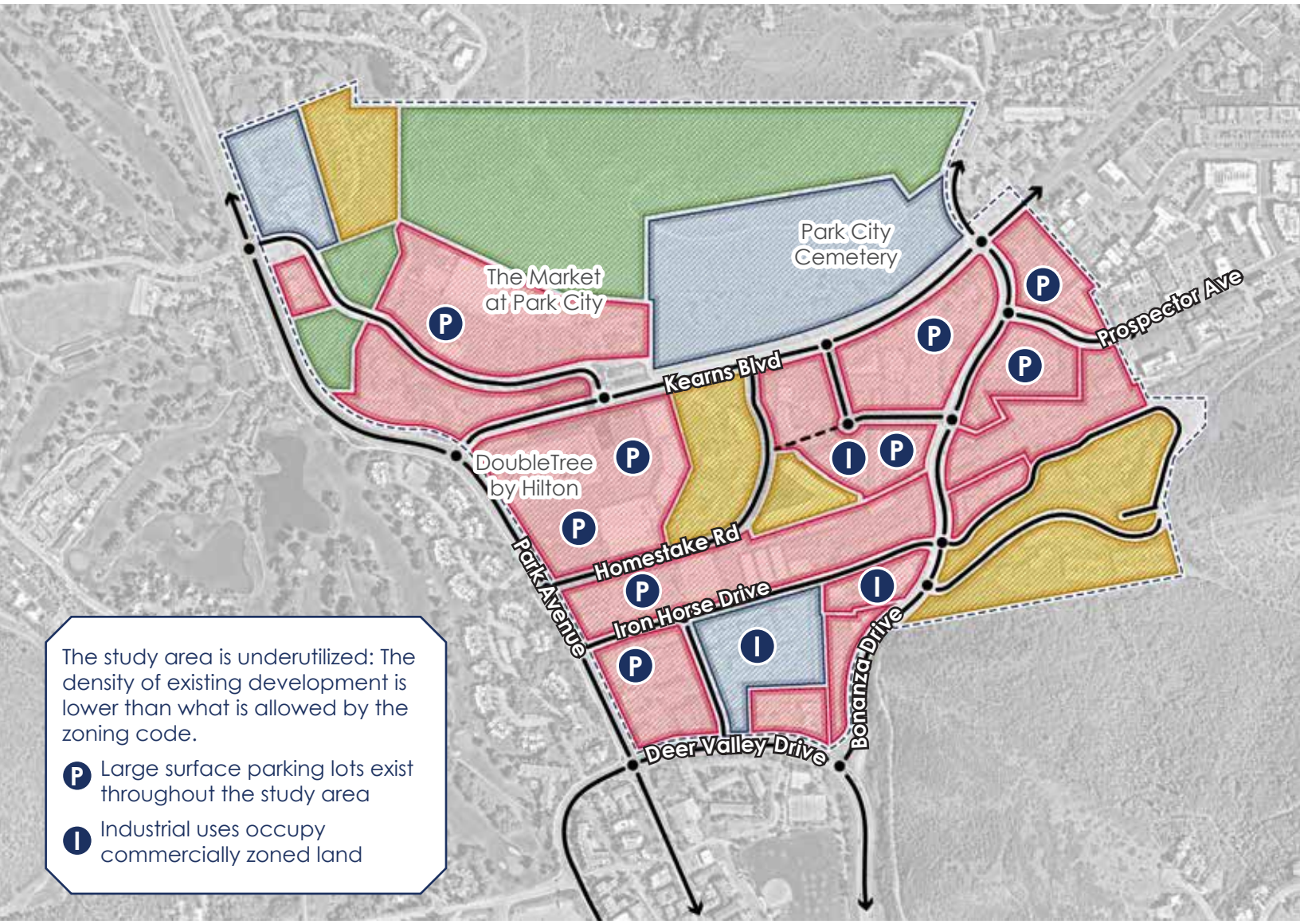
44.3%

Bonanza Park Hispanic Origin of 2023 Population (Esri)

Bonanza Park Regional Context



Existing Land Uses & Underutilized Areas



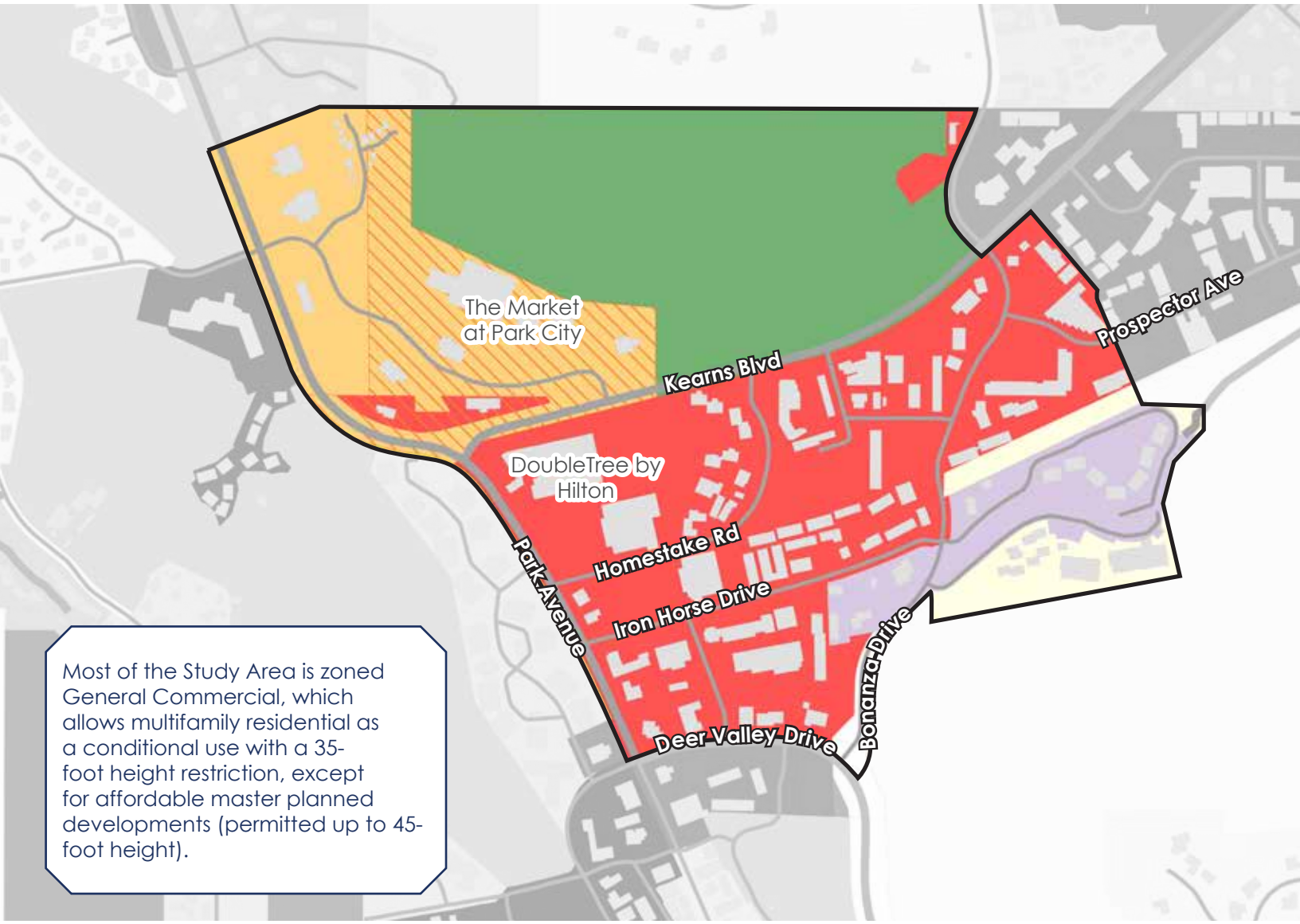
Bonanza Park is primarily composed of commercial and retail uses. Home to two grocery stores, a hotel, restaurants, and shops, the neighborhood is a significant shopping and dining destination for Parkites. As shown on the map, many of these commercial properties were designed with car users in mind, many featuring large surface parking lots along major roads and wide setbacks.

Once considered the "outskirts" of town, Bonanza Park also includes municipal uses often found at the perimeter of a community, not in its geographical center. These include a public works facility, a recycling center, storage facilities, gravel parking areas and storage yards, and an electric substation. These legacy industrial and commercial uses sit adjacent to residential areas, which include multifamily condos, apartments, and affordable cottages.

Much of the 200-acre boundary is dedicated to preserved green spaces with sensitive slopes north of Kearns Boulevard, and the Park City Cemetery.

- Institutional
- Commercial
- Residential
- Open Space

Existing Zoning Districts



Most of the Study Area is zoned General Commercial, which allows multifamily residential as a conditional use with a 35-foot height restriction, except for affordable master planned developments (permitted up to 45-foot height).

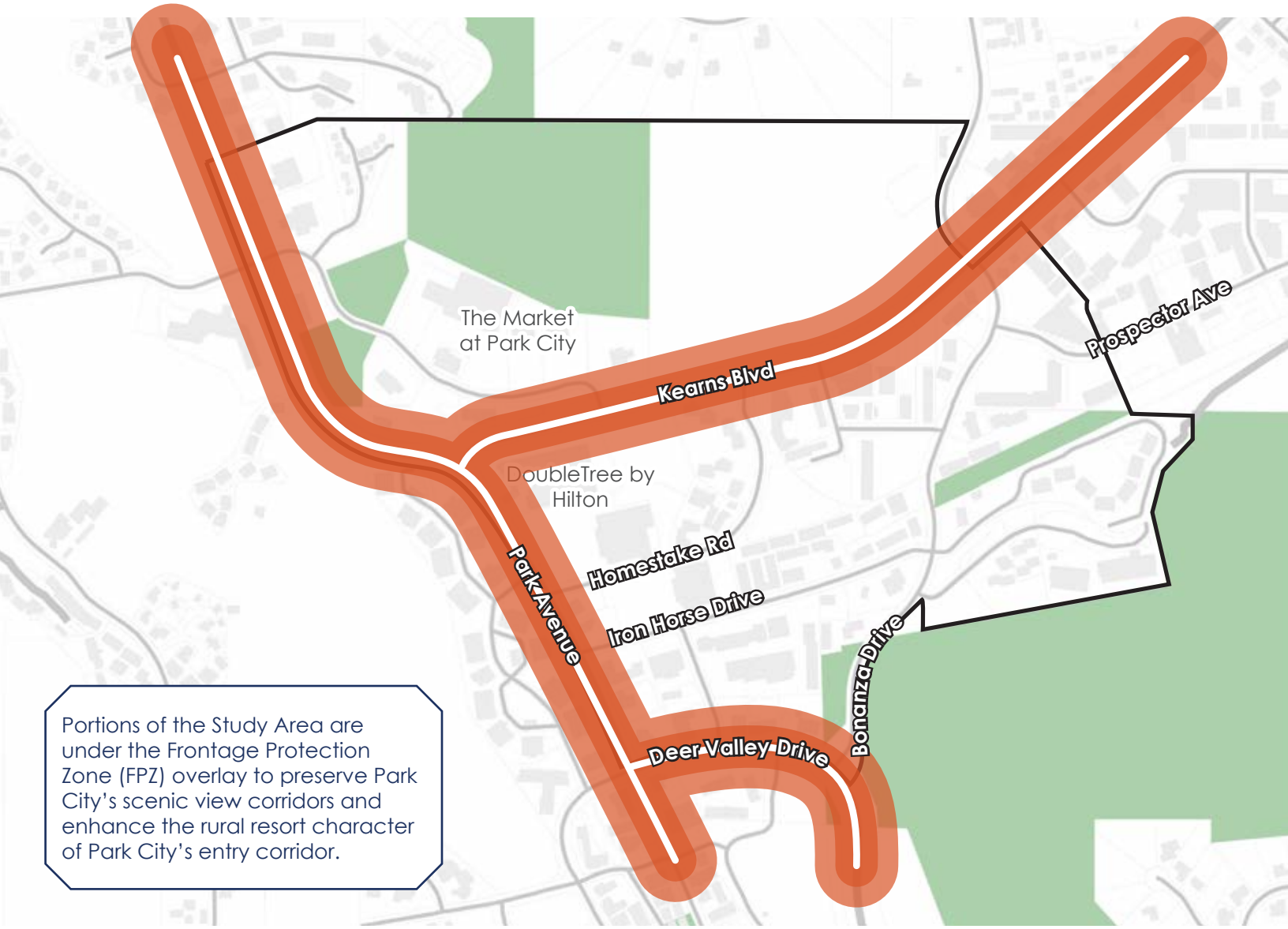
Reflecting the commercial and industrial character of its current land uses, much of the 200-acre study area is currently zoned General Commercial (GC). This zoning district focuses on commercial retail, dining, and hospitality uses by-right, allowing for residential uses as a conditional use. Density is restricted via setback requirements, and a building height limit of 35-feet for most structures, which is approximately three stories. Buildings that qualify for an Affordable Master Plan Development (AMPD) may have a total building height of 45 feet, or approximately four stories.

Reflecting the study area's history as an industrial sector outside the core, much of the eastern portion of the study area is zoned Light Industrial (LI), though the majority of the uses in these parcels are residential apartments.

North of Kearns Boulevard, outside of protected open spaces, much of the study area is zoned Medium Density Residential Development (RDM) with a Regional Commercial Overlay (RCO). This is consistent with the area's main tenant, The Market retail shopping plaza, which includes retail commercial uses.

- GC - General Commercial
- RDM - Res. Development - Medium Density
- RCO - Regional Commercial Overlay
- ROS - Recreation Open Space
- E - Estate
- LI - Light Industrial

Frontage Protection Zone



Portions of the Study Area are under the Frontage Protection Zone (FPZ) overlay to preserve Park City's scenic view corridors and enhance the rural resort character of Park City's entry corridor.

Bonanza Park's key corridors fall under the citywide Frontage Protection Zone (FPZ) Overlay. Within Bonanza Park, the FPZ includes properties with frontage on, and within one hundred feet (100') of the Right-of Way line of Kearns Boulevard, Park Avenue, and Deer Valley Drive.

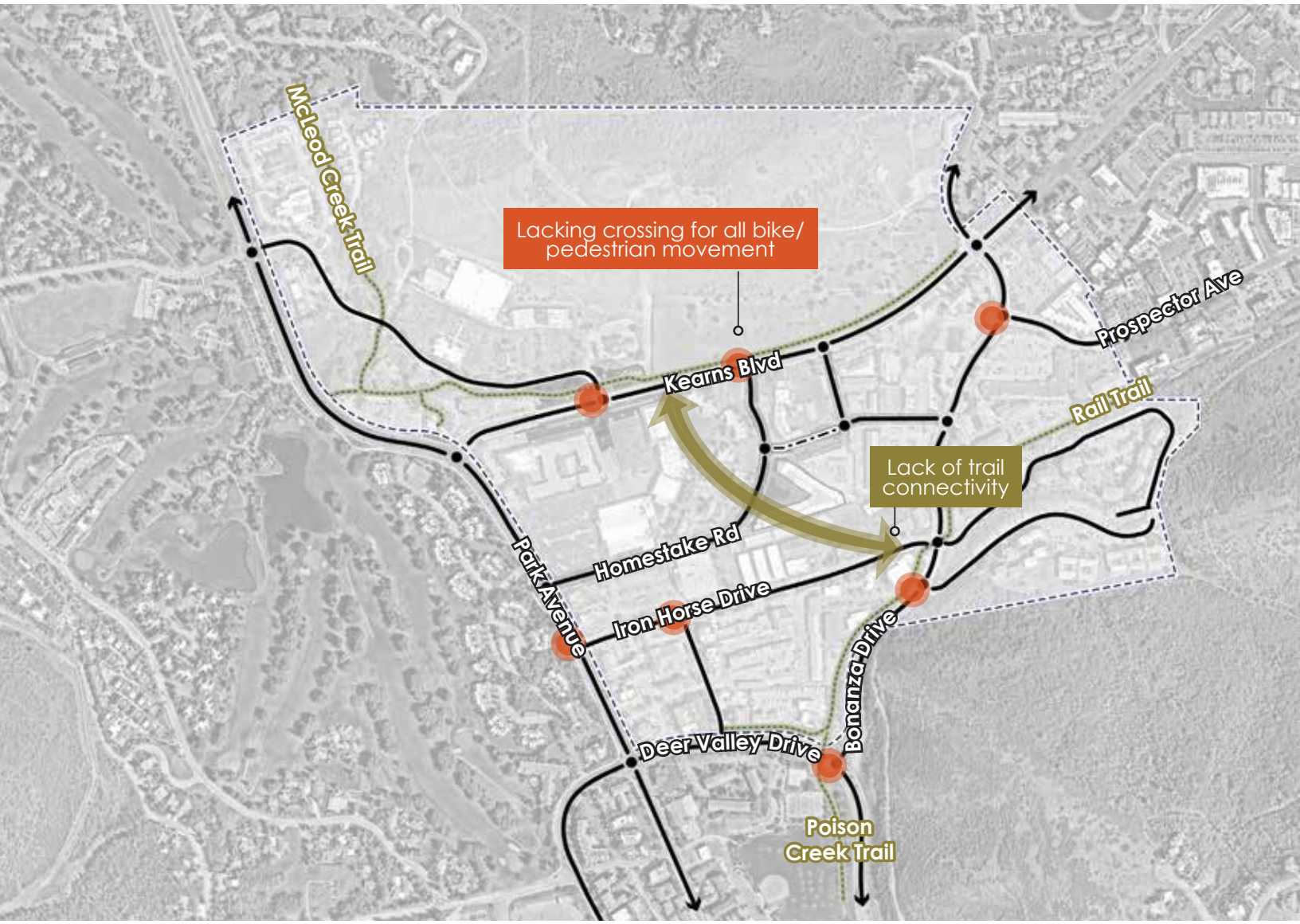
The FPZ restricts any new structures, including buildings or signs, within the first thirty feet (30') of the nearest Right-of-Way along these three corridors. Sidewalks or trails with pedestrian amenities may be built within this setback, with city review and authorization.

All construction activity, including permanent signs, in the Setback Area between thirty feet (30') and one hundred feet (100') from the nearest Right-of-Way line requires a Conditional Use permit.

The FPZ is intended as a regulatory tool to protect scenic view corridors for those coming into Park City, enhancing the area's rural resort character. The wide setback requirements along these corridors protect vistas of surrounding mountains and hills for drivers entering and leaving the city.

Frontage Protection Zone

Bike and Pedestrian Facilities and Connectivity Issues



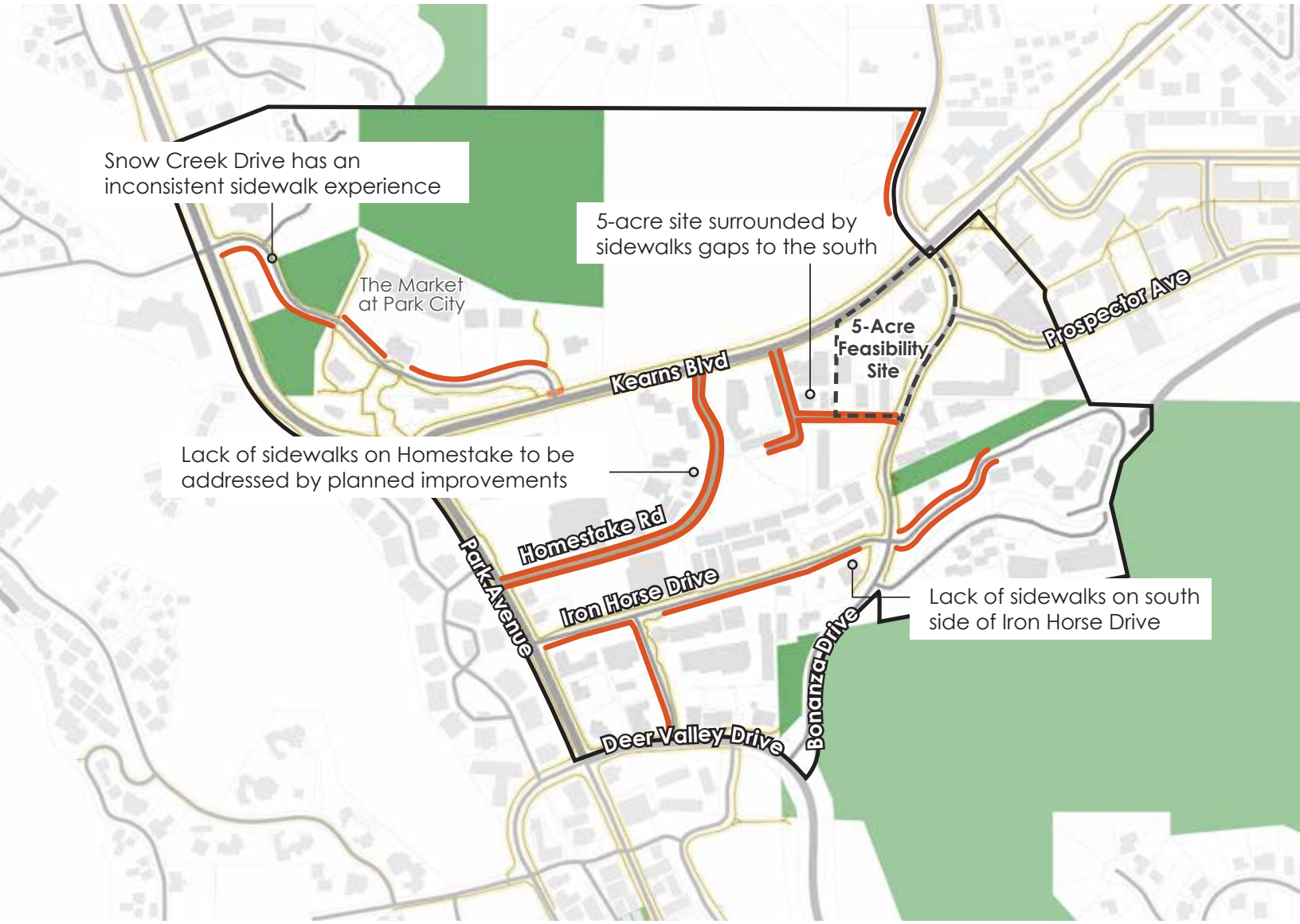
Bonanza Park is home to three regional trail networks - the McLeod Creek Trail north of Kearns Boulevard and along Snow Creek Drive; the Historic Union Pacific Rail Trail running from Bonanza Park to Echo Reservoir; and the Poison Creek Trail running along Park City's eastern edge toward Old Town.

Despite their convergence in Bonanza Park, these trails remain disconnected through the interior portions of the neighborhood. Pedestrians and bike users wishing to move between the Rail Trail/ Poison Creek Trail toward the McLeod Creek Trail are met with a maze of sidewalk gaps, intersections lacking crossings for all bike/ped movement, and a disjointed street network that hinders all connectivity.

As such, moving through Bonanza Park as a cyclist, runner, or pedestrian can be an arduous task requiring cutting through private parking lots, and crossing wide streets with little to no pedestrian infrastructure.

- Existing Street
- Planned Connection
- Existing Trail
- Existing Intersection
- Intersection Lacking Crossings for all Bike/ Ped Movement

Sidewalk Gaps

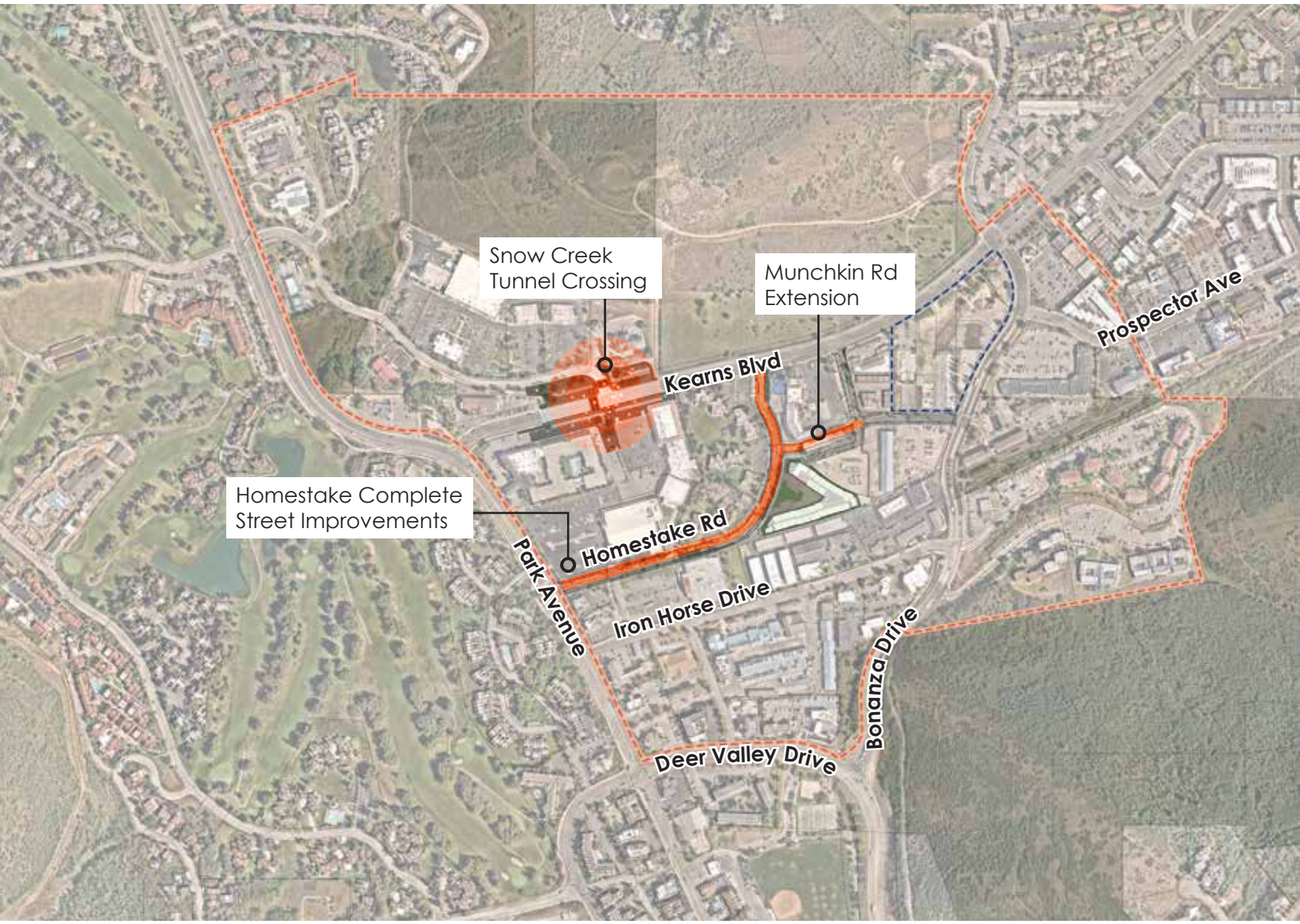


Bonanza Park's pedestrian network is hindered by a widespread prevalence of sidewalk gaps. When walking through the neighborhood, Parkites face challenging conditions as key streets, moving in both east-west and north-south directions, have significant segments lacking sidewalk facilities.

Some of these gaps will be addressed through planned improvements to the street network, detailed in the following page. These include the complete street redesign of Homestake Road, and the Munchkin Road extension. Nonetheless, other key streets remain with sidewalks, such as Iron Horse Drive, which is missing key segments of sidewalk along its south-facing side at a critical juncture toward the rail trail. Likewise, Snow Creek Boulevard lacks sidewalks on segments along both sides of the street at a critical connection between retailers at The Market at Park City shopping center and the McLeod Creek Trail.

