PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
May 25, 2022

NOTICE OF HYBRID IN-PERSON AND ELECTRONIC MEETING: The Planning Commission of Park City, Utah will hold its regular meeting with an anchor location for public participation at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 on Wednesday, May 25, 2022. Planning Commission members may participate in person or connect electronically by Zoom or phone. Members of the public may attend in person or participate electronically. Public comments will also be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom through www.parkcity.org/public-meetings. Written comments submitted before or during the meeting will be entered into the public record but will not be read aloud. For more information on attending virtually and to listen live, please go to www.parkcity.org.

MEETING CALLED TO ORDER AT 5:30 PM.

1. ROLL CALL

2. MINUTES APPROVAL

2.A Consideration to Approve the Planning Commission Meeting Minutes from April 27, 2022
04.27.2022 PC Minutes - Pending Approval

3. PUBLIC COMMUNICATIONS

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

5. CONTINUATIONS

5.A **316 Woodside Avenue - Steep Slope Conditional Use Permit -** The Applicant Proposes an Addition to a Significant Structure with a Single Car Garage on a Steep Slope in the HR-1 Zone. PL-21-05086.
(A) Public Hearing (B) Continue to a Date Uncertain
316 Woodside Avenue SSCUP Continuation Staff Report

5.B **2346 Park Avenue** - **Conditional Use Permit -** Applicant is Requesting Use of a Temporary Structure (Tent) at the Peaks Hotel for a Longer Duration Than the Land Management Code Allows Without an Approved Conditional Use Permit. PL-22-05132
(A) Public Hearing (B) Continuation to June 8, 2022
Peaks Hotel CUP Continuation Staff Report

6. WORK SESSION

6.A **Studio Crossing Work Session - 4001 Kearns Boulevard -** Proposal to Amend the Zoning and Annexation Ordinance and Quinn's Junction Partnership Annexation Master Planned Development Agreement for a Mixed-Use Project

Including Commercial, Residential, and Affordable Housing Uses. PL-22-05206.
Studio Crossing Work Session Staff Report
Exhibit A: MPD Approved Site Plan
Exhibit B: Applicant's Project Narrative
Exhibit C: Applicant's Conceptual Site Plans
Exhibit D: Applicant's Trip Generation Analysis
Exhibit E: Applicant's Housing Mitigation Plan

7. REGULAR AGENDA

7.A

General Plan Supplemental Update – Long-Range Transportation Plan – The Planning Commission Will Review *Park City Forward*, the City's Long-Range Transportation Plan, and a Supplement to the General Plan. The Plan Prioritizes Multimodal Transportation Projects and Strategies to Address Existing and Future Conditions. The Purpose of the Plan is to Improve Safety, Protect the Natural Environment, Expand Transportation Choices, and Maintain Quality of Life for those that Live, Work, and Recreate in Park City. (45 mins.)

(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration

Staff Report
Exhibit A: DRAFT Park City Forward Vision Summary
Exhibit B: DRAFT Park City Forward Blueprint Report
Exhibit C: Park City Forward Engagement Report

7.B

Annexation Petition and Zoning Map Amendment – Southeast Quinn's Junction Annexation – The Planning Commission Will Conduct a Public Hearing on the Petition to Annex Approximately 1,200 Acres of Property in the Southeast Quinn's Junction Area into Park City and to Amend the Zoning Map of Park City to Zone the Annexed Area Recreation and Open Space in the Entry Corridor Protection and Sensitive Land Overlays. The Area Proposed for Annexation Includes Richardson Flat Property Subject to the 1999 Flagstaff Development Agreement that is Restricted to Recreation Uses and the City-Owned Clark Ranch Property, Parcels SS-65-A-X; SS-65-A-X-X; SS-65-A-1-X; SS-92-A-1-A; SS-92-A-1-X; SS-92-A-X; SS-88; SS-91-UP-X; SS-87-A-X; SS-87; SS-87-B; SS-86-91-UP-X; SS-91-X; PP-28-A; SS-121-X; PP-26-A-1-AX; PP-26-X; PP-26-D-X; PP-26-A-X; PP-S-46. PL-21-05031. (45 mins.)

(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on June 16, 2022

Staff Report
Exhibit A: Draft Ordinance No. 2022-XX
Attachment 1 - Annexation Plat
Attachment 2 - Zoning Map Amendment
Exhibit B: Southeast Quinn's Junction Annexation Petition
Exhibit C: 1999 Flagstaff Development Agreement
Exhibit D: Notice of Intent
Exhibit E: Summit County Certification
Exhibit F: City Council Notice of Annexation Petition

Exhibit G: Boundary Commission Determination
Exhibit H: Ground Lease between UPCM and PCMC
Exhibit I: Draft Annexation Agreement

7.C **Land Management Code Amendments – Fractional Ownership –** The Planning Commission Will Review Proposed Land Management Code Amendments to Define Fractional Ownership of Single-Family Dwellings and to Restrict them to the Historic Recreation Commercial, Historic Commercial Business, Residential Development, Residential Development – Medium Density, Recreation Commercial, Regional Commercial Overlay, General Commercial, and Light Industrial Zoning Districts. PL-22-05210 (30 mins.)

(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on June 23, 2022

Staff Report
Exhibit A: Draft Ordinance No. 2022-XX
Exhibit B: Public Input
Exhibit C: Pacaso's Economic Impact Analysis

7.D **543 Park Ave - Hotel, Minor Conditional Use Permit -** The Applicant Requests a Minor Hotel Conditional Use Permit to Convert the Washington School Inn, a Landmark Historic Structure on the Park City Historic Sites Inventory in the Historic Residential -- 1 Zoning District, from a Bed and Breakfast to a Minor Hotel with Accessory Facilities for Events. PL-20-04477. (A) Public Hearing; (B) Action.
Staff Report
Attachment 1: Background and History
Exhibit A: Draft Final Action Letter
Exhibit B: Project Description and Management Plan
Exhibit C: Hales Engineering Parking Study
Exhibit D: 1983 CUP Application for a Bed & Breakfast
Exhibit E: 1983 Conditional Use Permit Approval Letter
Exhibit F: September 21, 1983 Conditional Use Permit Staff Report
Exhibit G: 1984 Parking Easement Agreement
Exhibit H: 1984 Non-Exclusive Agreement with Park City Municipal
Exhibit I: November 5, 2001 Community Development Director Determination
Exhibit J: December 12, 2001 Planning Commission Staff Report
Exhibit K: November 10, 2010 Planning Commission Approval for Outdoor Pool
Exhibit L: August 21, 2012 Planning Commission Conditional Use Permit Approval Letter
Exhibit M: June 24, 2015 Planning Commission Approval Letter to Relocate Laundry
Exhibit N: 2012 Historic Preservation Board Award to Washington School House
Exhibit O: Washington School House Historic Site Form
Exhibit P: Neighbor's Concerns for the Washington School CUP
Exhibit Q: Public Comment

8. ADJOURN

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 Council meeting attendees who park in the China Bridge parking structure.**

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
April 27, 2022

COMMISSIONERS IN ATTENDANCE: Chair John Phillips, John Kenworthy, Sarah Hall, Bill Johnson, Christin Van Dine

EX OFFICIO: Gretchen Milliken, Planning Director; Rebecca Ward, Assistant Planning Director; Alexandra Ananth, Senior City Planner; Lillian Lederer, City Planner; Spencer Cawley, City Planner; Makena Hawley, City Planner II; Margaret Plane, City Attorney; Mark Harrington, Senior City Attorney

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1. ROLL CALL

Chair Phillips called the meeting to order at approximately 5:30 p.m.

Chair Phillips read the following:

> The Planning Commission of Park City, Utah will hold its regular meeting with an anchor location for public participation at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 on Wednesday, April 27, 2022. Planning Commission members may participate in person or connect electronically by Zoom or phone. Members of the public may attend in person or participate electronically.
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> Public comments will also be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom through www.parkcity.org/publicmeetings. Written comments submitted before or during the meeting will be entered into the public record but will not be read aloud. For more information on attending virtually and to listen live, please go to www.parkcity.org.

Chair Phillips announced that Commissioner Laura Suesser and Commissioner Doug Thimm were not present and excused.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from March 23, 2022.

MOTION: Commissioner Bill Johnson moved to APPROVE the Planning Commission Meeting Minutes from March 23, 2022. Commissioner Sarah Hall seconded the motion.

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

B. Consideration to Approve the Planning Commission Meeting Minutes from April 13, 2022.

MOTION: Commissioner Bill Johnson moved to APPROVE the Planning Commission Meeting Minutes from April 13, 2022. Commissioner Hall seconded the motion.

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

3. PUBLIC COMMUNICATIONS

There were no Public Communications.

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Planning Director, Gretchen Milliken had no Staff communications.

Commissioner Kenworthy reported that he owns a home on Woodside Avenue. It would not affect his decision-making on the Agenda Item involving 316 Woodside Avenue.

5. WORK SESSION

A. Land Management Code Amendments - The Planning Commission Will Conduct a Work Session on Water Wise Landscaping and Discuss Updates to Land Management Code § 15-5-5(N). PL-21-05064.

City Planner, Lillian Lederer, and City Planner, Spencer Cawley presented the above item jointly. Planner Lederer explained that they were looking for direction from the Planning Commission on the revisions to the Land Management Code ("LMC") that would strengthen the language regarding Water Wise Landscaping. She asked the Commission to think of the vision for Park City in the next 10 years regarding Water Wise Landscaping and how to implement this vision with new construction and development.

She reported that on May 30, 2019, the City Council adopted Ordinance No. 2019-30 amending the LMC to update the Landscaping regulations regarding Water Wise Landscaping. Water Wise Landscaping reduces the need for supplemental irrigation, including xeriscaping and hydro zoning, landscaping techniques that co-locate plants, trees, and shrubs that have similar irrigation needs. She noted that one of the strategic pillars of Vision 2020 addresses water scarcity through environmental leadership. The Park City General Plan recommends land use regulations to help reduce water use through efficient infrastructure and landscaping requirements. She referenced Strategy 5.3 of the General Plan that suggested adopting landscaping requirements in the LMC to decrease water utilization and preserve native landscaping.

Planner Cawley stated that in the last Legislative Session, House Bill ("HB") 282 was passed, which modified the provisions of Water Wise Landscaping requirements. Specifically, this bill prohibits municipalities, counties, and Homeowners' Associations ("HOA") from prohibiting property owners from incorporating Water Wise Landscaping within their own property. It also prohibits enacting or enforcing any ordinances, resolutions, or policies that prohibit a property

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owner from incorporating Water Wise Landscaping within their property or requiring a property owner to install or keep in place lawn turf in an area with a width of less than eight feet.

Planner Cawley noted that there are some requirements and definitions contained in HB 282 that must be implemented into the LMC. Specifically, HB 282 states that a municipality or HOA may require a property owner to comply with a Site Plan review or other process before installing Water Wise Landscaping. This is consistent with the process currently in place but is something that could be clarified in the LMC. He added that this would also include maintaining plant material in a healthy condition and following specific Water Wise Landscaping design requirements adopted by the City or HOA that would restrict or clarify the use of mulches considered detrimental to municipal operations, which would impose a minimum or maximum vegetation coverage standard or would restrict or prohibit the use of specific plant materials.

Planner Lederer noted that the current LMC definitions regarding landscaping are limited. She provided the Commission with the current definition of Water Wise Landscaping, noting that it is confusing and unclear. She stated that they have proposed some definitions in which they separate Water Wise, Xeriscape, and others to clarify the difference between Landscaping and Water Wise Landscaping.

They proposed to define "Water Wise Landscaping" as a landscaping method developed specifically for arid and semi-arid climates utilizing water-conserving techniques that reduce the need for supplemental irrigation. It employs the use of drought tolerant plants, mulch, and efficient irrigation. Planner Lederer explained that "xeriscape" is defined as a form of Water Wise Landscaping, wherein plants, trees, and shrubs that are appropriate to the local climate are used and care is taken to avoid losing water to evaporation or runoff. "Landscape" is defined as a basic mix of plants, trees, shrubs, and other vegetative materials.

Planner Cawley listed the specific terms defined in HB 282 as Lawn/Turf, Mulch, Overhead Spray Irrigation, Vegetative Coverage, and Water Wise Landscaping. He presented some additional definitions that Staff could either clarify or add to the LMC that would help make the process easier for residents as they implement Water Wise Landscaping in their plans. He stated that there are opportunities to reduce water use in landscaping, and the City Council has been advised of these opportunities during presentations last year.

Planner Lederer referred to the current Landscaping Section in the LMC and stated that Staff looked to update it, organize it and make it clearer for residents to understand. It would also be more efficient in allowing residents to incorporate Water Wise Landscaping into their properties. She referred to a short list of incentives and noted that the Planning Department currently has a Water Impact Fee that residents can apply for, and there is also a State-sponsored "cash for grass" incentive in the works.

Chair Phillips requested more information on the "cash for grass" incentive. Planner Cawley did not have the exact details for this incentive but noted that the State set aside money that would be available as an incentive for reducing lawn turf in residential landscaping. He stated that the application process for this program has not yet been clarified. He confirmed that this would be a new program by the State.

Planner Lederer stated that following this Work Session, Staff would conduct an online public survey, hold a series of open houses, reach out to HOAs and develop a simple website to solicit public feedback on the suggested changes. Following this period of public input, Planner Lederer

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stated that the Planning Department would return to the Planning Commission to finalize recommendations for an Ordinance for City Council's action. She reiterated that the Planning Department was requesting feedback regarding new LMC definitions and whether additional provisions should be added. The amendments will incorporate the provisions of HB 82 as well as an update or incorporation of a plant list. She also requested any additional ideas, opportunities, or incentives to reduce water usage in landscaping, which could include clarifying the percentage of lawn coverage, percentage of vegetation in non-lawn areas, and clarifying materials, such as mulch, allowed in vegetative areas.

Commissioner Kenworthy noted that currently, the State of Utah is re-adjudicating all water rights in the State. He asked how they should address the State's "use it or lose it" directive with these new guidelines to restrict watering and lawn size. Planner Lederer agreed that this is something that should be incorporated and noted that there is an issue with the water supply. She commented that they were looking for feedback on how much to restrict. Planner Cawley added that for the LMC amendments, they were not looking to restrict water usage as that is something that would occur at the City Council level that is already in process. He clarified that they were looking specifically at integrating Water Wise Landscaping into the LMC so that the expectations are much clearer.

Commissioner Kenworthy asked Senior City Attorney, Mark Harrington about the conflict between the re-adjudication of these rights versus the need to conserve. Mr. Harrington stated that the City regulations would not affect private water use because those residents are not on the City's fee structure. These owners could incorporate other methodologies to use their water rights if they have an individual water right outside of the City's system. He felt that the two systems could be compatible but there is a bit of an inherent conflict that is always present in the sense that the underlying water rights are supposed to be used. That does not mean that they cannot be used more efficiently, pooled differently, or put in different systems and there are agricultural and open space incentives at the State level where exceptions to the "use it or lose it" could be applied if they meet those criteria.

With regard to the municipal system, Mr. Harrington stated that they are looking at reducing outdoor irrigation use, which is the highest use category. They do not have the same exposure to losing their rights if they successfully reduce water usage. He added that they could come back with an explanation of the City's water system.

Commissioner Kenworthy commented that the average citizen that has a water share is buying into an irrigation system and the irrigation system is under re-adjudication; therefore, the guidelines could proceed, and the residents could reduce their water usage. He understood that those with private water rights and a private water system have to use their water or else lose it.

Mr. Harrington did not disagree with Commissioner Kenworthy's statements but felt that this was an oversimplification since all water rights are different. He mentioned agriculture, municipal use, and independent ownership. He stated that if the Planning Commission would like a broader look at these implications, they could bring in the Water Team to explain it in more depth. He added that a majority of Park City users are in the municipal district; the few private water owners are the resorts and the owners are located primarily in the Park Meadows area. Mr. Harrington commented that this effort was aimed more at getting residents to use less water for residential irrigation.

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Chair Phillips understood that there was nothing that would be significantly moving the needle, as much of these amendments would be cleaning up the LMC and adding some Water Wise language. He wanted to know what Staff felt were the most significant changes proposed for the Code. He added that he did not feel that there was anything too restrictive, but that Staff was writing more incentives into the Code. Planner Cawley explained that this would re-organize the Landscaping portion of the LMC, implement the State definitions and revisit some of the existing definitions. Staff would like direction from the Planning Commission on whether they should go beyond that.

Chair Phillips wanted to better understand the Fire Wise portion of the Code, especially given the fires that occurred last year. He was not very familiar with the management of those issues and felt that Staff should look at that part of the Code. Planner Lederer stated that the plant list included in the Staff Report is currently contained in another portion of the Code rather than the Landscaping Code. Staff has cross-referenced some of the plants and vegetation with Water Wise plants and most of the time Fire Wise plants and Water Wise plants overlap. She felt that they could incorporate a website that would include materials regarding Fire Wise and Water Wise information for the residents' information and incentives.

Commissioner Hall asked if there was any further information on gray water use. Planner Lederer explained that this was a suggestion that has come up previously yet was not currently implemented. Summit County started looking into this issue, and this would be something that the City would have to work on with the County. She stated that they do not have much information on this to present at this time, but if the Commission wanted further information on this, they would obtain it for review. Commissioner Hall requested that Staff look into this issue.

Chair Phillips agreed with this direction. Planner Cawley added that Summit County has an approved gray water re-use program that is regulated by State Code. If the City decides to have any sort of municipal implementation of gray water use, it would be much more involved than just implementing Water Wise Landscaping into the LMC. He stated that Staff would look into this for the Commission.

Commissioner Hall also stated that the Land Use sections were good and wondered about agricultural use and the difference from municipality use. Planner Cawley stated that they could look beyond residential use, but for the immediate amendments, they would like to focus on residential uses. He felt it would be worthwhile to look beyond residential at a later date and evaluate what changes could be implemented for those other uses.

With regard to Commissioner Hall's inquiry about online resources and making it user-friendly, Planner Cawley agreed and stated that Staff originally thought of implementing this plant list into the LMC. Currently, they felt that a better use of everyone's time would be to use other resources and mentioned the State's Water Wise resources. He stated that the Planning Department could maintain a website that addresses all of those options.

Commissioner Hall asked if they could give the Planning Director the authority to update the plant list information annually or as needed. Planner Lederer expressed that the idea would be that they would not incorporate the plant list into the LMC; instead, they would incorporate more information to direct people so that the list could just be updated as necessary. Commissioner Hall again stressed the necessity for a user-friendly website if they would be directing people to different resources.

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Commissioner Johnson commented that Staff should add definitions for everything and add the additional definitions from HB 282. With regard to the Additional Opportunities, he was not sure that he could support Nos. 1 and 2, but he supported the others, numbered 3 through 7. He felt that the preservation of Historic Landscaping was important to the character of the town. In terms of Significant Vegetation, he mentioned that while the Cottonwoods along Poison Creek use water, they also clean toxins and have some historic character as well. He added that he does not have expertise in the percentage of lawn coverage but felt that the more the better given the current water resources.

Chair Phillips confirmed next steps and asked about the timeline. Planner Lederer stated that the gray water research would take the longest to fully incorporate. Staff would start with outreach and prepare the basic overview and then come back later with gray water information.

Commissioner Kenworthy asked if they needed to include a clause that protects private water rights and the use of those owners' water. Mr. Harrington did not feel that would be necessary because the City would not be penalizing anyone. If owners are using their own water, then they are not in the City's fee system, which escalates with use to disincentivize significant use. These changes create affirmative ways to get normal fees reduced, therefore if owners do not avail themselves of the municipal system, they are not penalized; they just cannot get the benefits of the system of which they are not a part.

Commissioner Kenworthy's concern was that if someone has five acre-feet of water, they are required to use it to water their lawn. Mr. Harrington stated that there might be other mechanisms through the State administration of their water right to reduce their usage, but that has nothing to do with the City system or the fees.

Chair Phillips clarified that the private water would not be affected by the amendments to the Code, as it is not regulated by the LMC. Mr. Harrington confirmed that the LMC only regulates those applying for either irrigation or landscape/building permits within the City and are subject to the City water. He reiterated that they could bring the Water Team in to explain this issue more fully. Planner Lederer added that the Landscaping section in the LMC only regulates new irrigation systems, which must have a Water Sense label.

Commissioner Hall asked about rainwater collection. Mr. Harrington explained that there is a Barrel Program run through Sustainability. He added that they were distributing barrels on Mother's Day at Quinn's Junction. Planner Lederer commented that the LMC does not specifically address rainwater collection, but the information would be included on the website. It was noted that rainwater collection was something they were trying to promote with other jurisdictions.

Chair Phillips commented that he was able to get some rain barrels and uses the rainwater to water plants on his deck and use whatever is left over in his yard. Commissioner Johnson asked if there was a limitation on how many gallons of rainwater could be collected. Chair Phillips recalled that the limit was something around 2,500 gallons.

In response to Planner Cawley's question to the Commission, if they wanted Staff to look into additional incentives, the Commissioners answered in the positive. Chair Phillips clarified that City Council would be the body to act on and manage any financial incentives. He added that he would like to see if there was anything that the Commission could implement in terms of incentives and recognized that they have to rely on the City Council to take the lead. He asked Staff to come back with more background information regarding incentives.

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B. Southeast Quinn's Junction Annexation Petition Work Session The Planning Commission Will Conduct a Work Session on the Petition to Annex Approximately 1,200 Acres of Property in the Quinn's Junction Area into Park City. The Area Proposed for Annexation Includes Richardson Flat Property Subject to the 1999 Flagstaff Development Agreement that is Restricted to Recreation Uses and the City-owned Clark Ranch Property. Proposed Zoning is Recreation and Open Space. PL-21-05031.

Assistant Planning Director, Rebecca Ward introduced the applicant's representative, Trails and Open Space Program Manager, Heinrich Deters. She confirmed that this item was the subject of a prior Staff Communication, and the purpose of this Work Session was to provide an update on where they were on the progress of the Southeast Quinn's Junction Annexation Petition. They were looking for high-level input from the Planning Commission on any outstanding information in preparation for a public hearing and possible recommendation on May 25, 2022.

Assistant Director Ward stated that on October 15, 2021, the Park City Municipal Corporation filed an Annexation Petition to annex approximately 1,200 acres in the Southeast Quinn's Junction area. The City Council reviewed the Petition and accepted it to move forward with the full review process. She reported that the City Recorder certified the Petition, which opened the door for protests. Four such protests were filed. Summit County convened a Boundary Commission to hear one of those protests, filed by the Hideout Community Advancement and Development, LLC. The protest was heard on February 14, 2022, and denied by the Boundary Commission. The denial was appealed to the Third District Court and that appeal is pending.

Assistant Director Ward presented maps showing the Annexation Parcels. She explained that the Annexation included the Richardson Flat property, which is subject to the 1999 Flagstaff Development Agreement that limits the uses for the property to golf, equestrian, or other recreational facilities. The Agreement also allowed for a perpetual deed restriction on the property from further development. She explained that the other portion of the property includes the 344-acre Clark Ranch property, which was purchased by Park City in 2014.

Assistant Director Ward stated that the Staff Review Team was preparing a report on the Petition that would review 15 criteria to make their recommendation to the City Council on both the Annexation Petition and recommended Zoning. The City Council will then hold a public hearing and take final action. She reported that the Staff Review Team has been meeting and reviewing the Petition since November 2021 and would have a finalized report for Planning Commission review on May 25, 2022. Some of the items still being evaluated include possible negative impacts on the City and whether the City could economically provide services. They are also evaluating revenue versus service costs and an estimate of the tax consequences, snow removals, maintenance of Richardson Flat Road, and the cost of police services.

Assistant Director Ward referred the Commission to the Staff Report that contained the 15 criteria and requested additional information the Commission would like for review. She also requested feedback on the recommended zoning for this area. She stated that the General Plan identifies this area as an area to include in the Annexation Expansion Area from 2019. The City implementation strategy contained in the General Plan was to annex additional land to shape growth reflective of the City's goals for the land use surrounding Park City. The General Plan identified the area proposed for Annexation as an important gateway to the City. Clark Ranch was identified for open space and wildlife corridor connectivity. The Quinn's Junction Planning

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Commission principles outlined in the General Plan identify this area for recreation and open space consistent with the Flagstaff Development Agreement.

Assistant Director Ward presented a map taken from the General Plan that showed the City and Summit County review from 2004 that identified the Richardson Flat area for recreational space. When that was updated, it was expanded to include the Clark Ranch property. She explained that the General Plan also identifies this area as Open Space and Critical Area as a buffer for the eastern entry corridor to the City.

The current zoning of the area proposed to be annexed in the Snyderville Basin area of unincorporated Summit County is identified in the County's General Plan for Open Space-Very Low Density Uses with the Possibility of a Transportation Hub. The Very Low-Density Zoning ranges from one unit per 20 acres to one unit per 120 acres. She explained that the applicant has proposed the zoning to be Recreation and Open Space ("ROS"), which would allow for conservation activity, trail improvements, and recreation facilities. She added that Staff also recommended that as part of the zoning, they extend the Entry Corridor Protection Overlay, which currently runs along State Road 248. This would include some additional protections for the Entry Corridor, such as additional setbacks, varied building setbacks, and restrictions on height. The Sensitive Lands Overlay addresses the Ridgeline area, Steep Slopes, Wetlands, and Wildlife Habitat. The Sensitive Lands Overlay zoning would also require analysis of development for impacts on entry corridors and vantage points.

Assistant Director Ward added that as part of the Sensitive Lands Overlay, Staff recommended that the vantage points that were considered for development also be amended so that any development in the area would be evaluated from the Park City Hospital and along with various points on the Rail Trail and Richardson Flat Road. She invited any questions or feedback from the Commission that could be included in a public hearing and recommendation to City Council, and, time allowing, public input. She mentioned the four protests filed that were included in the Staff Report and stated that no other public input had been submitted.

Chair Phillips stated that they would allow time for public input.

Commissioner Van Dine asked Assistant Director Ward to revisit the proposed zoning and the overlay with parking and/or transit. She asked how that would also overlay with trailhead buildings. Assistant Director Ward explained that under the Development Agreement, there are opportunities for potential recreation facilities; therefore, the restrictions would apply to any structure that would be built.

In response to a question from Commissioner Kenworthy regarding the Transit Hub, Assistant Director Ward referenced the Richardson Flat Park-and-Ride and any potential municipal recreational facilities and stated that under the current ROS Zoning District, municipal facilities are less than 600 square feet go through an Administrative Conditional Use Permit. If anything were proposed for greater than 600 square feet, it would trigger a Conditional Use Permit review before the Planning Commission.

Chair Phillips asked if the zoning will generally remain the same. Assistant Director Ward confirmed this and explained that the way that the Quinn's Junction Joint Planning Commission Principles outline future land use for Richardson Flat, would include whatever is in the Development Agreement. When the City purchased the Clark Ranch property in 2014, a portion of that property that totals no more than 40 acres contemplated a use outside the ROS Zone. If

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that occurs, a re-zone application would come before the Commission. She explained that the remaining property on the Clark Ranch Parcel has a proposed conservation easement to protect the open space.

Assistant Director Ward confirmed that they were not including any conservation easement as part of this Annexation Petition.

Commissioner Kenworthy addressed the zoning and proposed zoning and observed that the area designated for a Transportation Hub appeared considerably different than Richardson Flat. Assistant Director Ward explained that when the County adopted its plan, the County envisioned the location of the Transportation Hub. She added that under the ROS Zoning, that location would still be a possibility, but the Transportation Hub is not currently identified in the Park City General Plan. She opined that the Transportation Hub would be allowed under the ROS Zoning and Staff has recommended ROS Zoning for the area where the Transportation Hub is shown.

In response to a further inquiry, Assistant Director Ward stated that as currently proposed, all of the annexed acreage would be zoned ROS. Any area within the Annexed property that would be good for a Transportation Hub could be provided for by a Planning Commission Conditional Use Permit process. The only limitation was that Staff has recommended that the Entry Corridor Protection Overlay Zone be extended to the Summit County and Wasatch County border, which would impose some additional setbacks and requirements. She indicated that they could look into this further to determine if there needed to be some exceptions. Chair Phillips expressed that it would be helpful to understand in more detail the requirements but was very much in favor of extending those zones as proposed by Staff.

Commissioner Kenworthy asked if there was a map on the ground lease and what the ground lease covers. Assistant Director Ward stated that they could provide that on May 25 and referenced the Exhibit that contains the lease.

Referring to page 15 of the Lease, Commissioner Kenworthy noted that the Plat Map showed a county road and questioned whether that road exists. Manager Deters expressed his belief that the County Road was Richardson Flat Road, and the abandoned Union Pacific was what was commonly referred to as the Fost & Spur.

Commissioner Kenworthy requested the lease and requested confirmation that the lease only pertained to Richardson Flat. Assistant Director Ward clarified that the lease covers 30 acres of land and would include an exhibit for the Commission on May 25 that shows it in the context of the Annexation area.

Chair Phillips opened the matter up for public comment.

Bill Ciraco suggested that information be shared with the voters so that when they have a chance to speak during further Commission or Council meetings, the public is better informed. He thought it would be important to understand how much of the Annexed property includes land that is contaminated and whether the City has done an environmental analysis. He stated that the contamination has been longstanding and not cleaned up. If the land remains zoned ROS, then there would be very little economic incentive to address the contamination.

Mr. Ciraco also referenced Kimball Junction and the Dakota Pacific Project. He noted that the project is within the County's jurisdiction, and the County is behind the eight-ball with regards to

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what is occurring. If the developers get their way, Kimball Junction would be unfixable and unworkable. Given that Quinn's Junction is the next best or better entry point into Park City, he felt it important to preserve some options on what could be done with that land. It might serve Park City well in the future and he thought Planning Staff should analyze that and inform the public as to what options might exist.

With regard to the Transportation Hub, he stated that it sounded fantastic; however, if they were just suggesting a bus stop or parking lot in the middle of nowhere, he could not see how that would be a Transportation Hub. He felt that Staff needed to expand on that analysis and provide a better understanding of what it could entail.

Chair Phillips commented that Staff was not proposing any different zoning for the Transportation Hub, so that issue has been left open. Mr. Ciraco would like some definition of what is meant by Transportation Hub because it should include uses to make it a "Hub" and a place that people would actually want to use. He mentioned the problem with the park-and-ride at Richardson Flat, which is out in the middle of nowhere and does not get used.

Mr. Harrington addressed Chair Phillips' comment about a conservation easement and clarified that there was a conservation easement underway for the Clark Ranch Property that is still contemplated to move forward. He noted that it would not be a part of this Petition. Other existing conservation restrictions have been ruled to equate with a conservation easement under the Flagstaff Development Agreement.

Chair Phillips confirmed his understanding that the conservation easements were moving forward separate and apart from the Annexation Petition.

Commissioner Kenworthy thanked Mr. Ciraco for his comments and requested a slide with a detailed soil overlay on the area. The comments about zoning options reminded him of the proposal he has seen in Little Cottonwood where they have a proposed parking lot of 1,800 stalls with some mixed use. He felt that was a nice element to what is being proposed in that area. He would support keeping options and noted that Richardson Flat has never worked and is isolated and "sketchy."

He commented that they would like to have something attractive out there and just laying some asphalt and calling it a Transportation Hub would not be ideal. Chair Phillips agreed but noted that is a separate discussion. Chair Phillips also appreciated Mr. Ciraco's comments and agreed that an environmental analysis and understanding of the potential liabilities were important.

Sean Philipoom addressed the comments regarding possible 40 acres of development in the Clark Ranch area and asked Assistant Director Ward to expand on that. Assistant Director Ward explained that when the City purchased the Clark Ranch property in 2014, it totaled approximately 350 acres. The majority of the acreage was proposed to be included in a conservation easement, with an option for potential municipal or other use for no more than 40 acres. She stated that there was no proposed development at the current time, so the recommended zoning would be ROS. If the use would ever change in the future, it would require a potential re-zone depending on what was proposed. Chair Phillips added that this could occur anywhere in town where re-zones occur. He confirmed that nothing was being proposed and a re-zone would be a completely separate process from this Petition.

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Assistant Director Ward commented that Staff proposed the ROS Zoning, the Sensitive Land Overlay, and the Entry Corridor in addition to what the applicant had proposed. Chair Phillips stated that he was very much in support of the Overlay and extending it. Commissioner Johnson agreed with Chair Phillips.

In response to an inquiry about the process after the judge makes a decision, Assistant Director Ward explained that the tentative schedule was to complete the Staff Review Team recommendations on May 5, 2022, and then return on May 25, 2022, for a public hearing and possible recommendation. The Planning Commission could review this as early as June 16, 2022, depending on the outcome of the Boundary Commission appeal.

City Attorney, Margaret Plane clarified that the Annexation Petition could go before City Council as early as June 16, 2022, so the Planning Commission could act the next time this item comes before it. The hearing on the appeal is scheduled for June 1, 2022, and the Judge has committed to issuing a decision by June 6, 2022. She noted that the court's schedule would allow the appellant time to seek a stay and stop the City from taking any action before June 16. She anticipated further hurdles as this unfolds.

6. REGULAR AGENDA

A. 1431 Lowell Avenue - National Ability Center's Mountain Center Subdivision – The Applicant Proposes to Create a One Lot Subdivision for their Mountain Center Operations Building.

Senior City Planner, Alexandra Ananth explained that the applicant submitted two applications: a Subdivision Application to create one .47-acre lot, as well as an application for a Conditional Use Permit ("CUP") for a ski base facility greater than 600 square feet. She stated that the site is located in the ROS and Sensitive Lands Overlay Zone and the Planning Commission held a Work Session on this application on March 23, 2022. Planner Ananth addressed the Subdivision application, as the Conditional Use Permit will be dependent upon the Subdivision. She presented a photograph of the site, which is located at the top of the First Time parking lot, and adjacent to the two Magic Carpets and the Resort Condominiums Building.

She displayed a graphic of the proposed Subdivision and explained that it would be creating a single lot so that the National Abilities Center ("NAC") could build its roughly 20,000 square foot building. She explained the location of the proposed lot and discussed how the existing fire access lane would be extended a short distance with a cul-de-sac for a fire truck turnaround, and drop-off and loading exclusively for the NAC.

Planner Ananth recalled that at the Work Session, the Planning Commission asked how this would fit with PEG's plan. She presented a slide showing what it would look like if the PEG project were not developed. If the PEG project were developed as proposed, the access would be similar and there would be an adjacent sidewalk on the north side of the access lane to the NAC. She explained that the green line on the graphic showed the connection to Parcel B, which is the most proximate parking location. She stated that the Planning Department believes there is good cause for the Subdivision because it creates a lot of record and allows for the NAC to exercise its long-term lease with the Resort for the construction of its Mountain Operations Building, which serves a need in Park City. Staff recommended the Planning Commission hold a public hearing and consider forwarding a positive recommendation for City Council's consideration on May 26, 2022. She asked if there were any questions regarding the Subdivision application and expressed

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that the Commission was required to discuss and act on the Subdivision application prior to moving on to the CUP.

Chair Phillips opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Kenworthy asked what, if any, impact the Subdivision would have on the parking and PEG's requirements. Planner Ananth stated that the NAC is a site that exists now, therefore it is a pre-existing use and accounted for in the Resort's parking. NAC staff currently use either employee parking or the Resort's general parking and would continue to do so. The applicant submitted a parking plan that indicated upon completion of the building, they would run shuttles from their Quinn's Junction site. In addition, there would be an opportunity for NAC staff and participants to park at Quinn's Junction and ride the shuttle into the Resort. Planner Ananth reported that the shuttle might actually result in a significant decrease in the parking required at the Resort for that use.

Commissioner Johnson stated that the intent of the Development Agreement was to put as much density in the parking lots and maintain more open space on the mountain. Since this would add density to the Base Area, he asked what conversations the NAC had with the property owner about going into the ROS zones.

NAC representative and Facility Development Manager, Meeche White, stated that many years ago the prior owner of the Resort contemplated putting the NAC in at the Base Area. Once the Resort ownership changed, the NAC and Vail determined this to be the best location for the program because it provides accessibility to beginner terrain, and would be right on the snow, which is vital to the NAC's success. She clarified that the portions of Parcel C were not an option because Vail was selling it to someone else. Ms. White offered that this parcel was a very generous contribution by Vail.

Commissioner Hall asked how this would impact the calculation of open space for the parcel in general, as well as the relocation of the Magic Carpets. Planner Ananth stated that although this site is zoned ROS, it does not prohibit certain uses from going into the site. Although the mountain and PEG can count this as open space, even if the footprint of the building is backed out they are still able to meet their open space requirement because most of the mountain is preserved as open space. She added that the Development Agreement allows for this. Mr. Harrington clarified that PEG already backed out the NAC footprint from their proposal, and only did the underlying calculation with the Base Area parcels. PEG has two rungs of compliance that they have met even excluding the NAC structure. Staff agreed with these calculations.

With regard to the trailer, it is currently located on a hard surface, so when it is removed that space would likely go back to open space. Planner Ananth added her belief that that area was not within the open space exhibit that PEG used. In other words, the PEG application would not receive a net increase by virtue of this application.

Commissioner Kenworthy asked the applicant to speak to the public comment included in the Packet, specifically that of Trent Davis and the easement issue. Ms. White stated that the NAC was in agreement with the Easement Agreement presented by Vail and is ready to sign. The Easement Agreement does not involve the NAC; rather, it is Mr. Davis and Vail that need to resolve whatever issue exists. She was unsure if there was an issue as it is a pretty basic easement.

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Ms. White referenced a clause in the Easement Agreement that requires all who use the road to participate in paying for snow plowing and maintenance, with which NAC agrees. She acknowledged that the issue with Mr. Davis is awkward, but the NAC had no issue with the easement or anything in the Agreement.

Commissioner Kenworthy felt that Mr. Davis was clear that from their perspective, this was not going to be approved in its written form. He asked Mr. Harrington if Mr. Davis needed to sign off on the Agreement. Mr. Harrington stated that Condition of Approval four addressed this issue. The provision of access needs to be addressed prior to plat recordation, whether that is by the current draft easement, some other easement directly with the property owner, or some other way that the City Engineer and Fire Code Officer accepts. He could not speak to Mr. Davis' rights in terms of his objections to this particular form of Easement Agreement. He noted that Mr. Davis was not the property owner and was subject to an existing easement. He noted that the parties were trying to work out a co-location, but there might be other opportunities to work directly with Vail if this Agreement does not work out.

In response to a further inquiry on whether an agreement with Mr. Davis would be required, Mr. Harrington stated that it would not be within his authority to opine whether Mr. Davis has veto authority over this Agreement.

MOTION: Commissioner Van Dine moved to forward a positive recommendation for the City Council's consideration on May 26, 2022, for the National Ability Center's Mountain Center Subdivision, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Draft Ordinance as follows:

Findings of Fact

1. The applicant proposes to create one Lot of Record for the National Ability Center's Mountain Center operations building at the base of Park City Mountain Resort.

2. The Lot is located in the Recreation and Open Space (ROS) Zone and the Sensitive Land Overlay.

3. The Lot will continue to be owned by VR CPC Holdings and will be leased to the Nation Ability Center.

4. The Lot is not a development parcel subject to the 1998 Park City Mountain Development Agreement (DA) and this Subdivision does not amend the DA or have any bearing on other applications under the DA.

5. The existing NAC trailer located on the PCMR property is approximately 1,800 square feet and has reached the end of its useful life.

6. The new building is 9,410 square feet and will include Americans with Disabilities Act ("ADA") accessible restrooms, a fitness room for program participants, storage for specialized equipment, and facilities for administration, training, and education.

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7. The proposed Subdivision complies with the purposes of the Recreation and Open Space Zoning District, and Sensitive Land Overlay.

8. There is no Minimum Lot Size in the ROS Zoning District. The proposed lot is 20,457 square feet (.47 acres).

9. The proposed Subdivision complies with Land Management Code Section 15- 7.3-2, as outlined in the staff report, and conditioned below.

10. The proposed Subdivision complies with Land Management Code Section 15- 7.3-3, as outlined in the staff report, and conditioned below.

Conclusions of Law

1. There is Good Cause for this Subdivision because it will allow for the construction of the NAC's Mountain Center operations building, which serves a need in the community.

2. The Subdivision complies with Land Management Code Chapters 15-2.7, and 15-2.21, as well as Sections 15-7.3-2 and 15-7.3-3.

3. Neither the public nor any person will be materially injured by the proposed Subdivision.

4. Approval of the Subdivision, 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 Planning Director, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The Applicant shall record the Subdivision at the County within one year from the date of City Council approval. If recordation has not occurred within one year, this approval will be void, unless the Applicant submits a request for an extension in writing prior to the expiration date and an extension is granted by the City Council.

3. The City Engineer shall review and approve all lot grading, utility installations, public improvements, and drainage plans for compliance with City standards as a condition precedent to building permit issuance.

4. Final utility and access shall be reviewed and approved by the Park City Fire District, City Engineer and City Attorney as a condition precedent to plat recordation.

5. The property is not located within the Soils Ordinance and therefore it is not regulated by the City for mine-related impacts. However, if the property owner

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encounters mine waste or mine waste impacted soils, they must handle the material in accordance with State and Federal law.

6. The proposed structure must meet the City's Architectural Design Guidelines.

7. Interior and exterior fire sprinkler systems may be required by the Park City Fire District at the time of the Building Permit review.

Commissioner Hall seconded the motion.

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

B. 1431 Lowell Avenue-National Ability Center's Mountain Center Conditional Use Permit-The Applicant is Seeking a CUP for their Mountain Center Operations Building

Planner Ananth next addressed the CUP application, which would allow for the proposed use on the lot. She reported that the applicant submitted a parking plan that discusses the shuttles from their Quinn's Junction location. Staff has recommended a Condition of Approval that the CUP is for NAC's use only and is not transferable and does not run with the land. She explained that any new use of this building in the future would have to come back to the Planning Commission for review of the new user's parking, traffic and transportation impact on the Resort.

Planner Ananth stated that the proposed structure met the 25-foot required setbacks on all sides and the building complies with all of the zoning requirements. Staff recommended that the Planning Commission hold a public hearing and consider approving the CUP for the Base Facility based on the Findings of Facts, Conclusions of Law, and Conditions of Approval.

Ms. White added that on the easement road, there would be a loading and unloading area that would be used by the Lodges at the Resort near their entrance. There was discussion regarding the specific location of this loading/unloading zone and Ms. White confirmed that it would be part of the exhibit to NAC's easement with the property owner. She explained that it would be located in an area where the NAC will have removed the power box, which would provide enough room for loading and unloading a van that would not impede the road.

Commissioner Johnson referenced the first sentence of the "No Parking" paragraph of the easement that states that it does not grant any party or permittee the right to stop, loiter, drop off, or park in the easement area.

There was further discussion regarding the location of the loading area for the Lodge. Planner Ananth added that the NAC would have four parking spaces, as well as a turnaround area. It was added that the parking spaces for the NAC were in reality an area to drop off to allow the participants to unload from a car and access the facility. The intent was to create a safe, consistent flow of traffic for the participants to exit their vehicles and get on the slopes.

Commissioner Johnson stated that they want to support that but noted that the first sentence of the Agreement contained restrictions. It was noted by the applicant that the four spots also would also provide emergency access to the mountain if necessary.

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Chair Phillips opened the public hearing.

Deb Rentfrow reported that she had spoken with Ms. White, who is aware that she supports this application. She expressed that the four drop-off spots were great and applauded the NAC's plan for a shuttle from the Quinn's location. She added, however, that it might not be the best scenario if a lot of volunteers drive to Quinn's to get the shuttle back into town. She believed that these persons have been allowed to park in the employee parking spots at the Base. To expect the volunteers and employees of NAC to pay for their parking would be unfair and inappropriate. She also expressed concerns about the lease language that states that they would be allowed to use it the day before the ski season begins until a day after the ski season. She felt that as programs evolve, the NAC might want to offer operations or programs during the year at this location.

Roy Kristensen reported that he is retired and lives in Sandy. He spoke on behalf of the proposed Mountain Center and the need for it. He stated that his family has been members of the NAC since it was founded in 1987. His son, who has Down's syndrome, was nine years of age at that time and is now 44 years old. His son has participated in skiing, horseback riding, water crafting, camping, and many other opportunities, and was honored to serve on the Board of Directors of the NAC in 2010. Mr. Kristensen added that he and his wife have volunteered for many of the NAC fundraising events. They have seen the Mountain Center facility evolve with many improvements over the years, however, the number of participants has multiplied while the space remained about the same. He added that there have been a number of generous contractors and volunteers that have helped keep the Center functioning, but the NAC staff has had to work hard to make it workable for the population that they have.

Mr. Kristensen stated that he has worked as a volunteer ski instructor there and hosted a group of disabled adults from the Valley, and they had to get off the bus at one side of the Resort, which presented some safety issues for these participants. He added that the current Center is crowded and stuffy. Some participants have had emotional reactions that need to be dealt with in private and there is no private place for these persons. He also mentioned the lack of restrooms. He emphasized that these are issues they have learned to live with, but it is not the best situation. Trying to help the athletes get ready to go onto the snow in cramped quarters has been very difficult.

Mr. Kristensen observed that the proposed building appears to be open and airy, with easy access in and out. He added that the design included all the things he would have hoped for that are lacking in the current situation. Overall, he felt this would be a facility that they could all be proud of.

Jamie Blanek stated that she is a new athlete at the NAC, new to Park City, and new to living with a disability. She lost her leg in an accident last February. She stated that she moved here so that she could train with this amazing program, as snowboarding was her passion and goal before her accident. She expressed passion for rights and accommodations for disabled persons. She felt that these rights and accommodations should not have to be discussed; they should just be the norm. Ms. Blanek was unaware of what persons with disabilities had to endure until she became disabled. Parking, bathrooms, and other accommodations are not something that they should have to fight for.

Ms. Blanek appreciated the fact that they would have this beautiful building and so much accessibility for so many people who come from around the world to the NAC. She explained that she must put a different leg on when she snowboards, and sometimes doing that on the snow

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is difficult. To be able to do that in a building, with privacy, would be nice. She added that she sees many families bring their children who are in wheelchairs, who have emotional issues caused by overstimulation and who need privacy. She feels bad that she cannot do anything for these children, and sees this building as being a safe and comfortable place for these parents to bring their children to the mountain.

She hoped the parking gets resolved and noted that she is constantly in the parking garage with participants when the elevator is not working. To be able to have one place to get out of the car and get on the snow would be nice. Ms. Blanek expressed that this facility and the community are a blessing and accessibility, and inclusivity is important. Ms. Blanek hoped there would not be many bumps in the road for this facility and appreciated all of the hard work of those involved. She offered that this would improve the quality of life for everyone, not just those with disabilities.

Ben Hulin reported that he moved to Park City in 2010 to work at the NAC and it has been a great experience. He has also become a Physical Education teacher in the Valley. He stated that the NAC has been a big part of his life, and the doublewide does not access the needs of what the NAC is trying to accomplish. These improvements to the Mountain Center will only make the mountain a better place and will make the NAC's offerings more attainable.

With respect to parking, Mr. Hulin stated that while they all hope for powder days, getting equipment from his van to the Mountain Center currently is very difficult. The parking is at an incline, and the location makes it very difficult to easily access the mountain. He felt that the drop-off would be an added benefit for the athletes and participants. These changes would only make the experience that much better for people with different types of disabilities.

Jay Barney stated that he is on the Board of Directors of the NAC. He stated that he is from a skiing family, and his disabled grandson was left out for many years. One day as he was skiing in Park City, he saw a miracle and wanted to extend that miracle to his grandson. They took their 12-year-old grandson snowboarding, and it was a remarkable experience. He stated that the doublewide was a disaster because it was crowded and hot, but the people were awesome, the experience was awesome, and he was able to snowboard with his grandson. He added that when the opportunity arose to join the Board, he jumped at it. When he heard that the doublewide might go away, he was overjoyed. He was deeply impressed with the professionalism and detailed analysis that the NAC staff and Planning Staff have gone through to make this happen. He stated that they had to make this happen so that hundreds and thousands of others could join his grandson.

Andrew Haraghy stated that he is on the Competition Team for the NAC. He has had the great honor and privilege to compete, train and visit mountains all over the world. He expressed that it was regrettable that his home mountain and base of training is one of the least accessible. He stated that the current setup requires participants to park in the handicapped spots and then travel 200 yards to the elevator and past the ice rink before being able to access the NAC. There are similar problems with the current drop-off location. The current parking and drop-off situation is unfortunate for anyone in a wheelchair or with limited mobility, especially when trying to get equipment to the hill. He noted that a mono-ski is a 40 to 50-pound piece of metal and plastic. The situation makes it difficult for anyone trying to be independent and broaden his or her ability to train, compete, and enjoy the outdoors and the abundance of recreation they have in this area. He added that in addition to Park City, the NAC also services Summit County and the Greater Salt Lake Valley.

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Mr. Haraghy mentioned that the poor snow years have made access to the NAC even worse, and this new facility would provide that option for better access to the facility and the recreational venues. He expressed that the proposed plan would create a much better situation by shuttling people in and creating ease of access. He hoped that they could go from being one of the worst accessible to one of the most accessible and be a leader in showing other programs what is possible.

Tyler McKenzie stated he has been a resident of Salt Lake since 2015. He is approaching five years of being injured and has the fortune of being much more mobile than some of his teammates. He is a member of the High-Performance Team and developed friendships during a time when he was living day-to-day trying to find movement, battle stagnancy, and recover. He commented that he found the NAC and described it as a beacon of hope and light in the Park City community; the reach of this organization goes from Coast to Coast and far beyond.

Mr. McKenze found the NAC by just trying to get on a bicycle and figuring out how to live with his neurological injury. He stated that the NAC was about access, but also about training and people pushing themselves. There is only one other venue in the country that holds a candle to what the participants have access to at the NAC. He mentioned the difficulties during COVID-19 and stated that the new building would provide the necessary control the NAC needs to provide the experiences it provides daily. Mr. McKenze stressed that the NAC saved his life. He came from a sports background, and he has been able to push himself in this environment. The new building is something the community largely supports, and it benefits not only the community but also the Resort. They should not wait for the Paralympics to come around to understand the magnitude of what these programs provide. He stated that even at the highest level of competition, they are fighting an uphill battle.

He referenced other similar buildings across the country and commented that this type of building is occurring nationally. For the NAC to continue to be the pinnacle of providing these accessible experiences, the building is a necessity. He felt it would elevate not just the town, but the entire State and expressed how beautiful it would be for the Olympic Games to come back and for the State to be able to show what is being done at Park City in terms of accessibility.

The applicant commented that these members of the public have come to the NAC through determination and fight. They are here to advocate for the Mountain Center, but they are also advocating for those who are not here yet and who do not know about the beacon on the hill. The applicant asked the Commission to make this a possibility so that the Mountain Center would be available to the populations the NAC serves, knowing that anyone could be part of this population at any time. Anything that can be done to ensure that the Mountain Center is available as soon as possible is the obligation of the citizens of the community and society.

There were no further public comments. Chair Phillips closed the public hearing.

Chair Phillips expressed that the work of the NAC is a pillar in the community and makes the entire community look good. He relayed that his neighbor, who was the Chief Neurosurgeon at UCLA, helped him when his daughter suffered a traumatic brain injury. Chair Phillips stated that this doctor ultimately suffered his own complications with a brain injury. He was able to get to know him because they had a vacation home in Park City, and they loved to ski.

Chair Phillips stated that while it was unfortunate that this doctor was no longer able to help people through surgery, he still had a passion for skiing. He added that they are proud of the NAC and

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want to contribute in any way possible. They look forward to seeing a world-class facility that would improve the quality of life of many people now and in the future.

Commissioner Hall thanked the speakers for sharing their stories. She felt that everyone supported the NAC. She prefaced her comments by stating that they were to ensure that what the Commission does complies with the Code. She referenced the proposed extension ramp and asked if the existing ramp would remain. She also asked about a crosswalk and sidewalk extension for pedestrian access from the end of the ramp. Ms. White explained that one set of stairs on the parking lot would be removed, but the existing ramp would be extended all the way up to just before the cul-de-sac. At that point, there would be a crosswalk to access the building.

Ms. White added that there would also be a sidewalk along the road from Lowell Avenue. With respect to the current ramp, it would zigzag to comply with ADA.

Commissioner Hall asked about recycling options and Ms. White stated that the Center would recycle, although the details were still being worked out. She added that they were discussing the location of the dumpster with the Lodge, which has an unused loading dock area. She also noted that snow storage would be on the east side of the building, so they would need to place the dumpster around the corner.

It was noted that a Condition of Approval would require that the trash and recycling would be adequate.

With respect to Finding of Fact 13 regarding shuttles, Commissioner Hall felt that could be a Condition of Approval, especially since the shuttle is essentially the applicant's Parking Mitigation Plan.

A question was raised as to whether there was any desire to push the building closer to the Lodge in terms of consolidating the density. Planner Ananth responded that, if anything, they wanted to push the building further away from the Lodge to allow for light and air circulation and not be too disruptive to the Lodge.

Commissioner Hall asked if there was a way to enlarge the loading zone for the Lodge. She offered that she uses that area a lot, and there was public comment showing a large commercial service vehicle blocking the driveway and the pathway. Ms. White agreed that there might need to be more area for commercial vehicles but noted that the NAC does not control the property further down the road.

With respect to the easement and access, the applicant stated that their first priority is to keep NAC participants safe. The more that large cars or trucks come into this area, the more they are exposing their participants. He felt that the area should be sacred to keep the athletes safe, and he was in support of looking for solutions to what happens outside of the flow. He felt that they would need to limit the amount of traffic that comes into the roundabout to NAC traffic.

Commissioner Hall suggested using this as an opportunity to arrive at a creative solution. Ms. White stated that the problem is that the vendors and the trucks do not arrive at the same time, whereas the NAC has a predictable schedule. She mentioned that there is space for alternatives, but it is not within the NAC's purview or budget to create vendor turnarounds. It was noted that the NAC deliveries would not be made in this location; rather, they would receive deliveries at

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Quinn's Junction for the purpose of keeping the area safe and trying to limit the traffic to the NAC participants.

With respect to an area used by commercial trucks, Ms. White stated that there was no room in that area to make it larger, but there were two other areas further down the road where there might be space for larger trucks. She added that if Vail and the Lodges got together, they might be able to reach some solutions. The NAC would not object to anything done along that easement road to make it better for the Lodges.

Commissioner Johnson stated that they love the NAC, and it does need an upgrade. He wanted clarification on the drop-off area because it is the NAC that needs it more than anyone else. He sought clarification of Paragraph 3 of the Easement Agreement and asked whether the NAC spaces would include a drop-off area for the shuttle on the north end of the building. The applicant clarified that there would be four spots to be used as drop-offs and would also be able to accommodate the NAC shuttles as well as emergency response vehicles.

Commissioner Johnson reiterated his concern with the language in Paragraph 3 of the Easement and wanted to make sure that the NAC had adequate area. He queried whether there should be an additional Condition of Approval to address this. He also referenced the language cited by Ms. Rentfrow regarding parking. Ms. White stated that they would have biking during the summer, and would continue to use that as a drop-off, not as parking. It was noted that if they were parking spaces, many would try and use those spots. Commissioner Johnson wanted to ensure that these drop-off spaces were being used by the NAC.

The applicant asserted that they intended to ensure that only NAC participants would use these drop-off spots. Commissioner Johnson wanted to ensure that the shuttle drop-off area was included in the definition of NAC spaces.

Ms. White remarked that the cul-de-sac is not really part of the easement, and she would make sure that is clear. She added that they do not want people parking in the NAC spaces in the summer because it would be the access point for Vail vehicles to get up on the mountain. Paragraph 3 makes sure that those areas remain clear and not parked. She noted that in the summer, the NAC would use those four spaces for drop-off as well.

Commissioner Van Dine stated that her questions had been answered, particularly those regarding the Lodges' involvement and how that would change the application and the Commission's action.

Commissioner Kenworthy requested clarification that the approval of the CUP would be conditioned upon the approval and recordation of the Mountain Center Subdivision, which would require an agreement between what NAC is accepting from Vail and the Lodges. Planner Ananth agreed and stated that prior to recording the Subdivision Plat, the applicant would have to show that they have sufficient access rights.

Commissioner Kenworthy stated that the NAC is the heart of the community and in an ideal world, everyone would be at the table to make this the best they could for the special needs people. He assured Ms. White that the Commission has done the best they could and fully supported going forward today and expressed hope that the other involved parties could quickly come to what is best for the heart of the community.

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The Commission reviewed the amendments to the Conditions of Approval. Mr. Harrington stated that Finding of Fact 13 would become a Condition of Approval. They would also add to Condition of Approval 5 so it reads as follows: "Signage, refuse and lights shall be reviewed at Building Permit and must comply with all codes in place at the time of permit." He noted that an alternative to the first change could be to add to Condition of Approval 2 "any new use proposed for this site or any change to the parking plan must submit an updated parking, traffic and transportation plan for review and approval by the Planning Commission."

Commissioner Hall asked if the public comment received regarding the Easement were sufficiently incorporated into the Conditions of Approval. Commissioner Johnson wanted to ensure that the drop-off was incorporated, whether in the agreement or elsewhere. He was agreeable to not having this specifically as a Condition of Approval. Chair Phillips trusted that it would work as they expect as clarified by Ms. White. Mr. Harrington explained that an existing Condition of Approval on the Subdivision Ordinance requires an easement agreement before recording the Subdivision. Condition of Approval 1 on the CUP states that the CUP is conditional upon the Subdivision Ordinance.

MOTION: Commissioner Kenworthy moved to approve the Conditional Use Permit for a Ski Base Facility greater than 600 square feet, as amended by Commissioner Hall, and the Findings of Fact, Conclusions of Law, and Conditions of Approval as follows:

Findings of Fact

1. The Applicant is seeking to construct a Ski Base Facility, greater than 600 square feet in the ROS Zoning District, which requires a Conditional Use Permit (CUP).

2. The existing NAC trailer located on PCMR property is approximately 1,800 square feet and has reached the end of its useful life.

3. The new building is 9,410 square feet and will include a check-in area and waiting lounge, accessible restrooms, changing rooms, a fitness room for program participants, equipment storage, and facilities for training and education.

4. The site is located within the Sensitive Lands Overlay (SLO) which was applied to the Resort's Open Space upon the annexation of the upper terrain into Park City in 2007 (Ordinance 2007-10).

5. Due to the already disturbed nature of the site and the site not being a Steep Slope, Ridgeline, wetland, Stream Corridor, or wildlife habitat Area, the Planning Commission determined at a Work Session on March 23, 2022, that a Sensitive Lands Analysis submittal would not be required for this application.

6. There are no Open Space requirements in the ROS Zoning District. Planning Department.

7. No Significant Vegetation is being removed for this project and no fencing, screening, or landscaping is proposed.

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8. The proposed building meets all ROS Zoning District requirements including Setbacks (25 feet) and Building Height (28 feet).

9. Access to the site is via the extension of the driveway/fire lane leading to the garage below the Resort Condominiums.

10. Per LMC § 15-3-6(B) and § 15-4-18, Ski Base Facility Uses do not have a specific parking calculation per the table in § 15-3-6(B), but are required to present a parking, traffic, and transportation plan for review and approval by the Planning Commission.

11. The applicant is proposing four parking stalls including one ADA van accessible stall for loading and drop-off.

12. At the Work Session on March 23, 2022, the NAC stated that the new building, although significantly larger than the existing trailer, is needed to operate their programs and store equipment, and is not necessarily about increasing the number of participants served.

13. The NAC submitted a Parking Plan indicating that NAC employees and participants have used the free Resort parking for the past 37 years. Upon completion of the new operations building, in addition to Resort parking, they plan to operate shuttles from their Quinn's Junction location to the Resort, for staff and program participants, which could significantly reduce their parking demand at the Resort.

14. No noise, vibrations, odors, or steam are expected that may affect people and property off-site.

Conclusions of Law

1. The proposal complies with the Recreation and Open Space (ROS) Zoning District requirements.

2. The proposal complies with the criteria outlined in LMC § 15-1-10(E), Conditional Use Review Process.

Conditions of Approval

1. Approval of this CUP is conditioned upon approval and recordation of the Mountain Center Subdivision.

2. This CUP is for the National Ability Center's Use only and is non-transferable and does not run with the land. Any new Use proposed for the site must submit a Planning Department parking, traffic, and transportation plan for review and approval by the Planning Commission.

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3. The building must comply with the City's Architectural Design Guidelines, LMC § 15-5-5. 4. Utilities and Drainage shall be designed and maintained to meet the standards and requirements of the City's Engineering Department.

4. Signage, refuse and lighting shall be reviewed at building permit and must comply with all codes in place at the time of permit.

5. Signage shall be posted after the driveway underneath the Resort Condominiums indicating NAC vehicles only beyond this point.

6. Signage shall be posted in the NAC Fire Department turnaround indicating No Parking, Fire Lane.

7. Signage shall be posted in the NAC parking area indicating NAC parking only.

Commissioner Van Dine seconded the motion.

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

C. 316 Woodside Avenue - Steep Slope Conditional Use Permit - The Applicant Proposes an Addition to a Significant Structure with a Single Car Garage on a Steep Slope in the HR-1 Zone. PL-21-05087.

City Planner II, Makena Hawley recommended the Commission hold a public hearing and continue this matter to May 25, 2022.

Chair Phillips opened the public hearing. There were no public comments. Chair Phillips closed the public hearing.

MOTION: Commissioner Hall moved to CONTINUE 316 Woodside Avenue Steep Slope Conditional Use Permit to May 25, 2022. Commissioner Johnson seconded the motion.

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

PENDING APPROVAL

D. Municipal Code of Park City Amendments -- The "Storefront Property" Definition in Land Management Code Section 15-15-1 is Proposed to be Clarified and Municipal Code of Park City Section 12-3-1 of the Sign Code is Proposed to be Amended to Require an Active Business License to Retain the Installation of a Sign. PL-21-05063.

Assistant Director Ward explained that the Land Management Code ("LMC") Amendments involved collaboration between the Planning, Finance, and Economic Development Departments pursuant to City Council direction. She introduced Economic Development Manager, Jonathan Weidenhamer, and City Treasurer, Sara Nagel.

Assistant Director Ward explained that the proposed amendments address the definition of Storefront Property, and also include some changes to sign regulations. The Storefront Property definition is the foundation for several of the Codes implemented in the past several years to protect the vibrancy of Main Street. These codes included Vertical Zoning, Commercial Storefront Incentives to keep properties vibrant year-round, Conventional Chain Business Regulations, and Storefront Enhancement Zoning. She added that City Council directed Staff to clarify the definition of Storefront Property to help the public and Staff to apply these definitions moving forward and to incentivize storefront property vibrancy through temporary sign permit requirements that would require an active business license to maintain a sign installation. She explained that Vertical Zoning was enacted in 2007 to limit the uses within the first story of buildings within the Storefront Property definition to retail and restaurant establishments to activate the street.

The Vibrant Commercial Storefront regulations require that buildings in the Historic Recreation Commercial ("HRC") and Historic Commercial Business ("HCB") Zoning Districts have an active business license and are engaging in business for at least 60 days per quarter to qualify for a Single Event Alcoholic Beverage License.

Assistant Director Ward stated that the Conventional Chain Businesses were regulated to no more than 7 Storefront Properties in the HRC Zone and no more than 17 in the HCB Zone. The Storefront Enhancement Zoning ensures that any new development or redevelopment is within the historic streetscape. She explained that the proposed Amendments clarify that Storefront Property is measured from the edge of pavement back 50 feet. It also amends the definition to link the Storefront Property definition to all of the other Vibrancy Codes. Currently, the General Licenses Code in Title 4 covers the Vibrant Incentives, while Title 15 and different parts of the Code reference these provisions. The proposed Amendments do not make any substantive changes to the definition of Storefront Property; it simply clarifies and links everything together for easier reference moving forward.

Assistant Planner Ward presented how the amendments would be reorganized. She noted that the second change would be that businesses within a Storefront Property would be Vibrant in order to apply for a Temporary Sign Permit as an additional incentive. The final change would require an active business license to retain the installation of a sign.

In terms of public outreach, Staff reached out to the Historic Park City Alliance, the Park City Chamber of Commerce, and the Park City Ad Hoc Business Task Force. They received several inquiries about the proposed amendments, but no public input was submitted. She stated that Staff recommended the Planning Commission conduct a public hearing and consider forwarding a positive recommendation for City Council's consideration on May 26, 2022.

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Chair Phillips disclosed that he is working on a project that might involve a future application to the Planning Commission, but it would in no way affect his decision on these amendments. Commissioner Kenworthy disclosed that he was the Past President of the HVCA. Chair Phillips confirmed that he in involved in a project on Main Street. Mr. Harrington stated that if any Commissioner were involved in a business that is potentially affected by the Ordinance directly, a disclosure would be helpful.

Commissioner Kenworthy addressed the Vibrant Commercial Storefront Incentives and asked how long it should be vacant so that they do not issue a Sundance permit. Assistant Director Ward stated that the current Code would remain the same. Commissioner Kenworthy noted that the Old Zoom Building has been vacant for a while. They want vibrancy out on that corner and temporary tenancies have not met the 60-day requirement so this building would not be able to obtain a permit for Sundance.

Economic Development Manager Weidenhamer stated that the Finance Department conducts quarterly site visits to all stores and storefronts, and any that are not considered Vibrant get a certified letter informing them of their current status. There are two one-year exceptions in the Ordinance that allow storefronts to either be under construction or are advertised for rent. He believed that the Old Zoom Building has enjoyed each of its two one-year exceptions and has now been put on notice that they would no longer be eligible unless they put a year-round business in there.

In response to an inquiry by Commissioner Van Dine, Economic Development Manager Weidenhamer confirmed that the Code specifically sets forth limitations as to how many times a building might use the “for rent” exception. He also explained that businesses have to be what they consider an Active Storefront; therefore, there is some discretion used by the Finance Manager. If they show up at 4:00 p.m. and no one is in a restaurant, they expect to see chefs working in preparation for service. He reiterated that ultimately the Finance Director had the discretion.

Commissioner Hall confirmed her understanding that the Amendments did not include substantive changes for the Storefront Definition for the 8 feet above or below grade. Chair Phillips noted that in 2007, they implemented Vertical Zoning and noted that they did some reworking of the Vertical Zoning around 2016.

Commissioner Hall stated that she fully supported the goals of the City Council outlined in the Staff Report, and if there were a way to substantively enhance that with the Amendment, she would like to take that opportunity.

Commissioner Kenworthy added that the Conventional Chain Business Regulation had fallen into place nicely and observed that there was a natural fall in the numbers. He recalled discussions over the past year or two where people have wanted to take advantage of the 8-foot requirement referenced by Commissioner Hall and put in more national branded venues. He stated it has not happened, but there has been discussion.

Mr. Harrington stated that if the Commission wanted to look at the Ordinance more broadly than the technical changes, they should request the entire team to come back to provide the pragmatic application of the Ordinance along the street as a whole. He referenced the changes made to the Vertical Zoning. He felt the strength of the Ordinance was in its technical foundation and the

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numbers were based on good math. He offered that the import of these amendments was to better support Staff's enforcement of the Ordinance as written.

Commissioner Hall requested Staff provide an update on potential substantive language to capture more elements to align with City Council's goals. Chair Phillips noted that the Commission was in total agreement with this request. He recalled that they left the Vertical Zoning at 8-feet in the Lower Zone because they did not want to limit activating the plaza. They might want to look at doing that in the Upper Zone. Commissioner Hall stressed the importance of preserving historic Main Street, the view corridor, and the pedestrian experience, and suggested making it full height.

Commissioner Kenworthy added that there were always issues with real estate and with more of these private developments, they all want to sell on Main Street. He referenced the goal of Vibrancy to maintain the Historic Main Street District as the heart of the City for both residents and visitors. The business community has tried to push land use and connectivity and has stayed proactive on Main Street to achieve that goal. He noted that there would be millions of square feet coming in the resorts that want to keep the visitors at their properties. He would like for the City to continue to focus on these issues and remain proactive. Historic preservation is a huge economic boost for the City, and they need to stay ahead to keep the main goal.

Commissioner Hall added that increasing the height of the Storefront Exemption would be low-hanging fruit, and anything other than the Temporary Sign Permit or Single Event License that could be added should be explored.

Commissioner Kenworthy referenced Mark Stemler's comment regarding the Town Lift and how it could be used to connect Park City Mountain Resort with Deer Valley. He commented that this could be transformative if they could get the easements and cooperation of those resorts. He suggested looking at the Town Lift as offering a new dynamic to the town.

Commissioner Van Dine suggested the opportunity of discussing widening the sidewalks because the pedestrian experience is terrible. Mr. Harrington suggested the Commission address the technical changes before it and hold further discussion on substantive improvements at an upcoming Work Session. Commissioner Van Dine requested a Work Session to address the issues regarding the pedestrian experience. Commissioner Kenworthy also suggested a broader review and looking at a Master Plan.

Chair Phillips opened the public hearing.

Michael Sweeney stated that he would be happy to look further into making the Town Lift a better portal to connect the two resorts. They have looked at it since they brought Park City Mountain into existence.

Commissioner Kenworthy expressed appreciation for Mr. Sweeney and his family and hoped that they could advance this concept.

Mr. Sweeney agreed with all of the important things discussed by the Commission regarding the Vibrancy of Main Street and felt that the 50-foot provision was critical. He stated that he had done the best they could do to preserve the ability to keep the corridor available as open space while taking care of the biking, hiking, and skiing into Old Town in perpetuity.

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There were no further public comments. Chair Phillips closed the public hearing.

MOTION: Commissioner Hall moved to forward a positive recommendation for City Council's consideration on May 26, 2022, for the Storefront Property Clarifications, Vibrancy and Temporary Sign Permits, Active Business License, and Signs as set forth in the Draft Ordinance attached to the Staff Report. Commissioner Kenworthy seconded the motion.

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

6. ADJOURN

MOTION: Commissioner Hall moved to adjourn.

The meeting adjourned at approximately 9:15 p.m.

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Planning Department
Staff Report

Subject: **316 Woodside Avenue**
Application: **PL-21-05087**
Author: **Makena Hawley, Planner II**
Date: **May 25, 2022**
Type of Item: **Administrative – Steep Slope Conditional Use Permit**

Recommendation

Open a public hearing and continue the item to a date uncertain.

Description

Applicant:	Matthew Safchik
Location:	316 Woodside Avenue
Zoning District:	Historic Residential-1 (HR-1)
Adjacent Land Uses:	Residential
Reason for Review:	On Lots greater than 3,750 square feet, the Planning Department shall review all Steep Slope Conditional Use permit Applications and forward a recommendation to the Planning Commission.[1]

Summary

The Applicant proposes to construct an addition to a Significant structure in the HR-1 zone. Staff recommends continuing to a date uncertain.

[1] LMC §15-2.2-6(B)2.

Planning Department
Staff Report

Subject: **2346 Park Avenue – The Peaks Hotel**
Application: **PL-22-05132**
Author: **Makena Hawley**
Date: **May 25, 2022**
Type of Item: **Administrative – Conditional Use Permit Temporary Structures**

Recommendation

Open a public hearing and continue the item to June 8, 2022.

Description

Applicant:	Park City Peaks Hotel represented by Stephanie Samuels
Location:	2346 Park Avenue
Zoning District:	Residential Development Medium Density (RDM) and Frontage Protection Zone (FPZ)
Adjacent Land Uses:	Condos to the east and south, single-family homes to the west, directly across Park Avenue, and the Saddle View Office Park nearby.
Reason for Review:	For tent requests that are longer than fourteen (14) days and more than five (5) times a year, the frequency must be approved by the Planning Commission consistent with Conditional Use criteria in LMC §15-1-10.[1]

Summary

On March 1, 2022 the Peaks Hotel submitted a Complete application for a Conditional Use Permit (CUP) for a 20' x 40' Temporary Structure (tent) in the rear section of the courtyard with the request to allow the tent to be erected for a total of 180 days out of 365 days of the year. The Peaks could dismantle and re-erect the tent per International Building Code (IBC) regulations for specific events not to exceed a total of 180 days in a calendar year.

Additionally, the Applicant is requesting a parking reduction to pursue an Administrative Conditional Use Permit for outdoor dining, Versante on the Lawn.

Staff recommends continuing to June 8, 2022.

[1] LMC §15-4-16

Planning Commission Agenda Item Report

Meeting Date: May 25, 2022
Submitted by: Julie Schultz
Submitting Department: Planning
Item Type: Work Session
Agenda Section: WORK SESSION

Subject:

Studio Crossing Work Session - 4001 Kearns Boulevard - Proposal to Amend the Zoning and Annexation Ordinance and Quinn's Junction Partnership Annexation Master Planned Development Agreement for a Mixed-Use Project Including Commercial, Residential, and Affordable Housing Uses. PL-22-05206.

Suggested Action:

Attachments:

Studio Crossing Work Session Staff Report
Exhibit A: MPD Approved Site Plan
Exhibit B: Applicant's Project Narrative
Exhibit C: Applicant's Conceptual Site Plans
Exhibit D: Applicant's Trip Generation Analysis
Exhibit E: Applicant's Housing Mitigation Plan

Planning Commission
Staff Report

Subject: Studio Crossing
Application: PL-22-05206
Author: Alexandra Ananth, Sr. Planner
Jason Glidden, Housing Projects Manager
Date: May 25, 2022
Type of Item: Work Session – Amend the Park City Film Studios Annexation Ordinance and MPD

Recommendation

(I) Hold a work session for the proposed Studio Crossing mixed-use, affordable housing project, and (2) identify issues or concerns that should be addressed by the applicant prior to noticing the project for a public hearing.

Description

Applicant:	Quinn Capital Partners, LLC (Gary Crandall, Manager)
Location:	4001 Kearns Boulevard (SR-248)
Zoning District:	Community Transition (CT), with a Regional Commercial Overlay (RCO), Entry Corridor Protection Overlay (ECPO), Sensitive Lands Overlay (SLO), and an MPD for a Film Studio and Media Campus
Adjacent Land Uses:	Open Space and Recreation, Single-Family Residential Dwellings (MPD), Institution Uses
Reason for Review:	MPD amendments require Planning Commission action[1] and a recommendation to the Housing Authority (as applicable). Ordinance Amendments require Planning Commission review and City Council action.

Abbreviations

AMI	Area Medium Income
CT	Community Transition
CUP	Conditional Use Permit
ECPO	Entry Corridor Protection Overlay
MPD	Master Planned Development
RCO	Regional Commercial Overlay
SLO	Sensitive Lands Overlay

Summary

The Park City Film Studios Subdivision consists of two separate lots. Lot 1A contains the developed portion of the Park City Film Studios, and Lot 1B is currently undeveloped. Both lots are subject to an Annexation Agreement and the Quinn's

[1] LMC § 15-7.1-2(B).

Junction Partnership Annexation Master Planned Development Agreement (MPD).

The applicant has submitted applications to amend 1) Ordinance 12-12, the zoning and annexation ordinance; and 2) the MPD, to allow for additional uses, and to modify the use, number, footprints and building heights for the remaining density allocated in the MPD, on Lot 1B only. ***Lot 1A will remain subject to the original agreements.***

The applicant has 282,000 square feet of commercial density under the existing MPD that has not been constructed. The applicant is proposing to amend the existing MPD to construct a mixed-use project, including 60,000 square feet of commercial Uses, up to 100 market-rate for-sale units, and 185 affordable for-rent units at 80% AMI. The applicant has prepared a Conceptual Site Plan, a Trip Generation Analysis, and a Draft Housing Mitigation Plan, which they are seeking feedback on prior to scheduling public hearings.

Background

The subject property is located at 4001 Kearns Blvd., adjacent to the Park City Film Studio. The property's annexation into Park City was the result of extensive litigation between the original owners and Summit County for the development of the property, which resulted in a settlement that provided Park City with an option to consider the annexation prior to development in the County. As a result, Park City approved a Settlement Agreement, Annexation Agreement, and the Quinn's Junction Partnership Annexation Master Planned Development (MPD) for the purpose of constructing 374,000 square feet of "a motion picture studio and media campus" (as stated in the Settlement Agreement).

The site is in the Community Transition (CT) zone, with a Regional Commercial Overlay (RCO) and Entry Corridor Protection Overlay (ECPO), in addition to the MPD. The MPD is limited to a movie studio and media campus, including a 100-room hotel, amphitheater, and associated Commercial Uses, as outlined in Exhibit C of the Annexation Agreement and inserted below. The zoning was adopted at the time of annexation to enable the Film Studio MPD.

Attachment C

FILM AND TELEVISION/RECORDING STUDIO -PARK CITY

	Squae Footage	Bldg Number	Bldg Total SF
STUDIO LODGING	85,000	1	
RECORDING STUDIO	2,500	1	
DESTINATION SPA	6,000	1	
			93,500
AMPITHEATER	6,000	2	
			6,000
SPECIAL EVENT STAGE	15,000	3	
SCREENING ROOMS	14,000	3	
ENTERTAINMENT VENUE	3,000	3	
PERFORMANCE AREAS/ OTHER VILLAGE VENUES	17,500	3	
			49,500
STUDIO STORE/ OTHER VILLAGE VENUES/OFFICES	20,000	4	
			20,000
STUDIO TOUR AREAS	6,000	5	
OFFICES/ OTHHER VILLAGE VENUES	9,000	5	
			15,000
FOOD SERVICES COMMISSARY/ OFFICES ANCHOR TENANT	50,000	6	
			50,000
SOUNDSTAGES	48,000	7	
PRODUCTION SUPPORT/OFFICES	25,000	7	
			73,000
LIGHTING & GRIP	10,500	8	
WORKSHOP/EQUIPMENT STORAGE	10,500	8	
			21,000
EFFECTS STAGE/ OFFICES	46,000	9	
			46,000
		TOTAL SF	374,000

Figure 1: MPD Approved Uses and Density

To date, only Phase 1 of the Film Campus has been constructed, which includes the sound stages, workshop, and production support/offices (Buildings 7, 7A, and 7B on the approved site plan, Exhibit A and included below), associated parking, the main entrance, landscaping, and berming along Kearns Blvd. This totals 91,425 square feet of development, all of which is located on Lot 1A. Currently, there are 282,000 square feet of remaining Commercial density to be built on the property, for Uses and buildings consistent with the Annexation Agreement and MPD.

Figure 2: MPD Approved Phasing and Site Plan

Article II, Section 2.5(c) of the Annexation Agreement (page 3) states that no open space, setbacks, or affordable housing requirements may be imposed on the MPD.

In 2021, while considering a phasing plan amendment to construct the allowed hotel building, City Council indicated a willingness to entertain further amendments to the Annexation and MPD to produce more community benefits and to allow for additional uses, including residential uses, for the remaining entitled density. Former Mayor Andy Beerman and Council designated former Councilmember Steve Joyce and Nann Worel, now Mayor, with reviewing the applicant's new concept plan in more detail.

The Planning Department, Housing staff, and Council liaisons met with the applicant on several occasions to discuss the possibility of housing on the site, and the City's need for affordable/attainable units. Included in these meetings was a tour of the applicant's recently completed project, *The Commons*, a mixed-use affordable apartment complex, in Newpark at Kimball Junction. The group continued to work with the applicant on a conceptual site plan that includes mixed-income housing, retail, smaller-scale commercial spaces, a public plaza, and a transit center.

On December 9, 2021, the applicant returned to Council to present their concept for proposed parcel 1B (Work Session Staff Report, Minutes). Overall, the Council appeared to unanimously support the proposed change from a Film Studio Campus to a mixed-use development with a strong affordable/attainable housing component at an average of 80% of Area Median Income (AMI) and at a density consistent with the original MPD.

More recently the applicant received approval to subdivide the original parcel into two (2) legal Lots of record. Lot 1A now consists of 8.622 acres and contains the existing Film Studio Campus. The applicant is not proposing any changes to this portion of the site and the existing MPD would still govern Lot 1A.

Lot 1B consists of 20.464 acres and would contain the remaining density to be developed with commercial and residential Uses. The applicant is seeking to amend the existing Annexation Ordinance and MPD for this portion of the site only.

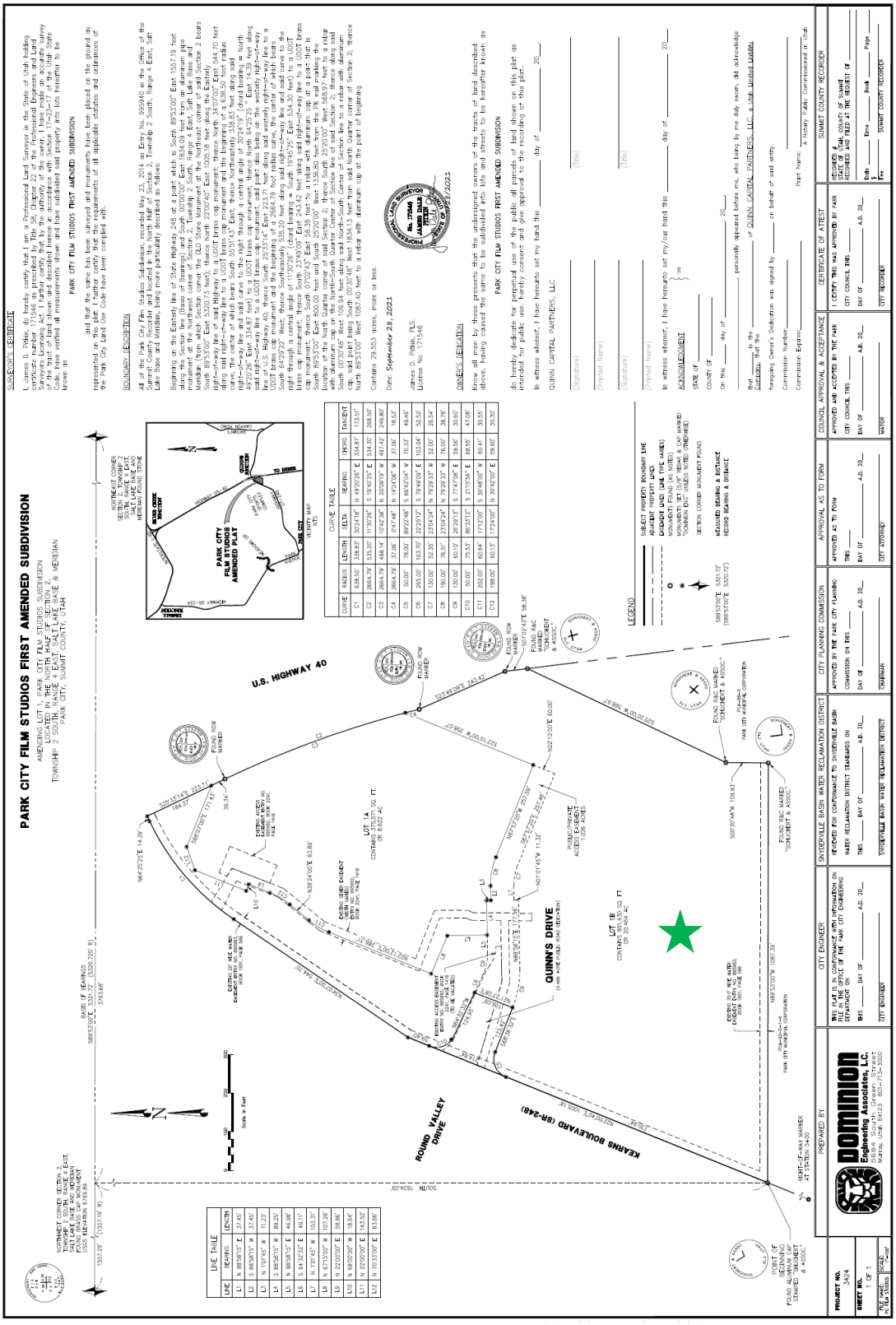


Figure 3: Approved Plat showing Lots 1A and 1B.

Analysis

Project Description and Proposed Phasing

The applicant is proposing a mixed-use project with approximately 60,000 square feet of commercial uses, up to 100 market-rate for-sale residential units totaling 142,000 square feet, and 185 affordable for-rent residential units totaling 117,000 square feet.

Phase 1 consists of two mixed-use buildings totaling 90,000 square feet. Each building is 3-stories with a proposed Building Height of 45 feet. Both buildings contain 15,000 square feet of commercial space on the ground floors and 30,000 square feet of 80% AMI Housing on the second and third levels.

Phase 2 consists of two commercial buildings totaling 30,000 square feet. Each building is 1-story with a proposed Building Height of 28 feet. Both buildings contain 10,000 square feet of commercial space. A community plaza area connects the Phase 1 and Phase 2 buildings. A sheltered bus stop and e-bike station are also proposed.

Phase 3 consists of 48 market-rate townhomes in six clusters of eight units totaling 72,000 square feet. Each unit is 2-stories with a proposed building height of 28 feet and contains 2-3 bedrooms, 1,500 square feet each. Each unit will include a 1-car garage and have access to surface parking as well.

Phase 4 consists of one market-rate building totaling 70,000 square feet. The building is 3-stories with a building height of 40 feet. Although plans do not state how many units will be in this building, plans do note that there will be a maximum of 100 market-rate units in total. With 48 townhomes this would mean there would be no more than 52 units in this building.

The site plan includes one additional 4-story, residential building totaling 57,000 square feet to be built concurrent to the Phase 4 market rate building or earlier. The building is 48 feet in height.

The site plan includes 319,000 square feet of total development. However, as affordable units required as part of an MPD approval do not count towards the calculated density, the proposal totals 202,000 square feet (less than the remaining entitled density of 282,000 square feet), plus 117,000 square feet of affordable units.

Figure 4: Proposed Site Plan

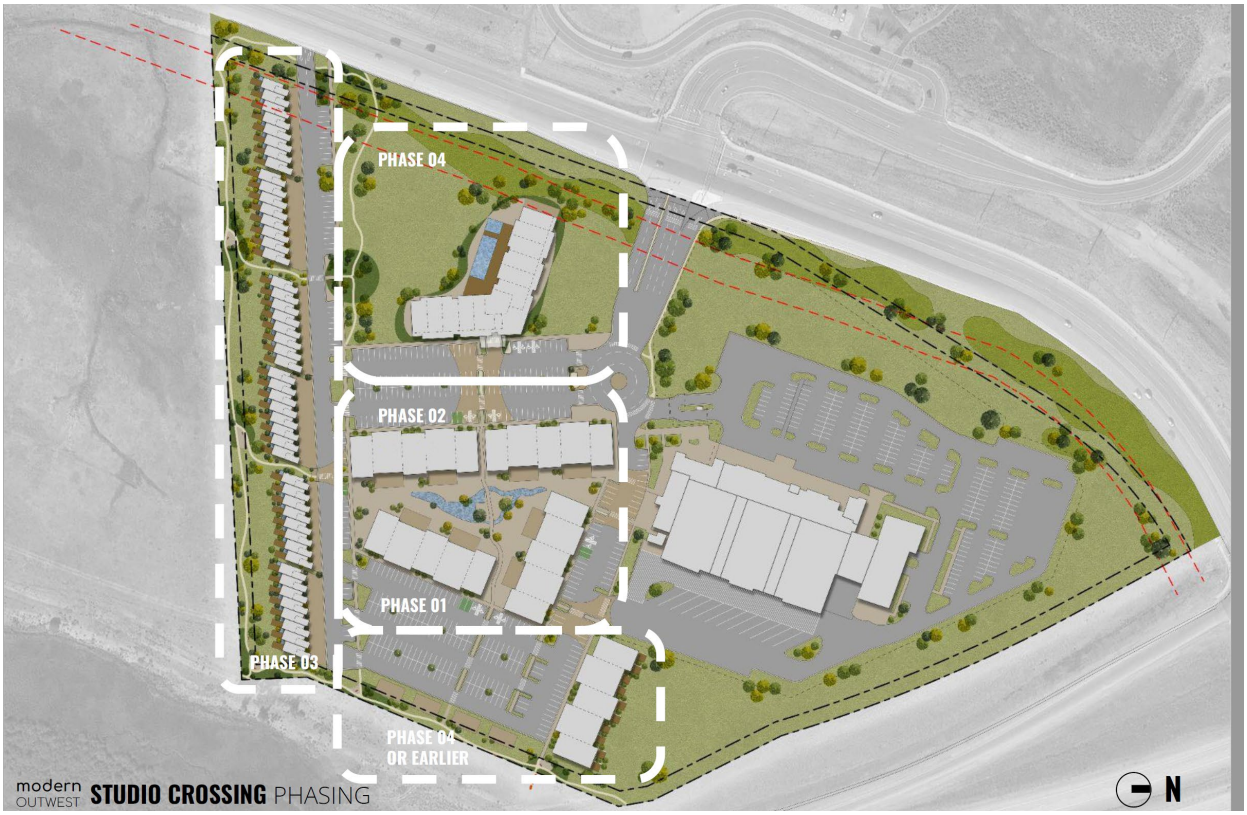


Figure 5: Proposed Phasing Plan

Section 4.5 of the MPD expressly states that "Pursuant to the Annexation Agreement, no affordable housing is required for this MPD." It is because the applicant is proposing to construct a minimum of 120 affordable units that the Council was willing to conceptually support the proposed project.

The recent Subdivision, was reviewed by the Planning Commission on January 12, 2022, and approved by Council on February 3, 2022 (Ordinance 2022-06). Condition of Approval 8 states "The plat shall note that if Lot 1B is not developed in accordance with the zoning and annexation Ordinance 2012-12, the City's current Affordable Housing Resolution shall apply." The applicant is proposing to meet and exceed the City's affordable housing requirements with this project.

Uses

Under the current MPD, the remaining 282,000 square feet of density are all entitled with commercial Uses as specifically identified in the Settlement Agreement and Annexation Agreement. The applicant is now seeking to modify the Uses allowed under the RCO zoning applicable to the MPD. Specifically, the applicant is seeking to replace the Hotel/Lodging Use, with a Multi-Unit Dwelling including an affordable housing component, where no affordable housing is required under the Annexation Agreement and MPD.

Multi-Unit Dwellings, Office and Medical Clinics, Retail and Service Commercial, Neighborhood Convenience Commercial, Café, Deli Restaurant and Bars are all conditional uses in the RCO. ***The Planning Commission should consider if each phase of construction shall require a CUP to review whether the proposed Uses and parking are consistent with any amended MPD, or if the Commission wishes to expressly allow certain Uses in the amended MPD and not require CUPs. The current MPD requires staff-level Administrative CUPs for each phase of development.***

LMC § 15-2.17-4, Criteria For Commercial Development in the RCO zoning district, requires that each proposal must include one commercial anchor, a minimum of 30,000 square feet in size, and a maximum of 65,000 square feet. The Planning Department notes that ***none of the proposed buildings include commercial space greater than 30,000 square feet, and the Planning Commission should confirm that the Film Studio can serve as the commercial anchor for the site.***

Parking and Trip Generation

The current MPD requires approximately 466 parking stalls for the entire site. ***Prior to being scheduled for a public hearing the applicant must submit a detailed parking analysis including the number of stalls required by the LMC and the number of parking stalls proposed.***

The applicant submitted a Trip Generation Memorandum prepared by Fehr & Peers (Exhibit D), which compares the trip generation of the proposed MPD to the Film Studio MPD, including 200 dwelling units and 60,000 square feet of Commercial Uses. The

resulting analysis shows that the proposed mixed-use project decreases daily trips by approximately 40% when compared to an all-commercial project (the remaining uses to be constructed under the current MPD). The Planning Department will provide additional analysis prior to any scheduled public hearing but ***the Planning Commission should discuss if they would like a peer review of the applicant's Trip Generation Analysis.***

Affordable Housing Resolution Requirements

Park City Resolution 05-2021 is the City's Affordable Housing Resolution currently in place, and requires that Developers provide affordable housing units in an amount of Affordable Unit Equivalents (AUEs) equal to 20% of the total Residential Unit Equivalents (RUEs) in the project. Required Affordable Housing Units developed on-site in fulfillment of this requirement are not included in the density calculation for the MPD. For Commercial Development the Developer is required to mitigate 20% of the employees generated, according to formulas in Table 1, Ordinance 05-21.

The applicant is proposing 202,000 square feet of development including 60,000 square feet of commercial uses (60 Unit Equivalents (UEs)) and 142,000 square feet of market rate residential development. Because the dwelling units are of varying sizes, the proposed RUEs total 70.5.

70.5 RUEs multiplied by the residential mitigation rate of .2 equals 14.1 AUEs required. Pursuant to the Affordable Housing Resolution, one AUE = 900 square feet. Therefore, if the property were developed under the current MPD code, the applicant would be required to provide 12,690 net square feet of AUEs to mitigate for the market rate housing.

Studio Crossings Residential Density			
Market Rate SQFT	REU	AUE	Net Livable Space
141,000	**70.5**	**14.1**	**12,690**

**Affordable Unit Equivalent (AUE): A two-bedroom unit with 900 square feet of Net Livable Space shall be considered one Affordable Unit Equivalent.*

Studio Crossing Assumed Use Based on Newpark Retail Mix					
Use	**FT**	**Use Mix**	**SQFT**	**Employees**	**Net Livable Space**
Commercial Retail	3.3	73.4%	44,028	145.3	
Medical	2.9	8.7%	5,219	15.1	
Personal Services	1.3	6.1%	3,640	4.7	
Restaurant	6.5	11.9%	7,113	46.2	
Total Commercial Density			60,000	211.4	
Mitigation Rate X 0.2				42.3	
AUEs / 1.5				**28.2**	**25,367.44**

**Affordable Unit Equivalent (AUE): A two-bedroom unit with 900 square feet of Net Livable Space shall be considered one Affordable Unit Equivalent.*

Total Affordable Housing Obligation	
Net Livable Space	AUE
38,057.44	**42.29**

For the 60,000 square feet of Commercial Uses the project will generate 211.44 employees.

211.4 employees multiplied by the mitigation rate of .2 equals 42.3 employees.

42.3 employees divided by 1.5 workers per household equals 28.2 AUEs required. Therefore, the applicant is required to provide 25,368 net square feet of livable space for the proposed commercial density.

The applicant, therefore, has a total Affordable Housing Obligation of 42.3 AUEs or 38,058 square feet.

The applicant is proposing to construct 65 units or 44.2 AUEs (38,058 square feet) of Affordable Housing as part of its proposal to amend the 2012 MPD, meeting the City's current Affordable Housing Resolution, as follows.

Type	Units	Size	Total	
Studios	27	400	10,800	
1 Bedrooms	23	600	13,800	
2 Bedrooms	10	800	8,000	
3 Bedrooms	5	1,100	5,500	
Units	65		38,100	
		@ 900 SF	**42.3**	**AUEs**

Additional Affordable Housing Units

In addition to the required AUEs, the applicant is voluntarily proposing an additional 120 units or 79 AUEs as follows:

Type	Units	Size	Total	
Studios	50	400	20,000	
1 Bedrooms	40	600	24,000	
2 Bedrooms	20	800	16,000	
3 Bedrooms	10	1,100	11,000	
Units	120		71,000	
		@ 900 SF	**79**	**AUEs**

Eligibility and Pricing

The applicant is proposing that all the affordable units, both the 65 required and the 120 additional affordable units, will be rental units available at 80% AMI. The 2021 Park City Housing Needs Assessment indicates an extreme shortage of long-term rental inventory, and the City has set a goal of developing 600 new units by 2026. ***The applicant's proposed 185 units would contribute significantly to the City's affordable housing needs and goals.***

The applicant has stated that all 65 of the required affordable housing units will be deed-restricted and subject to Park City's current Affordable Housing Resolution and built in the first phase of construction. A qualified third-party professional property management company will manage the rental of the units. Rental rates will be priced affordable to households with incomes ranging up to 80% of Summit County AMI, consistent with Resolution 05-21.

The applicant has stated that initially, the applicant shall use a geographic waterfall approach in selecting from applicants in the following priority:

1. Qualifying applicants employed in the immediate Quinn's Junction neighborhood, including but not limited to employees of IHC Hospital, USSA, the Peace House, Summit County Health Department, Park City Ice Arena, and Summit Pediatrics.
2. Qualifying applicants employed within Park City boundaries.
3. Qualifying applicants employed within the Park City School District boundaries.
4. Qualifying applicants employed within Summit County (additional affordable units only.

The additional 120 affordable units will be built in the first and 4th phases of construction and will be for available to eligible households at up to 120% of Summit County AMI. However, all rental rates charged will be at 80% of AMI, regardless of the AMI of individual households, meeting the City's definition of affordable. All gross rental rates will include any Homeowner Association fees or assessments that may be charged against the units. ***Staff recommends a Condition of Approval that Certificates of Occupancy for the 4th phase market-rate units be tied to the Certificates of Occupancy for the final affordable units.***

Amenities available to residents of the affordable units include a sheltered bus stop, e-bike station, park and plaza, pickleball court, protected bike storage, and an internal trail system that connects to the broader Park City trail system.

Housing Needs Assessment/General Plan Consistency

The need for affordable housing is underscored by Park City's population and employment statistics. According to the 2021 Housing Needs Assessment, Park City is the only city in Utah where the number of jobs (11,000) outnumbers the population (8,500), requiring extraordinary levels of commuting by relatively low-wage workers. The lack of affordable housing contributes to the local labor shortage, the high cost of local services, reduced air quality, and traffic congestion at peak hours. The current affordable housing inventory provides housing for only 6% of the Park City workforce.

Goal 7 in Park City's General Plan addresses the need to create a diversity of primary housing opportunities. "By creating a mix of housing stock at varying price ranges, sizes, and designs, residents will have local options, whether they are seasonal workers, young professionals, families, empty nesters or retirees." Varying price ranges are essential if the city meets its goal of 15% of workforce housing needs.

The applicant's proposal to provide 185 affordable units would meet the demand of approximately 2.3% of the more than 8,000 out of-county workers commuting daily to Park City, bringing the City's affordable housing inventory up to approximately 8.3% of the workforce.

Although this project contributes a significant number of affordable units to the City's housing stock, and the units are well distributed in terms of studio to 3-bedrooms, ***the City encourages the applicant to consider how this project would change if they were to serve a broader range of AMI levels.***

Building Height

The maximum Building Height in the CT zone is 28 feet with additional height and Setback restrictions for the ECPO. The RCO allows for the City Council to grant a height exception upon recommendation from the Planning Commission. The standards for review of any height exception include the following:

1. The visual impacts of the Structure on existing Structures.
2. Potential shadows, loss of solar Access, air circulation, view corridors, or ridge line intrusion.
3. Traffic, circulation, and adjacent Open Space.
4. Compatibility of the proposed Building with adjacent Buildings.
5. Landscaping, buffer Areas, and other physical separations to mitigate and buffer the Building from adjacent Uses.
6. The Side Yard between Building(s), adjacent Streets and alleys and their relationship to pedestrian traffic and Open Space.
7. Provision of more than the required sixty percent (60%) Transferred Development Right (TDR) Open Space within the project.
8. Reduction of the height of other Buildings or portions of a Building to a point that is lower than the underlying Zone Height.
9. Provision of exemplary architecture, high quality materials and finishes, and in general, a superior plan and project results.
10. No net increase in the allowable square footage or Building volume above Grade over what is possible under the Zone Height.

MPDs also allow for the Planning Commission to consider an increase in Building Height based upon a Site-specific analysis. The Applicant must request a Site-specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings for an increase in Building Height can be made, according to Subsections (1) through (5) below. To grant Building Height in addition to that which is allowed in the underlying Zoning District, the Planning Commission must find that:

1. The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone-required Building Height and Density, including requirements for Facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits;
2. Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss of air circulation have been mitigated as determined by the Site-specific analysis;
3. There is adequate Landscaping and buffering from adjacent Properties and Uses;
4. Increased Setbacks and separations from adjacent projects are proposed;
5. The additional Building Height results in more than the minimum Open Space required and results in Open Space that is publicly accessible;
6. The additional Building Height is designed in a manner that provides a transition in roof elements in compliance with Chapter 15-5, Architectural Review, or the Design Guidelines for Park City's Historic Districts and Historic Sites if the Building is located within the Historic District.
   If and when the Planning Commission grants additional Building Height based on a Site specific analysis, the approved additional Building Height shall only apply to the specific plans reviewed and approved by the Planning Commission. Additional Building Height shall be specified as a Finding of Fact in the Master Planned Development Approval, in the Development Agreement, and on each plat within the Master Planned Development that includes a Building with an additional Height allowance.

Section 2.5(e) of the Annexation Agreement specifically discusses Building Height for the MPD and allows for exceptions including:

- The maximum building height of 50 feet for sound stages, or a maximum height not to exceed 60 feet in Pad 7 of the site plan in the event a major, long-term film production contract necessitates the full studio height. (Pad 7)
- Non-Sound stage buildings:
  - No more than 70%of the remaining buildings on the campus are between 36-40 feet in height.
  - Remaining buildings on the campus are not greater than 28 feet in height (the CT Zone height limit).
  - No building shall be greater than 28 feet in height unless located more than 150 feet from the centerline of a public roadway.
  - Smaller buildings are massed and/or placed strategically to break up the volumes of the Sound Stage Buildings. This "stepping" will mitigate the appearance of the vertical façade of the taller buildings.

Proposed Building Heights range from 28 feet to 48 feet, with most of the taller buildings located in the center or rear (east side) of the site. The one exception to this is the market-rate Multi-Unit Dwelling located adjacent to SR-248, which is proposed at 40 feet in Height. It appears that a few of the townhomes closest to RS-248 may also

exceed the allowed Building Height and Setbacks of the ECPO, which is 20 feet if the Setback is less than 150 feet, and 25 feet if the Setback is less than 200 feet . ***The Planning Commission should consider if the number of affordable units provided and improved site changes justify the proposed zone/MPD amendments, and preliminarily evaluate the proposed increase in Building Height under the applicable criteria.***

Although the project is amending the existing MPD and is not filing as an Affordable Master Planned Development (AMPD), which requires that at least fifty percent (50%) of the Residential Unit Equivalents are Affordable Units, the AMPD code allows non perimeter buildings to be up to forty-five feet (45') in height from Existing Grade when certain criteria are met. The applicant's proposed Building Height is 48 feet for the tallest building, marginally exceeding the AMPD requirements.

Figure 7: Applicant's Site Plan with Setbacks.

Figure 8: Applicant's Site Plan with Building Heights.

Open Space

MPDs require a minimum of 60% Open Space. However, the existing MPD has no minimum Open Space requirement per the Annexation Agreement.

The applicants plans include an Open Space Analysis (Exhibit C but staff is unable to determine if the Open Space calculations were done correctly). The applicant should recalculate Open Space in accordance with the definition in LMC § 15-15 for Lot 1B only, and for the site as a whole, based on the actual Lot Area.

Sensitive Lands Overlay

Although this site is located in the SLO, neither the Ordinance, Annexation, or MPD discuss this or impose specific restrictions or conditions. The Planning Commission should consider if they will need additional Visual Assessment images from any of the Vantage Points listed in the SLO (Osguthorpe/McPolin Barn, Treasure Mountain Middle School, Intersection of Main Street and Heber Avenue, Park City Ski Area Base, Snow Park Lodge, Park City Golf Course Clubhouse, Park Meadows Golf Course Clubhouse, Utah Highway 248 at the turn-out one quarter mile west from U.S. Highway 40, Highway 224, 2 mile south of the intersection with Kilby Road).

The site contains no significant slopes, ridge lines, wetlands, however staff will review any studies submitted at the time of annexations. The area may be considered a wildlife habitat Area, and this will be reviewed prior to being scheduled for a public hearing to

ensure the proposed development does not create any conflicts.

Sustainability
When reviewing an MPD, the Planning Commission must be able to make the findings listed in LMC § 15-6-6, including that the project 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. Prior to being scheduled for a public hearing the applicant should review and address these criteria.

Additional Issues

In addition to the above the Planning Department notes the following:

1. The applicant will need UDOT approval for the second access which will be limited to right turns in and out only.
2. The applicant must seek approval of their Housing Mitigation Plan from the City's Housing Authority.

Exhibits

Exhibit A: MPD Approved Site Plan
Exhibit B: Applicant's Project Narrative
Exhibit C: Applicant's Conceptual Site Plans
Exhibit D: Applicant's Trip Generation Analysis
Exhibit E: Applicant's Draft Housing Mitigation Plan

Exhibit A: MPD Approved Site Plan

PROJECT DESCRIPTION

The Applicant seeks to modify the Development Agreement for the Quinn's Junction Partnership Annexation Master Plan Development Park City, Summit County, Utah (the "Development Agreement") governing the development of the property at 4001 Kearns Blvd., in Park City, Utah (the "Property"). The intention is to allow additional conditional uses under the RCO zone and to modify the number, heights, and footprints of the remaining buildings. Currently, there are 283,000 square feet of remaining density to be built at the Property. The proposed plan will result in a more community-focused mixed-use development with affordable housing, market-rate senior-focused housing, small-scale retail such as grocery and restaurants, and offices for local residents.

USE CHANGES

Under the current Development Agreement, the remaining 283,000 square feet of density to be built at the Property are all entitled with "commercial uses." *See* Development Agreement, at 1. These commercial uses were specifically identified and described in a Settlement Agreement and Annexation Agreement that were included as attachments and expressly incorporated in the Development Agreement. These commercial uses include: "Recreation, International Film School, Commercial Support Retail, Entertainment Center, Hotel/Lodging, Motion Picture Media Campus, Sound Stages/Studios, and Event Center." The majority of these uses are not allowed or conditional uses in the CT Zone. Instead, under the Development Agreement, the City applied a Regional Commercial Overlay (RCO) zone specific to the Property. Under the RCO Zoning, the commercial uses identified above are either allowed or conditional uses.

In order to build a project in harmony with the surrounding area that meets the needs, goals, and objectives of the City, the Applicant is seeking to modify the uses allowed under the RCO zoning applicable to the Development Agreement. Specifically, the Applicant is seeking to drop the Hotel/Lodging use in favor of a Multi-Unit Dwelling. The Applicant's intention is to build a mix-use development with a strong Multi-Unit Dwelling and affordable housing component.

Under the Development Agreement, the original developer and the City agreed that "pursuant to the Annexation Agreement, no affordable housing is required for this MPD." In light of the severe affordable housing shortage, Park City is experiencing, the Applicant would like to rectify this deficiency in the current Development Agreement. The Applicant is open to input from the City as to the number and mix of affordable housing units that should ideally be constructed to meet Park City's current needs. That

said, the Applicant has spoken with a number of stakeholders and major employers in the Park City area to solicit input on the type and mix of affordable housing units that will best serve the area.The Applicant is not requesting additional density. Rather, the Applicant is proposing to convert existing commercial density to residential affordable housing density and meeting the Affordable Housing requirement imposed under the plat by constructing an additional 36,000 square feet of affordable housing consistent with Park City Code and the Housing resolution.

The Development Agreement also includes several types of commercial uses that are not defined in the Park City Code. The Applicant proposes that through this modification of the Development Agreement, those terms be updated to apply similar uses included in the Allowed and Conditional uses identified in the Park City Land Management Code as applying in the RCO zone. For example, rather than the term “Village Venues/Offices,” the Applicant proposes that “Office and Clinic, Medical” and “Office General” apply. *See* LMC 15-2.17-2.

HEIGHTS AND SITING

The Applicant seeks to modify the number, siting, and footprint of the remaining buildings to be constructed on the Property. The Applicant’s purpose is to reduce the impact of the remaining buildings on the surrounding area and to update the site plan with the changing needs of the community in light of the use change from Commercial/Hotel/Lodging to Multi-Unit Dwelling.

Specifically, the Applicant proposes to eliminate 4 buildings bringing the total number of remaining buildings to be built to 6. The Applicant is also requesting to site the buildings further back from the main entry corridor of Highway 248, to allow for the maximum buffer and view corridor. The original Development Agreement specifically waived any “open space, setbacks or affordable housing requirements.” Annexation Agreement, at 3. But the Applicant feels that maximizing open space and setbacks is in the best interest of the Property and the community.

The Development Agreement also provided that “[n]o more than 70% of the remaining buildings on the campus are between 36-40 feet.” Annexation Agreement, at 4. Meaning that at least 30% of the remaining buildings are required to be 28 feet in height, the height limit imposed by the CT Zone. *See id.* The Applicant is requesting that this requirement be modified so that the remaining buildings can all be constructed at 48-50 feet of maximum height. This will allow the Applicant to reduce the number of buildings to be built, resulting in open space and set back improvements.

PARKING

The existing parking from the Development Agreement of 466 stalls will remain, with 56 stalls from the film studio being dedicated and re-located to this development. Community amenities abound, including a transit hub, outdoor seating/dining, a trail loop with parklets, multi-purpose courts, and open space surrounding a new wildflower field as a community-oriented development meeting the requirements of development in this area.

The development boasts not only amenities, transit-oriented development, and right-scaled community-focused affordable housing, but also creates a larger open space than the original Master Planned Development. We believe that this mixed-use project will be a great opportunity to provide a destination in Quinn's Junction to reduce the traffic within the immediate context and greater community.

CODE

In accordance with Section 15-2.17-4 Criteria For Commercial Development Option, the development complies with each minimum standard:

> *A. The minimum Lot size is five (5) acres. Each proposal must include one commercial anchor, a minimum of 30,000 square feet in size, and a maximum of 65,000 square feet.* **The lot size is over five acres, at 29.55 acres. The commercial anchor is between 30,000 SF - 65,000 SF at 60,000 SF of commercial anchor.**
>
> *B. The Planning Commission may approve, disapprove, or approve with modifications a request for an increase in the allowable Building Height of some or all of the Buildings in the Development by up to twenty-five percent (25%) of the Zone Height of the underlying zone. The City Council may grant a height exception upon recommendation from the Planning Commission. Standards for review of any height exception Areas follows*
>
> *1. The visual impacts of the Structure on existing Structures.*
> *2. Potential shadows, loss of solar Access, air circulation, view corridors, or ridgeline intrusion.*
> *3. Traffic, circulation, and adjacent Open Space.*
> *4. Compatibility of the proposed Building with adjacent Buildings.*
> *5. Landscaping, buffer Areas, and other physical separations to mitigate and buffer the Building from adjacent Uses.*

6. The Side Yard between Building(s), adjacent Streets, and alleys and their relationship to pedestrian traffic and Open Space.
7. Provision of more than the required sixty percent (60%) Transferred Development Right (TDR) Open Space within the project.
8. Reduction of the height of other Buildings or portions of a building to a point that is lower than the underlying Zone Height.
9. Provision of exemplary architecture, high-quality materials and finishes, and in general, a superior plan and project results.
10. No net increase in the allowable square footage or Building volume above Grade over what is possible under the Zone Height.
The building heights are as follows: nine buildings at 28', two buildings at 45', and one building at 40'. Each building's height is in accordance with the allowable building height.

C. An anchor of at least 30,000 square feet is required to be built first. **During Phase 01, two buildings each at 45,000 square feet will be built. A total of 90,000 square feet will be built at first.**

D. Good internal circulation with limited Access to arterial Streets. **The development features exceptional internal circulation. All aspects of the site are connected with continuous roads, sidewalks, and community plazas.**

E. Buffering the Frontage Protection Zone with extensive landscaping and berms. **The development features extensive landscaping and berms. The applicant has worked to develop a proposed landscaping plan with native trees, shrubs, and plants in order to create a site that includes extensive landscaping.**

F. Screened parking. **Portions of surface parking lots are along the edge of a sidewalk, the parking lots are properly screened with landscaping. Each area of parking contains island end caps or centrally located trees in order to maintain screened parking throughout the site.**

G. An extensively landscaped buffer is required between commercial Development and adjacent Residential Uses. The Planning Commission may determine the size of the buffer depending on proposed Uses and proposed buffer design. The Planning Commission may require the buffer be constructed and landscaped prior to the remainder of the construction. **An extensively landscaped buffer is to be provided between commercial development and**

adjacent residential uses. The applicant has worked to develop a proposed landscaping plan with native trees, shrubs, and plants in order to create a site that includes extensive landscaping.

H. Compliance with all requirements of LMC Chapter 6, Master Planned Development (MPD) review process and criteria. **The development complies with all requirements of LMC Chapter 6, Master Planned Development (MPD) review process and criteria.**

I. Architecture that is consistent with the Park City Architectural Design Guidelines in LMC Chapter 15-5 and is Compatible with the community and neighborhood. **The applicant will work diligently with the design staff to ensure the architecture is consistent with the Park City Architectural Design Guidelines in LMC Chapter 15-5 and is compatible with the community and neighborhood.**

J. Submission of a sign plan at the time of Master Planned Development Application in accordance with the City Sign Code, Title 12. **The applicant will work diligently with planning staff to ensure a sign plan is provided during the application process.**

K. The Site plan for the Master Planned Development must take into consideration significant natural features such as existing vegetation, wetlands, Stream channels, and ridgelines. Development must occur outside of these sensitive Areas. **The Site Plan for the Master Planned Development takes into consideration significant natural features. The first 150 feet off of SR248 meets the entry corridor protection regulations. The development does not occur within a marked sensitive area.**

L. Submission of a lighting plan at the time of Master Planned Development Application in accordance with LMC Chapter 15-3. **The applicant will work diligently with planning staff to ensure a lighting plan is provided during the application process.**

M. Enhanced pedestrian and bicycle circulation. **The development features enhance pedestrian and bicycle circulation.**

N. Enhanced public plazas and Open Space Areas. **The development features enhanced public plazas and open space areas.**

O. Fully Screened service and delivery areas. Fully Screened dumpster locations. No service, delivery, or dumpster activities shall occur adjacent to Residential Uses.

PARKING REQUIREMENTS (ALSO ON THE ARCHITECTURAL SITEPLAN DRAWINGS)

SQ FOOTAGE	TYPE	REQUIREMENTS	COMMENT	TOTAL
189,550.00	MultiFamily	Apartment/ Condominium not greater than 1,000 sf floor Area	700 SF Average Dwelling Unit	271
33,450.00	Accessory Corridors	Zero Parking requirements		0
30,000.00	Office and Clinic	3 spaces per 1,000 sf of leasable floor Area		90
30,000.00	Retail	3.5 spaces per 1,000 sf of leasable floor Area, excluding corridors and service Areas not related to individual tenant retail spaces		105
			TOTAL	**466**
SQ FOOTAGE	**TYPE**	**REQUIREMENTS**	**COMMENT**	**TOTAL**
Existing	Existing	Per development agreement as originally planned for the remainder of site development		410 total
Existing	Existing	Moving parking stalls from greater Film Studio area outside fencing		56 stalls

			TOTAL	**466**

PREVIOUS AGREEMENTS

Existing MPD Agreement – Exhibit attached

EXISTING ZONING AND NEW REQUESTS

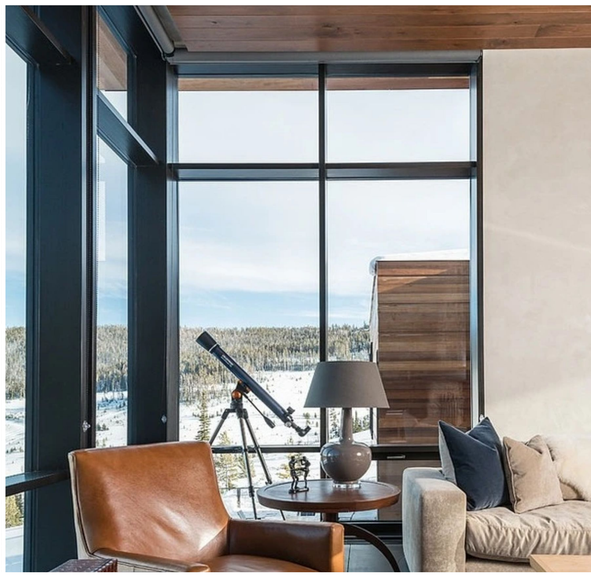
Community Transition Zone – RCO Overlay from Existing MPD.

LANDOWNERS WITHIN 300’ OF THE PROPOSED DEVELOPMENT:

PARK CITY MUNICIPAL CORPORATION, PO BOX 1480, PARK CITY, UT 84060-1480

UTAH DEPARTMENT OF TRANSPORTATION, 4501 CONSTITUTION BLVD, SALT LAKE CITY, 84119-5977

UNITED STATES OF AMERICA/INTERIOR DEPT, 125 S STATE ST, SALT LAKE CITY, UT 84138-1102



WELCOME HOME AT STUDIO CROSSING

modern
OUT WEST

STUDIO CROSSING

BUILDING LEGEND:

01 3-STORY MARKET RATE CONDOS WITH UNDERGROUND PARKING

02 TRANSIT HUB & E-BIKE PARKING BUS STOP AND PICKUP CENTER

03 COMMUNITY FOCUSED COMMERCIAL 1-STORY

04 COMMUNITY POCKET PARKS

05 80% AMI AFFORDABLE HOUSING 3 STORY WITH COMMERCIAL

06 COMMUNITY PLAZA FEATURE AND DINING AREAS

07 E-BIKE DOCKING STATION

08 HISTORIC RAIL TRAIL PLANNED CONNECTION ALREADY PAID

09 80% AMI AFFORDABLE HOUSING 2 STORY ALL HOUSING

10 RESIDENT USE AMENITY MULTI-USE SPORTS COURT

11 MARKET RATE TOWNHOMES 2-STORY WITH GARAGE

12 CAMPUS RESIDENT USE GREEN OPEN SPACE WITH TRAILS

13 ELECTRIC CAR CHARGING STATIONS

RIGHT TURN ENTRY/EXIT

SR248

STOPLIGHT INTERCHANGE

SR248

EXISTING PC FILM STUDIOS

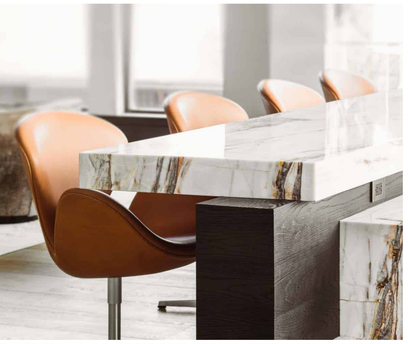
TRAIL SYSTEM ALONG PROPERTY

HWY 189

N

modern OUTWEST **STUDIO CROSSING** OVERALL SITE

modern OUTWEST **STUDIO CROSSING** PHASING



PHASE INFORMATION FOR 2 BUILDINGS:

BUILDING 01:

- LEVEL 01: 15,000 SF OF RETAIL
- LEVEL 02: 15,000 SF OF 80% AMI HOUSING
- LEVEL 03: 15,000 SF OF 80% AMI HOUSING

BUILDING 02:

- LEVEL 01: 15,000 SF OF RETAIL
- LEVEL 02: 15,000 SF OF 80% AMI HOUSING
- LEVEL 03: 15,000 SF OF 80% AMI HOUSING

- EACH STORY 15' TALL = 45' TOTAL HEIGHT
- 45,000 SF X 2 BUILDINGS = **90,000 SF TOTAL**

PHASE 01

N

PHASE 02 INFORMATION:

- COMMUNITY FOCUSED SMALL SCALE
- COMMERCIAL, RETAIL OR RESTAURANT
- EACH BUILDING IS 15,000 SF OF RETAIL
- EACH BUILDING IS 28' TALL (1) STORY
- 15,000 SF X 2 BUILDINGS = **30,000 SF TOTAL**

PHASE 02

N

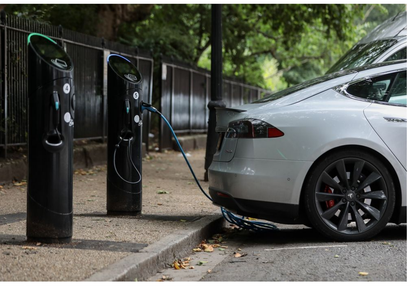
PHASE 02 INFORMATION:

- COMMUNITY PLAZA AREA
- OUTDOOR DINING OUTSIDE OF EACH COMMERCIAL SPACE
- WATER FEATURED INSTALLED THROUGH CENTER OF PLAZA
- DESIGNATED AREAS FOR POTENTIAL CHRISTMAS TREE LIGHTING
- SET UP TO MAXIMIZE VIEWS TO THE SOUTH

PHASE 02

modern OUTWEST **PHASE 02:** COMMUNITY PLAZA

N



PHASE INFORMATION FOR 1 BUILDING:

- BUS SHELTER
- 15’ TALL
- FOCUS ON BUS PICKUP
- E-BIKE PICKUP AREA

PHASE 02

modern OUTWEST **PHASE 02:** TRANSIT HUB / BUS STOP

N

PHASE 03

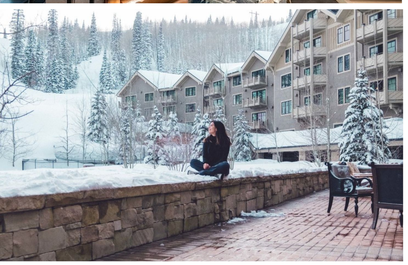
PHASE INFORMATION FOR 48 BUILDINGS:

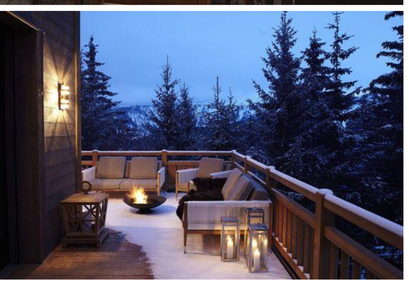
- 2 & 3 BEDROOM TOWNHOMES 2 STORIES
- EACH FLOOR IS 14’ TALL =, 28’ TALL BUILDING
- 48 PARKING STALLS DEDICATED TO TOWNHOMES
- 6 LIVABLE CLUSTERS OF 8 TOWNHOMES
- 1,500 SF X 48 TOWNHOMES = **72,000 SF MARKET RATE FOR-SALE UNITS**

- **MAXIMUM** 100 MARKET RATE UNITS TOTAL

modern OUTWEST **PHASE 03:** MARKET RATE TOWNHOMES

N





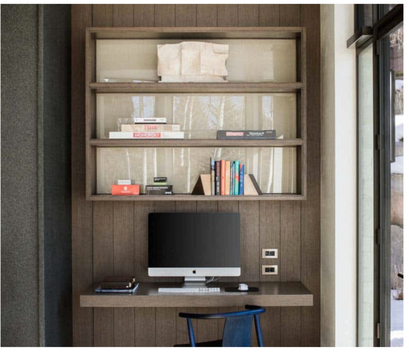
PHASE 04

PHASE INFORMATION FOR 1 BUILDING:

- LEVEL 01: 23,333 SF OF MARKET RATE CONDOS
- LEVEL 02: 23,333 SF OF MARKET RATE CONDOS
- LEVEL 03: 23,333 SF OF MARKET RATE CONDOS

- EACH STORY 13' TALL = 40' TALL BUILDING
- EACH STORY @ 23,333 SF
- 23,333 SF x 3 STORIES = **70,000 SF MARKET RATE CONDOS**

- **MAXIMUM** 100 MARKET RATE UNITS TOTAL



PHASE INFORMATION FOR 1 BUILDING:

- LEVEL 01: 14,250 SF OF 80% AMI HOUSING
- LEVEL 02 14,250 SF OF 80% AMI HOUSING
- LEVEL 03: 14,250 SF OF 80% AMI HOUSING
- LEVEL 04: 14,250 SF OF 80% AMI HOUSING

- EACH FLOOR IS 12' TALL = 48' TALL BUILDING
- 14,250 SF X 4 STORIES = **57,000 SF TOTAL**

- MINIMUM 120 80% AMI AFFORDABLE UNITS

PHASE 04
OR EARLIER

N

modern
OUTWEST

PHASE 04*: AFFORDABLE HOUSING

modern OUTWEST **STUDIO CROSSING** VIEW LOOKING SOUTHWEST

SR 248

US HWY 40

SR 248

modern OUTWEST **STUDIO CROSSING** VIEW LOOKING SOUTHEAST

HEALTHCARE CAMPUS

QUINNS REC COMPLEX

US HWY 40

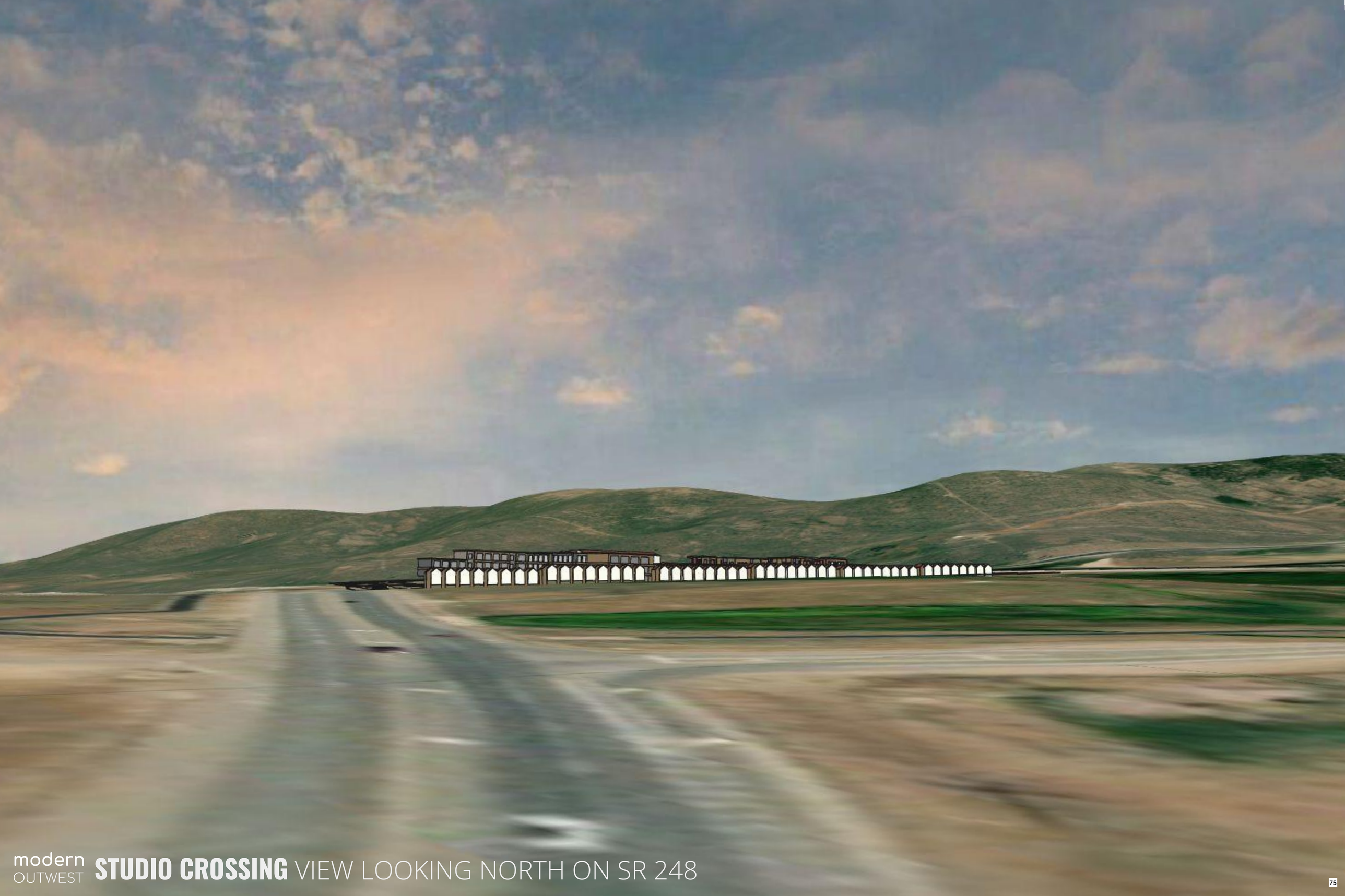
SR 248

modern OUTWEST **STUDIO CROSSING** VIEW LOOKING NORTHEAST

modern
OUTWEST

STUDIO CROSSING VIEW LOOKING WEST ON SR 248 FROM RICHARDSON FLATS

modern
OUTWEST **STUDIO CROSSING** VIEW LOOKING SOUTH EXITING HWY 40



modern OUTWEST **STUDIO CROSSING** VIEW LOOKING NORTH ON SR 248

modern OUTWEST **STUDIO CROSSING** BUILDING HEIGHTS

RESIDENTIAL ZONE

RESIDENTIAL ZONE

RETAIL ZONE

RETAIL +
RESIDENTIAL

RESIDENTIAL

STUDIO ZONE

N

modern
OUTWEST **STUDIO CROSSING** PROGRAMMING

RIGHT TURN
ENTRY/EXIT

SR248

STOPLIGHT
INTERCHANGE

SR248

HWY 189

N

modern
OUTWEST **STUDIO CROSSING** PUBLIC TRANSPORTATION

RIGHT TURN
ENTRY/EXIT

SR248

STOPLIGHT
INTERCHANGE

SR248

TRANSIT
HUB

HWY 189

N

modern
OUTWEST **STUDIO CROSSING** TRANSIT ACCESSIBILITY

PUBLIC ACCESS

SECURE ACCESS

N

modern OUTWEST **STUDIO CROSSING** ACCESSIBILITY

PARKING INFORMATION FOR SITE

- 48 STALLS - TOWNHOME GARAGE PARKING
- 407 STALLS - SURFACE PARKING
- 320 STALLS - STUDIO PARKING
- 105 STALLS - UNDERGROUND PARKING
- **880 STALLS TOTAL**

RIGHT TURN ENTRY/EXIT

SR248

STOPLIGHT INTERCHANGE

SR248

320 EXISTING STALLS

HWY 189

11
10
7
23
46
22
6
12
23
3
3
42
36
9
32
15
5
17
8
4
18
24
3
18
3

modern OUTWEST **STUDIO CROSSING** OVERALL PARKING

N

PLANT KEY:

- DOUGLAS HAWTHORNE, SERVICEBERRY
- BLUE SPRUCE, PONDEROSA PINE
- PINYON PINE
- GLOBE MALLOWS
- PAXISTIMA MYRSINITES
- GOLDEN CURRANT

modern OUTWEST **STUDIO CROSSING** LANDSCAPE PLAN

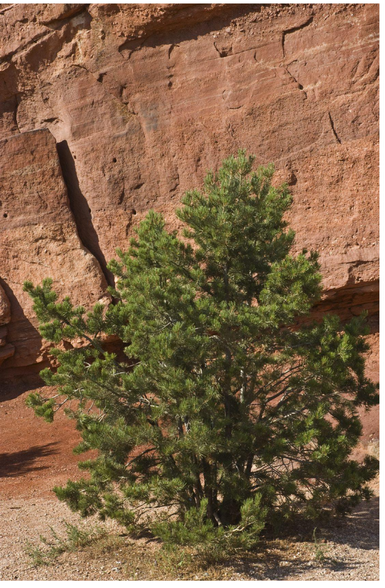
N

DOUGLAS HAWTHORN (NATIVE, SALT TOLERANT)

PONDEROSA PINE (NATIVE, SALT TOLERANT)

SERVICEBERRY (NATIVE, SALT TOLERANT)

BLUE SPRUCE (UTAH STATE TREE)



PINYON PINE (UTAH NATIVE)

GLOBE MALLOWS (UTAH NATIVE)

PAXISTIMA MYRSINITES (UTAH NATIVE)

GOLDEN CURRANT (UTAH NATIVE)

modern OUTWEST **STUDIO CROSSING** PROPOSED PLANTS

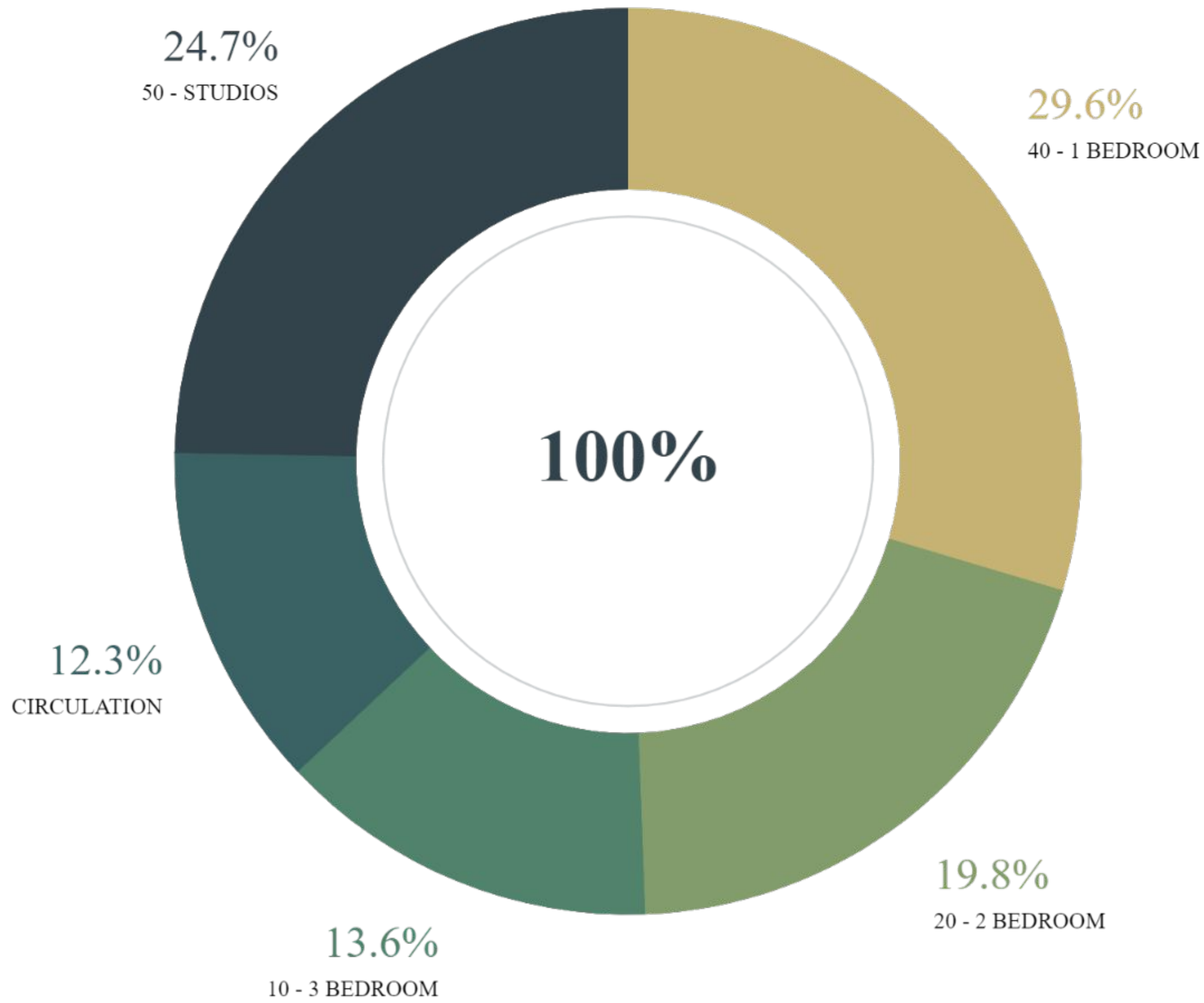
modern OUTWEST **STUDIO CROSSING** TRAIL CONNECTIVITY

N

modern OUTWEST **STUDIO CROSSING** ROAD CONNECTIVITY

N

81,000 SF AFFORDABLE HOUSING



2012 IBI PROPOSED OPEN SPACE
495,713 sf = 11.60 acres = 39.3% (On-Site)
713,077 sf = 16.60 acres = 56.2% (Top of Cut Slope)
841,579 sf = 19.54 acres = 66.1% (Edge of Pavement)

2022 UPDATE PROPOSED OPEN SPACE
692,608 sf = 15.9 acres = 54.4% (On-Site)
909,972 sf = 20.89 acres = 71.5% (Top of Cut Slope)
1,038,474 sf = 23.84 acres = 81.6% (Edge of Pavement)

modern
OUTWEST

PROPOSED OPEN SPACE

2012 IBI PROPOSED OPEN SPACE
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modern OUTWEST PROPOSED OPEN SPACE

MEMORANDUM

Date: June 4, 2021

To: Ryan Crandall, Quinn Capital Partners

From: Seishi Yamagata, PE, Fehr & Peers
Preston Stinger, PTP, LEED GA, Fehr & Peers

Subject: Quinn Capital Partners Development Trip Generation

UT20-2207

INTRODUCTION

The purpose of this memorandum is to summarize the evaluation of trip generation for the updated land uses for the Quinn Capital Partners development in Park City, Utah. Fehr & Peers evaluated the trip generation of the proposed land uses in the previous master plan and of the proposed land uses in the updated plan in comparison. This memorandum summarizes the evaluation of trip generation for the proposed land use changes.

LAND USE

The previous master plan concept (site plan attached in Appendix) proposed the following land uses:

- Hotel (100 rooms)
- Movie Theater (15,000 square feet)
- Entertainment Venue (14,500 square feet)
- Mixed Use (33,350 square feet)
- Mixed Use (25,625 square feet)
- Sound Effects Stage (15,700 square feet)
- Office (37,200 square feet)
- Workshop Office (10,000 square feet)

Fehr & Peers used trip generation rates published in the ITE Trip Generation, 10th Edition, 2017, to estimate trip generation rates for this study. To keep consistent with land uses presented in the ITE manual, the following ITE land uses were used to evaluate the previous master plan concept:

- Hotel (ITE Land Use 310) – 100 rooms
- Movie Theater (ITE Land Use 444) – 15,000 square feet
- High-Turnover Restaurant (ITE Land Use 932) – 14,500 square feet
- Shopping Center (ITE Land Use 820) – 33,350 square feet
- Shopping Center (ITE Land Use 820) – 25,625 square feet
- Office (ITE Land Use 710) – 15,700 square feet
- Office (ITE Land Use 710) – 37,200 square feet
- Office (ITE Land Use 710) – 10,000 square feet

The updated plan for the project site consists of the following land uses, along with the corresponding ITE land uses:

- Affordable Housing (ITE Land Use 223) – 100 dwelling units
- Multifamily Housing (ITE Land Use 220) – 100 dwelling units
- Shopping Center (ITE Land Use 820) – 60,000 square feet

The ITE land use for affordable housing is new in the ITE manual and had a low sample size with limited data. Therefore, the ITE land use code for multifamily housing (land use 220) was also used for the 100 units of affordable housing.

TRIP GENERATION

To capture the mixed-use component of the land uses (for both the previous master plan concept and the updated plan), internal capture was incorporated into the trip generation evaluation for this study using Fehr & Peers' mixed-use development (MXD+) methodology. The MXD+ trip generation methodology accurately captures the trip-reducing benefits of mixed-use development projects and is used throughout the United States to help developers, agencies, and the public to quantify these trip reductions. The MXD+ trip generation model is promoted by the United States Environmental Protection Agency (EPA) and has been adopted by the San Diego Association of Governments (SANDAG), American Society of Civil Engineers (ASCE), American Planning Association (APA), and many others as a recommended resource for trip generation of smart-growth developments. The MXD+ model uses ITE trip generation rates and applies additional variables to those trip generation rates. Some of the additional variables include:

- Employment
- (Population + Employment) per square mile
- Land area
- Total jobs / population diversity
- Retail jobs / population diversity
- Number of intersections per square mile
- Employment within a mile
- Employment within a 30-minute trip by transit
- Average household size
- Vehicles owned per capita

The calculated trip generation for the previous master plan concept is shown below in **Table 1**.

Land Use[1]	Number of Units	Unit Type	Daily Trip Generation[2]	% Internal Capture[4]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New Daily Trips**
Hotel (310)	100	Rooms	702	3%	50%	50%	339	339	**678**
Movie Theater (444)	15,000	Square Feet	1,171	3%	50%	50%	566	566	**1,132**
High-Turnover Restaurant (932)	14,500	Square Feet	1,627	3%	50%	50%	786	786	**1,572**
Shopping Center (820)	33,350	Square Feet	2,849	3%	50%	50%	1,376	1,376	**2,752**
Shopping Center (820)	25,625	Square Feet	2,382	3%	50%	50%	1,151	1,151	**2,302**
Office (710)	15,700	Square Feet	176	3%	50%	50%	85	85	**170**
Office (710)	37,200	Square Feet	407	3%	50%	50%	197	197	**394**
Office (710)	10,000	Square Feet	114	3%	50%	50%	55	55	**110**
Net Weekday Trips							**4,555**	**4,555**	**9,110**

Land Use[1]	Number of Units	Unit Type	AM Peak Hour Trip Generation[2]	% Internal Capture[4]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New AM Peak Hour Trips**
Hotel (310)	100	Rooms	45	10%	60%	40%	24	16	**40**
Movie Theater (444)	15,000	Square Feet	3	10%	95%	5%	3	0	**3**
High-Turnover Restaurant (932)	14,500	Square Feet	144	10%	55%	45%	71	58	**129**
Shopping Center (820)	33,350	Square Feet	168	10%	62%	38%	93	57	**150**
Shopping Center (820)	25,625	Square Feet	165	10%	62%	38%	92	56	**148**
Office (710)	15,700	Square Feet	41	10%	86%	14%	32	5	**37**
Office (710)	37,200	Square Feet	61	10%	86%	14%	47	8	**55**
Office (710)	10,000	Square Feet	36	10%	86%	14%	28	5	**33**
Net Weekday AM Peak Hour Trips							**390**	**205**	**595**

Land Use[1]	Number of Units	Unit Type	PM Peak Hour Trip Generation[2]	% Internal Capture[4]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New AM Peak Hour Trips**
Hotel (310)	100	Rooms	49	13%	54%	46%	23	20	**43**
Movie Theater (444)	15,000	Square Feet	93	13%	94%	6%	76	5	**81**
High-Turnover Restaurant (932)	14,500	Square Feet	142	13%	62%	38%	77	47	**124**
Shopping Center (820)	33,350	Square Feet	241	13%	48%	52%	101	109	**210**
Shopping Center (820)	25,625	Square Feet	198	13%	48%	52%	83	90	**173**
Office (710)	15,700	Square Feet	20	13%	16%	84%	3	15	**18**
Office (710)	37,200	Square Feet	45	13%	16%	84%	6	33	**39**
Office (710)	10,000	Square Feet	13	13%	16%	84%	2	10	**12**
Net Weekday PM Peak Hour Trips							**371**	**329**	**700**

Land Use[1]	Number of Units	Unit Type	Saturday Trip Generation[2]	% Internal Capture[4]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New Saturday Trips**
Hotel (310)	100	Rooms	1,227	4%	50%	50%	591	591	**1,182**
Movie Theater (444)	15,000	Square Feet	1,490	4%	50%	50%	717	717	**1,434**
High-Turnover Restaurant (932)	14,500	Square Feet	1,775	4%	50%	50%	855	855	**1,710**
Shopping Center (820)	33,350	Square Feet	1,538	4%	50%	50%	741	741	**1,482**
Shopping Center (820)	25,625	Square Feet	1,182	4%	50%	50%	569	569	**1,138**
Office (710)	15,700	Square Feet	35	4%	50%	50%	17	17	**34**
Office (710)	37,200	Square Feet	82	4%	50%	50%	39	39	**78**
Office (710)	10,000	Square Feet	22	4%	50%	50%	11	11	**22**
Net Saturday Trips							**3,540**	**3,540**	**7,080**

1. (XXX) Indicates ITE Land Use Code. Land Use Code from the Institute of Transportation Engineers - 10th Edition Trip Generation Manual (ITE Manual)
2. Traffic Generated by the development according to trip generation rates provided in the ITE Manual
3. Percentage of trips Entering and Exiting the development according to the ITE Manual.
4. Internal capture derived from the MXD+ methodology.

SOURCE: Fehr & Peers, 2020

The calculated trip generation for the updated plan is shown below in **Table 2**.

Land Use[1]	Number of Units	Unit Type	Daily Trip Generation[2]	% Internal Capture[4]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New Daily Trips**
Multifamily Housing (220)	200	Dwelling Units	1,471	5%	50%	50%	699	699	**1,398**
Shopping Center (820)	60,000	Square Feet	4,248	5%	50%	50%	2,020	2,020	**4,040**
Net Weekday Trips							**2,719**	**2,719**	**5,438**
Land Use[1]	Number of Units	Unit Type	AM Peak Hour Trip Generation[2]	% Internal Capture[4]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New AM Peak Hour Trips**
Multifamily Housing (220)	200	Dwelling Units	92	8%	23%	77%	19	65	**84**
Shopping Center (820)	60,000	Square Feet	182	8%	62%	38%	104	64	**168**
Net Weekday AM Peak Hour Trips							**123**	**129**	**252**
Land Use[1]	Number of Units	Unit Type	PM Peak Hour Trip Generation[2]	% Internal Capture[4]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New AM Peak Hour Trips**
Multifamily Housing (220)	200	Dwelling Units	109	15%	63%	37%	59	34	**93**
Shopping Center (820)	60,000	Square Feet	372	15%	48%	52%	152	165	**317**
Net Weekday PM Peak Hour Trips							**211**	**199**	**410**
Land Use[1]	Number of Units	Unit Type	Saturday Trip Generation[2]	% Internal Capture[4]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New Saturday Trips**
Multifamily Housing (220)	200	Dwelling Units	1,628	5%	50%	50%	772	772	**1,544**
Shopping Center (820)	60,000	Square Feet	2,768	5%	50%	50%	1,313	1,313	**2,626**
Net Saturday Trips							**2,085**	**2,085**	**4,170**

1. (XXX) Indicates ITE Land Use Code. Land Use Code from the Institute of Transportation Engineers - 10th Edition Trip Generation Manual (ITE Manual)
2. Traffic Generated by the development according to trip generation rates provided in the ITE Manual
3. Percentage of trips Entering and Exiting the development according to the ITE Manual.
4. Internal capture derived from the MXD+ methodology.

SOURCE: Fehr & Peers, 2021

As shown in **Table 1**, vehicle trip reductions of approximately 3%, 10%, 13%, and 4% for daily, AM peak hour, PM peak hour, and Saturday, respectively, were applied due to internal capture for the previous master plan concept. For the updated plan, vehicle trip reductions of approximately 5%, 8%, 15%, and 5% for daily, AM peak hour, PM peak hour, and Saturday, respectively, were applied due to internal capture as shown in **Table 2**.

The comparison of total trips generated for the development between what was presented in the previous master plan and the calculated updated results for this study are shown below in **Table 3**.

Table 1 Trip Generation Comparison

	Calculated Trip Generation (Total Trips)			
	Daily	**AM Peak**	**PM Peak**	**Saturday**
Previous Master Plan	9,110	595	700	7,080
Updated Plan	5,438	252	410	4,170

SOURCE: Fehr & Peers, 2021

As shown in **Table 3**, the updated trip generation shows lower total trips generated for daily (40% trip decrease), AM peak hour (58% trip decrease), PM peak hour (41% trip decrease), and Saturday (41% trip decrease). There is also higher daily, PM peak hour, and Saturday trip reductions for the

updated plan compared to the previous master plan due to the introduction of residential land use in the mix.

CONCLUSION

Fehr & Peers evaluated the total trips generated by the proposed land uses in the previous master plan, and also evaluated the trip generation of the development with redefined land uses. As shown previously above, there is a decrease in trip generation due to the redefined land uses at the proposed development for daily, AM peak hour, PM peak hour, and Saturday trips.

APPENDIX

Previous Master Plan Concept

Building Legend

- 1A Hotel Lodging
- 1B Recording Studio
- 1C Stage Venue
- 1D Residence - omitted
- 1E Grand Ball Room
- 1F Atrium
- 2 Screening Rooms/Theater
- 3 Entertainment Venue
- 4 Mixed Use
- 5 Mixed Use
- 6 Sound Effects Stage
- 6A Office, Effects Stage
- 7 Sound Stages
- 7A Workshop
- 7B Production Support/ Offices
- 8 Workshop Office

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MASTER PLAN CONCEPT

April 2012

Quinn Capital Partners, LLC Housing Mitigation Plan

Quinn Capital Partners, LLC is pleased to be able to incorporate this housing mitigation plan as a part of the proposed Amended Master Planned Development. This proposal will convert a substantial portion of the existing commercial square footage to affordable housing and create a vibrant, year-round neighborhood compatible with surrounding residents. The proposed modifications will also reduce daily traffic and enhance the quality of life for our residents, all while helping to meet community environmental and housing goals.

This housing mitigation plan is part of the 2022 Amendment to the Master Planned Development Agreement and Annexation Agreement. The original 2012 Development Agreement for the Quinn's Junction Partnership Annexation Master Planned Development expressly provided that no affordable housing was required to be built as a condition of development. Recognizing the needs of the community and benefits to the community in constructing affordable housing, QCAP is proposing to construct 185 units of affordable housing units as part of its proposal to amend the 2012 Development Agreement.

Background

The 2012 Development Agreement did not require the construction of any affordable housing. (DA Section 5, Affordable Housing). When QCAP subdivided the subject property earlier in 2022, the City required as a condition of plat approval a note requiring QCAP to provide affordable housing meeting the current code requirements if it any point it amended the 2012 Development Agreement. In addition to meeting the code-based requirements for affordable housing, QCAP is proposing to convert existing commercial entitlements to affordable housing.

Proposed Plan

QCAP proposes to construct more than enough affordable housing units to meet the requirements of the 2021 Park City Affordable Housing Resolution. The 2021 Housing Resolution calls for a total affordable housing square footage for commercial uses based on an employee mitigation calculation. The same resolution requires 20% of condominium units to be affordable units. Per the resolution, each affordable unit is calculated as containing 900 square feet.

The final count of units required may adjust slightly with final preparations of plans and to address City input, however the required square footage will be provided per the Resolution. Forecasted calculations for the affordable housing are shown in Table 1 below:

Table 1

Studio Crossings Residential Density			
Market Rate SQFT	REU	AUE	Net Livable Space
141,000	**70.5**	**14.1**	**12,690**

**Affordable Unit Equivalent (AUE): A two-bedroom unit with 900 square feet of Net Livable Space shall be considered one Affordable Unit Equivalent.*

Studio Crossing Assumed Use Based on Newpark Retail Mix					
Use	**FT**	**Use Mix**	**SQFT**	**Employees**	**Net Livable Space**
Commercial Retail	3.3	73.4%	44,028	145.3	
Medical	2.9	8.7%	5,219	15.1	
Personal Services	1.3	6.1%	3,640	4.7	
Restaurant	6.5	11.9%	7,113	46.2	
Total Commercial Density			60,000	211.4	
Mitigation Rate X 0.2				42.3	
AUEs / 1.5				**28.2**	**25,367.44**

**Affordable Unit Equivalent (AUE): A two-bedroom unit with 900 square feet of Net Livable Space shall be considered one Affordable Unit Equivalent.*

Total Affordable Housing Obligation	
Net Livable Space	AUE
38,057.44	**42.30**

For the affordable housing required by the plat amendment note, QCAP proposed to construct the 42 Unit Equivalents in the following mix:

27 - Studios - 400 sqft = 10,800 sqft
23 - 1 bedrooms - 600 sqft = 13,800 sqft
10 - 2 bedrooms - 800 sqft = 8,000 sqft
5 - 3 bedrooms - 1,100 sqft = 5,500 sqft
65 units = 38,100 sqft
Circulation = 5,715 sqft
Total Building Size = 43,815 sqft

QCAP is also voluntarily converting 79 Unit Equivalents of currently entitled commercial space to affordable housing in the following mix:

50 - Studios - 400 sqft = 20,000 sqft
40 - 1 bedrooms - 600 sqft = 24,000 sqft
20 - 2 bedrooms - 800 sqft = 16,000 sqft
10 - 3 bedrooms - 1,100 sqft = 11,000 sqft
120 units = 71,000 sqft
Circulation = 10,000 sqft
Total Building Size = 81,000

All affordable housing shall be deed restricted and subject to Park City affordable housing guidelines including affordable rent restrictions. All the affordable housing will be built in the 1st and 4th (anytime) phase. An unconditional certificate of occupancy, or a temporary certificate of occupancy if it allows for operation of the affordable housing units will not issue for each phase until the affordable housing requirement is met.

Site plans showing the proposed affordable housing, including the parking, are included in Exhibits A and B below:

Exhibit A

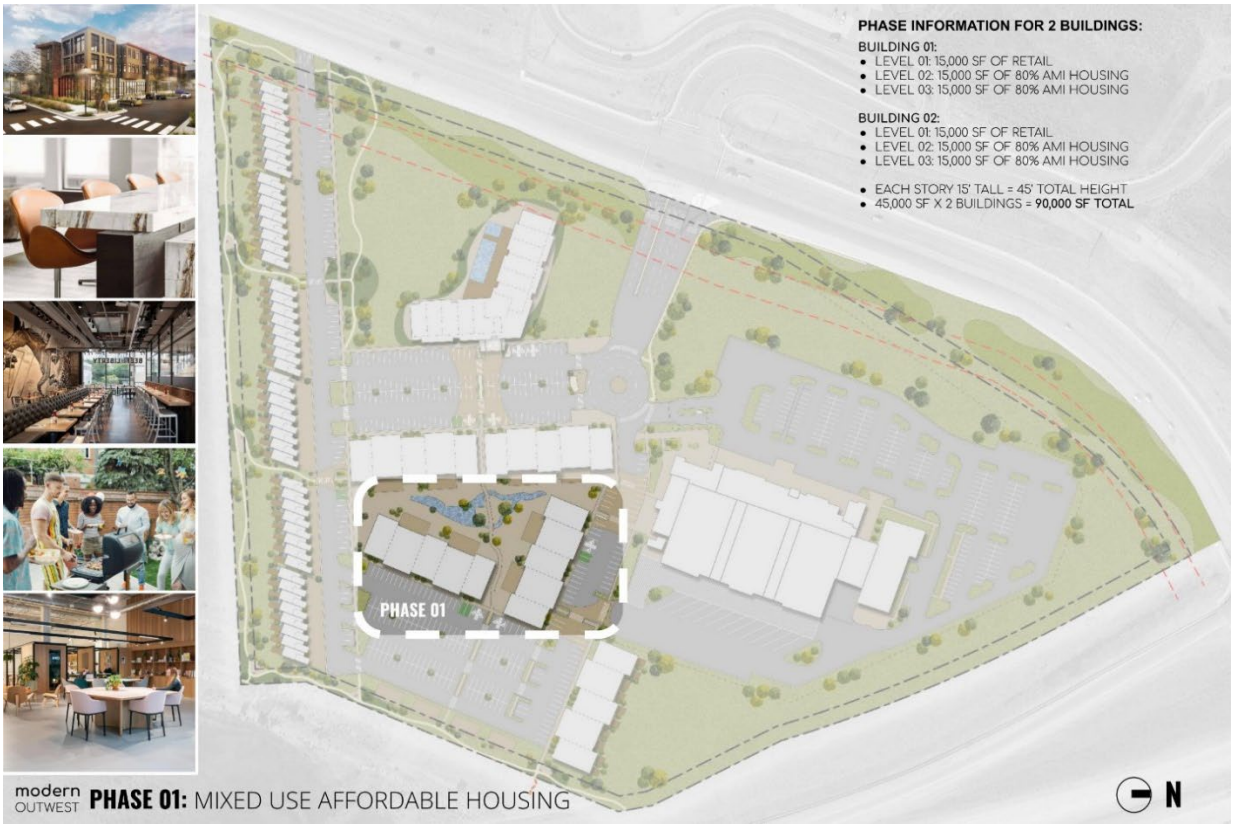

Exhibit B

Eligibility and Pricing

All units will be maintained as deed restricted affordable for rent units. A qualified third-party professional property management company shall manage the rental of the units.

Eligibility for the affordable for-rent housing will be based on the AMI standards of for-rent affordable housing. In initially filling the units, QCAP shall use a geographic waterfall approach in selecting from applicants, in the following priority:

1. Qualifying applicants employed in the immediate Quinn's Junction neighborhood, including, but not limited to, employees of IHC Hospital, USSA, the Peace House, Summit County Health Department, Park City Ice Arena, and Summit Pediatrics.
2. Qualifying applicants employed within Park City boundaries.
3. Qualifying applicants employed within the Park City School District boundaries.
4. Qualifying applicants employed within Summit County.

There shall be no time limit required in selecting between orders of priority. Rather, when all qualifying applicants from a category have been exhausted, applicants from the next order of priority shall immediately be given priority. This waterfall provision shall only apply at the initial

generation of any waitlist and selection for the Studio Crossing affordable housing units. From that point, all applications shall be made on a first-come-first-serve basis on the existing waitlist.

For the 65 units required by the plat amendment note—and subject to the 2021 Housing Resolution—all rentals will be to households of 80% AMI or below for Summit County and will be at the allowable rental rates for households at 80% AMI as determined by the then-applicable Summit County AMI numbers, updated on an annual basis. All rental units will submit annual compliance surveys in accordance with the recorded deed restrictions.

For the 120 units QCAP is constructing from its existing commercial density, all rentals will be to households of 120% AMI or below for Summit County. However, like the units required by the plat amendment note, all rental rates charged will be at 80% of AMI, regardless of the AMI of individual households. All gross rental rates shall include any Home Owner Association fees or assessments that may be charged against the unit.

Table 2 below shows the current version of such rates.

Table 2

Bedrooms	Occupants	*AMI (80%)	Income Percentage	Yearly Rent	Monthly Gross Rent I
0	1	$66,960	30%	$20,088.00	$1,674.00
1	2	$76,480	30%	$22,944.00	$1,912.00
2	3	$86,080	30%	$25,824.00	$2,152.00
3	4	$95,600	30%	$28,680.00	$2,486.00

*AMI is based on 2021 Summit County AMI numbers.

Amenities

The Studio Crossings development will include a number of amenities available to residents of the affordable housing units. These amenities include, a park and plaza, pickleball courts, and an internal trail system that connects to the broader Park City trail system.

Studio Crossings will be a transit and trail-oriented development. There will be a dedicated and improved transit stop within the development. QCAP is also working to ensure that an electric bikeshare location is included near the Studio Crossings trailhead. In addition to these public transit options, there will be bike storage available for each of the affordable housing units. It is QCAP's intention to enable and encourage alternative transit options to private vehicle ownership.

Planning Commission
Staff Report

Subject:	**Park City Forward (Long-Range Transportation Plan)**
Authors:	**Alex Roy, Senior Transportation Planner** **Julia Collins, Transportation Planning Manager**
Department:	**Transportation Planning**
Date:	**May 25, 2022**
Item:	**Legislative – General Plan Supplemental Update**

Recommendation

(I) Review Park City Forward – the Long-Range Transportation Plan, as a Supplemental Update to the Transportation Element of the Park City General Plan, (II) conduct a public hearing, and (III) consider forwarding a recommendation for City Council's consideration in a work session on June 9, 2022.

Summary

Transportation staff will provide a short presentation and allow for Planning Commission to have a discussion in preparation for potential recommendation of Park City Forward – the Long-Range Transportation Plan (Park City Forward), which will serve as a Supplemental Update to the General Plan, to City Council. Planning Commission is receiving draft versions of the final plan. Discussion will also consist of working with the Planning Commission to identify opportunities on how Park City Forward can support development review and advance the Land Management Code (LMC).

Background

Park City Forward is designed to supersede the 2011 Traffic and Transportation Master Plan and is the guiding strategic transportation document for the City. This plan captures the future transportation vision for Park City based on feedback from the community and stakeholders. The plan guides the City to be targeted in implementing transportation initiatives aligned with the General Plan and community vision which includes: messaging with the community and stakeholders, understanding which projects should be prioritized over others, understanding high-level cost implications, being targeted in seeking of grants, and providing consistency between departments on advancing critical transportation projects. Park City Forward is a blueprint that has measurable goals and projects identified, but also allows for flexibility as transportation projects advance and development happens. Staff is asking Planning Commission for a recommendation to City Council for adoption of Park City Forward as the City's long-term transportation plan. Park City Forward is proposed to supplement the General Plan and will inform the Transportation Element of the upcoming General Plan update. Transportation planning staff will be deeply involved in the upcoming General Plan update and will work with Planning staff in aligning the LMC with updates consistent with the Park City Forward.

Park City Forward's Vision Statement is:

Park City's transportation system embraces innovation to provide safe, year-round transportation options that promote a connected, inclusive, and multimodal "car-optional" mountain community and culture.

Park City Forward establishes four goals to prioritize a community-focused multimodal transportation network that is accessible, easy to use, efficient, convenient and safe prioritizing pedestrians, bicyclists, and transit over vehicles.

1. Ensure equitable access;
2. Support a resilient, net-zero carbon community;
3. Embrace innovative action; and
4. Promote the Modal Hierarchy.

Analysis

The Planning Commission looks to the General Plan when evaluating land use applications like Conditional Use Permits, Subdivisions, Affordable Master Planned Developments, and Master Planned Developments. While the General Plan includes some transportation policies, adopting Park City Forward as a supplement that both clarifies priorities within the General Plan and informs the upcoming General Plan update enables the Planning Commission to review land use applications through the lens of the City's updated multi-modal transportation priorities.

Furthermore, the Planning Commission reviews land use applications through the lens of the Zoning District regulations and General Plan neighborhoods. While Park City Forward addresses neighborhood-specific multi-modal transportation plans, the plan also provides citywide modal context to improve the City's systems internally and regionally.

Park City Forward also establishes projects, policies, and programs specific to each neighborhood, providing an opportunity for the Planning Commission to evaluate options like Transportation Demand Management, carpool incentives, shared parking, biking and pedestrian infrastructure improvements, and improved multi-modal hubs evaluations as part of land use application reviews.

Upon adoption of Park City Forward, staff will evaluate potential Land Management Code amendments that support the policies of Park City Forward, including:

- Transportation Demand Management Standards
- An evaluation of parking requirements to see if there are opportunities to reduce required parking to prioritize pedestrian, bicycle, and transit infrastructure
- Codification of the Complete Streets Resolution
- Adopted standards for transit stops and transit amenities required as part of a Master Planned Development to ensure multimodal capacity and connectivity to advance bicycle and pedestrian amenities

Outreach

Park City Forward involved multiple rounds and forums for public and stakeholder outreach. Outreach efforts done to help develop Park City Forward include interviews with key regional stakeholder's, project brand development, working with the Technical Advisory Committee (TAC), working with the PCMC Project Support Team, a three-day phone app survey travel diary called rMove that had over 300 participants, four on-line surveys between 2019-2022, participation at four City informational open houses and six mobile workshops at key locations (Anaya's market, Library, Dan's Market, PC MARC) throughout the City. In total Park City Forward received over 1,700 comments from over 900 participants.

Conclusion

Adopting Park City Forward as a supplement to the General Plan will allow a strategic and thoughtful approach to transportation improvements for our community. Feedback from this public meeting and public hearing will be incorporated into the final report.

Department Review

The Transportation, Engineering, Planning, and Legal Departments reviewed this staff report.

Public Notice

The public hearing was publicly noticed pursuant to the requirements outlined in Land Management Code Section 15-1-21.

Alternatives

- The Planning Commission may forward a positive recommendation for City Council's consideration;
- The Planning Commission may forward a negative recommendation for City Council's consideration;
- The Planning Commission may continue to a date certain and request additional information.

Exhibits

Planning Commission is receiving the following Park City Forward documents in **DRAFT** form –
Exhibit A: DRAFT Park City Forward Vision Summary
Exhibit B: DRAFT Park City Forward Blueprint Report
Exhibit C: DRAFT Park City Forward Engagement Report

PARK CITY **FORWARD**

a transportation blueprint

VISION SUMMARY - DRAFT

2022

DRAFT

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PARK CITY **FORWARD**

a transportation blueprint

VISION SUMMARY

DRAFT

Park City Forward is a transformational long-range transportation plan. It articulates a community-driven vision and package of investments that will guide decisions on how to spend limited funds that best serve our values.

As the city's long-range transportation plan for the next 30-year planning horizon, Park City Forward, a visioning process looking out to 2030 to determine the aspirations and challenges the City will face today and over the next decade. Park City Forward reflects Park City Vision 2020's call to embrace innovative action today and for years to come. It includes coordinated Nodal and Modal Plans to show how the Project List will be programmed by location and transportation mode in a phased and fiscally sustainable manner.

Since 2018 we have talked with and heard from hundreds of people – their fears, challenges, priorities, and goals. While the needs and opinions of community members vary, a shared set of values anchors this work.

Park City Forward is your plan.

OUR VISION AND GOALS

Park City's transportation system embraces innovation to provide safe, year-round transportation options that promote a connected, inclusive, and multimodal "car-optional" mountain community and culture.

ACCESS

Improve local and regional multimodal transportation connections between activity nodes for residents, commuters, and visitors. Ensure the transportation network supports Park City's future growth and land use changes.

Objectives:

- Create a cohesive transportation network that responds to land use patterns and future development
- Support creation of pedestrian-oriented districts
- Manage parking and user mobility to incentivize efficient transportation choices
- Build a network of connected multimodal transit corridors to key nodes

INCLUDE

Ensure equitable access to opportunity, catalyzed by local and regional mobility choices that are affordable and support healthy living.

Objectives:

- Create and maintain a safe transportation system for all users
- Provide equitable mobility options for the entire community
- Ensure that the transportation system does not disproportionately affect under-served communities

SUSTAIN

Support a resilient, net-zero carbon community, anchored by long-term transportation investments that reduce greenhouse gas emissions, decrease single occupancy vehicle trips, and mitigate environmental consequences of growth.

Objectives:

- Reduce trips by single occupancy vehicles
- Reduce vehicle miles traveled (VMT)
- Maximize person throughput and minimize person delay
- Reduce environmental impacts from transportation
- Ensure system preservation and long-term financial sustainability
- Continue to expand the electric vehicle and transit network

INNOVATE

Embrace innovative action to prioritize a community-focused, multimodal transportation network that is easy to use, efficient, convenient, safe, and incorporates cutting-edge technologies.

Objectives:

- Provide a balanced multimodal and pedestrian-oriented transportation system
- Incorporate new technologies and solutions to foster shared mobility for all
- Build tomorrow's technologies through pilot projects and implementation
- Develop a "car-optional" lifestyle by 2030
- Increase system reliability and operational efficiency

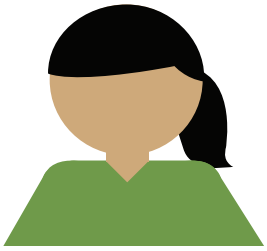
DRAFT

OUR PEOPLE

Park City will continue to thrive because of its people. Park City Forward examined its community's diverse transportation needs through a lens of its typical users to define tailored, yet complementary transportation solutions.

Park City Resident

People who live in Park City are active, eco-conscious, and familiar with many of the options for getting around. Innovation of the transportation system will allow Park City to improve congestion and be environmentally sound, in a way that protects transportation necessities.



Year-Round Employee or Business Owner

People who work and/or own a business understand that Park City's long-term vitality is dependent on its transportation system. Convenient, reliable, and flexible travel modes are essential to economic success.

Culture and Event Visitor

Events draw tens of thousands of people to Park City every year. Making transit and other non-driving options easier and more attractive to visitors is key to reducing traffic congestion.

Recreation Day-Tripper

Park City attracts people from across the region. More travel options and incentives can further encourage the day-tripper to reduce reliance on travel by car and utilize park-and-rides, transit, and shared mobility options.

Seasonal Employee

Park City relies on an influx of employees, especially during the peak seasons. Park City must provide affordable and reliable transportation options that connect the places they live to the places they work. Employee travel incentives are crucial to an equitable Park City.

Long-Stay Visitor/Second Homeowner

Park City includes people who regularly vacation or live here part of the year. They value Park City's travel options and are amenable to leaving the car at home if the transportation system is convenient, safe, and flexible.

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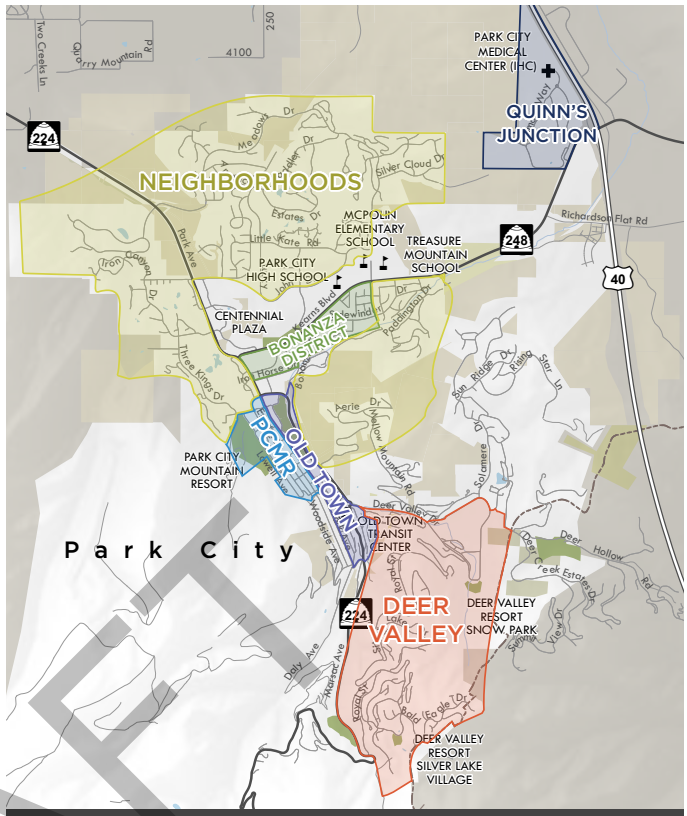
OUR PLACES

Park City Forward identifies six key nodes where transportation challenges and their solutions are representative for the broader city. Woven together, Park City Forward's nodal focus will anchor the city's transformation of its transportation system.

Park City Forward identifies mode split targets for each node that reduce drive-alone trips and support travel without a car. Targets are calibrated by node to make sure they reflect project priorities and reasonable outcomes.

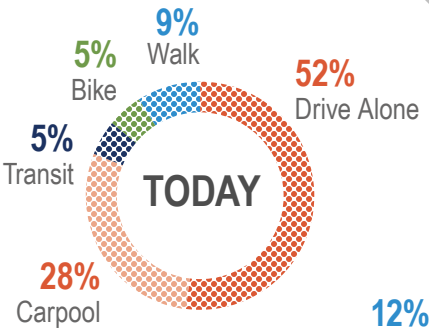
The targets will be assessed and updated over time as Park City Forward is implemented in the coming decades.

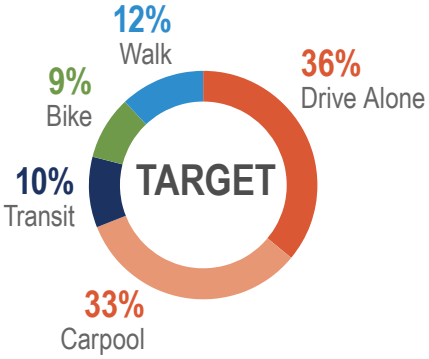


Nodes in Park City

BONANZA DISTRICT

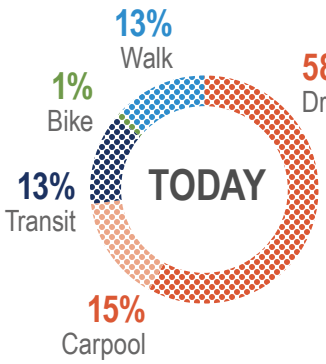
At the crossroads of the gateway corridors, this culture, retail, service, and housing hub will redevelop to leverage new multimodal infrastructure and services.

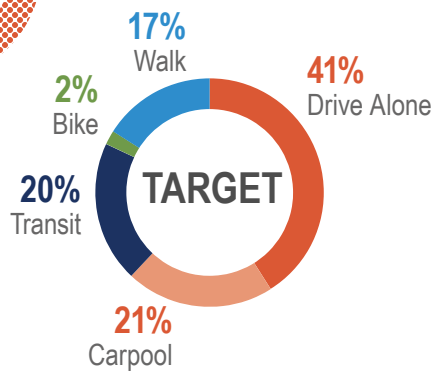




DEER VALLEY

The ski resort and surrounding area attract visitors and represent one of Park City's largest employment centers. Multimodal hubs, proactive parking management, and travel incentives will reduce congestion.





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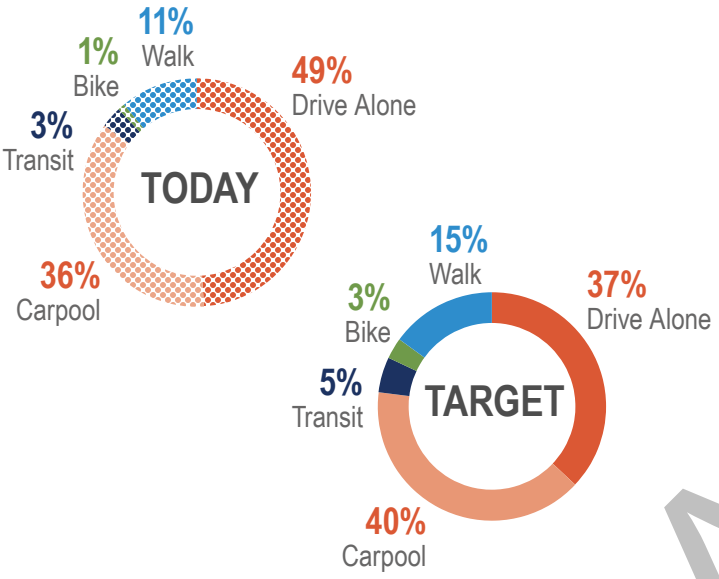
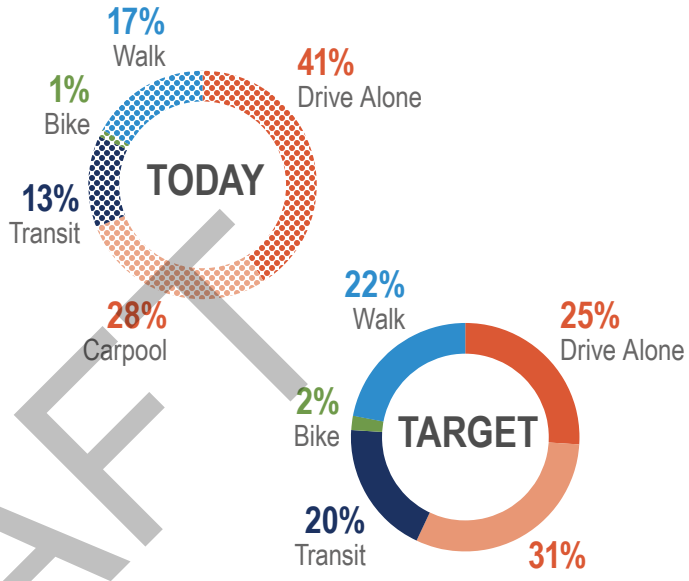
NEIGHBORHOODS

These lower density residential areas provide slow, safe, and walkable streets. Better connections to transit services and bike facilities will make it easier to get around without a car.



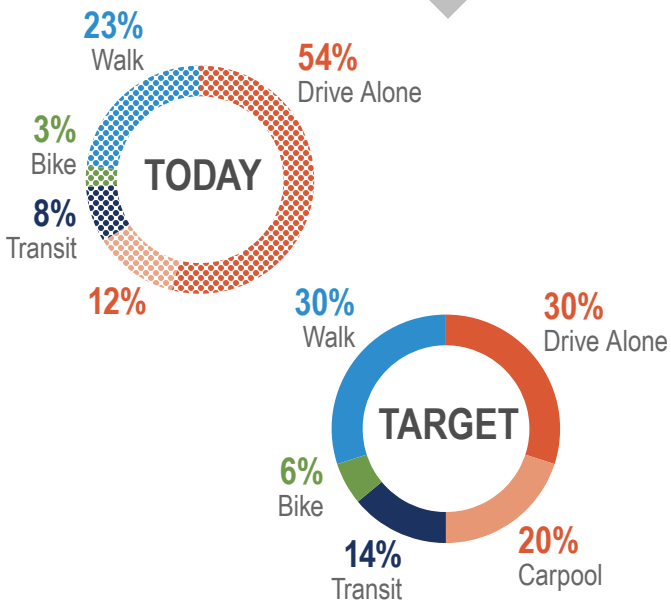
PARK CITY MOUNTAIN RESORT

A world-class skiing destination and major employer adjacent to downtown. Pairing new development with a multimodal hub and street network will alleviate congestion.



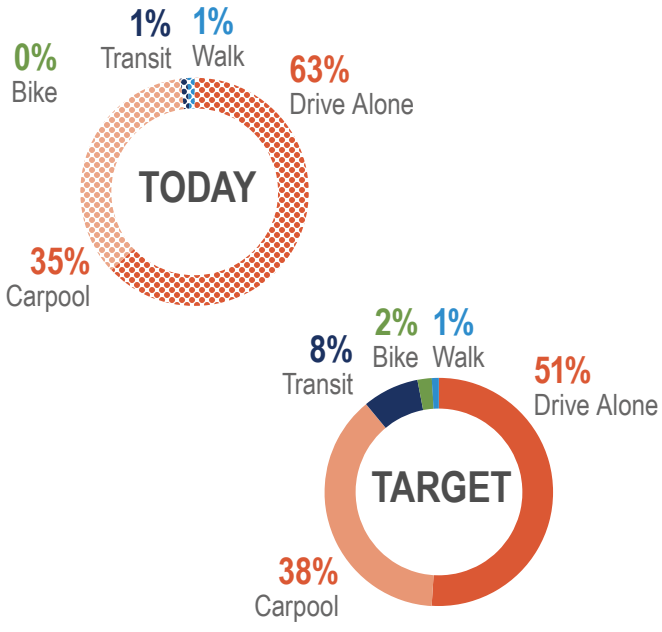
OLD TOWN

The historic, walkable heart of Park City. Robust transit service, biking and walking facilities, and proactive parking management are needed to manage daily and peak travel activity.



QUINN'S JUNCTION

A vital hub between Park City and the region and home to important medical and municipal services. Transit-only lanes and enhanced bus services will better connect this area for everyone.



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OUR SYSTEM

Park City Forward identifies a set of innovative multimodal infrastructure projects, policies, and programs that will help keep Park City moving and address challenges across each travel mode. The Modal Plans are a key complement to the geographic Nodal Plans.

ACTIVE TRANSPORTATION

The future active transportation system will extend low-stress sidewalks, paths, and bike lanes. Park City Forward includes new sidewalks, bike lanes and routes, and safer opportunities to cross busy streets. It also offers programs and policies to encourage active trips.

PARKING AND TRANSPORTATION DEMAND MANAGEMENT

Park City Forward defines a framework to right-size and better manage parking facilities, ensuring vehicle access to key destinations and a thriving local economy. TDM is a crucial component of an efficient transportation and parking system. Reducing vehicle trips through incentives can reduce roadway congestion and free up scarce parking spaces.

ROADWAYS + GOODS MOVEMENT

Park City Forward puts people first. It will help balance competing needs for roadway space through new infrastructure, best practice guidelines, and innovative programs. Changes to our street network, from the visionary to the operational, will help Park City meet future mobility needs.

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SHARED MOBILITY

Park City Forward proposes to expand and enhance its shared mobility offerings. New projects and programs, guided by clear policies, can help Park City navigate this evolving mode and ensure that future services complement other modes and enable equitable outcomes.

TECHNOLOGY + INNOVATION

Park City Forward continues the region's ongoing investment in technological solutions to meet our current and future transportation challenges. Further advancements of data collection, real-time traffic operations, and connected network communications will mitigate traffic incidents, speed up transit trips, and maximize the use of roadway capacity.

TRANSIT

Park City Forward includes projects, policies, and programs that will make it even easier and more convenient to take transit. It prioritizes additional bus service on existing routes, gives buses exclusive lanes so they can bypass traffic, improves bus stops and park-and-rides, and advances innovative new transit options like flexible, on-demand service.

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OUR PLAN

Park City Forward elevates the projects that will best help us reach our goals and fufill our vision. The map on the next page shows some of the highest priority projects to keep Park City moving forward.

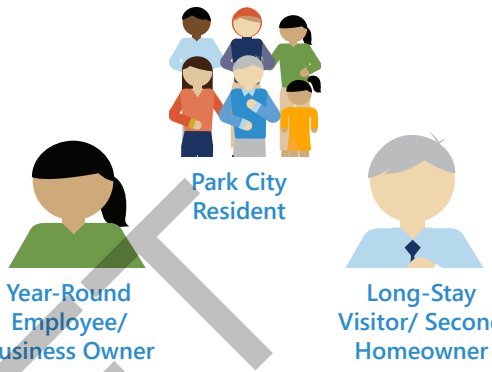
GETTING TO PARK CITY

Park City is working to decrease the amount of traffic coming into town by providing robust mobility options, including new regional services, parking areas outside of town via intercept lots, and enhanced transit service.

Highest Priority Projects

- **R02:** SR-248 Corridor Mobility Improvement Project
- **T04:** Support Regional Projects (PC-SLC Connect)
- **T05:** SR-224 High-Capacity Transit
- **T06:** SR-248 Transit Corridor Study
- **T09:** Park-and-Ride Facilities
- **T10:** Park City Mountain Resort (PCMR) Multimodal Hub
- **T11:** Deer Valley Resort Multimodal Hub
- **Peak Day Mitigations**
  - » **P05:** Wayfinding, Real-time Information, and Data
  - » **P11:** Marketing & Communications
  - » **ITS01:** Real-time Travel Information

GETTING AROUND PARK CITY



When people are in Park City, we focus our investments in projects and modes that support parking once, using non-driving modes as able, and improving connections for the local community.

Highest Priority Projects

- **AT02:** Pedestrian Crossing Improvements
- **AT04:** Rail Trail Connections
- **AT08:** Park Avenue Complete Streets
- **R04:** Old Town Circulation Plan
- **R05 & R06:** Intersection Improvements
- **T02:** Flexible Transit Zones
- **T15:** Bus Stop Improvements

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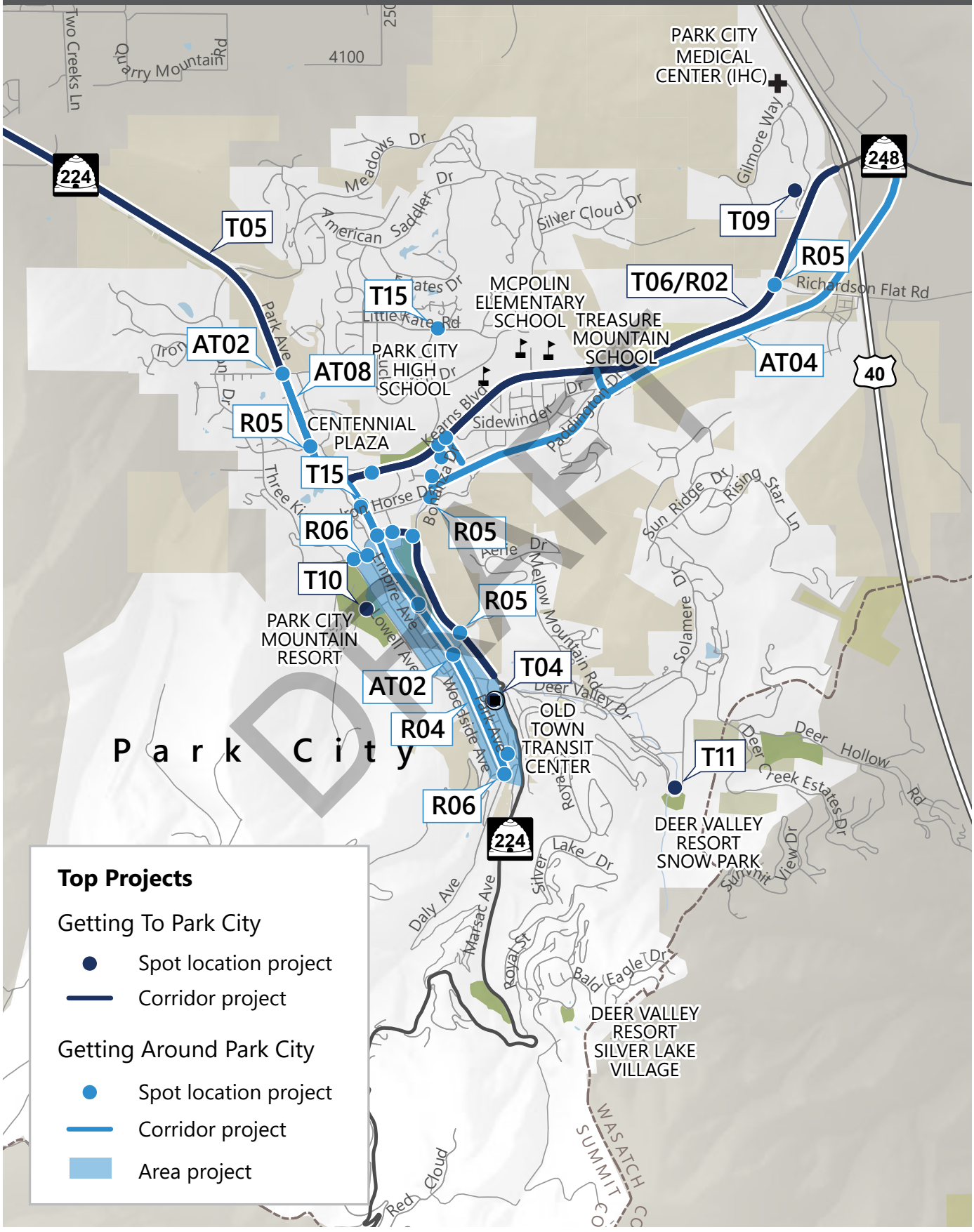
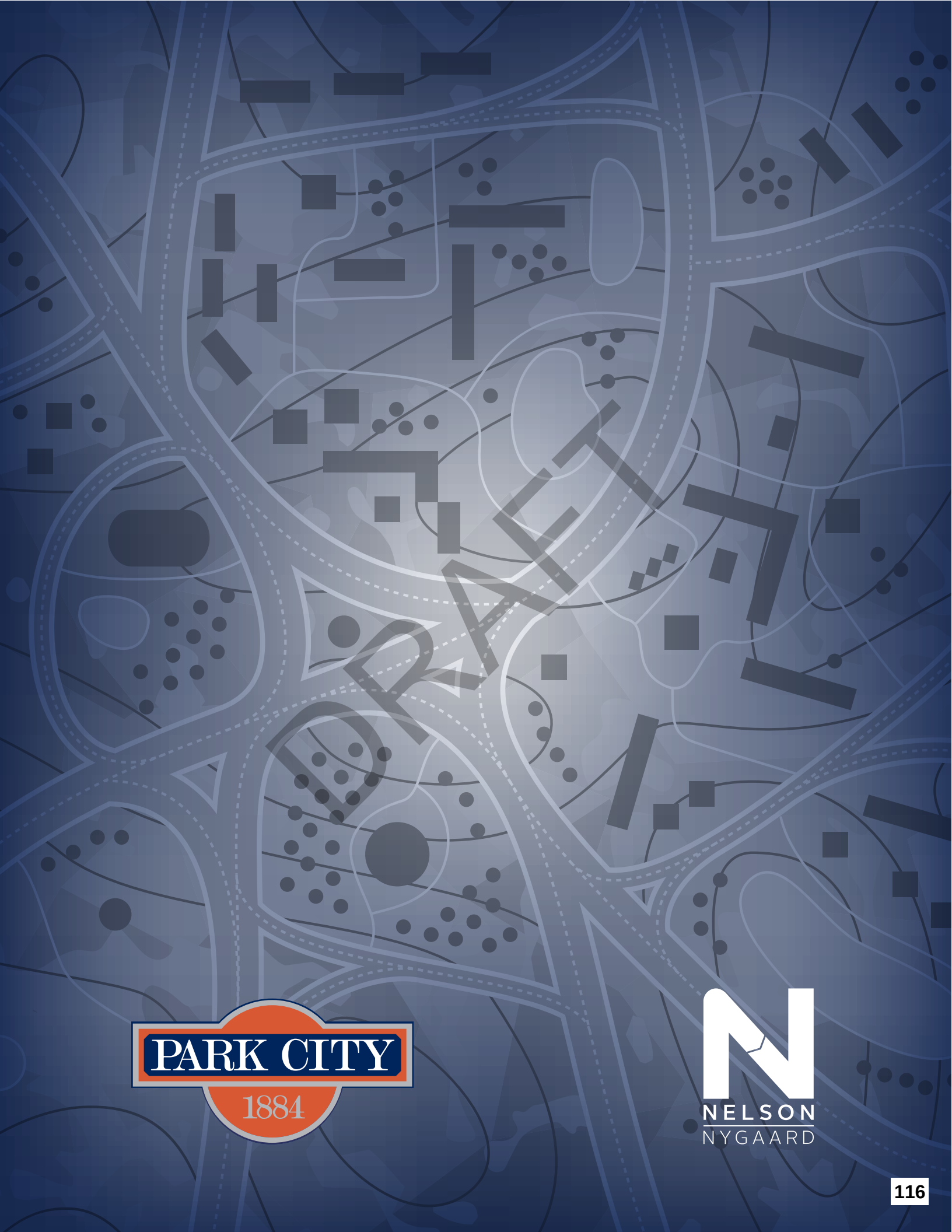
Park City Forward - Highest Priority Projects



For a complete list of investments, please see Chapters 4-6 of the full Park City Forward plan.



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PARK CITY **FORWARD**

a transportation blueprint

FINAL PLAN - DRAFT

2022

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ACKNOWLEDGEMENTS

City Council

Nann Worel, Mayor and Transportation Liaison

Ryan Dickey, Transportation Liaison

Jeremy Rubell, Transportation Liaison

Max Doilney

Becca Gerber

Tana Toly

Andy Beerman, Former Mayor

Tim Henney, Former Council Member

Steve Joyce, Former Council Member

Technical Advisory Committee

Michael Lewis, Vail

Josh Scheetz, Vail

Steve Issowits, Deer Valley Resort

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Cindy Skelton, Deer Valley Resort

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Jamie Dansie, Summit County

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Rich Eddington, Park City School District

Rhonda Sideris, Park City Lodging Association

Jennifer Wesselholf, PC Chamber of Commerce

Bob Kollar, PC Chamber of Commerce

Shirin Spangenberg, Historic Park City Alliance

Ginger Wicks, Historic Park City Alliance

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Shawn Seager, MAG

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Photo: Park City Municipal Corporation

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WHAT IS PARK CITY FORWARD?

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OUR VISION, OUR PLAN FOR ACTION

Park City is a historic, small town, home to long-standing residents and a world-class recreational playground for local and global visitors. Each day Park City balances its visitor-based economy with the daily needs of its long-time residents and valued employees, an evolving dynamic as the city and region grow and diversify. To preserve and maintain the Park City everyone loves, the broader community must find ways to address its long-standing transportation challenges.

Business as usual will no longer work. Doing nothing is not an option. The challenges are too big, and the stakes are too high.

In response, Park City Forward articulates a community-driven and transformational plan. It supports and leverages the Park City Vision 2020 call to embrace action and prioritize innovation in our transportation system.

As the city's long-range transportation plan for the next 30 years, Park City Forward includes a package of investments that will guide decisions on how to spend limited transportation funds that best serve our values.

Implementation of Park City Forward will not be easy in the face of challenges presented by COVID-19, climate change, and limited funding. Park City must make tough choices, but its community is unified by a collective vision and ambition.

Since 2018 we have talked and heard from hundreds of people – their worries, challenges, priorities, and goals. While the needs and opinions of community members vary, a shared set of values anchors this work.

Park City Forward is your plan.

ORGANIZATION OF PARK CITY FORWARD

Park City Forward includes multiple documents that present its work and outcomes. They include:

- **Park City Forward Vision Summary:** Our vision and recommendations at a glance.
- **Park City Forward Final Plan:** A user-friendly document of the project process, analysis, and outcomes. Coordinated Nodal and Modal Plans show how the Project List will be programmed by location and transportation mode.
- **Park City Forward Reports:** Technical reports presenting additional detail on project work. The reports include:
  - » *Community Engagement Report* – a recap of the community outreach process and public feedback.
  - » *Briefing Book* – a summary of our transportation system's existing conditions, key data points, and trends.
  - » *Monitoring and Reporting Plan* – a "How To" for decision-makers, staff, and the community on measuring progress over time.

DRAFT

OUR ROLE IN THE REGION

Park City Forward is the long-range transportation plan for Park City. As such, it is guided by local values and focused primarily on the needs of Park City residents, visitors, and employees. Park City Forward, however, recognizes that our long-term success is intimately connected to Summit County and the greater region.

Park City Forward is our opportunity to foster productive regional dialogue and a shared transportation future. In collaboration with our regional partners, Park City Forward integrates past and ongoing plans and studies to ensure that the local transportation system evolves in tandem with surrounding communities. Close coordination between Park City and Summit County is even more critical following the 2020-21 realignment of transit service into Park City Transit and High Valley Transit.

Park City Forward also benefits from a strong local foundation. In addition to Park City Vision 2020, it integrates past and ongoing work to ensure continuity of values and priorities established by other community-driven studies, policies, and projects. For example, Park City Forward is not our land use plan. The 2014 General Plan and other area plans define where Park City will grow and by how much, a key input into analysis for Park City Forward.

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OUR PROCESS

DISCOVERY

The first phase focused on initial listening sessions with stakeholders to understand transportation issues, challenges, and opportunities. We also reviewed previous and ongoing plans, collected key data sets, and documented travel behaviors and trends. The first phase also established a shared transportation vision and goals.

DESIGN

The second phase focused on collecting ideas from the community and stakeholders. We held workshops and hosted surveys to test different types of strategies. Investments were organized by mode and further defined into an initial list of projects, policies, and programs.

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1. **Project Kickoff (Spring 2018):** Launch of project with a series of stakeholder interviews and initial advisory committee meetings. Project brand, website, and public involvement plan finalized.
2. **Briefing Book (Fall/Winter 2018):** A 3-day travel diary, known as rMove, provided detailed data on local travel behavior. The Briefing Book summarized preliminary community input, data analysis, and key issues and opportunities.
3. **Values, Goals, and Performance Metrics (Winter 2018/2019):** Informed by workshops and an online survey, a vision and goals were defined to serve as the anchor point of Park City Forward and its recommendations.
4. **Scenario Evaluation (Winter/Spring 2019):** Developed a scenario-based evaluation framework to prioritize investments based on project goals and identify relative costs and benefits.
5. **Modal Concepts (Spring/Summer 2019):** Based on past plans and studies, stakeholder ideas and public input, and best practices, an initial list of projects, policies, and programs were developed and reviewed with stakeholders.
6. **Project Pause (2020):** Park City Forward was paused at the beginning of the COVID-19 pandemic.

DOCUMENT

In the final phase projects, policies, and programs were refined based on stakeholder and community feedback. The vision and goals were also updated based on the Park City Vision 2020 effort. Further outreach and evaluation in 2021 allowed for additional definition of the recommendations. The multi-year effort was summarized to showcase the investments.

7 **Project Restart (Spring 2021):** Project was restarted, and the project vision and goals were refreshed based on Park City Vision 2020. The Technical Advisory Committee was re-engaged to provide ongoing direction.

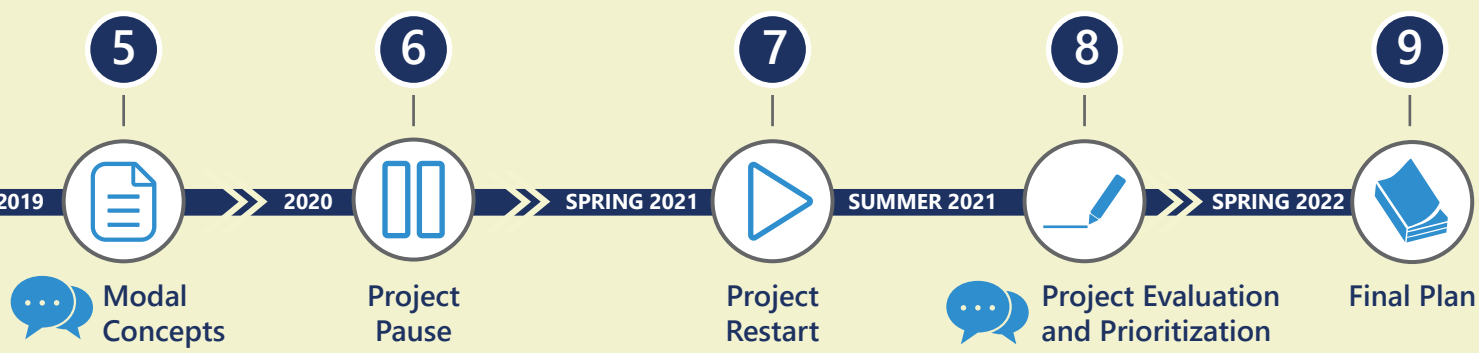
8 **Project Evaluation and Prioritization (Summer/Fall 2021):** Updated project list and conducted high-level evaluation. Finalized a project list and a plan for each transportation mode and key geographic nodes. Summarized the funding program to ensure fiscal sustainability.

9 **Final Plan (Spring 2022):** Documented project work and finalized Park City Forward.

COMMUNITY ENGAGEMENT

Outreach was a consistent feature of Park City Forward and emphasized at project milestones. A Public Involvement Plan was created at project outset, establishing diverse methods and multiple opportunities for community participation.

(Re)engagement in 2021 focused on virtual community feedback via online surveys, Miro, and Mentimeter.
See Chapter 2 and the *Community Engagement Report* for more information.



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2020 PROJECT PAUSE

Park City Forward was paused in March 2020 due to the COVID-19 pandemic, allowing Park City to address immediate public health issues and navigate the pandemic's ongoing impacts on the Park City community. During 2020 and the first half of 2021, however, two important initiatives moved ahead.

- The City released Park City Vision 2020, which articulates the community's unified vision for its future – Embracing Bold Action. It defines a specific strategic "pillar" for Transportation Innovation and several related transportation actions:
  - » Supporting net-zero carbon emissions through fleet electrification
  - » Creating car-free, pedestrian-oriented areas
  - » Enhancing transit, biking, and walking connectivity to all parts of the community
  - » Embracing new transportation technology and innovative solutions
  - » Enabling a "car-optional" lifestyle, in which people have many transportation options and can forgo ownership of one or all personal automobiles to meet their daily needs.
- The reorganization of local and regional transit service into Park City Transit, serving areas primarily within the city limits; and High Valley Transit, which serves unincorporated areas of Summit County and connects Park City to Kamas and Francis.

Work on Park City Forward resumed in early 2021. The Park City Forward vision and goals were updated to reflect the community work on Vision 2020. In addition, the project list and funding assumptions were updated to account for Park City Transit's new service area.

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OUR PEOPLE

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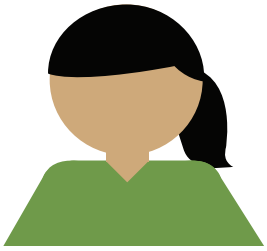

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Events draw tens of thousands of people to Park City every year. Making transit and other non-driving options easier and more attractive to visitors is key to reducing traffic congestion.

Recreation Day-tripper

Park City attracts people from across the region. More travel options and incentives can further encourage the day-tripper to reduce reliance on travel by car and utilize park-and-rides, transit, and shared mobility options.

Seasonal Employee

Park City relies on an influx of employees, especially during the peak seasons. Park City must provide affordable and reliable transportation options that connect the places they live to the places they work. Employee travel incentives are crucial to an equitable Park City.

Long-stay Visitor/Second Homeowner

Park City includes people who regularly vacation or live here part of the year. They value Park City's travel options and are amenable to leaving the car at home if the transportation system is convenient, safe, and flexible.

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Photo Park City Municipal Corporation

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YOU ARE PARK CITY FORWARD

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MOVING FORWARD TOGETHER

The Park City community has shaped Park City Forward at all stages of the planning process, from early listening sessions to refinement of proposed transportation strategies. In the end, Park City Forward will be successful because it is rooted in Park City's values and way of life.

At the outset of Park City Forward, the project team articulated four core principles to guide how we engaged the public throughout the planning process:

- **Listen** to understand people's transportation and mobility challenges, needs, and desires.
- **Involve** a broad range of stakeholders with diverse perspectives and experiences.
- **Educate** people about potential solutions and what tradeoffs may be necessary to achieve meaningful results.
- **Collaborate** to develop locally generated solutions with technically sound expertise.

This chapter summarizes our engagement process, highlighting the activities and tools we used to solicit feedback from the community at key project milestones. A more detailed summary of the community engagement outcomes and findings is provided in the *Community Engagement Report*.

WHAT WE DID

The Park City Forward project team developed and implemented a diverse set of tools and methods to engage the public. We connected with hundreds of people through online surveys, a smartphone-based travel survey, community open houses, mobile workshops, and virtual engagement tools. Additional and more detailed technical feedback was provided to the project team through advisory committees, stakeholder interviews and focus groups, and face-to-face meetings with City Council members.

STAKEHOLDER INTERVIEWS

The team met with key stakeholders during the project kickoff. Participants included the Park City School District, community advocates from Future Park City and event organizers from Park Silly Sunday Market, City Council, staff from key City departments, and Utah Department of Transportation.

The team also convened a focus group with representatives from the hospitality industry and Park City's Visitor Bureau to better understand how transportation can serve Park City's visitors and people employed in the service industry.

How Did We Use This?

- Understand community vision for the plan
- Document stakeholder goals and desires
- Brainstorm transportation challenges and solutions

Participants in the stakeholder meetings worked together to mark up maps with trouble spots and opportunities for improvements.

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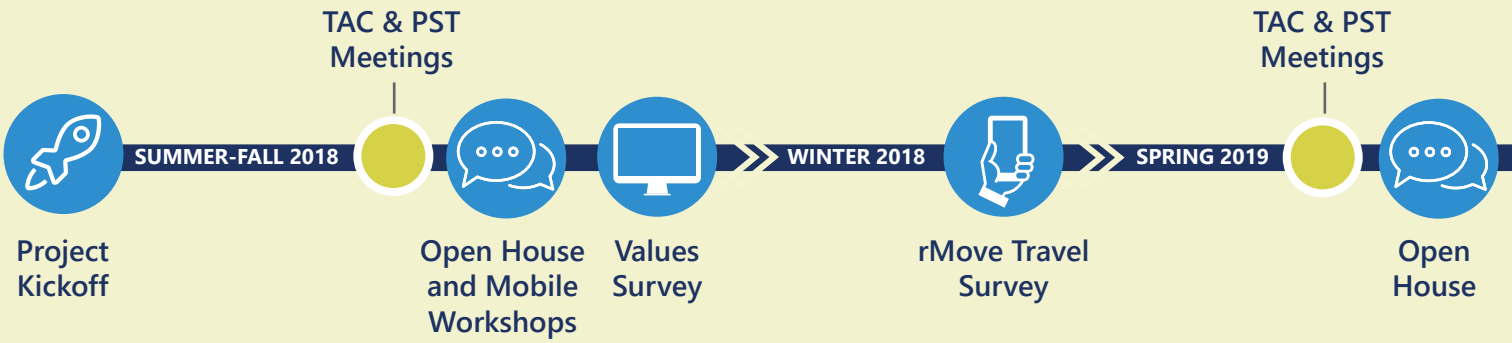
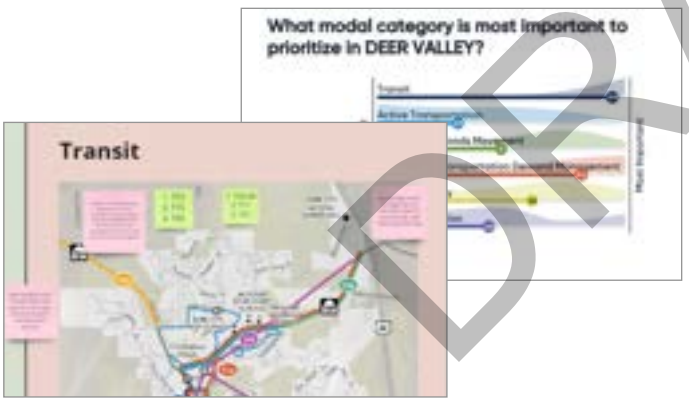


ADVISORY COMMITTEES

Park City Forward was guided throughout by two advisory committees: a Technical Advisory Committee (TAC) and a Project Support Team (PST). These two groups met with the project team more than a dozen times over the course of the project.

The TAC included representatives from resorts (Deer Valley and Park City Mountain), Park City Chamber of Commerce, Historic Park City Association, Summit County, Park City Lodging, Park City School District, Utah Department of Transportation (UDOT), Ski Utah, High Valley Transit, and other local businesses, employers, and residents.

The PST included staff from nine Park City departments, including Planning, Engineering, Sustainability, Police, Fire, Trails, Economic Development, Utilities, and Community Engagement.



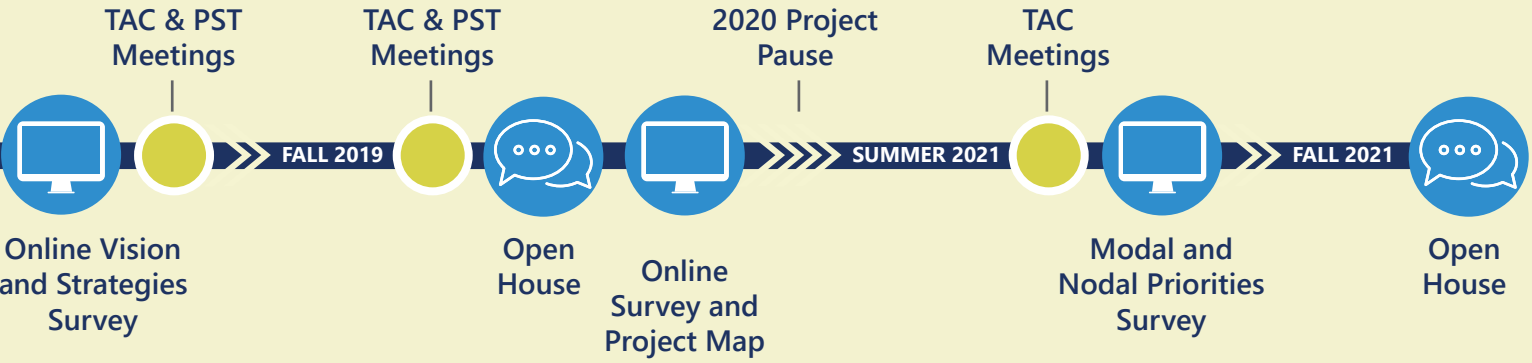
The TAC used online tools to give input on modal plans and the project list in 2021.

PROJECT BRAND AND WEBSITE

The project team created the Park City Forward brand to ensure the project was easily identifiable. The brand was applied to a Park City Forward website that served as a central source for information. The website included a project overview, updates on work in progress, links to current surveys, project reports, results of past outreach activities, and a calendar of upcoming public events. People visited the website more than 1,000 times.

How Did We Use This?

- Define project vision and goals
- Solicit guidance on project process and methods, such as the rMove survey design and methods
- Review project data, findings, and deliverables
- Help connect to, and engage with, the community
- Solicit project ideas and review proposed investments



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DOCUMENT

COUNCIL RETREAT

In addition to periodic meetings with individual council members, the project team participated in the 2019 City Council retreat to help define transportation goals and measures for success. The City Council identified a priority focus for the plan - reducing car trips on Park City's gateway corridors.

How Did We Use This?

- Affirmed key values and needs
- Provided guidance to staff on priority investments
- Defined measures of success

At their 2019 retreat, council members prioritized transportation goals and helped the project team define a set of metrics to guide Park City Forward and its outcomes.

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PARK CITY VISION 2020

Park City Vision 2020 continued during 2020 and its final report was issued in early 2021. While this visioning effort covered all aspects and sectors of Park City's future, its parallel engagement process also surfaced the community's desire to address key transportation challenges and prioritize mobility investment. Of its five key strategic pillars, Transportation Innovation was identified as a key to "Embracing Bold Action."

How Did We Use This?

- Refreshed Park City Forward vision and goals, ensuring strategic alignment
- Reviewed Vision 2020 outreach to capture new project ideas or update ones previously identified
- Ensured that Park City Forward Project List reflects Vision 2020's four Key Action Areas for transportation

The Park City Vision 2020 strategic pillars

RMOVE TRAVEL SURVEY

Over 300 people participated in a smartphone-based travel survey – called rMove – in November and December 2018. Participants downloaded the rMove app which recorded every trip they took for three days, creating a valuable dataset about why, where, and how people got around.

The survey encouraged participation by providing materials in both Spanish and English and by offering a small financial incentive to participate. Participants who do not use smartphones could log trips using a paper version of the travel survey.

How Did We Use This?

- Collected robust information on travel behavior for a broad range of trip purposes
- Established baseline and target travel mode splits for key geographic nodes (Chapter 4)
- Can be repeated in future years to track our progress toward these targets

The rMove app allowed participants to easily log their trips.

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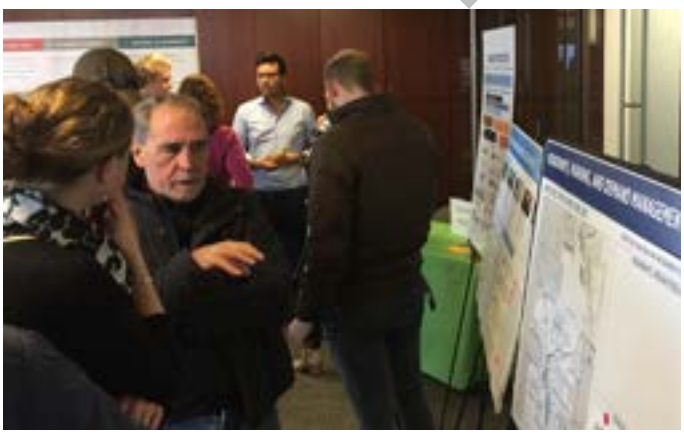
OPEN HOUSES AND MOBILE WORKSHOPS

Park City Forward was showcased at four open houses – September 2018, March 2019, and September 2019, and September 2021. Meeting people where they are is one of the best ways to reach a broad audience, so the project team hosted mobile workshops at six different locations, including one location specifically targeting the Spanish-speaking community.

How Did We Use This?

- Inform the community about Park City's existing transportation network
- Identify trouble spots and ideas for improvement
- Solicit community values and create a community "mobility values tapestry"
- Share investment ideas by mode and ask the community to prioritize
- Give feedback on specific proposed transportation projects, policies, and programs

MARCH 2019



Park City Forward connected with the community at citywide open houses and at mobile workshops throughout the city.

MOBILE WORKSHOP

SEPTEMBER 2019

SEPTEMBER 2021

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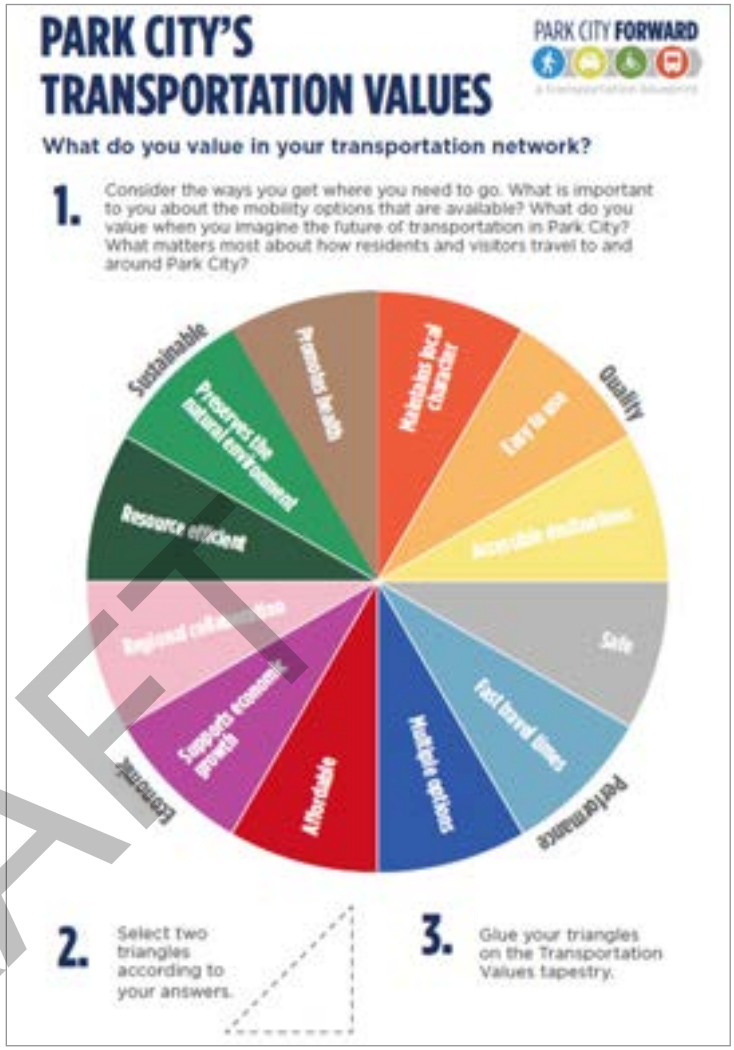
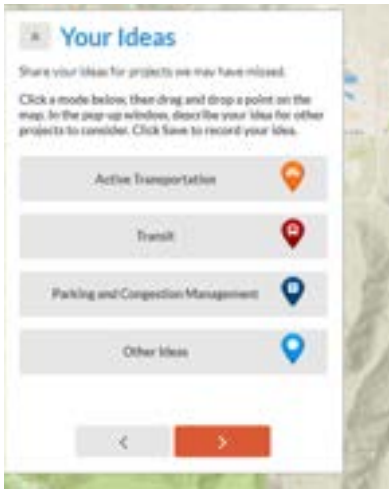
ONLINE SURVEYS

In addition to the rMove travel survey, the project team collected public feedback through four online surveys at key milestones throughout the project. The surveys included a combination of question types and methods, ranging from rank choice and open-ended questions to an interactive mapping exercise.

How Did We Use This?

- **Fall 2018:** We translated the Values Tapestry exercise into an internet-friendly format. More than 160 participants chose the most important characteristics of their ideal transportation system, such as maintaining local character or supporting economic growth.
- **Spring 2019:** We asked the community to help us shape the most impactful project concepts and choose the best ways to measure success. We received more than 330 responses.
- **Fall 2019:** Nearly 450 survey participants prioritized and commented on the specific projects, programs, and policies; browsed interactive map layers showing proposed project locations; and added their own refinements to an online map.
- **Summer 2021:** The team updated the project list and gathered one more round of feedback to finalize the list and understand priorities by geographic node and mode of travel. Nearly 100 people participated and provided comments.





Online surveys collected public input during every phase of Park City Forward.

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WHAT WE HEARD

"Main street should be pedestrian-only year round. This is the highest priority of all."

"Allow preemption for transit vehicles. They have to be a priority. If it takes longer by transit than by personal vehicle ridership will suffer."

"I would really like a PCMR transit hub that provides direct slope access from the bus door.""

"Consider reducing or eliminating the fee for bike share."

"Walkability is very important. I would love for residents and visitors to be able to live their day-to-day life without a car."

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"Put parking on the outside of the Arts District, make interior bike and pedestrian only."

"Electric Xpress service should be expanded to Deer Valley."

"Put bike racks at all major bus stops."

"If you want people on buses, they need to be bypassing traffic."

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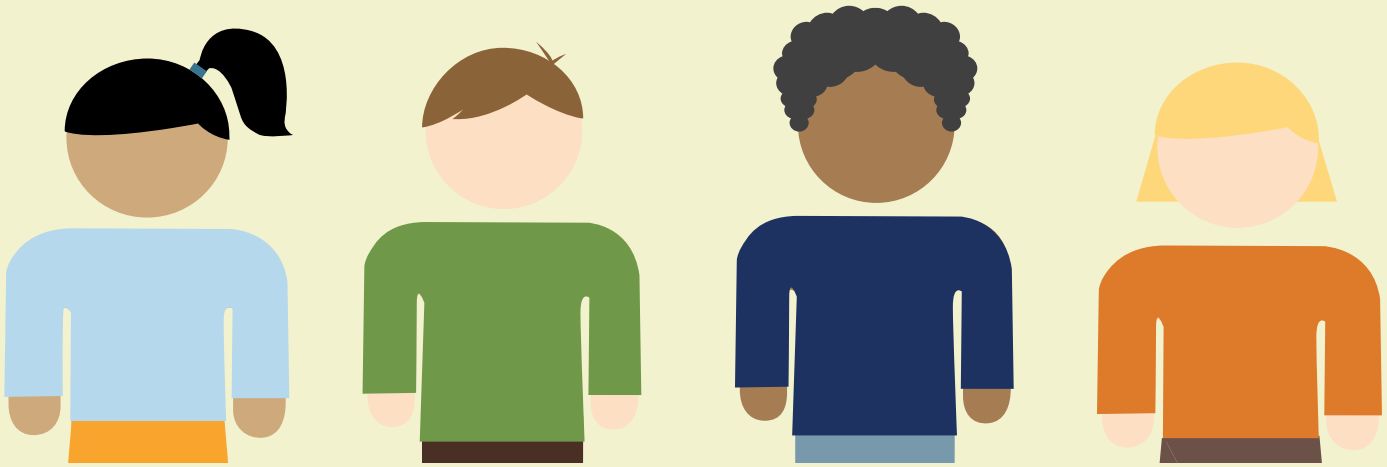

3

A SHARED VISION AND GOALS

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WHAT WILL GUIDE US?

People living and working in Park City, elected leadership, and City staff contributed their ideas, hopes and values to create lasting and inclusive transportation plan. The vision and goals:

- Tied Park City Forward to past planning and projects by integrating and addressing consistent community themes. Examples include the City's General Plan and Vision 2020.
- Focused analysis and stakeholder feedback on actions and investments that are most important to Park City.
- Created a framework for decision-making, from which we will evaluate and monitor how well the transportation supports the community we want to create.
- Clearly communicated how transportation and mobility are an essential part of the city's progress.

VISION STATEMENT

Park City's transportation system embraces innovation to provide safe, year-round transportation options that promote a connected, inclusive, and multimodal "car-optional" mountain community and culture.

GOALS + OBJECTIVES

ACCESS

Improve local and regional multimodal transportation connections between activity nodes for residents, commuters, and visitors. Ensure the transportation network supports Park City's future growth and land use changes.

Objectives:

- Create a cohesive transportation network that responds to land use patterns and future development
- Support creation of pedestrian-oriented districts
- Manage parking and user mobility to incentivize efficient transportation choices
- Build a network of connected multimodal transit corridors to key nodes

INCLUDE

Ensure equitable access to opportunity, catalyzed by local and regional mobility choices that are affordable and support healthy living.

Objectives:

- Create and maintain a safe transportation system for all users
- Provide equitable mobility options for the entire community
- Ensure that the transportation system does not disproportionately affect under-served communities

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PARK CITY **FORWARD**

SUSTAIN

Support a resilient, net-zero carbon community, anchored by long-term transportation investments that reduce greenhouse gas emissions, decrease single occupancy vehicle trips, and mitigate environmental consequences of growth.

Objectives:

- Reduce trips by single occupancy vehicles
- Reduce vehicle miles traveled (VMT)
- Maximize person throughput and minimize person delay
- Reduce environmental impacts from transportation
- Ensure system preservation and long-term financial sustainability
- Continue to expand the electric vehicle and transit network

INNOVATE

Embrace innovative action to prioritize a community-focused, multimodal transportation network that is easy to use, efficient, convenient, safe, and incorporates cutting-edge technologies.

Objectives:

- Provide a balanced multimodal and pedestrian-oriented transportation system
- Incorporate new technologies and solutions to foster shared mobility for all
- Build tomorrow's technologies through pilot projects and implementation
- Develop a "car-optional" lifestyle by 2030
- Increase system reliability and operational efficiency

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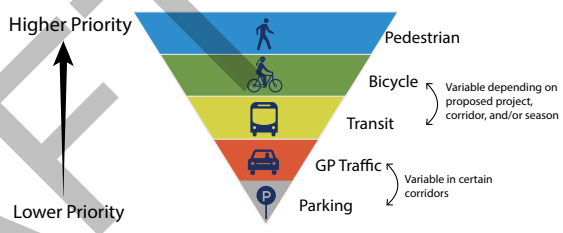
DEFINING THE VISION

The Park City Forward vision and goals build on years of community voices and knowledge. We brought in new information and ideas from the following sources.

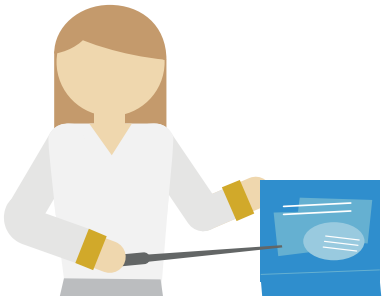
Park City Strategic Long Range Vision: This initiative identifies the City's shared values based on extensive engagement with people living, working and visiting Park City. The values underpin the Park City Forward vision and goals.

Modal Hierarchy: Park City Forward helped the City define a new citywide modal hierarchy and design toolbox to guide street redesign and construction projects. Walking, biking, and transit take priority over driving and parking when allocating space in the public right-of-way.



Park City Forward Transportation Surveys and Community Workshops: We heard directly from the community through online surveys, mobile workshops, and citywide open houses. People living, working, and visiting here shared their ideas about what the community can and should be.

Technical Advisory Committee and City Project Support Team: Park City Forward is indebted to teams of Park City staff and from partner organizations who provided key resources and guidance. These committees shaped the project from the beginning and continued to review methods and results to ensure the plan builds from their work and helps them improve transportation.



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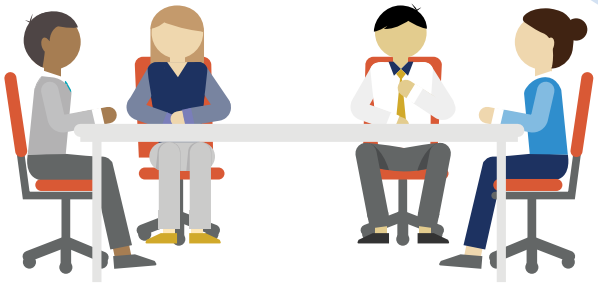
City Council: Councilors and the Mayor listened to the needs and ideas collected in Park City Forward, and shared their own through direct conversations about transportation. The Council and staff also put forward ways to address and measure priorities in housing, energy, social equity, and transportation through retreats and workshops.



Park City Vision 2020: The release of the community's unified vision for the future in early 2021 provided an excellent opportunity to refresh Park City Forward's goals, objectives, and project list to fully integrate Vision 2020's call for action on transportation.

Best practices: We looked to peer cities and mountain towns with successfully evolving transportation systems and plans to learn about what has worked. We identified ways to communicate a transportation vision and goals that is clear, attainable, and provides a strong foundation for delivering world-class transportation and quality of life.

HOW DO WE MEASURE SUCCESS?

The vision, goals, and objectives provide a framework for measuring the success of the Park City transportation system and its investments. See the Park City Forward *Monitoring and Reporting Plan* for additional detail on the metrics and process to track our progress and report back to the community.

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OUR PLACES: NODAL PLANS

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Park City is composed of distinct neighborhoods, districts, and places. These geographic nodes serve different functions and have unique transportation needs based on their location, land uses, topography, and form. Park City Forward **identifies six key nodes** where significant growth is planned, major projects are anticipated, crucial hot spots exist, or where challenges and their solutions are representative of the broader city.

Each of Park City's nodes has a transportation ecosystem that will require different investments. Of course, these nodes do not operate in isolation – investments in one node can benefit others and connections between nodes are also crucial. The Modal Plans (Chapter 5) include projects focused on connectivity between nodes.

This chapter summarizes the transportation needs and solutions for each of the six nodes. It includes:

- **The people:** who typically travels to this node and what are their habits and needs?
- **Key challenges:** why do we need to invest in transportation in this node?
- **Mode split targets:** how do people travel to the node currently and how will they get here in the future?
- **Our plan:** what are the key transportation solutions that will help us reach our targets?

MODE SPLIT TARGETS

Each nodal plan includes a mode split target to guide investment in the coming decades. The mode split shown is for all trips with a destination within the node's boundaries.

The targets were developed based on data from the both the rMove survey and U.S. Census. They reflect an estimate of existing mode split, as well as Park City's ambitions for the future. For example, the targets for Old Town reinforce Vision 2020's call for more "Car-free Nodes" and pedestrian-only spaces.

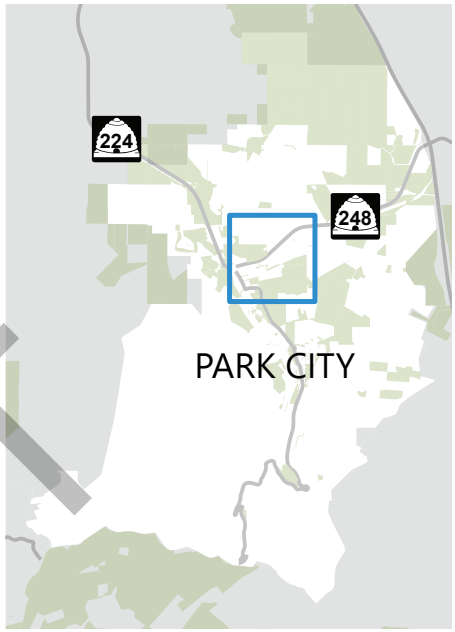
The targets are "living," requiring consistent review and update based on Park City's progress towards success.

BONANZA DISTRICT

THE PLACE

The Bonanza District encompasses the geographic heart of Park City and sits at the crossroads of the SR-224 and SR-248 gateway corridors. The area plays a unique role, as it balances day-to-day retail, office, commercial, and municipal services with hotels and restaurants. The Homestake Road corridor and Prospector area also include some of Park City's densest affordable and multifamily housing.

The district serves as a cultural and event space anchor, with frequent events at the Kimball Arts Center. Several central parcels have been prioritized for redevelopment. Plans include critical housing, a new circulation network, and a transit node that will catalyze the General Plan's vision of a pedestrian-oriented, mixed-use center.



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THE PEOPLE

Park City Resident

- Works, dines, visits, or plays here and values local business
- Passes through to connect to key nodes, like schools
- Lives in mutlifamily housing and uses multiple travel options

Year-Round Employee or Business Owner

- Travels to area every day to work or manage business
- Wants and expects off-street parking for customers

Culture and Event Visitor

- Visits to attend events at Kimball Art Center or dine at local restaurants
- Takes advantage of convenient transit connections to Old Town and resorts

KEY CHALLENGES

Walking and biking can be difficult due to adjacent auto-oriented arterials, large intersections on Kearns Boulevard and Park Avenue, and lack of sidewalks.

Old Town and resorts are too far to foster convenient, routine **walking connections**.

On-street bicycle facilities are very limited.

Fragmented street grid and parcels limits intuitive circulation and internal **transit access.**

Gateway corridors are often congested with vehicle traffic.

Long-standing municipal services may conflict with evolving mix of uses.

Surface parking is a dominant land use.

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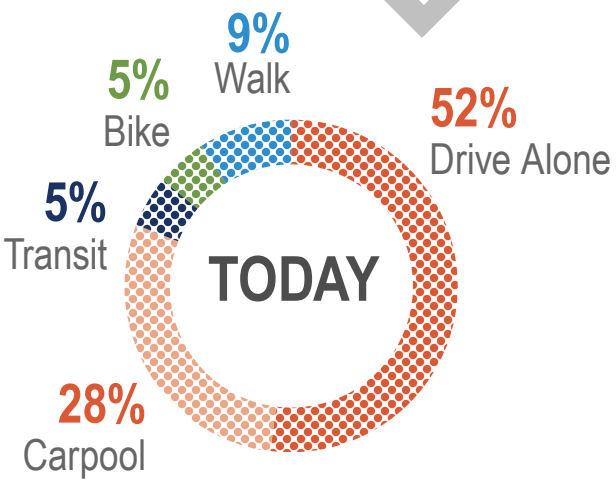
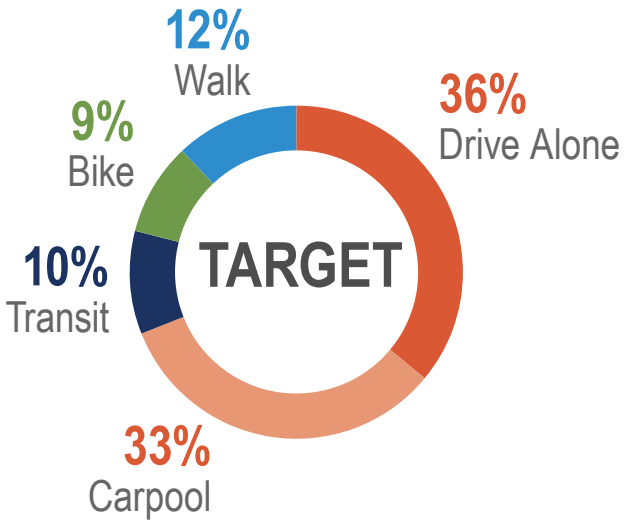
MODE SPLIT TARGETS

Planned redevelopment and major infrastructure projects will spur an influx of new trips into the Bonanza District. The area is expected to add 350 new residents and 1,000 new jobs by 2050.

Today most people drive to the area, while just under 20% of trips are by transit, bicycle, or walking. Park City Forward establishes a mode share target of over 30% for biking, walking, and transit by 2050, with 36% of trips made by driving alone.





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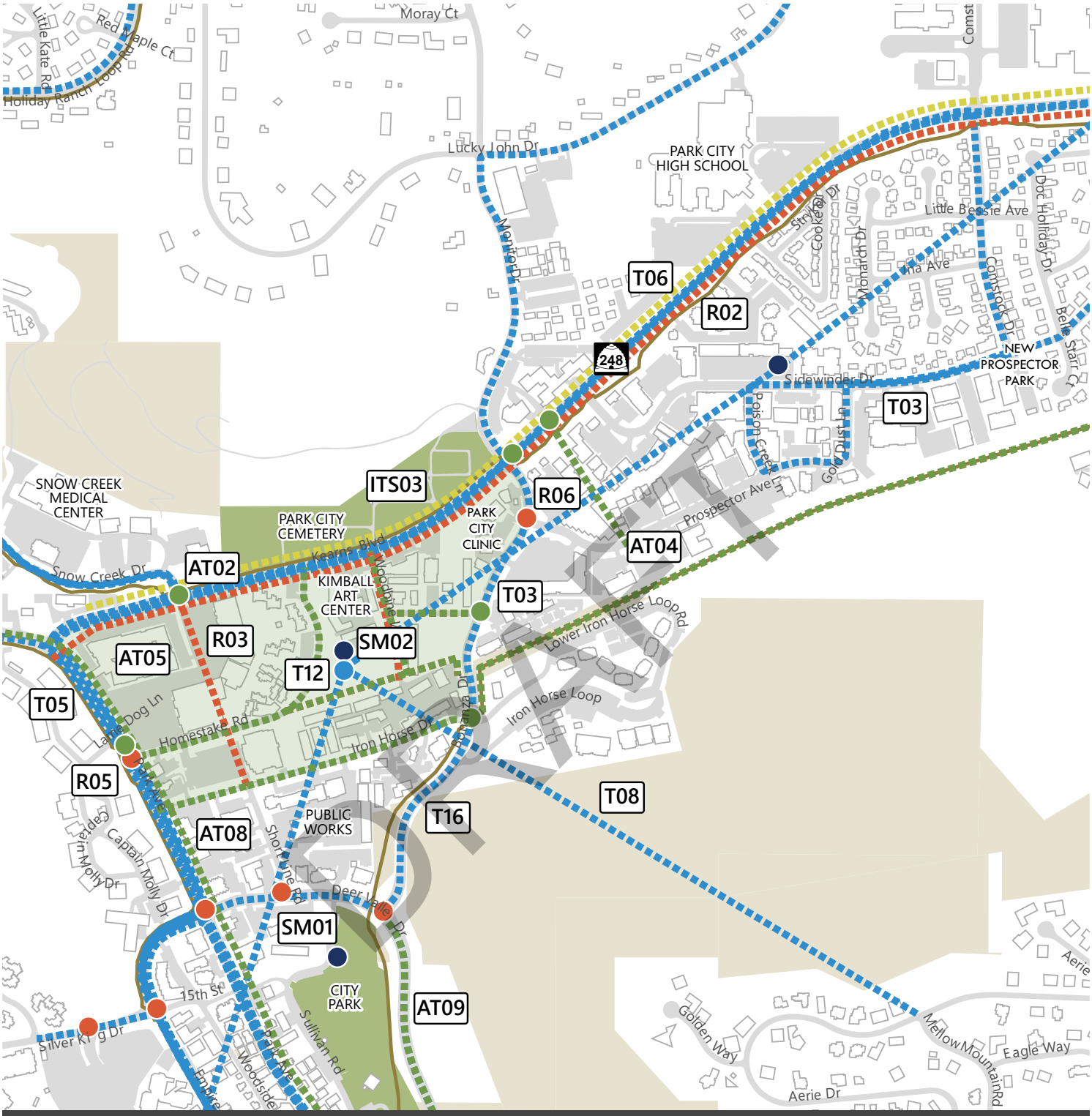

Bonanza District

Data Sources: Park City

Projects

- Roadway
- Transit
- Multimodal
- Active Transportation
- Technology & Innovation
- Multi-Use Trail
- Park
- Open Space

Miles 0 0.075 0.15

OUR PLAN

Several of Park City Forward's most transformative projects will help to turn this node into a thriving, pedestrian-oriented district with excellent multimodal options. Priority investments include complete street connections, a transit center and mobility hub, dedicated transit lanes, safer intersections, and innovative approaches to shared parking management.

Projects, Policies, and Programs

Project ID	Name	Priority	Cost
AT02	Pedestrian Crossings Improvements	5-Year	$$$$$
AT04	Rail Trail Expansion	Big Concepts	$$$$
AT05	Bonanza District Complete Streets Improvement Zone	5-Year	$$$
AT08	Park Avenue Complete Streets	5-Year	$$$$$
AT09	SR-224/Deer Valley Drive Bicycle and Ped Improvements	5-Year	$$$
AT13	Flex Bike Lanes	Vision	$$
AT15	Safe Routes to School and Youth Mobility	5-Year	$
AT20	Bike Parking and Amenities	Current Process / Policy	$$
AT25	Tactical Urbanism	Current Process / Policy	$
AT27	Rail Trail Study	Current Process / Policy	$
ITS03	Park City's Smart Gateway	Vision	$$$$
P01	Park-and-Ride Facilities	5-Year	$
P02	Shared Parking Facilities	Vision	$
P03	Flexible Curb Zones and Platforms	5-Year	$$$$
P04	High Occupancy Vehicle (HOV) Parking	5-Year	$
P05	Wayfinding, Real-time Information, and Data	5-Year	$$
P06	Enforcement	Current Process / Policy	$$
P08	Transportation Demand Management (TDM) Requirements	5-Year	$
P09	Parking Pricing	5-Year	$
P10	Residential Parking	Vision	$
P12	Mobility and Transportation Demand Management (TDM) Programs	5-Year	$$
R02	SR-248 Corridor Mobility Improvement Project	Vision	$$$$$
R03	Bonanza District Circulation	5-Year	$$$$
R05	Intersection Improvements (UDOT)	5-Year	$$$$$
R06	Intersection Improvements (Local)	5-Year	$$$$$$
R11	Neighborhood Traffic Management Program (NTMP)	Current Process / Policy	$
SM01	Summit Bike Share Program	5-Year	$$
SM02	Mobility Hubs	5-Year	$$$
T01	Express Transit Service	5-Year	$$
T03	Fixed Route Service Improvements	5-Year	$$
T05	SR-224 High-Capacity Transit (BRT)	5-Year	$$$$$
T06	SR-248 High-Capacity Transit	5-Year	$$$$
T08	Aerial Connections	Big Concepts	$
T12	Bonanza District Multimodal Hub	5-Year	$$$$
T16	Flex Transit Lanes	Big Concepts	$$$$
T18	Marketing and Communications	Current Process / Policy	$

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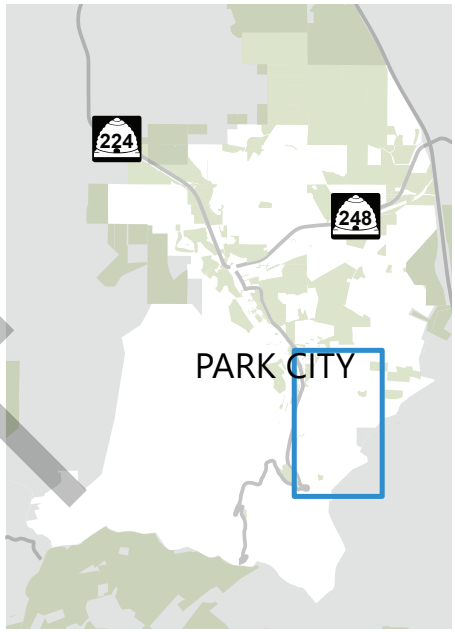
DEER VALLEY RESORT AREA

THE PLACE

The Deer Valley node includes the ski resort and surrounding lodging, restaurants, homes, and recreational opportunities. Visitors come from across the region and world to visit this node, and the resort is one of Park City's largest employers. The roadway network is limited due to topography and streets can be narrow, have steep grades, and often lack sidewalks. Large surface lots provide parking options, but several bus lines also connect directly to local and regional destinations.

The area looks to the future with a focus on investments that can improve multimodal access for locals, visitors and guests, and employees. Proactive parking management and robust employee commute programs will be needed to further reduce vehicle trips and congestion. New technologies can support more guest and visitor mobility options.



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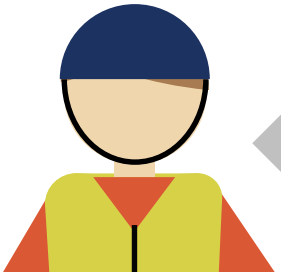
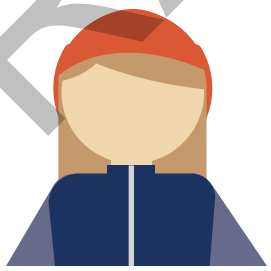
THE PEOPLE



Recreation Day-tripper

- Drives from Summit County, Wasatch County, or Wasatch Front
- Could use park-and-ride and transit, especially at peak periods
- Can utilize bike share system and trails in summer to move about without a car



Seasonal Employee

- Works and plays here during the ski and summer seasons
- Regional commutes pose travel challenges, but park-and-ride options and alternatives to driving are growing

Long-stay Visitor/Second Homeowner

- Has a home and vehicle nearby and can walk, bike, or take transit
- Distance from daily services often necessitates vehicle trips into Park City's core
- Complimentary and private shuttle options support shared vehicle trips into Park City

KEY CHALLENGES

Transit provides direct service to the resort and surrounding area, but buses are often stuck in traffic.

There are limited opportunities for **storing ski gear** on buses and at transit hubs.

Balancing the needs of **all modes** on Deer Valley Drive.

Low-density development, steep topography, and a lack of sidewalks make **walking less comfortable** than in Park City's core.

Free parking lots incentivize driving and reduce available land for a greater mix of uses.

Resort guests may be less familiar with, or comfortable using, **non-driving options**.

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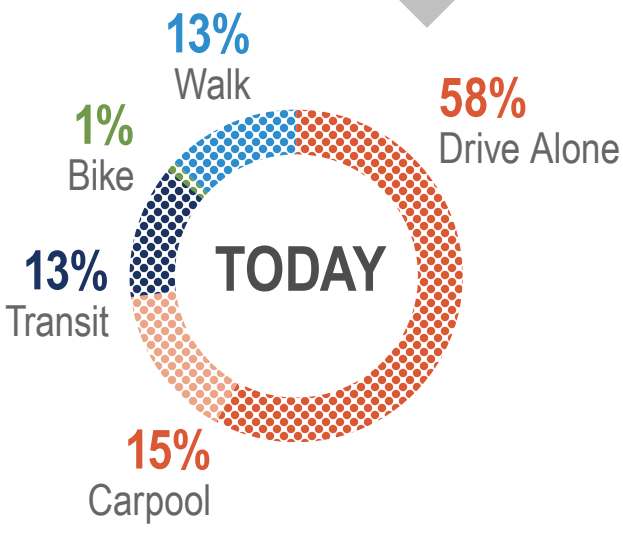
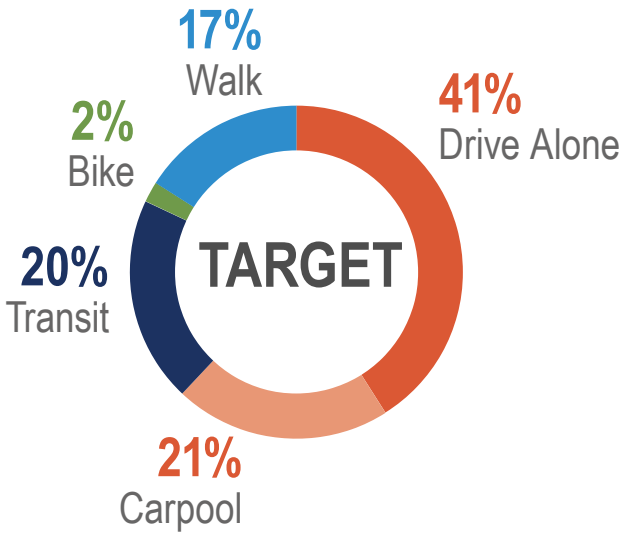
MODE SPLIT TARGETS

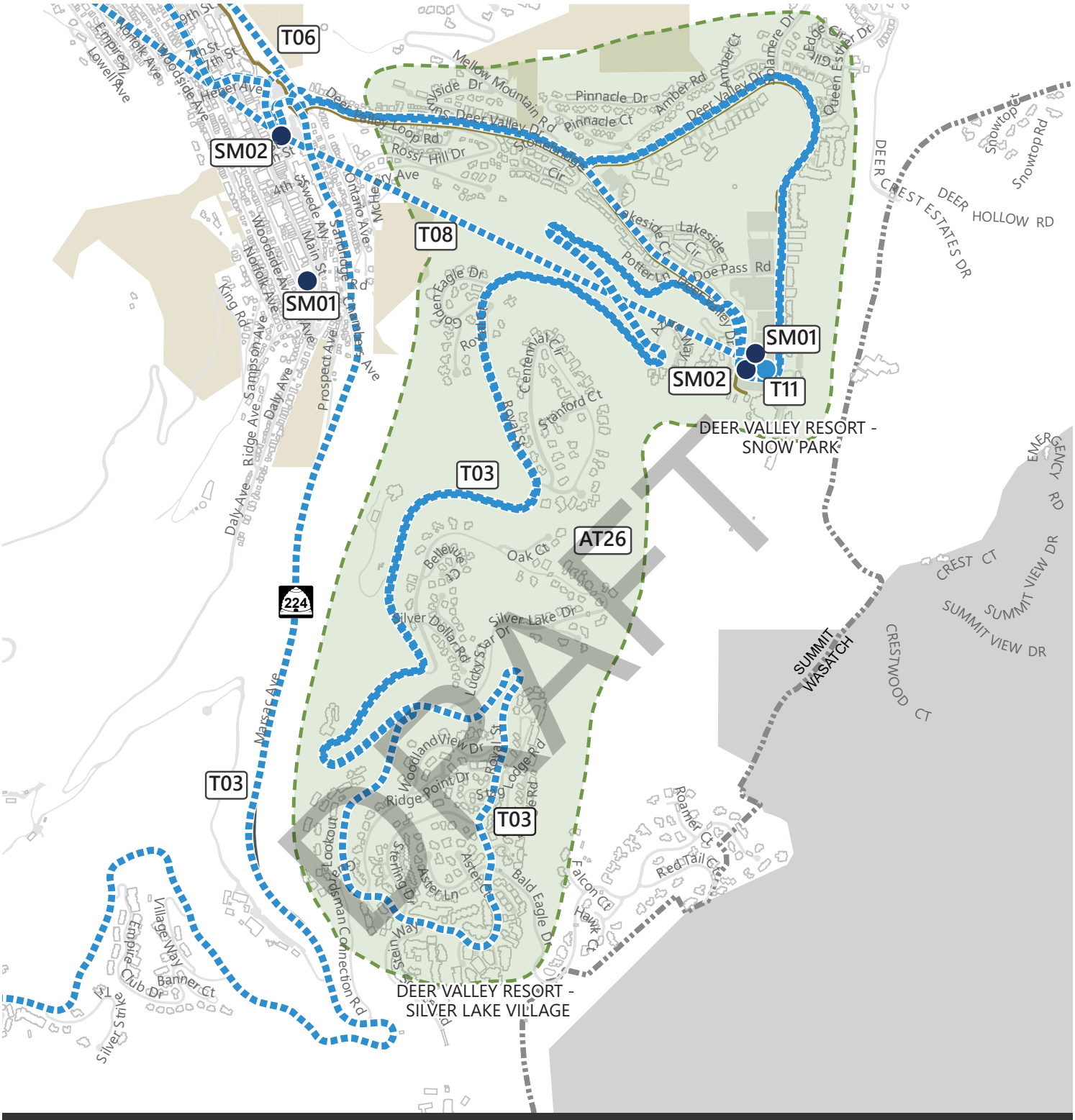
Direct bus service means that a substantial share of guests and employees take transit to and from Deer Valley, and walking is also a popular choice within the node. However, most people arrive by automobile; nearly 60% of trips are drive-alone.

With multimodal improvements, robust parking management, and expanded travel demand management programs, Park City Forward sets the goal of reducing drive alone trips to 41%, and increasing transit, walk and bike trips.





Source: rMove, US Census Transportation Planning Products



Deer Valley Resort Area

Data Sources: Park City

Projects

- Transit
- Multimodal
- Active Transportation

- Multi-Use Trail
- Park
- Open Space
- City Limits

Miles 0 0.15 0.3

OUR PLAN

Park City Forward projects will make it even easier to get to Deer Valley by transit, biking, and walking. Priority investments include roadway and intersection improvements along Deer Valley Drive that allow transit to travel faster, and pedestrians and bicyclists to move safely. A multimodal hub will help support growth and new uses. Less surface parking, parking management, and additional incentives for non-drive alone employees will reduce vehicle trips.

Projects, Policies, + Programs

Project ID	Name	Priority	Cost
AT20	Bike Parking and Amenities	Current Process / Policy	$$
AT25	Tactical Urbanism	Current Process / Policy	$
AT26	Upper Deer Valley Resort Complete Streets	5-Year	$$$$
P02	Shared Parking Facilities	Vision	$
P03	Flexible Curb Zones and Platforms	5-Year	$$$$
P04	High Occupancy Vehicle (HOV) Parking	5-Year	$
P05	Wayfinding, Real-time Information, and Data	5-Year	$$
P06	Enforcement	Current Process / Policy	$$
P08	Transportation Demand Management (TDM) Requirements	5-Year	$
P09	Parking Pricing	5-Year	$
P11	Marketing & Communications	5-Year	$
P12	Mobility and Transportation Demand Management (TDM) Programs	5-Year	$$
SM01	Summit Bike Share Program	5-Year	$$
SM02	Mobility Hubs	5-Year	$$$
T01	Express Transit Service	5-Year	$$
T02	Flexible Transit Zones	5-Year	$$
T03	Fixed Route Service Improvements	5-Year	$$
T06	SR-248 High-Capacity Transit	5-Year	$$$$
T08	Aerial Connections	Big Concepts	$
T11	Deer Valley Resort Multimodal Hub	5-Year	$
T18	Marketing and Communications	Current Process / Policy	$

Full project descriptions can be found in Chapter 6

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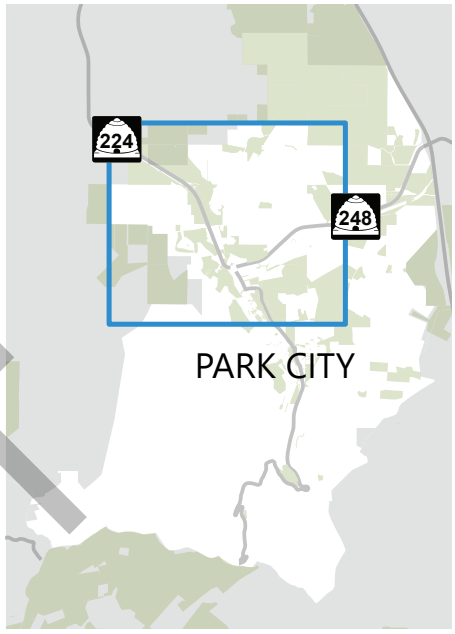
NEIGHBORHOODS

THE PLACE

Park City's lower-density neighborhoods include Park Meadows, Thaynes Canyon, and Park City Heights. They serve long-standing residential communities, along with Park City's public schools, Recreation Center and golf courses, and many trailheads. The Neighborhoods have proximate access to the SR-224 and SR-248 gateway corridors and their internal streets serve slower vehicle traffic on narrower rights-of-way.

While the Neighborhoods are close to local businesses and other destinations in the Arts & Culture, Prospector, and Old Town nodes, they feel cut off by larger arterials and long crossing distances. Lower densities, a more fragmented street network, and fewer sidewalks make the Neighborhoods less amenable to trips by transit, biking, and walking.



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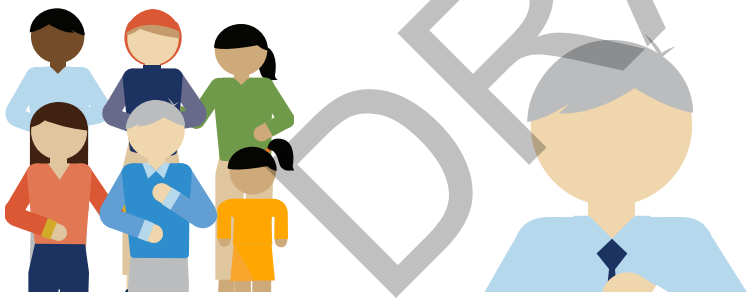
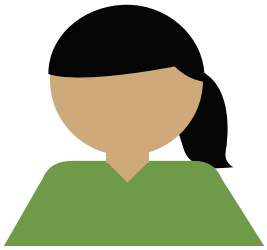
THE PEOPLE





Park City Resident

- Enjoys access to trails, golf courses, and other outdoor activities
- Can meet most daily needs nearby, but many trips are more convenient by car
- Have proximate access to gateway corridors, but must navigate peak periods of congestion

Long-stay Visitor/Second homeowner

- Lives here only part of the year and may be less familiar with Park City's transit system
- Takes advantage of recreational facilities and trailheads without always driving

Business Owner/Year-round Employee

- May also live in these neighborhoods, allowing for shorter trips to work
- Getting to transit service on the gateway corridors can take longer than just driving

KEY CHALLENGES

A fragmented street grid results in fewer direct routes for people walking and biking.

Streets **lack sidewalks and bicycle facilities**.

Entrances to Park City High School, Treasure Mountain Junior High School, and McPolin Elementary are off of **Kearns Blvd./SR-248**, which poses a barrier to walking and biking for students.

The area is difficult to serve cost-effectively with **fixed-route bus service** – only one bus route serves the Park Meadows and Thaynes Canyon neighborhoods, with service every 30 minutes.

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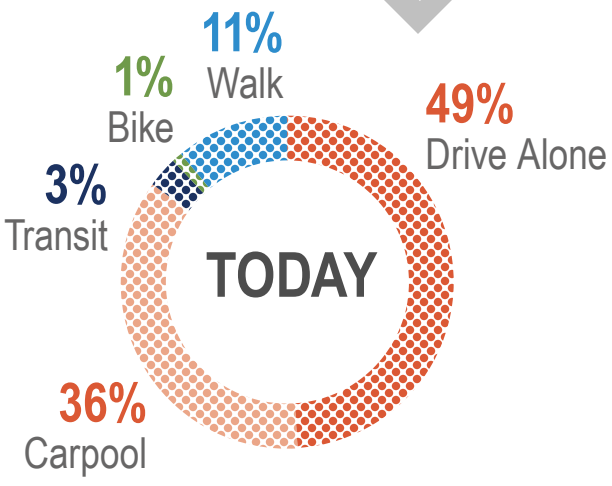
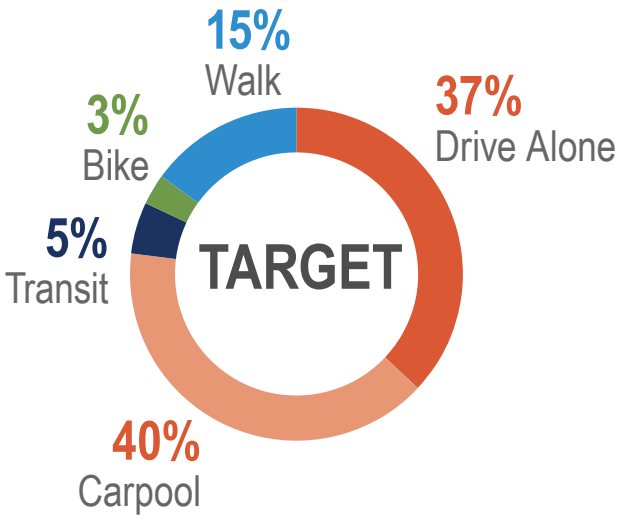
MODE SPLIT TARGETS

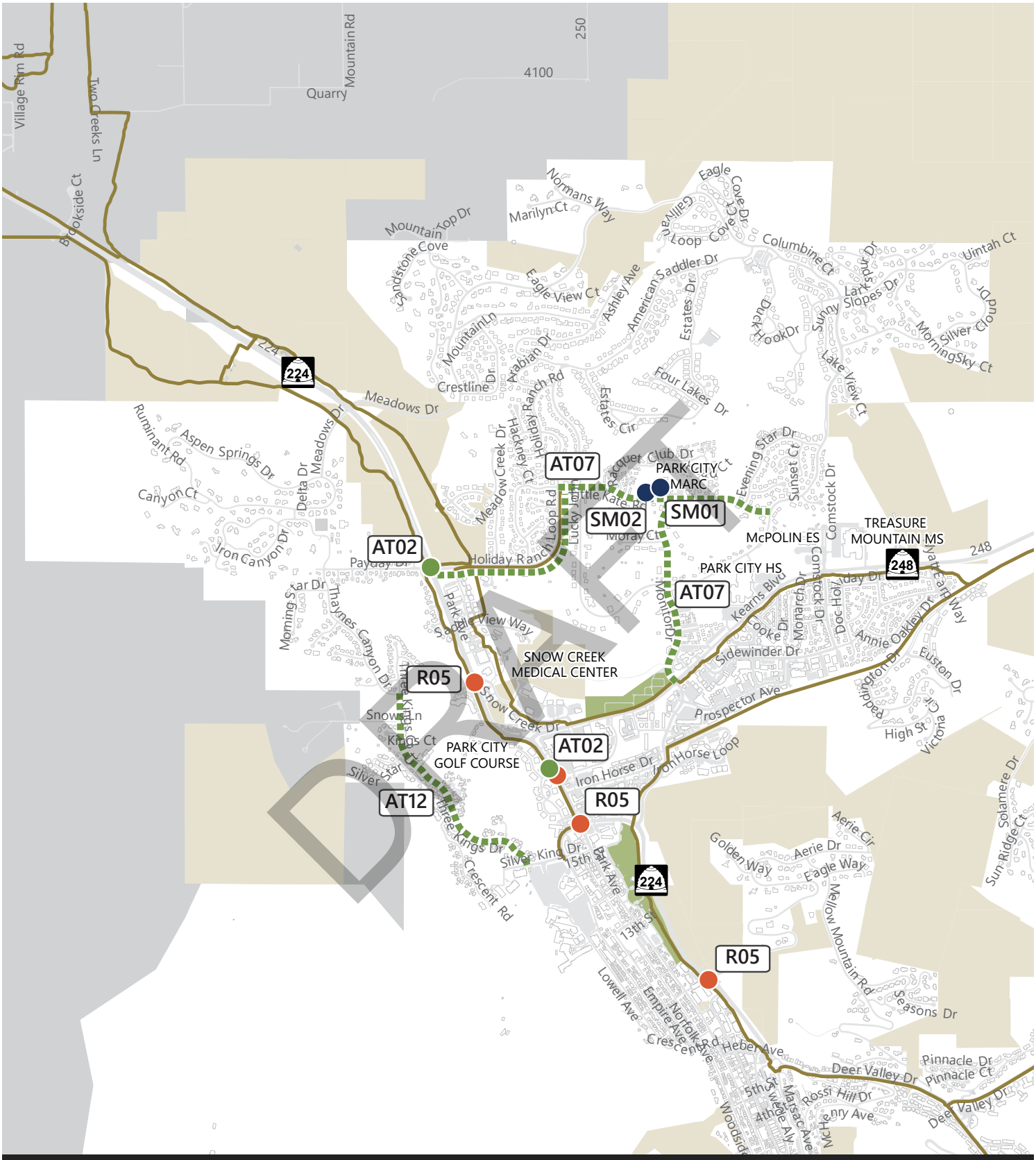
Today, about 85% of trips to and within the neighborhoods are taken by car, but many people carpool and only half of all trips are drive-alone. Walking is also a popular choice, at 11% of trips.

Park City Forward's goal is to reduce drive-alone trips even further by increasing transit, bike, walk, and carpool trips to roughly two-thirds of all trips.





Source: rMove, US Census Transportation Planning Products



The Neighborhoods

Data Sources: Park City

Projects

- Active Transportation
- Roadway
- Multimodal

- Multi-Use Trail
- Park
- Open Space
- City Limits

Miles 0 0.2 0.4

OUR PLAN

Park City's Neighborhoods can continue to maximize the use of transit, biking, walking, and shared rides with strategic investments. Park City Forward prioritizes safer neighborhood walking and biking facilities and arterial crossings, as well as street design standards that ensure future developments maximize active transportation. Flexible, on-demand shuttle services present new opportunities to serve residents by transit. Technologies and programs that incentivize multimodal school trips will greatly reduce vehicle traffic.

Projects, Policies, + Programs

Project ID	Name	Priority	Cost
AT02	Pedestrian Crossings Improvements	5-Year	$$$$$
AT07	Park Meadows Bikeways	Vision	$$$$
AT12	Three Kings Drive Complete Street	5-Year	$$$$
AT13	Flex Bike Lanes	Vision	$$
AT15	Safe Routes to School and Youth Mobility	5-Year	$
AT22	Neighborhood Byways Enhancements	Vision	$$$
AT25	Tactical Urbanism	Current Process / Policy	$
P06	Enforcement	Current Process / Policy	$$
P10	Residential Parking	Vision	$
R05	Intersection Improvements (UDOT)	5-Year	$$$$$
R11	Neighborhood Traffic Management Program (NTMP)	Current Process / Policy	$
SM01	Summit Bike Share Program	5-Year	$$
SM02	Mobility Hubs	5-Year	$$$
T02	Flexible Transit Zones	5-Year	$$

Full project descriptions can be found in Chapter 6

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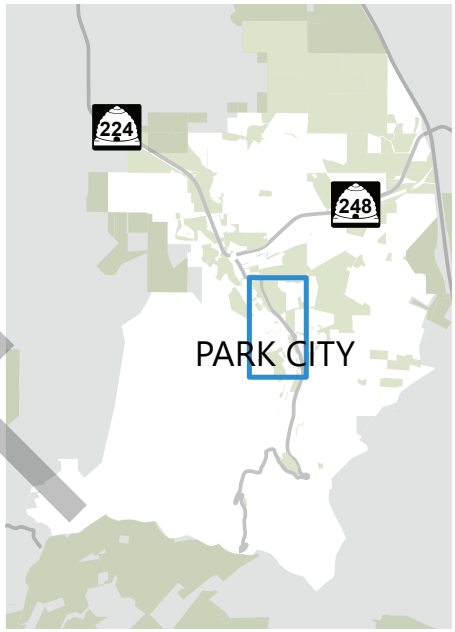
OLD TOWN

THE PLACE

Old Town is the historic heart of Park City. With its dining, shopping, lodging, and entertainment options, Old Town is a renowned hub of activity that attracts visitors and residents alike. It is also a major employment center, home to about a quarter of Park City's diverse jobs. The area is well-served by transit with bus lines connecting the Old Town Transit Center to many local and regional destinations.

Old Town will not grow as much as other parts of Park City, in part due to the existing density and many historic buildings. However, Old Town will continue to navigate daily and seasonal influxes of people and vehicles on a very constrained road network. Balancing access for multiple trip types and modes, especially through parking management, remains an ongoing priority.



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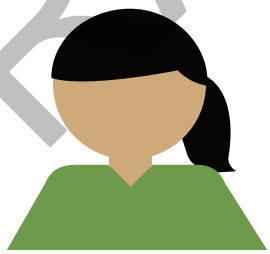
THE PEOPLE

Park City Resident

- Works, dines, visits, or plays here, and places a premium on local businesses
- Takes advantage of strong transit connections and walks or bikes when possible
- Understands the economic value of Old Town and wants to preserve its unique history
- Has concerns about spillover parking and congestion



Business owner/Year-round Employee

- Travels to area every day to work or manage business
- Wants to ensure that their business and customers have convenient parking options
- Needs robust travels options to get to and from work, often at non-peak times

Culture and Event Visitor

- Visits for events, dining, and entertainment
- Enjoys walkability and convenient connections to ski resorts
- Will often drive, but also utilizes transit, shuttles, biking, or ride share services

KEY CHALLENGES

Topography and historic character limit roadway capacity and street grid connectivity.

As a year-round activity hub with major annual events, streets must balance multiple modes and people movement in a **narrow right-of-way**. This is exacerbated by snow.

Employees come from across the region, making it difficult to shift to non-driving modes.

Parking supply is limited and in high demand, and must be managed to balance the needs of residents, employees, and customers.

Front-door **loading access and parking** at the curb is at a premium.

GPS-based apps add to **congestion and circulation problems** at peak times.

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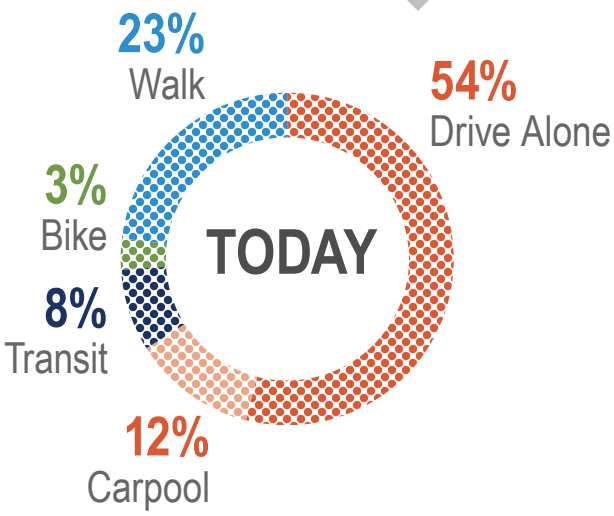
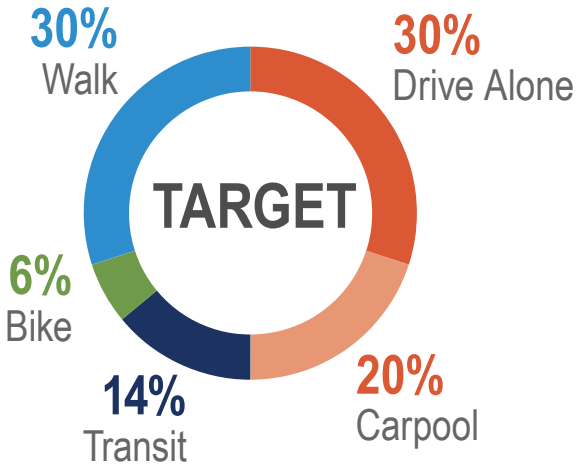
MODE SPLIT TARGETS

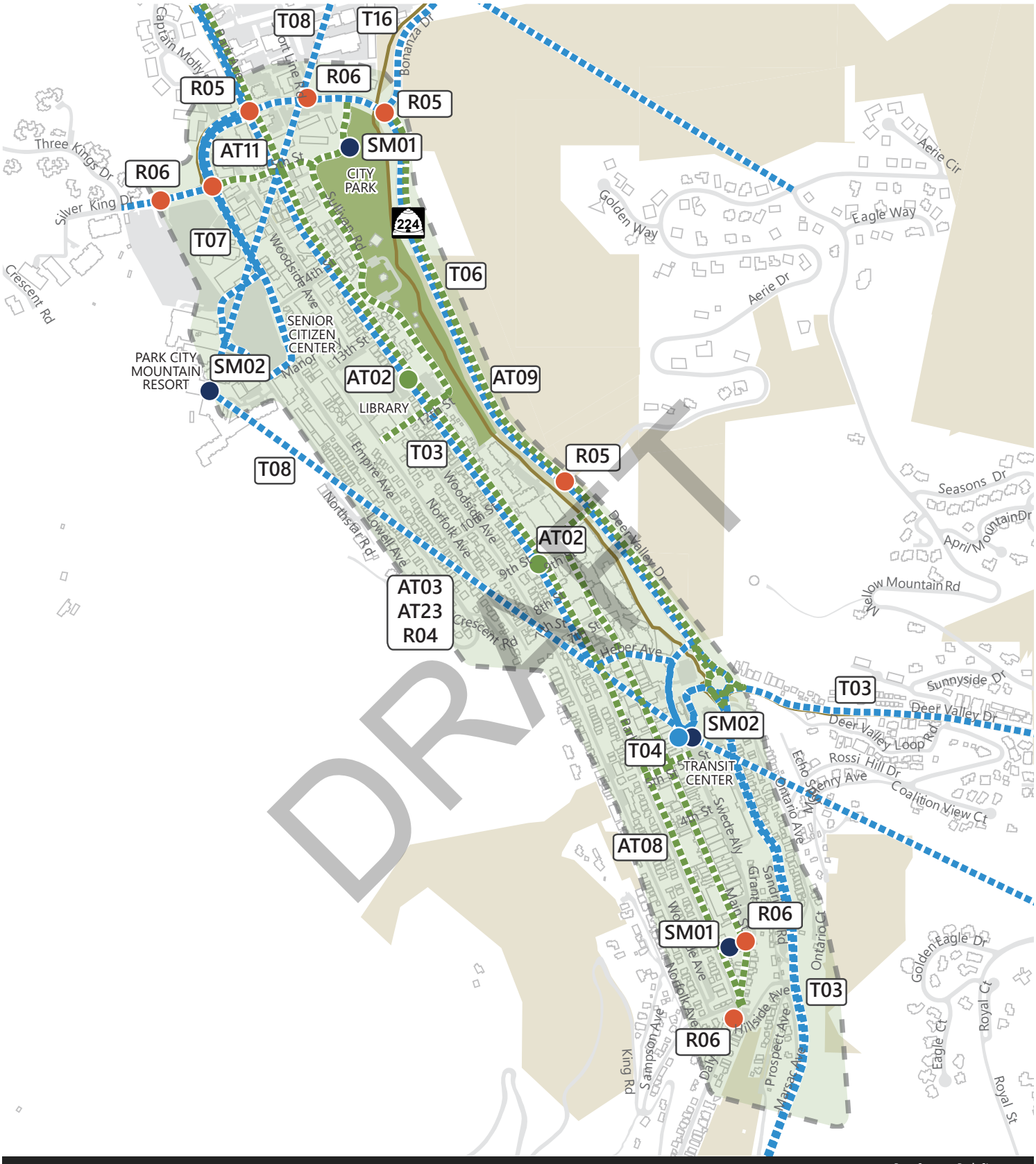
Old Town is a hub of activity for all modes, but its pedestrian-oriented streets are one of its primary attractions. Old Town has the highest share of walking and biking trips in the city at more than one quarter of all trips.

However, more than half of existing trips are drive alone. Park City Forward establishes a target of 50% for biking, walking, and transit by 2050, with half of trips made by car and a greater share of them by carpool.





Source: rMove, US Census Transportation Planning Products



Old Town

Data Sources: Park City

Projects

- Transit
- Roadway
- Multimodal
- Active Transportation
- Technology & Innovation

- Multi-Use Trail
- Park
- Open Space

Miles 0 0.1 0.2

OUR PLAN

Park City Forward focuses on a preservation and expansion of Old Town's walkability, bike connections, and transit access, while continuing to provide reasonable access for vehicles and those who need to park. Priority investments will focus on safety improvements, complete streets, and projects that move people and not just cars. Parking management must ensure that limited supply is effectively regulated through pricing, permits, and non-driving incentives.

Projects, Policies, + Programs

Project ID	Name	Priority	Cost
AT02	Pedestrian Crossings Improvements	5-Year	$$$$$
AT03	Old Town Complete Street Improvement Zone	5-Year	$$$$
AT08	Park Avenue Complete Streets	5-Year	$$$$$
AT09	SR-224/Deer Valley Drive Bicycle and Ped Improvements	5-Year	$$$
AT11	15th Street Improvements	Vision	$$
AT13	Flex Bike Lanes	Vision	$$
AT20	Bike Parking and Amenities	Current Process / Policy	$$
AT22	Neighborhood Byways Enhancements	Vision	$$$
AT23	Old Town Stairs Improvements	Vision	$$$
AT25	Tactical Urbanism	Current Process / Policy	$
P02	Shared Parking Facilities	Vision	$
P03	Flexible Curb Zones and Platforms	5-Year	$$$$
P04	High Occupancy Vehicle (HOV) Parking	5-Year	$
P05	Wayfinding, Real-time Information, and Data	5-Year	$$
P06	Enforcement	Current Process / Policy	$$
P08	Transportation Demand Management (TDM) Requirements	5-Year	$
P09	Parking Pricing	5-Year	$
P10	Residential Parking	Vision	$
P11	Marketing & Communications	5-Year	$
P12	Mobility and Transportation Demand Management (TDM) Programs	5-Year	$$
R04	Old Town One-Way Streets	Big Concepts	$
R05	Intersection Improvements (UDOT)	5-Year	$$$$$
R06	Intersection Improvements (Local)	5-Year	$$$$$$
R11	Neighborhood Traffic Management Program (NTMP)	Current Process / Policy	$
SM01	Summit Bike Share Program	5-Year	$$
SM02	Mobility Hubs	5-Year	$$$
T01	Express Transit Service	5-Year	$$
T03	Fixed Route Service Improvements	5-Year	$$
T04	PC-SLC Connect	Big Concepts	$$
T05	SR-224 High-Capacity Transit (BRT)	5-Year	$$$$$
T07	SR-224/Park Ave./Empire Ave. Transit Priority	5-Year	$$
T08	Aerial Connections	Big Concepts	$
T16	Flex Transit Lanes	Big Concepts	$$$$
T18	Marketing and Communications	Current Process / Policy	$

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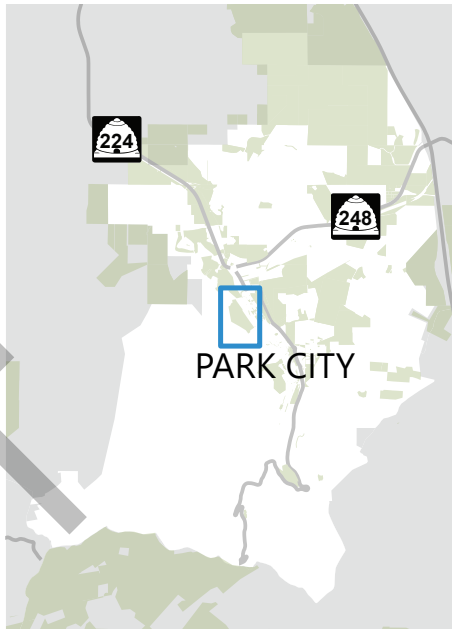
Full project descriptions can be found in Chapter 6

PARK CITY MOUNTAIN RESORT

THE PLACE

Park City Mountain Resort (PCMR) is one of Park City's many unique assets. As a world-class skiing destination adjacent to a thriving downtown, it offers employment and recreation opportunities that can be reached by many modes. PCMR is one of Park City's largest employers, with over 1,500 employees as of 2019.

A focus on improving access to the resort will allow PCMR to grow and evolve as a mixed-use and multimodal hub. Infrastructure improvements can speed up transit connections and further investment in parking management and employee commute programs will reduce vehicle trips and congestion.



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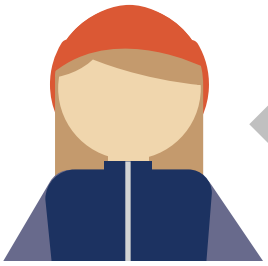
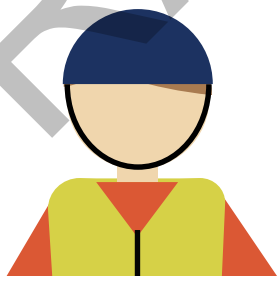
THE PEOPLE



Seasonal Employee

- Works and plays here during the ski and summer seasons
- Often uses car-free options to get to work, but regional commutes pose travel challenges



Recreation Day-tripper

- Drives from Summit County, Wasatch County, or Wasatch Front
- Incentivized to use park-and-ride and transit, especially at peak periods
- Patronizes local shops, restaurants, and bars in Old Town after a day on the slopes

Long-stay Visitor/Second Homeowner

- May live in close enough proximity to walk, bike, or take transit
- Less familiar with, or comfortable using, Park City's non-driving options

KEY CHALLENGES

Managing peak travel demands on a **constrained road network**.

Transit provides direct service to the resort, but buses are often **stuck in traffic**.

Balancing the **needs of all modes** and users, especially on streets serving the resort and surrounding residential neighborhoods.

Free surface parking lots incentivize driving and create a challenging environment for walking and biking.

Employees live across the region, often without access to direct transit services.

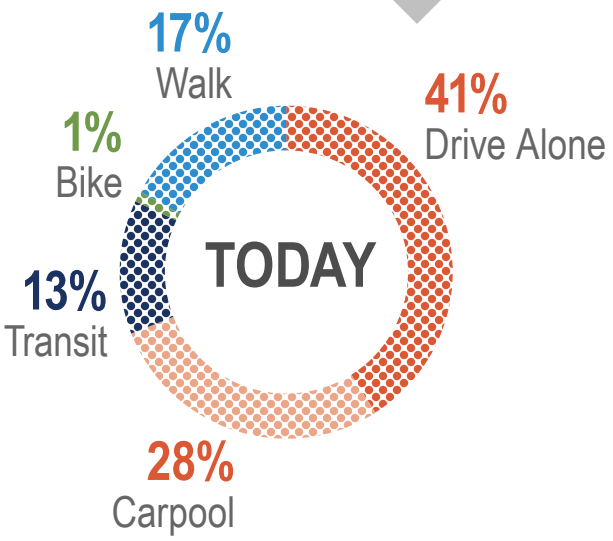
Major mixed-use development in the future will bring more people, but can support reduced reliance on vehicle access.

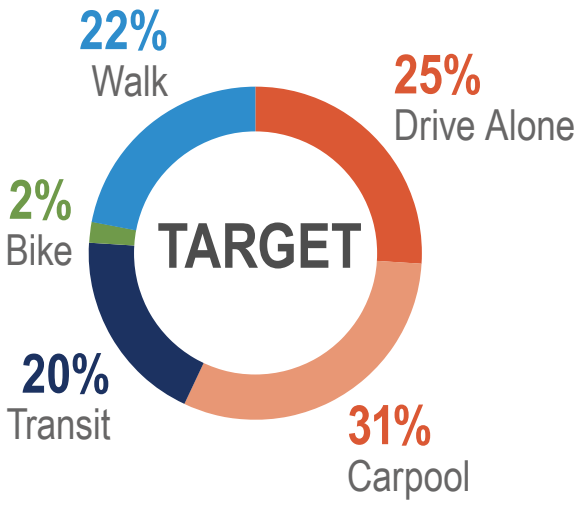
DRAFT

MODE SPLIT TARGETS

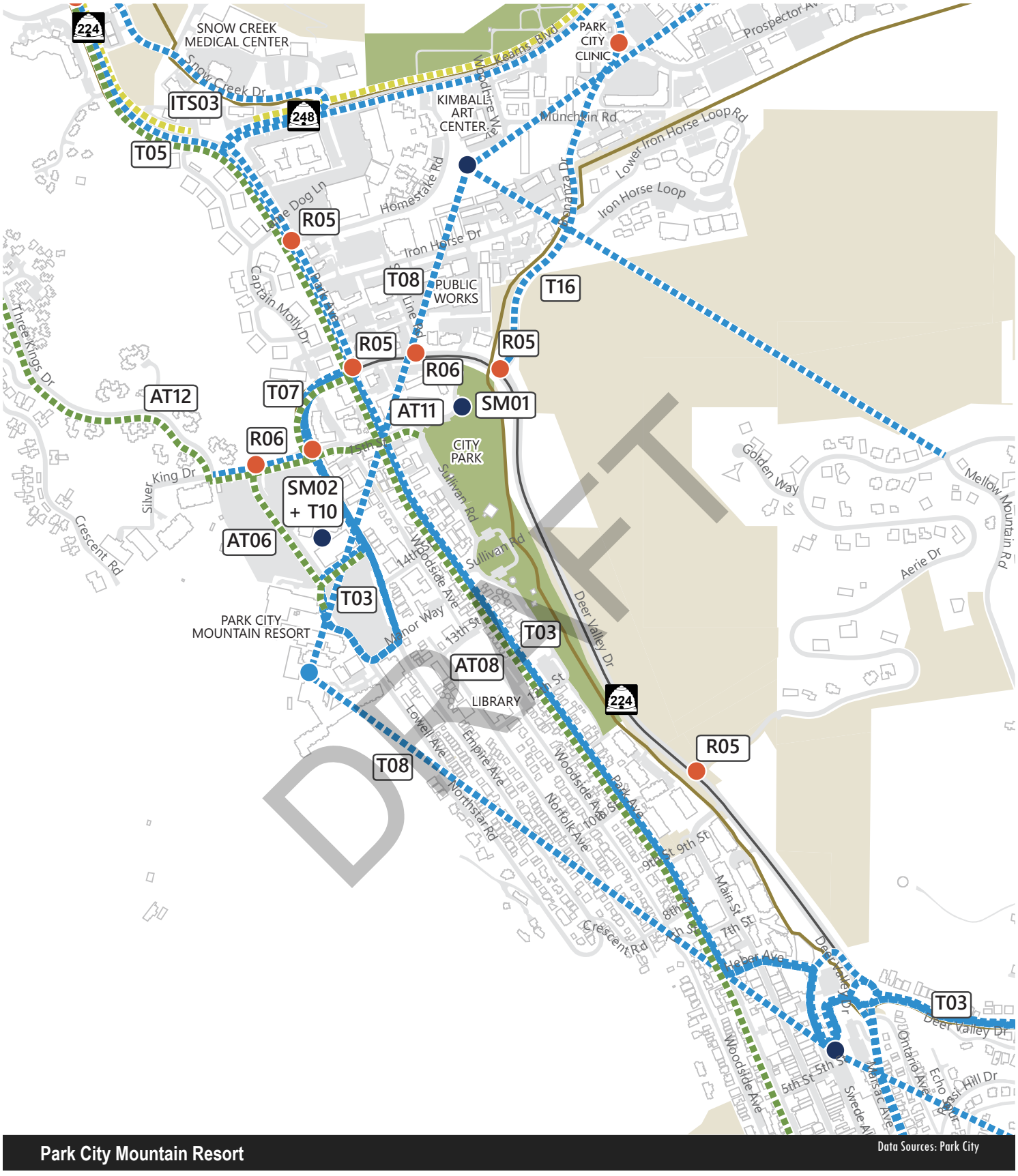
PCMR's central location means many people take transit, walk, and share rides to reach it. Today, the drive-alone rate is lower than any other node at 41%. Shared rides to the resort are more than one-quarter of all trips.

Park City Forward seeks to maximize PCMR's location and mobility options, establishing a target of 44% for biking, walking, and transit by 2050, with a goal of reducing drive-alone trips to 25%.





Source: rMove, US Census Transportation Planning Products



Projects

- Transit
- Roadway
- Multimodal
- Active Transportation
- Technology & Innovation

- Multi-Use Trail
- Park
- Open Space

Miles 0 .05 .10

OUR PLAN

Park City Forward projects will make it even easier to get to PCMR by transit, biking, and walking. Priority investments include roadway and intersection improvements that allow transit to bypass congestion and make it safer to walk and bike, a multimodal hub that complements a new mix of land uses, less surface parking, proactive parking management, and additional incentives for non-drive alone employees.

Projects, Policies, + Programs

Project ID	Name	Priority	Cost
AT06	Park City Mountain Resort (PCMR) Multimodal Connections	5-Year	$
AT08	Park Avenue Complete Streets	5-Year	$$$$$
AT11	15th Street Improvements	Vision	$$
AT12	Three Kings Drive Complete Street	5-Year	$$$$
AT13	Flex Bike Lanes	Vision	$$
AT20	Bike Parking and Amenities	Current Process / Policy	$$
AT25	Tactical Urbanism	Current Process / Policy	$
ITS03	Park City's Smart Gateway	Vision	$$$$
P02	Shared Parking Facilities	Vision	$
P03	Flexible Curb Zones and Platforms	5-Year	$$$$
P04	High Occupancy Vehicle (HOV) Parking	5-Year	$
P05	Wayfinding, Real-time Information, and Data	5-Year	$$
P06	Enforcement	Current Process / Policy	$$
P08	Transportation Demand Management (TDM) Requirements	5-Year	$
P09	Parking Pricing	5-Year	$
P10	Residential Parking	Vision	$
P11	Marketing & Communications	5-Year	$
P12	Mobility and Transportation Demand Management (TDM) Programs	5-Year	$$
R05	Intersection Improvements (UDOT)	5-Year	$$$$$
R06	Intersection Improvements (Local)	5-Year	$$$$$$
SM01	Summit Bike Share Program	5-Year	$$
SM02	Mobility Hubs	5-Year	$$$
T01	Express Transit Service	5-Year	$$
T02	Flexible Transit Zones	5-Year	$$
T03	Fixed Route Service Improvements	5-Year	$$
T05	SR-224 High-Capacity Transit (BRT)	5-Year	$$$$$
T07	SR-224/Park Ave./Empire Ave. Transit Priority	5-Year	$$
T08	Aerial Connections	Big Concepts	$
T10	Park City Mountain Resort (PCMR) Multimodal Hub	5-Year	$
T16	Flex Transit Lanes	Big Concepts	$$$$
T18	Marketing and Communications	Current Process / Policy	$

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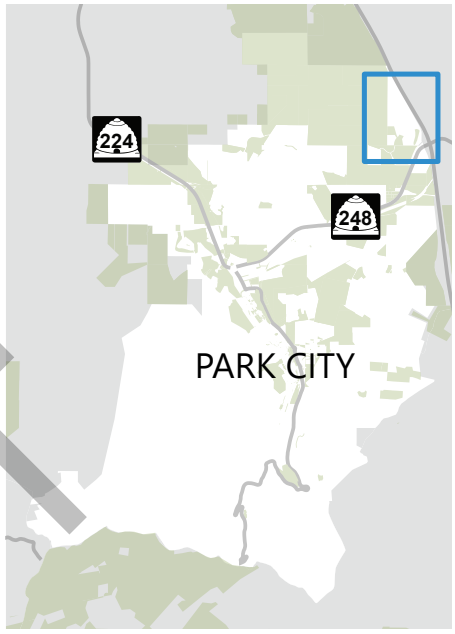
Full project descriptions can be found in Chapter 6

QUINN'S JUNCTION

THE PLACE

Quinn's Junction is a vital node for Park City and the greater region. It sits at the intersection of US-40/US-189 and the SR-248 gateway corridor. It is home to a diverse mix of uses – Park City Hospital and medical facilities, municipal services, and several regionally significant recreational centers. The area is largely auto-oriented, but is connected by one direct transit route.

Quinn's Junction will continue to evolve. Future development in the area calls for an injection of new uses, including the potential for a hotel, offices, and more housing. Major roadway and transit investments along the SR-248, as well as a park-and-ride within the area, will enhance multimodal access to this key node and help to reduce vehicle trips on the SR-248 gateway corridor.



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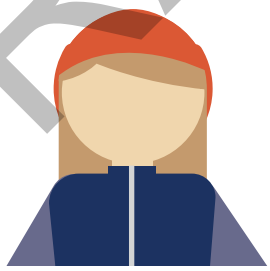
THE PEOPLE



Park City Resident

- Drives or takes transit to medical facilities and services
- Takes advantage of recreational centers, facilities, and trails
- Uses SR-248 gateway connection to regional roadways and highways

Seasonal Employee

- Passes through area to connect to Park City
- Utilizes park-and-ride and transit to get to work during peak seasons and events

Culture and Event Visitor

- Travels via SR-248 gateway corridor
- Uses park-and-rides and transit services during major events
- Visits recreational and cultural centers for event activities

KEY CHALLENGES

- SR-248 has consistent **congestion and delays** during peak hours, seasons, and events.
- The area is dominated by **large, auto-oriented arterials** and freeways.
- People walking and biking have few route options due to a limited **street grid** and internal connectivity.
- Land is **environmentally sensitive**.
- Most streets lack **sidewalks or bicycle facilities.**
- **Lower density** makes it difficult to cost-effectively serve by transit.
- **Richardson Flat Park and Ride** is underutilized due to access issues.

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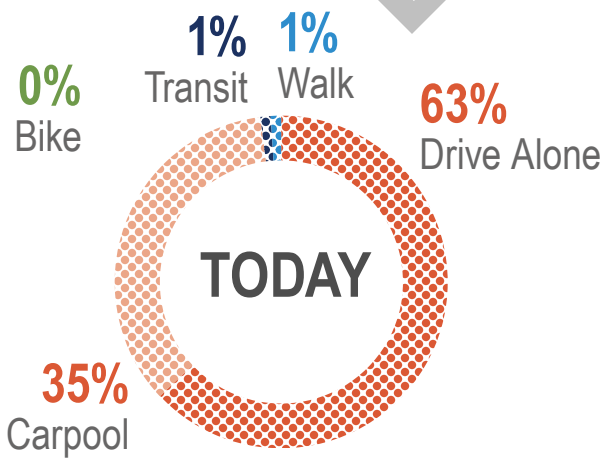
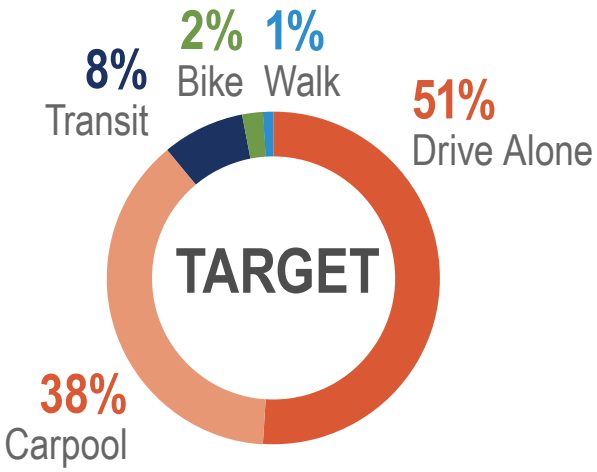
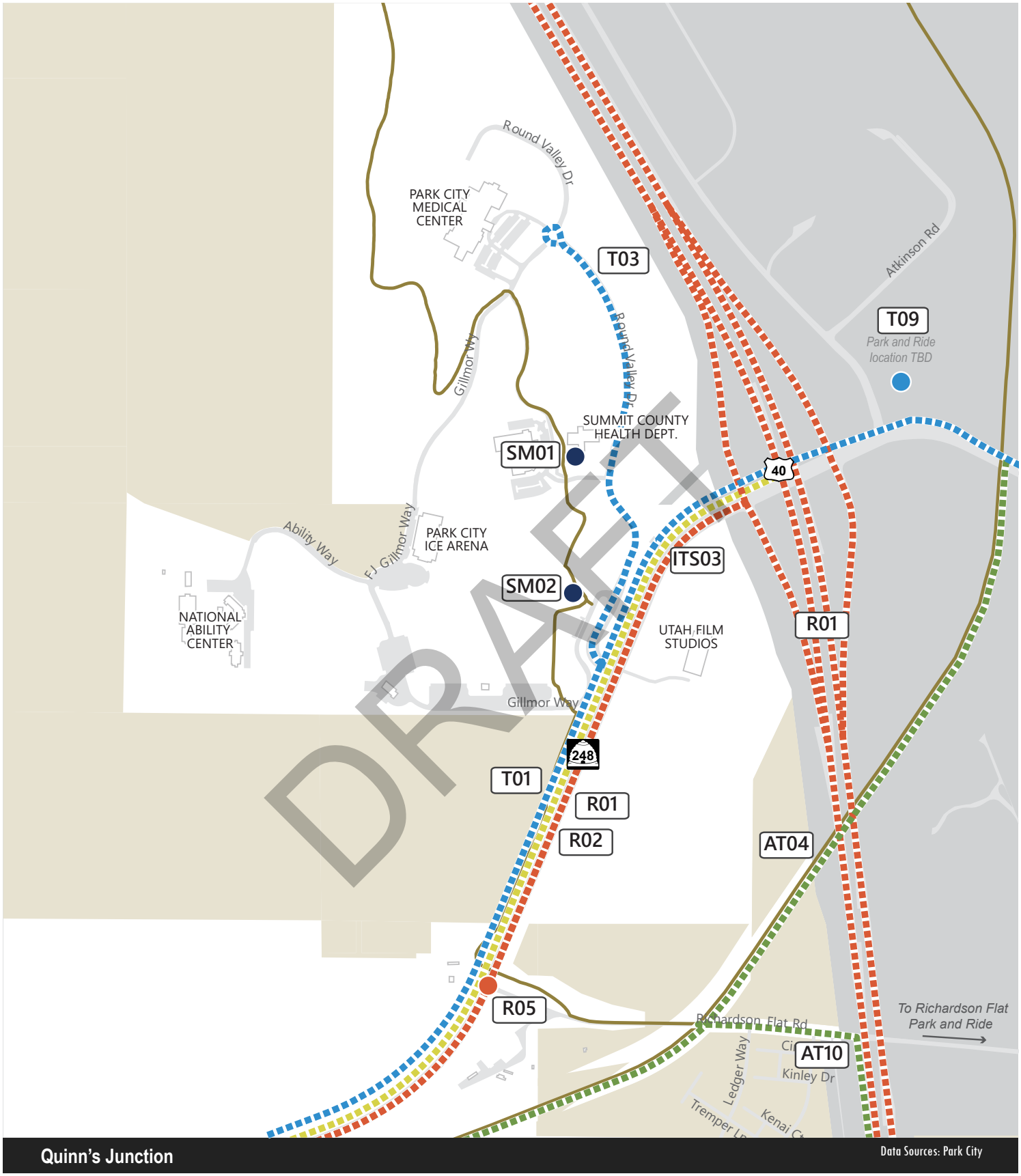
MODE SPLIT TARGETS

Quinn's Junction will continue to grow and evolve in the coming decades, and is expected to add 350 new residents and 1,000 new jobs by 2050.

Today, almost all trips to, from, and within the node are by car. Park City Forward establishes a target of about 50% drive alone trips and over 10% of trips by biking, walking, and transit by 2050.







Quinn's Junction

Data Sources: Park City

Projects

- Transit
- Roadway
- Multimodal
- Active Transportation
- Technology & Innovation

- Multi-Use Trail
- Park
- Open Space
- City Limits

Miles 0 .05 .10

OUR PLAN

Quinn's Junction will continue to serve a crucial transportation role. New investments in transit-only lanes on SR-248 and a new park-and-ride within the node will strengthen the area's ability to get commuters and visitors on transit and reduce daily and event congestion on SR-248. Further investment in TDM incentives and multimodal streets will make it easier and safer to get around Quinn's Junction by walking, biking, and transit.

Projects, Policies, + Programs

Project ID	Name	Priority	Cost
AT04	Rail Trail Expansion	Big Concepts	$$$$
AT10	Wasatch Loop Pathway Connections	Vision	$$$$
AT20	Bike Parking and Amenities	Current Process / Policy	$$
AT25	Tactical Urbanism	Current Process / Policy	$
AT27	Rail Trail Study	Current Process / Policy	$
ITS03	Park City's Smart Gateway	Vision	$$$$
P01	Park-and-Ride Facilities	5-Year	$
P02	Shared Parking Facilities	Vision	$
P04	High Occupancy Vehicle (HOV) Parking	5-Year	$
P05	Wayfinding, Real-time Information, and Data	5-Year	$$
P08	Transportation Demand Management (TDM) Requirements	5-Year	$
P09	Parking Pricing	5-Year	$
P12	Mobility and Transportation Demand Management (TDM) Programs	5-Year	$$
R01	Freeway Connections (UDOT)	Vision	$
R02	SR-248 Corridor Mobility Improvement Project	Vision	$$$$$
R05	Intersection Improvements (UDOT)	5-Year	$$$$$
SM01	Summit Bike Share Program	5-Year	$$
SM02	Mobility Hubs	5-Year	$$$
T01	Express Transit Service	5-Year	$$
T02	Flexible Transit Zones	5-Year	$$
T03	Fixed Route Service Improvements	5-Year	$$
T09	Park-and-Ride Facilities	5-Year	$$$$$

Full project descriptions can be found in Chapter 6

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5

OUR SYSTEM: MODAL PLANS

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Park City Forward identifies a set of innovative multimodal infrastructure projects, policies, and programs that will help keep Park City moving and address challenges across each travel mode.

The Nodal Plans in Chapter 4 show how these investments will be applied to key geographies in Park City. Not every project, policy, or program, however, is specific to a defined location. Many support macro policy goals, apply city- and region-wide, or are important for city administration of the transportation system. **The Modal Plans are a key complement to the geographic Nodal Plans.**

This chapter summarizes challenges and solutions by mode: active transportation, transit, parking and transportation demand management, shared mobility, roadways and goods movement, and technology and innovation. It includes the following for each mode:

- **The people:** who uses this mode and what are their habits and needs?
- **Key challenges:** why do we need to invest in this mode?
- **Our plan:** what are the transportation solutions that will improve travel by this mode?

MODAL HIERARCHY

Park City's transportation system relies on all travel modes, from the personal vehicle and 40-passenger bus to the shared bike and sidewalk. All modes must work together to offer flexibility, safety, and convenience. Costs, benefits, and impacts by mode, however, are not equal.

Park City Forward developed a modal hierarchy that reflects its commitment to a people-centered approach to transportation – it prioritizes pedestrians, bikes, and transit above general-purpose vehicles and parking.

This modal hierarchy will help Park City balance tradeoffs in policy decisions, financial programming, and design decisions for individual projects with the overall Park City Forward vision and goals in mind.

ACTIVE TRANSPORTATION

THE MODE

Active transportation includes walking, riding a bicycle, rolling in a wheelchair, and other human-powered forms of mobility. This mode is a natural extension of Park City's outdoor ethos and adventure offerings. Active transportation also helps Park City meet its goals by providing people with affordable, zero-emission transportation options.

The future active transportation system will extend low-stress sidewalks, paths, and bike lanes through the city and region, providing access for people of all ages and levels of comfort. Park City Forward includes new sidewalks, bike lanes and routes, and safer opportunities to cross busy streets. Park City Forward also offers programs and policies to encourage people to choose active transportation modes.

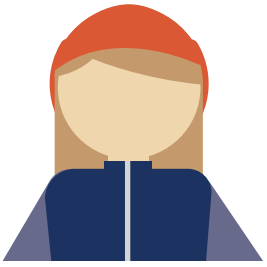
THE PEOPLE

Park City Resident

- Bikes and walks for errands, exercise, and to work
- Appreciates opportunities to bike and walk with kids and would like more kid-friendly facilities
- Takes advantage of calmer residential streets and low-stress off-street paths, but will often avoid riding on auto-oriented streets

Long-stay visitor/second homeowner

- Accustomed to driving, but open to walking and biking for shorter trips if it is convenient
- Comes to Park City for unique experiences – walking to dinner or riding a shared e-bike
- Less likely to choose active modes when visiting for the winter ski season



Seasonal employee

- Lives in multifamily/shared housing and can often meet daily needs on foot and bicycle
- Safer connections to work would encourage more biking and walking

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KEY CHALLENGES

- The **trail network** is comfortable for all ages and abilities, but gaps and a lack of access points mean it is not always the best option for day-to-day transportation.
- Major roads that are **difficult to cross** create an "island" effect – biking and walking are comfortable within neighborhoods but not necessarily between them.
- **Weather** limits walking and biking trips in the busy winter months.
- **Narrow streets** and winter snow limit space for separated bicycle facilities. A common and challenging tradeoff is around preserving travel lanes and/or on-street parking.

OUR PLAN

Modal Principles

- **Put safety first.** Pedestrians and bicyclists are much more likely to be injured or killed in collisions than people in motor vehicles.
- **Take a Complete Streets approach.** Design streets to move people by all modes.
- **Design the bicycle network for all ages and abilities**. Physical separation from cars makes bicyclists feel comfortable and safe. Follow national guidance to implement bike facilities that are appropriate for the speed and traffic volumes of each roadway type.
- **Prioritize safe routes to schools and transit stops.** Focus sidewalk, crossing, and bikeway improvements on streets that connect to schools, transit stops, and major activity nodes.
- **Be comprehensive.** Complement infrastructure with policies and programs that incentivize more active trips.

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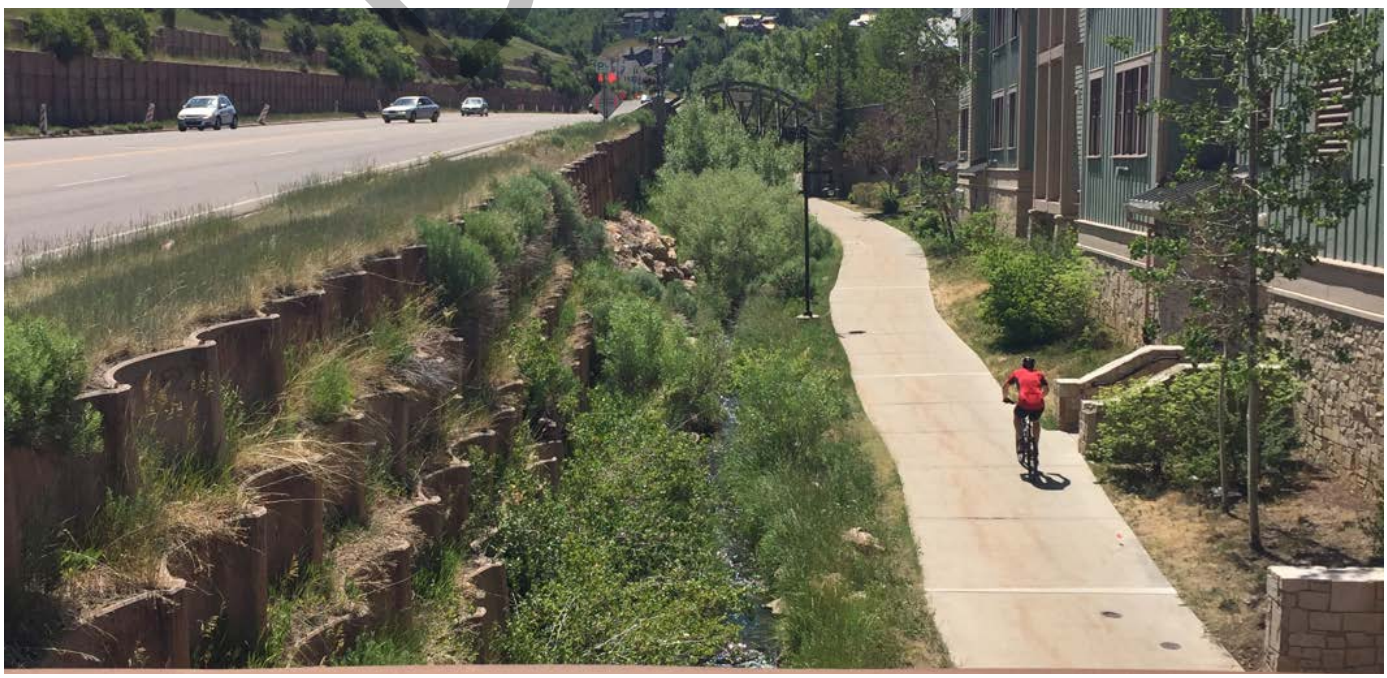

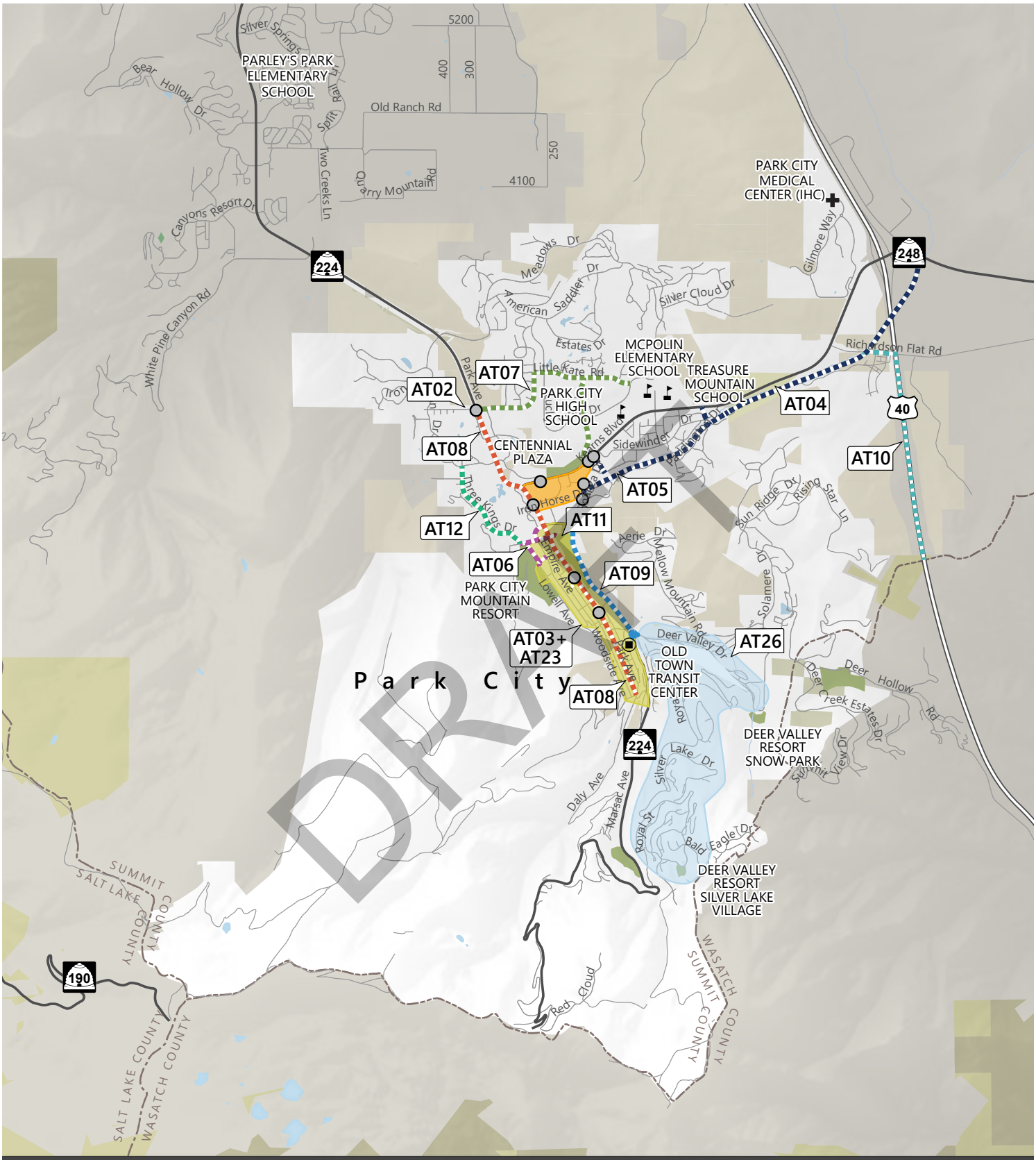

Active Transportation Projects

Data Sources: City of Park City, Utah Automated Geographic Reference Center

AT02	AT07	AT10	AT03 + AT23
AT04	AT08	AT11	AT05
AT06	AT09	AT12	AT26

City Limits

County Line

Miles 0 0.5 1

Projects, Policies, + Programs

Project ID	Name	Priority	Cost
AT01	Active Transportation Master Plan	Current Process / Policy	$
AT02	Pedestrian Crossings Improvements	5-Year	$$$$$
AT03	Old Town Complete Street Improvement Zone	5-Year	$$$$
AT04	Rail Trail Expansion	Big Concepts	$$$$
AT05	Bonanza District Complete Streets Improvement Zone	5-Year	$$$
AT06	Park City Mountain Resort (PCMR) Multimodal Connections	5-Year	$
AT07	Park Meadows Bikeways	Vision	$$$$
AT08	Park Avenue Complete Streets	5-Year	$$$$$
AT09	SR-224/Deer Valley Drive Bicycle and Ped Improvements	5-Year	$$$
AT10	Wasatch Loop Pathway Connections	Vision	$$$$
AT11	15th Street Improvements	Vision	$$
AT12	Three Kings Drive Complete Street	5-Year	$$$$
AT13	Flex Bike Lanes	Vision	$$
AT14	Vision Zero Policy	Vision	$
AT15	Safe Routes to School and Youth Mobility	5-Year	$
AT16	Development Standards	5-Year	$
AT17	Unified Active Transportation Wayfinding Program	Vision	$$
AT18	Sidewalk Infill Program	Vision	$$$$
AT19	Accessibility Plan	Vision	$$
AT20	Bike Parking and Amenities	Current Process / Policy	$$
AT21	Maintenance Program	Current Process / Policy	$$$
AT22	Neighborhood Byways Enhancements	Vision	$$$
AT23	Old Town Stairs Improvements	Vision	$$$
AT24	Updated User/Device Policies	5-Year	$
AT25	Tactical Urbanism	Current Process / Policy	$
AT26	Upper Deer Valley Resort Complete Streets	5-Year	$$$$
AT27	Rail Trail Study	Current Process / Policy	$

Full project descriptions can be found in Chapter 6

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PARKING + TDM

THE MODE

An efficient parking system is essential to the long-term success of Park City. Right-sized parking facilities provide access to key destinations and support a thriving local economy. Too little parking will negatively impact key users and trips, while generating frustration for all. Too much parking, however, takes up valuable land, generates vehicle congestion, and disincentivizes multimodal travel.

Transportation demand management (TDM) is a crucial component of an efficient transportation and parking system. Reducing single-occupancy vehicle trips through incentives to take transit, walk, bike, or carpool can reduce roadway congestion and free up scarce parking spaces. City and employer TDM efforts are essential to reducing driving trips and boosting job satisfaction.

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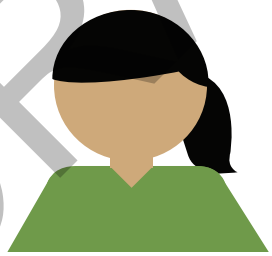
THE PEOPLE

The Park City Resident

- Concerned about parking spillover into residential neighborhoods
- Eager to visit local destinations, but often frustrated by peak parking challenges
- Supportive of multimodal programs and incentives, but driving can often be faster



Business Owner/Year-round Employee

- Desires consistent parking access for employees, customers, and visitors
- Employees want more travel options, but utility of transit depends on where they live
- Major employers have invested in TDM to date and are exploring how to do more

The Recreation Day-tripper

- Driving and parking is often the default option, especially with families and ski gear
- Many are drawn to Park City for its transit, bike, and walking options
- Incentives need to be tailored to unique visitor needs and demographics

KEY CHALLENGES

- Park City **cannot build its way out of its parking challenges**, especially in Old Town and other land constrained areas.
- Parking is very **expensive to build**, maintain, and operate.
- Parking **demand can vary substantially** by geography, time, and season, making it harder to efficiently use parking facilities and calibrate management approaches.
- **TDM programs can be expensive** to initiate and operate.
- Multimodal incentives are designed and distributed at large scale but **must be attractive for each individual.**

OUR PLAN

Modal Principles

- **Right-size parking build and the zoning code.** Ensure available, but not excessive parking is built with new development.
- **Complement and leverage the transit system.** Investments in shared parking and park-and-ride facilities can maximize the utility of new parking and transit infrastructure.
- **Be proactive.** Strategic parking pricing, time limits, and enforcement, especially during peak periods and events, are necessary tools to manage scarce parking resources.
- **Continue to invest in TDM.** Calibrate incentives for the unique needs of residents, employees, and visitors. Require and incentivize major trip generators to do more.
- **Make parking and TDM user-friendly.** Prioritize new technologies that make it easy to find, use, and pay for parking and other modes.

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Projects, Policies, + Programs

Project ID	Name	Priority	Cost
P01	Park-and-Ride Facilities	5-Year	$
P02	Shared Parking Facilities	Vision	$
P03	Flexible Curb Zones and Platforms	5-Year	$$$$
P04	High Occupancy Vehicle (HOV) Parking	5-Year	$
P05	Wayfinding, Real-time Information, and Data	5-Year	$$
P06	Enforcement	Current Process / Policy	$$
P07	Parking Requirements	Current Process / Policy	$
P08	Transportation Demand Management (TDM) Requirements	5-Year	$
P09	Parking Pricing	5-Year	$
P10	Residential Parking	Vision	$
P11	Marketing & Communications	5-Year	$
P12	Mobility and Transportation Demand Management (TDM) Programs	5-Year	$$
P13	Transportation Management Association (TMA)	5-Year	$
P14	Value Pricing	Vision	$

Full project descriptions can be found in Chapter 6

ROADWAYS + GOODS MOVEMENT

THE MODE

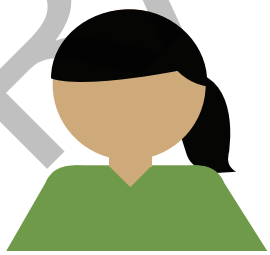
Park City's streets and roadways are the backbone of the transportation system. They connect neighbors to one another, provide access to employment, deliver goods and services, take our kids to school, and welcome thousands of visitors. They also provide a social and environmental function, supporting the creation of unique places and mitigation of climate impacts.

Many Park City streets, however, still prioritize movement of vehicles over safe multimodal travel for all. Park City Forward will help balance competing needs for roadway space through new infrastructure, best practice guidelines, and innovative programs. Changes to our street network, from the visionary to the mundane, will help Park City meet future mobility needs.

THE PEOPLE

The Park City Resident

- Wants to walk and bike more frequently to destinations, but feels unsafe traveling along and across arterial streets
- Prioritizes efficient use of financial resources on major capital projects
- Many live on streets where driving is the quickest and easiest way to access daily needs



Business Owner/Year-round Employee

- Transit offers an affordable way to get to work, but buses are often stuck in traffic
- Efficient movement of goods enables commercial success
- May perceive customer access by vehicles alone as critical for business

The Culture and Event Visitor

- Many use hotel shuttles and take free transit to access events, dining, and shopping
- Are drawn to car-free streets during special events and festivals
- May contribute to congestion by driving or using ride-hail services

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KEY CHALLENGES

- **Auto-oriented corridors and intersections** make travel on foot or by bike less attractive.
- **Roadway network is largely built out**, limiting ability for new streets or lanes. Vehicle capacity upgrades may temporarily relieve congestion but will impact long-term reduction of trips.
- **Winter months require snow removal and storage**, often impacting non-driving infrastructure and modes.
- **Transforming gateway corridors will require substantial resources** and close coordination with state, regional, and county partners.

OUR PLAN

Modal Principles

- **Focus on gateway person capacity.** Improve throughput on major corridors by dedicating lanes to transit and other modes that move lots of people, not just cars.
- **Adopt comprehensive, state-of-the-practice design guidelines.** New street classifications and standards will help resolve modal tradeoffs, while supporting city goals and offering clear direction to decision-makers, staff, and the public.
- **Create safer intersections.** Focus on key intersections to enable safe walking, biking, and rolling across large, busy streets.
- **Fix it first.** Plan for and prioritize the ongoing maintenance of our roadway system.
- **Designate a freight network.** Develop a freight network and flexible curb use practices to ensure efficient deliveries without widening or expanding roads.

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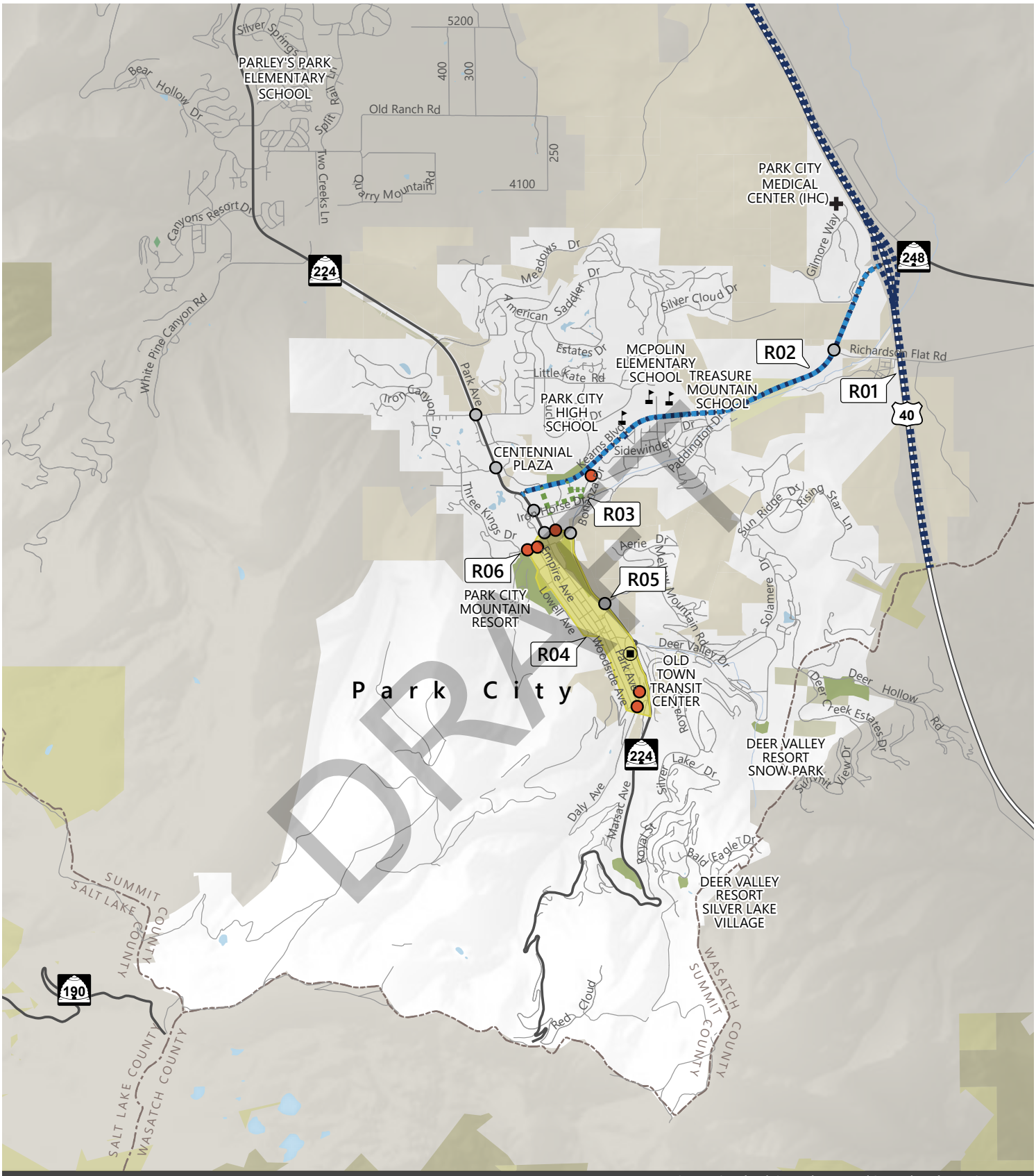

Roadway Projects

Data Sources: City of Park City, Utah Automated Geographic Reference Center

- R05
- R06
- R01
- R02
- R03
- R04
- City Limits
- County Line

Miles 0 0.5 1

Projects, Policies, + Programs

Project ID	Name	Priority	Cost
R01	Freeway Connections (UDOT)	Vision	$
R02	SR-248 Corridor Mobility Improvement Project	Vision	$$$$$
R03	Bonanza District Circulation	5-Year	$$$$
R04	Old Town One-Way Streets	Big Concepts	$
R05	Intersection Improvements (UDOT)	5-Year	$$$$$
R06	Intersection Improvements (Local)	5-Year	$$$$$$
R07	Street Classifications and Standards	5-Year	$
R08	Complete Streets Policy	5-Year	$
R09	Freight Network and Neighborhood Distribution Hubs	Big Concepts	$
R10	Emergency Access Management Plan	Vision	$
R11	Neighborhood Traffic Management Program (NTMP)	Current Process / Policy	$
R12	Strategic Land Acquisition	Vision	$$$$$
R13	State of Good Repair	5-Year	$$$$

Full project descriptions can be found in Chapter 6

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SHARED MOBILITY

THE MODE

Shared mobility refers to transportation options that are available as a short-term rental or service, often provided by private companies and accessed using a smartphone app. Shared mobility has become a small but growing part of Park City's innovative and user-friendly transportation system. Park City and its regional partners have invested in bike share and new on-demand transit services have also been deployed. Park City must manage the complexity of these services, especially loading with ride-hailing services in popular areas.

Park City Forward proposes to expand and enhance its shared mobility offerings. New projects and programs, guided by clear policies, can help Park City navigate this evolving mode and ensure that future services complement other modes and ensure equitable outcomes.

DRAFT

THE PEOPLE

Park City Resident

- Enjoys using the bike share program and may take advantage of the yearly membership
- Sees ride-hailing as a mixed blessing that helps ease parking demand, but can contribute to local traffic
- Desires clear and consistent regulation of service providers for the public good

Recreation Day-tripper

- Enjoys being able to park once and then use shared mobility services to get around
- Would love to have an app that summarizes all of Park City's transportation options and helps with quick decision-making for local trips

Long-stay visitor/second homeowner

- May forego a rental car and driving with local transit and shared mobility options
- Feels comfortable with app-based services and values ease and convenience
- Uses bike share in the summer and would be an early adapter of similar options

KEY CHALLENGES

- Anticipating and preparing for **future transportation trends and services** is difficult for all communities.
- Park City may be too small, and **seasonally dependent**, to attract shared mobility companies and provide cost-effective services.
- Ride-hail vehicles **contribute to congestion**, especially at the curb during big events.
- Private companies may have **conflicting goals and performance metrics**. Depending on private companies to provide key elements of the transportation system can be risky.

OUR PLAN

Modal Principles

- **Make strategic investments.** Expand programs that have proven to be popular, such as Summit Bike Share. Focus new investments at key activity nodes and mobility hubs where shared mobility can easily complement other transportation modes.
- **Adopt policies and programs that prioritize equity.** Clear policies and guidelines can ensure existing and future services are accessible to people with lower incomes, people who speak English as a second language, and other marginalized groups.
- **Collect data and adjust.** Establish operating guidelines and data sharing requirements so that Park City staff and the public can understand how services are being used and affecting the transportation system.
- **Test new technologies.** Evaluate emerging services that consolidate transportation information, access, and payment in one location.

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Projects, Policies, + Programs

Project ID	Name	Priority	Cost
SM01	Summit Bike Share Program	5-Year	$$
SM02	Mobility Hubs	5-Year	$$$
SM03	Shared Mobility and Autonomous Vehicle (AV) Guidelines	Big Concepts	$
SM04	Personalized Mobility Program and Mobility as a Service (MaaS) Platform	Vision	$$

Full project descriptions can be found in Chapter 6

TECHNOLOGY + INNOVATION

THE MODE

Technology is changing and adapting to meet our shifting mobility needs at a rapid pace. Innovative data collection and analysis can inform our understanding of travel patterns to mitigate roadway congestion, while helping us plan simpler, safer, and more efficient travel. New intelligent transportation network solutions provide up-to-the minute travel conditions via signage and mobile devices, directing travelers to the right travel mode and route.

Park City Forward continues the region's ongoing investment in technological solutions to meet our current and future transportation challenges. Further advancements of data collection, real-time traffic operations, and connected network communications will mitigate traffic incidents, speed up transit trips, and maximize the use of roadway capacity.

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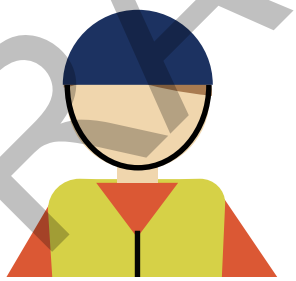
THE PEOPLE

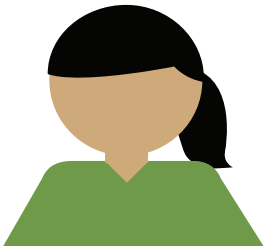
The Park City Resident

- Would consider riding the bus for more types of trips if bus travel times were faster and more reliable
- Hesitant to adjust daily travel patterns but would appreciate less congestion to enable quicker, safer driving, walking, and biking trips
- Desires up-to-the minute information of travel conditions and options



The Recreation Day-tripper

- Open to following directive communication to adjust travel modes, times, or routes if it makes their trip reliable and easy
- Would rather focus on enjoying the snow and trails than on a stressful trip in and out of Park City



Business owner/Year-round employee

- Wants local and visitor customers to have easy multimodal access to their business
- Real-time travel information could enable more efficient reception and delivery of goods and services
- Technology positions Park City at the forefront of innovation and customer service

KEY CHALLENGES

- SR-224 and SR-248 gateway corridors are subject to **heavy congestion and slow travel times** for all modes. A single incident here has major ripple effects across the region.
- Highway-based variable message **signs have a limited audience** and cannot reach people in all areas to allow travelers to adjust travel plans based on congestion, road closures, or other conditions.
- Real-time travel communications require **significant investment** in "back end" data collection, processing infrastructure, and staff resources.
- **Current data collection on travel behavior and volumes is limited** to certain corridors and modes, does not effectively capture fine-grain multimodal trips at a local level, and is difficult to collect and process efficiently.

OUR PLAN

Modal Principles

- **Technology as a tool, not a silver bullet.** Embrace new technology when reasonable and effective for supporting core mobility goals and desired outcomes.
- **Invest in data collection and analysis systems.** Robust and consistent data systems, supported by adequate staffing, will help Park City respond to the changing transportation landscape in both the short- and long-term.
- **Create adaptive real-time communication systems.** Provide consistent information to reach people across the region with important, actionable messaging via diverse communication channels.
- **Empower people with information.** Support sustainable travel choices by making multimodal options easy and convenient to access.

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Projects, Policies, + Programs

Project ID	Name	Priority	Cost
ITS01	Real-time Travel Information	5-Year	$$
ITS02	Electric Vehicle (EV) Charging Stations	5-Year	$$
ITS03	Park City's Smart Gateway	Vision	$$$$
ITS04	Video Camera Network	Vision	$$
ITS05	Integrated Mobile Observations (IMO)	Vision	$$
ITS06	Regional Traffic Operations and ITS Data Center	Current Process / Policy	$$
ITS07	Smart Work Zones	Vision	$
ITS08	Systemwide Transportation Data Collection Strategy	5-Year	$$

Full project descriptions can be found in Chapter 6

TRANSIT

THE MODE

Park City's extensive fare-free transit system includes local bus service operated by the Park City Municipal Corporation and regional bus service operated by High Valley Transit. Transit reduces congestion in Park City by moving more people in less space and helps us meet our goals by providing an affordable, zero-emission transportation option.

Park City Forward includes projects, policies, and programs that will make it even easier and more convenient to take transit. Park City Forward prioritizes additional bus service on existing routes, gives buses exclusive lanes so they can bypass traffic, improves bus stops and park-and-rides, and advances innovative new transit options like flexible, on-demand service. Ongoing coordination with High Valley Transit and improvements to transit technology and systems will ensure a seamless network for all.

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THE PEOPLE

Park City Resident

- Utilizes and supports Park City's bus service for its affordability, eco-friendliness, and ability to ease traffic
- Would like to see walking and biking improvements from neighborhoods to bus stops
- Values ongoing enhancements to transit technology, real-time information, and service

Seasonal Employee

- Has transit options to get to work, whether they live in Park City or elsewhere in the region, but bus schedules do not always line up with certain job types
- Reliable travel times are a key concern
- Employer-provided programs can further incentivize transit trips

Event Visitor

- Uses park-and-rides and transit to get to and from major events
- Can be confused by number of public vs. private and local vs. regional transit options
- Appreciates user-friendly technology and information to understand the transit system and choose the best option

KEY CHALLENGES

- The transit system must **balance the needs of many different types of people,** trips, and land use contexts—from a first-time visitor to long-time employee and from our large, concentrated activity nodes to low-density neighborhoods.
- **Recent changes to service delivery** across the region will require proactive coordination to support a seamless user experience.
- The **lack of parallel streets and dedicated lanes** means buses have few route options and get stuck in traffic, especially on the SR-224 and SR-248 gateway corridors.
- The **large number of visitors and seasonal employees** means there are always new people in Park City who may not be familiar with the transit system and how to ride.
- Transit ridership to the resorts is high, but **ski storage on buses is limited**.

OUR PLAN

Modal Principles

- **Dedicate roadway space to buses.** For transit to be competitive with driving, it must be reliable and fast. Dedicating lanes to buses in the most congested places, such as the gateway corridors and near major activity centers, means faster, more reliable, and more attractive transit service.
- **Coordinate regionally.** Park City and High Valley Transit now manage local and regional services separately. Close, ongoing collaboration is key to a smooth transit experience for people who transfer between the two.
- **Provide support amenities and technology.** There are a wide range of services and amenities that contribute to a great transit experience, from multimodal hubs that allow people to hop right off the bus and onto a shared bike, to apps that provide up-to-date travel information, and to high-quality amenities at bus stops.
- **Invest in policies, systems, and standards.** Proactive policies, robust data collection and analysis, and innovative communications are crucial complements to new transit infrastructure and efficient bus operations.

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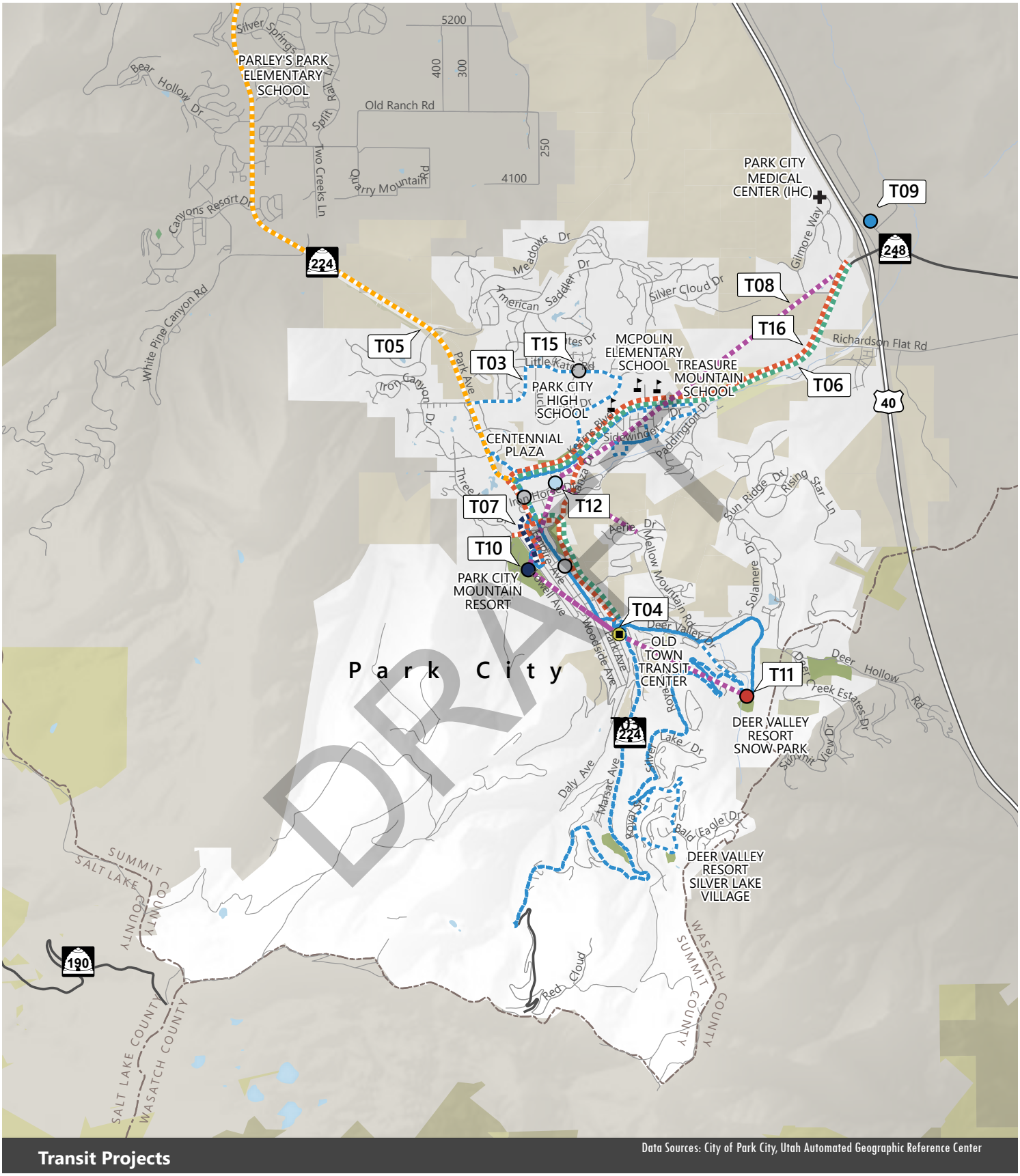

Transit Projects

Data Sources: City of Park City, Utah Automated Geographic Reference Center

T04 T11 T03 T07
T09 T12 T05 T08
T10 T15 T06 T16

City Limits

County Line

Miles 0 0.5 1

Projects, Policies, + Programs

Project ID	Name	Priority	Cost
T01	Express Transit Service	5-Year	$$
T02	Flexible Transit Zones	5-Year	$$
T03	Fixed Route Service Improvements	5-Year	$$
T04	PC-SLC Connect	Big Concepts	$$
T05	SR-224 High-Capacity Transit (BRT)	5-Year	$$$$$
T06	SR-248 High-Capacity Transit	5-Year	$$$$
T07	SR-224/Park Ave./Empire Ave. Transit Priority	5-Year	$$
T08	Aerial Connections	Big Concepts	$
T09	Park-and-Ride Facilities	5-Year	$$$$$
T10	Park City Mountain Resort (PCMR) Multimodal Hub	5-Year	$
T11	Deer Valley Resort Multimodal Hub	5-Year	$
T12	Bonanza District Multimodal Hub	5-Year	$$$$
T13	Short Range Transit Plan (SRTP)	Current Process / Policy	$$
T14	Vehicle Electrification & Fleet Replacement	5-Year	$$$$$$
T15	Bus Stop Improvements	5-Year	$$$$$
T16	Flex Transit Lanes	Big Concepts	$$$$
T17	Transit First Policy	5-Year	$
T18	Marketing and Communications	Current Process / Policy	$
T19	Technology Systems and Data Standards and Management	Vision	$

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Full project descriptions can be found in Chapter 6

6

MOVING PARK CITY FORWARD: PROJECT LIST

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The public engagement process identified the values and goals that serve as the foundation of Park City Forward's project list. The project list represents the community's ideas for how to make an innovative, multimodal future a reality. Constructing, enacting, and adopting these projects, programs, and policies is how we make Park City a better place to live, work, and visit.

The list ranges from the visionary and conspicuous to the more mundane and less tangible, but each is important and each will help achieve Park City Forward's Vision: *embracing innovation to provide safe, year-round transportation options that promote a connected, inclusive, and multimodal "car-optional" mountain community and culture*.

The project list is organized into phases, recognizing that financial resources are finite, and we must adopt a phased approach that prioritizes investments relative to our means.

- **5-Year Priority Projects:** a fiscally-constrained package of investments that will catalyze near-term action and mobility benefits.
- **Big Concept Projects:** Transformative projects that Park City is actively developing, or plans to seriously pursue in the near-term.
- **Vision Projects:** a long-term package of investments that will guide decision-makers and staff as community needs, transportation tools, and financial resources evolve.

WHAT ARE PROJECTS, PROGRAMS, AND POLICIES?

What we refer to as the Park City Forward "project list" consists of more than 80 transportation investment ideas that can generally be categorized as projects, programs, or policies. We define them as such:

- A **project** is a specific capital project or a transportation service that is typically located in a defined geography. Projects can be part of programs and are carried out according to policies. An example of a project is "AT02 – Pedestrian Crossing Improvements," which will construct updated pedestrian crossings at specific locations throughout the city.
- A **program** is an ongoing coordinated effort to achieve specific results that may involve numerous small or large projects. An example of a program is "P10 – Residential Parking," which will help to manage and balance parking supply for residents and visitors.
- A **policy** is a guiding principle or regulation by which programs and projects are implemented. An example of a policy is "R08 – Complete Streets Policy," which would guide and direct the design of future street construction projects to accommodate the needs of all travel modes.

Some projects, programs, and policies apply specifically to one geographic Node or area of the city, such as Old Town, while others will be implemented citywide.

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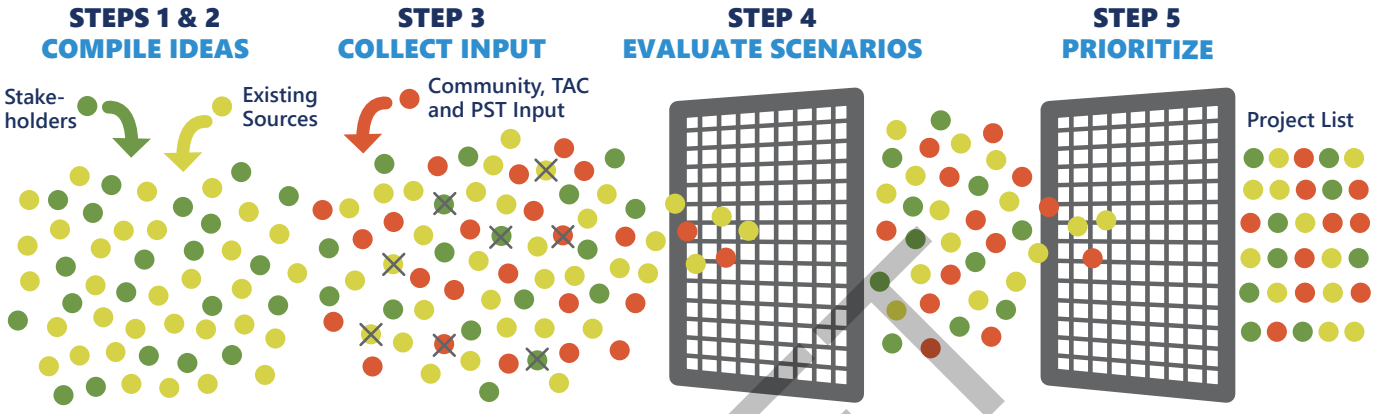
HOW WAS THE PROJECT LIST DEVELOPED?



STEP 1: COMPILE IDEAS FROM EXISTING SOURCES

The project team started by reviewing numerous local and regional planning documents and project lists from Park City, Summit County, and Utah Department of Transportation. We collected ideas, concepts, and descriptions from sources such as:

- Park City
  - » Traffic and Transportation Master Plan
  - » Downtown and Main Street Parking Plan
  - » Short Range Transit Development Plan
  - » Bonanza Park/Lower Park Avenue Transportation Plan
- UDOT
  - » SR-248 Concept Report
- Summit County
  - » Snyderville Basin Transportation Master Plan
  - » Active Transportation Plan

STEP 2: GENERATE NEW IDEAS FROM STAKEHOLDERS

Through a series of collaborative workshops, the project team added state-of-the-practice project ideas from the Technical Advisory Committee (TAC) and Project Support Team (PST). These ideas reflected ongoing and future planning processes and initiatives across the city and region.

Examples of ideas generated during this phase include:

- Shared Mobility Guidelines
- Electric Vehicle Charging Stations & Mobility Hubs
- Sidewalk Infill Program

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STEP 3: COMMUNITY INPUT & REVIEW

We sought community input for creating and refining project concepts at all stages of Park City Forward. People gave us ideas at open houses, left comments through online surveys, and marked ideas on maps at mobile workshops. The TAC and PST gave focused, directive feedback on the development of the project list throughout the course of the project.

How did we use the feedback?

- We used TAC, PST, and public suggestions to add new project ideas to the list, such as:
  - » Increase regional transit connections.
  - » Improve biking and walking access to Main Street.
  - » Improve transit connections to affordable housing.
- We updated and refined project details and extents based on input and comments, such as:
  - » Increased bus frequency and longer span of service in early morning and late evening to serve workers in the service industry.
  - » Add safe crossings and sidewalks along Park Avenue, Kearns Boulevard, and Deer Valley Drive.
  - » Better communicate park-and-ride availability and create incentives to use them.
- City staff and agency partners refined language and specifics of the project descriptions, or recommended removal of projects from the list that did not align with other projects in development.

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STEP 4: SCENARIO DEVELOPMENT AND INITIAL EVALUATION

We took the project, program, and policy concepts generated to this point and packaged them into three possible future investment scenarios based on different levels of investment, service, or emphasis on each individual project. We used analysis tools and the regional travel model to evaluate conceptual cost effectiveness, impact on travel behavior change, and progress toward Park City Forward goals from the three scenarios. The scenarios tested were:

1. **Nodes and Corridors** – Heavy investment in transit service and infrastructure and shared-use trails along SR-224 and SR-248 and connecting to key activity centers such as Old Town.
2. **Flexible Local Mobility** – Emphasis on flexible/on-demand transit over increases in fixed-route service, on-street biking and walking improvements, and programs to incentivize fewer driving trips.
3. **Pricing Incentives** – Expand parking pricing, enact citywide transportation demand management strategies, and establish roadway pricing on gateway corridors while improving core transit and active transportation network.

How did we use this process?

The scenario evaluation process helped us test the effectiveness of each strategy at an individual and group level. We used TAC feedback on the scenario results to arrive at a preferred investment scenario involving some level of implementation of all strategies, rather than excluding those found to be less effective than others. We adjusted project, program, and policy descriptions and cost estimates to reflect this balanced implementation approach.

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STEP 5: PROJECT RESTART – REFRESH, EVALUATE, AND PRIORITIZE

After the 2020 project pause, the project team worked with city staff and the TAC to closely review and refresh the project list. We added new projects, removed some that had since been implemented or were no longer viable, and added new detail throughout based on Park City's capital projects list and new ideas from staff and TAC members.

We sought community input through one final online survey, adding detail and revising projects according to the community's review. The TAC and the Park City community told us which projects were most important within key geographic areas of the city, and which were most important within each travel mode.

How did we use this process?

We evaluated all the projects against Park City Forward's goals (updated in 2021 after the pandemic project pause) to help us sort projects into phases. We also factored in public support for each project based on community feedback throughout Park City Forward.

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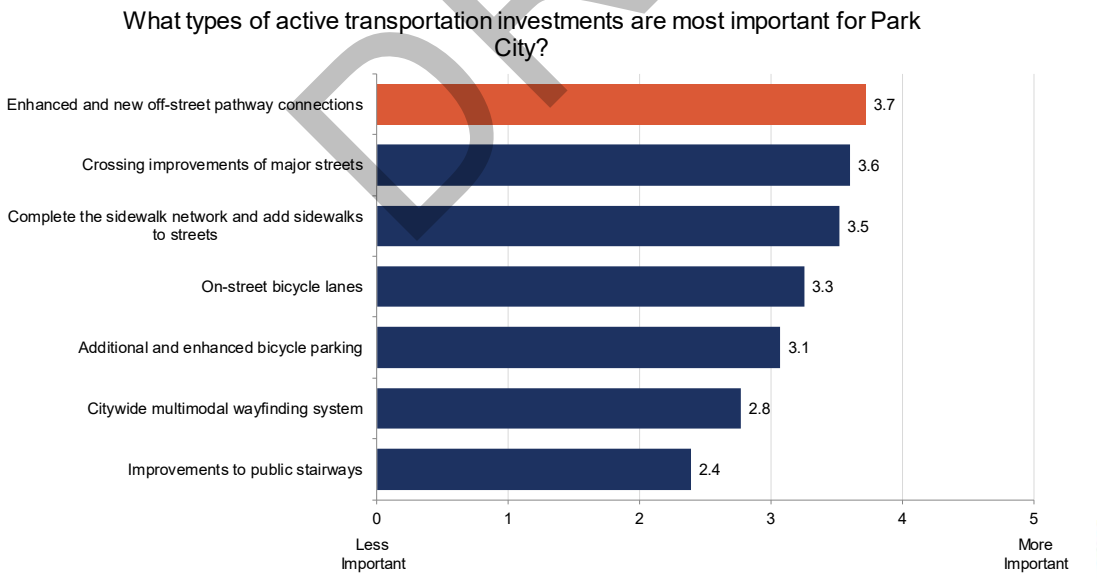
ACTIVE TRANSPORTATION PRIORITIES



The 2021 survey allowed the project team to prioritize the Project List based on another round of TAC and community feedback.

PARK CITY FORWARD PROJECT PRIORITIZATION RUBRIC

Goal	Prioritization Criteria & Scoring	
Access Improve local and regional multimodal transportation connections between activity nodes for residents, commuters, and visitors. Ensure the transportation network supports Park City's future growth and land use changes.	Expands the transportation network for 1 mode	Expands the transportation network for multiple modes
	Lower Benefit ⟷	Higher Benefit
Innovate Embrace innovative action to prioritize a community-focused, multimodal transportation network that is easy to use, efficient, convenient, safe, and incorporates cutting-edge technologies.	Maintains or expands existing system using standard approaches	Incorporates new technologies, facility design and/or programmatic approaches; improves system reliability and efficiency
	Lower Benefit ⟷	Higher Benefit
Include Ensure equitable access to opportunity, catalyzed by local and regional mobility choices that are affordable and support healthy living.	Does 1 of these: Supports affordable healthy options and/or focuses on underserved communities and/or promotes safety	Supports multiple affordable healthy options (bike, walk, transit) for under-served communities and promotes safety
	Lower Benefit ⟷	Higher Benefit
Sustain Support a resilient, net-zero carbon community, anchored by long-term transportation investments that reduce greenhouse gas emissions, decrease single occupancy vehicle trips, and mitigate environmental consequences of growth.	Lowest potential to increase non-automotive trips	Greatest potential to increase non-automotive trips/lower emissions
	Lower Benefit ⟷	Higher Benefit
Public Input	Projects received lower or higher priority based on community feedback received through the Park City Forward process	

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PROJECT LIST

We sorted projects into three lists based on the prioritization evaluation, project costs, and available funding: 5-Year Priority Projects, Big Concept Projects, and Vision Projects. Some of the projects identified through Park City Forward have already been partially or fully implemented. These are identified in the project list as "Current Processes and Policies," and are included in the list to assist with budgeting and ensure they receive ongoing staff time and agency attention.