Sidewalk Coverage
Sidewalk Gaps

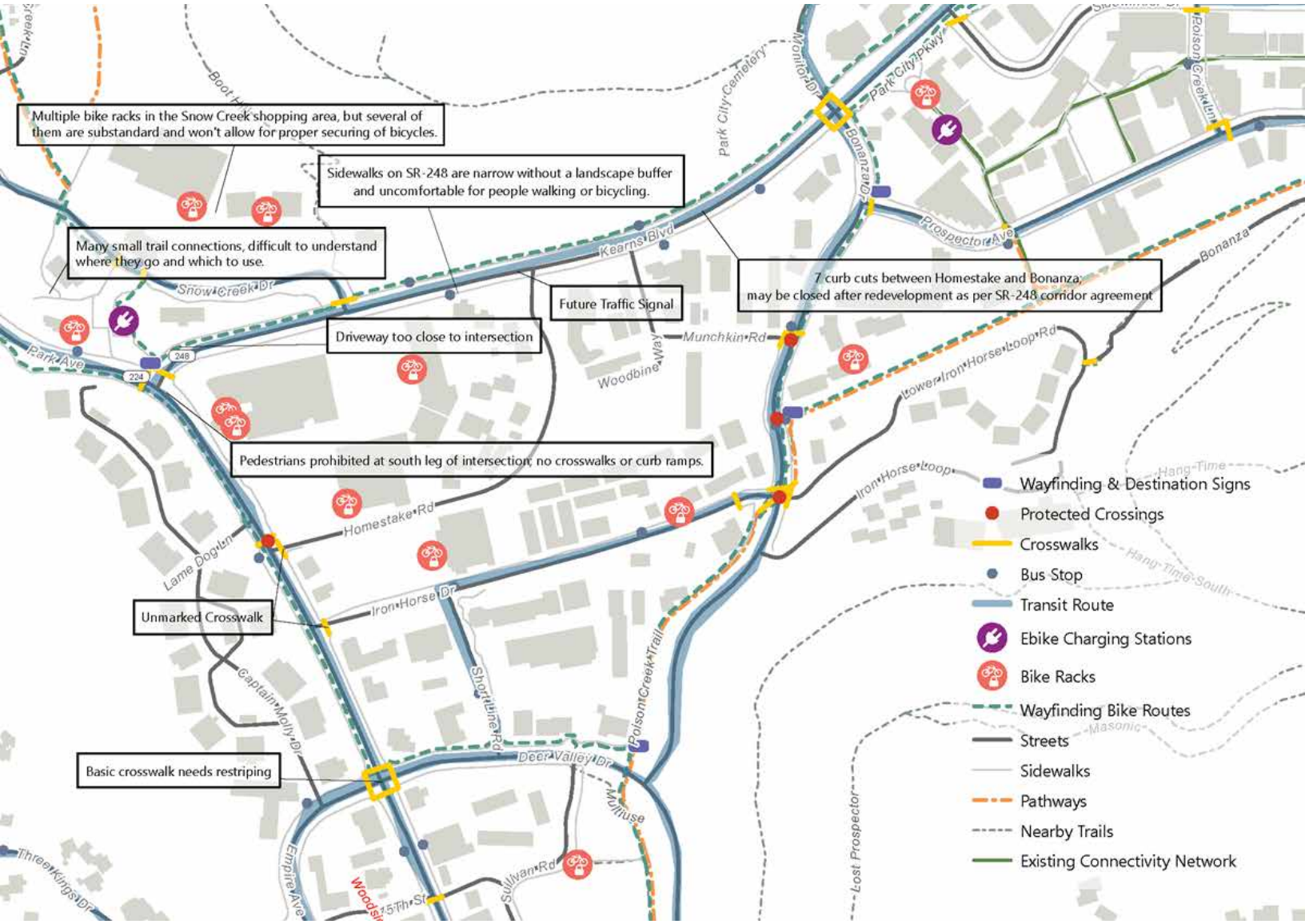
Planned Improvements



Some of the sidewalks and connectivity gaps described earlier in this section will be addressed or improved through the following projects, shown in the map above and detailed below. The descriptions of these projects and their improvements reflect the planning team's understanding as informed by the Plan Alignment described in the first section of this document. They include:

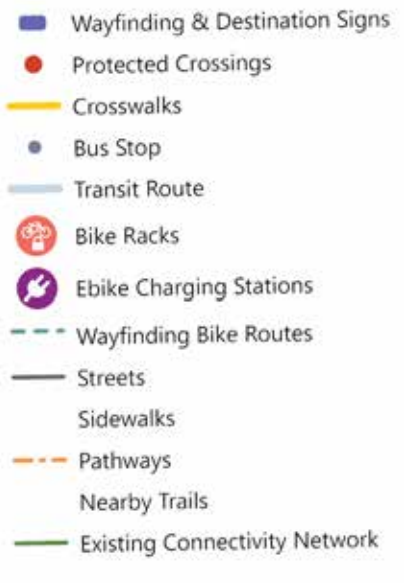
- **Homestake Complete Street Improvements:** Currently functioning as a curbless drive, the future Homestake Road will include sidewalks on both sides, curbs, on-street parking, and marked crossings.
- **Snow Creek Tunnel Crossing:** A potential tunnel crossing may connect under Kearns Boulevard at the intersection with Snow Creek Drive. The tunnels could ease pedestrian travel between The Market at Park City and the McLeod Creek Trail toward the heart of Bonanza Park.
- **Munchkin Road Extension:** The east-west extension of Munchkin Road will connect Homestake Road eastward with Bonanza Drive. Through the addition of sidewalks, and improvements and a one-way conversion of Woodbine Way, this key connection will allow for additional east-west travel through Bonanza Park. The project will require the relocation of the Recycle Utah facility.

Transportation and Mobility Overview



As an appendix to this document, the engineering firm Fehr & Peers conducted a detailed study of existing conditions, modeling the traffic impacts of some of the infill development envisioned in this small area plan. As part of this examination, the planning team included a summary of Bonanza Park's key mobility observations, concerns, and considerations, including the following key take-aways:

- Bonanza Park has a strong multimodal network that is nonetheless hindered by incomplete sidewalks, missing crossings, and limited wayfinding.
- Existing crossings are limited on Park Ave and Kearns Blvd.
- The sidewalk network is incomplete on Snow Creek Drive and Iron Horse Boulevard.
- Wayfinding signage is too infrequent throughout the study area.



Intersection Level of Service

The map above shows Level of Service (LOS) for the PM peak hour traffic conditions. LOS is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. Typically, LOS D or better is considered acceptable during peak hours.

LOS RATING	Description
A	Free Flow/ Insignificant Delay
B	Stable Operations / Minimum Delays
C	Stable Operations / Acceptable Delays
D	Approaching Unstable Flows / Tolerable Delays
E	Unstable Operations / Significant Delays Can Occur
F	Forced, Unpredictable Flows / Excessive Delays

INTERSECTION	CONTROL	LOS (2023)
SR 224 & Snow Creek Dr	Signal	A
SR 224 & SR 248	Signal	C
SR 224 & Homestake Rd	WB Stop	F
SR 224 & Iron Horse Dr	WB Stop	E
SR 224 & Deer Valley Dr	Signal	F
SR 248 & Snow Creek Dr	SB/NB Stop	C
Homestake Rd & SR 248	NB Stop	C
Woodbine Way & SR 248	NB Stop (right in right out)	C
Bonanza Dr & SR 248	Signal	F
Sidewinder Dr & SR 248	NB Stop	E
Bonanza Dr & Prospector Ave	EB/WB Stop	F
Bonanza Dr & Munchkin Rd	EB/WB Stop	E
Bonanza Dr & Iron Horse Dr	EB/WB Stop	F
Deer Valley Dr & Bonanza Dr***	Signal	B
Woodbine Way & Munchkin Rd	WB/EB Stop	A

***During some days in the winter, queues from SR 248 & Bonanza and SR 224 & Park Avenue frequently spill back through this intersection, sometimes reaching as far back as Aerie Drive. This capacity analysis reflects conditions for Friday, February 17, 2023 , though operations on other days may appear to be worse than the conditions shown.

Community Engagement

The planning process included robust engagement that brought more that 1,500 Park City voices into the conversation.

The Bonanza Park Small Area Plan represents the ideas, comments, and aspirations of the more than 1,500 Parkites that participated in the process. Their passion and dedication to the future of Bonanza Park is evident in the thousands of comments reviewed by the planning team. This Small Area Plan shared much of the engagement events with the concurrent 5-Acre Site Feasibility Study, though topic areas and activities were kept separate. The information and take-aways in this document focus entirely on the Bonanza Park Small Area Plan.

Through three community meetings with more than 500 attendees, two online surveys with almost 1,000 responses, 12 stakeholder roundtables, and a variety of other in-person events, the plan reached all segments of Park City's community. The process was guided by an Advisory Group of 14 individuals with vested interests in the neighborhood, including residents, land owners, business owners, and institutional partners. This group, meeting four times through the process, advised the planning team to ensure that the plan's ideas were effectively communicated, and provided a sounding board for the planning team.

The plan's engagement was divided into three distinct phases, each culminating with a presentation and update to City Council for reflection and direction on next steps. The plan's phases included:

- **Phase 1 Engagement:** This phase included the launch of a project website, stakeholder roundtables, the first community meeting, an online survey, two Advisory Group meetings, and an update to City Council to review engagement results.
- **Phase 2 Engagement:** The second phase included the development of a vision statement, project goals, and initial recommendations. These materials were presented to the Advisory Group at a second meeting, followed by a second community meeting and an online survey. Likewise, the planning team hosted a walking tour with residents, engagement with high school students, and engagement with young families. This phase culminated with an update to Planning Commission and City Council.
- **Phase 3 Engagement:** The third and final phase of engagement included the development of plan recommendations, shared at a fourth Advisory Group Meeting and a third community meeting. This phase culminated with the plan's Adoption Process.

3 Community Meetings
(500+ Attendees)
12 Stakeholder Roundtables
(62 Stakeholders)
1,500+
Park City Voices Engaged
Online/Paper Surveys
(970 Responses)
Ongoing Project Website
Methods
Advisory Group
Project Website
12 Stakeholder Roundtables
Meetings
3 Community Meetings
Community Site Tour
Additional Outreach in Spanish
Engagement with Young Families and High School Students
Surveys
2 Online Surveys
(English & Spanish)

Advisory Group

The Advisory Group represents a broad spectrum of Park City residents, advocates, employers, institutional partners, landowners, and other key stakeholders. The group's key roles and responsibilities through this process included:

- Meet throughout the process at project milestones to review materials that will be shared with the larger Park City community.
- Support and augment the community engagement process by sharing project event information.
- Provide feedback to help the team craft a vision.
- Once the plan is implemented, serve as a partner in the implementation of the plan's concepts and recommendations.

The Advisory Group met four times throughout the process, with the addition of a fifth special meeting to preview phase 1 engagement results prior to being shared with City Council. This additional meeting was requested by Advisory Group members during their second meeting. At the onset of the planning process, members of the Advisory Group, together with City Staff, were invited to join visits and tours of three vibrant cities with examples of successful neighborhoods. These included Toronto, Columbus, OH, and Washington, D.C.

- **Meeting 1:** Occurring virtually on May 23, 2023 this first meeting provided an opportunity for the planning team to meet the group's members, share information about their expected roles and responsibilities, and provide an overview of the planning process to come.

Members of the Advisory Group were invited to join Park City Leaders and City Staff on trips to Toronto, Columbus, OH, and Washington, D.C. to reflect on the successes of other cities.

- **Meeting 2:** The second meeting occurred in-person on July 19, 2023. A consultant presentation provided the result of the Plan Alignment, and an overview of transportation existing conditions. The presentation was followed by a preview of the first community meeting, and a discussion centered around the Advisory Group members' tours of three cities.
- **Special Meeting:** Hosted virtually on August 7, 2023, the planning team provided a preview of the phase 1 engagement results and takeaways to the Advisory Group, followed by discussion.
- **Meeting 3:** Held in-person on October 18, 2023 a day prior to the second community meeting, the consultant team shared the draft vision statement, project goals, and initial land use and connectivity ideas and concepts. The presentation was followed by a discussion that resulted in presentation edits for the second community meeting.
- **Meeting 4:** The fourth and final meeting with the Advisory group was conducted on February 14, 2024. This meeting included a presentation introducing the plan's recommendations, followed by a discussion on how to best refine these prior to sharing with the community at a third and final community meeting.

Stakeholder Roundtables

During the first phase of engagement, the planning team conducted roundtables with Parkites invested in the future of Bonanza Park. These meetings occurred on July 18, the day prior to the first Community Meeting.

Grouped by topic theme, the 15 stakeholder roundtables brought together representations including land owners, residents, transportation experts, hotel operators, economic development officials, local artists, and arts and culture institutions. This engagement was concurrent with the 5-Acre Site Feasibility Study. As such, the city-owned site was also discussed, though this document focuses on the portions of these discussions centered around the Bonanza Park study area.

Through various conversations with stakeholders, the following common themes emerged:

- **Bonanza Park is a "locals neighborhood"** where restaurants and businesses serve locals more than tourists.
- **There is a strong need for additional housing**, especially affordable housing - not enough people live near the site and in Bonanza Park.
- **Bonanza Park lacks walkable connections,** especially on major streets like Bonanza Park and Kearns Boulevard.
- **Future improvements should focus on transportation**, as this is critical to redevelopment. The area has to be convenient for locals to move their way through.

Community Meetings

Community Meetings are an invaluable method for the planning team to share ideas with the community, engage in conversations about how Bonanza Parks works today and what needs to be improved, and collect feedback on how to best move forward in the planning process.

The Bonanza Park Small Area Plan included three community meetings, one in each phase of engagement, attracting more than 500 Parkites. The meeting results are cataloged as part of the engagement phase summaries at the end of this section. The first two meetings were held in tandem with the 5-Acre Site Feasibility Study, while the third and final meeting focused solely on this plan. Meetings were advertised via online and paper flyers, email lists, radio interviews, a printed postcard distributed to all property owners in the city, and support from the Advisory Group.

- **Community Meeting 1:** Held at the DoubleTree Hotel on July 19, 202, this meeting focused on learning and listening form the community. With an open house format, Parkites were asked to share their vision for Bonanza Park, and participate in activities about the types of uses and connections they would like to see happen in the future.
- **Community Meeting 2:** Held at the Park City Library on October 18, 2023 this meeting included a presentation and an open house introducing the project vision statement and goals, and initial land use and connectivity concepts.
- **Community Meeting 3:** The final meeting was held on April 9, 2024 at the Park City Library and included a presentation and open house introducing the plan's recommendations.

250
people attended the first community meeting on July 19 at the Doubletree by Hilton Park City.

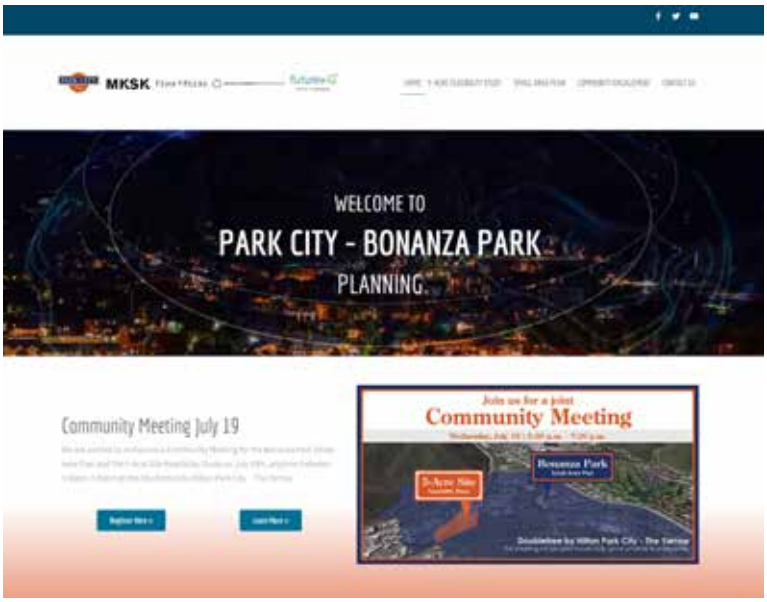
150
people attended the second community meeting on October 18, at the Park City Library.

100
people attended the third community meeting on April 9, at the Park City Library.

Online Engagement

Though community meetings are a crucial method to collect feedback and share information, dedicating one's evening to attend a meeting is a challenging task for many. As such, the plan's engagement was amplified through a project website and two online surveys, ensuring that the Parkites unable to participate in-person had a means to share their input and ideas. This plan's online survey results are embedded in the engagement phase summaries at the end of this section. The plan's online presence included:

- **Online Website:** Launched at the beginning of the planning process, the project website www.bonanzapark.com served as a repository of all project information, presentations, updates, and information about upcoming events. The website was continuously updated with new content and featured video interviews with meeting attendees, links to other relevant plans, and interactive tools to visualize online survey results.
- **Online Surveys:** The planning team shared two online surveys during the first two phases on engagement, focusing on gathering input around the content developed for the first and second community meeting. The online surveys gathered 970+ responses total. The results were displayed in the project website, which also included a download link for the raw survey results.
- **Social Media:** Throughout the process, Park City's Communications Department shared all meeting and survey notices via the city's official social media accounts.



The planning team launched two online surveys for the Bonanza Park Small Area Plan during the first and second phases of engagement.

The survey was promoted via Park City's Social Media accounts, distributed via email, publicized in English/ Spanish flyers (digital and print), and shared by project partners via email.

721

Total responses to the **first online survey** between July 19 and August 4 of 2023.

67%

of all survey responses were from the 84060 ZIP Code.

250

Total responses to the **second online survey** between October 30 and November 22 of 2023.

73%

of all survey responses were from the 84060 ZIP Code.

Nontraditional Engagement

To ensure an equitable planning process, the project team committed to engaging with Parkites from all backgrounds, with a focus on reaching groups traditionally underrepresented in a planning process. This effort acknowledges that while many Parkites are comfortable attending in-person events or sharing their input via an online survey, many feel left out of the decision-making, or are unable to fit the plan's engagement activities into their busy schedules.

As such, following each phase of engagement, the planning team reviewed engagement results to identify portions of the community that were not being adequately represented in the process up to that moment in time. As a result, the planning team, in collaboration with City Staff, devised an engagement strategy to better advertise to, and reach, these groups. The events and activities below were pivotal in reaching these communities where they live, work, or attend school.

- **Spanish-Language Engagement:** To engage with Park City's Spanish-speaking population, the planning team hosted a coffee and pastry event at the Park City Library on August 29, 2023. Additionally, the project website included a dedicated Spanish-language page and a full translation of the entire site, with both online surveys made available in Spanish. All meeting flyers and social media graphics were likewise posted both in English and in Spanish, for all phases of engagement.

Engaging with Park City's Spanish-Speaking Community

The planning team provided various project materials in Spanish, including online/paper surveys, informational flyers, and the project website.

- **Engaging with Young Parkites:** To better understand the needs and hopes of Park City's younger residents, the planning team hosted two engagement sessions with students from Park City High School on October 17, 2023. These sessions centered around a discussion about the strengths, issues, and opportunities in Bonanza Park.
- **Engaging with Young Families:** Park City planning staff hosted two roundtable discussions with Park City's young families to understand their needs and wants for the future of Bonanza Park.
- **Community Site Tour & Walk:** Prior to the second community meeting, the planing team hosted a walking tour of Bonanza Park and the city-owned 5-acre site during the afternoon of October 18, 2023. Attended by more than 50 Parkites, including various members of the Advisory Group, the tour included stops at several neighborhood locations including the Kimball Art Center, the under-construction EngineHouse development, the site of the proposed Park+Kearns development at the current DoubleTree Hotel, and Prospector Square.

Engaging with Young Parkites

The planning team hosted an engagement session with Park City High School Students on October 17, 2023 to discuss their vision for Bonanza Park.

Engaging with Young Families

The planning team facilitated two roundtable sessions with young families in Park City to understand their concerns and vision for the future of this community.

Community Site Tour & Walk

The planning team hosted a community site tour on October 18, through the Bonanza Park Neighborhood, attended by approximately 50 Parkites.

Phase 1 Engagement

The first of three community meetings kicked off phase 1 engagement, where the planning team listened to Parkites voice the strengths, weaknesses, and opportunities for the neighborhood. Stakeholder roundtables were also conducted to group individuals by expertise for more focused conservations around challenges and opportunities in the neighborhood. An online survey that included visuals and prompts from the community meeting was likewise circulated in both Spanish and English for residents who were not able to attend the meeting in person. The feedback received through these means of engagement resulted in the following key takeaways:

- **Bonanza Park is a "Locals' Neighborhood".** Unlike Main Street, which mostly caters to tourists, Bonanza Park is where Parkites shop, dine, and gather.
- **Parks and open spaces are a community priority.** There is a need and desire for additional green spaces where locals can come together as a community.
- **Future redevelopment and infill should focus on creating a destination for locals**. New businesses and destinations should be local and authentically Park City.
- **The 5-acre site cannot alone meet the city's goals.** Whatever happens on the 5-acre site can influence its surroundings, and be complementary to the character of Bonanza Park.
- **The community would like to see arts and culture woven into the neighborhood fabric.** There are opportunities for

Community Meeting: Places Parkites Love

The top 3 favorite places included (1) Kimball Art Center, (2) Restaurants/ Shops on Iron Horse Drive, and (3) the Rail Trail.

Community Meeting: Places Parkites Want Changed or Improved

The top 3 improvements included (1) Finding a new home for the Kimball Art Center, (2) adding more affordable housing, and (3) improving multi-modal connectivity

public art, housing for artists, and galleries or exhibit spaces.

- **The Kimball Arts Center (KAC) is one of Bonanza Park's top assets** and needs a permanent home. The KAC is a cherished destination that should remain in the neighborhood.
- **Moving through the study area should be safer and more intuitive.** Transportation improvements should focus on wide streets and unsafe intersections.
- **The Study Area lacks walkable and bikeable connections.** Improving connectivity to the rail trail and addressing sidewalk gaps are a priority.
- **Bonanza Park is the right place for density** and building height. As the area redevelops, mixed use buildings should embrace walkable streets.
- **Bonanza Park needs more affordable and workforce housing.** For there to be a critical mass, there needs to be a strong resident base.

Favorite Things about the Study Area

Top 5 Mentions (460 Written Responses)

Restaurants: Mentioned 160+ times

Rail Trail: Mentioned 50 times

Proximity/ Location: Mentioned 40 times

Kimball Art Center: Mentioned 39 times

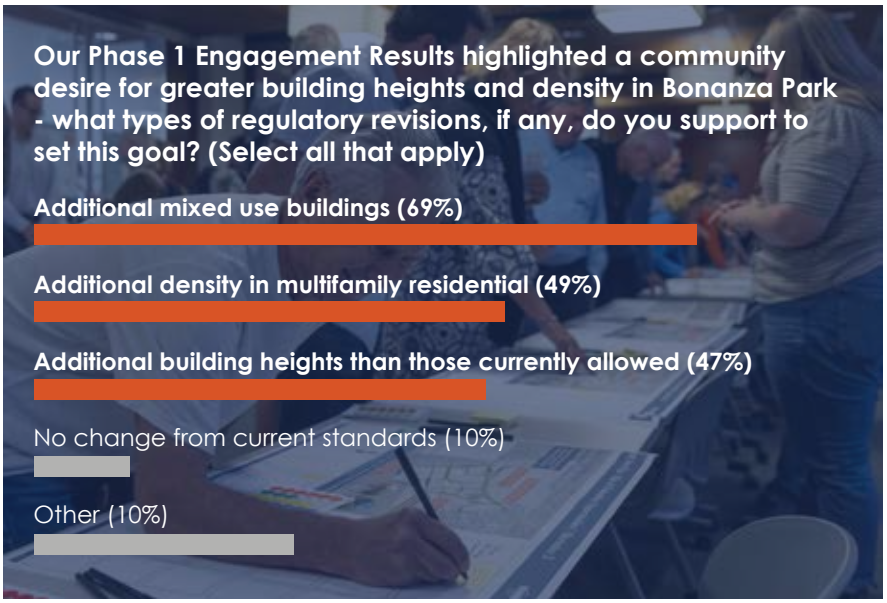
Recycle Utah: Mentioned 32 times

Phase 2 Engagement

During the second phase of engagement, a second community meeting was held to introduce the vision statement, the six project goals, and initial ideas for improving the area's land use and connectivity. The community meeting was accompanied by an online survey in both Spanish and English for those who were not able to attend the meeting.

Prior to the meeting, a walking tour of Bonanza Park took place to give residents the opportunity to discuss neighborhood focus areas directly with the planning team. An engagement session at Park City High School was also conducted to include a youth perspective in the vision for the neighborhood. Through the means of engagement detailed above, the following takeaways were formed around the priorities for future development of Bonanza Park:

- **Additional Density:** While there is support for additional building heights and density in some parts of Bonanza Park, Parkites expect to trade these off with community benefits, such as affordable housing, or public realm improvements.
- **Prioritizing Connectivity:** Parkites would like to prioritize as many long-term connections as possible in Bonanza Park. New connections should be geared toward pedestrians and cyclists, and limit cars. There is a clear priority on improving sidewalks.
- **Local for Locals:** Future uses should focus on serving the needs of locals. There is lack of support for any future hotels, but widespread support for more restaurants/ dining, retail, open space, and multifamily residential.



Key findings from the second phase of engagement

1

Parkites expect to trade off additional density with community benefits, such as affordable housing, or public realm improvements.

Where: Key catalyst sites and long term infill sites

2

Parkites would like to prioritize pedestrian and cyclist connections in Bonanza Park.

Where: Across the entire neighborhood boundary

3

Future uses, such as restaurants/dining, retail, open space, and multifamily, should focus on serving the needs of locals.

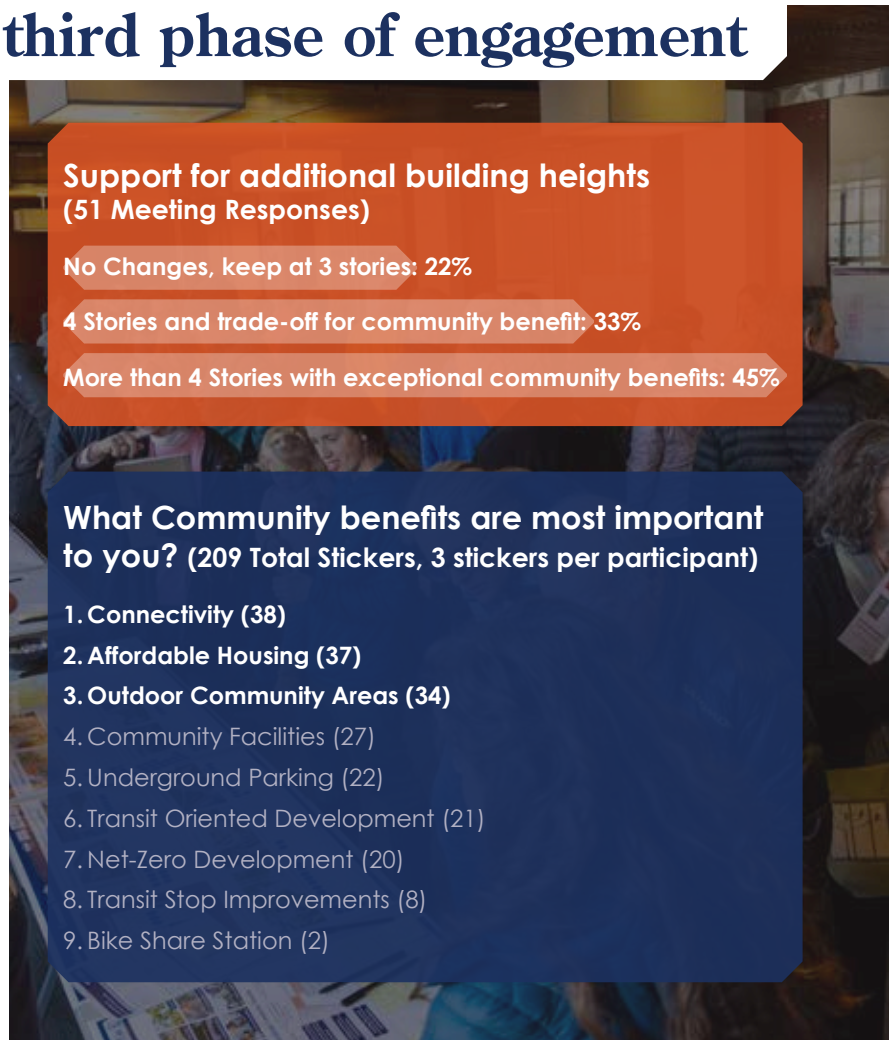
Where: Anywhere where redevelopment occurs in the community

Key answers from the third phase of engagement

Phase 3 Engagement

The third phase of engagement focused on introducing draft recommendations for the Bonanza Park Small Area Plan that support the vision and goals for the neighborhood as expressed by Parkites during the first two phases of engagement. The recommendations were presented during the third and final community meeting, where attendants were given the opportunity to evaluate if anything was missing through interactive activities, a comment card, and one-on-one conversations directly with the planning team. Feedback obtained through community meeting 3 formed the following takeaways:

- **Additional density:** Support was expressed for additional building heights in parts of Bonanza Park in return for community benefits, with connectivity and affordable housing ranking as the most important. Meeting participants expressed widespread support for buildings at four stories, with some supporting more than five stories with exceptional community benefit.
- **Building setbacks:** Parkites expressed that updating the Frontage Protection Zone is a necessary step to protect the mountain views that make Park City unique.
- **Support a neighborhood for locals:** The comments received showed that Parkites supported limiting the amount of new nightly rentals, hotels, and timeshares in Bonanza Park. Many expressed that commercial square footages should be capped (with the exception of grocery stores) to support local businesses as ground floor tenants.



- **Prioritize pedestrian safety:** When establishing future connectivity network, safety features must be included in the design of the road network for pedestrians and bicyclists. Participants overwhelmingly noted that the connectivity framework shared as part of this plan matched their vision for the neighborhood.
- **Connect with adjacent neighborhoods:** The Connectivity network established for Bonanza Park should not only support the neighborhood internally, but also work externally with adjacent neighborhoods, such as Prospector.
- **Establish affordability metrics:** In order to create an inclusive neighborhood, Bonanza Park must work with the development community to build more affordable and workforce housing.
- **Parks and outdoor community spaces are a priority.** There is a need and desire for additional outdoor community gathering spaces where locals can come together.
- **Incorporate art in development and open space design:** Art, especially created by local artists, should be included in the neighborhood and in open spaces whenever possible. Parkites strongly supported the addition of new murals and sculptures.

Vision Statement and Project Goals

This plan is guided by vision and goals established through the planning process.

The recommendations in this plan represent hundreds of voices engaged through community meetings, online surveys, and one-on-one conversations. Through these engagement activities, the planning team asked Parkites to describe the Bonanza Park of today, and to outline their vision for the Bonanza Park of tomorrow.

The result from these comments, ideas, activity results, survey responses, and roundtable conversations are encapsulated in the vision statement and project goals introduced in this section.

Vision Statement

The vision statement is a simple and succinct series of sentences that summarize the community's vision for the future of Bonanza Park. This statement represents a community voice that is authored by the hundreds of comments, ideas, concerns and messages received and reviewed through the plan's engagement. The vision statement was introduced to the community at the second community meeting for their feedback, after which it was refined to reflect the community's priorities.