5-YEAR PRIORITY PROJECTS

Project ID	Name	Description	Cost
Current Processes and Policies			
AT01	Active Transportation Master Plan	Build on the Walkability Bond, Summit County Active Transportation Master Plan, and Trails Master Plan to develop a specific blueprint for advancing Active Transportation in Park City. Ensure consistency with the PC Forward goals and objectives. Conduct additional analysis, design, and planning to define specific project extents and concept designs. Identify, clarify, and define specific policy and program recommendations. Create high-priority list that will improve the entire network.	$
AT20	Bike Parking and Amenities	Design and implement additional short- and long-term year-round bike parking at key trip generators and nodes. Consider a "Request-a-Rack" program to identify community-driven bike parking needs. Include DIY repair stands and other amenities at select bike parking locations.	$$
AT21	Maintenance Program	Review and update the snow removal plan regularly to ensure that the "spine system" identified in the Trails Master Plan Walkability Update is adequately maintained and incentivized for safe winter use. As needed, review and modify the snow removal policy for other trails/sidewalks/pathways to ensure requirements for users/land owners/operators are effective. Implement and maintain innovative bike/pedestrian pavement markings on pathways and roads that can withstand Park City's winter climate. Coordinate with Public Works on winter season methods	$$$
AT25	Tactical Urbanism	Based on the community-led People-First Streets tactical urbanism program, evaluate pilot projects and expand program as feasible. Consider installing pilot Flex Bike Lanes as part of these light, quick, and cheap projects (AT13).	$
AT27	Rail Trail Study	Build on the Walkability Bond, Summit County Active Transportation Master Plan, and Trails Master Plan to develop a specific blueprint for improving the Rail Trail in Park City.	$
ITS06	Regional Traffic Operations and ITS Data Center	Invest in staff, hardware, and software to create a fully integrated and coordinated central system for all relevant traveler information data sources, web-based applications, signs with Utah's Advanced Traveler Information System, and Park City Traffic Control Center. System would include field and back-end hardware or data centers. Integrate with weather services, major construction projects, and shared mobility, parking, delivery, event management, ride hail operations, transit, and TDM systems. Collect and integrate data from/for the larger region and make data available to local agencies.	$$

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Project ID	Name	Description	Cost
P06	Enforcement	Enhance parking enforcement citywide with purchase and implementation of additional license plate recognition (LPR) vehicles and software. Pursue an LPR-centric enforcement model to align all enforcement efforts across Parking Department and Park City Police Department.	$$
P07	Parking Requirements	Modify citywide parking requirements to enhance development flexibility, improve housing affordability, reduce vehicle trips, and incentivize multimodal choice. Revisions could include: • Elimination/reduction/consolidation of parking minimums citywide • Reductions in parking requirements based on: geography/district, proximity to transit, level of housing affordability, and/or level of TDM/multimodal investment • Implementation of parking maximums • Requirements for shared/public parking and use of shared parking to meet minimum parking requirements • Integrate reserved spaces for car share vehicles • Requirement to unbundle parking from rent/lease/purchase of residential unit or non-residential space • Modifications to bike/EV parking requirements	$
R11	Neighborhood Traffic Management Program (NTMP)	Modify NTMP policies, guidelines, and procedures to ensure they meet current best practices, minimize administrative burden, enhance public participation, and provide a streamlined process. Consider additional public-private cost sharing arrangements to fund approved projects.	$
T13	Short Range Transit Plan (SRTP)	Conduct a new Short Range Transit Plan (SRTP) in 2021-22 to evaluate the current transit system. Develop recommendations for short-term service changes with medium- to long-term system design. Potential areas of analysis include: • High-Capacity Transit (HCT) network element to designate local/regional corridors that prioritize dedicated transit lanes and operational investments. • Coordination of new fixed-route and on-demand Micro services provided by HVT. • Regional, express, and commuter travel needs and proposed services. • Coordination with Summit County, Wasatch County, and others to develop express/commuter transit network recommendations connecting Heber, Oakley, Kamas, Coalville, Richardson Flat/Quinn's Junction, and Jeremy Ranch. • Human Services Public Transportation Coordinated Transportation Plan. • Service and bus stop standards and guidelines. • Major event and emergency transportation service policies, guidelines, and plans.	$$
T18	Marketing and Communications	Enhance marketing and communications, deploying new/enhanced methods such as individualized trip training, print and electronic communications, employer outreach, ride ambassadors, marketing events, and direct outreach in coordination with the lodging and hospitality industry. Provide all materials in at least English and Spanish.	$

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Project ID	Name	Description	Cost
5-Year Priority Projects			
AT02	Pedestrian Crossing Improvements	Design and construct improved pedestrian crossings at critical locations along UDOT or other major roadways. Potential priority locations, include but are not limited to: • SR-248/Snow Creek Crossing • SR-224/Park Ave. at Homestake Rd. • Bonanza Dr./Monitor Dr. and SR-224 • Park Ave. at Park City Library • Bonanza Dr./Munchkin Rd. • Bonanza Dr./Iron Horse/Rail Trail • SR-224/Payday Dr. • 9th St./Park Ave. • Bonanza Dr. to Prospector Square and Rail Trail • Iron Horse/Rail Trail • SR-248/Kearns Blvd. in front of Wells Fargo • SR-248 at Rail Trail crossing	$$$$$
AT03	Old Town Complete Street Improvement Zone	Recognizing the different needs of commercial and residential streets, identify improvements including neighborhood connections, wayfinding, improved connectivity to the Poison Creek Trail, traffic calming, and other supportive active transportation projects. Specific projects include neighborhood connections on Sullivan Rd., 4th St., 5th St., 10th St. (as also identified in the Summit County AT Plan), 11th St., and 12th St. Reimagine Main Street by widening sidewalks, installing intersection improvements, identifying opportunities for transit/trolley priority, and further enhancing Main Street gateway improvements. Ensure coordination with the Old Town Circulation Study and alignment with the Vision 2020 goals.	$$$$
AT05	Bonanza District Complete Streets Improvement Zone	Improve active transportation connections throughout the planned Bonanza District. Consider requiring pedestrian-friendly block lengths, wider pathways, enhanced street design standards, context sensitive parking standards, mobility hubs, and wayfinding. Priority locations for bike and pedestrian improvements include: Homestake Rd. to Rail Trail connector, Woodbine Way and Munchkin Rd./Homestake Rd. to Iron Horse. Along Iron Horse Dr. add enhanced sidewalks, improved pathways, connections to Rail Trail, and intersections improvements at Bonanza Dr. Along Homestake Rd. add sidewalks to connect to bus stop at Park Ave/SR-248.	$$$
AT06	Park City Mountain Resort (PCMR) Multimodal Connections	Improve connectivity for transit vehicles, pedestrians, and bikes to PCMR. Improvements could include two-way transit-only lanes, wider sidewalks and pathways, bulb outs, bike lanes, and pedestrian and intersection improvements on Empire Ave., Silver King Dr., Shadow Ridge, and Lowell Ave. Improve intersection of Silver King Dr. and Empire Ave.	$

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Project ID	Name	Description	Cost
AT08	Park Avenue Complete Streets	Design and implement complete streets improvements on Park Ave. from Old Town to Holiday Ranch Loop. Priority pedestrian and bike treatments to be evaluated include: side paths, crossing improvements at major intersections (including at Kearns Blvd. and at Deer Valley Dr.), new or widened sidewalks, transit circulation, snow removal, and "flex" curb space. Consider implementing parking management practices that include removing parking on west side and/or a local residential parking permit program. Install utility and roadway rehabilitation improvements.	$$$$$
AT09	SR-224/Deer Valley Drive Bicycle and Ped Improvements	Identify, design, and implement multimodal enhancements to Deer Valley Dr./SR-224 from Marsac Ave. to Bonanza Dr. Potential elements include on-street bike facilities, sidewalk infill, intersection crossings, trail connections, and wayfinding. Coordinate with longer-term plans that call for transit-only facilities on Deer Valley Dr./SR-224 to the Old Town Transit Center.	$$$
AT12	Three Kings Drive Complete Street	Design and construct shared-use path or on-street bike lane improvements, pathway connections, traffic calming measures, and transit improvements on Three Kings Dr. to Thaynes Canyon Dr.	$$$$
AT15	Safe Routes to School and Youth Mobility	Supplement the statewide program and regional efforts by partnering with area schools and community groups for events, outreach, education, enforcement, and focused active transportation improvements that help students and staff walk, bus, carpool, bike, or roll safely to school. Evaluate youth transportation needs and potential for emerging ride-hail models for youth, prioritizing safe operations. Emerging service models (e.g. Kango, HopSkipDrive, Zum) promote the benefits of licensed childcare regulatory thresholds with on-demand mobility services. Look to enhance transit/shuttle options and non-driving incentives for students/teachers/staff.	$
AT16	Development Standards	Modify the zoning code to improve pedestrian and bike connectivity and supportive amenities of future private developments. Potential areas of focus: pedestrian-friendly block lengths, pedestrian-friendly streetscape improvements, parking and building orientation, pedestrian connectivity, circulation plan requirement, intersection standards, wayfinding, lighting, and bike parking requirements.	$
AT24	Updated User/ Device Policies	Evaluate and update municipal regulations regarding electronic transportation (E-Bikes, E-Scooters, etc.) to ensure user safety and compliance on trails, sidewalks, and pathways.	$
AT26	Upper Deer Valley Resort Complete Streets	Partner with Deer Valley Resort to enhance upcoming development with transit priority, access improvements, complete streets, and adequate active transportation facilities. Extents include from Marsac Ave. roundabout to the Deer Valley Resort base.	$$$$

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Project ID	Name	Description	Cost
ITS01	Real-time Travel Information	Install a network of permanent variable message signs (VMS) and provide a mobile app to communicate travel conditions and travel times. Prioritize VMS signs on major gateway corridors of I-80, SR-224, and SR-248, other major roadways, park-and-rides, and activity nodes. Expand use of current, smaller trailblazer VMS to direct traffic during major events or periods of peak visitor demand. Ensure VMS includes wayfinding and travel options to major destinations. Integrate communication channels such as push notifications on a mobile platform to reach travelers and resort guests in all areas, such as bus stops, skiers on lifts and in resort buildings, and in connected vehicles. Notifications could include current/projected travel times, alternative routing and wayfinding, and alternative modes to reach destinations. Coordinate with mobility app and Go Park City platform development. Explore partnership opportunities with regional employment centers to streamline real-time information. Coordinate implementation of digital and improved wayfinding signage and VMS across city districts, including improvements to pedestrian, vehicle, and parking signage.	$$
ITS02	Electric Vehicle (EV) Charging Stations	Construct network of electric vehicle charging stations throughout Park City and region. Integrate with future mobility hubs and parking policies as appropriate. Initial locations include park-and-ride facilities, transit hubs, and major activity centers, such as hospitals, grocery stores, and parks. Ensure smaller vehicle charger placement is consistent with parking strategies that promote turnover versus allow for longer stays.	$$
ITS08	Systemwide Transportation Data Collection Strategy	Develop a multimodal transportation counting program and recurring data collection for ongoing transportation monitoring, including carrying out a periodic regional travel survey. Install additional automated counters for people walking and bicycling.	$$
P01	Park-and-Ride Facilities	Maximize use of existing park-and-ride locations through enhanced management, promotion, and transit connections. In coordination with Summit County and HVT, develop and implement new park-and-ride facilities, with priority locations along regional/gateway corridors. Evaluate methods of ensuring that commuting employees can ride transit during peak events.	$
P03	Flexible Curb Zones and Platforms	Implement flexible curb zones in high-demand areas that prioritize efficient passenger and commercial loading over public parking at key hours. Continue and expand the Drop and Load (DLS) Program on Main Street to other areas of the city. Projects could also include improvements to drop-off/pick-up zones, modifications to the curb space, and real-time software platform to include any combination of transportation modes for consumer travel planning. Consider variable management based on season, day of week, and/or time of day; business owner collaboration and engagement; ride hail and taxi company coordination; lodging shuttles; and parking management coordination.	$$$$
P04	High Occupancy Vehicle (HOV) Parking	Expand parking spaces for carpools/vanpools/car share at key locations, such as park-and-rides, Old Town lots and garages, and ski resorts. Designate spaces in convenient, "front-door" locations to incentivize use.	$

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Project ID	Name	Description	Cost
P05	Wayfinding, Real-time Information, and Data	Expand and enhance access control at parking facilities to collect parking occupancy data and improve management. Merge data collection and reporting into open API platforms to increase cross-reporting capabilities. Enhance Go Park City brand, wayfinding, and infrastructure to provide real-time parking information for Old Town parking facilities. Expand Go Park City brand and wayfinding to other key citywide parking facilities – park-and-rides, resorts, private garages, trailheads, or other— and coordinate Go Park City branding with transit and pathway wayfinding programs.	$$
P08	Transportation Demand Management (TDM) Requirements	Require TDM elements for new development (or redevelopment) above a certain size threshold. Offer a menu of options to developers, with required baseline elements to achieve defined trip mitigations. Require and implement event-specific demand management plans at major trip generators to mitigate peak traffic volumes.	$
P09	Parking Pricing	Expand parking pricing to manage parking demand in high-demand streets and off-street facilities. Implement variable pricing for all publicly-managed priced facilities. Asses current pricing against demand and modify prices to meet target occupancy rates. Work with resorts to implement parking management strategies to manage parking demand and incentivize multimodal travel during peak periods. Offer preferred resort parking to carpools or other key populations. Offer prepay/reserved parking options.	$
P11	Marketing & Communications	Implement a comprehensive citywide marketing and communications program for parking and mobility services. Offer bilingual collateral. Prioritize development parking information for integration into a "one-stop" mobility tools for Park City (SM04). Partner with hospitality industry, resorts/hotels, and vacation rental companies to provide mobility information at all stages of trip - upon booking, pre-trip, upon arrival, and during visit.	$

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Project ID	Name	Description	Cost
P12	Mobility and Transportation Demand Management (TDM) Programs	Develop and implement new, and/or expand existing, mobility programs and incentives to reduce vehicle trips. Tailor offerings for key groups (employees, residents, and visitors). Key elements could include: • Individualized marketing and mobility plans • Expanded PC-SLC Connect free/reduced pass program to offer free passes to more employees or increase discounts • On-demand/dynamic rideshare and carpools program via RideOn (including school-based trips) • Expand RideOn and web-based commute platforms to manage employee benefits and rewards • Off-peak travel incentives • Resort-based car share hubs and area-wide car share, including peer-to-peer, one-way, and round-trip options. • Financial incentives/rewards – transportation "wallet", direct cash or points-based payments, visitor discounts/incentives • Subsidies for ride hailing, car share, bike share, and micromobility services. • Explore additional incentives for existing Guaranteed Ridge Home (GRH) program. • Explore expanded eligibility for UTA Vanpool program.	$$
P13	Transportation Management Association (TMA)	Expand and enhance the Park City TMA. Provide dedicated staffing to implement key mobility initiatives and communication efforts. Centralize travel surveys, data collection, and reporting among private entities.	$
R03	Bonanza District Circulation	Construct multimodal street grid within Bonanza District, including extensions and/or improvements to Homestake Rd., Shortline Rd., Munchkin Rd., Woodbine Way.	$$$$
R05	Intersection Improvements (UDOT)	Plan, design, and implement multimodal, safety, and strategic capacity improvements at state route intersections. Priority locations include: • Park Ave./Deer Valley Dr. (SR-224)/Empire Ave. • Deer Valley Dr. (SR-224) and Bonanza Dr. • Park Ave. (SR-224) and Homestake Rd. • Aerie Dr. and Deer Valley Dr. (SR-224) • Thaynes Canyon Dr. and SR-224 • Payday Dr./SR-224/Holiday Ranch Loop Dr. • Meadows Dr./SR-224 • Richardson Flat Rd./SR-248	$$$$$

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Project ID	Name	Description	Cost
R06	Intersection Improvements (Local)	Plan, design, and implement multimodal, safety, and strategic capacity improvements at local intersections (non-SR-224/248). Priority locations include: • Silver King Dr./15th St./Empire Ave • Silver King Dr. and Lowell Ave. • Main St. and Swede Alley • Main St./Daly Ave./Hillside Ave. • Shortline Rd. and Deer Valley Dr. (SR-224) • Bonanza Dr. and Prospector Ave.	$$$$$$
R07	Street Classifications and Standards	Update street classifications and design standards to define a modal hierarchy, ensure implementation of complete streets policy, and incorporate designs for "All Ages and All Users." Apply to all new roads and major reconstruction of existing roads. Each classification should have defined purpose; an average daily traffic (ADT) design range of volumes; number and configuration of lanes; guidelines for bicycle, pedestrian, on-street parking; and required right-of-way widths. Potential standard classifications address non-Old Town vs. Old Town, Minor vs. Major Residential Collector, Commercial Collector, and Non-UDOT vs. UDOT Arterial.	$
R08	Complete Streets Policy	Update and implement the existing Complete Streets policy by adopting state-of-the-practice design guidance and developing a city-specific street design guide.	$
R13	State of Good Repair	Continue and improve on ensuring that continuous maintenance is accounted for and project replacement costs are considered in all new capital projects	$$$$
SM01	Summit Bike Share Program	Continue to expand the Summit Bike Share program in Park City. Evaluate program expansion at key locations (park-and-rides, Bonanza District, new developments, and resorts). Evaluate technology improvements that may include dockless bike share options, electric assist, adaptive bicycles for riders of diverse abilities, and winter bike options. Integrate the bike share mobile app into other existing and future mobility applications.	$$
SM02	Mobility Hubs	Create mobility hubs in key locations to facilitate multimodal choice and seamless connections. Mobility hubs should include a combination of potential elements based on site location and need, including: transit/shuttle loading; micromobility services; bike share, bike parking, e-bike charging; wayfinding; EV charging stations; car share; commuter facilities; public space and art. Develop a mobility hub typology to fit neighborhood context and network needs, with varying levels of transit connections and amenities. Connect key mobility hubs with transit priority treatments and frequent, reliable transit service. Adjust transit service to maximize service to mobility hubs, with changes such as stop consolidation and adding deviated service from fixed routes to serve hubs. Potential hub locations include PCMR, Deer Valley Resort, Old Town, Bonanza District, Prospector, Richardson Flat, Park Meadows, Silver Creek, and Quinn's Junction.	$$$

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Project ID	Name	Description	Cost
T01	Express Transit Service	Expand express transit service and route options. Align services with PC-SLC Connect and High Valley Transit (HVT) routes. Target offering service every 10 minutes from 5 a.m. -1 a.m., enabling convenient mobility for work, recreation, and study. Continue to coordinate with HVT to connect with adjacent communities. Evaluate new HVT Route 101 Spiro and consider other route options to major activity centers.	$$
T02	Flexible Transit Zones	Evaluate flexible mobility service models (i.e., ride hail subsidies, microtransit, flex shuttles, deviated fixed routes, or autonomous shuttles) to enhance local connectivity. Priority areas include those with lower ridership and/or adequate residential and employment density. Flex Transit zones would typically operate about 17 hours daily, with two vehicles per area (34 daily service hours). Continue to coordinate with HVT and their "Micro" on-demand service, evaluating opportunities to provide complementary and mutually supportive flex/on-demand services. Connect riders to fixed route express options at nodes such as Kimball Junction and Quinn's Junction.	$$
T03	Fixed Route Service Improvements	Evaluate and implement enhancements to fixed-route transit service. As identified in 2016 Short Range Transit Plan (SRTP), and in coordination with the upcoming 2021-22 SRTP, potential enhancements include: • Increase service hours during shoulder seasons (late Spring and Fall). • Double transit frequency on high-ridership routes (Routes 1 and 2) to offer reliable rides up to every 15 minutes. • Extend bus routes to later in the evening (12 a.m.) to improve accessibility for all users and needs (Routes 4 and 9). • Extend bus routes to at least 6 a.m. to improve work access to/from regional and local destinations (Routes 4 and 9). • Consider expanding service as early as 4 a.m. if customer feedback indicates needs on transit routes. • Evaluate fewer seasonal schedule changes throughout the year.	$$
T05	SR-224 High-Capacity Transit (BRT)	Per the locally preferred alternative (LPA), design and implement dedicated, high-capacity transit lanes and service between the Old Town Transit Center and Kimball Junction Transit Center.	$$$$$
T06	SR-248 High-Capacity Transit	In coordination with R02, conduct a transit and alternatives analysis on SR-248 to determine the preferred alternative for transit along this corridor, connecting Quinn's park-and-rides to Bonanza, resorts, and Old Town. Following selection of a preferred alternative, proceed with environmental, design, and UDOT approvals of project. Secure necessary easements and/or additional right-of-way. Coordinate with UDOT to determine the types of vehicles allowed in transit-only lanes.	$$$$
T07	SR-224/Park Ave./Empire Ave. Transit Priority	Install and implement transit priority treatments (separate lanes, queue jumps, leading signal phases, or other) through intersection that allows transit vehicles to bypass congestion. Secure easement and/or additional right-of-way if necessary.	$$

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Project ID	Name	Description	Cost
T09	Park-and-Ride Facilities	Plan for new park-and-rides on gateway corridors and in coordination with new transit-only guideways and services, including Quinn's Park-and-Ride (Hwy 40). Ensure high level of transit service to new facilities. Consider new mobility elements to include such as bike share, car share, e-bike station and charging connections, and pickup/dropoff zones. For Quinn's Park-and-Ride Phase II, construct new transit station, end-of-line transit facilities, and electric bus charger. Include intersection improvements, signage, and VMS boards.	$$$$$
T10	Park City Mountain Resort (PCMR) Multimodal Hub	Partner with PCMR on the development of new transit center and multimodal hub as part of future PCMR redevelopment, including bus loading and circulation, passenger waiting areas, real-time transit information, and other mobility hub elements. Consider providing direct slope access from the hub.	$
T11	Deer Valley Resort Multimodal Hub	Partner with Deer Valley on the development of new transit center and multimodal hub as part of future Deer Valley Resort base redevelopment, including bus loading and circulation, passenger waiting areas, real-time transit information, and other mobility hub elements.	$
T12	Bonanza District Multimodal Hub	This district will provide multimodal connections and accommodate both day-to-day and peak event demands. The area will function as a multimodal hub that is largely pedestrian oriented with active transportation access integrated with mixed-use development. Provide transit amenities and accessible shelter served by frequent transit service to/from all PC nodes. Construct regional transit stops on westbound SR-248 and northbound Bonanza Dr. Add transit stop amenities, bus pullouts, and sidewalk and pathway improvements.	$$$$
T14	Vehicle Electrification & Fleet Replacement	Assess fleet needs, including additional buses or smaller vehicles for expanded local/regional electric transit services. Continue to prioritize alternative fuel, low-emissions, or no-emissions buses as fleet is replaced or expanded. Evaluate 100% conversion of bus fleet to electric, with particular focus on route compatibility and charging infrastructure. Consider issuing a green fleet challenge to incentivize local businesses, hotels, companies, etc. to switch to electric vehicles. Continue to develop electric charging infrastructure for transit network by placing chargers at major transit nodes.	$$$$$$
T15	Bus Stop Improvements	Continue to assess current stops for level of amenities and pedestrian access. Implement stop upgrades recommended in 2020 Bus Stop Accessibility and Inventory Study. As appropriate and feasible, construct shelters, pedestrian access and first-/last-mile improvements, benches, lighting, trash cans, real-time arrival displays, and bike share stations. Priority areas include Park City Municipal Recreation Center (PC MARC) and Park Ave Library. Upgrade two transit shelters and connecting sidewalks at Fresh Market stop on Park Ave./SR-248. Dedicate funding for continued bus shelter maintenance, snow removal, and general state of good repair. Coordinate with HVT as needed at shared stops and facilities.	$$$$$

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BIG CONCEPT PROJECTS

Project ID	Name	Description	Relative Cost
AT04	Rail Trail Expansion	Design, implement, and improve non-motorized connections and improvements on the Rail Trail through the Prospector neighborhood and Quinn's Junction area to the Union Pacific Rail Trail. Priority locations include Wyatt Earp Way and a shared-use path from Prospector Square to the Rail Trail. Resurface and widen the Rail Trail to 14 feet. Improve drainage, erosion control, and add bridges. Explore partnerships with State Parks and adjacent property owners for connections and expansions.	$$$$
R04	Old Town One-Way Streets	Study conversion of Old Town two-way streets to one-way flow to improve vehicle and transit access, and utilize the additional right-of-way for active transportation facilities.	$
R09	Freight Network and Neighborhood Distribution Hubs	Identify and designate freight network and distribution hubs to focus freight movement on key corridors and minimize freight activity effects on street, neighborhood, and airspace congestion. Develop a Freight Management Plan to address anticipated growth in goods and e-commerce delivery. Include wayfinding, messaging, and drone regulation and use.	$
SM03	Shared Mobility and Autonomous Vehicle (AV) Guidelines	Adopt policies or guidelines that encourage innovation, yet ensure consistent regulation, safe operation, and equitable implementation of new technology systems. Priority areas include: feasibility and zone boundaries; guidelines related to safety, equity, parking; data sharing requirements; seasonal deployment; ongoing monitoring/evaluation; and vendor selection criteria and procurement. Include specific guidelines for ride hail operations, including: curb management policies and markings, signage, queueing and idling, and passenger pickup/drop-off. Evaluate micromobility services such as e-scooters in key areas for longer-term implementation. Assess political and public support against potential benefits. Develop a cost/benefit analysis and feasibility study for AV implementation across transit and freight uses that prioritizes safety, equity, sustainability, and public good. Study infrastructure and street environment upgrades, such as curb marking, high visibility crossing locations, and intersection designs, that will be necessary to support future AV implementation.	$
T04	PC-SLC Connect	Work with UTA to improve the PC-SLC Connect Service. Potential improvements include: • Direct connections from SLC Airport to Park City. • Limited stops in SLC for faster service from downtown and/or transit. • Public-private partnerships for shared implementation, branding, and marketing. • Running service into Old Town Transit Center. • Expanded service span and frequency.	$$

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Project ID	Name	Description	Relative Cost
T08	Aerial Connections	Conduct a detailed feasibility study of aerial connections to key activity nodes that compares bus transit to aerial transit. Key planning considerations include: technology systems and rider capacity; regulatory requirements and thresholds; alignments, easements/right-of-way, and neighborhood impacts; and connectivity to transit system. Possible nodes/alignments include: • Bonanza District, Lower Park Avenue, PCMR, and Old Town • Bonanza to Aerie Hill area • Bonanza to Park City Mountain • Quinn's Junction to Bonanza • Bonanza, Flagpole, Deer Valley	$
T16	Flex Transit Lanes	Explore flexible transit-only lanes on local corridors that serve key destinations and/or connect transit hubs, such as Bonanza Dr. and Empire Ave./Silver King Dr. Integrate with SR-224 and SR-248 transit lanes, ensuring necessary easements or additional right-of-way procurement. Test and learn with pilot projects for peak events and/or peak-time flex transit lanes while pursuing long-term dedicated lane solutions.	$$$$

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VISION PROJECTS

Project ID	Name	Description	Relative Cost
AT07	Park Meadows Bikeways	Plan, design, and implement a complete "all ages and abilities" on-street bikeway network in the Park Meadows neighborhood. Locations include: Little Kate/Holiday Ranch Loop Rd. bikeway, connections to Rail Trail, sidewalk improvement/trail connection on Lucky John east of Monitor Dr., and pathway improvement connecting Payday Dr., Thaynes Canyon Dr., Three Kings Dr., and Silver King Dr.	$$$$
AT10	Wasatch Loop Pathway Connections	Develop a shared-use path along the west side of the US-40 right-of-way to provide regional trail connectivity to Wasatch County and support the Wasatch Loop concept. Install connections to Rail Trail and other municipal hard/soft surface trails and pathways connections.	$$$$
AT11	15th Street Improvements	Design and implement 15th St. bike and pedestrian improvements from Empire Ave. to City Park. Potential improvements include: shared street or bike/pedestrian-only segment between Park Ave. and City Park; high-visibility crossing of Sullivan Rd.; pedestrian signal with high-visibility crossing at Park Ave.; shared street between Empire Ave. and Woodside Ave. (or fill sidewalk gaps); bulb-outs and high-visibility crossing at intersection of Empire Ave./15th St./Silver King Dr.	$$
AT13	Flex Bike Lanes	Create seasonal "flex" bike lanes that provide on-street snow storage or parking and loading space in the winter months. Consider implementing seasonal bike lanes as pilot projects, using low-cost temporary barriers and paint to establish protected facilities in the spring/summer that are removable for the winter. Priority corridors include Park Ave. and Empire Ave.	$$
AT14	Vision Zero Policy	Adopt a "Vision Zero" policy, with the goal of eliminating traffic deaths and serious injuries for all modes, through a variety of strategies, including data collection and analysis, street design, education, regulation, and enforcement.	$
AT17	Unified Active Transportation Wayfinding Program	Partner with Summit County and other jurisdictions to implement a consistent, multimodal wayfinding program for trails, pathways, and transit access. Additional elements include pavement markings and additional signage.	$$
AT18	Sidewalk Infill Program	Identify and improve priority locations for sidewalk infill and repair. Create assessment tools to determine which priority conditions and locations warrant city funding.	$$$$
AT19	Accessibility Plan	Develop a citywide accessible transportation needs inventory that identifies gaps and explores next steps to make the city's transportation system accessible to all users. Define a process for delivering accessible facility upgrades, either as individual projects or as part of upcoming strategies.	$$
AT22	Neighborhood Byways Enhancements	Improve residential neighborhood streets to accommodate safe travel for all, including traffic calming, flex parking, active transportation uses, and other improvements.	$$$
AT23	Old Town Stairs Improvements	Create neighborhood connections and improvements to the stairway network throughout Old Town. Consider electric snow melt, bike rails, lighting, and improved signs.	$$$

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Project ID	Name	Description	Relative Cost
ITS03	Park City's Smart Gateway	Upon successful testing of direct short-range communication (DSRC) and connected-automated vehicles (CAV), implement a full build-out of a new SR-224 and/or SR-248 smart corridor. Construct a state-of-the-art system to support connected vehicle and transit operations, adaptive traffic signal control, and variable message signs (VMS).	$$$$
ITS04	Video Camera Network	Expand the video camera network throughout Park City, including major intersection, roadway segments, and/or locations of routine congestion. Network could also be expanded to monitor parking facilities and shared use paths. Include an adopted Personally Identifiable Information and data management policy to address privacy concerns.	$$
ITS05	Integrated Mobile Observations (IMO)	Implement an Integrated Mobile Observations (IMO) program, using data gathered from fleet and transit vehicles and other. This data would be used for enhanced road condition reporting through a more sophisticated system of traveler information and road weather services (see ITS01). Would be managed from the Park City Traffic Control Center.	$$
ITS07	Smart Work Zones	Implement smart work zone technologies and supportive policies to improve traffic flow and safety at construction zones. Elements may include real-time worksite and traffic volume monitoring; connected VMS with relevant traveler information; variable speed limit signs to improve work zone speed compliance; wearable worker devices that communicate with connected vehicles; and real-time monitoring and control of signs, travel lanes, and messaging from the worksite.	$
P02	Shared Parking Facilities	Secure shared parking agreements with existing underutilized private parking facilities. Maximize publicly available and shared parking within new development, notably the Bonanza District and ski resort bases. Update the Land Management Code to require or incentivize shared parking options to meet parking requirements within private developments.	$
P10	Residential Parking	Expand use of residential permit programs (RPPs) in key locations to mitigate spillover parking. Modify RPP formation process. Augment RPP zone enforcement during peak events. Transition to virtual permitting and enforcement to better serve full-time residents and facilitate nightly rental patron parking.	$
P14	Value Pricing	In collaboration with regional partners, evaluate feasibility of pricing at regional gateways and/or on key corridors during peak periods of demand. Value pricing promotes efficient use of roadway capacity by pricing driving during peak periods. Based on feasibility, test and pilot policy and infrastructure. If implemented, utilize net revenue to fund local and regional transit, multimodal, and TDM programs/projects.	$

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Project ID	Name	Description	Relative Cost
R01	Freeway Connections (UDOT)	Enhance freeway access and connections at key locations. Potential UDOT-led concepts in the Statewide Long-Range Plan include: • I-80: upgrade interchange at Kimball Junction with innovative and multi-modal interchange designs • I-80: widen Rasmussen Road • I-80: widen both directions from Summit to Jeremy Ranch • US-40: interchange improvements at Quinn's Junction • US-40: widen exit at Silver Summit Pkwy • US-40: widen from 2 to 3 lanes from SR-248 to Silver Summit • US-40: add EB lane from SR-248 to Summit County line • SR-248: add WB lane between US-40 and Park City boundary	$
R02	SR-248 Corridor Mobility Improvement Project	In cooperation with UDOT, design and construct dedicated transit lanes on SR-248 from approximately US-40 to SR-224 to enhance gateway corridor access. Westbound lanes are funded as part of the SR-248 Corridor Improvements project. Project elements may include side-running transit lanes, bicycle paths; improving school access; intersection improvements (Richardson Flat, Bonanza Dr., and SR-224); pedestrian tunnels; and landscaping/aesthetic enhancements.	$$$$$
R10	Emergency Access Management Plan	Develop an Emergency Access Management Plan. Update emergency evacuation routes, classifications, and policies. Modify routes and policies for winter and non-winter seasons.	$
R12	Strategic Land Acquisition	Acquire property and easements in appropriate locations to make appropriate transportation connections for all modes consistent with the modal hierarchy and street classifications. Include an annual budget allocation for future acquisitions.	$$$$$

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Project ID	Name	Description	Relative Cost
SM04	Personalized Mobility Program and Mobility as a Service (MaaS) Platform	Evaluate and develop a personalized mobility program and Mobility as a Service (MaaS) platform that offers one-stop information and payment portal for mobility services. Ensure equity of access to all, incorporating affordable/subsidized subscription levels and balanced accessibility of service providers. Potential service elements include: • Transit and shuttle information provided by Park City Transit and High Valley Transit, including SLC airport shuttles • Shared mobility services, including ride hail, on-demand microtransit, bike share, car share, or others • Parking availability, reservation, and payment • Maps, travel options, and navigation assistance • Features targeted to visitors/resort guests and local residents • Cost comparison and personal mobility priorities • Seamless and coordinated payment for all services, including a subscription service option	$$
T19	Technology Systems and Data Standards and Management	Enhance technology equipment and related processes to collect, manage, and monitor transit data. Develop standards in defining, measuring, and benchmarking key performance indicators to assist with route development and transit management. Create a technology plan including replacement and maintenance standards. Invest in technology supporting real-time customer information and flexible shared mobility scheduling and dispatch.	$

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FINANCIAL PROGRAM

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Park City Forward defines substantial transportation investments over the next 30 years. Implementing the recommended projects, programs, and policies will require funding from a combination of existing and potential federal, state, regional, local, and private sources.

The Park City Forward financial program makes reasonable assumptions, allowing for realistic implementation over the next 30 years. The financial program includes the following core assumptions:

- **It is a high-level planning exercise,** designed to estimate costs and revenues via best practice assumptions. Project costs are planning-level estimates, representing approximate order-of-magnitude amounts. Detailed costing will be required for each investment as it is implemented.
- **It is not a detailed budget exercise,** as annual budgeting for the city or a specific department has its own distinct processes and approval requirements.
- **It is best utilized as a prioritization and education tool,** identifying relative tiers of investment and the full funding need for transportation in Park City.
- **It includes a best estimate of a fiscally constrained list,** designed to be achievable in the next five years based on existing and anticipated revenue.
- **Financial need will exceed available resources for the 30-year horizon,** as is a common outcome with long-range transportation plans which identify an unconstrained "wish list."
- **Transportation costs and revenues are always changing,** and the financial program should be updated on a consistent basis to inform policy and budgeting decisions.

HOW WERE THE COST ESTIMATES DEVELOPED?

Park City Forward used a mix of sources to inform cost estimation, including local project costs and municipal expenses, city transportation and capital improvement plan (CIP) line items, a national database of built transportation project costs, and professional judgement. The costing approach included the following methods and assumptions.

- Utilized **unit-cost inputs** to estimate project costs based on the detailed descriptions included in the final project list. Examples of unit costs include:
  - » Average per mile construction costs
  - » Actual average annual cost (salary + benefits) for a new full-time equivalent (FTE) staff member
  - » Average cost per service hour or a system/service/program cost unit (e.g. cost per bike share station)
- Costs represent the estimated total amount of funding that will be needed to plan, design, and build a project. However, many projects are **not yet fully scoped or designed**, so these are planning-level cost estimates rather than fully engineered estimates.
- Some investments were **assigned to a future phase**, and assumptions were included to apportion all or a portion of project cost to a given year.
- To account for future year costs, **an inflation factor of 4% per year** to the midpoint of each timeframe was applied to all projects based on how they are programmed within the 30-year Park City Forward horizon.

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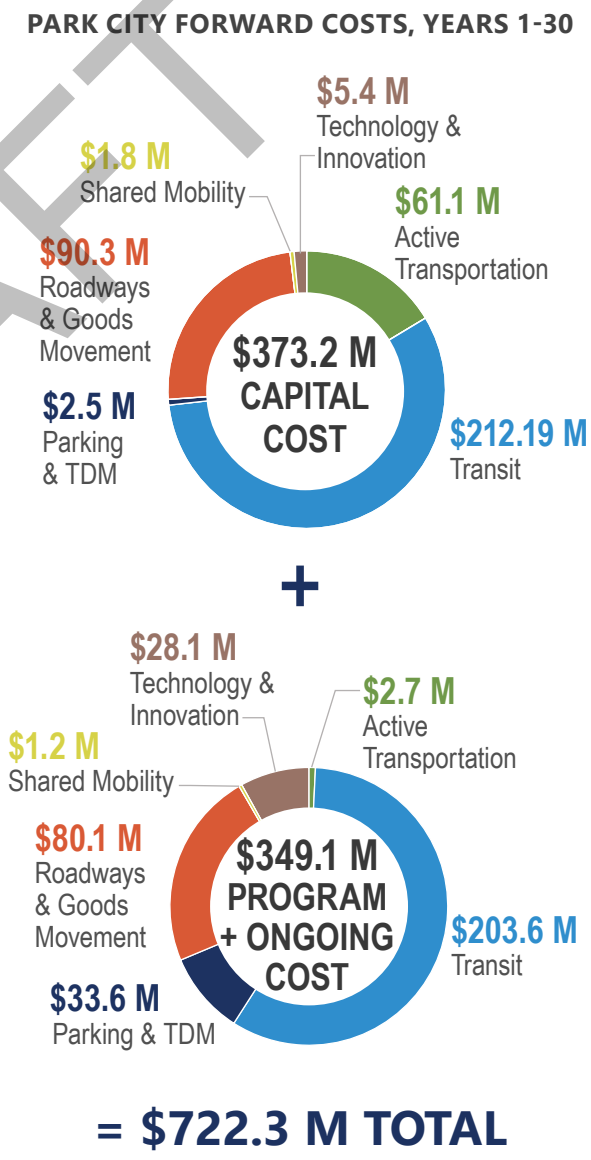
SUMMARY OF FINANCIAL PROGRAM

ESTIMATED COSTS

Capital costs include physical improvements such as transit lanes and park-and-ride facilities, while program and ongoing costs are items that generally do not have physical infrastructure improvements associated with them, including new staff positions and operating transit service. The table on the next page summarizes the cost estimates by priority tier and modal category, as well as the share of one-time capital versus programmatic and/or ongoing costs. Key findings include:

- The total cost for the Park City Forward Project List (Chapter 6) is estimated at $722.33 million through 2050.
- The total cost for the 5-Year Priority Projects is estimated at $87.23 million.
- The total cost varies significantly between modes due in large part to the breakdown of capital projects versus ongoing programmatic and staffing projects. For example, Roadway and Transit projects generally have large capital price tags, while Parking and TDM projects are largely programmatic and staff time, resulting in lower total cost.
- Transit projects account for well over half of the Park City Forward. This is due to the large costs associated with individual transformative projects, and also to the ongoing annual costs of operating regular and expanded transit service.
- Roadway projects contribute the second-largest share of total costs, owing to the accrued annual cost associated with basic roadway maintenance and investments such as major intersection improvements.



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SUMMARY OF COST ESTIMATES BY PHASE AND MODE

Modal Category	Cost Category	Phase / Tier			Total*
		5-Year Priority Projects	Big Concept Projects*	Vision Projects	
Active Transportation	Capital	$21.22 M	$15.25 M	$24.60 M	$61.07 M
	Program / Ongoing	$0.18 M	$1.85 M	$0.64 M	$2.67 M
Transit	Capital	$39.11 M	$173.08 M	$ -	$212.19 M
	Program / Ongoing	$3.80 M	$199.43 M	$0.35 M	$203.59 M
Parking + TDM	Capital	$2.36 M	$0.00 M	$0.13 M	$2.49 M
	Program / Ongoing	$1.70 M	$31.45 M	$0.41 M	$33.56 M
Roadways + Goods Movement	Capital	$13.91 M	$63.42 M	$12.95 M	$90.28 M
	Program / Ongoing	$2.05 M	$78.06 M	$ -	$80.11 M
Shared Mobility	Capital	$1.04 M	$0.09 M	$0.64 M	$1.78 M
	Program / Ongoing	$ -	$ -	$1.17 M	$1.17 M
Technology + Innovation	Capital	$0.52 M	$ -	$4.87 M	$5.39 M
	Program / Ongoing	$1.33 M	$23.12 M	$3.60 M	$28.05 M
TOTAL		**$87.23 M**	**$722.33 M**	**$49.35 M**	**$722.33 M**

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* Also includes years 6-30 of 5-Year Priority Projects carry over + ongoing programs

PROJECTED REVENUE

Fully funding Park City Forward will require a wide variety of funding sources. Current funding sources for Park City already include a combination of:

- **Federal Grants,** such as Federal Transit Administration capital and operating formula funds; Safe Routes to School grants; and Small Urban Program (administered through UDOT).
- **State Grants,** including Safe Sidewalks; Transportation Alternatives Program (TAP); Transportation Investment Fund for active transportation, first mile/last mile connections, transit, and highways; and Transportation Planning Assistance.
- **County Contributions,** including 3rd quarter sales tax.
- **Local Transportation Fund,** including transit sales tax, resort taxes, and parking program revenue.
- **Local City Fund,** which is not transportation-specific and is competitive for citywide project funding.

With federal, state, regional, and local funds combined, Park City has an estimated $58 million, plus $29.2 million in "supplemental" local funding, to fund Park City Forward projects in the near-term. This is the amount used to set the "fiscally constrained" project list.

REVENUE BY SOURCE, YEARS 1-5

Source	Total
Federal Grants	$28,351,850
State Grants	$2,500,000
County Contributions	$11,926,021
Local Transportation Fund	$4,160,283
Local City Fund	$11,073,000
Supplemental Local Funding	$29,218,000
TOTAL	**$87,230,000**

FUNDING GAP

Using a conservative estimation based on projecting recent historical budget data across years 6-30, it is assumed that a total of $336.47 million will be available to fund projects in the future Big Concepts and Vision phases. A funding gap of $385.86 million is estimated for the full life of Park City Forward.

FINANCIAL PROGRAM YEARS 1-30

5-Year Projects	$87,230,000
Big Concepts	$585,749,000
Vision	$49,353,000
Total Cost	**$722,330,000**
Total Revenue	**$336,470,000**
Revenue Needed	***$385,860,000***

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CLOSING THE FUNDING GAP

To fully implement the transportation projects and programs identified in Park City Forward, Park City—in coordination with the state, Summit County, and other local partners—will need to identify and secure additional funding sources.

Some of these sources, such as grants, are available but highly competitive. Others would require local or state action to initiate, or expand their use, such as additional fees, taxes, or bonds.

This section summarizes potential funding sources for Park City, the region, and the state to explore as Park City advances implementation of Park City Forward.

FUNDING SOURCES

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Source	Overview
Federal	
Infrastructure Investment and Jobs Act (IIJA)1	IIJA was passed in November 2021 and now governs all federal transportation policy and funding through 2026. The law includes $1.2 trillion in spending, of which $643 billion (54%) will go to surface transportation. Two-thirds of transportation dollars will go to highway programs and one-third will go to transit and rail investments. Most of the dollars (87%) are apportioned by formula programs and administered by the states and MPOs. The remaining funds are directed to discretionary programs, including close to 60 competitive grants and research programs administered by USDOT. These programs cover numerous transportation sectors, including • RAISE and TIFIA: competitive grants for roads, rail, and transit (RAISE) and loan programs for large projects (TIFIA) • Transit grant programs: expand or build new transit, buses and bus facilities, ferry services • Rail-focused programs: improve and expand rail services • Active Transportation Infrastructure Investment Program: fund active transportation networks in communities • Strengthening Mobility and Revolutionizing Transportation: innovative technologies to improve safety and efficiency • Repair: bridge and passenger rail repair grants • Safety: safety improvement grants, including Safe Streets and Roads for All grant program • Climate and Environmental Mitigation: grant programs to address climate change and the environment, including vehicle electrification • Equity: grants to improve community connections and healthy streets • Trails: The Recreational Trails Program (RTP) and the Land and Water Conservation Fund provide grants that can be used for recreational trail planning, acquisition, and construction. The former can also be used to maintain and restore existing trails, and for programming. Both are administered through the Utah State Parks Department.

1 For a detailed breakdown of IIJA, go to https://t4america.org/iija/

Federal Land Access Program (FLAP)	FLAP funds can be used by entities that own or have responsibility for a public highway, road, bridge, trail, or transit system and are located on, adjacent to, or provide access to Federal lands. Funds are administered by the state.
American Rescue Plan Act	The American Rescue Plan Act of 2021 includes $350 billion to U.S. territories, states, and local and tribal governments as assistance for municipal budgets depleted by COVID-19. States were set to receive $220 billion and local governments will receive $130 billion. Transit agencies will receive another $30.5 billion. Projects included in Park City Forward may be eligible for these funds.
State	
Class B & C Road Funds	Class B & C Road Funds are generated from state fuel taxes, registration fees, and other sources and used to finance county roads (Class B) and roads owned by incorporated municipalities (Class C). Funds are allocated by a formula based on population and road mileage and can be used for traffic safety enhancements.
Transportation Investment Funds (TIF) and Transit Transportation Investment Fund (TTIF)	TIF can be used to fund design, construction, or maintenance of roadway projects. Active transportation projects are eligible if they help mitigate congestion and are included in an approved active transportation plan. TTIF is for projects that establish a connection to the public transit system. UDOT administers these programs.
Safe Routes to School (SRTS) & Safe Routes Utah	Funding for education, enforcement, evaluations, and infrastructure improvements that encourage elementary and middle school students to walk or bike to school. UDOT administers these programs.
Safe Sidewalk Program	Safe Sidewalk Program funds can be used to construct new sidewalks adjacent to state routes where they do not currently exist.
Utah Outdoor Recreation Grant	The Utah Outdoor Recreation Grant is intended to improve recreational opportunities through the construction of trails, pathways, and other amenities. It is administered through the Governor's Office of Economic Development.
Special Districts	
Local Districts	In Utah, a local district is a special independent government entity that can be created by a city or county to provide certain services, including transportation and right-of-way construction and maintenance. Under Utah state law a local improvement district may borrow money, issue bonds, levy and collect property taxes, invest money, and impose fees.
Redevelopment Areas	Park City has two Redevelopment Areas, Main Street/Swede Alley and Lower Park Ave. Tax increment revenues from the project area are used for permitted improvements within the project area, including road, parking, and pedestrian facilities. Renewal of existing redevelopment areas or creation of additional redevelopment areas for districts with a high need could be considered.
Taxes	
Gas Taxes	Many states levy additional taxes on fuel to provide supplemental funding for transportation.
Property Taxes	Local option property tax increment could be used to fund transportation and transit.
Sales Taxes	Summit County sales taxes currently include a 0.25% transportation infrastructure tax and a 0.20% transit tax.

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Hotel Taxes	Park City currently levies a transient room tax of just over 13%, including the 0.32% state tax.
Employee Head Tax	Employee head taxes charge employers a flat tax on each worker. Such taxes can be a way to tie transportation funding to economic growth.
Fees	
Impact Fees	Development impact fees are one-time charges on new development to help fund new infrastructure needed to accommodate that development. Park City currently imposes a streets and stormwater fee and a fee to offset impacts on parks, trails, and open space. Some municipalities use impact fees to pay for road maintenance, transit service, and transportation demand management. Expanding the purview of impact fees may require changes to Utah state law.
Parking Fees	Expanding paid parking to additional streets and off-street facilities in Park City would increase revenue while encouraging mode shift. Variable pricing can be based on demand and target occupancy rates.
Event Surcharges	Numerous municipalities impose a surcharge on tickets for large events to manage transportation impacts. Revenue can be used to fund additional services or staff during peak periods.
Road User Charge (RUC)	In 2020 Utah established a Road User Charge program aimed at people who drive electric and hybrid vehicles. The state expects to expand the program gradually and may eventually replace the state gas tax.
TNC Charge	Many cities and states charge a fee for trips taken using ride hailing services like Uber and Lyft. Some cities charge a flat fee per trip or per vehicle, while others charge a percent of the fare. Utah currently levies an annual permit fee but does not use the fee to fund transportation.
Congestion Pricing (or Value Pricing)	Congestion/Value pricing is a means of charging people who drive in areas that experience significant traffic congestion. It differs from tolling in that it can be responsive to traffic conditions (for example by varying by time of day), can include exemptions (for example for low-income people and electric vehicles), and can be implemented in a variety of ways, such as by designating "low emissions zones." Congestion pricing is new to the United States and may require legislative changes at the state level to be implementable. Park City Forward recommends that Park City and regional partners explore value pricing at regional gateways during peak periods of demand.
Transit fares	Most transit agencies utilize rider fares to fund their operations. In most cases, however, rider fares only cover a portion of operating costs, requiring supplemental funds.
Other Local Sources	
Bonds	General Obligation bonds are a local funding option for constructing major capital improvements. Typically, a set of projects is grouped into a "bond package" that goes before voters for approval. Bonds are then sold to provide up-front funding for transportation projects.
Public-Private Partnerships	Public-private partnerships are agreements between public agencies or municipalities and private entities that benefit from transportation improvements. They are traditionally used for construction of large transit projects but can also be applied to facilities like parking garages, bike lanes, trails, and sidewalks.

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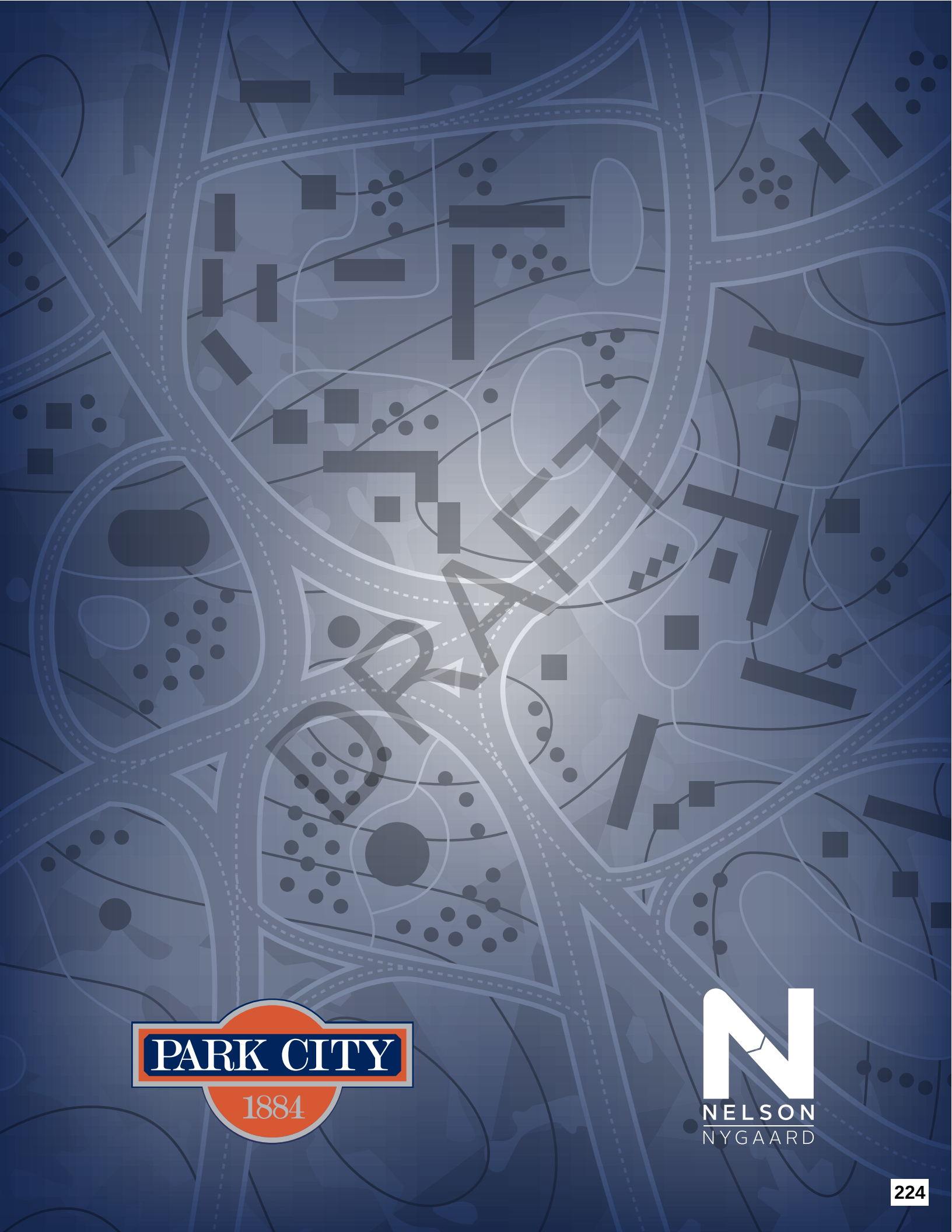

PARK CITY
1884

NELSON
NYGAARD

PARK CITY **FORWARD**

a transportation blueprint

COMMUNITY ENGAGEMENT REPORT - DRAFT

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1

INTRODUCTION

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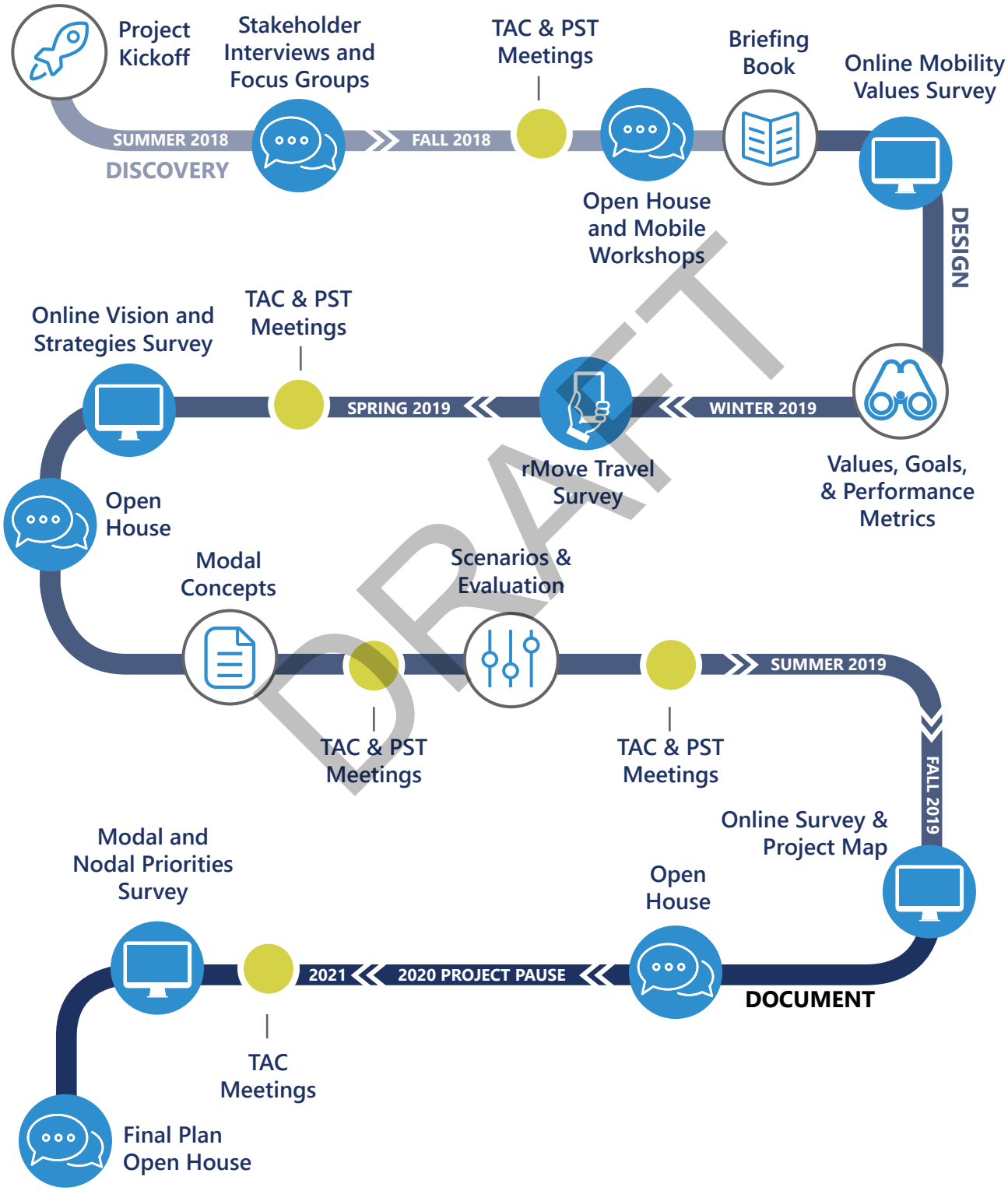
The Park City Forward project team carried out robust and inclusive public engagement. Chapter 2 of Park City Forward summarizes the key elements of the community engagement effort. This report provides additional detail on the engagement process and its specific results.

We designed our outreach effort to engage with and hear from a broad spectrum of residents, businesses, employees, and city and agency staff.

The engagement process was organized around three phases—Discovery, Design, Document—and the following principles.

- **Listen** to understand people's transportation and mobility challenges, needs, and desires
- **Involve** a broad range of stakeholders with diverse perspectives and experiences
- **Educate** people about potential solutions and what tradeoffs may be necessary to achieve meaningful results
- **Collaborate** to develop locally generated solutions with technically sound expertise

OUTREACH TIMELINE



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VISION 2020

Park City Vision 2020 was a visioning process looking out to 2030 to determine the aspirations and challenges the City will face today and over the next decade. The project engaged over 1,700 residents and stakeholders. The final Park City Vision 2020 report was issued in early 2021. While this visioning effort covered all aspects and sectors of Park City's future, its parallel engagement process also surfaced the community's desire to address key transportation challenges and prioritize mobility investment. Of its five key strategic pillars, Transportation Innovation was identified as a key to "Embracing Bold Action."

We used Vision 2020 to:

- Refresh Park City Forward vision and goals, ensuring strategic alignment
- Review Vision 2020 outreach to capture new project ideas or update others previously identified
- Ensure that Park City Forward Project List reflects Vision 2020's four Key Action Areas for transportation

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DISCOVERY

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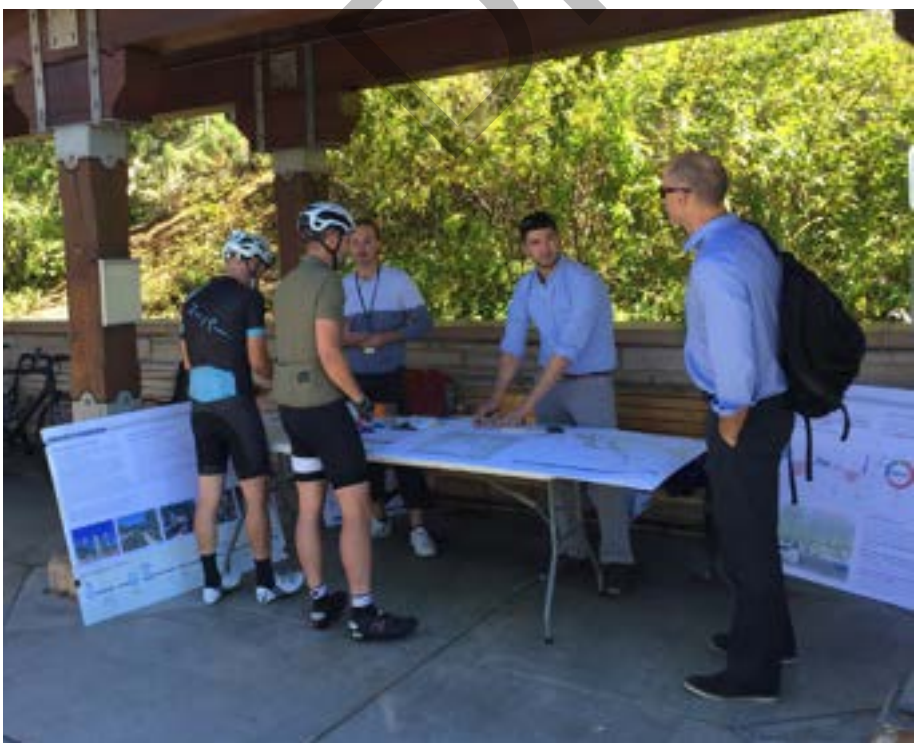
The Discovery phase focused on gathering information, defining key transportation issues and challenges, and identifying the community's values around transportation. We compiled improvements suggested in past community planning efforts to form the foundation of our project list. We communicated our key findings from the Briefing Book to build understanding within the community about the region's critical transportation challenges. Data collection in this phase shaped the plan's vision, goals, and path forward.



WHAT DID WE DO?

We kicked off the project in June 2018 by conducting a round of interviews with key regional stakeholders. We talked with representatives from school, local businesses, city and regional agency, City Council, and the hospitality industry.

After the stakeholder interviews, we connected with the Park City community in a variety of ways:

- We launched a **project brand** to ensure the project was easily identifiable for the community, and a **website** to serve as a central source of information throughout the project.
- We convened our first work sessions with the **Technical Advisory Committee (TAC)** and the **Project Support Team (PST)**. These early meetings helped to establish goals and a vision for the plan. We identified how we can align our transportation system with these values in the long term.
- We hosted an informational **open house** for anyone to stop by, share their views, and ask questions.
- We took the project on the road for **mobile workshops** at six different locations: Park City MARC, Old Town Transit Center, Miners Park on Main Street, Kimball Junction Transit Center, Anaya's Market, and Fresh Market.
- The online **Transportation Values Survey** let people who did not attend the open house or mobile workshops provide feedback.
- In December 2018, we conducted a **three-day travel diary called rMove**.

The Park City Forward website serves as a central source of information about the project.

WHO ARE THE TAC AND PST?

The TAC was composed of local stakeholders from resorts (Deer Valley and Park City Mountain), Park City Chamber of Commerce, Historic Park City Association, Summit County, Park City Lodging, Park City School District, Utah Department of Transportation (UDOT), Ski Utah, High Valley Transit, and other local businesses, employers, and residents. The PST included staff from nine Park City departments.

The TAC and PST met throughout the project to discuss key project milestones and steer major decisions. Their detailed feedback shaped every aspect of the project, from goals, priorities, and performance measures, to details of individual items in our final project list.

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The project team gathered community priorities and initial ideas at mobile workshops, an open house, and in group discussions with key stakeholders.

SPOTLIGHT: KEY COMMUNITIES

Throughout the project, we sought participation from groups who may be underrepresented in the typical planning processes. We took our open house on the road to talk with people in informal spaces, including a market popular with Spanish-speaking residents, met with older adults in-person to gather their ideas and collect travel surveys, and translated some survey materials into Spanish.

We also conducted an rMove workshop and focus group with seniors. This effort included a luncheon session and presentation on Park City Forward at plan at the Park City Senior Center. We collected feedback and ideas, and gave the seniors the option to contribute their rMove travel choices in person and through written feedback.

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DISCOVERY PHASE – BY THE NUMBERS

120

Open house and mobile workshop participants

270

Transportation Values participants

400+

Comments on transportation issues and opportunities

5,000+

Trips logged through rMove survey

6

Mobile workshop sites around the city where people shop, work and play

273

Households that participated in rMove

WHAT DID WE LEARN?

PARK CITY'S TRANSPORTATION VALUES

Over 270 people participated in an exercise at six mobile workshops and an open house. We asked them to consider what qualities are most important in Park City's future transportation network. Each option corresponded with a color of paper. Their responses were pasted together to create the "Transportation Values Tapestry". This feedback helped us create strategies and performance metrics that match the community's values.

The Transportation Values Tapestry exercise offered participants a hands-on opportunity to tell us what would be most important to them in the future transportation system.

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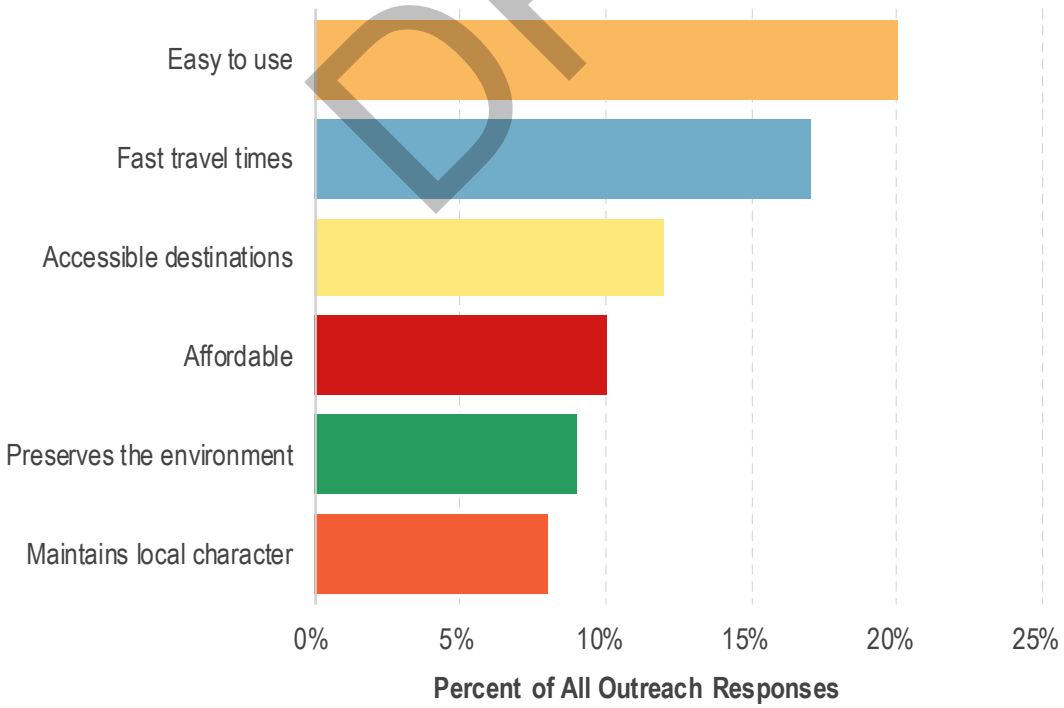
HIGHEST PRIORITY VALUES



KEY FEEDBACK THEMES

Common themes emerged in the Discovery phase through TAC and PST discussions, as well as comments collected through the web survey, open house, and mobile workshops.

- **Main Street faces significant constraints and congestion** where people walking, biking, parking, picking up or dropping off passengers, making deliveries, and driving all compete for limited space in the street.
- Transit serves local trips well, but **regional connections must be improved**.
- Areas not well served by transit include **Quinn's Junction, Silver Creek/Silver Summit, Park Meadows, and Heber**.
- Many people are interested in **dedicated transit lanes** to speed up bus service.
- **Increase bus frequency later at night and in the early morning** to better serve service industry employees.
- Desire for **direct transit connections to Salt Lake City**.
- **Increased frequency** on routes that complement Electric Xpress service.
- **Safe crossings and sidewalks are needed for people walking and biking** especially along Park Avenue, Kearns Boulevard, and Deer Valley Drive.
- **Shared-use paths are popular but can be too busy for some people**, especially when recreational bicyclists, e-bike riders, runners, and walkers compete for space.
- Need improvements to **separate travel modes and increase safety at driveways** on local arterials and neighborhood connectors.

"Living in Silver Creek, the only option we have is to drive. It would be very helpful to have access to the public transportation system."

- Survey Respondent

"We need direct hourly buses to and from the Salt Lake Airport from the Kimball Junction transit center."

- Survey Respondent

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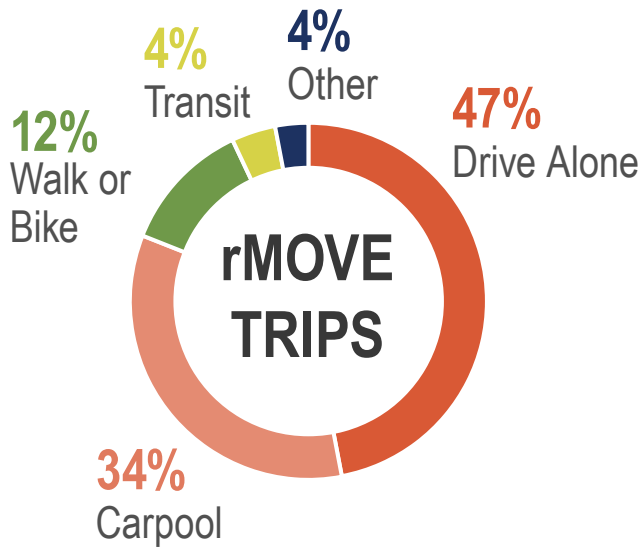
RMOVE SURVEY

The rMove travel survey provided a great source of information that informed strategy development, while establishing performance measures to monitor progress on Park City Forward. Over 300 people in 273 households logged more than 5,000 trips.

Some of the key findings from the rMove survey include:

- **Travel in a private vehicle is the most common mode** for all participants, but more common for non-Park City residents. Driving a private vehicle accounted for 81% of all trips.
- Biking, walking, and transit are **more popular among Park City residents** than for people living outside Park City.
- For Park City residents, **about 32% of all car trips were made alone**, and about 40% were with two or more people in the vehicle.
- About half the trips were for errands or to get home. **Work-related trips only account for 15%** of all respondent trips.

MODE SHARE FOR ALL rMOVE TRIPS



HOW DID rMOVE WORK?

RSG, Inc. conducted a smartphone-based travel diary to better capture behavior for all trip types. Residents were recruited through snail mail to addresses in the 84098, 84060, and 84068 zip codes, and employees were recruited through existing electronic mailing lists. This methodology provided a statistically significant population sampling of travel behavior for the Park City/ Summit County Area.

People who opted in downloaded a mobile phone app and recorded all their trips for three days. A focus group of older adults also recorded their trip activity through in-person interviews and paper survey forms. The app and survey were also available in Spanish. If participants completed three days of recorded trips, they could choose to receive a $15 gift card.

The app recorded each trip's origin and destination, and participants provided information such as the trip purpose, mode of travel, and how many people they traveled with. We also asked for demographic information such as household size and income level, allowing for an analysis of trip behavior by different user types.

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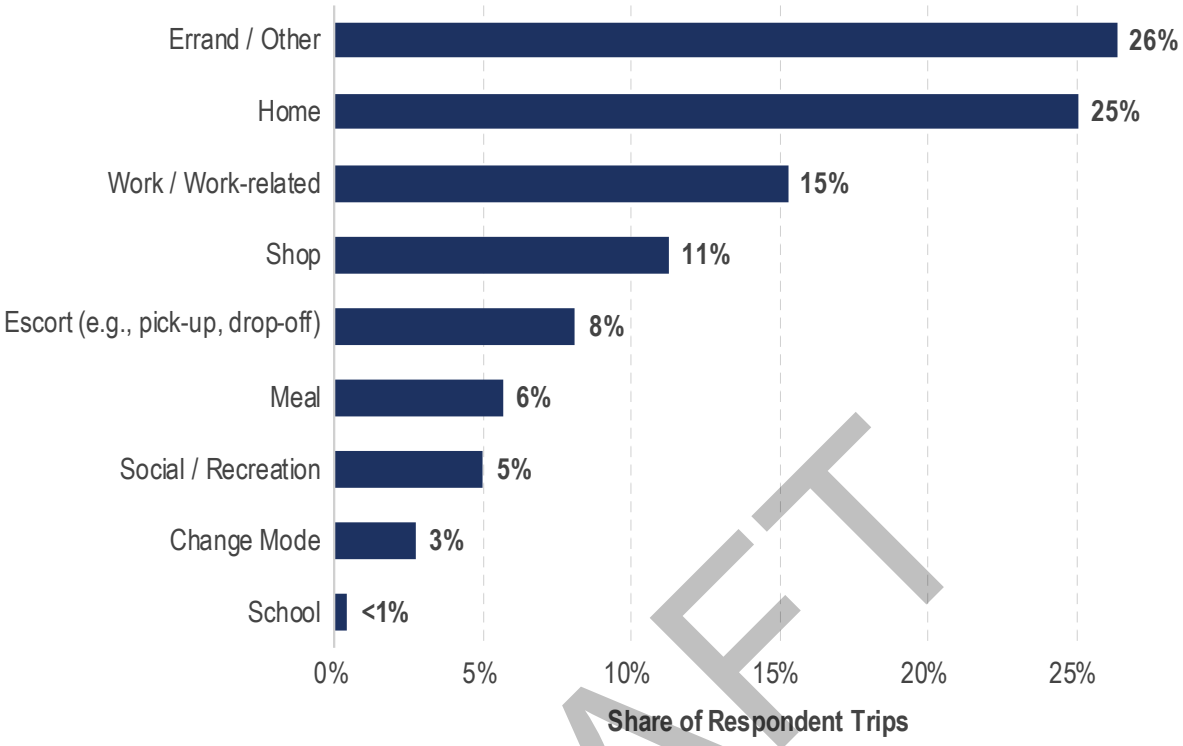
TRIP PURPOSE OF rMOVE TRIPS



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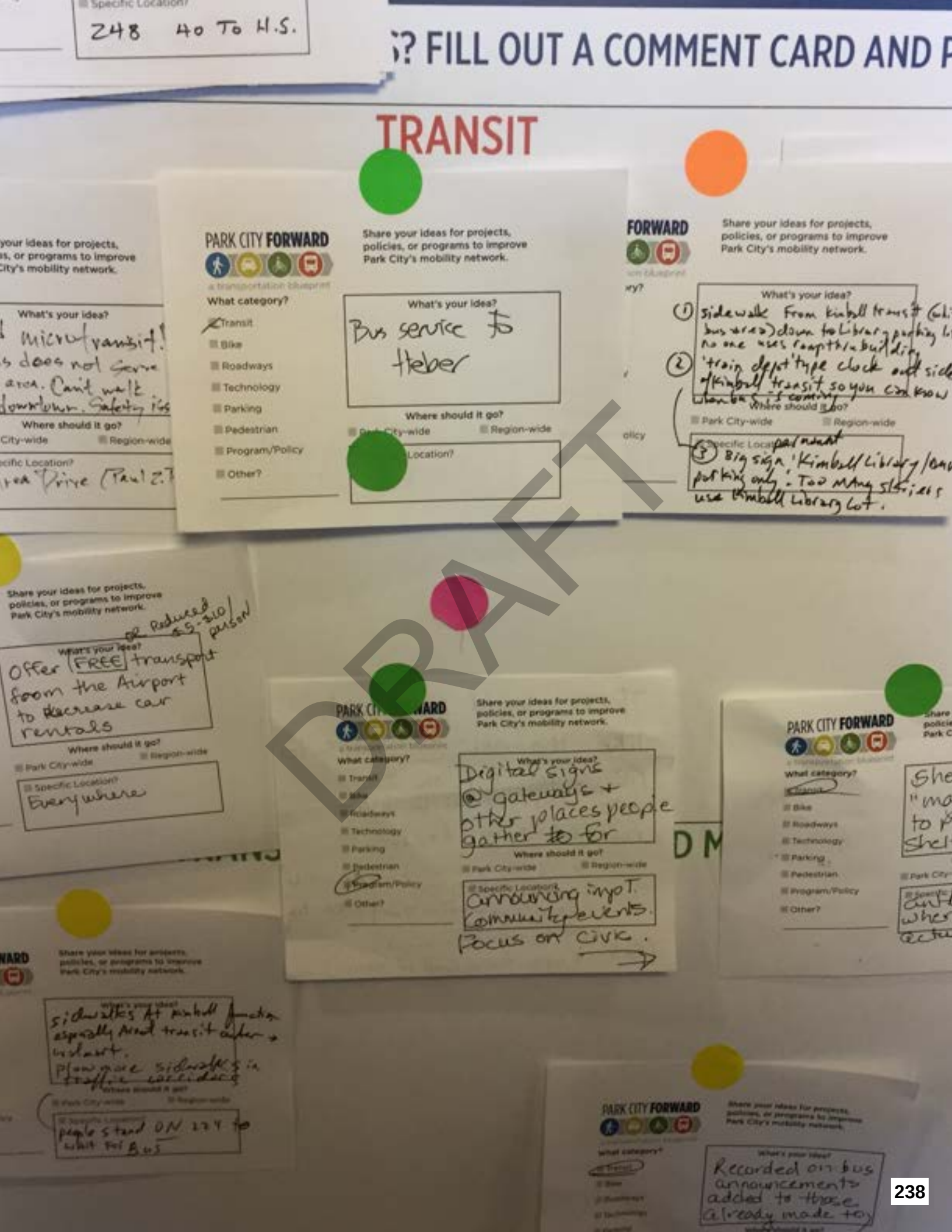
HOW DID WE USE THE DISCOVERY PHASE?

- Stakeholder feedback helped us draft Park City Forward goals, understand existing transportation challenges, and brainstorm solutions.
- We used results and comments from the Transportation Values Tapestry to synthesize the community's vision for the plan and create plan goals and performance metrics.
- Data from the rMove survey was used to understand existing travel patterns and baseline mode split, set mode split targets for key geographic nodes, and inform the monitoring plan.
- Open houses gave us space to inform the community about Park City's existing transportation network, and participants used large maps to show us trouble spots and areas for improvement.

"Walkability is very important. I would love for residents and visitors to be able to live their day-to-day life without a car."

- Survey Respondent


Specific Location?
248 40 To H.S.
? FILL OUT A COMMENT CARD AND
TRANSIT
PARK CITY FORWARD
a transportation blueprint
Share your ideas for projects, policies, or programs to improve Park City's mobility network.
What category?
Transit
Bike
Roadways
Technology
Parking
Pedestrian
Program/Policy
Other?
What's your idea?
Bus service to Heber
Where should it go?
Park City-wide
Region-wide
Specific Location?
What's your idea?
Where should it go?
Park City-wide
Region-wide
Specific Location?
What's your idea?
Offer FREE transport from the Airport to decrease car rentals
Where should it go?
Park City-wide
Region-wide
Specific Location?
Everywhere
What's your idea?
Digital signs @ gateways + other places people gather to for
Where should it go?
Park City-wide
Region-wide
Specific Location?
announcing impT community events.
Focus on civic.
What's your idea?
sidewalks At Kimball Junction especially Areal transit center + walmart.
Plow more sidewalks in traffic corridors
Where should it go?
Park City-wide
Region-wide
Specific Location?
people stand ON 224 to wait for Bus
What's your idea?
Recorded on bus announcements added to those already made to
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DESIGN

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The Design Phase helped the team refine, add to, and confirm the most important pieces of the plan: Park City Forward's vision, goals, project ideas, and how we will measure success. We took our initial project list and integrated community feedback to update, consolidate, and refine the list.

We used this list to draft Modal Concept Plans for each of the key modes. Community feedback helped to prioritize and add transportation strategies at the broad conceptual level, and input from the advisory committees gave us direction on adjusting specific project ideas.

DESIGN PHASE – BY THE NUMBERS

330+

Respondents to the Vision and Strategies survey

725

Comments from survey respondents

"Electric Xpress service should be expanded to Deer Valley."

- Survey Respondent

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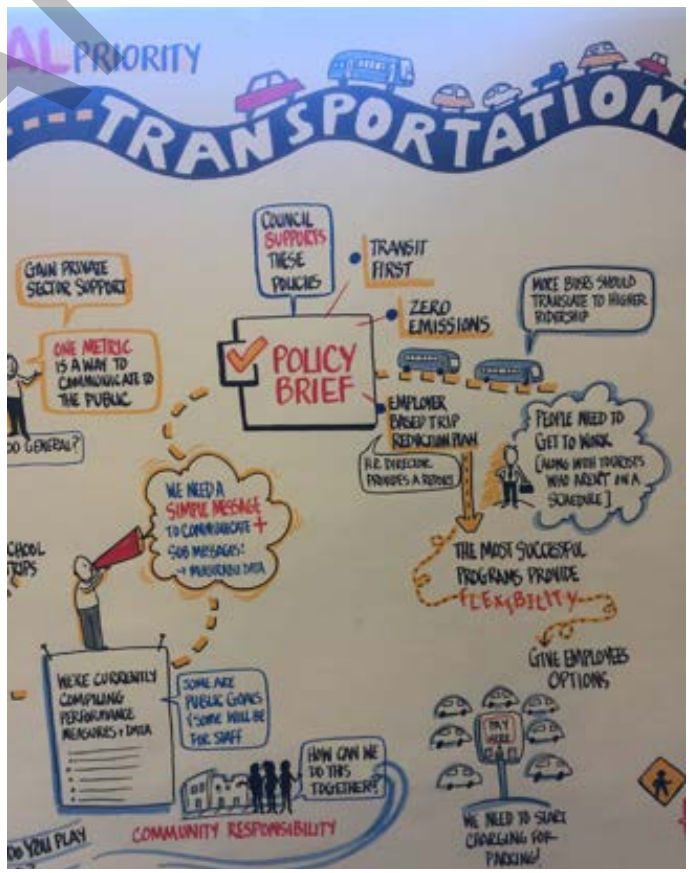
WHAT DID WE DO?

In the Design phase, we continued our outreach through advisory committee meetings, an open house, and a second online survey:

- We **met twice with the TAC and PST:** once to prioritize initial concepts and brainstorm potential investment scenarios, and a second time to review and update the Modal Concept Plans.
- We **hosted an open house** to present a conceptual list of projects, policies, and programs and gather feedback to inform prioritization.
- The **Vision and Strategies online survey** gathered feedback on how to measure the success of Park City Forward, and helped us consider which conceptual strategies might have the greatest impact.
- We also participated in the **2019 City Council retreat** to help define transportation goals and measures for success.



Live visual note-taking by artist Alece Birnbach captured the transportation discussion at the 2019 City Council retreat.

WHAT DID WE LEARN?

From TAC and PST meetings, the open house, and the online survey, the concepts and projects that received the most support were:

- Building **high-capacity transit corridors.**
- Completing the **sidewalk network.**
- Improving employee access by non-SOV modes through **incentive programs.**
- **Updating street standards** to improve conditions for transit, biking, and walking.
- Implementing **shared parking** and **expanding park-and-ride options.**

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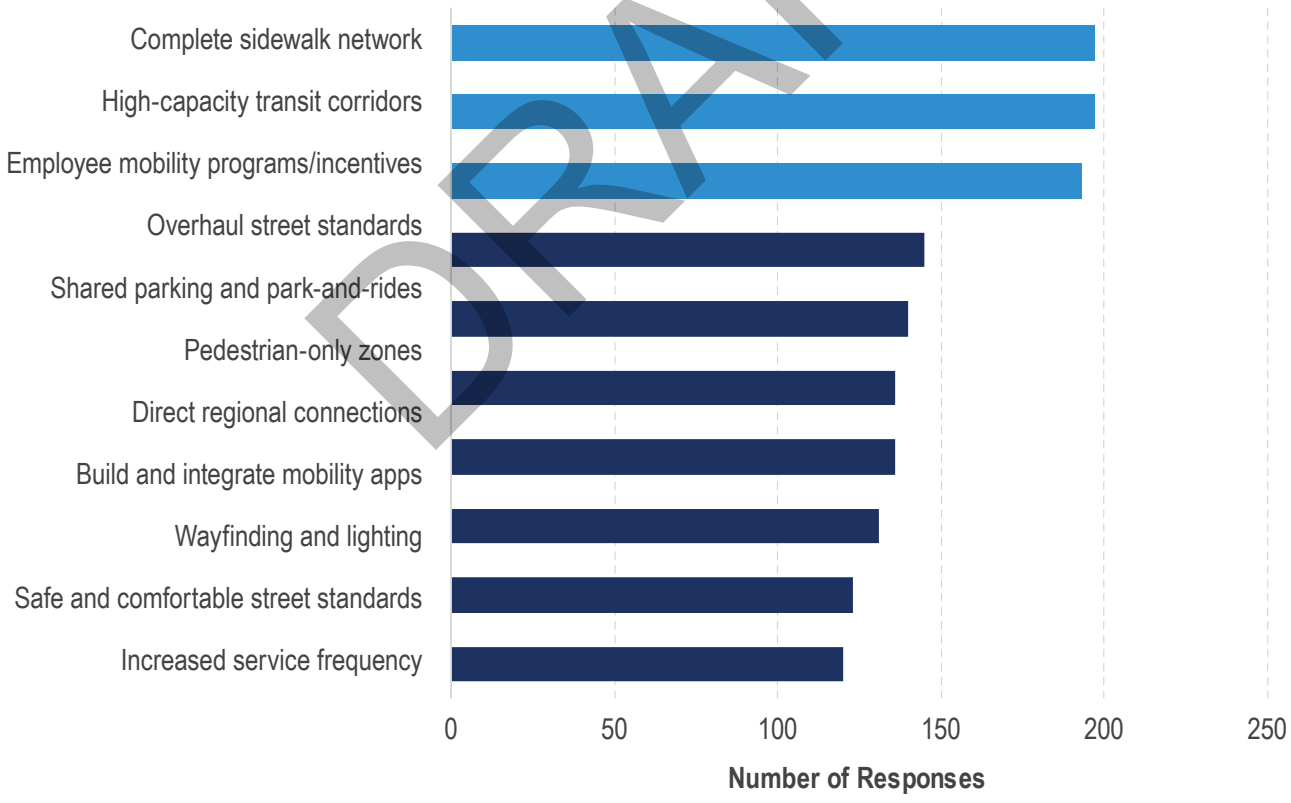
TOP TEN HIGH PRIORITY STRATEGY CONCEPTS



SCENARIO PRIORITIES

Members of the TAC and PST brainstormed three scenarios that we used to study the tradeoffs and benefits of potential future investment packages:

- **Transit Focus:** emphasize improvements to transit infrastructure and service, supported by incentive and demand management programs.
- **Roadway and Technology Focus:** Prioritize roadway and technology investments, supported by incentive programs and development policies to encourage parking reform.
- **Shared Mobility and Active Transportation Focus:** Emphasize shared and new mobility options and investments in bicycling and walking, supported by demand management programs to encourage multimodal travel choices.

TAC and PST meeting attendees mixed and matched groups of strategies to create conceptual investment scenarios.

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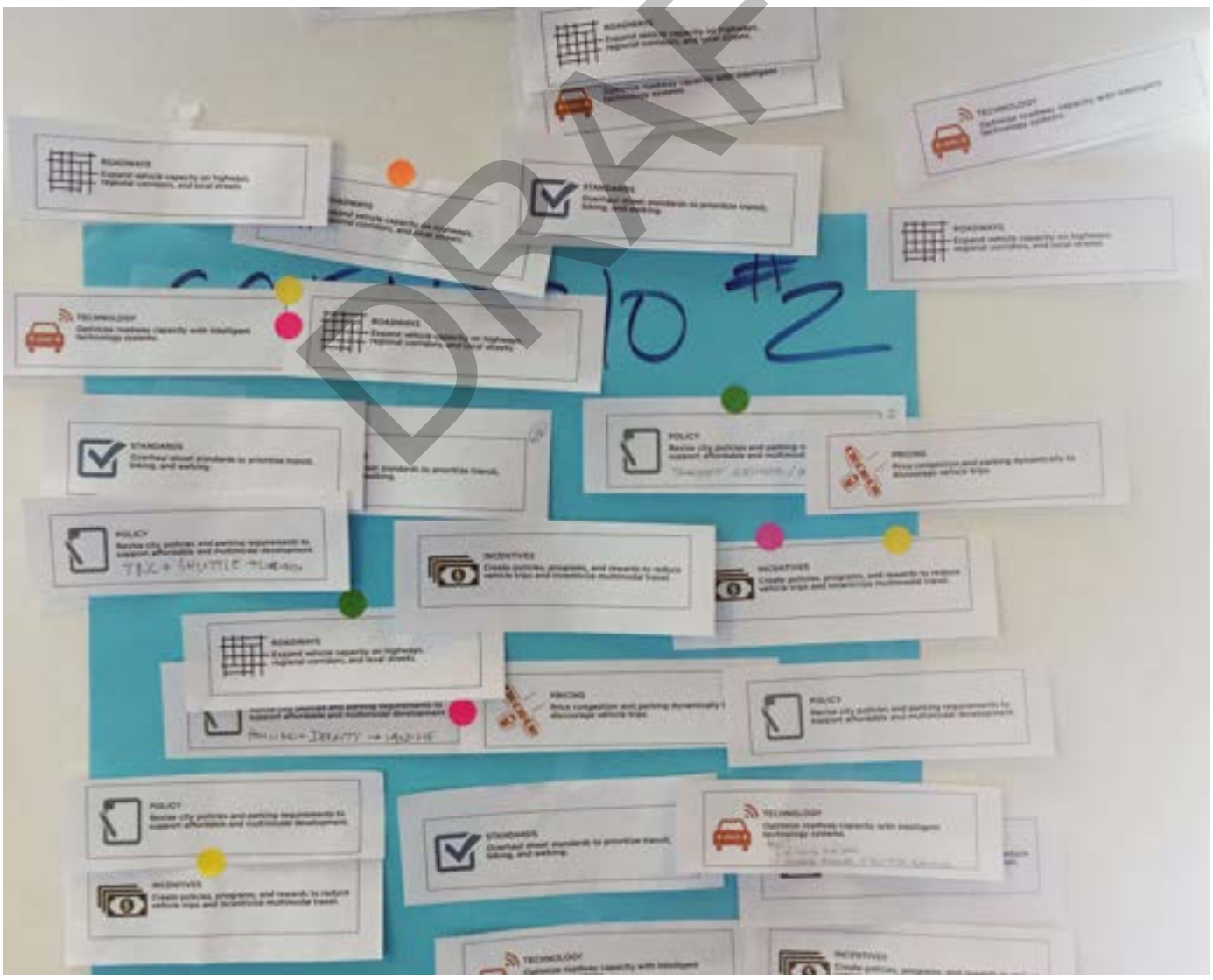

KEY FEEDBACK THEMES

Many of the key themes that we heard through this phase are aligned with feedback gathered through the Discovery phase. Some new or updated ideas that we heard include:

- Try **on-demand shuttles to serve low-density areas** and connect with regular transit service
- Provide **better ski storage on buses** to encourage transit usage to ski resorts
- Provide better **transit service that requires fewer transfers**, especially to areas such as Deer Valley
- **Restrict vehicle traffic in Old Town** and create pedestrian priority spaces
- **Improve sidewalks, walkability, and crossings of major streets** in Kimball Junction, the Arts & Culture district, and along SR-224
- Create better **management strategies for resort/hotel shuttles and ride hail vehicles**, especially in Old Town
- Design **parking management strategies** for both residential and commercial areas
- Reduce congestion and **increase transit reliability on gateway corridors**
- **Better communicate park-and-ride availability**, and create incentives to use them

"I'd like to see more direct buses to Deer Valley, not requiring a transfer."

- Survey Respondent

"Main Street should be pedestrian only year round. This is the highest priority of all."

- Survey Respondent

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HOW DID WE USE THE DESIGN PHASE?

- TAC, PST, and survey feedback helped us refine project descriptions and add new project ideas to the list.
- The community told us which concepts were the highest priority to implement, such as building high-capacity transit corridors and completing the sidewalk network.
- The City Council retreat established the key priority of reducing vehicle trips on SR-224 and SR-248, Park City's "gateway corridors."
- Members of the TAC and PST brainstormed the investment scenarios that we then tested in the Scenario Evaluation in the Document phase.

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DOCUMENT

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In the final outreach phase, the team refined our projects, programs, and policies, then took our updated list of strategies to the community and to our advisory groups for several rounds of feedback.

Prior to Covid-19 and a project pause in 2020, we created several future transportation scenarios, evaluated them against the plan's vision and goals, and collected feedback about the estimated outcomes. After a project restart in 2021, we refreshed our project list, reengaged the TAC and community, and went through a simplified prioritization effort.

All of this helped us refine and adjust proposed project locations and create the final detailed set of prioritized transportation investments, including the short list of high-priority projects.

DOCUMENT PHASE - BY THE NUMBERS

550+

Total survey and open house participants

570+

Comments from the 2019 strategies and map survey

180+

Comments from the 2021 modes and nodes survey

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WHAT DID WE DO?

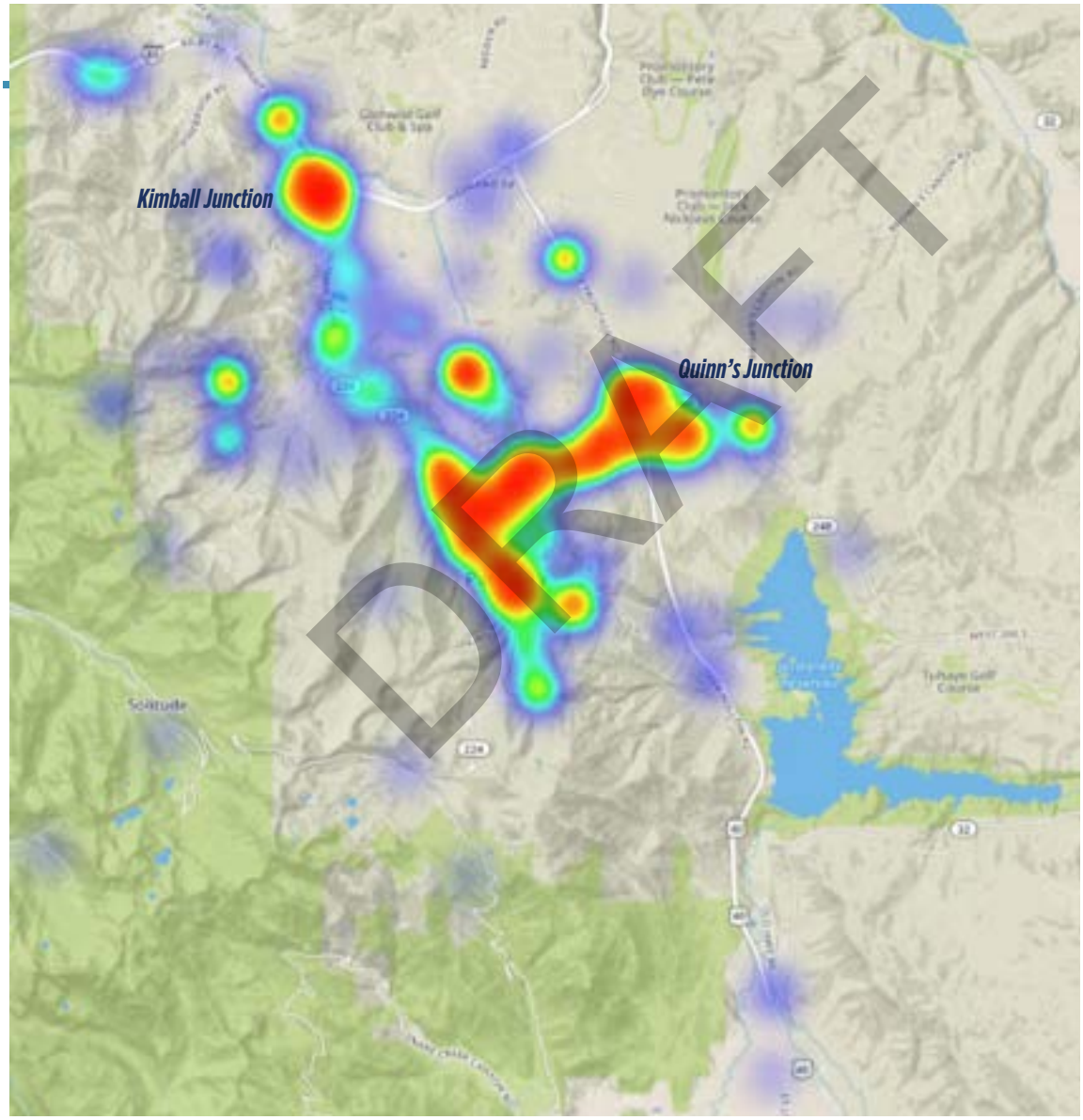
- We held additional **meetings with the TAC and PST** to present transportation strategies. We grouped strategies into the three possible future scenarios, with different levels of investment in each travel mode, to help illustrate the broad costs and benefits of prioritizing different modes.
- We shared the strategies and high-level results of the scenario evaluation at **another in-person open house prior to Covid-19.**
- We put proposed projects, programs, and policies into an online survey, with many of the project ideas shown on an **interactive map**. Participants prioritized and provided comments on the projects based on detailed project descriptions, browsed the interactive map layers showing proposed project locations, and added their own ideas to the map.
- We refreshed the project list in spring 2021 after the Covid-19 project pause in 2020. Then we conducted **one more community survey and open house** to understand project priorities by city node and travel mode.
- We presented a summary of the final Park City Forward Blueprint at the citywide **Fall Open House in September 2021,** alongside two related transportation projects, the Short-Range Transit Plan and the Active Transportation Plan. We shared information with community members on the process of creating park City Forward, as well as an overivew of plan contents.

WHAT DID WE LEARN?

PROJECT PRIORITIES (FALL 2019)

Survey respondents **ranked transit-only lanes, park-and-ride facilities, and carpool/ vanpool programs** as the highest priorities overall.

Corridor pricing, expanding Summit Bike Share, and building aerial/gondola connections were the lowest priorities for survey respondents.

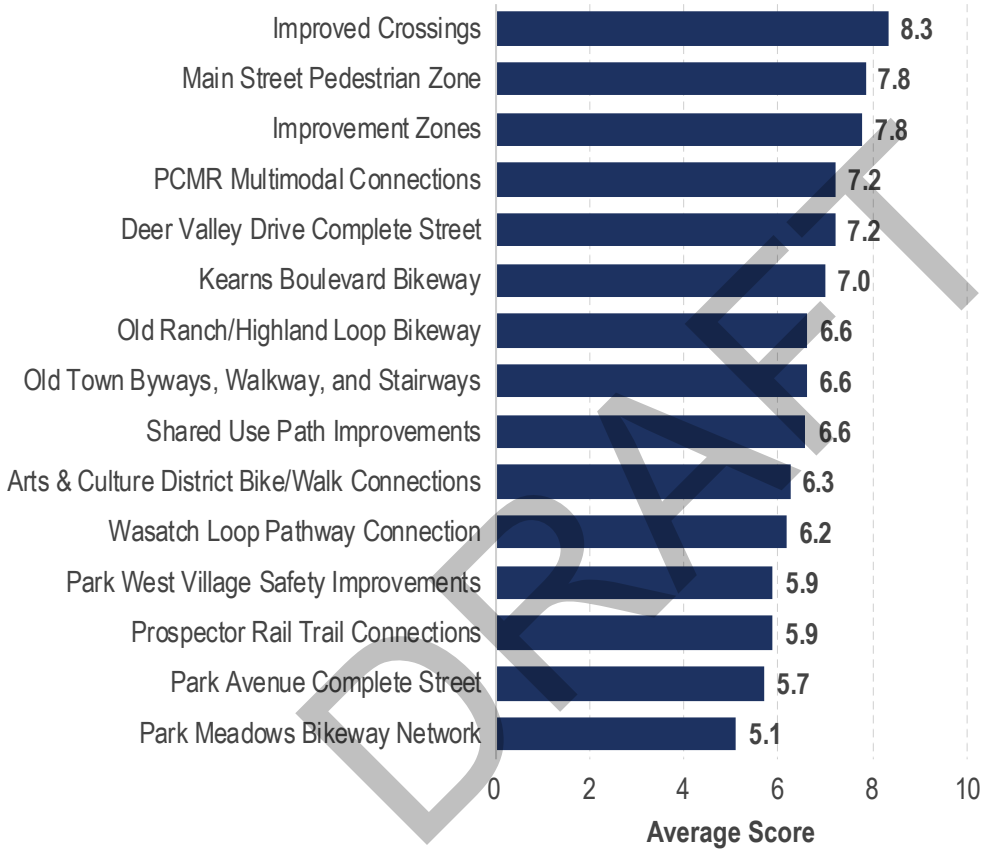


This heat map shows the distribution of all open-ended comments left on the map in our Fall 2019 project prioritization survey. Responses were concentrated in central Park City and Kimball Junction, and along SR-248/Kearns Boulevard to Quinn's Junction.

Active Transportation

The most important active transportation projects include improved crossings, creating a pedestrian-only zone on Main Street, and improving walking and biking connections throughout areas such as Kimball Junction. Improving the bike network in Park Meadows was lower-ranked. Respondents mentioned that low traffic volumes make riding here feel comfortable already.

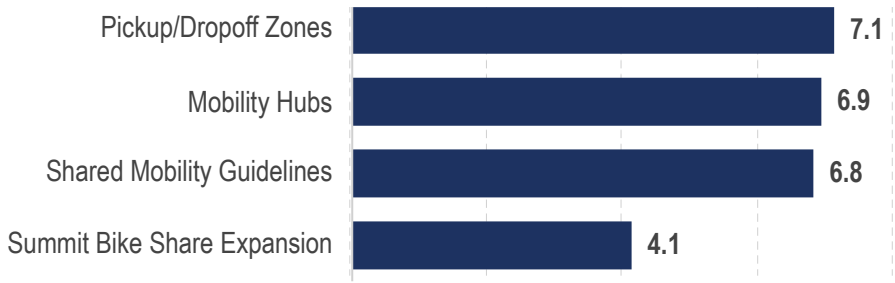
AVERAGE PRIORITY SCORE OF ACTIVE TRANSPORTATION PROJECTS



Shared Mobility

We asked about some new and emerging mobility concepts, and respondents ranked mobility apps, mobility hubs, and pickup/dropoff zones as their highest priorities.

AVERAGE PRIORITY SCORE OF SHARED MOBILITY PROJECTS



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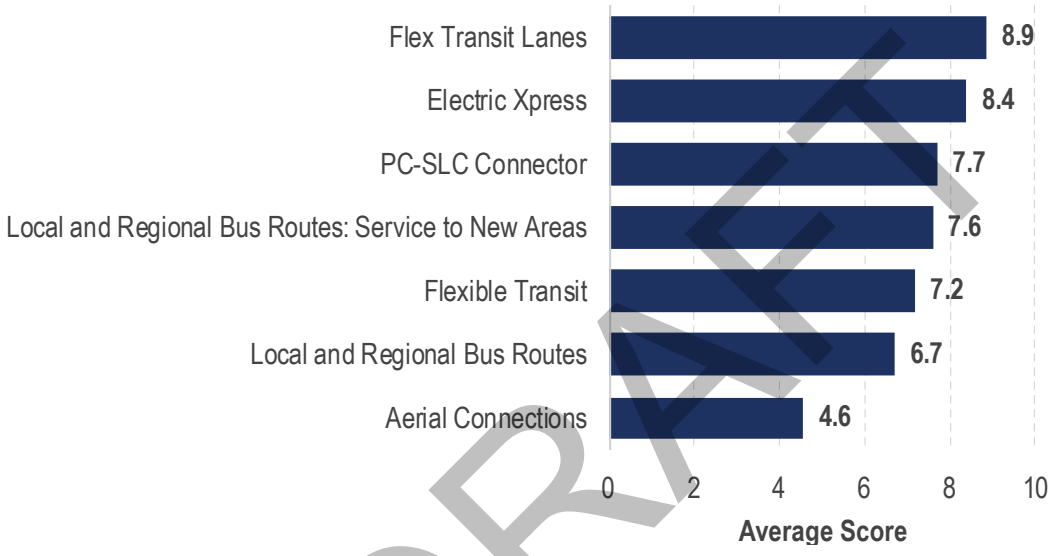
Transit

The highest priority transit projects were flex transit lanes and extending Electric Xpress service to new areas. The aerial connections/gondola project generated strong but split reactions—some comments were strongly in favor, while others suggested that the project would be too expensive, or suggested changes to the proposed conceptual route.

AVERAGE PRIORITY SCORE OF TRANSIT PROJECTS



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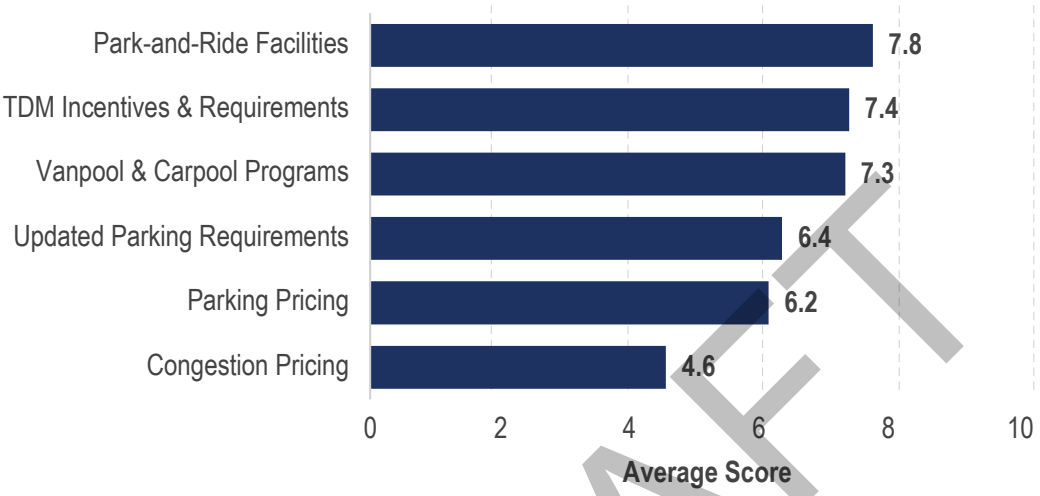
"Allow preemption [at traffic signals] for transit vehicles. They have to be a priority. If it takes longer by transit than by personal vehicle, ridership will suffer."

- Survey Respondent

Parking + TDM

Survey respondents favored park-and-ride facilities, citywide TDM incentives & requirements, and vanpool/carpool programs. Pricing roadways and expanding parking pricing were the least popular parking & TDM projects.

AVERAGE PRIORITY SCORE OF PARKING + TDM PROJECTS



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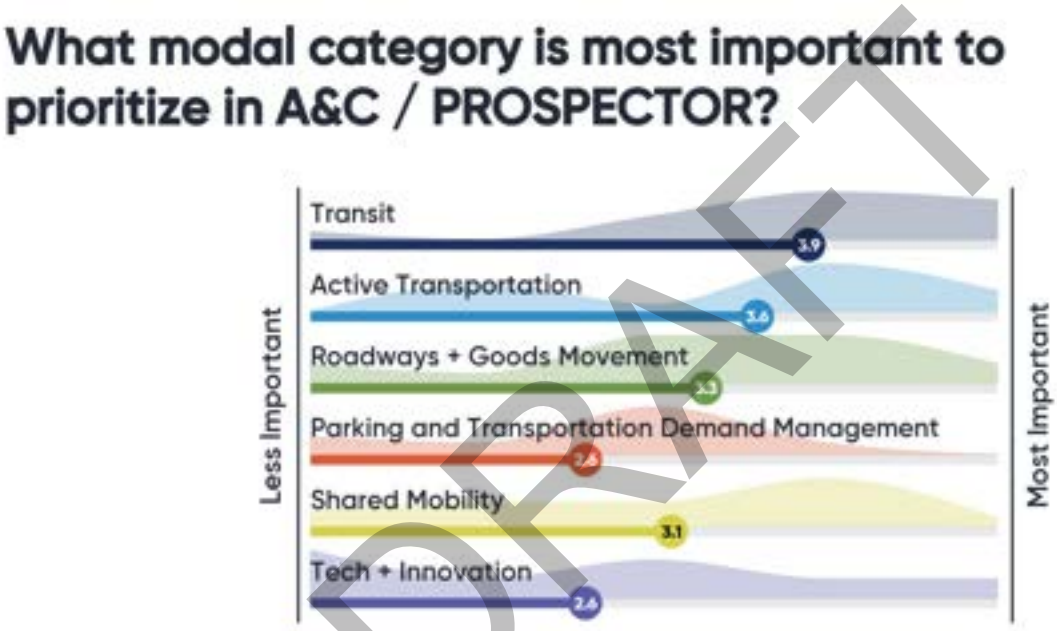
"We need parking on the outskirts of town with dedicated, direct and express electric bus service options on designated bus-only lanes. Traffic is going to kill our tourism-driven economy and environment."

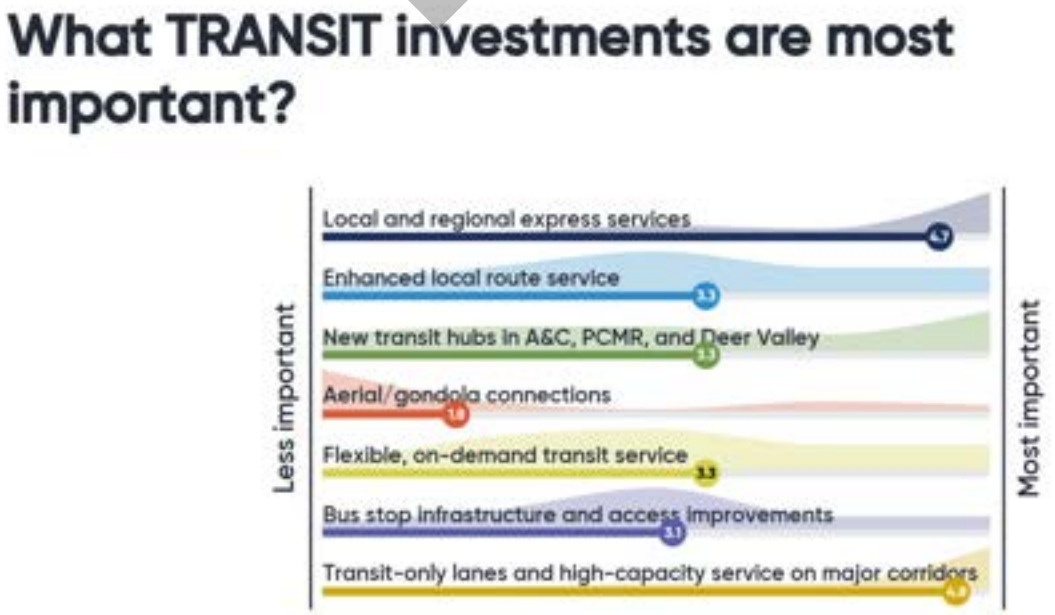
- Survey Respondent

PROJECT PRIORITIES (2021 REFRESH)

Covid-19 prompted a pause in project work for most of 2020. We reconnected with the TAC and the Park City community in spring and summer 2021 to help move Park City Forward to the finish line. This time, in addition to asking about priorities by travel mode, we wanted to understand what travel modes we should emphasize and prioritize in different geographic "nodes" of the city.

TAC members reviewed project descriptions, added comments to an interactive board, and suggested modal and nodal priorities.





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Priorities by Mode

- Respondents strongly support strategies that improve off-street biking and walking connections and crossing improvements of major streets.
- Transit-only lanes and frequent bus service on major corridors was the top-scoring strategy overall. This matches the feedback we have heard throughout the project for faster, better bus service.
- Transit was top priority in all Nodes and was favored by the widest margin at PCMR.
- Comments emphasize a desire to eliminate the need for visitors to drive into and around Park City.
- Respondents see a more limited need for electric scooters and other shared micromobility options.

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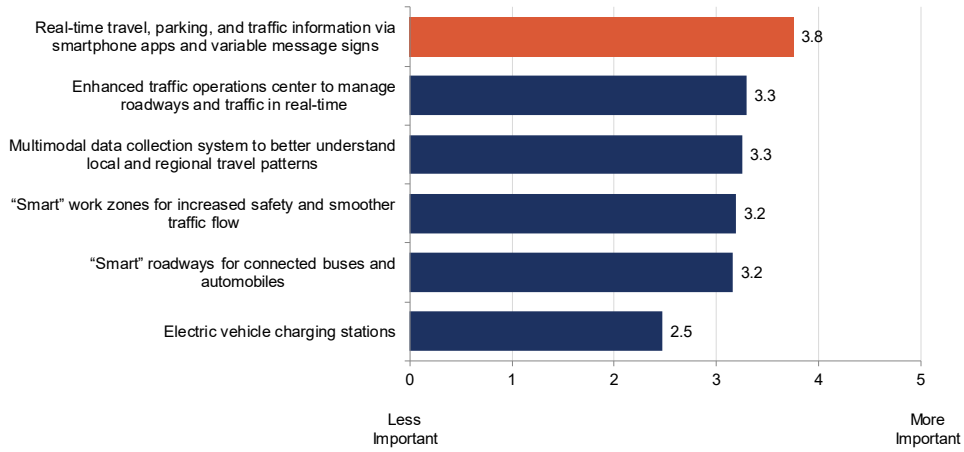
What types of parking and TDM investments are most important for Park City?

What types of transportation technology and innovation investments are most important for Park City?



Priorities by Node

We asked the TAC and members of the community which modes of travel were most important to emphasize in key geographic Nodes throughout the city.

- On average, Transit was ranked most important across all areas of the city, and received the highest priority score at the two ski resort bases, Park City Mountain Resort and Deer Valley.
- Parking and Transportation Demand Management was ranked next most important overall, particularly at Deer Valley.
- Active Transportation was considered most important to emphasize in Old Town and the Neighborhoods.
- Technology and Innovation was ranked least important overall across all Nodes.

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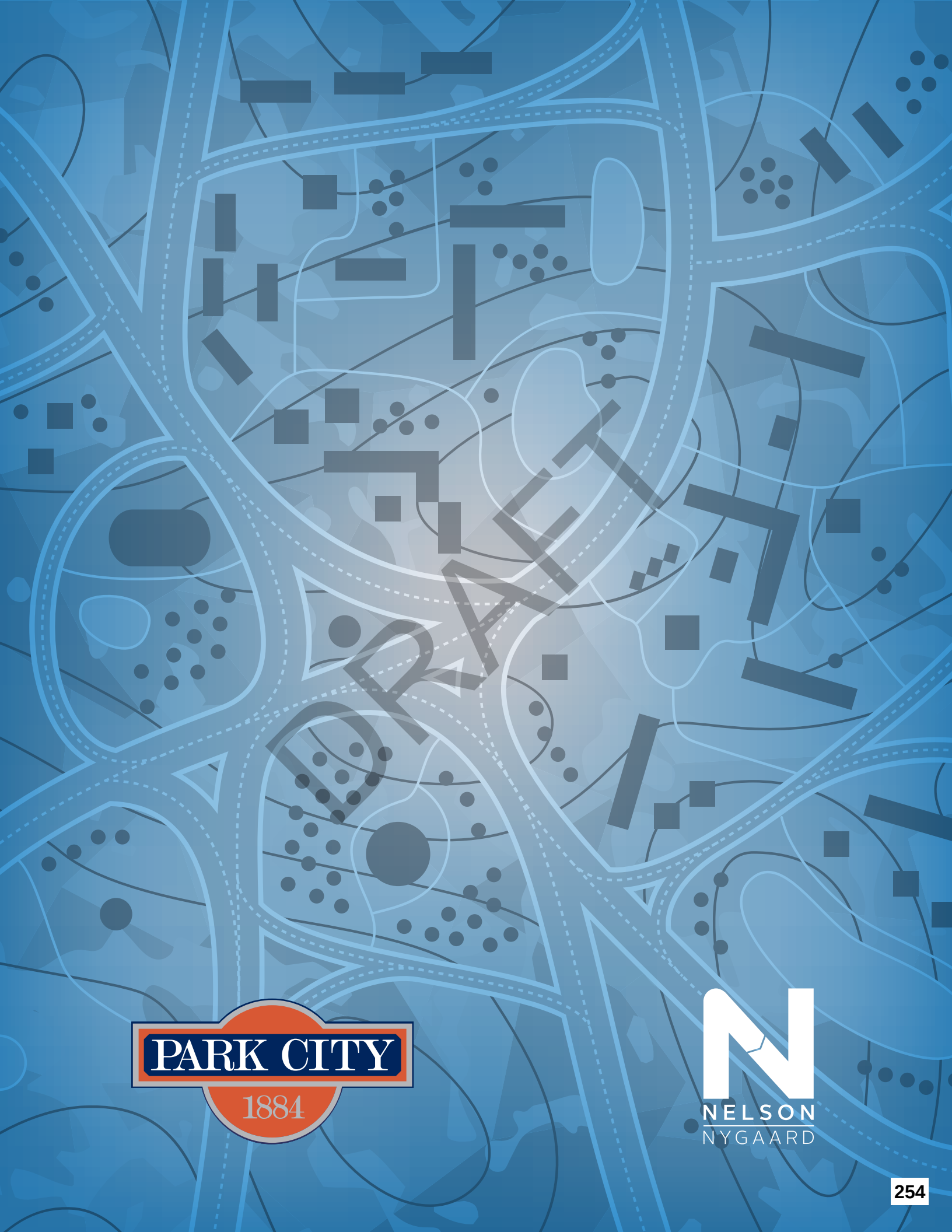
HOW DID WE USE THE DOCUMENT PHASE?

- Results of the scenario planning exercise informed our final preferred strategy that emphasizes balance across all modes, and helped us update project descriptions to match.
- TAC and community input helped us refresh and update the project list after the 2020 Covid-19 pause.
- We collected your feedback on which projects are most important to implement first and incorporated that prioritization into the final project evaluation to create the short-and long-term project lists.
- We documented your nodal and modal priorities to inform future planning and project implementation efforts in Old Town, Quinn's Junction, and other key geographic nodes.



PARK CITY
1884

NELSON
NYGAARD

Planning Commission
Staff Report

Subject: **Southeast Quinn's Junction Annexation**
Application: **PL-21-05031**
Author: **Planning Department**
Date: **May 25, 2022**
Type of Item: **Legislative – Annexation Petition and Zoning Map Amendment**

Recommendation

(I) Review the Southeast Quinn's Junction Annexation Petition, (II) conduct a public hearing, and (III) consider forwarding a positive recommendation for City Council's consideration on June 16, 2022, as outlined in Draft Ordinance No. 2022-XX (Exhibit A).

Description

Applicant:	Park City Municipal Corporation
Location:	Development-restricted Richardson Flat property and City-owned Clark Ranch, approximately 1,200 acres in the Quinn's Junction (HWY 40 and SR 248) area, including the following parcels in unincorporated Summit County: SS-65-A-X (69.80 acres) SS-65-A-X-X (0.78 acres) SS-65-A-1-X (0.26 acres) SS-92-A-1-A (0.22 acres) SS-92-A-1-X (0.22 acres) SS-92-A-X (34.19 acres) SS-88 (166.27 acres) SS-91-UP-X (6 acres) SS-87-A-X (17.18 acres) SS-87 (380 acres) SS-87-B (22.85 acres) SS-86-91-UP-X (12.38 acres) SS-91-X (45.85 acres) PP-28-A (40 acres) SS-121-X (124.98 acres) PP-26-A-1-AX (44 acres) PP-26-X (125.76 acres) PP-26-D-X (6.03 acres) PP-26-A-X (94.56 acres) PP-S-46 (0.57 acres)
Proposed Zoning:	Recreation and Open Space Entry Corridor Protection Overlay Sensitive Land Overlay

Adjacent Land Uses:	To the west – the Park City boundary and Intermountain Healthcare Park City Medical Campus Subdivision, Morning Star Estates Subdivision, Park City Heights Subdivision, and Park City Film Studios Subdivision To the north – unincorporated Summit County Service Commercial and Hillside Stewardship development and undeveloped agricultural/grazing land To the east – unincorporated Wasatch County mixed-use development along SR 248 and undeveloped land in unincorporated Summit County To the south – undeveloped land in unincorporated Summit and Wasatch Counties
Reason for Review:	The Planning Commission holds a public hearing and makes a recommendation on annexation petitions, including the recommended zoning, to the City Council.[1]

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

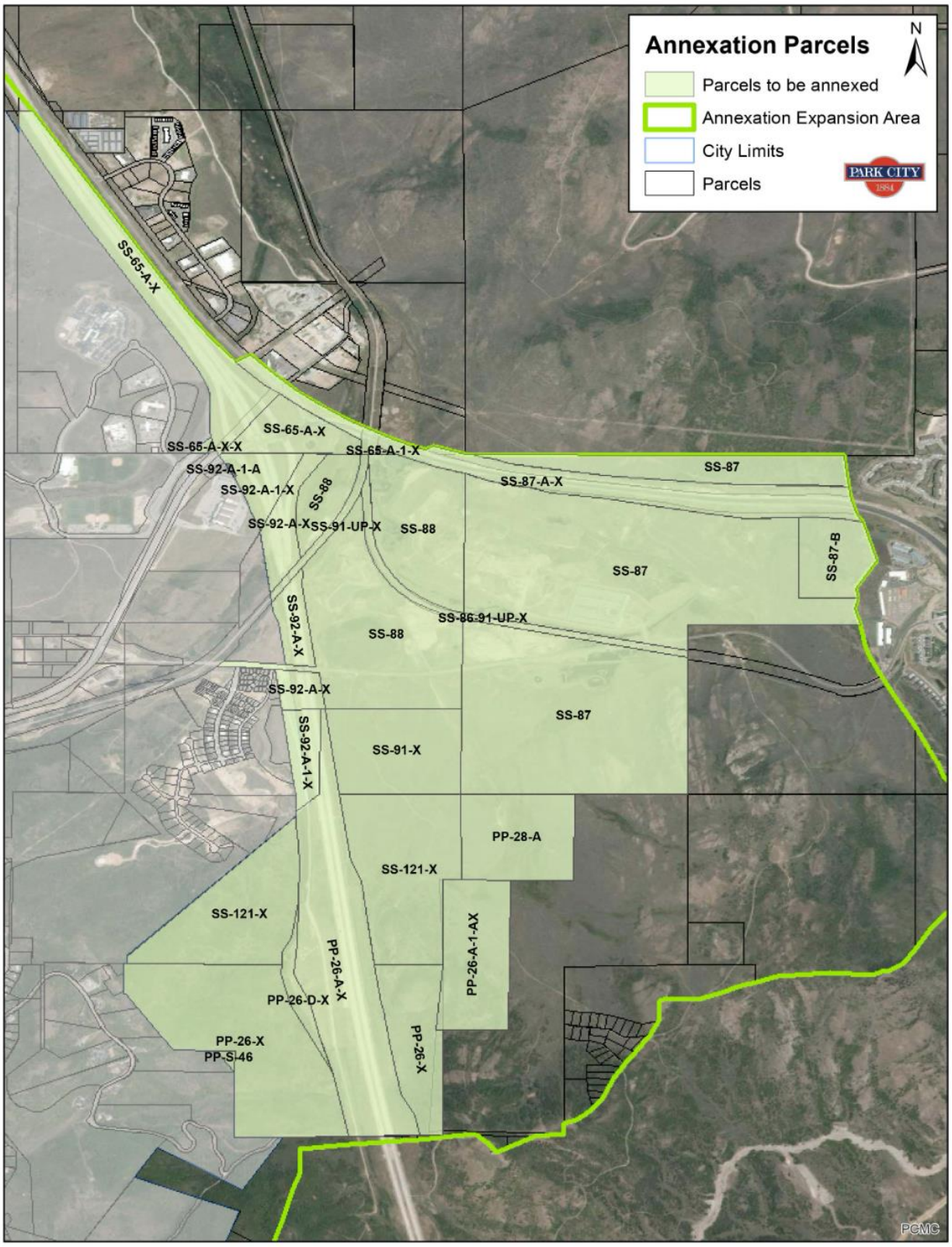
Summary

Park City Municipal Corporation filed an annexation petition to bring approximately 1,200 acres into City jurisdiction. The annexation includes the Richardson Flat property, long envisioned to become part of Park City, that is development-restricted for future open space and recreation facilities, as well as the City-owned Clark Ranch property, with a majority of the acreage slated for a conservation easement as protected public recreational open space.

Background

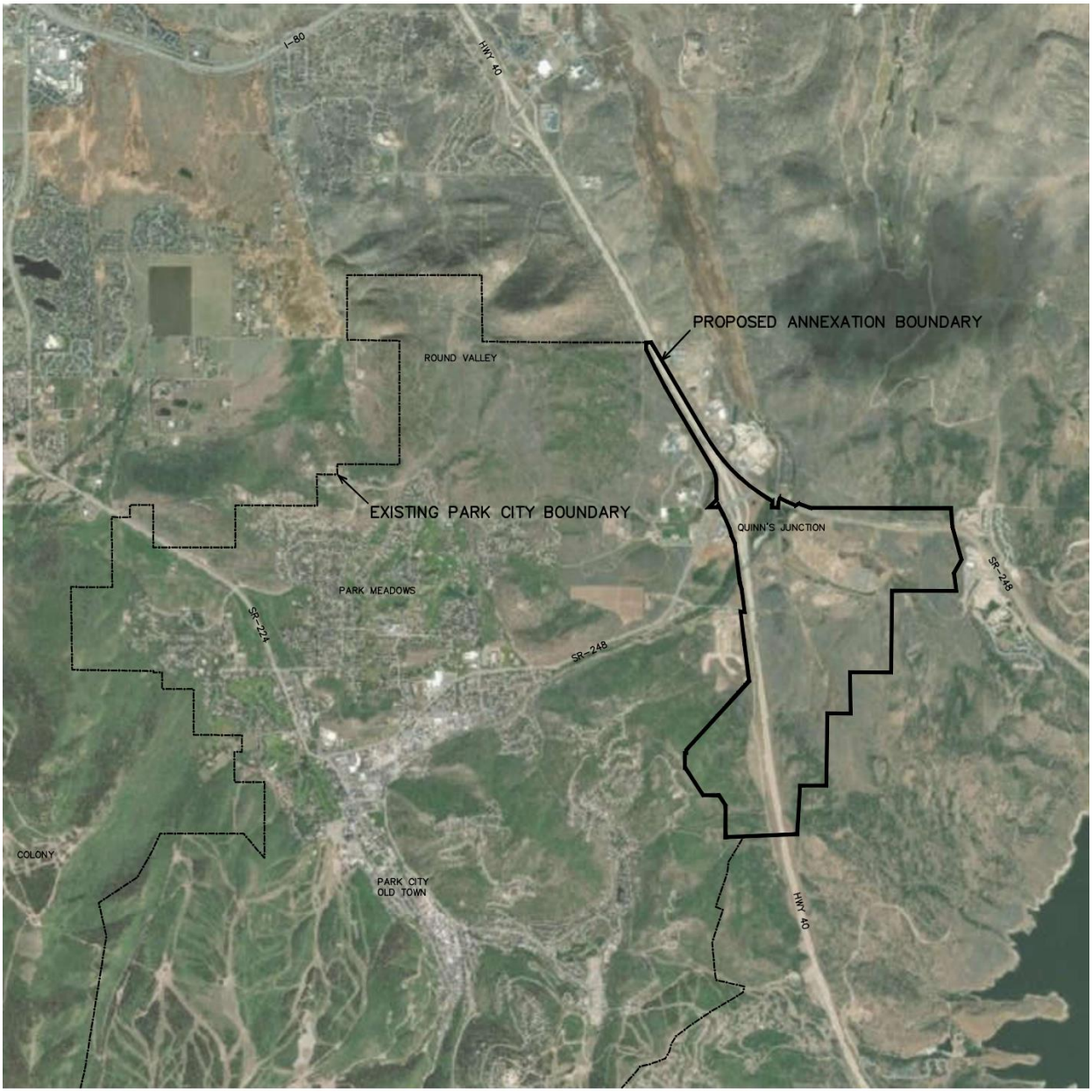
On October 15, 2021, the Applicant filed the Southeast Quinn's Junction Annexation Petition with the City Recorder (Exhibit B). The annexation petition includes approximately 1,200 acres of property in the Quinn's Junction (HWY 40 and SR 248) area in unincorporated Summit County, highlighted in green below:

[1] LMC § 15-8-4(E)


Annexation Parcels
N
Parcels to be annexed
Annexation Expansion Area
City Limits
Parcels
PARK CITY
1884
SS-65-A-X
SS-65-A-X
SS-65-A-X-X
SS-65-A-1-X
SS-92-A-1-A
SS-92-A-1-X
SS-88
SS-92-A-X
SS-91-UP-X
SS-88
SS-87
SS-87-A-X
SS-87
SS-87-B
SS-92-A-X
SS-86-91-UP-X
SS-88
SS-92-A-X
SS-87
SS-92-A-1-X
SS-91-X
PP-28-A
SS-121-X
SS-121-X
PP-26-A-X
PP-26-A-1-AX
PP-26-D-X
PP-26-X
PP-S-46
PP-26-X
PCMC

The annexation petition Vicinity Map shows the area proposed to be annexed into Park City in the context of the existing City boundary:

VICINITY MAP



The annexation petition includes the Richardson Flat property and City-owned Clark Ranch property.

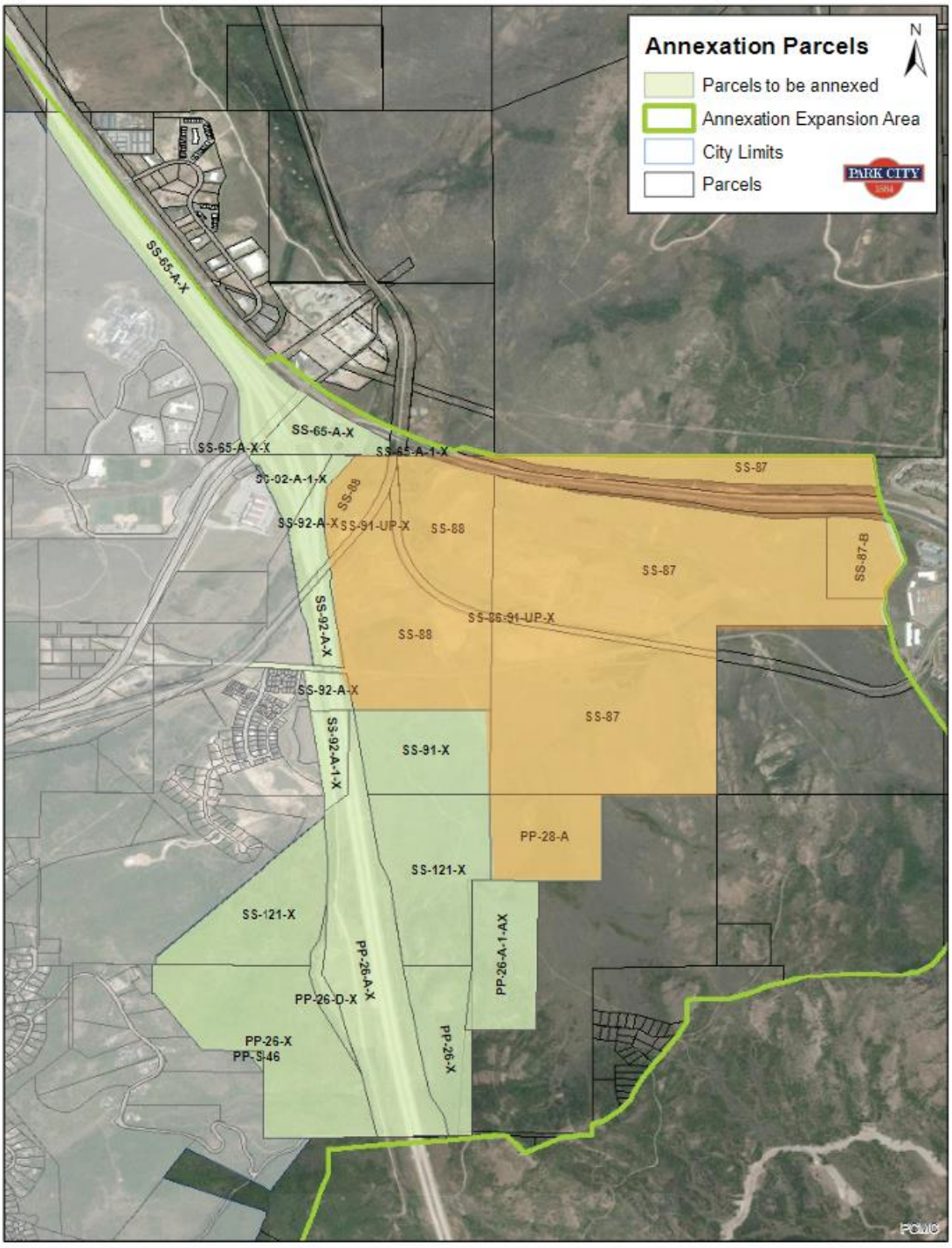
Richardson Flat Property

The Richardson Flat property included in the annexation petition is the result of a long planning process and was negotiated with United Park City Mines (UPCM) as part of the Flagstaff Development Agreement in 1999 (Exhibit C). The Flagstaff Development Agreement was the result of an unprecedented negotiation between the City and UPCM that established clear and predictable land use entitlements and restrictions for hundreds of acres in Park City as well as within Summit and Wasatch Counties. Park City's ability to annex the Richardson Flat area was negotiated as part of that approval process.

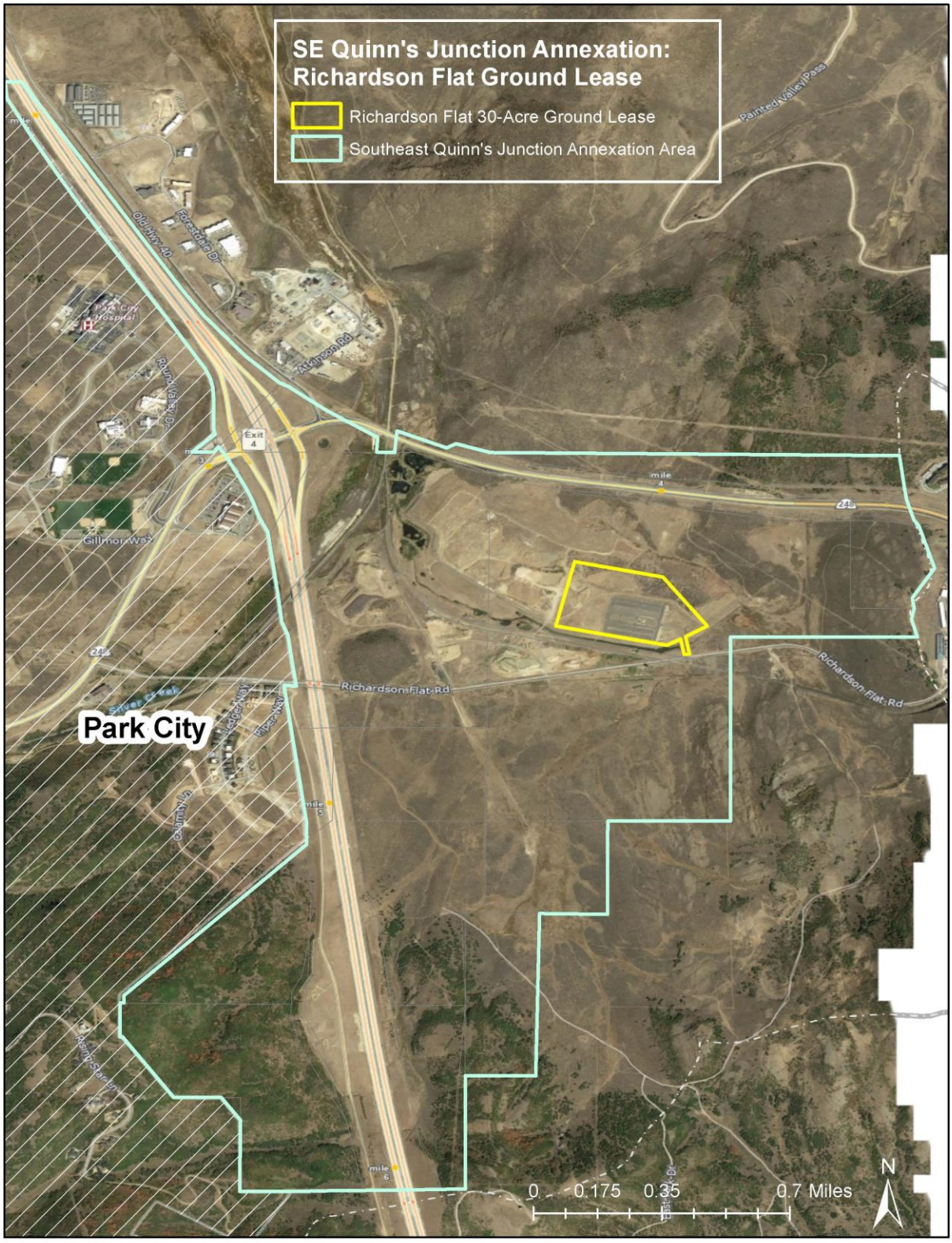
On May 17, 1994, UPCM filed an application to annex an area—initially referred to as Flagstaff Mountain and now known as Empire Pass—into Park City. After years of negotiations, on June 24, 1999, City Council adopted Ordinance No. 99-30, annexing approximately 1,750 acres into Park City for the development of Flagstaff Mountain. On the same day, the City Council adopted Resolution No. 20-99, authorizing the Flagstaff Development Agreement between UPCM and Park City.

In Section 3.1 of the Flagstaff Development Agreement, UPCM agreed to annex the Richardson Flat property into Park City (Exhibit C, p. 29). Additionally, UPCM agreed to development restrictions that limit future uses of the Richardson Flat property to golf, equestrian, or other public recreational facilities, or "to perpetually deed restrict Richardson Flat to prevent further development" (Exhibit C, p. 30). The Flagstaff Development Agreement was amended in 2007, reiterating the contemplated annexation of the Richardson Flat property into Park City and expanding the Flagstaff Development Agreement to include 30 acres in the Richardson Flat area for Park City Municipal parking and potential recreational uses.

The development-restricted acreage is included in the orange parcels below:

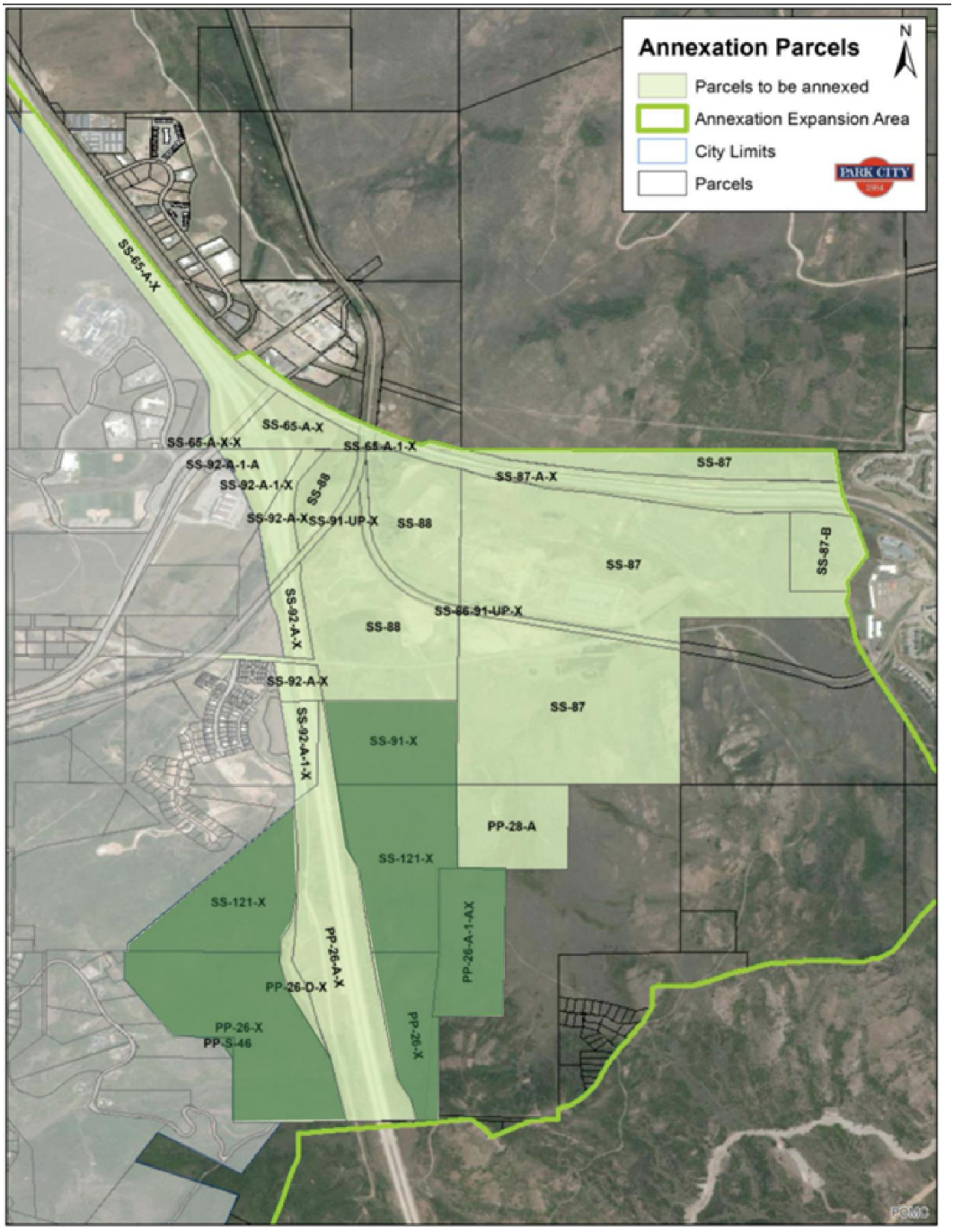


The 30-acre property leased by Park City Municipal in the Richardson Flat area, including the parking lot, is outlined in yellow below. The City may expand use of the 30 acres to include recreation facilities.


SE Quinn's Junction Annexation:
Richardson Flat Ground Lease
Richardson Flat 30-Acre Ground Lease
Southeast Quinn's Junction Annexation Area
Park City
Richardson Flat Rd
Old Hwy 40
Atkinson Rd
Gillmor Way
Painted Valley Pass
Exit 4
mile 4
mile 5
mile 6
0 0.175 0.35 0.7 Miles
N

Clark Ranch

Clark Ranch is a 344-acre property in the Quinn's Junction area south of SR 248, bisected by HWY 40. On October 9, 2014, the City Council approved a Real Estate Purchase Contract for the City's purchase of Clark Ranch with Resort Communities Tax open space funds. The purchase included plans for a conservation easement and a potential for limited non-open space uses. The Clark Ranch property is highlighted in dark green below:



The table below outlines the annexation petition review to date:

October 8, 2021	Park City Municipal Corporation filed a Notice of Intent to annex approximately 1,200 acres of property in the Southeast Quinn's Junction area with the City Recorder and sent copies of the Notice of Intent to each affected entity (Exhibit D)
October 13, 2021	Summit County certified they mailed a true and correct copy of the Park City Municipal Proposed Annexation Notice to each owner of real property within the area proposed to be annexed and within 300 feet of the area to be annexed (Exhibit E)
October 15, 2021	Park City Municipal filed the petition to annex approximately 1,200 acres in the Southeast Quinn's Junction area with the City Recorder and provided copies of the annexation petition to the Summit County Clerk, the Snyderville Basin Planning Commission Chair, and the Park City Planning Commission Chair
October 18, 2021	The Planning Director determined the proposed annexation is consistent with the Park City General Plan and recommended the City Council accept the annexation petition; the City Council unanimously voted to accept the annexation petition for further review (Staff Report and Exhibits; Minutes)
October 28, 2021	The City Recorder certified the annexation petition
October 28, 2021	The City Council posted notice of the certified Annexation Petition pursuant to Utah Code Section 10-2-406 on the Utah Public Notice Website and the City's website for three consecutive weeks, mailed notice to each affected entity, and mailed notice to each residence and to each owner of real property in the area proposed for annexation and the area extending ½ mile from the annexation's boundaries (Exhibit F)
November 16, 2021	The annexation staff review team met pursuant to Land Management Code § 15-8-5(A) to provide input on the proposed annexation; the team included the Park City School District, the Snyderville Basin Water Reclamation District, the Park City Fire District, Park City Police, Public Utilities, Public Works, Sustainability, Economic Development, Engineering, Transportation, Transit, Parking, Building, Affordable Housing, Special Events, and Planning

November 24, 2021	Certification of the annexation petition opened a protest period. Four protests to the annexation petition were filed by the following entities: Hideout Community Advancement and Development, LLC The Town of Hideout NB 248, LLC Redus Park City, LLC
December 9, 2021	The City Council reviewed the protests and declined to take any action, allowing the annexation petition to proceed (Staff Report; Minutes, p. 5)
December 23, 2021	Summit County formed a Boundary Commission to hear the Hideout Community Advancement and Development, LLC protest
December 23, 2021	Summit County rejected the Town of Hideout, NB 248, LLC, and Redus Park City, LLC protests
January 12, 2022	City staff provided an update on the annexation petition to the Planning Commission (Staff Communication; Minutes, p. 2)
January 13, 2022	City staff provided an update on the annexation petition to the City Council (Staff Communication; Minutes, p. 5)
February 14, 2022	The Boundary Commission convened and unanimously denied the Hideout Community Advancement and Development, LLC (HCAD) protest, finding HCAD did not have standing to protest (Exhibit G)
March 7, 2022	The Boundary Commission decision was appealed to the Third District Court; the appeal is ongoing
April 27, 2022	The Planning Commission conducted a work session on the annexation petition (Staff Report; Audio)
May 5, 2022	The annexation staff review team met again to finalize staff recommendations

The staff review team input is incorporated into this staff report.

Analysis

Pursuant to LMC § 15-8-5(B), the Planning Department prepares a staff report and recommendation on the annexation petition for Planning Commission review. The staff report must evaluate fifteen criteria, outlined below in Section A. Additionally, the Planning Commission reviews a proposed Annexation Agreement contemporaneously with the annexation petition, outlined below in Section B.

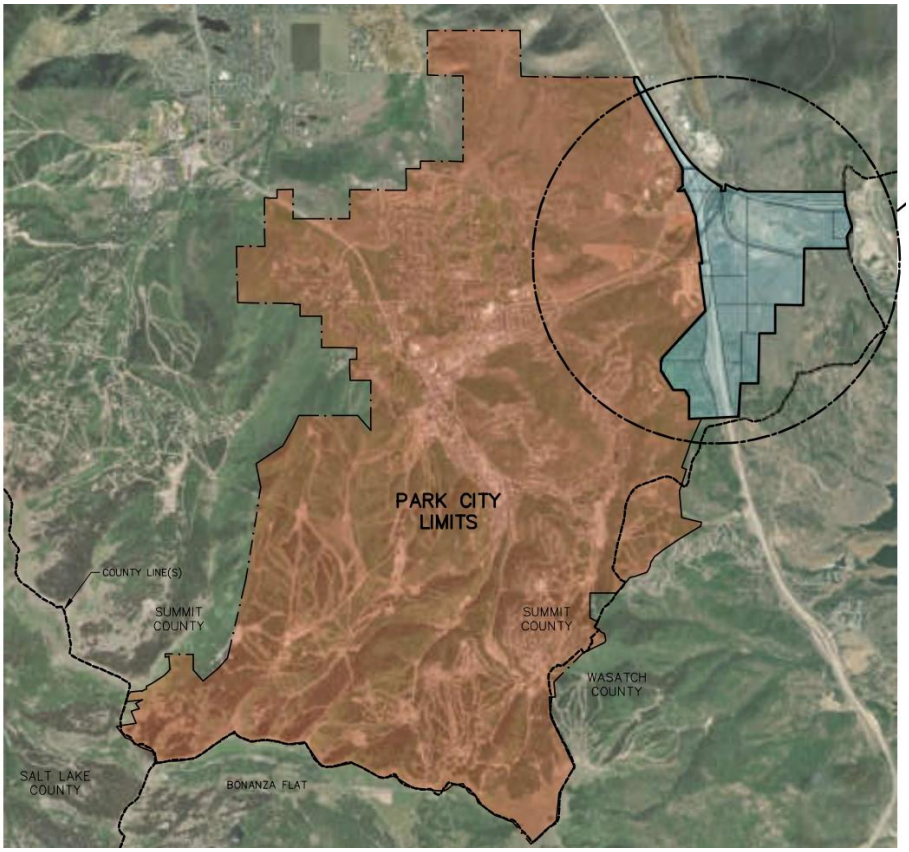
A. Annexation Criteria

1. Ability to meet the general annexation requirements stated in Section 15-8-2

LMC § 15-8-2 requires the evaluation of twelve criteria outlined below:

A. Property under consideration of annexation must be considered a logical extension of City boundaries

The annexation is a logical extension of City boundaries. The image below, taken from the annexation petition, shows the existing City boundary in red, and the proposed annexation in blue:



B. Annexation of the property to the City must be consistent with (i) the intent and purpose of LMC Chapter 15-8 and (ii) the Park City General Plan

(i) The proposed annexation is consistent with the intent and purpose of Chapter 15-8

LMC § 15-8-1 outlines the purpose of LMC Chapter 15-8, *Annexation*, and includes the following with staff analysis:

- **Protect the general interests and character of the community**

The General Plan identifies the area proposed for annexation to be preserved as recreational open space.[2] The Richardson Flat area is subject to development restrictions for the benefit of the community. Section 3.1 of the Flagstaff Development Agreement states that the property owner of the Richardson Flat area "unconditionally offers to annex Richardson Flats to the City and, regardless of the annexation to Richardson Flats, to restrict development . . ." Development restrictions, subject to EPA and/or DEQ approval, outline three scenarios including use for golf, equestrian, and other public recreational opportunities. In ongoing litigation over the Development Agreement, the Third District Court recognized that Park City has a conservation easement limiting development in Richardson Flat. The court also held that the owner is subject to an equitable servitude, which limits the ability to develop the area.

These development restrictions were reiterated in the 2007 Amended and Restated Development Agreement, which provided the City with a long-term lease for 30 acres for the Richardson Flat parking lot and recreation uses. 650 of the parking spaces are for City use with the remaining 100 spaces reserved for the property owner for the Montage Hotel and Empire Pass. The Richardson Flat parking lot may enhance future transit service and connections.

The Clark Ranch property is owned by the City and the majority of the 344 acres will be protected open space pursuant to a conservation easement. Public trails are under construction with future expansion planned into 2023 to enhance the City's trail system and to interconnect with regional trails. Limited acreage may be designated by the City Council for non-open space uses, subject to future rezoning for uses beyond those outlined in the Recreation and Open Space Zoning District. The City Council directed the Housing Department to evaluate the feasibility and suitability of affordable housing on limited acreage in the Clark Ranch area. Any proposed uses beyond those outlined in the Recreation and Open Space Zoning District regulations will trigger public notice, a Planning Commission public hearing and recommendation to City Council, and a City Council public hearing and action.

[2] General Plan, Volume II, Neighborhoods 3, p. 35

- **Assure orderly growth and development of the Park City community in terms of utilities and public services**

No development is proposed. Any future development will be subject to the Richardson Flat development restrictions and Recreation and Open Space Zoning unless a property owner applies to rezone. As a result, no expansion of utilities is proposed at this time. Please see Section F below for public services analysis.

- **Preserve open space; enhance parks and trails**

The annexation ensures preservation of open space and potential public recreational uses of the Richardson Flat property as intended by the Flagstaff Development Agreement. The annexation petition brings the City-owned Clark Ranch property into City jurisdiction and protects it under Recreation and Open Space Zoning; a future conservation easement is planned to further restrict future uses on the Clark Ranch property. Expansion of public trails is in progress on the City-owned Clark Ranch property. Please see Section F below for additional trails analysis.

- **Ensure environmental quality**

The annexation petition includes the Richardson Flat property, a portion of which is designated the Richardson Flat Tailings Impoundment – Operable Unit 1. According to the EPA Superfund Site Cleanup Activities Background webpage, UPCM has conducted some cleanup activities that currently protect human health and the environment though excavation and capping. For the long term, additional actions include restrictions on future land and groundwater use and implementation of a final operations and maintenance plan.

The EPA cleanup plan for Richardson Flat Operable Unit 1 does not require state and local permitting pursuant to federal law. In 2007 EPA and UPCM entered into a Consent Decree which was approved by the United States District Court for the District of Utah on October 4, 2007. The 30 acres leased by Park City are located within Operable Unit 1. Section 7.03 of the Ground Lease between United Park City Mines and Park City Municipal Corporation states the "[l]andlord shall indemnify, protect and hold [Park City Municipal] harmless from, and shall defend [Park City Municipal] against, any and all Environmental Claims arising out of or incurred in connection with the violation of any Environmental Law by Landlord" (Exhibit H).

Annexation of this area into municipal boundaries does not alter any legal liability of the City or current, past, or future property owners.

- **Protect entry corridors, view sheds, and environmentally sensitive lands**

The area proposed for annexation is the east entry corridor for Park City. The Recreation and Open Space Zoning, Entry Corridor Protection Overlay, and Sensitive

Land Overlay will protect the view sheds and environmentally Sensitive Lands. Please see Section 6 below.

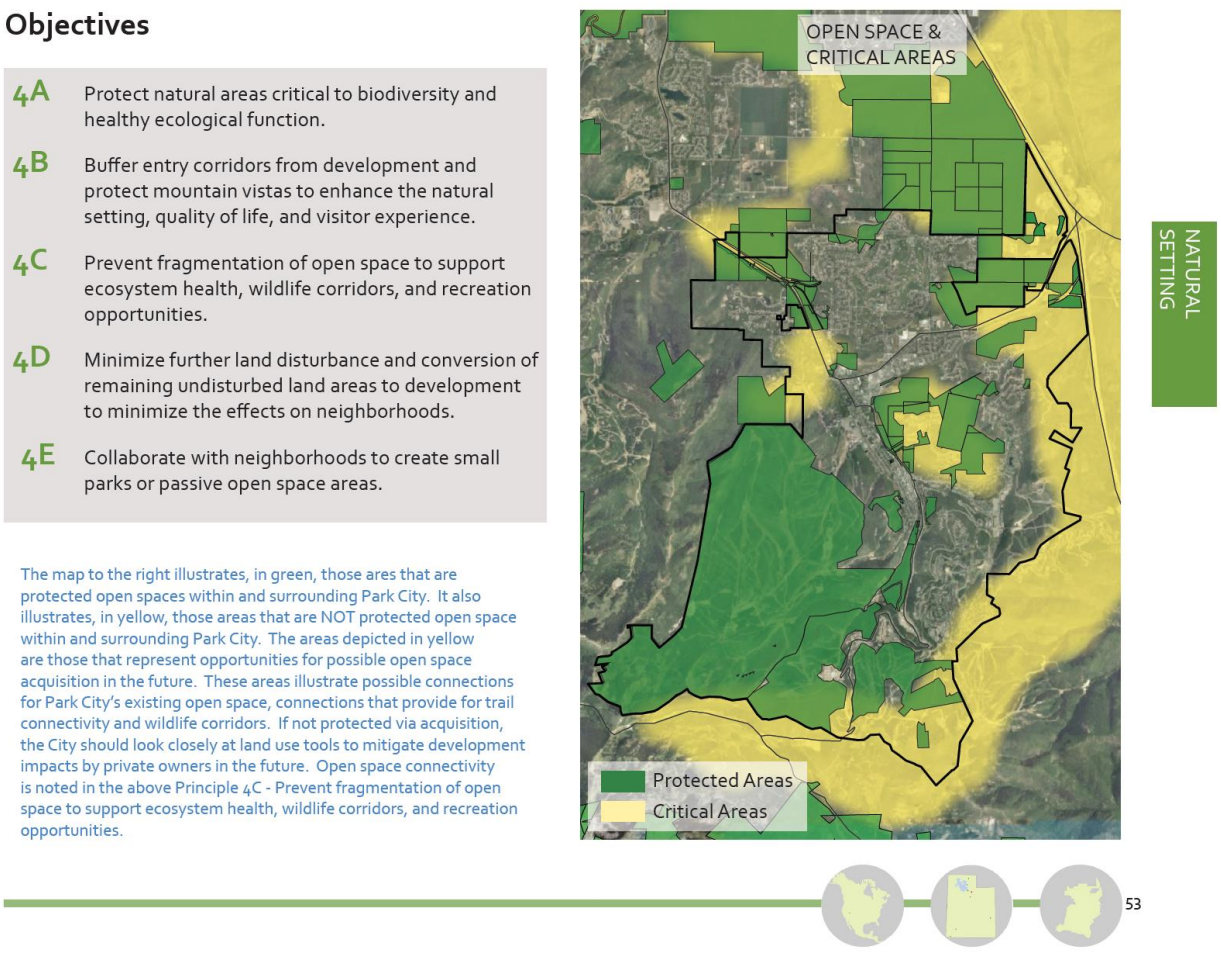
- **Preserve historic and cultural resources**

Please see Section 15 below.

- **Create buffer areas**

Goal 4 of the General Plan is to conserve a connected, healthy network of open space for continued access to and respect for the natural setting. Objective 4B is to buffer entry corridors from development and protect mountain vistas to enhance the natural setting, quality of life, and visitor experience.

Portions of the area proposed to be annexed are highlighted in the General Plan, shown below, as critical areas, providing opportunities for trail connectivity and wildlife corridors:



- **Protect public health, safety, and welfare**

The annexation petition is in alignment with long-term City planning outlined in the General Plan and the Flagstaff Development Agreement. Recreation and Open Space Zoning, with Entry Corridor Protection and Sensitive Land Overlays, ensures the environmentally sensitive area and important eastern entry corridor to Park City are protected. Additionally, acreage long envisioned as recreational open space for the benefit of the community will be further protected.

Please see Section F for analysis regarding Park City Fire District and Police services.

- **Ensure that annexations are approved consistent with the Park City General Plan and Utah State law**

LMC Chapter 15-8 *Annexations* was adopted to align with Utah Code Section 10-2-401 et seq. Please see the analysis pursuant to LMC Chapter 15-8 herein.

(ii) The Annexation is consistent with the Park City General Plan

The General Plan identifies the area proposed for annexation to be preserved primarily as open space.[3] Preserving open space and recreation uses, protecting wildlife corridors, view corridors, and sensitive land with low-impact recreational activities are priorities for this area, outlined in General Plan Volume II, Neighborhoods 3, p. 31 - 36. The annexation is aligned with many of the General Plan goals, objectives, and strategies.

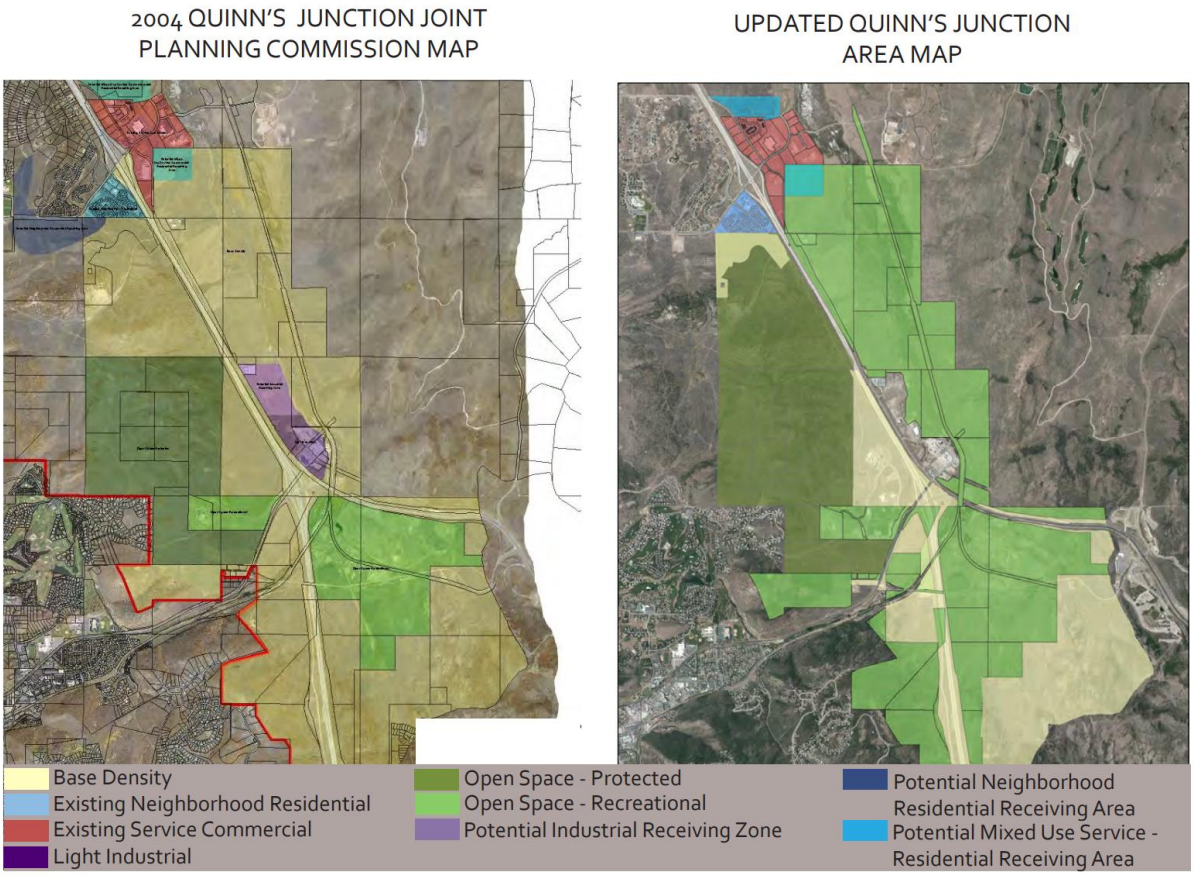
Goal 1 is to protect undeveloped lands, discourage sprawl, and direct growth inward to strengthen existing neighborhoods.[4] Implementation Strategy for Goal 1 is to annex additional land to shape growth reflective of the City's goals for land use surrounding Park City, in part to protect gateways to the City.[5]

Goal 2 is to emphasize and preserve our sense of place while collaborating with the Wasatch Back and Salt Lake City regions through regional land use and transportation planning.[6] As outlined below, the area proposed to be annexed into Park City is subject to the Quinn's Junction Joint Planning Commission principles, developed in coordination with Summit County. Additionally, the proposed annexation does not include any land that was part of Hideout's 2020 attempted annexation, further analyzed below in Section K.

In support of Goal 2, the General Plan references the Quinn's Junction Joint Planning Commission Principles, developed between Park City and Summit County to create a shared land use plan for future development of the Quinn's Junction area based on

[3] General Plan, Volume I, Small Town, p. 15 - 17
[4] *Id.*, p. 6
[5] *Id.*
[6] *Id.*, p. 18

commonalities in the Snyderville Basin and Park City General Plans.[7] The Quinn's Junction Joint Planning Commission Principles envision future recreation and open space uses:



The annexation petition is aligned with the Quinn's Junction Joint Planning Commission Principles, which require future uses of Richardson Flat to comply with the 1999 Flagstaff Development Agreement. Additionally, the proposed Recreation and Open Space Zoning within the Entry Corridor Protection and Sensitive Land Overlays will ensure future development of recreation facilities are aligned with the Principles:

[7] General Plan, Volume II, Neighborhoods 3, p. 31 – 36

Quinn's Junction Joint Planning Commission Principles (2004)

Development Densities and Land Uses

1. Initial project analysis should commence with a review of property's base density (subtracting wetlands, slopes, wildlife areas, flood plain, etc.)

2. Consider density bonuses for preservation of key open spaces identified in the study area.

3. Density should result in significant public benefits that promote Park City's resort, recreation, tourism and resort-based, second home economy.

4. Highway service commercial / convenience retail and regional/big-box retail commercial will not be considered in/along the Highway 40/SR 248 corridor.

5. A site for institutional development will be considered in the study area with the potential institutional uses limited to: a hospital, educational facility, recreation / sports training facility, or an arts / cultural heritage / history based institution.

6. A limited expansion of the existing light industrial/incubator service commercial uses along the east side of Highway 40 should be considered. Said expansion should be clustered to the greatest degree possible to minimize sprawl and should include re-development / clean-up of existing businesses, land use patterns, circulation, etc., that have been detrimental to the environment, aesthetics, or function of the area. Density incentives would be considered for preservation of key open space areas within the boundaries of the study, particularly those advancing the goals of the study for preservation of the 248 entry corridor. It should be noted that many of the above principles will be further specified by forthcoming amendments to the Snyderville Basin Development Code, which will more serve as the actual governing document for proposals including these types of uses in the study area.

7. Neighborhood Commercial uses will be considered in the Silver Summit area east of Highway 40 and a more limited (in use and overall density) neighborhood commercial node could be considered on the west side of Highway 40. Potential for expansion of these uses may be through density receiving mechanisms to be identified in forthcoming Development Code changes.

8. Recreation and Open Space will be the encouraged use in the Richardson's Flat area. The majority of this area is governed by and must be reviewed for consistency with the 1999 Flagstaff Mountain Development Agreement, which stipulates golf course, active recreation, equestrian and preserved open space as allowed uses.

9. Clustered residential development may be considered in areas indicated on the accompanying map of the study area and specified for base density. Initial evaluation of density for projects in the study area shall be based on Summit County Base Density allowances as specified in the Code in effect at the time of application. The maximum density tat will be considered in Base Density areas for projects complying with all preferred development patterns and principles will be limited to the densities specified for rural areas in the Summit County Development Code or where applicable the Estate Zoning provisions of the Park City Land Management Code. Code provisions in effect at the time of application will apply. Only potential receiving areas or the parcel identified for potential employee housing in the existing Flagstaff Mountain Development Agreement will be considered at higher densities.

Development Patterns

1. Cluster in identified receiving areas and around existing development maintaining consistency among uses.

2. Public preserved open space and recreation is the predominant existing land use in the study area. Clustered development should be designed to: enhance public access through interconnection of trails, preserve public use and enjoyment of these areas, and continue to advance these goals along with the preservation of identified view sheds and passive open space areas.

3. Apply Sensitive Land standards from City and County ordinances for all development design. This includes recreational and institutional development, which should incorporate and preserve important topographical features, natural areas and view sheds, and be of a scale and scope consistent with the primary goal of preserving the function and aesthetics of an important resort entry corridor. Planning efforts for projects in this corridor should continue to involve both City and County staff for input.

4. Large expanses of surface parking areas with high visibility from the entry corridor will not be allowed. Surface parking shall be buffered from the entry corridor and utilize existing topography for screening purposes whenever possible. Sub-surface and well designed structured parking will be encouraged whenever possible.

5. Preserve a substantial open space corridor through the study area.

6. New Development (including institutional and recreational) should be transit-oriented and linked to broader community open space and trail networks.

General Plan Goal 2 Objective 2A states "[a] regional land-use planning structure should be integrated within a larger transportation network built around transit."[8] As outlined below, the City's draft Short-Range Transit Plan and *Park City Forward*, the City's Long-Range Transportation Plan, identify the Quinn's Junction area as an important modal node for improved multimodal transportation options that may reduce traffic along SR 248. Goal 2 Objective 2B states "[r]egions should be bounded by and provide a continuous system of greenbelt/wildlife corridors to be determined by natural conditions."[9]

Goal 3 is to encourage alternative modes of transportation on a regional and local scale to maintain our small-town character.[10] The objectives encourage improved pedestrian and bike path connectivity, prioritization of public transit, and increased and improved transit service to Richardson Flat.[11] Please see Section F for further transit analysis.

Goal 4 is to conserve a connected, healthy network of open space for continued access to and respect for the natural setting.[12] The objectives include protecting natural areas critical to biodiversity and healthy ecological function, to create buffer entry corridors to protect mountain vistas and to enhance the natural setting, quality of life, and visitor experience, and to prevent fragmentation of open space to support ecosystem health, wildlife corridors, and recreation opportunities."[13] Please see Section F for further trails analysis.

Goal 5 of the General Plan is to be a leader in energy efficiency.[14] The objectives include decreasing vehicle miles traveled, increasing carbon sequestration, and aligning transportation goals to reflect the core values of the City.[15] Please see Section F for additional transit analysis.

Goal 6 is to implement climate adaptation strategies to enhance the City's resilience to the future impacts of climate change.[16] The objectives include supporting ecosystem health, biodiversity, and natural buffers between development and sensitive lands.[17] The annexation protects the City's east entry corridor and creates a natural buffer.

Goal 9 is to continue to provide unparalleled parks and recreation opportunities for residents and visitors.[18] The objectives include maintaining local recreation

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[8] *Id.*
[9] *Id*.
[10] General Plan, Volume I, Small Town, p. 22
[11] *Id*.
[12] General Plan, Volume I, Natural Setting, p. 4
[13] *Id*., p. 5
[14] *Id.*, p. 8
[15] *Id*., p. 9
[16] *Id*., p. 14
[17] *Id*.
[18] General Plan, Volume I, Sense of Community, p. 12

opportunities with high quality of service, exceptional facilities, and variety of options.[19] Please see Section F for additional trails analysis.

Goal 10 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.[20] The objectives include public infrastructure improvements and programming that considers the visitor experience to Park City during large events. The Richardson Flat parking lot provides parking during special events. Future recreation facilities may be constructed on the City's leased 30 acres in Richardson Flat.

Goal 11 is to support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience.[21] Please see Section F for additional analysis on expansion of summer trails.

Goal 14 is to live within ecological, qualitative, and economic limits to foster innovative sustainable development, protect the community vision, and prevent negative impacts to the region.[22] Objective 14B is to manage growth to protect the quality of life and preserve the unique Park City experience by recognizing limits to growth and adopting responsible policies that are consistent with those limits.[23] The proposed annexation aligns with the long-envisioned future recreation and open space uses for the acreage.

C. Annexation must include the greatest amount of property possible that is contiguous to the City's boundaries

The annexation petition includes the greatest amount of property possible that is contiguous to the City's boundaries, while avoiding overlap with the Town of Hideout's failed annexation. Please see Section K below.

D. Piecemeal annexation is discouraged if larger parcels are available for annexation within a reasonable timeframe

The annexation petition includes acreage subject to the development restrictions outlined in the Flagstaff Development Agreement and the City-owned Clark Ranch property. There are no petitions to annex any additional property in the Southeast Quinn's Junction area into Park City.

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[19] General Plan, Volume I, Sense of Community, p. 12
[20] *Id*., p. 16
[21] *Id*., p. 20
[22] *Id*., p. 32
[23] *Id*., p. 33

E. Islands of county jurisdiction shall not be left or created as a result of the annexation and peninsulas and irregular boundaries shall be avoided

The annexation petition does not create islands, peninsulas, or irregular boundaries.

F. In addition to services provided by existing districts such as sewer, fire protection, and public schools, the following urban level services consistent with those normally provided in the rest of the incorporated boundaries will be provided to the annexed area: Police protection, snow removal on public streets, street maintenance on existing streets, planning, zoning, and code enforcement, availability of municipal-sponsored parks and recreational activities and cultural events and facilities, and water services[24]

Each of these services is analyzed below.

Police Protection

The area proposed to be annexed is currently under the Summit County Sheriff's jurisdiction. However, due to the City's 30-acre lease that includes the Richardson Flat parking lot, Park City Police already patrols the Richardson Flat parking lot in coordination with the Summit County Sheriff. The City has cameras installed in the Richardson Flat parking lot for public safety.

Between January 1, 2021 and April 20, 2022, Park City Police responded to 46 calls to the Richardson Flat parking lot. Most of these calls were self-initiated and were generated directed patrols, meaning the officer making the patrol, based on a specific concern or looking for suspicious activity, made the call. Once the property is annexed into Park City, Park City Police expect to provide a similar level of service to the Richardson Flat parking lot.

However, if the Quinn's Junction Park and Ride is approved to be developed in the northeast quadrant, or City transit services are extended to the Richardson Flat area, the required Police level of service will likely increase requiring a future budget amendment. However, the Quinn's Junction Park and Ride and expanded transit service are not approved at this time and are not part of the FY23 budget.

Additionally, while the area proposed to be annexed is already in the Park City Fire District Boundary and there will be no change to Fire District services upon annexation, on December 11, 2019, the Planning Commission approved a Conditional Use Permit for the construction of Fire Station #39 on the lot adjacent to the City-owned lot slated for a Police Substation in the Intermountain Healthcare Park City Medical Campus Subdivision. If the anticipated Police substation is built, it will provide additional Police service near the annexed area. The Park City Fire District has until January 1, 2025 to

[24] Transit services are also contemplated in the draft Short-Range Transit Plan and draft *Park City Forward*, the City's Long-Range Transportation Plan. Both plans are slated for adoption later this year.

begin construction of the Fire Station under the current approval.

The Park City Police Department and Trails and Open Space coordinate patrol of trails and trailheads. As addressed below, Trails and Open Space Rangers patrol trailheads for City trails, and their patrols will include Clark Ranch once the trailhead is complete. This patrol of Clark Ranch is already incorporated into the budget.

Snow Removal on Public Streets

UDOT provides snow removal for HWY 40 and SR 248 and will continue to provide snow removal when the property is annexed into the City.

Richardson Flat Road is the only local road in the annexation petition. In 2019, Summit County and Park City entered into an agreement regarding snow removal of Richardson Flat Road. The agreement states that “[a]t the time Park City Municipal Corporation annexes the properties east of US-40 shown on their Annexation Declaration Area, this Agreement will terminate.”

Upon annexation, the City will provide snow removal service to Richardson Flat Road. City plowing efforts will connect or overlap Summit County Public Works snow removal, providing a seamless transition between the respected two service providers. Snow removal costs are anticipated to be approximately $16,750.13 per year (this number reflects anticipated increases due to inflation and the rising cost of gas).

Street Maintenance of Existing Streets

Richardson Flat Road is currently designated a Class B county road and upon annexation it will become a Class C city street. The state provides funding for Class C roads, apportioned by mileage. Upon annexation of the property to the City, Public Works will apply for Class C funds to help finance the costs of maintaining Richardson Flat Road. Based on current Class C Road funding levels, staff anticipates the City will receive approximately $11,500 of additional Class C Road funding annually.

The costs, excluding anticipated state funding for the Class C Road and including snow removal, are outlined below and reflect anticipated increases due to inflation and the rising cost of oil:

Richardson Flats Road and HWY 40 Frontage gravel

Item	Quantity	Cost ea	total cost	Frequency	Annual costs	Funding allocation
Snow removal	116,368.80	0.14394	$16,750.13	once per year	$16,750.13	011-40421-04520-000-100
Slurry seal	116,368.80	0.153	$17,804.43	once every 7 yrs	$2,543.49	CP-0006-03452
Crack seal	116,368.80	0.0488	$5,678.80	once every 4 yrs	$1,419.70	CP-0006-03452
2" mill and pave	116,368.80	1.42	$165,243.70	once every 18 yrs	$9,180.21	CP-0006-03452
Sweeping	116,368.80	0.00435	$506.20	6 times per year	$3,037.23	011-40421-04520-000-100
Curb and gutter	0		$0.00	N/A	$0.00	
Paint and stripping	0	0	$0.00	once per year	$0.00	
sidewalk				N/A		
Lights		0		N/A		
storm drainage inlet				detention		
storm drainage piping						
Unimproved gravel road	176,675	0.018	$3,180.15	once per year	$3,180.15	011-40421-04520-000-100
				Total	**$36,110.89**	

Planning, Zoning, and Code Enforcement

No development is proposed. If recreation development is proposed subject to the Recreation and Open Space Zoning District and Entry Corridor Protection and Sensitive Land Overlays in the future, and in conformance with the 1999 Flagstaff Development Agreement for the Richardson Flat area, the Planning Department will provide land use review services, and the Building Department will provide building permit review and Code Enforcement services.

Recreation facilities, golf courses, and essential municipal facilities, services and structures greater than 600 square feet are Conditional Uses in the Recreation and Open Space Zoning District.[25] Any future recreation facilities or transit hubs will trigger Planning Commission review of the Conditional Use.

Summit County already approved trails under construction on the Clark Ranch property. Upon annexation, future trail and trailhead construction and improvements are an Administrative Conditional Use in the Recreation and Open Space Zoning District and will require Planning staff-level review.[26]

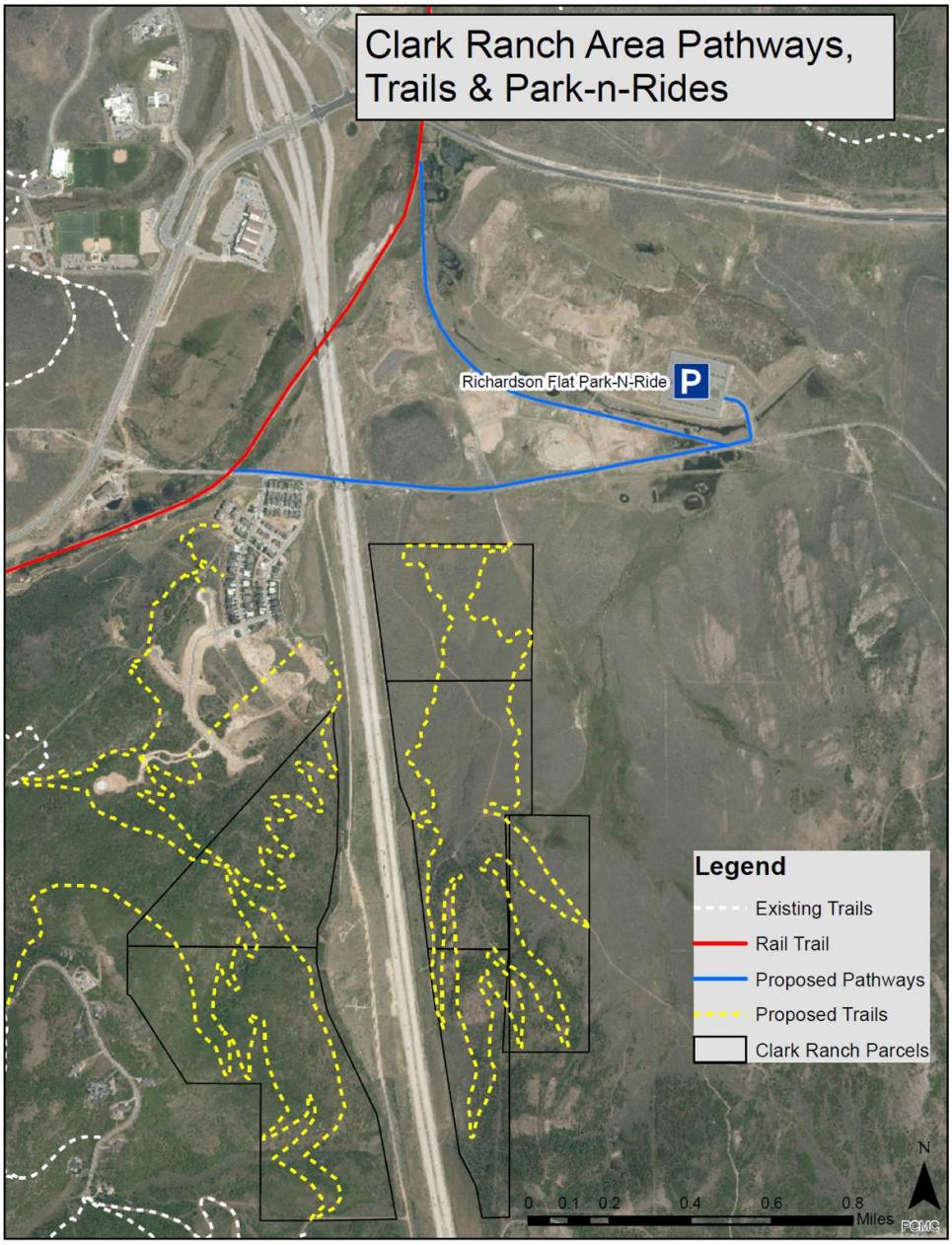
Municipal-Sponsored Parks and Recreational Activities and Cultural Events and Facilities

Subject to the Flagstaff Development Agreement and the City's 99-year lease of 30 acres in the Richardson Flat area, public recreational facilities and trails are potential future land uses in this area.

[25] LMC § 15-2.7-2(C)
[26] LMC § 15-2.7-2(B)(1)

Clark Ranch East Trails – 2022

The City, in conjunction with the Mountain Trails Foundation (MTF), received a grant from the Utah Office of Outdoor Recreation to construct summer trails on the City-owned Clark Ranch acreage east of HWY 40. The grant requires a 50% match, which will be met through in-kind design and construction work provided by MTF and the existing City Trails Master Plan budget. These trails are currently under construction and must be completed this summer as a condition of the grant. The Snyderville Basin Special Recreation District reviewed and approved the trails and found compliance with their Trails Master Plan. The new trails will improve regional trail connectivity.



Clark Ranch Trails West – 2023

Trails west of HWY 40 are anticipated to be constructed in 2023 and enhance trail requirements associated with and funded by the Park City Heights development to improve trails network connectivity. Similar to the trails on Clark Ranch East, staff is currently seeking grant funding to assist with this system. Any costs not covered by grants will be accounted for in the FY24 budget.

Clark Ranch Area Pathways

Future pathway connections shown on the map above in blue along Richardson Flat Road and the Phoston Spur are contemplated to provide connections to the Richardson Flat parking lot and Historic Union Pacific Rail Trail. Timing for these improvements is yet to be determined.

Clark Ranch Open Space Services

Planning associated with the Clark Ranch property includes City Council granting two conservation easements to Utah Open Lands (UOL) in the near future. The City and UOL are in the process of preparing the final draft of the Clark Ranch east easement for City Council approval. The timeline for the Clark Ranch west easement has not yet been determined.

Additional management and maintenance services, including noxious weed abatement and wildfire mitigation services to the Clark Ranch property are provided within the existing budget. Additionally, as trail construction progresses and the trailhead is completed, trail maintenance will be provided under the existing back country trail maintenance budget and supplemented by the City's adopt-a-trail program. Open Space services, including trail services, directions, regulations, and trails etiquette information will be provided by the City's Trail and Open Space Rangers through daily patrols of the property. These services are already included in the Trails and Open Space budget and the level of service is anticipated to remain the same upon annexation. Any costs not covered by existing programs or budgets are proposed in the FY24 budget.

Water Services

If the City Council approves the annexation, the area will be automatically annexed into the City's water service area. Currently there is no water service east of HWY 40. No development is proposed within the annexation area. If future development is proposed, water services will be extended at the time of development at the expense of the developer with water fees paid by the user.

Transit

The split into High Valley Transit (Summit County) and Park City Transit necessitated the City conduct a short-range transit plan to evaluate transit routes internal to Park City. The Park City Short-Range Transit Plan will serve as a business plan for the next five years for transit service operation, focusing on route efficiency, transit times, smartphone apps, and integration with walking and biking. The plan is currently under review by multiple community and stakeholder groups. The draft preferred alternative will be developed this summer with adoption anticipated this summer/fall.

The draft Short-Range Transit Plan presented three potential strategies during the recent outreach: (1) Cover New Areas; (2) Fast Direct Service Between Key Points; and (3) Minimize Transfers. The City has long considered the Quinn's Junction area an important link to the City's transit system. All three Short-Range Transit Plan strategies consider service to the Quinn's Junction area, either through the proposed Quinn's Park and Ride, if that project moves forward, or the Richardson Flat parking lot.

Potential expanded service is already contemplated and will continue to be contemplated whether the Richardson Flat area is annexed into Park City or not. As a result, the costs of expanded services are already being considered as part of the Short-Range Transit Plan.

Additionally, the City is completing *Park City Forward*, the Long-Range Transportation Plan. The draft plan is under review by the Planning Commission and City Council and adoption is anticipated later this summer.

The draft Vision Statement for *Park City Forward* is:

> *Park City's transportation system embraces innovation to provide safe, year-round transportation options that promote a connected, inclusive, and multimodal "car-optional" mountain community and culture.*

The *Park City Forward* draft goals aim to:

- Improve local and regional multimodal transportation connections between activity nodes for residents, commuters, and visitors
- Provide equitable access to opportunity catalyzed by local and regional mobility choices that are affordable and support healthy living
- Support a resilient, net-zero carbon community, anchored by long-term transportation investments that reduce greenhouse gas emissions, decrease single occupancy vehicle trips, and mitigate environmental consequences of growth
- Embrace innovative action to prioritize a community-focused, multimodal transportation network that is easy to use, efficient, convenient, safe, and incorporates cutting-edge technologies

The *Park City Forward* draft identifies key challenges in the Quinn's Junction neighborhood, including underutilization of the Richardson Flat parking lot. The draft also identifies that "[m]ajor roadway and transit investments along the SR-248, as well as a park-and-ride within the area, will enhance multimodal access to this key node and help to reduce vehicle trips on the SR-248 gateway."

The Quinn's Junction area is identified as a potential mobility hub to facilitate multimodal choice and seamless connections through a combination of transit/shuttle loading, micromobility services (short-distance transport for trips less than five miles, including bikes and scooters), bike shares, bike parking, e-bike charging, wayfinding, EV Charging Stations, car shares, commuter facilities, public space, and art. Key mobility hubs are proposed to be connected through frequent, reliable transit service.

As a result, future enhanced uses of the Richardson Flat parking lot are already contemplated in the City's long-term transportation plans and funding for expanded services will be evaluated as each project and improvement moves forward to address multi-modal transportation along the City's eastern entry corridor.

G. Water and sewer lines shall be extended if feasible and practical. Expenses are the responsibility of the applicant.

The proposed annexation area will be automatically annexed into the City's water service area. The area is already within the boundary of the Snyderville Basin Water Reclamation District (SBWRD). No development is currently proposed and if future development is proposed and approved, then water and sewer infrastructure and services will be extended at the time of development and financed by the developer.

H. Consideration of whether the area will create negative impacts on the City and whether the City can economically provide services to the annexed areas.

No new development is proposed in the annexation area. The recommended zoning is Recreation and Open Space. The Richardson Flat property may be developed at a future date to include public recreation facilities. The majority of the Clark Ranch property will be protected subject to a conservation easement, with the possibility of non-recreational uses on limited acreage. As a result, the cost of increased services is minimal. Some of the anticipated costs are within existing budgets, some are proposed in the FY23 budget, and others would be part of a future budget amendment if the annexation is approved.

I. Situations may exist where it is in the public interest to preserve certain lands from development where there exist geologic hazards, excessive slopes, flood plains, or where the need for preservation of community open space and/or agricultural lands is consistent with the General Plan. In such circumstances, annexations may occur as a means of retaining those lands in a natural state.

The proposed annexation preserves community open space consistent with the General Plan and Flagstaff Development Agreement.

J. The City shall consider annexation of unincorporated areas of Summit County that are within the Annexation Expansion Area.

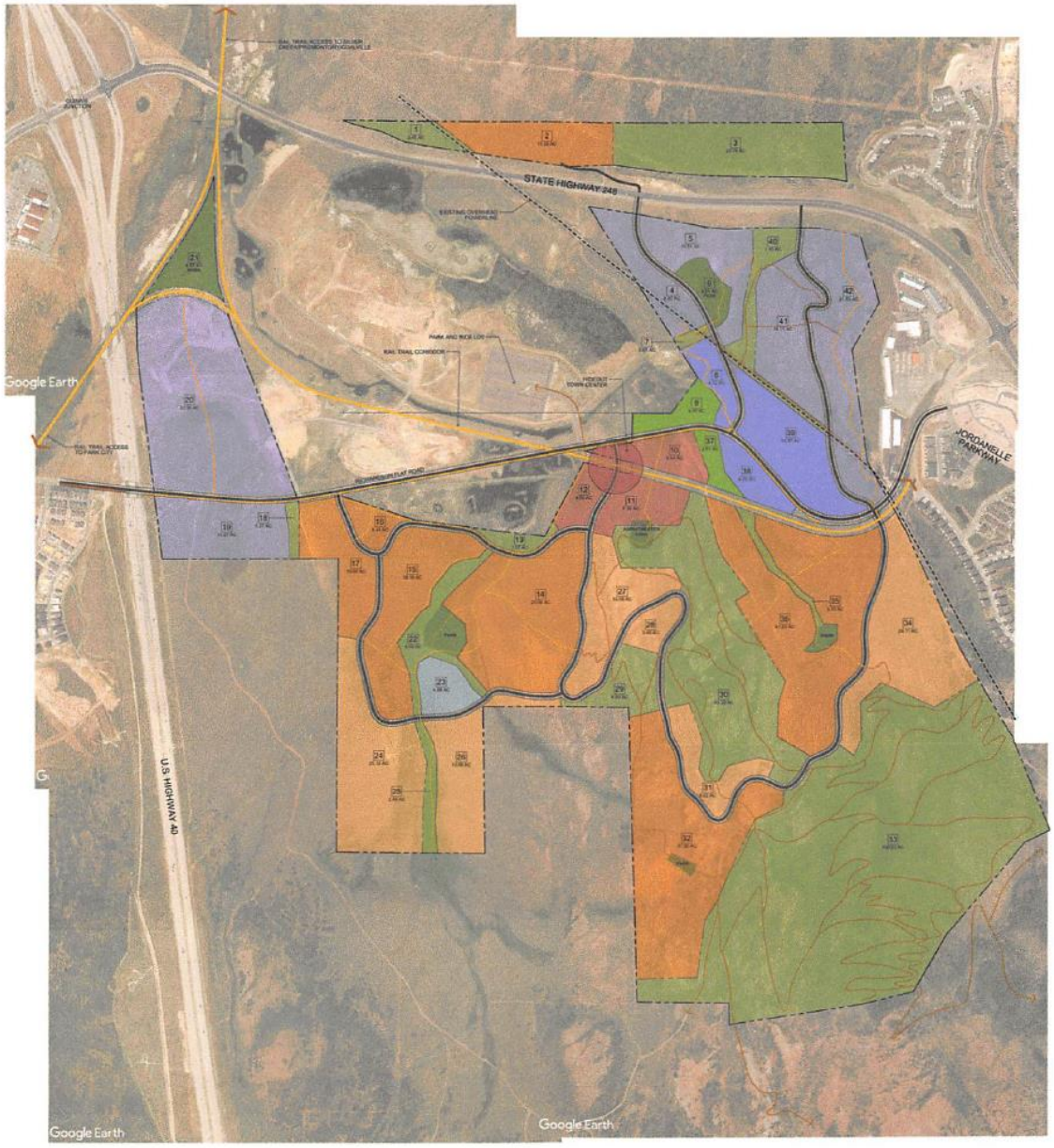
Park City's Annexation Expansion Area designates areas the City may consider annexing. The area proposed for annexation is within the City's Annexation Expansion Area, codified in LMC § 15-8-7.

K. In general, the City does not favor annexation of territory that should be located within another municipality, nor does it favor the annexation of unincorporated territory for the purposes of acquiring municipal revenues or for diminishing the capacity of another municipality to annex.

The long-envisioned annexation of the proposed area is not done to acquire municipal revenues or to diminish the capacity of another municipality to annex. The proposed area is made up primarily of City-owned property and property that Park City negotiated development restrictions on over twenty years ago; those restrictions were reiterated in 2007. Right next to Park City's eastern boundary, this property fits within Park City and existing Districts. The General Plan and Annexation Expansion Area contemplate annexation of this area.

In 2020, the Town of Hideout attempted to annex property in the Southeast Quinn's Junction area. Although Hideout initially contemplated annexation of property covered by the 1999 Flagstaff Development Agreement, the second attempted annexation did not include any property covered by the Agreement. Park City's proposed annexation does not overlap with or include any property that was part of Hideout's failed annexation. Hideout's 2020 annexation was determined by the Fourth District Court to be *void ab initio* (Ruling and Order at 5, *Summit County v. Town of Hideout*, No. 200500107 (Dec. 29, 2021)).

The City's annexation petition does include some property covered by Hideout's initially proposed annexation. The image below is taken from Hideout's July 14, 2020 pre-annexation agreement with Nate Brockbank and includes some of the Richardson Flat property, excluding Operable Unit 1:



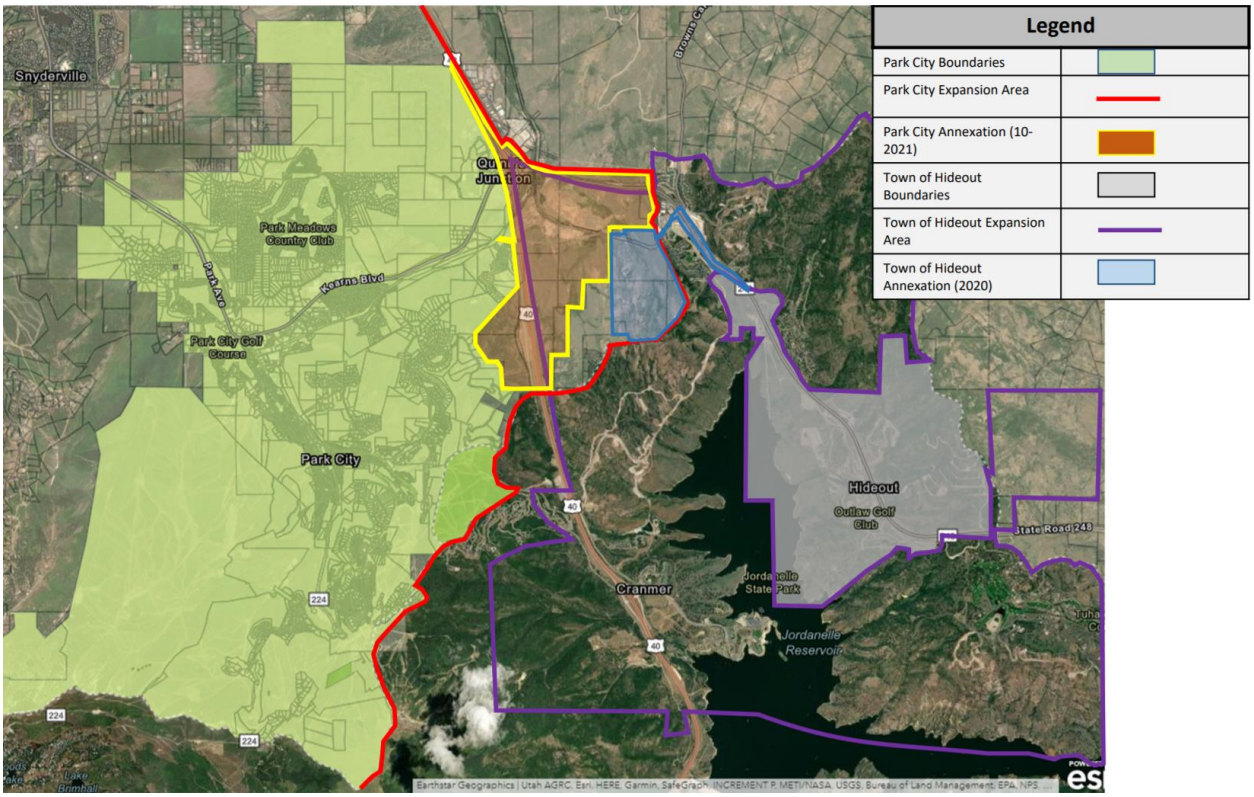
RICHARDSON

COMMUNITY LAND USE PLAN
JULY 6, 2020

SCALE: 1"=300'

LDG

However, Hideout's annexation petition was eventually altered and the map below, taken from Hideout's purported protest to Park City's annexation, shows Hideout's attempted 2020 annexation. That annexation proposal excluded the Richardson Flat and Clark Ranch properties and covered 350 acres (shown in blue). The configuration was unprecedented because it was not contiguous to the town and was just connected to Hideout by a narrow corridor along SR 248:



L. Annexations that expand the resort and/or tourist economy, provide second home or rental residential properties, preserve environmentally sensitive lands, and provide significant public open space and/or community facilities are preferred.

The proposed annexation preserves environmentally sensitive lands, provides significant public open space and the potential for community recreation facilities, and protects the City's important east entry corridor.

2. Accurate map of the proposed annexation

Please see pages 25 – 35 of the annexation petition.

3. Current and potential population of the area and current residential densities

The area included in the annexation petition has no population and no residential density. The area is proposed to be zoned Recreation and Open Space. LMC § 15-2.7-2 outlines Recreation and Open Space Zoning District Uses; residential uses are prohibited.

The development-restricted property in the Richardson Flat area may be developed for recreation purposes subject to Recreation and Open Space Zoning and the Flagstaff Development Agreement at a future date. The Clark Ranch property was purchased with Resort Communities Tax open space funds with plans for a conservation easement. There is potential for limited non-open space uses on reserved acreage. However, at this time, no residential development is proposed for Clark Ranch, and any future development will require a rezone, with an opportunity for public input, Planning Commission review and recommendation, and City Council action.

4. Land uses presently existing and those proposed

The only development in the area proposed for annexation is the Richardson Flat parking lot. In 2010, the then-property owner of the Richardson Flat property, United Park City Mines, and Park City Municipal Corporation, entered into a ground lease pursuant to the 2007 Amended and Restated Development Agreement. The ground lease allows Park City use of the Richardson Flat parking lot for 99 years, with an option for renewal of another 99-year term. The City has the option to construct ballfields or similar recreational spaces on the 30-acre parcel (Exhibit H). No other land uses are proposed at this time.

5. Character and development of adjacent properties and neighborhoods

Quinn's Junction Neighborhood

The Richardson Flat area of the proposed annexation is in the Quinn's Junction Neighborhood of the General Plan. This neighborhood includes the Film Studio, the Round Valley open space, the Park City Medical Campus, the National Ability Center, the Park City Ice Arena and Sports Center, Park City Quinn's Sports Fields, the U.S. Ski Association Training Center, and the Park City Heights residential development.

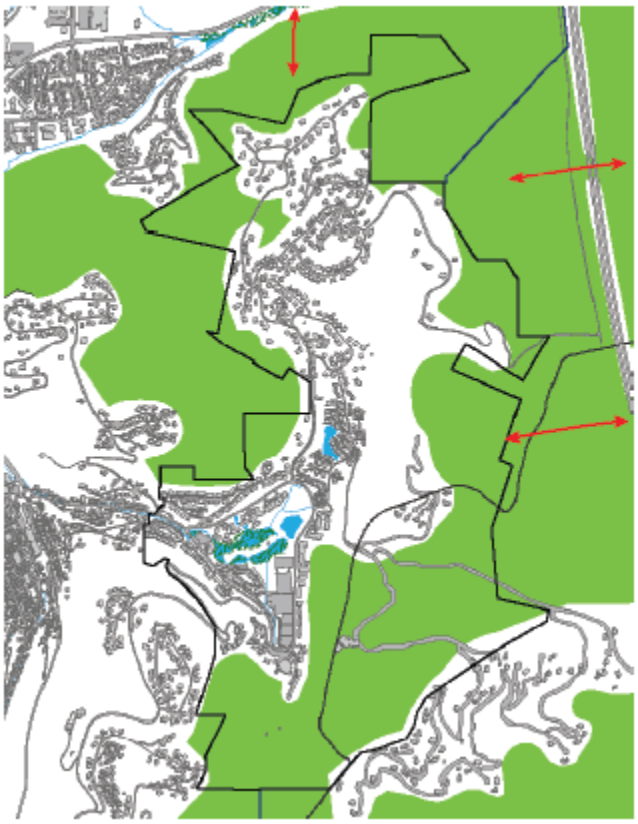
The Quinn's Junction Joint Planning Commission Principles in the General Plan, created in collaboration with Summit County, outline development densities and land use and development patterns envisioned for the area. These Principles identify preservation of substantial open space, with recreation and open space as the future use in the Richardson Flat area, consistent with the 1999 Flagstaff Development.[27]

[27] General Plan, Volume II, Neighborhood 3, p. 26 – 40

Lower Deer Valley

The Clark Ranch area of the proposed annexation is in the Lower Deer Valley Neighborhood of the General Plan, near the Morning Star Estates Subdivision.

The General Plan identifies secondary wildlife crossing within the Clark Ranch property. The General Plan also identifies “a soft edge shared by recreation enthusiasts and wildlife” with the natural edge surrounding the area:

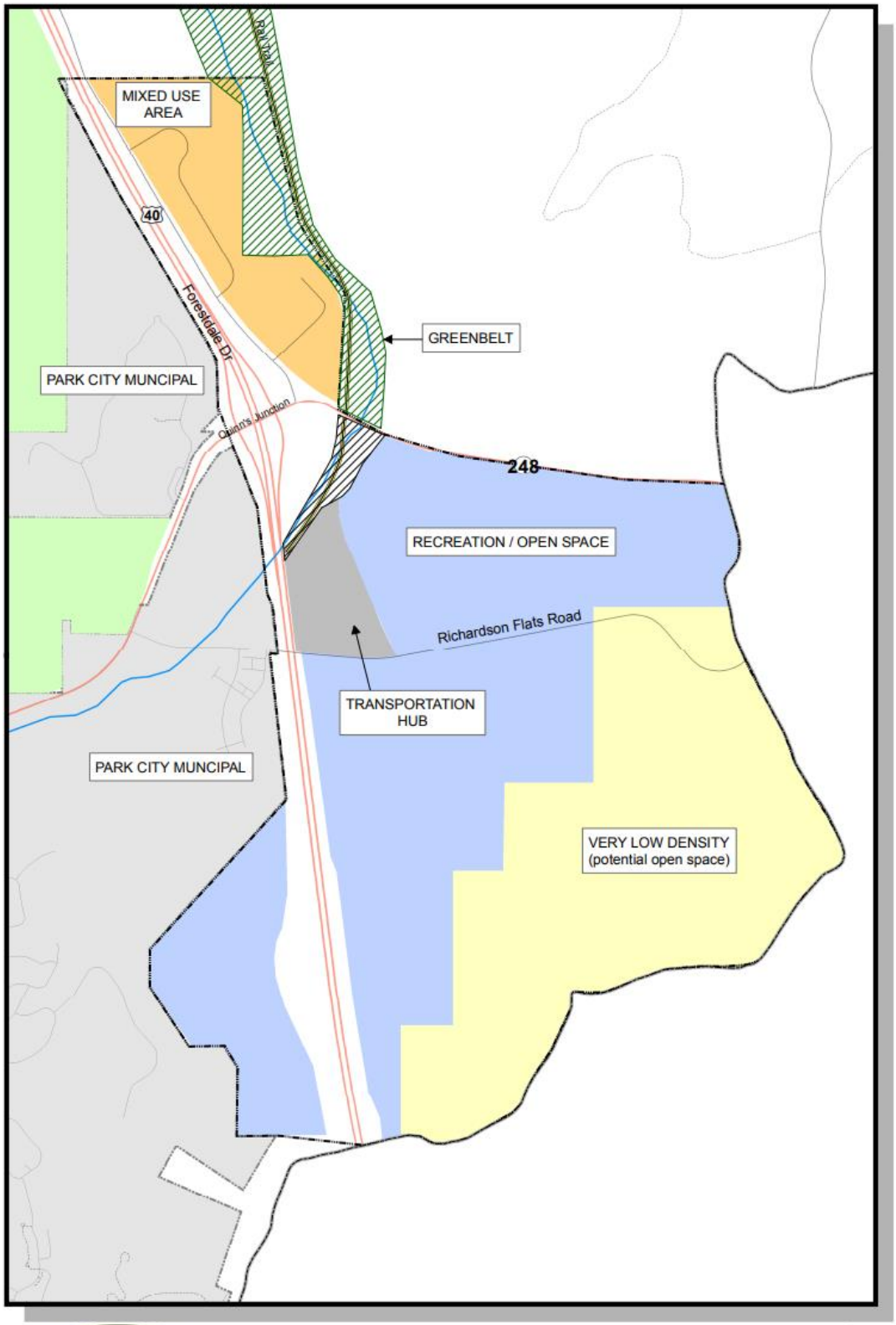


Annexation of City-owned Clark Ranch will allow for expansion of public trail connectivity in the area within City jurisdiction.

6. Present zoning and proposed zoning

Present Zoning in Unincorporated Summit County is Low Density

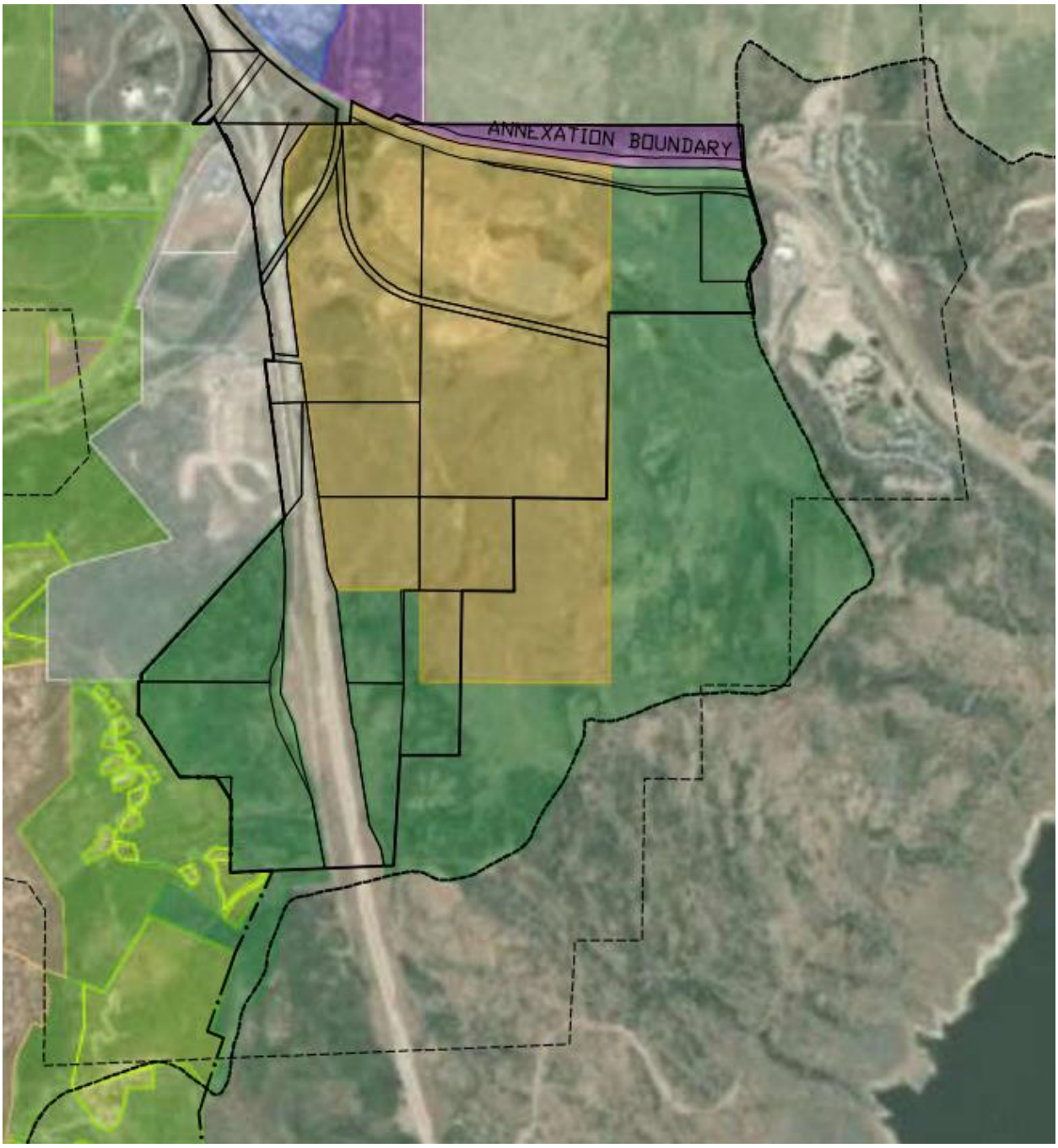
The area proposed to be annexed is in the Snyderville Basin area of unincorporated Summit County. The Snyderville Basin General Plan (p. 74) Quinn’s Junction Neighborhood Planning Area Future Land Use Map indicates this area is designated for recreation and open space, as well as very low density, with the possibility of a transportation hub:



SUMMIT COUNTY UTAH

Quinns Junction Neighborhood Planning Area
Future Land Use Map

The Summit County zoning for the Quinn's Junction area reflects the Snyderville Basin General Plan. The area proposed to be annexed shows the Summit County zoning below, which includes Rural Residential in orange, Hillside Stewardship in purple, and Mountain Remote in green:



According to the Summit County Snyderville Basin Development Code § 10-2-4, the intent of the Rural Residential Zone is to allow existing residential uses to remain, to allow the construction of new single-family dwellings to be constructed upon legally platted lots, to allow expansion of such uses in accordance with limitations and

regulations defined in the low impact permit process, and to permit residential uses to be developed in accordance with the specific provisions of such previously approved agreements. Allowed density is one unit per 20 acres, or one unit per 40 acres on sensitive lands. There are no existing residential uses in the proposed annexation petition and no future residential uses outlined in approved agreements.

According to the Summit County Snyderville Basin Development Code § 10-2-5, the intent of the Hillside Stewardship Zone is to identify lands in reasonable proximity to community infrastructure and services with slopes between 15 and 25%, which are more susceptible to erosion, where development may negatively affect water quality, and the area may be subject to increased wildland fire hazards. Areas may be identified and considered important viewsheds where development should be limited to minimize visual impacts. Allowed density is one unit per 30 acres, or one unit per forty acres on critical lands, which are defined as having slopes of 30% or greater, areas within a 100-year floodplain, wetlands, avalanche zones, geologic hazards, and ridgelines.[28]

According to the Summit County Snyderville Basin Development Code § 10-2-6, the intent of the Mountain Remote Zone is to identify lands that because of their location, accessibility, terrain, or other similar features, are not easily serviced by local service providers. Development is limited to minimize disturbance to the natural environment, lessen the fire danger, protect water supplies, protect wildlife, protect natural resources and viewsheds, and protect and promote the open space values of the Snyderville Basin. Allowed density is one unit per 120 acres.

The area north of Richardson Flat is in Eastern Summit County and is zoned Agriculture-80. The Eastern Summit County Development Code § 11-3-7 states the base density is one unit per 80 acres.

The Proposed Zoning is Recreation and Open Space, with Overlays to Protect the City's Eastern Entry Corridor and Sensitive Lands

The Quinn's Junction Joint Planning Commission Principles outlined in the General Plan identify recreation and open space as the future use in the Richardson Flat area, subject to the 1999 Flagstaff Development Agreement, with potential golf course, active recreation, equestrian, and preservation open space uses. The recommended development patterns include preserving open space and applying Sensitive Land standards for all development design.[29] As a result, the proposed zoning is Recreation and Open Space with the Entry Corridor Protection and Sensitive Land Overlays.

The proposed Zoning District for the annexed area is Recreation and Open Space. LMC § 15-2.7-2 outlines the following uses:

ALLOWED:

- Conservation Activity

[28] Summit County Snyderville Basin Development Code § 10-11-1
[29] General Plan, Volume II, Neighborhoods 3, p. 35

- Food Truck Locations, subject to Planning Director approval

ADMINISTRATIVE CONDITIONAL USES:

- Trail and Trailhead Improvement
- Outdoor Recreation Equipment
- Essential Municipal Public Utility Use, Service, or Structure less than 600 sq. ft.
- Accessory Building, less than 600 sq. ft.
- Ski-related Accessory Building, less than 600 sq. ft.
- Parking Area or Structure with four or fewer spaces
- Outdoor Event, Outdoor Music
- Temporary Construction Improvement
- Raising, grazing of horses
- Raising, grazing of livestock
- Anemometer and Anemometer Towers

CONDITIONAL USES:

- Agriculture
- Recreational Outdoor and Trail Lighting
- Recreation Facility, Private
- Recreation Facility, Public
- Recreation Facility, Commercial
- Golf Course
- Passenger Tramway Station and Ski Base Facility
- Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge
- Recreational Sports Field
- Skating Rink
- Skateboard Park
- Public and Quasi-Public Institution, Church, and School, Park, Plaza, Structure for Public Assembly, greater than 600 sq. ft.
- Essential Municipal Public Utility Use, Facility Service, and Structure, greater than 600 sq. ft.
- Ski-Related Accessory Building, greater than 600 sq. ft.
- Child Care Center
- Commercial Stable, Riding Academy
- Vehicle Control Gates
- Resort Support, Commercial
- Cemetery
- Parking Area or Structure with five or more spaces
- Telecommunications Antenna
- Mines and Mine Exploration
- Plant and Nursery stock product and sales
- Fences greater than six feet in height
- Small Wind Energy Systems

Staff Recommends the Proposed Annexed Area be within the Entry Corridor Protection Overlay

Community Planning Strategy 4.6 of the General Plan is to:

> Identify important view corridors and natural buffers that are high priority for protection and enhancement, including the community's entryways and highway corridors. Ensure protection of the identified community assets.[30]

The annexation petition includes property that is the eastern entry corridor to Park City. Currently, property east of Wyatt Earp Way along SR 248 in the City boundary is within the Entry Corridor Protection Overlay (EPCO). LMC § 15-2.20-5(A) outlines the intent of the ECPO, which is to maintain the visual character of Park City as a mountain community with sweeping, attractive vistas, and to protect the entry corridors into Park City. LMC § 15-2.20-5(C) states that upon submission of an annexation petition, the Planning Department identifies relevant entry corridors for designation by the City Council, maintaining open vistas and meadows to the maximum extent feasible.

The ECPO requires minimal access points and driveways, a setback of at least 100 feet from the right-of-way, varied building setback requirements to prevent a walled effect, required parking at the rear or sides of buildings, earthen berms and earthwork screening to permit views of primary uses on the site from the adjacent entry corridor roadway, certain fencing regulations, limits to building height, trail and sidewalk infrastructure, landscaping and vegetation protection, and additional trailhead parking and public park regulations.[31]

Staff recommends the ECPO be extended along SR 248 to the Summit-Wasatch County border.

Staff Recommends the Proposed Annexed Area be within the Sensitive Land Overlay

LMC § 15-2.21-1 outlines the purpose of the Sensitive Land Overlay:

- Require dedicated Open Space in aesthetically and environmentally sensitive areas
- Encourage preservation of large expanses of Open Space and wildlife habitat
- Cluster development while allowing a reasonable use of property
- Prohibit development on Ridge Line Areas, Steep Slopes, and wetlands
- Protect and preserve environmentally sensitive land

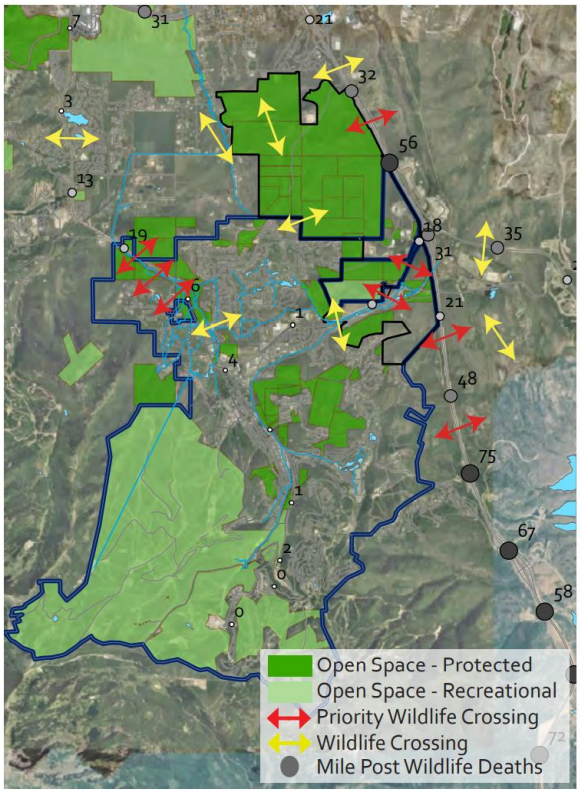
The Sensitive Land Overlay regulates development proposed near steep slopes, ridge lines, wetlands, and wildlife and wildlife habitat. Areas proposed for development within

[30] General Plan, Volume I, Natural Setting VI, p. 6
[31] LMC § 15-2.20-5

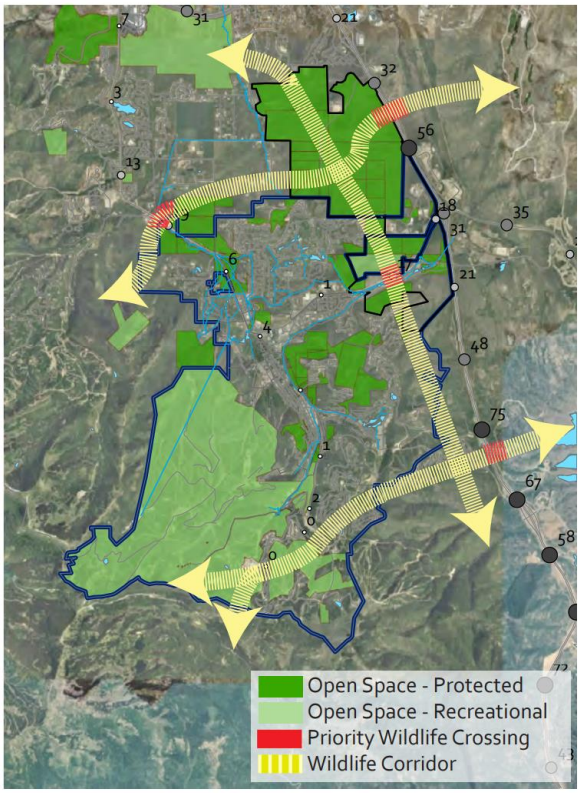
the Sensitive Land Overlay must submit a sensitive lands analysis. Planning staff prepares a report for the Applicant and Planning Commission to identify areas suitable for development.[32]

The annexation petition (p. 29 – 31) includes slope analysis and geologic features, flood hazard zones, wetlands, and streams, and wildlife habitat, demonstrating that evaluation of future development should be subject to Sensitive Land Overlay regulations. Additionally, the General Plan identifies priority wildlife crossings and wildlife corridors in the Clark Ranch area.

2012 PC NATURAL RESOURCE INVENTORY WILDLIFE CROSSINGS



WILDLIFE CORRIDORS



Staff Recommends Expanding the Vantage Points in the Sensitive Land Overlay

Projects proposed to be developed in the Sensitive Land Overlay require analysis to identify impacts to designated entry corridors and vantage points.[33] To ensure future proposals are fully evaluated in a manner that protects the City's eastern entry corridor, staff recommends the Vantage Points be extended to include the following:

[32] LMC § 15-2.21-2
[33] LMC § 15-2.21-3(A)(4)

- The Roundabout at the Park City Hospital, 900 Round Valley Drive
- The intersection of the Rail Trail and SR 248
- The intersection of the Rail Trail and HWY 40
- The intersection of Richardson Flat Road and HWY 40

7. Statement as to how the proposed area or its potential land use contributes to the achievement of the goals and policies of the Park City General Plan

The annexation petition (p. 21) states the following:

> *No change in current land use is proposed during the annexation of the property into Park City Municipal boundaries. The existing Richardson Flats parking lot is adjacent to a recommended Transportation Hub use. The petition is consistent with the Snyderville Basin General Plan as provided in the appendices. The Park City General Plan does not discuss the specific area included within this annexation; however, preservation of the natural landscapes considered for the parcels reflects the natural setting strategy outlined within the document. The petition has included the previous Quinn's Junction Joint Planning documents are referenced in the appendices.*

8. Assessed valuation of the current properties

The annexation petition includes an evaluation of revenue and service costs. Please see p. 22 – 25 of the annexation petition for more information. Recently, the Summit County Assessor's Office confirmed that the valuations provided for in the October 2021 annexation petition are unchanged and that the 2022 tax rates are yet to be adjusted. Additionally, the parcel valuations were evaluated by the Park City Budget Department, which confirmed that the adjusted taxes for the properties are accurate.

Based on the information submitted and evaluated and confirmed by the Budget Department:

- 50% of the parcels within the annexation petition are owned by governmental agencies including the Department of the Interior, Park City Municipal Corporation, UDOT, and Summit County. These properties are exempt from property tax.
- For tax purposes, the current uses will remain and are based on assessed valuations. No base residences are existing or currently proposed that would draw on municipal services such as police and snow removal. These parcels, if annexed, would contribute to the municipal budget.
- The annexation of the parcels allows Summit County to continue to collect a base tax rate for the property. Since the county is no longer obligated to provide law enforcement, snow removal, road maintenance, and community development

and planning for the parcels, the Municipal Type Service Area tax will no longer be applied. These services would now be the responsibility of Park City Municipal, and collection of Park City property taxes would partially offset the increased services.

- Annexation into Park City obligates the municipality to provide essential services to these properties. Since the properties are currently vacant, other than the City-leased parking lot, minimal impacts would be felt.
- Property owners will see a 7% increase in property taxes once the property is incorporated into Park City.

Property Tax	2021 Rate	Existing Revenue in Summit County	Proposed Revenue Within Park City	Existing Distribution %	Proposed Distribution %
Summit County General	0.000675	$ 5,990	$ 5,990	9.5%	8.9%
Municipal Type Service Area	0.000502	$ 4,455		7.0%	0.0%
Multi-County Assess. & Collecting	0.000012	$ 106	$ 106	0.2%	0.2%
County Assess. & Collecting	0.000140	$ 1,242	$ 1,242	2.0%	1.8%
Weber Basin Water	0.000132	$ 1,171	$ 1,171	1.9%	1.7%
Mosquito Abatement	0.000024	$ 213	$ 213	0.3%	0.3%
Park City Fire	0.000595	$ 5,280	$ 5,280	8.3%	7.8%
Park City School District	0.004144	$ 36,772	$ 36,772	58.1%	54.4%
Snyderville Basin Recreation District	0.000549	$ 4,872		7.7%	0.0%
Snyderville Recreation District Bond	0.000358	$ 3,177		5.0%	0.0%
Park City General Operations	0.001000		$ 8,874	0.0%	13.1%
Park City GO Debt	0.000898	$ -	$ 7,968	0.0%	11.8%
	Total	$ 63,278	$ 67,617		

Snyderville Basin Recreation District

Once the properties are annexed into Park City, the property owners no longer pay taxes to the Snyderville Basin Recreation District. In total, these properties pay approximately $5,185 per year to the recreation district. They also pay approximately $3,381 towards the Snyderville Recreation District Bond. If the annexation is approved, the recreation district can re-distribute the bond obligation to the remaining taxpayers in Summit County or require continued payment of property taxes from the annexed properties.

Park City School District

The properties proposed for annexation currently contribute approximately $39,139 annually to the Park City School District. Taxes for the Park City School District will remain the same when the parcels are annexed. There are no additional costs to the Park City School District since there is no development proposed for these parcels and no increase in residents and schoolchildren.

9. Potential demand for various municipal services and the need for land use regulation

Please see Section F above.

10. The effect the annexation will have upon City boundaries and whether the annexation will ultimately create potential for future islands, undesirable boundaries, and difficult service areas

The area proposed to be annexed into the City is already in the Park City School

District, Park City Fire District, and Snyderville Basin Water Reclamation District. Annexation will not change solid waste and mosquito abatement services. Animal control services will continue to be provided by Summit County Animal Control or Park City Public Safety based on a case-by-case basis.

Please see Section E above.

11. Timetable for extending services to the area and how these services will be financed

Please see Section F above.

12. Potential revenue versus service costs

Please see Section H above.

13. An estimate of the tax consequences to residents of the area to be annexed

There are no residents in the area proposed to be annexed and residential uses are prohibited under Recreation and Open Space Zoning. According to the Applicant's annexation petition (p. 22):

- Properties subject to taxes will no longer pay into the Municipal Type Service area for Summit County
- Property owners will see a 7% increase in property taxes once the property is incorporated into Park City.

Please see p. 22 – 25 of the annexation petition to view the Applicant's analysis.

14. Recommendations or comments of other local government jurisdictions regarding the annexation proposal and potential impact of the annexation on general county economic needs, goals, or objectives

Regarding the City's Annexation Expansion Area, which includes the area in the annexation petition, on September 12, 2019, Summit County submitted a letter stating the Planning Commission and Council reviewed the City's Annexation Expansion Area and did not express any concerns. The letter states Summit County looks forward to working with Park City to achieve mutual goals of regional community and land use stewardship. Please see LMC § 15-8-8 to view the letter in its entirety.

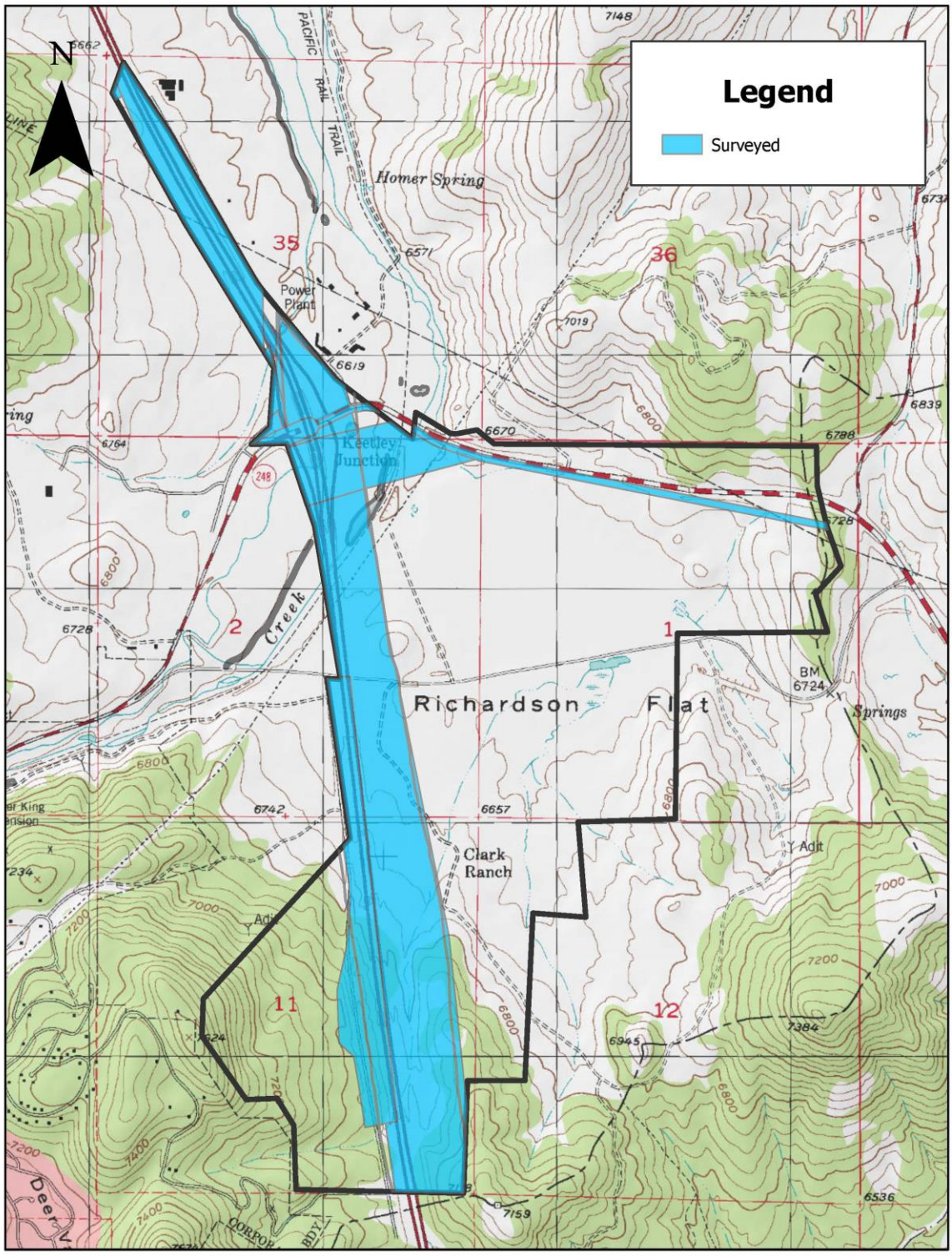
15. Location and description of any historic or cultural resources

According to the annexation petition (p. 17), the Utah Division of State History indicates the following:

- Of the 1,236 acres included in the annexation, only 280 acres have been surveyed for cultural resources
    - There are five known archaeological sites within the survey: one railroad, one highway (US 40), one ditch, one historic trash dump, and one unknown historic site
- There is high potential for additional sites that have not been surveyed due to the area's density of mining and other historic activities
- There is one prehistoric Native American site just inside the current Park City boundary, so there is potential for additional Native American sites within the annexation area

The Utah Division of State History protects the location of historic and cultural resources. If any area is to be developed subject to Recreation and Open Space Zoning and existing development restrictions at a future date, LMC § 15-6-5(L) requires Master Planned Development applicants to include a map and list of all known Physical Mine Hazards, which includes any shaft, adit, tunnel, portal, building, improvement, or other opening or structure related to mining activity, as well as a Physical Mine Hazard mitigation plan, and LMC § 15-6-5(O) requires Master Planned Development Applicants to submit a map and inventory of Historic Structures and Sites on the Property, prepared by a Qualified Historic Preservation Professional.

The Utah Division of State History provided the following map highlighting the area that has been surveyed, and most of the acreage that has not and may contain additional sites because of the mining history and other historic activities:


N
Legend
Surveyed
Homer Spring
Power Plant
Keetley Junction
Creek
Richardson Flat
Clark Ranch
Springs
Adit
35
36
2
1
11
12
PACIFIC RAIL TRAIL
248
BM 6724
6619
6670
6657
6742
6728
6764
6788
6839
7019
7148
7159
6945
7384
6536
7000
7200
7400
6800

B. Annexation Agreement

LMC § 15-8-5(C) contemplates an annexation agreement under certain circumstances. Although the circumstances do not apply to this annexation petition, a draft Annexation Agreement (Exhibit I), prepared by the Planning Director or designee, is included to allow the Planning Commission to review an Annexation Agreement contemporaneously with the certified annexation petition.

LMC § 15-8-5(C) outlines fourteen conditions to be addressed in an Annexation Agreement unless the City Council finds that the circumstances of an annexation are such that a condition or conditions do not apply. Here, the conditions are largely inapplicable because there is no development planned in the annexation area, the proposed zoning and use are intended to maintain the status quo, and the City is the Petitioner. For these reasons, the draft Annexation Agreement does not address all fourteen conditions and only discusses the following two:

- *Flood plain management or preservation of environmentally sensitive lands*. Environmentally sensitive lands will be preserved through zoning of the area as Recreation and Open Space (ROS) subject to the Entry Corridor Protection and Sensitive Land Overlays. This will restrict development in these areas.

- *Consistency with Quinn's Junction Joint Planning Commission Principles*. The annexation is consistent with the Quinn's Junction Joint Planning Commission Principles outlined in the General Plan. The Recreation and Open Space (ROS) zoning subject to the Entry Corridor Protection and Sensitive Land Overlays is consistent with the desires expressed in the principles to zone the Richardson Flat area as ROS and to preserve key open spaces, a substantial open space corridor, important topographical features, natural areas, and view sheds. Because no development is proposed within the annexation area, many of the principles related to development are not relevant.

Department Review

The Annexation Staff Review Team, Planning, Engineering, and Legal Departments reviewed this application.

Public Input

Four entities protested the Southeast Quinn's Junction Annexation. Links to their protests are provided in the Background Section of this report. No other public input was received when this report was published.

Exhibits

Exhibit A: Draft Ordinance No. 2022-XX
Attachment 1 – Annexation Plat
Attachment 2 – Zoning Map Amendment

Exhibit B: Southeast Quinn’s Junction Annexation Petition
Exhibit C: 1999 Flagstaff Development Agreement
Exhibit D: Notice of Intent
Exhibit E: Summit County Certification
Exhibit F: City Council Notice of Annexation Petition
Exhibit G: Boundary Commission Determination
Exhibit H: Ground Lease between UPCM and PCMC
Exhibit I: Draft Annexation Agreement

Ordinance No. 2022-XX

AN ORDINANCE ANNEXING APPROXIMATELY 1,200 ACRES OF PROPERTY LOCATED IN THE SOUTHEAST QUINN'S JUNCTION AREA INTO THE CORPORATE LIMITS OF PARK CITY, UTAH, AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY TO ZONE THE PROPERTY RECREATION AND OPEN SPACE WITHIN THE ENTRY CORRIDOR PROTECTION AND SENSITIVE LAND OVERLAYS

WHEREAS, on October 8, 2021, Park City Municipal Corporation filed a Notice of Intent to annex approximately 1,200 acres of property in the Southeast Quinn's Junction area ("Property") with the City Recorder and sent copies of the Notice of Intent to each affected entity;

WHEREAS, on October 13, 2021, Summit County certified they mailed a true and correct copy of the Park City Municipal Proposed Annexation Notice to each owner of real property within the area proposed to be annexed and within 300 feet of the area to be annexed;

WHEREAS, on October 15, 2021, Park City Municipal Corporation filed the Southeast Quinn's Junction Annexation Petition ("Annexation Petition") with the City Recorder to annex approximately 1,200 acres of property described in Attachment 1 in the Quinn's Junction (HWY 40 and SR 248) area in unincorporated Summit County into the corporate limits of Park City, Utah;

WHEREAS, on October 15, 2021, Park City Municipal Corporation provided copies of the Annexation Petition to the Summit County Clerk, the Snyderville Basin Planning Commission Chair, and the Park City Planning Commission Chair;

WHEREAS, the Annexation Petition includes the Richardson Flat property and City-owned Clark Ranch property;

WHEREAS, the Richardson Flat property is subject to the 1999 Flagstaff Development Agreement wherein the parties contemplated annexing the Richardson Flat property into Park City under Section 3.1;

WHEREAS, under the 1999 Flagstaff Development Agreement, the property owner must restrict uses of the Richardson Flat property to golf, equestrian, or other recreational facilities or perpetually restrict Richardson Flat to prevent further development;

WHEREAS, Park City Municipal Corporation has a 99-year lease on 30 acres of the Richardson Flat property for use of the Richardson Flat parking lot with potential future recreation facilities;

WHEREAS, the City purchased the Clark Ranch property with Resort Communities Tax open space funds with plans for a conservation easement and potential for limited non-open space uses;

WHEREAS, the Park City General Plan identifies the area proposed for annexation to be preserved primarily as open space with recreation uses;

WHEREAS, the Annexation Petition proposes Recreation and Open Space Zoning with staff recommending Entry Corridor Protection and Sensitive Land Overlays;

WHEREAS, the Annexation Petition is consistent with the Quinn's Junction Joint Planning Commission Principles outlined in the General Plan and developed in coordination with Summit County, identifying the area recreational open space with future uses compliant with the 1999 Flagstaff Development Agreement;

WHEREAS, the Planning Director determined the Annexation Petition is consistent with the Park City General Plan and recommended the City Council accept the Annexation Petition;

WHEREAS, on October 18, 2021, the City Council unanimously voted to accept the Annexation Petition for further review;

WHEREAS, on October 28, 2021, the City Recorder certified the Annexation Petition;

WHEREAS, on October 28, 2021, the City Council posted notice of the certified Annexation Petition pursuant to Utah Code Section 10-2-406 on the Utah Public Notice Website and the City's website for three consecutive weeks, mailed notice to each affected entity, and mailed notice to each residence and to each owner of real property in the area proposed for annexation and the area extending ½ mile from the annexation's boundaries;

WHEREAS, on November 16, 2021, the Park City staff review team met pursuant to Land Management Code Section 15-8-5(A) to review the Annexation Petition pursuant to Land Management Code Chapter 15-8;

WHEREAS, on November 24, 2021, Hideout Community Advancement and Development, LLC, the Town of Hideout, NB 248, LLC, and Redus Park City, LLC filed protests to the Annexation Petition;

WHEREAS, on December 9, 2021, the City Council reviewed the protests and declined to take any action, allowing the Annexation Petition to proceed;

WHEREAS, on December 23, 2021, Summit County formed a Boundary Commission to hear the Hideout Community Advancement and Development, LLC protest;

WHEREAS, on December 23, 2021, Summit County rejected the Town of Hideout, NB 248, LLC, and Redus Park City, LLC protests;

WHEREAS, on February 14, 2022, the Boundary Commission convened and unanimously denied the Hideout Community Advancement and Development, LLC protest, finding the Hideout Community Advancement and Development, LLC did not have standing to protest;

WHEREAS, on April 27, 2022, the Planning Commission conducted a work session on the Annexation Petition and Zoning Map Amendment;

WHEREAS, on May 5, 2022, the staff review team met again to finalize staff recommendations;

WHEREAS, on May 25, 2022, the Planning Commission conducted a duly noticed public hearing on the Annexation Petition and Zoning Map Amendment and forwarded a _____ recommendation to the City Council;

WHEREAS, on June 16, 2022, the City Council conducted a duly noticed public hearing on the Annexation Petition and Zoning Map Amendment;

WHEREAS, on June 16, 2022, the City Council determined that the circumstances of the annexation are such that the conditions do not apply and determined that an Annexation Agreement was not necessary pursuant to Land Management Code Section 15-8-5.

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

SECTION 1. ANNEXATION APPROVAL. The Property is hereby annexed into the corporate limits of Park City, Utah, according to the Annexation Plat executed in substantially the same form as Attachment 1.

The Property so annexed shall enjoy the privileges of Park City and shall be subject to all City levies and assessments.

The Property shall be subject to all City laws, rules, and regulations upon the effective date of this Ordinance.

SECTION 2. COMPLIANCE WITH STATE LAW, THE MUNICIPAL CODE OF PARK CITY, TITLE 15 LAND MANAGEMENT CODE CHAPTER 8 ANNEXATION, AND THE PARK CITY GENERAL PLAN. The Annexation Petition and Recreation and Open

Space Zoning within the Entry Corridor Protection and Sensitive Land Overlays meet the standards for annexation set forth in Title 10, Chapter 2, Part 4 of the Utah Code, Title 15, Chapter 8 of the Land Management Code, and the Park City General Plan.

SECTION 3. OFFICIAL PARK CITY ZONING MAP AMENDMENT. The Official Park City Zoning Map is hereby amended to zone the Property Recreation and Open Space with Entry Corridor Protection and Sensitive Land Overlays, as shown in Attachment 2.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication of this Ordinance, recordation of the Annexation Plat, and compliance with state annexation filing requirements pursuant to Utah Code Section 10-2-425.

PASSED AND ADOPTED this 16th day of June 2022.

PARK CITY MUNICIPAL CORPORATION

_____
Nann Worel, Mayor

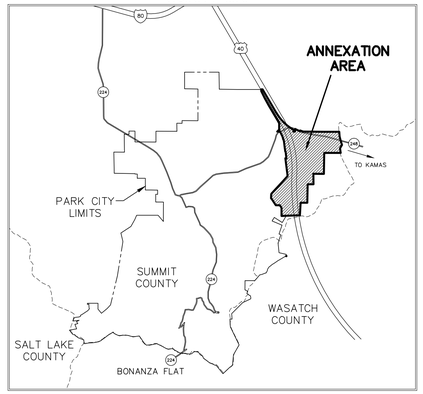
Attest:

_____
City Recorder

Approved as to form:

_____
City Attorney's Office

VICINITY MAP



SURVEYOR'S CERTIFICATE

PROFESSIONAL LAND SURVEYOR — No. 4857264 — MICHAEL DEMKOWICZ — STATE OF UTAH

I, Michael Demkowicz, certify that I am a licensed Professional Land Surveyor, and that I hold License No. 4857264, as prescribed by the laws of the State of Utah. I further certify that I have prepared this plat based upon ownership information on file and of record in the office of the Summit County Recorder. I further certify that this plat accurately represents the area Park City Municipal Corporation has petitioned to annex into its corporate limits. This plat and the description hereon have been prepared for annexation purposes only and do not purport to represent or establish actual property boundary lines. I further certify that this annexation plat has been prepared in conformity with the minimum standards and regulations of the law.

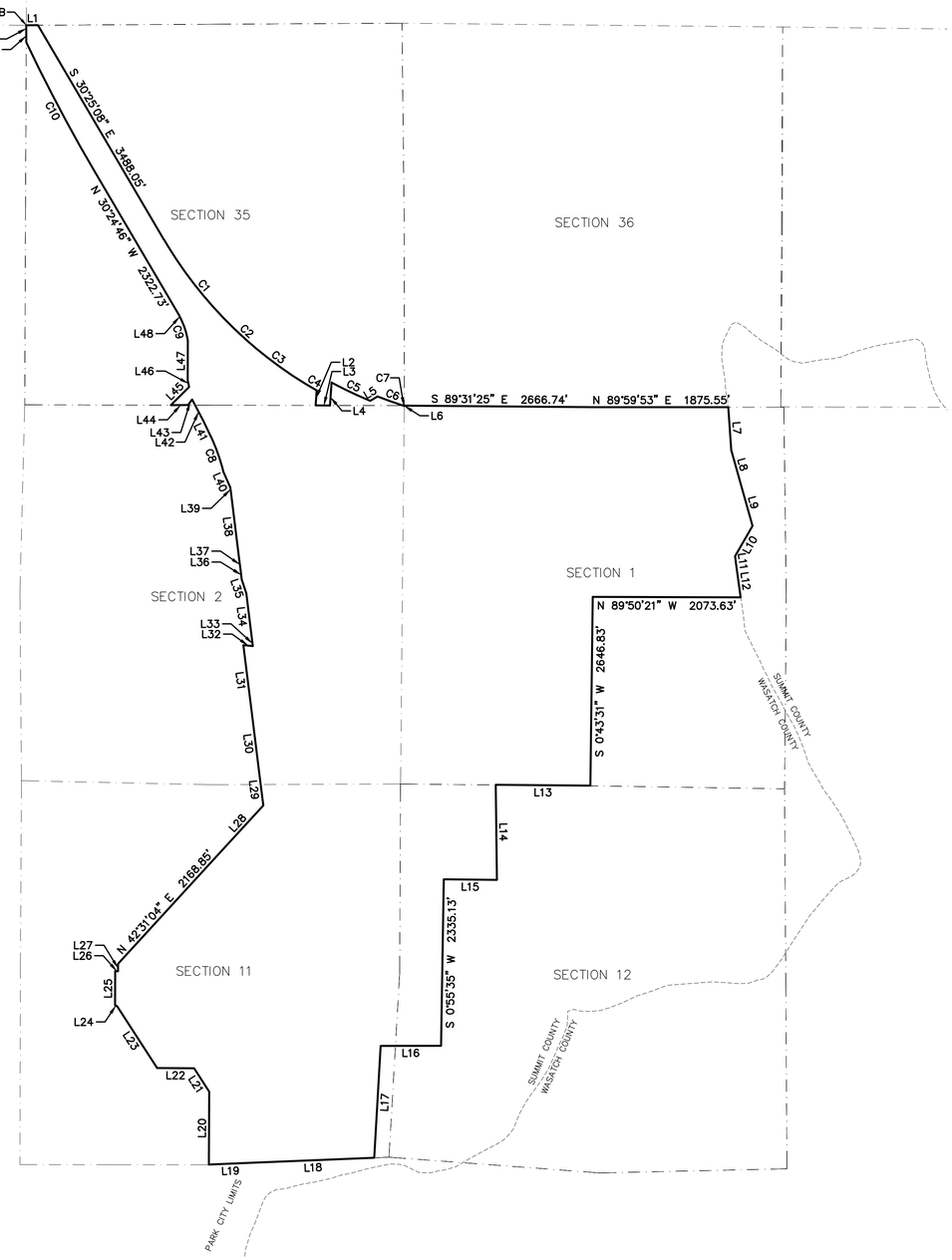
BOUNDARY DESCRIPTION

A parcel of land located in Section 35, Township 1 South, Range 4 East, Salt Lake Base and Meridian and Sections 1, 2, 11 and the west half of Section 12, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at the northwest corner of Parcel No. JDR–HY–40–19:1:A in that certain Quitclaim Deed recorded July 22, 1991, as Entry No. 344332 in Book 617 at Page 414 in the Office of the Recorder, Summit County, Utah, said point also being the northwest corner of Section 35, Township 1 South, Range 4 East, Salt Lake Base and Meridian; and running thence coincident with the north line of Section 35 and the north and easterly boundaries of said Parcel No. JDR–HY–40–19:1:A the following three (3) courses: 1) North 89°40'54" East 163.39 feet to the northeast corner of said Parcel No. JDR–HY–40–19:1:A; thence 2) South 30°25'08" East 3488.05 feet to a point on a curve to the left having a radius of 5829.58 feet, of which the radius point bears North 59°34'52" East; thence 3) along the arc of said curve 1697.06 feet through a central angle of 16°40'46"; thence continuing along the arc of said curve 103.98 feet through a central angle of 01°01'19" to the northernmost corner of Parcel No. JDR–HY–40–19:1:2A in that certain Quitclaim Deed recorded July 22, 1991, as Entry No. 344332 in Book 617 at Page 414 in the Office of the Recorder, Summit County, Utah; thence continuing Southeasterly and coincident with the northerly boundary of Parcel No. JDR–HY–40–19:1:2A and along the arc of said curve 1064.09 feet through a central angle of 10°27'30" to the northernmost corner of Parcel No. JDR–HY–40–19:1:S in that certain Quitclaim Deed recorded July 22, 1991, as Entry No. 344332 in Book 617 at Page 414 in the Office of the Recorder, Summit County, Utah; thence coincident with the northerly and easterly boundaries of said Parcel No. JDR–HY–40–19:1:S the following two (2) courses: 1) continuing Southeasterly along the arc of said curve 177.66 feet through a central angle of 01°44'46"; thence 2) also coincident with the westerly right–of–way of the abandoned Union Pacific Railroad South 03°51'25" West 210.69 feet to the south line of said Section 35; thence coincident with the south line of Section 35 South 89°53'04" East 200.41 feet to the east right–of–way of the abandoned Union Pacific Railroad; thence coincident with said east right–of–way North 03°51'25" East 322.37 feet to a point on a non tangent curve to the left having a radius of 5629.58 feet, of which the radius point bears North 28°23'47" East, said point being on the north right–of–way of Highway SR–248; thence coincident with said north right–of–way and along the arc of said curve 599.62 feet through a central angle of 06°06'10" to the westernmost corner of Parcel No. JDR–HY–40–19:1:3A in that certain Quitclaim Deed recorded July 22, 1991, as Entry No. 344332 in Book 617 at Page 414 in the Office of the Recorder, Summit County, Utah; thence coincident with said Parcel No. JDR–HY–40–19:1:3A the following two (2) courses: 1) North 59°29'16" East 119.86 feet to a point on a non tangent curve to the left having a radius of 5534.58 feet, of which the radius point bears North 21°32'37" East; thence 2) along the arc of said curve 382.84 feet through a central angle of 03°57'48" to the south line of said Section 35; thence continuing along the arc of said curve 15.15 feet through a central angle of 00°09'24" to the west line of Section 1, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence coincident with the west line of Section 1 North 00°34'37" East 4.53 feet to the northwest corner of said Section 1; thence coincident with the north line of Section 1 the following two (2) courses: 1) South 89°31'25" East 2666.74 feet; thence 2) North 89°59'53" East 1875.55 feet to the Summit/Wasatch County line; thence coincident with the Summit/Wasatch County line the following two (2) courses: 1) South 15°43'12" East 482.13 feet to the northeast corner of that certain Special Warranty Deed recorded August 16, 2021 as Entry No. 1170947 in Book 2685 at Page 1643 in the Office of the Recorder, Summit County, Utah; thence coincident with the east boundary of said Special Warranty Deed the following three (3) courses: 1) South 15°43'12" East 622.62 feet; thence 2) South 30°02'07" West 491.28 feet; thence 3) South 07°49'47" East 152.51 feet; thence continuing Southerly along said county line 428.95 feet; thence North 89°50'21" West 2073.63 feet to the center of Section 1, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 00°43'31" West 2646.83 feet to the south quarter corner of said Section 1; thence coincident with the south line of Section 1 North 89°30'41" West 1326.40 feet to the northwesterly corner of that certain Record of Survey recorded November 19, 2013, as File No. S0007937 in the Office of the Recorder, Summit County, Utah; thence coincident with the westerly boundary of said Record of Survey the following five (5) courses: 1) South 00°41'51" East 1332.35 feet; thence 2) North 89°23'41" West 745.39 feet; thence 3) South 00°55'35" West 2335.13 feet; thence 4) South 89°55'29" West 847.03 feet; thence 5) South 03°15'24" West 1571.95 feet, more or less, to the south line of Section 11, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence coincident with the south line of Section 11 South 87°40'19" West 1722.03 feet to the easternmost corner of Morning Star Estates, recorded March 31, 1993, as Entry No. 376621 in the Office of the Recorder, Summit County, Utah; thence coincident with Morning Star Estates the following seven (7) courses: 1) South 87°40'19" West 598.87 feet, more or less (record South 89°59'21" West 583.66 feet); thence 2) North 00°21'07" East 1022.19 feet (record 1022.45 feet); thence 3) North 32°48'13" West 390.45 feet; thence 4) North 89°45'02" West 518.42 feet; thence 5) North 32°55'31" West 1037.74 feet; thence 6) North 79°01'04" West 27.41 feet; thence 7) North 00°14'20" East 481.61 feet to the south boundary of Park City Heights Phase 2, recorded August 4, 2020, as Entry No. 1138069 in the Office of the Recorder, Summit County, Utah; thence coincident with Park City Heights Phase 2 the following three (3) courses: 1) South 89°30'31" East 39.71 feet; thence 2) North 103.66 feet; thence 3) North 42°31'04" East 2168.85 feet to the southernmost corner of that certain Warranty Deed, recorded June 22, 2018, as Entry No. 1093822 in Book 2467 at Page 1515 in the Office of the Recorder, Summit County, Utah; thence coincident with said Warranty Deed the following two (2) courses: 1) continuing North 42°31'04" East 843.81 feet; thence 2) North 07°03'48" West 466.20 feet to the southernmost corner of Park City Heights Phase 1 Subdivision, recorded November 4, 2014, as Entry No. 1006402 in the Office of the Recorder, Summit County, Utah; thence coincident with the east boundary of Park City Heights Subdivision Phase 1 the following two (2) courses: 1) continuing North 07°03'48" West 834.37 feet; thence 2) North 07°02'52" West 965.75 feet to the south right–of–way of Richardson Flat Road; thence coincident with the south right–of–way of Richardson Flat Road South 84°12'19" East 133.31 feet; thence North 07°04'23" West 102.84 feet to the southeast corner of Parcel 2 in that certain Special Warranty Deed recorded November 2, 2009, as Entry No. 885619 in Book 2008 at Page 496; thence coincident with the east boundary of said Parcel 2 the following three (3) courses: 1) continuing North 07°04'23" West 642.93 feet thence 2) North 18°22'59" West 203.96 feet; thence 3) North 07°04'23" West 119.30 feet; thence North 07°04'23" West 150.64 feet to the south corner of the east boundary of Parcel 1 in that certain Special Warranty Deed recorded November 2, 2009, as Entry No. 885619 in Book 2008 at Page 496; thence North 07°04'23" West 972.39 feet to a point on the east boundary of Park City Film Studios Subdivision recorded May 23, 2014, as Entry No. 995940 in the Office of the Recorder, Summit County, Utah; thence coincident with the east boundary of Park City Film Studios Subdivision the following four (4) courses: 1) North 07°02'43" West 58.38 feet; thence 2) North 23°49'09" West 243.42 feet to a point on a non tangent curve to the left having a radius of 2664.79 feet, of which the radius point bears South 75°59'48" West; thence 3) along the arc of said curve 535.20 feet through a central angle of 11°30'26"; thence 4) North 25°33'14" West 223.71 feet; thence North 27°35'28" West 345.06 feet to the southeasterly boundary of Parcel No. JDR–HY–40–19:1:A in that certain Quitclaim Deed recorded July 22, 1991, as Entry No. 344332 in Book 617 at Page 414 in the Office of the Recorder, Summit County, Utah; thence coincident with said southeasterly boundary South 35°48'00" West 97.42 feet to the south line of Section 35, Township 1 South, Range 4 East, Salt Lake Base and Meridian; thence coincident with the south line of Section 35 South 89°44'06" West 241.07 feet to the southeasterly corner of the Subdivision Plat (Second Amended) for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility, recorded November 25, 2008, as Entry No. 859976 in the Office of the Recorder, Summit County, Utah; thence coincident with the easterly boundary of said subdivision plat the following eight (8) courses: 1) North 45°02'39" East 361.61 feet; thence 2) North 11°42'02" West 93.76 feet; thence 3) North 00°10'40" East 547.99 feet to a point on a non tangent curve to the left having a radius of 1025.92 feet, of which the radius point bears South 81°47'00" West; thence 4) along the arc of said curve 328.80 feet through a central angle of 18°21'46"; thence 5) North 26°34'46" West 70.94 feet; thence 6) North 30°24'46" West 2322.73 feet to a point on a curve to the right having a radius of 23138.31 feet, of which the radius point bears North 59°35'14" East; thence 7) along the arc of said curve 2055.02 feet through a central angle of 05°05'19"; thence 8) North 00°15'27" East 139.75 feet; thence continuing coincident with the west line of Section 35, Township 1 South, Range 4 East, Salt Lake Base and Meridian North 00°15'27" East 96.30 feet to the point of beginning.

Description contains 1236.41 acres.

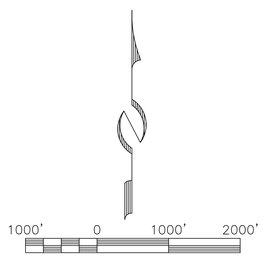
The above description contains the following Tax Serial Numbers: SS–65–A–X, SS–65–A–X–X, SS–65–A–1–X, SS–92–A–1–A, SS–92–A–1–X, SS–92–A–X, SS–88, SS–91–UP–X, SS–87–A–X, SS–87, SS–87–B, SS–86–91–UP–X, SS–91–X, PP–28–A, SS–121–X, PP–26–A–1–AX, PP–26–X, PP–26–D–X, PP–26–A–X and PP–S–46.



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 89°40'54" E	163.39'
L2	S 03°51'25" W	210.69'
L3	S 89°53'04" E	200.41'
L4	N 03°51'25" E	322.37'
L5	N 59°29'16" E	119.86'
L6	N 00°34'37" E	4.53'
L7	S 03°53'07" E	601.74'
L8	S 15°43'12" E	482.13'
L9	S 15°43'12" E	622.62'
L10	S 30°02'07" W	491.28'
L11	S 07°49'47" E	152.51'
L12	S 07°49'47" E	428.95'
L13	N 89°30'41" W	1326.40'
L14	S 00°41'51" E	1332.35'
L15	N 89°23'41" W	745.39'
L16	S 89°55'29" W	847.03'
L17	S 03°15'24" W	1571.95'
L18	S 87°40'19" W	1722.03'
L19	S 87°40'19" W	598.87'
L20	N 00°21'07" E	1022.19'
L21	N 32°48'13" W	390.45'
L22	N 89°45'02" W	518.42'
L23	N 32°55'31" W	1037.74'
L24	N 79°01'04" W	27.41'
L25	N 00°14'20" E	481.61'

LINE TABLE		
LINE	DIRECTION	LENGTH
L26	S 89°30'31" E	39.71'
L27	N 00°00'00" E	103.66'
L28	N 42°31'04" E	843.81'
L29	N 07°03'48" W	466.20'
L30	N 07°03'48" W	834.37'
L31	N 07°02'52" W	965.75'
L32	S 84°12'19" E	133.31'
L33	N 07°04'23" W	102.84'
L34	N 07°04'23" W	642.93'
L35	N 18°22'59" W	203.96'
L36	N 07°04'23" W	119.30'
L37	N 07°04'23" W	150.64'
L38	N 07°04'23" W	972.39'
L39	N 07°02'43" W	58.38'
L40	N 23°49'09" W	243.42'
L41	N 25°33'14" W	223.71'
L42	N 27°35'28" W	345.06'
L43	S 35°48'00" W	97.42'
L44	S 89°44'06" W	241.07'
L45	N 45°02'39" E	361.61'
L46	N 11°42'02" W	93.76'
L47	N 00°10'40" E	547.99'
L48	N 26°34'46" W	70.94'
L49	N 00°15'27" E	139.75'
L50	N 00°15'27" E	96.30'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	5829.58'	1697.06'	16°40'46"
C2	5829.58'	103.98'	1°01'19"
C3	5829.58'	1064.09'	10°27'30"
C4	5829.58'	177.66'	1°44'46"
C5	5629.58'	599.62'	6°06'10"
C6	5534.58'	382.84'	3°57'48"
C7	5534.58'	15.15'	0°09'24"
C8	2664.79'	535.20'	11°30'26"
C9	1025.92'	328.80'	18°21'46"
C10	23138.31'	2055.02'	5°05'19"



(435) 649–9467
Alliance Engineering Inc.
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060–2664

SOUTHEAST QUINN'S JUNCTION ANNEXATION

LOCATED IN SECTION 35, TOWNSHIP 1 SOUTH, RANGE 4 EAST, & SECTIONS 1, 2, & 11 AND THE WEST HALF OF SECTION 12 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

10/27/21 JOB NO.: 7–11–19 FILE: X:\ParkCityMunicipal\dwg\srv\plat2019\071119.dwg

PUBLIC SAFETY ANSWERING POINT APPROVAL
APPROVED THIS _____ DAY
OF _____, 20___
BY _____
SUMMIT COUNTY GIS COORDINATOR

SUMMIT COUNTY SURVEYOR
APPROVED IN COMPLIANCE WITH SECTION 17–23–20 OF THE UTAH CODE ON THIS _____
DAY OF _____, 20___
BY _____
SUMMIT COUNTY SURVEYOR

PLANNING COMMISSION
RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS _____
DAY OF _____, 20___
BY _____
CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____
DAY OF _____, 20___
BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____
DAY OF _____, 20___
BY _____
PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ___ DAY OF _____, 20___
BY _____
MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY
OF _____, 20___
BY _____
PARK CITY RECORDER

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ ENTRY NO._____
_____ FEE
_____ RECORDER

Proposed Zoning Map

May, 2022

Legend

- County Boundary
- City Limits
- Entry Corridor Protection (ECP)
- Frontage Protection Zone (FPZ)
- Medical Cannabis Production Establishment (MCPE)
- Regional Commercial Overlay (RCO)
- Receiving Zones
- Sending Zones
- Sensitive Lands Overlay (SLO)

Zoning

- Community Transition (CT)
- Estate (E)
- General Commercial (GC)
- Historic Commercial Business (HCB)
- Historic Residential (HR-1)
- Historic Residential (HR-2A)
- Historic Residential (HR-2B)
- Historic Recreation Commercial (HRC)
- Historic Residential - Low Density (HRL)
- Historic Res. - Medium Density (HRM)
- Light Industrial (LI)
- Protected Open Space (POS)
- Public Use Transition (PUT)
- Residential (R-1)
- Recreation Commercial (RC)
- Residential Development (RD)
- Residential Dev. - Medium Density (RD-M)
- Residential - Medium Density (RM)
- Recreational Open Space (ROS)
- Single Family (SF)
- Urban Park Zones (UPZ)

Official Zoning Map
Nann Worel, Mayor
Gretchen Milliken, Planning Director
John Phillips, Planning Commission Chair

This map is a graphic illustration of Park City's zoning districts and is not intended to establish precise dimensions and/or surveyed boundaries of each zone. Interpretation of the Zoning Map is governed by the standards in LMC Section 15-1-6. For complete information relating to the specific boundaries of any of the zoning designation shown on this map, please contact the Park City Planning Department.

0 0.5 1 Miles

Date: 5/4/2022

Map Projection: NAD83 Utah State Plane Central in US Feet
Document Name: Zoning_Map4-28-22update User Name: slace

Petition certified October 28, 2021.

Michelle Kellogg, City Recorder

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

Annexation Petition
for Southeast Quinn's Junction

RECEIVED
OCT 15 2021
Park City Municipal Corp.

Leah V. Lang
Deputy City Recorder

10/15/2021

RECEIVED
OCT 15 2021
PARK CITY
PLANNING DEPT.

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PARK CITY Park City Municipal Corporation
445 Marsac Avenue • PO Box 1480 • Park City UT 84060 • (435) 615-5060 • (435) 615-4906-fax • www.parkcity.org

ANNEXATION PETITION

APPLICATION FILING DATE: OCTOBER 15, 2021
APPLICATION FEE – RECEIPT #: PL-21-05031 - RECEIPT #000649-0031

PROCEDURE FOR PETITION AND ANNEXATION PLATS

Application Deemed Complete	Date 10/15/2021
Annexation Petition Accepted by City Council.	Date 10/18/2021
Annexation Petition Rejected by City Council.	Date _____
If accepted, Annexation Petition certified by City Recorder	Date 10/28/2021
Notice is given to City Council regarding petition certification	Date 10/28/2021
City publishes notice of petition acceptance (once a week for three successive weeks)	Date _____
City sends mailed notice of petition acceptance to Affected entities	Date _____
Deadline for affected entities to file protest	Date _____
If no protest, Planning Commission will hold a hearing and make a recommendation to the City Council. City Council will hold a hearing and take final action (each hearing requires 7 day published notice)	Date _____
If protest is filed, consult State Code for information on boundary commission requirements and dates	

RECEIVED
OCT 15 2021
PARK CITY PLANNING DEPT.

PLEASE READ AND SIGN BEFORE APPLICATION SUBMITTAL

As the applicant for this Annexation Petition, I understand that my application is not deemed complete until the Planning Department has reviewed the application and deemed it complete. I further understand I will be notified by mail when my application has been deemed complete. The determination of a complete application does **NOT** certify that the Annexation Petition has been accepted. The certification of an accepted petition requires City Council action.

Please sign your name (as sole owner or as designated sponsor)

Name: Park City Municipal Corporation, Matt Dias, City Manager

DocuSigned by:
Matt Dias
D5D5222E86E246E...

Date: October 15, 2021

DocuSign Envelope ID: C7B24B01-BC3A-46CF-B29A-D8A38BE683D0

I. PROJECT INFORMATION

Name of Property Owner or sponsor petitioner: Park City Municipal Corporation

Address/Location (include location map):

Southeast Quinn's Junction, location map included in petition

Legal Description (attach):

Legal description is attached to the petition

II. APPLICANT(S)

The petition shall contain signatures of property owners representing a majority of the land area and at least 1/3 of the value of all private real property within the area proposed for annexation. If the area is within an Agricultural Protection Area (Utah Code – Title 17, Chapter 41, Agriculture Protection Area) then the petition shall contain signatures of all of the private land area within the annexation area. If all of the property is owned by a public entity other than the federal government, then the petition shall be signed by the owner(s) of all the publicly owned real property.

[SIGNATURE PAGE ON NEXT PAGE]

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SIGNATURE PAGE

Name: Matt Dias Signature: DocuSigned by: Matt Dias D5D5222E86E246E... *
Mailing Address: 445 Marsac Ave., P.O. Box 1480, Park City, UT, 84040-1480
Phone #: 435.615.5180 Fax #: 801.615.4902 E-mail matt.dias@parkcity.org

---

Name: Matt Dias Signature: DocuSigned by: Matt Dias D5D5222E86E246E... **
Mailing Address: 445 Marsac Ave., P.O. Box 1480, Park City, UT, 84040-1480
Phone #: 435.615.5180 Fax #: 801.615.4902 E-mail matt.dias@parkcity.org

---

Name: _____ Signature: _____
Mailing Address: _____
_____
Phone #: _____ Fax #: _____ E-mail _____

Name: _____ Signature: _____
Mailing Address: _____
_____
Phone #: _____ Fax #: _____ E-mail _____

** Signed acknowledging and recognizing United Park City Mines Company's consent to the annexation as also contained and set forth in the attached.*

*** Signed on behalf of Park City Municipal Corporation.*

NOTICE:

THERE WILL BE NO PUBLIC ELECTION ON THE ANNEXATION PROPOSED BY THIS PETITION BECAUSE UTAH LAW DOES NOT PROVIDE FOR AN ANNEXATION TO BE APPROVED BY VOTERS AT A PUBLIC ELECTION.

IF YOU SIGN THIS PETITION AND LATER DECIDE THAT YOU DO NOT SUPPORT THE PETITION, YOU MAY WITHDRAW YOUR SIGNATURE BY SUBMITTING A SIGNED, WRITTEN WITHDRAWAL WITH THE CITY RECORDER OF PARK CITY MUNICIPAL. IF YOU CHOOSE TO WITHDRAW YOUR SIGNATURE, YOU SHALL DO SO NO LATER THAN 30 DAYS AFTER PARK CITY RECEIVES NOTICE THAT THE PETITION HAS BEEN CERTIFIED.

DocuSign Envelope ID: C7B24B01-BC3A-46CF-B29A-D8A38BE683D0

DEVELOPER:
United Park City Mines Company,
a Delaware corporation

David J. Smith, Authorized Signing Officer

STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On this 28th day of ~~March~~ February, 2007 before me, Lorrie J. Hoggan, the undersigned Notary Public, personally appeared David J. Smith, personally known to me to be the Authorized Signing Officer of United Park City Mines Company, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4540 N SR32
Oakley, Utah 84055

Notary Public, State of Utah
Residing in Oakley, Utah

DEER VALLEY RESORT COMPANY,
a Utah limited partnership
By: Royal Street of Utah, a Utah corporation,
General Partner

By: _____
Robert Wells, Vice President

DocuSign Envelope ID: C7B24B01-BC3A-46CF-B29A-D8A38BE683D0

DEVELOPER:
United Park City Mines Company,
a Delaware corporation

David J. Smith, Authorized Signing Officer

STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On this 28th day of ~~March~~ February, 2007 before me, Lorrie J. Hoggan, the undersigned Notary Public, personally appeared David J. Smith, personally known to me to be the Authorized Signing Officer of United Park City Mines Company, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4549 NSR32
Oakley, Utah 84055

Notary Public, State of Utah
Residing in Oakley, Utah

DEER VALLEY RESORT COMPANY,
a Utah limited partnership
By: Royal Street of Utah, a Utah corporation,
General Partner

By: _____
Robert Wells, Vice President

DocuSign Envelope ID: C7B24B01-BC3A-46CF-B29A-D8A38BE683D0

Margaret Plane

From: Mitchell Stephens <mstephens@jdrslaw.com>
Sent: Friday, October 15, 2021 9:50 AM
To: Margaret Plane
Subject: [External] FW: UPCM - Park City

[CAUTION] This is an external email.

From: Mitchell Stephens <mstephens@jdrslaw.com>
Date: Friday, October 15, 2021 at 9:08 AM
To: Nicole Deforge <ndeforge@fabianvancott.com>
Cc: Mark Harrington <mark@parkcity.org>
Subject: FW: UPCM - Park City

Nikki:

We have appreciated the opportunities to discuss Section 3.1 of the AMENDED AND RESTATED DEVELOPMENT AGREEMENT and UPCM's unconditional offer to annex Richardson Flat. Utah Code section 10-2-403(3)(d) requires that property owners be provided with this notice:

> • There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.
>
> • If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of (state the name of the proposed annexing municipality). If you choose to withdraw your signature, you shall do so no later than 30 days after (state the name of the proposed annexing municipality) receives notice that the petition has been certified.

Consistent with the Development Agreement and our discussions, the City acknowledges and recognizes UPCM's consent to the annexation and accordingly will submit an annexation petition and sign recognizing UPCM's consent and signature consistent with the Development Agreement and UPCM's unconditional consent. If your client prefers to resubmit a signature consenting to the annexation, or has any questions or objection to the petition, please contact me directly by no later than noon on Monday, October 18.

Best,

Mitch Stephens

Mitchell A. Stephens | Shareholder
JAMES DODGE RUSSELL & STEPHENS P.C.
10 West Broadway, Suite 400

DocuSign Envelope ID: C7B24B01-BC3A-46CF-B29A-D8A38BE683D0

ANNEXATION SPONSOR(S) Up to five of the signers of the petition may be listed as sponsors. Please designate one whom shall be designated as the contact sponsor.

Name: Matt Dias Signature: DocuSigned by: Matt Dias D5D5222E86E246E...
Mailing Address: 445 Marsac Ave., P.O. Box 1480, Park City, UT, 84040-1480
Phone #: 435.615.5180 Fax #: 801.615.4902 E-mail matt.dias@parkcity.org

---

Name: _____ Signature: _____
Mailing Address: _____
_____
Phone #: _____ Fax #: _____ E-mail _____

Name: _____ Signature: _____
Mailing Address: _____
_____
Phone #: _____ Fax #: _____ E-mail _____

Name: _____ Signature: _____
Mailing Address: _____
_____
Phone #: _____ Fax #: _____ E-mail _____

Name: _____ Signature: _____
Mailing Address: _____
_____
Phone #: _____ Fax #: _____ E-mail _____

NOTICE:

THERE WILL BE NO PUBLIC ELECTION ON THE ANNEXATION PROPOSED BY THIS PETITION BECAUSE UTAH LAW DOES NOT PROVIDE FOR AN ANNEXATION TO BE APPROVED BY VOTERS AT A PUBLIC ELECTION.

IF YOU SIGN THIS PETITION AND LATER DECIDE THAT YOU DO NOT SUPPORT THE PETITION, YOU MAY WITHDRAW YOUR SIGNATURE BY SUBMITTING A SIGNED, WRITTEN WITHDRAWAL WITH THE CITY RECORDER OF PARK CITY MUNICIPAL. IF YOU CHOOSE TO WITHDRAW YOUR SIGNATURE, YOU SHALL DO SO NO LATER THAN 30 DAYS AFTER PARK CITY RECEIVES NOTICE THAT THE PETITION HAS BEEN CERTIFIED.

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III. SUBMITTAL REQUIREMENTS:

Two copies of the following information are required prior to a determination of application completeness. All site plans and drawings shall comply with the standard specified in Section 200.0.02 of the Park City Design Standards, Construction Specification & Standard Drawings-1000 Edition. Additional information and/or studies may be required depending on location and potential impact of the proposed annexation. A CD with electronic files of this information shall be submitted with the application.

1. Applicant and Notification information (see sample on page 7)
    a. Names, mailing addresses and stamped (forever stamps) #10 business size envelopes of property owners within the proposed annexation area. ***Please do not use self-adhesive style envelopes and do not include a return address on the envelope.*** Applicants may submit an electronic Excel spreadsheet for post card notices and pay a $1.00 fee per post card mailing in lieu of stamped addressed envelopes.
    b. Names, mailing addresses and stamped (forever stamps) #10 business size envelopes of property owners within one-half mile of the proposed annexation area. ***Please do not use self-adhesive style envelopes and do not include a return address on the envelope.*** Applicants may submit an electronic Excel spreadsheet for post card notices and pay a $1.00 fee per post card mailing in lieu of stamped addressed envelopes.

2. An accurate and recordable map (certified survey plat) of the property to be annexed, prepared by a surveyor licensed to practice in Utah, accurately describing the existing City boundaries and each individual ownership sought to be annexed, including an accurate legal description of the property to be annexed.

3. Existing conditions site plan, at a scale approved by the City, of the proposed annexation area and surrounding area, within a radius to be specified by the City, depending on the particular annexation (may be more or less than one-half mile). This site plan must be prepared by a licensed Surveyor and shall include the names, addresses, and property boundaries of all property owners within the annexation area and within the specified study area.

4. Title Report (no older than 60 Days) for the proposed annexation area.

5. If the proposed property is intended for development, the petition for annexation shall include complete applications for a preliminary subdivision plat and a Master Planned Development (applicable only for projects that would require review as a Master Planned Development according to Chapter 6 of the Land Management Code). Attached to all annexation petitions shall be a land use analysis, performed by a qualified land use planner with the assistance of other professionals such as traffic engineers, civil engineers, wildlife biologists, and hydrologists, of all undeveloped property within the annexation area and (but not limited to) within one-

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half mile of the proposed annexation. The City reserves the option of selecting the qualified professionals to perform this analysis with the cost being paid by the applicant. This analysis shall include, but not be limited to, a study of the following:

a. Slope, wetlands, natural drainage, vegetation, slope, wildlife habitat, view corridors, and significant geological features.
b. Existing and proposed road systems and easements, including traffic generation, if necessary.
c. Proposed utility extension plans and easements, including water usage, supply and delivery systems. Applicant must demonstrate proof of adequate water rights sufficient to serve the proposed annexation area at full development.
d. Location of proposed public and private open space, recreational areas, trails and trail easements.
e. Proposed land uses including type, density, and if applicable, timing of build-out of residential and commercial areas.
f. Proposed locations of community facilities such as fire stations, schools and parks.
g. Consistency with the current General Plans of the governmental entities having jurisdiction
h. A statement as to the anticipated timetable for development, if applicable.
i. Location and description of any Historic and cultural resources on the property.

6. Affordable housing plan consistent with the City's affordable housing policies, if applicable.

7. Project phasing plan and construction mitigation plans for each phase, if applicable.

8. Public utilities and essential services analysis including:
    a. School impact analysis, including analysis of existing and projected schools which will serve the annexation area. Analysis shall project school-age population generated by the annexation area over a twelve-year period.
    b. Capacity of existing sanitary sewer trunk line and capacity of treatment facilities serving the project.
    c. Capacity and availability of solid waste collection, animal control and other services provided by agencies other than Park City.
    d. A full disclosure statement of any and all waters owned of historically utilized on the property to be annexed, and a statement from the water owner(s) as to the estimated value of the water or price at which owner(s) would be willing to sell the said water to the City.

9. Fiscal impact analysis of the proposed annexation on Park City, the remaining unincorporated area, special districts, school district and other governmental entities. The fiscal impact analysis format, including the revenue and cost assumptions shall be approved by Park City. If necessary, the City shall hire qualified experts to perform the analysis. The cost of such analysis shall be paid by the applicant as

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part of the Annexation Petition application. The fiscal impact analysis shall include, but not be limited to, the following:

a. Current and five year projections of demographics and economic base in the area proposed for annexation and surrounding unincorporated area, including household size and income, commercial and industrial development and public facilities.
b. Projected growth in the area proposed for annexation and the surrounding unincorporated area in five-year increments.
c. The present and future annual projected revenue to the City as a result of the annexation.
d. The projected impact the annexation will have over the following ten years on the amount of taxes that property owners within the area proposed for annexation, Park City residents, and the remaining unincorporated county will pay.
e. Present and future (over the next ten years) projects of costs of governmental services to the annexing area.

10. Other studies and analysis as necessary to determine annexation appropriateness.

Once the annexation has been approved, please submit the following:

1. CD disc containing the final annexation plat in electronic form, preferably AutoCAD.
2. 4 –mil mylar of the annexation plat trimmed to 24" x 36" with ½ inch border on top, right and bottom, and 1 ½ inch border on left. Annexation mylar plat shall be in a form approved by the City engineer and City Attorney, including all required signatures and certifications.

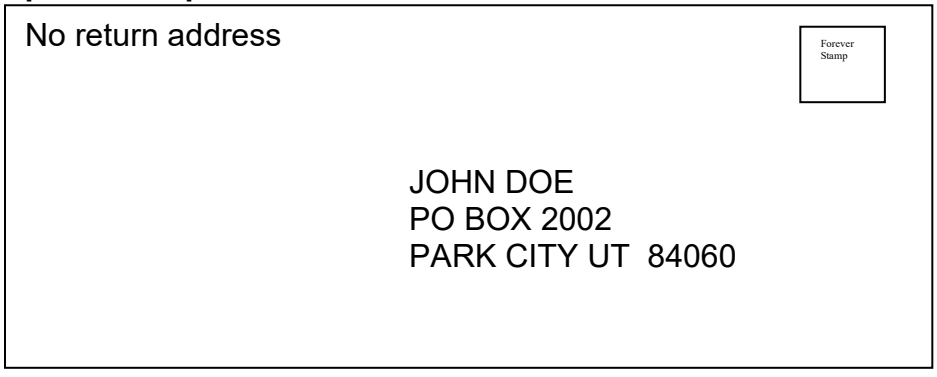
Note: once all the required studies and documents are submitted and deemed complete by the City, the appropriate City Departments and Commissions shall schedule the application for review. If deemed appropriate by the Planning Department, the application fee may be pro-rated provided an adequate fee has been collected to offset City costs for processing the application.

ENVELOPE:

a. #10 size business envelopes (addressed to property owners as described above) with mailing labels and forever stamps affixed (we do not accept metered envelopes). ***Please do not use self-adhesive style envelopes and do not include a return address on the envelope.***

b. List of property owners, names and addresses as described above. The distance is measured from the property line, not the location of the request. Please provide the Summit County Assessor's Parcel Number for each property owner if possible

Sample Envelope



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IV. ANNEXATION FACT SHEET

PROJECT DESCRIPTION

1. On a separate sheet of paper, please complete the following requests and attach to this application:
   a. Give a general description of the proposal and attach to the application.
   b. Provide a written statement addressing specifics of the request, indicating proposed use of the property, any other application submitted as part of the proposal, development time schedule, and any additional information required to describe the proposed annexation.

2. Is the property contiguous to Park City municipal boundaries? **X** yes ☐ no

3. Is the proposed property a contiguous area? **X** yes ☐ no

4. Will this annexation leave/create an unincorporated island or peninsula?
   ☐ yes **X** no

5. Existing zoning: HS, RR, MR_ Proposed Zoning: ROS

6. Will project be within Sensitive Lands Overlay Zone when annexed?
   X yes ☐ no

7. Current use of property: Undeveloped/Recreational Open Space

8. Project area (acreage): ~1,218 _____
   % of project area on slopes in excess of: 15% 21.8%; 40% 2.2

9. Does the petition for annexation contain any land area proposed for annexation in a previously filed petition that has not been granted, denied or rejected?
   ☐ yes **X** no

10. Are you also seeking development project approval at this time? ☐ yes **X** no
    If yes, type of application filed _____

11. Current City water service is available within 1,000 feet of the property.

12. Water rights sufficient to serve the project will be dedicated upon annexation
    ☐ yes **X** no

13. Project will be accessed via:
    X public road ☐ private road ☐ private driveway

(continued on next page)

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14. State Law requires that on the date of filing the annexation petition with the City, the petition sponsor(s) shall also deliver or mail a copy of the petition to the County Clerk of the county in which the property is located, and also to the chair of the County Planning Commission which has review authority or jurisdiction over said property. Has this been done? **X** yes Date October 15, 2021 ☐ no

SOUTHEAST QUINN'S JUNCTION ANNEXATION REPORT

Prepared by:
Michael Demkowics and Braylon Rose
for
Park City Municipal Corporation

Dated: October 10, 2021
Updated: October 27, 2021

Introduction

Park City Municipal Corporation (PCMC) is sponsoring a petition to have properties annexed into Park City. The project area is south and east of Quinn's Junction between the existing city boundary and the county line. The total proposed annexation area is approximately 1,236.41 acres. The purpose of this report is to provide a review and analysis of the existing and proposed land uses associated with the Southeast Quinn's Junction Annexation. The annexation petition is consistent with the Purpose and General Requirements of Utah State Code 10-2-401, et seq. See attached Annexation Plat and Boundary Survey. The right to supplement this report is reserved.

Property Description:

The Southeast Quinn's Junction portion of the annexation consists of 20 parcels of both public and private ownership totaling 1,236.41 acres. Below is a list of parcels, owners, and acreage.

Parcel ID	Owner	Acres
SS-65-A-X	Utah Department of Transportation	69.80
SS-65-A-X-X	Park City Municipal Corporation	0.78
SS-65-A-1-X	USA Bureau of Reclamation	0.26
SS-92-A-1-A	Quinn Capital Partners LLC	0.22
SS-92-A-1-X	Utah Department of Transportation	27.01
SS-92-A-X	USA, Dept of Interior	34.19
SS-88	United Park City Mines Co	166.27
SS-91-UP-X	State of Utah	6.00
SS-87-A-X	USA Bureau of Reclamation	17.18
SS-87	United Park City Mines Co	380.00
SS-87-B	HIDEOUT COMMUNITY ADVANCEMENT AND DEVELOPMENT LLC	22.85
SS-86-91-UP-X	Summit County, Utah	12.38
SS-91-X	Park City Municipal Corporation	45.85
PP-28-A	United Park City Mines Co	40.00
SS-121-X	Park City Municipal Corporation	124.98
PP-26-A-1-AX	Park City Municipal Corporation	44.00
PP-26-X	Park City Municipal Corporation	125.76
PP-26-D-X	Utah Department of Transportation	6.03
PP-26-A-X	Utah Department of Transportation	94.56
PP-S-46	AMEZQUITA, EDGAR	0.57

- Some rights of ways are not attributed with a parcel number and acreage by Summit County.

Section 1- Existing Conditions

Existing natural conditions have been identified, in some cases mapped, and then subsequently analyzed to address the conditions of the Annexation Petition and are noted below.

a. *Slopes:*

The Richardson Flat area comprises the central area of the Southeast Quinn's Junction. It is a largely flat zone with streams and wetlands. A slope analysis has been conducted with the following results:

Slopes 0 – 15%	76% (920 acres)
Slopes 15-30%	19% (235 acres)
Slopes 30-40%	2.1% (26 acres)
Slopes 40%+	2.2% (27 acres)

The slopes analysis can be found on the attached Slopes Analysis Exhibit.

b. *Wetlands and Hydrology:*

Wetlands have been delineated by data provided by the Utah AGRC GIS database and are shown on the Existing Conditions Exhibit. Additionally, FEMA flood hazard zones and streams have been added to the same exhibit. Data was provided by Utah AGRC GIS database. The data provided for wetland, flood hazard zone, and stream delineation is assumed to be accurate.

c. *Vegetative Cover:*

Much of the annexation area is classified as shrubland. Data from the Utah AGRC GIS database shows the area being classified as "mixed shrub". The Utah Natural Resources Conservation Service (NRCS) completed a county-wide resource assessment which shows the full annexation area as being shrubland.

Types of vegetation include sagebrush, gambel oak and meadow grasses.

d. *View Corridors:*

The UDOT parcel is a thin strip of land running along the west shoulder of US Highway 40. The native grade and vegetation have been disturbed by the highway grading. It is mostly sage brush and grasses graded at a constant slope between the hillside and the highway.

The Southeast Quinn's Junction portion is bounded on the west by Park City limits, comprising open space and residential subdivisions, on the north by the SR-248 corridor, on the east by the Wasatch County line and private property, and on the south by the ridgeline that delineates the Summit County line. The terrain rises steadily from north to south. The north portion of the property is identified by industrial areas in adjacent unincorporated Summit County and a mine impacted soils remediation facility. The southern end is largely undeveloped and contains native vegetation and topography.

Views to the north, south, east, and west are provided in the exhibits. Changes to the view corridors are not proposed with this annexation. However, changes are possible during a possible future subdivision or MPD process, particularly on city-owned land west of Highway 40.

e. *Wildlife:*

The open spaces of the annexation area provide important habitat for wildlife. Wildlife habitat mapping for important species has been downloaded from the AGRC GIS Portal website. These species include black

bear, moose, elk, mule deer, and dusky grouse. Elk and moose populate the hilly southern portion of the area. Black bear and mule deer habitat are found throughout the annexation. Dusky grouse are found in the low-lying areas adjacent to larger streams. Wildlife habitat maps are presented in the exhibits.

An inquiry to the State of Utah, Division of Wildlife Resources, Department of Natural Resources (DWR) indicated that there have been several species of concern found within a one-half mile radius and no sensitive or threatened and endangered species, as noted in attached Utah Natural Heritage Program Online Species Search Report. The animal species of concern found within a one-half mile radius are Bonneville Cutthroat, Bald Eagle, Ferruginous Hawk, Mountain Marshsnail, Western Toad, Columbia Spotted Frog, Greater Sage Grouse, Northern Leopard Frog, and Lewis's Woodpecker. There were no plant species of concern found within a one-half mile radius of the site.

f. *Historic and Cultural Resources*

An inquiry with the Utah Division of State History indicated that of the 1,236 acres included in the proposed annexation, only 280 acres have been previously surveyed for cultural resources. There are five known archaeological sites within that survey: one railroad, one highway (US 40), one ditch, one historic trash dump, and one unknown historic site. The location of these resources is protected under Utah State Law and therefore were not able to be mapped. The Utah Division of State History has indicated that there is high potential for additional sites within the remainder of the area that has not been surveyed due to the area's density of mining and other historic activities. There is one prehistoric Native American site just inside the current Park City municipal boundary, so there is potential for additional Native American sites within the annexation area as well.

g. *Geological Features*

Ridgelines were delineated using the site contours. As indicated on the slope analysis, the site contains rolling hills with several ridgelines.

Existing natural conditions have been identified, in some cases mapped, and then subsequently analyzed to address the conditions of the Annexation Petition and are noted below.

Section II- Proposed Subdivision Plan

There are no current plans for the development of the property. Future plans for development are subject to plan review, either subdivision or MPD which will address any additional impacts.

Section III- Existing and Proposed Streets and Roads

US Highway 40 intersects the Southeast Quinn's Junction area. SR-248 and the Richardson Flat Road also intersect the Southeast Quinn's Junction area. The Richardson Flat Park-N-Ride is located to the north of the Richardson Flat Road within the annexation boundary. There are numerous active and inactive dirt roads throughout the annexation, including the Highway 40 west side, frontage road.

The Richardson Flat Road and Park-N-Ride is the only local street within the annexation boundary. The Richardson Flat Road provides alternative access between Park City and the developments eastward along SR-248. The Park-N-Ride provides opportunities for carpooling and the use of public transportation to reduce traffic congestion on SR-248 between Quinn's Junction and Park City.

No new streets or roads are proposed with this annexation petition. Future plans for development and a future park n ride facility on the northwest Highway 40 interchange are subject to review through either

subdivision or MPD which will address any additional impacts. It is worth noting here that the 2015 Snyderville Basin General Plan identifies a future Transportation Hub in the Highway 40- SR-248 interchange area.

Section IV- Existing and Proposed Utilities
All existing utility providers are located at the annexation boundary. No new utilities are being proposed.

Section V- Location of Proposed Open Space
The petition is requesting all of the properties be zoned Recreation and Open Space (ROS), outside of road right of ways.

Section VI- Existing and Proposed Land Uses
Immediately surrounding the Southeast Quinn's Junction parcels are vacant land and residential development. Zoning includes Rural Residential, Hillside Stewardship and Mountain Remote. Within a half-mile of the Southeast Quinn's Junction area there are also Recreation Open Space, Residential Development, Community Transition, and Estate Zones. The zoning proposed for these parcels is Recreation and Open Space (ROS).

It should be noted that a mine impacted soils repository is located within the annexation.

Section VII- Existing and Proposed Locations of Community Facilities
The Richardson Flats Park-N-Ride Lot and an undeveloped trailhead on the SS-91-X parcel, which serves as recreational access and for the Clark Ranch (east) property and a staging area for the current grazing lessee, are the current community facilities. A second Park-N-Ride facility is proposed near the Highway 40 interchange, adjacent to the northbound SR-248 on-ramp.

No other community facilities are currently identified.

Section VIII- Anticipated Timetable for Development
There are no current plans for development of the properties. Future plans for development are subject to review through either subdivision or MPD which will address any additional impacts.

Section IX- Affordable Housing
The current parcels are within the Park City School District Boundary. The proposed annexation results in no additional density. Affordable housing guidelines and standards will be reviewed and applied in any future subdivision or MPD application for development.

Section X- Public Utilities and Essential Services Analysis

a. School Impact Analysis- The parcels are located within Park City School District Boundaries and are assessed a fee as part of their property taxes. The proposed annexation results in no additional density, thus no additional services from PCSD are required.

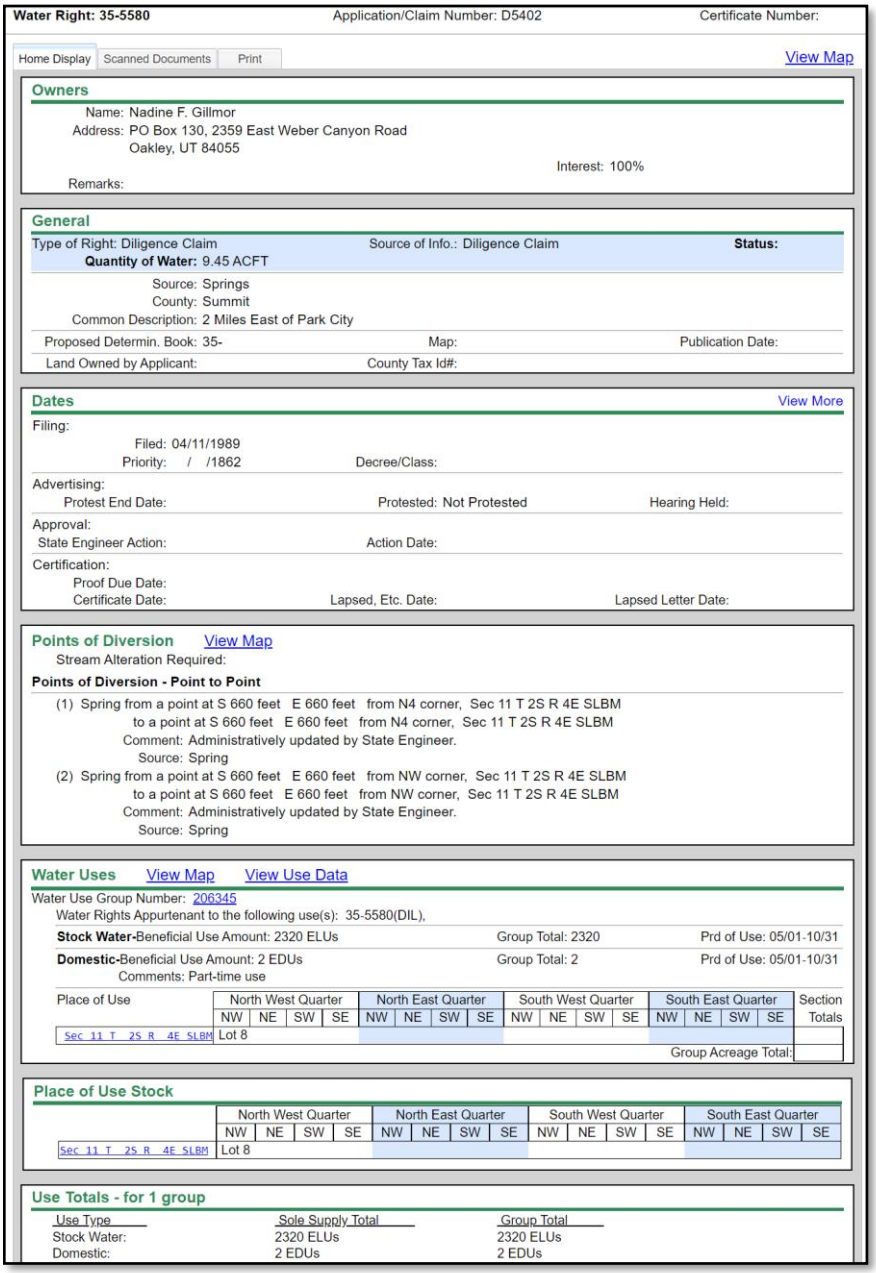
b. Capacity of sanitary sewer services- Snyderville Basin Water Reclamation District has indicated it has excess capacity to service this area in the future if approved through a planning process, however no development is currently proposed.

c. Other Services- The annexation area is within the Park City Fire District. Park City Public Safety services will be extended to the annexation area but with minimal service impacts due to the nature of the open space condition. Solid waste and mosquito abatement will require no change in the provision of these services as a result of this annexation. Animal control services will continue to be provided by Summit County Animal Control or Park City Public Safety based on a case-by-case situation.

d. Water Rights- There are three in the Southeast Quinn's Junction area as shown on the attached Land Use and Water Rights Exhibits. Two of these points (9435020P00 and 9435021P00) are non-production test wells that have since been abandoned. Diversion E1596 is a rejected water right application from 1979. Two of the points (T20178 and T20241) are temporary changes to existing water rights where contractors used the water during construction projects and have since expired.

   Water Right 35-5588 is a Diligence Claim for 16.75 Ac-ft of water diverted from a tributary stream to Silver Creek. The Park City Municipal parcel SS-121-X contains two water rights. Water Right 35-5580 is a Point-to-Point Diligence Claim for 9.45 Ac-ft of water from a Spring.

   - Due to the petition's lack of development, there is no need to secure additional water rights. One of the regional partners in the Western Summit County Project would supply water if and when needed.
   - Water rights identified in this report note John Clark and Nadine Gillmor as owners of record, however both are deceased. As of this report, inquiries per the valuation statement of the water rights are still under investigation.



Water Right: 35-5580 Application/Claim Number: D5402 Certificate Number:

Home Display | Scanned Documents | Print — View Map

Owners

Name: Nadine F. Gillmor
Address: PO Box 130, 2359 East Weber Canyon Road
Oakley, UT 84055
Interest: 100%
Remarks:

General

Type of Right: Diligence Claim — Source of Info.: Diligence Claim — **Status:**
Quantity of Water: 9.45 ACFT
Source: Springs
County: Summit
Common Description: 2 Miles East of Park City
Proposed Determin. Book: 35- — Map: — Publication Date:
Land Owned by Applicant: — County Tax Id#:

Dates View More

Filing:
Filed: 04/11/1989
Priority: / /1862 — Decree/Class:
Advertising:
Protest End Date: — Protested: Not Protested — Hearing Held:
Approval:
State Engineer Action: — Action Date:
Certification:
Proof Due Date:
Certificate Date: — Lapsed, Etc. Date: — Lapsed Letter Date:

Points of Diversion View Map
Stream Alteration Required:

Points of Diversion - Point to Point

(1) Spring from a point at S 660 feet E 660 feet from N4 corner, Sec 11 T 2S R 4E SLBM
to a point at S 660 feet E 660 feet from N4 corner, Sec 11 T 2S R 4E SLBM
Comment: Administratively updated by State Engineer.
Source: Spring

(2) Spring from a point at S 660 feet E 660 feet from NW corner, Sec 11 T 2S R 4E SLBM
to a point at S 660 feet E 660 feet from NW corner, Sec 11 T 2S R 4E SLBM
Comment: Administratively updated by State Engineer.
Source: Spring

Water Uses View Map View Use Data

Water Use Group Number: 206345
Water Rights Appurtenant to the following use(s): 35-5580(DIL),

Stock Water-Beneficial Use Amount: 2320 ELUs — Group Total: 2320 — Prd of Use: 05/01-10/31

Domestic-Beneficial Use Amount: 2 EDUs — Group Total: 2 — Prd of Use: 05/01-10/31
Comments: Part-time use

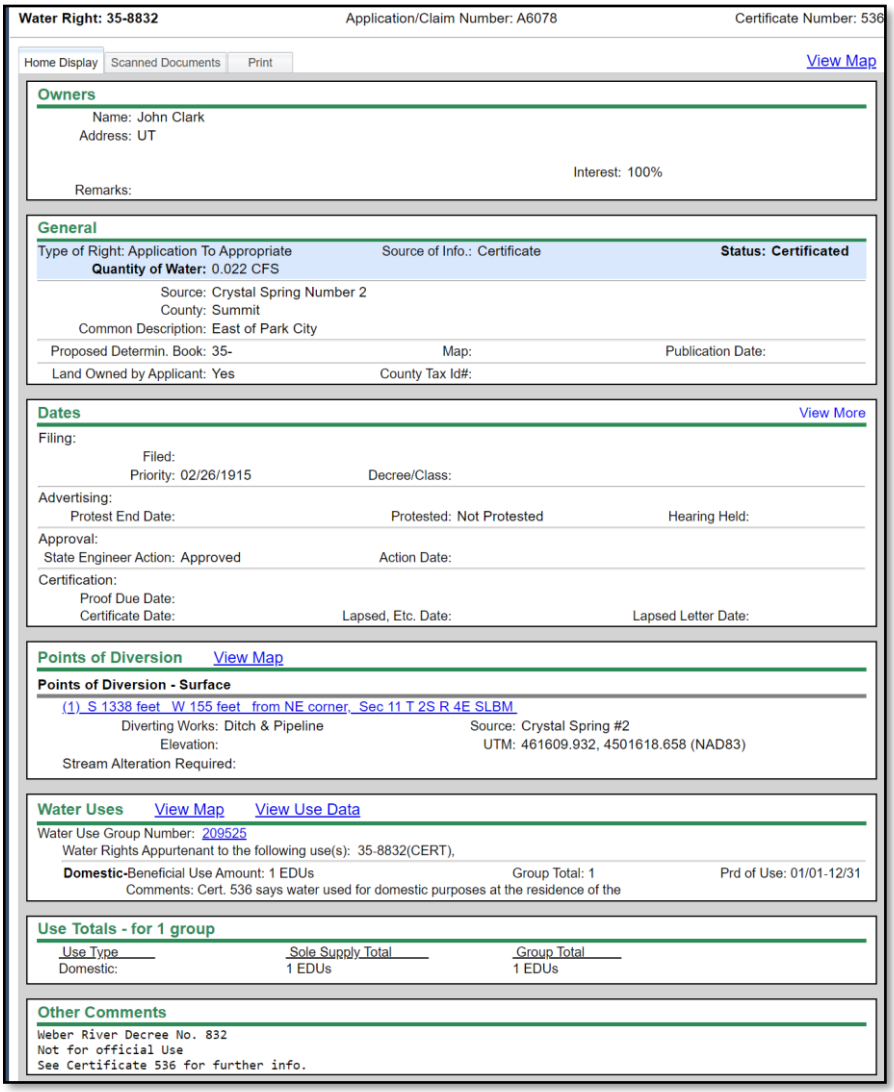
Place of Use	North West Quarter				North East Quarter				South West Quarter				South East Quarter				Section Totals
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	
Sec 11 T 2S R 4E SLBM	Lot 8																
																	Group Acreage Total:

Place of Use Stock

	North West Quarter				North East Quarter				South West Quarter				South East Quarter			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
Sec 11 T 2S R 4E SLBM	Lot 8															

Use Totals - for 1 group

Use Type	Sole Supply Total	Group Total
Stock Water:	2320 ELUs	2320 ELUs
Domestic:	2 EDUs	2 EDUs



Water Right: 35-8832 Application/Claim Number: A6078 Certificate Number: 536

Home Display | Scanned Documents | Print — View Map

Owners

Name: John Clark
Address: UT
Interest: 100%
Remarks:

General

Type of Right: Application To Appropriate — Source of Info.: Certificate — **Status: Certificated**
Quantity of Water: 0.022 CFS
Source: Crystal Spring Number 2
County: Summit
Common Description: East of Park City
Proposed Determin. Book: 35- — Map: — Publication Date:
Land Owned by Applicant: Yes — County Tax Id#:

Dates View More

Filing:
Filed:
Priority: 02/26/1915 — Decree/Class:
Advertising:
Protest End Date: — Protested: Not Protested — Hearing Held:
Approval:
State Engineer Action: Approved — Action Date:
Certification:
Proof Due Date:
Certificate Date: — Lapsed, Etc. Date: — Lapsed Letter Date:

Points of Diversion View Map

Points of Diversion - Surface

(1) S 1338 feet W 155 feet from NE corner, Sec 11 T 2S R 4E SLBM
Diverting Works: Ditch & Pipeline — Source: Crystal Spring #2
Elevation: — UTM: 461609.932, 4501618.658 (NAD83)
Stream Alteration Required:

Water Uses View Map View Use Data

Water Use Group Number: 209525
Water Rights Appurtenant to the following use(s): 35-8832(CERT),
Domestic-Beneficial Use Amount: 1 EDUs — Group Total: 1 — Prd of Use: 01/01-12/31
Comments: Cert. 536 says water used for domestic purposes at the residence of the

Use Totals - for 1 group

Use Type	Sole Supply Total	Group Total
Domestic:	1 EDUs	1 EDUs

Other Comments

Weber River Decree No. 832
Not for official Use
See Certificate 536 for further info.

Section XI- Consistency with Current General Plans

No change in current land use is proposed during the annexation of the property into Park City Municipal boundaries. The existing Richardson Flats parking lot is adjacent to a recommended Transportation Hub use. The petition is consistent with the Snyderville Basin General Plan as provided in the appendices. The Park City General Plan does not discuss the specific area included within this annexation; however, preservation of the natural landscapes considered for the parcels reflects the natural setting strategy outlined within the document. The petition has included the previous Quinn's Junction Joint Planning documents as referenced in the appendices.

Section XII- Fiscal Impact Analysis

Annexation means these properties no longer pay into the Municipal Type Service Area for Summit County.

It is important to note that 50% of the parcels within the annexation petition are owned by governmental agencies including the Department of the Interior, Park City Municipal Corporation, UDOT, and Summit County. These properties are exempt from property tax.

For tax purposes, the current uses will remain and are based on assessed valuations. No base residences are existing or currently proposed that would draw on municipal services such as police and snow removal. These parcels, if annexed, would contribute to the municipal budget.

The Snyderville Basin Special Recreation District has not resolved how bond obligations would be addressed in the event of annexation, the options being to re-distribute the commitment to the remaining taxpayers in Summit County or have the annexed property pay its portion of the bond obligation in full.

Contribution to the Park City School District currently occurs from applicable parcels. Taxes for the Park City School District would remain the same if the parcels were annexed. There are no additional costs to the Park City School District since there is no development proposed for these parcels, therefore no increase in residents and school children.

The annexation of the parcels allows Summit County to continue to collect a base tax rate for the property. Since the county is no longer obligated to provide law enforcement, snow removal, road maintenance, and community development and planning for the parcels, the Municipal Type Service Area tax will no longer be applied. These services would now be the responsibility of Park City Municipal, and collection of Park City property taxes would offset the increased services.

Annexation into Park City obligates the municipality to provide essential services to these properties. Since the properties are currently vacant, other than the City-leased parking lot, minimal impacts would be felt.

Park City Property Tax Revenues	Park City General Fund
2021	$9,445
2022	$9,445
2023	$9,445
2024	$9,445
2025	$9,445

Any proposed residential development of the property would mean additional municipal services would be required. Development approvals would increase land value and raise property tax contributions.

There are no current plans for the development of these parcels. Based upon input from the Park City Budget office, the cost to provide municipal services averages about $2554 per residence per annum, and the average residence in Park City pays approximately $1,800 per annum to the municipality.

Vacant land with residential development approvals see an increase in value. Further, the development of the properties with residences increases the assessed value of the land and associated structures and thereby increases the amount of taxes collected. In this case, there is a direct correlation between the

increased tax collected and the additional services residents need.

The proposed annexation adds no additional residences to Park City, nor are there development plans for the property at this time. The property owners will see a 7% increase in property taxes once the property is incorporated into Park City.

Property Tax Revenues	Summit Co. General Fund	Municipal Type Service Area	Park City General Fund and GO Debt	Multi-County Assessment and Collecting Levy	Local Assessment and Collection	Weber Basin Water	Mosquito Abatement	Park City Fire	Park City School District	Snyderville Basin Recreation District	Snyderville Recreation District Bond	Total Tax Collected
Existing in Summit County	$6,375	$4,741	$0	$113	$1,322	$1,247	$227	$5,620	$39,139	$5,185	$3,381	$67,351
Proposed within Park City	$6,375	$0	$17,926	$113	$1,322	$1,247	$227	$5,620	$39,139	$0	$0	$71,970

The Snyderville Basin Recreation District (SBRD) is an entity also impacted by the annexation of these parcels. The annexation of these properties means these owners no longer pay taxes to Snyderville Basin Recreation District. These properties pay approximately $5,185 per year to the recreation district and $3,381 towards the Snyderville Recreation District Bond. The recreation district can re-distribute the obligation to the remaining taxpayers in Summit County or require continued payment of property taxes from the annexed properties.

Contribution to the Park City School currently occurs from these properties. These properties contribute approximately $39,139 annually to the school district. Annexation of these properties would not impact the payments received by the Park City School District. If proposed construction includes residential units, an increase to the school population would be seen. Approved development plans and subsequent construction raise the assessed value of the land and, therefore, would increase the contribution to the Park City School District for increased impacts.

Estimated Unit Size and Valuation

No Development Proposed	
Average Unit Size (SF)	-
Total Unit Value/ SF	-
Total Unit Value	-
Total Number of Units	-

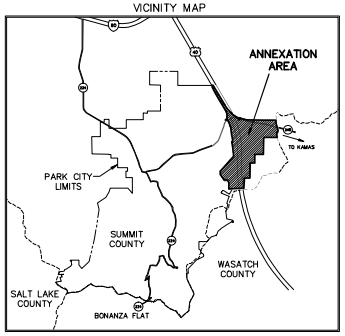
Park City Property Tax Rates	**2019**	**2020**	**2021**
Park City School District	0.004424	0.004308	0.004144
Park City	0.002125	0.002076	0.001898
Summit County General	0.000756	0.00073	0.000675
Park City Fire District	0.000667	0.000641	0.000595
County Assess. & Collecting	0.000155	0.00015	0.00014
Weber Basin Water	0.000153	0.000146	0.000132
Mosquito Abatement	0.000027	0.000026	0.000024
Multi-County Assess. & Collecting	0.000009	0.000012	0.000012
Total	**0.008316**	**0.008089**	**0.00762**

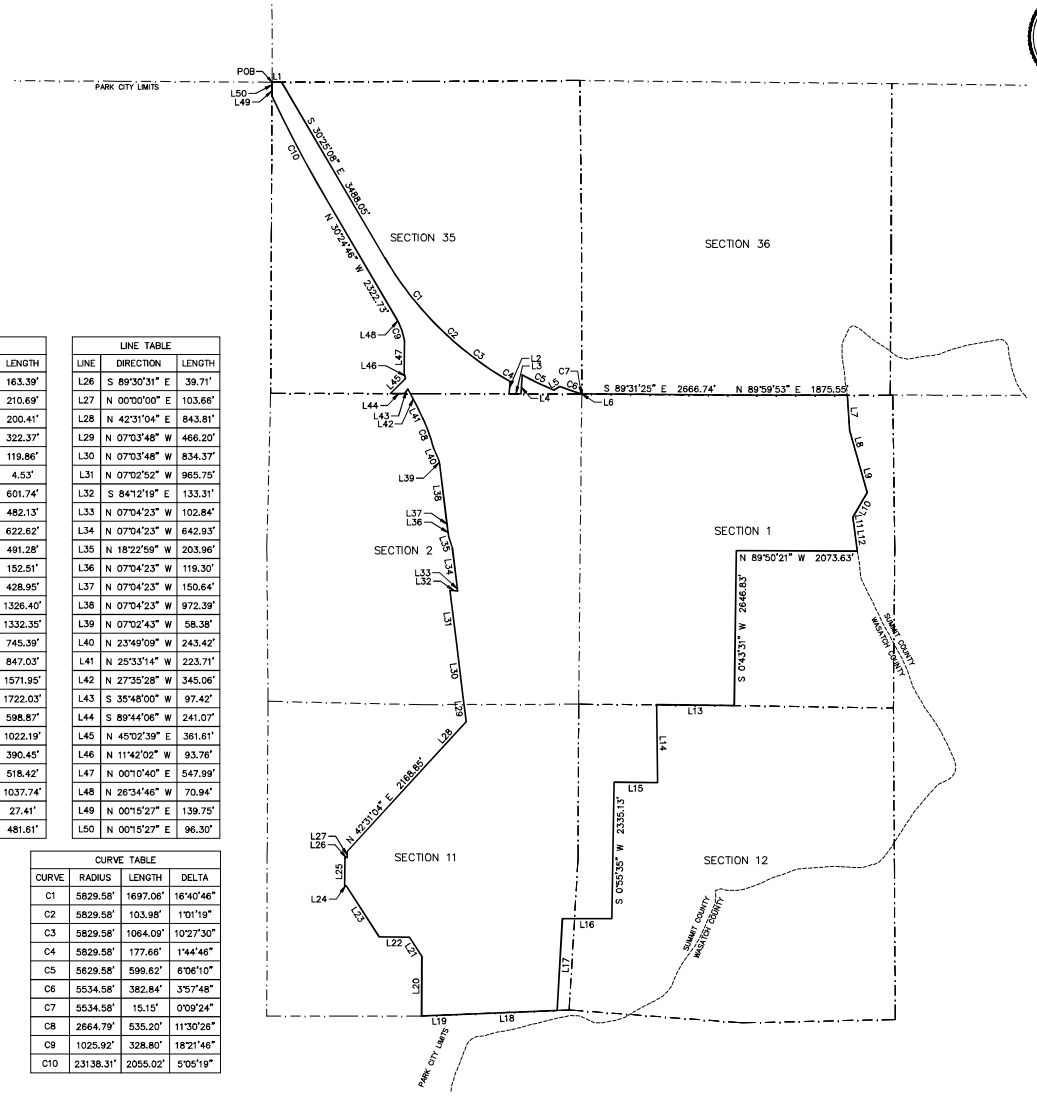
Summit County Property Tax Rates	**2019**	**2020**	**2021**
Summit County General	0.000756	0.00073	0.000675
Municipal Type Service Area	0.000559	0.00054	0.000502
Multi-County Assess. & Collecting	0.000009	0.000012	0.000012
County Assess. & Collecting	0.000155	0.00015	0.00014
Weber Basin Water	0.000153	0.000146	0.000132
Mosquito Abatement	0.000027	0.000026	0.000024
Park City Fire	0.000667	0.000641	0.000595
Park City School District	0.004424	0.004308	0.004144
Snyderville Basin Recreation District	0.000553	0.000756	0.000549
Snyderville Recreation District Bond	0.000248	0.000218	0.000358
Total	**0.007551**	**0.007527**	**0.007131**

Section XIII- Long-Term Community Impacts on Surrounding Property

The proposed annexation is a continuation of status quo, and consistent with the 2007 Amended & Restated Development Agreement for Flagstaff Mountain, Bonanza Flat, Richardson Flat, the 20-acre Quinn's Junction Parcel and Iron Mountain, whereas the property will predominately be utilized as recreational open space, with transportation related infrastructure such as Park-N-Ride facilities. Further, due to the overwhelming growth and proposed density currently approved in the region, the proposed annexation's long-term impacts must be viewed as an overall positive, as they preserve the aesthetics of sensitive lands and natural settings, while also providing for wildlife refuge and public recreational access.

VICINITY MAP





LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 89°40'54" E	163.39'
L2	S 03°51'25" W	210.69'
L3	S 89°53'04" E	200.41'
L4	N 03°51'25" E	322.37'
L5	N 59°29'16" E	119.86'
L6	N 00°34'37" E	4.53'
L7	S 03°53'07" E	601.74'
L8	S 15°43'12" E	482.13'
L9	S 15°43'12" E	622.62'
L10	S 30°02'07" W	491.28'
L11	S 07°49'47" E	152.51'
L12	S 07°49'47" E	428.95'
L13	N 89°30'41" W	1326.40'
L14	S 00°41'51" E	1332.35'
L15	N 89°23'41" W	745.39'
L16	S 89°55'29" W	847.03'
L17	S 03°15'24" W	1571.95'
L18	S 87°40'19" W	1722.03'
L19	S 87°40'19" W	598.87'
L20	N 00°21'07" E	1022.19'
L21	N 32°48'13" W	390.45'
L22	N 89°45'02" W	518.42'
L23	N 32°55'31" W	1037.74'
L24	N 79°01'04" W	27.41'
L25	N 00°14'20" E	481.61'

LINE TABLE		
LINE	DIRECTION	LENGTH
L26	S 89°30'31" E	39.71'
L27	N 00°00'00" E	103.66'
L28	N 42°31'04" E	843.81'
L29	N 07°03'48" W	466.20'
L30	N 07°03'48" W	834.37'
L31	N 07°02'52" W	965.75'
L32	S 84°12'19" E	133.31'
L33	N 07°04'23" W	102.84'
L34	N 07°04'23" W	642.93'
L35	N 18°22'59" W	203.96'
L36	N 07°04'23" W	119.30'
L37	N 07°04'23" W	150.64'
L38	N 07°04'23" W	972.39'
L39	N 07°02'43" W	58.38'
L40	N 23°49'09" W	243.42'
L41	N 25°33'14" W	223.71'
L42	N 27°35'28" W	345.06'
L43	S 35°48'00" W	97.42'
L44	S 89°44'06" W	241.07'
L45	N 45°02'39" E	361.61'
L46	N 11°42'02" W	93.76'
L47	N 00°10'40" E	547.99'
L48	N 26°34'46" W	70.94'
L49	N 00°15'27" E	139.75'
L50	N 00°15'27" E	96.30'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	5829.58'	1697.06'	16°40'46"
C2	5829.58'	103.98'	1°01'19"
C3	5829.58'	1064.09'	10°27'30"
C4	5829.58'	177.66'	1°44'46"
C5	5629.58'	599.62'	6°06'10"
C6	5534.58'	382.84'	3°57'48"
C7	5534.58'	15.15'	0°09'24"
C8	2664.79'	535.20'	11°30'26"
C9	1025.92'	328.80'	18°21'46"
C10	23138.31'	2055.02'	5°05'19"

SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, certify that I am a licensed Professional Land Surveyor, and that I hold License No. 4857264, as prescribed by the laws of the State of Utah. I further certify that I have prepared this plat based upon ownership information on file and of record in the office of the Summit County Recorder. I further certify that this plat accurately represents the area Park City Municipal Corporation has petitioned to annex into its corporate limits. This plat and the description hereon have been prepared for annexation purposes only and do not purport to represent or establish actual property boundary lines. I further certify that this annexation plat has been prepared in conformity with the minimum standards and regulations of the law.

No. 4857264 MICHAEL DEMKOWICZ STATE OF UTAH

BOUNDARY DESCRIPTION

A parcel of land located in Section 35, Township 1 South, Range 4 East, Salt Lake Base and Meridian and Sections 1, 2, 11 and the west half of Section 12, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at the northwest corner of Parcel No. JDR-HY-40-19:1:A in that certain Quitclaim Deed recorded July 22, 1991, as Entry No. 344332 in Book 617 at Page 414 in the Office of the Recorder, Summit County, Utah, said point also being the northwest corner of Section 35, Township 1 South, Range 4 East, Salt Lake Base and Meridian; and running thence coincident with the north line of Section 35 and the north and easterly boundaries of said Parcel No. JDR-HY-40-19:1:A the following three (3) courses: 1) North 89°40'54" East 163.39 feet to the northeast corner of said Parcel No. JDR-HY-40-19:1:A; thence 2) South 30°25'08" East 3488.05 feet to a point on a curve to the left having a radius of 5829.58 feet, of which the radius point bears North 59°34'52" East; thence 3) along the arc of said curve 1697.06 feet through a central angle of 16°40'46"; thence continuing along the arc of said curve 103.98 feet through a central angle of 01°01'19" to the northernmost corner of Parcel No. JDR-HY-40-19:1:2A in that certain Quitclaim Deed recorded July 22, 1991, as Entry No. 344332 in Book 617 at Page 414 in the Office of the Recorder, Summit County, Utah; thence continuing Southeasterly and coincident with the northerly boundary of Parcel No. JDR-HY-40-19:1:2A and along the arc of said curve 1064.09 feet through a central angle of 10°27'30" to the northernmost corner of Parcel No. JDR-HY-40-19:1:S in that certain Quitclaim Deed recorded July 22, 1991, as Entry No. 344332 in Book 617 at Page 414 in the Office of the Recorder, Summit County, Utah; thence coincident with the northerly and easterly boundaries of said Parcel No. JDR-HY-40-19:1:S the following two (2) courses: 1) continuing Southeasterly along the arc of said curve 177.66 feet through a central angle of 01°44'46"; thence 2) also coincident with the westerly right-of-way of the abandoned Union Pacific Railroad South 03°51'25" West 210.69 feet to the south line of said Section 35; thence coincident with the south line of Section 35 South 89°53'04" East 200.41 feet to the east right-of-way of the abandoned Union Pacific Railroad; thence coincident with said east right-of-way North 03°51'25" East 322.37 feet to a point on a non tangent curve to the left having a radius of 5629.58 feet, of which the radius point bears North 28°23'47" East, said point being on the north right-of-way of Highway SR-248; thence coincident with said north right-of-way and along the arc of said curve 599.62 feet through a central angle of 06°06'10" to the westernmost corner of Parcel No. JDR-HY-40-19:1:3A in that certain Quitclaim Deed recorded July 22, 1991, as Entry No. 344332 in Book 617 at Page 414 in the Office of the Recorder, Summit County, Utah; thence coincident with said Parcel No. JDR-HY-40-19:1:3A the following two (2) courses: 1) North 59°29'16" East 119.86 feet to a point on a non tangent curve to the left having a radius of 5534.58 feet, of which the radius point bears North 21°32'37" East; thence 2) along the arc of said curve 382.84 feet through a central angle of 03°57'48" to the south line of said Section 35; thence continuing along the arc of said curve 15.15 feet through a central angle of 00°09'24" to the west line of Section 1, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence coincident with the west line of Section 1 North 00°34'37" East 4.53 feet to the northwest corner of said Section 1; thence coincident with the north line of Section 1 the following two (2) courses: 1) South 89°31'25" East 2666.74 feet; thence 2) North 89°59'53" East 1875.55 feet to the Summit/Wasatch County line; thence coincident with the Summit/Wasatch County line the following two (2) courses: 1) South 03°53'07" East 601.74 feet; thence 2) South 15°43'12" East 482.13 feet to the northeast corner of that certain Special Warranty Deed recorded August 16, 2021 as Entry No. 1170947 in Book 2685 at Page 1643 in the Office of the Recorder, Summit County, Utah; thence coincident with the east boundary of said Special Warranty Deed the following three (3) courses: 1) South 15°43'12" East 622.62 feet; thence 2) South 30°02'07" West 491.28 feet; thence 3) South 07°49'47" East 152.51 feet; thence continuing Southerly along said county line 428.95 feet; thence North 89°50'21" West 2073.63 feet to the center of Section 1, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 00°43'31" West 2646.83 feet to the south quarter corner of said Section 1; thence coincident with the south line of Section 1 North 89°30'41" West 1326.40 feet to the northwesterly corner of that certain Record of Survey recorded November 19, 2013, as File No. 500079837 in the Office of the Recorder, Summit County, Utah; thence coincident with the westerly boundary of said Record of Survey the following five (5) courses: 1) South 00°41'51" East 1332.35 feet; thence 2) North 89°23'41" West 745.39 feet; thence 3) South 00°55'35" West 2335.13 feet; thence 4) South 89°55'29" West 847.03 feet; thence 5) South 03°15'24" West 1571.95 feet, more or less, to the south line of Section 11, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence coincident with the south line of Section 11 South 87°40'19" West 1722.03 feet to the easternmost corner of Morning Star Estates, recorded March 31, 1993, as Entry No. 376621 in the Office of the Recorder, Summit County, Utah; thence coincident with Morning Star Estates the following seven (7) courses: 1) South 87°40'19" West 598.87 feet, more or less (record South 89°59'21" West 583.66 feet); thence 2) North 00°21'07" East 1022.19 feet (record 1022.45 feet); thence 3) North 32°48'13" West 390.45 feet; thence 4) North 89°45'02" West 518.42 feet; thence 5) North 32°55'31" West 1037.74 feet; thence 6) North 79°01'04" West 27.41 feet; thence 7) North 00°14'20" East 481.61 feet to the south boundary of Park City Heights Phase 2, recorded August 4, 2020, as Entry No. 1138069 in the Office of the Recorder, Summit County, Utah; thence coincident with Park City Heights Phase 2 the following three (3) courses: 1) South 89°30'31" East 39.71 feet; thence 2) North 103.66 feet; thence 3) North 42°31'04" East 2168.85 feet to the southernmost corner of that certain Warranty Deed, recorded June 22, 2018, as Entry No. 1093822 in Book 2467 at Page 1515 in the Office of the Recorder, Summit County, Utah; thence coincident with said Warranty Deed the following two (2) courses: 1) continuing North 42°31'04" East 843.81 feet; thence 2) North 07°03'48" West 466.20 feet to the southernmost corner of Park City Heights Phase 1 Subdivision, recorded November 4, 2014, as Entry No. 1006402 in the Office of the Recorder, Summit County, Utah; thence coincident with the east boundary of Park City Heights Subdivision Phase 1 the following two (2) courses: 1) continuing North 07°03'48" West 834.37 feet; thence 2) North 07°02'52" West 965.75 feet to the south right-of-way of Richardson Flat Road; thence coincident with the south right-of-way of Richardson Flat Road South 84°12'19" East 133.31 feet; thence North 07°04'23" West 102.84 feet to the southeast corner of Parcel 2 in that certain Special Warranty Deed recorded November 2, 2009, as Entry No. 885619 in Book 2008 at Page 496; thence coincident with the east boundary of said Parcel 2 the following three (3) courses: 1) continuing North 07°04'23" West 642.93 feet thence 2) North 18°22'59" West 203.96 feet; thence 3) North 07°04'23" West 119.30 feet; thence North 07°04'23" West 150.64 feet to the south corner of the east boundary of Parcel 1 in that certain Special Warranty Deed recorded November 2, 2009, as Entry No. 885619 in Book 2008 at Page 496; thence North 07°04'23" West 972.39 feet to a point on the east boundary of Park City Film Studios Subdivision recorded May 23, 2014, as Entry No. 995940 in the Office of the Recorder, Summit County, Utah; thence coincident with the east boundary of Park City Film Studios Subdivision the following four (4) courses: 1) North 07°02'43" West 58.38 feet; thence 2) North 23°49'09" West 243.42 feet to a point on a non tangent curve to the left having a radius of 2664.79 feet, of which the radius point bears South 75°59'48" West; thence 3) along the arc of said curve 535.20 feet through a central angle of 11°30'26"; thence 4) North 25°33'14" West 223.71 feet; thence North 27°35'28" West 345.06 feet to the southeasterly boundary of Parcel No. JDR-HY-40-19:1:A in that certain Quitclaim Deed recorded July 22, 1991, as Entry No. 344332 in Book 617 at Page 414 in the Office of the Recorder, Summit County, Utah; thence coincident with said southeasterly boundary South 35°48'00" West 97.42 feet to the south line of Section 35, Township 1 South, Range 4 East, Salt Lake Base and Meridian; thence coincident with the south line of Section 35 South 89°44'06" West 241.07 feet to the southeasterly corner of the Subdivision Plat (Second Amended) for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility, recorded November 25, 2008, as Entry No. 859976 in the Office of the Recorder, Summit County, Utah; thence coincident with the easterly boundary of said subdivision plat the following eight (8) courses: 1) North 45°02'39" East 361.61 feet; thence 2) North 11°42'02" West 93.76 feet; thence 3) North 00°10'40" East 547.99 feet to a point on a non tangent curve to the left having a radius of 1025.92 feet, of which the radius point bears South 81°47'00" West; thence 4) along the arc of said curve 328.80 feet through a central angle of 18°21'46"; thence 5) North 26°34'46" West 70.94 feet; thence 6) North 30°24'46" West 2322.73 feet to a point on a curve to the right having a radius of 23138.31 feet, of which the radius point bears North 59°35'14" East; thence 7) along the arc of said curve 2055.02 feet through a central angle of 05°05'19"; thence 8) North 00°15'27" East 139.75 feet; thence continuing coincident with the west line of Section 35, Township 1 South, Range 4 East, Salt Lake Base and Meridian North 00°15'27" East 96.30 feet to the point of beginning.

Description contains 1236.41 acres.

The above description contains the following Tax Serial Numbers: SS-65-A-X, SS-65-A-X-X, SS-65-A-1-X, SS-92-A-1-A, SS-92-A-1-X, SS-92-A-X, SS-88, SS-91-UP-X, SS-87-A-X, SS-87, SS-87-B, SS-86-91-UP-X, SS-91-X, PP-28-A, SS-121-X, PP-26-A-1-AX, PP-26-X, PP-26-D-X, PP-26-A-X and PP-S-46.

1000' 0 1000' 2000'

SOUTHEAST QUINN'S JUNCTION ANNEXATION

LOCATED IN SECTION 35, TOWNSHIP 1 SOUTH, RANGE 4 EAST, & SECTIONS 1, 2, & 11 AND THE WEST HALF OF SECTION 12 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

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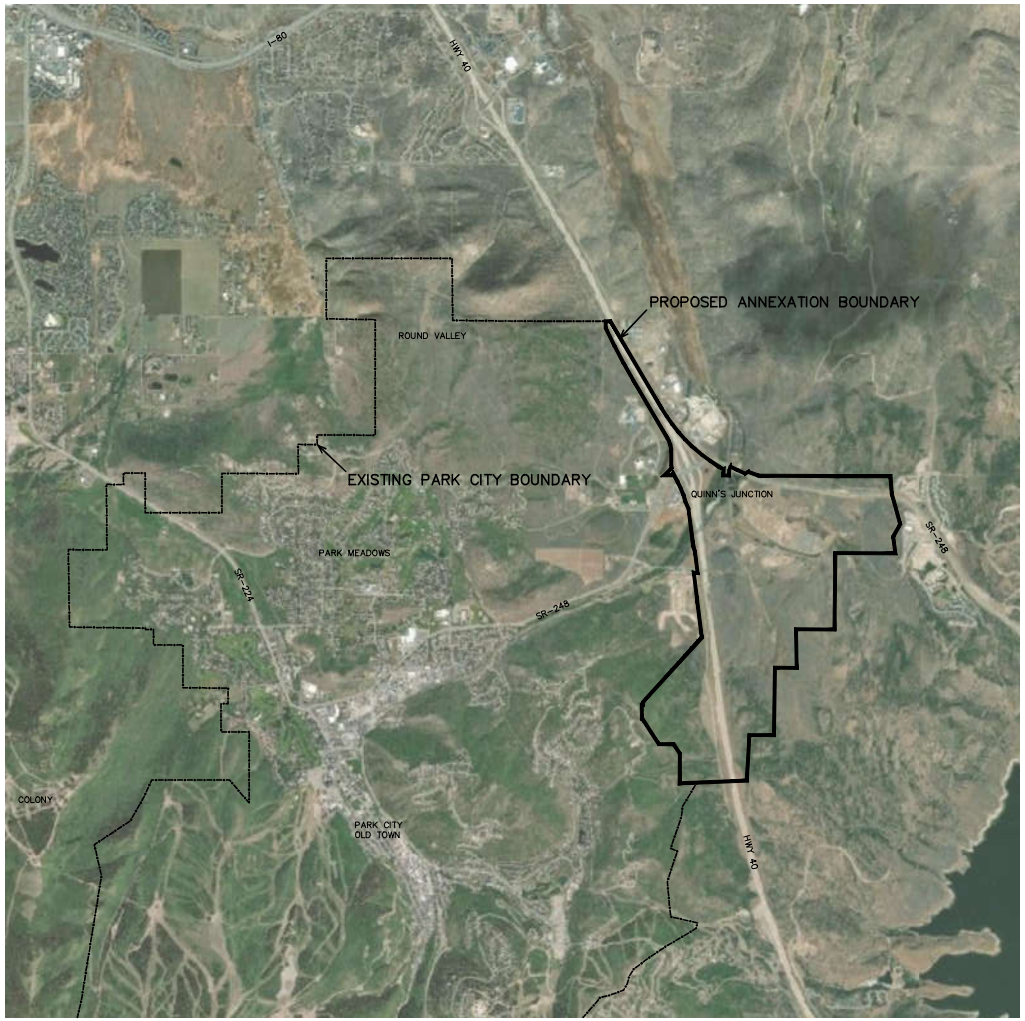
Alliance Engineering Inc.
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

10/27/21 JOB NO.: 7-11-19 FILE: X:\ParkCityMunicipal\dwg\srv\plat2019\071119.dwg

PUBLIC SAFETY ANSWERING POINT APPROVAL	SUMMIT COUNTY SURVEYOR	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	RECORDED
APPROVED THIS _____ DAY OF _____, 20___	APPROVED IN COMPLIANCE WITH SECTION 17-23-20 OF THE UTAH CODE ON THIS _____ DAY OF _____, 20___	RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 20___	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 20___	APPROVED AS TO FORM THIS _____ DAY OF _____, 20___	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ___ DAY OF _____, 20___	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 20___	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO._____
BY _____ SUMMIT COUNTY GIS COORDINATOR	BY _____ SUMMIT COUNTY SURVEYOR	BY _____ CHAIR	BY _____ PARK CITY ENGINEER	BY _____ PARK CITY ATTORNEY	BY _____ MAYOR	BY _____ PARK CITY RECORDER	_____ FEE _____ RECORDER

VICINITY MAP



SOUTHEAST QUINN'S JUNCTION ANNEXATION

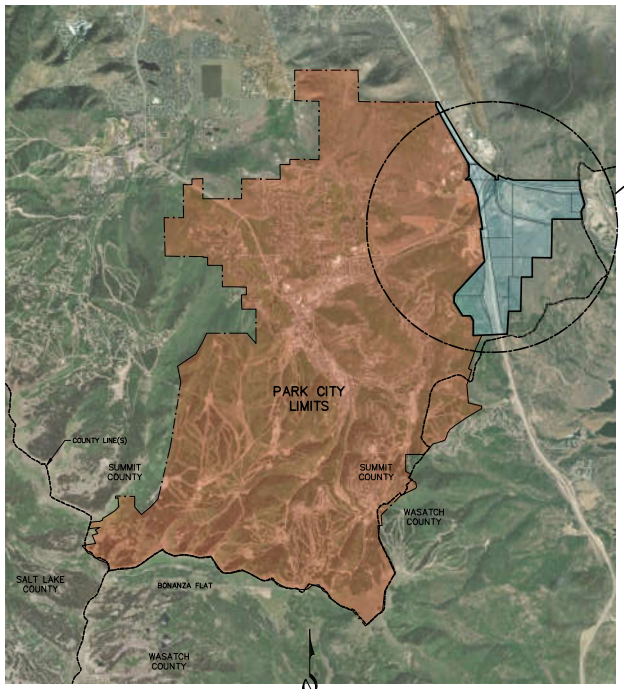
PARK CITY, UTAH

SHEET INDEX

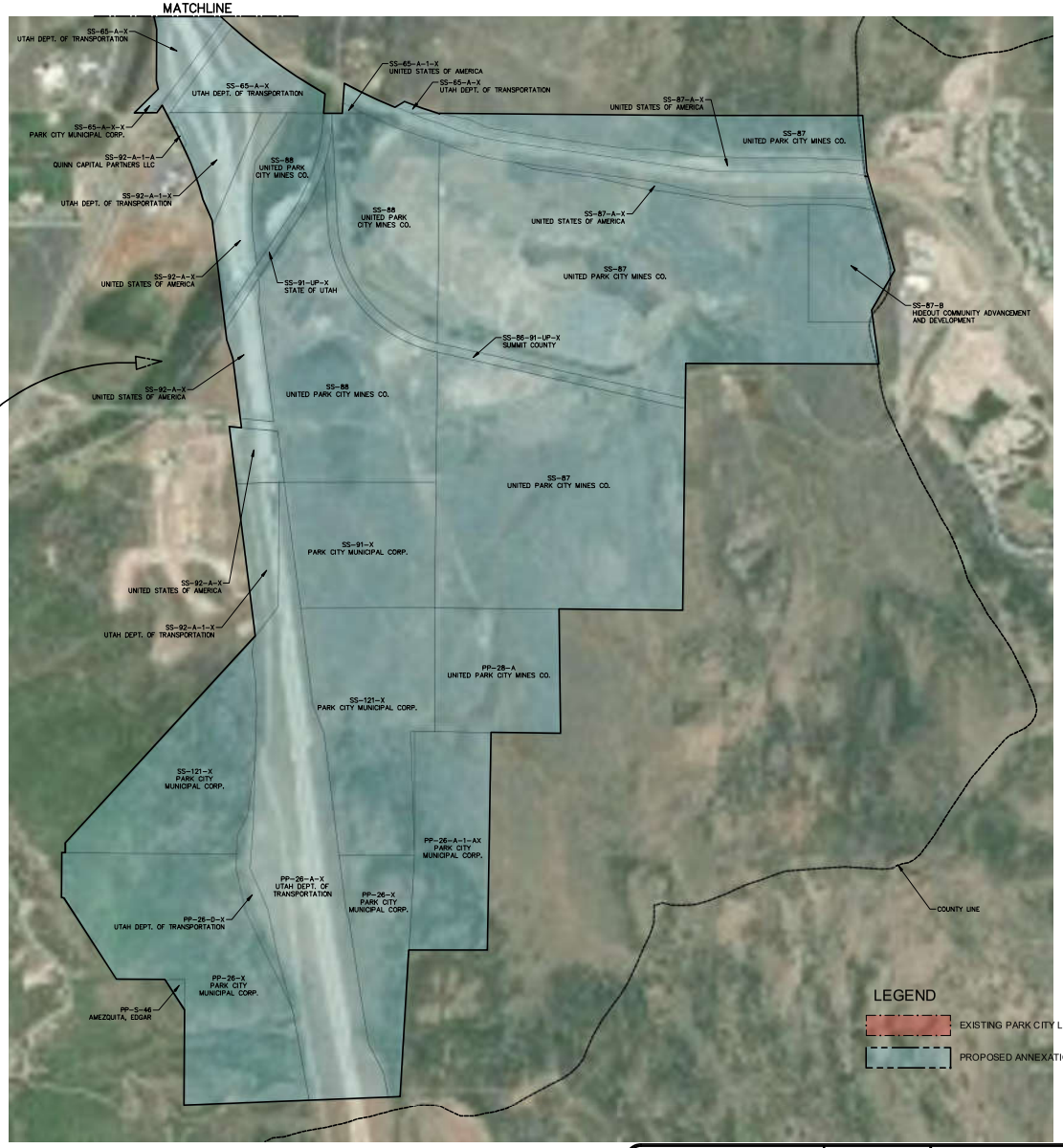
COVER SHEET
OPEN SPACE PRESERVATION ANNEXATION PLAT
1. PROPERTY OWNERSHIP
2. ANNEXATION AREA MAP
3. EXISTING CONDITIONS
4. SLOPE ANALYSIS AND GEOLOGIC FEATURES
5. WILDLIFE HABITAT AND DOMINANT VEGETATION
6. LAND USE HALF-MILE OFFSET
7. EXISTING ROADS
8. EXISTING TRAILS
9. LAND USE AND WATER RIGHTS
10. VIEW CORRIDORS

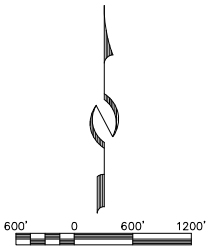
CIVIL ENGINEER

Alliance Engineering Inc.
(435) 649-9467 PHONE
(435) 649-9475 FAX
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
333 Main Street P.O. Box 2664 Park City, Utah 84060-2664



KEY PLAN





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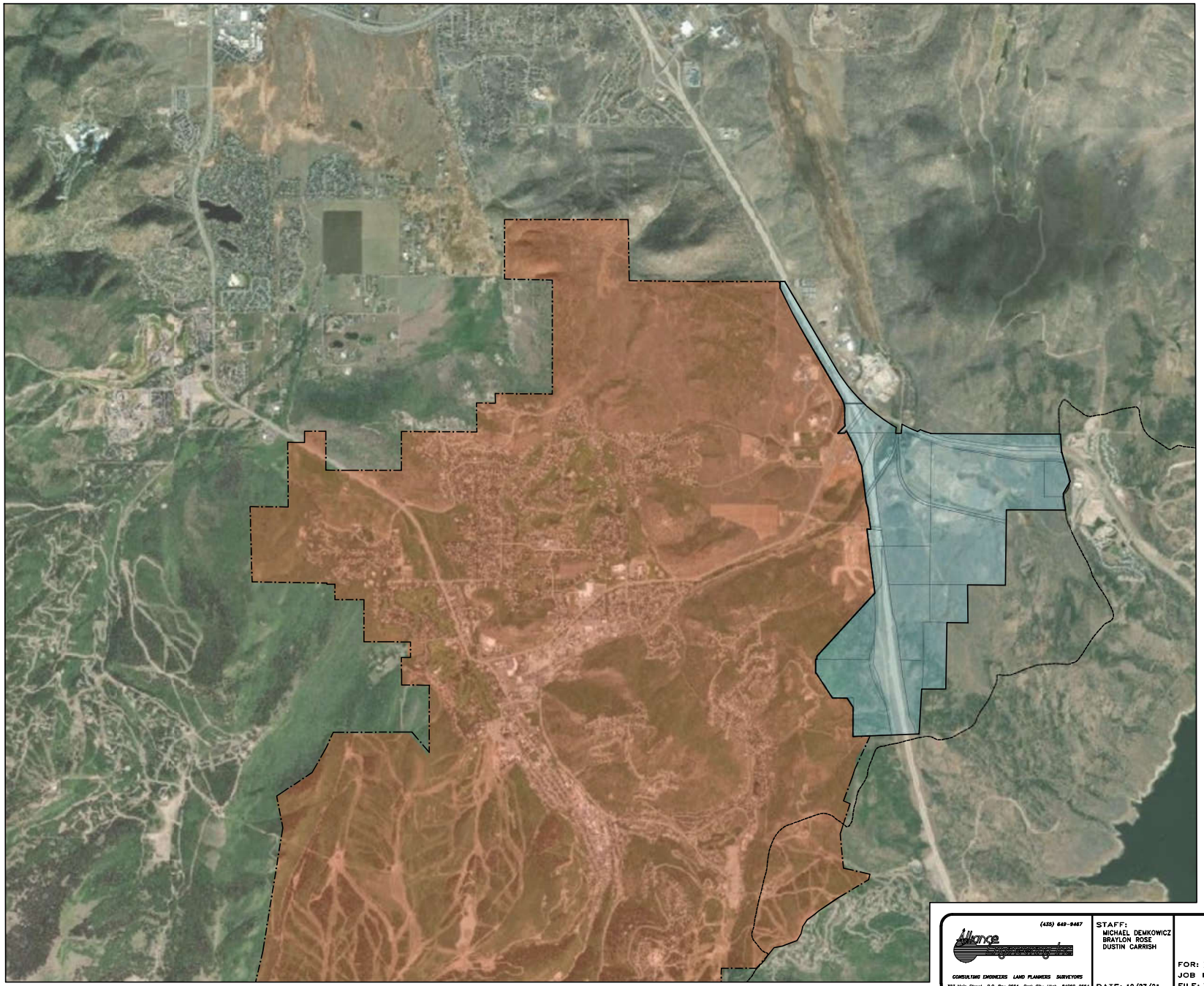
STAFF:
MICHAEL DEMKOWICZ
BRAYLON ROSE

DATE: 10/27/21

OPEN SPACE PRESERVATION
ANNEXATION
PROPERTY OWNERSHIP

FOR: PARK CITY MUNICIPAL CORP
JOB NO.: 7-11-19
FILE: X:\Park City Municipal\dwg\Annexation\7-11-19 Annexation.dwg

SHEET 1 OF 10



ANNEXATION AREA MAP

LEGEND

- PROPOSED ANNEXATION PARCELS
- PROPOSED ANNEXATION OUTLINE
- EXISTING PARK CITY LIMITS
- COUNTY LINE
- HALF MILE ANNEXATION OFFSET

1500' 0 1500' 3000'

NOTES:

1. DATA FROM UTAH AGRC DATABASE (GIS.UTAH.GOV) AND SUMMIT COUNTY GIS DATABASE (SUMMITCOUNTY.MAPS.ARCGIS.COM)

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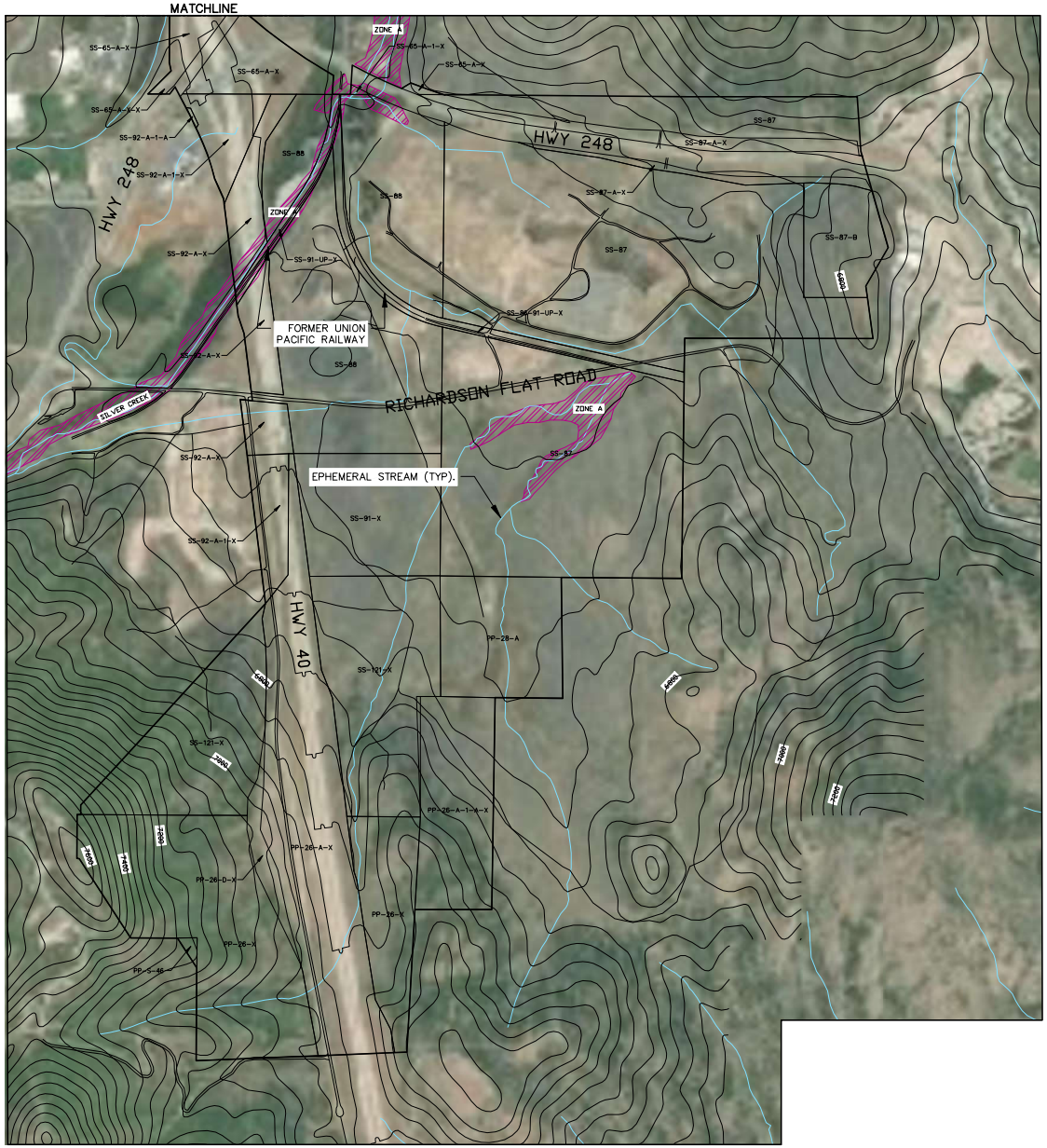
STAFF:
MICHAEL DEMKOWICZ
BRAYLON ROSE
DUSTIN CARRISH

DATE: 10/27/21

OPEN SPACE PRESERVATION
ANNEXATION
ANNEXATION AREA MAP

FOR: PARK CITY MUNICIPAL CORP
JOB NO.: 7-11-19
FILE: X:\Park City Municipal\dwg\Annexation\7-11-19 Annexation.dwg

SHEET 2 OF 10



EXISTING CONDITIONS

LEGEND

- PROPOSED ANNEXATION OUTLINE
- FLOOD HAZARD ZONE
- WETLAND
- STREAM
- 7200 ELEVATION CONTOUR
- TRAIL
- DIRT ROAD

600' 0 600' 1200'

NOTES:

1. DATA FROM UTAH AGRC DATABASE (GIS.UTAH.GOV) AND SUMMIT COUNTY GIS DATABASE (SUMMITCOUNTY.MAPS.ARCGIS.COM)
2. THIS SHEET INCLUDES INFORMATION ON FLOOD HAZARD ZONES, WETLANDS, NATURAL DRAINAGE, TRAILS, AND ROADS.

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BRAYLON ROSE
DUSTIN CARRISH

DATE: 10/27/21

OPEN SPACE PRESERVATION
ANNEXATION
EXISTING CONDITIONS

FOR: PARK CITY MUNICIPAL CORP
JOB NO.: 7-11-19
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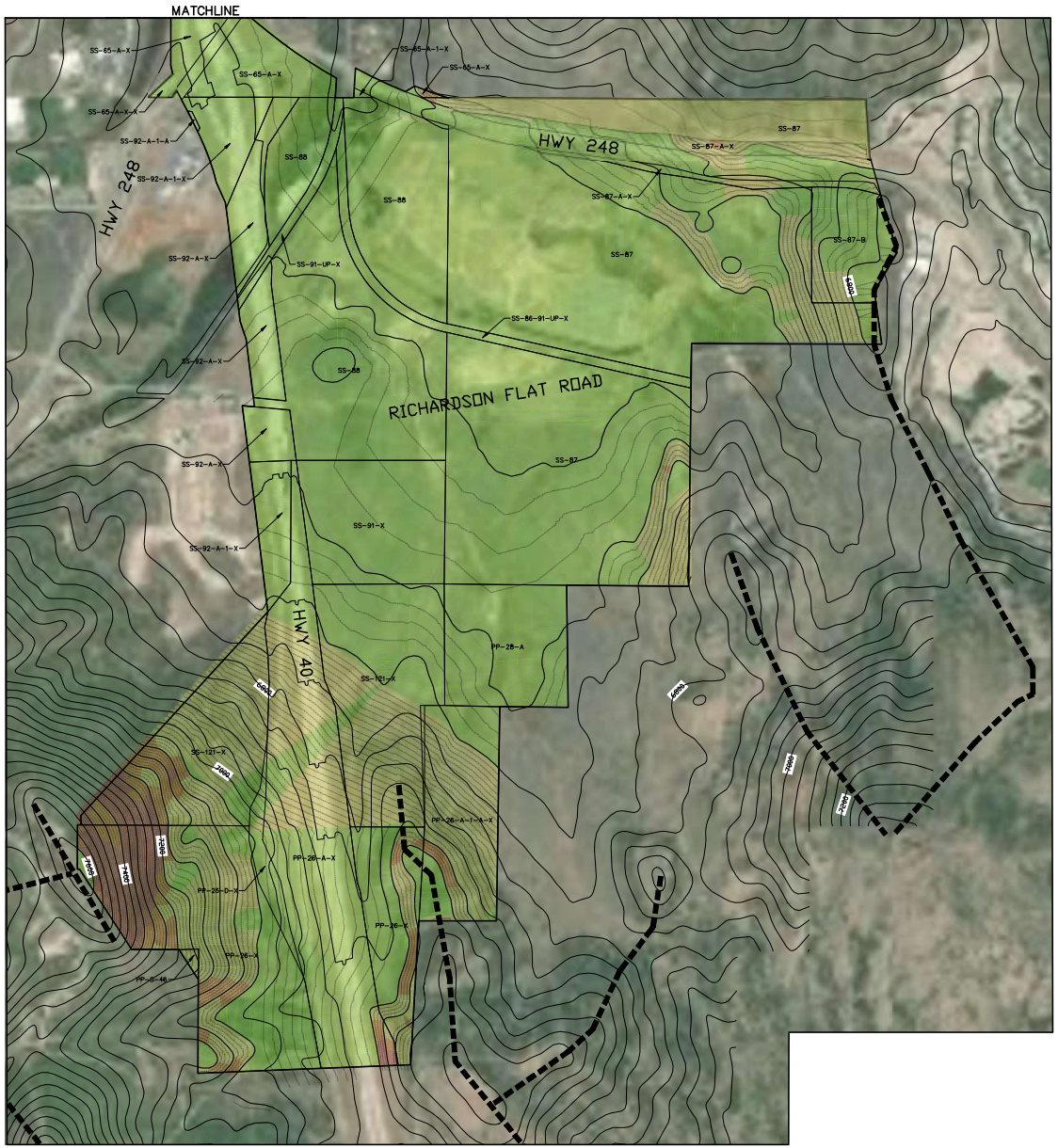
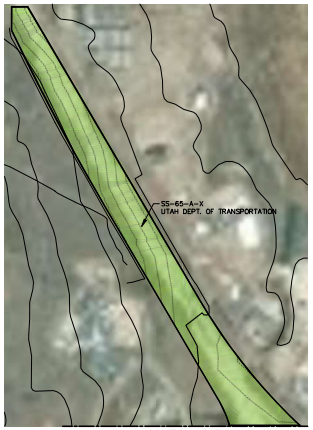
SHEET 3 OF 10

SLOPE ANALYSIS AND GEOLOGIC FEATURES





LEGEND

- PROPOSED ANNEXATION OUTLINE
- 7200 — ELEVATION CONTOUR
- RIDGELINE

SLOPES TABLE			
NUMBER	MIN SLOPE	MAX SLOPE	COLOR
1	0%	15%	
2	15%	30%	
3	30%	40%	
4	40%	100%	

600' 0 600' 1200'

NOTES:

1. DATA FROM UTAH AGRC DATABASE (GIS.UTAH.GOV) AND SUMMIT COUNTY GIS DATABASE (SUMMITCOUNTY.MAPS.ARCGIS.COM)
2. THIS SHEET INCLUDES INFORMATION ON SLOPES AND SIGNIFICANT GEOLOGIC FEAUTRES.

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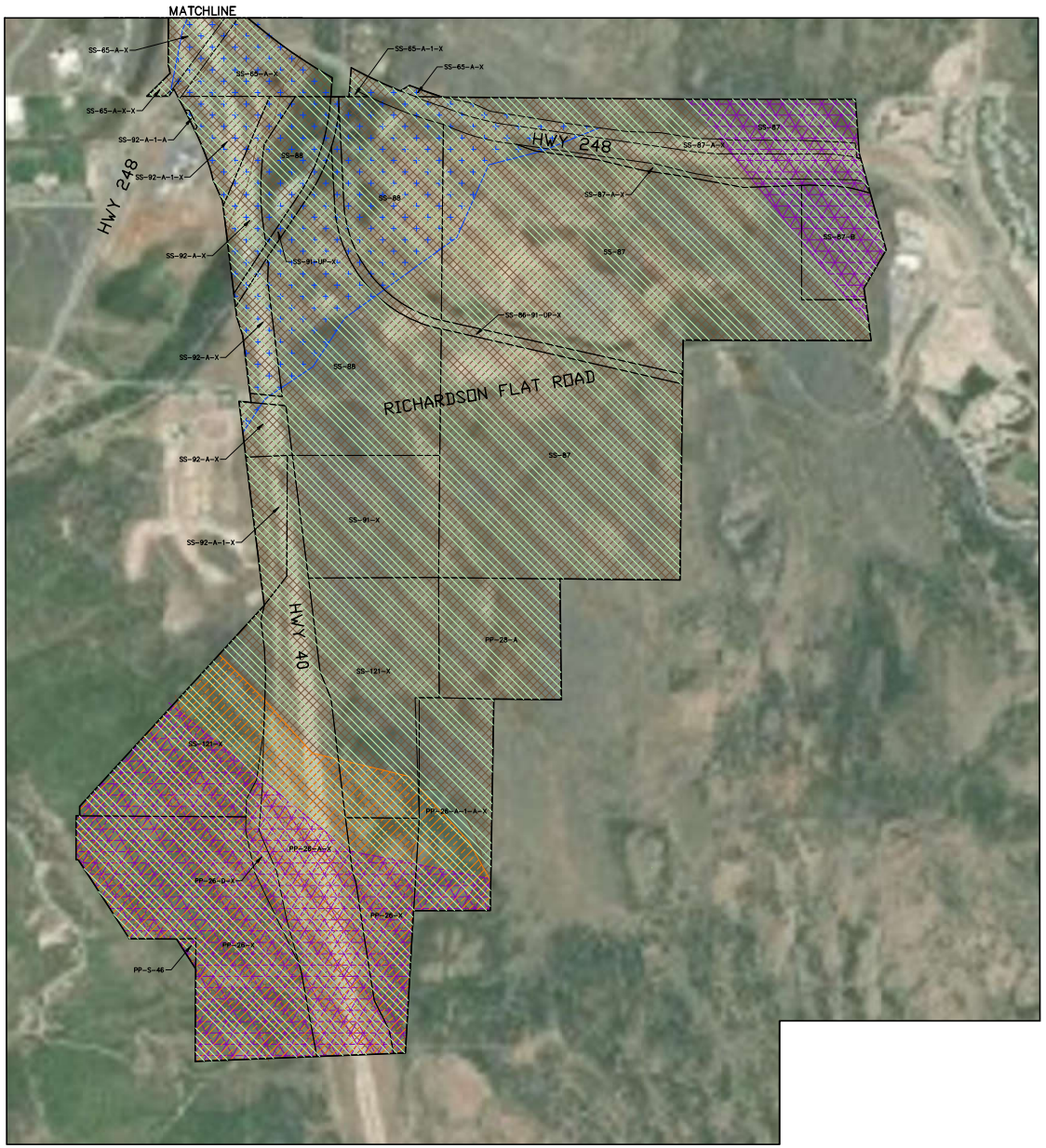
BRAYLON ROSE
DUSTIN CARRISH

DATE: 10/27/21

OPEN SPACE PRESERVATION
ANNEXATION
SLOPES ANALYSIS
FOR: PARK CITY MUNICIPAL CORP
JOB NO.: 7-11-19
FILE: X:\Park City Municipal\dwg\Annexation\7-11-19 Annexation.dwg

SHEET 4 OF 10



WILDLIFE HABITAT AND DOMINANT VEGETATION

LEGEND

- PROPOSED ANNEXATION PARCELS
- PROPOSED ANNEXATION OUTLINE
- BLACK BEAR HABITAT
- DUSKY GROUSE HABITAT
- ELK HABITAT
- MULE DEER HABITAT
- MOOSE HABITAT

600' 0 600' 1200'

NOTES:

1. DATA FROM UTAH AGRC DATABASE (GIS.UTAH.GOV) AND SUMMIT COUNTY GIS DATABASE (SUMMITCOUNTY.MAPS.ARCGIS.COM)
2. DOMINANT VEGETATION GENERALLY CONSISTS OF SHRUBLAND WITH SMALL PATCHES OF GRASSLAND AND FOREST (PER NRCS)
3. THIS SHEET INCLUDES INFORMATION ON WILDLIFE HABITAT AND VEGETATION.