The vision statement gives clarity to the plan's intent and guided the development of the plan's recommendations. As such, the statement is both descriptive and aspirational - it describes how Parkites perceive Bonanza Park today, and establishes an aspiration for its future. From this vision statement, the planning team developed and refined project goals that guide a series of recommendations under each goal.

This plan is organized through the following three pillars:

Vision Statement

Simple and succinct statement that summarizes the community's vision for the future of Bonanza Park.

Project Goals

Broad outcomes for Bonanza Park desired by the community, organized by the plan's topic areas.

Recommendations

Concrete strategies to achieve a corresponding goal through a specific project, policy, or program.

Descriptive: Bonanza Park Today

↓

Vision Statement

Bonanza Park is a neighborhood where Parkites gather to shop, dine, and express local art and culture. The Bonanza Park of tomorrow will build on this vibrancy to become a more walkable, connected, livable, and inclusive community for current and future Parkites of all ages.

↑

Aspirational: Bonanza Park in the Future

Project Goals

The Bonanza Park Small Area Plan and its recommendations are guided and organized by six project goals developed by the planning team using results from the first phase of engagement. The purpose of these goals is twofold - they establish broad desired outcomes for Bonanza Park that are supported by the community, and they create the topic areas by which the plan's recommendations are organized. In the following section of this report, each project goal is explored with a greater amount of detail, and each goal is supplemented by recommendations that establish concrete strategies to achieve their corresponding goal through specific projects, policies, or programs.

The goals were introduced to the community at the second community meeting. At this meeting and in a follow-up online survey, Parkites were given an opportunity to revise, refine, and add to the project goals. The goals were met with widespread enthusiasm and support, with only minor revisions to language suggested by Parkites, and the suggestions that the goals incorporate environmental sustainability and resilience.

The plan's project goals, introduced below and in the following page, build on what Parkites described as the future for Bonanza Park:

- **Bonanza Park is Mixed Use:** The Bonanza Park of tomorrow will be a mixed use neighborhood with livability in mind. Bonanza Park is an appropriate place for additional density, where more compact development can continue to reflect Park City's small town and resort character.
- **Bonanza Park is User-Friendly:** The future Bonanza Park will be a safe haven for pedestrians, cyclists, and transit riders, while considering vehicular traffic flow. Improvements to existing streets and intersections, and the addition of future connections, will create a safe & intuitive network for current and future users.
- **Bonanza Park is Green:** Bonanza Park will replace its myriad of surface parking lots and paved areas community gathering spaces, pervious surfaces, and new and sustainable development that welcome new residents.
- **Bonanza Park is Local:** Bonanza Park will continue to be a "locals' neighborhood" that serves Parkites through and through. As development and growth occurs, policies should reflect a commitment to encouraging local businesses that reflect the community's authenticity over national chains.
- **Bonanza Park is Inclusive:** Home to much of Park City's naturally-occurring affordable housing, Bonanza Park must remain attainable to Park City's workforce. As such, programs and partnerships should expand the availability of affordable and workforce housing units in the neighborhood.
- **Bonanza Park is Cultural:** As the home to the Kimball Arts Center, Bonanza Park is an emerging hub for Park City's local arts scene. The neighborhood needs to better reflect this energy and activity and weave arts and culture into the community fabric.

Project Goals:
Bonanza Park is...

Mixed Use
Create a mixed use neighborhood with livability in mind.

Local
Support locally-owned business & entrepreneurship.

User-Friendly
Create a safe & intuitive network for pedestrians, cyclists, and transit users.

Inclusive
Expand the availability of affordable and workforce housing units.

Green
Create a more welcoming and sustainable community.

Cultural
Weave arts and culture into the community fabric.

03

Bonanza Park Tomorrow

This Chapter Includes:

Mixed Use | Local | User-Friendly | Inclusive | Green | Cultural

Bonanza Park is...

Mixed Use

Create a mixed use neighborhood with livability in mind.

Through the community engagement process, Parkites described a future Bonanza Park where autocentric development would make way toward a more mixed-use and compact development pattern at a pedestrian scale. At community meetings and online surveys, Parkites reiterated that Bonanza Park is an appropriate place for additional density and building heights. Its central location, proximity to Old Town, transit connectivity, and access to regional trail systems, were noted as various factors that contributed to the neighborhood's readiness for mixed-use development.

Across the neighborhood, the development community has recognized the market opportunity in Bonanza Park for additional retail, residential, and hospitality. Proposed developments and active applications, such as the Park + Kearns redevelopment of the DoubleTree Hotel, or the potential redevelopment of the Iron Horse District, will add new housing units and commercial retail to Bonanza Park. As well, a future potential redevelopment of the city-owned 5-acre site on Kearns Boulevard and Bonanza Drive into a mixed-use district with housing, retail, and an arts center, has the potential to transform a landmark corner and gateway into the neighborhood. As such, Bonanza Park is poised to transform – the time to plan and accommodate this growth is now.

This section explores strategies for how to capitalize on this momentum to re-think suburban development patterns and make Bonanza Park a more livable, walkable, and mixed-use community. This section does so through three key recommendations, each explored with greater detail in the following pages:

- **MU1:** Create a Bonanza Park Mixed Use District that allows for increased densities when new development provides significant community benefits.
- **MU2:** Update the Frontage Protection Zone to ensure that Park City's entry corridors remain scenic and awe-inspiring.
- **MU3:** Establish development guidelines for new multifamily and mixed-use buildings to create walkable, human-scale, development that is contextual and sensitive to its environments.

The Bonanza Park Mixed Use District (BPMX) will establish a mixed-use vision for the neighborhood's future, allowing for increased densities when new development provides significant community benefits and respects adjacencies and context.

MU1: Create a Bonanza Park Mixed Use District that allows for increased densities when new development provides significant community benefits.

A future rezoning of Bonanza Park into a new Bonanza Park Mixed Use District (BPMX) will establish regulatory tools to ensure that future growth in the neighborhood reflects a more walkable, mixed-use, and human scale. This potential district, to be written following this plan's adoption with additional and robust community engagement, is a proactive approach to growth management. Understanding that Bonanza Park will continue to attract development activity, the neighborhood's existing zoning districts of General Commercial (GC), Light Industrial (LI), and Medium Density Residential (RDM), are ill-suited to properly guide this growth in the manner that Parkites described through the plan's engagement. The current zoning reflects legacy uses at times no longer in place, allows for autocentric development patterns, and heavily leans toward single-use commercial development with ample surface parking.

The future BPMX District can likely utilize the existing boundary of this Small Area Plan, with the exception of parcels currently zoned as Recreation Open Space (ROS). The latter are properties with protected green space, cemeteries, or trail connections that will not be subject to future redevelopment. The remaining properties in the study area boundary can be rezoned into a new BPMX District

featuring the following potential concepts, to be refined with additional engagement following this process:

- **More residential uses by right:** The new BPXM District should encourage additional housing in Bonanza Park by making residential uses by right, rather than as a conditional use (as is the case currently through the GC Zoning District). Additionally, a rezoning is an opportunity to expand allowed housing types in Bonanza Park to include housing typologies commonly associated with Missing Middle Housing. These may include townhomes, duplexes, triplexes, quad apartments, and cottage courts.
- **Vertical Zoning Standards:** To ensure an active ground level where buildings engage the street and sidewalks, a future BPMX can require active ground level uses as part of vertical zoning standards. These uses should draw pedestrians, cyclists, and transit riders in active streetscapes, and may include commercial retail, restaurants/dining, coffee shops, hardware stores, and childcare/daycare.
- **Building Heights:** To protect the existing scale, character, and charm in Park City as described by those who engaged in this planning process, a future BPMX District is recommended to maintain the existing by-right building height of 35-feet already included in the GC District. Nonetheless, recognizing that many Parkites expressed that there is a desire and need for additional density in Bonanza Park, a BPMX can establish a framework where developers can apply for density bonus in exchange for a community benefit.

Proposed Concepts in a future Bonanza Park Mixed Use Zoning District (BPMX)

More residential uses by right

- Residential uses noted as conditional uses in the General Commercial (GC) district are proposed to be by right in a new BPMX.
- Encourages Missing Middle housing.

Vertical Zoning Standards

- Active ground level uses required.
- Policies to encourage a walkable neighborhood.

Building Heights

- Base height of 35' (unchanged from General Commercial).
- Opportunities for a density bonus.

Establishing a Density Bonus for Community Benefits

A Density bonus is a zoning tool that permits developers to build more housing units, taller buildings, or more floor space than normally allowed in exchange for providing a defined public or community benefit. Cities across the country have enacted density bonuses, many in exchange for the types of benefits that Parkites described and supported through the engagement process. These community benefits range from affordable housing units, outdoor community spaces, improvements to the site or area's overall connectivity, to more site-intensive benefits like providing underground parking to mitigate the visual impacts of surface parking lots or parking garages.

The types of community benefits to consider as part of a density bonus are listed below and should be determined via additional engagement with the community, and be further defined by Park City Staff following this process:

- **Publicly-accessible outdoor community spaces** suitable for year-round use.
- **Affordable/Workforce housing** meeting local goals and affordability metrics.
- **Transit/Mobility hub** where users can access multiple types of transport modes (bike share, transit, etc.) in a single location.
- **Connectivity improvements**, such as new pedestrian paths or streets.
- **Underground parking** for a significant portion of spaces provided.
- **Art/Placemaking elements**, such as murals, lighting, and signage.

What is a Density Bonus?

Density bonuses are a zoning tool that permits developers to build more housing units, taller buildings, or more floor space than normally allowed in exchange for providing a defined public benefit. The means of providing a density bonus for Bonanza Park can be through:

Option 1	Option 2	Option 3
Reducing setback requirements from 25 feet (unless in the Frontage Protection Zone).	**Reducing parking requirements** for mixed-use buildings.	**Increasing building heights to** 45' with community benefits.

Examples of community benefits supported by the Parkites we engaged in this process:

Outdoor Community Spaces

Affordable/Workforce Housing

Transit/Mobility Hub

Connectivity

Underground Parking

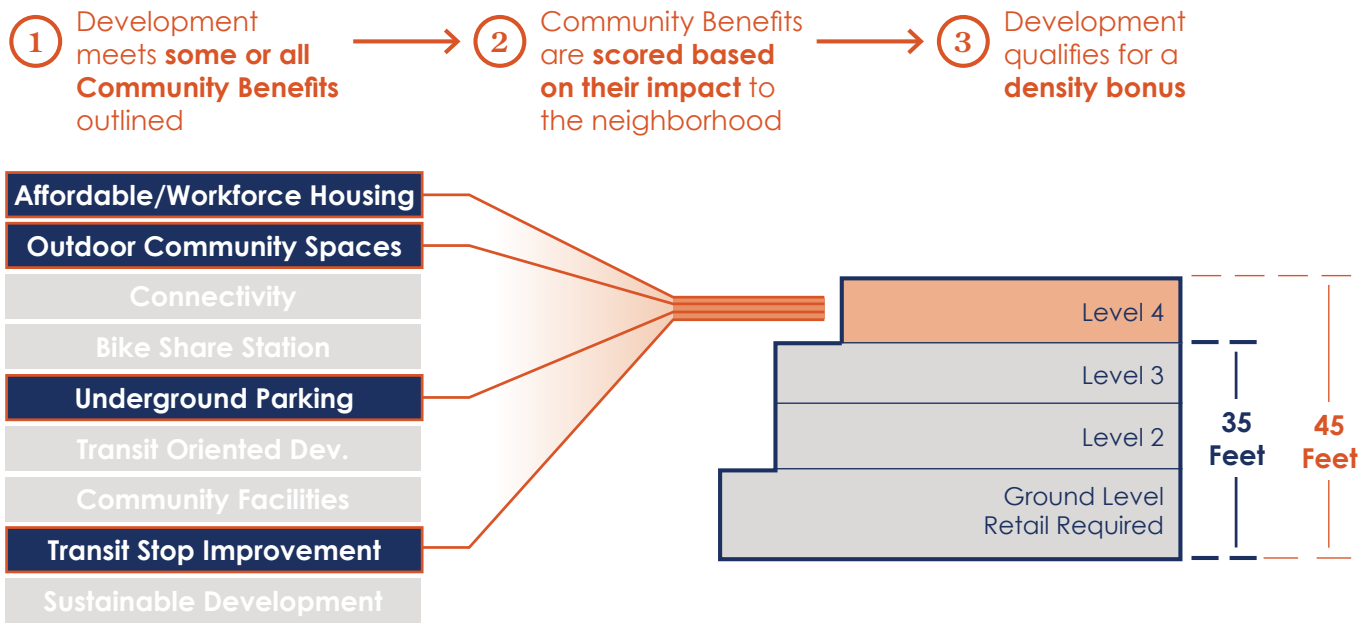
Art/Placemaking

Community Facilities

Transit Oriented Dev.

Net Zero Development

Establishing a Density Bonus for Community Benefits: How does it work?



- **Community facilities**, such as daycare or essential services.
- **Transit Oriented Development** where higher densities are located near a high frequency transit line.
- **Sustainable Development** that meets or exceeds Park City's net-zero goals.

The need for a density bonus in Bonanza Park is more pressing than ever. The development community has taken notice of the market opportunity in Bonanza Park and have submitted or proposed redevelopments of key properties in the area. Nonetheless, increased land costs, higher labor costs in construction, and a need for affordable or workforce housing has led the development community to submitting development application with buildings that exceed the allowed heights in the current zoning.

Without regulatory tools in place, the City is forced to negotiate these variances on a case-by-case basis, leading to uncertainty in the development market, and running the risk of not maximizing the community benefit received in exchange for the increased density.

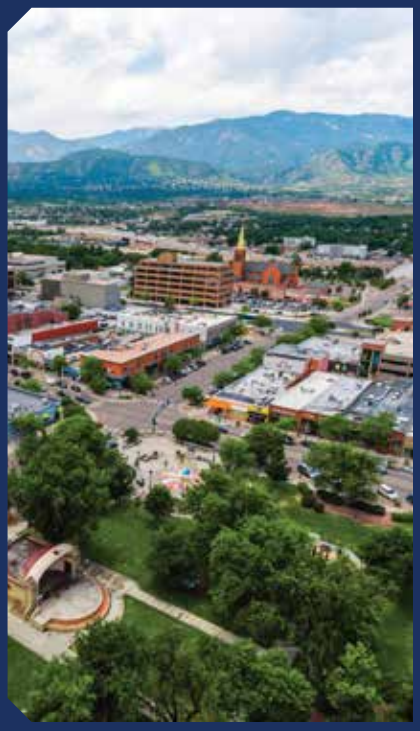
The means of providing a density bonus for Bonanza Park, in exchange for a community benefit, can be through a points-based or score-based system in which the development community has predictable and quantifiable metrics to include in a development application. A notable example to follow is the city of Colorado Springs, CO, where a form-based code for their downtown includes a points-based system of community benefits and a point exchange rate table. In Bonanza Park, the community expressed strong support for this trade-off, with a majority of Parkites in the third community meeting supporting the exchange of a community benefit with one or more of the following options:

- **Option 1:** Reducing setback requirements from 25 feet unless the property falls within the Frontage Protection Zone.
- **Option 2:** Reducing parking requirements for mixed-use buildings, as detailed later in this report in the User Friendly Goal, under the UF4 recommendation.
- **Option 3:** Increasing maximum allowed building height to 45-feet, from the current 35-foot maximum recommended for the BPMX District and within the current GC Zoning.

Increasing maximum building height to 45-feet is consistent with requirements for those applying for an Affordable Master Plan Development (AMPD), in which a developer meets affordability metrics. This recommendation expands this notion even further, through which a developer has additional flexibility to increase building heights, while the Bonanza Park community is able to trade off this impact through a menu of desired community benefits.

Density Bonus Case Studies:

How other communities use this regulatory tool



Colorado Springs, CO

Colorado Springs, Colorado uses density bonuses that allow building elements that exceed zoning requirements in exchange for the inclusion of amenities that benefit the greater community. Density bonus opportunities are split into eight (8) categories:

1. Pedestrian alley improvements
2. Public art and cultural amenities
3. Market rate housing units
4. Affordable housing units
5. Green building design
6. Historic Preservation
7. Underground Parking
8. Bicycle Storage

Each density bonus category describes the amenity and the level of improvement that must be achieved in order for the improvements to count toward a density bonus. Points are awarded for each category meeting the minimums, and points are exchanged into additional height allowances. Exchange limits are listed within the Code and all point exchanges are approved through either the Downtown Review Board and/or the City Council.

Seattle, WA

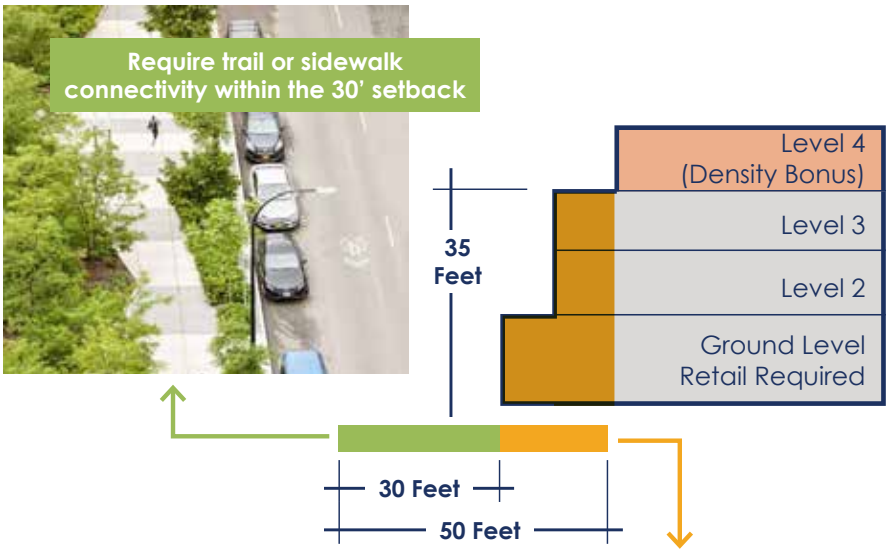
Seattle, Washington uses incentive zoning that allows additional floor area and/or height that exceeds the zoning requirements in exchange for public amenities. Incentive zoning opportunities are split into five (5) amenities options:

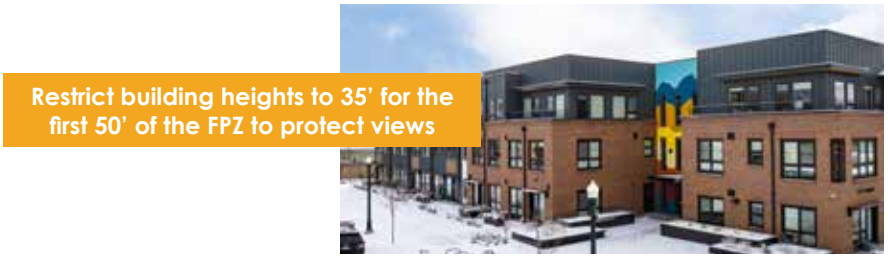
1. Affordable Housing
2. Childcare
3. Open Spaces
4. Transferable Development Potential and Rights (TDP/TDR)
5. Regional Development Credits (RDC)

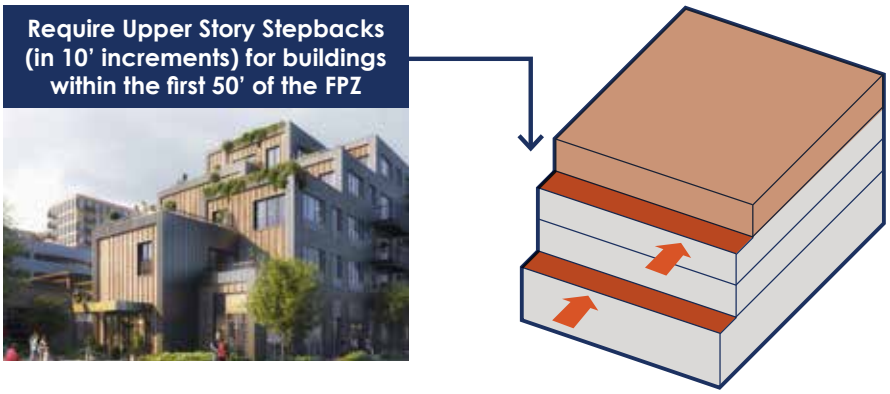
Seattle uses three (3) incentive zoning programs, one specifically to satisfy the requirements for affordable housing within residential developments that allows additional floor area, one voluntary program that offers amenities in exchange for additional floor area and building height and one specifically for Downtown that allows additional floor area. Each incentive option must follow the requirements listed within the zoning code, including but not limited to agreements with the city, review by state and human services director, duration requirements, size/distribution/rent requirements, location requirements, and minimum amenities included.

MU2: Update the Frontage Protection Zone to ensure that Park City's entry corridors remain scenic and awe-inspiring.

The Frontage Protection Zone (FPZ) is an existing overlay that protects viewsheds along Park City's entry corridors through a 100-foot zone. Within Bonanza Park, the FPZ impacts Kearns Boulevard, Park Avenue, and Deer Valley Drive. Currently, as outlined in the existing conditions section of this report, no structures, including signs, are allowed within thirty feet (30') of the nearest highway Right-of-Way. All construction activity, including permanent signs, proposed in the area between thirty feet (30') and one hundred feet (100') from the nearest Right-of-Way line requires a Conditional Use Permit. Through the plan's engagement, Parkites expressed widespread support for the FPZ's role in enhancing and preserving Park City's character. Nonetheless, Parkites also supported improving the FPZ to better align with their vision for Bonanza Park. These improvements, noted below, are recommended to be considered as an overall update to the FPZ language:







- **Require Trail or Sidewalk Connectivity:** While sidewalks and trails are allowed within the first 30-feet of the FPZ, there is an opportunity to ensure that the first 30-feet of the FPZ setback is treated as a linear green with ample sidewalks, multi-use trails, street trees, landscaping, seating, transit facilities, and pedestrian-scale lighting.
- **Restrict Building Heights:** To mitigate the visual impact of additional development and density along this corridor, building heights along the first 50-feet of the FPZ should be restricted to 35-feet, regardless of the underlying zoning or any additional density bonus.
- **Require Upper Story Stepbacks:** For buildings proposed within the first 50 feet of the FPZ, require upper story stepbacks (in ten-foot increments) along facades facing corridors in the FPZ to preserve mountain views and reduce the visual impact of additional development.

Front Yards

Entrances & Porches

Landscaping & Trees

Windows & Doors

Block Patterns & Sizes

Roofs

Fences

Parking Placement

As part of a Bonanza Park Mixed Use District, ensure that new multifamily and mixed use buildings reflect human scale design for a walkable community by regulating design elements. Excludes single and two-family dwellings.

MU3: Establish development guidelines for new multifamily and mixed-use buildings to create walkable, human-scale, development that is contextual and sensitive to its environments.

With Bonanza Park poised for additional growth, the neighborhood's character, scale, and architectural quality will continue to evolve as new buildings and uses replace surface lots and underutilized parcels. For instance, recent developments like the affordable housing-focused Engine House on Homestake Road, bring in new residents and street life to what was otherwise a surface parking lot.

As this development momentum continues, Parkites expressed through this plan's engagement process that new buildings must reflect the charm, architectural quality, and design sensitivities that have made Park City an international destination and a place with high quality of life for residents. To protect this architectural authenticity, it is recommended that Bonanza Park establish development guidelines for new multifamily and mixed-use buildings proposed within the Bonanza Park study area, whether as a stand-alone regulatory document or as part of a new Bonanza Park Mixed Use District. These guidelines, per state statute, would exclude single and two-family dwellings. Similarly, new design guidelines are not intended to mandate a specific architectural style or preclude from innovative design. Instead, development or design guidelines focus on ensuring good quality design that is human scaled, reflects a walkable setting, and is sensitive to its context and surroundings.

Unlike a Form-Based Code or form-based regulations, development or design standards thus focus on building aspects that are more qualitative in nature to ensure a high design quality in new construction. For instance, they typically address, but are not limited to, aspects like building articulation, site design and orientation, placement or parking lots and structures, location and orientation of yards, entrances, and windows, and location and specifications for landscaping and trees. As well, they can regulate overall development patterns and encourage breaking down Bonanza Park's superblocks into a more compact and connected street grid, where key corridors are activated at the ground level and delivery/ trash/recycling areas are consolidated and screened from view, accessed via alleys or service drives.

Their application into an existing community adds predictability to the development process and signals the quality of design expected of the development community.

How these Recommendations can Shape Development

Taken together, these improvements to the base zoning, FPZ, and the addition of development guidelines will shape development. As growth occurs, the recommendations in this section will preserve and enhance viewsheds and ensure that new buildings contribute to Park City's charm and character.

To illustrate this opportunity, the following example graphics demonstrate how improvements to the FPZ would regulate building form along key corridors in Bonanza Park. The developments shown in these graphics are purely hypothetical massing studies along Park Avenue, Kearns Boulevard, and Bonanza Drive. It should be noted that the massing study along Iron Horse Boulevard and Bonanza Drive is outside the FPZ and illustrates how development elsewhere in Bonanza Park may incorporate these regulations as part of a Bonanza Park Mixed Use District.

Kearns Boulevard & Homestake Road

Park Avenue & Woodbine Way

Existing Conditions

Conceptual 4-Story Development

Iron Horse Boulevard and Bonanza Drive

Conceptual 4-Story Development

Existing Conditions

Bonanza Park is...

Local

Support locally-owned business & entrepreneurship.

At community meetings, walking tours, roundtables, and online surveys, Parkites described Bonanza Park as "locals' neighborhood"- a place where Parkites live and go out to dine, shop, and run errands. This was in contrast to Old Town and the Main Street corridor, which many of the Parkites we engaged described as catering toward tourists and out of town visitors. For instance, Parkites described the charm of the Boneyard Saloon and Roadhouse Grill, and how they would likely run into neighbors when dining out. These impromptu meetings, where neighbors converse and can comfortably and naturally gather, create and foster a strong sense of community and belonging. Their happening is not exclusive to the venue in which they occur, but instead enhanced by the authenticity of the venue and how it feels representative of the community's values. As such, Parkites expressed a desire that new businesses and establishments that come into the neighborhood as development and growth occurs continue to reflect the personality and authenticity of Bonanza Park.

Similarly, the Parkites we engaged expressed the value of Bonanza Park being a true neighborhood where Parkites live, work, and recreate. The neighborhood is already home to more than 700 residents and is expected to continue to add residents with new development proposals. As an internationally renowned tourist destination, Park City's appeal is widespread and highly desirable. While the tourism-based economy creates economic opportunities and supports the overall community, it also creates pressures on land values and the housing market through the addition of hotels, timeshares, and nightly rentals. Preserving the neighborhood's character as a place for Parkites continues to be a key community priority. This section does so through the following recommendations:

- **L1:** Limit nightly rentals, hotels, and timeshares to grow the residential base for Bonanza Park, and ensure that new dwellings are supporting a neighborhood for locals.
- **L2:** Limit conventional chain businesses to prioritize locally owned and unique retailers/ restaurants in Bonanza Park.
- **L3:** Cap commercial square footage per building, with exceptions for grocery stores, to incentivize mixed use development.

L1: Limit nightly rentals, hotels, and timeshares to grow the residential base for Bonanza Park, and ensure that new dwellings are supporting a neighborhood for locals.

Bonanza Park is a neighborhood by locals, for locals. As growth occurs, Parkites engaged through this process supported a future land use vision centered around additional mixed-use development that brings in more full-time residents and provides homes for Park City's workforce, and limits the addition of hotels, nightly rentals, and other hospitality uses. With this goal and outcome in mind, there is an opportunity to limit nightly rentals, hotels, and timeshares in the neighborhood.

Limiting Future Hotels

With the exception of the DoubleTree Hotel at the corner of Park Avenue and Bonanza Park and the Park Regency Resort on Prospector Avenue, Bonanza Park is largely commercial in nature with some pockets of residential condos and apartments. Through a rezoning of the neighborhood into a future Bonanza Park Mixed Use District, there is an opportunity to classify major hotels, or those with more than fifteen hotel rooms, as a conditional use. Currently, both major and minor hotels are uses allowed by right in the General Commercial (GC) zoning district. This rezoning will establish an additional check on whether any proposed hospitality uses will impact the overall character of Bonanza Park, providing an opportunity for potential new hospitality uses to establish compatibility standards with the remainder of the neighborhood.

Limiting Nightly Rentals

In the last decade, nightly rentals have disrupted and transformed the hospitality industry, and as a consequence, the neighborhoods where they are located. While they provide visitors additional choice beyond a traditional hotel and may even introduce new visitors and economic activity to an otherwise residential community, their presence is not without negative impacts to housing affordability and impacts to the character of a neighborhood. According to AirDNA, the world leader in nightly rental intelligence data, nightly rentals in the United States, on average, increased home values between 1 to 4 percent over the last four years – though this percentage may be as high as 17 to 20 percent in very specific touristic areas. * Thus, while limiting nightly rentals alone will not fix housing supply shortages and erase affordability concerns, when heavily concentrated in a community, they may have a significant impact. As such, cities with tourism-driven local economies have enacted strategies to limit nightly rentals both citywide, and within specific neighborhood boundaries.

Park City already regulates nightly rentals citywide through zoning and a licensing process. Anyone with the intent to offer paid lodging for a period of under 30 days, if within one of the allowable zoning districts, must apply for a nightly rental license to operate. The entirety of Bonanza Park is within zoning districts that allow nightly rentals. However, with the exception of portions zoned

Light Industrial (LI), lockout units, or dwellings with separate exterior access that include a bathroom but no kitchen, require a Conditional Use Permit.