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STAFF:
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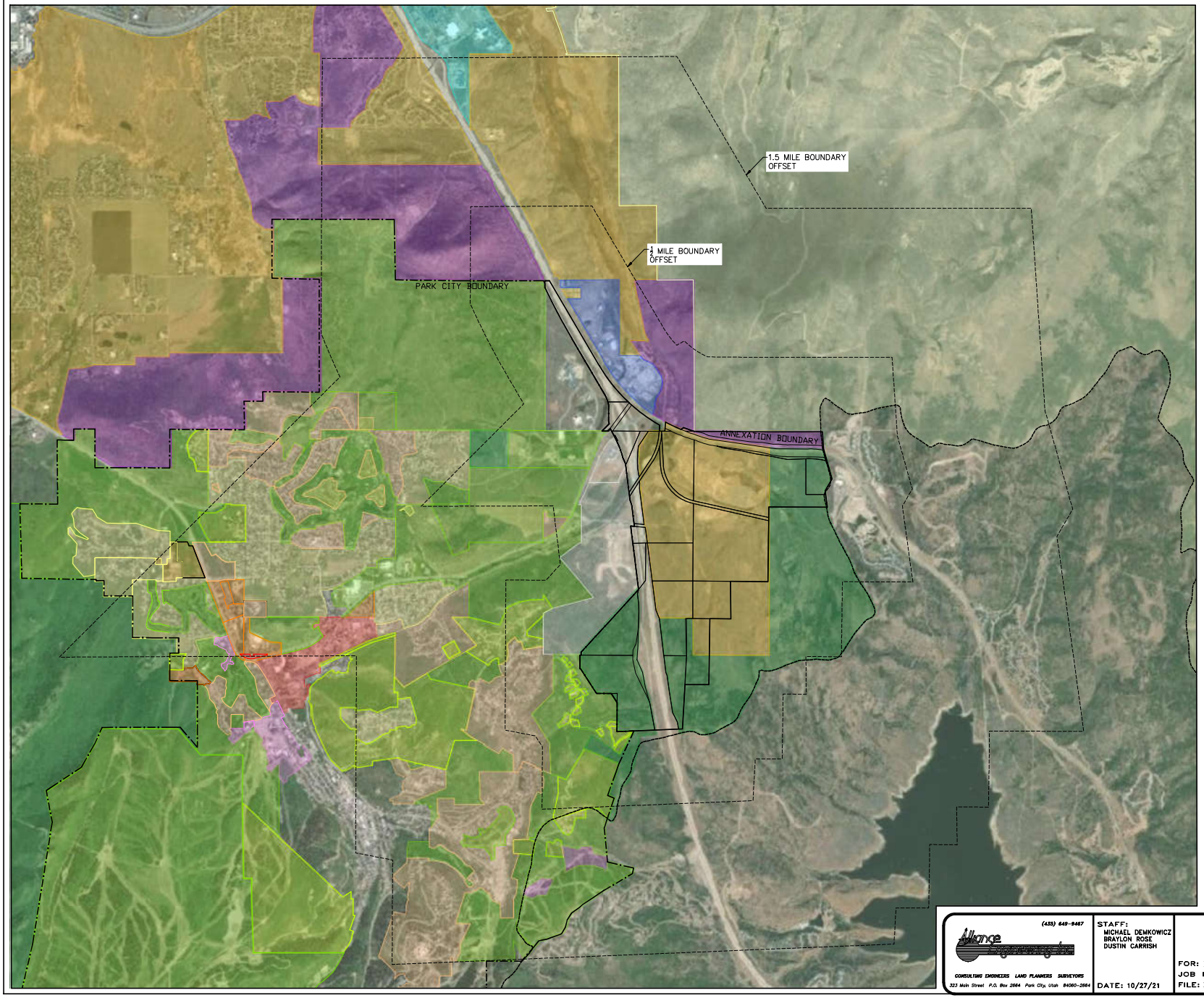
BRAYLON ROSE
DUSTIN CARRISH

DATE: 10/27/21

OPEN SPACE PRESERVATION
ANNEXATION
WILDLIFE HABITAT

FOR: PARK CITY MUNICIPAL CORP
JOB NO.: 7-11-19
FILE: X:\Park City Municipal\dwg\Annexation\7-11-19 Annexation.dwg

SHEET 5 OF 10



LAND USE OFFSETS

LEGEND

- PROPOSED ANNEXATION PARCELS
- PROPOSED ANNEXATION OUTLINE
- EXISTING PARK CITY LIMITS
- COUNTY LINE
- ANNEXATION OFFSETS
- COUNTY ZONING - AG/GRAZING
- COUNTY ZONING - COMMUNITY COMMERCIAL
- COUNTY ZONING - HILLSIDE STEWARDSHIP
- COUNTY ZONING - MOUNTAIN REMOTE
- COUNTY ZONING - RURAL RESIDENTIAL
- COUNTY ZONING - SERVICE COMMERCIAL
- CITY ZONING - COMMUNITY TRANSITION
- CITY ZONING - ESTATE
- CITY ZONING - PRESERVED OPEN SPACE
- CITY ZONING - RECREATION COMMERCIAL
- CITY ZONING - RESIDENTIAL DEVELOPMENT
- CITY ZONING - RESIDENTIAL DEVELOPMENT MEDIUM
- CITY ZONING - RECREATION OPEN SPACE
- CITY ZONING - SINGLE FAMILY
- CITY ZONING - GENERAL COMMERCIAL

1500' 0 1500' 3000'

NOTES:

1. DATA FROM UTAH AGRC DATABASE (GIS.UTAH.GOV) AND SUMMIT COUNTY GIS DATABASE (SUMMITCOUNTY.MAPS.ARCGIS.COM)
2. PARK CITY ZONING DATA FROM UTAH-PARKCITY.OPENDATA.ARCGIS.COM

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STAFF:
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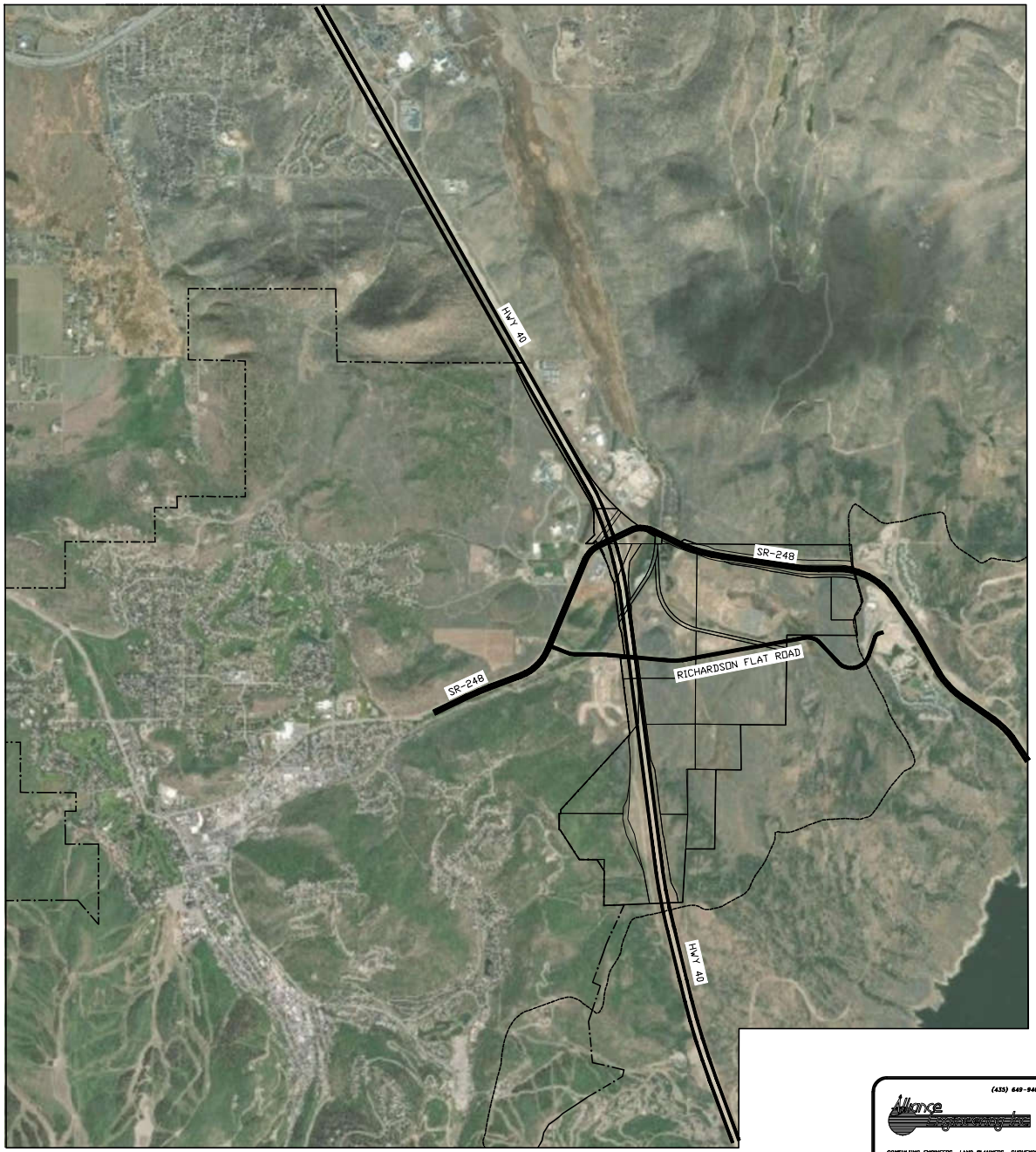
BRAYLON ROSE
DUSTIN CARRISH

DATE: 10/27/21

OPEN SPACE PRESERVATION
ANNEXATION
LAND USE OFFSETS

FOR: PARK CITY MUNICIPAL CORP
JOB NO.: 7-11-19
FILE: X:\Park City Municipal\dwg\Annexation\7-11-19 Annexation.dwg

SHEET 6 OF 10



EXISTING ROADS

LEGEND

- PROPOSED ANNEXATION PARCELS
- PROPOSED ANNEXATION OUTLINE
- EXISTING PARK CITY LIMITS
- COUNTY LINE
- PAVED ROAD

1500' 0 1500' 3000'

NOTES:

1. DATA FROM UTAH AGRC DATABASE (GIS.UTAH.GOV) AND SUMMIT COUNTY GIS DATABASE (SUMMITCOUNTY.MAPS.ARCGIS.COM)
2. NOT ALL ROADS ARE SHOWN ON THIS MAP. ONLY PAVED ROADS THAT INTERSECT OR ABUT THE ANNEXATION AREA ARE SHOWN.
3. THERE ARE NO ROADS OR DEVELOPMENT PROPOSED WITH THIS ANNEXATION PETITION.

(435) 649-9467
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
MICHAEL DEMKOWICZ
BRAYLON ROSE
DUSTIN CARRISH

DATE: 10/27/21

OPEN SPACE PRESERVATION
ANNEXATION
EXISTING ROADS

FOR: PARK CITY MUNICIPAL CORP
JOB NO.: 7-11-19
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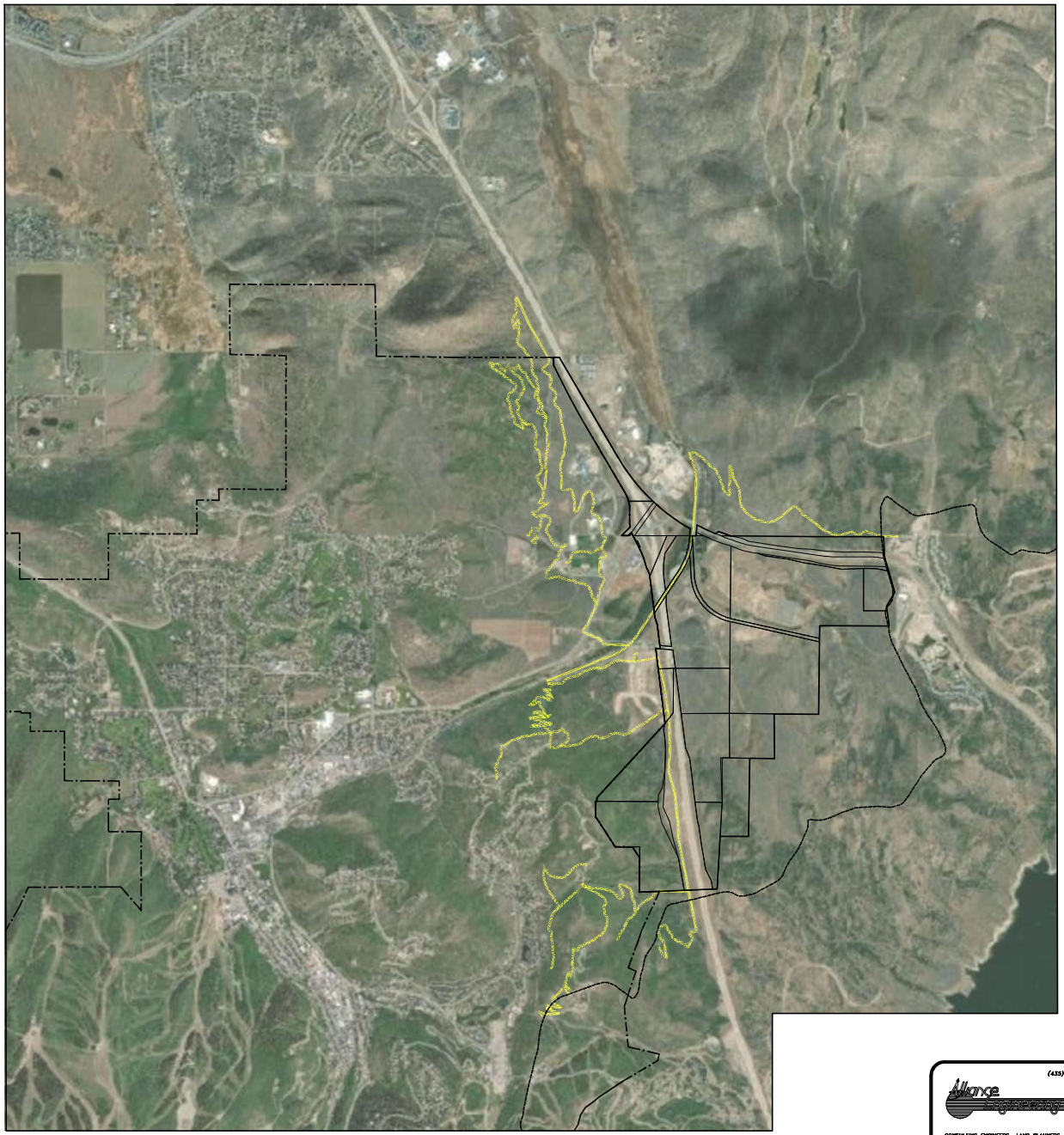
SHEET 7 OF 10



EXISTING TRAILS

LEGEND

- PROPOSED ANNEXATION PARCELS
- PROPOSED ANNEXATION OUTLINE
- EXISTING PARK CITY LIMITS
- COUNTY LINE
- EXISTING TRAIL

1500' 0 1500' 3000'

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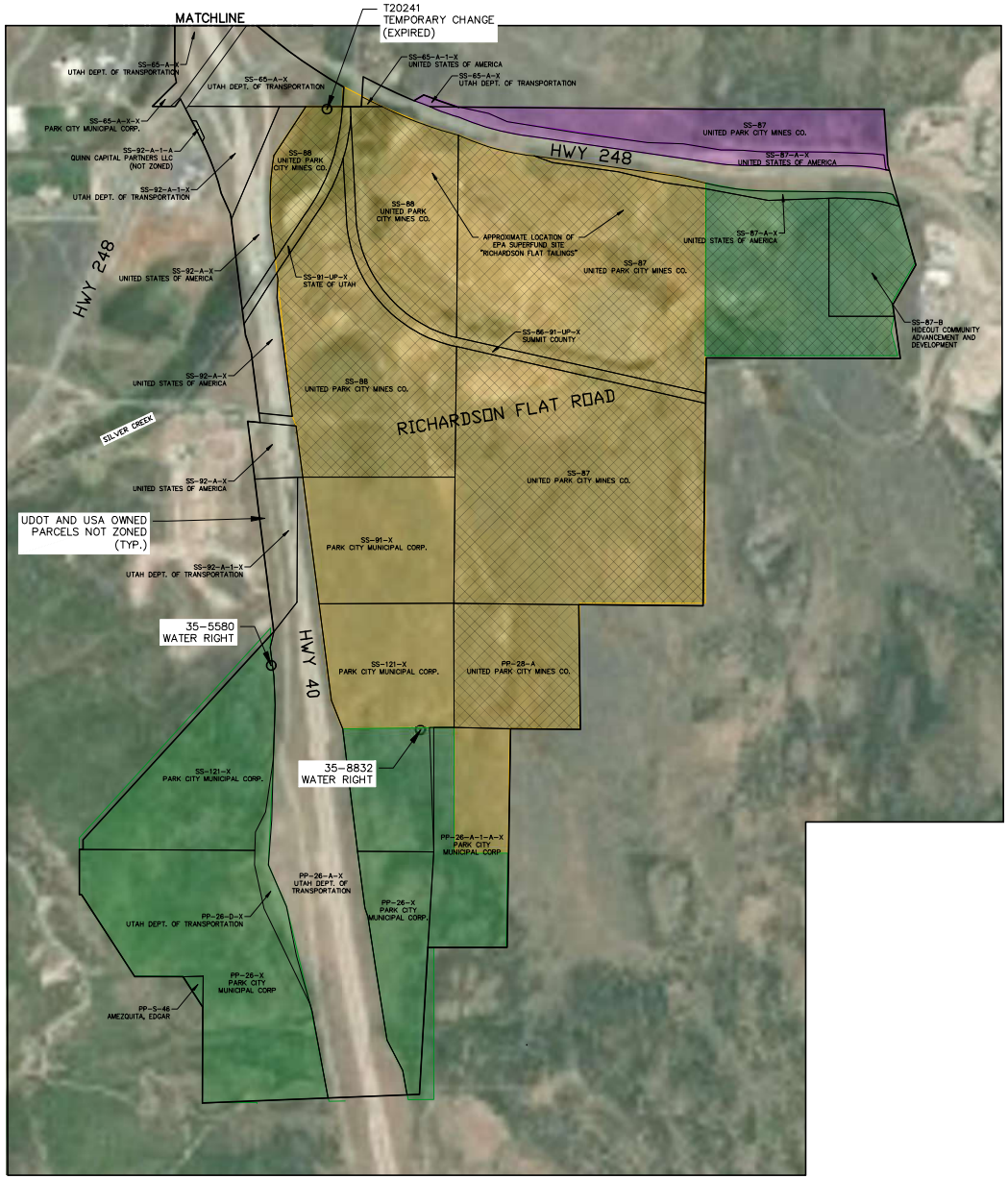
SHEET 8 OF 10

LAND USE AND WATER RIGHTS



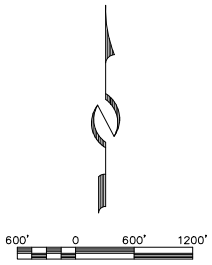
LEGEND

- PROPOSED ANNEXATION PARCELS
- PROPOSED ANNEXATION OUTLINE
- ZONING - HILLSIDE STEWARDSHIP (1 UNIT / 30 ACRES)
- ZONING - MOUNTAIN REMOTE (1 UNIT / 120 ACRES)
- ZONING - RURAL RESIDENTIAL (1 UNIT / 20 ACRES)
- DEED RESTRICTED PER FLAGSTAFF DEVELOPMENT AGREEMENT
- WATER RIGHTS POINT OF DIVERSION

NOTES:

1. DATA FROM UTAH AGRC DATABASE (GIS.UTAH.GOV) AND SUMMIT COUNTY GIS DATABASE (SUMMITCOUNTY.MAPS.ARCGIS.COM)
2. WATER RIGHTS DATA FROM WATERRIGHTS.UTAH.GOV
3. THIS SHEET INCLUDES INFORMATION ON LAND USE, DENSITY, AND WATER RIGHTS.
4. EPA SUPERFUND SITE DATA FROM EPA.GOV/SUPERFUND. LAND USE AND GROUNDWATER RESTRICTIONS MAY BE REQUIRED FOR LONG TERM REMEDY AT SUPERFUND SITE.
5. DEVELOPMENT POTENTIAL:
   - 5.1. PUBLICLY OWNED PROPERTY WILL HAVE A DENSITY OF 0 UNITS/ACRE
   - 5.2. PARCEL SS-92-A-1-A BASE DENSITY HAS NOT BEEN DETERMINED DURING THIS ANNEXATION
   - 5.3. PARCELS OWNED BY UNITED PARK CITY MINES CO. WILL HAVE THE SAME BASE DENSITY AS CURRENT ZONING:
     - 5.3.1. PARCEL PP-28-A (40 ACRES):
       RURAL RESIDENTIAL, 1 UNIT/20 ACRES
       40 ACRES = 2 UNITS
     - 5.3.2. PARCEL SS-87 (380 ACRES):
       RURAL RESIDENTIAL, 1 UNIT/20 ACRES
       268.09 ACRES = 13 UNITS
       MOUNTAIN REMOTE, 1 UNIT/120 ACRES
       61.42 ACRES = 0 UNITS
       HILLSIDE STEWARDSHIP, 1 UNIT/30 ACRES
       50.49 ACRES = 1 UNIT
     - 5.3.3. PARCEL SS-88 (166.27 ACRES):
       RURAL RESIDENTIAL, 1 UNIT/20 ACRES
       166.27 ACRES = 8 UNITS

       TOTAL UNITS = 24



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STAFF:
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DATE: 10/27/21

OPEN SPACE PRESERVATION
ANNEXATION
LAND USE

FOR: PARK CITY MUNICIPAL CORP
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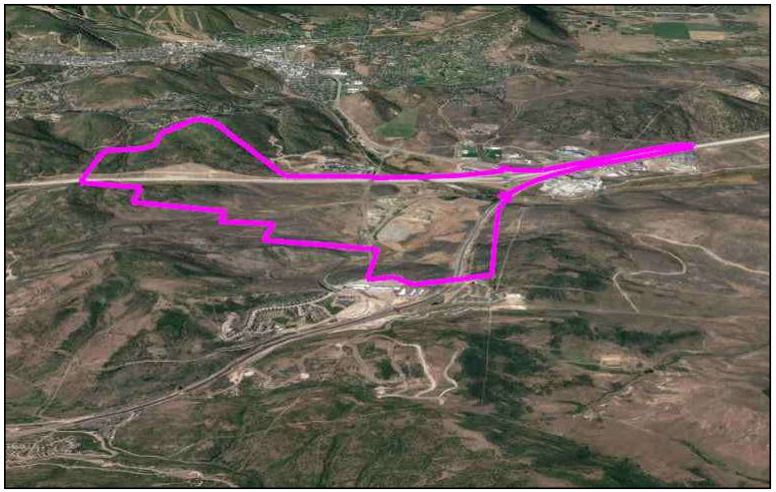
SHEET 9 OF 10

LOOKING SOUTHERLY



LOOKING WESTERLY

LOOKING EASTERLY

LOOKING NORTHERLY

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OPEN SPACE PRESERVATION
ANNEXATION
VIEW CORRIDORS

FOR: PARK CITY MUNICIPAL CORP
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FILE: X:\Park City Municipal\dwg\Annexation\7-11-19 Annexation.dwg

SHEET 10 OF 10

APPENDIX

- RICHARDSON FLAT TAILINGS BACKGROUND
- SNYDERVILL BASIN GENERAL PLAN & QUINNS JUNCTION AREA
- UTAH WILDFIRE RISK ASSESSMENT
- PARK CITY SCHOOL DISTRICT MAP
- PARK CITY FIRE DISTRICT MAP
- SUMMIT COUNTY RESOURCE ASSESSMENT
- WASATCH COUNTY RESOURCE ASSESSMENT
- JORDANELLE SPECIALLY PLANNED AREA (JSPA) PLAN BOOK
- 1998 RESOLUTION TO AMEND FLAGSTAFF MOUNTAIN DEVELOPMENT PARAMETERS
- 1999 RESOLUTION 20-99 AUTHORIZING THE FLAGSTAFF MOUNTAIN DEVELOPMENT AGREEMENT
- 1999 DEVELOPMENT AGREEMENT FOR FLAGSTAFF MOUNTAIN, BONANZA FLAT, RICHARDSON FLAT, THE 20-ACRE QUINN'S JUNCTION PARCEL AND IRON MOUNTAIN
- 2002 SUMMIT COUNTY & PARK CITY QUINN'S JUNCTION JOINT PLANNING DOCUMENTS
- PARK CITY GENERAL PLAN- QUINN'S JUNCTION NEIGHBORHOOD
- 2007 AMENDED & RESTATED DEVELOPMENT AGREEMENT FOR FLAGSTAFF MOUNTAIN, BONANZA FLAT, RICHARDSON FLAT, THE 20-ACRE QUINN'S JUNCTION PARCEL AND IRON MOUNTAIN

RICHARDSON FLAT TAILINGS
PARK CITY, UT

Cleanup Activities

On this page:

- Background
- What Is the Current Site Status?

On related pages:

- Operable Units
- Cleanup Progress

Background

The Richardson Flat Tailings site is located near Park City, Utah. The site is comprised of multiple Operable Units, or areas, including a tailings impoundment that holds about seven million tons of tailings (Richardson Flat tailings impoundment – OU1), an approximately six-mile-long reach of Silver Creek with an unknown amount of upland, riparian and instream tailings deposits, and draining water from a second tailings impoundment (Prospector Square tailings impoundment). EPA proposed the site for listing on the Superfund Program's National Priorities List (NPL) in 1988, but ultimately decided not to pursue final listing on the NPL. EPA and two potentially responsible parties (PRPs) are currently evaluating the Silver Creek tailings deposits and the water draining from the second tailings impoundment. For these portions of the site, EPA and the PRPs are currently collecting environmental data to understand the nature and extent of contamination and to inform remedy selection.

The Richardson Flat tailings impoundment (OU1) consists of a tailings dam and an impoundment area. Historic aerial photos show that a tailings pile existed as early as 1953. The most recent tailings disposal in the area took place from 1975 to 1981, when United Park City Mines (UPMC) leased its mining operations to Noranda Mining and Park City Ventures. The location of the tailings impoundment is owned by UPCM. In 1989, EPA and State of Utah officials observed mine tailings at the site sinking into an on-site diversion ditch and Silver Creek. During the 1990s, UPCM did some voluntary work at the site, including covering most of the tailings pile with clean, low-permeability soil and reseeding the site. The diversion ditch was also improved.

Remedy construction at OU1 was completed by UPCM, with EPA oversight, included consolidating tailings material within the main impoundment, installing a wedge buttress to support the main embankment, and removal of sediments within the wetland area. All of these actions are complete. The Richardson Flat tailings impoundment is to be capped after remedial actions are completed at other portions of the site, which may affect the tailings impoundment.

What Is the Current Site Status?

The Richardson Flat tailings impoundment remedy addresses mine tailings in several areas of the site and sediments and surface water within the site boundary. Cleanup activities at OU1 include excavation, containment, future disposal of mine tailings from the Park City area within the tailings impoundment, placement of restrictions on future land and groundwater use, and surface water monitoring. Since waste remains on site, EPA will continue to conduct five-year reviews to make sure the remedy remains protective of human health and the environment.

The second five-year review, completed in 2018, found the remedy at OU1 currently protects human health and the environment because tailings and sediments have been excavated, tailings are contained through capping with clean soil, and surface waters exiting the site are below water quality standards. However, for the remedy to be protective in the long term, the following action needs to be taken: implement institutional controls that include restrictions on future land and groundwater use. Additionally, it was noted that a final operations and maintenance plan has not been prepared.

DECEMBER 17, 2019

SNYDERVILLE BASIN GENERAL PLAN

Adopted by Ordinance 839
June 17, 2015

Planning Staff

Pat Putt, Community Development Director
Peter Barnes, Planning and Zoning Administrator
Jennifer Strader, Senior Planner

Snyderville Basin Planning Commission

Mike Franklin, Chair
Bea Peck, Vice-Chair
Colin DeFord
Greg Lawson
Mike Barnes
Canice Harte
Chuck Klingenstein

Summit County Council

Kim Carson, Chair
Roger Armstrong, Vice-Chair
David Ure
Chris Robinson
Claudia McMullin

SNYDERVILLE BASIN GENERAL PLAN

Contents

Chapters

1. Vision and Background
2. Land Use
3. Open Space
4. Recreation
5. Sustainability, Cultural and Natural Resources
6. Housing
7. Services and Facilities
8. Transportation
9. Neighborhoods

- Bitner
- Canyons
- Central Basin
- East Basin
- Highland Estates
- Jeremy Ranch/Pinebrook
- Kimball Junction
- North Mountain
- Old Ranch Road
- Quinn's Junction
- Rasmussen
- Silver Creek
- The Summit
- Trailside
- Utah Olympic Park
- West Mountain

Chapter 1
Vision and Background

MISSION STATEMENT

Summit County (the "County") hereby establishes the mission of the General Plan ("the Plan") for the Snyderville Basin (the "Basin") as follows: "to preserve natural open space and vistas, prevent suburban sprawl, and promote our mountain resort community" (the "Mission"). This Mission will be accomplished through well managed growth that clusters density into designated mixed use areas, protects the natural environment, and supports recreation. The result will allow for a community and an economy that are diverse, cohesive, and sustainable.

ROLES OF THE GENERAL PLAN AND DEVELOPMENT CODE

The growth management plan for the Basin consists of this Plan and Snyderville Basin Development Code (the "Code"). The purpose of this Plan is to set forth the vision, mission, character, goals, objectives, and policies for the Basin. This Plan is an advisory document. The Code is the regulatory document that contains the rules and regulations for development that implements this Plan. The Code ensures the viability of this Plan by requiring that development applications are generally consistent with the spirit of this Plan. Unless otherwise defined herein, capitalized terms used herein have the meanings assigned to them in the Code.

GOALS

In concert with the community vision and in support of the Mission, the goals of the 2014 update to the Plan are to promote the following:

- Sustainability, both in terms of development and the environment
- Quality growth and economic development that provides a positive contribution to the community's quality of life and the mountain resort economy
- Preservation of open space, view corridors and scenic mountainsides
- Preservation of Critical Lands (as defined in Section 10-4-3 of the Code) natural resources and the environment, including clean air and water
- Provide for interconnectivity and traffic mitigation through a variety of creative alternatives for all modes of transportation
- Provision and inclusion of affordable housing
- Healthy lifestyles based on resort and year round recreational opportunities compatible with a resort/residential community
- Preservation, recognition, and adaptive reuse of culturally significant structures, sites, and uses

BACKGROUND

In mid-2009, the Snyderville Basin Planning Commission (the "Planning Commission") began the process of reviewing the 2004 General Plan for updates, which was last

completed in 1998. The intent of this update is to make this Plan a more current and understandable document for the public and the Planning Commission as it guides future growth.

As part of this update, the Planning Commission sought to clarify the intent of the Plan, and ensure that the policies and implementation mechanisms of the Plan and Code would truly help meet the community priorities.

Community involvement has been a central part of the update process. In 2009, a subcommittee of the Planning Commission was formed to begin work on initial edits to the Plan. Based on their feedback, in April of 2010, the Planning Commission held two community open houses and conducted a survey. In the summer of 2011, the Planning Commission held workshops with each neighborhood planning area. Public hearings were held on each element of the Plan in 2011, and more work sessions and hearings were held in 2012. On February 26, 2014, the Summit County Council approved Phase I of the Plan. A subcommittee of the Planning Commission was then formed to begin work on Phase II of the Plan.

From these open houses and workshops, the Planning Commission identified many community priorities and substantially reworked the mission statement to better reflect these priorities.

This Plan has also been substantially reformatted. While core principles remain in place, the format has been changed and the language simplified to communicate clear intent. Regulatory language remaining from the 1998 Plan has been removed and placed in the Code where appropriate. Policies have been divided into chapters and each chapter is based on a topic such as the environment, cultural and natural resources, and open space. The redesign is intended to make the Plan easier to follow and more effective to implement.

COMMUNITY VISION

Over 200 Basin residents participated in the 2010 open houses and hundreds more at the 2011 Neighborhood workshops. The many activities included a prioritization exercise where the public was asked to rank various topics, such as open space, recreation, and walkability. Based on that exercise, the Planning Commission learned that the issues, identified from most important to least important, were:

1. Open Space
2. Recreation
3. Walkability
4. Wildlife
5. Less Density
6. Critical Land Protection
7. Water Conservation
8. Affordable Housing
9. Mass Transit
10. Traffic
11. Natural Resource Preservation

12. Local Economy
13. Recycling/Compost
14. Local Food
15. Energy Efficiency
16. Mixed Use Development
17. Growth
18. Green Building/Construction

MOVING FORWARD

State government forecasts for population growth in the County, and the Basin in particular, clearly demonstrate a need to prepare by the Summit County Council (the "County Council") and the Planning Commission. This Plan and Code, as amended, are designed to better encourage economic growth and diversification and to manage development and redevelopment in a manner that will preserve and enhance the Basin's quality of life, and in conformity with Section 17-27a-102 (a) of the Utah State Code which sets forth the standards for land use management:

> *(a) The purposes of this chapter are to provide for the health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of each county and its present and future inhabitants and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster the state's agricultural and other industries, to protect both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to protect property values.*

This Plan reflects coordinated regional land use planning by and among the County for Basin and Eastern Summit County and Park City Municipal in preparation for anticipated growth.

The residents of the Basin agree that open space in the mountain setting of the Basin provides aesthetic value, recreational opportunities, wildlife management and protection, and promotes an amenity-rich community. Those amenities include:

- Large Tracts of Contiguous Open Space
- Recreation
- Interconnected Trail Systems (Walkability)
- Wildlife Preservation
- Density in Town and Resort Centers
- Sensitive Lands Protections
- Water Conservation
- Affordable Housing
- Mass Transit
- Traffic and Transportation Management
- Natural Resource Preservation
- Local Economy Protection and Enhancement

These core values define the purpose for land use planning and regulation to preserve and enhance the Basin. This Plan embraces and protects the mountain resort economy and character of the Basin by discouraging, and to the extent possible prohibiting, certain suburban development patterns which erode the unique character of the Basin. To that end, suburban development patterns in the Basin should be mountain resort in nature, with low densities of one unit per one hundred and twenty (120) acres, one unit per forty (40) acres, one unit per thirty (30) acres, one unit per twenty (20) acres, and one unit per ten (10) acres in certain instances. However, certain parcels of land may have previously approved and vested development entitlements by virtue of pre-existing development agreements, consent agreements, or settlement agreements. These agreements may have resulted in densities that are higher than the base densities described above.

MIXED USE AREAS

This Plan guides the growth and economic development of the Basin to occur in harmony with the unique aesthetic qualities of a mountain environment. Town Centers and Resort Centers are permitted in designated locations that are intended as areas where density should be concentrated. Each type of center serves a specific function as further stated in the Plan. The character of these centers, particularly the Town Centers, should be designed to reflect both traditional and new patterns in urban communities and phased to ensure proper growth and concurrency management.

These mixed use areas should benefit, not detract from, the general health, safety and welfare of the entire community. A variety of smart growth strategies to locate development in the most suitable locations should be considered. These strategies may include the use of density transfers, land acquisitions, conservation easements, and clustered development principles.

The Basin's changing demographics have created an economy no longer solely dependent on seasonal mountain resort business. Social and economic diversity and its associated demands are encouraged for the long term health of the Basin. Accordingly, this Plan and Code form a foundation for the complex, long range use of land through managed growth--balanced between competing demands of residential and commercial interests and preservation of ample and continuous natural areas and open spaces.

SUSTAINABILITY

The long term success of the Snyderville Basin will depend largely on future sustainability efforts. This Plan addresses sustainability throughout each Chapter, and more specifically in Chapter 5. Sustainability Goals, Objectives, and Policies in each Chapter are identified with this symbol:

ANNUAL REVIEW

This Plan will be reviewed on an annual basis.

QUINN'S JUNCTION

Location

Quinn's Junction is generally located at the intersection of SR-248 and US-40. It begins on the south boundary of the existing Space Place Storage units; it is bordered on the east by the Rail Trail; it is bordered on the west by US-40.

The southeast section of Quinn's Junction is south of SR-248; it is bordered on the west by US-40 and bordered on the east by the Wasatch County line; it extends south to the Wasatch County line. There is a small section of this neighborhood that is located west of US-40 and east of the Park City Municipal boundary.

The property located west of US-40 is north of SR-248 and is surrounded by property in Park City Municipal's boundary.

Zoning

The zoning in this neighborhood is a combination of Service Commercial (SC), Rural Residential (RR), Hillside Stewardship (HS), and Mountain Remote (MR). The base density in the RR zone is 1 unit per 20 acres; the base density in the HS zone is 1 unit per 30 acres; the base density in the MR zone is 1 unit per 120 acres. The density in the SC zone is determined by the ability of the proposed development to meet all required development and performance standards and criteria set forth in the Development Code.

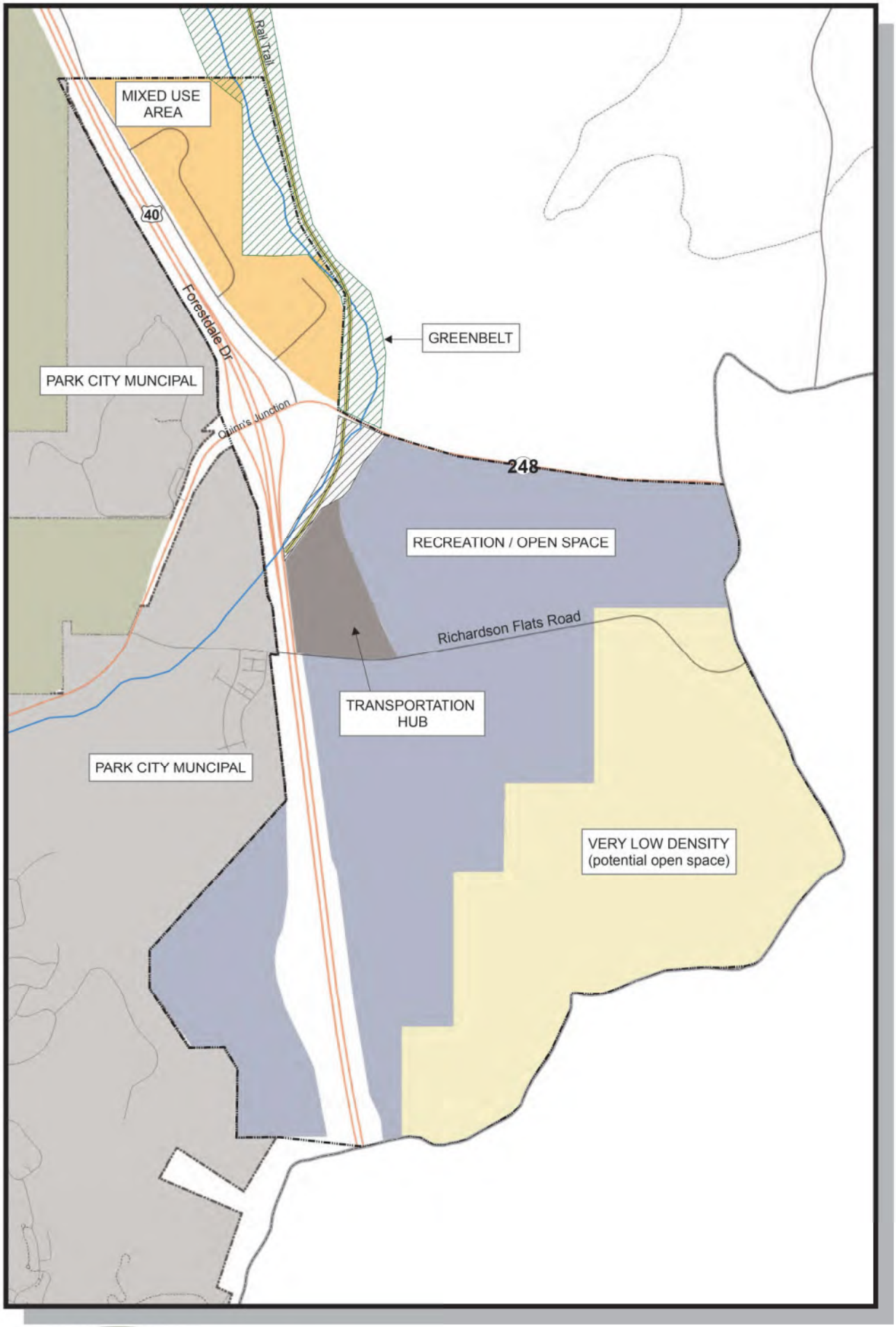
Neighborhood Description

The property located in the Quinn's Junction neighborhood is relatively flat and very visible from SR-248 and US-40. There are existing industrial and service commercial uses, a stream corridor, large blocks of undeveloped land, a small section of the Rail Trail, and a significant area containing soils contaminated by mine tailings and used for remediation elsewhere.

The types of uses in this area support a viable economy in Summit County. Recognizing this, the continued use of and the expansion of additional service commercial and industrial uses should be considered, especially near the existing development located in the northeast quadrant of SR-248 and US-40. Appropriate uses may include general offices, business parks, manufacturing, and other service related and industrial uses.

The Pace Frontage Road is a popular route for bikers. Future development plans should include appropriate truck routes to the individual uses that are designed to serve the area, while ensuring the safety of other users on the frontage road. Additional impacts associated with industrial uses include noise, odors, dust, air quality, and other significant environmental concerns. All of these impacts need to be evaluated and appropriately mitigated.

This neighborhood is adjacent to Park City Municipal and Wasatch County. Ongoing communication with these jurisdictions is vital to ensure appropriate growth strategies are implemented that respond to the needs of each community, both individually and on a regional level.



SUMMIT COUNTY — UTAH —

Quinns Junction Neighborhood Planning Area
Future Land Use Map

N

Utah Wildfire Risk Assessment

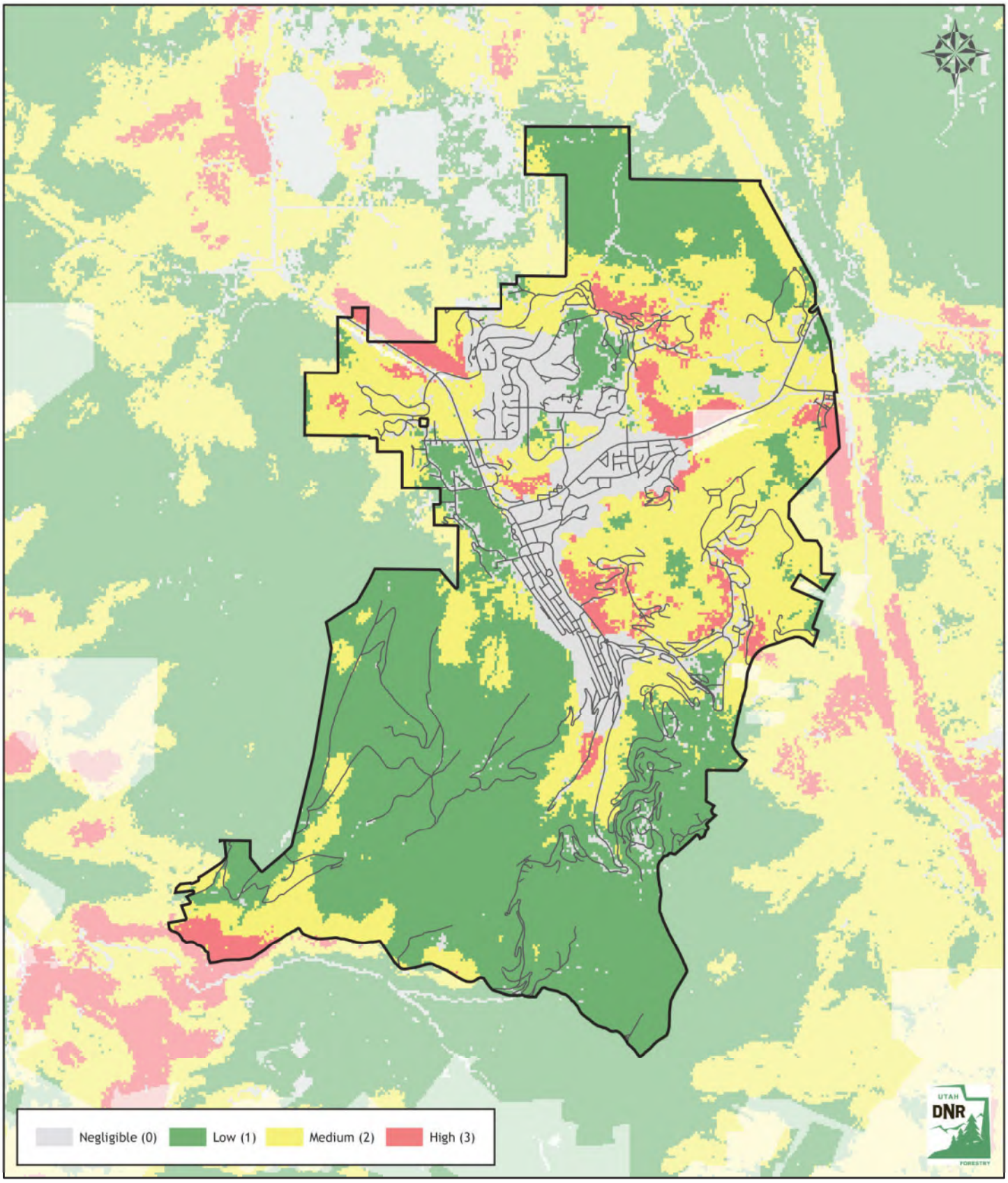
Park City

Derived from www.UtahWildfireRisk.com

Medium: $2.00/acre, High: $3.50/acre

Low Risk: 8,009 Acres (62%)
Medium Risk: 4,186 Acres (33%) - $8,372
High Risk: 680 Acres (5%) - $2,380

Participation Commitment Total: $10,751



0 0.75 1.5 3 Miles

1:65,000

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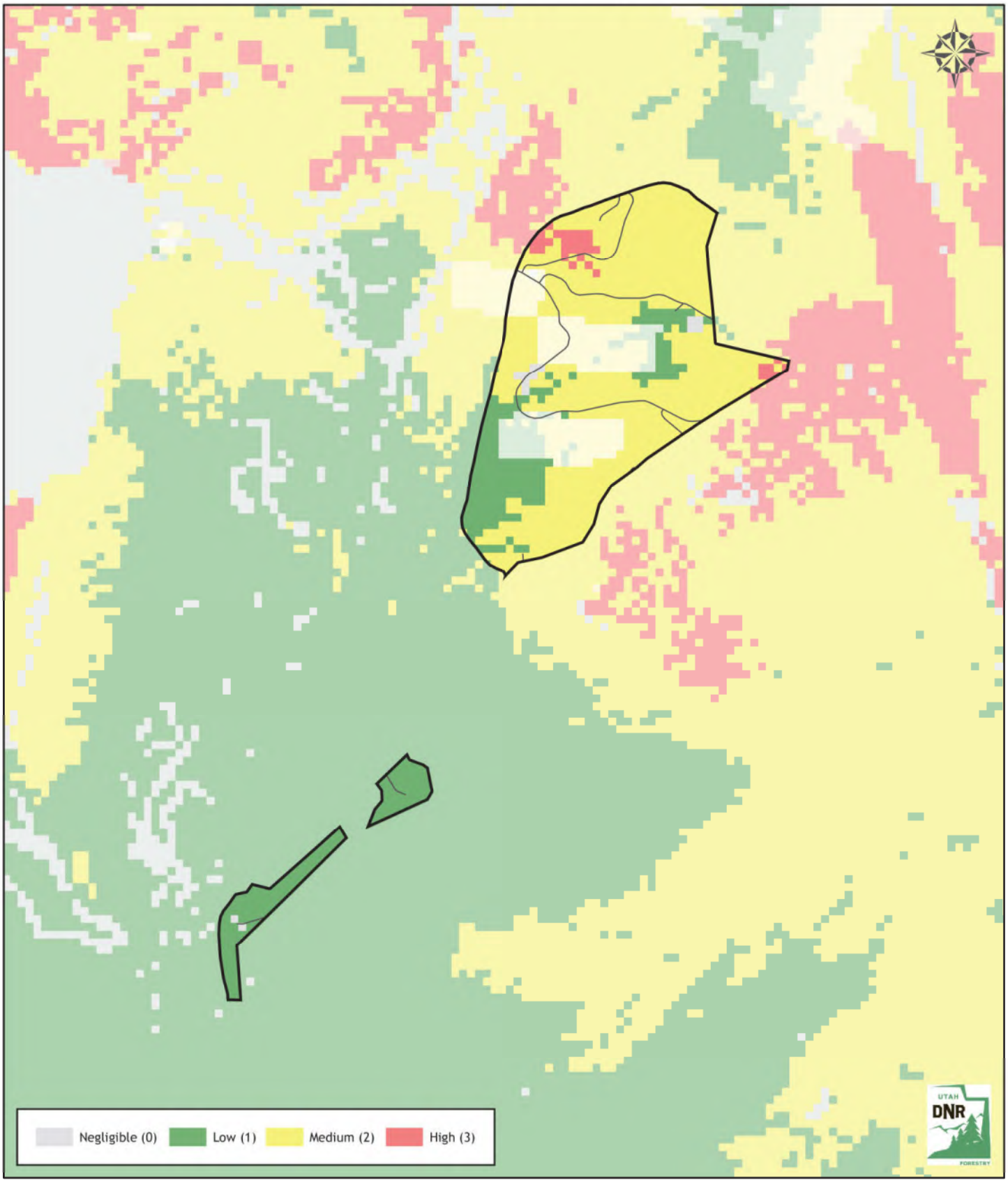
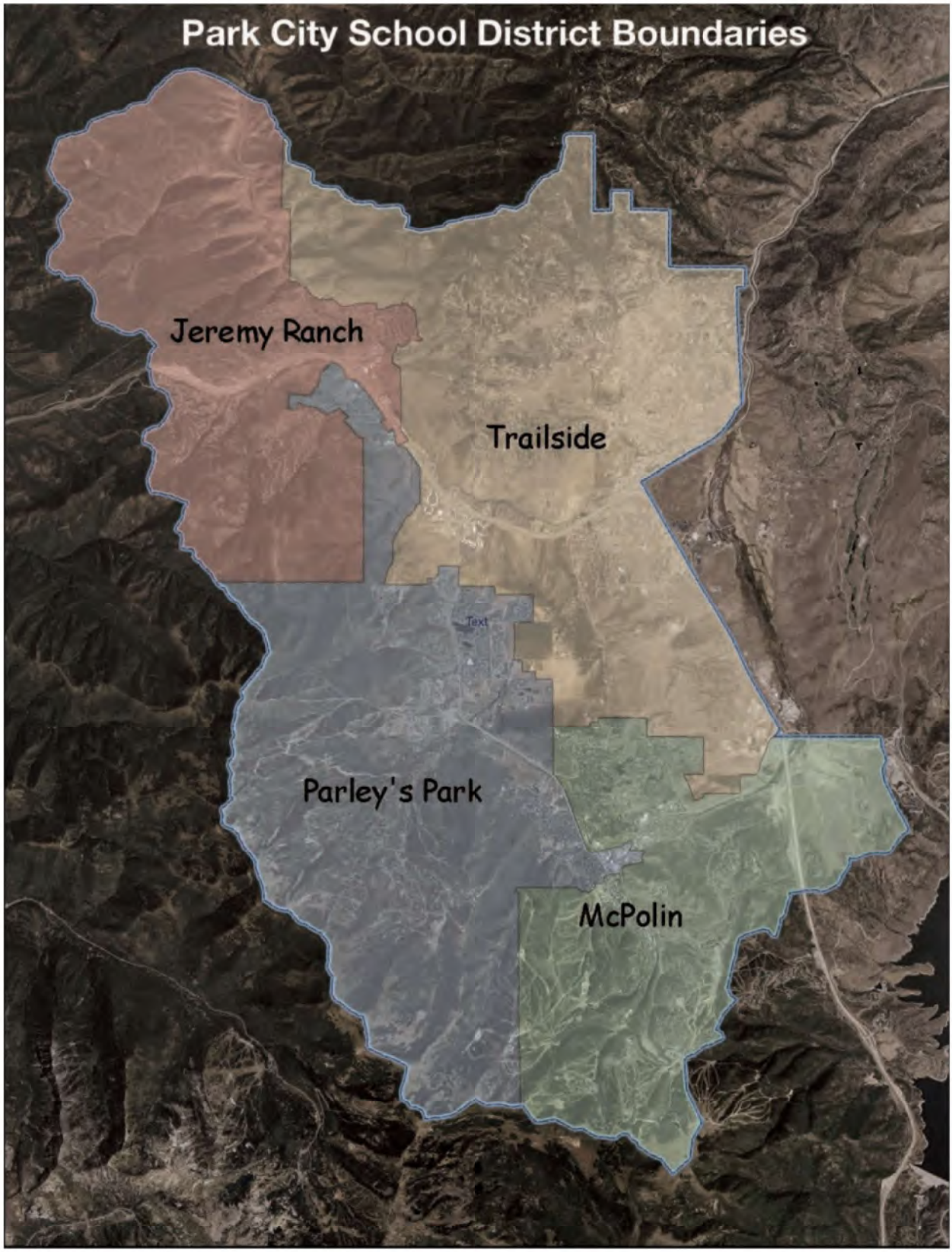



Park City School District Boundaries
Jeremy Ranch
Trailside
Parley's Park
McPolin

Park City Fire District Boundary

This resource assessment is designed to gather and display information specific to Summit County, Utah. This report will highlight the natural and social resources present in the county, detail specific concerns, and be used to aid in resource planning and target conservation assistance needs. This document is dynamic and will be updated as additional information is available through a multi-agency partnership effort. The general observations and summaries are listed first, followed by the specific resource inventories.

Contents

Observations and Summary
Land Use
Resource Concerns - Soils
Resource Concerns - Water
Resource Concerns - Air, Plants, Animals
Resource Concerns - Social and Economic
Survey Results
Footnotes/Bibliography

Introduction

Summit County has played a pivotal role in the settlement of Utah and the Western United States being on the route of the first Mormon pioneers as they made their way to Utah. Summit County, the 13th county in the territory, was first recognized by the Utah Legislature Friday, January 13, 1854.

The high alpine valleys tucked between the Uinta and Wasatch Mountains served as traditional hunting grounds for the Shoshone and Ute tribes for thousands of years, before the arrival of the white man. The natural riches of the mountains continue to supply much needed water for the area and the Wasatch front from the numerous mountain springs, four rivers, and two major storage reservoirs at Echo and Rockport. Minerals from the mines have produced silver, gold, lead and zinc worth millions of dollars that helped build the state and Intermountain west. Timber and coal have been an economic resource; however there are no coal mines currently in operation.

Agriculture has been a prominent industry with irrigated hay fields and pastures in the valleys. Sheep and cattle are raised in the valleys and utilize the rangeland in the mountains in the summer. In recent years a new trend in land ownership has changed the nature of agriculture in some areas from large scale full-time livestock operations to small 10 to 20 acre properties owned by retirees and businessmen who value a pastoral lifestyle.

Equal Opportunity Providers and Employers.

General Land Use Observations

Cropland / Pasture / Hay Lands

- Complications related to overgrazing include poor pasture condition, soil compaction and water quality issues.
- Control of noxious plants is an ever increasing problem.
- The small, part-time farms are less likely to adopt conservation due to cost and difficulty of NRCS outreach due to their numbers. They have limited knowledge of conservation programs.
- Open spaces are diminishing as the area becomes more developed.
- Residue, nutrient and pest management are continually needed to control erosion and to protect water quality.

Rangeland

- Sediment in the streams coming from eroding rangeland is a serious problem.
- Overgrazing of riparian corridors is resulting in stream bank degradation and erosion.
- Grazing styles on rangeland are resulting in declining range condition in many areas.
- New and invading weeds are introduced and spread through recreation and livestock/wildlife movement. Summit County is the top of the Jordan River Watershed and the Weber Watershed; therefore, these new and invading plants have the potential of being spread throughout the watersheds.

Wildlife

- Numbers of the elk herds are increasing and should be accommodated in grazing plans.
- Range management needs to encourage a mosaic pattern of shrubs, forbs and grasses to facilitate wildlife needs and enhance wildlife use especially by sage grouse.

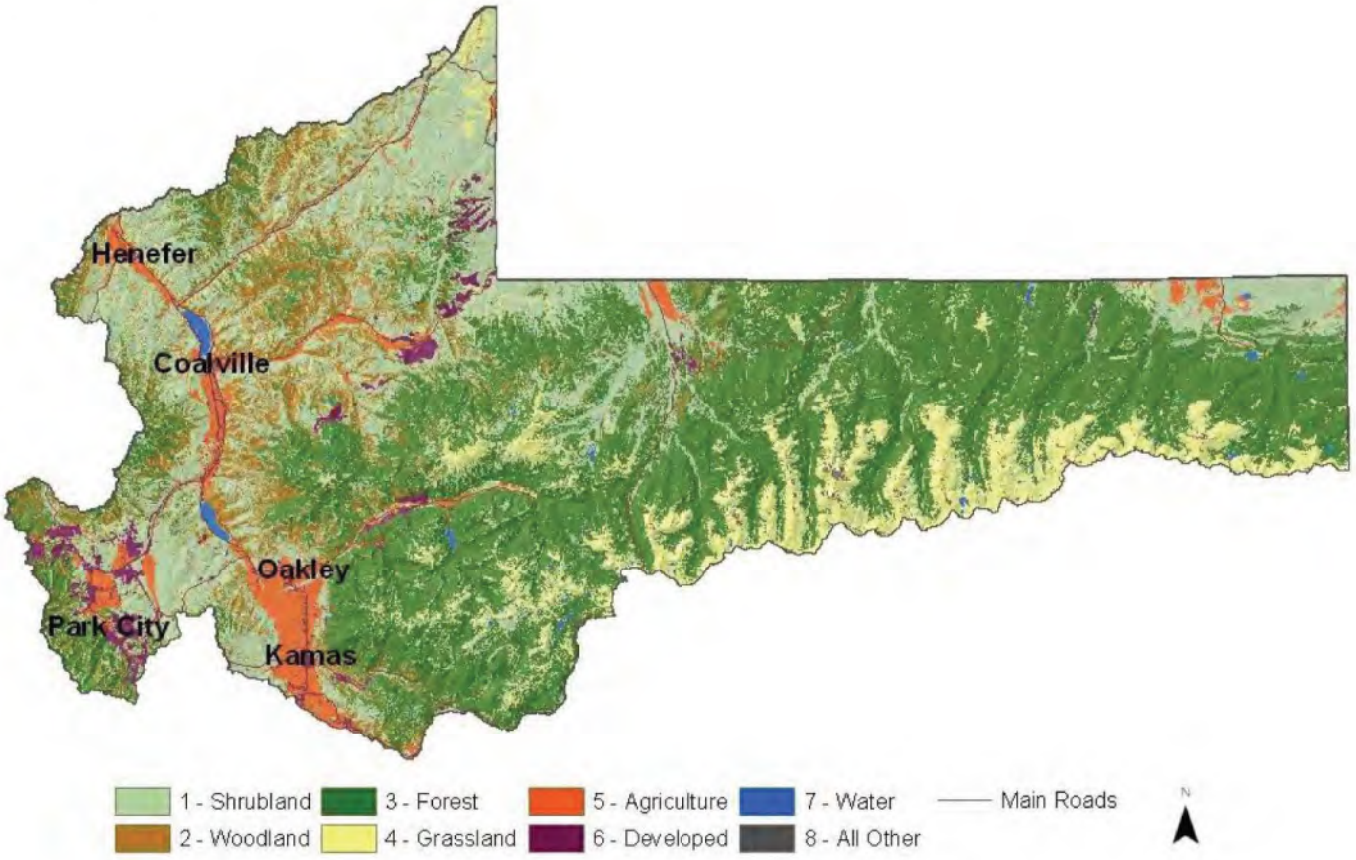
Forest

- Increased percentages of evergreen species and diminished deciduous trees are resulting in a change in ground water hydrology, species diversity, and reduced forage production.
- Higher percentage of evergreen trees increases the potential for catastrophic, high-intensity fires.
- On private forest land, landowners often are not actively managing the land for timber production. Land use and/or geographical constraints and the lack of economic incentives further discourage timber harvesting resulting in decadent stands.

Resource Assessment Summary

Categories	Concern high, medium, or low	Description and Specific Location (quantify where possible)
Soil	MEDIUM	SHEET EROSION ON SOME RANGE AREAS
Water Quantity	HIGH	EXCESSIVE CONSUMPTIVE USE BY CONIFERS
Water Quality Ground Water	LOW	
Water Quality Surface Water	HIGH	EXCESS SUSPENDED SEDIMENT IN ECHO CREEK AND OTHERS
Air Quality	LOW	
Plant Suitability	LOW	
Plant Condition	MEDIUM	SOME EXCESSIVE GRAZING
Fish and Wildlife	MEDIUM	
Domestic Animals	HIGH	LACK OF PRESCRIBED GRAZING IN PASTURE AND RANGELAND
Social and Economic	LOW	

Land Cover



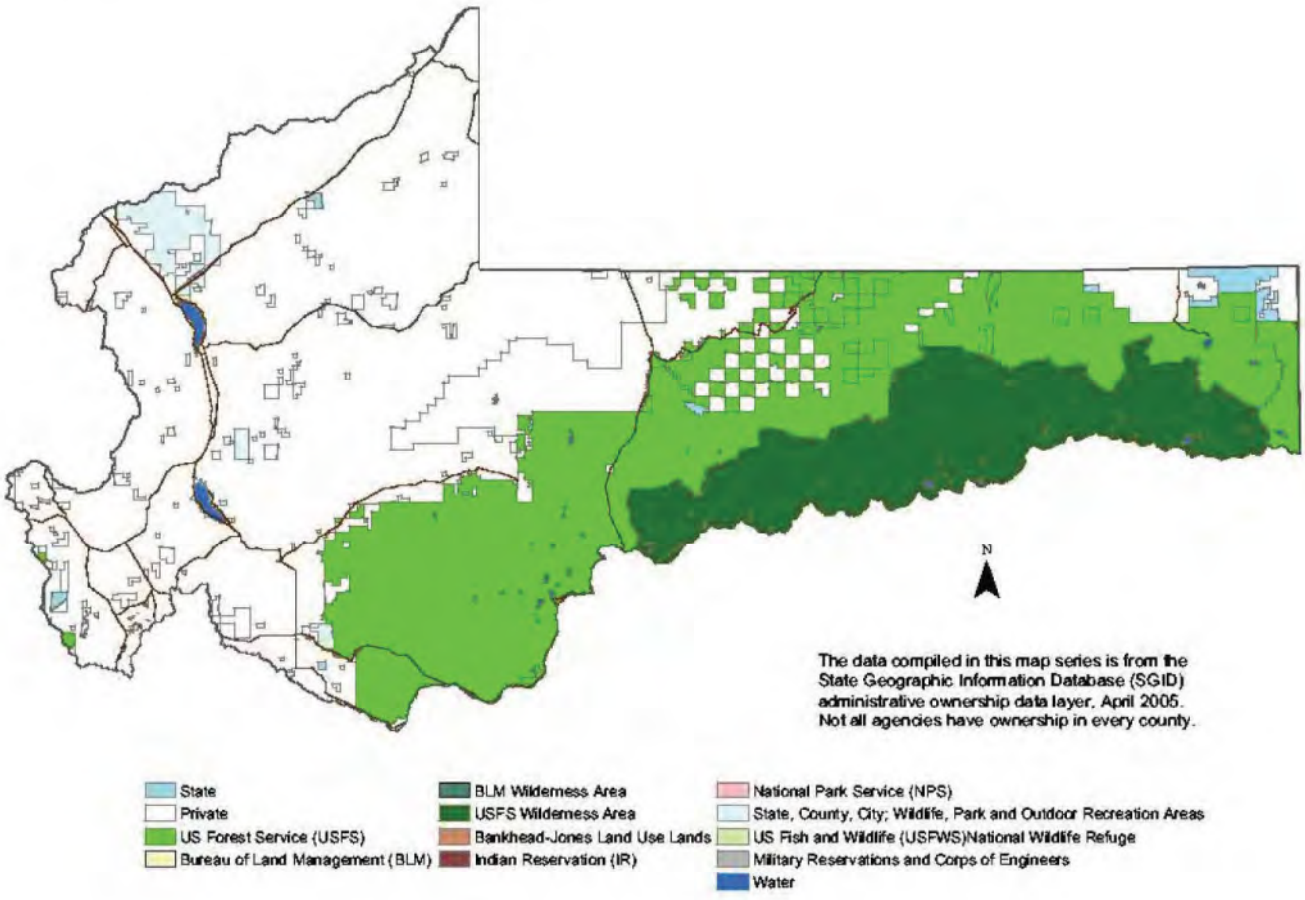
Land Cover/Land Use	Acres	%
Forest	469,034	42%
Grain Crops	749	0%
Conservation Reserve Program *a	0	0%
Grass/Pasture/Haylands	47,904	4%
Orchards/Vineyards	5	0%
Cropland	1,163	0%
Shrub/Rangelands	505,114	45%
Water	9,501	1%
Wetlands	46,090	4%
Developed	39,610	4%
Summit County Totals *b	1,119,170	100%

*a : Estimate from Farm Service Agency records and include CRP/CREP. *b : Totals may not add due to rounding and small unknown acreages.*

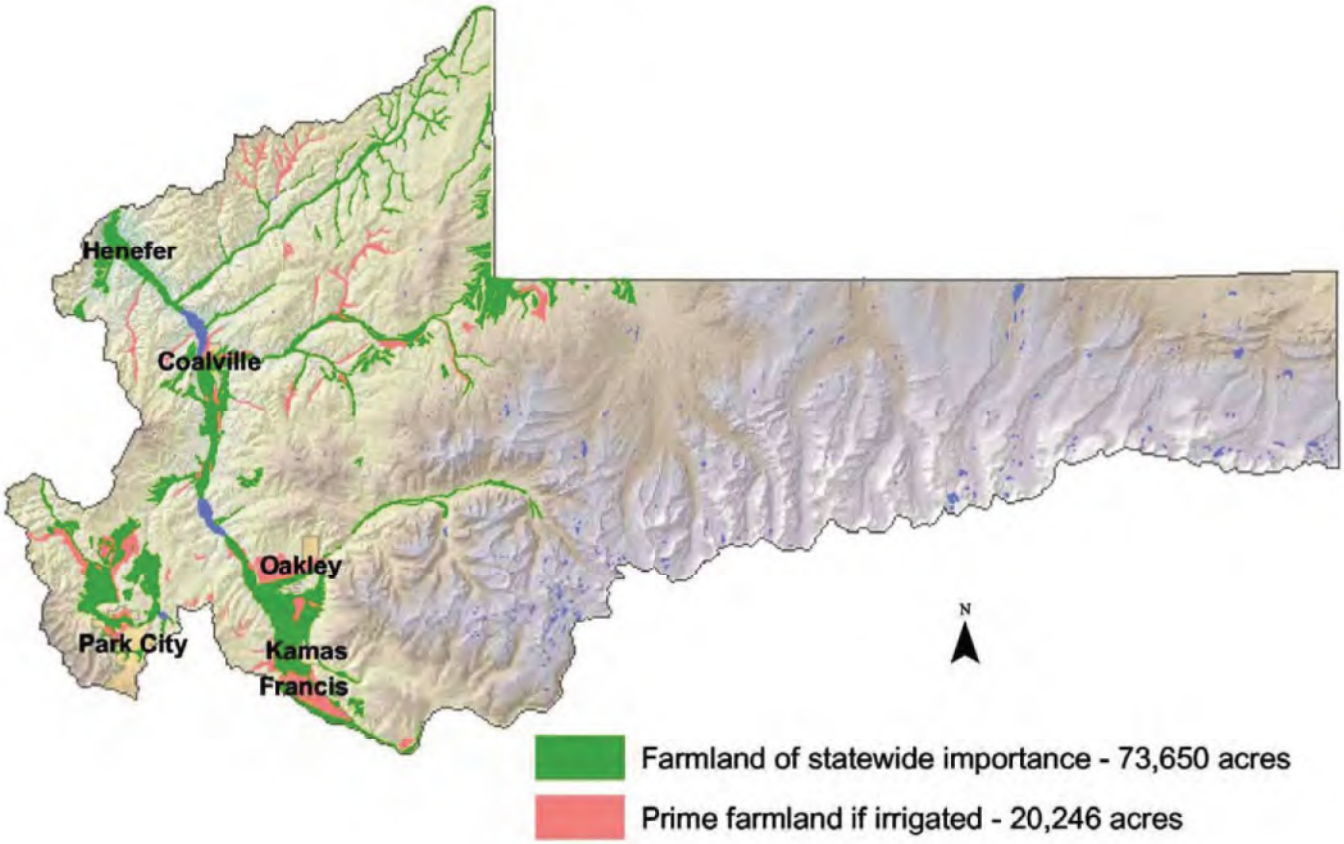
Special Considerations for Summit County:

- 90% of rangeland is privately owned.
- Farmland is limited to valley bottoms.
- Due to high elevations, there is a short, cool growing season so crops are limited to alfalfa with two cuttings, small grains harvested for forage, and irrigated pasture.
- Private forest land is harvested but may not have a forestry plan.
- Public recreation on forest land has impacts increasing erosion, spread of noxious weeds and water quality.
- Due to low acreage of grain, there is very little infrastructure for grain harvest.
- Primarily consists of cow/calf operations. Feeder livestock, including lambs and calves, are exported.
- There are less than ten dairies in the county.
- There is a significant amount of rangeland that is grazed by sheep.

Land Ownership



Prime & Unique Farm Land



Prime farmland

land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion.

Unique farmland

land other than prime farmland that is used for the production of specific high-value food and fiber crops...such as, citrus, tree nuts, olives, cranberries, fruits, and vegetables

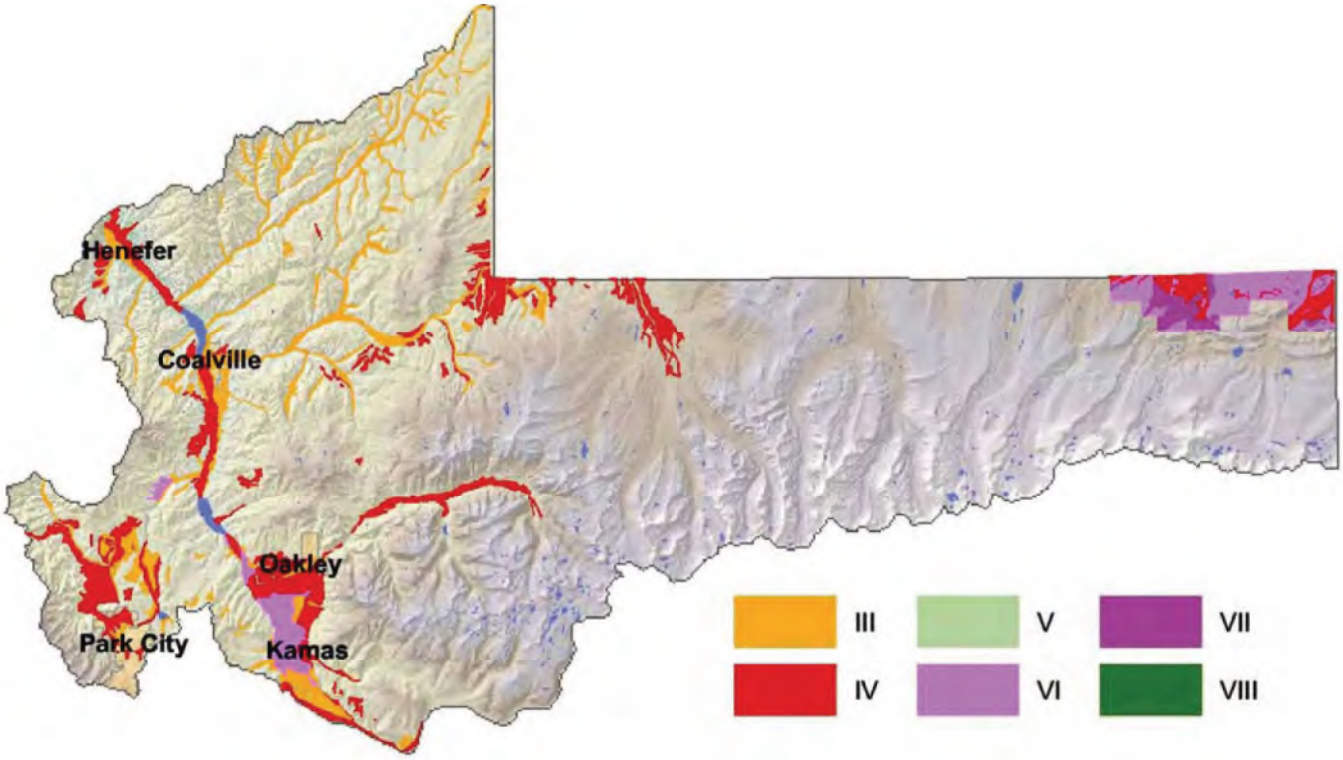
Additional farmland of statewide or local importance

land identified by state or local agencies for agricultural use, but not of national significance

Resource Concerns – SOILS

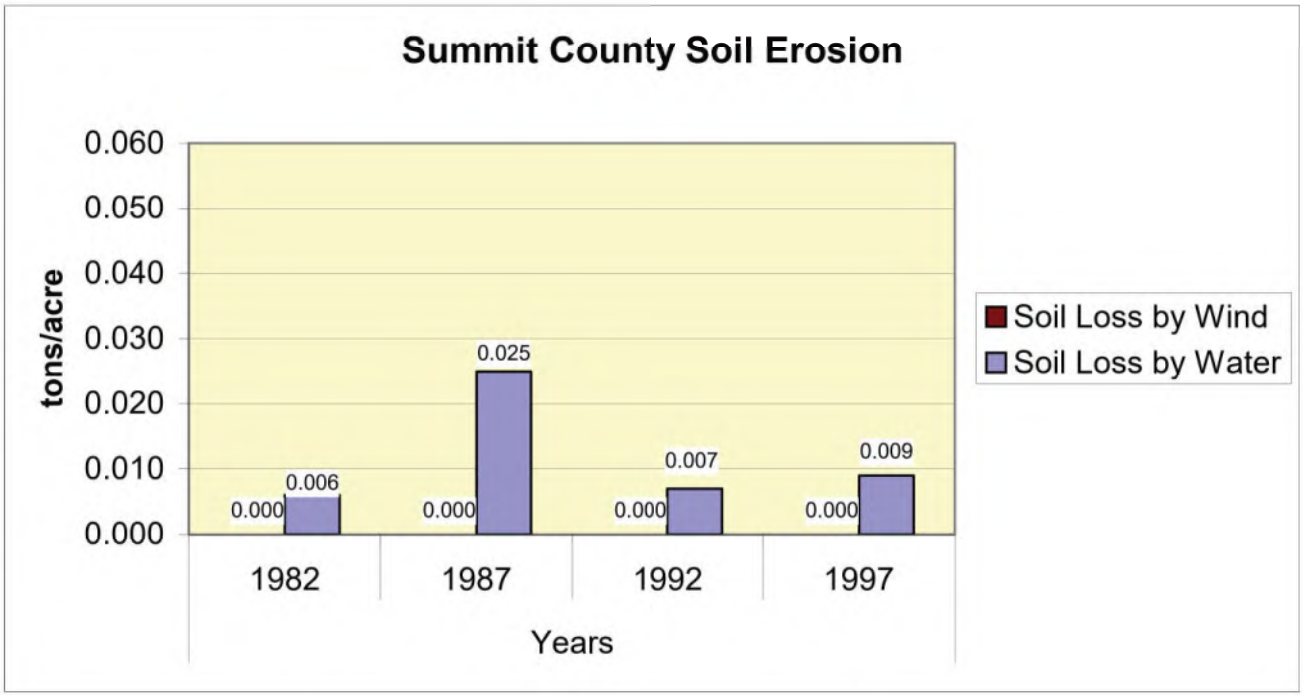
Categories	Specific Resource Concern / Issue	Crop	Hay	Pasture	Grazed Range	Grazed Forest	Pasture Native/Naturalized	Wildlife	Watershed Protection	Forest	Headquarters	Urban	Recreation	Water	Mined	Natural Area
Soil Erosion	Sheet and Rill															
	Wind												X			
	Ephemeral Gully															
	Classic Gully															
	Streambank			X	X			X	X					X		
	Shoreline								X					X		
	Irrigation-induced	X	X													
	Mass Movement				X											
	Road, roadsides and Construction Sites															
Soil Condition	Organic Matter Depletion															
	Rangeland Site Stability				X	X	X									
	Compaction															
	Subsidence															
	ContaminantsSalts and Other Chemicals													X		
	Contaminants: Animal Waste and Other OrganicsN															
	Contaminants: Animal Waste and Other OrganicsP	X	X													
	Contaminants: Animal Waste and Other OrganicsK															
	Contaminants : Commercial FertilizerN															
	Contaminants : Commercial FertilizerP															
	Contaminants : Commercial FertilizerK															
	ContaminantsResidual Pesticides															
	Damage from Sediment Deposition	X												X		

Land Capability Class on Cropland and Pastureland



		Acres	Percentage
Land Capability Class (Irrigated Cropland & Pastureland Only)	**I** - slight limitations	0	0%
	II - moderate limitations	0	0%
	III - severe limitations	35,335	21%
	IV - very severe limitations	93,200	56%
	V - no erosion hazard, but other limitations	28	0%
	VI - severe limitations, unsuited for cultivation, limited to pasture, range, forest	30,489	18%
	VII - very severe limitations, unsuited for cultivation, limited to grazing, forest, wildlife	7,034	4%
	VIII - misc areas have limitations, limited to recreation, wildlife, and water supply	4	0%

Soil Erosion on Cropland



- Controlling erosion not only sustains the long-term productivity of the land, but also affects the amount of soil, pesticides, fertilizer, and other substances that move into the nation's waters.

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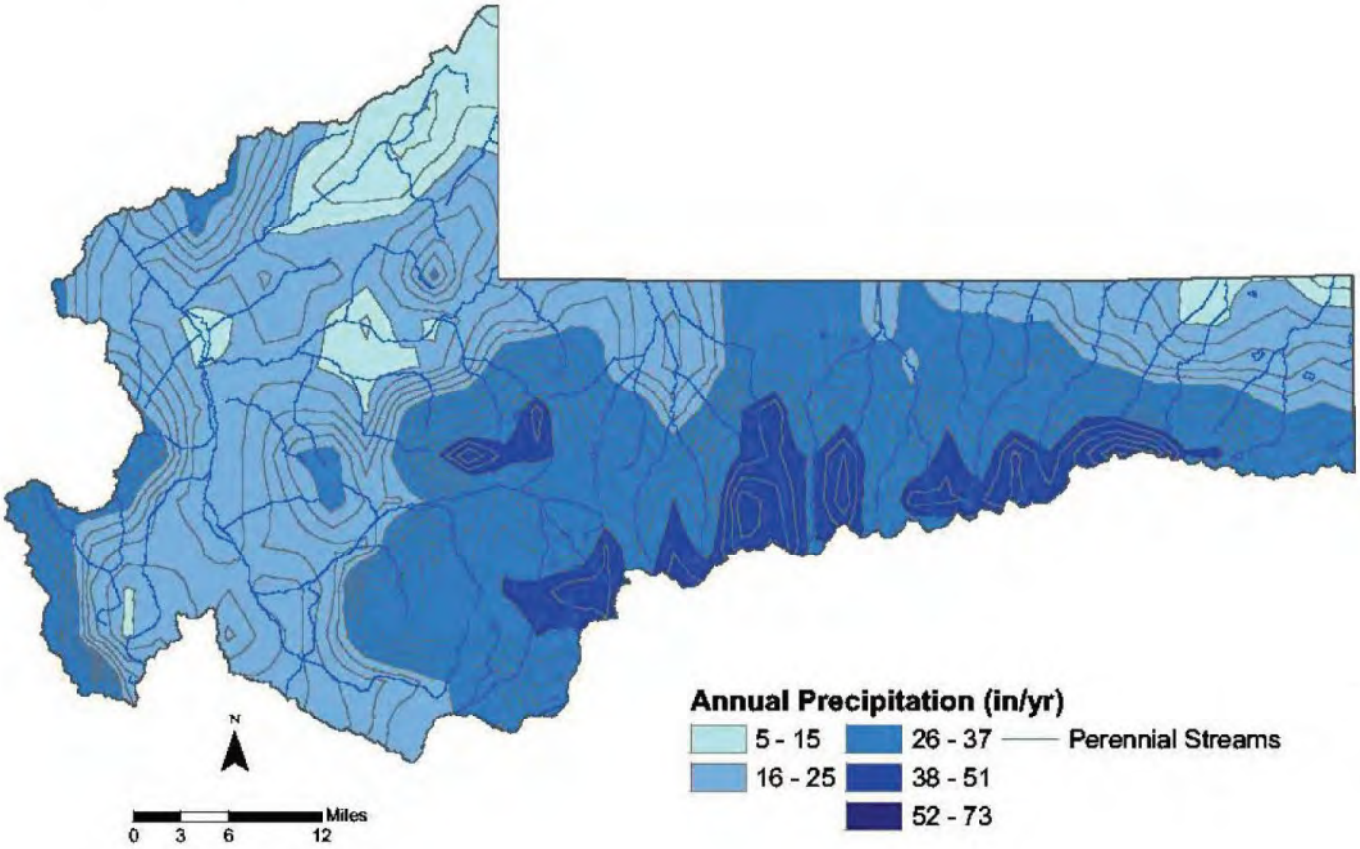
Resource Concerns – WATER

Categories	Specific Resource Concern / Issue	Crop	Hay	Pasture	Grazed Range	Grazed Forest	Pasture Native/Naturalized	Wildlife	Watershed Protection	Forest	Headquarters	Urban	Recreation	Water	Mined	Natural Area
Water Quantity	Water Quantity – Rangeland Hydrologic Cycle	X	X	X	X	X	X							X		X
	Excessive Seepage															
	Excessive Runoff, Flooding, or Ponding				X	X	X					X	X	X		
	Excessive Subsurface Water		X	X		X	X									
	Drifted Snow					X					X	X	X			
	Inadequate Outlets															
	Inefficient Water Use on Irrigated Land	X	X	X												
	Inefficient Water Use on Non-irrigated Land															
	Reduced Capacity of Conveyances by Sediment Deposition											X		X		
	Reduced Storage of Water Bodies by Sediment Accumulation													X		
	Aquifer Overdraft															
	Insufficient Flows in Watercourses	X	X	X	X	X	X	X	X	X			X	X		X
Water Quality, Groundwater	Harmful Levels of Pesticides in Groundwater															
	Excessive Nutrients and Organics in Groundwater															
	Excessive Salinity in Groundwater															
	Harmful Levels of Heavy Metals in Groundwater	X														
	Harmful Levels of Pathogens in Groundwater															
	Harmful Levels of Petroleum in Groundwater															
Water Quality, Surface	Harmful Levels of Pesticides in Surface Water															
	Excessive Nutrients and Organics in Surface Water															
	Excessive Suspended Sediment and Turbidity in Surface Water	X	X	X	X	X	X									
	Excessive Salinity in Surface Water															
	Water Quality – Colorado River Excessive Salinity															
	Harmful Levels of Heavy Metals in Surface Water															
	Harmful Temperatures of Surface Water	X	X	X	X	X										
	Harmful Levels of Pathogens in Surface Water															
	Harmful Levels of Petroleum in Surface Water															

Precipitation and Streams



		ACRES	ACRE-FEET
Irrigated Adjudicated Water Rights	Surface		
	Well		
	Total Irrigated Adjudicated Water Rights	0.00	0.00
Stream Flow Data	USGS 10129500 WEBER RIVER NEAR WANSHIP, UT	Total Avg. Yield	24,889
		May-Sept Yield	9,975
		MILES	**PERCENT**
Stream Data	**Total Miles - Major (100K Hydro GIS Layer)**	2,372	n/a
	303d (DEQ Water Quality Limited Streams)	1,385	58%

	Irrigation Efficiency:	<40%	40 - 60%	>60%
Percentage of Total Acreage	Cropland	70%	25%	5%
	Pastureland	70%	30%	0%

Watersheds & Total Maximum Daily Load (TMDL)

Plans, Studies and			
NRCS Watershed Projects		NRCS Watershed Plans, Studies & Assessments	
Name	Status	Name	Status
East Canyon	Implementation phase	Echo Watershed	Planning phase
DEQ TMDL's		NRCS Comprehensive Nutrient Management Plans	
Name	Status	Number	Status
East Canyon Silver Creek	EPA Approved - 2000 In Progress		Planned Implemented

AFO/CAFO

Animal Feeding Operations (AFO)						
Animal Type	Dairy	Feed Lot (Cattle)	Poultry	Swine	Mink	Other
No. of Farms	3	60	0	0	7	10
No. of Animals	300	900	0	0	7000	200

Potential Confined Animal Feeding Operations (PCAFO)						
Animal Type	Dairy	Feed Lot (Cattle)	Poultry	Swine	Mink	Other
No. of Farms	5	12	0	0		
No. of Animals	800	500	0	0		

Confined Animal Feeding Operations - Utah CAFO Permit					
Animal Type	Dairy	Feed Lot (Cattle)	Poultry	Swine	Other
No. of Permitted Farms	0	0	0	0	0
No. of Permitted Animals	0	0	0	0	0

Resource Concerns – AIR, PLANTS, ANIMALS

Categories	Specific Resource Concern / Issue	Crop	Hay	Pasture	Grazed Range	Grazed Forest	Pasture Native/Naturalized	Wildlife	Watershed Protection	Forest	Headquarters	Urban	Recreation	Water	Mined	Natural Area
Air Quality	Particulate matter less than 10 micrometers in diameter (PM 10)															
	Particulate matter less than 2.5 micrometers in diameter (PM 2.5)															
	Excessive Ozone															
	Excessive Greenhouse Gas: CO2 (carbon dioxide)															
	Excessive Greenhouse Gas: N2O (nitrous oxide)															
	Excessive Greenhouse Gas: CH4 (methane)															
	Ammonia (NH3)															
	Chemical Drift															
	Objectionable Odors															
	Reduced Visibility															
	Undesirable Air Movement															
	Adverse Air Temperature															
Plant Suitability	Plants not adapted or suited	X	X	X												
Plant Condition	Plant Condition – Productivity, Health and Vigor	X	X	X												
	Threatened or Endangered Plant Species: Plant Species Listed or Proposed for Listing under the Endangered Species Act															
	Threatened or Endangered Plant Species: Declining Species, Species of Concern															
	Noxious and Invasive Plants	X	X	X	X	X								X		
	Forage Quality and Palatability	X	X	X	X											
	Plant Condition – Wildfire Hazard				X	X										
Fish and Wildlife	Inadequate Food															
	Inadequate Cover/Shelter															
	Inadequate Water															
	Inadequate Space															
	Habitat Fragmentation											X				
	Imbalance Among and Within Populations															
	Threatened and Endangered Species: Species Listed or Proposed for Listing under the Endangered Species Act															
Domestic Animals	Inadequate Quantities and Quality of Feed and Forage	X	X	X												
	Inadequate Shelter	X	X	X												
	Inadequate Stock Water															
	Stress and Mortality															

Noxious Weeds

Utah Noxious Weed List

The following weeds are officially designated and published as noxious for the State of Utah, as per the authority vested in the Commissioner of Agriculture under Section 4-17-3, Utah Noxious Weed Act:

- Bermudagrass** (cynodon dactylon)
- Canada thistle (cirsium arvense)
- Diffuse knapweed (centaurea diffusa)
- Dyers woad (isatis tinctoria L)
- Field bindweed (Wild Morning Glory) (convolvulus arvensis)
- Hoary cress (cardaria drabe)
- Johnsongrass (sorghum halepense)
- Leafy spurge (euphorbia esula)
- Medusahead (taeniatherum caput-medusae)
- Musk thistle (carduus mutans)
- Perennial pepperweed (lepidium latifolium)
- Perennial sorghum (sorghum halepense L & sorghum almum)
- Purple loosestrife (lythrum salicaria L.)
- Quackgrass (agropyron repens)
- Russian knapweed (centaurea repens)
- Scotch thistle (onopordum acanthium)
- Spotted knapweed (centaurea maculosa)
- Squarrose knapweed (centaurea squarrosa)
- Yellow starthistle (centaurea solstitialis)

There are no additional noxious weeds declared by Summit County (2003).

Wildlife Species of Greatest Conservation Need

The Utah Comprehensive Wildlife Conservation Strategy (CWCS) prioritizes native animal species according to conservation need. At-risk and declining species in need of conservation were identified by examining species biology and life history, populations, distribution, and threats. The following table lists species of greatest conservation concern in the county.

AT-RISK SPECIES				
	Common Name	Group	Primary Habitat	Secondary Habitat
FEDERALLY-LISTED				
Endangered:	Black-footed Ferret (extirpated)	Mammal	Grassland	High Desert Scrub
Threatened:	Bald Eagle	Bird	Lowland Riparian	Agriculture
	Canada Lynx	Mammal	Sub-Alpine Conifer	Lodgepole Pine
	Brown (Grizzly) Bear (extirpated)	Mammal	Mixed Conifer	Mountain Shrub
Candidate:	Yellow-billed Cuckoo	Bird	Lowland Riparian	Agriculture
Proposed:	(None)			
STATE SENSITIVE				
Conservation Agreement Species:	Columbia Spotted Frog	Amphibian	Wetland	Wet Meadow
	Northern Goshawk	Bird	Mixed Conifer	Aspen
	Bonneville Cutthroat Trout	Fish	Water - Lotic	Mountain Riparian
	Colorado River Cutthroat Trout	Fish	Water - Lotic	Mountain Riparian
	Bluehead Sucker	Fish	Water - Lotic	Mountain Riparian
Species of Concern:	Bobolink	Bird	Wet Meadow	Agriculture
	Deseret Mountainsnail	Mollusk	Mountain Shrub	Rock
	Ferruginous Hawk	Bird	Pinyon-Juniper	Shrubsteppe
	Greater Sage-grouse	Bird	Shrubsteppe	
	Leatherside Chub	Fish	Water - Lotic	Mountain Riparian
	Lewis's Woodpecker	Bird	Ponderosa Pine	Lowland Riparian
	Long-billed Curlew	Bird	Grassland	Agriculture
	Smooth Greensnake	Reptile	Mountain Riparian	Wet Meadow
	Three-toed Woodpecker	Bird	Sub-Alpine Conifer	Lodgepole Pine
	Western Pearlshell	Mollusk	Water - Lotic	Mountain Riparian
	Western Toad	Amphibian	Wetland	Mountain Riparian

*Definitions of habitat categories can be found in the Utah Comprehensive Wildlife Conservation Strategy.

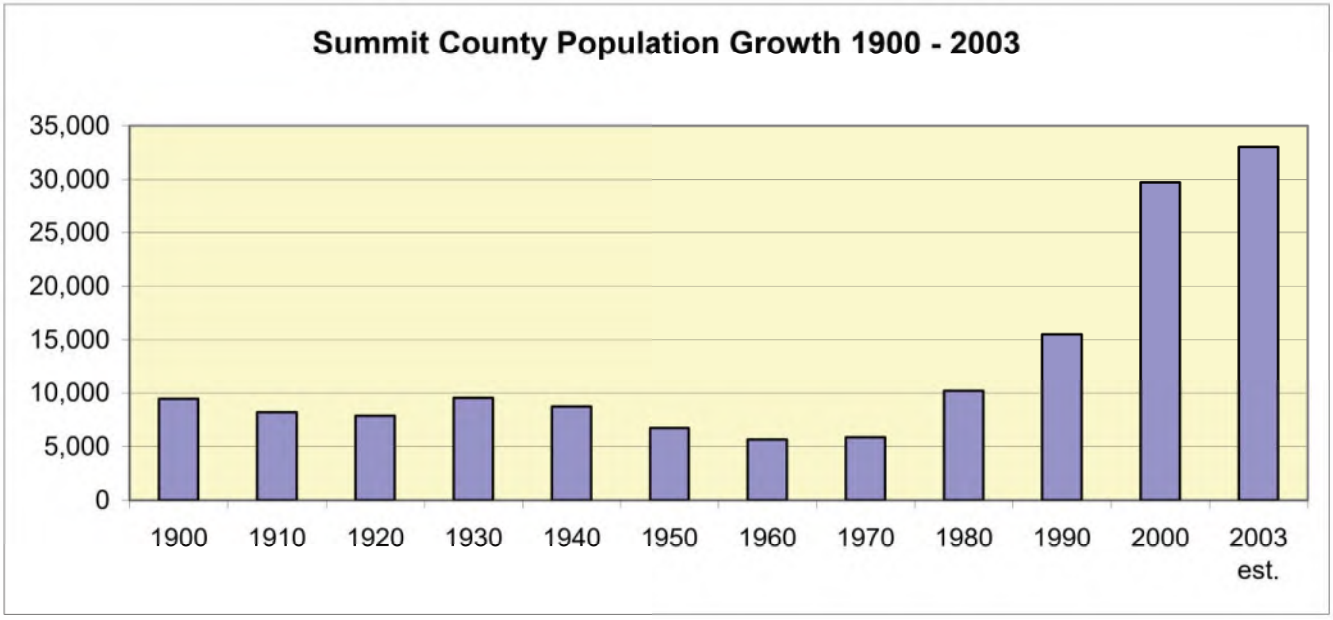
The Utah CWCS also prioritizes habitat categories based on several criteria important to the species of greatest conservation need. The top ten hey habitats state-wide are (in order of priority):

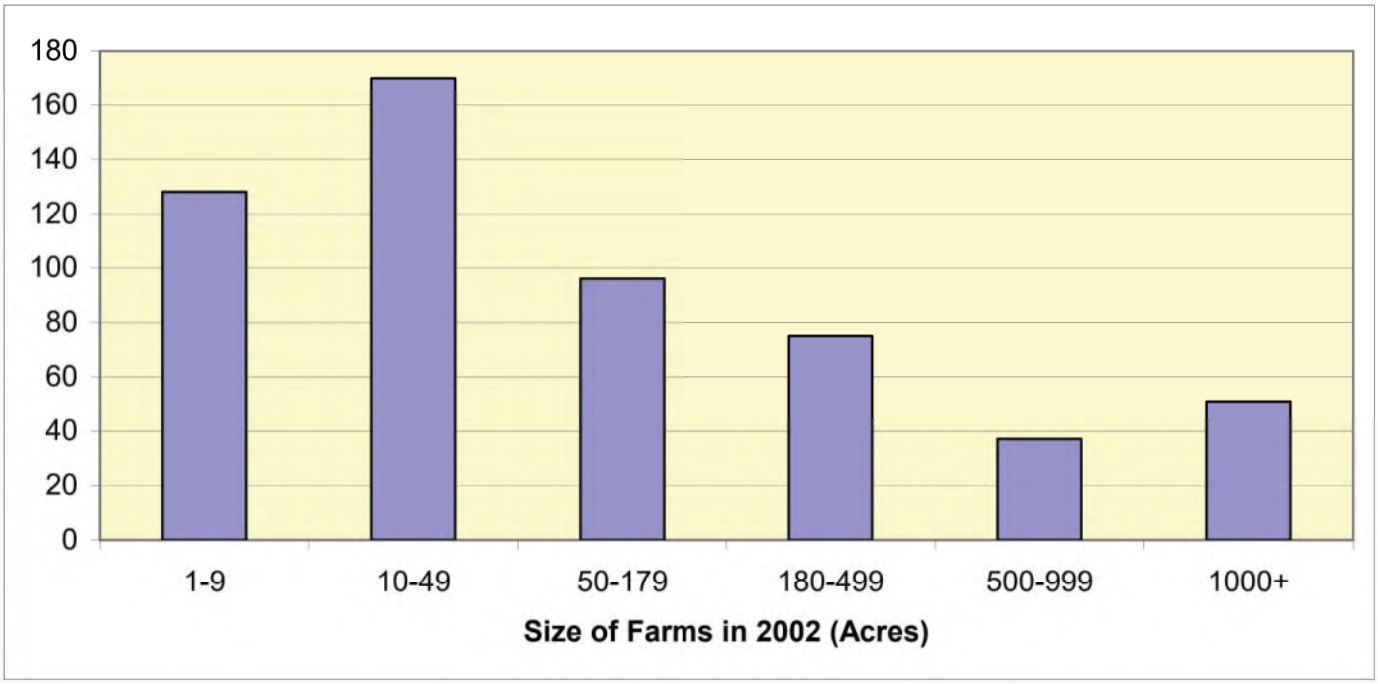
1) **Lowland Riparian** (riparian areas <5,500 ft elevation; principal vegetation: Fremont cottonwood and willow)
2) **Wetland** (marsh <5,500 ft elevation; principal vegetation: cattail, bulrush, and sedge)
3) **Mountain Riparian** (riparian areas >5,500 ft elevation; principal vegetation: narrowleaf cottonwood, willow, alder, birch and dogwood)
4) **Shrubsteppe** (shrubland at 2,500 - 11,500 ft elevation; principal vegetation: sagebrush and perennial grasses)
5) **Mountain Shrub** (deciduous shrubland at 3,300 - 9,800 ft elevation; principal vegetation: mountain mahogany, cliff rose, bitterbrush,serviceberry, etc.)
6) **Water - Lotic** (open water; streams and rivers)
7) **Wet Meadow** (water saturated meadows at 3,300 - 9,800 ft elevation; principal vegetation: sedges, rushes, grasses and forbs)
8) **Grassland** (perennial and annual grasslands or herbaceous dry meadows at 2,200 - 9,000 ft elevation)
9) **Water - Lentic** (open water; lakes and reservoirs)
10) **Aspen** (deciduous aspen forest at 5,600 - 10,500 ft elevation)

Resource Concerns – SOCIAL AND ECONOMIC

Categories	Specific Resource Concern / Issue	Crop	Hay	Pasture	Grazed Range	Grazed Forest	Pasture Native/Naturalized	Wildlife	Watershed Protection	Forest	Headquarters	Urban	Recreation	Water	Mined	Natural Area
Social and Economic	Non-Traditional Landowners and Tenants	X	X	X												
	Urban Encroachment on Agricultural Land	X	X	X												
	Marketing of Resource Products															
	Innovation Needs															
	Non-Traditional Land Uses							X	X	X			X			
	Population Demographics, Changes and Trends	X	X	X								X				
	Special Considerations for Land Mangement (High State and Federal Percentage)				X	X		X	X	X			X	X		X
	Active Resource Groups (CRMs, etc)	X	X	X	X	X	X	X	X	X			X	X		X
	Full Time vs Part Time Agricultural Communities	X	X	X	X	X	X									
	Size of Operating Units	X	X	X												
	Land Removed from Production through Easments															
	Land Removed from Production through USDA Programs															
Other																

Census and Social Data





Number of Farms: 557

Number of Operators:

- Full-Time Operators: 277
- Part-Time Operators: 280

Public Survey/Questionnaire Results:

Footnotes / Bibliography

1. General information about Summit County obtained from the official Summit County website: http://utahreach.org/summit/visitor/HISTORY.HTM

2. Location and land ownership maps made using GIS shapefiles from the Automated Geographical Reference Center (AGRC), a Utah State Division of Information Technology. Website: http://agrc.utah.gov/

3. Land Use/Land Cover layer developed by the Utah Department of Water Resources. A polygon coverage containing water-related land-use for all 2003 agricultural areas of the state of Utah. Compiled from initial USGS 7.5 minute Digital Raster Graphic waterbodies, individual farming fields and associated areas are digitized from Digital Orthophotos, then surveyed for their land use, crop type, irrigation method, and associated attributes.

4. Prime and Unique farmlands derived from SURGO Soils Survey UT607 and Soil Data Viewer. Definitions of Prime and Unique farmlands from U.S. Geological Survey, http://water.usgs.gov/eap/env_guide/farmland.html#HDR5

5. Land Capability Classes derived from SURGO Soils Survey UT607 and Soil Data Viewer.

6. Tons of Soil Loss by Water Erosion data gathered from National Resource Inventory (NRI) data. Estimates from the 1997 NRI Database (revised December 2000) replace all previous reports and estimates. Comparisons made using data published for the 1982, 1987, or 1992 NRI may produce erroneous results. This is due to changes in statistical estimation protocols, and because all data collected prior to 1997 were simultaneously reviewed (edited) as 1997 NRI data were collected. In addition, this December 2000 revision of the 1997 NRI data updates information released in December 1999 and corrects a computer error discovered in March 2000. For more information: http://www.nrcs.usda.gov/technical/NRI/

7. Precipitation data was developed by the Oregon Climate Service at Oregon State University using average monthly or annual precipitation from 1960 to 1990. Publication date: 1998. Data was downloaded from the Resource Data Gateway, http://dgateway-wb01.lighthouse.itc.nrcs.usda.gov/lighthouse

8. Irrigated Adjudicated Water Rights obtained from the Utah Division of Water Rights.

9. Stream Flow data from USGS Utah Water Science Center Surface-water data found at http://waterdata.usgs.gov/ut/nwis/sw.

10. Stream length data calculated using ArcMap and 100k stream data from AGRC and 303d waters from the Utah Department of Environmental Quality.

11. Watershed information from Natural Resources Conservation Service Ogden Service Center Office staff.

12. The 2003 noxious weed list was obtained from the State of Utah Department of Food and Agriculture. For more information contact Steve Burningham, 801-538-7181 or visit their website at http://ag.utah.gov/plantind/noxious_weeds.html

13. Wildlife information derived from the Utah Division of Wildlife Resources' Comprehensive Wildlife Conservation Strategy (CWCS) (http://wildlife.utah.gov/cwcs/) and from the Utah Conservation Data Center (http://dwrcdc.nr.utah.gov/ucdc/).

14. County population data from the U.S. Census Bureau, Utah Quick Facts, http://quickfacts.census.gov/qfd/states/49000.html

15. Farm information obtained from the National Agricultural Statistics Service, 2002 Census of Agriculture. http://www.nass.usda.gov/census/census02/volume1/index2.htm

Wasatch County Resource Assessment

April 2013

Conserving Natural Resources For Our Future

Wasatch County Conservation District

UACD
Utah Association of Conservation Districts

UDAF
Utah Department of Agriculture and Food

USDA NRCS Natural Resources Conservation Service

Acknowledgments

Wasatch County Conservation District
with the:
Utah Association of Conservation Districts (UACD)
Utah Department of Agriculture and Food (UDAF)
Natural Resources Conservation Service (NRCS)

in partnership with the:
Utah Conservation Commission
Utah Conservation Districts Zones 1 - 7
Utah Association of Conservation Districts
Utah Department of Agriculture and Food
Utah Department of Environmental Quality
Utah Department of Natural Resources
Utah Division of Forestry, Fire and State Lands
Utah Grazing Board (Chair and Vice-Chair)
Utah School and Institutional Trust Lands Administration
Utah State University Cooperative Extension
Utah Weed Supervisor Association

Utah Partners for Conservation and Development (UtahPCD)
State Agencies and Organizations
Utah Association of Conservation Districts
Utah Department of Agriculture and Food
Utah Department of Community and Culture
Utah Department of Environmental Quality
Utah Department of Natural Resources
Utah Resource Conservation & Development Councils
Utah School and Institutional Trust Lands Administration
Utah State University College of Natural Resources
Utah State University Cooperative Extension
Utah Energy Office

Federal Agencies
U.S. Department of Interior
Bureau of Land Management
U.S. Fish and Wildlife Service
Bureau of Reclamation
U.S. Department of Agriculture
U.S. Forest Service
Natural Resources Conservation Service
Agriculture Research Service
Farm Service Agency

Other
State Historical Preservation Office
Governor's Office of Planning and Budget

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Bryan T. Provost, Vice Chair
Edd Sabey, Supervisor
Bob Probst, Treasurer
Robert Gappmayer, Supervisor
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  Map & GIS Data Sources · References

Wasatch County Resource Assessment : Executive Summary

Wasatch County Conservation District
From left to right: Alan Brown, Bob Probst, Jane Giles, Edd Sabey, and Bob Gappmayer.
Not shown: Bryan Provost.

Why a Resource Assessment?

The Wasatch Conservation District has developed this resource assessment with the goal that conservation efforts in the county address the most important local resource needs. This report identifies natural and social resources present in Wasatch County and details specific areas of concern. Local, state, and regional entities can use this assessment to develop county resource management plans or to target conservation assistance needs.

We recognize that all who could have provided information may not have had the opportunity. This document is dynamic and will be updated as additional information becomes available.

Your comments are requested:

Wasatch Conservation District
PO Box 545
Heber City, Utah 84032
http://wasatchconservationdistrict.org/

Natural Resource Priorities and Concerns

The Wasatch Conservation District has identified five natural priorities and concerns. These priorities receive special emphasis because of their immediate significance to Wasatch County.

1. **Noxious and Invasive Weeds:** Thistle, leafy spurge, toadflax, and knapweed.
2. **Water Quality and Water Conservation:** Watershed health of Deer Creek, Jordanelle, and Strawberry reservoirs and water conservation efforts.
3. **Small Acreage Agriculture:** Sustainability and urbanization.
4. **Wildlife Habitat:** Sage-grouse and impacts of the wildlife-urban interface.
5. **Forest Health:** Declining aspen forests and soil erosion.

General Resource Observations

Natural and social resources are categorized as soil, water, air, plants, animals, and humans (SWAPA+H). This assessment describes the general condition of these resources and highlights additional concerns in each category. As opportunities become available to address these issues, and as circumstances change, their emphasis should be elevated accordingly.

Conservation districts provide local leadership and education to connect private property owners with state and federal assistance to improve, protect, and sustain Utah's soil, water, and related natural resources.

Introduction

The Conservation District Movement

The Dust Bowl of the 1930s brought the beginning of national programs for conserving soil and water resources in the United States. On April 27, 1935, Congress declared soil erosion "a national menace" and established the Soil Erosion Service. Since then, the agency was been changed to the Natural Resources Conservation Service (NRCS). Seeing a need for local input, farmers were allowed to set up their own districts to direct soil conservation practices in May of 1936. Today, Utah has 38 conservation districts.

Conservation Progress

Since the organization of the Wasatch County Conservation District in 1949, great strides have been made toward increasing and sustaining natural resources in Wasatch County. The 2005 resource assessment listed the most critical resource concerns as 1) invasive and noxious weeds, 2) impacts of urban and suburban growth, 3) watershed health and water quality, and 4) soil erosion and condition. The 2013 resource assessment provides an opportunity to evaluate the progress made during the last several years and to set new goals to address the highest priority conservation needs in Wasatch County.

Public Outreach

In April 2011, the Wasatch County Conservation District conducted a public meeting to determine which resources in the county were of major concern and which conservation issues were most pressing. Comments received at the meeting indicated that invasive and noxious weeds are still a major concern, as well as water quality and urban and suburban growth. Other top concerns included small acreage agriculture, wildlife habitat, specifically concerning sage-grouse, and forest health, concerning both aspen and beetle killed conifers.

Wind-devastated farmland during the Dust Bowl.

Farmland in Heber City, Utah. Photo courtesy of Ivan Spencer.

Wasatch County Overview

Background

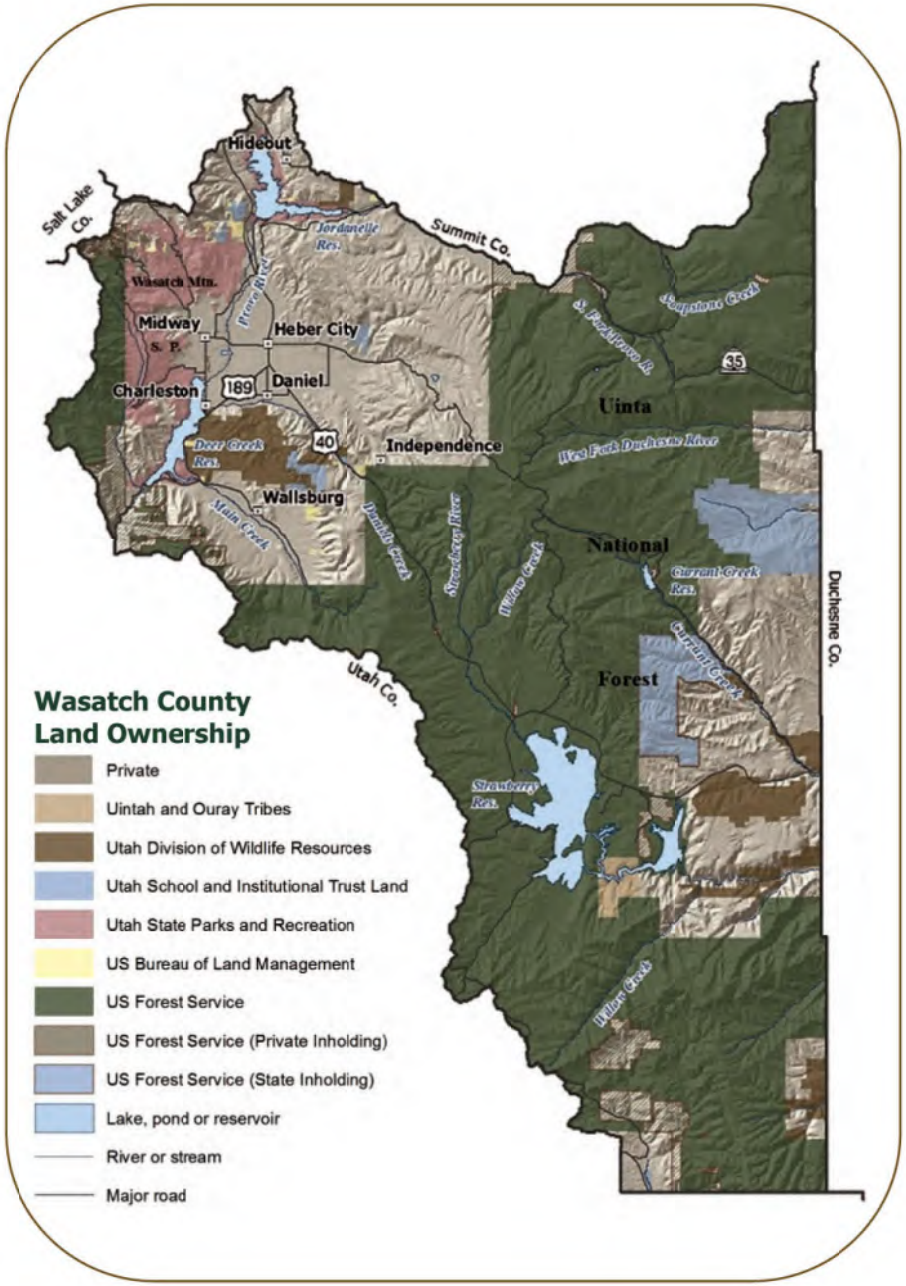
Wasatch County is located in north-central Utah, between the Great Basin and the Uintah Basin, and has a total land area of approximately 1,176 square acres.[1] Much of the county's area is mountainous, expect for Strawberry, Round, and Heber valleys. The county's highest peaks top 10,000 feet, and over half of the land is 7,500 feet above sea level.[2]

Wasatch in Ute means "mountain pass" or "low pass over high range". The first settlers came into Wasatch County from Utah Valley in the spring of 1859 and located a short distance north of present day Heber City. In 1862 the territorial legislature created Wasatch County, which then included all of the Uinta Basin. The last boundary change occurred in 1914 when Duchesne County was created out of the eastern half of Wasatch County.[2]

The county is divided into two watersheds–the Colorado and the Great Basin drainage systems. The southern part of the county drains to the Colorado River by way of the Strawberry River; however, most of the water is diverted through tunnels to Utah County. With three large man-made reservoirs, Jordanelle, Strawberry, and Deer Creek, Wasatch County is a popular recreational area. The climate zone, classified as undifferentiated highlands, offers cool summers and very cold winters. The average annual precipitation is approximately sixteen inches.[2]

In 2010, the population of Wasatch county was 23,530. Median family income was $65,204. At 82.8%, Wasatch county's racial makeup was primarily white.[1]

Nearly all of the county's population and irrigated agricultural lands are located in the Heber and Round valleys. Heber Valley contains the incorporated communities of Heber City, Midway, and Charleston, while Round Valley contains the town of Wallsburg.



1 U.S. Census Bureau
2 Utah Association of Counties

Wasatch County

Photo credits clockwise from top left: Fort Douglas Military Museum Living History Detachment, by Tori Elwell; white fir, by Brock Benson; sprinkler irrigation wheel line, by Jane Giles; hot air balloons rise above irrigation diversion structure, by Jane Giles; and Steam Engine 618 on Wildwood Bridge in Provo Canyon, by the Heber Valley Railroad.

Noxious Weeds

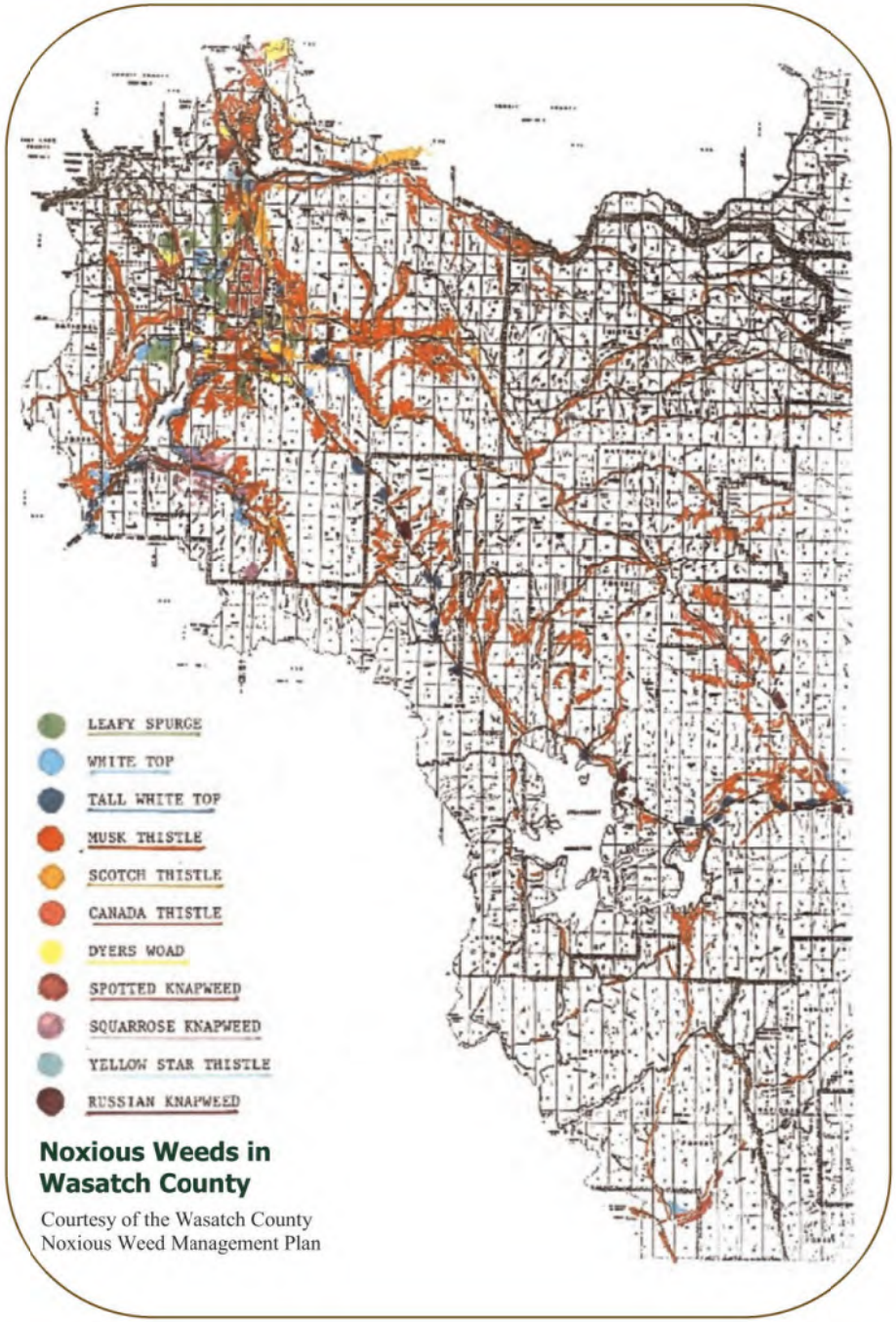
The invasion of noxious weeds has been likened to a raging biological wildfire out of control and spreading rapidly. With more than 7,000 acres affected, noxious weeds are a major concern throughout Wasatch County.

If weed infestations spread without control or containment, large acreages of land used for farming, grazing, or recreation will become completely useless. Noxious weeds have been known to reduce property values, reduce forage for livestock and wildlife, increase soil erosion, displace native plants species, which reduces biodiversity, and reduce field production.

Many noxious weeds are toxic to animals. Leafy spurge can be poisonous to cattle and contact can cause blindness. Yellowstar thistle and Russian Knapweed are toxic to horses. Houndstongue is poisonous to both horses and cattle. The seeds, stems and leaves of poison hemlock and black henbane are poisonous to people and animals. Musk, Scotch, and Canada thistle along streams, rivers, and lake shores can become so thick that it may affect those wanting to fish.

A Canada thistle patch in Heber City. Photo courtesy of Jane Giles.

On rangelands, noxious weeds like leafy spurge can displace native grasses and forbs, which reduces the forge for livestock and big game animals. This in turn reduces the carrying capacity of rangelands, reduces ground cover, and increases the potential for soil erosion.[3]



Noxious Weeds in Wasatch County

Courtesy of the Wasatch County Noxious Weed Management Plan

3 Coordinated Noxious Weed Management Plan for Wasatch County

Prevention and Early Detection

Weeds are a problem for everyone. Federal, state, and local agencies and private landowners are responsible for the noxious weeds present on their lands. Prevention, early detection, control, and eradication of noxious weeds are the most practical means of weed management. Listed below are things that can be done to control the spread of noxious weeds.

- **Education**. Learn to identify the problem weeds of Wasatch County.
- **Buy only certified weed-free hay**.
- **Avoid planting noxious weeds as an ornamental or in landscaping**, such as Russian olive, tamarisk, or sulfur cinquefoil.
- **Be aware of hitchhikers**. Weed seeds attach themselves to clothing when hiking, hunting, fishing, or working. Pets and animals can also carry hitchhikers.
- **Bird feeders beware**. Some bird seed mixtures can be loaded with noxious and invasive weed seeds.
- **Know its origin**. Gravel, road fill, and topsoil can be contaminated with seeds.
- **Control**. Each weed is different, and the way to control one might not work for another. The County Weed Supervisor is a great source for information on weed control.[3]

Current Weed Control Efforts

Wasatch County Weed Department

The weed department focuses primarily on weed control efforts on county land. They track infestations and advise landowners on proper maintenance.

Wasatch County Weed Board

County weed boards are responsible for the formulation and implementation of county-wide coordinated noxious weed control programs designed to prevent and control noxious weeds.

Wasatch County Coordinated Weed Management Area (CWMA)

The Wasatch County CWMA is the main tool to obtain cooperation and coordination of the noxious weed program among land management agencies and private landowners. The CWMA has resulted in increased sharing of expertise, information, and resources and provides a process to improve the efficiency and effectiveness of the noxious weed program in Wasatch County.

Wasatch County Noxious Weeds List

Listed below are the major weeds that are problematic in Wasatch County.

Class A

- Blackhenbane
- Leafy Spurge
- Johnson Grass
- Spotted Knapweed
- Yellowstar Thistle
- Yellow Toadflax
- Russian Knapweed
- Salt Cedar
- Dyers Woad

Class B

- Tall White Top
- Dalmatian Toadflax
- Houndstongue
- Musk Thistle
- Oxeye Daisy
- Perennial Pepperweed
- Poison Hemlock
- Scotch Thistle
- Squarrose Knapweed

Class C

- Bermuda Grass
- Canada Thistle
- Diffuse Knapweed
- Field Bindweed
- Medusa Head
- Purple Loosestrife
- Quack Grass
- St. Johnswort
- Sulfur Cinquefoil

Class A weeds are relatively minor in extent and density but pose a well known threat to native plant communities and should be a top priority with eradication as the ultimate goal. Class B weeds are meant to be contained and controlled, with the goal of halting the spread. Class C weeds should be watched closely and contained when possible. The goal, however, is not to stop the spread but to disseminate education, research, and biological control for those that want management of the weed.

3 Coordinated Noxious Weed Management Plan for Wasatch County

Water Quality & Conservation

The water quality of Jordanelle Reservoir is very good. It has a moderate hardness, with early total phosphorus parameters exceeding state standards. This is not unusual, as elevated phosphorus levels are expected during the early stages of a new reservoir. There are three water bodies on the 303 (d) list of impaired waters in the county.

*Streams and lakes not meeting their water quality standards are identified on the state's **303 (d) list**, per the Clean Water Act. This section of the act also requires states to develop and implement plans to improve water quality to meet these standards.*

Strawberry Reservoir

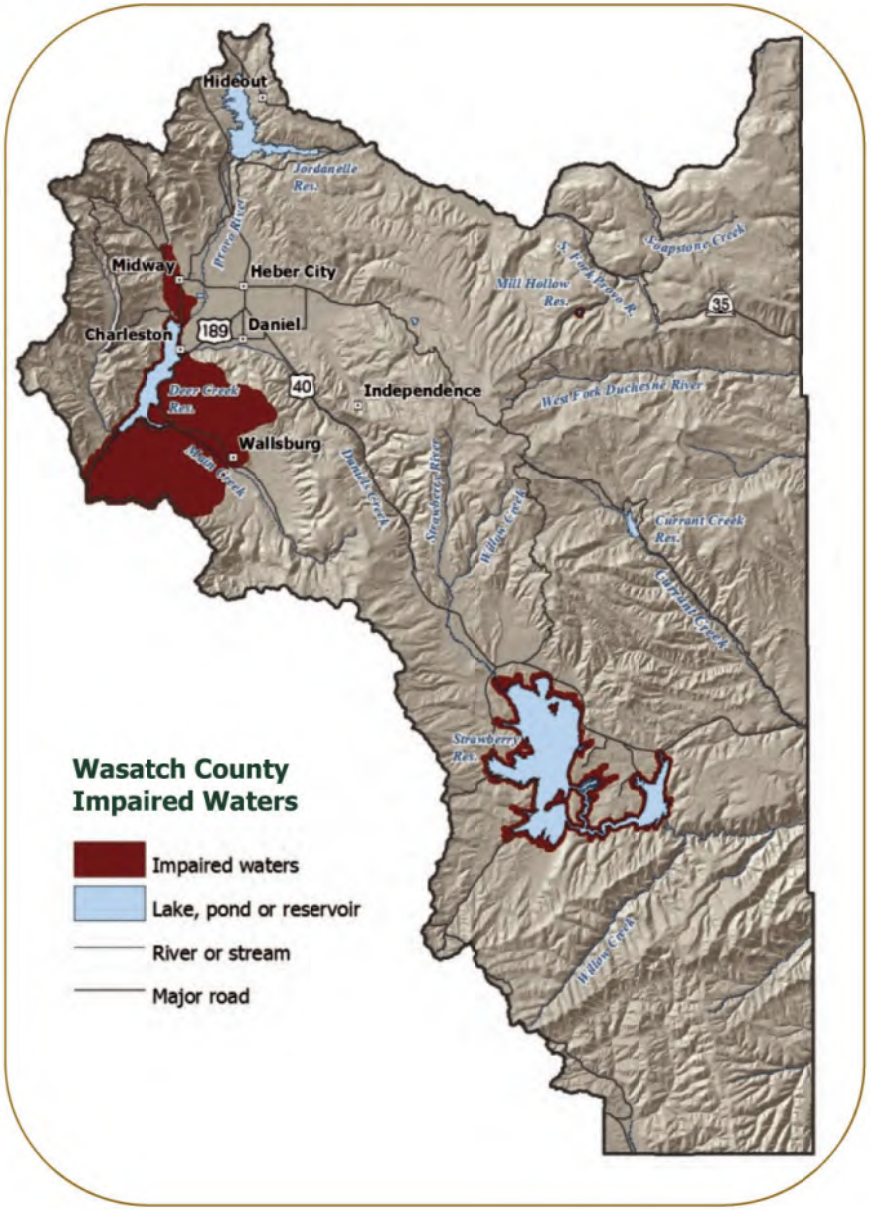
High total phosphorus and low dissolved oxygen concentrations in Strawberry Reservoir have exceeded the state's water quality standards for its cold-water fisheries beneficial use designation. Though listed, analyses seem to indicate a fairly healthy reservoir. However, small bays and deep portions of the reservoir do experience unfavorable conditions at certain times of the year.

Mill Hollow Reservoir

Parameters that have exceeded state water quality standards for defined beneficial uses are phosphorus and dissolved oxygen. On occasion, when a heavy algal bloom is in progress, pH values will exceed the criteria of 9.0.

Deer Creek Reservoir

Deer Creek has been identified as a priority target for the state's water quality improvement effort. Past water quality monitoring has shown that Deer Creek Reservoir regularly exceeded state water quality criteria for total phosphorus and dissolved oxygen. Erosion has been identified as one of the major sources of phosphorus into the reservoir. Main Creek has high concentrations of nutrients and sediments in its flow to Deer Creek Reservoir. The high sediments indicate that stream bank stabilization is a likely problem.[4] To address the issues, a large stream restoration project along Main Creek will begin fall of 2013 in Wallsburg.



4 Utah DEQ, DWQ, Watersheds, Lakes and Reservoirs.

Water Quality Issues

Stream-bank Erosion: Sediment is probably one of the most easily recognized water quality issues. Turbid water decreases light penetration, interferes with plant growth, and decreases species diversity. Sediment also decreases the storage capacity of lakes and reservoirs. Solutions include stream fencing, proper grazing management, stream restoration, bank stabilization, and riparian vegetation establishment.

Nutrients: Increases of phosphorus and nitrogen into receiving waters results in an increase of plant and algae growth, which can led to increased eutrophication rates. Highly enriched conditions result in changes in taste, color, and odor of drinking water and a significant decrease in organism diversity. Solutions include stream fencing, proper grazing management, berms, stream restoration, and riparian vegetation establishment.[5]

Wasatch County Water Efficiency Project

Completed in the spring of 2001, the Wasatch County Water Efficiency Project increased water use efficiency throughout Wasatch County. Approximately 9.5 miles of canal were lined with concrete. Pipelines, regulating ponds, and pump stations were installed to distribute water from the canals to nine participating irrigation companies on the east side of the Heber Valley, and approximately 9.2 miles of stream were enhanced. Due to the conserved water, the efficiency project was able to replace the water that was diverted from the upper Strawberry trans-basin diversion structure, allowing for the removal of the structure and returning the diverted water to the Strawberry River Watershed and increasing the natural stream flow. Termination of the trans-basin diversion and the increased flow of approximately 2,900 acre feet of water has improved the fishery in the Strawberry River.

A major water use change was the conversion of 3,675 acres of farmland from flood to sprinkler irrigation. Overall, irrigation use efficiency on the converted lands increased from 35 percent to approximately 65 percent. The second type of water use change was an improvement in water availability, primarily during years with low precipitation. Since the completion of the project, producers have reported an increase in crop yields.

Additional uses for the conserved water includes supplemental in-stream flows and the maintenance of wetland areas.[6]

Wasatch County Water Efficiency Project cement canal lining.

Regulation pond. Photos courtesy Jane Giles

5 Water Quality Indicators Guide
6 Wasatch County Water Efficiency Project Feasibility Study

Small Acreage Agriculture

The unprecedented movement of people from cities and towns into formerly rural areas has created many problems in sanitation, flood control, and road and building construction, as well as farming. Summer home developments have already started in several parts of the Heber Valley Area. Many summer and year-round homes have been built in the mountains and foothills west and northwest of Midway. Expanding population into Wasatch County will require additional public services and such facilities as schools, churches, and recreational areas.

Land values in this area have taken a sharp rise in recent years. The median house value in Wasatch County was $317,900 in 2006 to 2010 and has grown by 71.56% since 2000, which is much higher than the state average rate of 48.67%.[7] This is mainly due to summer home site developments and other speculative ventures. The result of this rise in home and land value has made it almost prohibitive to purchase land for farming.

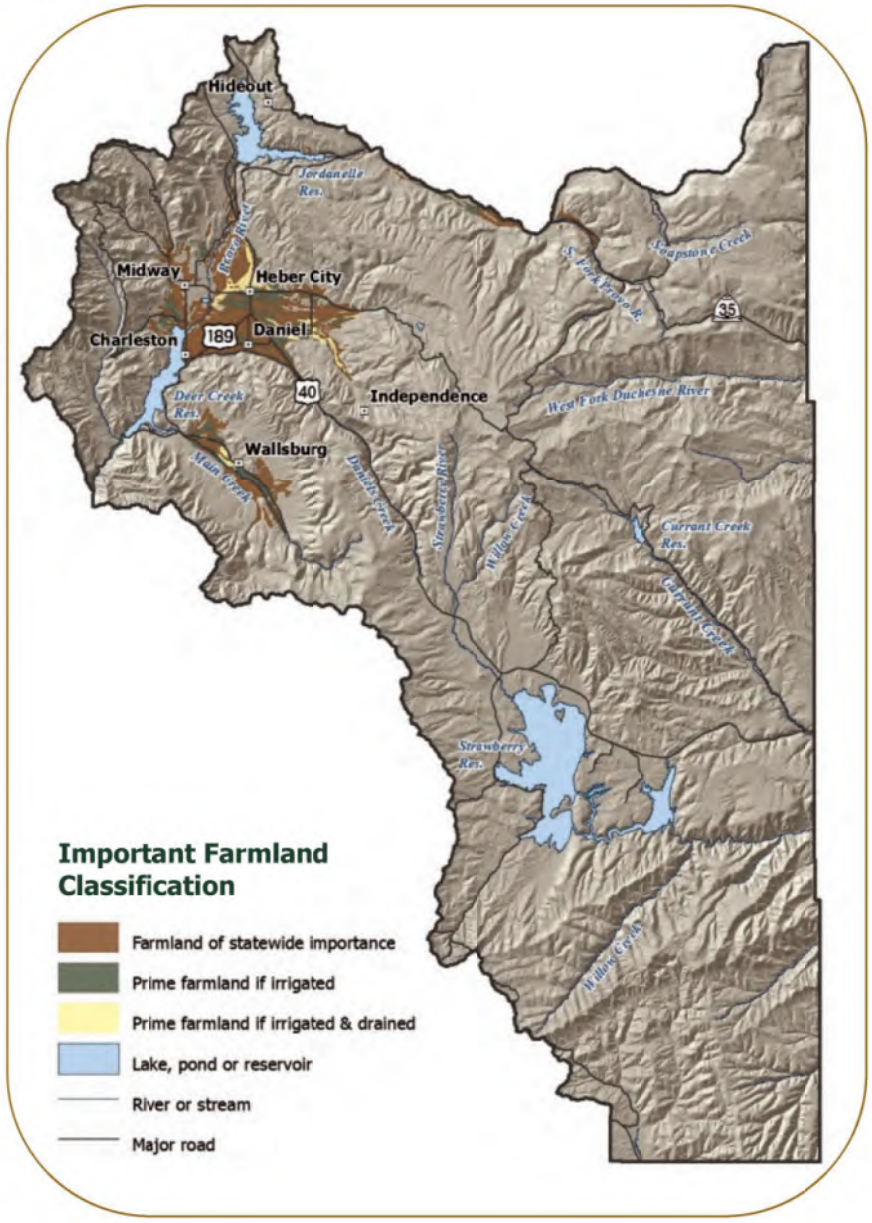
As Wasatch County continues to grow and develop, planners and land managers will need to consider the role productive farm lands and soils play in maintaining the economic viability of agriculture in the county.[8]

Farmland of Statewide Significance

Land identified by state agencies as important for agricultural use, but not of national significance, can be designated as statewide important farmland.

Prime Farmland

Prime farmland is a national designation for land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor and without intolerable soil erosion.



7 USA.com, Wasatch County
8 Soil Survey, Heber Valley Area, Parts of Wasatch and Utah Counties

Loss of Agricultural Lands in Wasatch County

Contrasting aerial photos taken west of Heber City in 1993 and again in 2011 illustrate the intensity of urban development.

The Utah Agriculture Sustainability Task Force was created to address popular interest in agricultural land preservation and sustainability. The Task Force is offering 29 recommendations that are expected to protect and enhance Utah agriculture. The recommendations generally call for the creation of new laws and policies at the federal, state, and local levels that remove obstacles for safe modern farming and ranching. The full report can be found at: www.ag.utah.gov/divisions/conservation/documents/TaskForceSummaryNov162011.pdf.

Wildlife Habitat

Aquatic Habitat

In 1999, the Utah Division of Wildlife Resources and the U.S. Bureau of Reclamation initiated the Provo River Restoration Project by creating new meanders, side channels, and wetland ponds in and around the Provo River. A multiple-thread meandering channel was created. The river was reconnected to existing remnants of historic secondary channels, and small side channels were inserted to recreate aquatic features. A significant amount of vegetation was added to provide the necessary environment for healthy fisheries. Side channels and ponds were created to improve fish habitat and create wetland habitat for wildlife.[9]

Photo Courtesy: Utah Reclamation Mitigation and Conservation Commission, by Tyler Allred

Mule Deer Habitat

Mule deer numbers are declining across the West, and recent deer hunts have been difficult for many Utah hunters. This issue has been—and continues to be—a top priority for Utah's wildlife managers. Over the past six years, the Division of Wildlife Resources (DWR) has invested tens of millions of dollars to implement a comprehensive deer-management plan and to help our struggling herds.

Photo Courtesy: Utah Division of Wildlife Resources

The DWR has launched a massive effort to restore mule deer habitat. It's the largest such initiative ever undertaken in Utah—and in the West. Over the past six years, the DWR and its many partners have improved mule deer habitat on more than 778,000 acres, at a cost of more than $76 million. Habitat improvement projects often take a few years to pay off, but over the long term, this effort will result in healthier deer populations statewide. The current Utah deer-management plan (effective 2008–2013) includes an objective to improve another 500,000 acres of habitat.

Starting in early December each year, the DWR monitors individual mule deer herds on a weekly basis. Biologists look at both the deer and their winter range, assessing the following factors: snow depth, area temperatures, availability of forage, body condition (fat measurements), and depredation issues. If the deer fall below certain pre-established thresholds in three or more of these categories, the DWR is prepared to begin a supplemental feeding program to help them through the season.[10]

9 Deer Creek TMDL
10 Division of Natural Resources

Predator Control

Predator control is vital to the establishment of sage-grouse and other threatened and endangered species. It is observed that the increase in predators, through their protection, has resulted in the decrease of the sensitive species that wildlife agencies are trying to protect. The use of best management practices to control predators is needed to protect sensitive species.

Additional concerns exist regarding wildlife in Wasatch County. The following list shows a number of those concerns, as well as needs that, if observed, may help address fish and wildlife concerns.

Concerns

- Predators reducing the numbers of desired wildlife species.
- Habitat management instead of predator control, reducing acreage once available to grazing.
- Introduction of otters creating water use problems.
- Wolves potentially negatively impact citizens, livestock, and wildlife.
- Endangered species and sensitive species regulation impacting water and land use.
- Declining pollinator numbers.

Needs

- Improve management of predator numbers to restore historic populations of wildlife, especially where habitat is sufficient.
- Use livestock as a tool to improve habitat.
- Discourage otter introduction.
- Discourage wolf introduction.
- Collaborate and increase opportunities for local input on endangered and sensitive species-related regulation.
- Support and increase the number of pollinators through habitat enhancement and other measures.[12]

Greater Sage-Grouse

(Centerocerus urophasiarus)

The greater sage-grouse is an icon of western sagebrush ecosystems. It is a large, rounded-winged, spike-tailed, ground-dwelling bird, about two feet tall and weighing from two to seven pounds. Females are a mottled brown, black, and white. Males are larger and have a large white ruff around their neck and bright yellow air sacks on their chest.[11] Sagebrush is the predominant plant of quality habitat. A good understory of grasses and forbs, and associated meadow areas, are essential for optimum habitat. Male sage-grouse gather in traditional "strutting grounds" during March and April and put on spectacular courtship performance—strutting with their tails erect and spread and air sacs inflated. The principle winter food item is sagebrush leaves. During summer, the fruiting heads of sagebrush, leaves, and flower heads of clovers, dandelions, grasses, and other plants are eaten.[12]

Greater sage-grouse conservation is urgent. Once seen in great numbers across sagebrush landscapes of the West, sage-grouse have declined in number over the past one hundred years because of the loss, degradation, and fragmentation of the sagebrush habitats essential for their survival. Greater sage-grouse now occupy only about 56% of the habitat that was available to them before the arrival of settlers of European descent. Sagebrush ecosystems are home to a surprisingly abundant number of wildlife species that depend on this complex and often fragile ecosystem type. If sage grouse populations are in trouble, it means other sagebrush-dependent species are too.[11]

11 Bureau of Land Management
12 Utah Conservation Data Center

Forest Health

Trees are identified as an important resource in Wasatch County. With the creation of a tree board, public awareness in Heber City is high. In 2010, Heber City was recognized as a Tree City. Not only are the trees located in the city important, but the surrounding mountainous woody vegetation are also of vital concern. Watershed health is dependent upon vegetation in order to increase water percolation and reduce soil erosion.[13]

In 2011, the U.S. Forest Service performed a forest health aerial detection survey within Wasatch County. The table to the right shows the type of species infected, number of trees, and acres affected. The results of the survey showed the biggest impact was contributed to a epidemic population of spruce beetle and spruce tree mortality.

Spruce beetle populations are rapidly expanding in some areas, causing entire drainages to be infested in the course of one year. In some cases nearly every mature spruce has been killed in multiple drainages, from the creek bottoms all the way up to the high elevations.

In Wasatch County substantial pockets of spruce mortality (over 20,000 trees killed) were detected on the northern end of the Heber Ranger District. High levels of Engelmann spruce mortality were mapped, centered around Duchesne Ridge and extending south to Trout Creek Ridge, north to Soapstone Basin, west to Bald Knolls, and east to the district boundary and along the Lake Creek drainage.

The spruce beetle still poses important management concerns for the heavily used recreation areas along the Wasatch Back.[14]

2011 Wasatch County Forest Health Aerial Detection Survey

Insect/Tree Species	Trees	Acres
Mountain Pine Beetle	815	490
Douglas-fir Beetle	587	285
Spruce Beetle	23,325	10,125
Fir Engraver	75	38
Subalpine Fir Mortality	615	312
Aspen Dieback/Decline		755
Aspen Defoliation		421

Forest Health Aerial Detection Survey

Beetle kill spruce. Photo courtesy PJ Abraham, Division of Forestry Fire and State Lands.

13 Heber City Corporation
14 Wasatch County Forest Health Resource Assessment

Aspen is another species in the county showing signs of stress and lack of regeneration. The two principle reasons associated with these observations are: succession of aspen forests to other vegetation types due to fire exclusion and heavy ungulate damage.

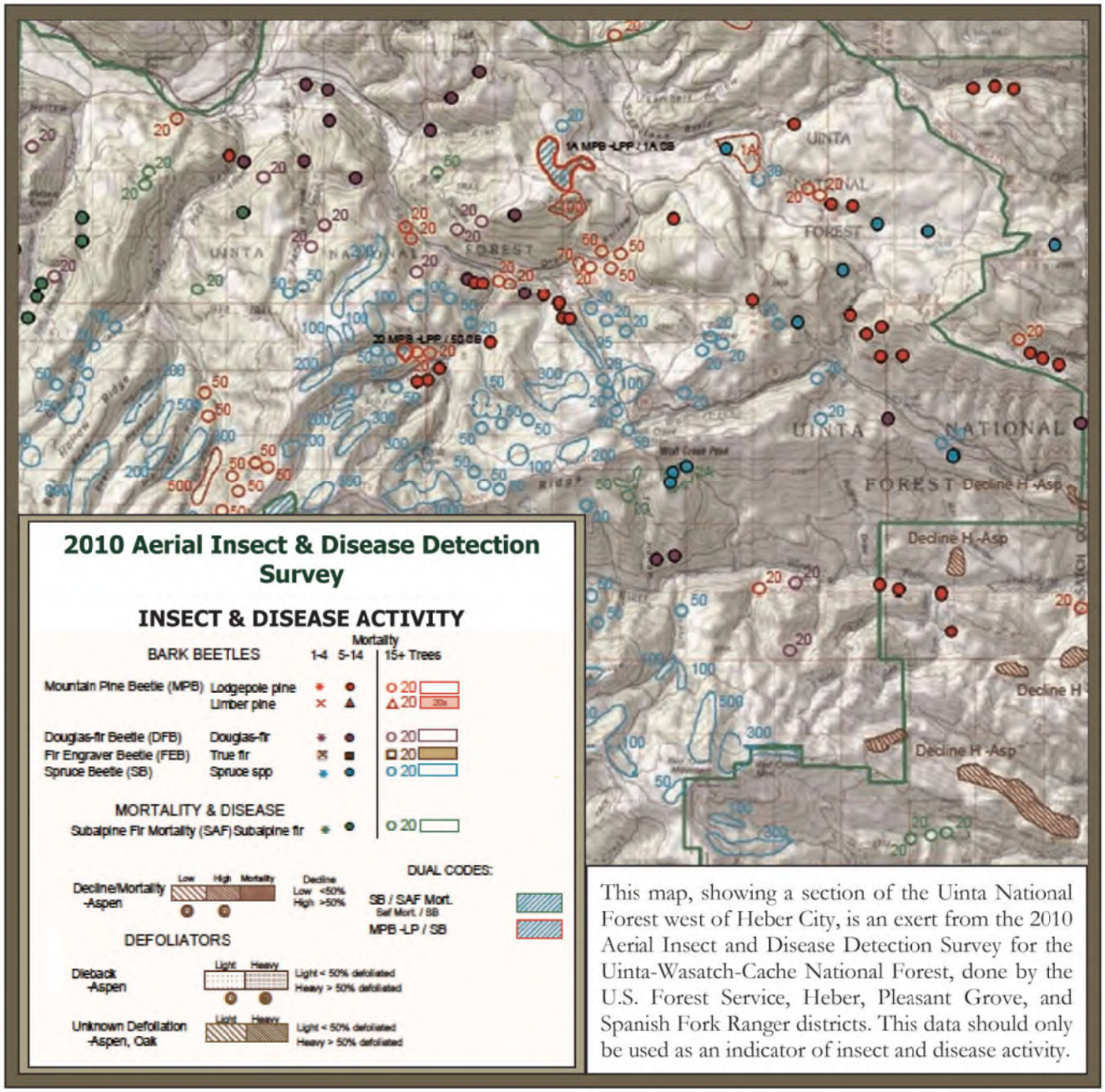
Given the abundance of dead, dying, and on-the-ground debris, fire has become an ever increasing concern. Fire is nature's way of cleaning landscapes and recycling resources. The different types of landscapes found within the county have become dependent upon fire to maintain the health and vigor of the many ecosystems found within in the area. With the advent of fire suppression, many of the ecosystems have departed from pre-suppression conditions. As a result, when fires occur, they are often more damaging to ecosystems and cause a greater adverse impacts to soil, wildlife habitat, recreational resources, and important watersheds.[15]

For technical assistance or more information regarding forest health concerns please contact:

PJ Abraham, Area Forester
Forestry, Fire & State Lands
2210 S. Hwy. 40 Ste. B
Heber City, UT 84032
(435)671-3326

Additional information regarding the 2010 Aerial Insect and Disease Detection Survey can be found at:

http://www.fs.usda.gov/detailfull/r4/forest-grasslandhealth/?cid=fsbdev3_016120&width=full.



This map, showing a section of the Uinta National Forest west of Heber City, is an exert from the 2010 Aerial Insect and Disease Detection Survey for the Uinta-Wasatch-Cache National Forest, done by the U.S. Forest Service, Heber, Pleasant Grove, and Spanish Fork Ranger districts. This data should only be used as an indicator of insect and disease activity.

Soil

The majority of the soils in Wasatch county are derived predominately from mixed sedimentary rocks. In some areas the bedrock is mostly limestone, while in others it is mainly quartzite or sandstone. Old andesite flows make up a thick section of volcanic materials that filled the valleys of an older erosional surface. Subsequent glacial drift has created a mantel of andesite and sedimentary deposits.[8]

Information on the soils in Wasatch County can be obtained from the Web Soil Survey at: websoilsurvey.nrcs.usda.gov. The soil survey provides data and information produced by the National Cooperative Soil Survey, a nationwide partnership of federal, regional, state, and local agencies, including private entities and institutions. The Web Soil Survey (WSS) allows a user to 1) define an area of interest (AOI), 2) view the survey boundaries and soil types overlaid on a photo, 3) explore various interpretations, and 4) print maps and descriptive information.

The WSS delineates and describes large areas of similar soils. Common uses are evaluating soils suitability for dwellings with basements, landscaping, roads, and septic tanks and measuring for vegetative productivity and chemical and physical properties. Using this information, agricultural producers, agencies, counties, and municipalities can know the suitability of various soils and can be alerted to soil limitations. This basic resource information is critical when making land-use and management decisions.

When limitations are identified, on-site investigations should be conducted by a soil scientist or soil engineer.

Soil limitations identified in soil surveys include, but are not limited to, frequent flooding, ponding or standing water, shrink/swell properties, settling after saturated with water, erosion properties, potential excavation difficulties, subsidence properties, danger of sliding on slopes, and ecological site assessments.

8 Soil Survey Heber Valley Area, Parts of Wasatch and Utah Counties

Soil Survey near Heber City

Map Unit Legend			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BeD2	Bezzant cobbly loam, 10 to 20 percent slopes, eroded	15.5	5.3%
Ca	Center Creek loam	97.5	33.7%
CgB	Clegg loam, 3 to 6 percent slopes	2.0	0.7%
Hk	Holmes cobbly sandy loam	12.6	4.4%
Hm	Holmes cobbly sandy loam, channeled	78.3	27.0%
Hr	Holmes gravelly loam	56.3	19.5%
Km	Kovich loam, deep water table variant	6.5	2.2%
RdA	Rasband loam, 1 to 3 percent slopes	12.7	4.4%
RdC	Rasband loam, 3 to 10 percent slopes	1.6	0.6%
W	Water	0.1	0.0%
WcC	Watkins Ridge silt loam, 6 to 15 percent slopes	6.3	2.2%
	Totals for Area of Interest:	289.6	100.0%

Web Soil Survey map showing selected area of interest west of Heber City and the associated table of soil types.

Web Soil Survey

Three examples of Web Soil Survey (WSS) interpretations showing suitability and limitations for the selected area: available water capacity, soil limitations for dwellings with basements, and septic tank absorption fields. Additional soil criteria and the complete descriptions for each category below can be obtained at: websoil survey.nrcs.usda.gov. WSS is a free online service that provides information on a large variety of soil concerns for any selected land area or parcel.

Available Water Capacity

Available water capacity (AWC) refers to the quantity of water that the soil is capable of storing for use by plants. The capacity for water storage is given in inches of water per inch of soil for each soil layer. The capacity varies, depending on soil properties that affect retention of water. The most important properties are content of organic matter, soil texture, bulk density, and soil structure, with corrections for salinity and rock fragments. Available water capacity is an important factor in the choise of plants or crops . . . .

Soil Limitations for Dwellings with Basements

Dwellings are single-family houses fo three stories or less. For dwellings with basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of about 7 feet. The ratings for dwellings are based on the soil properties that affect the capacity of the sol to support a load without movement and the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, ...

Septic Tank Absorption Fields

Septic tank absorption fields are areas in which effluent from a septic tank is distrubuted into the soil through subsurface tiles or perforated pipe. Only that part of the soil between depths of 24 and 60 inches is evaluated. The ratings are based on the soil properties that effect absorption of the effluent, construction and maintenance of the system, and public health. Saturated hydraulic conductivity (Ksat), depth to a water table, ponding, depth to bedrock or a cemented pan, and flooding affect absorption of the . . . .

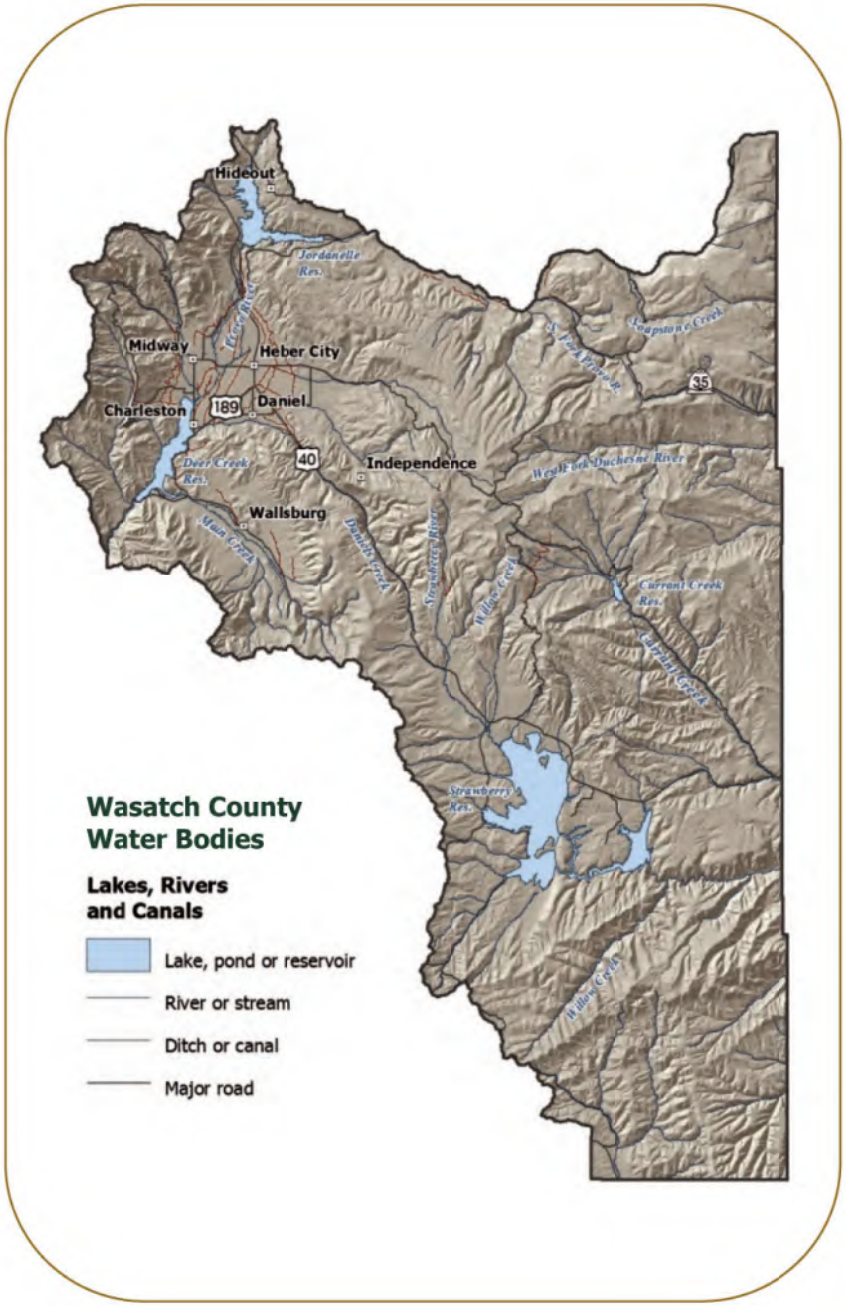
Water

With many high mountains and valleys and an annual precipitation rate of 16 to 30 inches in the higher elevations[15], Wasatch County rarely hurts for water. At 32 square miles, reservoirs and lakes in the county cover approximately 2.63 percent of the total land in the county.[1]

At approximately 1,106,500 acre-feet of storage, the largest water-body in the county is Strawberry Reservoir. The Strawberry Watershed is approximately 136,000 acres, with 132 miles of the perennial streams and 235 miles of intermittent stream found within the watershed area. Strawberry Reservoir is one of principal water storage features of the Central Utah Project that delivers water to the Uinta Basin and the Wasatch Front. It is estimated that the Central Utah Project's Utah Lake Drainage Basin Water Delivery System delivers an average of 101,900 acre-feet of water from Strawberry Reservoir to the Wasatch Front area for municipal and industrial uses. Recreation is significant; Strawberry is considered to be Utah's premier trout fishery in terms of angler hours and number of fish produced. It is the destination of over two million visitors each year, and is one of the most heavily used reservoirs in the state.[16]

The second largest water-body in the county is Jordanelle Reservoir with 360,500 acre-feet. Jordanelle is an impoundment of the Jordan River, capturing spring runoff and storing it for irrigation, municipal, industrial, fish and wildlife, and recreational use. The Jordanelle Watershed is approximately 339,800 acres.[4]

Deer Creek Reservoir is located in Wasatch County, has a capacity of 152,700 acre-feet, drains an area of 171,663 acres, and serves residents of both Utah and Salt Lake Counties. The reservoir has four major inflows: Provo River, Main Creek, Snake Creek, and Daniels Creek.[9]



15 Pioneer, Utah's Online Library
1 US Census Bureau
16 Strawberry Reservoir TMDL
4 Utah DEQ, DWQ, Watersheds, Lakes and Reservoirs.
9 Deer Creek TMDL

Currant Creek Reservoir only holds 15,670 acre-feet of water, drains an area of 30,200 acres, and is primarily used for irrigation on the Wasatch Front. As urbanization replaces agricultural land, it is expected that some water will be used for culinary purposes.

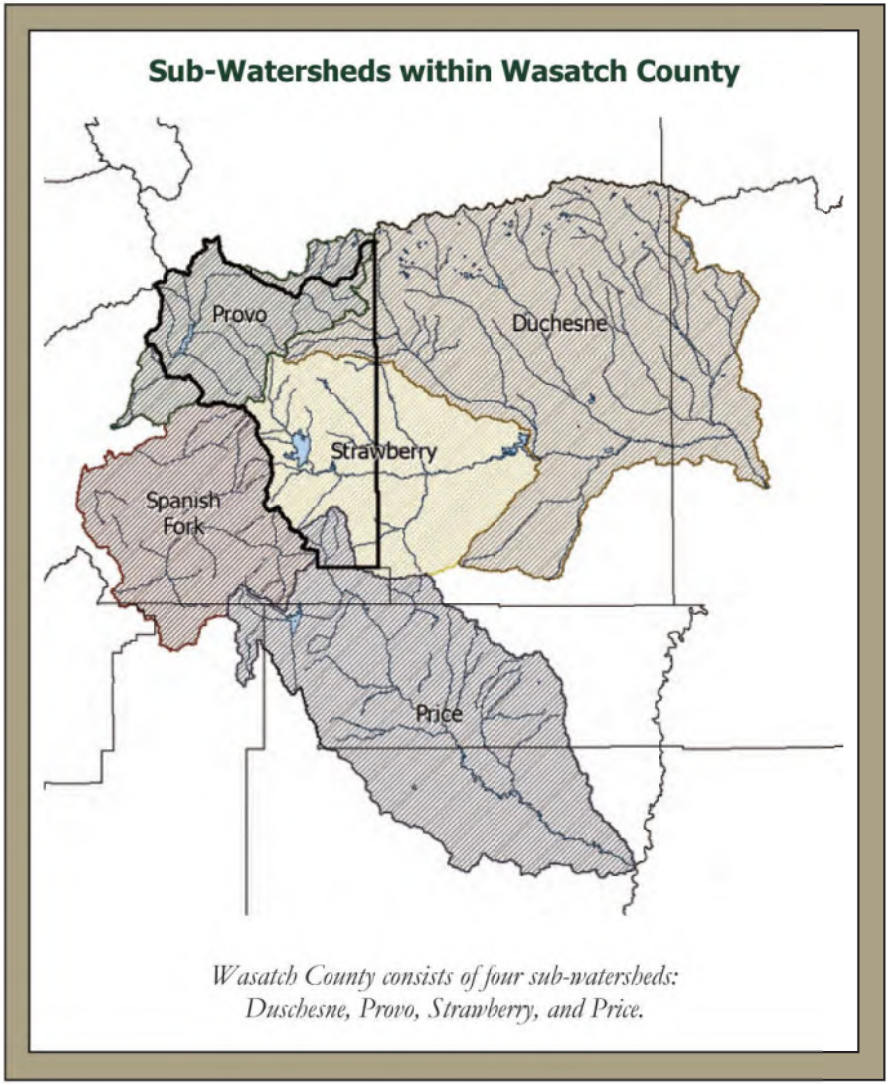
Deer Creek Reservoir.
Photo courtesy Dave Wham.

Mill Hollow Reservoir is a small artificial stabilized lake (315 acre-feet) maintained by the Division of Wildlife Resources to provide angling opportunities. Water is used for recreation and aquatic habitat and is never drained for agricultural use.[4]

The Provo River flows approximately 70 miles and is a source of irrigation water for agricultural purposes. In the Heber Valley there are fourteen irrigation companies that have water rights to the Provo River.[9]

Wasatch county is divided into two main watersheds—the Colorado and the Great Basin drainage systems. Because of its annual precipitation and its location between the Uinta and Wasatch mountains, Heber Valley is well endowed with water. Flowing from the East are Daniels, Lake Fork, and Center creeks. From the north and northeast is the Provo River. From the west Snake Creek drains a central portion of the Wasatch Mountains. Two additional sources of water are man-made—the Ontario Drain Tunnel west of Keetley drains many of the Park City mines and the Weber/ Provo diversion canal diverts water from the Weber across the Kamas prairie in Summit to the Provo River in Wasatch County.[15]

As depicted in the map to the right, sub-watersheds include the Provo, Duchesne, and Strawberry. A small portion of the Price River watershed is located in the southern tip of the county. The Spanish Fork watershed borders on the west.



Wasatch County consists of four sub-watersheds: Duschesne, Provo, Strawberry, and Price.

4 Utah DEQ, DWQ, Watersheds, Lakes and Reservoirs.
9 Deer Creek TMDL
16 Pioneer, Utah's Online Library

Air & Climate

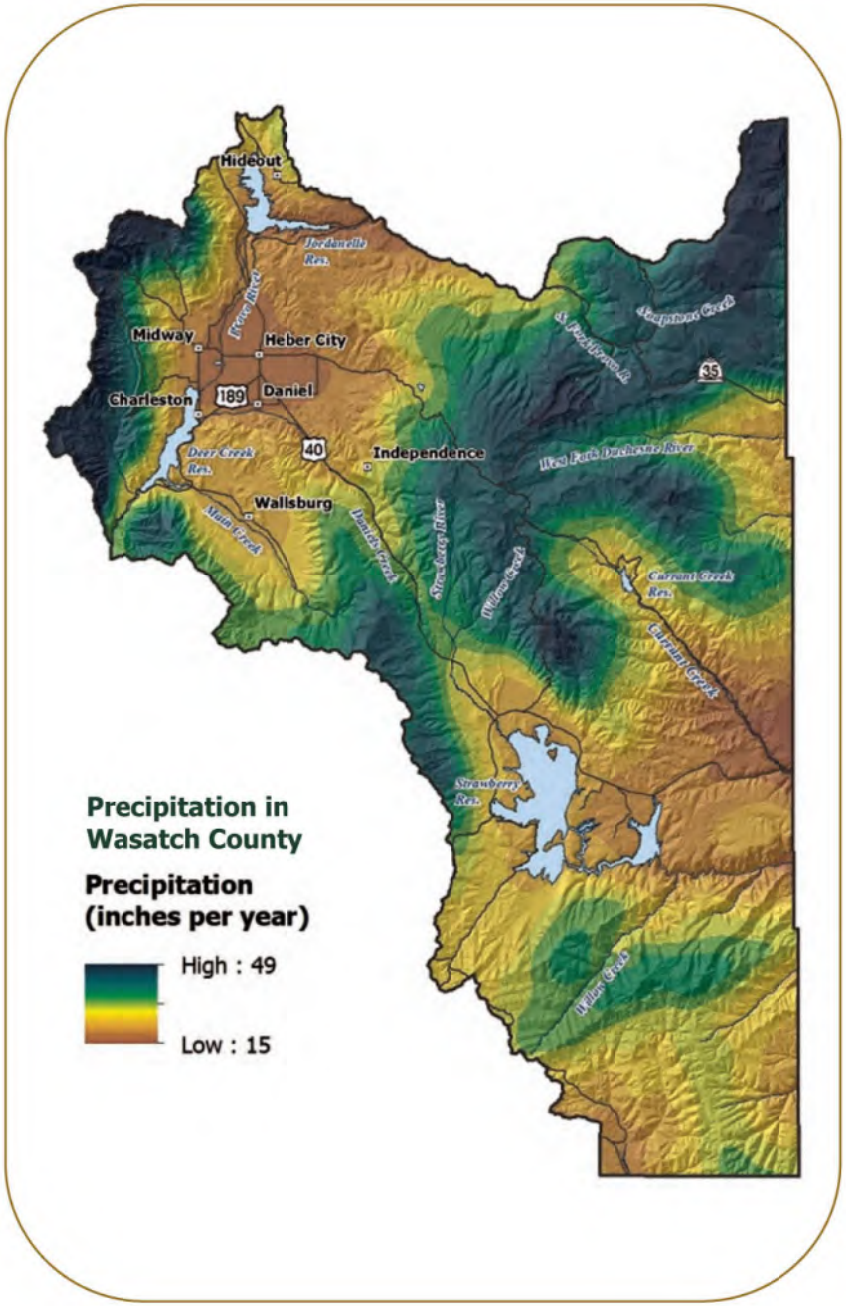
Air Quality

Identified by the Clean Air Act, six common air pollutants are found across the United States that can create health hazards, harm the environment, or cause damage to property. These six common air pollutants include carbon monoxide, lead, nitrogen dioxide, particulate matter (PM10 and PM2.5), ozone, and sulfur oxides.

Wasatch County is classified by the United States Environmental Protection Agency (EPA) as an attainment area for air quality. This means that the county's air meets the National Ambient Air Quality Standards (NAAQS) set forth by the EPA. Areas that do not meet the NAAQS are classified as nonattainment areas and are then required to develop and implement comprehensive state plans to reduce pollutant levels. The State of Utah currently has 24 air monitoring stations located across the Wasatch Front and in southwestern Utah.[17]

Climate

The Heber Valley area, consisting of mountain valley and the surrounding higher areas of mountains, has a very wide variation in climate. The floor of the valley averages just over a mile above sea level; however, some fifteen miles to the west, the Wasatch Mountains tower more than a mile higher. The valley has two main drainage ways and several minor ones, but the only outlet is through the relatively narrow Provo Canyon. The remainder of the area is composed of the encircling mountains, which have fairly steep slopes.[8]



17 Division of Air Quality Annual Report
8 Soil Survey Heber Valley Area, Parts of Wasatch and Utah Counties

The climate of this area is continental. It features low humidity, abundant sunshine all year except in winter and early in spring, relatively light precipitation, and wide ranges in annual temperature. The topographic features result in the formation of a pronounced temperature inversion during most seasons of the year, because the cold air flows down the mountain slopes and collects on the floor of the valley below. This inversion causes the average temperature on the slopes 1,000 to 1,500 feet above the valley floor to be several degrees higher than temperatures either above or below this level. The growing season on the valley floor is very short, generally between June 19th and September 4th.

Summer temperatures are cool and pleasant. A maximum temperature of 100°F is recorded during only about one out of ten years. During the warmest month (July), maximum temperatures are generally in the middle eighties and the minimum in the middle forties.

Winter temperatures are very cold. The January average minimum on the valley floor is only 6°F and the maximum is in the middle thirties. The bulk of the precipitation is received from October to May, when low-pressure fifteen from the Pacific Ocean frequent the region. Amounts range from as low as fiteen inches a year near the valley floor to between 25 and 36 inches on some of the higher mountain slopes. On an average, the heaviest amounts occur during December and January, but there is a secondary maximum in August when summer thunderstorms occur. Nearly half the annual precipitation falls as snow in the lower valley, and the percentage increases as the elevation increases.

Winds in the valley are generally light to moderate during all seasons of the year, but they become quite strong at higher elevations during winter storms. In the lower valley, the strong winds that occur are generally associated with local thunderstorm activity.[8]

NRCS Snow Survey and SCAN Programs

The SNOTEL site at Strawberry Divide in Wasatch County.

The Natural Resources Conservation Service (NRCS) Snow Survey Program generates water supply forecasts and provides near real-time climatic data from high elevation, snow-fall driven environments in the western United States. Timing and amount of snowpack, along with temperature fluctuations throughout the spring and summer months, impact the amount of water available for irrigation during the growing season. The NRCS Snow Survey provides valuable data that is used to help manage water resources in order to maximize available water.

In Wasatch County, NRCS operates five SNOTEL (SNOwpack TELemetry) sites monitoring snowpack conditions: Beaver Divide (8,280 ft), Currant Creek (8,000 ft), Daniels-strawberry (8,123 ft), Hobble Creek (7,399 ft), and Strawberry Divide (8,123 ft). SNOTEL sites are highly important to the watersheds and water outlook in Wasatch County. Additional climatic data is available at http://www.ut.nrcs.usda.gov/snow/.

The NRCS Soil Climate Analysis Network (SCAN) is a nationwide climate network that provides near real-time soil moisture and temperature data coupled with additional climate information for use in natural resource planning, drought assessment, water resource management, and resource inventory. The stations are remotely located and collect hourly atmospheric and soils data from spatially representative soils and landscapes. Sites are located in agriculturally important areas that best represent current irrigated and non-irrigated practices. For access to data from other nearby sites, visit http://www.wcc.nrcs.usda.gov/scan/Utah/utah.html.

8 Soil Survey Heber Valley Area, Parts of Wasatch and Utah Counties

PLANTS

Crops and Pasture

There are approximately 17,000 acres of irrigated land in Wasatch County. The primary irrigated crops are oats for grain and hay for forage. Wasatch County had roughly 6,800 acres in alfalfa production in 2009 and 6,200 acres in 2010. The remaining irrigated land is used as pasture consisting mainly of native, introduced, and improved grasses.[18]

Rangeland

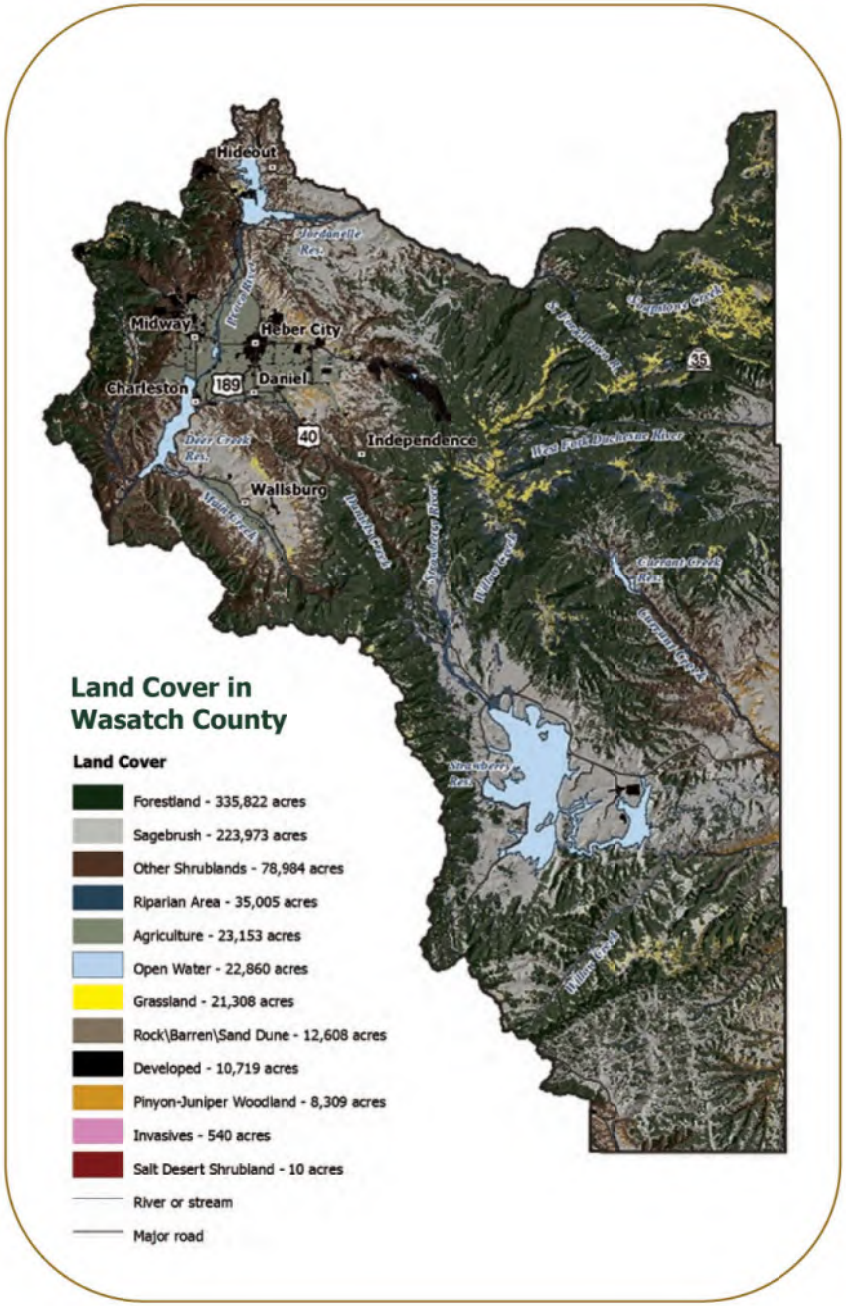
Wasatch County lies within the E47A, Wasatch Mountains North Major Land Resource Area (MLRA). Approximately 90 ecological range sites are found in the county and four major zones: the lowland sub-irrigated zone, upland zone, mountain zone, and high mountain zone.

Plants present in the lowland sub-irrigated zone may include: tufted hairgrass, Nebraska sedge, alpine timothy, meadow plantain, white march marigold, bittercress, cottonwood, Geyer willow, and Woods rose. These sites have the potential to produce approximately 6,400 lbs. of herbage per acre in favorable years.

The upland zone may include: bluebunch wheatgrass, needleandthread grass, Indian ricegrass, Great Basin wildrye, western aster, longleaf hawksbeard, common yarrow, arrowleaf balsamroot, Wyoming and basin big sagebrush, bitterbrush, and winterfat. This zone has a potential to produce 1,600-2,000 lbs. of herbage per acre in favorable years.