Strategies to limit nightly rentals in Bonanza Park may include a menu of options, to be considered by City Council as a next step implementation item. These may impact the Bonanza Park study area directly, as either additions to the Regulation Of Nightly Rentals section of the Land Development Code, or as part of a future Bonanza Park Mixed Use District. These may include:

- Establishing a total cap or quota on the total number of nightly rentals in Bonanza Park, as a percentage of the total housing units in the neighborhood, or as a number influenced by the number of nightly rentals currently permitted in Bonanza Park.
- Limiting the number of tenants who can stay in a nightly rental per single stay, to prevent "party houses" in established residential areas.
- Establishing a policy limiting investor-owned nightly rentals, or owners who own and operate multiple nightly rental licenses, while still allowing licenses for homeowners wanting to operate a nightly rental from their primary residence.
- Adopting a full-time resident requirement for nightly rental license holders impacting absentee landlords or out-of-town owners.

These nightly rental policies, however, only work effectively through appropriate enforcement and monitoring of the supply of rentals in the community. It is recommended that any updates to policies impacting nightly rentals in Bonanza Park are evaluated by their ability to be properly enforced.

L2: Limit conventional chain businesses to prioritize locally owned and unique retailers/ restaurants in Bonanza Park.

Parkites responding to surveys and attended meetings described Bonanza Park's current retailers, dining establishments, and shops and one of their top "favorite things" about the neighborhood. Many of Bonanza Park's commercial properties are indeed home to local businesses with local or regional ownership, many of which attended stakeholder roundtables conducted by the planning team in the first phase of community engagement. These owners are highly invested in the success of the community, and champion improvements to the area.

As new businesses move into the area, in both existing commercial buildings, or as part of a redevelopment, there is an opportunity to ensure that new tenants reflect the richness, authenticity, and character of the community. A key strategy for such is to limit conventional chain businesses from operating in Bonanza Park. Park City already defines a conventional chain business through the Land Development Code, as a commercial storefront substantially identical to more than ten (10) other businesses, regardless of ownership or location, based on standardized menu, merchandise, apparel, or architectural design or decor. Strategies to limit chain businesses in Bonanza Park include:

- Limit the total number of chain businesses allowed in the Bonanza Park neighborhood, either as

part of a prohibited use in a new Bonanza Park Mixed Use District, or as an addition to the General Commercial (GC) Zoning District. The Park City municipal code already does so for two zoning districts - the Historic Recreation Commercial (HRC), where no more than seven chain businesses are permitted, and the Historic Commercial Business (HCB) District, where no more than 17 chain businesses are permitted.

- Limit the size of allowed square footage for a chain business to no more than 5,000 square feet to discourage "big box" retail users.
- Limit the proportionate amount of square footage a conventional chain business may occupy within a single building. For instance, a future policy may outline that chain businesses must not occupy more than 30% of the total commercial space in a single building.

L3: Cap commercial square footage per building, with exceptions for grocery stores, to incentivize mixed use development.

In order to incentivize mixed use development over single use commercial development, a future Bonanza Park Mixed Use Zoning District can include regulations that cap the maximum allowable commercial square footages for a single development, building, or application. These recommendations can carve exceptions for potential uses that require a higher total square footage, and are associated with a livable community, such as a full-service grocery store, institutional uses such as an art center or museum, or municipal and civic uses. These terms need to be further defined by Park City Staff following this process, for clarity. For instance, Park City's Land Management Code and its definitions do not currently distinguish a grocery store from other major retail and service commercial uses.

The potential regulations to be considered include the following:

- Limit the allowable commercial square feet for a single building to no more than 15,000 to 29,000 square feet, to ensure that building massing remains at the same scale as the surrounding neighborhood.
- Limit the size of allowed square footage for all commercial uses to no more than 5,000 square feet for a single tenant, to discourage "big box" retail users.
- Require that at least 50% of the total square footage for mixed use buildings that include commercial uses at the ground level are dedicated to residential or commercial office uses.

Bonanza Park is...

User-Friendly

Create a safe & intuitive network for pedestrians, cyclists, and transit users.

From the very first engagement session, Parkites reiterated their support for a more connected, walkable, bikeable, and transit-rich Bonanza Park. At community meetings and stakeholder roundtables, Parkites described moving through the neighborhood as a confusing and often challenging endeavor.

The Mixed Use goal of this plan envisions a more mixed use, compact, and livable Bonanza Park. In order for this type of development vision to thrive, Bonanza Park will require significant investments to its network of streets, sidewalks, and to its overall connectivity. At the neighborhood scale, livability begins and ends with user-friendliness for all users, from pedestrians to cyclists, transit users, and lastly, for those driving a personal car. As such, this section focuses on improvements to the neighborhood's existing infrastructure, and outlines policy recommendations to ensure that new development supports a more connected mobility network, through four key recommendations:

- **UF1:** Establish a future network of pedestrian and bicycle linkages through Bonanza Park to connect with regional trails and improve the area's connectivity.
- **UF2:** When considering development proposals, encourage multiple connections through Bonanza Park to create a more walkable and interconnected block system.
- **UF3:** Leverage future developments to fund and implement mobility improvements, such as traffic calming, crosswalk improvements, transit hubs, and tunnels to surrounding neighborhoods.
- **UF4:** Create a vibrant pedestrian-oriented neighborhood by restricting autocentric uses, lowering parking minimums, and incentivizing underground parking structures.

Understanding that additional development may impact vehicular traffic, a stand-alone mobility component was developed as part of this planning process. This separate report includes a more detailed existing conditions analysis and includes the results of a traffic model measuring impacts to intersection Levels of Service. This technical document was prepared by Fehr and Peers, in collaboration with the planning team.

UF1: Establish a future network of pedestrian and bicycle linkages through Bonanza Park to connect with regional trails and improve the area's connectivity.

To become a more walkable and connected neighborhood, Bonanza Parks needs to focus on building its network of pedestrian and bicycle linkages. This plan recommends doing so through a focus on addressing sidewalk gaps, and an investment into high quality trails, noted as Signature Trails.

Improving Sidewalk and Pedestrian Connectivity

Pedestrian connectivity begins with basic infrastructure – sidewalks. Every street within Bonanza Park must include, at the very least, sidewalks on both sides of the street that meet or exceed Park City's standards. Sidewalk gaps within the neighborhood include the south side of Iron Horse Boulevard, both sides of Shortline Road, and both sides of Homestake Road, though this will be addressed via a complete street redesign of the street. Additionally, there is an opportunity to add sidewalk/trail linkages within the neighborhood core to add mid-block connections in otherwise large superblocks. These interior connections are noted in the accompanying map and include connections between the Rail Trail on Bonanza Drive to Iron Horse Drive and Shortline Road, potential future connections within the superblock at the intersection of Park Avenue and Kearns Boulevard, and internal connections near the city-owned site at Kearns Boulevard and Bonanza Drive.

Potential Bike/Ped Connection Typologies

Neighborhood Street

Shared Street "Woonerf"

Alley or Service Drive

Retail Street

Off-Street Trail

On-Street Bike

Pedestrian Way

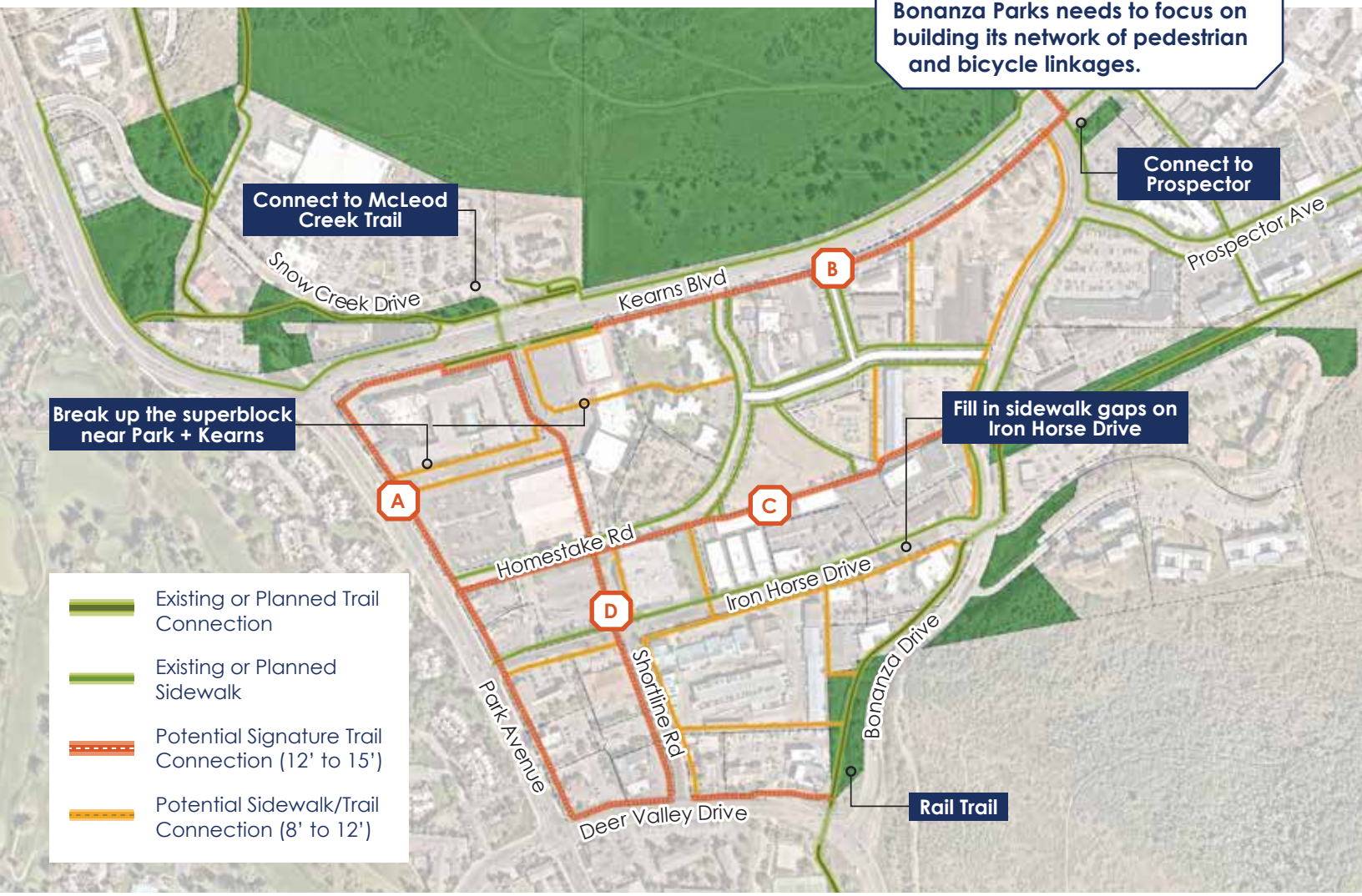
Linear Green

Intersections within the neighborhood core and those between local streets, such as the intersection of Iron Horse Drive and Shortline Road, must prioritize marked pedestrian crossings. At neighborhood thresholds and gateways to nearby communities, such as the connection to Prospector, pedestrian tunnels can provide a more seamless and safe crossing. Park City is already making a similar investment with a tunnel under Kearns Boulevard toward Snow Creek Drive.

Investing in Signature Trails

Bonanza Parks also sits near three regional trail systems of high quality – the Historic Union Pacific Rail Trail to the east, the McLeod Creek Trail to the north, and the Poison Creek Trail to the south. While the rail trail and the Poison Creek trail are seamlessly connected along Bonanza Drive through various pedestrian tunnels, this network remains cut off from the McLeod Creek Trail. Moving from one trail to the other through the neighborhood involves walking along streets

The Connectivity Vision for Bonanza Park



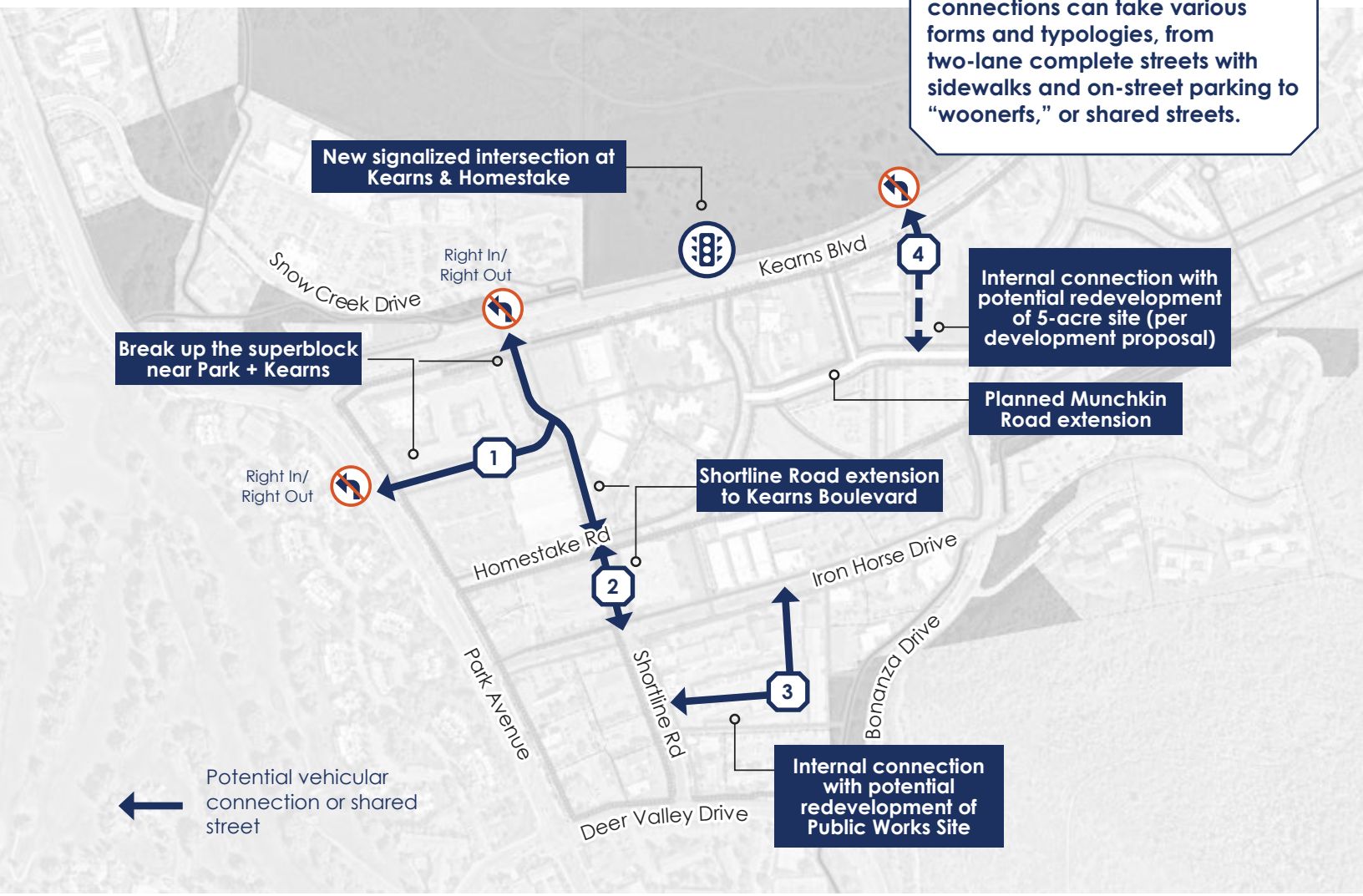
missing sidewalks, cutting through surface parking lots, or walking along narrow sidewalks that lack street trees or pedestrian crossings. As such, this plan recommends investing in Signature Trails, or trails matching or exceeding existing regional trail standards, such as 12- to 15-foot widths, landscaped edges, consistent wayfinding and signage, bicycle repair stations, seating areas, and trailheads at key intersections. Potential routes for signature trails in Bonanza Park include:

- **A** Park Avenue, between Deer Valley Drive and Kearns Boulevard.
- **B** Kearns Boulevard, along its south side between Park Avenue and Bonanza Drive.
- **C** A new east-west connection between Park Avenue and the Rail Trail, through the south side of Homestake Road and within portions of the Iron Horse District.
- **D** A new north-south connection between Deer Valley Drive and Kearns Boulevard, along Shortline Road, the Walgreens property, and through a future redevelopment of the Fresh Market site toward the proposed Snow Creek Drive Tunnel under Kearns Boulevard.

UF2: When considering development proposals, encourage multiple connections through Bonanza Park to create a more walkable and interconnected block system.

Through the years, Bonanza Park's development patterns has resulted in a disjointed network of overly sized superblocks where internal pedestrian and vehicular connections are often lacking. As redevelopment occurs within these superblocks, there must be a focus on breaking

Breaking down Superblocks with Redevelopment



down this superblock pattern into more compact, walkable, and connected blocks. New internal streets and connections can take various forms and typologies, from two-lane complete streets with sidewalks and on-street parking to "woonerfs," or shared streets, where streets are designed to slow down vehicular traffic and prioritize pedestrian and cyclist movement. The internal street network connections to consider as redevelopment occurs are as follows:

1. Superblock between Park Avenue, Kearns Boulevard, and Homestake Road: A future redevelopment of the commercial properties in this area should prioritize created new east-west and north-south connections. Streets connecting to Park Avenue or Kearns Boulevard should remain as right-in/right-out intersections, to lessen impacts to regional traffic.
2. Extension of Shortline Road: With a redevelopment or improvement of the Walgreens site, Shortline Road can be extended toward Homestake Road, eventually connecting with a new north-south connection toward Kearns Boulevard.
3. Public Works Site: In the case of a future redevelopment of the Public Works facility on Iron Horse Drive, a new east-west and north-south connection can create a more compact block size near the Rail Trail.
4. City-Owned 5-Acre Site: In a future redevelopment of the city-owned site at the corner of Park Avenue and Bonanza Drive, a new internal connection should be considered between Munchkin Road and Kearns Boulevard.

Traffic Calming Measures

Crosswalk Improvements

Mobility Hubs

Pedestrian Connections

UF3: Leverage future developments to fund and implement mobility improvements, such as traffic calming, crosswalk improvements, transit hubs, and tunnels to surrounding neighborhoods.

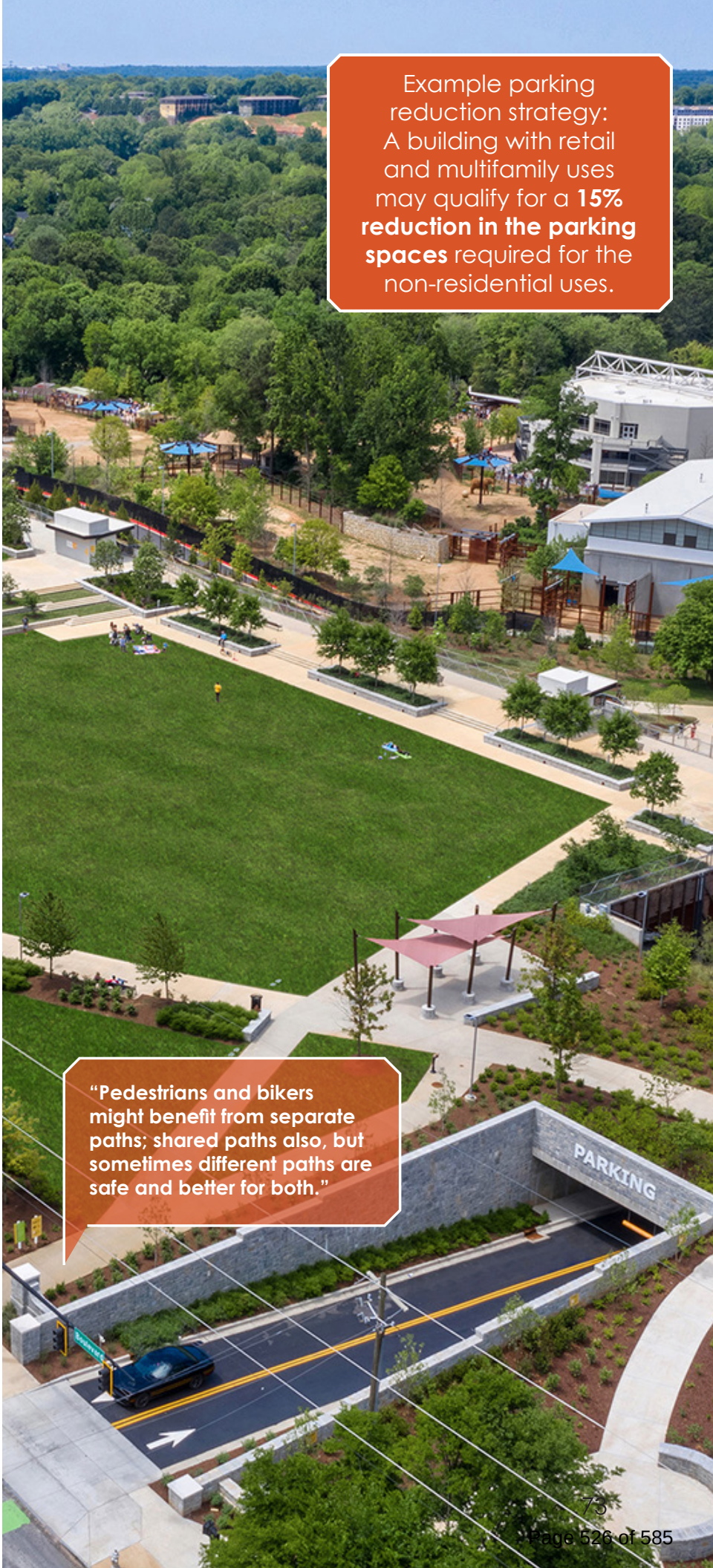
The improvements described in this section are ambitious and will require significant funding. Understanding that municipal funds are limited in accomplishing these goals, there is an opportunity to leverage future developments to fund and implement some of the mobility improvements most needed in Bonanza Drive. While these are investments in the public realm, they may help make Bonanza Park a more vibrant and walkable place, benefiting both existing residents and future residents brought in through new buildings. In collaboration with Park City, developers can choose to provide some of these as a community benefit when applying for a density bonus, as described in the Mixed Use goal, or may choose to pay a fee-in-lieu into a mobility improvement fund. The potential improvements to be considered as high priorities for Bonanza Park include:

- **Traffic calming measures:** Bump-outs at intersections, on-street parking as part of a complete street design, parklets, sidewalks, signage, and street trees.
- **Crosswalk improvements:** Clearly marked crosswalks and pedestrian signage.
- **Mobility Hubs:** Bus shelters (with lighting, seating, cover, and signage), bus pullouts, and access to last-mile connectivity, such as bike share or micro-mobility.
- **Pedestrian Connections:** Continuing to invest in connectivity to the surrounding area, with a focus on creating tunnel or bridge connections with adjacent neighborhoods.

UF4: Create a vibrant pedestrian-oriented neighborhood by restricting autocentric uses, lowering parking minimums, and incentivizing underground parking structures.

As part of a new Bonanza Park Mixed Use District (BPMX), Park City may consider the following strategies to shift the development paradigm in Bonanza Park and ensure that new development supports a walkable environment:

- **Restrict car-centric uses:** In a future BPXD Zoning district, auto related retail, drive-up windows, and gas stations, may be considered as potential prohibited uses.
- **Lower parking minimums:** Lower required parking minimums for mixed use developments, or when in close proximity to transit. A shared parking strategy should be developed as an implementation next step. For instance, a building with retail and multifamily uses may qualify for a 15% reduction in the parking spaces required for the non-residential uses, following a parking impact study submitted as part of the development application.
- **Incentivize underground parking:** Included as a community benefit within the proposed BPMX, underground parking should be encouraged and incentivized through a parking reduction. For instance, peer communities have included a 5% reduction of the required parking minimum for parking space included below grade.



Bonanza Park is...

Inclusive

Expand the availability of affordable and workforce housing units.

The Parkites engaged throughout the planning process described a future Bonanza Park where folks of all backgrounds and incomes have access to attainable housing, eco-friendly spaces, improved air quality, and a vibrant local economy built around local businesses. When housing is adequate, other essential elements of community fall more easily into place including healthcare, education, and job opportunities. The common myth that affordable and workforce housing will negatively impact the economy or social qualities of a community is a harmful narrative to communities. Communities flourish when homes are reasonably priced by way of steady rental rates, increased spending power, less stress, more available jobs, and increased tax revenue that can be used to improve infrastructure, educational facilities, and other vital community resources. The U.S. Department of Housing and Urban Development defines affordable housing as housing on which the occupant is paying no more than 30 percent of gross income for housing costs, including utilities. From tenant-based rental assistance to project-based affordable housing, there are multiple options that cities can utilize and incentivize to facilitate the development and preservation of affordable housing. Shortages of affordable and workforce housing are a long-standing challenge throughout the country and in Park City.

In an effort to promote community sustainability, housing has been a focus of Park City since the early 1990's, adopting the first housing policies as early as 1993 intended to create and preserve affordable housing. As a resort town that attracts thousands of visitors every winter season, seasonal workers are an essential part of the workforce with a need for affordable housing, that make it possible for the city to flourish during peak tourism periods.

Park City's Inclusionary Housing Ordinance requires that Master Planned Developments provide affordable units for 20% of the residential units. In 2023, the Five-Year Moderate Income Housing Plan inventoried 651 moderate-income homes citywide, with 439 rental units

and 212 owner-occupied units. Currently this equates to approximately 20% of the total units in Park City, meeting the minimum goal for affordable units citywide. As future development is anticipated within the Bonanza Park and Snow Creek study area, it is critical to continue to incentivize affordable and workforce housing so that Park City's minimum target of units citywide doesn't drop below the 20% threshold. Ideally, future affordable units in Bonanza Park would increase the percentage beyond 20%.

In order to promote a more inclusive Bonanza Park and expand the availability of affordable and workforce housing units, this study provides four recommendations:

- **I1:** Work with the development community to build more affordable and workforce housing in Bonanza Park and help meet citywide goals.
- **I2:** Establish bold affordability metrics to guide decision-making and track short- and long-term success.
- **I3:** Work with residents and property owners to preserve naturally occurring moderate income housing already existing in the neighborhood.
- **I4:** Ensure that new housing and public spaces in Bonanza Park follow Universal Design Principles.

Affordable Housing Case Study:

The Martha | Boise, ID

The Martha is a 2- to 3- story apartment building in Boise, Idaho developed by the Capital City Development Corporation (CCDC), Boise's redevelopment and urban renewal agency. A follow up to the West Downtown Neighborhood Plan, The Martha is the result of a Request for Proposals (RFP) for the redevelopment of CCDC-owned property. The RFP process resulted in a development agreement in 2021, and the project broke ground at the end of 2021, and was completed in 2022.

The development includes 48 mixed-income units with 21 studios, 14 one-bedroom units, and 13 two-bedroom units. All units are affordable to residents earning between 60-120% of Boise's Area Median Income (AMI). The building was designed to reflect the area's historic architecture and scale, and is LEED Silver Certified.

Source: Capital City Development Corporation (CCDC)

Affordable Housing Case Study:

Union Flats | St. Paul, MN

The Union Flats development includes 217 workforce housing units to a neighborhood in St. Paul, MN with little to no affordable options. Built on a formerly contaminated site, the development team used a funding strategy that employed the Low Income Housing Tax Credit Program (LIHTC), among other taxable bonds. The development includes resident amenities like courtyards, a pool and deck, a bike lounge, and proximity to nearby regional rail.

As a LIHTC property, rental rates are designed to be under the St. Paul's AMI, with income restrictions in place.

Source: The National Affordable Housing Management Association

EngineHouse Affordable Housing in Bonanza Park: 99 new deed-restricted units targeting Area Median Incomes (AMI) from 40-80%. Expected to be completed in spring 2025. *(Source: Park City Municipal)*

I1: Work with the development community to build more affordable and workforce housing in Bonanza Park and help meet citywide goals.

Park City has the most aggressive local inclusionary affordable housing obligation in the State of Utah at 20%. Per the City's affordable housing policies, private development providing more than 10 residential units must meet this 20% obligation through one of the following six tools:

1. Building the affordable units on site
2. Build affordable units within City limits
3. Deed restrict existing units
4. Build affordable units outside city limits but within the Park City School District Boundary
5. Convey land to the city within the Park City School District Boundary
6. Pay an in-lieu fee, currently $389,700 per Affordable Unit Equivalent

In addition to these tools, this study recommends exploring additional development agreement options that would ensure that developments seeking public investment align with the needs of the broader Bonanza Park and Park City community, such as providing important community benefits as a part of the overall development. Public incentives combined with private funding can also provide private sector technology and innovation, and potentially spread the cost of infrastructure over a more extended period, freeing up public funds that could be applied to areas where private investment is not appropriate or impossible. Lastly, encouraging the construction of various unit sizes and types including micro-units, apartments, townhouses, and condominiums may lead to multiple price points offered within Bonanza Park.

I2: Establish bold affordability metrics to guide decision making and track short and long-term success.

By setting targets for the number of affordable and workforce units that should be built in Bonanza Park and the desired AMI level, Park City will be able to monitor affordability that will help assess progress and determine if changes to the strategy are necessary. Policy objects such as increasing the affordability of rental housing or expanding affordable housing goals within Bonanza Park. By establishing bold affordability metrics that are specific and measurable, Park City will be able to determine to what extent progress is being made in achieving affordability goals. Specific housing goals provide the detail for effective measurement of success rather than vague goals that simply "promote" affordable housing opportunities. Establishing a baseline that begins in a given year and setting a goal for new housing in a five-year period would be an example of a measurable goal for short-term affordable housing.

I3: Work with residents and property owners to preserve naturally occurring moderate income housing already existing in the neighborhood.