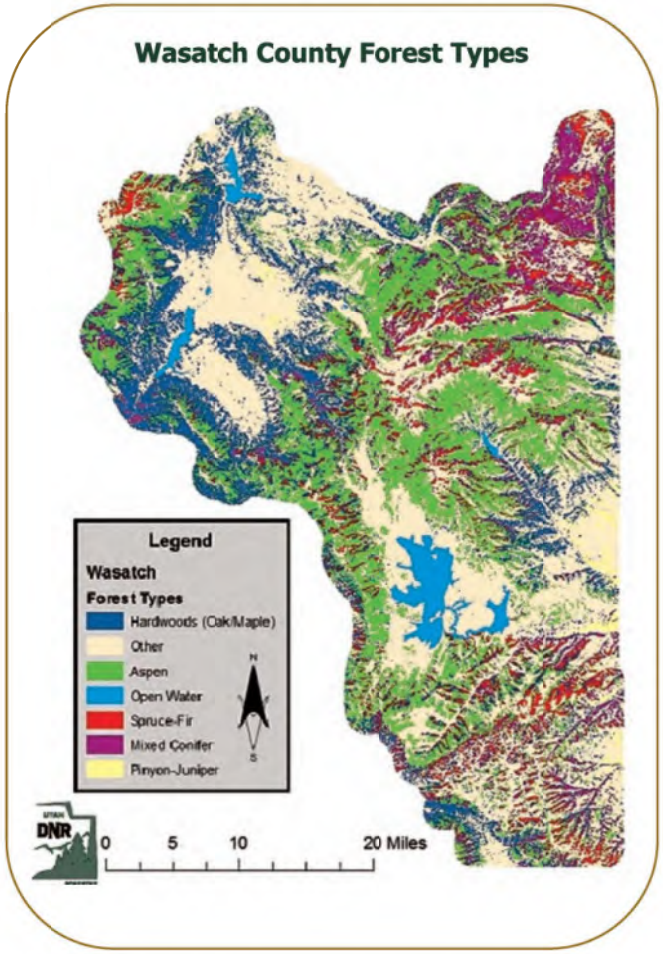
Plants present in the mountain zone may include: bluebunch wheatgrass, muttongrass, Indian ricegrass, king spike fescue, common yarrow, arrowleaf balsamroot, small leaf pussytoes, black sage, mountain big sage, curlleaf mountain mahogany, and serviceberry. This zone has the potential to produce 2,400-2,500 lbs. of herbage per acre per year.

Plants in the high mountain zone may include: slender wheatgrass, mountain brome, sheep fescue, nodding brome, cutleaf balsamroot, larkspur, phlox, bitterbrush, and silver sagebrush. This zone has the potential to produce 1,700-1,800 lbs. per acre in favorable years.[19]



18 Utah Agricultural Statistics
19 Ecological Site Descriptions

Production varies from zone to zone depending on moisture, soils, climate, and elevation. The growing season varies from 50 to180 days, depending on ecological site and elevation. Elevation in Wasatch County varies from 5,600 feet to over 10,000 feet. The majority of grazing land is controlled by federal (USFS) and state governments (DWR and SITLA) and comprises a total of 443,483 acres. Private rangeland is made up of about 51,046 acres.[20] Production is excellent on most ecological sites in favorable years and plays a vital role in helping to maintain and support the ranching industry. Cattle and sheep are the dominant grazers with horses and goats playing a lesser role in rangeland utilization. Wildlife populations depend heavily on native rangelands and utilize all major ecological range sites in Wasatch County for forage, nesting, escape cover, parturition cover, and summer and winter range. Like anywhere, invasive weeds can be a problem on range sites that may get abused by domestic grazing animals. It will be a priority of the district to continue working with livestock producers to carry out responsible range management.[20]



Forestland and Woodland

Tree species that are found above the cities are: Gambel oak, bigtooth maple, boxelder, cottonwood, mahogany, juniper, lodgepole, ponderosa, Douglas fir, aspen, white-fir, spruce (blue and Englemann), sub-alpine fir, and limber pine.

It is difficult to put a value on forested land. However, the only timber in the county that holds commercial value are conifers (Douglas fir, spruce, and, to some extent, white and sub-alpine firs). With the current spruce beetle attacks, the value of spruce is diminishing each year the trees stands die. Other than these species, there's virtually no value in any tree species at this point in time.[21]

Ute ladies'-tresses *(Spiranthes diluvialis)*

Status: Threatened

Ute ladies'-tresses is a perennial herb with erect, glandular-pubescent stems 12-60 cm tall, arising from tuberous-thickened roots. Basal leaves are narrowly linear, up to 1 cm wide and 28 cm long, and persist at the time of flowering. Leaves become progressively smaller up the stem and are alternate. The inflorescence is a sparsely pubescent 3-15 cm long spike of numerous small white or ivory-colored flowers arranged in a gradual spiral. Individual flowers are 7.5-15 mm long and faintly fragrant (with a vanilla-like scent). The lip petal is oval to lance-shaped, narrowed at the middle, and has crispy-wavy margins. Sepals are separate or fused only at the base (not fused into a hood-like structure) and are often spreading at their tips. Fruits are cylindric capsules with numerous seeds.[22]

1 US Census Bureau
20 Wallsburg Coordinated Resource Management Plan
21 PJ Abraham, DFFSL
22 United States Fish and Wildlife Service

ANIMALS

Livestock

Most cattle operations in the county are cow-calf operations where calves are marketed and sold in the fall. The sheep industry is also found in the county. In 2007, cattle and sheep production in Wasatch County averaged around 11,000 and 10,000, respectively.[23] The mountains and lower elevations of the valley floors provide significant summer and winter range for the beef cattle and sheep industries.

Aquatic life

Because Strawberry, Deer Creek, and Jordanelle reservoirs are higher in elevation, they offer an abundant population of cold water sport fish. All three reservoirs contain numerous trout species, including rainbow trout, cutthroat trout, brown trout, and brook trout. Other species of fish include small mouth bass, largemouth bass, yellow perch, chubs, and carp. Walleye were illegally introduced to Deer Creek Reservoir and have become the dominate predator; crawfish were also illegally introduced. Anglers at Mill Hollow Reservoir will occasionally catch albino rainbow trout.[4]

Photo Courtesy: US Fish and Wildlife Service

Wildlife

Mule deer and Rocky Mountain elk inhabit the mountains of Wasatch County during the summer and spend winter in lower elevations. Moose also call Wasatch County home. Several Wildlife Management Areas (WMAs) are located in the county and are managed by the Utah Division of Wildlife Resources, primarily for preserving wildlife habitat and providing sportsmen access for hunting and fishing. Black bear, mountain lion, bobcat, badger, mink, skunks, beaver, muskrat, raccoon, red fox, and coyote are found in Wasatch County, along with many other smaller mammal species. River otter can be observed in the Provo River above and below Jordanelle Reservoir.

Many bird species can be observed in Wasatch County, including raptors, waterfowl, wading birds, and migratory birds. The number and variety of birds in Wasatch County is so diverse that two birding organizations have identified the Heber Valley/Provo River corridor and Strawberry Valley as *Important Bird Areas* and *Utah Bird Habitat Conservation Areas,* for their respective organizations. Bald eagles can be observed during the winter in Wasatch County. The large expanses of sage brush communities in several areas of the county provide habitat for greater sage-grouse.[24]

Photo Courtesy: Jane Giles

23 National Agriculture Statistics Service
4 Utah DEQ: DWQ: Watersheds: Lakes and Reservoirs
24 Doug Sakaguchi, Wildlife Biologist, DWR

Utah Sensitive Species

The purpose the Utah Sensitive Species list is to identify those species in the state that are the most vulnerable to population or habitat loss. This list provides land managers, wildlife managers, and concerned citizens with a brief overview of the conservation status of listed species. The list is intended to stimulate management actions, e.g., development and implementation of a conservation strategy, for listed species. By developing and implementing timely and sufficient conservation measures for sensitive species, federal listing of these species under the Endangered Species Act (ESA) may be precluded.[25]

Threatened and Endangered Species

The purpose of the ESA is to protect and recover imperiled species and the ecosystems upon which they depend. It is administered by the U.S. Fish and Wildlife Service and the Commerce Department's National Marine Fisheries Service (NMFS). Under the ESA, species may be listed as either endangered or threatened. "Endangered" means a species is in danger of extinction throughout all or a significant portion of its range. "Threatened" means a species is likely to become endangered within the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened.[26]

Wasatch County's Federally Listed Threatened (T), Endangered (E), and Candidate (C) Species

Common Name	Status
Greater Sage-Grouse	C
Yellow-Billed Cuckoo	C
Brown (Grizzly) Bear	T Extirpated
Canada Lynx	T

Utah Division of Wildlife Resources, *County Lists of Utah's Federally Listed Threatened(T), Endangered(E), and Candidate(C) Species.* March 29, 2011. http://dwrcdc.nr.utah.gov/ucdc/ViewReports/te_cnty.pdf

The Canada lynx is on the threatened species list.

Utah Sensitive Species

Included on Utah's State Listed Conservation Species Agreement with the U.S. Fish and Wildlife Service and Species of Concern in Wasatch County:

- Bald Eagle
- Black Swift
- Bluehead Sucker
- Bobolink
- Bonneville Cutthroat Trout
- Brown (Grizzly) Bear
- Canada Lynx
- Colorado River Cutthroat Trout
- Columbia Spotted Frog
- Ferruginous Hawk
- Fringed Myotis
- Greater Sage-Grouse
- Lewis's Woodpecker
- Long-Billed Curlew
- Northern Goshawk
- Roundtail Chub
- Short-Eared Owl
- Smooth Greensnake
- Southern Leatherside Chub
- Three-Toed Woodpecker
- Townsend's Big-Eared Bat
- Western Toad
- Yellow-Billed Cuckoo

This list was compiled using known species observations from the Utah Natural Heritage Program within the last 20 years. A comprehensive species list, which is updated quarterly, can be obtained from the Utah Division of Wildlife Resources website at: dwrcdc.nr.utah.gov/ucdc/.

25 Utah Division of Wildlife Resources
26 US Fish and Wildlife Service

HUMANS: Social and Economic Considerations

Population

From 1980 to 2011, Wasatch County's population has increased at an average rate of 3.6 percent per year. The highest population increase rate was 8.1 percent in 1980. The total population of Wasatch County in 2011 was 24,456. While natural increase is a factor in the county's population growth, two-thirds is from net in-migration.[27] As of 2010, populations of Wasatch County cities and towns were:

Charleston	415
Daniel	938
Heber	11,362
Hideout	656
Independence	164
Midway	3,845
Wallsburg	250

Demographics

In 2011, the county's racial makeup was 82.8 percent White, 13.5 percent Hispanic or Latino, 0.9 percent Asian, 0.8 percent American Indian, 0.5 percent Black, and 0.2 percent Hawaiian or Pacific Islander. In the same year, persons under the age of 18 represented 33.5 percent and persons 65 years and older represented 8.8 percent of the population. Seven percent of the county's population were below the poverty level, which is 4.4 percent lower than the state average of 11.4 percent mean from 2007 to 2011. High school graduates in the county made up 91.1 percent of the population, while 30.5 percent of the county reports having a bachelors degree or higher.[1]

Wasatch County Fair Days Carnival. Photo courtesy Ivan Spencer.

Wasatch County Population Data

Area Name	Wasatch
Period Year	2011
Population	24,456
Births	372
Deaths	121
Natural Increase	251
Net Migration	523
Annual Change	774
Annual Rate of Change	3.3%

Source: Utah Population Estimates Committee
http://www.governor.state.ut.us/dea/UPEC.html

27 Utah Population Estimates Committee
1 US Census Bureau

Economy

The top five nonfarm employers are the Wasatch School District, Wasatch County, Homestead/Zermatt Resort, the State of Utah and RMD Management. Federal, state, and local government jobs are the most prevalent in the county, followed by leisure/hospitality, trade/transportation/utilities, construction, and health/social services.[28] Agriculture is a significant portion of the labor force in Wasatch County, accounting for the jobs of nearly half the labor force. According to the USDA 2007 census of agriculture in Wasatch County, the mainstays of the agricultural community are beef cow, sheep, and hog production and oats for grain and hay for forage.[23]

Recreation

Wasatch County offers year-round outdoor recreation. In summer, temperatures are usually cool and pleasant. In winter, abundant snowfall and access to numerous ski resorts makes it a paradise for winter recreation. The Provo River is a premier blue ribbon trout fishery, with brown and rainbow trout reaching record lengths. Deer Creek, Strawberry, and Jordanelle reservoirs offer additional fishing sites, as well as water skiing, boating, and opportunities for other water sports. Heber City and Midway offer various 18-hole golf courses, spas, resorts and dining options. Swiss Days is held annually in Midway and attracts tens of thousands of visitors.

One of the most popular attractions in Heber Valley is the historic Heber Valley Railroad. The sixteen miles of track between the valley and Vivian Park in Provo Canyon offers access to some of the most spectacular scenery in the state. From the reservoir, the tracks descend into Provo Canyon, following the twists and turns of the Provo River. Here, wildlife is abundant, featuring bald eagles, deer, and elk. Scenic excursions range from one and a half hours round-trip to three hours round-trip. Seasonal activity rides are also available.

The Uintas includes a high, pristine mountain area in northeastern Utah that is popular for fishing, hiking, backpacking, horse packing, hunting, and other outdoor activities. Much of the area is designated as a roadless wilderness where vehicles are prohibited. A few roads, and a handful of rugged 4X4 tracks, provide access to areas outside the wilderness and to trailheads. Developed campgrounds are located wherever roads extend into the forest. Camping is also allowed in undeveloped areas.[29]

Wasatch County Fair Days Talent Find. Photo courtesy Ivan Spencer.

Sunset barbeque. Photo courtesy Heber Valley Railroad.

28 Heber Valley Economic Development
23 USDA, National Agriculture Statistics Service
29 Utah.com

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Hydrography: A subset of the National Hydrography Dataset (NHD). The National Hydrography Dataset (NHD) is a comprehensive set of digital spatial data that contains information about naturally occurring and constructed bodies of water, paths through which water flows, and related entities. The NHD was developed by U.S. Geological Survey (USGS) in cooperation with U.S. Environmental Protection Agency, USDA Forest Service, and other Federal, State, and local partners. Available for download from the Utah Automated Geographic Reference Center at: http://gis.utah.gov/sgid-vector-download/utah-sgid-vector-gis-data-layer-download-index?fc=StreamsNHDHighRes

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SSURGO Soil Surveys are available for download from the NRCS Soil Data Mart: http://soildatamart.nrcs.usda.gov/

Soils Detail Data: Detailed soil properties derived from the following SSURGO soil surveys: UT613 –Summit Area, Utah, Parts of Summit, Salt Lake and Wasatch Counties and UT622 - Heber Valley Area, Utah - Parts of Wasatch and Utah Counties using Soil Data Viewer, a tool created by USDA Natural Resources Conservation Service as an extension to ArcMap that allows users to create soil-based thematic maps. SSURGO depicts information about the kinds and distribution of soils on the landscape. The soil map and data used in the SSURGO product were prepared by soil scientists as part of the National Cooperative Soil Survey. SSURGO Soil Surveys are available for download from the NRCS Soil Data Mart: http://soildatamart.nrcs.usda.gov/

General Soils: General soil properties derived from the STATSGO soil survey. STATSGO depicts information about soil features on or near the surface of the Earth. These data are collected as part of the National Cooperative Soil Survey. STATSGO is designed primarily for regional, multi-county, riverbasin, state, and multi-state regional planning, management, and monitoring. The STATSGO Soil Survey is available for download from the NRCS Soil Data Mart: http://soildatamart.nrcs.usda.gov/USDGSM.aspx

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Precipitation: Produced by U.S. Department of Agriculture Natural Resources Conservation Service – National Cartography and Geospatial Center. This vector data set provides derived average annual precipitation according to a model using point precipitation and elevation data for the 30-year period of 1971 – 2000.

Assessment Units (Impaired Waters): Produced by Utah Division of Water Quality, January 2010. This dataset represents water quality assessment units for the State of Utah, and shows the 2006 assessment category for meeting State of Utah water quality standards. Available for download from the Utah Automated Geographic Reference Center at: http://gis.utah.gov/sgid-vector-download/utah-sgid-vector-gis-data-layer-download-index?fc=DWQAssessmentUnits

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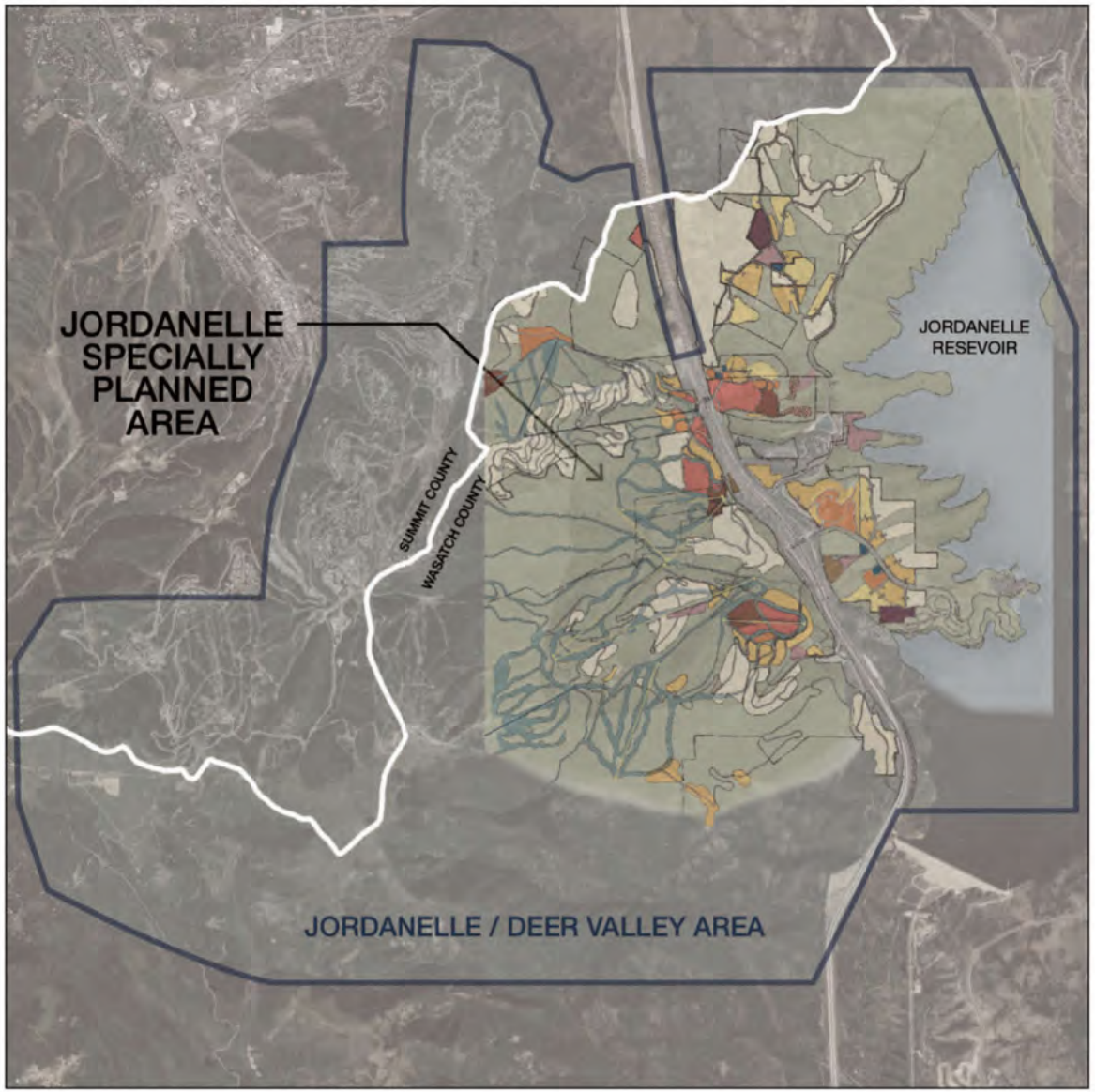
27. Utah Population Estimates Committee http://www.governor.state.ut.us/dea/popestimates.html Population Estimates, The State of Utah and Counties.
28. Heber Valley Economic Development http://www.hebervalleybusiness.com/Economic-Data Retrieved from Wasatch Population and Workforce largest employers.
29. Utah.com http://www.utah.com/heber/ Top ten things around Heber.

JORDANELLE SPECIALLY PLANNED AREA OVERLAY ZONE
PLAN BOOK

JORDANELLE SPECIALLY PLANNED AREA
OVERLAY ZONE



DEER VALLEY / JORDANELLE AREA

The Jordanelle Basin is an important area in northwest Wasatch County, and is the primary gateway to Wasatch County from Park City and Salt Lake City. This area is situated between two incredible assets: Deer Valley Resort and the Jordanelle Reservoir, which offers the possibility of creating a true four seasons resort community based in outdoor recreation. Wasatch County has realized the importance of planning this area so that it can one day be a village (or series of villages) worthy of its stunning location.

VISION & PURPOSE

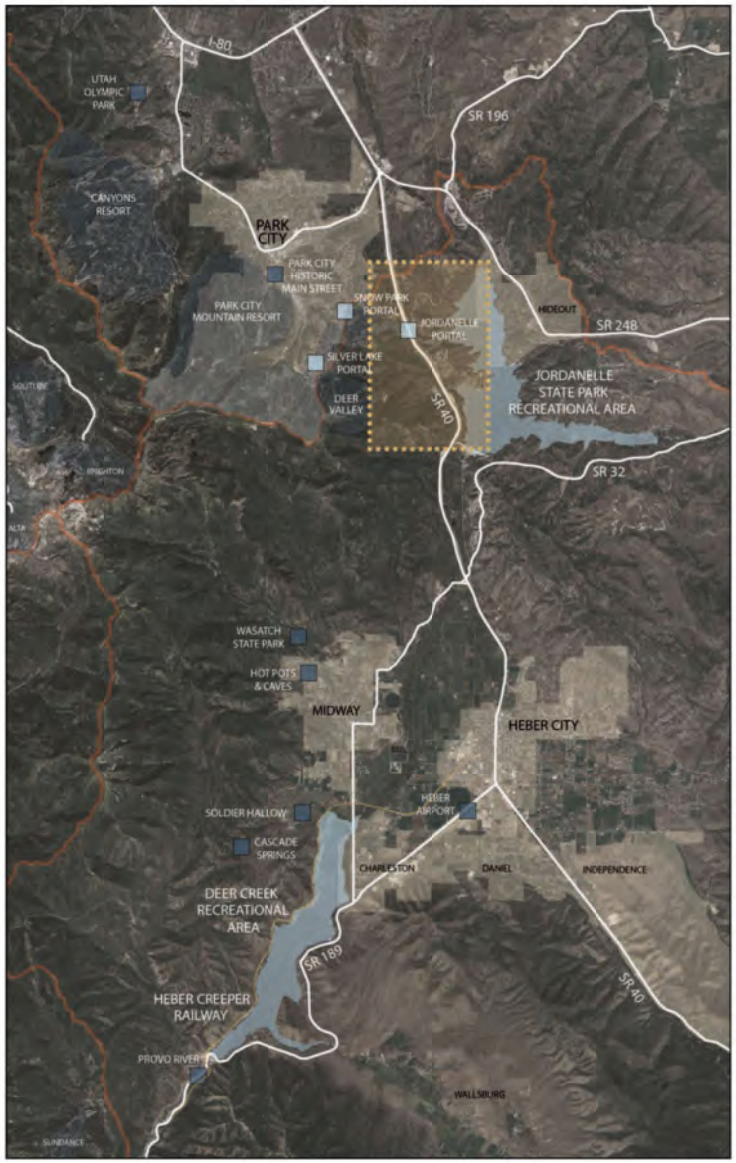
1. To Create a Globally Recognized "Year Round" Resort
2. To Preserve the Beauty of and Environmental Integrity of the JSPA
3. To Support and Expand the Deer Valley ski system
4. To Provide Amenities Supporting the Year Round Activities

PLANNING HISTORY - 2002 "RSPA"

In 2002, Wasatch County adopted the Resort Specially Planned Area (RSPA) code as a means to encourage resort development on the westside of Jordanelle Reservoir and adjacent to Deer Valley Resort. The RSPA utilized an extensive public outreach process for input from land owners and citizens to address development potential in the area.

JORDANELLE SPECIALLY PLANNED AREA

The Jordanelle Specially Planned Area replaces the RSPA and the JBOZ as the land-use regulations for the area to further encourage high-quality resort development in the area through new financing tools, as provided by Military Installation Development Authority (MIDA).



VICINITY MAP

A STORY NO PLACE ELSE CAN TELL

The Jordanelle/Deer Valley area presents a unique, year-round resort opportunity. It is surrounded by abundant recreation opportunities, from world-class skiing on one side, to an incredible reservoir on the other, and a planned trail system to connect everything. The larger region, from Park City to the Heber Valley, contains numerous natural wonders and recreation opportunities, including fly fishing, water skiing, mountain biking, and golfing, that combine to make this location a true destination, and an ideal location for a four seasons resort.

Utah Olympic Park. This winter sports park was built for the 2002 Olympics, including facilities for ski jumping, luge, bobsled, skeleton, and nordic combined events. This facility is still used today for Olympic athlete training.

Canyons Resort. This four seasons resort has an exciting mix of experiences with19 lifts and 4,000 acres of skiable terrain. It includes a village, lodging, dining, and shopping.

Park City Mountain Resort. This is the original ski mountain in Park City, with19 lifts and 114 runs. It was host to all of the snowboarding events and the giant slalom competition for the 2002 Winter Olympics.

Deer Valley. This elite resort has 24 lifts and 101 runs which are extremely well groomed. It was the host for the freestyle aerials, the moguls and slalom events in the 2002 Winter Olympics. It includes the following portals to its ski system: Snowpark Lodge (Deer Valley), Jordanelle Run (Deer Valley), and Silverlake Lodge (Deer Valley).

Jordanelle State Park Recreation Area. This area offers the best in mountain fishing, boating, water skiing, hiking trails, snowshoe trails and a state-of-the-art boat launching facility.

Wasatch State Park. The most beautiful golf course in the Intermountain West is found here, as well as camping areas and an extensive trail system.

Soldier Hollow. This facility is a cross-country ski resort that also features tubing and snowshoeing in the winter. In the summer it becomes a 36 hole golf course and features mountain biking as well. It was the new site for the 2002 Winter Olympics Biatholon, Cross Country, and Nordic Combined events.

Deer Creek Recreation Area. This is one of the best wind sailing and ice fishing areas in the Country.

Provo River. Exceptional tube floating and world class fly fishing take place on this famous river.

Heber Creeper Railway. This historic steam railway runs its scenic route several times a day.

Midway Hot Pots & Caves. Located in Midway, these natural warm springs offer revitalizing effects. You can scuba dive in a lava cave in the middle of the winter without a wetsuit.

Heber City Airport. Accommodates all private aircraft but it best known as the glider center of activity for the entire region.

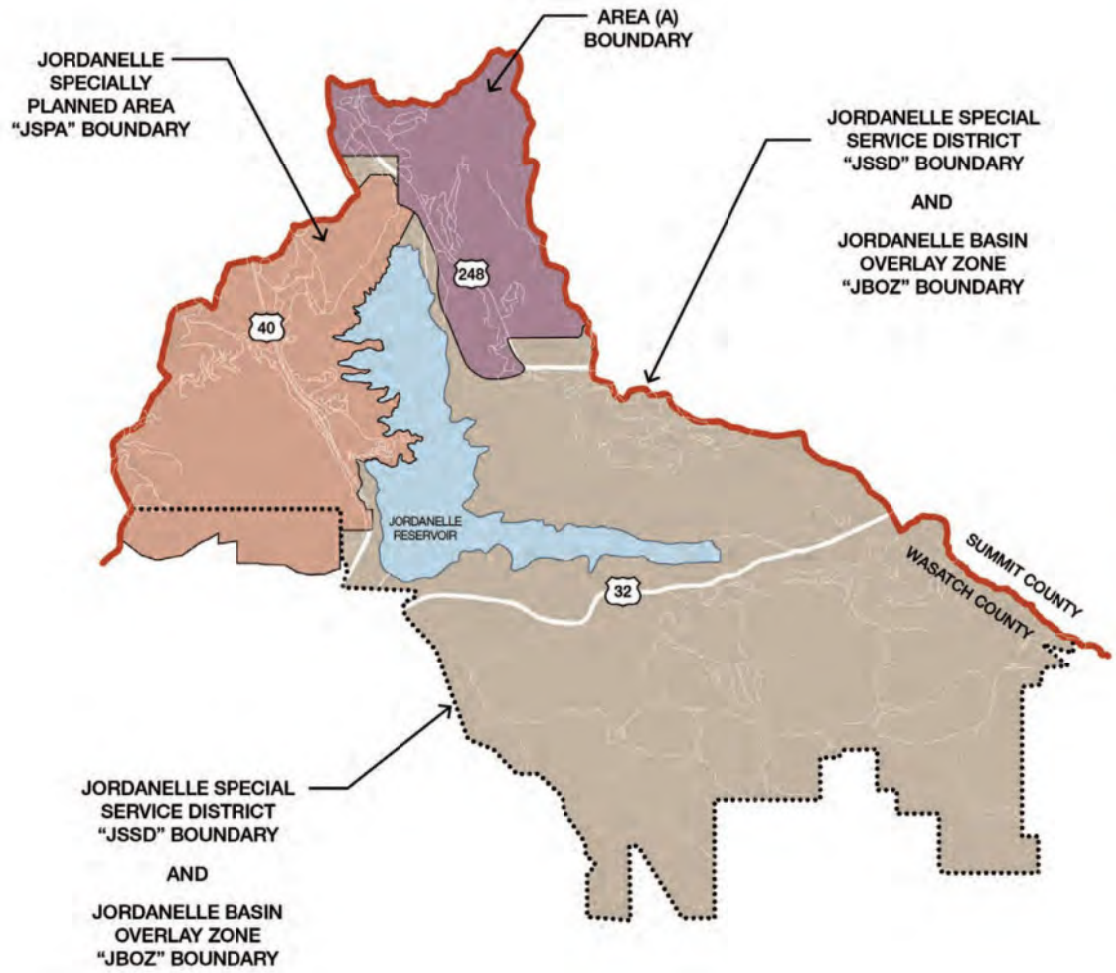
Cascade Springs State Park. Incredibly beautiful multiple natural springs.

Midway City. Multiple hot air balloon launchings occur each day in a setting reminiscent of the alps.

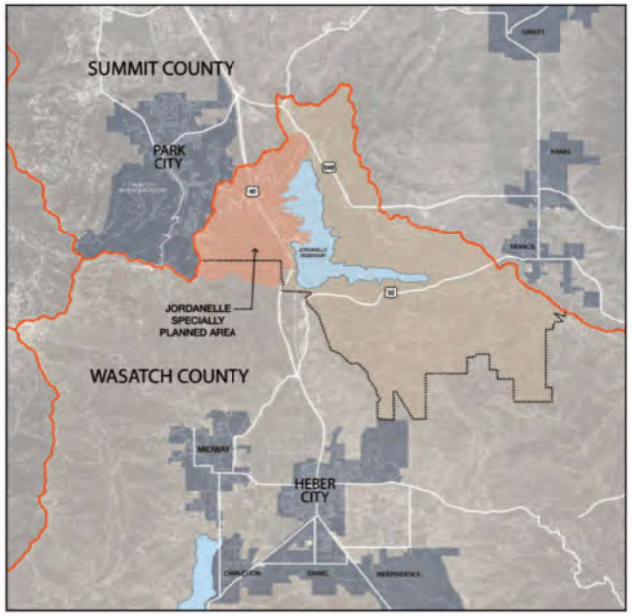
Sundance Resort. Exclusive small ski resort owned by Robert Redford and host (along with Park City) to the Sundance Film Festival.

Historic Park City Main Street. This street is home to world-class shopping and dining, and becomes the heart of the Sundance Film Festival each year.

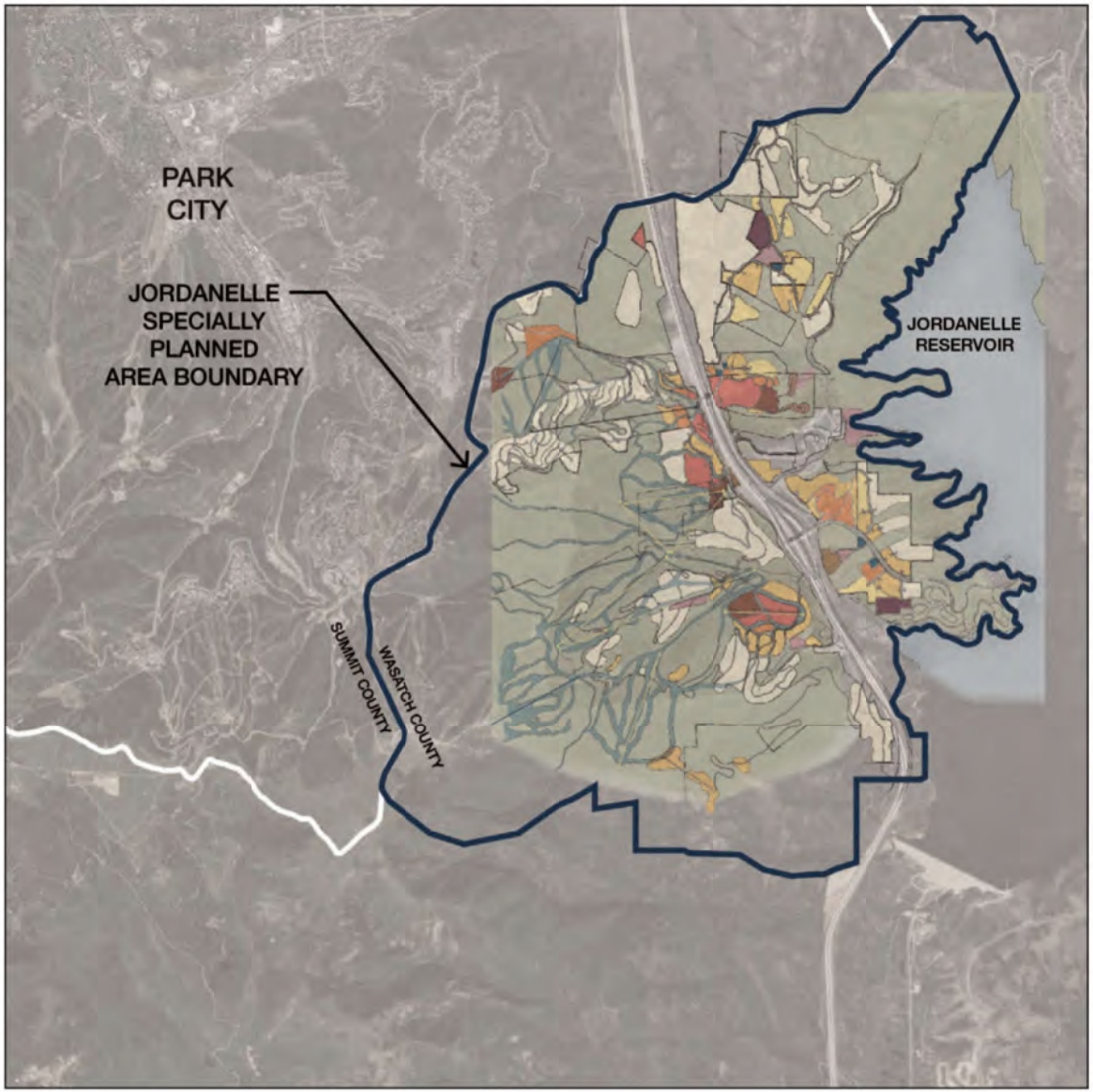
JORDANELLE BASIN PLANNING AREA



CONTEXT WITHIN WASATCH COUNTY



B-3 JORDANELLE BASIN CONTEXT



JORDANELLE SPECIALLY PLANNED AREA ("JSPA")

This map shows the Master Plan Area. It consists of almost 4,700 acres and is bordered on the west side by the mountain and the on the east side by the Jordanelle Reservoir.

The RSPA will serve visitors as a cohesive and well functioning resort community. The Resort will be comprised of several Mid Mountain and Lakeside development areas, including major Villages called Deer Cove Village and Mayflower Village.

Some of the potential features and amenities for this resort community include:

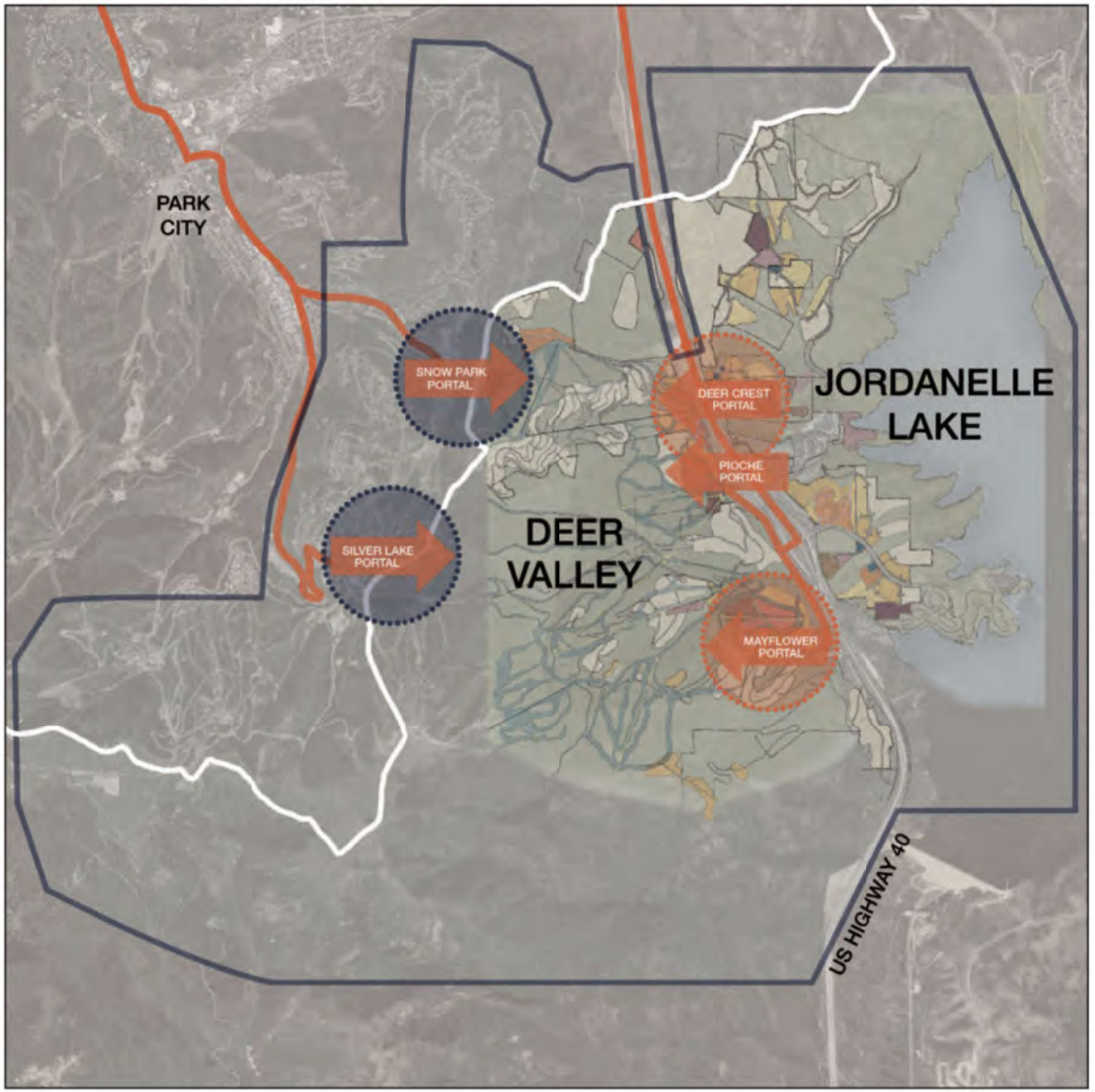
A hotel cluster with meeting and exhibit space.

Upscale hospitality, boutique retail and spa.

A golf course.

A day use beach and dock on the Jordanelle Lake.

A comprehensive trail network that will provide access of both paved family trails and mountain trails, with potential connections from the Jordanelle to Sundance, Park City, Summit County, and Provo Canyon.



LEGEND

- MAJOR DENSITY POD
- FUTURE DENSITY POD
- ROAD CONNECTIONS TO PORTALS
- DEER VALLEY + JORDANELLE AREA

DEER VALLEY SKI PORTALS

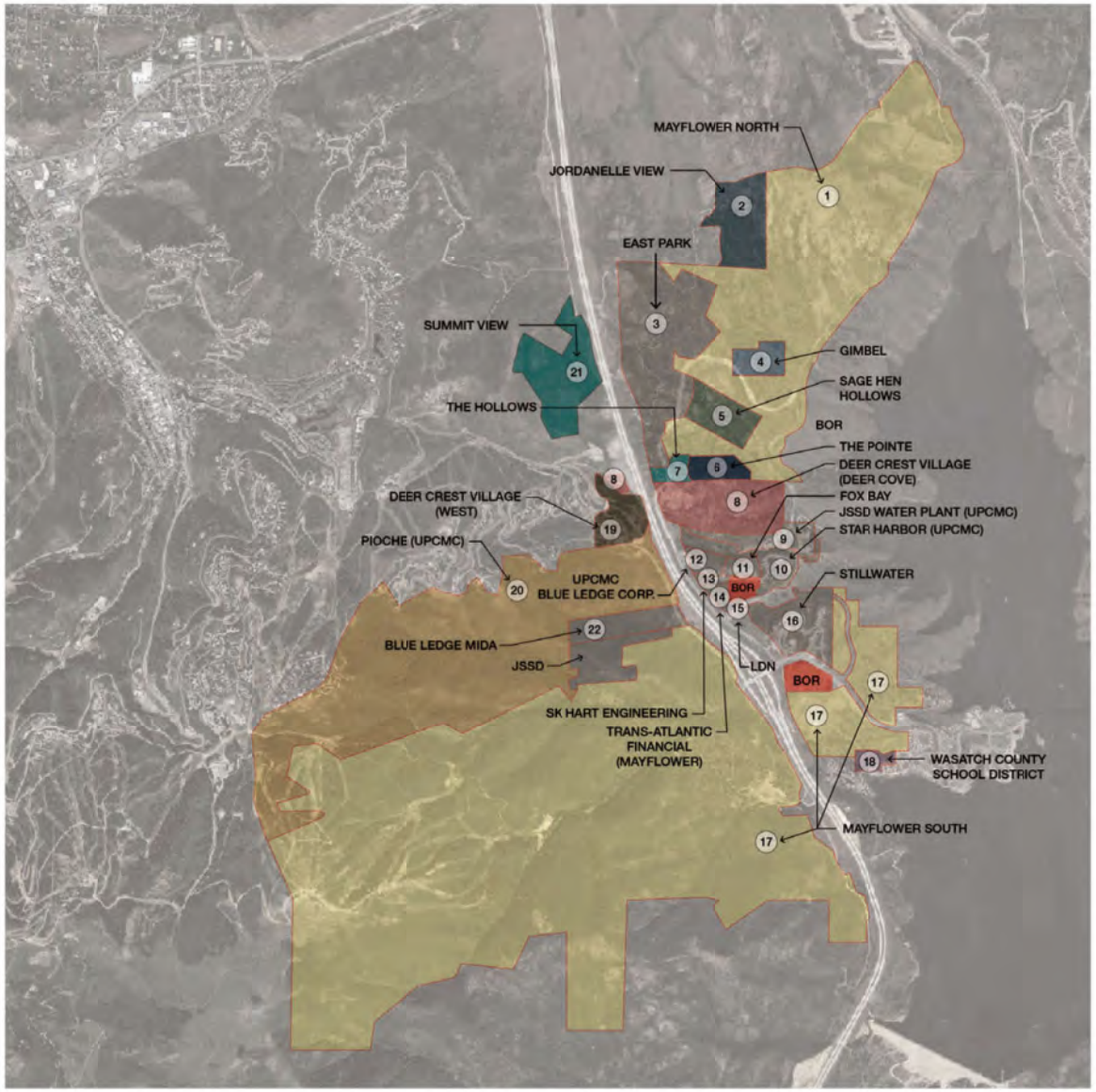
This map shows the existing and proposed portals (entrances) to Deer Valley Resort.

Snow Park Lodge
This is the original entrance to Deer Valley and still draws the largest number of skiers.

Silver Lake Village
Well established density pod with a high number of lifts and users.

Deer Crest Portal
This will become the main portal for the JSPA area, and will potentially become one of the busiest as the JSPA develops.

Mayflower Village
This area will be a significant addition to the Deer Valley system, with the potential to support a approximately 2,000 dwelling units.



#	PROPERTIES	TOTAL ACRES	MAX ERU'S
1	MAYFLOWER NORTH	667	503
2	JORDANELLE VIEW	64	72
3	EAST PARK	188	260
4	GIMBEL	22	55
5	SAGE HEN HOLLOWS	40	60
6	THE POINTE	22	172
7	THE HOLLOWS	11	190
8	DEER COVE	87	865
9	JSSD WATER TREATMENT SITE	31	0
10	STAR HARBOR	36	35
11	FOX BAY	10	66
12	UPCMC BLUE LEDGE CORP.	11	39
13	SK HART ENGINEERING	31	0
14	TRANS-ATLANTIC FINANCIAL (MAYFLOWER)		0
15	LDN		0
16	STILLWATER	60	181
17	MAYFLOWER SOUTH	1,279	1,418
18	SOUTH SCHOOL SITE	10	0
19	DEER CREST (WEST)	35	195
20	PIOCHE	240	432
21	SUMMIT VIEW	155	240
22	BLUE LEDGE MIDA		MIDA

There is no warranty or guarantee as to the accuracy or reliability of any information on these maps. Questions concerning precise ownership and property line locations should be directed to a title company, attorney, or licensed land surveyor.

B-6 OWNERSHIP SUMMARY

TARGET STUDY

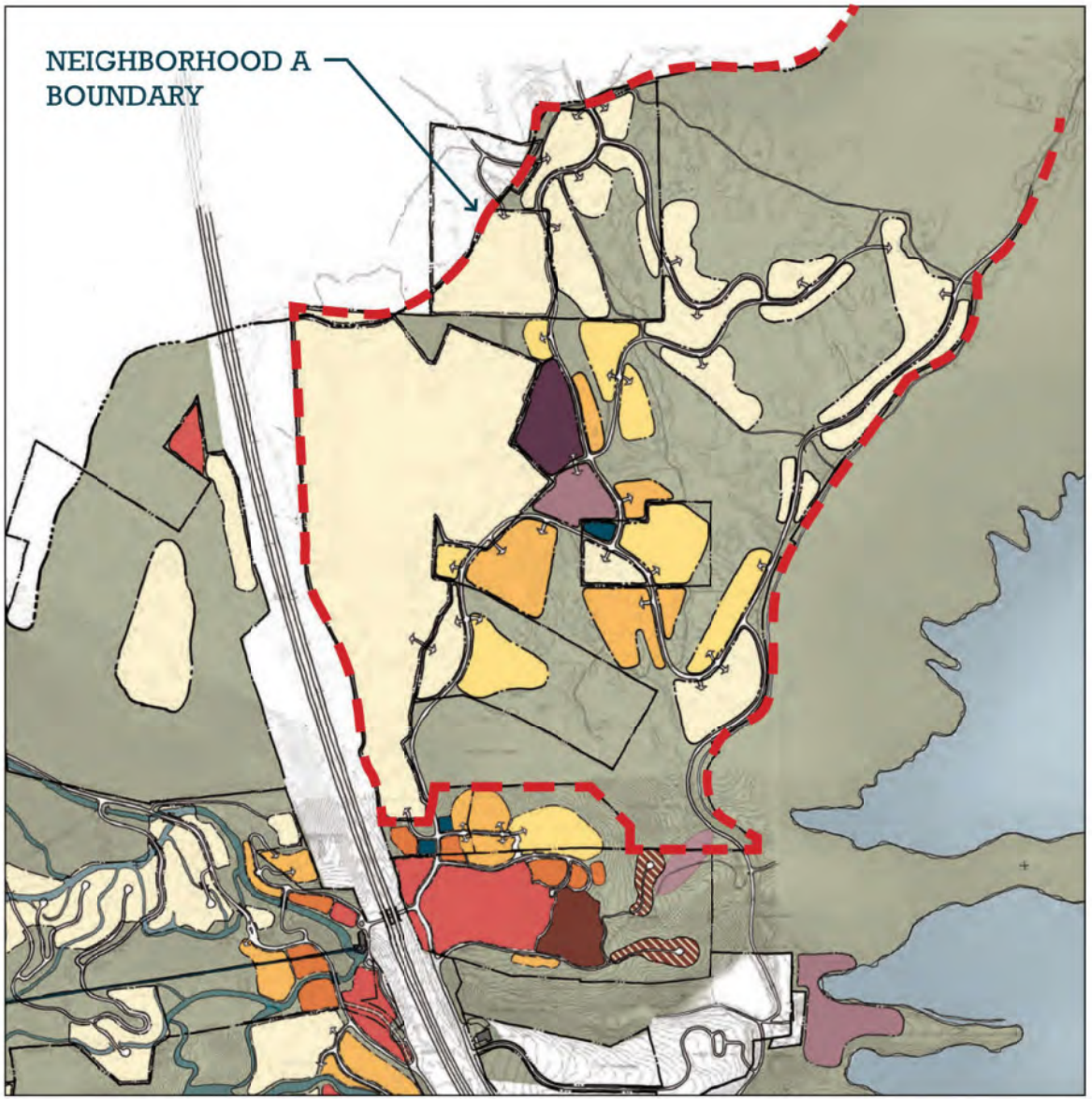
As part of the planning process for the JSPA, A Target Use Study was prepared by qualified land planners to show optimal development densities on the various parcels comprising the JSPA. The Zone designations were determined in reliance upon the Target Study, but the Target Study does not create Zones, grant densities or establish any other legal rights. The Target Study for the JSPA is simply provided to show the land use study on which the Zones were based.

MAXIMUM DENSITIES

The maximum densities (ERU's) based on this target study were derived in the 2002 RSPA plan. The ERU numbers used in this JSPA ordinance have been derived in the 2002 RSPA Plan or adopted by ordinance or determination of maximum density and can be found on Page B-11, B-14, and B-17.

JORDANELLE SPECIALLY PLANNED AREA
OVERLAY ZONE

JORDANELLE SPECIALLY PLANNED AREA OVERLAY ZONE



LEGEND

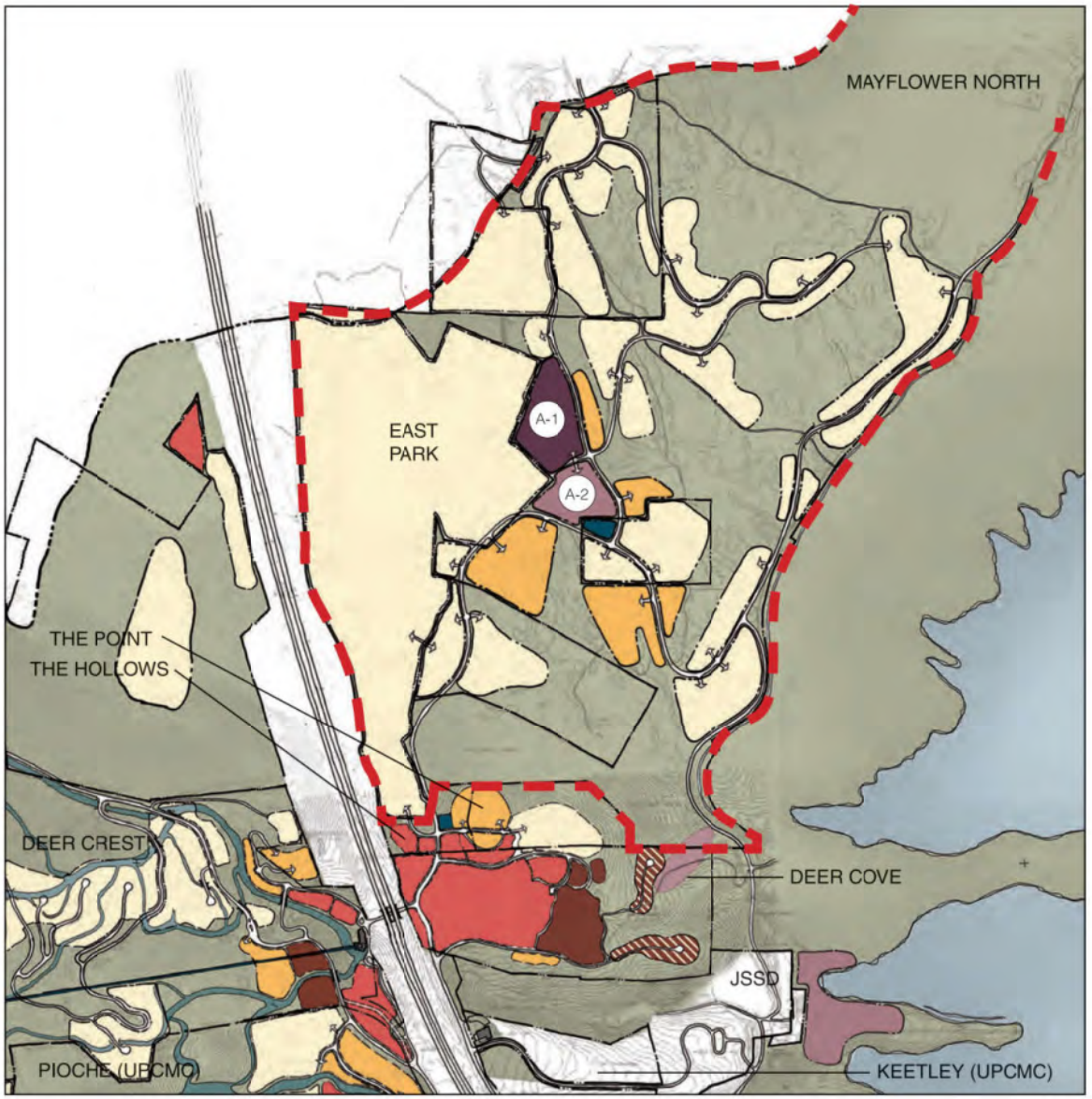
- ESTATE LOTS & LARGE LOTS
- MEDIUM LOTS & SMALL LOTS
- MEDIUM DENSITY
- MEDIUM-HIGH DENSITY
- HIGH DENSITY
- VILLAGE CENTER / HIGH DENSITY / MIXED USE
- HOSPITALITY
- LOW DENSITY RESIDENTIAL / HOSPITALITY
- COMMERCIAL
- COMMON SPACE/ AMENITY
- SCHOOL
- PARKING
- OPEN SPACE

NEIGHBORHOOD A - TARGET STUDY

As part of the planning process for the JSPA, a Target Use Study was prepared for Neighborhood A ("Target Study"). The Target Study was prepared to show optimal development densities on the various parcels comprising the Neighborhood. The Zone designations for each Neighborhood were determined in reliance upon the Target Study, but the Target Study does not create Zones, grant densities or establish any other legal rights. The Target Study for this neighborhood is simply provided to show the detailed land use study on which the Zones were based.

MAXIMUM DENSITIES

Page B-11 shows the maximum densities (ERU's) for each property in Neighborhood A. These ERU numbers were derived in the 2002 RSPA Plan or adopted by ordinance or determination of maximum density.



LAND USE LEGEND

NAME	DESCRIPTION	UNITS/ACRE	MAX. HEIGHT
RSF	RESIDENTIAL SINGLE FAMILY	(6 DU/AC)	2.5 FLOORS
RMD	RESIDENTIAL MEDIUM DENSITY	(6-20 DU/AC)	3.5 FLOORS
HC	RESIDENTIAL SINGLE FAMILY OR HOSPITALITY CASITA	(6 DU/AC) (21-40 DU/AC)	2.5 FLOORS 2 FLOORS
RVMD	RESORT VILLAGE MEDIUM DENSITY	(70 UPA)	4-6 FLOORS
RVHD	RESORT VILLAGE HIGH DENSITY	(80 UPA)	4-8 FLOORS
NC	NEIGHBORHOOD COMMERCIAL	(FSR)	2.5 FLOORS
SCH	SCHOOL	(NA)	NA
CS	COMMON SPACE/AMENITY	(NA)	2.5 FLOORS
OS	OPEN SPACE	(NA)	NA

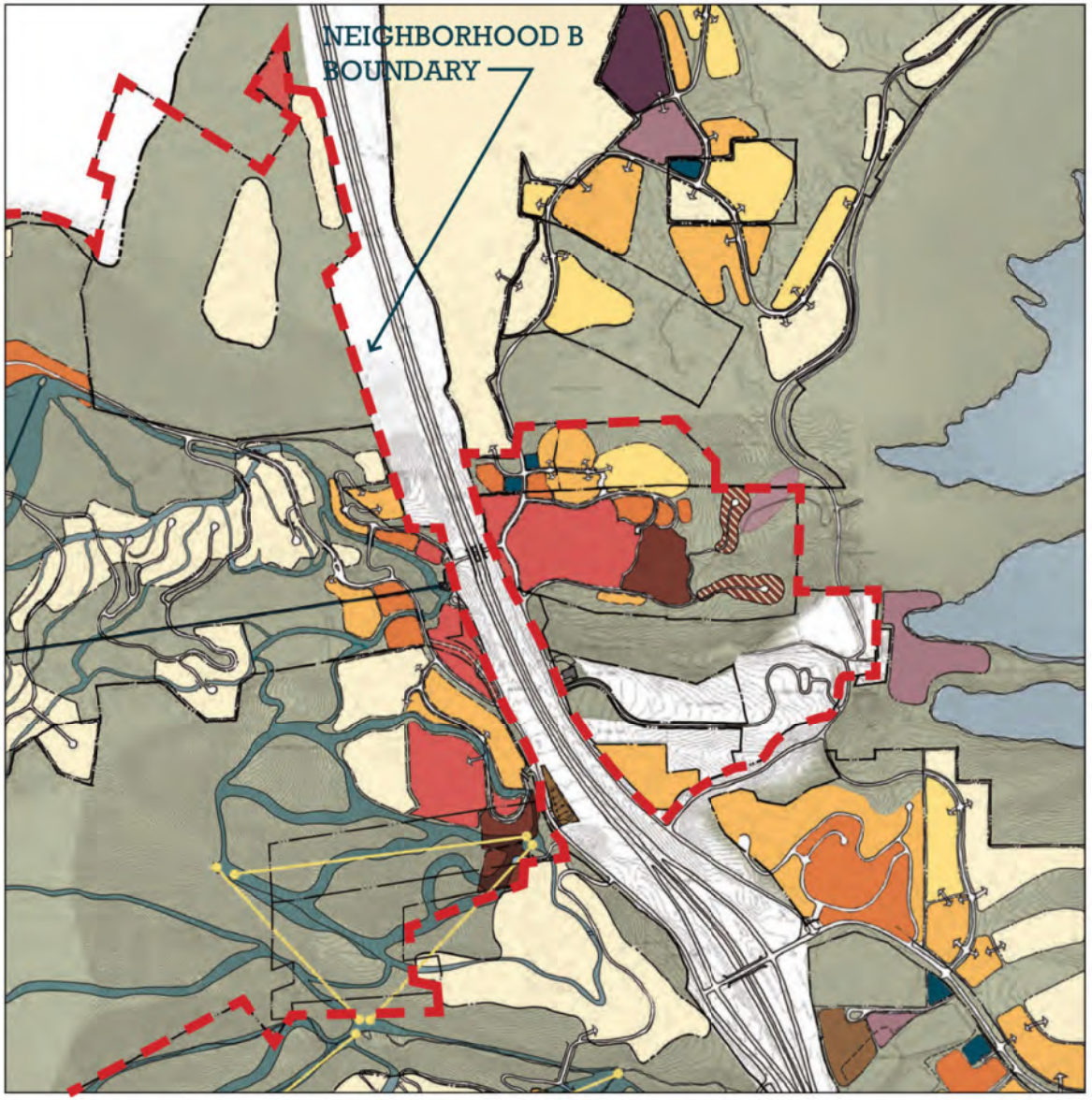
NOTE: DENSITY PODS A-1 AND A-2 (AS LABELED ON PLAN ON THIS PAGE) HAVE CLASSIFICATIONS OF SCH AND CS RESPECTIVELY. IF THESE ARE NOT USED AS PUBLIC AMENITIES, THEN A-1 WILL BE RSF AND A-2 WILL BE RMD.

KEY PLAN

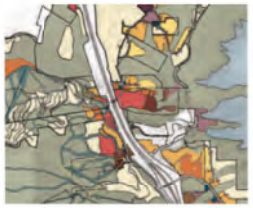
B-10 NEIGHBORHOOD A LAND USE

JORDANELLE SPECIALLY PLANNED AREA OVERLAY ZONE

KEY	DESCRIPTION	UNITS/ACRE	MAXIMUM HEIGHT	MAX ERU'S
MAYFLOWER NORTH				
RSF	RESIDENTIAL SINGLE FAMILY	6 DU/AC	2.5 STORIES	503
RMD	RESIDENTIAL MEDIUM DENSITY	6-20 DU/AC	3.5 STORIES	
SCH	SCHOOL	NA	NA	
CSA	COMMUNITY SITE	NA	2.5 STORIES	
EAST PARK				
RSF	RESIDENTIAL SINGLE FAMILY	6 DU/AC	2.5 STORIES	260
JORDANELLE VIEW				
RSF	RESIDENTIAL SINGLE FAMILY	6 DU/AC	2.5 STORIES	72
GIMBEL LANDS				
RSF	RESIDENTIAL SINGLE FAMILY	6 DU/AC	2.5 STORIES	55
NC	NEIGHBORHOOD COMMERCIAL	4 FSR	2.5 STORIES	
SAGE HEN HOLLOWS				
RSF	RESIDENTIAL SINGLE FAMILY	6 DU/AC	2.5 STORIES	60



KEY PLAN



LEGEND

- ESTATE LOTS & LARGE LOTS
- MEDIUM LOTS & SMALL LOTS
- MEDIUM DENSITY
- MEDIUM-HIGH DENSITY
- HIGH DENSITY
- VILLAGE CENTER / HIGH DENSITY / MIXED USE
- HOSPITALITY
- LOW DENSITY RESIDENTIAL / HOSPITALITY
- COMMERCIAL
- COMMON SPACE/ AMENITY
- SCHOOL
- PARKING
- OPEN SPACE

NEIGHBORHOOD B - TARGET STUDY

As part of the planning process for the JSPA, a Target Use Study was prepared for Neighborhood B ("Target Study"). The Target Study was prepared to show optimal development densities on the various parcels comprising the Neighborhood. The Zone designations for each Neighborhood were determined in reliance upon the Target Study, but the Target Study does not create Zones, grant densities or establish any other legal rights. The Target Study for this neighborhood is simply provided to show the detailed land use study on which the Zones were based.

MAXIMUM DENSITIES

Page B-14 shows the maximum densities (ERU's) for each property in Neighborhood B. These ERU numbers were derived in the 2002 RSPA Plan or adopted by ordinance or determination of maximum density.

B-13 NEIGHBORHOOD B LAND USE

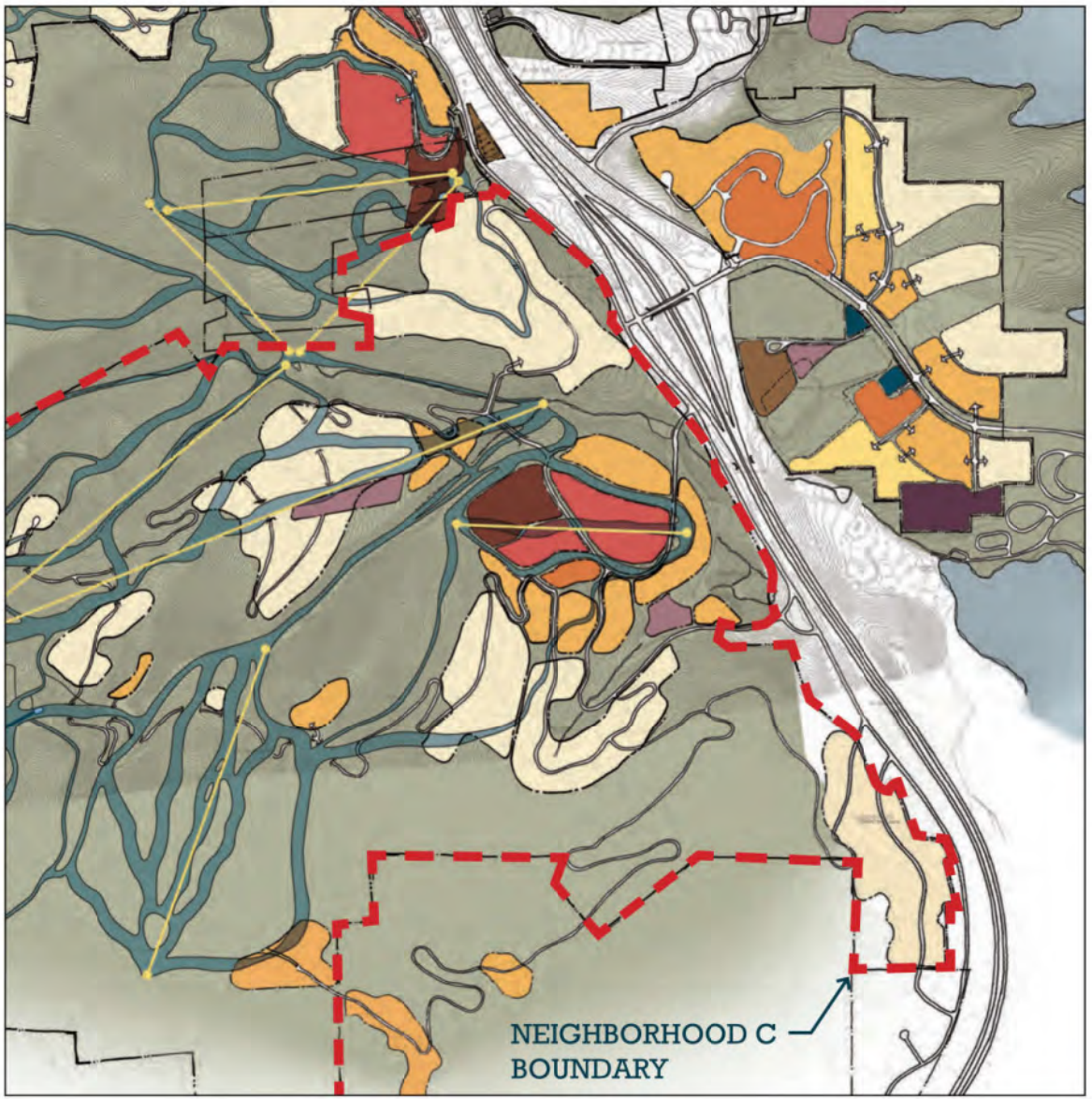
LAND USE LEGEND

NAME	DESCRIPTION	UNITS/ACRE	MAX. HEIGHT
RSF	RESIDENTIAL SINGLE FAMILY	(6 DU/AC)	2.5 FLOORS
RMD	RESIDENTIAL MEDIUM DENSITY	(6-20 DU/AC)	3.5 FLOORS
HC	RESIDENTIAL SINGLE FAMILY OR HOSPITALITY CASITA	(6 DU/AC) (21-40 DU/AC)	2.5 FLOORS 2 FLOORS
RVMD	RESORT VILLAGE MEDIUM DENSITY	(70 UPA)	4-6 FLOORS
RVHD	RESORT VILLAGE HIGH DENSITY	(80 UPA)	4-8 FLOORS
NC	NEIGHBORHOOD COMMERCIAL	(FSR)	2.5 FLOORS
SCH	SCHOOL	(NA)	NA
CS	COMMON SITE/AMENITY	(NA)	2.5 FLOORS
OS	OPEN SPACE	(NA)	NA

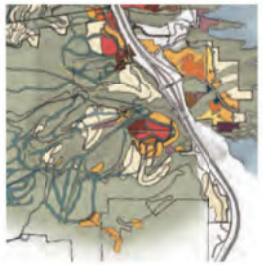
KEY PLAN

KEY	DESCRIPTION	UNITS/ACRE	MAXIMUM	MAX ERU'S
PIOCHE				432
RSF	RESIDENTIAL SINGLE FAMILY	6 DU/AC	2.5 STORIES	
RMD	RESIDENTIAL MEDIUM DENSITY	6-20 DU/AC	3.5 STORIES	
RVMD	RESORT VILLAGE MEDIUM DENSITY	70 UPA	4-6 STORIES	
RVHD	RESORT VILLAGE MEDIUM DENSITY	80 UPA	4-8 STORIES	
DEER CREST VILLAGE WEST				198
RMD	RESIDENTIAL MEDIUM DENSITY	6-20 DU/AC	3.5 STORIES	
RVMD	RESORT VILLAGE MEDIUM DENSITY	70 UPA	4-6 STORIES	
DEER VALLEY				0
RVMD	RESORT VILLAGE MEDIUM DENSITY	70 UPA	4-6 STORIES	
DEER COVE				865
RMD	RESIDENTIAL MEDIUM DENSITY	6-20 DU/AC	3.5 STORIES	
RVMD	RESORT VILLAGE MEDIUM DENSITY	70 UPA	4-6 STORIES	
SCH	SCHOOL	NA	NA	
RVHD	RESORT VILLAGE HIGH DENSITY	80 UPA	4-8 STORIES	
HC	RESICENTIAL SINGLE FAMILY OR HOTEL CASITA	(6 DU/AC) (21-40 DU/AC)	2.5 STORIES 2 STORIES	
THE POINTE				172
RSF	RESIDENTIAL SINGLE FAMILY	6 DU/AC	2.5 STORIES	
RMD	RESIDENTIAL MEDIUM DENSITY	6-20 DU/AC	3.5 STORIES	
RVMD	RESORT VILLAGE MEDIUM DENSITY	70 UPA	4-6 STORIES	
THE HOLLOWS				190
RMD	RESIDENTIAL MEDIUM DENSITY	6-20 DU/AC	3.5 STORIES	
RVMD	RESORT VILLAGE MEDIUM DENSITY	70 UPA	4-6 STORIES	
NC	NEIGHBORHOOD COMMERCIAL	.4 FSR	2.5 STORIES	
SUMMIT VIEW				240
RSF	RESIDENTIAL SINGLE FAMILY	6 DU/AC	2.5 STORIES	
RVMD	RESORT VILLAGE MEDIUM DENSITY	70 UPA	4-6 STORIES	

JORDANELLE SPECIALLY PLANNED AREA
OVERLAY ZONE



KEY PLAN



LEGEND

- ESTATE LOTS & LARGE LOTS
- MEDIUM LOTS & SMALL LOTS
- MEDIUM DENSITY
- MEDIUM-HIGH DENSITY
- HIGH DENSITY
- VILLAGE CENTER / HIGH DENSITY / MIXED USE
- HOSPITALITY
- LOW DENSITY RESIDENTIAL / HOSPITALITY
- COMMERCIAL
- COMMON SPACE/ AMENITY
- SCHOOL
- PARKING
- OPEN SPACE

NEIGHBORHOOD C - TARGET STUDY

As part of the planning process for the JSPA, a Target Use Study was prepared for Neighborhood C ("Target Study"). The Target Study was prepared to show optimal development densities on the various parcels comprising the Neighborhood. The Zone designations for each Neighborhood were determined in reliance upon the Target Study, but the Target Study does not create Zones, grant densities or establish any other legal rights. The Target Study for this neighborhood is simply provided to show the detailed land use study on which the Zones were based.

MAXIMUM DENSITIES

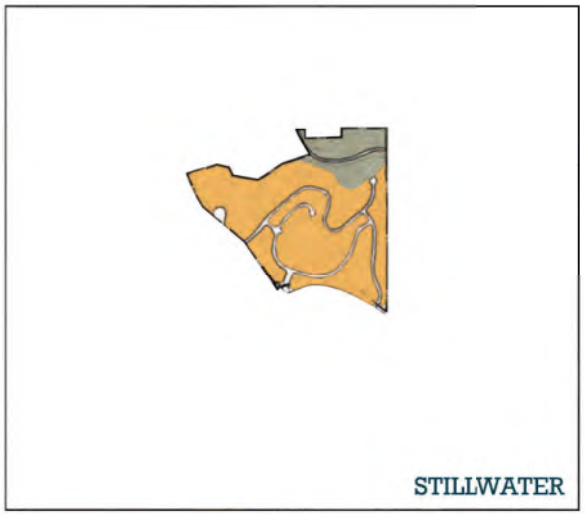
Page B-17 shows the maximum densities (ERU's) for each property in Neighborhood C. These ERU numbers were derived in the 2002 RSPA Plan or adopted by ordinance or determination of maximum density.

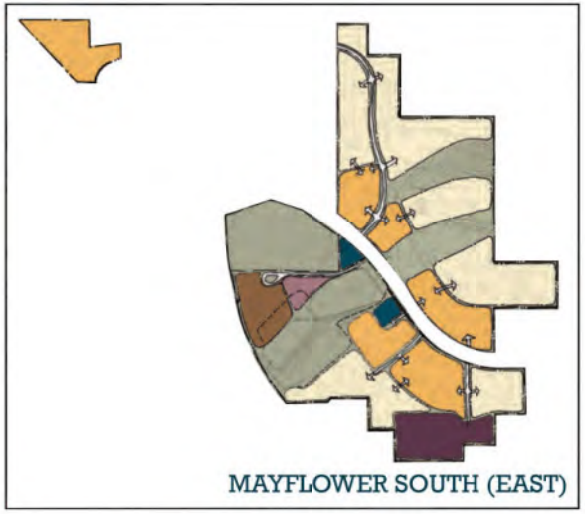
LAND USE LEGEND

NAME	DESCRIPTION	UNITS/ACRE	MAX. HEIGHT
RSF	RESIDENTIAL SINGLE FAMILY	(6 DU/AC)	2.5 FLOORS
RMD	RESIDENTIAL MEDIUM DENSITY	(6-20 DU/AC)	3.5 FLOORS
HC	RESIDENTIAL SINGLE FAMILY OR HOSPITALITY CASITA	(6 DU/AC) (21-40 DU/AC)	2.5 FLOORS 2 FLOORS
RVMD	RESORT VILLAGE MEDIUM DENSITY	(70 UPA)	4-6 FLOORS
RVHD	RESORT VILLAGE HIGH DENSITY	(80 UPA)	4-8 FLOORS
NC	NEIGHBORHOOD COMMERCIAL	(FSR)	2.5 FLOORS
SCH	SCHOOL	(NA)	NA
CS	COMMON SPACE/AMENITY	(NA)	2.5 FLOORS
OS	OPEN SPACE	(NA)	NA

KEY PLAN

B-16 NEIGHBORHOOD C
LAND USE





KEY	DESCRIPTION	UNITS/ACRE	MAXIMUM HEIGHT	MAX ERU'S
MAYFLOWER WEST				
RSF	RESIDENTIAL SINGLE FAMILY	6 DU/AC	2.5 STORIES	1,024
RMD	RESIDENTIAL MEDIUM DENSITY	6-20 DU/AC	3.5 STORIES	
RVHD	RESORT VILLAGE HIGH DENSITY	80 UPA	4-8 STORIES	
CSA	COMMUNITY SITE	NA	2.5 STORIES	
MAYFLOWER EAST				
RSF	RESIDENTIAL SINGLE FAMILY	6 DU/AC	2.5 STORIES	392
RMD	RESIDENTIAL MEDIUM DENSITY	6-20 DU/AC	3.5 STORIES	
NC	NEIGHBORHOOD COMMERCIAL	.4 FSR	2.5 STORIES	
CSA	COMMUNITY SITE	NA	2.5 STORIES	
SCH	SCHOOL	NA	NA	
PC	PARKING	NA	NA	
STILLWATER				
RMD	RESIDENTIAL MEDIUM DENSITY	6-20 DU/AC	3.5 STORIES	181

B-17 NEIGHBORHOOD C LAND USE BY PROPERTY

DEER CREST VILLAGE

MAYFLOWER SOUTH VILLAGE

B-18 RESORT VILLAGE BOUNDARIES

LEGEND

- HWY 40
- PORTAL / UNDERPASS
- JORDANELLE PARKWAY - 2 LANES
- JORDANELLE PARKWAY - 4 OR 5 LANES
- CONNECTOR ROADS - 2 LANES
- JORDANELLE PARKWAY - POTENTIAL ALTERNATE

NOTES

The proposed roads are shown in the drawing. The major road, the Jordanelle Parkway, and the Portal, are the only roads that span multiple landowners and will be shared costs on some basis.

The alignment of the Jordanelle Parkway and connector roads are subject to change based on topography and the need to work with the actual design and alignment of approved master plans.

B-19 ROADS MASTER PLAN

LEGEND

- 6' - 12' EQUESTRIAN TRAILS
- 4' SOFT MOUNTAIN BIKE, PEDESTRIAN TRAILS
- 6' - 8' SOFT PEDESTRIAN TRAILS
- 10' HARD PEDESTRIAN, BICYCLE TRAILS
- EXISTING TRAILS
- EXISTING STATE PARK TRAIL
- PROPOSED STATE PARK TRAIL
- OVERLOOK

Paved Trails
As part of the master plan, the area will have a comprehensive and user friendly trail system. The paved trails, which will be easier trails suitable for family use, will accommodate cycling, hiking and equestrian use. They will also be usable for sleighs in the winter.

Mountain Trails
The more difficult Mountain trails will connect to the Park City, Deer Valley and Wasatch State Park trail system.

Eventual Connection to Sundance and Provo Canyon
When the entire system is completed in Wasatch County, trail users will be able to go from the Jordanelle and Summit County, to Sundance and Provo Canyon.

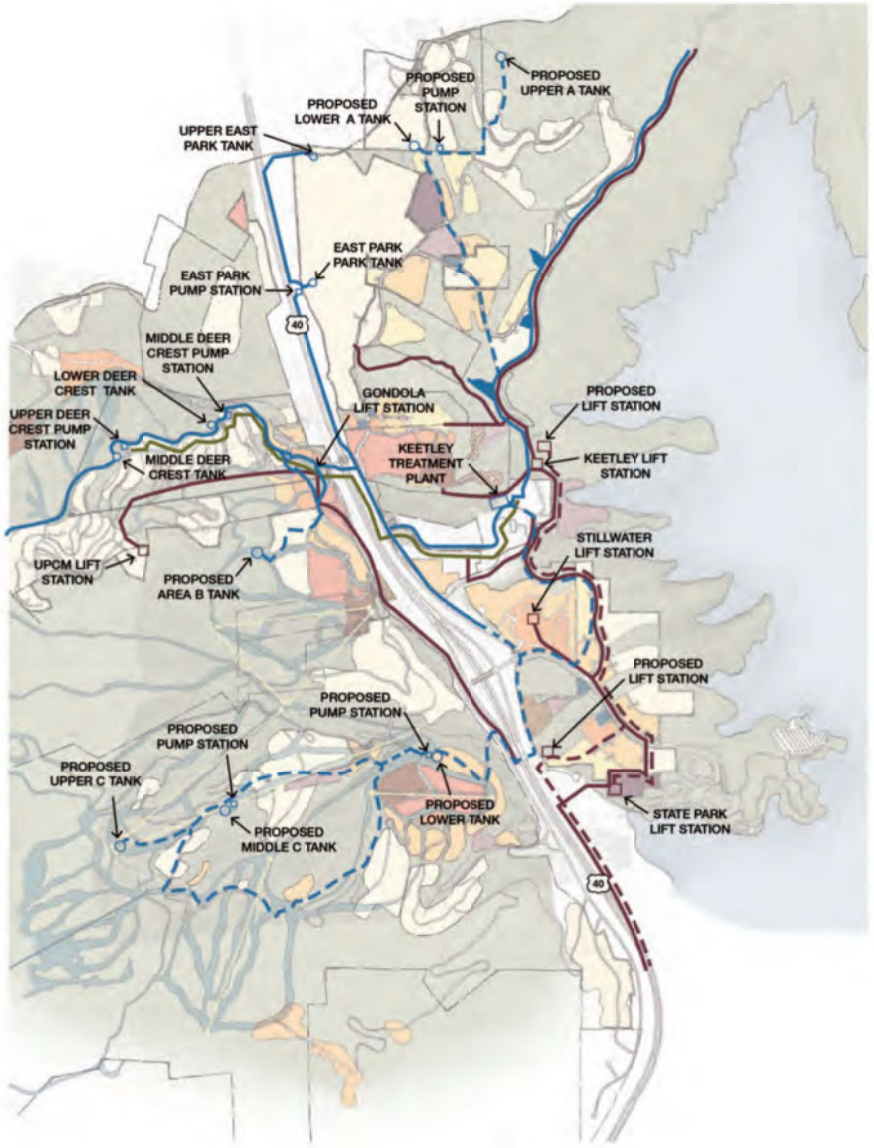
Trail Head Parking
The parking next to Highway 40 in the Deer Crest Village area has approximately 450 parking spaces.

LEGEND

- TRANSIT ROUTE
- TRANSIT STOP

NOTES

A transit system providing access to ski terminals may be provided as part of the JSPA. The transit system would be seasonally operated, and financed by a small assessment to landowners or tenants of the JSPA and/or a fare system. This Transit System will not be considered until approximately fifty (50) percent of the JSPA is developed and absorbed or as determined by Wasatch County.



LEGEND

- EXISTING WATER LINE
- PROPOSED WATER LINE
- EXISTING SEWER LINE
- PROPOSED SEWER LINE
- PROPOSED SECONDARY WATER LINE
- PUMP STATION
- WATER TANK
- SEWER LIFT STATION
- DETENTION BASIN

NOTES

This plan is subject to change based on the actual design and alignment of approved master plans.

The Culinary water, Sewer plans and Secondary water system plan were produced by the JSSD. Actual locations of infrastructure improvements are subject to final agreements and review by affected agencies and landowners.

Detention Basin locations are taken from earlier studies. Actual locations of infrastructure improvements are subject to final agreements and review by affected agencies and landowners.

B-22 BACKBONE INFRASTRUCTURE

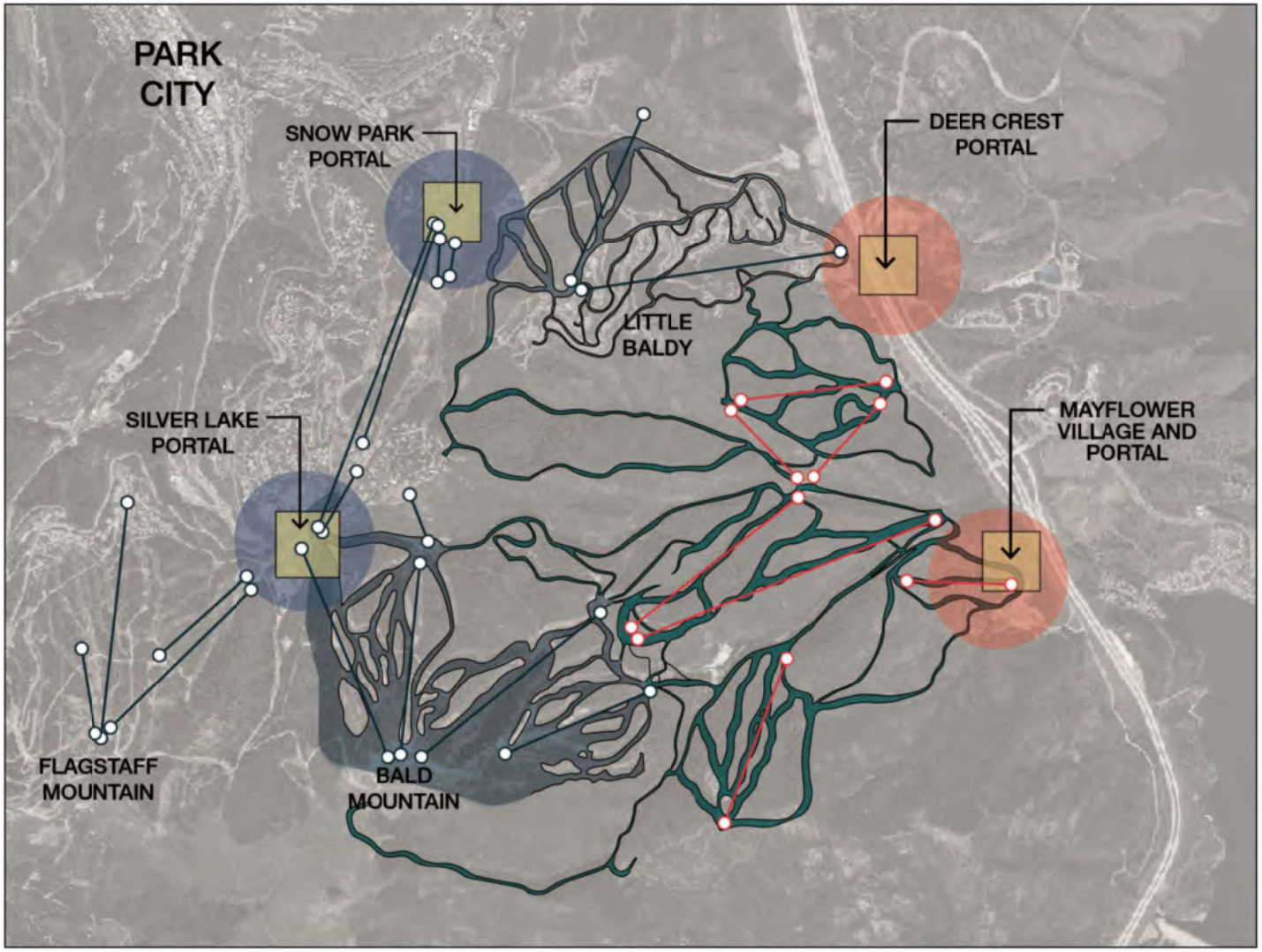
JORDANELLE SPECIALLY PLANNED AREA
OVERLAY ZONE

B-23 GOLF PLAN

IBI

NOTES

One potential feature of the JSPA is a golf course. A golf course would help solidify the JSPA as a four seasons resort, complimenting the other warm weather recreational uses, as well as taking advantage of the beautiful setting.



LEGEND

- EXISTING DENSITY POD
- FUTURE DENSITY POD
- FUTURE SKI AREA PORTAL
- EXISTING SKI AREA PORTAL
- FUTURE SKI LIFT
- EXISTING SKI LIFT
- PROPOSED SKI RUNS
- EXISTING SKI RUNS

NOTES

The proposed ski lifts and runs shown are based on a draft of the Deer Valley East Ski Concept Plan, dated November 19, 2013, and are subject to change.

Botanical Name	Common Name
Trees	
Acer ginnala 'Flame'	Flame Maple
Acer freemanii 'Jeffers Red'	Farview Flame Maple
Betula occidentalis	Western Red Birch
Celtis occidentalis	Hackberry
Cercocarpus ledifolius	Cutleaf Mountain Mohogany
Corylus avellana 'Contorta'	Contorted Filbert
Juniperus scopulorum	Rocky Mountain Juniper
Malus 'Dolgo'	Dolgo Crabapple
Populus tremuloides	Quaking Aspen
Quercus gambelii	Gambel Oak
Evergreen Trees	
Abies lasiocarpa	Alpine Fir
Picea abies	Norway Spruce
Picea englemanii	Englemann Spruce
Picea pungens	Colorado Spruce
Pinus aristata	Bristlecone Pine
Pinus ponderosa	Ponderosa Pine
Pinus sylvestris	Scotch Pine
Shrubs	
Amelanchier alnifolia	Serviceberry
Aronia arbutifolia	Chokecherry
Cornus sericea	Red Osier Dogwood
Cotoneaster lucidus	Peking Cotoneaster
Euonymus alatus	Burning Bush
Juniperus horizontalis 'Plumosa Compacta'	Compact Andorra Juniper
Juniperus horizontalis 'Bar Harbor'	Bar Habor Juniper
Juniperus horizontalis 'Prince of Wales'	Prince of Wales Juniper
Juniperus sabina tamarisicifolia	Tamarix Jumiper
Juniperus monosperma	One-Seed Juniper
Pinus Mugo 'Compacta'	Compact Mugo Pine
Potentilla fruticosa	Shrubby Cinquefoil
Ribes Aureum	Golden Current
Rosa woodsii	Woods Rose
Rosa rubrifolia	Red Leaf Rose
Rosa Multiflora	Multiflora Rose
Salix purpurea nana	Dwarf Arctic Willow
Sheperdia argentea	Silver Buffaloberry
Symphoricarpos albus	Common Snowberry
Viburnum x burejaeticum	Manchurian Viburnum

Botanical Name	Common Name
Ground Covers/Vines	
Clematis Jackmanii	Jackman Clematis
Clematis tangutica	Golden Tiara
Gallimu odorata	Sweet Woodroof
Mahonia repens	Creeping Oregon Grape
Vinca minor 'Mrs. Bowles'	Periwinkle
Perrenials	
Achilla filipendula	Fern-Leaf Yarrow
Anenome pulsatilla	Basque Flower
Anenome Syulvestris	Snowdrop Anenome
Astilbe chinensis	Chinese Astilbe
Campanula carpatica	Carpathian Bellflower
Clematis x Pararieie 'Travelers Joy'	Hardy Clematis
Coreopsos resea	Pink Lowered Coreopsis
Echinacea purpurea	Purple Conflower
Euphorbia griffithii 'Fireglow'	Fireglow Spurge
Gaillardia x graniflora	Blanketflower
Iris missouriensis	Rocky Mountain Iris
Irsi siberica x 'Papillon'	Siberian Iris
Iris versicolor	Blueflag Iris
Lupinus 'Dwarf Miniarette Lupine'	Dwarf Miniarette Lupine
Lupinus 'Russell Hybrids'	Russel Lupine
Monarda didyma	Beesbalm
Penstemon barbatus	Beard-Tongue
Rudbeckia fulgida 'Goldstrum'	Goldstrum Coneflower
Sedum 'Autumn Joy'	Autumn Joy Stone Crop

Resolution No. 12-98

RESOLUTION TO AMEND DEVELOPMENT PARAMETERS FOR FLAGSTAFF MOUNTAIN

WHEREAS, on May 17, 1994 United Park City Mines Company (UPCM) filed an application for annexation to Park City of certain UPCM holdings within the Ontario and Daly Canyons, along with property held by several other mining companies and/or families; and

WHEREAS, the Planning Commission reviewed the proposal several times throughout 1994 and 1995, provided feedback, an based on Planning Commission feedback, the applicant submitted a revised annexation plan on June 14, 1995; and

WHEREAS, the Planning Commission and a special Flagstaff Task Force held several meetings on the revised plan throughout the remainder of 1995 and the balance of 1996 and held public hearings on the revised plan on October 25, 1995 and November 13, 1996; and

WHEREAS, on March 26, 1997, the Planning Commission recommended annexation of the Flagstaff area, with certain development parameters; and

WHEREAS, the Council began its consideration of the Planning Commission recommendation on April 17, 1997 and continued to take staff, applicant, and public input on April 24, 25, 28 and 29 and May 1, 6, and 8, 1997; and

WHEREAS, on April 24, 1997 the Council opened a public hearing for over 350 attendees, and took testimony from 46 participants. The public sentiment revealed support for annexation, but concerns regarding the development parameters; and

WHEREAS, the City mailed and published notice of the proposed annexation and annexation policy declaration to all affected entities and received no protest to the annexation; and

WHEREAS, on May 10, 1997, the Council concluded in Resolution No. 10-97 that annexation was appropriate and that many, but not all, of the proposed development parameters could be accommodated in the Flagstaff area; and

WHEREAS, without withdrawing its annexation petition, the applicant rejected the Council's 1997 development parameters, and began to pursue development entitlement in unincorporated Summit and Wasatch Counties; and

WHEREAS, on July 8, 1998 the applicant approached the Council with a renewed desire to annex and with additional offers of on and off-site transportation facilities, utilities, enhancements, and recreation amenities; and

WHEREAS, Council convened several work sessions, an additional public meeting, and facilitated interest group meetings to consider new development parameters; and

WHEREAS, on August 27, 1998, approximately 100 people attended, and over 20 individuals commented on new draft development parameters; and

WHEREAS, based on public input, Council further negotiated improved development parameters; and

WHEREAS, based on all of the staff, applicant and public input, the Council hereby reconfirms that the Flagstaff area should develop within the City; and

WHEREAS, in consideration of the foregoing, the Council finds that it is in the best interests of the citizens of Park City to adopt the attached development parameters and to direct staff to prepare a development agreement and annexation documents for Council to consider in its next step to finalize annexation of the Flagstaff area:

NOW, THEREFORE BE IT RESOLVED by the Park City Council as follows:

SECTION 1. FLAGSTAFF DEVELOPMENT.

1. The development parameters adopted for the Flagstaff annexation area in Resolution No. 10-97 are hereby rescinded.

2. The attached development parameters for the Flagstaff area attached hereto are hereby adopted (Attachment A).

3. Staff shall prepare a development agreement for Council review and consideration prior to annexation.

4. Staff shall prepare annexation documents for Council review and consideration.

SECTION 2. EFFECTIVE DATE. This Resolution shall become effective upon adoption.

PASSED AND ADOPTED this 10th day of September, 1998.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Jodi Hoffman, City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

FLAGSTAFF DEVELOPMENT PARAMETERS
September 10, 1998

PART I. FLAGSTAFF AREA

SECTION 1. Development Configuration, Limitations and Maximum Density

A. Flagstaff Area: (see Exhibit A). The Flagstaff Area is composed of two primary development zones: the lower "Mountain Village" area and the "Northside Neighborhood" area".

1. Mountain Village: (formerly Pods A and B) The Mountain Village is intended to be a mixed use residential and commercial resort support area which is configured as a *pedestrian village*. Site specific configuration will be established as a part of the Small Scale Master Plan process. In reviewing the configuration, the Planning Commission will consider the following parameters:

   a. The development shall be constrained to up to 115 acres in overall size.

   b. Pedestrian village means that at least 65% of the residential properties are clustered within walking distance (5 minute walk) of a transportation hub of the village, which can be directly accessed by pathways or sidewalks. The transportation hub is defined as the terminus of a public and/or private transportation system and public plaza located as centrally as possible within the village. The balance of the density may occur in one of the two other pods shown on Exhibit A, as determined appropriate by the Planning Commission during the Small Scale Master Planned Development (MPD) review process.

   c. A maximum of sixteen (16) single-family homes on Prospect Ridge above the 7800 foot elevation. The applicant shall limit the height and size and siting of the single-family development on Prospect Ridge north of the proposed road to reduce the visibility with the precise limitations to be established by the Planning Commission at the MPD stage based on a visual analysis.

   d. A maximum of four hundred seventy (470) residential units (705 Unit Equivalents) of density within the Mountain Village. Such density shall be configured as multi-family, hotel or planned unit development (PUD) units, provided the PUD units do not exceed 60 within the village. Clustering of residential units within the village and around common open spaces is a specific design criteria. The specific siting and configuration of such units shall be determined through the small scale MPD process by the Planning Commission.

e. A maximum of 75,000 sq. ft. of resort related commercial uses which shall include neighborhood commercial uses for residents and visitors, such as groceries and sundries.

2. Northside Neighborhood (formerly Pod D) is intended as a single- family residential area within the annexation boundaries and shall consist of :

a. A maximum of 100 acres of development in this area.

b. A maximum of 38 single family homes, the size and location of which shall be determined by the Planning Commission at the Small Scale MPD/ Subdivision stage according to the following principles:

- homes shall be placed out of the meadow areas
- limits of disturbance shall be at least 50 feet from any ski runs
- structures and roads shall be configured to minimize road and utility impacts
- minimize visual intrusion from road and ski run viewpoints
- provide trail easements to connect to the area trail system
- the limits of disturbance of building sites shall avoid restricting ski access through the area generally referred to as the "enchanted forest".

c. A Chapel will be allowed under the following conditions:

- No utility extension will be allowed (power may be allowed if it is readily accessible).
- The Chapel will not be accessed by an improved road.
- The siting and construction will comply with the provisions of the Sensitive Lands Ordinance.

3. UPCMC has agreed to preserve the head frame at the Daly West site. Other significant structures and equipment related to prior mining operations shall be preserved for their historic value to the extent feasible based upon the required inventory of historic features and historic preservation plan.

4. UPCMC agrees to limit wood-burning to one fireplace or wood-burning device per single family unit. The multifamily units will be allowed to have only one common wood-burning fireplace per project.

5. The applicant shall formulate and incorporate detailed design guidelines for the Flagstaff development. The development shall have a strong common architectural theme through the use of materials, roof pitch, architectural detailing, landscape, color, mass, scale, building heights and pedestrian linkages. These guidelines shall be approved by the Planning Commission prior to any building permit issuance in the Flagstaff area.

6. Existing improvements to the Ontario Mine Site (Silver Mine Adventure) shall be

permitted to continue to operate as the current use within the annexation boundary and will be allowed to be improved or replaced within it's historical context. Any expansion or modification of use would require approval by the City in accordance with the provisions of the Park City Land Management Code.

7. Building heights shall be those allowed in the RD zone. Projects in Flagstaff would be subject to the height provisions of the Land Management Code, which includes a process for consideration of height variation. Projects in the Mountain Village could apply for the height variation.

8. It is anticipated that interval ownership will be considered in Flagstaff. The Planning Commission and City Council will review requests for interval ownership and would prefer interval ownership programs with longer intervals to increase the use of the units as nightly rental.

SECTION 2. Access and Utilities

A. UPCMC agrees to the following restrictions on access:

1. Some realignment to existing SR224 may be necessary from the Ontario Mine site to the Summit County line. The road will be to a similar standard as the historical SR224. Access over SR224 would remain seasonal (see attached Exhibit C).

2. UPCMC agrees not to renew any leases for recreational snowmobiling.

3. A private road would serve the Flagstaff project. Access would be limited to project use at two intersections with SR224, not at the County line (see attached Exhibit C). Operational procedures to control access would be refined prior to any small scale Master Plan approval.

4. The project would require seasonal emergency, secondary access through Deer Valley (Exhibit D).

5. A comprehensive emergency response plan will be required. The proposal includes a public safety facility site. The final public safety and emergency access plan would be determined prior to any permit issuance, and after coordination with affected entities, such as the Park City Fire District

6. UPCMC agrees to provide, and improve where appropriate, recreational access to trails and other amenities with the annexation area.

B. Utilities and Public Facilities

1. Flagstaff would be served by and subject to approval of, the Snyderville Basin Sewer Improvement District (SBSID).

2. UPCMC agrees that water for the Flagstaff Annexation Area would be a part of the Park City water system. UPCMC would be responsible for developing the distribution system and UPCMC and the City for developing the source. UPCMC agrees to cooperate with the City in developing sources including, but not limited to, making well sites, water rights and easements available to the City.

3. The utilities will be sized to serve the Flagstaff project, and contiguous UPCMC property, and will not have excess capacity to serve other adjacent developments.

SECTION 3. Transit, Traffic and Parking.

A. Transportation and Traffic Mitigation. The developer has agreed to provide the following to reduce the traffic generated by the project:

1. Provide a base level of van and shuttle service including, but not limited to, circulator service within the Mountain Village and a designated City transit connection. Provide guest shuttles to key destinations such as Main Street, Silver Lake and recreational trail heads. Specific van and shuttle routes will be established to minimize impacts on existing neighborhoods.

2. Construct road and intersection improvements of SR224 and the intersection of Marsac and Deer Valley Drive to remedy existing deficiencies including:

- Financial participation by UPCMC on the reconstruction of the intersection of Marsac Avenue and Deer Valley Drive. UPCMC will be responsible for paying its proportional share of the cost of such reconstruction in order to offset the impact directly attributable to Flagstaff and adjacent UPCMC traffic.

- Dedication of land and construction of a run-away truck lane along SR224.

- Widening and passing lane on SR224 between Deer Valley Drive and the Ontario Mine site.

- Drainage Improvements

- Landscape improvements uphill from the intersection with Hillside to act as a project entry

B. Parking.

1. Reduce the parking requirements in the Mountain Village by at least 25% of those required by the Land Management Code so as to substantially

reduce private vehicle trips to the Mountain Village. Provide offsetting mitigation, such as parking management programs, private paid parking for commercial uses, shuttles, airport pick-up and return, and other programs to reduce the demand for private vehicles and parking.

2. Provide shared parking in all commercial, short-term residential and mixed use buildings (assigned or reserved spaces prohibited).

3. The majority of required parking will be fully enclosed and/or underground. This specific requirement will be determined at the small scale MPD stage for each development area.

C. Trails. As a part of the Flagstaff Annexation application, the applicant agrees to:

1. Construct and maintain, through the Master Property Owner's Association, a year round (hard surfaced) trail system interconnecting developments within Mountain Village and connecting those areas to Old Town provided that the City provides a suitable alignment on the lower portions of Prospect Ridge (the property owned by UPCMC).

2. Construct and maintain summer trails throughout the property for public biking and hiking.

D. Gondola

CTEC (a ski lift / gondola manufacturer) has determined that an 8-person gondola from the base of Swede Alley to the Mountain Village via an angle station near "the bulkhead property" is feasible and can be built for about $4.5 to $5.0 million. UPCMC is willing to install the gondola if the City determines, through an appropriate public process, it is in the City's best interest.

1. Operation and maintenance costs would be borne by a variety of beneficiaries to be negotiated prior to approval of the Gondola.

2. Total length - about 9,000 feet
Trip time - 10 minutes
Capacity - 1200 people per hour

3. A base facility should be located in close proximity to Historic Main Street. An angle station would have to be built on the hillside to the east of the intersection of State Highway 224 and Hillside Ave.

4. Public transit connections to and from the top of the Gondola to other areas of Deer Valley is required.

5. Park City reserves the right to explore extending the Gondola from the Mountain Village to Silver Lake Village in order to provide a large enough service area to make the project feasible.

6. If the Gondola becomes a part of this project, the City and Deer Valley will evaluate the Deer Valley Master Plan for skiing to determine if modifications are necessary to integrate the gondola into it.

7. If the City Council determines that a gondola is not feasible or in the public interest, UPCMC agrees to contribute $1.0 million to the City, to be used specifically for other traffic mitigation projects in the City related to the project. An additional $1.0 million will be required to be expended by the developer for traffic mitigation directly related to the Flagstaff project.

8. UPCMC is obligated to secure agreement from Deer Valley to operate the Gondola.

9. The City agrees to work expeditiously through the public process for the Gondola.

SECTION 4. Phasing. The developer is required to submit a phasing plan for review and approval by the City. The phasing plan will provide that:

- Arterial or main infrastructure improvements (roads, sewer, water, private utilities) commence with the Mountain Village and progress in sequence to the Northside Neighborhood

- One section of arterial or main infrastructure be completed before moving to the next section.

- The golf course (s) in Richardson Flats be commenced with the first phase following EPA authorization and City or County approvals.

- The Iron Mountain parcel and conservation lease dedication with the approval of the Development Agreement.

SECTION 5. Construction Mitigation. The developer will provide measures to mitigate the impact to the environment by phasing, to the greatest extent practical, the various stages of the utility, road, and building construction so as to minimize the extent, at any given time, of disturbed areas. These measures will be reflected in CC&R's of each development parcel. The conditional use review for each development parcel will specify site and development specific mitigation measures.

A. The applicant agrees to:

- Limits of Disturbance and Vegetation Protection for the construction of public improvements
- Provision of a construction staging and stockpile area at the Daly West site

- A construction traffic routing plan
- Dust and soil monitoring and controls
- Soil stabilization and erosion and runoff controls
- Stockpiling of all earthen material on the site
- Provide on-site batch plants, material staging and construction material recycling
- Mitigation of mining and soils hazards
- Provide temporary trails during construction

B. Developers of individual sites will be required to:

- Provide secure storage for tools and equipment on-site
- Provide Limits of Disturbance and Vegetation Protection, including soil stabilization adequate to control erosion and water run-off.
- Provide a traffic routing plan
- Provide temporary trails during construction

SECTION 6. Employee Housing

A. The applicant agrees to provide 10% employee/affordable housing units as defined by Resolution 7-95 in connection with development in Flagstaff. The 10% shall be based on both residential and commercial unit equivalents. UPCMC has agreed to place at least 25% of these units within the development. Mountainlands Housing Trust will be consulted to determine the type and location of housing which would be most effective in offsetting the demand generated from this project. The employee housing construction will be phased with the project. At the City's discretion, the balance of the obligation would be provided as follows:

1. Developing employee housing on the 20 acre "corner parcel" (Exhibit F) by the developer; or
2. Donating the corner parcel to the City and constructing the units on an alternate parcel provided by the City (which may include property donated to the City by UPCMC in the Sandridge area); or
3. If mutually acceptable to UPCMC and the City, by paying a fee in lieu of housing, if it results in the construction or dedication of actual units for affordable/employee housing.

SECTION 7. Ski Expansion and Open Space. Deer Valley will be allowed to expand skiing consistent with the approved Flagstaff Annexation Plan , subject to administrative review procedures.

A. Skiing

1. Pod Z shall be allowed to contain only 2 graded runs. Limited vegetation removal may be considered in the balance of the pod.

2. A skier day lodge of up to 35,000 square feet will be allowed at the Daly West area,

provided no public parking is included and the lodge is accessed only by a service road.

3. A private club cabin for the benefit of property owners within the Flagstaff area, provided no public access road or public parking is included.

B. Open Space

1. Zone all areas within the annexation area which are not developed, as Recreation Open Space.

2. Prohibit development in significant wetland and wildlife areas such as, but not limited to, the Lady Morgan Springs area.

3. Dedicate to a third party an open space easement for land not designated for commercial and residential development to assure that the land is permanently open. Different sections of this land may have different provisions in the open space easement (i.e. ski terrain, wildlife habitat, sensitive lands).

4. Dedicate the area below (north of) Prospect Ridge to the City as an addition to and providing a continuous link with the City's open space on Prospect Ridge.

SECTION 8. MPD Requirements

A. The annexation and development agreement will constitute Large Scale MPD approval.

B. Prior to any construction occurring on the site and prior to or concurrent with the first small scale MPD approval, the following must be reviewed and approved:

- Design Guidelines
- Detailed Construction Mitigation Plan
- Mine/Soil Hazard Mitigation Plan
- Construction and Housing Phasing Plans, which call for the efficient extension of services, concentrating initial infrastructure development in Mountain Village and secondarily in the Northside Neighborhood.
- Specific transit plan
- Specific design of roads and public improvements
- Parking Management Plan
- Access limitation procedures
- Trail locations, specifications and phasing
- Detailed Open Space Management Plan
- Historic Preservation Plan
- Emergency Response Plan
- A Utilities Master Plan including the timing, alignment, and service strategy for water and sewer service.

- Wildlife management plan

C. Each development parcel will be required to be reviewed and approved as a Small Scale MPD.

SECTION 9. Additional Public Benefits/Mitigation

A. Iron Mountain Property

UPCMC agrees to deed restrict or transfer to the City 106 acres on Iron Mountain (at the City's discretion) with skiing rights reserved. The City reserves the right to review any future proposed skiing (Exhibit G).

B. Richardson Flats (Exhibit H)

As a part of the Flagstaff project with the City, or the County, UPCMC is considering the following two options in the Richardson Flats area (total area of about 600 acres), subject to UPCMC entering into a satisfactory agreement with EPA regarding reclamation and reuse of the Richardson Flats tailings impoundment area. Recreation impact fees for Empire Canyon would be earmarked toward development of this site. The project would pay a negotiated Park development impact fee similar to the rate charged by the Snyderville Basin Recreation District's impact fee.

Option 1

- A privately owned, publicly accessible, golf course to be constructed by UPCMC. The golf course would be operated to maximize play.
- A 50 acre site which could be used for activities such as an equestrian facility, rodeo grounds, a special events site, driving range, or other recreational activities.

Option 2

- The Richardson Flats area may accommodate 36 holes of golf of which 18 holes would be required to be public and 18 could be for private use. This alternative would require the acquisition of additional land from an adjacent property owner and the City would consider participating in this acquisition. The public course will require public funds for improvement. If two courses are achievable, UPCMC and the City will work to provide water to both courses and cooperatively develop shared facilities such as a driving range and maintenance shops.

  UPCMC is exploring alternatives for water delivery to Richardson Flats, including using an Ontario Canyon source conveyed to the site via the existing slurry line, or development of UPCMC rights in Jordanelle water.

  UPCMC agrees to facilitate the design and development of Richardson Flats for agreed upon recreational uses in the early phases of the construction of the Flagstaff project and does not oppose annexation of the Richardson Flats area to the City. The timing of such recreational facilities may, however, be subject to yet undetermined

resolution and/or mitigation of environmental concerns.

C. Real Estate Transfer Fee

UPCMC has offered a Real Estate Transfer Fee of 1% which is considered an enhancement. The Real Estate Transfer Fee would be contributed in addition to usual impact fees and will be used as follows:

- 50% to the Master Property Owners Association to assist in funding transit and open space maintenance

- 50% to Park City Municipal Corporation to assist in funding transit, recreation improvements and open space acquisition

D. Sandridge Property (Exhibit I) UPCMC agrees to restrict property owned by UPCMC in the Sandridge area (both parking and hillside area) to Park City and requests the option of evaluating the feasibility of providing affordable housing on the hillside site. In the event affordable housing is not feasible, the property shall remain open space or parking.

PART II. BONANZA FLATS AREA

Context. UPCMC owns significant property in the Bonanza Flats area of Wasatch County and wishes to develop such property. UPCMC has conducted traffic studies which indicate that at least 75% of all traffic from the Bonanza property will come to and through Park City. Therefore, in consideration of these traffic impacts, UPCMC agrees to limit its application to Wasatch County as stated below.

1. UPCMC agrees, to restrict the residential development in the Bonanza Flats area to a maximum of 260 Units or 280 Park City Unit Equivalents, of which no more than 160 would be single family (Exhibit B). The commercial development may be up to 75,000 sq. ft. of resort related support commercial, a privately owned 18 hole golf course, and alpine and Nordic skiing. Units would be sited away from the lakes in Bonanza.

2. UPCMC agrees to amend its development application currently on file with Wasatch County to reflect this agreement. The areas of UPCMC property which are not to be developed will be appropriately restricted through third party conservation easements so that they are reserved for recreational and open space uses in perpetuity.

3. As further consideration, Park City agrees to permit a private access road to be constructed and maintained by UPCMC between the Flagstaff and Bonanza Flats development areas, provided such private road is restricted to Flagstaff & Bonanza property owners and guests.

4. Annexation of the Bonanza Flats development is not being considered at this time by Park City or UPCM. Park City and UPCM commit to work cooperatively with Wasatch County as the process for Bonanza Flats proceeds in Wasatch County.

5. UPCMC may request a transfer of approved density units in Bonanza Flats to the Flagstaff Mountain Village to support a more efficient transportation hub. If such density transfer is approved by Park City, it is anticipated that an Interlocal Agreement between Park City and Wasatch County would be created to address the potential fiscal impacts to Wasatch County of the density transfer. The City shall give a higher priority to multifamily or lodging units in considering any transfer and shall consider the following factors:
    - the location and quality of open space within Bonanza Flats
    - the suitability of increased density in the Mountain Village
    - the potential reduction of traffic
    - the positive impacts on the transportation system
    - the visual and other impacts to the Mountain Village
    - the positive and negative impacts to Bonanza Flats

6. It is understood and acknowledged by all parties that water and sewer must be provided to Bonanza from the same basin to avoid any trans-basin transfer issues. Park City is providing water the UPCMC's Flagstaff project and Park City and UPCMC desire to serve Bonanza Flats as well. Wasatch County must approve the water and sewer service for Bonanza at a

later date. However, if Wasatch County approved Park City providing water to Bonanza Flats, UPCMC agrees as follows:

- UPCMC would be responsible for developing the distribution system and UPCMC and the City for developing the source
- UPCMC agrees to cooperate with the City in developing sources including, but not limited to, making well sites, water rights and easements available to the City
- UPCMC agrees to apply to the Snyderville Basin Sewer Improvement District to provide sewerage for the development in Bonanza Flats.

7. In the event that Wasatch County does not require an amount of employee / affordable residential units equal to at least 10% of the total approved residential and commercial unit equivalents in the Bonanza Flats project, UPCMC agrees to provide that number of employee/affordable housing units.

8. To lessen the fire danger in Bonanza Flats and surrounding Flagstaff areas, UPCMC agrees to limit wood-burning to one fireplace or wood-burning device per single family unit. The multifamily units will be allowed to have only one common woodburning fireplace per project

9. UPCM and the City shall pursue an interlocal agreement with Wasatch County to provide utility and fire protection services for Bonanza Flats.

List of Exhibits

Exhibit A - Flagstaff Development Areas
Exhibit B - Bonanza Potential Development Areas
Exhibit C - Road Alignments
Exhibit D - Seasonal Emergency Access
Exhibit F - Corner Parcel
Exhibit G - Iron Mountain Property
Exhibit H - Richardson Flat
Exhibit I - Sandridge Property

Resolution No. 20-99

A RESOLUTION AUTHORIZING THE FLAGSTAFF MOUNTAIN DEVELOPMENT AGREEMENT

WHEREAS, on May 17, 1994, United Park City Mines Company (UPCM) filed an application for annexation to Park City of certain UPCM holdings within the Ontario and Daly Canyons, along with property held by several other mining companies and/or families; and

WHEREAS, the Planning Commission reviewed the proposal several times throughout 1994 and 1995, provided feedback, and based on Planning Commission feedback, the applicant submitted a revised annexation plan on June 14, 1995; and

WHEREAS, the Planning Commission and a special Flagstaff Task Force held several meetings on the revised plan throughout the remainder of 1995 and the balance of 1996 and held public hearings on the revised plan on October 25, 1995 and November 13, 1996; and

WHEREAS, on March 26, 1997, the Planning Commission recommended annexation of the Flagstaff area, with certain development parameters; and

WHEREAS, the Council began its consideration of the Planning Commission recommendation on April 17, 1997, and continued to take staff, applicant, and public input on April 24, 25, 28 and 29, and May 1, 6, and 8, 1997; and

WHEREAS, on April 24, 1997, the Council opened a public hearing for over 350 attendees, and took testimony from 46 participants. The public sentiment revealed support for annexation, but concerns regarding the development parameters; and

WHEREAS, the City mailed and published notice of the proposed annexation and annexation policy declaration to all affected entities and received no protest to the annexation; and

WHEREAS, on May 10, 1997, the Council concluded in Resolution No. 10-97 that annexation was appropriate and that many, but not all, of the proposed development parameters could be accommodated in the Flagstaff area; and

WHEREAS, without withdrawing its annexation petition, the applicant rejected the Council's 1997 development parameters, and began to pursue development in unincorporated Summit and Wasatch Counties; and

WHEREAS, on July 8, 1998, the applicant approached the Council with a renewed desire to annex and with additional offers of on and off-site transportation facilities, utilities, enhancements, and recreation amenities; and

WHEREAS, the council convened several work sessions, an additional public meeting, and facilitated interest group meetings to consider new development parameters; and

WHEREAS, on August 27, 1998, approximately 100 people attended, and over 20 individuals commented on new draft development parameters; and

WHEREAS, based on public input, Council further negotiated improved development parameters; and

WHEREAS, on September 10, 1998, the Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Mountain, Richardson Flats, the 20-Acre Quinn's Junction Parcel and the Iron Mountain Parcels; and

WHEREAS, a Development Agreement has been negotiated between the City and the Developer setting forth the terms of the September 10, 1998 resolution and further terms and conditions; and

WHEREAS, it is in the best interests of the City to authorize the Mayor to execute the Development Agreement;

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

SECTION 1. AUTHORIZATION TO EXECUTE. The Mayor is hereby authorized to execute the Development Agreement in substantially the same for attached hereto as Exhibit A which sets forth, *inter alia*, the terms and conditions of annexation of Flagstaff Mountain.

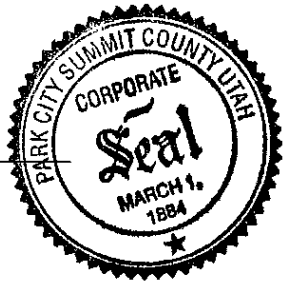
SECTION 2. EFFECTIVE DATE. This Resolution shall take effect immediately.

PASSED AND ADOPTED this 24th day of June, 1999.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:



Janet M. Scott, City Recorder

Approved as to form:

Jodi Hoffman, City Attorney

EXHIBIT A

REFER TO RECORDER FILE 99-0624

Recorded this ___ day of
_____, 1999
at Book #___ Page #_____.

ORIGINAL

Fee Exempt per Utah Code Annotated 1953 21-7-2

Recorded at the request of and return to: Park City Municipal Corp.
Attn: City Recorder
P. O. Box 1480, Park City, UT 84060

DEVELOPMENT AGREEMENT FOR FLAGSTAFF MOUNTAIN, BONANZA FLATS, RICHARDSON FLATS, THE 20-Acre QUINN'S JUNCTION PARCEL AND IRON MOUNTAIN

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ALAN SPRIGGS, SUMMIT CO RECORDER
1999 JUL 26 10:36 AM FEE $.00 BY DMG
REQUEST: PARK CITY MUNICIPAL CORP

THIS DEVELOPMENT AGREEMENT ("Agreement") is entered into as of the 24th day of June, 1999, by and between UNITED PARK CITY MINES COMPANY, ("UPCM" or "DEVELOPER"), DEER VALLEY RESORT COMPANY, ("DEER VALLEY"), and PARK CITY MUNICIPAL CORPORATION, a third class city of the State of Utah ("City") (collectively, the "Parties").

RECITALS

A. WHEREAS, DEVELOPER and DEER VALLEY own approximately: 1,600 of 1,750 acres of patented mining claims located in the unincorporated Flagstaff Mountain area of Summit County, more particularly described and depicted in Exhibit A attached hereto (hereafter, "Flagstaff Mountain"); approximately 106 acres of patented mining claims located on Iron Mountain within an unincorporated area of Summit County more particularly described and depicted in Exhibit B attached hereto (hereafter, "the Iron Mountain Parcels"); approximately 1,500 acres of patented mining claims, constituting all of UPCM's land located in the unincorporated Bonanza Flats area of Wasatch County more particularly described and depicted in Exhibit C attached hereto (hereafter, "Bonanza Flats"); all of UPCM's land east of U.S. 40 and south of S.R. 248 constituting approximately 650 acres of real property owned in fee simple located immediately east of U.S. 40 and south of S.R. 248 within an unincorporated area of Summit County more particularly described and depicted in Exhibit D attached

hereto (hereafter, "Richardson Flats"); and approximately 20-Acres of real property owned in fee simple located west of U.S. 40 and south of S.R. 248 within an unincorporated area of Summit County more particularly described and depicted in Exhibit E attached hereto (hereafter, "the 20-Acre Quinn's Junction Parcel");

B. WHEREAS, on May 17, 1994 DEVELOPER filed an application for annexation to Park City of Flagstaff Mountain, consisting of DEVELOPER's, DEER VALLEY's and Northside Neighborhood Property Owners' land, together totaling an area of approximately 1,750 acres;

C. WHEREAS, on May 10, 1997 the Park City Council unanimously resolved by Resolution 10-97 to annex Flagstaff Mountain under certain Development Parameters;

D. WHEREAS, on July 8, 1998 DEVELOPER requested reconsideration by the City of Resolution 10-97 and offered certain incentives for limiting development of the Bonanza Flats, Richardson Flats and the Iron Mountain Parcels;

E. WHEREAS, on September 10, 1998 the Park City Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats and the Iron Mountain Parcels, as set forth in this Agreement; and

F. WHEREAS, in the intervening months since the City Council adopted the September 10, 1998 development parameters, the DEVELOPER has further refined its proposal by offering to move 16 single family homes from the sensitive Prospect Ridge area to the Mountain Village and to constrain development in the Northside Neighborhood to reduce site disturbance and to facilitate sale to a conservation buyer for a time certain; and

G. WHEREAS, the Parties intend to enter into this Agreement to establish new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and the Iron Mountain Parcels and to establish a time certain for annexation of Flagstaff Mountain into the City.

NOW, THEREFORE, in consideration of the foregoing recitals and the covenants hereafter set forth, the sufficiency of which the Parties hereby acknowledge, the Parties agree as follows:

SECTION I. DEFINITIONS

Unless the context requires a different meaning, any term or phrase used in this Agreement that has its first letter capitalized shall have that meaning given to it by the Park City Land Management Code (LMC) in effect on the date of a complete application or, if different, by this Agreement. Certain such terms and phrases are referenced below; others are defined where they appear in the text of this Agreement.

1.1 **"Annexation Property"** means that approximately 1,750 acres of property known as Flagstaff Mountain, described and depicted on Exhibit A.

1.2 **"Bonanza Flats"** means that approximately 1,500 acres of UPCM property commonly referred to as Bonanza Flats, consituting all of UPCM's holdings in Bonanza Flats and described and depicted on Exhibit C.

1.3 **"DEER VALLEY"** means the Deer Valley Resort Company, a Utah limited Partnership and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEER VALLEY shall cause its employees and agents to act in accordance with the terms of this Agreement.

1.4 **"DEVELOPER"** means United Park City Mines Company, a publicly traded Delaware corporation, and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEVELOPER shall cause its employees and agents to act in accordance with the terms of this Agreement.

1.5 **"Inaction"** provisionally[1] means (a) DEVELOPER's failure to pursue a sequential permit (i.e. Small Scale MPD permit, conditional use permit, subdivision application, or building permit) by failing to submit a complete application for such a permit or by failing to respond to the

[1] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

City's written requests for information which the City deems is necessary to process the application; or (b) DEVELOPER's failure to sustain permitted construction such that the permit under which construction is allowed, expires or is otherwise suspended or revoked.

1.6 **"Meeting Accessory Uses"** provisionally[2] means uses normally associated and necessary to serve meeting and banquet space. Meeting Accessory Uses do not require the use of Unit Equivalents and include:

1.6.1 Administrative and Banquet Offices

1.6.2 Banquet Storage Areas

1.6.3 Banquet Prep Areas Storage Areas

1.6.4 Common A/V Storage Areas

1.6.5 Coat Check Areas

1.6.6 Public Restrooms

1.6.7 Public Telephone Areas

1.6.8 Public Hallways

1.6.9 Public Circulation Areas.

1.7 **"Mountain Village"** means that mixed-use portion of Flagstaff Mountain described and depicted as the Mountain Village in Exhibit A attached hereto and limited to a total of 84 acres, within three development Pods (A, B_1, and B_2) and maximum densities, unit equivalencies and configuration more fully described herein.

1.8 **"Northside Neighborhood"** means that 63-acre portion of Flagstaff Mountain described and depicted as the Northside Neighborhood in Exhibit A attached hereto and limited to the maximum density, unit equivalency, and configuration more fully described herein.

1.9 **"Northside Neighborhood Property Owners"** means, in addition to UPCM and DEER VALLEY, Park City Star Mining Company, Inc., a Utah corporation, Bransford Land Company, representing the interests of

[2] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

Anne Bransford Newhall, Mary Bransford Leader and Carolyn Bransford MacDonald, and Stichting Beheer Mayflower Project, a legal entity representing the interests of Stichting Mayflower Recreational Fonds and of Stichting Mayflower Mountain Fonds.

1.10 **"Pedestrian Village"** means an area configured within Pod A of the Mountain Village for the mixed use of residential, Residential Accessory, Resort Support Commercial, Resort Accessory, meeting and Meeting Accessory Uses within which at least sixty-five percent (65%) of the residential properties are clustered within walking distance (5 minutes) of a Transportation Hub for such residential properties, which can be directly accessed by pathways or sidewalks.

1.11 **"Planned Unit Development"** or **"PUD"** means a master planned development consisting of clustered, detached, single family or duplex units with common open space and coordinated architecture.

1.12 **"Pod Z"** means that area, depicted on Exhibit F that is limited for ski-related uses as further defined herein.

1.13 **"Project"** means the residential, recreational and commercial real estate development to be constructed within Flagstaff Mountain.

1.14 **"Residential Accessory Uses"** provisionally[3] means uses that are for the benefit of the residents of a commercial residential use, such as a hotel or nightly rental condominium project. Residential Accessory Uses do not require the use of Unit Equivalents. Residential Accessory Uses include:

1.14.1 Common Ski Lockers

1.14.2 Common Lobbies

1.14.3 Registration

1.14.4 Concierge

1.14.5 Bell Stand/Luggage Storage

1.14.6 Common Maintenance Areas

1.14.7 Mechanical Rooms

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[3] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.14.8 Common Laundry Facilities and Common Storage Areas

1.14.9 Employee Facilities

1.14.10 Common Pools, Saunas and Hot Tubs

1.14.11 Public Telephone Areas

1.14.12 Public Restrooms

1.14.13 Administrative Offices

1.14.14 Public Hallways and Circulation Areas

1.15 **"Resort Accessory Uses"** provisionally[4] means uses that are clearly incidental to and customarily found in connection with the principal resort building or use and are operated for the convenience of the owners, occupants, employees, customers or visitors to the principal resort use. Resort Accessory Uses do not require the use of Unit Equivalents. They include such uses as:

1.15.1 Information

1.15.2 Lost and Found

1.15.3 Mountain Patrol

1.15.4 Mountain Administration

1.15.5 Mountain Maintenance and Storage Facilities

1.15.6 Mountain Patrol and Emergency Medical Facilities

1.15.7 Public Lockers

1.15.8 Public Restrooms

1.15.9 Employee Lockers

1.15.10 Ski School/Day Care

1.15.11 Ticket Sales Areas

1.15.12 Ski Check Areas

1.15.13 Public Circulation Areas and Hallways

1.16 **"Richardson Flats"** means all of UPCM's property at the southeast corner of U.S. 40 and S.R. 248, more fully described and depicted on Exhibit D.

[4] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.17 **"Transportation Hub"** means the terminus of a public and/or private transportation system that is located at a convenient location within the Mountain Village.

1.18 **"Unit Equivalent,"** with respect to commercial structures and multifamily and PUD structures, has the meaning set forth in the LMC.[5] Each single family residential structure (excluding PUDs) approved by the City pursuant to this Agreement for construction within the Project shall have a Unit Equivalent of 1.00, regardless of the size or the location of the single family residential structure. Each commercial structure or portion thereof shall consume 1 Unit Equivalent for each 1000 square feet. Each multifamily and PUD residential structure shall consume 1 Unit Equivalent for each 2000 square feet.

SECTION II. LARGE SCALE MPD—FLAGSTAFF MOUNTAIN

2.1. DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain. This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities and is subject to all normally-applicable City processes, and in addition thereto, such processes defined below, including DEVELOPER's responsibility, prior to or concurrent with the Small Scale MPD process, to submit and ultimately to obtain (upon modification, if necessary) City approval, of satisfactory plans detailed below:

2.1.1. Mine/Soil Hazard Mitigation Plan--which plan shall include an inventory of all mine sites, potential sources of release of hazardous materials into the environment, and a plan and schedule for their remediation;

2.1.2. Detailed Design Guidelines, with strong architectural themes, for the entire Flagstaff Mountain Project;

2.1.3. Specific Transit Plan;

2.1.4. Parking Management Plan;

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[5] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent.

2.1.5. Detailed Open Space Management Plan;

2.1.6. Historic Preservation Plan;

2.1.7. Emergency Response Plan, including DEVELOPER's commitments to provide infrastructure necessary to serve the Project and Bonanza Flats and phasing therefor;

2.1.8. Trails Master Plan setting forth trail locations, specifications, phasing and timing of public easements;

2.1.9. Private Road Access Limitation Procedures;

2.1.10. Construction Phasing Plan—including construction milestones for project amenities, including Richardson Flats development;

2.1.11. General Infrastructure and Public Improvements Design and Phasing Plan, which calls for the efficient extension of services, concentrating initial infrastructure development in the Mountain Village, and secondarily in the Northside Neighborhood. Such plan shall allow for the construction of a variety of housing types in each phase;

2.1.12. Utilities Master Plan—including the timing, alignment and service strategy for water and sewer service, as well as storm water management throughout the Project and Bonanza Flats;

2.1.13. Wildlife Management Plan; and

2.1.14. Affordable Housing Plan, including phasing.

2.2. **Maximum Development Parameters--Flagstaff Mountain.** Flagstaff Mountain is composed of the Mountain Village, the Northside Neighborhood; various ski related improvements, and the Silver Mine Adventure. Upon annexation, Flagstaff Mountain will be zoned as shown on the zoning map attached hereto as Exhibit P. The following maximum development parameters apply to Flagstaff Mountain:

2.2.1 **Mountain Village:** The Mountain Village is constrained as follows:

2.2.1.1 **Small Scale MPD.** Site specific volumetrics and configuration will be established in the Small Scale MPD process.

2.2.1.2. **Maximum Development Area.** In the Small Scale MPD process, the entire Mountain Village development shall be constrained within a total of 84 acres.

2.2.1.3. **Maximum Density**. The maximum density within the Mountain Village is 705 Unit Equivalents configured in no more than 470 residential units.[6] Such density shall be configured as multi-family, hotel, or PUD units, provided the PUD units do not exceed 60. PUD units consume Unit Equivalents in the same respect as multifamily units. Additionally, the Mountain Village may contain up to 16 detached single family home sites.

2.2.1.4. **Pedestrian Village**. At least 65% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A), and must be located within a five-minute walk of the Transportation Hub. All three development pods (Pods A, B_1, and B_2) within the Mountain Village must be linked by transit.

2.2.1.5. **Commercial.** The Mountain Village may additionally include up to 75,000-sq. ft. of Resort Support Commercial uses, which shall include Neighborhood Convenience Commercial uses for residents and visitors such as groceries and sundries.

2.2.1.6. **Mine Site Reclamation**. To the greatest extent possible, DEVELOPER shall locate density in disturbed areas. This provision applies primarily to potential density at the Daly West site. Additionally, DEVELOPER shall

[6] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent.

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reclaim[7] all mining and mining overburden sites within Flagstaff Mountain, in accordance with state and federal regulatory agency review.

2.2.1.7. **Public Trails.** DEVELOPER shall construct and dedicate public trails designated on an accepted Trails Master Plan. Many trails will be constructed on land ultimately owned by DEER VALLEY. In those areas, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for public trail use. Such rules may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.2.1.8. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER and/or DEER VALLEY shall execute for the benefit of the City perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which, at a minimum, shall prevent the construction thereon of residential, commercial and retail structures but shall provide for ski-related uses consistent with paragraph 2.5 herein.

2.2.1.9. **Parking.** Each Small Scale MPD submittal shall include a parking management plan with respect to the portion of the property covered by such Small Scale MPD submittal. The goal of the plan is to design the Mountain Village in such a way as to reduce parking demand by 25%. DEVELOPER shall plan and encourage within the Mountain Village portion of the Project programs such as parking management, paid parking for commercial uses, shuttles and other programs designed to reduce the

[7] Reclamation shall include, at a minimum, revegetation of exposed areas.

demand for private vehicles and parking. DEVELOPER shall provide for shared parking in all commercial, short-term residential and mixed-use buildings. Assigned or reserved spaces within commercial, short-term residential and mixed-use buildings are prohibited. The majority of the required parking areas will be fully enclosed and/or constructed underground.

2.3 **Prospect Ridge.** DEVELOPER considers the Prospect Ridge area depicted in Exhibit K to be a critical viewshed area for Old Town.

2.3.1 **Public Trails.** Consistent with the Trails Mater Plan, DEVELOPER shall construct and dedicate to the City public trails designated within the Prospect Ridge area.

2.3.2 **Deed Restricted Open Space.** Within 30 days of issuance of the first Small Scale MPD, DEVELOPER shall cause to be recorded a document, approved by the City, which shall impose perpetual covenants and use restrictions for that portion of Prospect Ridge depicted as "Recreation Open Space Dedication" on Exhibit K which shall prevent the construction thereon of residential, commercial and/or retail structures, ski lifts, and developed alpine ski runs.

2.4. **Northside Neighborhood.** The Northside Neighborhood is composed of property owned by five separate Northside Neighborhood Property Owners and, upon their written acceptance of the terms of this Agreement, may contain a maximum of 38 homes, the size and location of which shall be determined at Small Scale MPD/subdivision review. The Northside Neighborhood may also contain a 1000 sq. ft. non-denominational Chapel, that will remain open and reasonably available to the public.[8]

2.4.1 **Small Scale MPD.** The Small Scale MPD must include all Northside Neighborhood Property Owners to achieve the

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[8] No utility extension will be allowed for the Chapel. Power may be allowed if it is readily accessible. Location of the Chapel cannot cause the extension of an improved road. Siting and construction must comply with all Code provisions.

maximum density of 38 detached single-family homes. Absent participation by all Northside Neighborhood Property Owners, DEVELOPER and DEER VALLEY may apply for a Small Scale MPD for a maximum of 30 single-family homes on the portion of the Northside Neighborhood owned by DEVELOPER and DEER VALLEY.[9] In all circumstances, DEVELOPER and DEER VALLEY shall limit development in the Northside Neighborhood as follows:

2.4.1.1. **Meadow Restriction.** Homes shall not be in the meadow area generally designated on Exhibit A and further defined in the Small Scale MPD process.

2.4.1.2. **Ski Run Separation.** Limits of disturbance for each site shall be a minimum of 50 feet from any ski run.

2.4.1.3. **Viewpoint Restrictions**. Structures and roads must be configured to minimize road and utility impacts and to minimize wintertime visual impacts[10] from ski runs and designated viewpoints, including but not limited to the knoll behind the terminus of what is presently known as the Northside chairlift.

2.4.1.4. **Public Trails**. Consistent with the Trails Master Plan, DEVELOPER, DEER VALLEY, and Northside Neighborhood Property Owners shall dedicate to the City improved public trails and trail easements that connect to the surrounding trail system. Where trails pass through the Deer Valley Ski Area, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations. Such rules

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[9] If Park City Star, Bransford or Mayflower do not reach an agreement with DEVELOPER and DEER VALLEY with respect to the joint development of the detached single family homes within the Northside Neighborhood, then DEVELOPER and DEER VALLEY shall grant to the City the right to connect to the utility lines and to grant limited access to roads within the Northside Neighborhood without cost to serve the remaining property owners.

[10] As well as summertime visual impacts.

may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.4.1.5. **Enchanted Forest**. No development shall occur in the "Enchanted Forest" area generally designated on Exhibit A and further defined in the Small Scale MPD process.

2.4.1.6. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER shall record perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which shall prevent the construction thereon of residential, commercial and retail structures but shall allow ski-related uses.

2.4.2. **Northside Neighborhood Conservation Plan.** DEVELOPER and DEER VALLEY agree to refrain from transferring, improving or developing the Northside Neighborhood for 3 years, from the date of this Agreement to facilitate the potential of (a) the fee simple sale of the Northside Neighborhood, or (b) the sale and transfer of the development rights from the Northside Neighborhood. In either case, the sale would be completed within said time period and would be to a conservation buyer or buyers at fair market value at the date of purchase. Fair market value in this context shall reflect the entitlement for single family detached units set forth in the Large Scale Master Plan and this Agreement or, if the Small Scale Master Plan has been issued, as reflected in the Small Scale Master Plan for the Northside Neighborhood. The three-year period noted above shall not limit the Planning Commission's authority in connection with approval of the phasing plans required in sections 2.1.10 and 2.1.11.

2.5. **Ski-Related Development.** Subject to conditional use review, DEER VALLEY may construct a skier day lodge of a maximum of 35,000 square feet, in the approximate location depicted on Exhibit A. The day lodge

shall have no public road access and no day skier parking, must have adequate emergency vehicle access, and shall have only limited parking to meet service and administrative requirements. DEER VALLEY shall provide deed-restricted employee/affordable housing units as defined by the City's affordable housing policy in an amount equal to 20% of the commercial Unit Equivalents approved by the City for the day lodge prior to issuance of a Certificate of Occupancy for the day lodge.

2.5.1 **Conditional Use (Administrative).** Ski terrain and ski-related development is an administrative conditional use within the Project, consistent with the Deer Valley Ski Area Master Plan depicted in Exhibit F attached hereto, provided that only two graded runs shall be allowed in ski Pod Z, with thinning and other limited vegetation removal in the balance of Pod Z for skier safety and glade skiing. Review of ski terrain and ski-related development shall include, but shall not be limited to consideration of the following:

2.5.1.1 Openings for ski trails and lifts with straight edges and uniform widths will be minimized to the greatest extent possible.

2.5.1.2 Trails that are designed for base area return or circulation between fall line areas shall be designed for appropriate grades and widths consistent with minimizing visual impact.

2.5.1.3 Lift towers shall be painted or otherwise treated to blend with the natural surroundings.

2.5.1.4 Vegetation management, re-vegetation and erosion control techniques shall be designed in accordance with the "Deer Valley Resort Company Ski Run Construction and Revegetation Standards" attached hereto as Exhibit G. The objective shall be to achieve a vegetative condition that enhances the skier experience and long

term forest health. Re-vegetation shall be designed to control erosion and to restore ground cover as quickly as possible after ground disturbing activities.

2.6 Beano's Style Private Club. DEVELOPER may construct a private restaurant (Beano's Cabin at Beaver Creek-style[11]), at a location to be determined at the Small Scale MPD phase, with emergency access only, and no private vehicular access or parking. The size of the private restaurant shall be determined at Small Scale MPD review and shall not exceed 7000 square feet.

2.7 Silver Mine Adventure. DEVELOPER may continue to operate the Silver Mine Adventure on the Ontario Mine Site as a valid, non-conforming use. Any change or expansion of use shall be processed in accordance with the LMC in effect at the time of the DEVELOPER's submission of a complete application for the proposed expansion.

2.8 Access and Alignment of S.R. 224. DEVELOPER shall access Flagstaff Mountain by means of S.R. 224, and a private road system. DEVELOPER shall realign a portion of S.R. 224 in the approximate location set forth on Exhibit H attached hereto, and shall construct a private road system for Flagstaff Mountain in the approximate location depicted on Exhibit H. The Parties agree to the following access and alignment of the road systems within Flagstaff Mountain:

2.8.1 **Alignment.** Upon Planning Commission approval of the first Small Scale MPD for Flagstaff Mountain, DEVELOPER shall petition to vacate the existing S.R. 224 alignment and, if granted, shall realign and dedicate the relocated S.R. 224 right of way to a standard similar to the existing S.R. 224 (with an asphalt surface for dust control). Such alignment shall be as generally depicted on Exhibit H. DEVELOPER shall block and prohibit vehicular access over the discontinued historic alignment of S.R. 224.

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[11] Beano's is a 7000 square foot private restaurant. This reference to a Beano's-style restaurant is not intended to predetermine the Planning Commission's decision regarding the maximum allowable size of such a restaurant.

Access over the realigned S.R. 224 shall remain seasonal (warm weather only). Upon completion of construction thereof, to the reasonable satisfaction of the City Engineer, the City shall accept the dedication of public roads under its jurisdiction identified on Exhibit H, or as determined by the Council, upon recommendation of the Planning Commission through the Small Scale MPD and subdivision processes.

2.8.2 **Private Road.** Upon Small Scale MPD approval, and only to the extent of the Small Scale MPD approval, DEVELOPER shall construct a private road system within Flagstaff Mountain, as depicted in Exhibit H, over which DEVELOPER shall maintain all-season access throughout the year.

2.8.3 **Seasonal, Controlled Automobile Access.** DEVELOPER shall support and shall not undermine seasonal closure of realigned S.R. 224 and shall control motorized vehicular access from S.R. 224 to the private road system to prevent vehicular through traffic.

2.8.4 **Emergency Deer Valley Access.** The Project's seasonal emergency secondary access is through the Deer Valley Ski Area generally as depicted on Exhibit I and crash-gated in the approximate locations shown on Exhibit I. DEER VALLEY shall provide the City and the Park City Fire Service District with keys and/or combinations to the gates. The emergency access is necessary as a controlled evacuation route and as an emergency access for fire and safety personnel and equipment only. The secondary access route is an important ski run to the Deer Valley Ski Area that, in all but the most exceptional circumstances, will be used by skiers and over-the-snow vehicles. The Park City Fire Marshall may cause the access to be plowed and placed into winter service for emergency and evacuation purposes in that

exceptional emergency situation when normal road access to Flagstaff Mountain is interrupted for an extended period.[12]

2.8.5 **Controlled Snowmobile Access.** Winter snowmobile access to Brighton Estates and to Bonanza Flats is presently available over portions of S.R. 224. DEVELOPER and DEER VALLEY shall allow seasonal snowmobile access to property owners and renters in Brighton Estates over those portions of S.R. 224 within the Project that are presently used or alternatively over similar portions of S.R. 224 as may be relocated. DEVELOPER and DEER VALLEY shall otherwise prevent wintertime motorized vehicular access to the extent such action is consistent with the policy of the public entity that owns S.R. 224. The current recreational snowmobile concession in Flagstaff Mountain shall be eliminated with the relocation of S.R. 224.

2.8.6 **DEVELOPER's Consent to Transfer**. DEVELOPER consents to cooperate with the City in any state transfer of any portion of S.R 224.

2.9 **Flagstaff Mountain Mitigation/Amenities.** At the City's request, the DEVELOPER shall deliver the following mitigation and amenities as an inducement to execute this Development Agreement:

2.9.1 **Trails.** DEVELOPER shall construct, maintain and commit to free public use, an improved public trail system as set forth in an approved Trails Master Plan. The construction of the trails shall be phased with the progress of the development of the Project. Existing trails shall remain open to the public until provisional or final trails have been constructed. Final trail locations may vary due to field conditions and season. Relocation of any trails shall be identified in the Trails Master Plan. Where the trails pass through the Deer Valley Ski Area, or are located on non-development lands owned or controlled by Deer Valley, Deer

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[12] The Park City Fire Marshall may not cause the access to be plowed simply for pubic convenience.

Valley shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for trail use, including reasonable rules and regulations intended to prevent or minimize conflict between potential trail uses. Pedestrian and bicycle uses of the trail system shall not be prohibited or restricted without being so identified in the Trails Master Plan.

2.9.2 **Gondola.** If approved by the City, DEVELOPER shall construct a gondola from a location in or near Old Town to a terminus in the Mountain Village. DEVELOPER shall submit to the City a complete written description comparing the development scenarios for Flagstaff Mountain with the construction of a gondola and without the construction of a gondola. The City agrees to work expeditiously through the public process with respect to making a final decision regarding the construction of a gondola as set forth in this Section.

2.9.3 **No Gondola Alternative.** If the City determines that the construction of a gondola is not feasible or in the public interest, then: a) DEVELOPER shall contribute $1,000,000 in cash to the City to be used specifically for other traffic mitigation projects in the City related to the Project, and b) pursuant to an approved Specific Transit Plan or a Parking Management Plan, and in addition to all other commitments herein, DEVELOPER shall expend an additional $1,000,000 ($2,000,000 total) for traffic mitigation beneficial to the Project. If DEVELOPER is required to expend $1,000,000 for traffic mitigation directly related to the Project, then such traffic mitigation expenses and the timing thereof shall be set forth in the Specific Transit Plan.

2.9.4 **Historic Preservation.** The Historic Preservation Plan, at a minimum, shall contain an inventory of historically significant structures located within the Project and shall set forth a preservation and restoration plan, including a commitment to

dedicating preservation easements to the City, with respect to any such historically significant structures. The head frame at the Daly West site is historically significant.

2.9.5 **Enhanced Environmental Protection.** DEVELOPER shall limit the construction or installation of wood-burning devices to one wood-burning device in each of the 54 single-family homes in the Project. DEVELOPER shall not request approval from the City for wood-burning devices in any other attached, or detached, residential uses. Within each lodge, or hotel constructed within the Project, DEVELOPER shall have the right to construct one wood-burning device in each such lodge or hotel.

2.9.6 **Lady Morgan Springs Open Space (Passive Use).** The Lady Morgan Springs Area[13], shall be restricted, by conservation easements acceptable to the City, and signs and monitoring, if necessary, to limit use of the area to skiing (without cutting runs, glading, or thinning trees) and daytime recreational hiking. Neither construction activity nor motorized vehicular use of any kind shall be allowed in the Lady Morgan Springs Area, except as allowed, with City staff approval, for forestry and wetlands management.

2.9.7 **Open Space (Active).** All land outside of the development areas (ski terrain and open space designated on Exhibit A) will be zoned as Recreation Open Space (ROS-MPD). Upon issuance of the first Small Scale MPD for any portion of the Project, DEVELOPER and DEER VALLEY shall 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

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[13] Described and depicted on Exhibit J, and as further defined in the Small Scale MPD process.

runs, one skier day lodge, and other similar winter and summer recreational uses and services. Such conservation easements shall prohibit any hotel, lodging, residential or commercial construction or use on ROS-zoned land in Flagstaff Mountain. Such conservation easement shall be to the reasonable satisfaction of the City and shall be first in priority in title.

2.9.8 **Open Space (Prospect Ridge).** Within 30 days of issuance of a Small Scale MPD, DEVELOPER shall grant to the City a conservation easement, with free public trail access, without encumbrances, over acreage located on Prospect Ridge, contiguous with City-owned open space. The conservation easement area on Prospect Ridge is identified on Exhibit K attached hereto. Such conservation easement shall be to the reasonable satisfaction of the City and shall be first in priority in title.

2.9.9 **Open Space (Iron Mountain).** Upon the issuance of any Small Scale MPD, for any portion of the Project, DEVELOPER shall deed restrict or transfer to Park City, the Iron Mountain Parcels with City-approved encumbrances. In connection with such dedication, DEVELOPER shall reserve to DEVELOPER the right to lease to third parties the Iron Mountain Parcels for ski and other environmentally sensitive recreational uses. Such reservation shall not include the right to cut runs, glade, or thin trees, or construct or install ski lifts or developed alpine ski runs. DEVELOPER shall also reserve the right to retain all rent, proceeds and other consideration resulting from or generated by DEVELOPER leasing the Iron Mountain Parcels to third parties for ski and recreation-related uses. DEVELOPER shall indemnify, defend and hold the City harmless from any claim arising from DEVELOPER's or a third party lessee's use of the Iron Mountain Parcels. Nothing herein should be construed to

limit or waive governmental immunity with respect to claims made against the City.

2.9.10 **Neighborhood-Specific Design Guidelines.** DEVELOPER shall incorporate a Master Resort Association for Flagstaff Mountain and a Project-specific Property Owners' Association for the Mountain Village and Northside Neighborhood areas to cooperatively manage certain aspects of the Project. The Design Guidelines for both the Project and Bonanza Flats must emphasize a strong, common architectural theme, and shall be enforceable by one or more of the above-mentioned Associations.

2.9.11 **Public Safety.** A comprehensive emergency response plan will be required. The proposal includes a public safety site, at a minimum. The final public safety and emergency access plan must be determined prior to any permit issuance and only after coordination with the affected entities, such as the Park City Fire Service District.

2.9.12 **Sandridge Parking Lots**. Prior to the issuance of a Small Scale MPD for any portion of Flagstaff Mountain, DEVELOPER shall irrevocably offer to dedicate to the City a conversation easement, or deed, satisfactory to the City to preserve the Sandridge Parking Lots, described in Exhibit L as a public parking facility. Such interest shall be offered with no outstanding monetary encumbrances.

2.9.13 **Sandridge Heights Property**. Developer further agrees to limit its use of its Sandridge Heights property, described in Exhibit L, to either affordable housing or open space.

2.10 **FLAGSTAFF MOUNTAIN MITIGATION MEASURES:**

2.10.1 **Water System.** DEVELOPER shall build and dedicate to the Park City Water Service District an adequate water delivery

system within Flagstaff Mountain to serve the Project, including all fire flow and irrigation needs.

2.10.1.1 **Withdrawal of Water Protests.** DEVELOPER shall immediately withdraw its protests to the City's pending water change application(s) before the State Engineer and agrees not to protest future City applications before the State Engineer.

2.10.1.2 **Water Source.** DEVELOPER shall design and construct a water source and delivery system to transport water from the water source to Flagstaff Mountain and to dedicate that system to the City. DEVELOPER and the City anticipate that such delivery system will include the development of a well of sufficient capacity to serve the Project.

2.10.1.3 **Group II Rights.** The City and DEVELOPER agree to file a joint application with the State Engineer to convert to municipal use within the boundaries of the Park City Water Service District all "Group II" water rights owned by both parties. The joint application will list all mutual points of diversion, all of the City's municipal sources, and all of DEVELOPER's sources including the proposed Ontario and Empire Canyon Wells. DEVELOPER and the City shall divide the Group II rights approved for municipal use evenly, with DEVELOPER and the City each taking ownership of one-half of the total approved rights. DEVELOPER agrees to sell exclusively to the City its portion of the approved Group II water rights and DEVELOPER's interest in its Theriot Springs and Haueter Springs water rights (Weber Decree Award #456, #467 and #468)

collectively referred to herein as the "Committed Water".

2.10.1.4 **Committed Water.** Once approved for municipal use, all Committed Water shall be leased to the City at a nominal cost and will therefore be unavailable for sale to others. DEVELOPER shall dedicate the Committed Water to the City, and the City shall pay to DEVELOPER from time to time an amount equal to the water development impact fees actually collected by the Park City Water Service District from the development of Flagstaff Mountain. Each such payment from the City to DEVELOPER shall be paid within 30 days following the receipt by the Park City Water Service District of each such water development impact fee.

2.10.1.5 **Excess Water Rights.** If after ten (10) years or 90% buildout of Flagstaff Mountain and Bonanza Flats, whichever last occurs, DEVELOPER retains water rights in excess of the water demand for both projects, the City may purchase the excess water rights from DEVELOPER at fair market value based on an appraisal from a mutually agreed upon appraiser or the City may relinquish its interest in the excess water rights. The City shall elect to either purchase (some or all of the excess water rights) or relinquish its interest in the excess water rights within 180 days of written notice of the expiration of 10 years or 90% buildout of both projects, whichever last occurs. If the City takes no action within the 180 days, City will be deemed to have relinquished its interest in the excess water rights.

2.10.1.6 **Impact Fees and Water Rates.** The City will charge water development and connection impact fees

and water rates within the Project in an amount equal to the water development and connection impact fees and water rates charged to other water users within the Park City Water Service District, unless extraordinary costs can be identified by the City and fairly assigned to the water users within the Project.

2.10.2 Transportation and Traffic Mitigation. DEVELOPER has agreed to provide the following transportation and traffic mitigation measures.[14] Prior to the issuance of a Certificate of Occupancy within the Mountain Village,[15] the DEVELOPER shall provide the following to reduce the traffic anticipated by the Project:

2.10.2.1 **Van and Shuttle Service.** DEVELOPER shall provide for its owners, employees and guests, van and shuttle service alternatives consisting of regular circulator service within the Mountain Village and service from the Mountain Village to key destinations such as the Salt Lake International Airport, Main Street, Silver Lake, golf courses, and recreational trail heads.

2.10.2.2 **Road and Intersection Improvements.** Attached hereto as Exhibit M is a map and a more detailed list of improvements, which shall be constructed by DEVELOPER in satisfaction of this obligation. Prior to the construction of any of the improvements described below, the City shall review and approve or reject with suggested changes all plans, drawings and specifications with respect to the alignment and construction of such road and intersection

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[14] However, within the Small Scale MPD process, the City may conclude that these transportation and traffic measures should be reduced, and will modify DEVELOPER's obligations accordingly.
[15] Except for DEER VALLEY's day lodge pursuant to paragraph 2.5 herein.

improvements. Following DEVELOPER's completion of the construction of such improvements, DEVELOPER shall offer to dedicate such improvements to the appropriate governmental entity.

2.10.2.3 **Contribution to Marsac Roundabout.** DEVELOPER shall financially participate in the reconstruction of the intersection of Marsac Avenue and Deer Valley Drive. DEVELOPER is responsible for paying its proportionate share (determined by projected traffic generation) of the City's cost of such reconstruction to mitigate the impact of the Flagstaff Mountain and Bonanza Flats projects on the intersection.

2.10.2.4 **Runaway Truck Lane**. DEVELOPER, or an affiliate of DEVELOPER, shall construct a run-away truck lane on the Mine Road section of S.R. 224, as described on Exhibit N attached hereto. DEVELOPER expects to dedicate the Runaway Truck Lane to UDOT.

2.10.2.5 **Mine Road Widening**. Upon Planning Commission recommendation, DEVELOPER shall widen the Mine Road section of S.R. 224 as described on Exhibit M attached hereto.

2.10.2.6 **Mine Road Passing Lane**. Upon Planning Commission recommendation, DEVELOPER shall create and dedicate a passing lane on the Mine Road section of S.R. 224 as described on Exhibit M attached hereto.

2.10.2.7 **Drainage Improvements.** DEVELOPER shall improve drainage to S.R. 224 as described on

Exhibit M attached hereto.

2.10.2.8 **Landscaping.** Upon Planning Commission approval, DEVELOPER may construct and create, at DEVELOPER'S sole cost and expense, landscape improvements in the area depicted on Exhibit M, uphill from the intersection of S.R. 224 with Hillside to act as a Project entry statement.

2.10.3 **Construction Mitigation.** DEVELOPER shall provide the following measures, all to the reasonable satisfaction of the City's Chief Building Official, to mitigate the impact of construction within Flagstaff Mountain. DEVELOPER shall also adhere to the usual construction impact mitigation measures required by the City. Additional reasonable site-specific mitigation measures may be required at the Small Scale MPD phase. These measures will be permanently reflected in Covenants, Conditions and Restrictions of each development parcel. The Detailed Construction Phasing Plan to be submitted by DEVELOPER to the City shall include, without limitation, provisions pertaining to:

2.10.3.1 Limits of Disturbance and Vegetation Protection for all construction, including construction of public improvements.

2.10.3.2 Construction staging, on-site batch plants, and materials stockpiling[16] and recycling in the Daly West area to keep all excavated materials on site during the Project infrastructure and construction phases.

2.10.3.3 Construction traffic routing plan to minimize traffic impacts on Old Town and residential areas, by only allowing construction traffic to use current state roads, unless otherwise directed by the City.

2.10.3.4 Dust and soils monitoring and containment, along with

[16] Developer shall stockpile all earthen material on site.

remediation of contaminated mining waste within the areas that are disturbed during the construction of the improvements within the Project and erosion and runoff controls for the entire Project

2.10.3.5 Temporary public access trails throughout construction.

2.10.3.6 Tools and equipment storage on-site adequate to serve all construction.

2.10.4 **Employee/Affordable Housing.** DEVELOPER shall provide deed-restricted employee/affordable housing units as defined by the City's affordable housing policy in an amount equal to 10% of the residential and 20% of the commercial Unit Equivalents approved by the City for the Project. A minimum of 25% of the affordable housing obligation shall be located on-site within the Project, unless otherwise directed by the Housing Authority. DEVELOPER and the City shall consult with Mountainlands Housing Trust, or its equivalent (if any), to determine the type and location of employee/affordable housing which would be most effective in offsetting the demand generated from the Project. DEVELOPER shall provide the remaining 75% of the units as directed by the Housing Authority. The employee/affordable housing will be phased with the Project. Upon Planning Commission recommendation, the Housing Authority may direct DEVELOPER to:

2.10.4.1 Develop, subject to deed restrictions some of the remaining units on the 20-Acre Quinn's Junction Parcel; or

2.10.4.2 Donate in a form satisfactory to the City, without restrictions or encumbrances, the 20-Acre Quinn's Junction Parcel to the City in lieu of some or all of the remaining portion of DEVELOPER's affordable housing obligation; or

2.10.4.3 Build the units on an alternate parcel provided to DEVELOPER by the City. DEVELOPER must donate the 20-Acre Quinn's Junction Parcel to the City if the City offers to donate otherwise suitable land to DEVELOPER. If the City and DEVELOPER exchange parcels with respect to the new employee/affordable housing units, then DEVELOPER shall construct on such alternate parcel such number of new employee/affordable housing units, up to the required number of units, for which DEVELOPER is able to obtain approval. In no event shall the cost incurred by DEVELOPER to construct the new employee/affordable housing units on an alternate parcel provided by the City exceed the cost which DEVELOPER would have incurred to construct such new employee/affordable housing units on the 20-Acre Quinn's Junction Parcel; or

2.10.4.4 If mutually acceptable to DEVELOPER and the City, pay to the City a fee in lieu of constructing employee/affordable housing, consistent with the City's affordable housing policy, if such payment in lieu of constructing employee/affordable housing results in the construction or dedication of actual units for affordable /employee housing; or

2.10.4.5 Satisfy its obligation in a manner otherwise consistent with the City's affordable housing policy.

2.10.5 **5-Year Irrevocable Offer to Annex the 20-Acre Quinn's Junction Parcel**. For the next five years, DEVELOPER hereby irrevocably offers to annex the 20-Acre Quinn's Junction Parcel to the City.

SECTION III. ADDITIONAL PUBLIC BENEFITS

In addition to the foregoing, DEVELOPER offers the following inducements to contract:

3.1 **Richardson Flats**. DEVELOPER unconditionally offers to annex Richardson Flats to the City and, regardless of the annexation of Richardson Flats, to restrict development of Richardson Flats to one of the following options to be selected by DEVELOPER, at DEVELOPER'S sole discretion:

Option 1. Under Option one DEVELOPER must limit the use of Richardson Flats to golf (with the requisite clubhouse, maintenance buildings and other related improvements), equestrian uses (including the construction of an arena or indoor equestrian center), and/or such other public recreational opportunities or special events as the City may deem proper. In the event DEVELOPER is able to obtain necessary approvals from EPA and/or DEQ, then DEVELOPER must construct on Richardson Flats a golf course, clubhouse, and driving range with adequate[17] provisions for defined public access.

Option 2. Under Option two, DEVELOPER must limit the use of Richardson Flats to an 18-hole golf course (with the requisite clubhouse, maintenance buildings and other related improvements)[18] and would make available to the City a site for a second 18-hole golf course. The site to be donated to the City would not include land in need of environmental remediation. If a second golf course is constructed under Option two, then the City and DEVELOPER shall work cooperatively to develop shared facilities such as a driving range and golf maintenance shops.

Option 3. If, after diligent efforts, DEVELOPER cannot receive EPA or DEQ approval of the aforementioned recreational

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[17] The course must be operated to maximize play.

[18] Under Option 2 DEVELOPER may in the City's sole discretion be afforded the right to use Richardson Flats for such other public recreational opportunities or special events as the City may deem proper.

improvements, DEVELOPER will perpetually deed restrict Richardson Flats to prevent further development.[19]

3.2 **Open Space/Transit Management Fund.** DEVELOPER shall pay on each transfer of DEVELOPER's land, and shall separately covenant with all successors in interest in a manner which runs with the land, to assess a 1% Open Space/Transit Management Fee on the gross sales price of all real property within the Project. 50% of the Open Space/Transit Management Fee shall belong to the Flagstaff Mountain Master Resort Association to reduce Master Resort Association dues associated with obligations assumed herein or to enhance the Master Resort Association's service to its members. 50% of the Open Space/Transit Management Fee shall be paid to the City to assist in funding the costs and expenses for enhanced transportation to the Project, recreation improvements and/or open space acquisition, maintenance or preservation. This Open Space/Transit Management Fee shall not apply to the transfer of real property within the Project either solely as security for financing (e.g. mortgage) or for nominal consideration solely to initially capitalize the development entity. DEVELOPER acknowledges that the Project requires an open space management fee to mitigate the adverse effects of the Project. As such, DEVELOPER covenants that it will pay this fee as a contractual obligation, and not as a regulated entity. DEVELOPER shall vigorously defend the imposition of such fees. DEVELOPER shall not take any action (contractually, judicially, or legislatively) to challenge or otherwise adversely affect the enforceability of the Open Space/Transit Management Fee as a valid and enforceable real covenant.

SECTION IV. IMPACT FEES/PLAN CHECK FEES

4.1 **Conditions of Approval and Impact Fees.** With respect to the development of Flagstaff Mountain, DEVELOPER accepts and agrees to comply with the impact, connection and building fees of the City currently

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[19] The timing of Richardson Flats development shall be addressed in the Construction Phasing and General Infrastructure Phasing Plans required in Sections 2.1.10 and 2.1.11 with development commencing as early as possible.

in effect, or as amended, to the extent the amended fees are applied uniformly within an impact fee district. DEVELOPER acknowledges that the Project requires infrastructure supported by impact fees and finds the fees currently imposed to be a reasonable monetary expression of exactions that would otherwise be required at this time. As such, DEVELOPER covenants that it will pay impact fees as a contractual obligation, and not exclusively as a regulated entity. If the state legislature disallows the imposition of a regulatory impact fee, DEVELOPER will pay those impact fees in effect at the time of such change in state law throughout the remaining buildout of the Project. Further DEVELOPER agrees to pay plan check fees in the amount of 65% of the building permit fee.

SECTION V. BONANZA FLATS DEVELOPMENT PARAMETERS

5.1 **Restrictions on Bonanza Flats Development**. DEVELOPER covenants that it will never apply, nor assist in any application, to the City or to Wasatch County for the development of Bonanza Flats in excess of the following maximum densities. Further, DEVELOPER shall amend its development application with Wasatch County, and shall restrict development in Bonanza Flats to the following maximum densities:

5.1.1 A maximum of 260 residential units (280 Unit Equivalents), of which no more than 160 units shall be Bonanza Flats single family home sites.

5.1.2 An 18-hole golf course, including the construction of no larger than a 20,000 sq. ft club house and other golf-related facilities, with Nordic skiing thereon during the winter, all as generally depicted on Exhibit O.

5.1.3 75,000 square feet of resort-related commercial uses.

5.1.4 Alpine and Nordic ski terrain, ski runs, ski lifts and other ski-related improvements, all as depicted on Exhibit O.

5.2 **Wasatch County Approval of Bonanza Flats Development Proposal**. DEVELOPER has a pending application in Wasatch County, with respect

to Bonanza Flats, requesting density far in excess of that which the City regards as appropriate. As an inducement for the City to enter into this Agreement, DEVELOPER agrees to amend its development application with Wasatch County in order to reflect the terms and conditions of this Agreement regarding the development of Bonanza Flats. City's contractual restrictions on Bonanza Flats development are in no respect an endorsement of development on Bonanza Flats. DEVELOPER agrees that the portions of Bonanza Flats, as described on Exhibit C attached hereto, which are not to be developed shall be subjected to restrictive covenants or conservation easements, dedicated to a third party conservation trust (or similar entity), in a form acceptable to the City, so that the real property which is not to be developed shall be limited in perpetuity to recreational and open-space uses. DEVELOPER and the City acknowledge that the annexation of Bonanza Flats to the City is not being considered at this time by either the City or by DEVELOPER.

5.3 **Snyderville Basin Sewer Improvement District Annexation**. Snyderville Basin Sewer Improvement District ("SBSID") must agree to annex Bonanza Flats and agree to provide sewer service within Bonanza Flats if Park City is to provide water service to the area. SBSID capacity shall be restricted in size to accommodate no more than the restricted densities agreed to herein. If Wasatch County approves the use of Park City water for culinary use in Bonanza Flats, then DEVELOPER must apply for and pursue annexation to SBSID.

5.4 **Annexation**. If Wasatch County recommends that DEVELOPER seek annexation to the City of Bonanza Flats, then DEVELOPER shall request that the City annex Bonanza Flats. In the event that DEVELOPER requests that the City annex Bonanza Flats, the City anticipates the execution of an interlocal agreement with Wasatch County to address fiscal issues in connection with the City's annexation of Bonanza Flats.

5.5 **Request for Transfer of Bonanza Flats Density to Flagstaff Mountain**. DEVELOPER may seek approval from the City of additional density

within Flagstaff Mountain in exchange for DEVELOPER transferring approved density from Bonanza Flats and deed restricting such land as open space. City's contractual restrictions on development in Bonanza Flats in no way shall be construed as an endorsement of such densities either in Bonanza Flats nor transferred to the Mountain Village. Upon DEVELOPER's request, the City would consider such transfer. If favorably inclined to entertain such density transfer, the City would attempt in good faith to negotiate an interlocal agreement with Wasatch County to address fiscal issues associated with such action. In connection with any such request by DEVELOPER, the City may give higher priority to the transfer of multifamily or lodging units and may consider many factors, including but not limited to the following:

5.5.1 The location and quality of open space within the Bonanza Flats property that would occur as a result of the transfer;

5.5.2 The suitability of increased density in the Mountain Village;

5.5.3 The potential reduction of traffic;

5.5.4 The potential positive impacts on the transportation system;

5.5.5 The visual and other impacts to the Mountain Village; and

5.5.6 The positive and negative impacts to the Bonanza Flats Property.

5.6 **Private Road**. Consistent with an approved phasing plan for Flagstaff Mountain, DEVELOPER may construct a private controlled access road between the Flagstaff Mountain and the Bonanza Flats development areas, provided that such private road is properly controlled to prevent through access to adjacent properties and deed restricted to prevent its extension beyond the terminus depicted in Exhibit C.

5.7 **Water Service.** DEVELOPER and the City acknowledge and agree that water service and sewer service to Bonanza Flats should be provided from the same basin in order to avoid any trans-basin transfer issues. Inasmuch as the City shall be providing water service to the Project, the City and DEVELOPER desire that the City provide water service to Bonanza Flats as well. If Wasatch County: 1) approves DEVELOPER's amended

proposal for the limited development of Bonanza Flats detailed herein, and 2) approves DEVELOPER's proposal that the City provide water service to Bonanza Flats, then, subject to a City-approved infrastructure phasing plan, DEVELOPER shall build and dedicate to the Park City Water Service District an adequate water delivery system, to service Bonanza Flats, including all fire flow and irrigation needs. DEVELOPER shall work cooperatively with the City to develop a water source or sources, including, but not limited to, making well sites, water rights and easements available to the City. The City shall provide culinary water to Bonanza Flats according to the terms of this Agreement. DEVELOPER will construct all infrastructure, including a source of water necessary to provide water service to Bonanza Flats. City water development and connection fees, as well as water rates, shall be the same as those imposed in the Project, unless the City can identify and fairly assign extraordinary costs to end users within Bonanza Flats. No water from a Weber Drainage Basin source shall be used for outdoor uses in Bonanza Flats.

5.8 **No Annexation Alternative.** If Bonanza Flats is not annexed into the City, and if the requirements described in Sections 5.3, 5.6 and 5.7 are satisfied, then DEVELOPER shall not build within Bonanza Flats more than the units described in Section 5.1 above.

5.9 **Conditions of Development of Bonanza Flats**. Regardless of the annexation of Bonanza Flats to the City, DEVELOPER agrees to the following:

5.9.1 The residential and commercial units constructed within Bonanza Flats shall not be located adjacent to the lakes within the Bonanza Flats property.

5.9.2 If Bonanza Flats is developed, but is not annexed DEVELOPER agrees to provide employee/affordable housing units consistent with its obligations in the Flagstaff Mountain annexation.

5.9.3 Within Bonanza Flats, DEVELOPER shall limit the construction of wood-burning devices to one wood-burning device per single

family unit. DEVELOPER shall not request approval from Wasatch County or from the City for wood-burning devices in any other attached, or detached, residential uses. Within each lodge, or hotel constructed within Bonanza Flats, DEVELOPER may construct one wood-burning device in each such lodge or hotel.

5.9.4 DEVELOPER shall pursue an interlocal agreement with Wasatch County whereby the Park City Fire Protection District will provide fire protection services within Bonanza Flats.

5.9.5 Upon reallignment of S.R. 224, DEVELOPER shall prohibit commercial snowmobile use within Bonanza Flats.

SECTION VI. AMENDMENT OF AGREEMENT AND DEVELOPMENT PLAN

6.1 This Agreement may be amended from time to time by mutual written consent of the Parties.

SECTION VII. IMPLEMENTATION OF THIS AGREEMENT

7.1 **Processing and Approvals.** Site specific plans shall be deemed proposed Small Scale Master Plans and shall be subject to the process and limitations set forth in the Park City Municipal Corporation Land Management Code that is in effect when the DEVELOPER submits a complete application for a Small Scale MPD.

7.2 **Cooperation in the Event of Legal Challenge.** If any third party challenges the validity, or any provision, of this Agreement, (1) the Parties shall cooperate in defending such action or proceeding, and (2) DEVELOPER shall hold harmless, and shall indemnify the City for all costs (including attorneys' fees) associated with defending this Agreement. Nothing herein shall be construed as a waiver of governmental immunity, as applicable.

7.3 **Impossibility of Performance.** If this Agreement is delayed in its effect by actions beyond the control of City or DEVELOPER, this Agreement shall remain in full force and effect during such delay. If such delay in the effect of this Agreement extends for a period of more than one year, this

Agreement shall be terminable by DEVELOPER or the City upon written notice to the other at any time after such initial one-year period. In the event of termination, all rights and obligations hereunder shall be deemed terminated, provided, however, that the parties shall cooperate to return to the status quo ante.

Section VIII. GENERAL PROVISIONS

8.1 **Covenants Running with the Land.** The provisions of this Agreement shall constitute real covenants, contract and property rights and equitable servitudes, which shall run with all of the land subject to this Agreement. The burdens and benefits hereof shall bind and inure to the benefit of each of the Parties hereto and all successors in interest to the Parties hereto. All successors in interest shall succeed only to those benefits and burdens of this Agreement which pertain to the portion of the Project to which the successor holds title. Such titleholder is not a third party beneficiary of the remainder of this Agreement or to zoning classifications and benefits relating to other portions of the Project.

8.2 **Transfer of Property.** DEVELOPER and DEER VALLEY shall have the right, without obtaining the City's consent or approval, to assign or transfer all or any portion of its rights, but not its obligations, under this Agreement to any party acquiring an interest or estate in the Project, or any portion thereof. Third party assumption of DEVELOPER's or DEER VALLEY's obligations under this Agreement shall not relieve DEVELOPER or DEER VALLEY of any responsibility or liability with respect to the expressly assumed obligation, unless the City expressly agrees in writing to the reduction or elimination of DEVELOPER's or DEER VALLEY's responsibility or liability. DEVELOPER and DEER VALLEY shall provide notice of any proposed or completed assignment or transfer. If DEVELOPER or DEER VALLEY transfers all or any portion of the property comprising Flagstaff Mountain, Richardson Flats, Sandridge or Bonanza Flats, the transferee shall succeed to all of DEVELOPER's or DEER VALLEY's rights under this Agreement. To

the extent the City believes (in its sole discretion, considering the totality of the DEVELOPER's and/or DEER VALLEY's obligations) that the successor in interest has ample resources to secure the City's rights under this Agreement, the City may release DEVELOPER and/or DEER VALLEY from its proportionate liability under this Agreement.

8.3 **No Agency, Joint Venture or Partnership.** It is specifically understood and agreed to by and among the Parties that: (1) the subject development is a private development; (2) City, DEER VALLEY and DEVELOPER hereby renounce the existence of any form of agency relationship, joint venture or partnership among City, DEER VALLEY and DEVELOPER; and (3) nothing contained herein shall be construed as creating any such relationship among City, DEER VALLEY and DEVELOPER.

SECTION IX. MISCELLANEOUS

9.1 **Incorporation of Recitals and Introductory Paragraphs.** The Recitals contained in this Agreement, and the introductory paragraph preceding the Recitals, are hereby incorporated into this Agreement as if fully set forth herein.

9.2 **Other Miscellaneous Terms.** The singular shall include the plural; the masculine gender shall include the feminine; "shall" is mandatory; "may" is permissive.

9.3 **Severability.** If any provision of this Agreement or the application of any provision of this Agreement to a particular situation is held by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect.

9.4 **Construction.** This Agreement has been reviewed and revised by legal counsel for DEVELOPER, DEER VALLEY and the City, and no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement.

9.5 **Notices.** Any notice or communication required hereunder between the Parties must be in writing, and may be given either personally or by registered or certified mail, return receipt requested. If given by registered

or certified mail, the same shall be deemed to have been given and received on the first to occur of (i) actual receipt by any of the addressees designated below as the Party to whom notices are to be sent, or (ii) five (5) days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail. If personally delivered, a notice is given when delivered to the Party to whom it is addressed. Any Party hereto may at any time, by giving ten (10) days written notice to the other Parties hereto, designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at the address set forth below:

If to City to:
City Manager
445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060

Copy to:
City Attorney
445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060

If to DEVELOPER to:
United Park City Mines Company
P.O. Box 1450
Park City, UT 84060

Copy to:
Craig B. Terry
Parsons Behle and Latimer
P.O. Box 45898
Salt Lake City, Utah 84145-0898

If to DEER VALLEY:
Deer Valley Resort Company
Attn: Bob Wheaton, President
2250 Deer Valley Drive South
P.O. Box 889
Park City, Utah 84060

00544835 Bk01276 Pg00522

Copy to:
Wendy A. Faber
General Counsel
Royal Street Corporation
7620 Royal Street East, Suite 205
P.O. Box 3179
Park City, Utah 84060

9.6 **No Third Party Beneficiary.** This Agreement is made and entered into for the sole protection and benefit of the Parties and their assigns. No other party shall have any right of action based upon any provision of this Agreement whether as third party beneficiary or otherwise.

9.7 **Counterparts and Exhibits.** This Agreement is executed in four (4) duplicate counterparts, each of which is deemed to be an original. This Agreement consists of forty-two (42) pages, including notary acknowledgment forms, and in addition, sixteen (16) exhibits, which constitute the entire understanding and agreement of the Parties to this Agreement. The following exhibits are attached to this Agreement and incorporated herein for all purposes:

Exhibit A	Map and Legal description of Flagstaff Mountain
Exhibit B	Map and Legal description of the Iron Mountain Parcels
Exhibit C	Map of Bonanza Flats
Exhibit D	Map and Legal description of Richardson Flats
Exhibit E	Map and Legal description of 20-Acre Quinn's Junction Parcel
Exhibit F	Deer Valley Ski Area Master Plan
Exhibit G	Deer Valley Resort Company Ski Run Construction and Revegetation Standards
Exhibit H	Guardsman Realignment
Exhibit I	Emergency Access
Exhibit J	Lady Morgan Springs Open Space Area
Exhibit K	Approximate Location of Prospect Ridge Open Space

00544835 Bk01276 Pg00523

Exhibit L	Map of Sandridge Parking Lots and Sandridge Heights parcels
Exhibit M	Road and Intersection Improvements Detail
Exhibit N	Runaway Truck Lane
Exhibit O	Bonanza Flats golf course and ski improvements
Exhibit P	Zoning Map for Flagstaff Mountain

9.8 **Attorneys' Fees.** In the event of a dispute between any of the Parties arising under this Agreement, the prevailing Party shall be awarded its attorneys' fees and costs to enforce the terms of this Agreement.