With the addition of the EngineHouse affordable housing development coming online in 2024, Bonanza Park will provide a significant percentage of Park City's 2024 affordable and workforce housing target. Identified as rental housing that is affordable without the use of public subsidies, Naturally Occurring Affordable Housing (NOAH) occupies the space between market-rate units and government-assisted subsidized units. Opportunities to preserve naturally occurring moderate income housing include innovative financing strategies, providing tools to mission driven owners like reliable acquisition financing and mixed-income approach, capital and incentives for responsible NOAH owners, and rental assistance for tenants are a few examples.

I4: Ensure that new housing and public spaces in Bonanza Park follow Universal Design Principles.

Universal design are principles through which public and private spaces are designed to have equal access by people of all ages and abilities, with little or no need for adaptation or specialized design. A key aspect of design that allows for aging-in-place, universal design follows guidelines developed with the American with Disabilities Act (ADA) in mind.

To continue to be a welcoming community for all Parkites, especially those with special requirements or limited mobility, new housing must incorporate elements commonly associated with universal design. These include no-step entries, appropriate widths for doors and hallways, non-slip surfaces on floors and bathtubs, and housing options that include single-story units.

Bonanza Park is...

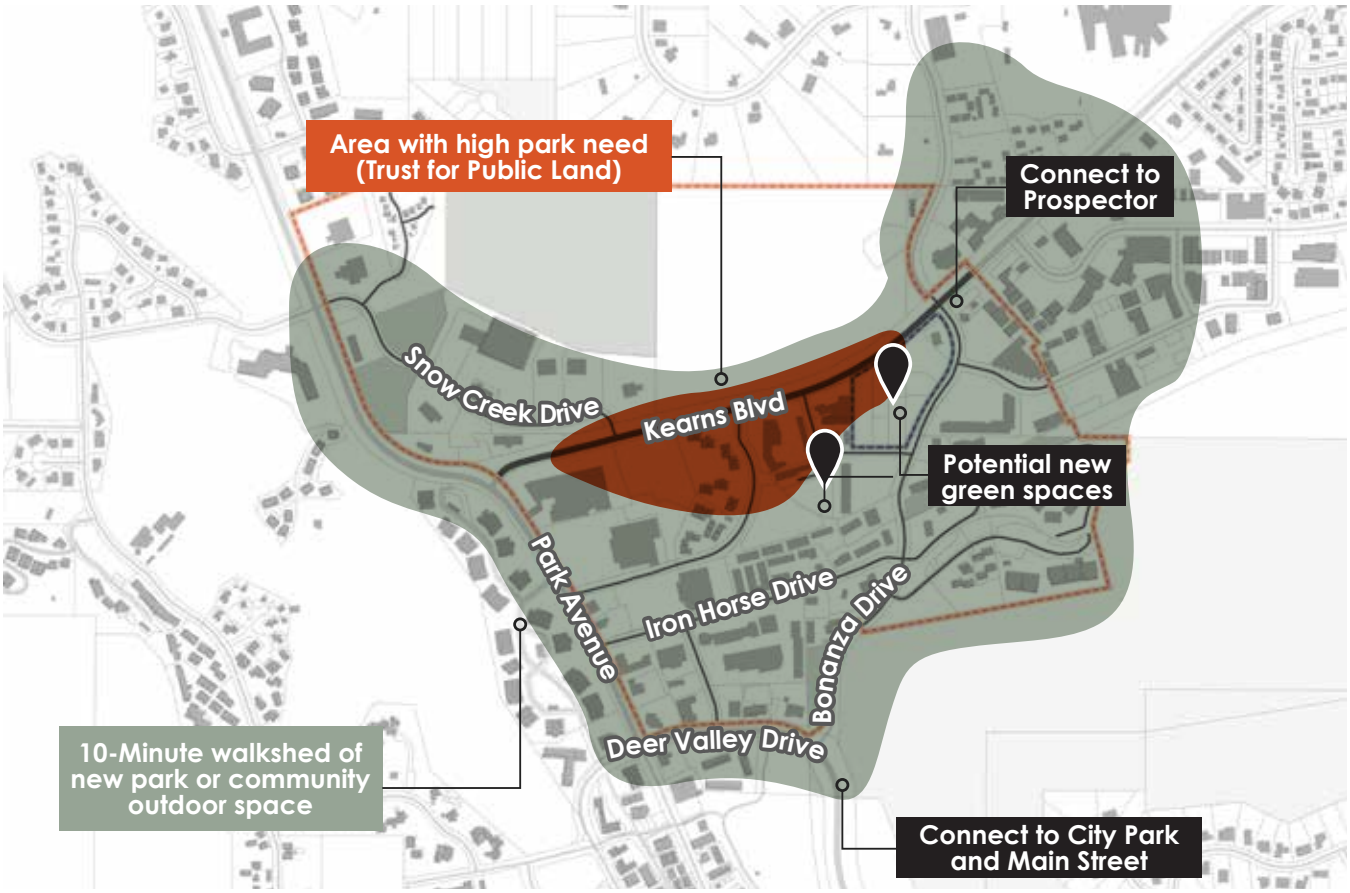
Green

Create a more welcoming and sustainable community.

As Park City and the Bonanza and Snow Creek neighborhoods continue to grow and develop, promoting a greener and more sustainable community that allows people to connect with nature is more important than ever. Sustainable communities provide a wealth of benefits including improved air quality, reduced heat island effects, improved mental and physical health, reduced energy costs, and increased biodiversity. Parks and outdoor community spaces also strengthen social cohesion within a community by offering a range of activities that provide opportunities for people to come together at events like festivals, concerts, and markets. These spaces also promote long-term economic growth by driving tourism, generating income for local businesses, and attracting new residents and businesses to the study area. Finally, community gathering spaces and sustainable development promotes biodiversity and combats the impacts of climate change through vegetation that absorbs carbon from the atmosphere and improves air quality, regulates ecological processes such as pollination and pest control, and serve as conservation areas to protect wildlife and important habitat.

Throughout the arch of the study process including community meetings and online and paper surveys, the incorporation of green and community spaces in future development within the Bonanza and Snow Creek study area received overwhelming community support. Support for a greener, more resilient Bonanza Park is explored through three key recommendations:

- **G1:** Ensure that all current and future Bonanza Park residents are within a safe and comfortable 10-minute walk to a park, outdoor community space, or trail connection.
- **G2:** Provide examples of publicly accessible green spaces or outdoor community spaces as part of a Bonanza Park Mixed Use District to ensure that those added as part of a community benefit are of high quality.
- **G3:** Incentivize sustainable development within Bonanza Park to meet Park City's net zero goals, reduce vehicle trips, and improve access to transit.



G1: Ensure that all current and future Bonanza Park residents are within a safe and comfortable 10-minute walk to a park, outdoor community space, or trail connection.

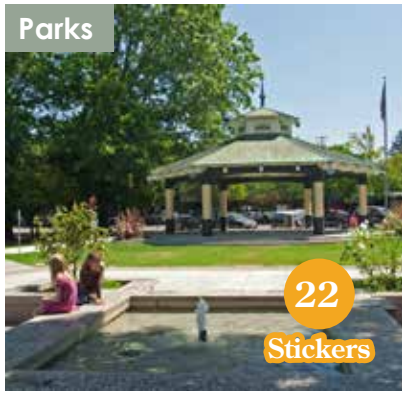
The addition of new parks and trails within Bonanza Park would provide an opportunity for nearly 1,000 nearby residents to be within a 10-minute walking distance of critical community open space and promote a more sustainable environment for the entire community. Future development should be incentivized to provide new outdoor community spaces through public-private partnerships or development agreements. There is also the opportunity to create a new neighborhood outdoor community space in the heart of Bonanza Park with the potential relocation of the utility substation or as part of the redevelopment of the 5-acre site at the corner of Kearns Boulevard and Bonanza Drive. Finally, a focus on trails and pedestrian connections will ensure that biking and walking to a park or trail is safe and comfortable.

G2: Provide examples of publicly accessible green spaces or outdoor community spaces as part of a Bonanza Park Mixed Use District to ensure that those added as part of a community benefit are of high quality.

While providing a wealth of ecological, economic, social, educational benefits to a community, the appearance, scale, and programming of green spaces and outdoor community spaces may vary widely from project to project. Urban plazas, pocket parks, courtyards, parks, and community gardens are a few examples of green community spaces that have the opportunity to offer high quality community benefit, provide environmental and ecological benefits, and promote social cohesion. Careful consideration should be given to each project within Bonanza Park to offer complementary outdoor spaces and experiences throughout the neighborhood and foster a more sustainable and greener community.

These green space typologies should be formalized as a menu of options available to the development community applying for a density bonus within Bonanza Park as part of a new Bonanza Park Mixed Use (BPMX) District, or when proposing development within the Frontage Protection Zone. For each typology, in a future BPMX or elsewhere, the design of these spaces should be guided by supporting language describing their intended use and context, example imagery of best practices, and recommendations for how to best integrate these spaces with a surrounding development.

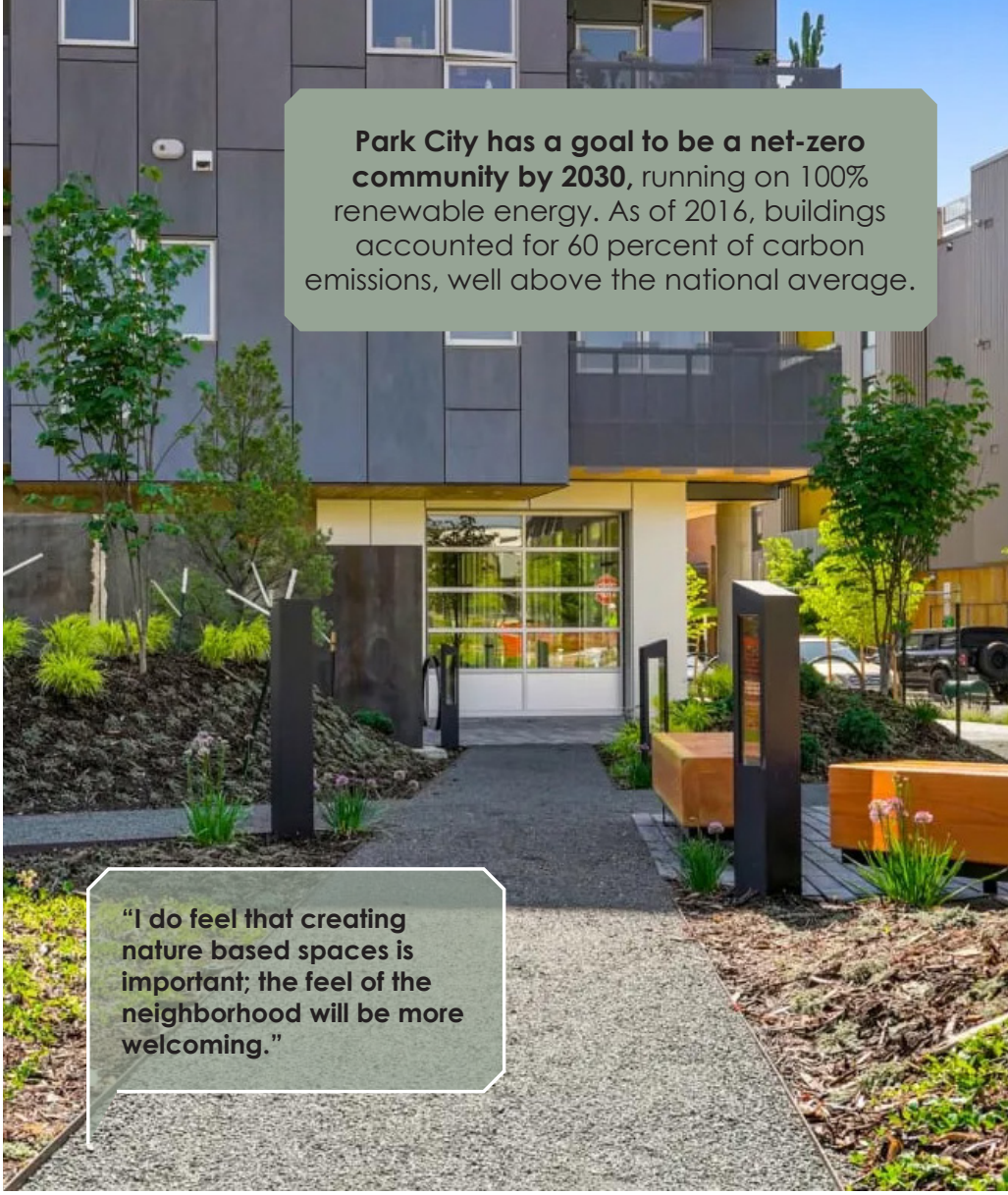
At the third community meeting, Parkites were asked to share what types of green spaces elements they would like to see in Bonanza Park. Those who participated in this activity were given three stickers and were asked to distribute them among the green spaces shown.



G3: Incentivize sustainable development within Bonanza Park to meet Park City's net zero goals, reduce vehicle trips, and improve access to transit.

The impact of our buildings and infrastructure on our environment is significant and overarching, both economically, socially, as well as environmentally. The construction industry and new development is a significant contributor to climate change, which poses a threat to overall public health and has significant impacts on our overall environment and the air that we breathe. By incentivizing greener and more sustainable development, Bonanza Park can contribute to a healthier community for all Parkites and can become a more resilient neighborhood.

Park City has a goal to be a net-zero community by 2030, running on 100% renewable energy. As of 2016, buildings within Park City accounted for 60 percent of all carbon emissions, well above the national average. Investing in green technologies and renewable energy resources like solar, wind and geothermal the Bonanza neighborhood can significantly reduce greenhouse gas emissions. Additionally, green infrastructure such as green roofs, parks, bike paths, and public transit can help reduce air pollution and promote a healthier environment, and future development should be incentivized to include these sustainable features. Finally, future developments should incorporate convenient access to transit routes to encourage reduced dependency on personal vehicles.



Following this process, Park City Staff must further defines what constitutes a "sustainable development." This may be conceived in various forms, such as looking at a development for its total contribution to carbon emissions, its inclusion of sustainable site design elements, or its adherence to existing guidance on sustainable development. For instance, since 2017, Park City's municipal buildings are required to follow net-zero energy performance requirements. These requirements have as a purpose to "balance the annual energy use of all buildings and facilities with on-site renewables, or as close to the site as possible." For private developments, or developments with public-private partnerships, similar or equal standards may be considered to be classified as a sustainable development.

Bonanza Park is...

Cultural

Weave arts and culture into the community fabric.

Quality of life and caring about community are at the core of embracing arts and culture within the places we inhabit. Providing a way for people to engage in public life, successful placemaking incorporates arts and culture at the center of thriving cities and neighborhoods. Arts and culture have the capacity to transform space into place, and the public realm is a perfect example of spaces that have the potential for us all to relate to place and weave art, programming, and activation into our communities as a civic benefit for everyone. Ranging from murals and sculptures to dance performances and orchestras in the park, public and community art have the ability to promote dialogue with the community, especially when the community is engaged in the inception and creation of the expression. Public art also provides economic benefits including job creation and tourism and has the potential to foster youth development in the arts through apprenticeships and education.

The multi-phased engagement approach for the Bonanza Park and Snow Creek Area Plan identified arts and culture as a priority and a goal that should be embraced and encouraged throughout the community, weaving through all aspects of the neighborhood ranging from public infrastructure to new development. This plan does so through the following recommendations:

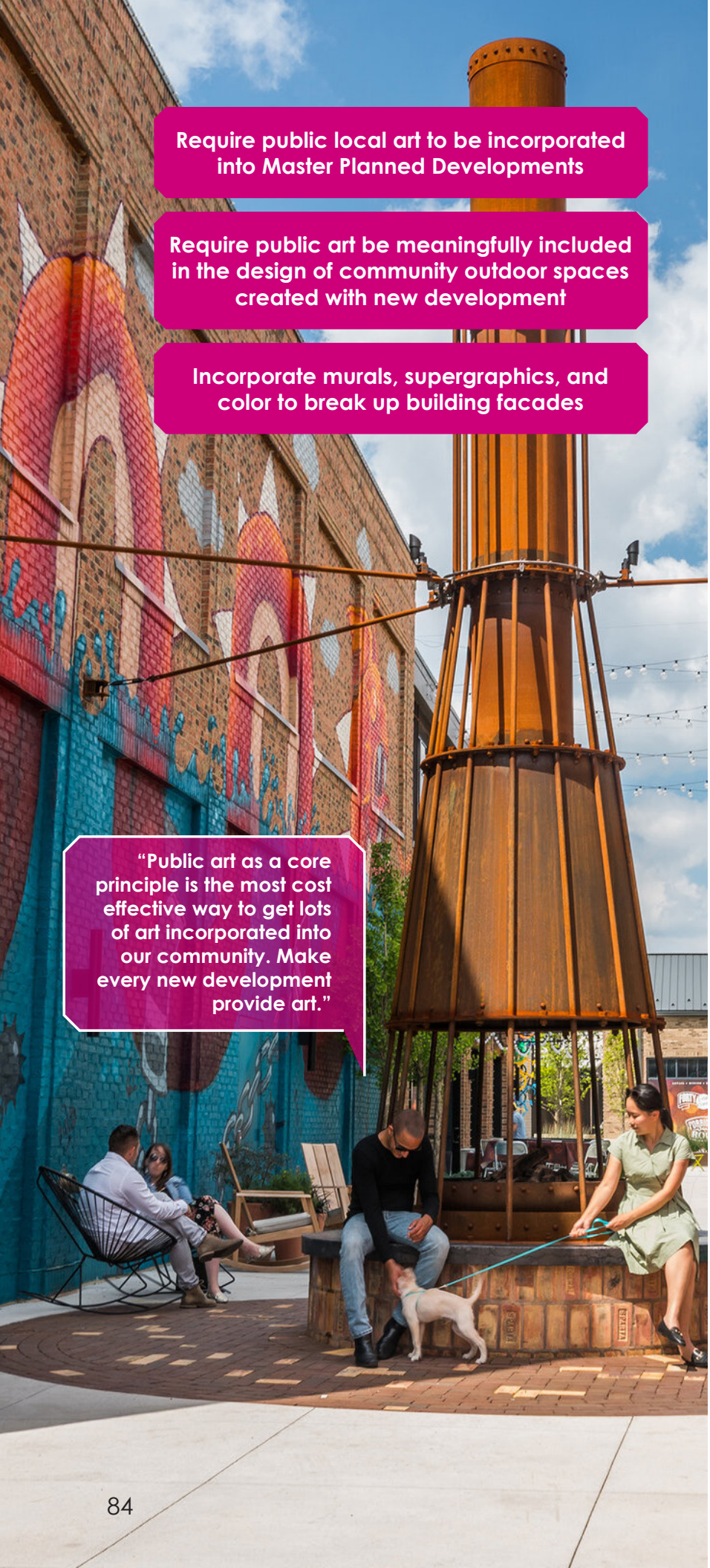
- **C1**: Use public art and placemaking elements to inspire, delight, and enliven public spaces and streets in Bonanza Park.
- **C2**: Ensure that public art is meaningfully incorporated into development proposals and their community outdoor spaces.

C1: Use public art and placemaking elements to inspire, delight, and enliven public spaces and streets in Bonanza Park.

Current and future improvements and redevelopment within Bonanza Park should incorporate the transformation of space to place by reimagining and reinventing public spaces as the heart of the development or community. By focusing on access & connectivity, sociability, uses & activities, and comfort and image, the community-driven process of incorporating public art and placemaking strategies capitalizes on Bonanza Park's local assets and results in the creation of authentic public spaces that contribute to overall health, happiness, and well-being.

Bonanza Park has the unique opportunity to allow art installations within the Frontage Protection Zone when approved through the Public Arts Advisory Board process and dedicated to the city. There are many examples throughout the country of cities and districts incorporating public art within the streetscapes and traffic calming measures, such as creative crosswalks, wayfinding, and neighborhood signage. Additionally, public art, such as sculptures and murals, could enhance trails and gateways at key neighborhood entrances and thresholds. The existing Rail Trail should be enhanced with public art, interactive placemaking strategies, and creative district signage.

Use public art and placemaking elements to inspire, delight, and enliven public spaces and streets in Bonanza Park



C2: Ensure that public art is meaningfully incorporated into development proposals and their community outdoor spaces.

The inclusion of public art within future development projects received overwhelming public support throughout the planning and engagement process for this project. This goal recommends requiring public and local art to be incorporated into Master Planned Developments, to be reviewed and approved through the Public Arts Advisory Board process. It also recommends that community outdoor spaces be created as part of a new development including public art and colorful, creative, and comfortable seating areas. Lastly, the incorporation of murals, supergraphics, and color serves to break up building facades and reflect the neighborhood's identity.

Community Meeting 3 Engagement Results:

What types of placemaking elements would you like to see?

Creative Intersections

Murals

Swings and Creative Seating

Sculptures

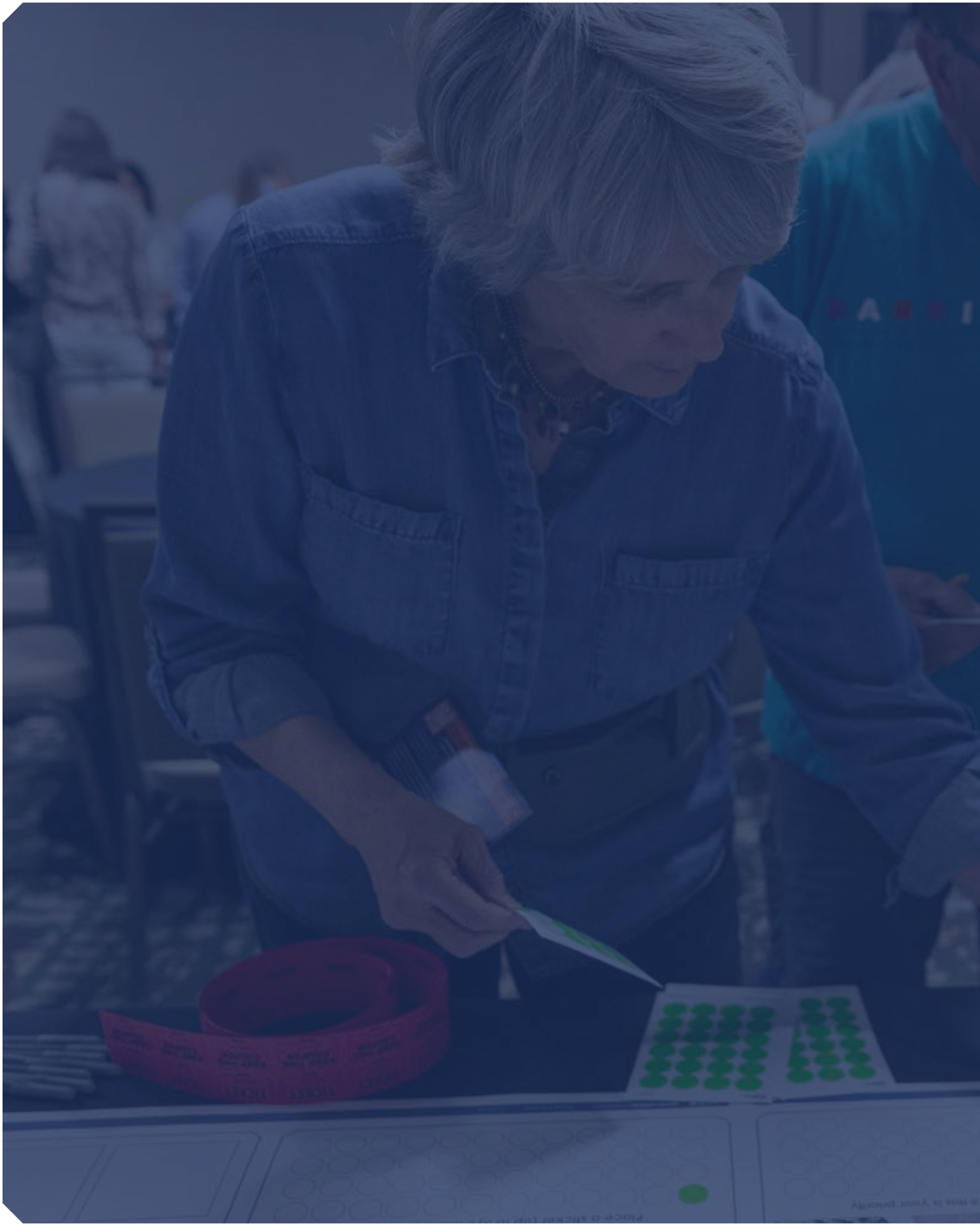
At the third community meeting, Parkites were asked to share what types of placemaking elements they would like to see in Bonanza Park. Those who participated in this activity were given three stickers and were asked to distribute them among the placemaking elements shown.

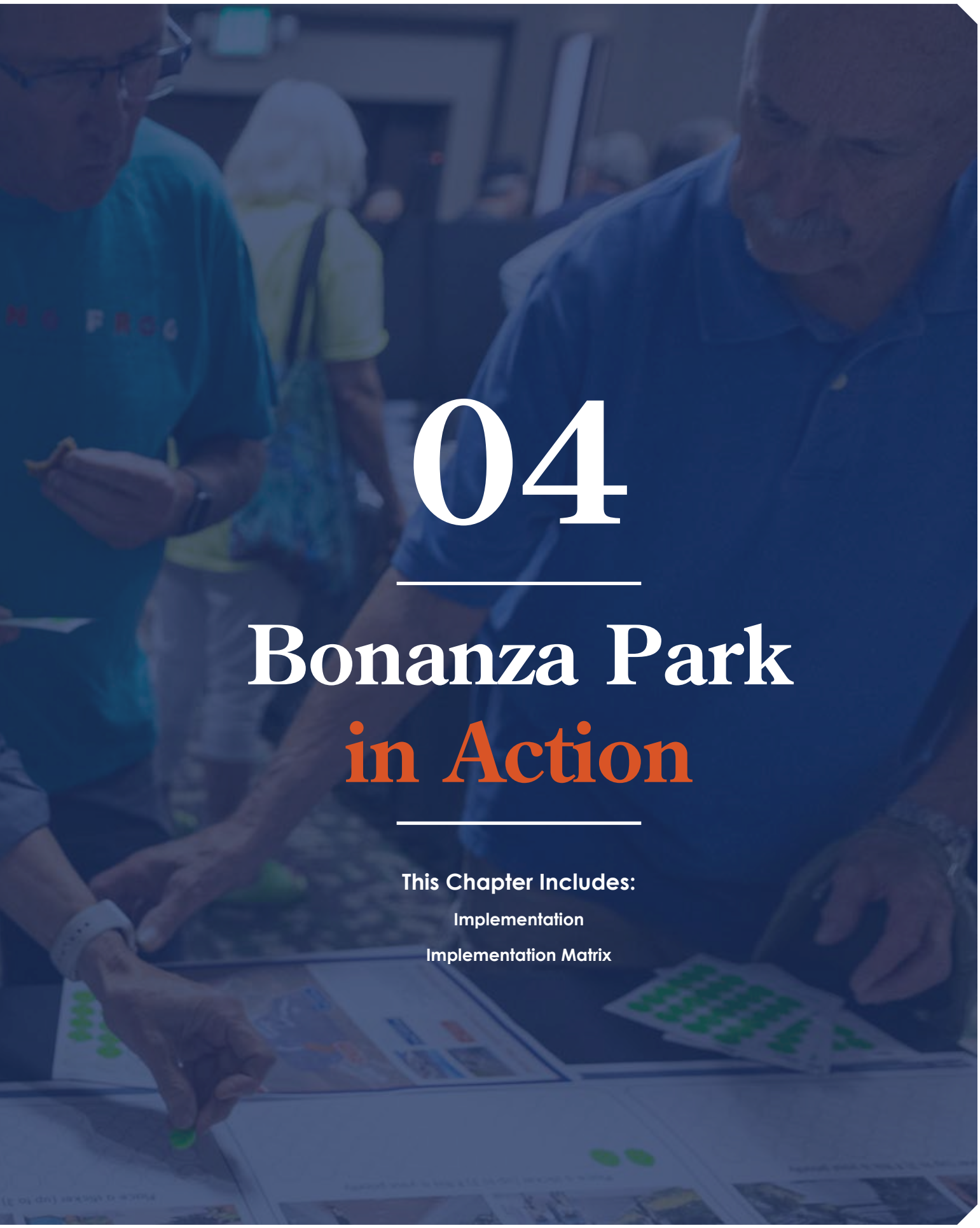
Play Elements

District Signage & Gateways

Wayfinding

Creative Lighting





04

Bonanza Park in Action

This Chapter Includes:

Implementation

Implementation Matrix

Implementation

The community-driven vision of the Bonanza Park Small Area Plan will require additional engagement and public-private partnerships.

In the first public meeting, Parkites who chatted with the planning team stressed the importance of having this plan implemented. Following years of unrealized visions in Bonanza Park, **the community is ready for, and is expecting, action.**

The ideas introduced in this document include capital improvement projects and policy recommendations. The Parkites we engaged passionately advocated for each of the six goals and 19 recommendations in this plan. While every recommendation in this plan is feasible, the reality of implementation is that some must be prioritized over others to efficiently allocate resources, and to set up subsequent recommendations for success. As with all municipalities, Park City has limited funding and City Staff has to prioritize their time and expertise.

As such, this plan recommends that the following key recommendations are prioritized as the first enabling steps in implementation:

- **Draft the new Bonanza Park Mixed Use Zoning (BPMX) language:** The BPMX is an umbrella recommendation that will enable and overlap with many of the concepts and ideas in many of the plan's goals. The BPMX will not only establish a zoning tool that is appropriate for the area's existing conditions, it will also guide growth and development for key redevelopment sites in Bonanza Park, such as the city-owned site at the corner of Kearns Boulevard and Bonanza Drive.
- **Update the Frontage Protection Zone (FPZ):** Updates to the FPZ will ensure that development along these key corridors will honor Park City's scale and character. The update is equally important to the rezoning of Bonanza Park to a new BPMX, as it will ensure that any increases to allowable building heights with community benefits, are stepped down toward these scenic corridors.
- **Ensure that all streets in Bonanza Park meet a baseline standard:** All streets in Bonanza Park should include basic pedestrian facilities, such as sidewalks and marked crossings at intersections. The initial focus should be on addressing all sidewalk gaps identified in this plan.

Key first steps in implementing this vision

1

Draft the new Bonanza Park Mixed Use Zoning (BPMX) language, and share with the community through additional engagement prior to rezoning the Bonanza Park study area.

How: Formalize the concepts shared in this document into draft zoning language, after which share with the community via additional engagement. Use the engagement conducted in this process to guide initial considerations on density.

2

Update the Frontage Protection Zone (FPZ) to guide future development in Bonanza Park along parcels impacted by this overlay, and parcels expected to redevelop in the next 5 years.

How: Formalize the ideas introduced in this document into draft ordinance language, after which share with the community via additional engagement. Use the engagement conducted in this process to guide initial considerations on scale.

3

Ensure that all streets in Bonanza Park include a baseline of sidewalks, street trees, lighting, and safe crossings. Work with partners to ensure that transit stops include shelters and seating.

How: Focus on key sidewalks gaps, with a priority on Iron Horse Boulevard and completing the Homestake Road improvements. Work with Prospector Square stakeholders to establish long term connectivity solutions.

Funding Strategy

As Park City considers these implementation priorities, City Staff should continue to explore multiple funding sources and mechanisms. Many of the recommendations in this document, such as addressing sidewalk gaps, investing in trails, improving streetscapes, supporting local businesses, creating affordable housing, and adding outdoor community gathering spaces, are noted as community benefits supported by Parkites. The funding for these improvements is commonly achieved through citywide funds, such as direct financing from the City's General Fund. However, this type of funding is often tightly allocated. As such, improvements can also be achieved through funding mechanisms that leverage private investment and development in Bonanza Park. These funding methods include:

- **Tax Increment Financing (TIF):** Infrastructure improvements are funded through future increases in property values as spurred by redevelopment. TIFs in Utah are flexible and allow for cities to pay for economic development activities, such a site cleanup or utility undergrounding.
- **Community Reinvestment Agency (CRA):** Also called Redevelopment Agencies (RDAs) or Community Development and Renewal Agencies (CDRAs), a CRA is created by a municipality or county to stimulate redevelopment. The CRA is governed by the legislative body creating the entity, such as a City Council, and is authorized to create a project area. The CRA raises funds to help pay for infrastructure improvements, affordable housing, or other development projects. The funding mechanism for a CRA may include Tax Increment Financing (TIF).
- **Public Infrastructure District (PID):** A PID is created by cities or counties to finance public infrastructure for new development and redevelopment. PIDs have the authority to issue debt repayable from property taxes or assessments on the property owners within a district boundary. PIDs are designed to complement other funding strategies, such as Tax Increment Financing (TIF)or assessment areas and bonds, and require the consent of 100% of the property owners and voters within the proposed district boundary.
- **Private-Public Partnerships (PPP):** For improvements near or within city-owned land, a PPP establishes a long term agreement between the City and a private sector entity. A PPP can be leveraged to improve infrastructure in return for incentives.
- **Community Land Trust (CLT)**: A CLT is an effective tool in building and maintaining affordable housing. A CLT may act as a development arm, acquiring land and maintaining its ownership to ensure affordable pricing.

Funding Mechanism Options:
Tax Increment Financing (TIF)
Community Reinvestment Agency (CRA)
Public Infrastructure District (PID):
Private-Public Partnerships (PPP)
Community Land Trust (CLT)

Implementation Matrix

The following matrix is a tool to guide the plan's implementation. The matrix suggests timeframes, partners, and establishes priorities.

The planning team has crafted the following matrix to guide the plan's implementation process. The matrix is organized by project goal, listing the recommendations under each goal as introduced in the Bonanza Park Tomorrow chapter of this document.

Following plan adoption, Park City staff will begin the process of making the ideas in this plan a reality. Recognizing that the bold ideas in this plan will require cooperation with private and public entities and organizations, the matrix includes potential partners that will need to collaborate on implementation.

As well, the matrix suggests an implementation timeline for each recommendation, based on the planning team's understanding of staff resources, allocated funding, and general support from the plan's engagement process. The timelines suggested in the matrix are listed below:

- **Quick Wins:** Policies and projects that can begin right away, and completed in less that six months to a year.
- **Short Term:** Policies and projects that can begin right away or within less than a year, and may take up to one year to complete.
- **Medium Term:** Policies and projects that may need other items to be implemented first, and could take 2 to 5 years to complete.
- **Long Term:** Policies and projects that are long term efforts or ongoing, and will take more than 5 years to commence and/or complete.

This matrix is a dynamic tool intended to be evaluated on a yearly basis. Upon every year, city staff is recommended to check in on each goal's status to evaluate the implementation's success and to identify needed adjustments or changes. As recommendations are completed, others might be added due to unforeseen or unexpected follow-up needs. Likewise, City Staff is expected to leverage and capitalize on funding as it becomes available, or to speed up certain recommendations if community priorities shift.

As such, this implementation matrix ensures accountability, keeping both Park City and the Parkites that will partner in these ideas on track and on schedule.

	Recommendations	Timeline	Potential Partners
	Mixed Use: Create a mixed use neighborhood with livability in mind		
MU1	Create a Bonanza Park Mixed Use District that allows for increased densities when new development provides significant community benefits.	Short Term	Park City Municipal, Bonanza Park residents
MU2	Update the Frontage Protection Zone to ensure that Park City's entry corridors remain scenic and awe-inspiring.	Short Term	Park City Municipal, Bonanza Park residents
MU3	Establish development guidelines for new multifamily and mixed-use buildings to create walkable, human-scale, development that is contextual and sensitive to its environments.	Medium Term	Park City Municipal, Bonanza Park residents, area developers
	Local: Support locally-owned business & entrepreneurship		
L1	Limit nightly rentals, hotels, and timeshares to grow the residential base for Bonanza Park, and ensure that new dwellings are supporting a neighborhood for locals.	Short Term(as part of BPMX Process)	Park City Municipal, Visit Park City, Bonanza Park residents and hotel operators
L2	Limit conventional chain businesses to prioritize locally owned and unique retailers/ restaurants in Bonanza Park.	Short Term(as part of BPMX Process)	Park City Municipal, Bonanza Park residents and business leaders
L3	Cap commercial square footage per building, with exceptions for grocery stores, to incentivize mixed use development.	Short Term(as part of BPMX Process)	Park City Municipal, Bonanza Park residents and business leaders
	User-Friendly: Create a safe & intuitive network for pedestrians, cyclists, and transit users		
UF1	Establish a future network of pedestrian and bicycle linkages through Bonanza Park to connect with regional trails and improve the area's connectivity.	Medium Term	Park City Municipal, Bonanza Park residents, Utah DNR, UDOT
UF2	When considering development proposals, encourage multiple connections through Bonanza Park to create a more walkable and interconnected block system.	Medium Term	Park City Municipal, Bonanza Park residents and business leaders

	Recommendations	Timeline	Potential Partners
UF3	Leverage future developments to fund and implement mobility improvements, such as traffic calming, crosswalk improvements, transit hubs, and tunnels to surrounding neighborhoods.	Long Term	Park City Municipal, Bonanza Park residents, area developers
UF4	Create a vibrant pedestrian-oriented neighborhood by restricting autocentric uses, lowering parking minimums, and incentivizing underground parking structures.	Short Term(as part of BPMX Process)	Park City Municipal, Bonanza Park residents, area developers
	Inclusive: Expand the availability of affordable and workforce housing units		
I1	Work with the development community to build more affordable and workforce housing in Bonanza Park and help meet citywide goals.	Long Term: Ongoing Effort	Park City Municipal, Bonanza Park residents, area developers, local housing trusts
I2	Establish bold affordability metrics to guide decision-making and track short- and long-term success.	Quick Win	Park City Municipal, Bonanza Park residents, area developers, local housing trusts
I3	Work with residents and property owners to preserve naturally occurring moderate income housing already existing in the neighborhood.	Long Term: Ongoing Effort	Park City Municipal, Bonanza Park multifamily housing residents, multifamily property owners, local housing trusts
I4	Ensure that new housing and public spaces in Bonanza Park follow Universal Design Principles.	Short Term	Park City Municipal, Bonanza Park residents, area developers
	Green: Create a more welcoming and sustainable community		
G1	Ensure that all current and future Bonanza Park residents are within a safe and comfortable 10-minute walk to a park, outdoor community space, or trail connection.	Short Term	Park City Municipal, Bonanza Park residents
G2	Provide examples of publicly accessible green spaces or outdoor community spaces as part of a Bonanza Park Mixed Use District to ensure that those added as part of a community benefit are of high quality.	Short Term(as part of BPMX Process)	Park City Municipal, Bonanza Park residents, area developers

	Recommendations	Timeline	Potential Partners
G3	Incentivize sustainable development within Bonanza Park to meet Park City's net zero goals, reduce vehicle trips, and improve access to transit.	Medium Term	Park City Municipal, Bonanza Park residents, area developers
	Cultural: Weave arts and culture into the community fabric		
C1	Use public art and placemaking elements to inspire, delight, and enliven public spaces and streets in Bonanza Park.	Quick Win	Park City Municipal, Bonanza Park residents, Park City and Summit County Arts Council, Summit County Public Art Advisory Board, local art community
C2	Ensure that public art is meaningfully incorporated into development proposals and their community outdoor spaces.	Medium Term	Park City Municipal, Bonanza Park residents, area developers, Park City and Summit County Arts Council, Summit County Public Art Advisory Board, local art community

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Mobility Chapter

This Chapter discusses transportation and mobility needs in the Bonanza Park/Snow Creek study area, both with and without the development scenarios proposed in this plan. This Chapter addresses background traffic conditions, transit service and ridership, existing challenges to walking and bicycling activity in the study area, and current accessibility for people with limited mobility. It also discusses the impacts of proposed development on traffic conditions at intersections surrounding the study area, identifying some limited mitigation measures for those conditions, and demonstrating the amount of parking that may be needed to serve the development. It also identifies transit strategies and amenities that can support transportation choices for residents and visitors, and recommends a range of other strategies to incentivize travel choices that make more efficient use of the transportation network.

Existing Conditions

Vehicle Mobility

Introduction

The purpose of this section is to document the traffic analysis conducted as part of the Bonanza Park and Snow Creek Small Area Plan. The project encompasses proposed development in the study area. This memorandum documents the Existing (2023) conditions, analyzing the Friday PM peak hour for President's Day weekend, 2023 (capturing commuter peak traffic as well as peak ski season holiday weekend traffic).

Analysis Methodology

Level of Service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. Table 1 provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for both signalized and unsignalized intersections. The Highway Capacity Manual 6th Edition (HCM 2016) methodology was used in this study to remain consistent with "state of the practice" professional standards. This methodology has different quantitative evaluations for signalized and unsignalized intersections. For signalized intersections, the LOS is provided for the overall intersection (weighted average of all approach delays). For this study, the traffic analysis software Synchro was used to analyze the HCM results at the study intersections. This study is generally consistent with the recently adopted Traffic Impact Study guidelines governed by Park City (June 2023).

Table 1: Level of Service Descriptions

LOS	Description	Signalized Intersections	Unsignalized Intersections
		Avg. Delay (sec/veh)[1]	Avg. Delay (sec/veh)[2]
A	*Free Flow / Insignificant Delay* Extremely favorable progression. Individual users are virtually unaffected by others in the traffic stream.	< 10.0	< 10.0
B	*Stable Operations / Minimum Delays* Good progression. The presence of other users in the traffic stream becomes noticeable.	> 10.0 to 20.0	> 10.0 to 15.0
C	*Stable Operations / Acceptable Delays* Fair progression. The operation of individual users is affected by interactions with others in the traffic stream	> 20.0 to 35.0	> 15.0 to 25.0

D	*Approaching Unstable Flows / Tolerable Delays* Marginal progression. Operating conditions are noticeably more constrained.	> 35.0 to 55.0	> 25.0 to 35.0
E	*Unstable Operations / Significant Delays Can Occur* Poor progression. Operating conditions are at or near capacity.	> 55.0 to 80.0	> 35.0 to 50.0
F	*Forced, Unpredictable Flows / Excessive Delays* Unacceptable progression with forced or breakdown of operating conditions.	> 80.0	> 50.0

1. Overall intersection LOS and average delay (seconds/vehicle) for all approaches.
2. Worst movement LOS and delay (seconds/vehicle) only.

Source: Fehr & Peers descriptions, based on *Highway Capacity Manual, 6th Edition*.

Background

Study Intersections

This study analyzes the existing conditions of traffic operations of the Bonanza Park and Snow Creek area. The existing conditions are specifically addressed at the following study intersections, noting their existing intersection controls:

- SR-224 & Snow Creek Dr (signal)
- SR-224 & SR-248 (signal)
- SR-224 & Homestake Rd (WB stop)
- SR-224 & Iron Horse Dr (WB stop)
- SR-224 & Deer Valley Dr (signal)
- SR-248 & Snow Creek Dr (SB stop)
- Homestake Rd & SR-248 (NB stop)
- Woodbine Way & SR-248 (NB stop)
- Bonanza Dr & SR-248 (signal)
- Sidewinder Dr & SR-248 (NB stop)
- Bonanza Dr & Prospector Ave (EB/WB stop)
- Bonanza Dr & Munchkin Rd (EB/WB stop)
- Bonanza Dr & Iron Horse Dr (EB/WB stop)
- Deer Valley Dr & Bonanza Dr (signal)
- Woodbine Way & Munchkin Rd (WB stop)

Existing Background Conditions

The existing background conditions analysis examines the study intersections and roadways during the peak evening travel period (4:45 pm to 5:45 pm, based on observed traffic volumes

throughout the study area) under existing traffic and geometric conditions. Through this analysis, existing traffic operational deficiencies were identified to serve as a basis for the study area build conditions.

Roadway System

The primary roadways included in the analysis for this study are described below.

- **Bonanza Drive** has a posted speed limit of 25 and is classified as a minor arterial in the study area. Bonanza Drive has one northbound lane and one southbound lane divided by a 14-foot median and a two-way left turn lane (TWLTL) throughout its entirety.
- **Deer Valley Drive** has a posted speed limit of 35 and is classified as a principal arterial in the study area. Between SR-224 and Bonanza Drive, Deer Valley Drive has two westbound lanes, two eastbound lanes, and a TWLTL.
- **Homestake Road** has a posted speed limit of 25 and is classified as a major collector in the study area. Homestake Road has no lane markings.
- **Iron Horse Drive** has a posted speed limit of 25 and is classified as a major collector in the study area. Iron Horse Drive has no lane markings.
- **Munchkin Road** has no posted speed limit and is classified as a local road in the study area. Munchkin Road has no lane markings.
- **Prospector Avenue** has a posted speed limit of 25 and is classified as a major collector in the study area. Prospector Avenue has one westbound lane and one eastbound lane with sharrows.
- **Sidewinder Drive** has a posted speed limit of 25 and is classified as a major collector in the study area. Sidewinder Drive has no lane markings aside from sharrows.
- **Snow Creek Drive** has a posted speed limit of 25 and is classified as a local road in the study area.
- **SR-224** has a posted speed limit of 40 and is classified as a principal arterial in the study area. SR-224 has two northbound lanes, two southbound lanes, and one TWLTL from Snow Creek Drive to Deer Valley Drive.
- **SR-248** has a posted speed limit of 35 and is classified as a principal arterial in the study area. From SR-224 to Sidewinder Drive, the road has two westbound lanes, two eastbound lanes, and a TWLTL. Moving east from Sidewinder Drive, the road has one westbound lane, one eastbound lane, and a TWLTL.
- **Woodbine Way** has no posted speed limit and is classified as a local road in the study area. Woodbine Way has no lane markings.

Traffic Volumes

Fehr & Peers collected traffic counts at the study intersections to establish existing conditions for the study area. Counts were collected from 4:00 PM to 6:00 PM on Friday, January 20, 2023

(during Sundance Film Festival), and on Friday, February 17, 2023 (President's Day weekend). The counts were compared between the two Fridays, and it was observed that the counts in February were higher in most locations. The February counts were used for analysis for this study.

Analysis Results

Using Synchro software and the HCM 6 delay thresholds described in the *Analysis Methodology* section of this memorandum, the existing 2023 background weekday PM peak hour LOS were computed for each study intersection. The results of this analysis are reported in Table 2.

Fehr & Peers initially performed a traffic operations analysis on the study intersections based on the counted demand volumes at each intersection. Since the Synchro software uses a deterministic model based on HCM calculations at each study intersection, it has limitations in capturing delays at intersections due to queue spillback from downstream intersections. The initial analysis showed acceptable LOS along SR-248 and Bonanza Drive. However, field observations indicated queues from downstream intersections on SR-248 (the merge point east of Bonanza Drive, and Comstock Drive) spilling back to the study intersections, affecting the demand volumes. Fehr & Peers modified the Synchro analysis to account for the latent demand due to the congested conditions, as shown in the "updated" results for some intersections in Table 2.

The modifications of the Synchro analysis included observing videos from the intersection turning movement counts to estimate the latent demand at the Bonanza Drive & SR-248 intersection. The volumes along SR-248 were then modified by adding the estimated latent demand at the intersections. Additionally, the LOS at the Bonanza Drive & SR-248 intersection was modified to be LOS F qualitatively based on the observed conditions.

Table 2: Existing Conditions LOS Results

Intersection					Worst Movement[1]			Overall Intersection[2]	
ID	Location	Period	Control	Results	Movement[3]	Delay Sec/Veh	LOS	Avg. Delay Sec/Veh	LOS
1	SR-224 & Snow Creek Dr	PM	Signal	Initial	-	-	-	7	A
2	SR-224 & SR-248	PM	Signal	Initial	-	-	-	22	C
3	SR-224 & Homestake Rd	PM	WB Stop	Initial	WB L/R	59	**F***	-	-
4	SR-224 & Iron Horse Dr	PM	WB Stop	Initial	WB L/R	38	**E***	-	-
5	SR-224 & Deer Valley Dr	PM	Signal	Initial	-	-	-	102	**F**

6	SR-248 & Snow Creek Dr	PM	SB Stop	Initial	SB Left	23	C	-	-
7	Homestake Rd & SR-248	PM	NB Stop	Initial	NB L/R	15	B	-	-
				Updated	NB L/R	-	C	-	-
8	Woodbine Way & SR-248	PM	NB Stop	Initial	NB L/R	18	C	-	-
9	Bonanza Dr & SR-248	PM	Signal	Initial	-	-	-	30	C
				Updated	-	-	-	-	**F****
10	Sidewinder Dr & SR-248	PM	NB Stop	Initial	NB Left	34	D	-	-
				Updated	NB Left	-	**E***	-	-
11	Bonanza Dr & Prospector Avenue	PM	EB/WB Stop	Initial	WB Left	198	**F**	-	-
12	Bonanza Dr & Munchkin Rd	PM	EB/WB Stop	Initial	WB L/T/R	33	D	-	-
				Updated	WB L/T/R	-	**E***	-	-
13	Bonanza Dr & Iron Horse Dr	PM	EB/WB Stop	Initial	EB Left	213	**F**	-	-
14	Deer Valley Dr & Bonanza Dr	PM	Signal	Initial	-	-	-	12	B
				Updated	-	-	-	-	B***
15	Woodbine Way & Munchkin Rd	PM	WB Stop	Initial	WB L/R	9	A	-	-

Notes:
1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds/vehicle) and is only reported for signalized intersections.
3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound
   *Unsignalized intersections with high levels of delay, though capacity is sufficient to serve volume with reasonable queues.
   **HCM methodology indicates LOS D based on demand volume, however, field observations suggest unacceptable operations due to downstream queue spillback.
   ***During some days in the winter, queues from SR-248 & Bonanza and SR-224 & SR-224 frequently spill back through this intersection, sometimes reaching as far back as Aerie Drive. This capacity analysis reflects conditions for Friday, February 17, 2023 , though operations on other days may appear to be worse than the conditions shown.

Source: Fehr & Peers.

As shown in Table 2, the study intersections operate at acceptable LOS (LOS D or better) for the weekday PM peak hour, except for the following locations:

- SR-224 & Homestake Rd – LOS F
  - This is caused by the stop-controlled westbound approach attempting find a gap in traffic to turn left onto SR-224
- SR-224 & Iron Horse Dr

    - This is caused by the stop-controlled westbound approach attempting find a gap in traffic to turn left onto SR-224, despite left turn restrictions from Iron Horse between 3pm-6pm
- SR-224 & Deer Valley Dr
    - This signalized intersection experiences high delays due to high volumes in the eastbound, westbound, and southbound approaches.
- Bonanza Dr & SR-248
    - This intersection operates unacceptably due to queue spillback from the downstream delays due to the signal at Comstock Drive and the merge. However, in isolation this intersection would be able to handle the current demand, or with improvements downstream at the lane drop or the signal at Comstock Drive.
- Sidewinder Dr & SR-248
    - This is caused by the stop-controlled northbound approach attempting find a gap in traffic to turn left onto SR-248.
- Bonanza Dr & Prospector Ave
    - This is caused by the stop-controlled westbound approach attempting find a gap in traffic to turn left onto Bonanza Drive.
- Bonanza Dr & Munchkin Rd
    - This is caused by the stop-controlled westbound approach attempting find a gap in traffic to turn left onto Bonanza Drive.
- Bonanza Dr & Iron Horse Dr
    - This is caused by the stop-controlled eastbound approach attempting find a gap in traffic to turn left onto Bonanza Drive.

Transit Circulation and Ridership

Between Park City Transit and High Valley Transit, up to 12 different transit routes go through the study area depending on the season. These trips vary from every 15 minutes to only 6 trips daily. Most of the routes have a winter frequency of 20-30 minutes in the winter, dropping to 30 minutes during summer service. All of the routes that interact with the study area are listed in Table 3, with their respective operator and frequencies.

Table 3: Transit Route Frequency. Source: Park City Transit & High Valley Transit

Route	ID	Operator	Winter Frequency	Summer Frequency
Red	1	Park City Transit	20-30 min	30 Minute

Green	2	Park City Transit	20-30 min	30 Minute
Blue	3	Park City Transit	20-30 min	30 Minute
Yellow	5	Park City Transit	20-30 min	30 Minute
Silver	6	Park City Transit	40 min	40 min
Grey	7	Park City Transit	20 min	Suspended
Brown	8	Park City Transit	20 min	Suspended
White*	10	Park City Transit	15-30 min	*Transfers to High Valley Transit Spring 2024
Teal	50	Park City Transit	20 min	20 min
Spiro / 224 Local	101	High Valley Transit	15 min	15 min
Gateway / Kamas Valley Commuter	102	High Valley Transit	6 daily trips	6 daily trips
Wasatch Back Connector	106	High Valley Transit	8 daily trips	8 daily trips

Table 4 shows the current amenities available to users at each transit stop in the study area, as observed in the field. Most stops in the study area only have a sign to denote the stop and no amenities for users.

Table 4: Current Transit Amenities

Location	Sign	Bench	Trash	Shelter
2060 Snow Park Drive	x			
1550 Snow Creek Drive	x	x	x	x
SR-248, west of Homestake (WB)	x			
SR-248, west of Homestake (EB)	x			
SR-248/Woodbine (WB)	x			
SR-248/Woodbine (EB)	x			
SR-248, west of Bonanza (EB)	x			
SR-248, east of Sidewinder (WB)	x	x	x	x
Monitor/bank access (NB)	x			
Monitor/bank access (SB)	x			
Bonanza, south of Prospector (NB)	x			
Bonanza, north of Munchkin (SB)	x			
Bonanza/Rail Trail (NB)	x			
Bonanza/Rail Trail (SB)	x	x	x	
Iron Horse near picture framing shop (WB)	x			
Iron Horse near Walgreens (WB)	x			
Short Line (SB)	x			

SR-224/Homestake (NB)	x	x	x	x
SR-224/Homestake (SB)	x	x	x	x
SR-224 near Roadhouse Grill (NB)	x			
SR-224 near Hotel Park City (SB)	x			
Prospector east of Bonanza (EB)	*x*			
Prospector east of Pretty Bird (EB)	*x*			

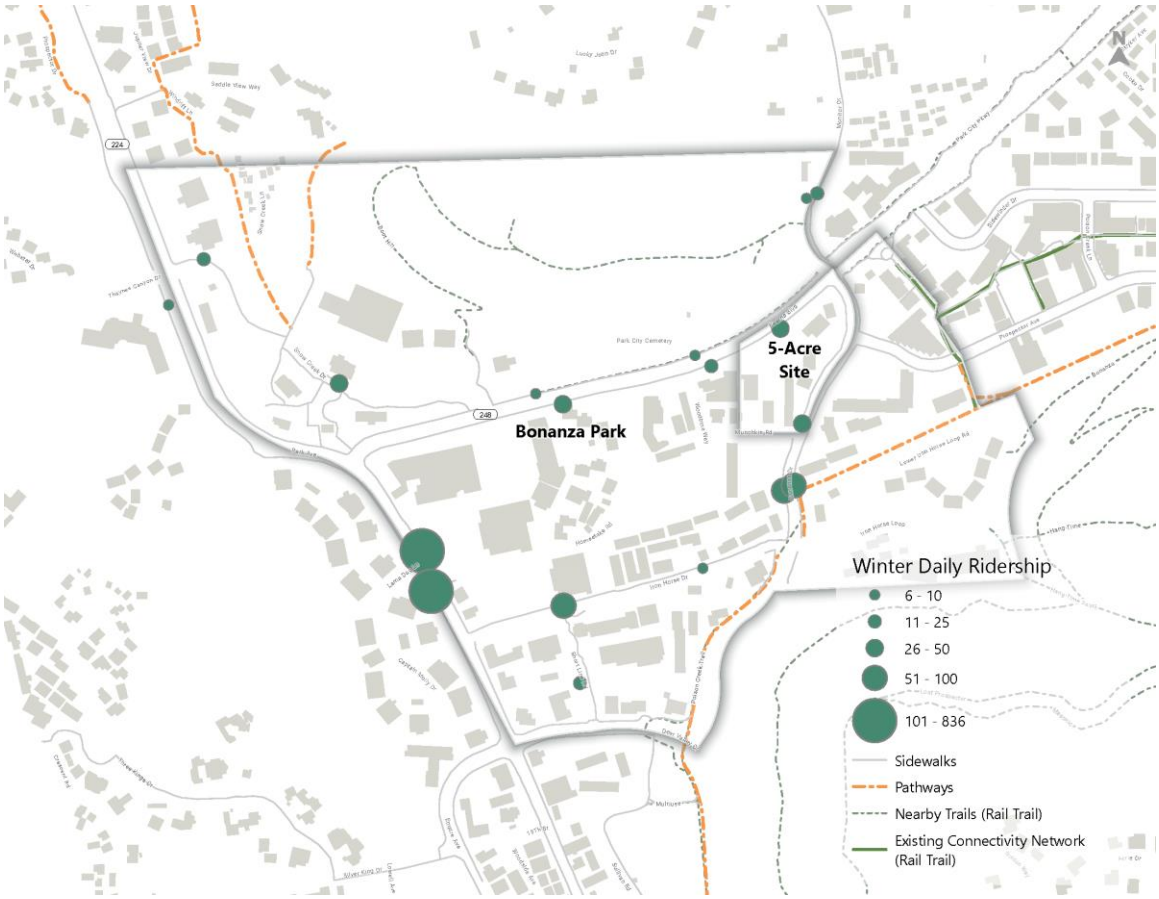

Figure 1 and Figure 2 show the winter (2022-2023) and summer (2023) ridership for the study area stops. The stops with the highest ridership are the Fresh Market and the surrounding Park Ave Condos and Walgreens stops. The Fresh Market stop is located at approximately 1760 Park Avenue (also referred to as SR-224) and is the most frequented stop in the study area year-round. This stop is a primary connection point, serving both Park City Transit and High Valley Transit, providing connections between the two agencies. Additionally, this stop is located next to many services, including a grocery store, pharmacies, and several hotels. The Iron Horse Drive stops on Bonanza also show significant ridership. These stops are located next to the Park City Rail Trail, several small businesses, and high-density housing accessed via the Iron Horse Loop Road. These

are all areas that typically show higher transit ridership due to the concentrations of housing and retail.