9.9 **Duration.** This Agreement shall continue in force and effect until all obligations hereto have been satisfied. DEVELOPER shall record the approved annexation plat for Flagstaff Mountain within 30 days of the City's adoption of an annexation ordinance to annex Flagstaff Mountain. The Large Scale Master Plan for Flagstaff Mountain granted herein shall continue in force and effect for a minimum of four years from its issuance and shall be effective so long as construction is proceeding in accordance with the approved phasing plan. Upon expiration of the minimum four-year period, approval will lapse after two additional years of Inaction following the expiration of such four-year period, unless extended for up to two years by the Planning Commission.

IN WITNESS WHEREOF, this Agreement has been executed by UPCM and by DEER VALLEY by persons duly authorized to execute the same and by the City of Park City, acting by and through its City Council as of the 24th day of June, 1999.

PARK CITY MUNICIPAL CORPORATION

By: _____
Bradley A. Olch, Mayor

ATTEST: City Clerk

By: _____
Janet Scott, City Recorder

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

00544835 Bk01276 Pg00524

APPROVED AS TO FORM:

Jodi Hoffman, City Attorney

DEVELOPER:
United Park City Mines Company,
a Delaware corporation

By: Hank Rothwell
Title: President

STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On this 2nd day of July 1999, before me, **Thomas L. O'Finnegan**, the undersigned Notary Public, personally appeared **Hank Rothwell**, personally known to me to be the President of United Park City Mines Co., on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

T. L. O'FINNEGAN
NOTARY PUBLIC • STATE of UTAH
446 MARSAC AVENUE
PARK CITY, UT 84060
COMM. EXP. 8-16-2000

Notary Public, State of Utah
Residing in Park City, Utah

DEER VALLEY RESORT COMPANY,
a Utah limited partnership
By: Royal Street of Utah, a Utah corporation,
General Partner

By: _____
Robert Wells, Vice President

00544835 Bk01276 Pg00525

STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On this 2nd day of July 1999, before me, **Thomas L. O'Finnegan**, the undersigned Notary Public, personally appeared **Robert Wells**, personally known to me to be the Vice President of Royal Street of Utah, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

T. L. O'FINNEGAN
NOTARY PUBLIC • STATE of UTAH
445 MARSAC AVENUE
PARK CITY, UT 84060
COMM. EXP. 9-16-2000

T. L. O'Finnegan
Notary Public, State of Utah
Residing in Park City, Utah

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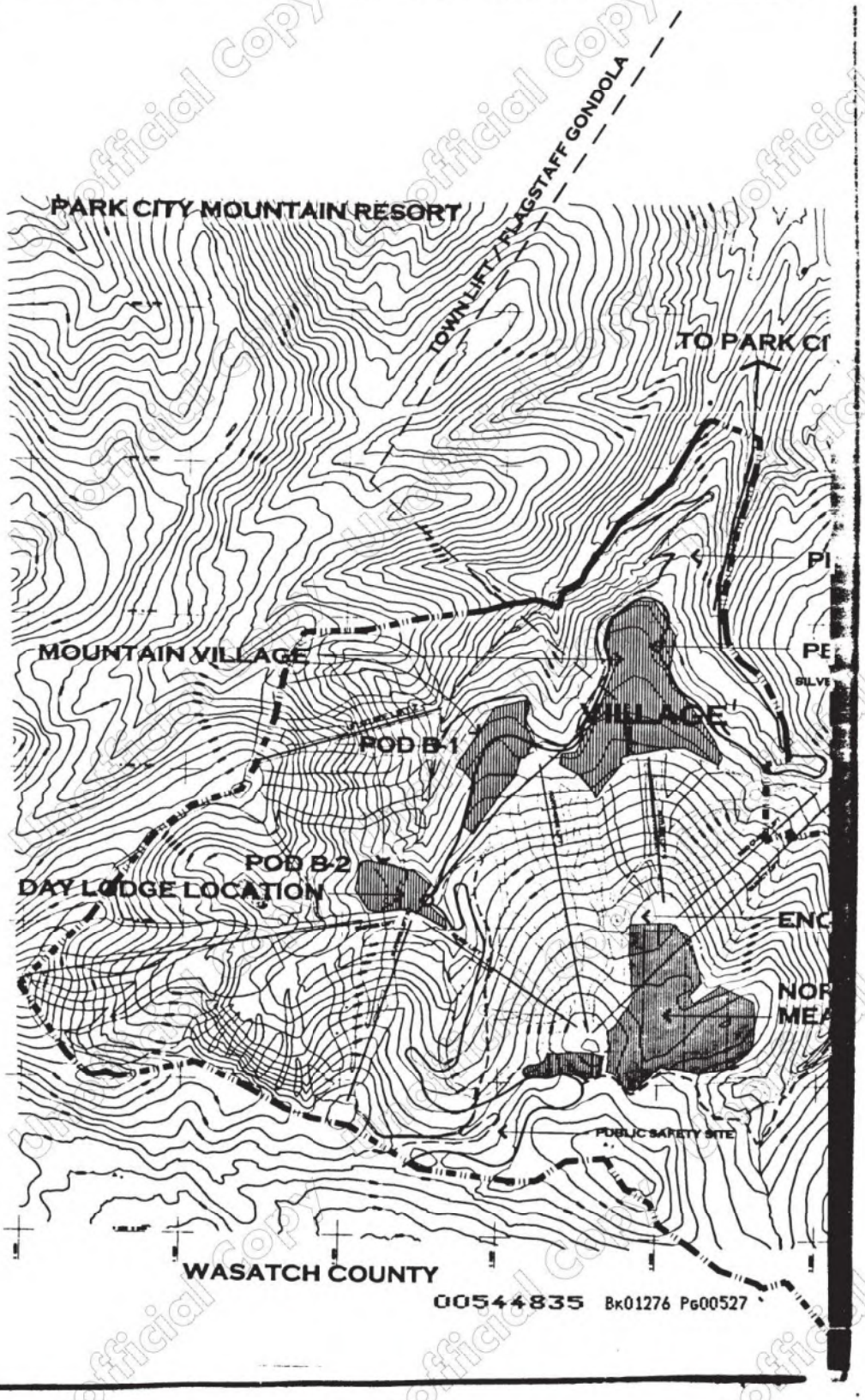

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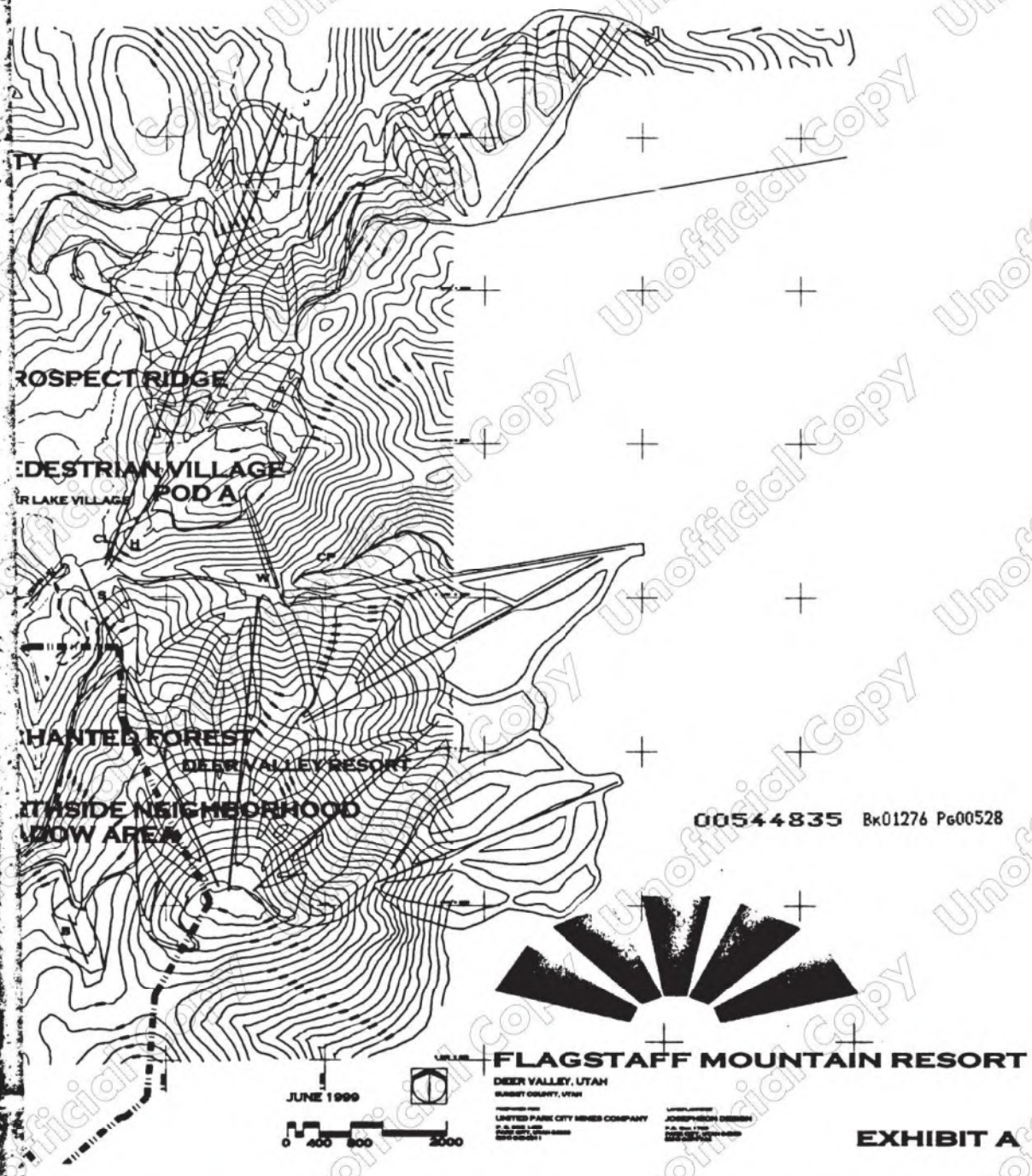

TY
ROSPECT RIDGE
EDESTRIAN VILLAGE
POD A
R LAKE VILLAGE
HANTED FOREST
DEER VALLEY RESORT
TSIDE NEIGHBORHOOD
OW AREA
00544835 Bk01276 Pg00528
FLAGSTAFF MOUNTAIN RESORT
DEER VALLEY, UTAH
JUNE 1999
0 400 800 2000
EXHIBIT A

Exhibit A

FLAGSTAFF MOUNTAIN AT DEER VALLEY

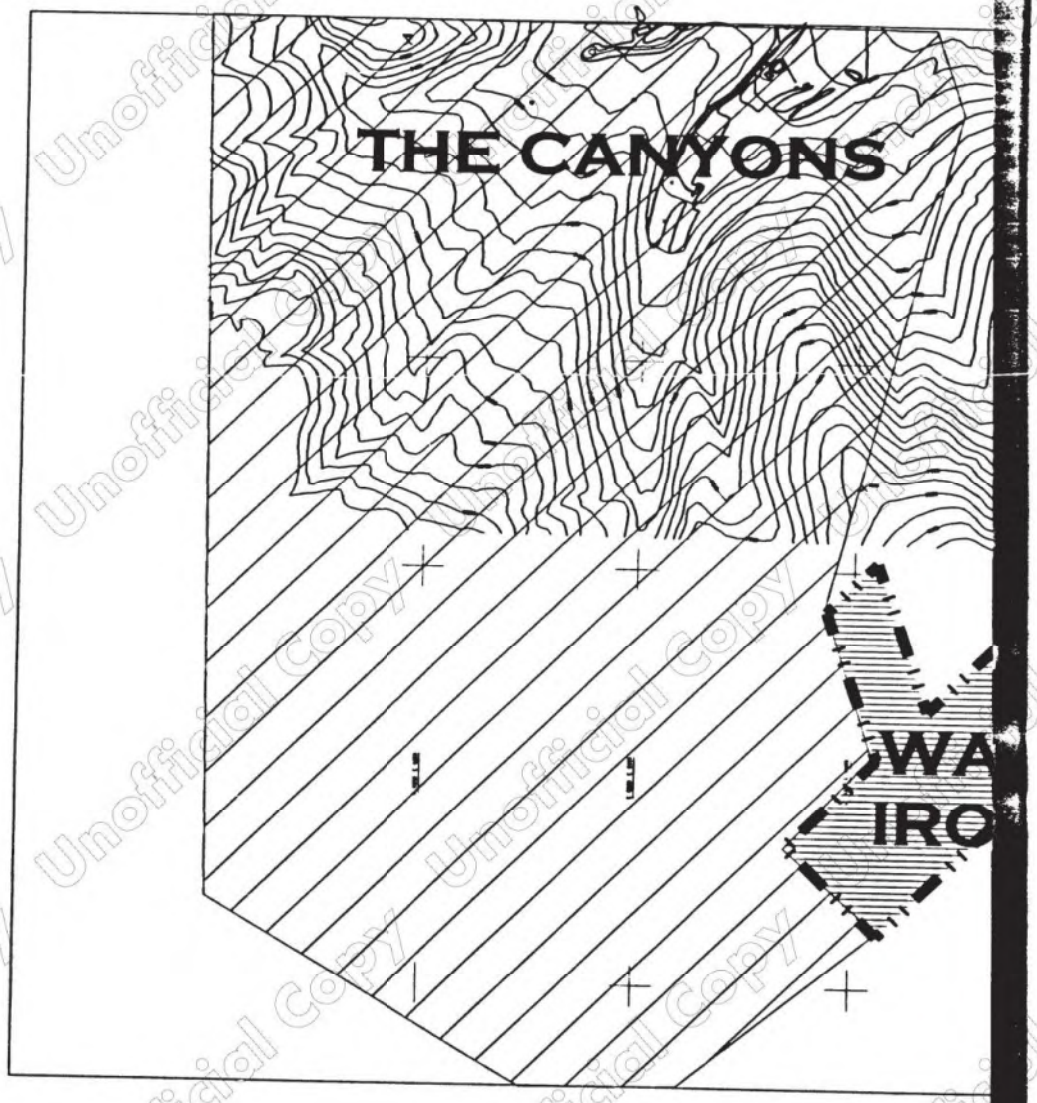
Boundary Description

Beginning at a point identified as County Line Monument Number 2343, said point on the line common to Summit and Wasatch counties and also on the demarcation line between the Park City Ski Area and the Deer Valley Resort, said point lying on the ridge and hilltop above the Anchor Mine Shaft and also being North 04°39'13" East 1303.92 feet, more or less, from the Southwest corner of Section 29, Township 2 South Range, 4 East, Salt Lake Base and Meridian and running Northeasterly along said demarcation and ridge 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 698.015 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' 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 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 eight courses: thence North 64°44'13" East 136.79 feet; thence North 67°45'58" East 149.28 feet; thence North 81°11'10" East 122.88 feet; thence North 77°19'44" East 85.84 feet; thence North 77°48'30" East 79.25 feet; thence North 86°11'16" East 94.42 feet; thence South 72°54'27" East 85.42 feet; thence South 71°42'35" East 163.49 feet more or less to a point on the westerly right -of-way line of the Judge Tunnel/Empire Canyon Water Tank Supply Line Easement, said point lying North 79°18'06" West 5.00 feet more or less, from Map Point A-1 as described in that certain Reservoir Easement dated April 19, 1978 and Recorded as Entry No. 147912 in the Records of the of the Recorder for Summit County, Utah; thence along said westerly right-of-way the following fifteen (15) courses: North 10°41'54" East 76.70 feet; thence North 15°21'41" East 116.20 feet; thence North 56°44'38" East 142.80 feet; thence North 46°47'25" East 123.00 feet; thence North 35°09'16" East 88.70 feet; thence North 32°14'53" East 101.60 feet; thence North 32°00'03" East 159.20 feet; thence North 33°26'55" East 136.00 feet; thence North 38° 27'54" East 138.00 feet; thence North 27°54'51" East 126.00 feet; thence North 31°30'07" East 96.20 feet; thence North 40°35'50" East 110.80 feet; thence North 50°15'25" East 92.50 feet; thence North 56°00'00" East 94.90 feet; thence North 50°23'25" East 105.09 feet; thence North 47°29'30" East 405.07 feet more or less to a point on the westerly edge of Daly Avenue; thence along said Daly Avenue the following three courses: North 32°04'00" East 296.25 feet; thence North 29°09'57" East 315.97 feet; thence North 28°18'45" East 186.56 feet, more or less, to the East-West center line of Section 21 Township 2 South, Range 4 East, Salt Lake Base and Meridian, said Section Line also being the southerly

boundary line for the corporate limits of Park City, Utah; thence South 89°59'59" East 940.12 feet, more or less, along said Section line 940.12 feet to a point on the easterly right-of-way line for Utah State Highway 224 as located in Ontario Canyon; thence along said highway the following 12 courses; South 00°15'34" West 115.59 feet to a point on a 1,482.39 foot radius curve to the left; thence Southwesterly along the arc of said curve through a central angle of 15°23'33"398.24 feet more or less; thence South 15°39'07" West 559.69 feet to a point on a 5,679.58 foot radius curve to the left; thence Southwesterly along the arc of said curve, through a central angle of 06°11'23", a distance of 613.57 feet; thence South 09°27'44" West 368.77 feet to a point on a 1,382.39 foot radius curve to the left; thence southerly along the arc of said curve, through a central angle of 16°06'55", a distance of 388.82 feet; thence South 6°39'11" East 217.32 feet to a point on a 586.62 foot radius curve to the left; thence southeasterly along the arc of said curve, through a central angle of 48°51'38", a distance of 500.26 feet; thence South 55°30'59" East 87.30 feet to a point on a 686.62 foot radius curve to the right; thence along the arc of said curve, through a central angle of 30°23'53", a distance of 364.28 feet; fhence South 25°06'53" East 397.14 feet to a point on a 508.37 foot radius curve to the right; fhence along the arc of said curve, through a central angle of 21°36'53", a distance of 191.78 feet; thence South 3°30'00" East 63.08 feet to a point on a 220.00 foot radius curve to the left; thence along the arc of said curve, through a central angle of 55°51'14", a distance of 214.46 feet; thence South 31°30'00" West 68.20 feet; thence South 79°38'18"West 45.49 feet to a point on the southeasterly boundary of the Ontario Number 3 Shaft Mining Reservation; thence South 79°59'46" West 300.78 feet more or less along the southeastern edge of said Mining Reservation; thence South 17°09'45" East 88.76 feet more or less to a point on a piece of property that is the subject of Entry Number 158551 of the Summit County Records; thence along said parcel the following five courses: South 955.96 feet; thence North 69° East 360.00 Feet; thence South 29°20' West 117.60 feet; thence North 78°10' East 714.30 feet; thence East 1,106.71 feet more or less to a point the Wasatch-Summit County line: thence along said Wasatch – Summit County line. The following thirty courses: South 04°15'00" East 1,028.07 feet; thence South 25°30'30" East 2,521.90 feet to County Line Point 51;thence South 29°50'00" West 1,398.30 Feet to County Line Point 55; thence South 4°19'00" West 1,320.70 feet to County Line Point 58; thence South 47°05'00" West 369.50 feet to a County Line Point; thence South 83°34'00" West 69.10 feet to County Line Point 59; thence South 47°42'00" West 1,207.40 feet to County Line Point 62A; thence North 39°53'30" West 1,352.50 feet to County Line Point 64; thence North 72°50'00" West 317.30 feet to County Line Point 65; thence North 46°45'00" West 87.90 feet to County Line Point 66; thence North 70°57'00" West 502.00 feet to County Line Point 67; thence North 51°56'00" West 481.90 feet to County Line Point 68; thence North 55°53'00" West 466.80 feet to County Line Point 69 feet; thence North 21°49'00" West 317.40 feet to County Line Point 70; thence North 59°57'00" West 360.50 feet to County Line Point and Triangulation Point; thence North 33°22'30" West 467.10 feet to County Line Point 71; thence South 85°10'30" West 492.30 feet to County Line Point 72; thence South 54°42'30" West 453.20 feet to County Line Point 73; thence South 88°55'30" West 344.00 feet to County Line Point 74; thence North 82°52'30" West 1,132.30 feet to

County Line Point 77; thence North 59°43'30" West 1,074.55 feet to County Line Point 2338; thence North 79°07'30" West 494.73 feet to County Line Point 80; thence North 70°28'30" West 339.90 feet to County Line Point 81; thence North 60°14'30" West 550.10 feet to County Line Point 82 and Triangulation Point 2339; thence North 64°07'00" West 727.60 feet to County Line Point 83; thence South 77°44'00" West 966.80 feet to County Line Point 85; thence 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 South 85°36'00" West 219.10 feet to County Line Point 86; thence North 46°44'00" West 384.70 feet to County Line Point 87; thence North 34°37'00" West 1,077.30 feet, more or less to county Line Point 2343 the point of beginning. Said Parcel contains 1,655.4 acres more or less.



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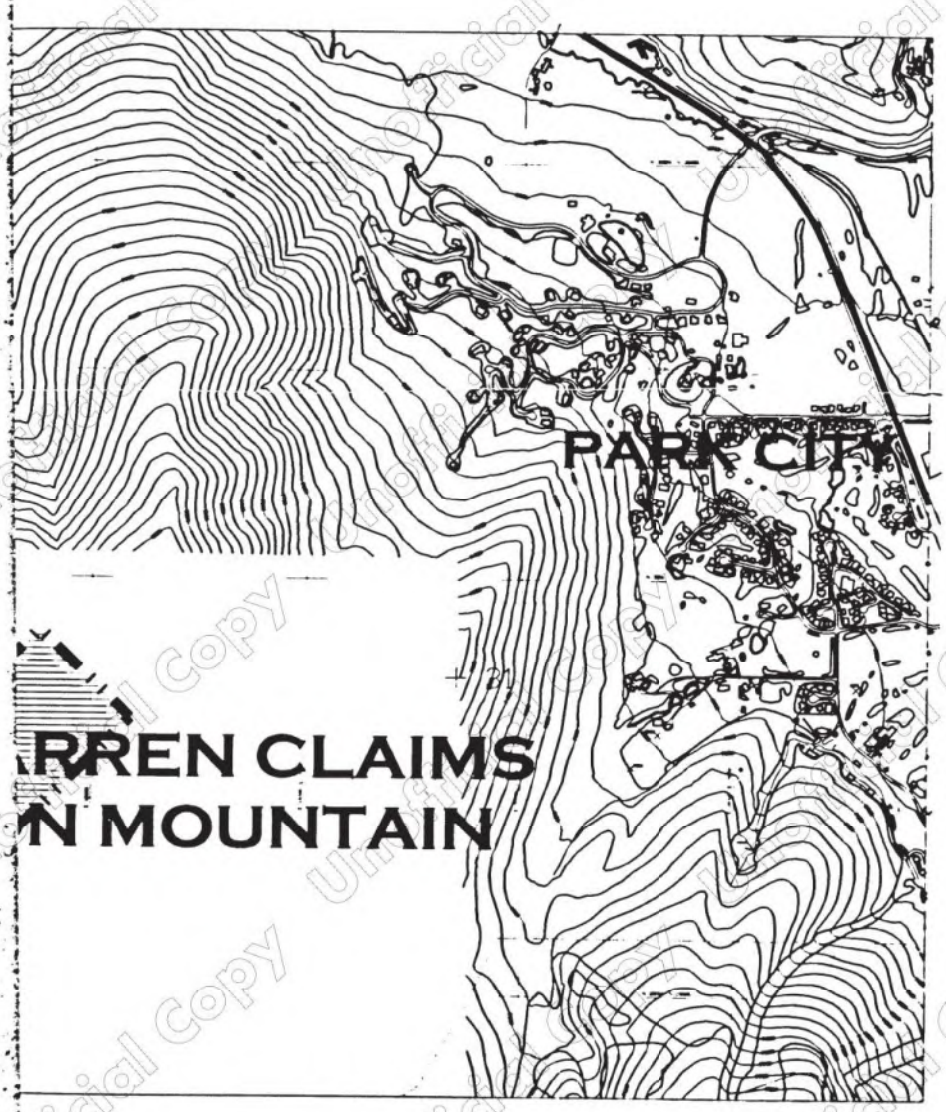

RREN CLAIMS
N MOUNTAIN

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IRON MOUNTAIN PARCEL

1999

0 800 2000

SUMMIT COUNTY, UTAH

UNITED PARK CITY MINES COMPANY

JOHNSON DESIGN

EXHIBIT B

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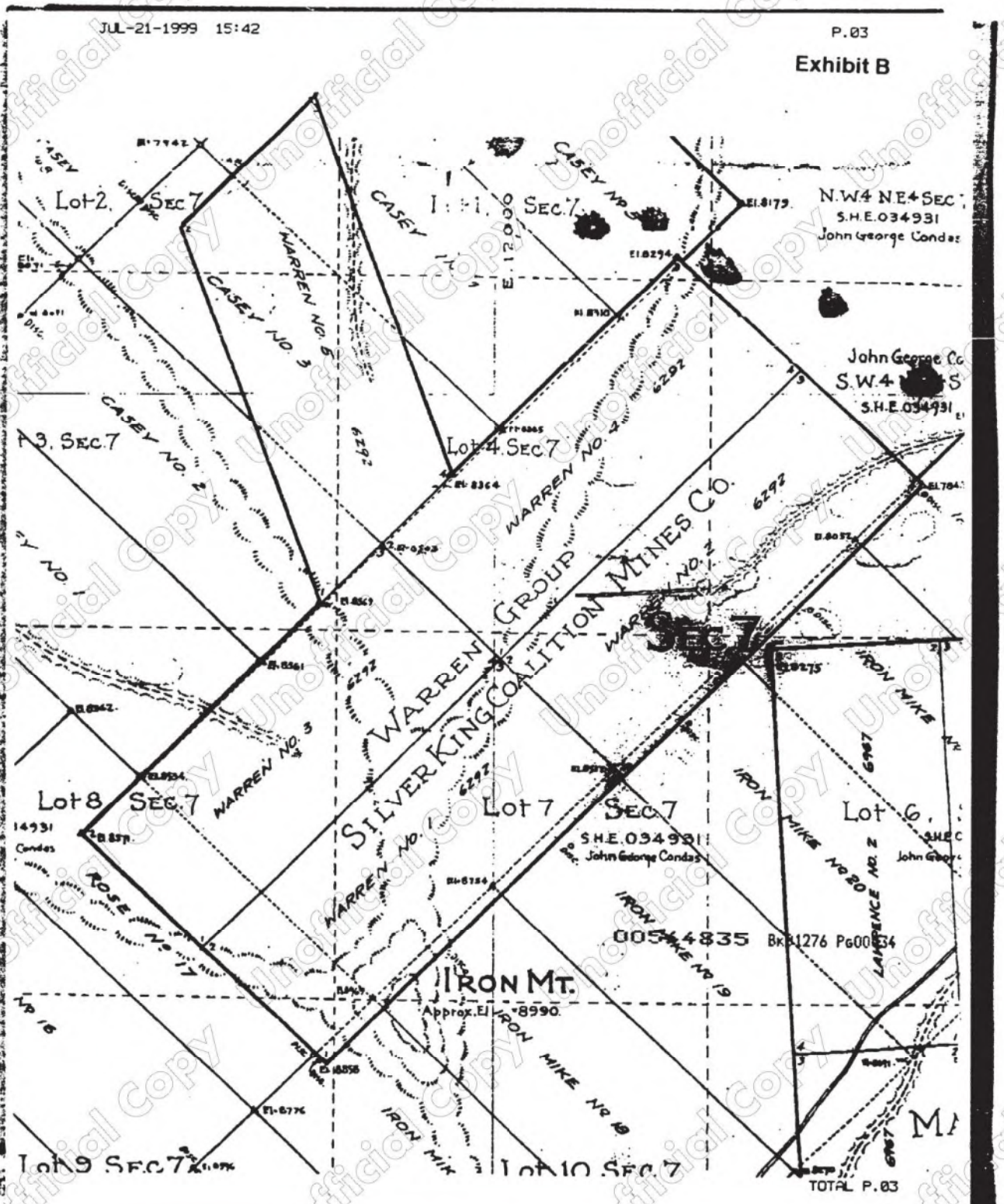
Exhibit B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for John George Condas
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CASEY NO 1
WARREN NO 6
WARREN NO 4
WARREN NO 3
WARREN NO 2
WARREN NO 1
WARREN GROUP
SILVER KING COALITION MINES CO.
IRON MIKE
IRON MIKE NO 20
IRON MIKE NO 19
IRON MIKE NO 18
LAWRENCE NO 2
ROSE NO 17
NO 16
IRON MT.
Approx. El. 8990
El. 8179
El. 8294
El. 8364
El. 8561
El. 8275
El. 8134
El. 8558
El. 8776
6292
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Exhibit B

FLAGSTAFF MOUNTAIN RESORT
IRON MOUNTAIN PROPERTY LEGAL DESCRIPTION
LOCATED IN SECTION 7, T2S, R4E, SLB & M

ALL OF THE WARREN MINING CLAIMS NO. 1, NO. 2, NO. 3, NO. 4, AND NO. 5, MINERAL SURVEY NUMBER 6292.

Y:\UPCMC\FLAGSTAFF OVERALL\DOCS\WARREN LGL

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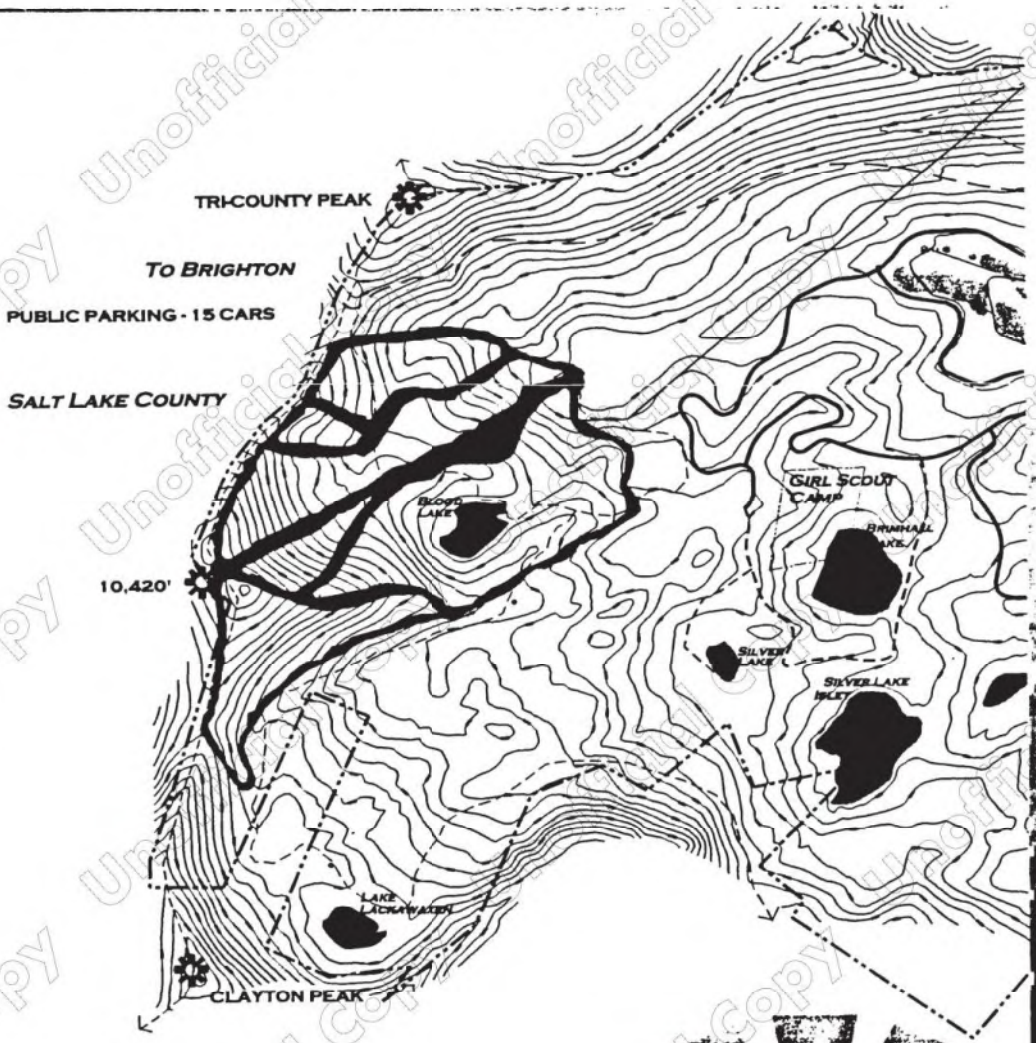

JUNE 1999

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BONANZA MOUNTA

WASATCH COUNTY, UTAH

UNITED PARK CITY MINES COMPANY

JOSEPHSON DESIGN

EXHIB

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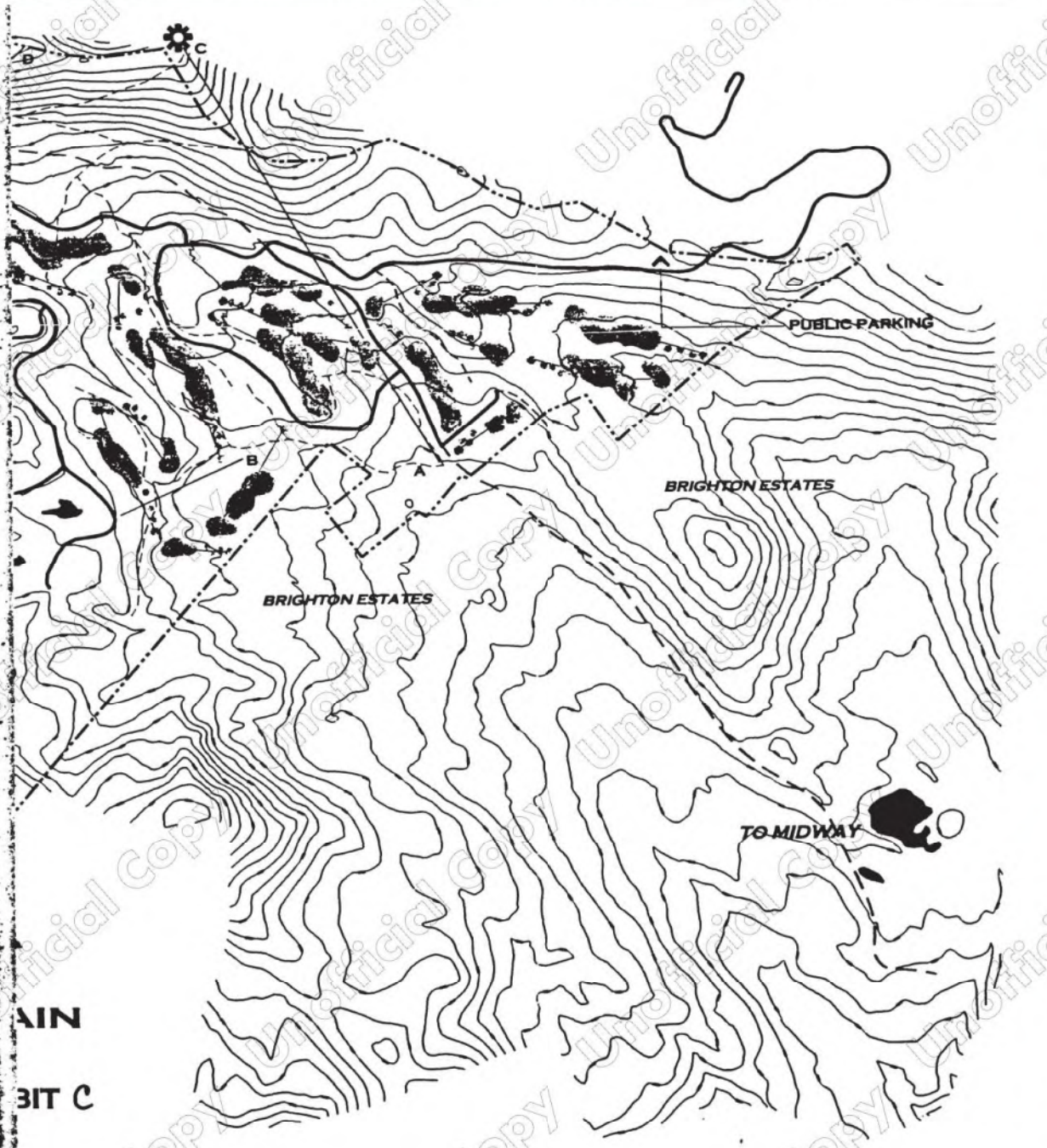

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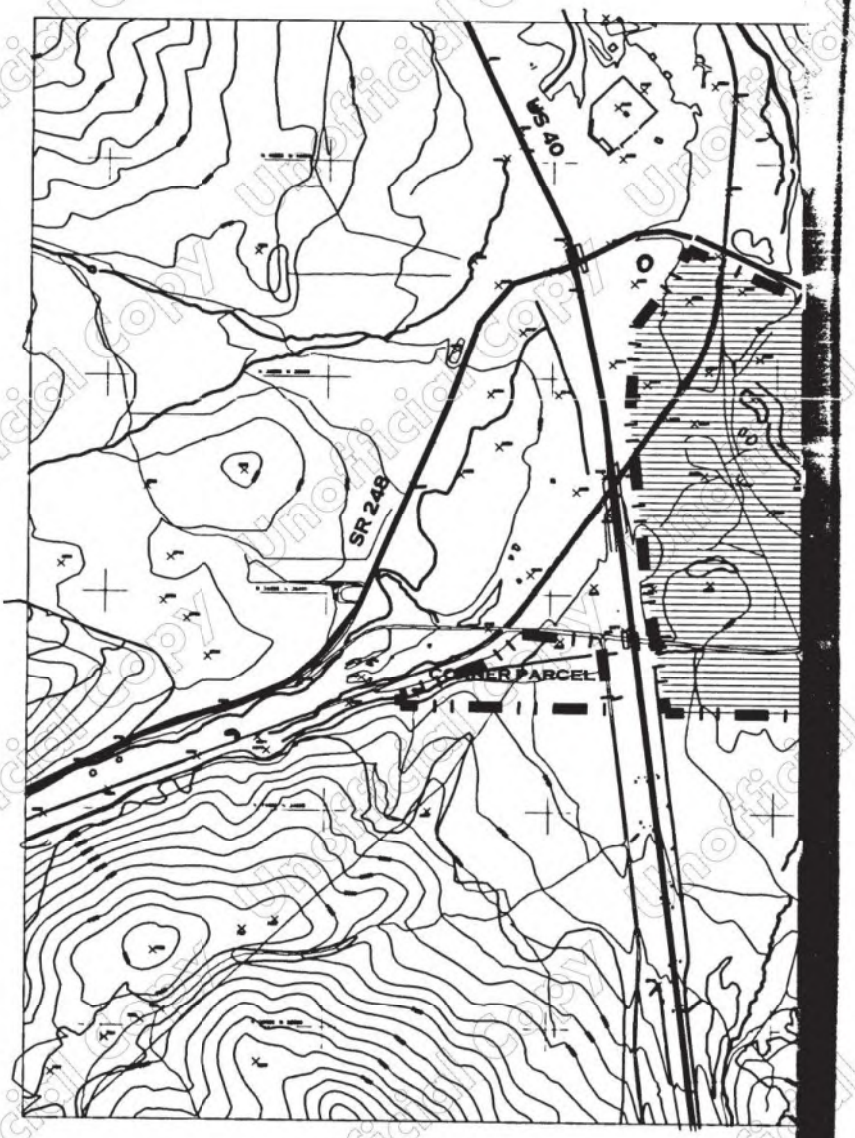

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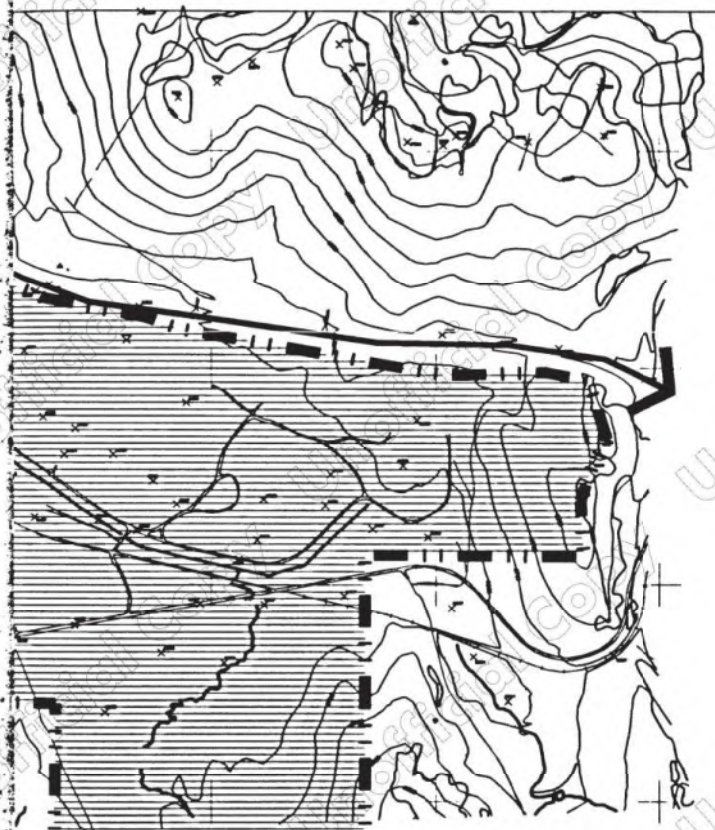

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RICHARDSON FLATS PARCEL

SUMMIT COUNTY, UTAH

APRIL 1999

0 400 800 2000

EXHIBIT D

Exhibit D

UNITED PARK CITY MINES COMPANY

RICHARDSON FLATS DESCRIPTION

GENERAL DESCRIPTION

All of the property owned by United Park City Mines Company lying East of U. S Highway 40, South of Utah Highway 189, West of the Summit Wasatch County Line and North of the foothills forming the South edge of the Basin, being more particularly described as follows:

Beginning at a point lying on the center section line of Section 1, Township 2 South, Range 4 East Salt Lake Base and Meridian, said point also common with a point on the Summit and Wasatch County lines and lying South 64°34'17" East 6177.91 Feet, more or less, from the Northwest Corner of said Section 1;

Thence North 07°48'30" West 569.42 Feet more or less;
Thence North 30°03'00" East 491.00 Feet along said County Line to County Line Marker 138;
Thence North 15°43'00" West 620.95 Feet more or less to a point on the Southerly Right-of-Way line to Utah State Highway 189, said point lying on a 1,679.86 Foot radius curve to the left whose radius point bears South 18°25'57" West;
Thence along said curve, through a central angle of 12°57'43" a distance of 380.03 Feet;
Thence North 87°46'51" West 300.64 Feet;
Thence South 88°33'10" West 541.22 Feet;
Thence North 85°26'18" West 193.25 Feet;
Thence North 78°57'34" West 621.06 Feet;
Thence North 81°30'46" West 503.42 Feet;
Thence North 76°56'20" West 501.60 Feet;
Thence North 81°30'46" West 700.00 Feet;
Thence North 71°23'40" West 227.68 Feet;
Thence North 79°09'47" West 994.80 Feet;
Thence North 66°54'08" West 590.16 Feet;
Thence North 64°10'15" West 167.19 Feet;
Thence North 89°53' 00" West 978.55 Feet;
Thence South 25°23'31" West 116.87 Feet to a point on the northerly section line of said section 2;
Thence South 00°45'29" West 178.58 Feet more or less along said section line to a point on the Easterly Right-of-Way line of U. S. Highway 40;
Thence South 5°56'20" West 253.60 Feet;
Thence South 5°56'20" West 205.58 Feet to a point on a 2406.48 radius curve to the left whose radius point bears South 84°01'04" East;
Thence along said curve, through a central angle of 9°17'52" a distance of 390.52 Feet;
Thence South 3°23'37" East 105.10 Feet;
Thence South 7°04'23" East 356.56 Feet more or less to a point on the northwesterly boundary of the Rails to Trails Right-of-Way;
Thence South 7°04'23" East 150.58 Feet to a point on the southeasterly boundary of said Right-of-Way;
Thence South 7°04'24" East 48.63 Feet;
Thence South 1°27'27" West 202.24 Feet;
Thence South 40°00'00" East 554.91 Feet;
Thence South 31°40'49" West 481.87 Feet;

00544835 Bk01276 Pg00540

RICHARDSON FLAT DESCRIPTION
Page Two

Thence South 7°04'23" East 493.36 Feet more or less to a point on the northerly edge of the County Road across Richardson Flat;
Thence South 7°04'19" East 102.54 Feet to a point on the southerly boundary of said roadway;
Thence South 7°04'23" East 575.60 Feet to a point on the northern line of the South 1/2 of the Southeast one quarter of said Section 2;
Thence South 89°57'22" East 1604.54 Feet more or less along said line to the east line of said Section 2;
Thence South 00°33'35" West 1326.74 Feet more or less to the Southeast Corner of said Section 2, said point also common to Sections 1, 12 and 11 of Township 2 South, Range 4 East S.L.B. & M.;
Thence South 00°10'48" West 1328.76 Feet along the east section line of said Section 11 to a point common to the center line of the Northeast one quarter of said Section 11;
Thence South 89°09'12" East 1358.31 Feet more or less along the south line of the northwest one quarter of the northwest quarter of said Section 12;
Thence North 00°07'55" East 1347.76 Feet more or less to a point on the south line of said Section 1:
Thence North 89°58'31" East 1357.10 Feet, more or less, along said south section line to the south quarter corner of said Section 1;
Thence North 00°00'24" East 2679.92 Feet more or less along the center section line of said Section 1 to the Center of said Section 1;
Thence South 89°30'01" East 2043.63 Feet more or less along the center section line of said Section 1 to the Point of Beginning;

Contains 573 acres more or less.

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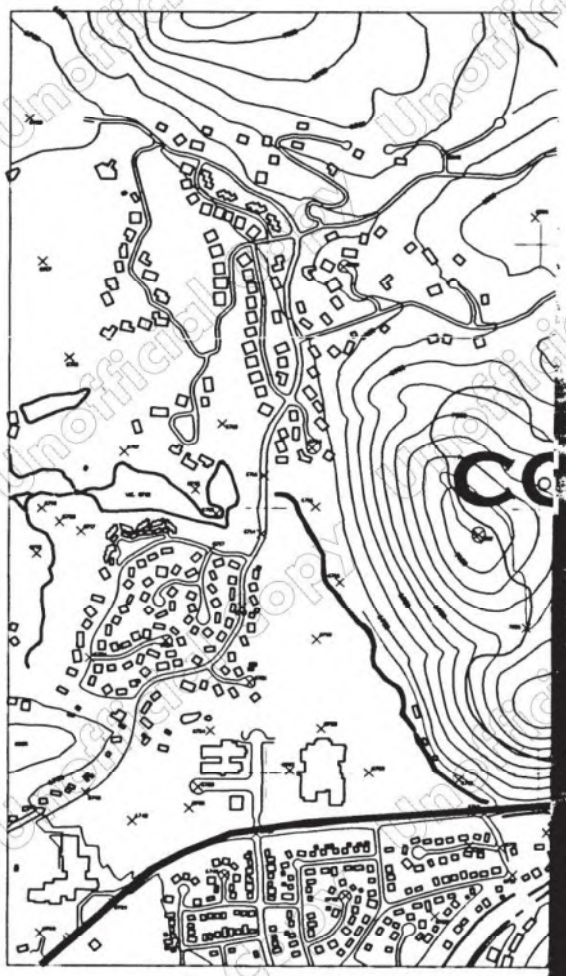

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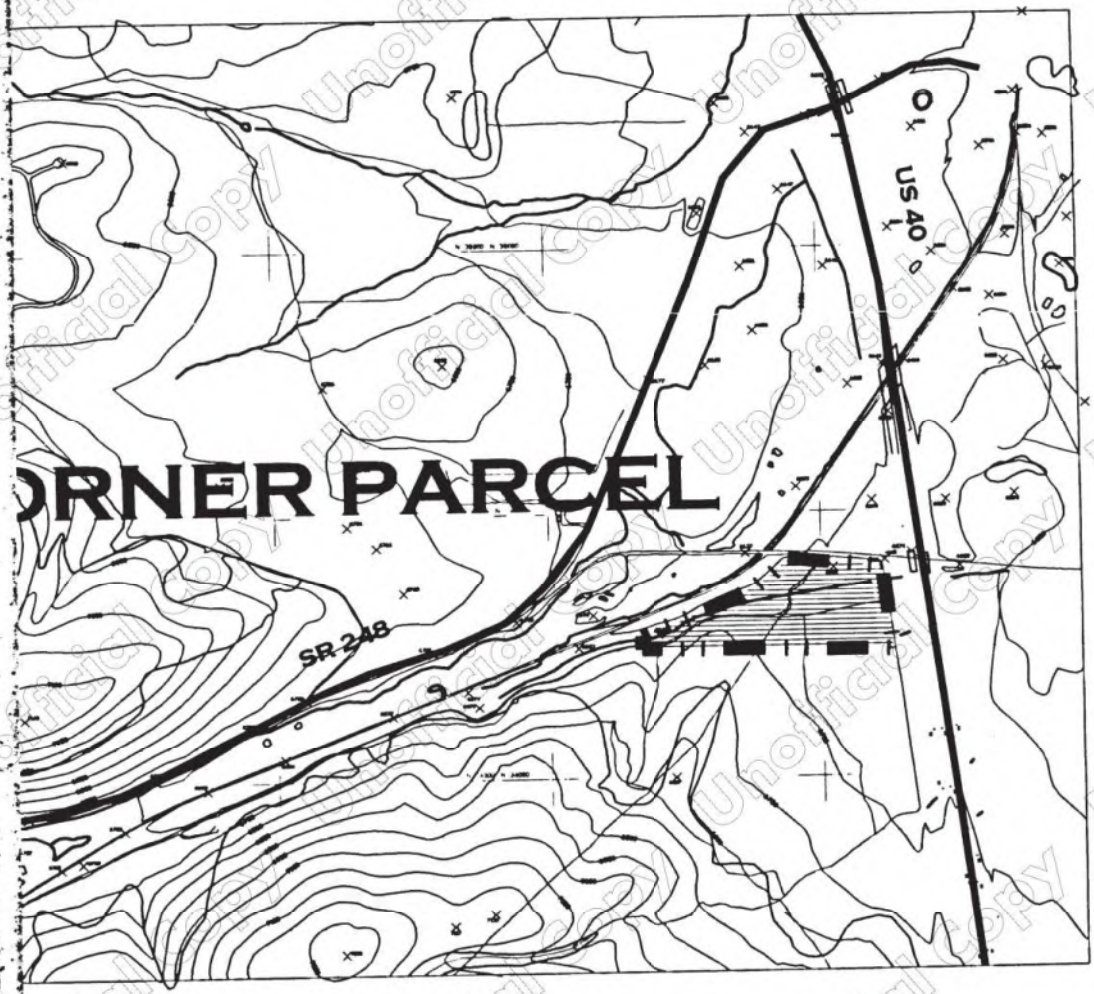

CORNER PARCEL

99

800 2000

SUMMIT COUNTY, UTAH

UNITED PARK CITY MINES COMPANY

JOSEPHSON DESIGN

00544835 Bk01276 Pg00543

EXHIBIT E

Exhibit E

UNITED PARK CITY MINES COMPANY

Richardson Flat Corner Parcel Description

Two parcels of land located in the North 1/2 of the South 1/2 of Section 3, Township 2 South, Range 4 East, S. L. B. & M. being more particularly described as follows:

All of that portion of the NE 1/4 of the SW 1/4 of Section 2, Township 2 South, Range 4 East S.L.B. & M. lying South of the Rails to Trails right-of-way and the County Road.
Contains 12.33 acres more or less.

And,

All of that portion of the NW 1/4 of the SE 1/4 of Section 2, Township 2 South, Range 4 East S.L.B. & M. lying west of the relocated U. S. 40 and South of the County Road.
Contains 7.01 acres more or less.

00544835 Bk01276 Pg00544

00544835 Bk01276 Pg00545

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 SURVEY IS NOT INTENDED TO BE A SURVEY OF BOUNDARIES AND PLANIMETRIC FEATURES SHOWN MAY ACCURACY IS LIMITED TO GENERAL DESCRIPTIVE PURPOSES ONLY.

Exhibit F

SHANER
Design Graphics

00544835 Bk01276 Pg00546

Exhibit G

Deer Valley Resort Company
Ski Run Construction and
Revegetation Standards

1. Prior to construction activity, ski trail sidelines will be flagged by Deer Valley Resort Company personnel. Construction activity shall be limited to within the flagged sidelines, lift tower and lift terminal areas.

2. Access to construction activity shall be by existing service roads where available.

3. Clearing operations shall leave the ski trails with a feathered edge. Low shrubs at trail edges shall remain. Tree islands shall be incorporated in the field into trails where feasible and safe.

4. After clearing in areas of cut, topsoil shall be stripped and stockpiled for later respreading.

5. In fill areas, stumps shall remain in place to a 2' maximum height. In cut areas, stumps will be removed by backhoe or dozer. Stumps shall be flush cut in areas where no grading or fill will occur.

6. Any trees cut suitable for use as firewood will be cut into firewood length and transported to Deer Valley's day lodges. Stumps and slash shall be buried as deeply as possible in field-designated areas with 3' minimum cover over uppermost slash layer. Alternate 3' maximum slash layers with 3' soil layers, running over layers with heavy equipment as placement occurs. Maximum length of any one piece of slash shall be 10'. Slash and rock burial may be used to produce terrain features within ski trails.

7. Excavation, embankment and fill operations shall proceed in such a manner that finish grading and erosion control implementation will occur as soon as possible after disturbance.

00544835 Bk01276 Pg00547

Exhibit G

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Ski Run Construction and
Revegetation Standards

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7. Excavation, embankment and fill operations shall proceed in such a manner that finish grading and erosion control implementation will occur as soon as possible after disturbance.

00544835 Bk01276 Pg00547

8. Cut and fill slopes shall be 1.5 : 1 maximum unless rock is encountered. Cut slopes in rock may be oversteepened depending upon geotechnical considerations. The top of all cut slopes in soil shall be rounded for a horizontal distance of 3' beyond the catch point. Slope rounding shall occur as the slope is being brought down.

9. Lift towers shall be set by helicopter. No work roads shall be cut to lift tower locations except at the upper and lower terminals where access roads are depicted.

10. The finished surface of ski trails shall be graded with 3' maximum, well graded topsoil and native soils. The finished surface of ski trails, fills and cut slopes not in rock shall be tracked prior to reseeding, with cleat marks left perpendicular to the fall line of the slope.

11. Sediment shall be controlled for the duration of the project. Straw bales and sediment filter fencing shall be installed at the lower limits of graded areas so that sediment is not transported off the site or into drainages.

12. On ski trails, construct water bars at 300' intervals for slopes less than 25%, at 200' intervals for slopes between 25% and 50%, and at 100' intervals for slopes in excess of 50%. Water bar locations will be field determined. Water bars shall slope at 6% to 7% in the direction of existing vegetated areas. Water bars shall be constructed immediately after rough grading and shall be maintained for the duration of the project.

13. Snowmaking and utility trenches shall be backfilled to at least 85% of maximum density. Trenches shall be mounded with 6' of compacted soil to allow settlement.

14. Riprap for drainage channels and culvert inlets and outlets shall be angular and outlets shall be angular, hard, dense, durable rock. Riprap shall be spread to achieve an interlocking structure and minimize voids.

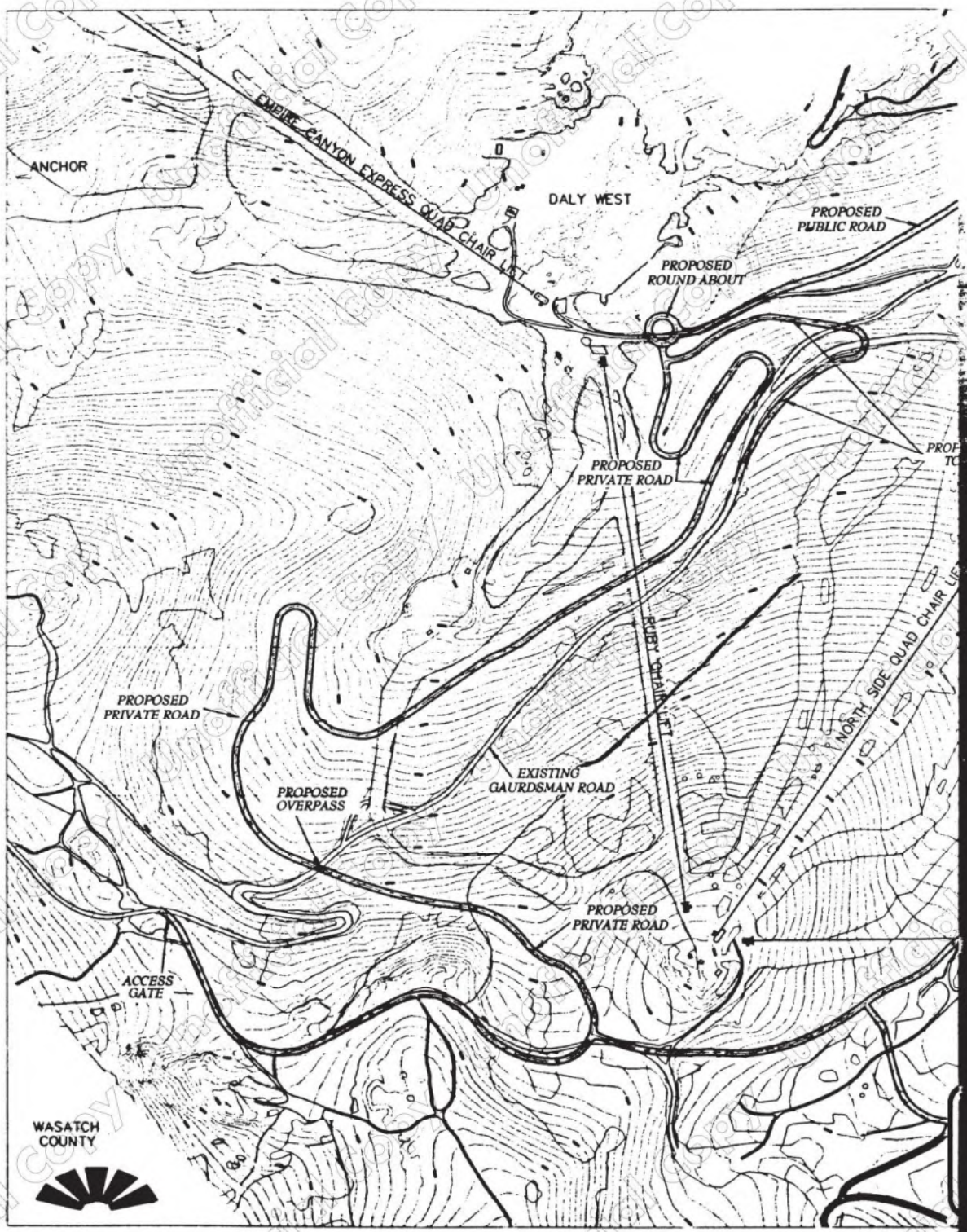
00544835 Bk01276 Pg00548

15. All areas with earth disturbance other than existing roads shall be revegetated. Seed mix shall be applied at a minimum rate of 26 lbs. per acre. Seed mix shall have the following proportions:

Durar Hard Fescue	30%
Manchar Bromegrass	30%
Orchardgrass	30%
Perennial Ryegrass	15%
Pubescent Wheatgrass	15%

Seed shall be applied by broadcast methods. Fertilizer shall be applied at a minimum rate of 400 lbs. per acre. Areas not achieving germination and subsequent coverage of 80% shall be reseeded.

16. After seeding, ski trails shall be mulched with certified weed free straw mulch at a rate of approximately 2 tons per acre (2' to 3' in depth).



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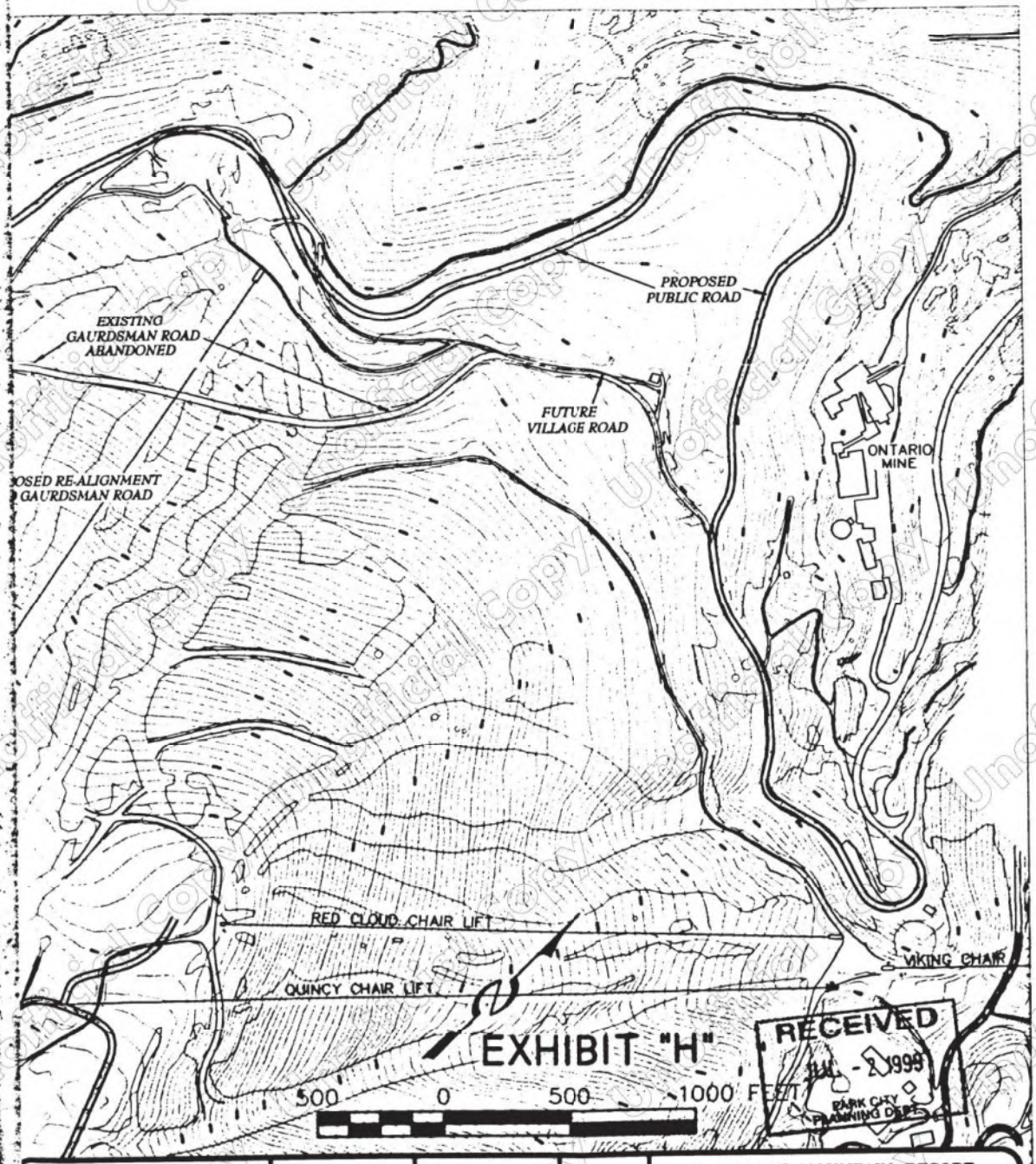
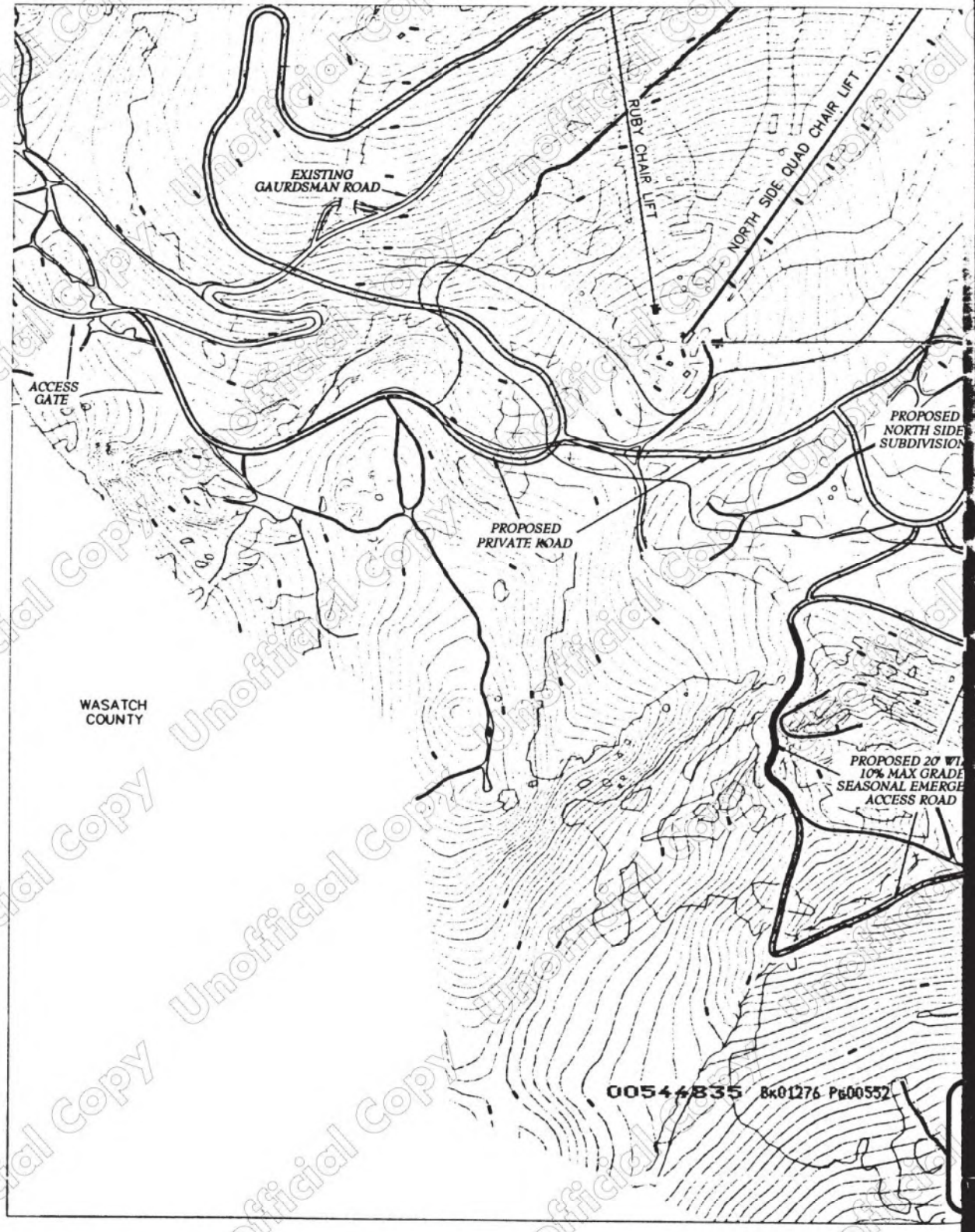


Alliance Engineering Inc. (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 333 Main Street P.O. Box 2664 Park City, Utah 84060	REVISED: 9-1-98 1-13-99 4-13-99 6-9-99	STAFF: S. DECKERT D. CARDWELL DATE: 6-22-98	PAGE 1 OF 1	FLAGSTAFF MOUNTAIN RESORT GAURDSMAN RE-ALIGNMENT PROPOSED PUBLIC/PRIVATE ROADS FOR: UPCMC JOB NO.: 5-2-94 FILE: \UPCMC\OVERALL\DWG\ROAD-EX

00544835 Bk01276 Pg00551



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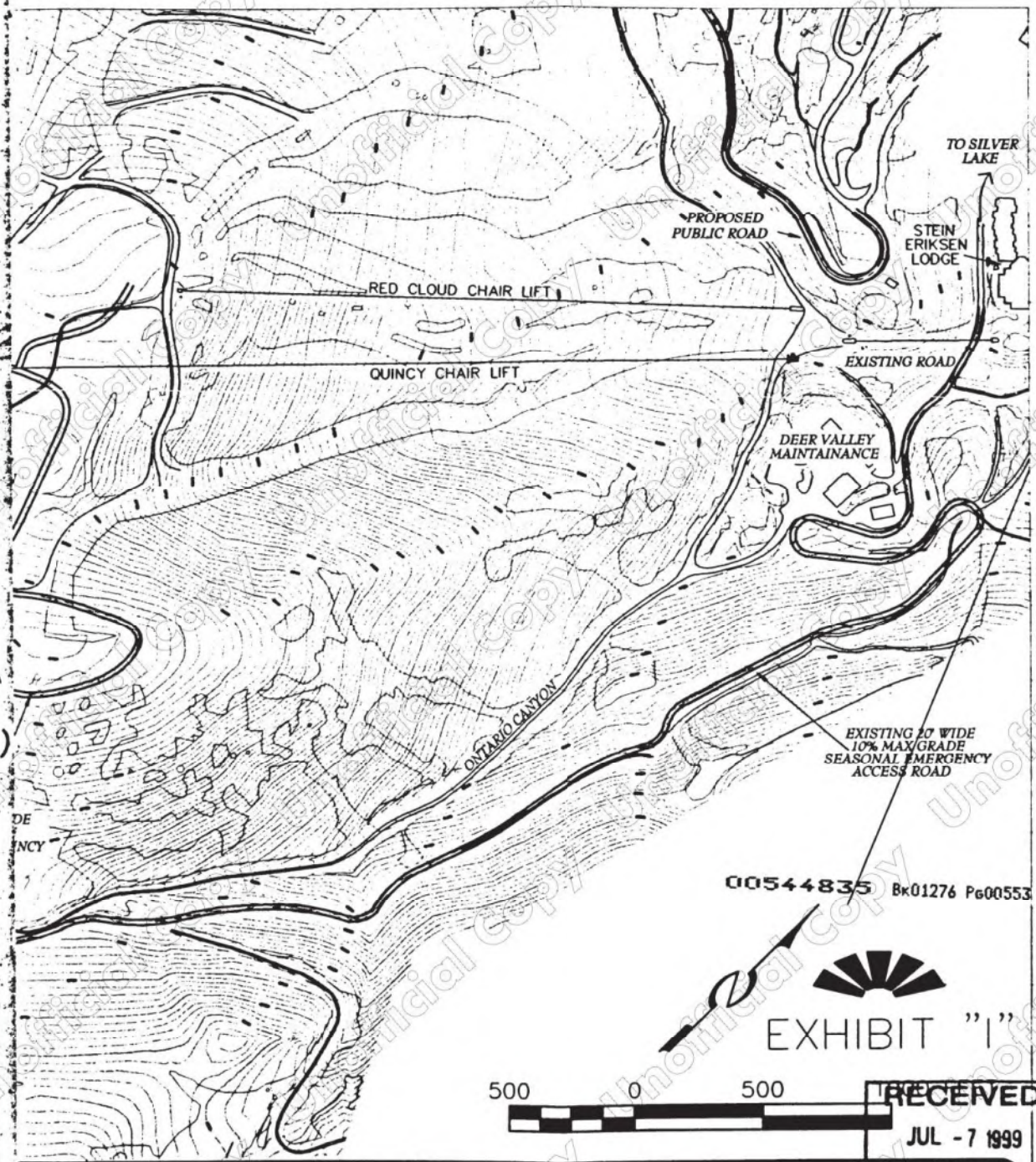

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EXHIBIT "I"

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JUL - 7 1999
PARK CITY PLANNING DEPT.

(435) 649-9467 Alliance Engineering CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 423 Main Street P.O. Box 2664 Park City, Utah 84060	REVISED: 9-1-98 4-13-99	STAFF: S. DECKERT D. CARDWELL DATE: 6-22-98	PAGE 1 OF 1	FLAGSTAFF MOUNTAIN RESORT PROPOSED SEASONAL EMERGENCY ACCESS ROAD FOR: UPCMC JOB NO.: 5-2-94 FILE: \UPCMC\OVERALL\01\ROADS-EX2

00544835 Bk01276 Pg00554

JUNE 1999

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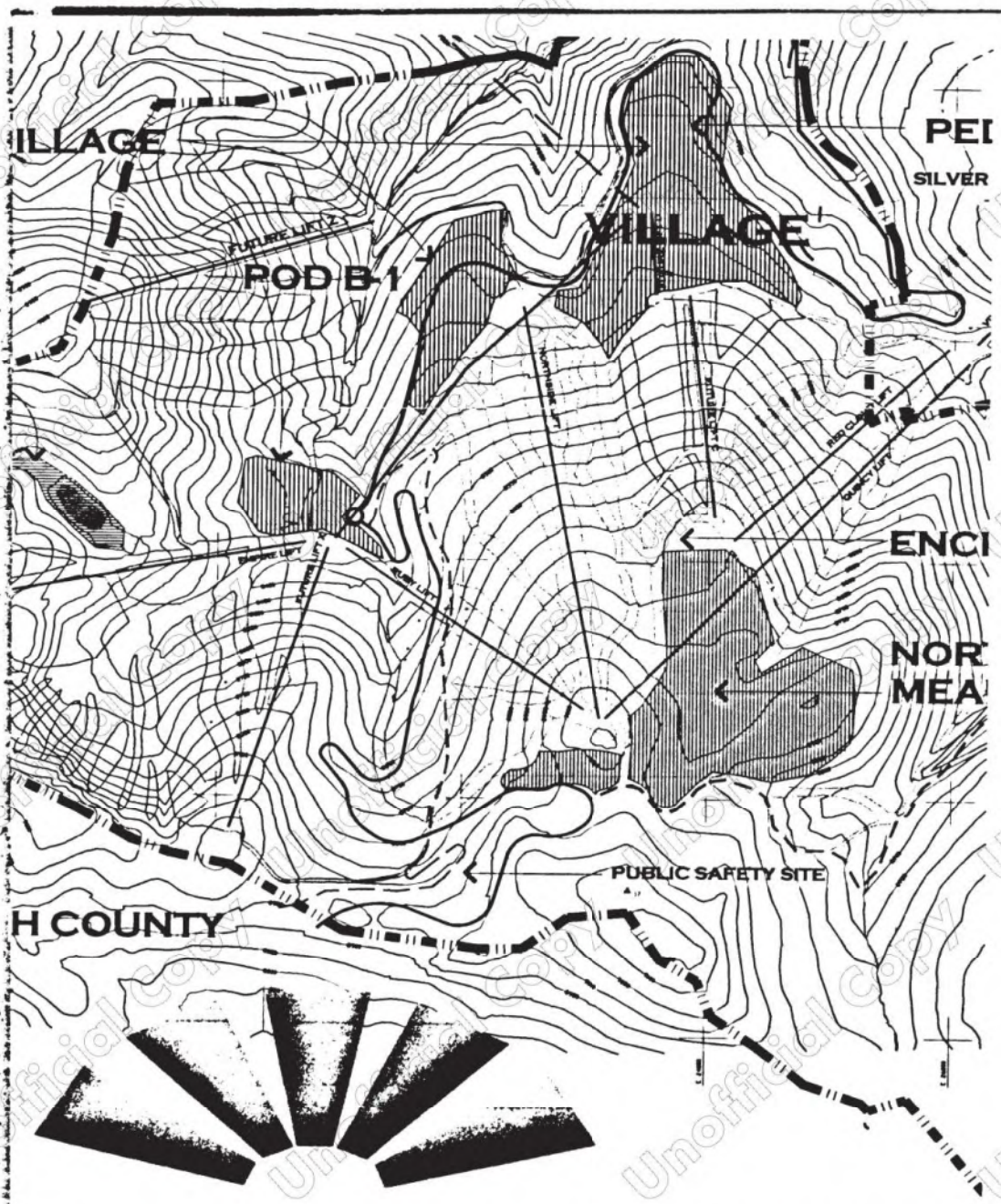


FLAGSTAFF MOUNTAIN RESORT

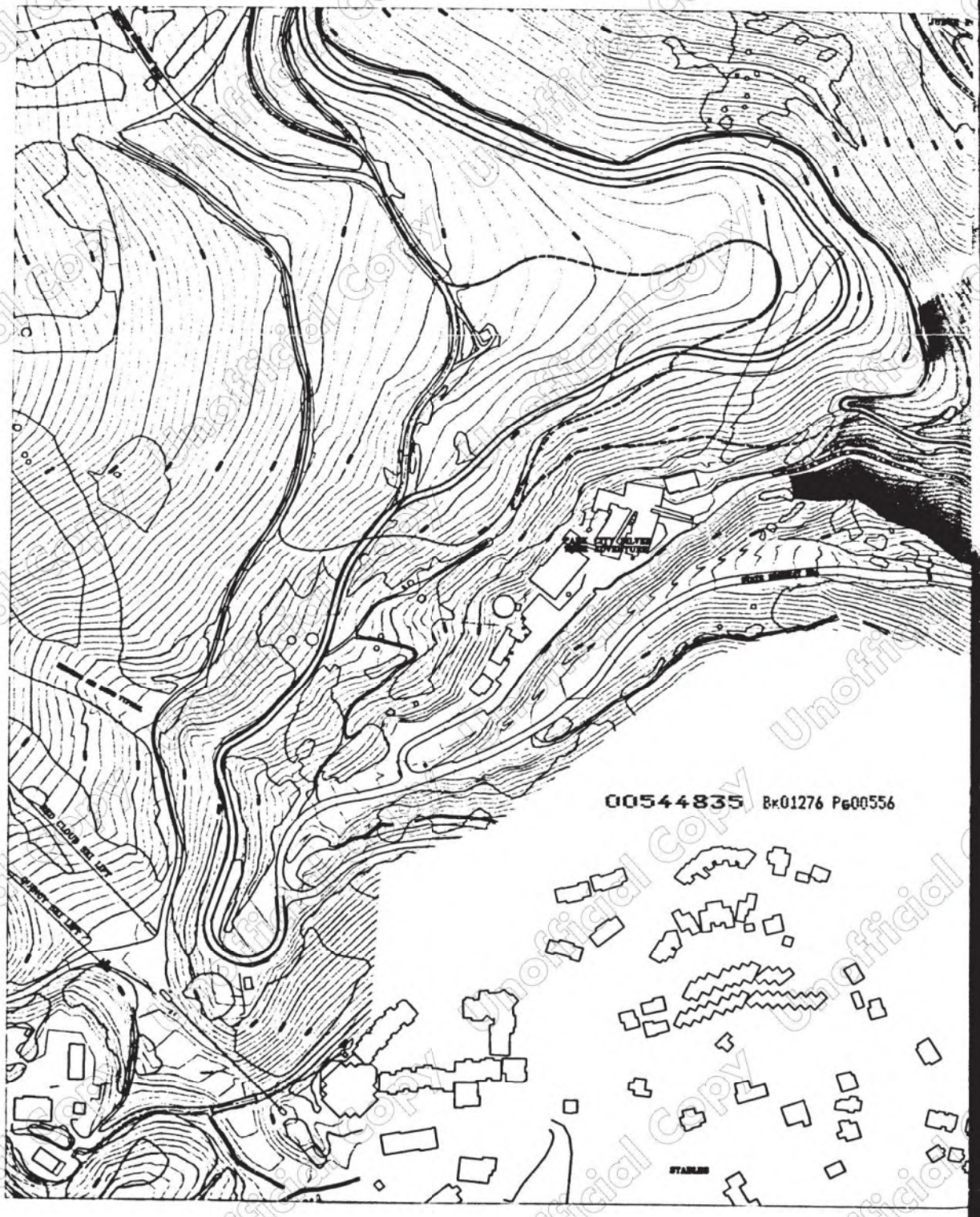
SUMMIT COUNTY, UTAH

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1798
PARK CITY, UTAH 84060
(801) 647-7744

00544835 Bk01276 Pg00555

EXHIBIT J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STABLES

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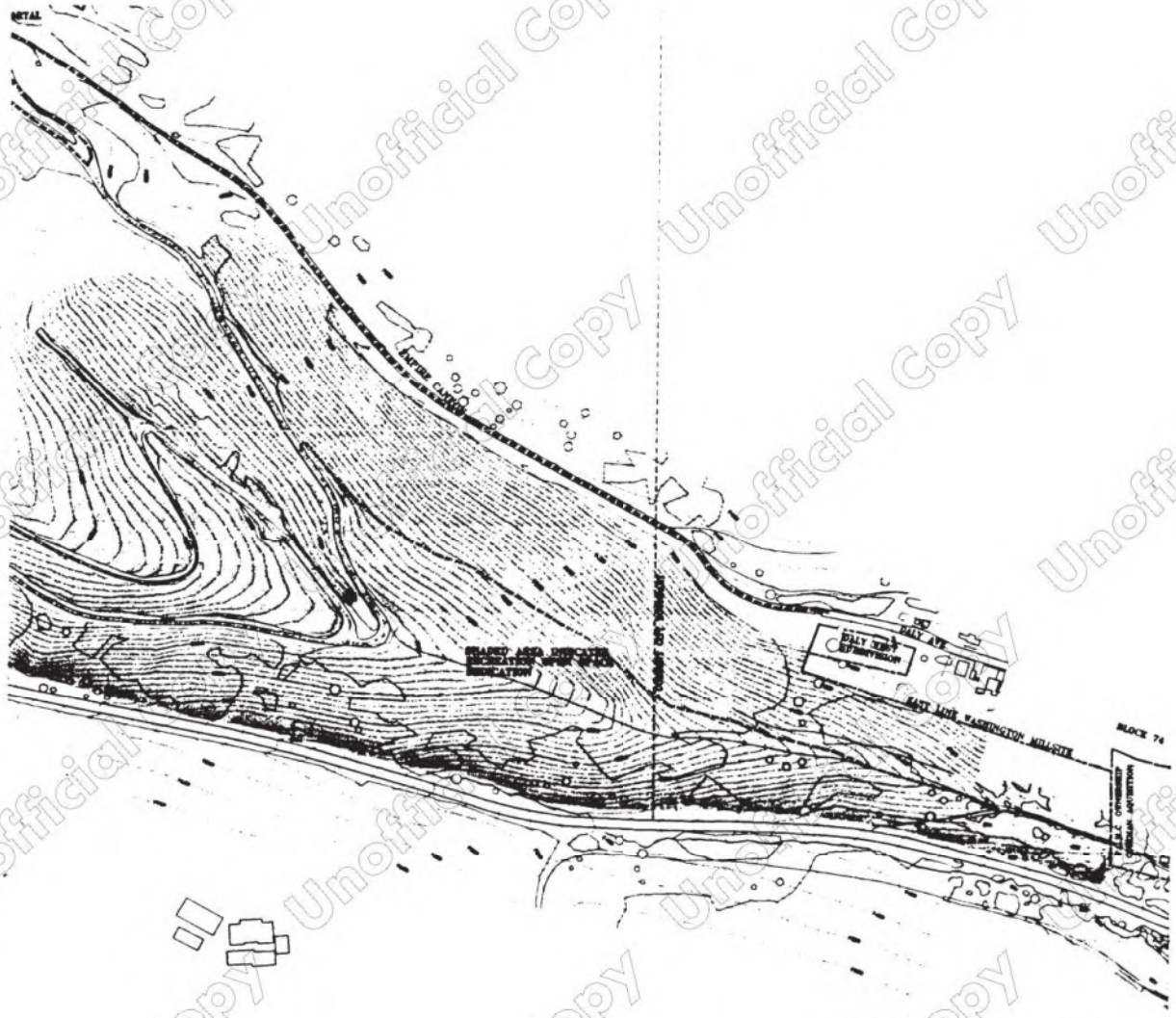

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EXHIBIT "K"

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JUL - 7 1999
PARK CITY
PLANNING DEPT.

400 0 400 800 FEET

Alliance Engineering	REVISED: 8-7-98 9-1-98 4-13-99	STAFF: S. DECKERT D. CARDWELL DATE: 6-30-98	PAGE 1 OF 1	FLAGSTAFF MOUNTAIN RESORT PROSPECT RIDGE RDS DEDICATION FOR: UPCMC JOB NO.: 17-4-96 FILE: UPCMC\D\SR-PRELM

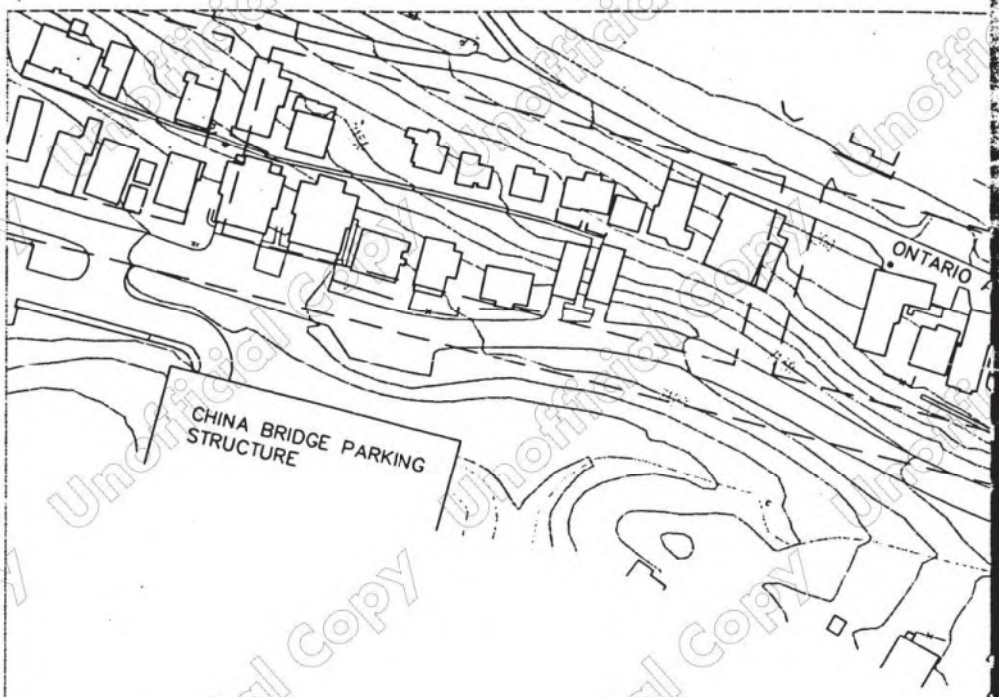

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EXHIBIT "L"

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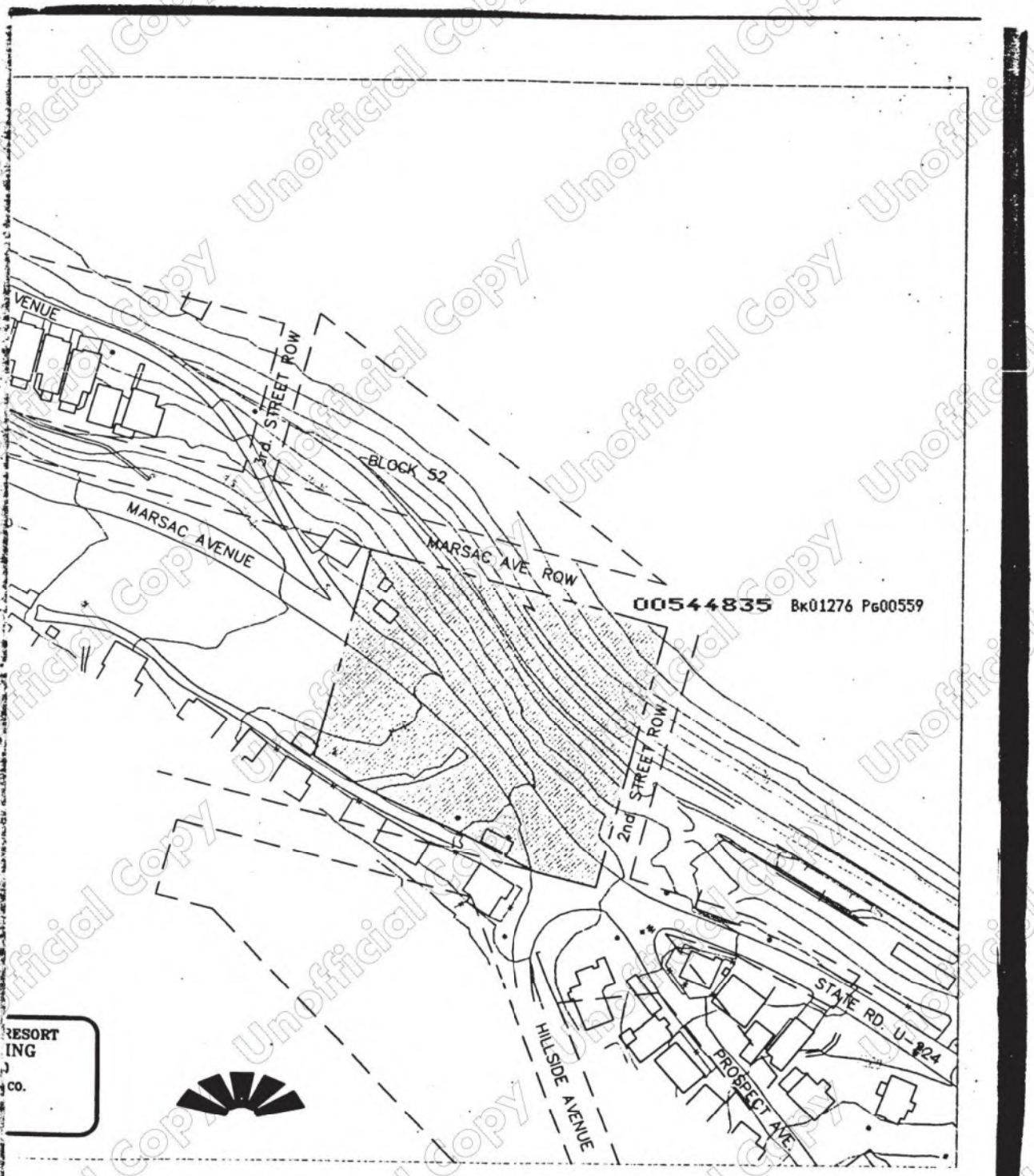
VENUE
3rd STREET ROW
BLOCK 52
MARSAC AVENUE
MARSAC AVE ROW
00544835 Bk01276 Pg00559
2nd STREET ROW
HILLSIDE AVENUE
STATE RD. U-924
PROSPECT AVE.
RESORT
ING
CO.

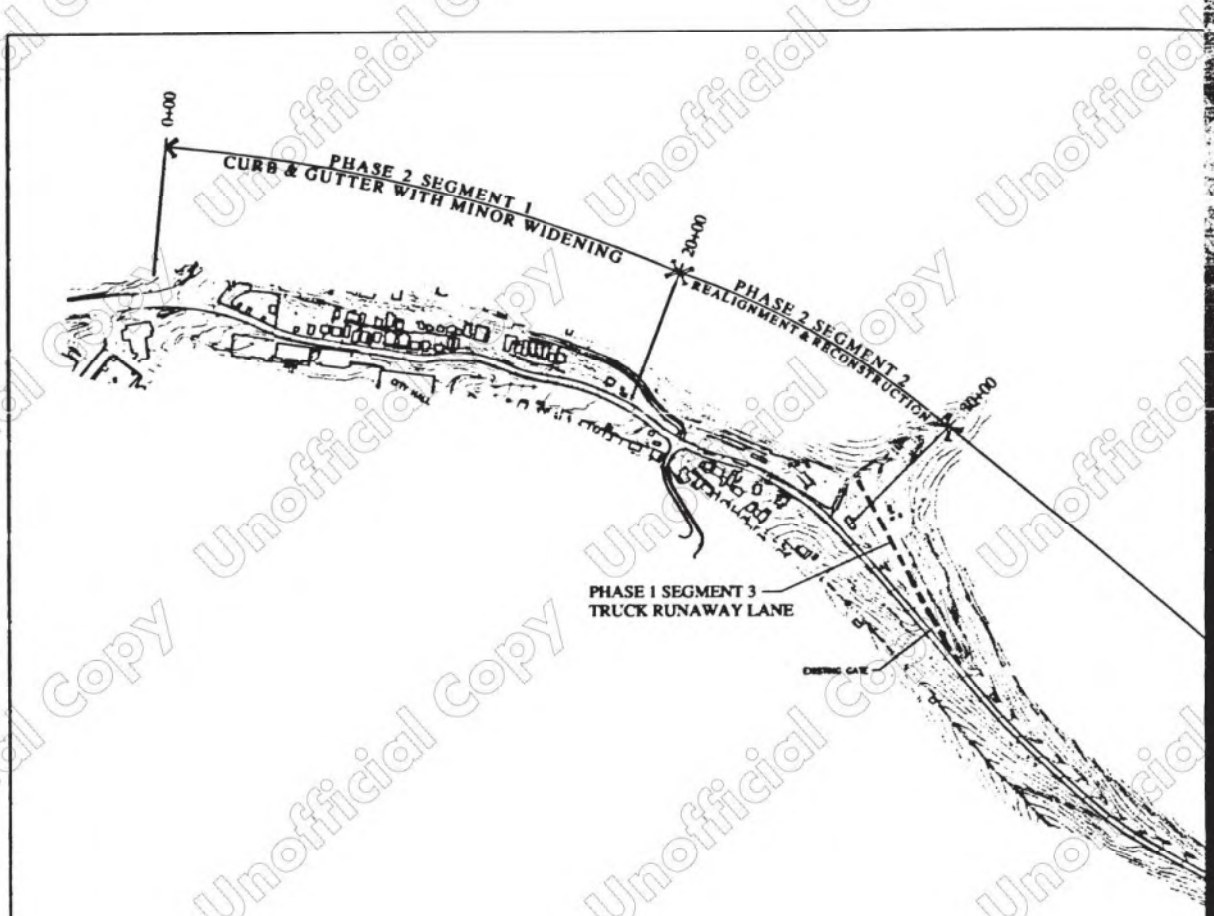

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EXHIBIT "M"

600 0 600 1200 FEET

(435) 649-9467	REVISED:	STAFF: J. DIEMKOWICZ L. UJHELY	PAGE 1 OF 1	FLAGSTAFF MOUNTAIN RESORT STATE ROAD U-224 ROAD RECONSTRUCTION PLAN
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 333 Main Street P.O. Box 2864 Park City, Utah 84060		DATE: 1/20/99		FOR: UPCMC JOB NO.: 26-8-91 FILE: UPCMC\OVERALL\D\RD600

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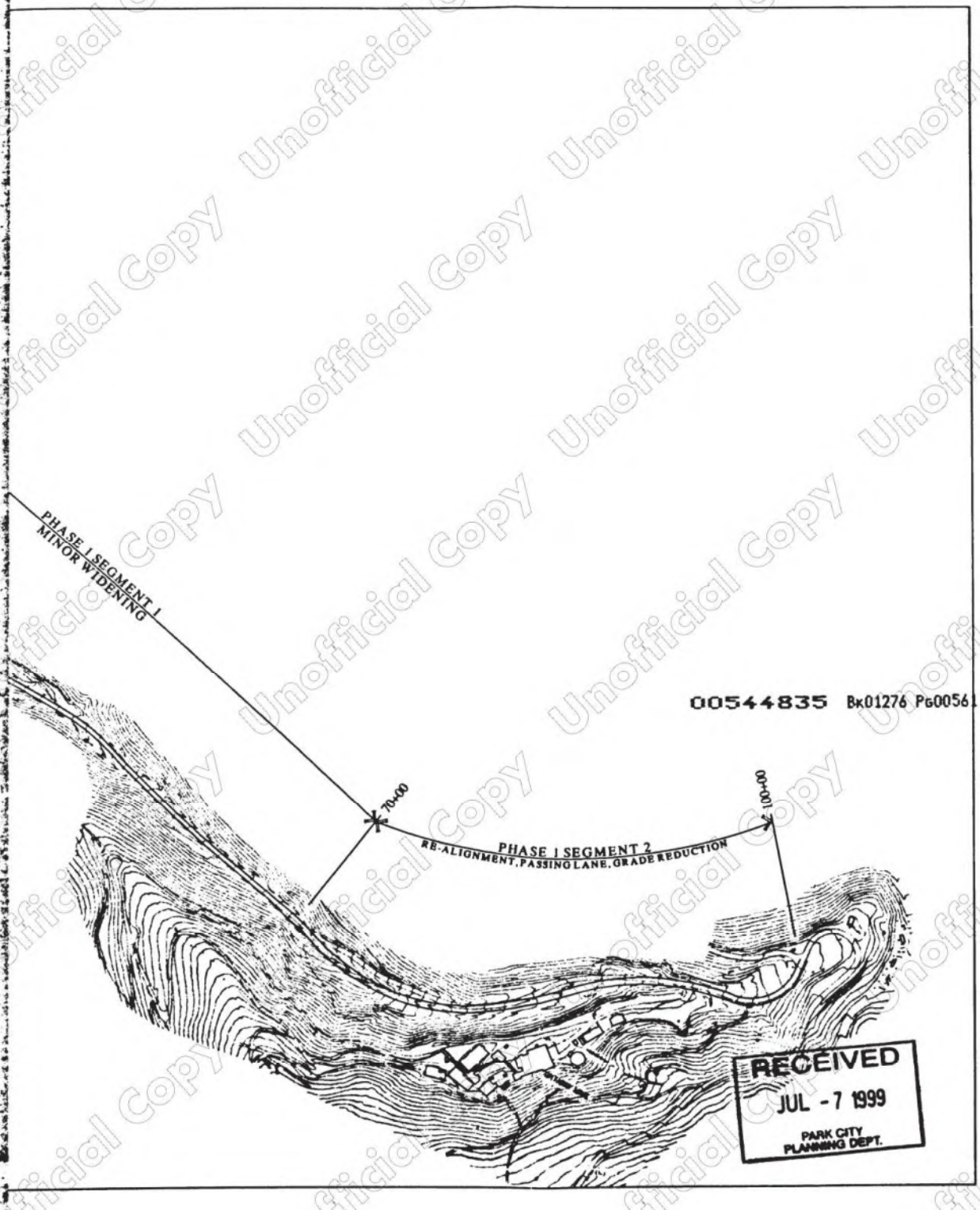

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PLANNING DEPT.

Exhibit M

The Flagstaff Mountain Resort
At
Deer Valley

Road Construction Plan

Off-site, Highway 224 Improvements
Lower Mine Road

Summary of Current Conditions.

Upgrading and improving State Highway 224 has been identified as an important component related to the Flagstaff Mountain project. S.R. 224, or the Mine Road, as it is commonly referred to, will be the primary ingress and egress route from the Flagstaff Mountain Resort project. The developer has volunteered, at considerable expense, to upgrade and improve the Mine Road. This would not only benefit the Flagstaff Mountain Resort, but all users of the road. It should be noted that the developer volunteered to fund the cost of these considerations up-front and not as an extracted concession.

The route referred to as the Mine Road begins at the far northern end of Marsac Avenue, travels along the length of Marsac Avenue and through Ontario Canyon. The Road crosses the Summit/Wasatch County line, and continues west to Brighton or east to Midway. The Mine Road currently serves during the summer months as a business route to UPCMC, the Silver Mine Adventure, Deer Valley and the horse stables. It serves as a residential access route to Brighton Estates, upper Deer Valley and the Girl Scout facility. It also serves as a sight-seeing route for the Bonanza area. Beyond the Deer Valley turn-off, traffic is not heavy on the road during the summer months, totaling approximately 3-400 vehicles/day (source: MK Centennial Traffic Eng. Report: *Deer Valley Residential Expansion 9/93, rev. 12/93*).

During the winter months the Mine Road is closed by the Utah Department of Transportation just beyond the Deer Valley connector road. The lower road then serves as business access for UPCMC, the Silver Mine Adventure, Deer Valley and High Country Snowmobiles. The road also serves as residential access route for Deer Valley. There are also a small number of snowmobilers who use the road as a recreation access point, however this number continues to decrease as more and more land in the Bonanza Basin is closed to this type of activity.

This proposal covers that portion of the Mine Road which originates at the intersection of Marsac and Deer Valley Drive, and extends to the upper Deer Valley turn-off (Guardsmen Connection). The upper sections of the Mine Road will be addressed in other proposals.

00544835 Bk01276 Pg00562

Construction traffic to upper Deer Valley is continuous throughout the year. Heavy trucks haul supplies up and excavated material down the road. In addition, delivery trucks access the aforementioned businesses throughout the year. An important consideration for public safety is a runaway truck lane. This is currently a problem on the mine road, and the voluntary concession of a runaway truck lane installed at the expense of the developer should greatly improve a problem which is presently of concern.

The present situation on the mine road will be improved with the development of the Flagstaff Mountain Resort project. Current areas of concern will be enhanced by planned improvements. The improvements to the mine road will create a situation whereby levels-of-service will be increased and the road will be made safer and more efficient.

* * *

00544835 Bk01276 Pg00563

Summary of Objectives

The off-site improvements to Highway 224 are considered to be an important component of the overall Flagstaff Mountain Resort Master Plan. The current parameters of the mine road will improve in both efficiency and safety. The following constitute the voluntary proposed changes to the mine road to develop a safe and adequate ingress/egress route to and from the Flagstaff Mountain Resort project.

- ⇒ **Widen the road needs where necessary**
- ⇒ **Increase the overall level of service**
- ⇒ **Curb and gutter installed in residential areas**
- ⇒ **Install a runaway truck lane uphill from the residential area**
- ⇒ **Install hydrologic controls where necessary**
- ⇒ **Install a passing lane below the Ontario Mine**
- ⇒ **Improve the grade where practical**

* * *

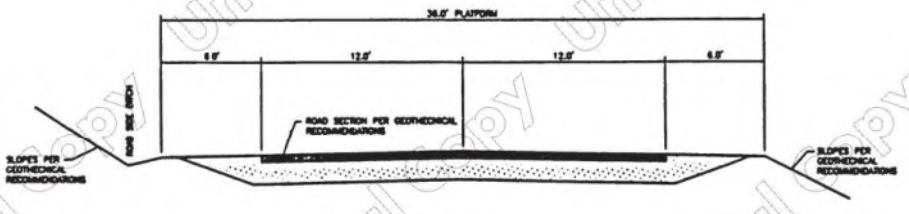
00544835 Bk01276 Pg00564

Phase I

Segment 1- Station 30+00 to Station 70+00.

Segment 1 of Phase 1 extends from just below the sedimentation pond through to the beginning of the passing lane. The improvements to this section of road will generally follow the existing grading and alignment. The profile of the road is a 24' wide asphalt travel platform with six-foot shoulders on either side. The horizontal and vertical alignment will follow the existing road to minimize grading. It is possible that minor slope stabilization will be necessary on those slopes adjacent to the drain channel. A soils engineer will be overseeing the construction of the road and will make the determination in regards to the slope stability of the drain channel. Drainage improvements will consist of roadside ditching and culvert diversions to adjacent intermittent steam at appropriate spacing. Straw hay bales will be placed lengthwise at regular intervals to trap excess sediment.

FLAGSTAFF DEVELOPMENT PARAMETERS
TYPICAL ROAD SECTION



ONTARIO CANYON ROAD – PUBLIC ROAD
HILLSIDE TO GUARDSMAN DV INTERSECTION

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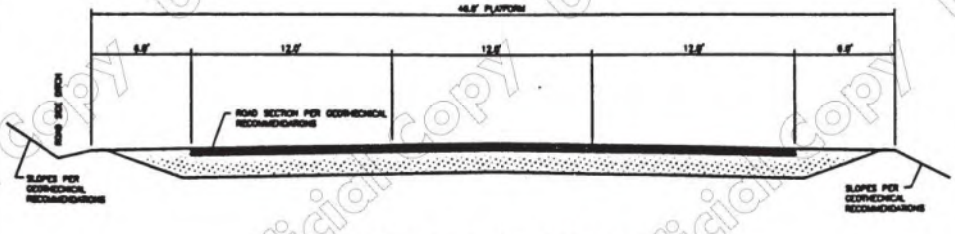
Segment 2- Station 70+00 to Station 100+00

Segment 2 of Phase 1 consists of the route which begins at the passing lane and travels uphill to the Deer Valley connector road (Station 100+00). This segment is planned for extensive re-grading, widening and realignment. Due to the line-of-site situation which currently exists on the Mine Road, a passing land is planned along the length of this segment. The general description is three 12' travel lanes (two uphill and one downhill) for a total of 36' of paved road width. The uphill truck passing lane should greatly increase the overall safety on the road. In addition, two six-foot shoulders are planned for construction on either side. The horizontal and vertical alignment will be reconfigured so that the maximum grade does not exceed 12%. This should also positively influence safety on the road. The drainage channel for this segment will be reconstructed adjacent to new alignment. The drainage channel will be a rip rap bed which consists of large rocks hand-placed in the channel. At regular intervals, straw hay bales will be placed lengthwise to trap sedimentation, which will develop from the construction of the road. Roadside drainage will have culvert diversions to the new channel at regular spacing.

FLAGSTAFF DEVELOPMENT PARAMETERS
TYPICAL ROAD SECTION



ONTARIO CANYON ROAD – PUBLIC ROAD
PASSING LANE

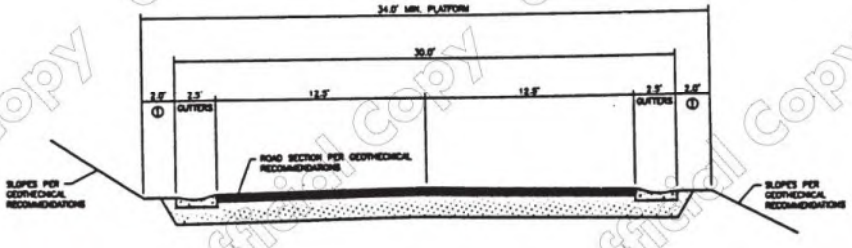
00544835 Bk01276 Pg00566

Phase II

Segment 1. Station 0+00 to Station 20 +00

Segment 1 of Phase II extends from Deer Valley Drive and extends south to Hillside Avenue. General improvements to this section of road will be the installation of a 30' wide asphalt travel lane with 2' shoulders on either side. Curb and gutter will be installed along the entire length. General alignment will follow the current horizontal and vertical alignment to minimize grading and conflicts with existing driveways. Where practical, shoulder widths will be increased provided this does not involve extensive retaining wall work or regrading. Surface drainage will be channeled through inlets and drain lines where it will be connected to existing drainage facilities at the belt route intersection and above 4th Street parking structure. Electrical conduit and sanitary sewer will be placed along the length of this road and stubbed off. The future possibility exists to bury electrical lines in Old Town and the installation of conduit will circumvent the necessity of tearing up the road to do so.

FLAGSTAFF DEVELOPMENT PARAMETERS
TYPICAL ROAD SECTION



MARSAC AVE – PUBLIC ROAD
DEER VALLEY DRIVE TO HILLSIDE AVE.

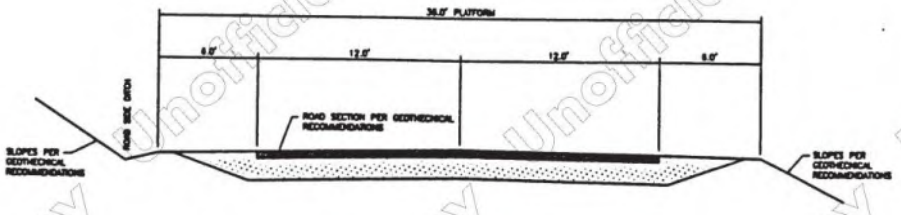
NOTE:
① SHOULDERS TO BE WIDENED TO 5' WHERE PRACTICAL WITHOUT SIGNIFICANT EARTHWORK AND/OR RETAINING WALL CONSTRUCTION.

00544835 Bk01276 Pg00567

Segment 2. Station 20+00 to Station 30+00

The road will have a 24' wide asphalt travel platform with 4' shoulders. Drainage will consist of inlets and drain lines which channel surface water to existing drainage facilities at the belt route intersection, above the 4th Street parking facility and above the Hillside intersection. Curb and gutter will be installed along the length of the improvements.

FLAGSTAFF DEVELOPMENT PARAMETERS
TYPICAL ROAD SECTION

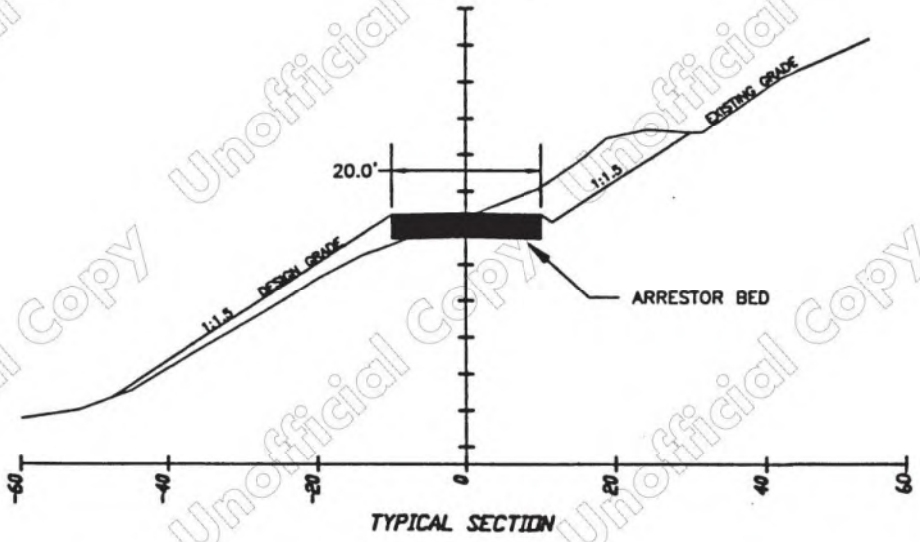


ONTARIO CANYON ROAD – PUBLIC ROAD
HILLSIDE TO GUARDSMAN DV INTERSECTION

00544835 Bk01276 Pg00568

Segment 3- Runaway Truck Lane at Station 30+00.

The construction of a runaway truck ramp is proposed as a safety consideration. This is a courtesy of the developer and should be recognized as such. There are no definitive design guidelines for runaway truck ramps from AASHTO (Fehr and Peers, 11/12/98, Scott Zeigler). Basic criteria emphasize that the offset degree of the ramp to the road should be as minimal as site constraints allow. 20 feet in width is recommended as an adequate width to handle most big trucks without requiring excessive handling by the driver. The AASHTO manual recognizes that runaway truck ramps, out of necessity, need to take into account the nature of the site and design a best fit for that particular piece of property. Options for increasing the efficiency of the ramp include increasing the upward slope and installing sand piles at regular spaced intervals to slow the progress of the vehicle. At present, the Project Engineer (John Demkowicz, Alliance Engineering) is conferring with City's Engineer to determine the best layout and course for the runaway truck ramp.



TYPICAL SECTION

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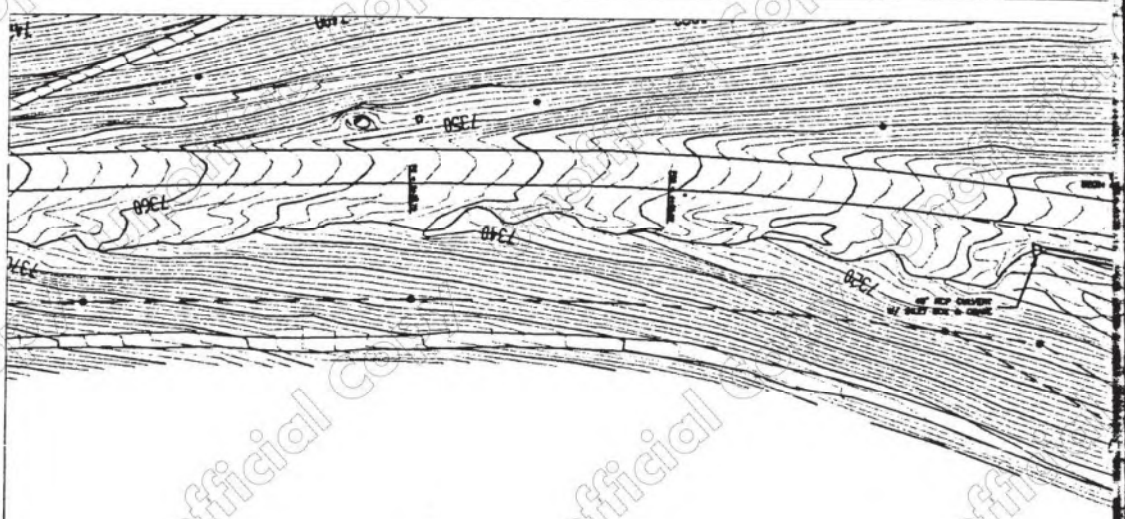

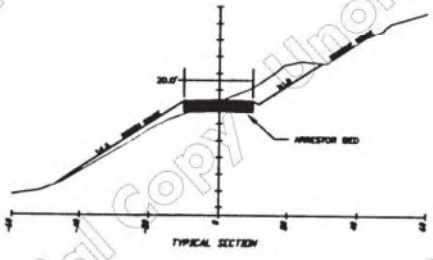

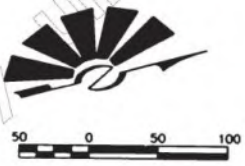

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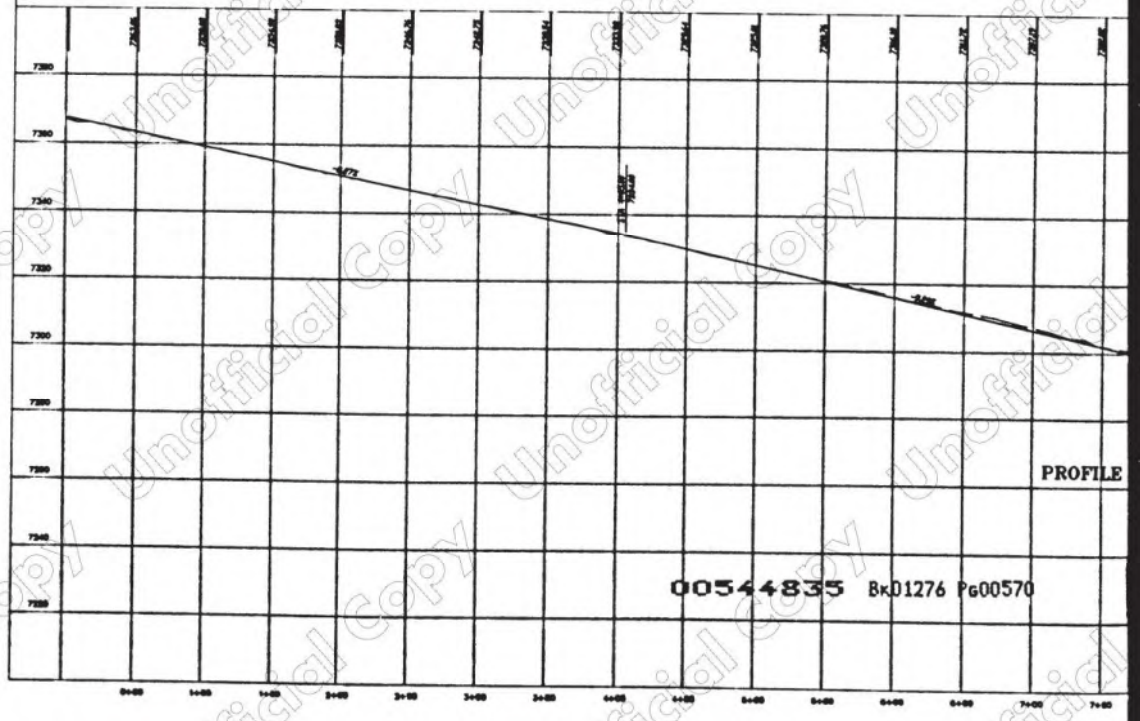

PROFILE

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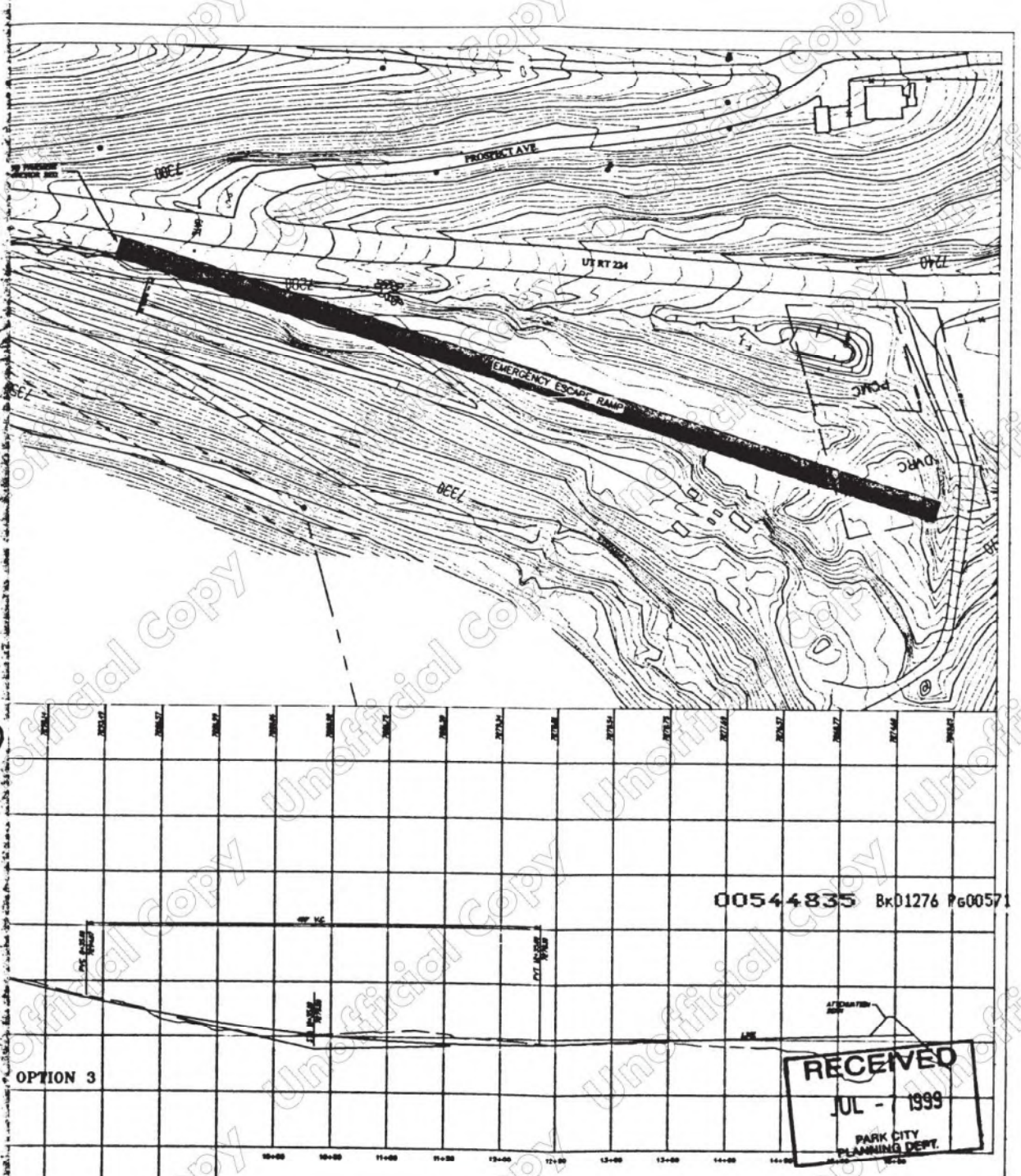

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PARK CITY
PLANNING DEPT.

Alliance	REVISED:	STAFF: R. McMAHON DATE: 4/30/99	PAGE 1 OF 1	EMERGENCY ESCAPE RAMP PLAN & PROFILE FOR: U.P.C.M.C. JOB NO.: 28-8-91 FILE: \UPCMC\E-ear

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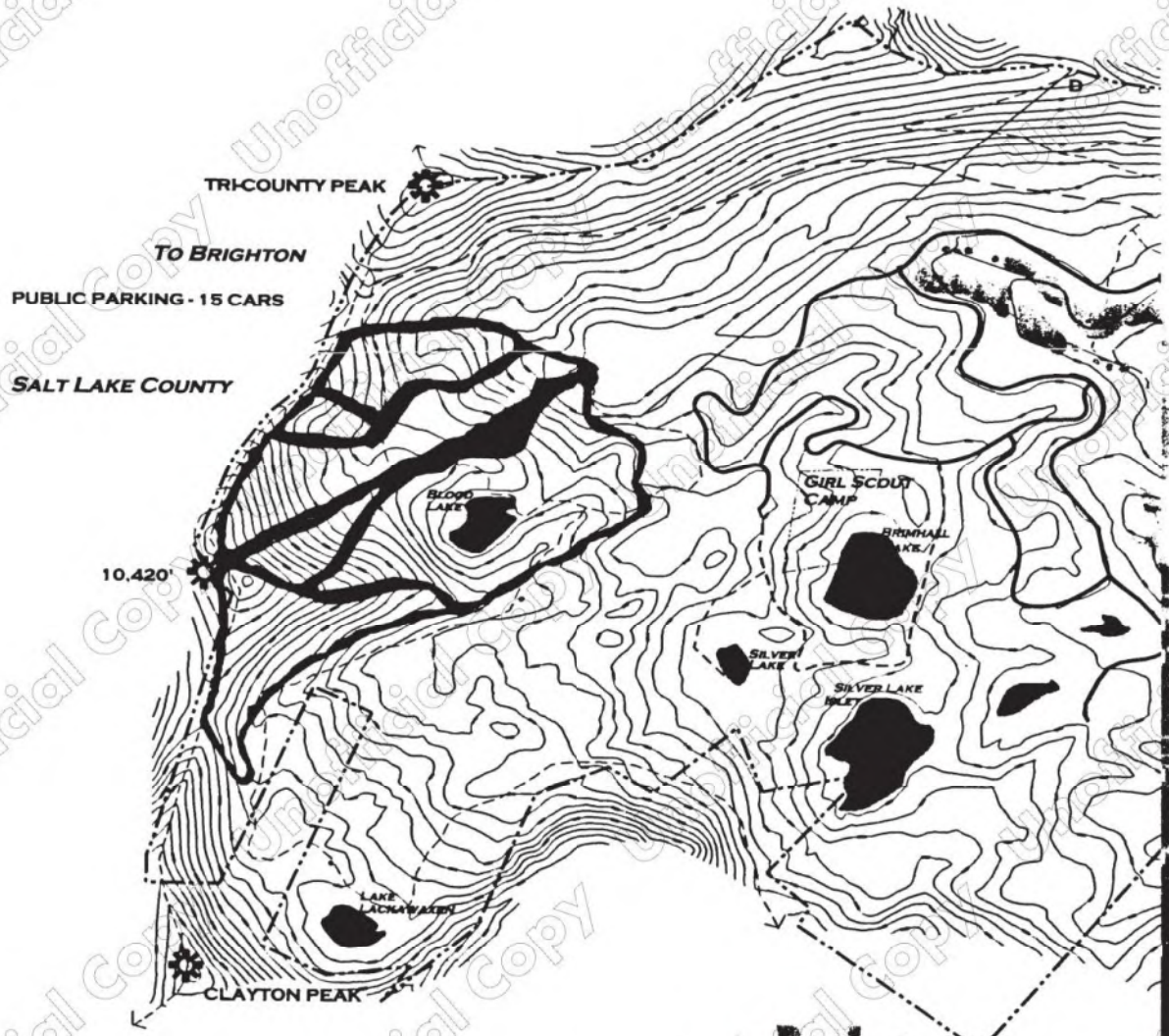

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WASATCH COUNTY, UTAH

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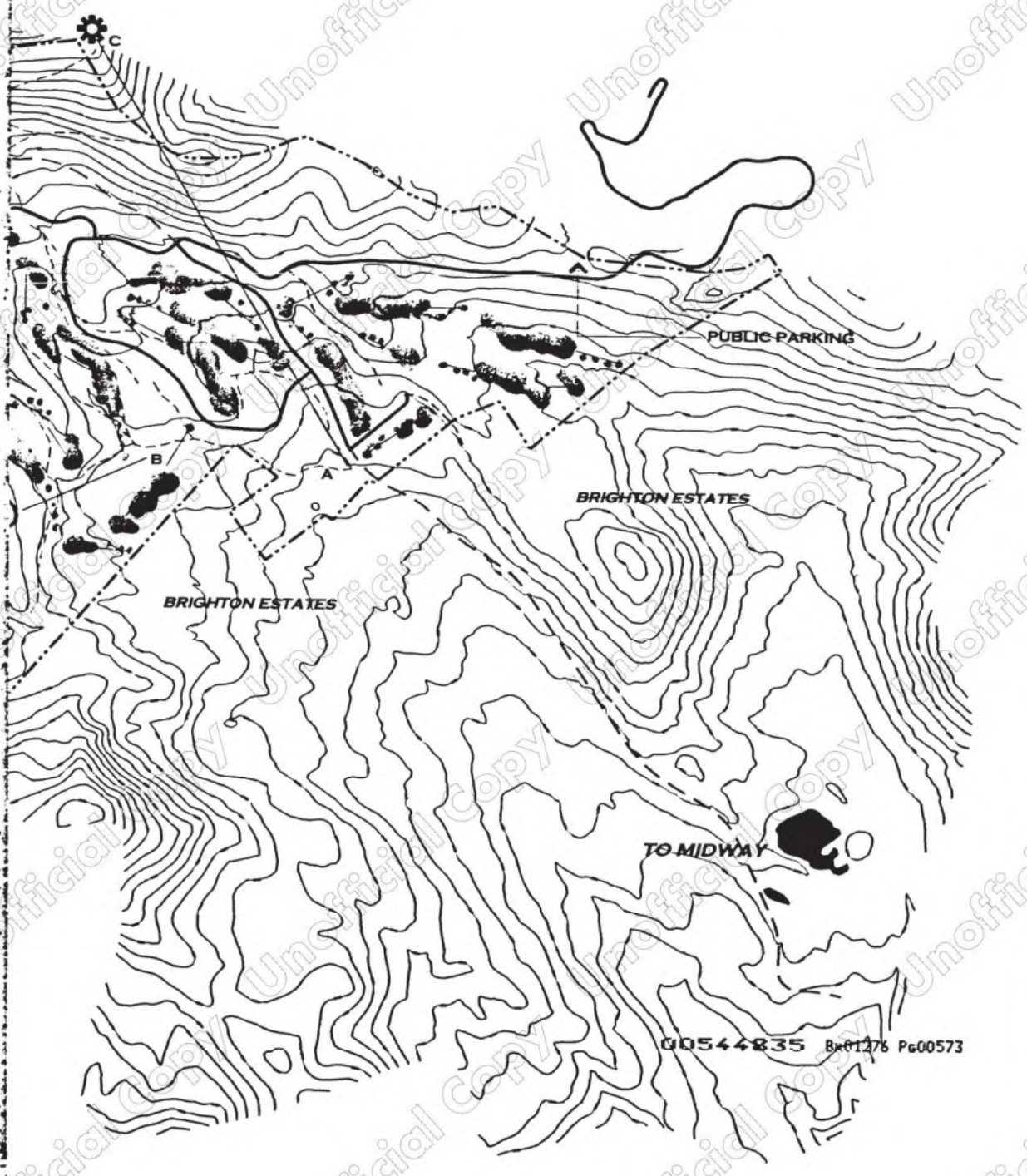
EXHIBIT O



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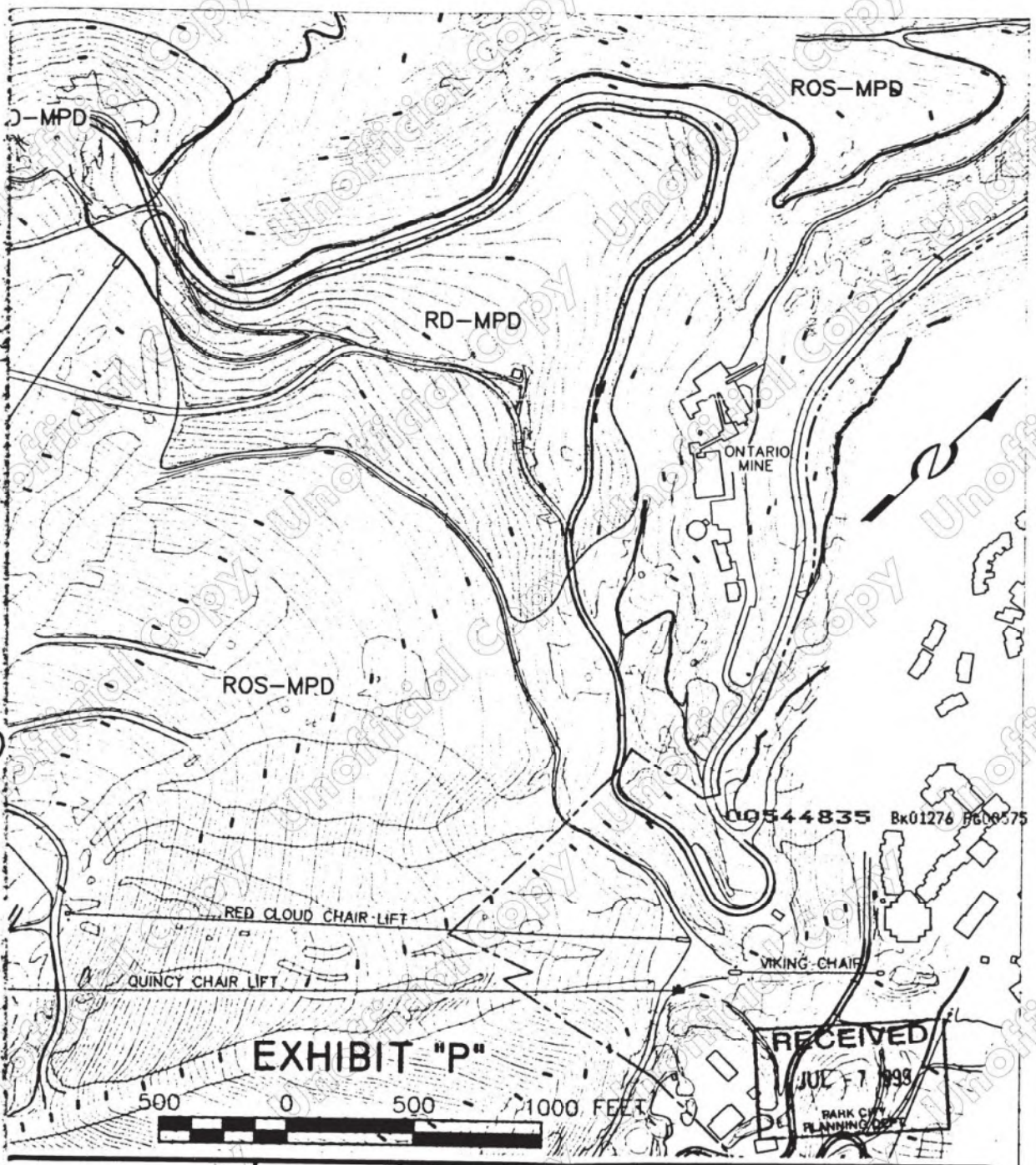

Alliance Engineering Inc. (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 333 Main Street P.O. Box 2864 Park City, Utah 84060	REVISED:	STAFF: S. DECKERT D. CARDWELL DATE: 6-9-99	PAGE 1 OF 1	FLAGSTAFF MOUNTAIN RESORT DEVELOPMENT PODS "ZONING MAP" FOR: UPCMC JOB NO.: 5-2-94 FILE: \UPCMC\OVERALL\D\ZONING

June 3, 2002

RESOLUTION NO. 2002-18

RESOLUTION ADOPTING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN SUMMIT COUNTY AND PARK CITY MUNICIPAL CORPORATION FOR A JOINT PLANNING PROCESS OF THE QUINN'S JUNCTION AREA

WHEREAS, Summit County and Park City Municipal Corporation (PCMC) have interests in managing urban development in the Quinn's Junction area as illustrated on Exhibit A; and

WHEREAS, both parties recognize that the Quinn's Junction area is experiencing urban development pressure including increases in applications for development approvals, and that both entities have valid concerns with the nature, phasing and timing of future development and the manner in which services are provided; and

WHEREAS, both parties recognize that development approvals may have impacts on both Summit County and PCMC; and both parties also agree that it is in the best interests of a master planning process that no new development proposals in the study area identified by Exhibit A be processed until the study is complete. Also that existing proposals in the study area receive no additional approvals until such time that criteria for reviewing and evaluating these requests are developed with opportunity for input from property owners, residents and the Planning Commissions and Staffs for both PCMC and Summit County; and

WHEREAS, both parties also recognize that future development in the Quinn's Junction area may impact the ability of Summit County and PCMC to provide infrastructure and services; and

WHEREAS, Summit County and PCMC recognize their common interests and desires are to protect the environmental and aesthetic attributes of the Quinn's Junction entry corridor; and

WHEREAS, development occurring in the Quinn's Junction vicinity should occur in a manner that respects and recognizes the natural amenities, infrastructure capabilities, and unique qualities of the area; and

WHEREAS, it is in the best interests of both Summit County and PCMC that development occurs in the Quinn's Junction area which results in the efficient delivery of governmental services and infrastructure by either or both entities; and

WHEREAS, Summit County and PCMC recognize the importance of maintaining a balance between potential new sources of economic development and the conditions necessary to preserve the existing resort and agricultural elements of the economy; and

WHEREAS, it is the intent of Summit County and PCMC that development occurring adjacent to PCMC's municipal boundary be consistent, where practicable, with the development objectives of both jurisdictions; and

WHEREAS, both Summit County and PCMC have developed and adopted general plans, including the Snyderville Basin General Plan and the Park City General Plan, identifying the public goals and policies for their respective jurisdictions;

NOW, THEREFORE, BE IT RESOLVED that Summit County and PCMC enter into this Agreement under the provisions of the Utah Interlocal Cooperation Act, Utah Code Ann.§11-13-1 to -37, to foster the legitimate interest of Summit County and PCMC actively working together to manage growth and development in the Quinn's Junction area. The parties therefore agree as follows:

1. **PURPOSE OF THE INTERLOCAL COOPERATION AGREEMENT - SUMMIT COUNTY AND PCMC - RECOMMENDATIONS AND ACTIONS**. It is the purpose of this Interlocal Cooperation Agreement to secure for the citizens of Summit County and PCMC, coordinated and cost effective management of growth and development, especially as it relates but is not limited to, the provision of necessary services, roads, storm drainage, flood control works, parks and recreation facilities, water quantity and availability, water quality and water storage, pedestrian paths, open space and trail networks, police and sheriff services, fire protection and other infrastructure, services and amenities and the equitable levying of growth induced costs upon new development in the Quinn's Junction Area.

The need for joint planning and the preparation of a land use study of the Quinn's Junction area is based upon the following factors, among others:

(a) The likelihood that development, the provision or extension of capital improvements, or land use regulations will have significant impacts across jurisdictional boundaries.

(b) The determination of which public facilities and services should be provided by which jurisdiction(s); and

(c) The joint familiarity of the County and PCMC with development proposals and the establishment of compatible development standards and patterns for future growth to follow further increases in the well-being, health and safety of County and PCMC residents.

2. **LAND USE PLANNING RESPONSIBILITY**. The land use planning authority for lands outside the PCMC corporate boundary, as shown on Exhibit A, is the responsibility of

Summit County. Within the corporate boundaries of PCMC, as shown on Exhibit A, the land use planning authority is the responsibility of PCMC.

3. **ORGANIZATION.** The Quinn's Junction study shall be coordinated jointly by the Summit County Community Development Director and the Park City Community Development Director, or their designees. An advisory subcommittee consisting of three (3) members each, of the Snyderville Basin Planning Commission and the Park City Planning Commission shall be appointed by each Planning Commission to provide assistance to the planning staff with the preparation of the scope of work for the Study. The joint subcommittee of the Snyderville Basin Planning Commission and the Park City Planning Commission, therefore, will meet as the need determines, to prepare parameters for a study of the Quinn's Junction area which will evaluate existing and potential future land use, infrastructure, governmental services, the timing, location and extent of future development, and other planning issues related to development proposals, applications, general plan amendments, or other issues concerning the future development of the Quinn's Junction area. The subcommittee shall also assist in the review and evaluation of the technical reports produced during the Study, and may be called upon to attend public meetings with property owners, and area residents. It is anticipated that a request for qualifications (RFQ) and\or a request for proposals (RFP) will be issued in order to contract a qualified consultant to assist with administering the process, compiling the information requested, and drafting a set of recommended guidelines derived from the parameters established by the advisory subcommittee and planning staffs. A final choice of consultants will be made jointly by the directors after a recommendation from the advisory subcommittee. All conclusions and recommendations of the Study shall be forwarded to the Snyderville Basin Planning Commission and the Park City Planning Commission for final review and recommendation to the governing bodies of Summit County and PCMC.

4. **QUINN'S JUNCTION JOINT PLANNING AREA.** The area affected by this Agreement consists of the incorporated area of PCMC, and the unincorporated area of the Snyderville Basin in Summit County as shown on Exhibit A.

5. **REVISIONS AND MODIFICATIONS**. Modifications to this Agreement may be made from time to time in writing, with the approving resolutions/ordinances of the governing bodies of the County and PCMC. This Agreement may be terminated by either of the parties by written notice.

6. **FINANCING**. Summit County and PCMC are operating independently from each other, with the understanding that eligible costs to conduct the study of the Quinn's Junction area will be equally shared by each jurisdiction with costs not to exceed fifty thousand dollars by either jurisdiction unless agreed to in writing. Additionally, before a contract for work is awarded, a performance based contract based on the needs identified by the advisory subcommittee will be prepared for approval by the Development Directors or their designees.

7. **SEPARABILITY**. If any portion of this Agreement or its application to specific

circumstances is held invalid by a court of competent jurisdiction, the remainder of the Agreement and its application to other circumstances shall be unaffected.

8. **NO SEPARATE ENTITY**. This Agreement does not create a separate legal or administrative entity and no third party rights are created by the enactment of this Agreement. Both parties are cooperating jointly together to exercise their individual powers and privileges.

9. **TERM OF AGREEMENT.** This Agreement shall have an initial term of one (1) year, and may be renewed by resolutions of the governing bodies of the County and PCMC. The roles and responsibilities of both parties shall be as set forth herein and this Agreement is limited in its scope and effect as identified.

10. **DEVELOPMENT APPROVALS**. The parties hereby agree and covenant that during the term of this agreement, no development approvals and/or applications shall be considered on property within the study area (Exhibit A). The parties further agree that no *ex-parte* communication between a single party and developer or property owner will occur without the prior consent of the other party to this agreement.

PASSED AND ADOPTED this 18 day of July, 2002.

SUMMIT COUNTY

Chairman

Attest:

Summit County Clerk

STATE OF UTAH COUNTY CLERK SUMMIT COUNTY

Approved as to form:

Attorney for Summit County

PASSED AND ADOPTED this 1 day of AUGUST, 2002.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

City Recorder

Approved as to form:

Attorney for Park City

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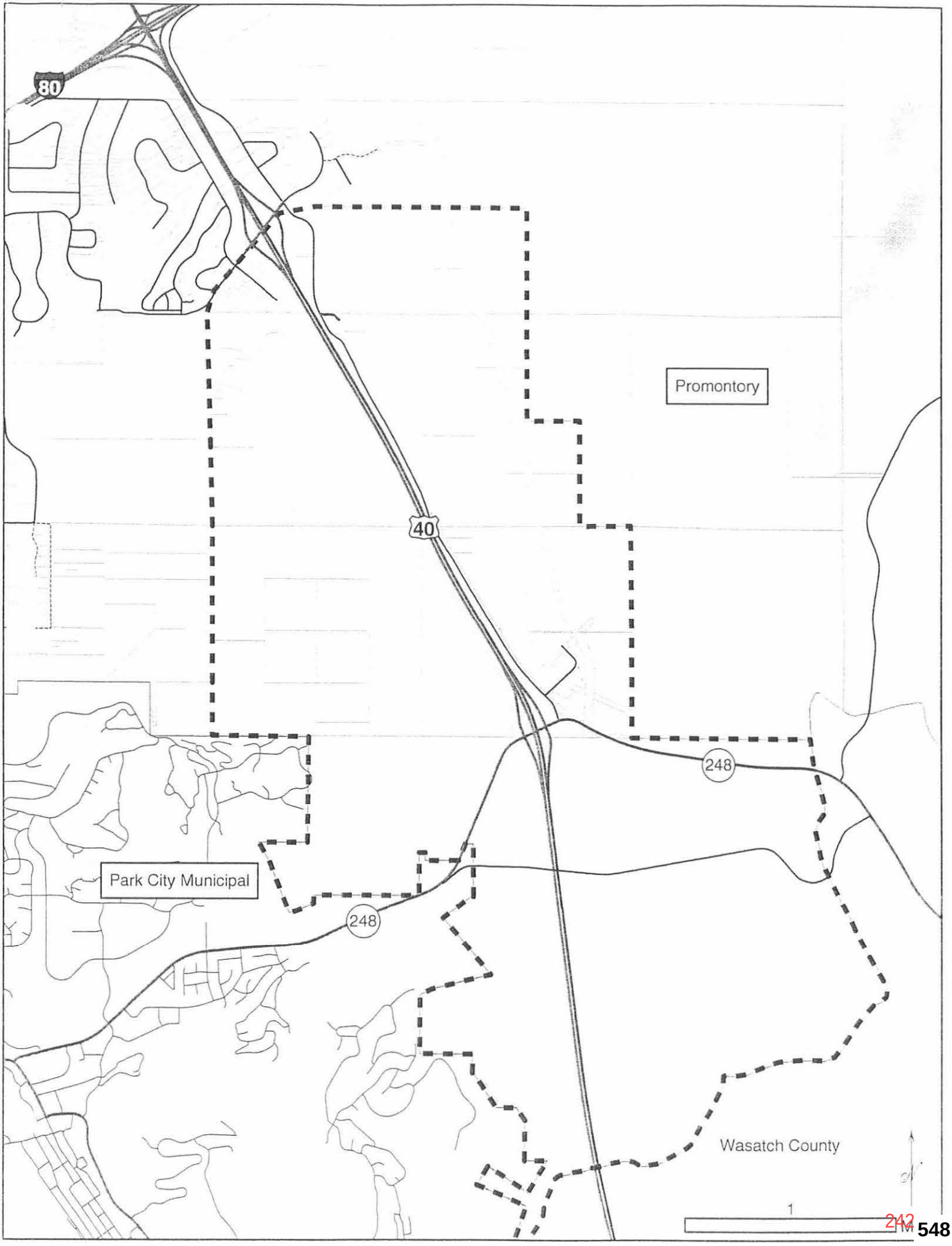
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Park City Municipal
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Wasatch County
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LETTER OF INTENT

Snyderville Basin Planning Commission and Park City Planning Commission
Joint Planning Effort for Quinn's Junction Area Plan
March 2002

Purpose:

The purpose of the Letter of Intent is to clarify the understanding of the Snyderville Basin Planning Commission (SBPC) and the Park City Planning Commission (PCPC) pursuant to a joint planning effort for the area surrounding Quinn's Junction located at the intersections of State Highways 248 and 40. SBPC and PCPC agree in concept to the following work program and cost sharing contingent upon further discussion and approval of the Summit County Board of Commissioners and the City Council of Park City. The following concepts and ideas are not binding on the parties of this Letter of Intent until an Interlocal Planning Cooperation Agreement is approved by the appropriate jurisdictions.

Inter-governmental Joint Planning Principals:

1. The Snyderville Basin and Park City have mutual interests in managing growth and development so as to preserve our health, safety and welfare, critical natural features and our desirable quality of life.

2. The Park City General Plan has specific policies addressing "Joint Planning Areas", of which the Quinn's Junction Area is included, and the Plan strongly encourages working with Summit and Wasatch Counties on regional planning issues.

3. The Snyderville Basin General Plan acknowledges the desire to work with Park City "to achieve objectives important to both entities such as the provision of affordable housing, open space corridors along major highways, a community-wide trails network and a hospitable ambiance for promoting tourism".

4. The Snyderville Basin Planning Commission and the Park City Planning Commission are often faced with similar issues which could be more effectively resolved with cooperative planning policies and principals relating to those areas bordering Park City which are of mutual concern, thereby providing a more unified voice for both planning commissions.

5. Policy 10.14 of the Snyderville Basin General Plan indicates that, "Summit County should cooperate with Park City in achieving common and mutually beneficial objectives, including but not limited to the establishment of a Basin-wide trails network, aesthetically pleasing view corridors along major roadways, promoting a sense of hospitality for the tourist based economy, affordable housing, mass transit, and similar actions".

6. The East Basin Neighborhood Planning Area, as defined in the Snyderville Basin General Plan, establishes that Summit County will work with Park City on annexation and jurisdictional matters related to development in this area. It is Summit County's objective to: 1) ensure proper planning and design, 2) that community benefits, will accrue to the community as a whole, 3) and that the County and its Special Service Districts will not incur any negative fiscal impacts from the cumulative development in this neighborhood.

7. The Park City Planning Commission and the Snyderville Basin Planning Commission are committed to jointly developing a land use concept plan for the area surrounding the intersection of State Highway 248 & 40. This area is contained in the County's East Basin Neighborhood Planning Area and is referred to as the East Corridor by Park City.

8. Numerous meetings of subcommittees of the Snyderville Planning Commission and the Park City Planning Commission have produced mutually acceptable planning concepts and a vision for this planning area. However, these planning concepts have not yet been formalized and adopted by either jurisdiction.

Suggested Joint Planning Cost Sharing and Consultant Selection:

1. The SBPC and the PCPC will establish a task force consisting of members from each commission plus one or more staff members from each commission to prepare a detailed work program for the study of future land uses in the Quinn's Junction Planning Area. This document shall provide the basis for a Request for Qualifications and/or Request for Proposal if it is determined that consulting services will be necessary.

2. SBPC and the PCPC acknowledge that use of consultants or contract employees may expedite essential elements of the study. If consultants or contract employees are used the SBPC and the PCPC shall agree on the selection, estimated cost and work program. Supervision will be provided by the Park City Community Development Department Staff and the Summit County Community Development Department Staff with assistance from the SBPC and the PCPC for project specific tasks.

3. The Summit County Board of Commissioners has authorized up to $50,000 for the study of the Quinn's Junction Planning Area. The PCPC has indicated their support for jointly funding, with the SBPC, the cost of preparing the study and plan. The PCPC will make this recommendation to the City Council of Park City at the earliest opportunity. The maximum amount to be funded by Park City would be $50,000 with the intention of each organization funding an equal amount of the cost. It is agreed there will be no charge for staff time or indirect overhead costs of either agency/organization during the planning phase of the study.

Suggested components for Quinn's Junction Area Plan Work Program:

1. Identify and agree on the extent of the Study Area.

2. Research and identify any existing development agreement, water rights agreements, annexation agreements, pre-annexation agreements or possible development vested rights claims for all property in the Study Area.

3. Establish a public participation process which allows opportunity for property owners and interested citizens to provide suggestions, register concerns and to participate throughout the planning process.

4. Invite current landowners to provide input on proposed plans.

5. Identify the location and type of existing development and utilities crossing or in close proximity to the Study Area.

6. Identify traffic capacity of major roads and highways serving the study area.

7. Identify key visual, environmental and natural resource features in the area to be preserved.

8. Identify and classify any existing environmental health hazards in the area.

9. Create vision statements for the area which are consistent with community input, Park City Municipal Corporation and Summit County General Plans, and which establishes the basis for the location, extent and timing of future land uses.

10. Identify potential sites, consistent with the vision statements, that could possibly accommodate selected future land uses (receiving areas).

11. Determine the optimum timing and jurisdiction for utility extensions into the study area.

12. Identify key community and regional benefits necessary for any development which may be proposed in the study area.

13. Identify significant impacts on the Study Area of approved or proposed development, both in Summit and Wasatch Counties.

Note: Establishing a well-defined boundary or edge to the Park City Municipality.

Proposed Interlocal Planning Cooperation Agreement:

Prior to joint planning funds being expended for consulting services, the SBPC and PCPC will propose an Interlocal Planning Cooperation Agreement for approval by the Summit County Board of Commissioners and the City Council of Park City.

The Interlocal Planning Cooperation Agreement will set forth the responsibilities and expectations of the parties for the work program, consulting services, management and supervision, and cost sharing for the study.

Acknowledgment:

Park City Planning Commission — Date 4/23/02

Acknowledgment:

Snyderville Basin Planning Commission — Date 4-9-02

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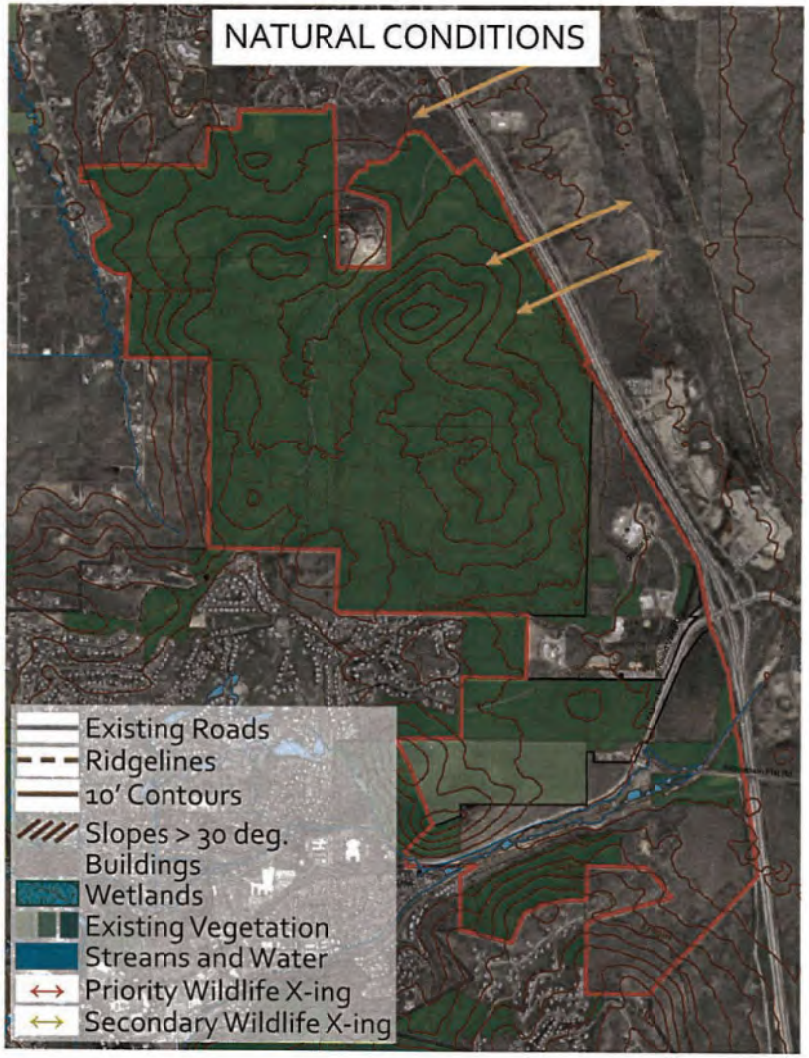
QUINN'S
JUNCTION

NEIGHBORHOOD 10: QUINN'S JUNCTION

QUINN'S JUNCTION

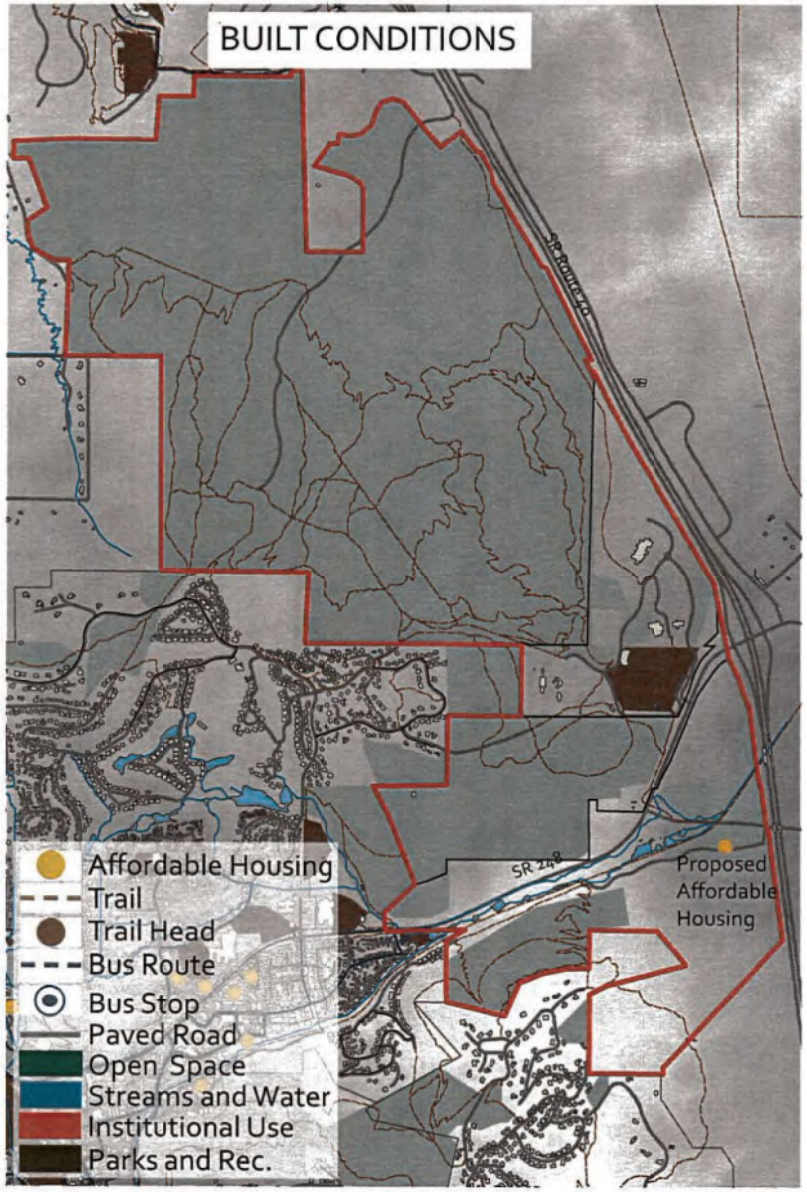
Map 1



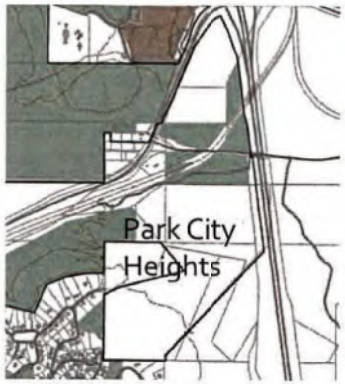
Total Area (sq. miles)	1.20 square miles
Total Area (acres)	1,009.61 acres
Total Built Residential Units	0
Unbuilt Units	239 Residential
% of Total Park City Units	0%
Average Density	3.22 units per acre
Range of Density	0.18 - 33.3 units per acre
Population	3
Number of Businesses	5
% of Park City Businesses	1%
Housing Type	Single Family and Multifamily
Historic Sites	None
Affordable Housing	PC Heights (including IHC units) proposed
Occupancy	None
Neighborhood Icons	National Ability Center US Ski Association Training Center People's Health Clinic PC Ice Arena and Sports Center IHC Hospital Summit County Health
Parks	Sports Center
Amenities	Round Valley trail and cross country ski network, Rail Trail
Trails	Round Valley
Walkability	Extremely Low. Regional destination with no built housing

* HOAs may exist in this neighborhood; please refer to page 10.

Map 2


BUILT CONDITIONS
SR 248
Proposed Affordable Housing
Affordable Housing
Trail
Trail Head
Bus Route
Bus Stop
Paved Road
Open Space
Streams and Water
Institutional Use
Parks and Rec.

Quinn's Junction is dominated by open space with Round Valley as the vast backyard to the existing development. On the north-west corner, regional institutional uses are located on large lots with on-grade parking. Future clustered residential development will occur on the south-west corner within Park City heights.



10.1. Quinn's Junction Neighborhood: Regional Planning to guide future development along a City boundary.

Between July 2002 and October of 2004, Park City and Summit County worked together to create a shared land use plan for future development of the area between SR-248 and Highway 40 to the Silver Summit intersection. During the collaborative public planning process, input from stake holders was collected. Also, the planning staff of both entities reviewed the two general plans to identify commonalities. The result of the combined efforts is the Quinn's Junction Joint Planning Commission Principles. On October 11, 2004, the Planning Commission adopted the planning principles with the understanding that the shared principles were not intended to be a formal land use plan and the adoption of the principle did not modify the general plans or development codes. The stated purpose for the draft principles was to provide a higher level of detail or a greater resolution between the two existing general plans and provide guidance during future amendments to the general plan.

The Quinn's Junction Joint Planning Principles are separated into two categories: Development Densities and Land Use and Development Patterns. The Principles are noted in detail after the following page. A series of maps representing the Quinn's Area follow the Principles.

The area has evolved since the creation of the 2004 Quinn's Joint Planning Commission Principles. Development over the past decade within Park City includes many institutional uses including IHC Hospital, PC Ice Arena and Sports Center, the People's Health Clinic, Summit County Health Center, and the United States Ski Association Training Center. The City reviewed two master planned development projects on the south side of SR 248 during this time frame as well. The approved Park City Heights residential Master Planned Development includes 239 new residential units and the Quinn's Junction Partnership Annexation consists of 1 movie studio complex, a hotel with up to 100 rooms, and a retail area. Concurrently, approximately 1365 acres within Round Valley were purchased as open space, preserving the view corridors on the west side of Highway 40 between Silver Summit and Quinn's Junction in perpetuity.

The following Joint Planning Principles recommend development patterns of clustered development balanced with preservation of open space:

1. Cluster in identified areas and around exiting development maintaining consistency among uses.

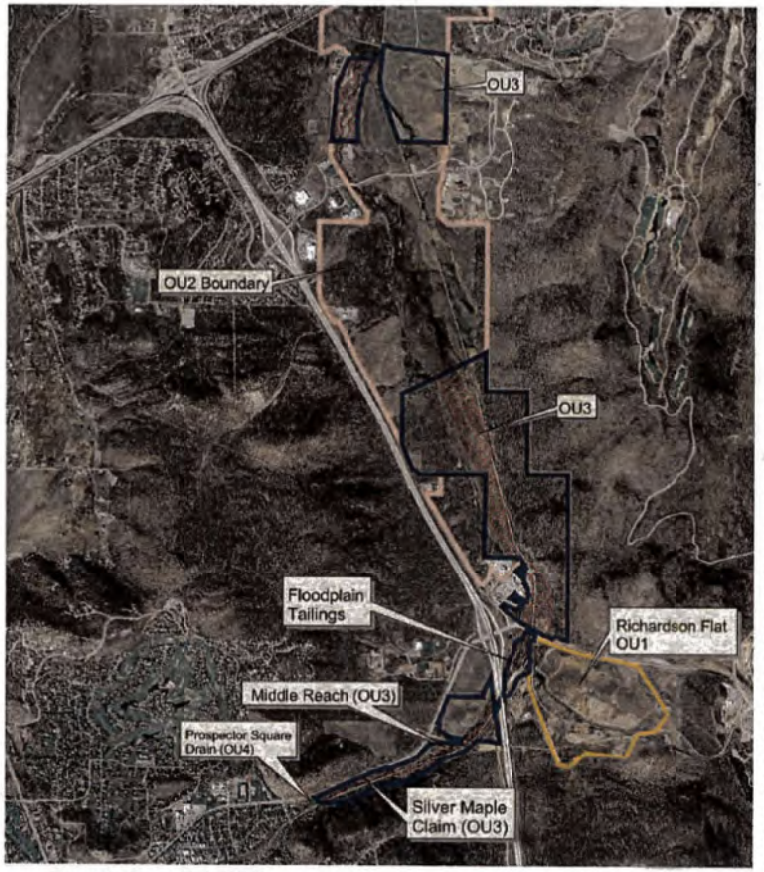
2. Public preserved open space and recreation is the predominant existing land use in the study area. Clustered development should be designed to: enhance public access through interconnection of trails, preserve public use and enjoyment of these areas, and continue to advance these goals along with the preservation of identified view sheds and passive open space areas.

3. Preserve a substantial open space corridor through the study area.

The West side of Highway 40 has built out following the Quinn's Junction Joint

Planning Commission Principles with clustered development at the interchanges and protected open space between the two development nodes. The East side of the highway has followed the same development pattern on the with clustered development at the Silver Summit and the Quinn's Junction interchange, with the exception of protecting the undeveloped land in-between. The City should continue to work with the County to maintain the view corridors along the East side to mirror the preserved open space to the West. The open space of Round Valley protects a wider expanse of land than originally identified within the Quinn's Junction Joint Planning Commission map. The Quinn's Junction Joint Planning Commission Principles map should be amended to reflect the protect lands and to create protected east-west wildlife corridors. Protected wildlife corridors not only prevents fragmentation of ecosystems but also benefits the community with protected view corridors and sensitive lands and increased low-impact recreational activities. Soil contamination in this area is also of concern and under the jurisdiction of the federal government.

In an agreement called an Administrative Settlement Agreement and Order on Consent (AOC) for EE/CA (Engineering Evaluation/ Cost Analysis) Investigation and Removal Action, the Environmental Protection Agency, Region 8 (EPA) published its revised cleanup area for the Richardson Flats Tailings Superfund Site in Park City and Summit County. It is anticipated that EPA will oversee the development of a cleanup plan to address historic mine tailings in the Silver Creek floodplain, which is on Utah's list of impaired waters due to contamination from cadmium, zinc and arsenic. An EPA cleanup plan would involve design and cost analysis, public comment, implementation and long-term maintenance. Federal law provides that such an EPA cleanup plan would not require state and local permitting.



Quinn's Junction Joint Planning Commission Principles (2004)

Development Densities and Land Uses

1. Initial project analysis should commence with a review of property's base density (subtracting wetlands, slopes, wildlife areas, flood plain, etc.)

2. Consider density bonuses for preservation of key open spaces identified in the study area.

3. Density should result in significant public benefits that promote Park City's resort, recreation, tourism and resort-based, second home economy.

4. Highway service commercial / convenience retail and regional/big-box retail commercial will not be considered in/along the Highway 40/SR 248 corridor.

5. A site for institutional development will be considered in the study area with the potential institutional uses limited to: a hospital, educational facility, recreation / sports training facility, or an arts / cultural heritage / history based institution.

6. A limited expansion of the existing light industrial/incubator service commercial uses along the east side of Highway 40 should be considered. Said expansion should be clustered to the greatest degree possible to minimize sprawl and should include re-development / clean-up of existing businesses, land use patterns, circulation, etc., that have been detrimental to the environment, aesthetics, or function of the area. Density incentives would be considered for preservation of key open space areas within the boundaries of the study, particularly those advancing the goals of the study for preservation of the 248 entry corridor. It should be noted that many of the above principles will be further specified by forthcoming amendments to the Snyderville Basin Development Code, which will more serve as the actual governing document for proposals including these types of uses in the study area.

7. Neighborhood Commercial uses will be considered in the Silver Summit area east of Highway 40 and a more limited (in use and overall density) neighborhood commercial node could be considered on the west side of Highway 40. Potential for expansion of these uses may be through density receiving mechanisms to be identified in forthcoming Development Code changes.

8. Recreation and Open Space will be the encouraged use in the Richardson's Flat area. The majority of this area is governed by and

must be reviewed for consistency with the 1999 Flagstaff Mountain Development Agreement, which stipulates golf course, active recreation, equestrian and preserved open space as allowed uses.

9. Clustered residential development may be considered in areas indicated on the accompanying map of the study area and specified for base density. Initial evaluation of density for projects in the study area shall be based on Summit County Base Density allowances as specified in the Code in effect at the time of application. The maximum density tat will be considered in Base Density areas for projects complying with all preferred development patterns and principles will be limited to the densities specified for rural areas in the Summit County Development Code or where applicable the Estate Zoning provisions of the Park City Land Management Code. Code provisions in effect at the time of application will apply. Only potential receiving areas or the parcel identified for potential employee housing in the existing Flagstaff Mountain Development Agreement will be considered at higher densities.

Development Patterns

1. Cluster in identified receiving areas and around existing development maintaining consistency among uses.

2. Public preserved open space and recreation is the predominant existing land use in the study area. Clustered development should be designed to: enhance public access through interconnection of trails, preserve public use and enjoyment of these areas, and continue to advance these goals along with the preservation of identified view sheds and passive open space areas.

3. Apply Sensitive Land standards from City and County ordinances for all development design. This includes recreational and institutional development, which should incorporate and preserve important topographical features, natural areas and view sheds, and be of a scale and scope consistent with the primary goal of preserving the function and aesthetics of an important resort entry corridor. Planning efforts for projects in this corridor should continue to involve both City and County staff for input.

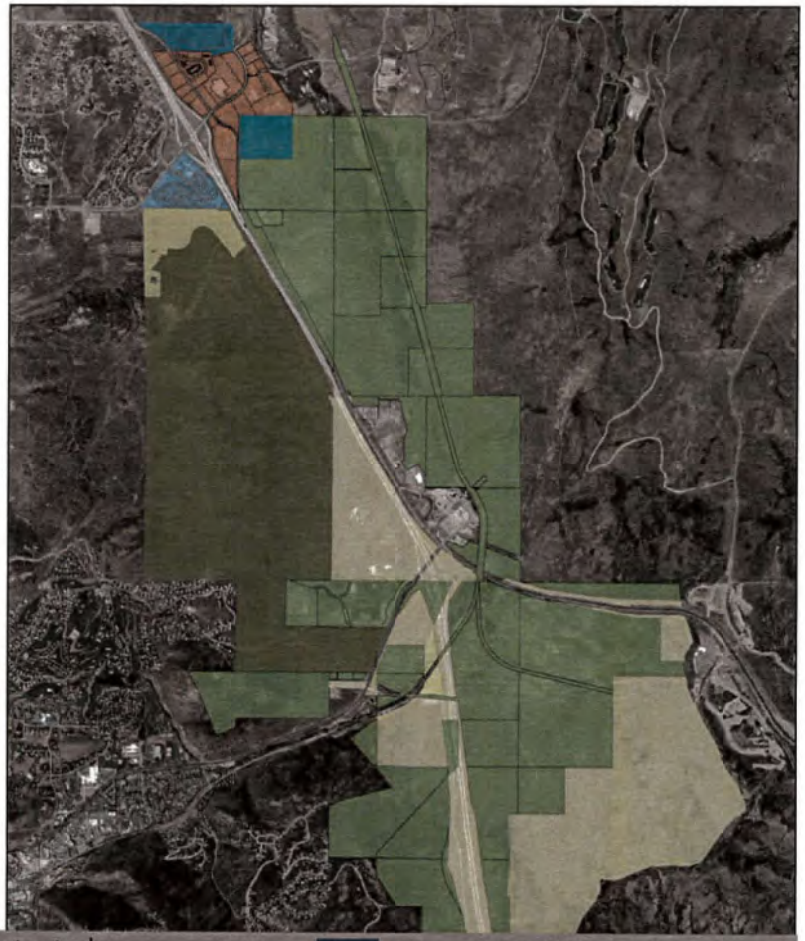
4. Large expanses of surface parking areas with high visibility from the entry corridor will not be allowed. Surface parking shall be buffered from the entry corridor and utilize existing topography for screening purposes whenever possible. Sub-surface and well designed structured parking will be encouraged whenever possible.

5. Preserve a substantial open space corridor through the study area.

6. New Development (including institutional and recreational) should be transit-oriented and linked to broader community open space and trail networks.

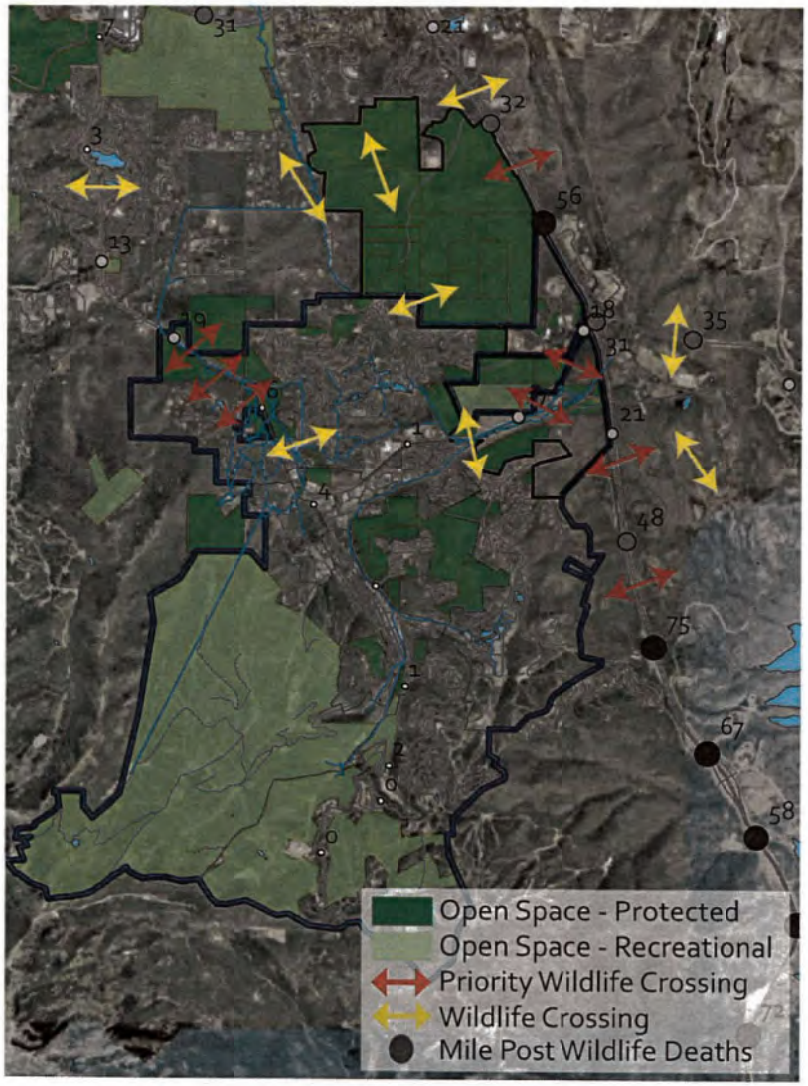
2004 QUINN'S JUNCTION JOINT PLANNING COMMISSION MAP

UPDATED QUINN'S JUNCTION AREA MAP

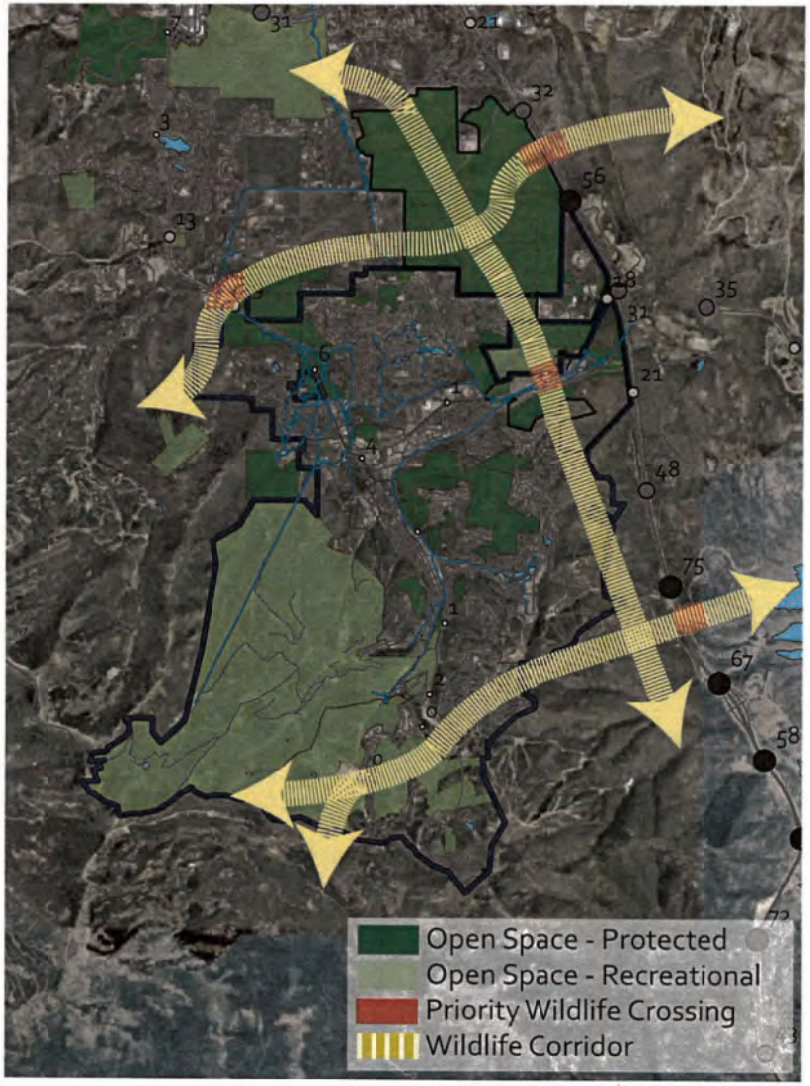


- Base Density
- Existing Neighborhood Residential
- Existing Service Commercial
- Light Industrial
- Open Space - Protected
- Open Space - Recreational
- Potential Industrial Receiving Zone
- Potential Neighborhood Residential Receiving Area
- Potential Mixed Use Service - Residential Receiving Area

2012 PC NATURAL RESOURCE INVENTORY WILDLIFE CROSSINGS



WILDLIFE CORRIDORS



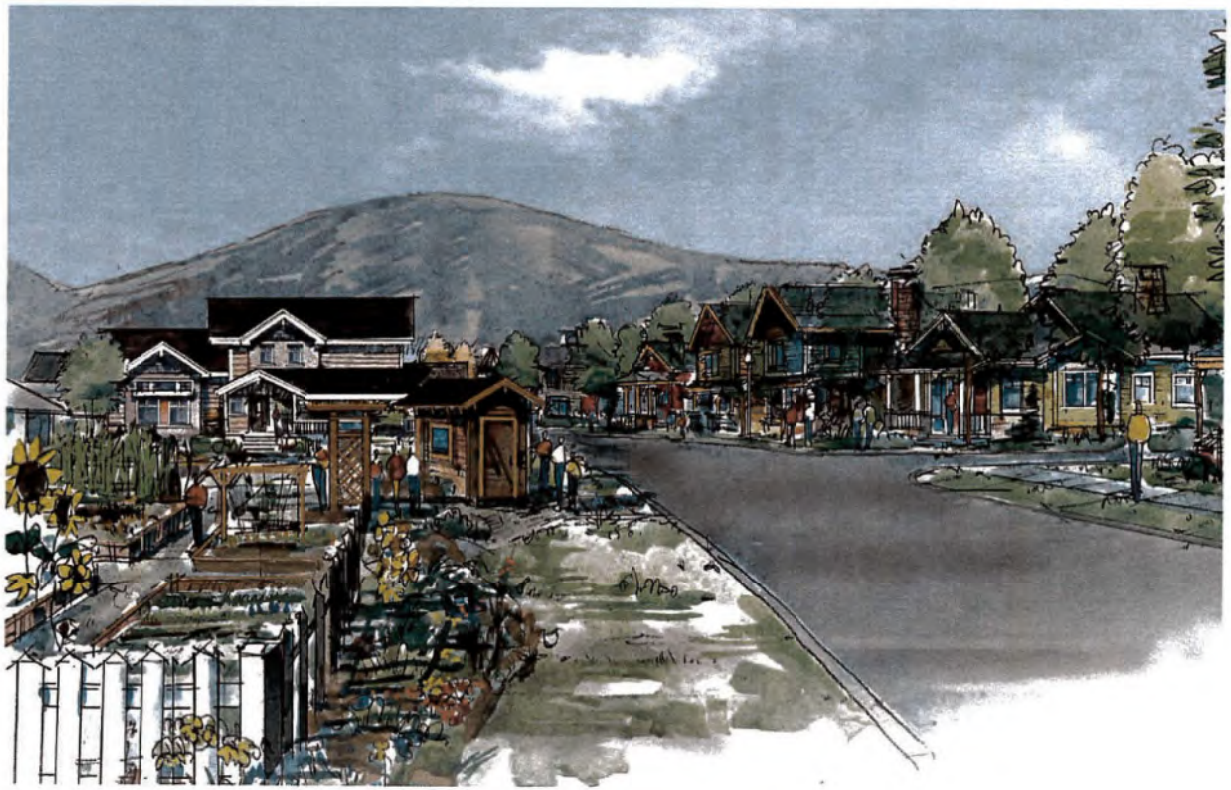
10.2. Quinn's Junction Neighborhood: An area for Regional Institutional Uses.