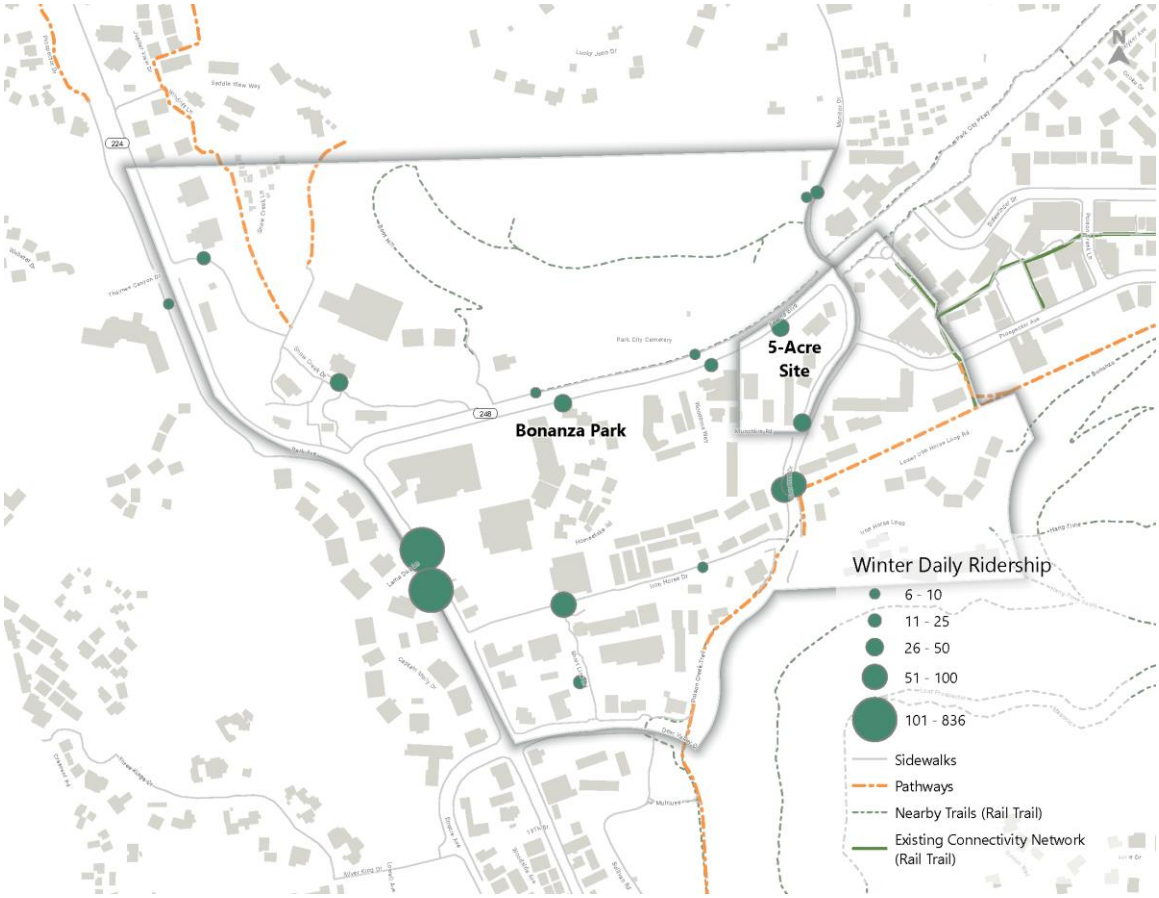

Figure 1: Average Transit Stop Daily Ridership for the 2022-2023 winter season. Source: Park City Transit.

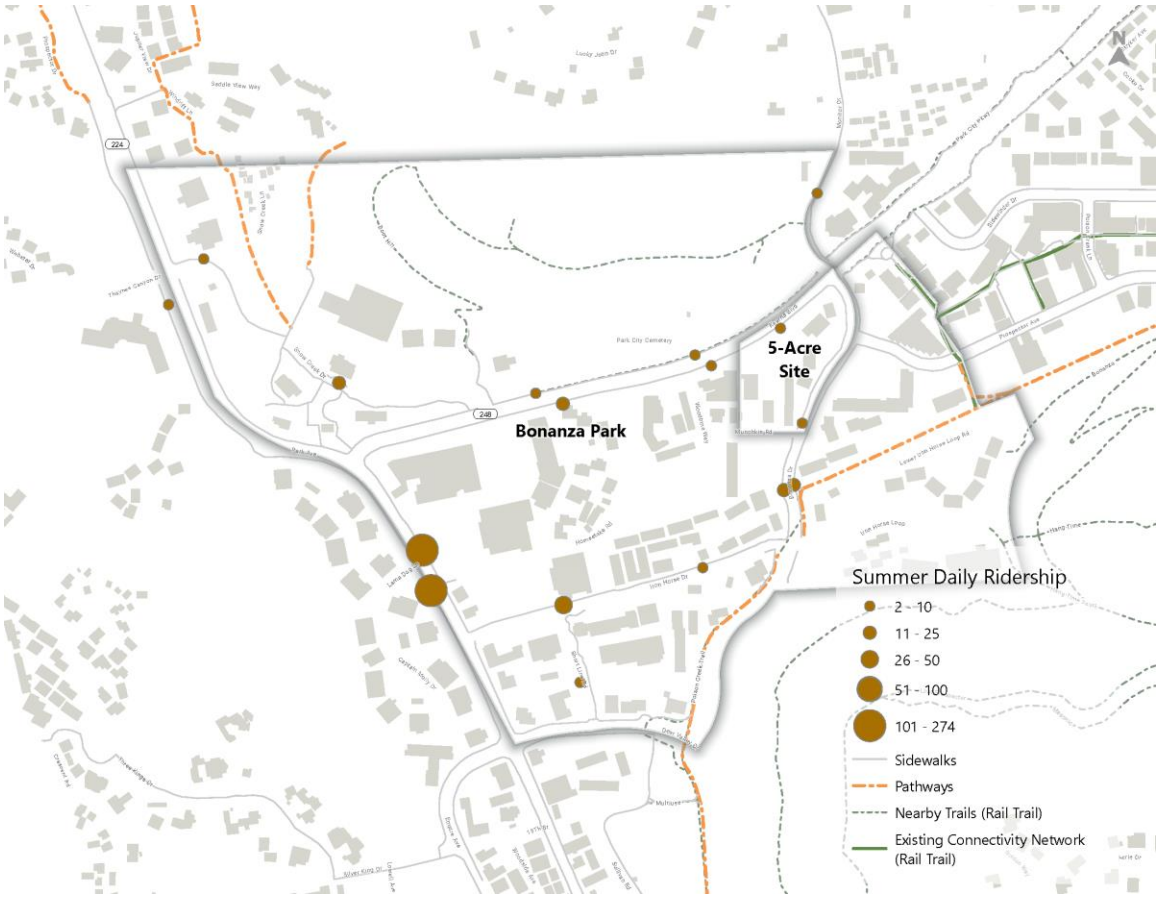

Figure 2: Average Transit Stop Daily Ridership for April - December 2023. Source: Park City Transit

Existing Active Transportation Conditions

Conditions for people walking and bicycling in the study area vary widely depending on the roadway. For example, Bonanza Drive has bicycle lanes, consistent sidewalks, a tunnel connecting the Rail Trail to the Poison Creek Trail, a pedestrian crossing with a Rapid Rectangular Flashing Beacon, and wayfinding signage for trail users. In contrast, many of the roads internal to the Bonanza Park portion of the study area lack consistent sidewalks, bicycle facilities, or crosswalk markings.

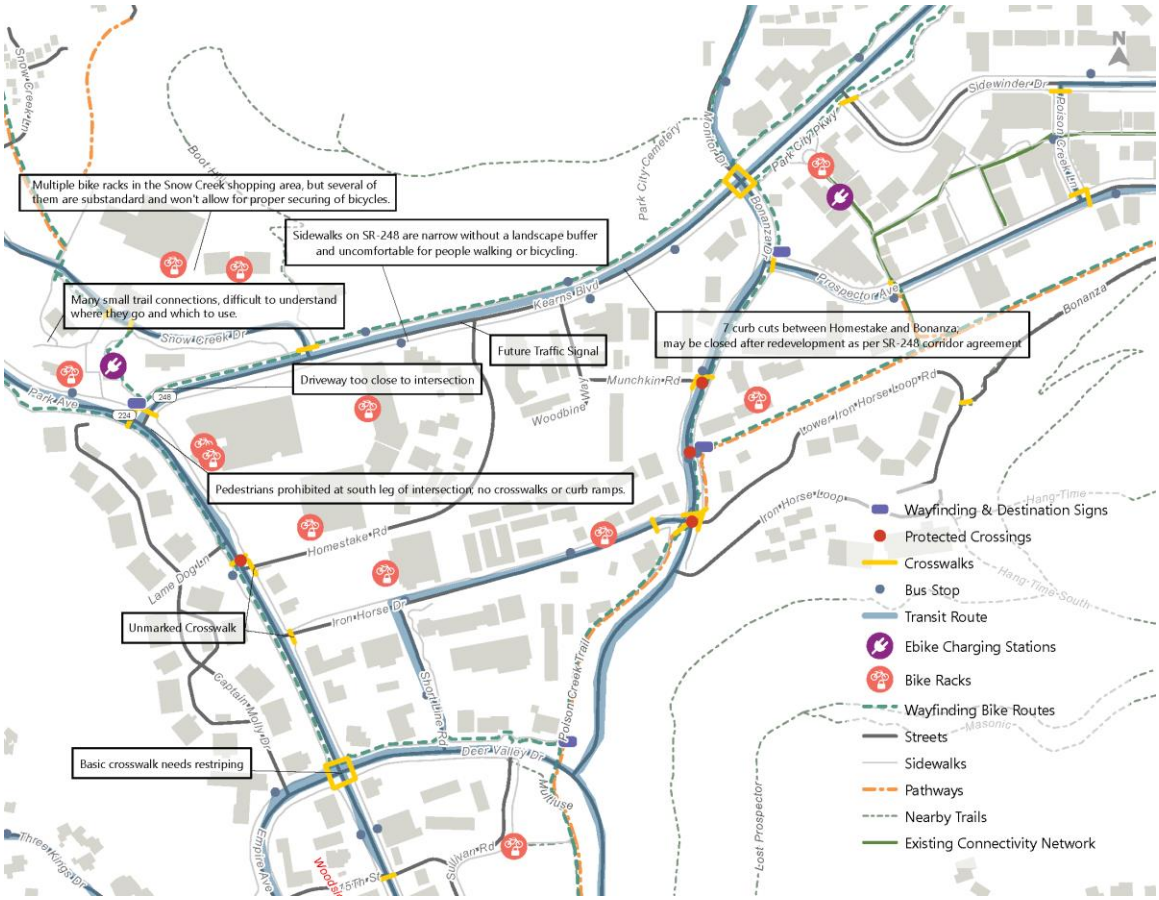

Figure 3 shows an overview of active transportation facilities in the study area, including on-street facilities, bike racks and e-bike stations, crosswalks, and existing sidewalks and trail.

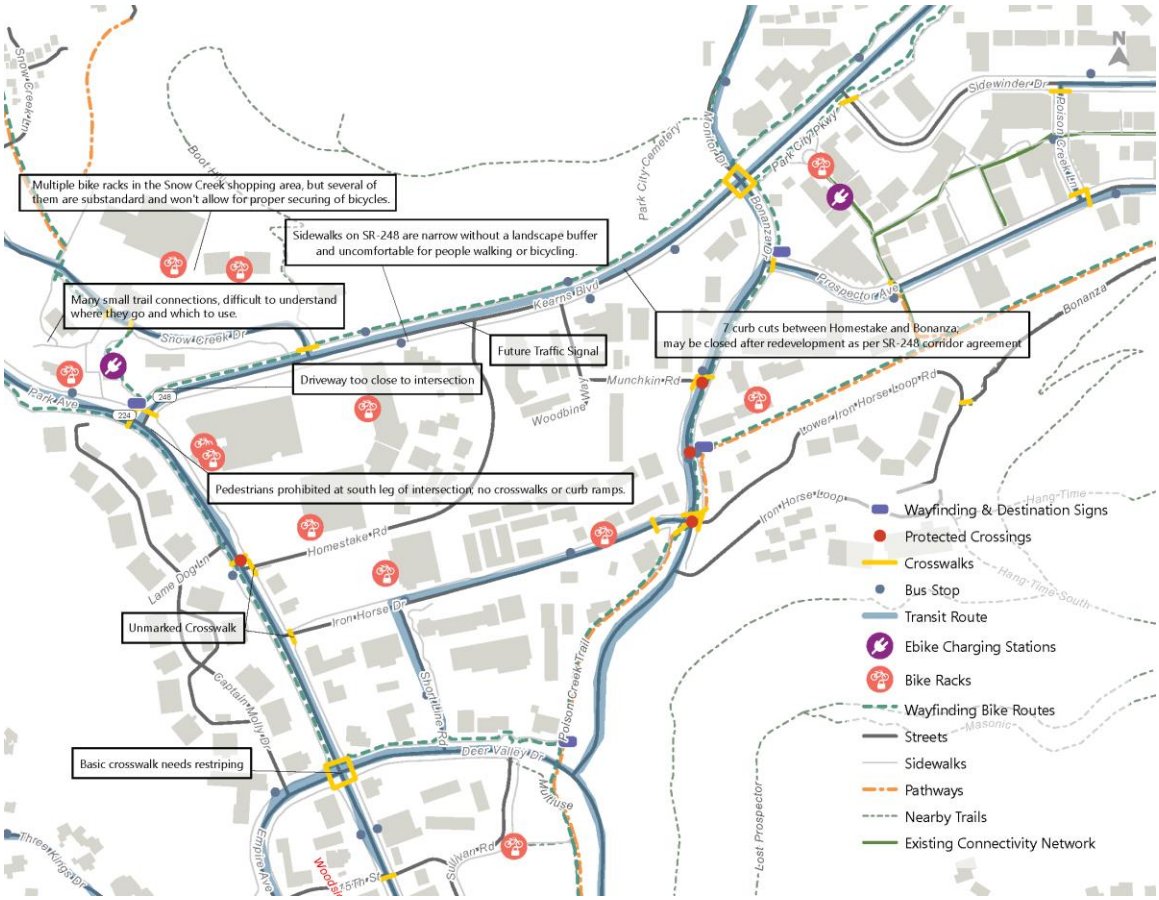

Figure 3: Existing Active Transportation Conditions

While the area generally has a strong active transportation network and connects well to other parts of the City (especially via paved trails), this connectivity is hindered by the inconsistent sidewalk network with the area, limited crossing opportunities on major roads such as SR-248 and SR-224, and infrequent wayfinding signage (or existing wayfinding signage that is difficult to interpret, such as the colored dots marking different trail segments). Additionally, the current layout of the Bonanza Park area makes it impenetrable to people attempting to cross through by walking or bicycling – internal roads curve through the space or dead-end, leaving few opportunities to cross through the space north to south. In the Snow Park area, trails make twists and turns that are likely navigable only by people who already know the way, and then end uncomfortably at the intersection of SR-224 and SR-248. For people on bicycles, there is little indication on how to continue into the Bonanza district or to points south such as Main Street; the only option is to continue on the sidewalk along either SR-224 or SR-248, until a better option reveals itself.

Current Accessibility

The study area was assessed for accessibility based on the latest Public Right-of-Way Accessibility Guidelines (PROWAG) published in 2023. Currently, some roadways in the interior of the study area (such as Short Line Road, Homestake Road, and Munchkin Road) do not have accompanying sidewalks, forcing pedestrians into roadways or adding crossings and travel time to their desired route. A complete pedestrian network will benefit all users, and increase the safety of pedestrians traveling in the study area. Additionally, the Public Right-of-Way Accessibility Guidelines state that sidewalks or a similar pedestrian access route are needed to connect all accessible elements, spaces, and pedestrian facilities in the study area.

The major intersections at the site all have pedestrian signals, but most lack features required in the latest PROWAG updates including audio messages and tactile arrows. These are most consistently lacking at intersections under UDOT's full jurisdiction, such as the intersection of SR-224 and SR-248. Most non-signalized intersections and driveways have the appropriate signage and detectable warning surfaces, but the lack of consistent sidewalks in the area limit intersection accessibility.

Several intersections have detectable warning surfaces that were heavily worn, damaged, or missing at major intersections with heavy vehicular traffic. This was especially notable at the intersection of SR-224 and Deer Valley Drive. These detectable warning surfaces may no longer adequately perform and should be repaired or replaced. Additionally, detectable warning surfaces should be sized accordingly with the curb cut and crosswalk they service. The southernmost pedestrian crossing at the intersection of SR-224 and SR-248 is wider than the crosswalk it serves, potentially leading pedestrians into the intersection. The design of a curb ramp should not indicate pedestrian travel is permitted if a crosswalk is not available, as is currently indicated on the southern and western legs of the intersection of Bonanza Drive and Iron Horse Drive.

Future Recommendations

Private Vehicles

Plus-Project Traffic Scenarios

Plus-project traffic scenarios were analyzed for the Bonanza Park/Snow Creek small area plan, to assess how the development proposed in the plan might potentially change traffic conditions. All plus-project traffic scenarios are for the PM peak hour. The analysis of project-based traffic built upon traffic models developed for the existing conditions analysis described earlier in this chapter. To analyze plus-project conditions, a future background volume was calculated for the project area. To calculate the background volume, the land uses within the project extents were used to develop trip generation rates according to ITE and applied to the network. Those volumes were then subtracted from existing conditions volumes to get existing conditions minus the current project boundary uses, and these volumes were used as the background volume for plus-project trips. All plus-project traffic scenarios were based on the preferred land use plan developed for the study area, which had two versions: a high-density version and a low-density version. The primary difference between the two versions was the amount of residential units proposed: 4,925 multi-family residential units in the high-density version, and 3,844 multi-family residential units in the low-density version. All other land uses (hotel, dorms, art center, professional office, retail, restaurants, and grocery store) were the same for each version. The land use plan is described in more detail elsewhere in this Small Area Plan. The plus-project analysis results are described for each scenario in the following sections. A comparison of all scenarios including the existing background conditions can be found in Table 5. More detailed information about individual scenarios is provided in the following section.

Table 5: Comparison of Existing and Future Density Scenarios

Intersection				Existing Conditions	Existing + High Density Project	Existing + Low Density Project	2032 + High Density Project	2032 + Low Density Project
ID	Location	Period	Control	LOS	LOS	LOS	LOS	LOS
1	SR-224 & Snow Creek Dr	PM	Signal	A	C	C	C	C
2	SR-224 & SR-248	PM	Signal	C	**F**	**F**	**F**	**F**
3	SR-224 & Homestake Rd	PM	WB Stop	**F**	**F**	**F**	**F**	**F**
4	SR-224 & Iron Horse Dr	PM	WB Stop	**E**	**F**	**F**	**F**	**F**

5	SR-224 & Deer Valley Dr	PM	Signal	**F**	**F**	**F**	**F**	**F**
6	SR-248 & Snow Creek Dr	PM	SB/NB Stop (right in right out)	C	B	B	B	B
7	Homestake Rd & SR-248	PM	Signal (plus-project only)	C	C	C	C	C
8	Woodbine Way & SR-248	PM	NB Stop (right in right out)	C	B	B	C	C
9	Bonanza Dr & SR-248	PM	Signal	**F**	**F**	**F**	**F**	**F**
10	Sidewinder Dr & SR-248	PM	NB Stop	**E**	**F**	**F**	**F**	**F**
11	Bonanza Dr & Prospector Avenue	PM	EB/WB Stop	**F**	**F**	**F**	**F**	**F**
12	Bonanza Dr & Munchkin Rd	PM	EB/WB Stop	**E**	**F**	**F**	**F**	**F**
13	Bonanza Dr & Iron Horse Dr	PM	EB/WB Stop	**F**	**F**	**F**	**F**	**F**
14	Deer Valley Dr & Bonanza Dr*	PM	Signal	B	B	B	B	B
15	Woodbine Way & Munchkin Rd	PM	WB/EB Stop	A	D	D	D	D
27	SR-224 & Project Drive	PM	WB Stop (right in right out)	N/A	**F**	**F**	**F**	**F**

Notes:

*During some days in the winter, queues from SR-248 & Bonanza and SR-224 & SR-224 frequently spill back through this intersection, sometimes reaching as far back as Aerie Drive. This capacity analysis reflects conditions for Friday, February 17, 2023 , though operations on other days may appear to be worse than the conditions shown.

Source: Fehr & Peers.

Existing + High Development Density Project

This scenario evaluated how traffic conditions would look if the high-density land use plan were built out immediately, assuming project-related traffic would be added on top of the calculated background traffic circulating on the network, the calculation for which was detailed above Table 5: 5. Table 6 provides the results of this analysis.

Table 6: Existing Plus Project: High Density Development

Intersection				Worst Movement[1]			Overall Intersection[2]	
ID	Location	Period	Control	Movement[3]	Delay Sec/Veh	LOS	Avg. Delay Sec/Veh	LOS
1	SR-224 & Snow Creek Dr	PM	Signal	-	-	-	30	C
2	SR-224 & SR-248	PM	Signal	-	-	-	**155**	**F**
3	SR-224 & Homestake Rd	PM	WB Stop	**WB L/R**	**>200**	**F**	-	-
4	SR-224 & Iron Horse Dr	PM	WB Stop	**WB L/R**	**>200**	**F**	-	-
5	SR-224 & Deer Valley Dr	PM	Signal	-	-	-	**177**	**F**
6	SR-248 & Snow Creek Dr	PM	SB/NB Stop (right in right out)	NBR	14	B	-	-
7	Homestake Rd & SR-248	PM	Signal	-	-	-	26	C
8	Woodbine Way & SR-248	PM	NB Stop (right in right out)	NBR	15	B	-	-
9	Bonanza Dr & SR-248	PM	Signal	-	-	-	**136**	**F**
10	Sidewinder Dr & SR-248	PM	NB Stop	**NBL**	**>200**	**F**	-	-
11	Bonanza Dr & Prospector Avenue	PM	EB/WB Stop	**EB L/R**	**>200**	**F**	-	-
12	Bonanza Dr & Munchkin Rd	PM	EB/WB Stop	**WB L/T/R**	**>200**	**F**	-	-
13	Bonanza Dr & Iron Horse Dr	PM	EB/WB Stop	**EB T/R**	**>200**	**F**	-	-
14	Deer Valley Dr & Bonanza Dr	PM	Signal	-	-	-	14	B
15	Woodbine Way & Munchkin Rd	PM	WB/EB Stop	WB L/T/R	33	D	-	-
27	SR-224 & Project Drive	PM	WB Stop (right in right out)	**WBR**	**140**	**F**	-	-

Notes:

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds/vehicle) and is only reported for signalized intersections.
3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound

Source: Fehr & Peers.

The following points may be noted about this scenario:

- The intersection of SR-224 (SR-224) and Snow Creek Drive degrades from an LOS A to LOS C. This is a function of the amount of development proposed in the Snow Creek area as a result of this small area plan: 1,048 multi-family housing units, 241 hotel or condo units, 6,106 square feet of professional office, and 14,232 square feet of retail space. Moreover, only two intersections can serve this development (SR-224/Snow Creek, and SR-248/Snow Creek) and of those two, a signal is only possible at SR-224/Snow Creek. This means that much of the traffic circulating in and out of the Snow Creek area will be relying on the SR-224/Snow Creek intersection for access.
- The intersection of SR-224 (SR-224) and SR-248 (SR-248) degrades from an LOS C to an LOS F. This is primarily due to the volume of traffic generated by proposed land uses within this Small Area Plan.
- The intersection of SR-224 and Iron Horse Drive degrades from a LOS E to an LOS F. While this intersection currently restricts left turn movements from Iron Horse onto SR-224 between 3 – 6 pm, drivers make this movement anyway. The delay experienced by those drivers contributes to the poor LOS in both the existing and plus-project scenarios.
- The intersection of SR-248 and Snow Creek Drive improves from an LOS C to LOS B. Currently, all turning movements are allowed out of Snow Creek Drive onto SR-248, with some drivers experiencing delay as they attempt to turn left out of Snow Creek Drive. The plus-project scenarios assume that Snow Creek Drive will become right-in/right-out only, eliminating the delay experienced by drivers formerly attempting to turn left out of Snow Creek Drive.
- The intersection of Woodbine Way and SR-248 improves from an LOS C to B. While cars are allowed to make a left turn out of Woodbine Way in the existing conditions, this will become right-in/right-out in the plus-project scenarios, limiting the delay experienced by vehicles attempting to turn left.
- The intersection of SR-248 and Sidewinder Drive degrades from an LOS E to LOS F. This is a result of increased delay for drivers attempting to turn left out of Sidewinder Drive onto SR-248, due to increased traffic and fewer gaps on SR-248.

- The intersection of Munchkin Road and Bonanza Drive degrades from an LOS E to an LOS F. While people attempting to turn left off Munchkin onto Bonanza are already experiencing high levels of delay due to limited gaps in the traffic stream, this will become worse in the plus-project conditions due to increased traffic volumes on Bonanza Drive as well as higher numbers of cars attempting to make the left turn from Munchkin.
- The intersection of Woodbine Way and Munchkin Road degrades from an LOS A to an LOS D. Currently the development in this part of Bonanza Park is low-intensity, industrial in nature, and generates relatively few traffic trips. The changes proposed in the land use plan will add a significant amount of housing, retail, restaurants, and other types of development that will draw many more people to the site, which contributes to the drop in LOS as part of this plus-project scenario.

Existing + Low Development Density Project

This scenario evaluated how traffic conditions would look if the low-density land use plan were built out immediately, assuming project-related traffic would be added on top of the calculated background traffic. Table 7 7 provides the results of this analysis.

Table 7: Existing Plus Project: Low Density Development

Intersection				Worst Movement[1]			Overall Intersection[2]	
ID	Location	Period	Control	Movement[3]	Delay Sec/Veh	LOS	Avg. Delay Sec/Veh	LOS
1	SR-224 & Snow Creek Dr	PM	Signal	-	-	-	25	C
2	SR-224 & SR-248	PM	Signal	-	-	-	**147**	**F**
3	SR-224 & Homestake Rd	PM	WB Stop	**WB L/R**	**>200**	**F**	-	-
4	SR-224 & Iron Horse Dr	PM	WB Stop	**WB L/R**	**>200**	**F**	-	-
5	SR-224 & Deer Valley Dr	PM	Signal	-	-	-	**170**	**F**
6	SR-248 & Snow Creek Dr	PM	SB/NB Stop (right in right out)	NBR	14	B	-	-
7	Homestake Rd & SR-248	PM	Signal	-	-	-	26	C
8	Woodbine Way & SR-248	PM	NB Stop (right in right out)	NBR	15	B	-	-

9	Bonanza Dr & SR-248	PM	Signal	-	-	-	**126**	**F**
10	Sidewinder Dr & SR-248	PM	NB Stop	**NBL**	**>200**	**F**	-	-
11	Bonanza Dr & Prospector Avenue	PM	EB/WB Stop	**EB L/R**	**>200**	**F**	-	-
12	Bonanza Dr & Munchkin Rd	PM	EB/WB Stop	**WB L/T/R**	**>200**	**F**	-	-
13	Bonanza Dr & Iron Horse Dr	PM	EB/WB Stop	**EB T/R**	**>200**	**F**	-	-
14	Deer Valley Dr & Bonanza Dr	PM	Signal	-	-	-	14	B
15	Woodbine Way & Munchkin Rd	PM	WB/EB Stop	WB L/T/R	31	D	-	-
27	SR-224 & Project Drive	PM	WB Stop (right in right out)	**WBR**	**126**	**F**	-	-

Notes:
1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds/vehicle) and is only reported for signalized intersections.
3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound

Source: Fehr & Peers.

As shown in the table, the traffic results for the existing + low-development density scenario are the same as for the high-density scenario. The decrease in housing units (1,081 units) is not enough to result in improved LOS because the amount of non-residential development proposed is still high, and has a heavy influence on travel patterns throughout the area. All traffic-related observations noted for the existing + high-development density scenario also apply to this scenario.

2032 Background + High Development Density Project

This scenario evaluated how traffic conditions would look if the high-density land use plan were built out by 2032. This accounts for both project-related traffic, as well as additional traffic increases in the area that will occur resulting from growth planned elsewhere in Park City and the region by 2032. Table 8 provides the results of this analysis.

Table 8: 2032 Plus Project: High Density Development

Intersection				**Worst Movement[1]**			**Overall Intersection[2]**	
ID	**Location**	**Period**	**Control**	**Movement[3]**	**Delay Sec/Veh**	**LOS**	**Avg. Delay Sec/Veh**	**LOS**

1	SR-224 & Snow Creek Dr	PM	Signal	-	-	-	30	C
2	SR-224 & SR-248	PM	Signal	-	-	-	**157**	**F**
3	SR-224 & Homestake Rd	PM	WB Stop	**WB L/R**	**>200**	**F**	-	-
4	SR-224 & Iron Horse Dr	PM	WB Stop	**WB L/R**	**>200**	**F**	-	-
5	SR-224 & Deer Valley Dr	PM	Signal	-	-	-	**182**	**F**
6	SR-248 & Snow Creek Dr	PM	SB/NB Stop (right in right out)	NBR	14	B	-	-
7	Homestake Rd & SR-248	PM	Signal	-	-	-	27	C
8	Woodbine Way & SR-248	PM	NB Stop (right in right out)	NBR	18	C	-	-
9	Bonanza Dr & SR-248	PM	Signal	-	-	-	**141**	**F**
10	Sidewinder Dr & SR-248	PM	NB Stop	**NBL**	**>200**	**F**	-	-
11	Bonanza Dr & Prospector Avenue	PM	EB/WB Stop	**EB L/R**	**>200**	**F**	-	-
12	Bonanza Dr & Munchkin Rd	PM	EB/WB Stop	**WB L/T/R**	**>200**	**F**	-	-
13	Bonanza Dr & Iron Horse Dr	PM	EB/WB Stop	**EB T/R**	**>200**	**F**	-	-
14	Deer Valley Dr & Bonanza Dr	PM	Signal	-	-	-	15	B
15	Woodbine Way & Munchkin Rd	PM	WB/EB Stop	WB L/T/R	33	D	-	-
27	SR-224 & Project Drive	PM	WB Stop (right in right out)	**WBR**	**154**	**F**	-	-

Notes:

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds/vehicle) and is only reported for signalized intersections.
3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound

Source: Fehr & Peers.

As shown in the table, the traffic results for the 2032 + high-development density scenario are mostly the same as for the existing conditions scenarios. All traffic-related observations noted for

the existing development density scenarios also apply to this scenario; the only difference in results between this scenario and the existing conditions scenarios is that the intersection of Woodbine Way and SR-248 performs slightly worse, slipping from an LOS B to LOS C. This is likely because vehicles making right turns out onto SR-248 are dealing with more traffic on SR-248 in 2032, and will need to wait longer until an adequate gap in traffic allows them to turn right.

2032 Background + Low Development Density Project

This scenario evaluated how traffic conditions would look if the low-density land use plan were built out by 2032. This accounts for both project-related traffic, as well as additional traffic increases in the area that will occur resulting from growth planned elsewhere in Park City and the region by 2032. Table 9 provides the results of this analysis.

Table 9: 2032 Plus Project: Low Density Development

Intersection				Worst Movement[1]			Overall Intersection[2]	
ID	Location	Period	Control	Movement[3]	Delay Sec/Veh	LOS	Avg. Delay Sec/Veh	LOS
1	SR-224 & Snow Creek Dr	PM	Signal	-	-	-	25	C
2	SR-224 & SR-248	PM	Signal	-	-	-	**148**	**F**
3	SR-224 & Homestake Rd	PM	WB Stop	**WB L/R**	**>200**	**F**	-	-
4	SR-224 & Iron Horse Dr	PM	WB Stop	**WB L/R**	**>200**	**F**	-	-
5	SR-224 & Deer Valley Dr	PM	Signal	-	-	-	**176**	**F**
6	SR-248 & Snow Creek Dr	PM	SB/NB Stop (right in right out)	NBR	14	B	-	-
7	Homestake Rd & SR-248	PM	Signal	-	-	-	27	C
8	Woodbine Way & SR-248	PM	NB Stop (right in right out)	NBR	18	C	-	-
9	Bonanza Dr & SR-248	PM	Signal	-	-	-	**131**	**F**
10	Sidewinder Dr & SR-248	PM	NB Stop	**NBL**	**>200**	**F**	-	-
11	Bonanza Dr & Prospector Avenue	PM	EB/WB Stop	**EB L/R**	**>200**	**F**	-	-
12	Bonanza Dr & Munchkin Rd	PM	EB/WB Stop	**WB L/T/R**	**>200**	**F**	-	-

13	Bonanza Dr & Iron Horse Dr	PM	EB/WB Stop	**EB T/R**	**>200**	**F**	-	-
14	Deer Valley Dr & Bonanza Dr	PM	Signal	-	-	-	14	B
15	Woodbine Way & Munchkin Rd	PM	WB/EB Stop	WB L/T/R	31	D	-	-
27	SR-224 & Project Drive	PM	WB Stop (right in right out)	**WBR**	**139**	**F**	-	-

Notes:

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds/vehicle) and is only reported for signalized intersections.
3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound

Source: Fehr & Peers.

As shown in the table, the traffic results for the 2032 + low-development density scenario are the same as for the high-density scenario. The decrease in housing units (1,081 units) is not enough to result in improved LOS because the amount of non-residential development proposed is still high, and has a heavy influence on travel patterns throughout the area. All traffic-related observations noted for the 2032 + high-development density scenario also apply to this scenario.

Mitigation Strategies

Most of the traffic conditions demonstrated in the plus-project scenarios are a direct result of the amount of development proposed in the land use plan for the Bonanza Park/Snow Creek area. Some mitigation measures may help alleviate poor traffic LOS conditions in a limited way. This could include:

- Install a traffic signal at the intersection of Bonanza Drive and Iron Horse Drive. This would allow traffic from Iron Horse Drive to more easily make left turns onto Bonanza Drive, and could potentially create gaps in the traffic flow to allow more opportunities for left turns onto Bonanza from Prospector Drive and Munchkin Road as well. The tradeoff associated with these benefits would be added delay for traffic traveling north and south on Bonanza Drive.
- Install a traffic signal at the intersection of Homestake Road and SR-248. UDOT and Park City already have a corridor agreement in place that allows for a signal to be installed in this location when warranted, and the addition of the proposed development at this site could likely generate enough traffic to warrant the signal. This signal is already assumed in the plus-project traffic analyses discussed in this chapter, and results in an acceptable LOS at this intersection in all plus-project scenarios.

- Limiting left turns at some intersections of side streets with major roads could improve LOS results, by eliminating the amount of waiting anticipated for vehicles attempted to make left turns onto very busy streets. While eliminating the left-turn movement could have a positive impact on LOS, it could have a corresponding negative impact at other intersections that drivers would be re-routed through to get where they want to go. These intersections could include:
    - Sidewinder Drive and SR-248
    - Bonanza Drive and Prospector Drive
    - Iron Horse Drive and SR-224
    - Shortline Road and Deer Valley Drive

These mitigation strategies have not been modeled. Therefore, their potential impact on traffic conditions for the plus-project scenarios is not known at this time.

Private Vehicle Strategies

A majority of traffic to and from the Bonanza Park/Snow Creek area is likely to be via private vehicle. Therefore, a robust transportation grid is needed within the site to connect to the external roadway network, in order to maximize connectivity, route choice, and dispersion of site-generated traffic across multiple access points. In addition to the transportation network proposed in the Bonanza Park/Snow Creek land use plan, Park City may wish to consider the following strategies.

- **Provide e-charging for every residential complex, businesses, and civic space built within the area.** This will encourage the use of electric vehicles within and to/from the project area, and reduce the overall environmental impact of the development. While EV's currently make up a small portion of overall vehicle registrations, EV adoption is forecast to increase considerably between now and 2050. Providing e-charging helps incentivize the faster adoption of electric vehicles, resulting in cleaner air and lower greenhouse gas emissions.
- **Provide facilities for car share and ride share.** Businesses such as ZipCar® allow residents to own fewer vehicles while maintaining the option to use a car when needed. Designated parking spaces for car shares throughout the study area would allow for residents to easily and safely access shared vehicles when needed. Ride share vehicles (Lyft®, Uber®) typically do not have designated parking places, but they could have designated curbside spots in more business-oriented parts of the development to accommodate safer entry/exit from ride share vehicles. Sections of the project area especially prone to event-related traffic, such as any proposed arts center near the Bonanza/SR-248 intersection, may want to specify curbside areas for ride share pickup/dropoff.

- **Provide buffering on-street parking designs** that can help provide a barrier between travel lanes and pedestrian and bicycle facilities. This makes these facilities safer and more comfortable while reducing the need for vehicles to share the road with other users.
- **Implementing traffic calming measures** to improve life quality for everyone in the development by reducing speeds, reducing traffic noise, and improving safety.

Shared Parking Analysis and Recommendations

When multiple land uses are present in an area, several separate trips may be consolidated into a single area, potentially reducing the number of parking spaces needed in an area. This potential is maximized when the variety of land uses have peak parking needs at different times, such as the combination of office space, retail, and housing. Two shared-use parking analyses were completed for the Bonanza Park study area, one with high development density and one with a lower housing density. A summary of the shared parking analysis by zone is shown below in Table 10**Error! Reference source not found.** for the high-density scenario, and Table 11 for the low density scenario. These analyses were completed with the proposed parking codes, anticipated to be passed in May 2024.

Table 10: High Density Shared Used Parking Analysis Results

Shared Parking High Density Demand Summary										
Development Blocks A-D, using Park City Parking Rates Modified Rates										
Development District / Area	**Customer/Visitor**		**Employee/Resident**		**Reserved**		**Total**		**Shared Parking Reduction**	
	Weekday	***Weekend***	***Weekday***	***Weekend***	***Weekday***	***Weekend***	***Weekday***	***Weekend***	***Weekday***	***Weekend***
A1-A6	531	535	132	128	1,415	1,415	2,078	2,078	12%	12%
B1-B13	622	538	249	218	2,427	2,427	3,298	3,184	20%	23%
C1-C7	241	209	112	106	1,004	1,004	1,356	1,319	12%	15%
D1-D8	564	512	192	176	1,988	1,988	2,744	2,676	13%	15%

Table 11: Low Density Shared Used Parking Analysis Results

Shared Parking Low Density Demand Summary
Development Blocks A-D, using Park City Parking Rates Modified Rates

Development District / Area	Customer/Visitor		Employee/Resident		Reserved		Total		Shared Parking Reduction	
	Weekday	*Weekend*	*Weekday*	*Weekend*	*Weekday*	*Weekend*	*Weekday*	*Weekend*	*Weekday*	*Weekend*
A1-A6	536	537	133	130	931	931	1,600	1,597	12%	12%
B1-B13	628	548	250	219	2,014	2,014	2,892	2,782	21%	24%
C1-C7	245	214	112	106	802	802	1,159	1,122	12%	15%
D1-D8	568	519	193	177	1,626	1,626	2,387	2,322	13%	15%

Public Transit

Transit can be an effective means of providing multimodal regional transportation access to future residents while strengthening the livability and safety of their community. By aggregating trips to and from the project area, transit serves to reduce traffic congestion and air pollution experienced within the immediate area and can also support the utilization of the active transportation network by helping close distance gaps between destinations.

Public Transit Strategies

Ensuring that transit can be provisioned in the future is an attractive way of cultivating regional interest in investment while building a promise of future connectivity for residents. This could include the following strategies:

1. **Preserve space to accommodate future premium transit** (e.g., green space that could be converted to BRT stations and guideways). Banking land for future fixed guideway transit preserves the ability to cost effectively add transit to the development at a later point. It also allows the land to be used as public open space, such as trails or community gardens, until it is converted to transit use, providing an additional amenity to residents. The Park City Forward plan identifies potential high-capacity transit in the future on both SR-224 as well as SR-248, and the layout of future development at the Bonanza Park and Snow Creek areas may need to accommodate future right-of-way for potential transit lanes or stations.
2. **Provide a highly permeable and connected street network**. The network should incorporate quality active transportation facilities to increase first/last mile connections to transit stops, promoting conditions which support high ridership. This has the additional benefit of building an attractive environment as the region deliberates future transit investments.
3. **Apply level of service (LOS) standards to all modes of transportation**. Include and prioritize the evaluation LOS of active transportation and transit along with vehicular traffic when assessing traffic impacts. Some traffic congestion may be considered acceptable in key locations if it results in safer and more comfortable conditions for

people walking and biking. This approach also considers that transit vehicles carry more occupants than cars.

4. **Establish modal priorities for Park City streets.** For example, Salt Lake City's Typology Design Guide identifies streets on which pedestrians or bicyclists are a higher priority than vehicles, providing recommendations on streetscape design to make those corridors more comfortable for people walking or bicycling. These types of policies could be adopted at a project-wide level or applied on a case-by-case basis to individual streets. One possibility would be to make Bonanza Drive a transit-priority street, dedicating ample curbside space near high-ridership transit stops to provide enhanced amenities, and to keep internal roads such as Homestake, Short Line, and Munchkin as bicycle-pedestrian streets with extremely slow speeds, narrow lanes, traffic calming features, and other measures to elevate bicycles and pedestrians above other transportation users.

Transit Stop Amenities

The assessment of existing transit conditions indicated that winter season ridership is generally higher than summer season ridership on PC Transit routes, and that most stops throughout the study area have less than 50 riders per day. Most stops in the study area have only a sign, with some having a trash can, bench, or a shelter.

Near Term Recommendations

Based on recent ridership patterns, the number of routes served, and the average headway, **Error! Reference source not found.** below lists potential recommended amenities for each stop. Stops with higher ridership or longer wait times typically need greater amenities than those with few riders or frequent service intervals. Improved amenities improve the transit experience for users, especially in the strong winter conditions often present in Park City.

Table 12: Proposed Transit Stop Amenities

Stop	Recommended Amenities
Fresh Market	Digital Sign, Light Fixture, Custom Shelter, Two benches, Trash Can, ADA Pad, Pole, Sign
SR-224 Condos	Digital Sign, Light Fixture, Custom Shelter, Two benches, Trash Can, ADA Pad, Pole, Sign
Ironhorse Dr West	Light Fixture, 6*16' Shelter, Two benches, Trash Can, ADA Pad, Pole, Sign
Ironhorse Dr East	Light Fixture, 6*16' Shelter, Two benches, Trash Can, ADA Pad, Pole, Sign
Walgreens	6*16' Shelter, Two benches, Trash Can, ADA Pad, Pole, Sign
Liquor Store-N	6*16' Shelter, Bench, Trash Can, ADA Pad, Pole, Sign
Munchin Rd	4*8' Shelter, Bench, Trash Can, ADA Pad, Pole, Sign
SR-248 & Bonanza	4*8' Shelter, Bench, Trash Can, ADA Pad, Pole, Sign

Homestake	4*8' Shelter, Bench, Trash Can, ADA Pad, Pole, Sign
Copperbottom	4*8' Shelter, Bench, Trash Can, ADA Pad, Pole, Sign
Wells Fargo	4*8' Shelter, Bench, Trash Can, ADA Pad, Pole, Sign
Kimball Art Center	4*8' Shelter, Bench, Trash Can, ADA Pad, Pole, Sign
Police Station	4*8' Shelter, Bench, Trash Can, ADA Pad, Pole, Sign
Hotel PC 224	Bench, Trash Can, ADA Pad, Pole, Sign
Zions Bank	Bench, Trash Can, ADA Pad, Pole, Sign
Windy Ridge	Bench, Trash Can, ADA Pad, Pole, Sign
PC Cemetery	Bench, Trash Can, ADA Pad, Pole, Sign
Wells Fargo W	Bench, Trash Can, ADA Pad, Pole, Sign

Recommendations Aligned with Future Plans

Park City's Short Range Transit Plan, adopted in 2020, indicates route changes proposed in the study area:

- Red Route: proposed 30-minute service along SR-224 and SR-248 throughout the day and evening;
- Yellow Route: proposed 15-minute service on Bonanza Drive, Iron Horse, and Short Line Road from 6:30 am to 6:30 pm during the winter season, 15-minute service during peak commute times during summer and shoulder season, and 30-minute service during the rest of the day/evening hours;
- Green Route: proposed 15-minute service on SR-224 from 6:30 am to 6:30 pm during the winter season, 15-minute service during peak commute times during sumer and shoulder season, and 30 minute service during the rest of the day;
- Teal Express Route: proposed 15-minute service on Bonanza Drive during the peak summer and winter seasons during peak commute times;
- Pink Express Route: proposed 10-minute service on Bonanza Drive during peak commute times in the winter, and 20-minute service during midday in the winter, with 20-minute service throughout the day for the rest of the year;
- Blue Route: 30-minute service throughout the day on SR-224 and SR-248 during the shoulder season; and
- White Express: 15-minute service in the peak, 30-minute service in the off-peak, on SR-224 and operated by High Valley Transit.

As service changes are implemented, Park City may wish to monitor ridership further along the revised routes and determine whether the transit amenities proposed in this chapter remain appropriate based on observed ridership.

Active Transportation

Street design is one of the key factors that users consider when determining which transportation mode to use for a trip. The design of a robust transportation network considers all modes of transportation and balances the need to provide throughput capacity while serving all users. For the project area, an overarching guideline is to provide mobility options and safe access to bicycles and pedestrians. A well-connected active transportation network supports residents and visitors by providing attractive active transportation options.

Bicycle Strategies

Quality cycling infrastructure provides efficient access to nearby destinations, while also supporting the health and connectivity of a community. Only a small portion of the population will ride bikes on streets that have not made any accommodations for biking or lack pathways; therefore, to ensure residents and visitors are able to fully enjoy cycling benefits, bicycle infrastructure should be fully incorporated into the design of the Bonanza Park/Snow Creek area. These amenities can adjust to different street contexts, like width and speed, and balance the needs of all roadway users by incorporating the following strategies:

- **Provide protected bicycle/active transportation facilities**. Protected facilities are safer and more attractive for a variety of users because they provide additional separation from automobile traffic. Providing facilities like buffered bike lanes and separated multi-use paths (particularly on or adjacent to roadways with high speeds and/or high traffic volumes) improves safety and makes bicycling or walking a more desirable option for residents and visitors, including children and the elderly.
- **Plan for e-bikes**. With e-bikes readily available for rental within Park City, pathways throughout the project area need to accommodate cyclists traveling at a wide range of speeds. Moreover, some visitors to the area who are renting e-bikes may not have the skill sets necessary to adequately maneuver these vehicles, which are heavier and travel much faster than a standard bicycle. The recent Park City Rail Trail Master Plan envisioned a wider trail cross-section to accommodate this range of users and travel speeds; new pathways proposed within the Bonanza Park/Snow Creek area should similarly consider a larger path to safely accommodate users. Educational materials on how to safely ride an e-bike can be provided at rental shops, and placards placed along pathways to remind visitors that a fall from an e-bike could ruin their planned vacation or even result in death.
- **Provide end-of-trip facilities**. Bicycle repair stands offer an air pump and basic tools to make minor bike repairs, encouraging bicycle use by removing concerns related to common maintenance and repair issues. Bike showers and lockers help promote bicycling and walking as a commute option by providing storage and hygiene facilities after active transportation. Some of these features will be part of the udpated Park City zoning

ordinances as potential transportation demand management strategies for new developments, anticipated for adoption in 2024.

- **Organize and publish cycling information.** This could include bicycle route and facility maps, locations of nearest bicycle racks or locker storage facilities, and bicycle safety information (including tips on safely using e-bikes and local/state regulations on their use).
- **Include multi-use paths along SR-248**. Multi-use paths at least 12' wide would provide a safe and pleasant cycling experience along the new alignment. A pathway on one or both sides will require on-going coordination with UDOT and other partners during the design phase.
- **Provide marked on-street bicycle waiting areas at signalized intersections**. This provides a visible designated area at the front of a traffic lane for bicyclists to wait at traffic signals. Bike boxes are especially beneficial for facilitating direct left turns at the intersection approach for bicycle traffic.
- **Provide colored bicycle lane paving through intersections**. Carry lane markings through the intersection to indicate where cyclists will be operating within the intersection, alerting automobile traffic to the presence of cyclists and guiding cyclists through the intersection.

Pedestrian Strategies

Providing quality pedestrian infrastructure gives residents and visitors the option to walk to destinations. Whether they walk the entire trip, or just walk from their car or transit to their destination, everyone must inevitably use pedestrian facilities. Ensuring a comprehensive set of pedestrian design considerations enhances the quality of life in the project area, reduces constraints, and improves safety for everyone, especially the young and elderly. To meet this demand and support the needs of all people, the following strategies are recommended:

- **Provide sidewalks of at least 6' on all roadways**. Wide sidewalks are important to ensure that people can walk alongside one another and comfortably navigate devices such as strollers and wheelchairs. Areas with higher anticipated pedestrian activity should implement even wider sidewalks. In Park City, wider sidewalks are especially useful when dealing with snow storage issues during winter conditions.
- **Provide pedestrian refuge islands/medians** at intersections with more than one lane in each direction. This improves safety for people crossing and can help to soften automobile traffic speeds. Research suggests that pedestrian refuge islands reduce conflict with vehicles and are associated with a notable reduction of pedestrian collisions.
- **Provide pedestrian countdown timers at all signalized intersection crossings** and consider the implementation of leading pedestrian intervals (LPI) at busier intersections to address safety concerns. LPIs allow pedestrians to enter the crosswalk before vehicles are

given a green indication. This increases pedestrian visibility and the likelihood that auto traffic will yield to pedestrians.

- **Provide accessible Pedestrian Actuation Buttons** to ensure that people of all ages and abilities can safely cross streets.
- **Include bulb-outs/curb extensions at most intersections**. This extends the sidewalk or pedestrian space to narrow the roadway. Bulb-outs/curb extensions reduce crossing distances for pedestrians and help to slow traffic, particularly turning vehicle movements, improving pedestrian safety.
- **Use raised crosswalks on low volume streets** to slow traffic and provide improved visibility for pedestrians. Raised crosswalks provide safety thanks to slower speeds and make crossings more accessible for people living with mobility issues.
- **Reduce curb corner radii on neighborhood roadways** to manage traffic speeds in residential areas. Sharper corners reduce speeds, helping create safer streets.
- **Provide streetscape improvements** such raised planters, special pavers, special street lighting, flags, banner poles, and hanging baskets that exceed minimum standards. These support a sense of place and make streets a safer, more comfortable environment for all users.
- **Provide benches** in areas where pedestrians might naturally wait or sit to enjoy the outdoors or rest.
- **Provide trash and recycle receptacles**, especially in areas with higher anticipated pedestrian activity.
- **Include streetlights and pedestrian-scaled lighting** to support safety and comfort for all users of a street.

Accessibility

The Public Right of Way Access Guidelines were updated in 2023. As the study area is redeveloped, the existing AT network may need to be adapted to match current guidelines. The recommended updates noticed by staff during observational visits are listed below, but exact design specifications will need to be determined during project development. The technical specifications referenced below are available from the US Access Board. [1]

Sidewalks:

Provide sidewalks that connect all accessible elements, spaces, and pedestrian facilities in accordance with CFR title 36 Chapter 11 part 1191 section 206. Ensure that sidewalks are at least

[1] https://www.access-board.gov/prowag/

48” wide throughout the study area. When sidewalks are less than 60” wide, a 60” by 60” passing space shall be provided at least every 200’.

Curb Ramps:

Ensure that the clear width of the curb ramp run or blended transition is at least 48” wide. On a shared use path, the width of the curb ramp or blended transition shall match the width of the shared use path. Confirm that all curb ramps, landings, or a minimum of 48” for a blended transition shall be contained wholly within the width of the crosswalks they serve.

Perpendicular Ramps:

When a change in direction is required to use or access a curb ramp, a 48” by 48” clear area shall be provided at the bottom of the curb ramp, and outside of vehicular travel lanes. At a shared use path, the width of this clear area shall be as wide as the shared use path.

A landing space shall also be provided at the top of the curb ramp, and at minimum be at least 48” by 48”, or match the width of the shared use path where applicable. When this curb ramp is crossed by a sidewalk, the edges of the curb ramp shall be flared.

Parallel Ramps:

When a change in direction is not needed to use a curb ramp, a minimum landing area of 48” by 48” shall be provided at the top of the curb ramp.

Blended Transitions:

When a blended transition serves more than one sidewalk, and has a running slope greater than 1:48, a bypass route shall be provided between the sidewalk so users may bypass the blended transition.

Detectable warning surfaces:

In the future, ensure that detectable warning surfaces remain in good condition. During the site visit staff found several locations where the detectable warning surface has been worn away entirely. The width of the detectable warning surface should be limited to the width of the crosswalk they serve. If a driveway has a stop or yield control device, and detectable warning surface should be provided.

Signals:

Pedestrian push buttons shall be located no further than 5 feet from the side of the crosswalk they serve, between 1.5 and 10 feet from the edge of the curb or pavement, and be parallel to the direction of travel. These buttons should also be equipped with a high visual contrast tactile arrow pointing in the direction of travel.

When possible, push buttons on the same corner should be at least 10 feet apart. When it is not possible to provide 10 feet of spacing during the alteration of an existing intersection, the pedestrian buttons may be placed closer together, but will also need to provide an information message compliant with 308.3.2.

Accessible intersections should provide an audio and vibrotactile indication during the walk interval. Additionally, a locator tone shall be provided by the pedestrian signal at an appropriate volume as defined in PROWAG section 307.8. During the walk phase, pedestrian signals shall provide audible and vibrotactile indications during the walk interval. Outside of this interval, the locator tone shall be provided. Both the locator tone and speech walk message need to be compliant with PROWAG 308.3.1 and 308.3.2 depending on the configuration. When a pedestrian push button is provided for an RRFB or similar crossing, the message will state the status of the beacon instead of an audible walk indication during a walk interval. If there is time remaining for a pedestrian to cross during the accessible walk interval, the accessible walk indication should be recalled with a button press.

Transit Shelters and stops:

At transit stops, provide a boarding and alighting area at least 60" wide by 96" perpendicular to the curb for each accessible entrance or exit. Ensure that this boarding area connects to a sidewalk. When a shelter is provided, ensure that it has an appropriately sized clear space at the edge of the seat to not block the area within 18 inches of the front of the seat.

Transportation Demand Management (TDM)

Transportation demand strategies provide communities with tools to influence people's travel behavior. These strateges can encourage people to make fewer trips, to travel at different times of day when the roadway network is less congested, or to travel using a different mode of transportation. The strategies described below often require partnerships between public and private agencies, and can be included in development agreements through negotiations between Park City and private property owners. Additional transportation demand management strategies are likely to be adopted into the Park City ordinance (section 15-3-1) in 2024.

Telecommute

Encouraging more telecommute trips, also known as remote work or teleworking, can reduce traffic congestion, lower greenhouse gas emissions, improve work-life balance, and increase productivity. While telework was gaining in popularity before COVID-19, technology surrounding remote work quickly evolved as most businesses were forced to temporarily adopt a remote work model. Many businesses have since returned to "business-as-usual," but others have adopted a hybrid work model where employees spend part of their time in the office and part of their time working from home. Fiber connectivity throughout the project area enhances the ability for

telework through faster Internet connections. TDM strategies can complement telework by promoting alternative modes of transportation when employees do need to commute. This can include incentives for carpooling, public transit subsidies, and providing access to shared mobility options.

TDM Program Coordinator

A TDM Program Coordinator is typically responsible for facilitating strategies that reduce vehicular travel demand and shift behavior away from single occupant vehicles. For example, a TDM program coordinator could provide services such as providing information on typical peak drive times, transit trip times to major destinations, transit schedules, routes, and fares, and organizing carpools/vanpools. They could educate residents and visitors on tips for walking to work, pedestrian safety, and good walking shoes. They can also help facilitate collaboration with local transportation agencies and transit providers to integrate TDM strategies into broader transportation plans and policies. They could also help organize transit incentives for employees such as additional pay for carpoolers, flexible work times, and other tools to reduce peak hour trips. A position like this could be funded solely for the Bonanza Park/Snow Creek area or as a consortium of local developers with similar desires to reduce vehicular traffic through TDM strategies.

Influence Parking Behavior

Park City can use incentives and disincentives related to parking supply, pricing, and management to encourage residents and visitors to rely on other modes of transportation, thereby reducing trips onto and out of the Bonanza Park/Snow Creek study area. These could include "unbundling" parking from residential lease or purchase agreements, requiring residents to pay for parking separately or receive a lower cost in exchange for giving up parking (this concept could be applied to office lease space as well, encouraging employees to receive some financial incentive or other compensation in exchange for giving up a parking spot). Park City could also provide preferential parking for carpool or vanpool vehicles, placing those users closer to building entrances. In addition, the City could opt to provide funding for off-site, regional satellite park-and-ride lots instead of accommodating the desired amount of parking within the study area.

Delivery Management

The delivery of goods and service can add congestion to the network, and could be coordinated in order to minimize its impact. Park City could identify a centralized location for deliveries in each sub-area of the Bonanza Park/Snow Creek area in order to limit delivery vehicle circulation on the network. Similarly, the TDM Program Coordinator could work with tenants to plan for delivery of goods at off-peak times for applicable businesses, to shift that vehicle traffic out of the most congested times of day.

Shared Office Space

Shared office space, also known as coworking spaces, are setups where individuals or businesses share a common workspace. These are flexible environments where professionals from different industries or backgrounds work alongside each other in a shared office setting. These shared spaces often provide services such as reception services, mail handling, IT support, and amenities such as a kitchen or wellness facilities. They should also include video-conferencing facilities and equipment, especially in a format that can be shared among multiple businesses. These types of spaces are a great complement to teleworking initiatives to reduce not only the number of work trips completed during the week but also the distance traveled to access an office or meeting space.

On-Site Amenities and Services

While strategies often focus on reducing the number and distance home-based work trips, these only make up a portion of daily travel undertaken by households in the area. In fact, the 2012 Utah Travel Study identified 58% of trips in the Wasatch Front were home-based non-work trips, including school, shopping, medical, and personal trips. By providing on-site services and amenities such as a grocery store, medical offices, dental offices, cafeterias, restaurants, automated teller machines, child care facilities and other services in the Bonanza Park/Snow Creek area, Park City can reduce the number of long distance trips generated by the project onto the external street network.

Additional Transportation Strategies

As transportation technology evolves, more options may come available to help transport people, goods, and services across the region. This section identifies potential transportation technology strategies that could become a reality in the timeframe that the development in this plan is proposed.

Drone Delivery Storage Lockers and Infrastructure

Drone delivery, a disruptive emerging technology, can potentially reduce the number of vehicles required to deliver or pick up goods. Drone delivery is already operating in parts of the Wasatch Front, and is expected to have a service area of more than 1 million people and a 50-mile service radius in the next five years. One concern related to drone delivery is package pickup/dropoff location. New technologies and service providers are attempting to address this by providing electronic package receptacles, otherwise known as smart mailboxes, or drone delivery stations for use in suburban environments to safely store drone deliveries until they can be retrieved.

Drone delivery also requires infrastructure to facilitate the delivery of goods and services. This could include launch and landing sites; control centers staffed with operators to monitor drone operations; and charging stations.

eVTOL Heliports

Electrical Vertical Take-Off and Landing (eVTOL) aircraft take-off and land vertically like a helicopter. These innovations in transportation technology are powered by batteries and carry two to six passengers including a pilot. While they are not yet operating commercially in the United States, they may be a reality by the time the redevelopment of Bonanza Park/Snow Creek is finalized. These would not be practical for many types of trip, but could have the potential to serve some Park City visitors (and residents) wishing to make the trip between Salt Lake City's airport and Park City a much shorter one. A necessary component of eVTOL technology would be heliports (or vertiports). A heliport would include the take-off and landing spot plus an additional safety area surrounding the landing pad. In addition to the landing pad itself, the heliport would need to provide charging capabilities for the aircraft to use in between runs.