New development within the Park City limit in Quinn's Junction has occurred primarily along Round Valley Drive and Gillmore Way within the north-west corner of the Quinn's Junction interchange. The area was identified within the Quinn's Junction Joint Planning Commission Land Use Principle #5 as "appropriate for institutional development with the potential institutional uses limited to: a hospital, educational facility, recreation / sports training facility, or an arts / cultural heritage / history based institution." The north-west corner should continue to build-out as a regional node for institutional development due to the location on the edge of the Park City. Institutional development in this location can serve the population of the Wasatch Back and are designed to accommodate populations greater than Park City. An additional 250,000 sf of development is planned around the hospital.

This area is not suitable for everyday needs of Parkites, such as a grocery store or post office due to increased dependency on personal vehicles. Big box commercial is not appropriate either as it will conflict with the purpose of the area, create increased vehicle trips, and compete with the existing commercial nodes within the City and County.

The new development in the north-west corridor is linked to the broader community through trails and the existing road network. To complement the City's goals of decreasing dependence on the automobile, the area should be considered as a destination within the public transportation network.

10.3. Quinn's Junction Neighborhood: A neighborhood for locals.



Two master planned development projects on the south-west corner of the Highway 40 interchange at Quinn's Junction were approved in 2011/2012 by the City Council. The approved Park City Heights residential Master Planned Development includes 239 new residential units upon 239 acres of land. 167 acres (70%) was protected during the MPD process as open space within the subdivision. The Quinn's Junction Partnership Annexation and MPD consists of 1 movie studio complex, a new hotel with up to 100 rooms, and a retail area. The PC Heights MPD clustered development close to the existing streets while preserving the surrounding open space and upper elevations.

The future Park City Heights neighborhood is linked to the broader community through trails and the existing road network. As the area is built out the City should connect these developments to the public transportation system providing additional multi-modal transportation options.

Map 3

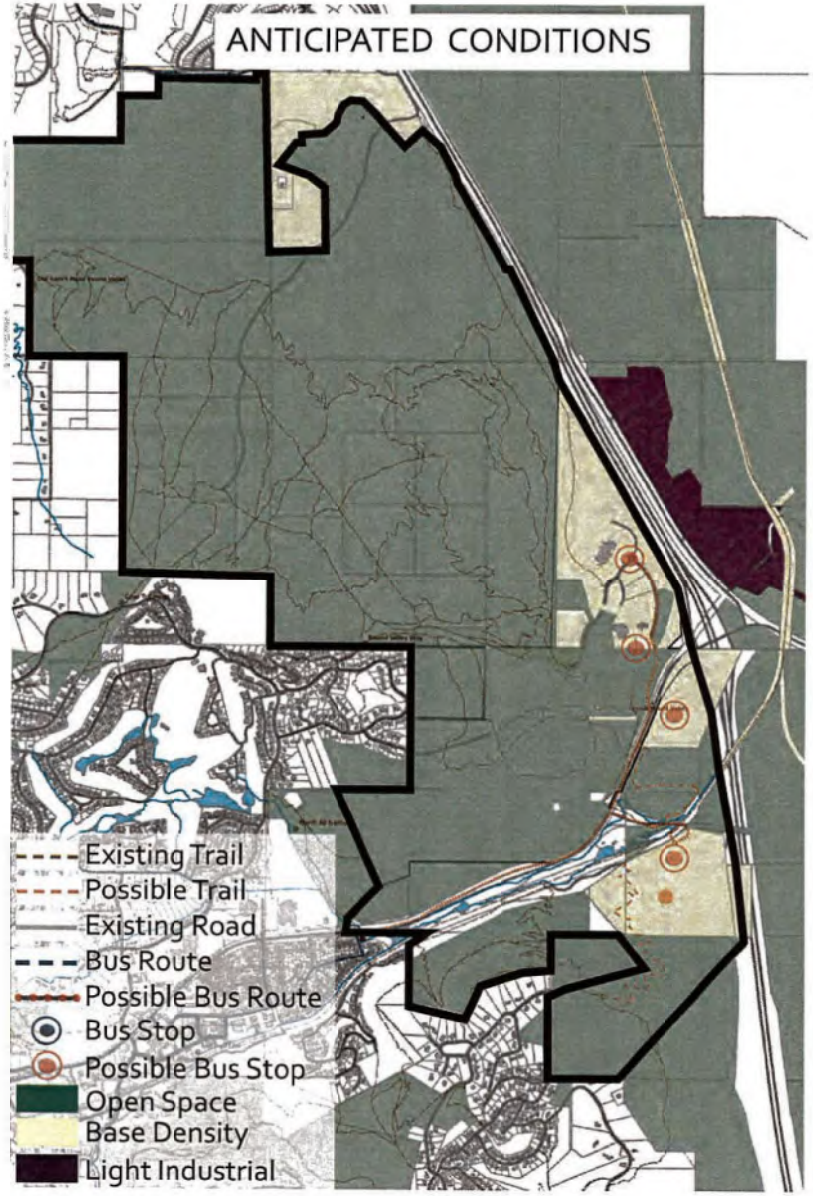


Exhibit 567

10.4: The aesthetic of the Quinn's Junction shall preserve the natural setting.

As Quinn's Junction introduces 239 new residential units within the Park City Heights subdivision, an evolution will take place in the built environment. Most commonly, the aesthetic of arriving at Quinn's junction is experienced through the car to either visit a large institution or to recreate. In the future, the neighborhood should evolve to accommodate increased multi-modal transportation options. Sidewalks, trails, bus shelters, and benches will become common place.

The most character defining feature of the Quinn's neighborhood is the plentiful natural setting. View corridors welcome residents and guest, and must be preserved. New development should be set back in compliance with the Entry Corridor Protection Overlay. Open space requirements within developable lots should preserve the natural setting through limits of disturbance.

Unofficial Copy

Recorded at the request of and return to: Park City Municipal Corp.
Attn: City Recorder
P.O. Box 1480, Park City, UT 84060

Recorded this ___ day of _____, 2007
at Book #___ Page #___

ENTRY NO. 00806100
03/02/2007 02:42:51 PM B: 1850 P: 1897
Agreement PAGE 1 / 49
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
FEE $ 0.00 BY PARK CITY MUNICIPAL CORP

AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR FLAGSTAFF MOUNTAIN, BONANZA FLATS, RICHARDSON FLATS, THE 20-Acre QUINN'S JUNCTION PARCEL AND IRON MOUNTAIN

THIS AMENDED AND RESTATED DEVELOPMENT AGREEMENT ("Agreement") is entered into as of the 2nd day of March, 2007, by and between UNITED PARK CITY MINES COMPANY, ("UPCM" or "DEVELOPER"), DEER VALLEY RESORT COMPANY, ("DEER VALLEY"), and PARK CITY MUNICIPAL CORPORATION, a third class city of the State of Utah ("City") (collectively, the "Parties").

RECITALS

A. WHEREAS, DEVELOPER and DEER VALLEY own approximately: 1,600 of 1,750 acres of patented mining claims located in the unincorporated Flagstaff Mountain area of Summit County, more particularly described and depicted in Exhibit A attached hereto (hereafter, "Flagstaff Mountain"); approximately 106 acres of patented mining claims located on Iron Mountain within an unincorporated area of Summit County more particularly described and depicted in Exhibit B attached hereto (hereafter, "the Iron Mountain Parcels"); approximately 1,500 acres of patented mining claims, constituting all of UPCM's land located in the unincorporated Bonanza Flats area of Wasatch County more particularly described and depicted in Exhibit C attached hereto (hereafter, "Bonanza Flats"); all of UPCM's land east of U.S. 40 and south of S.R. 248 constituting approximately 650 acres of real property owned in fee simple located immediately east of U.S. 40 and south of S.R. 248 within an unincorporated area

of Summit County more particularly described and depicted in Exhibit D attached hereto (hereafter, "Richardson Flats"); and approximately 20-Acres of real property owned in fee simple located west of U.S. 40 and south of S.R. 248 within an unincorporated area of Summit County more particularly described and depicted in Exhibit E attached hereto (hereafter, "the 20-Acre Quinn's Junction Parcel");

B. WHEREAS, on May 17, 1994 DEVELOPER filed an application for annexation to Park City of Flagstaff Mountain, consisting of DEVELOPER's, DEER VALLEY's and Northside Neighborhood Property Owners' land, together totaling an area of approximately 1,750 acres;

C. WHEREAS, on May 10, 1997 the Park City Council unanimously resolved by Resolution 10-97 to annex Flagstaff Mountain under certain Development Parameters;

D. WHEREAS, on July 8, 1998 DEVELOPER requested reconsideration by the City of Resolution 10-97 and offered certain incentives for limiting development of the Bonanza Flats, Richardson Flats and the Iron Mountain Parcels;

E. WHEREAS, on September 10, 1998 the Park City Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats and the Iron Mountain Parcels, as set forth in this Agreement;

F. WHEREAS, in the intervening months since the City Council adopted the September 10, 1998 development parameters, the DEVELOPER further refined its proposal by offering to move 16 single family homes from the sensitive Prospect Ridge area to the Mountain Village and to constrain development in the Northside Neighborhood to reduce site disturbance and to facilitate sale to a conservation buyer for a time certain;

G. WHEREAS, the Parties intended to enter into the original Agreement to establish new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and the Iron Mountain Parcels and to establish a time certain for annexation of Flagstaff Mountain (now referred to generally as Empire Pass) into the City;

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H. WHEREAS, the Parties in fact entered into the original Agreement on or about June 24, 1999; and

I. WHEREAS, the Parties desire to amend and restate the original Agreement in connection with the development of a project known as the Montage Resort & Spa which is presently planned to include 192 hotel rooms and suites, with spa, restaurant and conference facilities, and a residential component that consists of resort condominiums.

NOW, THEREFORE, in consideration of the foregoing recitals and the covenants hereafter set forth, the sufficiency of which the Parties hereby acknowledge, the Parties agree as follows:

SECTION I. DEFINITIONS

Unless the context requires a different meaning, any term or phrase used in this Agreement that has its first letter capitalized shall have that meaning given to it by the Park City Land Management Code (LMC) in effect on the date of a complete application or, if different, by this Agreement. Certain such terms and phrases are referenced below; others are defined where they appear in the text of this Agreement.

1.1 **"Annexation Property"** means that approximately 1,750 acres of property known as Flagstaff Mountain, described and depicted on Exhibit A.

1.2 **"Bonanza Flats"** means that approximately 1,500 acres of UPCM property commonly referred to as Bonanza Flats, consituting all of UPCM's holdings in Bonanza Flats and described and depicted on Exhibit C.

1.3 **"DEER VALLEY"** means the Deer Valley Resort Company, a Utah limited Partnership and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEER VALLEY shall cause its employees and agents to act in accordance with the terms of this Agreement.

1.4 **"DEVELOPER"** means United Park City Mines Company, a publicly traded Delaware corporation, and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEVELOPER shall cause its employees and agents to act in accordance

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with the terms of this Agreement.

1.5 **"Inaction"** provisionally[1] means (a) DEVELOPER's failure to pursue a sequential permit (i.e. Small Scale MPD permit, conditional use permit, subdivision application, or building permit) by failing to submit a complete application for such a permit or by failing to respond to the City's written requests for information which the City deems is necessary to process the application; or (b) DEVELOPER's failure to sustain permitted construction such that the permit under which construction is allowed, expires or is otherwise suspended or revoked.

1.6 **"Meeting Accessory Uses"** provisionally[2] means uses normally associated and necessary to serve meeting and banquet space. Meeting Accessory Uses do not require the use of Unit Equivalents and include:

1.6.1 Administrative and Banquet Offices

1.6.2 Banquet Storage Areas

1.6.3 Banquet Prep Areas Storage Areas

1.6.4 Common A/V Storage Areas

1.6.5 Coat Check Areas

1.6.6 Public Restrooms

1.6.7 Public Telephone Areas

1.6.8 Public Hallways

1.6.9 Public Circulation Areas.

1.7 **"Mountain Village"** means that mixed-use portion of Flagstaff Mountain described and depicted as the Mountain Village in Exhibit A attached hereto and limited to a total of 87 acres, within three development Pods (A, B_1, and B_2) and maximum densities, unit equivalencies and configuration more fully described herein.

---

[1] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

[2] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.8 **"Northside Neighborhood"** means that 63-acre portion of Flagstaff Mountain described and depicted as the Northside Neighborhood in Exhibit A attached hereto and limited to the maximum density, unit equivalency, and configuration more fully described herein.

1.9 **"Northside Neighborhood Property Owners"** means, in addition to UPCM and DEER VALLEY, Park City Star Mining Company, Inc., a Utah corporation, Bransford Land Company, representing the interests of Anne Bransford Newhall, Mary Bransford Leader and Carolyn Bransford MacDonald, and Stichting Beheer Mayflower Project, a legal entity representing the interests of Stichting Mayflower Recreational Fonds and of Stichting Mayflower Mountain Fonds.

1.10 **"Pedestrian Village"** means an area configured within Pod A of the Mountain Village for the mixed use of residential, Residential Accessory, Resort Support Commercial, Resort Accessory, meeting and Meeting Accessory Uses within which at least fifty percent (50%) of the residential properties are clustered within walking distance (5 minutes) of a Transportation Hub for such residential properties, which can be directly accessed by pathways or sidewalks.

1.11 **"Planned Unit Development"** or **"PUD"** means a master planned development consisting of clustered, detached, single family or duplex units with common open space and coordinated architecture.

1.12 **"Pod Z"** means that area, depicted on Exhibit F that is limited for ski-related uses as further defined herein.

1.13 **"Project"** means the residential, recreational and commercial real estate development to be constructed within Flagstaff Mountain.

1.14 **"Residential Accessory Uses"** provisionally[3] means uses that are for the benefit of the residents of a commercial residential use, such as a hotel or nightly rental condominium project. Residential Accessory Uses do not require the use of Unit Equivalents. Residential Accessory Uses include:

[3] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

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1.14.1 Common Ski Lockers

1.14.2 Common Lobbies

1.14.3 Registration

1.14.4 Concierge

1.14.5 Bell Stand/Luggage Storage

1.14.6 Common Maintenance Areas

1.14.7 Mechanical Rooms

1.14.8 Common Laundry Facilities and Common Storage Areas

1.14.9 Employee Facilities

1.14.10 Common Pools, Saunas and Hot Tubs

1.14.11 Public Telephone Areas

1.14.12 Public Restrooms

1.14.13 Administrative Offices

1.14.14 Public Hallways and Circulation Areas

1.15 **"Resort Accessory Uses"** provisionally[4] means uses that are clearly incidental to and customarily found in connection with the principal resort building or use and are operated for the convenience of the owners, occupants, employees, customers or visitors to the principal resort use. Resort Accessory Uses do not require the use of Unit Equivalents. They include such uses as:

1.15.1 Information

1.15.2 Lost and Found

1.15.3 Mountain Patrol

1.15.4 Mountain Administration

1.15.5 Mountain Maintenance and Storage Facilities

1.15.6 Mountain Patrol and Emergency Medical Facilities

1.15.7 Public Lockers

1.15.8 Public Restrooms

1.15.9 Employee Lockers

1.15.10 Ski School/Day Care

[4] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

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1.15.11 Ticket Sales Areas

1.15.12 Ski Check Areas

1.15.13 Public Circulation Areas and Hallways

1.16 **"Richardson Flats"** means all of UPCM's property at the southeast corner of U.S. 40 and S.R. 248, more fully described and depicted on Exhibit D.

1.17 **"Transportation Hub"** means the terminus of a public and/or private transportation system that is located at a convenient location within the Mountain Village.

1.18 **"Unit Equivalent,"** with respect to commercial structures and multifamily and PUD structures, has the meaning set forth in the LMC.[5] Each single family residential structure (excluding PUDs) approved by the City pursuant to this Agreement for construction within the Project shall have a Unit Equivalent of 1.00, regardless of the size or the location of the single family residential structure. Each commercial structure or portion thereof (as such may be determined in applicable MPD approvals) shall consume 1 Unit Equivalent for each 1000 square feet. Each multifamily and PUD residential structure shall consume 1 Unit Equivalent for each 2000 square feet.

SECTION II. LARGE SCALE MPD—FLAGSTAFF MOUNTAIN

2.1. DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain. This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities and is subject to all normally-applicable City processes, and in addition thereto, such processes defined below, including DEVELOPER's responsibility, prior to or concurrent with the Small Scale MPD process, to submit and ultimately to obtain (upon modification, if necessary) City approval, of satisfactory plans detailed below:

[5] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent.

2.1.1. Mine/Soil Hazard Mitigation Plan--which plan shall include an inventory of all mine sites, potential sources of release of hazardous materials into the environment, and a plan and schedule for their remediation;

2.1.2. Detailed Design Guidelines, with strong architectural themes, for the entire Flagstaff Mountain Project;

2.1.3. Specific Transit Plan;

2.1.4. Parking Management Plan;

2.1.5. Detailed Open Space Management Plan;

2.1.6. Historic Preservation Plan;

2.1.7. Emergency Response Plan, including DEVELOPER's commitments to provide infrastructure necessary to serve the Project and Bonanza Flats and phasing therefor;

2.1.8. Trails Master Plan setting forth trail locations, specifications, phasing and timing of public easements;

2.1.9. Private Road Access Limitation Procedures;

2.1.10. Construction Phasing Plan—including construction milestones for project amenities, including Richardson Flats development;

2.1.11. General Infrastructure and Public Improvements Design and Phasing Plan, which calls for the efficient extension of services, concentrating initial infrastructure development in the Mountain Village, and secondarily in the Northside Neighborhood. Such plan shall allow for the construction of a variety of housing types in each phase;

2.1.12. Utilities Master Plan—including the timing, alignment and service strategy for water and sewer service, as well as storm water management throughout the Project and Bonanza Flats;

2.1.13. Wildlife Management Plan; and

2.1.14. Affordable Housing Plan, including phasing.

2.2. **Maximum Development Parameters--Flagstaff Mountain.** Flagstaff Mountain is composed of the Mountain Village, the Northside

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Neighborhood; various ski related improvements, and the Silver Mine Adventure. Upon annexation, Flagstaff Mountain will be zoned as shown on the zoning map attached hereto as Exhibit P. The following maximum development parameters apply to Flagstaff Mountain:

2.2.1 **Mountain Village:** The Mountain Village is constrained as follows:

2.2.1.1 **Small Scale MPD.** Site specific volumetrics and configuration will be established in the Small Scale MPD process.

2.2.1.2. **Maximum Development Area.** In the Small Scale MPD process, the entire Mountain Village development shall be constrained within a total of 87 acres.

2.2.1.3. **Maximum Density**. The maximum density within the Mountain Village is 785 Unit Equivalents configured in no more than 550 dwelling units.[6] Such density shall be configured as multi-family, hotel, or PUD units, provided the PUD units do not exceed 60. PUD units consume Unit Equivalents in the same respect as multifamily units. Additionally, the Mountain Village may contain up to 16 detached single family home sites.

2.2.1.4. **Pedestrian Village**. At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A), and must be located within a five-minute walk of the Transportation Hub. All three development pods (Pods A, B_1, and B_2) within the Mountain Village must be linked by transit.

2.2.1.5. **Commercial.** The Mountain Village may additionally include up to 75,000-sq. ft. of Resort Support Commercial uses, which shall include Neighborhood

[6] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent. In the case of the Montage, the 192 Montage hotel rooms shall count as Unit Equivalents at the rate of 1 Unit Equivalent per 2,000 square feet of hotel rooms, but such hotel rooms shall not have kitchens and shall not count as dwelling units.

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Convenience Commercial uses for residents and visitors such as groceries and sundries.

2.2.1.6. **Mine Site Reclamation**. To the greatest extent possible, DEVELOPER shall locate density in disturbed areas. This provision applies primarily to potential density at the Daly West site. Additionally, DEVELOPER shall reclaim[7] all mining and mining overburden sites within Flagstaff Mountain, in accordance with state and federal regulatory agency review.

2.2.1.7. **Public Trails.** DEVELOPER shall construct and dedicate public trails designated on an accepted Trails Master Plan. Many trails will be constructed on land ultimately owned by DEER VALLEY. In those areas, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for public trail use. Such rules may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.2.1.8. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER and/or DEER VALLEY shall execute for the benefit of the City perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which, at a minimum, shall prevent the construction thereon of residential, commercial and retail structures but shall provide for ski-related uses consistent with paragraph 2.5 herein.

2.2.1.9. **Parking.** Each Small Scale MPD submittal shall include a parking management plan with respect to the portion of the property covered by such Small Scale MPD submittal.

[7] Reclamation shall include, at a minimum, revegetation of exposed areas.

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The goal of the plan is to design the Mountain Village in such a way as to reduce parking demand by 25%. DEVELOPER shall plan and encourage within the Mountain Village portion of the Project programs such as parking management, paid parking for commercial uses, shuttles and other programs designed to reduce the demand for private vehicles and parking. DEVELOPER shall provide for shared parking in all commercial, short-term residential and mixed-use buildings. Assigned or reserved spaces within commercial, short-term residential and mixed-use buildings are prohibited except that in the case of the Montage, one parking space may be assigned for each dwelling unit (excluding the 192 hotel rooms). The majority of the required parking areas will be fully enclosed and/or constructed underground.

2.3 **Prospect Ridge.** DEVELOPER considers the Prospect Ridge area depicted in Exhibit K to be a critical viewshed area for Old Town.

2.3.1 **Public Trails.** Consistent with the Trails Mater Plan, DEVELOPER shall construct and dedicate to the City public trails designated within the Prospect Ridge area.

2.3.2 **Deed Restricted Open Space.** Within 30 days of issuance of the first Small Scale MPD, DEVELOPER shall cause to be recorded a document, approved by the City, which shall impose perpetual covenants and use restrictions for that portion of Prospect Ridge depicted as "Recreation Open Space Dedication" on Exhibit K which shall prevent the construction thereon of residential, commercial and/or retail structures, ski lifts, and developed alpine ski runs.

2.4. **Northside Neighborhood.** The Northside Neighborhood is composed of property owned by five separate Northside Neighborhood Property Owners and, upon their written acceptance of the terms of this Agreement,

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may contain a maximum of 38 homes, the size and location of which shall be determined at Small Scale MPD/subdivision review. The Northside Neighborhood may also contain a 1000 sq. ft. non-denominational Chapel, that will remain open and reasonably available to the public.[8]

2.4.1 **Small Scale MPD.** The Small Scale MPD must include all Northside Neighborhood Property Owners to achieve the maximum density of 38 detached single-family homes. Absent participation by all Northside Neighborhood Property Owners, DEVELOPER and DEER VALLEY may apply for a Small Scale MPD for a maximum of 30 single-family homes on the portion of the Northside Neighborhood owned by DEVELOPER and DEER VALLEY.[9] In all circumstances, DEVELOPER and DEER VALLEY shall limit development in the Northside Neighborhood as follows:

2.4.1.1. **Meadow Restriction.** Homes shall not be in the meadow area generally designated on Exhibit A and further defined in the Small Scale MPD process.

2.4.1.2. **Ski Run Separation.** Limits of disturbance for each site shall be a minimum of 50 feet from any ski run, except where existing ski runs conflict with platted ski easements or platted lots, in which event the City shall have the discretion and authority to approve case-by-case exceptions to the foregoing distance limitation.

2.4.1.3. **Viewpoint Restrictions**. Structures and roads must be configured to minimize road and utility impacts and to

[8] No utility extension will be allowed for the Chapel. Power may be allowed if it is readily accessible. Location of the Chapel cannot cause the extension of an improved road. Siting and construction must comply with all Code provisions.

[9] If Park City Star, Bransford or Mayflower do not reach an agreement with DEVELOPER and DEER VALLEY with respect to the joint development of the detached single family homes within the Northside Neighborhood, then DEVELOPER and DEER VALLEY shall grant to the City the right to connect to the utility lines and to grant limited access to roads within the Northside Neighborhood without cost to serve the remaining property owners.

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minimize wintertime visual impacts[10] from ski runs and designated viewpoints, including but not limited to the knoll behind the terminus of what is presently known as the Northside chairlift.

2.4.1.4. **Public Trails**. Consistent with the Trails Master Plan, DEVELOPER, DEER VALLEY, and Northside Neighborhood Property Owners shall dedicate to the City improved public trails and trail easements that connect to the surrounding trail system. Where trails pass through the Deer Valley Ski Area, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations. Such rules may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.4.1.5. **Enchanted Forest**. No development shall occur in the "Enchanted Forest" area generally designated on Exhibit A and further defined in the Small Scale MPD process.

2.4.1.6. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER shall record perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which shall prevent the construction thereon of residential, commercial and retail structures but shall allow ski-related uses.

2.4.2. **Northside Neighborhood Conservation Plan.** DEVELOPER and DEER VALLEY agree to refrain from transferring, improving or developing the Northside Neighborhood for 3 years, from the date of this Agreement to facilitate the potential of (a) the fee simple sale of the Northside Neighborhood, or (b) the sale and transfer of the development rights from the Northside

[10] As well as summertime visual impacts.

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Neighborhood. In either case, the sale would be completed within said time period and would be to a conservation buyer or buyers at fair market value at the date of purchase. Fair market value in this context shall reflect the entitlement for single family detached units set forth in the Large Scale Master Plan and this Agreement or, if the Small Scale Master Plan has been issued, as reflected in the Small Scale Master Plan for the Northside Neighborhood. The three-year period noted above shall not limit the Planning Commission's authority in connection with approval of the phasing plans required in sections 2.1.10 and 2.1.11.

2.5. **Ski-Related Development.** Subject to conditional use review, DEER VALLEY may construct a skier day lodge of a maximum of 35,000 square feet, in the approximate location depicted on Exhibit A. The day lodge shall have no day skier parking, and must have adequate emergency vehicle access. Any parking lot for the lodge shall be for the purpose of meeting temporary events, intermittent seasonal dining, and service and administrative requirements, and shall be reviewed by the planning commission as a Conditional Use. Such Conditional Uses will have a traffic mitigation plan that may include the number of events, hours of operation, shuttle bus requirements and/or a limit to the number of guests. Pursuant to a Conditional Use Permit, said temporary parking area may be located on adjacent properties. Permanent non-skier parking for the Empire Day Lodge will be considered as part of the POD B-2 Master Plan Development. Such parking shall consist of not more than 75 spaces. These parking spaces are in addition to those otherwise required or allowed under this Agreement and the LMC. DEER VALLEY shall provide deed-restricted employee/affordable housing units as defined by the City's affordable housing policy in an amount equal to 20% of the commercial Unit Equivalents approved by the City for the day lodge prior to issuance of a Certificate of Occupancy for the day lodge.

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2.5.1 **Conditional Use (Administrative).** Ski terrain and ski-related development is an administrative conditional use within the Project, consistent with the Deer Valley Ski Area Master Plan depicted in Exhibit F attached hereto, provided that only two graded runs shall be allowed in ski Pod Z, with thinning and other limited vegetation removal in the balance of Pod Z for skier safety and glade skiing. Review of ski terrain and ski-related development shall include, but shall not be limited to consideration of the following:

2.5.1.1 Openings for ski trails and lifts with straight edges and uniform widths will be minimized to the greatest extent possible.

2.5.1.2 Trails that are designed for base area return or circulation between fall line areas shall be designed for appropriate grades and widths consistent with minimizing visual impact.

2.5.1.3 Lift towers shall be painted or otherwise treated to blend with the natural surroundings.

2.5.1.4 Vegetation management, re-vegetation and erosion control techniques shall be designed in accordance with the "Deer Valley Resort Company Ski Run Construction and Revegetation Standards" attached hereto as Exhibit G. The objective shall be to achieve a vegetative condition that enhances the skier experience and long term forest health. Re-vegetation shall be designed to control erosion and to restore ground cover as quickly as possible after ground disturbing activities.

2.6 Beano's Style Private Club. DEVELOPER may construct a private restaurant (Beano's Cabin at Beaver Creek-style[11]), at a location to be determined at the CUP phase. No private parking areas or vehicular

[11] Beano's is a 10,000 square foot private restaurant at Beaver Creek, Colorado.

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access will be allowed except (i) access and space for patron drop-off's and pick-up's, and (ii) access, loading areas and circulation for emergency, delivery and service vehicles. The size of the private restarurant shall be determined by the Planning Commission at the CUP review phase, and shall be between 7,000 and 10,000 square feet.

2.7 Silver Mine Adventure. DEVELOPER may continue to operate the Silver Mine Adventure on the Ontario Mine Site as a valid, non-conforming use. Any change or expansion of use shall be processed in accordance with the LMC in effect at the time of the DEVELOPER's submission of a complete application for the proposed expansion.

2.8 Access and Alignment of S.R. 224. DEVELOPER shall access Flagstaff Mountain by means of S.R. 224, and a private road system. DEVELOPER shall realign a portion of S.R. 224 in the approximate location set forth on Exhibit H attached hereto, and shall construct a private road system for Flagstaff Mountain in the approximate location depicted on Exhibit H. The Parties agree to the following access and alignment of the road systems within Flagstaff Mountain:

2.8.1 **Alignment.** Upon Planning Commission approval of the first Small Scale MPD for Flagstaff Mountain, DEVELOPER shall petition to vacate the existing S.R. 224 alignment and, if granted, shall realign and dedicate the relocated S.R. 224 right of way to a standard similar to the existing S.R. 224 (with an asphalt surface for dust control). Such alignment shall be as generally depicted on Exhibit H. DEVELOPER shall block and prohibit vehicular access over the discontinued historic alignment of S.R. 224. Access over the realigned S.R. 224 shall remain seasonal (warm weather only). Upon completion of construction thereof, to the reasonable satisfaction of the City Engineer, the City shall accept the dedication of public roads under its jurisdiction identified on Exhibit H, or as determined by the Council, upon

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recommendation of the Planning Commission through the Small Scale MPD and subdivision processes.

2.8.2 **Private Road.** Upon Small Scale MPD approval, and only to the extent of the Small Scale MPD approval, DEVELOPER shall construct a private road system within Flagstaff Mountain, as depicted in Exhibit H, over which DEVELOPER shall maintain all-season access throughout the year. Said private road, from its point of departure from S.R. 224 to the Summit/Wasatch County line, may be converted to a public road, in which event existing S.R. 224 from said point of departure to the county line shall no longer be used as a public road.

2.8.3 **Seasonal, Controlled Automobile Access.** DEVELOPER shall support and shall not undermine seasonal closure of realigned S.R. 224 and shall control motorized vehicular access from S.R. 224 to the private road system to prevent vehicular through traffic.

2.8.4 **Emergency Deer Valley Access.** The Project's seasonal emergency secondary access is through the Deer Valley Ski Area generally as depicted on Exhibit I and crash-gated in the approximate locations shown on Exhibit I. DEER VALLEY shall provide the City and the Park City Fire Service District with keys and/or combinations to the gates. The emergency access is necessary as a controlled evacuation route and as an emergency access for fire and safety personnel and equipment only. The secondary access route is an important ski run to the Deer Valley Ski Area that, in all but the most exceptional circumstances, will be used by skiers and over-the-snow vehicles. The Park City Fire Marshall may cause the access to be plowed and placed into winter service for emergency and evacuation purposes in that

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exceptional emergency situation when normal road access to Flagstaff Mountain is interrupted for an extended period.[12]

2.8.5 **Controlled Snowmobile Access.** Winter snowmobile access to Brighton Estates and to Bonanza Flats is presently available over portions of S.R. 224. DEVELOPER and DEER VALLEY shall allow seasonal snowmobile access to property owners and renters in Brighton Estates over those portions of S.R. 224 within the Project that are presently used or alternatively over similar portions of S.R. 224 as may be relocated. DEVELOPER and DEER VALLEY shall otherwise prevent wintertime motorized vehicular access to the extent such action is consistent with the policy of the public entity that owns S.R. 224. The current recreational snowmobile concession in Flagstaff Mountain shall be eliminated with the relocation of S.R. 224.

2.8.6 **DEVELOPER's Consent to Transfer**. DEVELOPER consents to cooperate with the City in any state transfer of any portion of S.R 224.

2.9 **Flagstaff Mountain Mitigation/Amenities.** At the City's request, the DEVELOPER shall deliver the following mitigation and amenities as an inducement to execute this Development Agreement:

2.9.1 **Trails.** DEVELOPER shall construct, maintain and commit to free public use, an improved public trail system as set forth in an approved Trails Master Plan. The construction of the trails shall be phased with the progress of the development of the Project. Existing trails shall remain open to the public until provisional or final trails have been constructed. Final trail locations may vary due to field conditions and season. Relocation of any trails shall be identified in the Trails Master Plan. Where the trails pass through the Deer Valley Ski Area, or are located on non-development lands owned or controlled by Deer Valley, Deer

[12] The Park City Fire Marshall may not cause the access to be plowed simply for pubic convenience.

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Valley shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for trail use, including reasonable rules and regulations intended to prevent or minimize conflict between potential trail uses. Pedestrian and bicycle uses of the trail system shall not be prohibited or restricted without being so identified in the Trails Master Plan.

2.9.2 **No Gondola Alternative.** DEVELOPER shall contribute $1,000,000 in cash to the City to be used specifically for other traffic mitigation projects in the City related to the Project. Additionally, the DEVELOPER shall (i) contribute $10,000 toward the cost of a feasibility study, when commissioned by the City, to evaluate a potential ski amenity gondola, and (ii) contribute toward the construction of the Richardson Flats parking improvements described in the last paragraph of Section 3.1 of this Agreement, which shall be constructed in accordance with the specifications and conditions attached hereto as Schedule 3.1. The parking improvements shall be constructed in phases as established during the MPD for those improvements in cooperation with Summit County. Construction of the parking improvements will be assured through a form of completion bonding consisting of a draw-down letter of credit or other similar instrument in an amount equal to the good faith estimated cost to construct the parking improvements, but in an amount not to exceed $1,800,000. In the event any permit application is denied such that the parking improvements cannot be constructed, the City shall be entitled to draw the entire amount of the completion bond, letter of credit or similar instrument (as the case may be), and DEVELOPER shall have no further obligation to construct the parking improvements.

2.9.3 **Historic Preservation.** The Historic Preservation Plan, at a minimum, shall contain an inventory of historically significant

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structures located within the Project and shall set forth a preservation and restoration plan, including a commitment to dedicating preservation easements to the City, with respect to any such historically significant structures. The head frame at the Daly West site is historically significant.

2.9.4 **Enhanced Environmental Protection.** DEVELOPER shall limit the construction or installation of wood-burning devices to one wood-burning device in each of the 54 single-family homes in the Project. DEVELOPER shall not request approval from the City for wood-burning devices in any other attached, or detached, residential uses. Within each lodge, or hotel constructed within the Project, DEVELOPER shall have the right to construct one wood-burning device in each such lodge or hotel, except the Montage which may have three.

2.9.5 **Lady Morgan Springs Open Space (Passive Use).** The Lady Morgan Springs Area[13], shall be restricted, by conservation easements acceptable to the City, and signs and monitoring, if necessary, to limit use of the area to skiing (without cutting runs, glading, or thinning trees) and daytime recreational hiking. Neither construction activity nor motorized vehicular use of any kind shall be allowed in the Lady Morgan Springs Area, except as allowed, with City staff approval, for forestry and wetlands management.

2.9.6 **Open Space (Active).** All land outside of the development areas (ski terrain and open space designated on Exhibit A) will be zoned as Recreation Open Space (ROS-MPD). Upon issuance of the first Small Scale MPD for any portion of the Project, DEVELOPER and DEER VALLEY shall 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

[13] Described and depicted on Exhibit J, and as further defined in the Small Scale MPD process.

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Flagstaff Mountain ski terrain to construction, development and operation of ski and mountain bike lifts, ski and mountain bike runs, one skier day lodge, and other similar winter and summer recreational uses and services. Such conservation easements shall prohibit any hotel, lodging, residential or commercial construction or use on ROS-zoned land in Flagstaff Mountain. Such conservation easement shall be to the reasonable satisfaction of the City and shall be first in priority in title.

2.9.7 **Open Space (Prospect Ridge).** Within 30 days of issuance of a Small Scale MPD, DEVELOPER shall grant to the City a conservation easement, with free public trail access, without encumbrances, over acreage located on Prospect Ridge, contiguous with City-owned open space. The conservation easement area on Prospect Ridge is identified on Exhibit K attached hereto. Such conservation easement shall be to the reasonable satisfaction of the City and shall be first in priority in title.

2.9.8 **Open Space (Iron Mountain).** Upon the issuance of any Small Scale MPD, for any portion of the Project, DEVELOPER shall deed restrict or transfer to Park City, the Iron Mountain Parcels, with City-approved encumbrances. In connection with such dedication, DEVELOPER shall reserve to DEVELOPER the right to lease to third parties the Iron Mountain Parcels for ski and other environmentally sensitive recreational uses. Such reservation shall not include the right to cut runs, glade, or thin trees, or construct or install ski lifts or developed alpine ski runs. DEVELOPER shall also reserve the right to retain all rent, proceeds and other consideration resulting from or generated by DEVELOPER leasing the Iron Mountain Parcels to third parties for ski and recreation-related uses. DEVELOPER shall indemnify, defend and hold the City harmless from any claim

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arising from DEVELOPER's or a third party lessee's use of the Iron Mountain Parcels. Nothing herein should be construed to limit or waive governmental immunity with respect to claims made against the City.

2.9.9 **Neighborhood-Specific Design Guidelines.** DEVELOPER shall incorporate a Master Resort Association for Flagstaff Mountain and a Project-specific Property Owners' Association for the Mountain Village and Northside Neighborhood areas to cooperatively manage certain aspects of the Project. The Design Guidelines for both the Project and Bonanza Flats must emphasize a strong, common architectural theme, and shall be enforceable by one or more of the above-mentioned Associations.

2.9.10 **Public Safety.** A comprehensive emergency response plan will be required. The proposal includes a public safety site, at a minimum. The final public safety and emergency access plan must be determined prior to any permit issuance and only after coordination with the affected entities, such as the Park City Fire Service District. To the extent the Montage hotel structure requires additional safety equipment or infrastructure to achieve a minimum standard that will not result in a degradation of the Park City Fire District's I.S.O. rating, and to the extent ongoing tax revenues and impact fees generated by the Montage are insufficient to cover the costs of such additional equipment and infrastructure, any such shortfall shall be paid by DEVELOPER. Changes to any applicable Technical Report must be approved by the Park City Fire Marshall.

2.9.11 **Sandridge Parking Lots**. Prior to the issuance of a Small Scale MPD for any portion of Flagstaff Mountain, DEVELOPER shall irrevocably offer to dedicate to the City a conversation easement, or deed, satisfactory to the City to preserve the Sandridge

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Parking Lots, described in Exhibit L as a public parking facility. Such interest shall be offered with no outstanding monetary encumbrances.

2.9.12 **Sandridge Heights Property**. Developer further agrees to limit its use of its Sandridge Heights property, described in Exhibit L, to either affordable housing or open space.

2.10 **FLAGSTAFF MOUNTAIN MITIGATION MEASURES:**

2.10.1 **Water System.** DEVELOPER shall build and dedicate to the Park City Water Service District an adequate water delivery system within Flagstaff Mountain to serve the Project, including all fire flow and irrigation needs.

2.10.1.1 **Withdrawal of Water Protests.** DEVELOPER shall immediately withdraw its protests to the City's pending water change application(s) before the State Engineer and agrees not to protest future City applications before the State Engineer.

2.10.1.2 **Water Source.** DEVELOPER shall design and construct a water source and delivery system to transport water from the water source to Flagstaff Mountain and to dedicate that system to the City. DEVELOPER and the City anticipate that such delivery system will include the development of a well of sufficient capacity to serve the Project.

2.10.1.3 **Group II Rights.** The City and DEVELOPER agree to file a joint application with the State Engineer to convert to municipal use within the boundaries of the Park City Water Service District all "Group II" water rights owned by both parties. The joint application will list all mutual points of diversion, all of the City's municipal sources, and all of DEVELOPER's sources including the proposed Ontario and Empire Canyon

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Wells. DEVELOPER and the City shall divide the Group II rights approved for municipal use evenly, with DEVELOPER and the City each taking ownership of one-half of the total approved rights. DEVELOPER agrees to sell exclusively to the City its portion of the approved Group II water rights and DEVELOPER's interest in its Theriot Springs and Haueter Springs water rights (Weber Decree Award #456, #467 and #468) collectively referred to herein as the "Committed Water".

2.10.1.4 **Committed Water.** Once approved for municipal use, all Committed Water shall be leased to the City at a nominal cost and will therefore be unavailable for sale to others. DEVELOPER shall dedicate the Committed Water to the City, and the City shall pay to DEVELOPER from time to time an amount equal to the water development impact fees actually collected by the Park City Water Service District from the development of Flagstaff Mountain. Each such payment from the City to DEVELOPER shall be paid within 30 days following the receipt by the Park City Water Service District of each such water development impact fee.

2.10.1.5 **Excess Water Rights.** If after ten (10) years or 90% buildout of Flagstaff Mountain and Bonanza Flats, whichever last occurs, DEVELOPER retains water rights in excess of the water demand for both projects, the City may purchase the excess water rights from DEVELOPER at fair market value based on an appraisal from a mutually agreed upon appraiser or the City may relinquish its interest in the excess water rights. The City shall elect to either purchase (some or all of the

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excess water rights) or relinquish its interest in the excess water rights within 180 days of written notice of the expiration of 10 years or 90% buildout of both projects, whichever last occurs. If the City takes no action within the 180 days, City will be deemed to have relinquished its interest in the excess water rights.

2.10.1.6 **Impact Fees and Water Rates.** The City will charge water development and connection impact fees and water rates within the Project in an amount equal to the water development and connection impact fees and water rates charged to other water users within the Park City Water Service District, unless extraordinary costs can be identified by the City and fairly assigned to the water users within the Project.

2.10.2 **Subsequent Agreements.** Since the time the original Agreement was adopted and executed, the City and DEVELOPER have entered into agreements that impact, implement and/or clarify certain provisions of the original Agreement including (i) An Agreement For A Joint Well Development Program dated January 14, 2000, (ii) a Memorandum of Understanding, dated January 14, 2000, Between Park City Municipal Corporation and United Park City Mines Company Clarifying and Implementing the Water Service and Water Source Development Provisions of the Development Agreement of June 24, 1999, and (iii) the Water Agreement dated effective as of March 2, 2007 (collectively, the Subsequent Agreements). The fact that this Agreement is styled as an amended and restated agreement shall not operate or be deemed to supersede, contravene, or amend the terms, conditions or provisions of the Subsequent Agreements.

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2.10.3 **Transportation and Traffic Mitigation.** DEVELOPER has agreed to provide the following transportation and traffic mitigation measures.[14] Prior to the issuance of a Certificate of Occupancy within the Mountain Village,[15] the DEVELOPER shall provide the following to reduce the traffic anticipated by the Project:

2.10.3.1 **Van and Shuttle Service.** DEVELOPER shall provide for its owners, employees and guests, van and shuttle service alternatives consisting of regular circulator service within the Mountain Village and service from the Mountain Village to key destinations such as the Salt Lake International Airport, Main Street, Silver Lake, golf courses, and recreational trail heads.

2.10.3.2 **Road and Intersection Improvements.** Attached hereto as Exhibit M is a map and a more detailed list of improvements, which shall be constructed by DEVELOPER in satisfaction of this obligation. Prior to the construction of any of the improvements described below, the City shall review and approve or reject with suggested changes all plans, drawings and specifications with respect to the alignment and construction of such road and intersection improvements. Following DEVELOPER's completion of the construction of such improvements, DEVELOPER shall offer to dedicate such improvements to the appropriate governmental entity.

[14] However, within the Small Scale MPD process, the City may conclude that these transportation and traffic measures should be reduced, and will modify DEVELOPER's obligations accordingly.
[15] Except for DEER VALLEY's day lodge pursuant to paragraph 2.5 herein.

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2.10.3.3 **Contribution to Marsac Roundabout.** DEVELOPER shall financially participate in the reconstruction of the intersection of Marsac Avenue and Deer Valley Drive. DEVELOPER is responsible for paying its proportionate share (determined by projected traffic generation) of the City's cost of such reconstruction to mitigate the impact of the Flagstaff Mountain and Bonanza Flats projects on the intersection.

2.10.3.4 **Runaway Truck Lane**. DEVELOPER, or an affiliate of DEVELOPER, shall construct a run-away truck lane on the Mine Road section of S.R. 224, as described on Exhibit N attached hereto. DEVELOPER expects to dedicate the Runaway Truck Lane to UDOT.

2.10.3.5 **Mine Road Widening**. Upon Planning Commission recommendation, DEVELOPER shall widen the Mine Road section of S.R. 224 as described on Exhibit M attached hereto.

2.10.3.6 **Mine Road Passing Lane**. Upon Planning Commission recommendation, DEVELOPER shall create and dedicate a passing lane on the Mine Road section of S.R. 224 as described on Exhibit M attached hereto.

2.10.3.7 **Drainage Improvements.** DEVELOPER shall improve drainage to S.R. 224 as described on Exhibit M attached hereto.

2.10.3.8 **Landscaping.** Upon Planning Commission approval, DEVELOPER may construct and create, at DEVELOPER'S sole cost and expense, landscape improvements in the area depicted on

Exhibit M, uphill from the intersection of S.R. 224 with Hillside to act as a Project entry statement.

2.10.4 **Construction Mitigation.** DEVELOPER shall provide the following measures, all to the reasonable satisfaction of the City's Chief Building Official, to mitigate the impact of construction within Flagstaff Mountain. DEVELOPER shall also adhere to the usual construction impact mitigation measures required by the City. Additional reasonable site-specific mitigation measures may be required at the Small Scale MPD phase. These measures will be permanently reflected in Covenants, Conditions and Restrictions of each development parcel. The Detailed Construction Phasing Plan to be submitted by DEVELOPER to the City shall include, without limitation, provisions pertaining to:

2.10.4.1 Limits of Disturbance and Vegetation Protection for all construction, including construction of public improvements.

2.10.4.2 Construction staging, on-site batch plants, and materials stockpiling[16] and recycling in the Daly West area to keep all excavated materials on site during the Project infrastructure and construction phases.

2.10.4.3 Construction traffic routing plan to minimize traffic impacts on Old Town and residential areas, by only allowing construction traffic to use current state roads, unless otherwise directed by the City.

2.10.4.4 Dust and soils monitoring and containment, along with remediation of contaminated mining waste within the areas that are disturbed during the construction of the improvements within the Project and erosion and runoff controls for the entire Project

[16] Developer shall stockpile all earthen material on site.

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2.10.4.5 Temporary public access trails throughout construction.

2.10.4.6 Tools and equipment storage on-site adequate to serve all construction.

2.10.5 **Employee/Affordable Housing.** DEVELOPER shall provide deed-restricted employee/affordable housing units ("Affordable Unit Equivalents" or "AUEs") as defined by the City's affordable housing policy in an amount equal to 10% of the residential Unit Equivalents and 20% of the commercial Unit Equivalents approved by the City for the Project (collectively, the "Base AUEs"). The employee/affordable housing requirement for the Project, including the Montage, is 98.9 Base AUEs. One AUE equals 800 square feet. In addition to the Base AUEs, DEVELOPER has committed to construct, off-site, 20 additional AUEs (the "Additional AUEs") as an additional community benefit for the Project. Within 24 months from the effective date of this Agreement, the DEVELOPER (or any assignee thereof) shall either (i) begin construction of the 20 Additional AUEs, or (ii) post a financial guarantee in a form acceptable to the City Attorney in favor of the City equal to 10 percent of the estimated construction costs of the Additional AUEs. Each Additional AUE shall be sold or rented at prices and terms consistent with the City's affordable housing guidelines in effect at the time a Certificate of Occupancy is issued for the AUE. The calculation of total AUEs is detailed in the following table:

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Type of Use	Unit Equivalents	Mitigation Rate	AUEs Required
Residential			
Residential Units	785	0.1	78.50
Single Family Home Sites	54	0.1	5.40
Subtotal Residential	***839***		***83.90***
Type of Use	**Square Footage / 1,000 SF**	**Mitigation Rate**	**AUEs Required**
Commercial			
Commercial Unit Equivalents	75	0.2	15.00
Subtotal Commercial	***75***		***15.00***
Base AUEs On-Site (25%): 24.725			
Base AUEs Off-Site (75%): 74.175 *			
Total Base AUEs			**98.90**
Additional AUEs Contributed by Developer (located Quinns Junction)			**20.00**
TOTAL AUEs			***118.00***

*May be located at Quinns Junction, consistent with the City's approved employee/affordable housing plan.

A minimum of 25% of the Base AUEs shall be located on-site within the Project; however, at DEVELOPER'S option, any such on-site Base AUEs not actually constructed on-site or contractually committed to be constructed on-site may be constructed off-site on a 1.5-for-1 basis. DEVELOPER and the City shall consult with Mountainlands Housing Trust, or its equivalent (if any), to determine the type and location of employee/affordable housing which would be most effective in offsetting the demand generated from the Project. DEVELOPER shall provide the remaining 75% of the Base AUEs consistent with the City's approved employee/affordable housing plan. The employee/affordable housing will be phased with the Project in accordance with the approved Phasing Plan. Upon Planning Commission recommendation, the Housing Authority may direct DEVELOPER to:

2.10.5.1 Develop, subject to deed restrictions some of the remaining units on the 20-Acre Quinn's Junction Parcel; or

2.10.5.2 Donate in a form satisfactory to the City, without restrictions or encumbrances, the 20-Acre Quinn's Junction Parcel to the City in lieu of some or all of the remaining portion of DEVELOPER's affordable housing obligation; or

2.10.5.3 Build the units on an alternate parcel provided to DEVELOPER by the City. DEVELOPER must donate the 20-Acre Quinn's Junction Parcel to the City if the City offers to donate otherwise suitable land to DEVELOPER. If the City and DEVELOPER exchange parcels with respect to the new employee/affordable housing units, then DEVELOPER shall construct on such alternate parcel such number of new employee/affordable housing units, up to the required number of units, for which DEVELOPER is able to obtain approval. In no event shall the cost incurred by DEVELOPER to construct the new employee/affordable housing units on an alternate parcel provided by the City exceed the cost which DEVELOPER would have incurred to construct such new employee/affordable housing units on the 20-Acre Quinn's Junction Parcel; or

2.10.5.4 If mutually acceptable to DEVELOPER and the City, pay to the City a fee in lieu of constructing employee/affordable housing, consistent with the City's affordable housing policy, if such payment in lieu of constructing employee/affordable housing results in the construction or dedication of actual units for affordable /employee housing; or

2.10.5.5 Satisfy its obligation in a manner otherwise consistent with the City's affordable housing policy.

2.10.6 **5-Year Irrevocable Offer to Annex the 20-Acre Quinn's Junction Parcel.** For the next five years from the date of this Amended and Restated Agreement, DEVELOPER hereby irrevocably offers to annex the 20-Acre Quinn's Junction Parcel to the City.

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SECTION III. ADDITIONAL PUBLIC BENEFITS

In addition to the foregoing, DEVELOPER offers the following inducements to contract:

3.1 **Richardson Flats.** DEVELOPER unconditionally offers to annex Richardson Flats to the City and, regardless of the annexation of Richardson Flats, to restrict development of Richardson Flats to one of the following options to be selected by DEVELOPER, at DEVELOPER'S sole discretion:

Option 1. Under Option one DEVELOPER must limit the use of Richardson Flats to golf (with the requisite clubhouse, maintenance buildings and other related improvements), equestrian uses (including the construction of an arena or indoor equestrian center), and/or such other public recreational opportunities or special events as the City may deem proper. In the event DEVELOPER is able to obtain necessary approvals from EPA and/or DEQ, then DEVELOPER must construct on Richardson Flats a golf course, clubhouse, and driving range with adequate[17] provisions for defined public access.

Option 2. Under Option two, DEVELOPER must limit the use of Richardson Flats to an 18-hole golf course (with the requisite clubhouse, maintenance buildings and other related improvements)[18] and would make available to the City a site for a second 18-hole golf course. The site to be donated to the City would not include land in need of environmental remediation. If a second golf course is constructed under Option two, then the City and DEVELOPER shall work cooperatively to develop shared facilities such as a driving range and golf maintenance shops.

Option 3. If, after diligent efforts, DEVELOPER cannot receive EPA or DEQ approval of the aforementioned recreational

[17] The course must be operated to maximize play.
[18] Under Option 2 DEVELOPER may in the City's sole discretion be afforded the right to use Richardson Flats for such other public recreational opportunities or special events as the City may deem proper.

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improvements, DEVELOPER will perpetually deed restrict Richardson Flats to prevent further development.[19]

In addition to the foregoing provisions, DEVELOPER shall, in part as an additional public benefit and in part as a traffic mitigation measure, provide the City with fee title (unless the City otherwise agrees to a long term lease) to 30 acres at Richardson Flats. Such acreage will be used only for ball fields or similar recreational spaces, and improvements related thereto, and parking. On this acreage, DEVELOPER will provide a parking area which may be paved and which will accommodate segregated Montage and Empire Pass parking (up to 100 spaces), and parking for the City (up to 650 spaces), for a total of up to 750 spaces. This parking area will also serve as the location for Montage construction parking, and DEVELOPER or Montage shall be responsible for providing or arranging construction parking shuttles. The parking improvements may be constructed in phases. DEVELOPER will have naming rights for the ball fields or similar recreational spaces, and will not select a name that is inappropriate. The parking improvements (excluding the 100 dedicated Montage spaces and spaces required for construction parking and other operational needs) may be used by the City for reasonable ancillary uses such as special events.

3.2 **Open Space/Transit Management Fund.** DEVELOPER shall pay on each transfer of DEVELOPER's land, and shall separately covenant with all successors in interest in a manner which runs with the land, to assess a 1% Open Space/Transit Management Fee on the gross sales price of all real property within the Project. 50% of the Open Space/Transit Management Fee shall belong to the Flagstaff Mountain Master Resort

[19] The timing of Richardson Flats development shall be addressed in the Construction Phasing and General Infrastructure Phasing Plans required in Sections 2.1.10 and 2.1.11 with development commencing as early as possible.

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Association to reduce Master Resort Association dues associated with obligations assumed herein or to enhance the Master Resort Association's service to its members. 50% of the Open Space/Transit Management Fee shall be paid to the City to assist in funding the costs and expenses for enhanced transportation to the Project, recreation improvements and/or open space acquisition, maintenance or preservation. This Open Space/Transit Management Fee shall not apply to the transfer of real property within the Project either solely as security for financing (e.g. mortgage) or for nominal consideration solely to initially capitalize the development entity. DEVELOPER acknowledges that the Project requires an open space management fee to mitigate the adverse effects of the Project. As such, DEVELOPER covenants that it will pay this fee as a contractual obligation, and not as a regulated entity. DEVELOPER shall vigorously defend the imposition of such fees. DEVELOPER shall not take any action (contractually, judicially, or legislatively) to challenge or otherwise adversely affect the enforceability of the Open Space/Transit Management Fee as a valid and enforceable real covenant.

SECTION IV. IMPACT FEES/PLAN CHECK FEES

4.1 **Conditions of Approval and Impact Fees.** With respect to the development of Flagstaff Mountain, DEVELOPER accepts and agrees to comply with the impact, connection and building fees of the City currently in effect, or as amended, to the extent the amended fees are applied uniformly within an impact fee district. DEVELOPER acknowledges that the Project requires infrastructure supported by impact fees and finds the fees currently imposed to be a reasonable monetary expression of exactions that would otherwise be required at this time. As such, DEVELOPER covenants that it will pay impact fees as a contractual obligation, and not exclusively as a regulated entity. If the state legislature disallows the imposition of a regulatory impact fee, DEVELOPER will pay those impact fees in effect at the time of such change in state law throughout the remaining buildout of the Project. Further DEVELOPER

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agrees to pay plan check fees in the amount of 65% of the building permit fee.

SECTION V. BONANZA FLATS DEVELOPMENT PARAMETERS

5.1 **Restrictions on Bonanza Flats Development**. DEVELOPER covenants that it will never apply, nor assist in any application, to the City or to Wasatch County for the development of Bonanza Flats in excess of the following maximum densities. Further, DEVELOPER shall amend its development application with Wasatch County, and shall restrict development in Bonanza Flats to the following maximum densities:

5.1.1 A maximum of 260 residential units (280 Unit Equivalents), of which no more than 160 units shall be Bonanza Flats single family home sites.

5.1.2 An 18-hole golf course, including the construction of no larger than a 20,000 sq. ft club house and other golf-related facilities, with Nordic skiing thereon during the winter, all as generally depicted on Exhibit O.

5.1.3 75,000 square feet of resort-related commercial uses.

5.1.4 Alpine and Nordic ski terrain, ski runs, ski lifts and other ski-related improvements, all as depicted on Exhibit O.

5.2 **Wasatch County Approval of Bonanza Flats Development Proposal.** DEVELOPER has a pending application in Wasatch County, with respect to Bonanza Flats, requesting density far in excess of that which the City regards as appropriate. As an inducement for the City to enter into this Agreement, DEVELOPER agrees to amend its development application with Wasatch County in order to reflect the terms and conditions of this Agreement regarding the development of Bonanza Flats. City's contractual restrictions on Bonanza Flats development are in no respect an endorsement of development on Bonanza Flats. DEVELOPER agrees that the portions of Bonanza Flats, as described on Exhibit C attached hereto, which are not to be developed shall be subjected to restrictive covenants or conservation easements, dedicated to a third party conservation trust (or

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similar entity), in a form acceptable to the City, so that the real property which is not to be developed shall be limited in perpetuity to recreational and open-space uses. DEVELOPER and the City acknowledge that the annexation of Bonanza Flats to the City is not being considered at this time by either the City or by DEVELOPER.

5.3 **Snyderville Basin Sewer Improvement District Annexation.** Snyderville Basin Sewer Improvement District ("SBSID") must agree to annex Bonanza Flats and agree to provide sewer service within Bonanza Flats if Park City is to provide water service to the area. SBSID capacity shall be restricted in size to accommodate no more than the restricted densities agreed to herein. If Wasatch County approves the use of Park City water for culinary use in Bonanza Flats, then DEVELOPER must apply for and pursue annexation to SBSID.

5.4 **Annexation.** If Wasatch County recommends that DEVELOPER seek annexation to the City of Bonanza Flats, then DEVELOPER shall request that the City annex Bonanza Flats. In the event that DEVELOPER requests that the City annex Bonanza Flats, the City anticipates the execution of an interlocal agreement with Wasatch County to address fiscal issues in connection with the City's annexation of Bonanza Flats.

5.5 **Request for Transfer of Bonanza Flats Density to Flagstaff Mountain.** DEVELOPER may seek approval from the City of additional density within Flagstaff Mountain in exchange for DEVELOPER transferring approved density from Bonanza Flats and deed restricting such land as open space. City's contractual restrictions on development in Bonanza Flats in no way shall be construed as an endorsement of such densities either in Bonanza Flats nor transferred to the Mountain Village. Upon DEVELOPER's request, the City would consider such transfer. If favorably inclined to entertain such density transfer, the City would attempt in good faith to negotiate an interlocal agreement with Wasatch County to address fiscal issues associated with such action. In connection with any such request by DEVELOPER, the City may give higher priority

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to the transfer of multifamily or lodging units and may consider many factors, including but not limited to the following:

5.5.1 The location and quality of open space within the Bonanza Flats property that would occur as a result of the transfer;

5.5.2 The suitability of increased density in the Mountain Village;

5.5.3 The potential reduction of traffic;

5.5.4 The potential positive impacts on the transportation system;

5.5.5 The visual and other impacts to the Mountain Village; and

5.5.6 The positive and negative impacts to the Bonanza Flats Property.

5.6 **Private Road**. Consistent with an approved phasing plan for Flagstaff Mountain, DEVELOPER may construct a private controlled access road between the Flagstaff Mountain and the Bonanza Flats development areas, provided that such private road is properly controlled to prevent through access to adjacent properties and deed restricted to prevent its extension beyond the terminus depicted in Exhibit C.

5.7 **Water Service.** DEVELOPER and the City acknowledge and agree that water service and sewer service to Bonanza Flats should be provided from the same basin in order to avoid any trans-basin transfer issues. Inasmuch as the City shall be providing water service to the Project, the City and DEVELOPER desire that the City provide water service to Bonanza Flats as well. If Wasatch County: 1) approves DEVELOPER's amended proposal for the limited development of Bonanza Flats detailed herein, and 2) approves DEVELOPER's proposal that the City provide water service to Bonanza Flats, then, subject to a City-approved infrastructure phasing plan, DEVELOPER shall build and dedicate to the Park City Water Service District an adequate water delivery system, to service Bonanza Flats, including all fire flow and irrigation needs. DEVELOPER shall work cooperatively with the City to develop a water source or sources, including, but not limited to, making well sites, water rights and easements available to the City. The City shall provide culinary water to Bonanza Flats according to the terms of this Agreement. DEVELOPER will

construct all infrastructure, including a source of water necessary to provide water service to Bonanza Flats. City water development and connection fees, as well as water rates, shall be the same as those imposed in the Project, unless the City can identify and fairly assign extraordinary costs to end users within Bonanza Flats. No water from a Weber Drainage Basin source shall be used for outdoor uses in Bonanza Flats.

5.8 **No Annexation Alternative.** If Bonanza Flats is not annexed into the City, and if the requirements described in Sections 5.3, 5.6 and 5.7 are satisfied, then DEVELOPER shall not build within Bonanza Flats more than the units described in Section 5.1 above.

5.9 **Conditions of Development of Bonanza Flats.** Regardless of the annexation of Bonanza Flats to the City, DEVELOPER agrees to the following:

5.9.1 The residential and commercial units constructed within Bonanza Flats shall not be located adjacent to the lakes within the Bonanza Flats property.

5.9.2 If Bonanza Flats is developed, but is not annexed DEVELOPER agrees to provide employee/affordable housing units consistent with its obligations in the Flagstaff Mountain annexation.

5.9.3 Within Bonanza Flats, DEVELOPER shall limit the construction of wood-burning devices to one wood-burning device per single family unit. DEVELOPER shall not request approval from Wasatch County or from the City for wood-burning devices in any other attached, or detached, residential uses. Within each lodge, or hotel constructed within Bonanza Flats, DEVELOPER may construct one wood-burning device in each such lodge or hotel.

5.9.4 DEVELOPER shall pursue an interlocal agreement with Wasatch County whereby the Park City Fire Protection District will provide fire protection services within Bonanza Flats.

5.9.5 Upon reallignment of S.R. 224, DEVELOPER shall prohibit

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commercial snowmobile use within Bonanza Flats.

SECTION VI. AMENDMENT OF AGREEMENT AND DEVELOPMENT PLAN

6.1 This Agreement may be amended from time to time by mutual written consent of the Parties.

SECTION VII. IMPLEMENTATION OF THIS AGREEMENT

7.1 **Processing and Approvals.** Site specific plans shall be deemed proposed Small Scale Master Plans and shall be subject to the process and limitations set forth in the Park City Municipal Corporation Land Management Code that is in effect when the DEVELOPER submits a complete application for a Small Scale MPD.

7.2 **Cooperation in the Event of Legal Challenge.** If any third party challenges the validity, or any provision, of this Agreement, (1) the Parties shall cooperate in defending such action or proceeding, and (2) DEVELOPER shall hold harmless, and shall indemnify the City for all costs (including attorneys' fees) associated with defending this Agreement. Nothing herein shall be construed as a waiver of governmental immunity, as applicable.

7.3 **Impossibility of Performance.** If this Agreement is delayed in its effect by actions beyond the control of City or DEVELOPER, this Agreement shall remain in full force and effect during such delay. If such delay in the effect of this Agreement extends for a period of more than one year, this Agreement shall be terminable by DEVELOPER or the City upon written notice to the other at any time after such initial one-year period. In the event of termination, all rights and obligations hereunder shall be deemed terminated, provided, however, that the parties shall cooperate to return to the status quo ante.

Section VIII. GENERAL PROVISIONS

8.1 **Covenants Running with the Land.** The provisions of this Agreement shall constitute real covenants, contract and property rights and equitable servitudes, which shall run with all of the land subject to this Agreement. The burdens and benefits hereof shall bind and inure to the benefit of each

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of the Parties hereto and all successors in interest to the Parties hereto. All successors in interest shall succeed only to those benefits and burdens of this Agreement which pertain to the portion of the Project to which the successor holds title. Such titleholder is not a third party beneficiary of the remainder of this Agreement or to zoning classifications and benefits relating to other portions of the Project.

8.2 **Transfer of Property.** DEVELOPER and DEER VALLEY shall have the right, without obtaining the City's consent or approval, to assign or transfer all or any portion of its rights, but not its obligations, under this Agreement to any party acquiring an interest or estate in the Project, or any portion thereof. Third party assumption of DEVELOPER's or DEER VALLEY's obligations under this Agreement shall not relieve DEVELOPER or DEER VALLEY of any responsibility or liability with respect to the expressly assumed obligation, unless the City expressly agrees in writing to the reduction or elimination of DEVELOPER's or DEER VALLEY's responsibility or liability. DEVELOPER and DEER VALLEY shall provide notice of any proposed or completed assignment or transfer. If DEVELOPER or DEER VALLEY transfers all or any portion of the property comprising Flagstaff Mountain, Richardson Flats, Sandridge or Bonanza Flats, the transferee shall succeed to all of DEVELOPER's or DEER VALLEY's rights under this Agreement. To the extent the City believes (in its sole discretion, considering the totality of the DEVELOPER's and/or DEER VALLEY's obligations) that the successor in interest has ample resources to secure the City's rights under this Agreement, the City may release DEVELOPER and/or DEER VALLEY from its proportionate liability under this Agreement.

8.3 **No Agency, Joint Venture or Partnership.** It is specifically understood and agreed to by and among the Parties that: (1) the subject development is a private development; (2) City, DEER VALLEY and DEVELOPER hereby renounce the existence of any form of agency relationship, joint venture or partnership among City, DEER VALLEY and DEVELOPER;

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and (3) nothing contained herein shall be construed as creating any such relationship among City, DEER VALLEY and DEVELOPER.

SECTION IX. MISCELLANEOUS

9.1 **Incorporation of Recitals and Introductory Paragraphs.** The Recitals contained in this Agreement, and the introductory paragraph preceding the Recitals, are hereby incorporated into this Agreement as if fully set forth herein.

9.2 **Other Miscellaneous Terms.** The singular shall include the plural; the masculine gender shall include the feminine; "shall" is mandatory; "may" is permissive.

9.3 **Severability.** If any provision of this Agreement or the application of any provision of this Agreement to a particular situation is held by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect.

9.4 **Construction.** This Agreement has been reviewed and revised by legal counsel for DEVELOPER, DEER VALLEY and the City, and no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement. Since the time the original Agreement was adopted and executed, many of the DEVELOPER'S obligations hereunder have been satisfied. The fact that this Agreement is styled as an amended and restated agreement shall not be deemed or construed to reinstate the DEVELOPER obligations that have been satisfied as of the date hereof.

9.5 **Notices.** Any notice or communication required hereunder between the Parties must be in writing, and may be given either personally or by registered or certified mail, return receipt requested. If given by registered or certified mail, the same shall be deemed to have been given and received on the first to occur of (i) actual receipt by any of the addressees designated below as the Party to whom notices are to be sent, or (ii) five (5) days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States

mail. If personally delivered, a notice is given when delivered to the Party to whom it is addressed. Any Party hereto may at any time, by giving ten (10) days written notice to the other Parties hereto, designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at the address set forth below:

If to City to:
City Manager
445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060

Copy to:
City Attorney
445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060

If to DEVELOPER to:
United Park City Mines Company
c/o David J. Smith
P.O. Box 1450
Park City, UT 84060

Copy to:
Clark K. Taylor
VanCott Bagley Cornwall & McCarthy
P. O. Box 45340
Salt Lake City, Utah 84145

If to DEER VALLEY:
Deer Valley Resort Company
Attn: Bob Wheaton, President
2250 Deer Valley Drive South
P.O. Box 889
Park City, Utah 84060

Copy to:

_____
General Counsel
Royal Street Corporation
7620 Royal Street East, Suite 205
P.O. Box 3179
Park City, Utah 84060

9.6 **No Third Party Beneficiary.** This Agreement is made and entered into for the sole protection and benefit of the Parties and their assigns. No other party shall have any right of action based upon any provision of this Agreement whether as third party beneficiary or otherwise.

9.7 **Counterparts and Exhibits.** This Agreement is executed in four (4) duplicate counterparts, each of which is deemed to be an original. This Agreement consists of forty-two (42) pages, including notary acknowledgment forms, and in addition, sixteen (16) exhibits, which constitute the entire understanding and agreement of the Parties to this Agreement. The following exhibits are attached to this Agreement and incorporated herein for all purposes:

Exhibit A	Map and Legal description of Flagstaff Mountain
Exhibit B	Map and Legal description of the Iron Mountain Parcels
Exhibit C	Map and Legal description of Bonanza Flats
Exhibit D	Map and Legal description of Richardson Flats
Exhibit E	Map and Legal description of 20-Acre Quinn's Junction Parcel
Exhibit F	Deer Valley Ski Area Master Plan
Exhibit G	Deer Valley Resort Company Ski Run Construction and Revegetation Standards
Exhibit H	Guardsman Realignment
Exhibit I	Emergency Access
Exhibit J	Lady Morgan Springs Open Space Area
Exhibit K	Approximate Location of Prospect Ridge Open Space
Exhibit L	Map and Legal description of Sandridge Parking Lots and Sandridge Heights parcels
Exhibit M	Road and Intersection Improvements Detail
Exhibit N	Runaway Truck Lane
Exhibit O	Bonanza Flats golf course and ski improvements

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Exhibit P Zoning Map for Flagstaff Mountain

9.8 **Attorneys' Fees.** In the event of a dispute between any of the Parties arising under this Agreement, the prevailing Party shall be awarded its attorneys' fees and costs to enforce the terms of this Agreement.

9.9 **Duration.** This Agreement shall continue in force and effect until all obligations hereto have been satisfied. DEVELOPER shall record the approved annexation plat for Flagstaff Mountain within 30 days of the City's adoption of an annexation ordinance to annex Flagstaff Mountain. The Large Scale Master Plan for Flagstaff Mountain granted herein shall continue in force and effect for a minimum of four years from its issuance and shall be effective so long as construction is proceeding in accordance with the approved phasing plan. Upon expiration of the minimum four-year period, approval will lapse after two additional years of Inaction following the expiration of such four-year period, unless extended for up to two years by the Planning Commission.

IN WITNESS WHEREOF, this Agreement has been executed by UPCM and by DEER VALLEY by persons duly authorized to execute the same and by the City of Park City, acting by and through its City Council effective as of the 2nd day of March, 2007.

PARK CITY MUNICIPAL CORPORATION

By: _____
Dana Williams, Mayor

ATTEST: City Clerk

By: _____
Janet Scott, City Recorder

APPROVED AS TO FORM:

_____
Mark D. Harrington, City Attorney

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DEVELOPER:
United Park City Mines Company,
a Delaware corporation

David J. Smith, Authorized Signing Officer

STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On this 28th day of ~~March~~ February, 2007 before me, Lorrie J. Hoggan, the undersigned Notary Public, personally appeared David J. Smith, personally known to me to be the Authorized Signing Officer of United Park City Mines Company, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4549 NSR32
Oakley, Utah 84055

Notary Public, State of Utah
Residing in Oakley, Utah

DEER VALLEY RESORT COMPANY,
a Utah limited partnership
By: Royal Street of Utah, a Utah corporation,
General Partner

By: _____
Robert Wells, Vice President

DEVELOPER:
United Park City Mines Company,
a Delaware corporation

David J. Smith, Authorized Signing Officer

STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On this 28th day of ~~March~~ February, 2007 before me, Lorrie J. Hoggan, the undersigned Notary Public, personally appeared David J. Smith, personally known to me to be the Authorized Signing Officer of United Park City Mines Company, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4549 NSR32
Oakley, Utah 84055

Notary Public, State of Utah
Residing in Oakley, Utah

DEER VALLEY RESORT COMPANY,
a Utah limited partnership
By: Royal Street of Utah, a Utah corporation,
General Partner

By:
Robert Wells, Vice President

Unofficial Copy

Arizona
STATE OF ~~UTAH~~)
Maricopa : ss
COUNTY OF ~~SUMMIT~~)

On this 1 day of March, 2007 before me, Constance M Richards, the undersigned Notary Public, personally appeared **Robert Wells**, personally known to me to be the Vice President of Royal Street of Utah, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

OFFICIAL SEAL
CONSTANCE M. RICHARDS
Notary Public - State of Arizona
MARICOPA COUNTY
My Commission Expires Feb. 1, 2008

Constance M Richards
Notary Public, State of ~~Utah~~ AZ
Residing in Maricopa County, AZ

SCHEDULE 3.1

RICHARDSON FLATS PARKING AREA SPECIFICATIONS

Talisker or United Park City Mines Company will provide the City with fee title (unless the City otherwise agrees to a long term lease) to 30 acres at Richardson Flats (map attached). The use of this land is provided on the basis that it will be only for ball fields or similar recreational spaces (and related improvements) and parking. On this acreage, Talisker will provide a paved area which will accommodate segregated Montage and Empire Pass parking (up to 100 spaces) and parking for the City (up to 650 spaces) for a total of up to 750 spaces. The cost of improving the existing County road leading to the site shall be paid for by the Developer, and shall be subject to a late comer's agreement. The parking improvements shall be constructed in phases as established during the MPD for those improvements in cooperation with Summit County. The parking improvements (excluding the 100 dedicated Montage spaces and spaces required for construction parking and other operational needs) may be used by the City for reasonable ancillary uses such as special events. Construction of the parking improvements will be assured through a form of completion bonding consisting of a draw-down letter of credit or other similar instrument in an amount equivalent to the good faith estimated cost to construct the parking improvements, but in an amount not to exceed $1,800,000. In the event any permit application is denied such that the parking improvements cannot be constructed, the City shall be entitled to draw the entire amount of the completion bond, letter of credit or similar instrument (as the case may be), and DEVELOPER shall have no further obligation to construct the parking improvements.

Additional specifications are as follows:

1. Adequate space will be provided for drainage & snow storage.
2. The area will have reasonably flat terrain.
3. The parking lot will allow adequate bus travel through the parking area.
4. An allowance for signs and street lights is included.
5. The lot will be paved to accommodate the weight of City busses, in accordance with applicable Summit County construction standards and/or the Park City Construction Specifications and Standard Drawings as reasonably applied by the City engineer and the DEVELOPER'S design engineer.

The precise layout and cost of the ball fields or similar recreational spaces within the 30 acre parcel, and improvements related thereto, are the City's responsibility.

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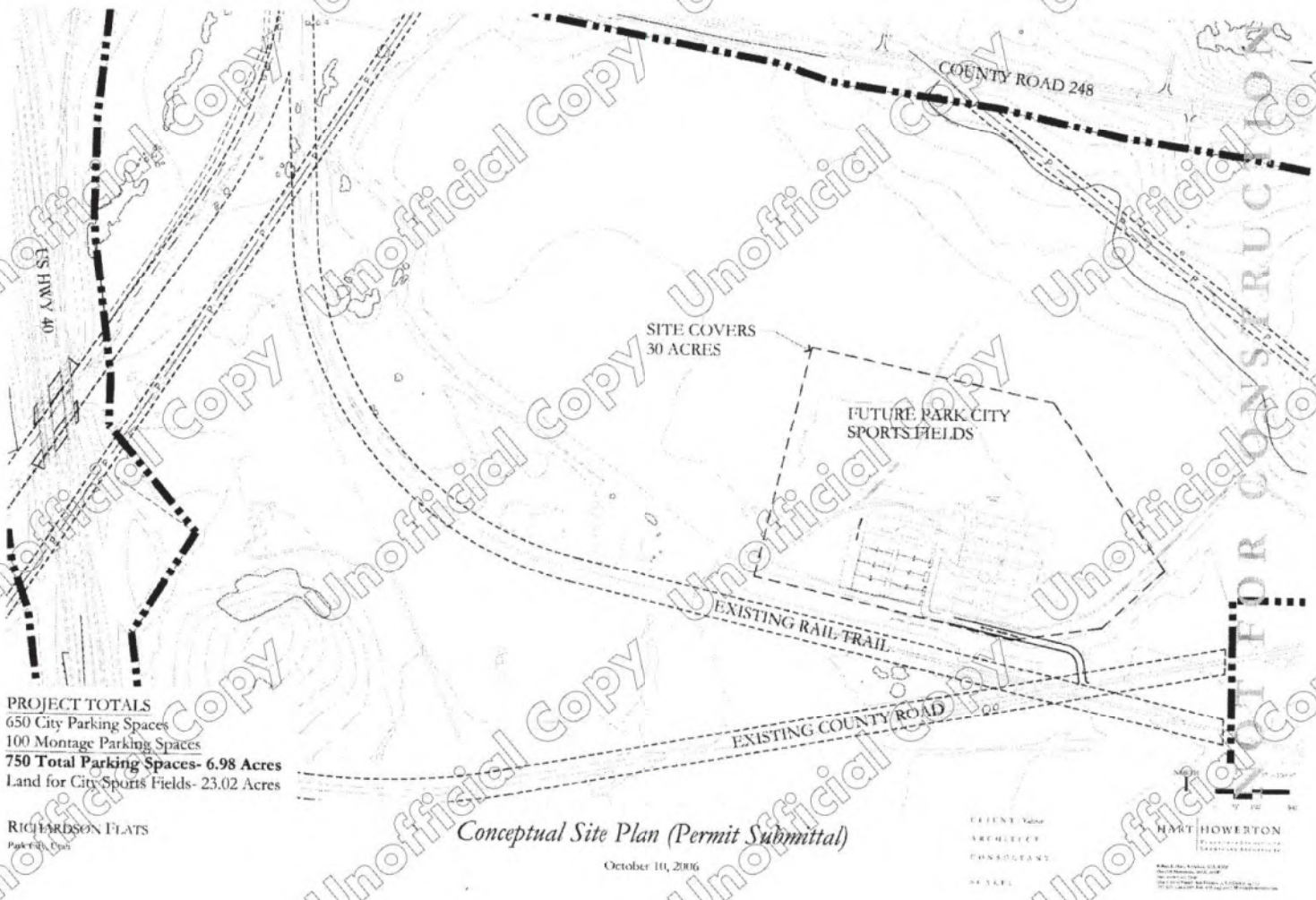


RECORDER'S NOTE

LEGIBILITY OF WRITING, TYPING OR PRINTING UNSATISFACTORY IN THIS DOCUMENT WHEN RECEIVED.

Southeast Quinn's Junction Annexation Petition

Submittal Requirements

Requirement	Location Answered
1. Applicant and Notification Information	-
a. Names, mailing addresses and envelopes of property owners within annexation area	Provided
b. Names, mailing addresses and envelopes of property owners within a half-mile	Provided
2. Plat Map	Exhibits
3. Existing conditions site plan, a map showing a half-mile offset, including names, addresses, and property boundaries of all property owners within the annexation area	Exhibits and Report Section I
4. Title Report	Provided
5. Land Use Analysis:	-
a. Slope, wetlands, natural drainage, vegetation, slope, wildlife habitat, view corridors, and significant geologic features	Exhibits and Report Section I
b. Existing and proposed road systems and easements	Exhibits and Report Section III
c. Proposed utility extension plans	Discussed in Report Section IV
d. Location of proposed public and private open space, recreation areas, trails, and trail easements	Exhibits and Report Section V
e. Proposed land uses including type, density, and if applicable, timing of build out of residential and commercial areas	Exhibit (Current Land Use) and Report Section VI
f. Proposed community facilities	Report Section VII
g. Consistency with the current General Plan	Report Section XI
h. A statement for timetable of development	Report Section VIII
6. Affordable housing plan	Report Section IX
7. Project phasing plan and construction mitigation plans	N/A

8. Public Utilities and essential services analysis including:	-
a. School impact analysis	Report Section X(a)
b. Capacity of existing sewer trunk line and treatment facilities	Report Section X(b)
c. Capacity and availability of solid waste collection, animal control, and other services	Report Section X(c)
d. A full disclosure statement of any and all water owned of historically utilized on the property to be annexed, and statement on price to sell water to city	Report Section X(d)
9. Fiscal impact analysis	-
a. Current and five-year projections of demographics	Section XII
b. Projected growth	"
c. The present and future annual projected revenue to the City	"
d. The projected tax impact over ten years	"
e. Present and future costs of government services	"
10. Long-Term Community Impacts	Section XIII
Other studies and analysis as necessary	Appendix

October 8, 2021

Re: Notice of *Notice of Intent to File a Petition under Utah Code section 10-2-403(2)(a)(i)*

Attention Affected Entity,

You are an Affected Entity defined by Utah Code section 10-2-401(1)(a). This Notice of Intent to File a Petition is required by Utah Code section 10-2-403(2)(a)(i). Included with this Notice of Intent is an accurate map of the area that is proposed to be annexed.

A written request has also been sent to Summit County, asking that the statutorily required notice under Utah Code section 10-2-403(2)(b)(iii) be mailed to owners of real property in the area to be annexed and owners of real property located within 300 feet of the area proposed to be annexed.

Yours,

Matt Dias
City Manager

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Phone (435) 615-5010 • FAX (435) 615-4901

PARK CITY
1884

October 8, 2021

Re: Notice of *Notice of Intent to File a Petition under Utah Code section 10-2-403(2)(a)(i)*

Attention Park City Recorder,

This Notice of Intent to File a Petition is required by Utah Code section 10-2-403(2)(a)(i). Included with this Notice of Intent is an accurate map of the area that is proposed to be annexed. A copy of this Notice of Intent has also been sent to each affected entity, as defined by Utah Code section 10-2-401.

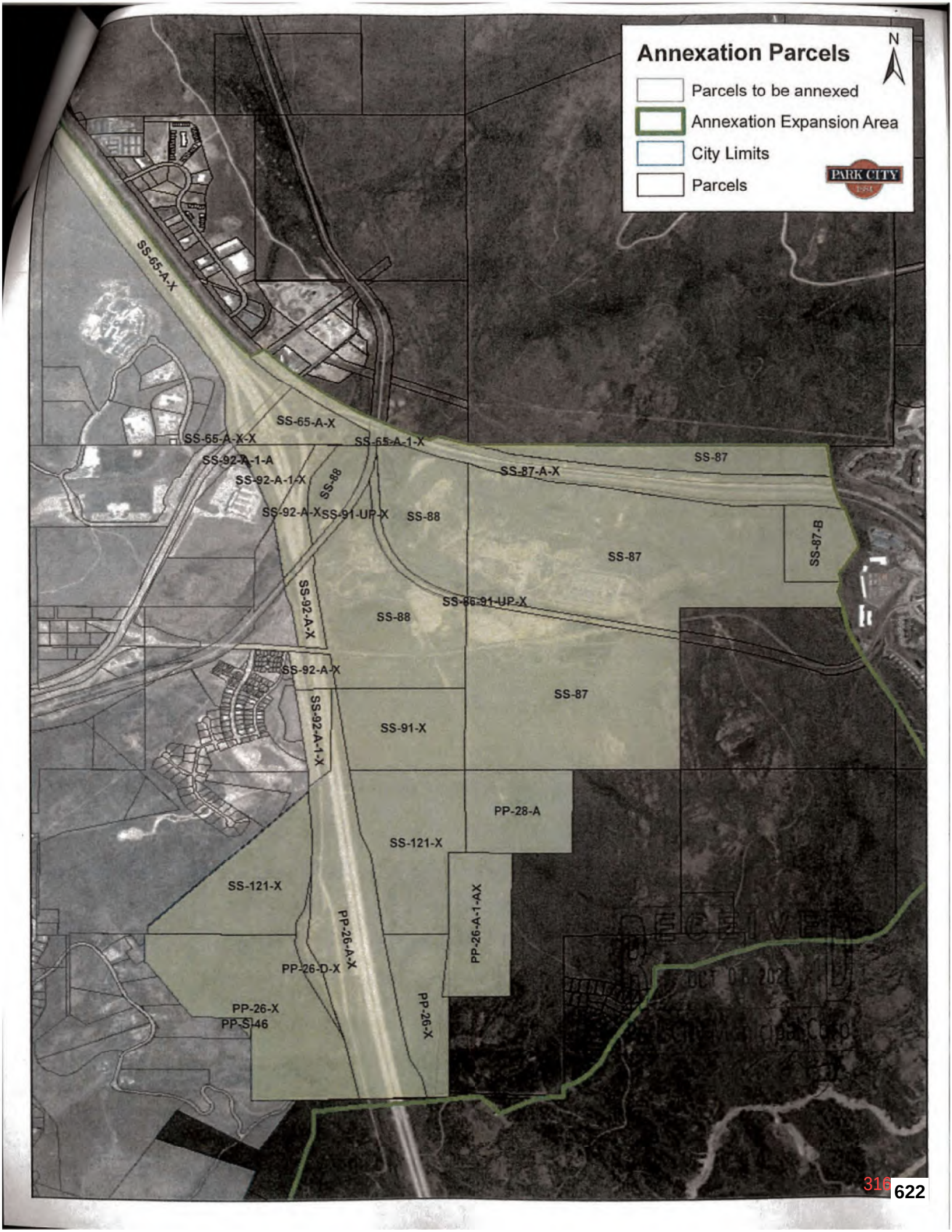
A written request has also been sent to Summit County, asking that the statutorily required notice under Utah Code section 10-2-403(2)(b)(iii) be mailed to owners of real property in the area to be annexed and owners of real property located within 300 feet of the area proposed to be annexed. That request includes a proposed copy of the notice to property owners, which is included with this letter as a courtesy.

Yours,

Matt Dias
City Manager

RECEIVED
OCT 08 2021
Park City Municipal Corp.

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Phone (435) 615-5010 • FAX (435) 615-4901


Annexation Parcels
Parcels to be annexed
Annexation Expansion Area
City Limits
Parcels
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PARK CITY
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SS-65-A-X-X
SS-65-A-1-X
SS-92-A-1-A
SS-92-A-1-X
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SS-92-A-X
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SS-121-X
SS-121-X
PP-26-A-1-AX
PP-26-A-X
PP-26-D-X
PP-26-X
PP-S-46
PP-26-X

PARK CITY
1884

Park City Municipal Coporation • P.O. Box 1480 • Park City, UT 84060

Park City Fire Protection Distri
PO Box 980010
Park City, UT 84098-0010

PARK CITY
1884

Park City Municipal Coporation • P.O. Box 1480 • Park City, UT 84060

Brian Hanton
Snyderville Basin Recreation
5715 Trailside Drive
Park City, UT 84098

PARK CITY
1884

Park City Municipal Coporation • P.O. Box 1480 • Park City, UT 84060

Bryan Atwood
Snyderville Basin Water
Reclamation District
2800 Homestead Road
Park City, UT 84098

PARK CITY
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Park City Municipal Coporation • P.O. Box 1480 • Park City, UT 84060

Tage Flint
Weber Basin Water
Conservancy District
2837 E Hwy 193
Layton, UT 84040

PARK CITY
1884

Park City Municipal Coporation • P.O. Box 1480 • Park City, UT 84060

Mountain Regional Water Dist
PO Box 982320
Park City, UT 84098

PARK CITY
1884

Park City Municipal Coporation • P.O. Box 1480 • Park City, UT 84060

Summit County Recorder
Rhonda Francis
PO Box 128
Coalville, UT 84017

322 628

PARK CITY
1884

Park City Municipal Coporation • P.O. Box 1480 • Park City, UT 84060

Summit Water Distribution
Company
8506 Bluebird Lane
Park City, Utah 84098

PARK CITY
1884

Park City Municipal Coporation • P.O. Box 1480 • Park City, UT 84060

Summit Co. Wildland Fire
Service Area
PO Box 128
Coalville, UT 84017

PARK CITY
1884

Park City Municipal Coporation • P.O. Box 1480 • Park City, UT 84060

Board Chair
Park City Water Service District
PO Box 1480
Park City, UT 84060

PARK CITY
1884

Park City Municipal Coporation • P.O. Box 1480 • Park City, UT 84060

Summit Mosquito Abatement
District
PO Box 523
Coalville, UT 84017

Eve Furse
Summit County Clerk
efurse@summitcounty.org
435-336-3203

60 North Main Street
Po Box 128
Coalville, UT 84017

CERTIFICATE OF MAILING

I do hereby certify that I mailed a true and correct copy of the Park City Municipal Proposed Annexation Notice to the following by first class mail on October 13, 2021:

AMEZQUITA EDGAR
ASTORGA FRANCISCO
BIG HOSS PROPERTIES LLC
BIGATEL TODD A
BROWN KEVIN W
CLOUSE EDWARD B JR
CRONIN SEAN
E22 LLC
FORESTDALE INVESTMENTS LLC
FRANCIS CORY LEE
GAMMON LYNSEY
G-BAR VENTURES LLC
GERTZ EVA JOBANA
GMG II INVESTMENT LLC
GOLIATH PARTNERS LLC
HAAGA PAUL G III TRUSTEE
HALL KRISTEN HOLCOMB
HATCH SUSAN MARLENE
HIDEOUT COMMUNITY ADVANCEMENT AND DEVELOPMENT LLC
I-40 STORAGE (DE) LLC
IHC HEALTH SERVICES INC
IMRIE SAMANTHA T
IVORY DEVELOPMENT LLC
IVORY LAND CORPORATION
JAGER LINDA P
JORDANELLE STORAGE PARK LLC
JOURNEY TAYLOR
LABOV DANIEL TRUSTEE
LACY K2 LLC
LAFARGA JANICE
LEE SHANNON L
LESLIE KATHRYN HOOD
LONG TRICIA
MARSHALL SHELLEY LYNN
MCKENNA MEGAN MARIE
NAGEL MATTHEW THOMAS
NICHOLAS DAVID
NICHOLS ENTERPRISES LLC
NOVELLE DIANA JO
OLSON NATHAN
PARK CITY AUTO CENTER INC
PARK CITY FIRE SERVICE DISTRICT
PARK CITY HEIGHTS MASTER ASSOCIATION
PARK CITY MUNICIPAL CORPORATION
SFP FORESTDALE LLC
SOUTH POINT UTAH LLC
SPACE PLACE ANNEX LLC
STATE OF UTAH
STAUFFER TARA
STEELE MEGAN S
STEPHENS TAMARA
STICHING MAYFLOWER MOUNTAIN FONDS
STICHTING MAYFLOWER RECREATIONAL FONDS
SUCIK RONALD M II
SUMMIT COUNTY
SUNDBORN LLC
TALLERING KENNETH H/W (JT)
TOPMARK INVESTMENTS LLC
UNITED PARK CITY MINES COMPANY
UNITED STATES OF AMERICA

UNITED STATES OF AMERICA/INTERIOR DEPT
UTAH DEPARTMENT OF TRANSPORTATION
UTAH DEPT OF TRANSPORTATION
WEST AMANDA
WESTERN REAL ESTATE DEVELOPMENT LLC
WILLIS LAURA M
WILKINSON MICHAEL D
JORDANELLE SPECIAL SERVICE DIS
DORTMUND HOLDINGS LC
EMP PARK CITY LLC
BB PARTNERS LLC
WIENER DAVID MICHEL TR
BRULECREEK UT HOLDINGS LLC
PROMONTORY INVESTMENTS LLC

DATED this 13th day of October, 2021.

COUNTY CLERKS SEAL SUMMIT COUNTY 1854 STATE OF UTAH

Signature
Jessika O'Brien
Deputy Clerk
On behalf of Eve Furse
Summit County Clerk

Recorded this ___ day of

_____, 1999

at Book #___ Page #_____.

ORIGINAL

Fee Exempt per Utah Code Annotated 1953 21-7-2

Recorded at the request of and return to: Park City Municipal Corp. Attn: City Recorder P. O. Box 1480, Park City, UT 84060

DEVELOPMENT AGREEMENT FOR FLAGSTAFF MOUNTAIN, BONANZA FLATS, RICHARDSON FLATS, THE 20-Acre QUINN'S JUNCTION PARCEL AND IRON MOUNTAIN

00544835 Bk01276 Pg00485-00575

ALAN SPRIGGS, SUMMIT CO RECORDER
1999 JUL 26 10:36 AM FEE $.00 BY DMG
REQUEST: PARK CITY MUNICIPAL CORP

THIS DEVELOPMENT AGREEMENT ("Agreement") is entered into as of the 24th day of June, 1999, by and between UNITED PARK CITY MINES COMPANY, ("UPCM" or "DEVELOPER"), DEER VALLEY RESORT COMPANY, ("DEER VALLEY"), and PARK CITY MUNICIPAL CORPORATION, a third class city of the State of Utah ("City") (collectively, the "Parties").

RECITALS

A. WHEREAS, DEVELOPER and DEER VALLEY own approximately: 1,600 of 1,750 acres of patented mining claims located in the unincorporated Flagstaff Mountain area of Summit County, more particularly described and depicted in Exhibit A attached hereto (hereafter, "Flagstaff Mountain"); approximately 106 acres of patented mining claims located on Iron Mountain within an unincorporated area of Summit County more particularly described and depicted in Exhibit B attached hereto (hereafter, "the Iron Mountain Parcels"); approximately 1,500 acres of patented mining claims, constituting all of UPCM's land located in the unincorporated Bonanza Flats area of Wasatch County more particularly described and depicted in Exhibit C attached hereto (hereafter, "Bonanza Flats"); all of UPCM's land east of U.S. 40 and south of S.R. 248 constituting approximately 650 acres of real property owned in fee simple located immediately east of U.S. 40 and south of S.R. 248 within an unincorporated area of Summit County more particularly described and depicted in Exhibit D attached

hereto (hereafter, "Richardson Flats"); and approximately 20-Acres of real property owned in fee simple located west of U.S. 40 and south of S.R. 248 within an unincorporated area of Summit County more particularly described and depicted in Exhibit E attached hereto (hereafter, "the 20-Acre Quinn's Junction Parcel");

B. WHEREAS, on May 17, 1994 DEVELOPER filed an application for annexation to Park City of Flagstaff Mountain, consisting of DEVELOPER's, DEER VALLEY's and Northside Neighborhood Property Owners' land, together totaling an area of approximately 1,750 acres;

C. WHEREAS, on May 10, 1997 the Park City Council unanimously resolved by Resolution 10-97 to annex Flagstaff Mountain under certain Development Parameters;

D. WHEREAS, on July 8, 1998 DEVELOPER requested reconsideration by the City of Resolution 10-97 and offered certain incentives for limiting development of the Bonanza Flats, Richardson Flats and the Iron Mountain Parcels;

E. WHEREAS, on September 10, 1998 the Park City Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats and the Iron Mountain Parcels, as set forth in this Agreement; and

F. WHEREAS, in the intervening months since the City Council adopted the September 10, 1998 development parameters, the DEVELOPER has further refined its proposal by offering to move 16 single family homes from the sensitive Prospect Ridge area to the Mountain Village and to constrain development in the Northside Neighborhood to reduce site disturbance and to facilitate sale to a conservation buyer for a time certain; and

G. WHEREAS, the Parties intend to enter into this Agreement to establish new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and the Iron Mountain Parcels and to establish a time certain for annexation of Flagstaff Mountain into the City.

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NOW, THEREFORE, in consideration of the foregoing recitals and the covenants hereafter set forth, the sufficiency of which the Parties hereby acknowledge, the Parties agree as follows:

SECTION I. DEFINITIONS

Unless the context requires a different meaning, any term or phrase used in this Agreement that has its first letter capitalized shall have that meaning given to it by the Park City Land Management Code (LMC) in effect on the date of a complete application or, if different, by this Agreement. Certain such terms and phrases are referenced below; others are defined where they appear in the text of this Agreement.

1.1 **"Annexation Property"** means that approximately 1,750 acres of property known as Flagstaff Mountain, described and depicted on Exhibit A.

1.2 **"Bonanza Flats"** means that approximately 1,500 acres of UPCM property commonly referred to as Bonanza Flats, consituting all of UPCM's holdings in Bonanza Flats and described and depicted on Exhibit C.

1.3 **"DEER VALLEY"** means the Deer Valley Resort Company, a Utah limited Partnership and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEER VALLEY shall cause its employees and agents to act in accordance with the terms of this Agreement.

1.4 **"DEVELOPER"** means United Park City Mines Company, a publicly traded Delaware corporation, and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEVELOPER shall cause its employees and agents to act in accordance with the terms of this Agreement.

1.5 **"Inaction"** provisionally[1] means (a) DEVELOPER's failure to pursue a sequential permit (i.e. Small Scale MPD permit, conditional use permit, subdivision application, or building permit) by failing to submit a complete application for such a permit or by failing to respond to the

[1] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

City's written requests for information which the City deems is necessary to process the application; or (b) DEVELOPER's failure to sustain permitted construction such that the permit under which construction is allowed, expires or is otherwise suspended or revoked.

1.6 **"Meeting Accessory Uses"** provisionally[2] means uses normally associated and necessary to serve meeting and banquet space. Meeting Accessory Uses do not require the use of Unit Equivalents and include:

1.6.1 Administrative and Banquet Offices

1.6.2 Banquet Storage Areas

1.6.3 Banquet Prep Areas Storage Areas

1.6.4 Common A/V Storage Areas

1.6.5 Coat Check Areas

1.6.6 Public Restrooms

1.6.7 Public Telephone Areas

1.6.8 Public Hallways

1.6.9 Public Circulation Areas.

1.7 **"Mountain Village"** means that mixed-use portion of Flagstaff Mountain described and depicted as the Mountain Village in Exhibit A attached hereto and limited to a total of 84 acres, within three development Pods (A, B_1, and B_2) and maximum densities, unit equivalencies and configuration more fully described herein.

1.8 **"Northside Neighborhood"** means that 63-acre portion of Flagstaff Mountain described and depicted as the Northside Neighborhood in Exhibit A attached hereto and limited to the maximum density, unit equivalency, and configuration more fully described herein.

1.9 **"Northside Neighborhood Property Owners"** means, in addition to UPCM and DEER VALLEY, Park City Star Mining Company, Inc., a Utah corporation, Bransford Land Company, representing the interests of

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[2] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

Anne Bransford Newhall, Mary Bransford Leader and Carolyn Bransford MacDonald, and Stichting Beheer Mayflower Project, a legal entity representing the interests of Stichting Mayflower Recreational Fonds and of Stichting Mayflower Mountain Fonds.

1.10 **"Pedestrian Village"** means an area configured within Pod A of the Mountain Village for the mixed use of residential, Residential Accessory, Resort Support Commercial, Resort Accessory, meeting and Meeting Accessory Uses within which at least sixty-five percent (65%) of the residential properties are clustered within walking distance (5 minutes) of a Transportation Hub for such residential properties, which can be directly accessed by pathways or sidewalks.

1.11 **"Planned Unit Development"** or **"PUD"** means a master planned development consisting of clustered, detached, single family or duplex units with common open space and coordinated architecture.

1.12 **"Pod Z"** means that area, depicted on Exhibit F that is limited for ski-related uses as further defined herein.

1.13 **"Project"** means the residential, recreational and commercial real estate development to be constructed within Flagstaff Mountain.

1.14 **"Residential Accessory Uses"** provisionally[3] means uses that are for the benefit of the residents of a commercial residential use, such as a hotel or nightly rental condominium project. Residential Accessory Uses do not require the use of Unit Equivalents. Residential Accessory Uses include:

1.14.1 Common Ski Lockers

1.14.2 Common Lobbies

1.14.3 Registration

1.14.4 Concierge

1.14.5 Bell Stand/Luggage Storage

1.14.6 Common Maintenance Areas

1.14.7 Mechanical Rooms

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[3] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.14.8 Common Laundry Facilities and Common Storage Areas

1.14.9 Employee Facilities

1.14.10 Common Pools, Saunas and Hot Tubs

1.14.11 Public Telephone Areas

1.14.12 Public Restrooms

1.14.13 Administrative Offices

1.14.14 Public Hallways and Circulation Areas

1.15 **"Resort Accessory Uses"** provisionally[4] means uses that are clearly incidental to and customarily found in connection with the principal resort building or use and are operated for the convenience of the owners, occupants, employees, customers or visitors to the principal resort use. Resort Accessory Uses do not require the use of Unit Equivalents. They include such uses as:

1.15.1 Information

1.15.2 Lost and Found

1.15.3 Mountain Patrol

1.15.4 Mountain Administration

1.15.5 Mountain Maintenance and Storage Facilities

1.15.6 Mountain Patrol and Emergency Medical Facilities

1.15.7 Public Lockers

1.15.8 Public Restrooms

1.15.9 Employee Lockers

1.15.10 Ski School/Day Care

1.15.11 Ticket Sales Areas

1.15.12 Ski Check Areas

1.15.13 Public Circulation Areas and Hallways

1.16 **"Richardson Flats"** means all of UPCM's property at the southeast corner of U.S. 40 and S.R. 248, more fully described and depicted on Exhibit D.

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[4] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.17 **"Transportation Hub"** means the terminus of a public and/or private transportation system that is located at a convenient location within the Mountain Village.

1.18 **"Unit Equivalent,"** with respect to commercial structures and multifamily and PUD structures, has the meaning set forth in the LMC.[5] Each single family residential structure (excluding PUDs) approved by the City pursuant to this Agreement for construction within the Project shall have a Unit Equivalent of 1.00, regardless of the size or the location of the single family residential structure. Each commercial structure or portion thereof shall consume 1 Unit Equivalent for each 1000 square feet. Each multifamily and PUD residential structure shall consume 1 Unit Equivalent for each 2000 square feet.

SECTION II. LARGE SCALE MPD—FLAGSTAFF MOUNTAIN

2.1. DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain. This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities and is subject to all normally-applicable City processes, and in addition thereto, such processes defined below, including DEVELOPER's responsibility, prior to or concurrent with the Small Scale MPD process, to submit and ultimately to obtain (upon modification, if necessary) City approval, of satisfactory plans detailed below:

2.1.1. Mine/Soil Hazard Mitigation Plan--which plan shall include an inventory of all mine sites, potential sources of release of hazardous materials into the environment, and a plan and schedule for their remediation;

2.1.2. Detailed Design Guidelines, with strong architectural themes, for the entire Flagstaff Mountain Project;

2.1.3. Specific Transit Plan;

2.1.4. Parking Management Plan;

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[5] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent.

2.1.5. Detailed Open Space Management Plan;

2.1.6. Historic Preservation Plan;

2.1.7. Emergency Response Plan, including DEVELOPER's commitments to provide infrastructure necessary to serve the Project and Bonanza Flats and phasing therefor;

2.1.8. Trails Master Plan setting forth trail locations, specifications, phasing and timing of public easements;

2.1.9. Private Road Access Limitation Procedures;

2.1.10. Construction Phasing Plan—including construction milestones for project amenities, including Richardson Flats development;

2.1.11. General Infrastructure and Public Improvements Design and Phasing Plan, which calls for the efficient extension of services, concentrating initial infrastructure development in the Mountain Village, and secondarily in the Northside Neighborhood. Such plan shall allow for the construction of a variety of housing types in each phase;

2.1.12. Utilities Master Plan—including the timing, alignment and service strategy for water and sewer service, as well as storm water management throughout the Project and Bonanza Flats;

2.1.13. Wildlife Management Plan; and

2.1.14. Affordable Housing Plan, including phasing.

2.2. **Maximum Development Parameters--Flagstaff Mountain.** Flagstaff Mountain is composed of the Mountain Village, the Northside Neighborhood; various ski related improvements, and the Silver Mine Adventure. Upon annexation, Flagstaff Mountain will be zoned as shown on the zoning map attached hereto as Exhibit P. The following maximum development parameters apply to Flagstaff Mountain:

2.2.1 **Mountain Village:** The Mountain Village is constrained as follows:

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2.2.1.1 **Small Scale MPD.** Site specific volumetrics and configuration will be established in the Small Scale MPD process.

2.2.1.2. **Maximum Development Area.** In the Small Scale MPD process, the entire Mountain Village development shall be constrained within a total of 84 acres.

2.2.1.3. **Maximum Density**. The maximum density within the Mountain Village is 705 Unit Equivalents configured in no more than 470 residential units.[6] Such density shall be configured as multi-family, hotel, or PUD units, provided the PUD units do not exceed 60. PUD units consume Unit Equivalents in the same respect as multifamily units. Additionally, the Mountain Village may contain up to 16 detached single family home sites.

2.2.1.4. **Pedestrian Village**. At least 65% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A), and must be located within a five-minute walk of the Transportation Hub. All three development pods (Pods A, B_1, and B_2) within the Mountain Village must be linked by transit.

2.2.1.5. **Commercial.** The Mountain Village may additionally include up to 75,000-sq. ft. of Resort Support Commercial uses, which shall include Neighborhood Convenience Commercial uses for residents and visitors such as groceries and sundries.

2.2.1.6. **Mine Site Reclamation**. To the greatest extent possible, DEVELOPER shall locate density in disturbed areas. This provision applies primarily to potential density at the Daly West site. Additionally, DEVELOPER shall

[6] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent.

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reclaim[7] all mining and mining overburden sites within Flagstaff Mountain, in accordance with state and federal regulatory agency review.

2.2.1.7. **Public Trails.** DEVELOPER shall construct and dedicate public trails designated on an accepted Trails Master Plan. Many trails will be constructed on land ultimately owned by DEER VALLEY. In those areas, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for public trail use. Such rules may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.2.1.8. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER and/or DEER VALLEY shall execute for the benefit of the City perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which, at a minimum, shall prevent the construction thereon of residential, commercial and retail structures but shall provide for ski-related uses consistent with paragraph 2.5 herein.

2.2.1.9. **Parking.** Each Small Scale MPD submittal shall include a parking management plan with respect to the portion of the property covered by such Small Scale MPD submittal. The goal of the plan is to design the Mountain Village in such a way as to reduce parking demand by 25%. DEVELOPER shall plan and encourage within the Mountain Village portion of the Project programs such as parking management, paid parking for commercial uses, shuttles and other programs designed to reduce the

[7] Reclamation shall include, at a minimum, revegetation of exposed areas.

demand for private vehicles and parking. DEVELOPER shall provide for shared parking in all commercial, short-term residential and mixed-use buildings. Assigned or reserved spaces within commercial, short-term residential and mixed-use buildings are prohibited. The majority of the required parking areas will be fully enclosed and/or constructed underground.

2.3 **Prospect Ridge.** DEVELOPER considers the Prospect Ridge area depicted in Exhibit K to be a critical viewshed area for Old Town.

2.3.1 **Public Trails.** Consistent with the Trails Mater Plan, DEVELOPER shall construct and dedicate to the City public trails designated within the Prospect Ridge area.

2.3.2 **Deed Restricted Open Space.** Within 30 days of issuance of the first Small Scale MPD, DEVELOPER shall cause to be recorded a document, approved by the City, which shall impose perpetual covenants and use restrictions for that portion of Prospect Ridge depicted as "Recreation Open Space Dedication" on Exhibit K which shall prevent the construction thereon of residential, commercial and/or retail structures, ski lifts, and developed alpine ski runs.

2.4. **Northside Neighborhood.** The Northside Neighborhood is composed of property owned by five separate Northside Neighborhood Property Owners and, upon their written acceptance of the terms of this Agreement, may contain a maximum of 38 homes, the size and location of which shall be determined at Small Scale MPD/subdivision review. The Northside Neighborhood may also contain a 1000 sq. ft. non-denominational Chapel, that will remain open and reasonably available to the public.[8]

2.4.1 **Small Scale MPD.** The Small Scale MPD must include all Northside Neighborhood Property Owners to achieve the

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[8] No utility extension will be allowed for the Chapel. Power may be allowed if it is readily accessible. Location of the Chapel cannot cause the extension of an improved road. Siting and construction must comply with all Code provisions.

maximum density of 38 detached single-family homes. Absent participation by all Northside Neighborhood Property Owners, DEVELOPER and DEER VALLEY may apply for a Small Scale MPD for a maximum of 30 single-family homes on the portion of the Northside Neighborhood owned by DEVELOPER and DEER VALLEY.[9] In all circumstances, DEVELOPER and DEER VALLEY shall limit development in the Northside Neighborhood as follows:

2.4.1.1. **Meadow Restriction.** Homes shall not be in the meadow area generally designated on Exhibit A and further defined in the Small Scale MPD process.

2.4.1.2. **Ski Run Separation.** Limits of disturbance for each site shall be a minimum of 50 feet from any ski run.

2.4.1.3. **Viewpoint Restrictions**. Structures and roads must be configured to minimize road and utility impacts and to minimize wintertime visual impacts[10] from ski runs and designated viewpoints, including but not limited to the knoll behind the terminus of what is presently known as the Northside chairlift.

2.4.1.4. **Public Trails**. Consistent with the Trails Master Plan, DEVELOPER, DEER VALLEY, and Northside Neighborhood Property Owners shall dedicate to the City improved public trails and trail easements that connect to the surrounding trail system. Where trails pass through the Deer Valley Ski Area, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations. Such rules

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[9] If Park City Star, Bransford or Mayflower do not reach an agreement with DEVELOPER and DEER VALLEY with respect to the joint development of the detached single family homes within the Northside Neighborhood, then DEVELOPER and DEER VALLEY shall grant to the City the right to connect to the utility lines and to grant limited access to roads within the Northside Neighborhood without cost to serve the remaining property owners.

[10] As well as summertime visual impacts.

may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.4.1.5. **Enchanted Forest**. No development shall occur in the "Enchanted Forest" area generally designated on Exhibit A and further defined in the Small Scale MPD process.

2.4.1.6. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER shall record perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which shall prevent the construction thereon of residential, commercial and retail structures but shall allow ski-related uses.

2.4.2. **Northside Neighborhood Conservation Plan.** DEVELOPER and DEER VALLEY agree to refrain from transferring, improving or developing the Northside Neighborhood for 3 years, from the date of this Agreement to facilitate the potential of (a) the fee simple sale of the Northside Neighborhood, or (b) the sale and transfer of the development rights from the Northside Neighborhood. In either case, the sale would be completed within said time period and would be to a conservation buyer or buyers at fair market value at the date of purchase. Fair market value in this context shall reflect the entitlement for single family detached units set forth in the Large Scale Master Plan and this Agreement or, if the Small Scale Master Plan has been issued, as reflected in the Small Scale Master Plan for the Northside Neighborhood. The three-year period noted above shall not limit the Planning Commission's authority in connection with approval of the phasing plans required in sections 2.1.10 and 2.1.11.

2.5. **Ski-Related Development.** Subject to conditional use review, DEER VALLEY may construct a skier day lodge of a maximum of 35,000 square feet, in the approximate location depicted on Exhibit A. The day lodge

shall have no public road access and no day skier parking, must have adequate emergency vehicle access, and shall have only limited parking to meet service and administrative requirements. DEER VALLEY shall provide deed-restricted employee/affordable housing units as defined by the City's affordable housing policy in an amount equal to 20% of the commercial Unit Equivalents approved by the City for the day lodge prior to issuance of a Certificate of Occupancy for the day lodge.

2.5.1 **Conditional Use (Administrative).** Ski terrain and ski-related development is an administrative conditional use within the Project, consistent with the Deer Valley Ski Area Master Plan depicted in Exhibit F attached hereto, provided that only two graded runs shall be allowed in ski Pod Z, with thinning and other limited vegetation removal in the balance of Pod Z for skier safety and glade skiing. Review of ski terrain and ski-related development shall include, but shall not be limited to consideration of the following:

2.5.1.1 Openings for ski trails and lifts with straight edges and uniform widths will be minimized to the greatest extent possible.

2.5.1.2 Trails that are designed for base area return or circulation between fall line areas shall be designed for appropriate grades and widths consistent with minimizing visual impact.

2.5.1.3 Lift towers shall be painted or otherwise treated to blend with the natural surroundings.

2.5.1.4 Vegetation management, re-vegetation and erosion control techniques shall be designed in accordance with the "Deer Valley Resort Company Ski Run Construction and Revegetation Standards" attached hereto as Exhibit G. The objective shall be to achieve a vegetative condition that enhances the skier experience and long

term forest health. Re-vegetation shall be designed to control erosion and to restore ground cover as quickly as possible after ground disturbing activities.

2.6 Beano's Style Private Club. DEVELOPER may construct a private restaurant (Beano's Cabin at Beaver Creek-style[11]), at a location to be determined at the Small Scale MPD phase, with emergency access only, and no private vehicular access or parking. The size of the private restaurant shall be determined at Small Scale MPD review and shall not exceed 7000 square feet.

2.7 Silver Mine Adventure. DEVELOPER may continue to operate the Silver Mine Adventure on the Ontario Mine Site as a valid, non-conforming use. Any change or expansion of use shall be processed in accordance with the LMC in effect at the time of the DEVELOPER's submission of a complete application for the proposed expansion.

2.8 Access and Alignment of S.R. 224. DEVELOPER shall access Flagstaff Mountain by means of S.R. 224, and a private road system. DEVELOPER shall realign a portion of S.R. 224 in the approximate location set forth on Exhibit H attached hereto, and shall construct a private road system for Flagstaff Mountain in the approximate location depicted on Exhibit H. The Parties agree to the following access and alignment of the road systems within Flagstaff Mountain:

2.8.1 **Alignment.** Upon Planning Commission approval of the first Small Scale MPD for Flagstaff Mountain, DEVELOPER shall petition to vacate the existing S.R. 224 alignment and, if granted, shall realign and dedicate the relocated S.R. 224 right of way to a standard similar to the existing S.R. 224 (with an asphalt surface for dust control). Such alignment shall be as generally depicted on Exhibit H. DEVELOPER shall block and prohibit vehicular access over the discontinued historic alignment of S.R. 224.

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[11] Beano's is a 7000 square foot private restaurant. This reference to a Beano's-style restaurant is not intended to predetermine the Planning Commission's decision regarding the maximum allowable size of such a restaurant.

Access over the realigned S.R. 224 shall remain seasonal (warm weather only). Upon completion of construction thereof, to the reasonable satisfaction of the City Engineer, the City shall accept the dedication of public roads under its jurisdiction identified on Exhibit H, or as determined by the Council, upon recommendation of the Planning Commission through the Small Scale MPD and subdivision processes.

2.8.2 **Private Road.** Upon Small Scale MPD approval, and only to the extent of the Small Scale MPD approval, DEVELOPER shall construct a private road system within Flagstaff Mountain, as depicted in Exhibit H, over which DEVELOPER shall maintain all-season access throughout the year.

2.8.3 **Seasonal, Controlled Automobile Access.** DEVELOPER shall support and shall not undermine seasonal closure of realigned S.R. 224 and shall control motorized vehicular access from S.R. 224 to the private road system to prevent vehicular through traffic.

2.8.4 **Emergency Deer Valley Access.** The Project's seasonal emergency secondary access is through the Deer Valley Ski Area generally as depicted on Exhibit I and crash-gated in the approximate locations shown on Exhibit I. DEER VALLEY shall provide the City and the Park City Fire Service District with keys and/or combinations to the gates. The emergency access is necessary as a controlled evacuation route and as an emergency access for fire and safety personnel and equipment only. The secondary access route is an important ski run to the Deer Valley Ski Area that, in all but the most exceptional circumstances, will be used by skiers and over-the-snow vehicles. The Park City Fire Marshall may cause the access to be plowed and placed into winter service for emergency and evacuation purposes in that

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exceptional emergency situation when normal road access to Flagstaff Mountain is interrupted for an extended period.[12]

2.8.5 **Controlled Snowmobile Access.** Winter snowmobile access to Brighton Estates and to Bonanza Flats is presently available over portions of S.R. 224. DEVELOPER and DEER VALLEY shall allow seasonal snowmobile access to property owners and renters in Brighton Estates over those portions of S.R. 224 within the Project that are presently used or alternatively over similar portions of S.R. 224 as may be relocated. DEVELOPER and DEER VALLEY shall otherwise prevent wintertime motorized vehicular access to the extent such action is consistent with the policy of the public entity that owns S.R. 224. The current recreational snowmobile concession in Flagstaff Mountain shall be eliminated with the relocation of S.R. 224.

2.8.6 **DEVELOPER's Consent to Transfer**. DEVELOPER consents to cooperate with the City in any state transfer of any portion of S.R 224.

2.9 **Flagstaff Mountain Mitigation/Amenities.** At the City's request, the DEVELOPER shall deliver the following mitigation and amenities as an inducement to execute this Development Agreement:

2.9.1 **Trails.** DEVELOPER shall construct, maintain and commit to free public use, an improved public trail system as set forth in an approved Trails Master Plan. The construction of the trails shall be phased with the progress of the development of the Project. Existing trails shall remain open to the public until provisional or final trails have been constructed. Final trail locations may vary due to field conditions and season. Relocation of any trails shall be identified in the Trails Master Plan. Where the trails pass through the Deer Valley Ski Area, or are located on non-development lands owned or controlled by Deer Valley, Deer

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[12] The Park City Fire Marshall may not cause the access to be plowed simply for pubic convenience.

Valley shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for trail use, including reasonable rules and regulations intended to prevent or minimize conflict between potential trail uses. Pedestrian and bicycle uses of the trail system shall not be prohibited or restricted without being so identified in the Trails Master Plan.

2.9.2 **Gondola.** If approved by the City, DEVELOPER shall construct a gondola from a location in or near Old Town to a terminus in the Mountain Village. DEVELOPER shall submit to the City a complete written description comparing the development scenarios for Flagstaff Mountain with the construction of a gondola and without the construction of a gondola. The City agrees to work expeditiously through the public process with respect to making a final decision regarding the construction of a gondola as set forth in this Section.

2.9.3 **No Gondola Alternative.** If the City determines that the construction of a gondola is not feasible or in the public interest, then: a) DEVELOPER shall contribute $1,000,000 in cash to the City to be used specifically for other traffic mitigation projects in the City related to the Project, and b) pursuant to an approved Specific Transit Plan or a Parking Management Plan, and in addition to all other commitments herein, DEVELOPER shall expend an additional $1,000,000 ($2,000,000 total) for traffic mitigation beneficial to the Project. If DEVELOPER is required to expend $1,000,000 for traffic mitigation directly related to the Project, then such traffic mitigation expenses and the timing thereof shall be set forth in the Specific Transit Plan.

2.9.4 **Historic Preservation.** The Historic Preservation Plan, at a minimum, shall contain an inventory of historically significant structures located within the Project and shall set forth a preservation and restoration plan, including a commitment to

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dedicating preservation easements to the City, with respect to any such historically significant structures. The head frame at the Daly West site is historically significant.

2.9.5 **Enhanced Environmental Protection.** DEVELOPER shall limit the construction or installation of wood-burning devices to one wood-burning device in each of the 54 single-family homes in the Project. DEVELOPER shall not request approval from the City for wood-burning devices in any other attached, or detached, residential uses. Within each lodge, or hotel constructed within the Project, DEVELOPER shall have the right to construct one wood-burning device in each such lodge or hotel.

2.9.6 **Lady Morgan Springs Open Space (Passive Use).** The Lady Morgan Springs Area[13], shall be restricted, by conservation easements acceptable to the City, and signs and monitoring, if necessary, to limit use of the area to skiing (without cutting runs, glading, or thinning trees) and daytime recreational hiking. Neither construction activity nor motorized vehicular use of any kind shall be allowed in the Lady Morgan Springs Area, except as allowed, with City staff approval, for forestry and wetlands management.

2.9.7 **Open Space (Active).** All land outside of the development areas (ski terrain and open space designated on Exhibit A) will be zoned as Recreation Open Space (ROS-MPD). Upon issuance of the first Small Scale MPD for any portion of the Project, DEVELOPER and DEER VALLEY shall 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

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[13] Described and depicted on Exhibit J, and as further defined in the Small Scale MPD process.

runs, one skier day lodge, and other similar winter and summer recreational uses and services. Such conservation easements shall prohibit any hotel, lodging, residential or commercial construction or use on ROS-zoned land in Flagstaff Mountain. Such conservation easement shall be to the reasonable satisfaction of the City and shall be first in priority in title.

2.9.8 **Open Space (Prospect Ridge).** Within 30 days of issuance of a Small Scale MPD, DEVELOPER shall grant to the City a conservation easement, with free public trail access, without encumbrances, over acreage located on Prospect Ridge, contiguous with City-owned open space. The conservation easement area on Prospect Ridge is identified on Exhibit K attached hereto. Such conservation easement shall be to the reasonable satisfaction of the City and shall be first in priority in title.

2.9.9 **Open Space (Iron Mountain).** Upon the issuance of any Small Scale MPD, for any portion of the Project, DEVELOPER shall deed restrict or transfer to Park City, the Iron Mountain Parcels with City-approved encumbrances. In connection with such dedication, DEVELOPER shall reserve to DEVELOPER the right to lease to third parties the Iron Mountain Parcels for ski and other environmentally sensitive recreational uses. Such reservation shall not include the right to cut runs, glade, or thin trees, or construct or install ski lifts or developed alpine ski runs. DEVELOPER shall also reserve the right to retain all rent, proceeds and other consideration resulting from or generated by DEVELOPER leasing the Iron Mountain Parcels to third parties for ski and recreation-related uses. DEVELOPER shall indemnify, defend and hold the City harmless from any claim arising from DEVELOPER's or a third party lessee's use of the Iron Mountain Parcels. Nothing herein should be construed to

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limit or waive governmental immunity with respect to claims made against the City.

2.9.10 **Neighborhood-Specific Design Guidelines.** DEVELOPER shall incorporate a Master Resort Association for Flagstaff Mountain and a Project-specific Property Owners' Association for the Mountain Village and Northside Neighborhood areas to cooperatively manage certain aspects of the Project. The Design Guidelines for both the Project and Bonanza Flats must emphasize a strong, common architectural theme, and shall be enforceable by one or more of the above-mentioned Associations.

2.9.11 **Public Safety.** A comprehensive emergency response plan will be required. The proposal includes a public safety site, at a minimum. The final public safety and emergency access plan must be determined prior to any permit issuance and only after coordination with the affected entities, such as the Park City Fire Service District.

2.9.12 **Sandridge Parking Lots**. Prior to the issuance of a Small Scale MPD for any portion of Flagstaff Mountain, DEVELOPER shall irrevocably offer to dedicate to the City a conversation easement, or deed, satisfactory to the City to preserve the Sandridge Parking Lots, described in Exhibit L as a public parking facility. Such interest shall be offered with no outstanding monetary encumbrances.

2.9.13 **Sandridge Heights Property**. Developer further agrees to limit its use of its Sandridge Heights property, described in Exhibit L, to either affordable housing or open space.

2.10 **FLAGSTAFF MOUNTAIN MITIGATION MEASURES:**

2.10.1 **Water System.** DEVELOPER shall build and dedicate to the Park City Water Service District an adequate water delivery

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system within Flagstaff Mountain to serve the Project, including all fire flow and irrigation needs.

2.10.1.1 **Withdrawal of Water Protests.** DEVELOPER shall immediately withdraw its protests to the City's pending water change application(s) before the State Engineer and agrees not to protest future City applications before the State Engineer.

2.10.1.2 **Water Source.** DEVELOPER shall design and construct a water source and delivery system to transport water from the water source to Flagstaff Mountain and to dedicate that system to the City. DEVELOPER and the City anticipate that such delivery system will include the development of a well of sufficient capacity to serve the Project.

2.10.1.3 **Group II Rights.** The City and DEVELOPER agree to file a joint application with the State Engineer to convert to municipal use within the boundaries of the Park City Water Service District all "Group II" water rights owned by both parties. The joint application will list all mutual points of diversion, all of the City's municipal sources, and all of DEVELOPER's sources including the proposed Ontario and Empire Canyon Wells. DEVELOPER and the City shall divide the Group II rights approved for municipal use evenly, with DEVELOPER and the City each taking ownership of one-half of the total approved rights. DEVELOPER agrees to sell exclusively to the City its portion of the approved Group II water rights and DEVELOPER's interest in its Theriot Springs and Haueter Springs water rights (Weber Decree Award #456, #467 and #468)

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collectively referred to herein as the "Committed Water".

2.10.1.4 **Committed Water.** Once approved for municipal use, all Committed Water shall be leased to the City at a nominal cost and will therefore be unavailable for sale to others. DEVELOPER shall dedicate the Committed Water to the City, and the City shall pay to DEVELOPER from time to time an amount equal to the water development impact fees actually collected by the Park City Water Service District from the development of Flagstaff Mountain. Each such payment from the City to DEVELOPER shall be paid within 30 days following the receipt by the Park City Water Service District of each such water development impact fee.

2.10.1.5 **Excess Water Rights.** If after ten (10) years or 90% buildout of Flagstaff Mountain and Bonanza Flats, whichever last occurs, DEVELOPER retains water rights in excess of the water demand for both projects, the City may purchase the excess water rights from DEVELOPER at fair market value based on an appraisal from a mutually agreed upon appraiser or the City may relinquish its interest in the excess water rights. The City shall elect to either purchase (some or all of the excess water rights) or relinquish its interest in the excess water rights within 180 days of written notice of the expiration of 10 years or 90% buildout of both projects, whichever last occurs. If the City takes no action within the 180 days, City will be deemed to have relinquished its interest in the excess water rights.

2.10.1.6 **Impact Fees and Water Rates.** The City will charge water development and connection impact fees

and water rates within the Project in an amount equal to the water development and connection impact fees and water rates charged to other water users within the Park City Water Service District, unless extraordinary costs can be identified by the City and fairly assigned to the water users within the Project.

2.10.2 Transportation and Traffic Mitigation. DEVELOPER has agreed to provide the following transportation and traffic mitigation measures.[14] Prior to the issuance of a Certificate of Occupancy within the Mountain Village,[15] the DEVELOPER shall provide the following to reduce the traffic anticipated by the Project:

2.10.2.1 **Van and Shuttle Service.** DEVELOPER shall provide for its owners, employees and guests, van and shuttle service alternatives consisting of regular circulator service within the Mountain Village and service from the Mountain Village to key destinations such as the Salt Lake International Airport, Main Street, Silver Lake, golf courses, and recreational trail heads.

2.10.2.2 **Road and Intersection Improvements.** Attached hereto as Exhibit M is a map and a more detailed list of improvements, which shall be constructed by DEVELOPER in satisfaction of this obligation. Prior to the construction of any of the improvements described below, the City shall review and approve or reject with suggested changes all plans, drawings and specifications with respect to the alignment and construction of such road and intersection

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[14] However, within the Small Scale MPD process, the City may conclude that these transportation and traffic measures should be reduced, and will modify DEVELOPER's obligations accordingly.
[15] Except for DEER VALLEY's day lodge pursuant to paragraph 2.5 herein.

improvements. Following DEVELOPER's completion of the construction of such improvements, DEVELOPER shall offer to dedicate such improvements to the appropriate governmental entity.

2.10.2.3 **Contribution to Marsac Roundabout.** DEVELOPER shall financially participate in the reconstruction of the intersection of Marsac Avenue and Deer Valley Drive. DEVELOPER is responsible for paying its proportionate share (determined by projected traffic generation) of the City's cost of such reconstruction to mitigate the impact of the Flagstaff Mountain and Bonanza Flats projects on the intersection.

2.10.2.4 **Runaway Truck Lane**. DEVELOPER, or an affiliate of DEVELOPER, shall construct a run-away truck lane on the Mine Road section of S.R. 224, as described on Exhibit N attached hereto. DEVELOPER expects to dedicate the Runaway Truck Lane to UDOT.

2.10.2.5 **Mine Road Widening**. Upon Planning Commission recommendation, DEVELOPER shall widen the Mine Road section of S.R. 224 as described on Exhibit M attached hereto.

2.10.2.6 **Mine Road Passing Lane**. Upon Planning Commission recommendation, DEVELOPER shall create and dedicate a passing lane on the Mine Road section of S.R. 224 as described on Exhibit M attached hereto.

2.10.2.7 **Drainage Improvements.** DEVELOPER shall improve drainage to S.R. 224 as described on

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Exhibit M attached hereto.

2.10.2.8 **Landscaping.** Upon Planning Commission approval, DEVELOPER may construct and create, at DEVELOPER'S sole cost and expense, landscape improvements in the area depicted on Exhibit M, uphill from the intersection of S.R. 224 with Hillside to act as a Project entry statement.

2.10.3 **Construction Mitigation.** DEVELOPER shall provide the following measures, all to the reasonable satisfaction of the City's Chief Building Official, to mitigate the impact of construction within Flagstaff Mountain. DEVELOPER shall also adhere to the usual construction impact mitigation measures required by the City. Additional reasonable site-specific mitigation measures may be required at the Small Scale MPD phase. These measures will be permanently reflected in Covenants, Conditions and Restrictions of each development parcel. The Detailed Construction Phasing Plan to be submitted by DEVELOPER to the City shall include, without limitation, provisions pertaining to:

2.10.3.1 Limits of Disturbance and Vegetation Protection for all construction, including construction of public improvements.

2.10.3.2 Construction staging, on-site batch plants, and materials stockpiling[16] and recycling in the Daly West area to keep all excavated materials on site during the Project infrastructure and construction phases.

2.10.3.3 Construction traffic routing plan to minimize traffic impacts on Old Town and residential areas, by only allowing construction traffic to use current state roads, unless otherwise directed by the City.

2.10.3.4 Dust and soils monitoring and containment, along with

[16] Developer shall stockpile all earthen material on site.

remediation of contaminated mining waste within the areas that are disturbed during the construction of the improvements within the Project and erosion and runoff controls for the entire Project

2.10.3.5 Temporary public access trails throughout construction.

2.10.3.6 Tools and equipment storage on-site adequate to serve all construction.

2.10.4 **Employee/Affordable Housing.** DEVELOPER shall provide deed-restricted employee/affordable housing units as defined by the City's affordable housing policy in an amount equal to 10% of the residential and 20% of the commercial Unit Equivalents approved by the City for the Project. A minimum of 25% of the affordable housing obligation shall be located on-site within the Project, unless otherwise directed by the Housing Authority. DEVELOPER and the City shall consult with Mountainlands Housing Trust, or its equivalent (if any), to determine the type and location of employee/affordable housing which would be most effective in offsetting the demand generated from the Project. DEVELOPER shall provide the remaining 75% of the units as directed by the Housing Authority. The employee/affordable housing will be phased with the Project. Upon Planning Commission recommendation, the Housing Authority may direct DEVELOPER to:

2.10.4.1 Develop, subject to deed restrictions some of the remaining units on the 20-Acre Quinn's Junction Parcel; or

2.10.4.2 Donate in a form satisfactory to the City, without restrictions or encumbrances, the 20-Acre Quinn's Junction Parcel to the City in lieu of some or all of the remaining portion of DEVELOPER's affordable housing obligation; or

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2.10.4.3 Build the units on an alternate parcel provided to DEVELOPER by the City. DEVELOPER must donate the 20-Acre Quinn's Junction Parcel to the City if the City offers to donate otherwise suitable land to DEVELOPER. If the City and DEVELOPER exchange parcels with respect to the new employee/affordable housing units, then DEVELOPER shall construct on such alternate parcel such number of new employee/affordable housing units, up to the required number of units, for which DEVELOPER is able to obtain approval. In no event shall the cost incurred by DEVELOPER to construct the new employee/affordable housing units on an alternate parcel provided by the City exceed the cost which DEVELOPER would have incurred to construct such new employee/affordable housing units on the 20-Acre Quinn's Junction Parcel; or

2.10.4.4 If mutually acceptable to DEVELOPER and the City, pay to the City a fee in lieu of constructing employee/affordable housing, consistent with the City's affordable housing policy, if such payment in lieu of constructing employee/affordable housing results in the construction or dedication of actual units for affordable /employee housing; or

2.10.4.5 Satisfy its obligation in a manner otherwise consistent with the City's affordable housing policy.

2.10.5 **5-Year Irrevocable Offer to Annex the 20-Acre Quinn's Junction Parcel**. For the next five years, DEVELOPER hereby irrevocably offers to annex the 20-Acre Quinn's Junction Parcel to the City.

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SECTION III. ADDITIONAL PUBLIC BENEFITS

In addition to the foregoing, DEVELOPER offers the following inducements to contract:

3.1 **Richardson Flats**. DEVELOPER unconditionally offers to annex Richardson Flats to the City and, regardless of the annexation of Richardson Flats, to restrict development of Richardson Flats to one of the following options to be selected by DEVELOPER, at DEVELOPER'S sole discretion:

Option 1. Under Option one DEVELOPER must limit the use of Richardson Flats to golf (with the requisite clubhouse, maintenance buildings and other related improvements), equestrian uses (including the construction of an arena or indoor equestrian center), and/or such other public recreational opportunities or special events as the City may deem proper. In the event DEVELOPER is able to obtain necessary approvals from EPA and/or DEQ, then DEVELOPER must construct on Richardson Flats a golf course, clubhouse, and driving range with adequate[17] provisions for defined public access.

Option 2. Under Option two, DEVELOPER must limit the use of Richardson Flats to an 18-hole golf course (with the requisite clubhouse, maintenance buildings and other related improvements)[18] and would make available to the City a site for a second 18-hole golf course. The site to be donated to the City would not include land in need of environmental remediation. If a second golf course is constructed under Option two, then the City and DEVELOPER shall work cooperatively to develop shared facilities such as a driving range and golf maintenance shops.

Option 3. If, after diligent efforts, DEVELOPER cannot receive EPA or DEQ approval of the aforementioned recreational

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[17] The course must be operated to maximize play.

[18] Under Option 2 DEVELOPER may in the City's sole discretion be afforded the right to use Richardson Flats for such other public recreational opportunities or special events as the City may deem proper.

improvements, DEVELOPER will perpetually deed restrict Richardson Flats to prevent further development.[19]

3.2 **Open Space/Transit Management Fund.** DEVELOPER shall pay on each transfer of DEVELOPER's land, and shall separately covenant with all successors in interest in a manner which runs with the land, to assess a 1% Open Space/Transit Management Fee on the gross sales price of all real property within the Project. 50% of the Open Space/Transit Management Fee shall belong to the Flagstaff Mountain Master Resort Association to reduce Master Resort Association dues associated with obligations assumed herein or to enhance the Master Resort Association's service to its members. 50% of the Open Space/Transit Management Fee shall be paid to the City to assist in funding the costs and expenses for enhanced transportation to the Project, recreation improvements and/or open space acquisition, maintenance or preservation. This Open Space/Transit Management Fee shall not apply to the transfer of real property within the Project either solely as security for financing (e.g. mortgage) or for nominal consideration solely to initially capitalize the development entity. DEVELOPER acknowledges that the Project requires an open space management fee to mitigate the adverse effects of the Project. As such, DEVELOPER covenants that it will pay this fee as a contractual obligation, and not as a regulated entity. DEVELOPER shall vigorously defend the imposition of such fees. DEVELOPER shall not take any action (contractually, judicially, or legislatively) to challenge or otherwise adversely affect the enforceability of the Open Space/Transit Management Fee as a valid and enforceable real covenant.

SECTION IV. IMPACT FEES/PLAN CHECK FEES

4.1 **Conditions of Approval and Impact Fees.** With respect to the development of Flagstaff Mountain, DEVELOPER accepts and agrees to comply with the impact, connection and building fees of the City currently

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[19] The timing of Richardson Flats development shall be addressed in the Construction Phasing and General Infrastructure Phasing Plans required in Sections 2.1.10 and 2.1.11 with development commencing as early as possible.

in effect, or as amended, to the extent the amended fees are applied uniformly within an impact fee district. DEVELOPER acknowledges that the Project requires infrastructure supported by impact fees and finds the fees currently imposed to be a reasonable monetary expression of exactions that would otherwise be required at this time. As such, DEVELOPER covenants that it will pay impact fees as a contractual obligation, and not exclusively as a regulated entity. If the state legislature disallows the imposition of a regulatory impact fee, DEVELOPER will pay those impact fees in effect at the time of such change in state law throughout the remaining buildout of the Project. Further DEVELOPER agrees to pay plan check fees in the amount of 65% of the building permit fee.

SECTION V. BONANZA FLATS DEVELOPMENT PARAMETERS

5.1 **Restrictions on Bonanza Flats Development**. DEVELOPER covenants that it will never apply, nor assist in any application, to the City or to Wasatch County for the development of Bonanza Flats in excess of the following maximum densities. Further, DEVELOPER shall amend its development application with Wasatch County, and shall restrict development in Bonanza Flats to the following maximum densities:

5.1.1 A maximum of 260 residential units (280 Unit Equivalents), of which no more than 160 units shall be Bonanza Flats single family home sites.

5.1.2 An 18-hole golf course, including the construction of no larger than a 20,000 sq. ft club house and other golf-related facilities, with Nordic skiing thereon during the winter, all as generally depicted on Exhibit O.

5.1.3 75,000 square feet of resort-related commercial uses.

5.1.4 Alpine and Nordic ski terrain, ski runs, ski lifts and other ski-related improvements, all as depicted on Exhibit O.

5.2 **Wasatch County Approval of Bonanza Flats Development Proposal.** DEVELOPER has a pending application in Wasatch County, with respect

to Bonanza Flats, requesting density far in excess of that which the City regards as appropriate. As an inducement for the City to enter into this Agreement, DEVELOPER agrees to amend its development application with Wasatch County in order to reflect the terms and conditions of this Agreement regarding the development of Bonanza Flats. City's contractual restrictions on Bonanza Flats development are in no respect an endorsement of development on Bonanza Flats. DEVELOPER agrees that the portions of Bonanza Flats, as described on Exhibit C attached hereto, which are not to be developed shall be subjected to restrictive covenants or conservation easements, dedicated to a third party conservation trust (or similar entity), in a form acceptable to the City, so that the real property which is not to be developed shall be limited in perpetuity to recreational and open-space uses. DEVELOPER and the City acknowledge that the annexation of Bonanza Flats to the City is not being considered at this time by either the City or by DEVELOPER.

5.3 **Snyderville Basin Sewer Improvement District Annexation.** Snyderville Basin Sewer Improvement District ("SBSID") must agree to annex Bonanza Flats and agree to provide sewer service within Bonanza Flats if Park City is to provide water service to the area. SBSID capacity shall be restricted in size to accommodate no more than the restricted densities agreed to herein. If Wasatch County approves the use of Park City water for culinary use in Bonanza Flats, then DEVELOPER must apply for and pursue annexation to SBSID.

5.4 **Annexation**. If Wasatch County recommends that DEVELOPER seek annexation to the City of Bonanza Flats, then DEVELOPER shall request that the City annex Bonanza Flats. In the event that DEVELOPER requests that the City annex Bonanza Flats, the City anticipates the execution of an interlocal agreement with Wasatch County to address fiscal issues in connection with the City's annexation of Bonanza Flats.

5.5 **Request for Transfer of Bonanza Flats Density to Flagstaff Mountain.** DEVELOPER may seek approval from the City of additional density

within Flagstaff Mountain in exchange for DEVELOPER transferring approved density from Bonanza Flats and deed restricting such land as open space. City's contractual restrictions on development in Bonanza Flats in no way shall be construed as an endorsement of such densities either in Bonanza Flats nor transferred to the Mountain Village. Upon DEVELOPER's request, the City would consider such transfer. If favorably inclined to entertain such density transfer, the City would attempt in good faith to negotiate an interlocal agreement with Wasatch County to address fiscal issues associated with such action. In connection with any such request by DEVELOPER, the City may give higher priority to the transfer of multifamily or lodging units and may consider many factors, including but not limited to the following:

5.5.1 The location and quality of open space within the Bonanza Flats property that would occur as a result of the transfer;

5.5.2 The suitability of increased density in the Mountain Village;

5.5.3 The potential reduction of traffic;

5.5.4 The potential positive impacts on the transportation system;

5.5.5 The visual and other impacts to the Mountain Village; and

5.5.6 The positive and negative impacts to the Bonanza Flats Property.

5.6 **Private Road**. Consistent with an approved phasing plan for Flagstaff Mountain, DEVELOPER may construct a private controlled access road between the Flagstaff Mountain and the Bonanza Flats development areas, provided that such private road is properly controlled to prevent through access to adjacent properties and deed restricted to prevent its extension beyond the terminus depicted in Exhibit C.

5.7 **Water Service.** DEVELOPER and the City acknowledge and agree that water service and sewer service to Bonanza Flats should be provided from the same basin in order to avoid any trans-basin transfer issues. Inasmuch as the City shall be providing water service to the Project, the City and DEVELOPER desire that the City provide water service to Bonanza Flats as well. If Wasatch County: 1) approves DEVELOPER's amended

proposal for the limited development of Bonanza Flats detailed herein, and 2) approves DEVELOPER's proposal that the City provide water service to Bonanza Flats, then, subject to a City-approved infrastructure phasing plan, DEVELOPER shall build and dedicate to the Park City Water Service District an adequate water delivery system, to service Bonanza Flats, including all fire flow and irrigation needs. DEVELOPER shall work cooperatively with the City to develop a water source or sources, including, but not limited to, making well sites, water rights and easements available to the City. The City shall provide culinary water to Bonanza Flats according to the terms of this Agreement. DEVELOPER will construct all infrastructure, including a source of water necessary to provide water service to Bonanza Flats. City water development and connection fees, as well as water rates, shall be the same as those imposed in the Project, unless the City can identify and fairly assign extraordinary costs to end users within Bonanza Flats. No water from a Weber Drainage Basin source shall be used for outdoor uses in Bonanza Flats.

5.8 **No Annexation Alternative.** If Bonanza Flats is not annexed into the City, and if the requirements described in Sections 5.3, 5.6 and 5.7 are satisfied, then DEVELOPER shall not build within Bonanza Flats more than the units described in Section 5.1 above.

5.9 **Conditions of Development of Bonanza Flats**. Regardless of the annexation of Bonanza Flats to the City, DEVELOPER agrees to the following:

5.9.1 The residential and commercial units constructed within Bonanza Flats shall not be located adjacent to the lakes within the Bonanza Flats property.

5.9.2 If Bonanza Flats is developed, but is not annexed DEVELOPER agrees to provide employee/affordable housing units consistent with its obligations in the Flagstaff Mountain annexation.

5.9.3 Within Bonanza Flats, DEVELOPER shall limit the construction of wood-burning devices to one wood-burning device per single

family unit. DEVELOPER shall not request approval from Wasatch County or from the City for wood-burning devices in any other attached, or detached, residential uses. Within each lodge, or hotel constructed within Bonanza Flats, DEVELOPER may construct one wood-burning device in each such lodge or hotel.

5.9.4 DEVELOPER shall pursue an interlocal agreement with Wasatch County whereby the Park City Fire Protection District will provide fire protection services within Bonanza Flats.

5.9.5 Upon reallignment of S.R. 224, DEVELOPER shall prohibit commercial snowmobile use within Bonanza Flats.

SECTION VI. AMENDMENT OF AGREEMENT AND DEVELOPMENT PLAN

6.1 This Agreement may be amended from time to time by mutual written consent of the Parties.

SECTION VII. IMPLEMENTATION OF THIS AGREEMENT

7.1 **Processing and Approvals.** Site specific plans shall be deemed proposed Small Scale Master Plans and shall be subject to the process and limitations set forth in the Park City Municipal Corporation Land Management Code that is in effect when the DEVELOPER submits a complete application for a Small Scale MPD.

7.2 **Cooperation in the Event of Legal Challenge.** If any third party challenges the validity, or any provision, of this Agreement, (1) the Parties shall cooperate in defending such action or proceeding, and (2) DEVELOPER shall hold harmless, and shall indemnify the City for all costs (including attorneys' fees) associated with defending this Agreement. Nothing herein shall be construed as a waiver of governmental immunity, as applicable.

7.3 **Impossibility of Performance.** If this Agreement is delayed in its effect by actions beyond the control of City or DEVELOPER, this Agreement shall remain in full force and effect during such delay. If such delay in the effect of this Agreement extends for a period of more than one year, this

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Agreement shall be terminable by DEVELOPER or the City upon written notice to the other at any time after such initial one-year period. In the event of termination, all rights and obligations hereunder shall be deemed terminated, provided, however, that the parties shall cooperate to return to the status quo ante.

Section VIII. GENERAL PROVISIONS

8.1 **Covenants Running with the Land.** The provisions of this Agreement shall constitute real covenants, contract and property rights and equitable servitudes, which shall run with all of the land subject to this Agreement. The burdens and benefits hereof shall bind and inure to the benefit of each of the Parties hereto and all successors in interest to the Parties hereto. All successors in interest shall succeed only to those benefits and burdens of this Agreement which pertain to the portion of the Project to which the successor holds title. Such titleholder is not a third party beneficiary of the remainder of this Agreement or to zoning classifications and benefits relating to other portions of the Project.

8.2 **Transfer of Property.** DEVELOPER and DEER VALLEY shall have the right, without obtaining the City's consent or approval, to assign or transfer all or any portion of its rights, but not its obligations, under this Agreement to any party acquiring an interest or estate in the Project, or any portion thereof. Third party assumption of DEVELOPER's or DEER VALLEY's obligations under this Agreement shall not relieve DEVELOPER or DEER VALLEY of any responsibility or liability with respect to the expressly assumed obligation, unless the City expressly agrees in writing to the reduction or elimination of DEVELOPER's or DEER VALLEY's responsibility or liability. DEVELOPER and DEER VALLEY shall provide notice of any proposed or completed assignment or transfer. If DEVELOPER or DEER VALLEY transfers all or any portion of the property comprising Flagstaff Mountain, Richardson Flats, Sandridge or Bonanza Flats, the transferee shall succeed to all of DEVELOPER's or DEER VALLEY's rights under this Agreement. To

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the extent the City believes (in its sole discretion, considering the totality of the DEVELOPER's and/or DEER VALLEY's obligations) that the successor in interest has ample resources to secure the City's rights under this Agreement, the City may release DEVELOPER and/or DEER VALLEY from its proportionate liability under this Agreement.

8.3 **No Agency, Joint Venture or Partnership.** It is specifically understood and agreed to by and among the Parties that: (1) the subject development is a private development; (2) City, DEER VALLEY and DEVELOPER hereby renounce the existence of any form of agency relationship, joint venture or partnership among City, DEER VALLEY and DEVELOPER; and (3) nothing contained herein shall be construed as creating any such relationship among City, DEER VALLEY and DEVELOPER.

SECTION IX. MISCELLANEOUS

9.1 **Incorporation of Recitals and Introductory Paragraphs.** The Recitals contained in this Agreement, and the introductory paragraph preceding the Recitals, are hereby incorporated into this Agreement as if fully set forth herein.

9.2 **Other Miscellaneous Terms.** The singular shall include the plural; the masculine gender shall include the feminine; "shall" is mandatory; "may" is permissive.

9.3 **Severability.** If any provision of this Agreement or the application of any provision of this Agreement to a particular situation is held by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect.

9.4 **Construction.** This Agreement has been reviewed and revised by legal counsel for DEVELOPER, DEER VALLEY and the City, and no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement.

9.5 **Notices.** Any notice or communication required hereunder between the Parties must be in writing, and may be given either personally or by registered or certified mail, return receipt requested. If given by registered

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or certified mail, the same shall be deemed to have been given and received on the first to occur of (i) actual receipt by any of the addressees designated below as the Party to whom notices are to be sent, or (ii) five (5) days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail. If personally delivered, a notice is given when delivered to the Party to whom it is addressed. Any Party hereto may at any time, by giving ten (10) days written notice to the other Parties hereto, designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at the address set forth below:

If to City to:
City Manager
445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060

Copy to:
City Attorney
445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060

If to DEVELOPER to:
United Park City Mines Company
P.O. Box 1450
Park City, UT 84060

Copy to:
Craig B. Terry
Parsons Behle and Latimer
P.O. Box 45898
Salt Lake City, Utah 84145-0898

If to DEER VALLEY:
Deer Valley Resort Company
Attn: Bob Wheaton, President
2250 Deer Valley Drive South
P.O. Box 889
Park City, Utah 84060

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Copy to:
Wendy A. Faber
General Counsel
Royal Street Corporation
7620 Royal Street East, Suite 205
P.O. Box 3179
Park City, Utah 84060

9.6 **No Third Party Beneficiary.** This Agreement is made and entered into for the sole protection and benefit of the Parties and their assigns. No other party shall have any right of action based upon any provision of this Agreement whether as third party beneficiary or otherwise.

9.7 **Counterparts and Exhibits.** This Agreement is executed in four (4) duplicate counterparts, each of which is deemed to be an original. This Agreement consists of forty-two (42) pages, including notary acknowledgment forms, and in addition, sixteen (16) exhibits, which constitute the entire understanding and agreement of the Parties to this Agreement. The following exhibits are attached to this Agreement and incorporated herein for all purposes:

Exhibit A	Map and Legal description of Flagstaff Mountain
Exhibit B	Map and Legal description of the Iron Mountain Parcels
Exhibit C	Map of Bonanza Flats
Exhibit D	Map and Legal description of Richardson Flats
Exhibit E	Map and Legal description of 20-Acre Quinn's Junction Parcel
Exhibit F	Deer Valley Ski Area Master Plan
Exhibit G	Deer Valley Resort Company Ski Run Construction and Revegetation Standards
Exhibit H	Guardsman Realignment
Exhibit I	Emergency Access
Exhibit J	Lady Morgan Springs Open Space Area
Exhibit K	Approximate Location of Prospect Ridge Open Space

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Exhibit L	Map of Sandridge Parking Lots and Sandridge Heights parcels
Exhibit M	Road and Intersection Improvements Detail
Exhibit N	Runaway Truck Lane
Exhibit O	Bonanza Flats golf course and ski improvements
Exhibit P	Zoning Map for Flagstaff Mountain

9.8 **Attorneys' Fees**. In the event of a dispute between any of the Parties arising under this Agreement, the prevailing Party shall be awarded its attorneys' fees and costs to enforce the terms of this Agreement.

9.9 **Duration.** This Agreement shall continue in force and effect until all obligations hereto have been satisfied. DEVELOPER shall record the approved annexation plat for Flagstaff Mountain within 30 days of the City's adoption of an annexation ordinance to annex Flagstaff Mountain. The Large Scale Master Plan for Flagstaff Mountain granted herein shall continue in force and effect for a minimum of four years from its issuance and shall be effective so long as construction is proceeding in accordance with the approved phasing plan. Upon expiration of the minimum four-year period, approval will lapse after two additional years of Inaction following the expiration of such four-year period, unless extended for up to two years by the Planning Commission.

IN WITNESS WHEREOF, this Agreement has been executed by UPCM and by DEER VALLEY by persons duly authorized to execute the same and by the City of Park City, acting by and through its City Council as of the 24th day of June, 1999.

PARK CITY MUNICIPAL CORPORATION

By: _____
Bradley A. Olch, Mayor

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

ATTEST: City Clerk

By: _____
Janet Scott, City Recorder

00544835 Bk01276 Pg00524

APPROVED AS TO FORM:

Jodi Hoffman, City Attorney

DEVELOPER:
United Park City Mines Company,
a Delaware corporation

By: Hank Rothwell
Title: President

STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On this 2nd day of July 1999, before me, **Thomas L. O'Finnegan**, the undersigned Notary Public, personally appeared **Hank Rothwell**, personally known to me to be the President of United Park City Mines Co., on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

T. L. O'FINNEGAN
NOTARY PUBLIC • STATE of UTAH
445 MARSAC AVENUE
PARK CITY, UT 84060
COMM. EXP. 2-16-2000

Notary Public, State of Utah
Residing in Park City, Utah

DEER VALLEY RESORT COMPANY,
a Utah limited partnership
By: Royal Street of Utah, a Utah corporation,
General Partner

By: _____
Robert Wells, Vice President

00544835 Bk01276 Pg00525

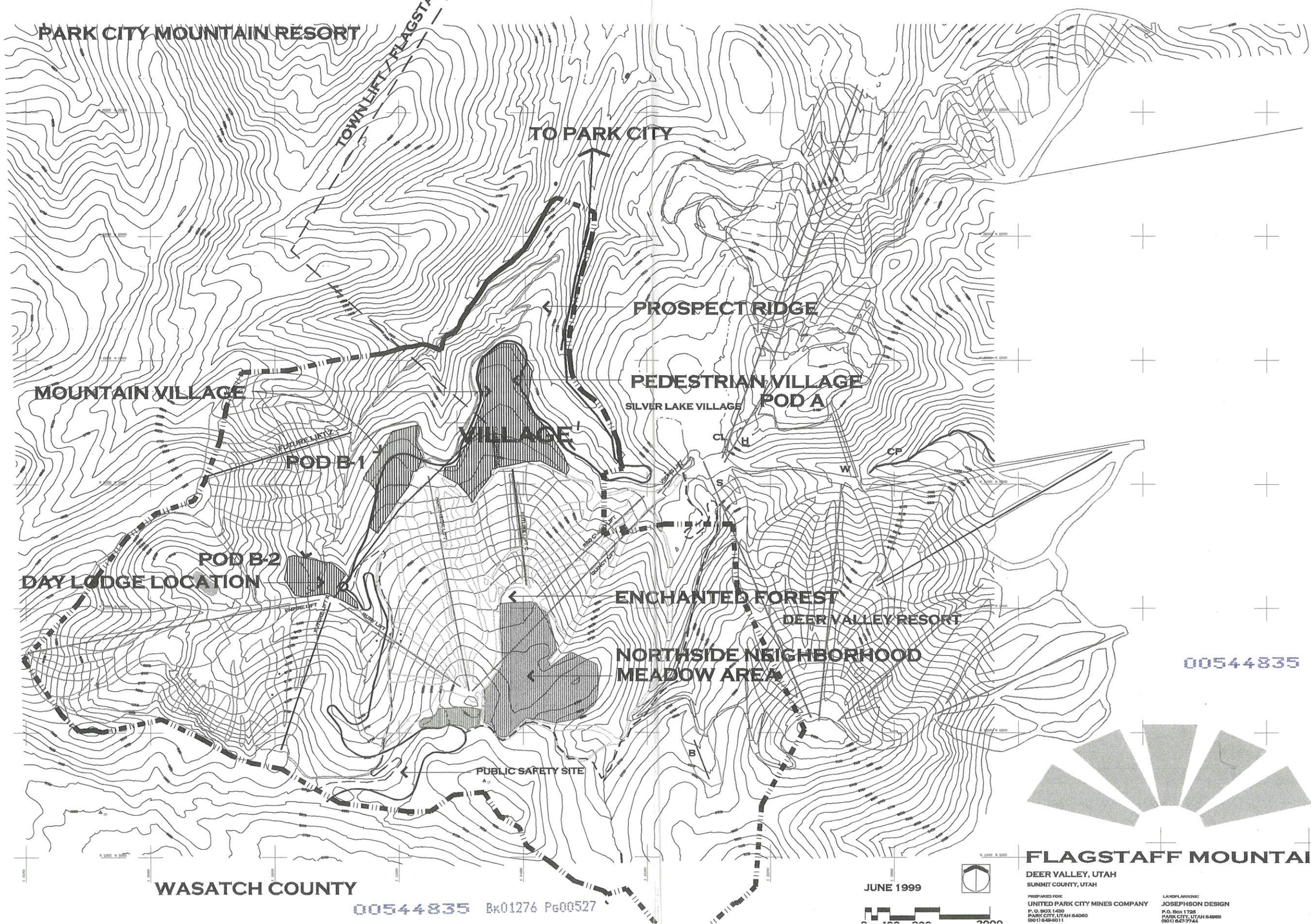
STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On this 2nd day of July 1999, before me, **Thomas L. O'Finnegan**, the undersigned Notary Public, personally appeared **Robert Wells**, personally known to me to be the Vice President of Royal Street of Utah, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

T. L. O'FINNEGAN
NOTARY PUBLIC • STATE of UTAH
445 MARSAC AVENUE
PARK CITY, UT 84060
COMM. EXP. 2-16-2000

Notary Public, State of Utah
Residing in Park City, Utah

00544835 Bk01276 Pg00526



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00544835 Bk01276 Pg00527

FLAGSTAFF MOUNTAIN RESORT

DEER VALLEY, UTAH
SUMMIT COUNTY, UTAH

JUNE 1999

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1728
PARK CITY, UTAH 84969
(801) 647-7744

EXHIBIT A

FLAGSTAFF MOUNTAIN AT DEER VALLEY

Boundary Description

Beginning at a point identified as County Line Monument Number 2343, said point on the line common to Summit and Wasatch counties and also on the demarcation line between the Park City Ski Area and the Deer Valley Resort, said point lying on the ridge and hilltop above the Anchor Mine Shaft and also being North 04°39'13" East 1303.92 feet, more or less, from the Southwest corner of Section 29, Township 2 South Range, 4 East, Salt Lake Base and Meridian and running Northeasterly along said demarcation and ridge 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 698.015 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' 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 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 eight courses: thence North 64°44'13" East 136.79 feet; thence North 67°45'58" East 149.28 feet; thence North 81°11'10" East 122.88 feet; thence North 77°19'44" East 85.84 feet; thence North 77°48'30" East 79.25 feet; thence North 86°11'16" East 94.42 feet; thence South 72°54'27" East 85.42 feet; thence South 71°42'35" East 163.49 feet more or less to a point on the westerly right -of-way line of the Judge Tunnel/Empire Canyon Water Tank Supply Line Easement, said point lying North 79°18'06" West 5.00 feet more or less, from Map Point A-1 as described in that certain Reservoir Easement dated April 19, 1978 and Recorded as Entry No. 147912 in the Records of the of the Recorder for Summit County, Utah; thence along said westerly right-of-way the following fifteen (15) courses: North 10°41'54" East 76.70 feet; thence North 15°21'41" East 116.20 feet; thence North 56°44'38" East 142.80 feet; thence North 46°47'25" East 123.00 feet; thence North 35°09'16" East 88.70 feet; thence North 32°14'53" East 101.60 feet; thence North 32°00'03" East 159.20 feet; thence North 33°26'55" East 136.00 feet; thence North 38° 27'54" East 138.00 feet; thence North 27°54'51" East 126.00 feet; thence North 31°30'07" East 96.20 feet; thence North 40°35'50" East 110.80 feet; thence North 50°15'25" East 92.50 feet; thence North 56°00'00" East 94.90 feet; thence North 50°23'25" East 105.09 feet; thence North 47°29'30" East 405.07 feet more or less to a point on the westerly edge of Daly Avenue; thence along said Daly Avenue the following three courses: North 32°04'00" East 296.25 feet; thence North 29°09'57" East 315.97 feet; thence North 28°18'45" East 186.56 feet, more or less, to the East-West center line of Section 21 Township 2 South, Range 4 East, Salt Lake Base and Meridian, said Section Line also being the southerly

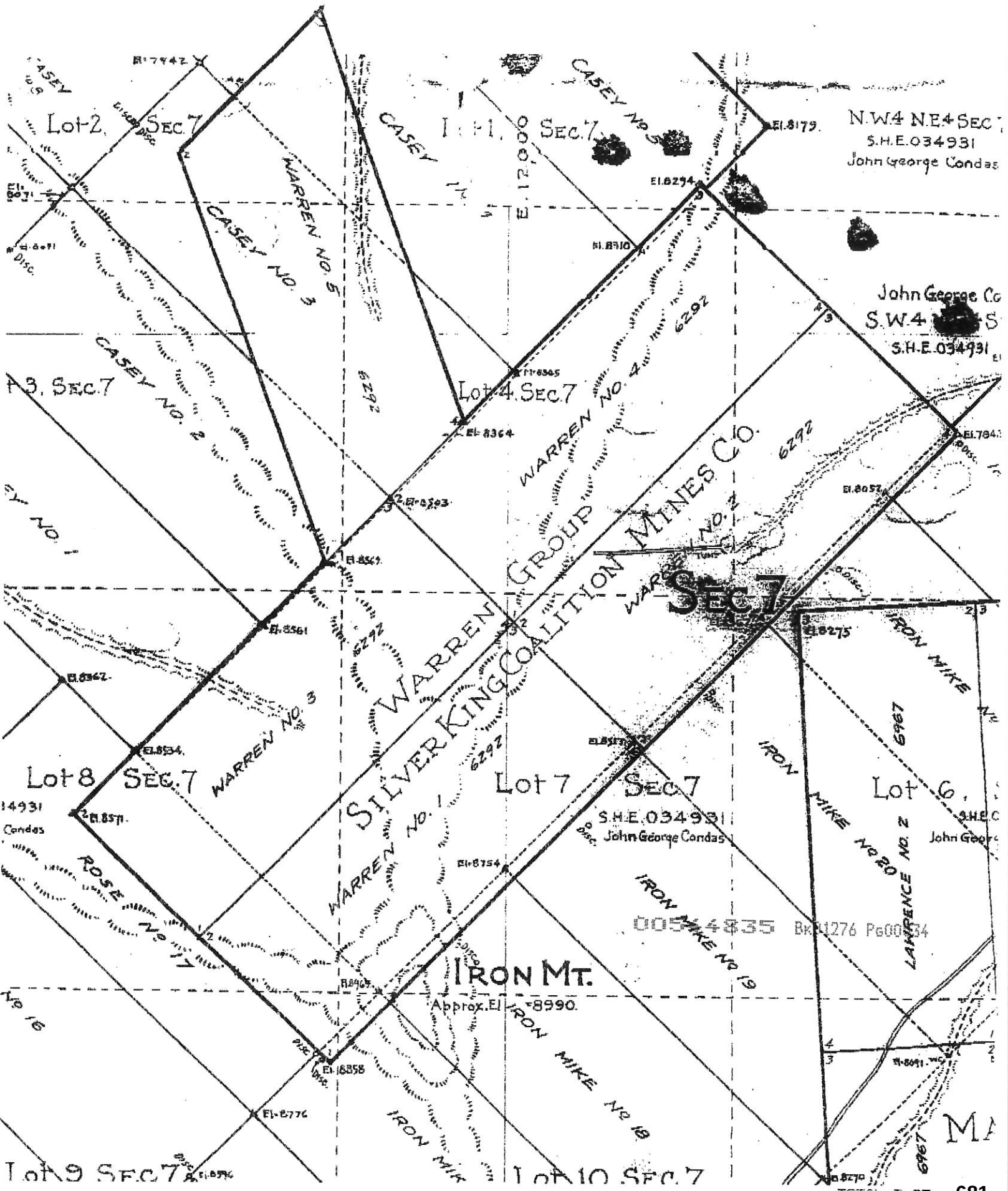
00544835 Bk01276 Pg00529

boundary line for the corporate limits of Park City, Utah; thence South 89°59'59" East 940.12 feet, more or less, along said Section line 940.12 feet to a point on the easterly right-of-way line for Utah State Highway 224 as located in Ontario Canyon; thence along said highway the following 12 courses; South 00°15'34" West 115.59 feet to a point on a 1,482.39 foot radius curve to the left; thence Southwesterly along the arc of said curve through a central angle of 15°23'33"398.24 feet more or less; thence South 15°39'07" West 559.69 feet to a point on a 5,679.58 foot radius curve to the left; thence Southwesterly along the arc of said curve, through a central angle of 06°11'23", a distance of 613.57 feet; thence South 09°27'44" West 368.77 feet to a point on a 1,382.39 foot radius curve to the left; thence southerly along the arc of said curve, through a central angle of 16°06'55", a distance of 388.82 feet; thence South 6°39'11" East 217.32 feet to a point on a 586.62 foot radius curve to the left; thence southeasterly along the arc of said curve, through a central angle of 48°51'38", a distance of 500.26 feet; thence South 55°30'59" East 87.30 feet to a point on a 686.62 foot radius curve to the right; thence along the arc of said curve, through a central angle of 30°23'53", a distance of 364.28 feet; fhence South 25°06'53" East 397.14 feet to a point on a 508.37 foot radius curve to the right; fhence along the arc of said curve, through a central angle of 21°36'53", a distance of 191.78 feet; thence South 3°30'00" East 63.08 feet to a point on a 220.00 foot radius curve to the left; thence along the arc of said curve, through a central angle of 55°51'14", a distance of 214.46 feet; thence South 31°30'00" West 68.20 feet; thence South 79°38'18"West 45.49 feet to a point on the southeasterly boundary of the Ontario Number 3 Shaft Mining Reservation; thence South 79°59'46" West 300.78 feet more or less along the southeastern edge of said Mining Reservation; thence South 17°09'45" East 88.76 feet more or less to a point on a piece of property that is the subject of Entry Number 158551 of the Summit County Records; thence along said parcel the following five courses: South 955.96 feet; thence North 69° East 360.00 Feet; thence South 29°20' West 117.60 feet; thence North 78°10' East 714.30 feet; thence East 1,106.71 feet more or less to a point the Wasatch-Summit County line: thence along said Wasatch – Summit County line. The following thirty courses: South 04°15'00" East 1,028.07 feet; thence South 25°30'30" East 2,521.90 feet to County Line Point 51;thence South 29°50'00" West 1,398.30 Feet to County Line Point 55; thence South 4°19'00" West 1,320.70 feet to County Line Point 58; thence South 47°05'00" West 369.50 feet to a County Line Point; thence South 83°34'00" West 69.10 feet to County Line Point 59; thence South 47°42'00" West 1,207.40 feet to County Line Point 62A; thence North 39°53'30" West 1,352.50 feet to County Line Point 64; thence North 72°50'00" West 317.30 feet to County Line Point 65; thence North 46°45'00" West 87.90 feet to County Line Point 66; thence North 70°57'00" West 502.00 feet to County Line Point 67; thence North 51°56'00" West 481.90 feet to County Line Point 68; thence North 55°53'00" West 466.80 feet to County Line Point 69 feet; thence North 21°49'00" West 317.40 feet to County Line Point 70; thence North 59°57'00" West 360.50 feet to County Line Point and Triangulation Point; thence North 33°22'30" West 467.10 feet to County Line Point 71; thence South 85°10'30" West 492.30 feet to County Line Point 72; thence South 54°42'30" West 453.20 feet to County Line Point 73; thence South 88°55'30" West 344.00 feet to County Line Point 74; thence North 82°52'30" West 1,132.30 feet to

County Line Point 77; thence North 59°43'30" West 1,074.55 feet to County Line Point 2338; thence North 79°07'30" West 494.73 feet to County Line Point 80; thence North 70°28'30" West 339.90 feet to County Line Point 81; thence North 60°14'30" West 550.10 feet to County Line Point 82 and Triangulation Point 2339; thence North 64°07'00" West 727.60 feet to County Line Point 83; thence South 77°44'00" West 966.80 feet to County Line Point 85; thence 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 South 85°36'00" West 219.10 feet to County Line Point 86; thence North 46°44'00" West 384.70 feet to County Line Point 87; thence North 34°37'00" West 1,077.30 feet, more or less to county Line Point 2343 the point of beginning. Said Parcel contains 1,655.4 acres more or less.

00544835 Bk01276 Pg00531

Exhibit B



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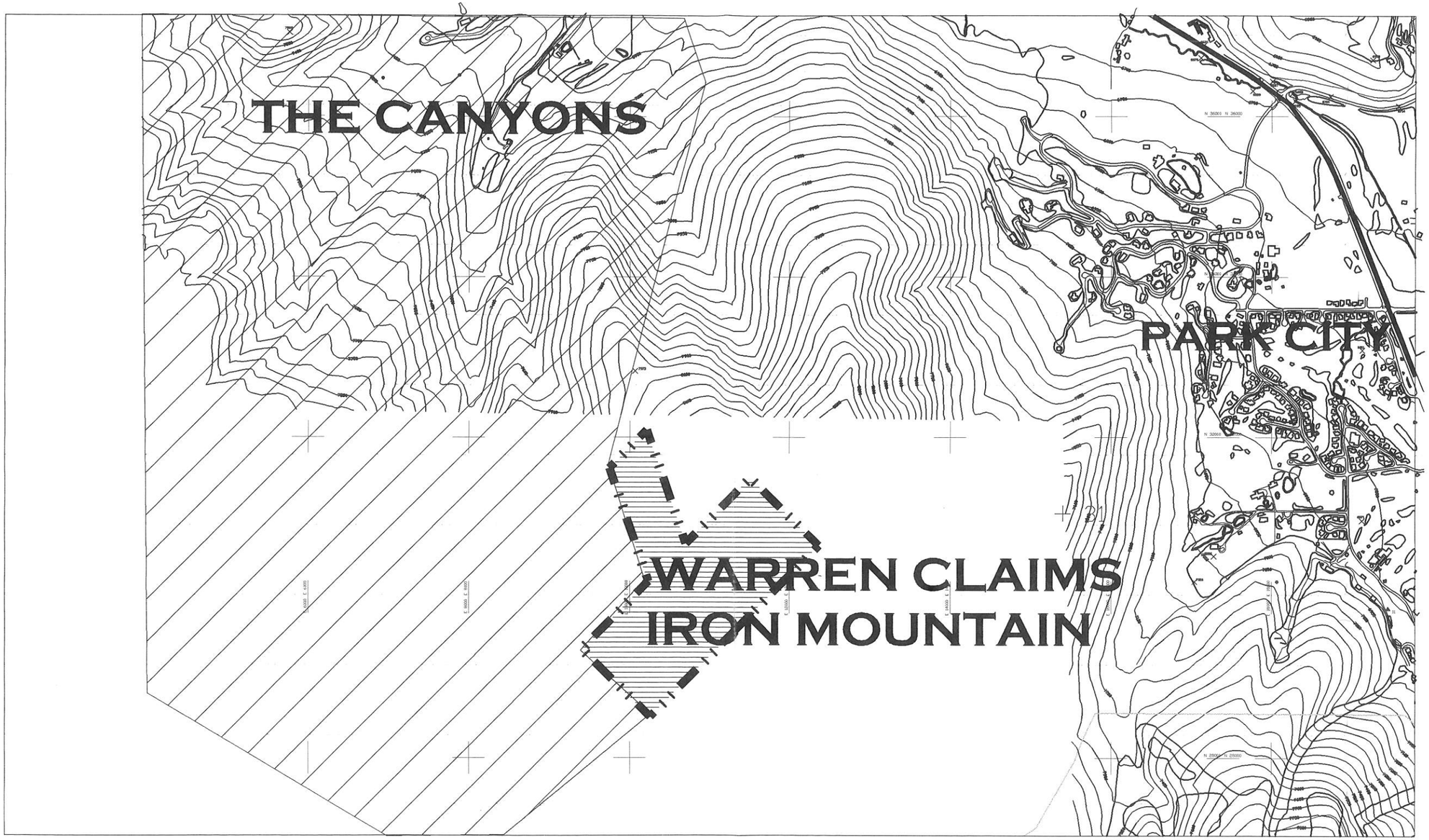

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APRIL 1999

0 400 800 2000

IRON MOUNTAIN PARCEL

SUMMIT COUNTY, UTAH

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1728
PARK CITY, UTAH 84060
(801) 647-7744

EXHIBIT B

Exhibit B

FLAGSTAFF MOUNTAIN RESORT
IRON MOUNTAIN PROPERTY LEGAL DESCRIPTION
LOCATED IN SECTION 7, T2S, R4E, SLB & M

ALL OF THE WARREN MINING CLAIMS NO. 1, NO. 2, NO. 3, NO. 4, AND NO. 5, MINERAL SURVEY NUMBER 6292.

Y:\UPCMC\FLAGSTAFF\OVERALL\DOCS\WARREN.LGL

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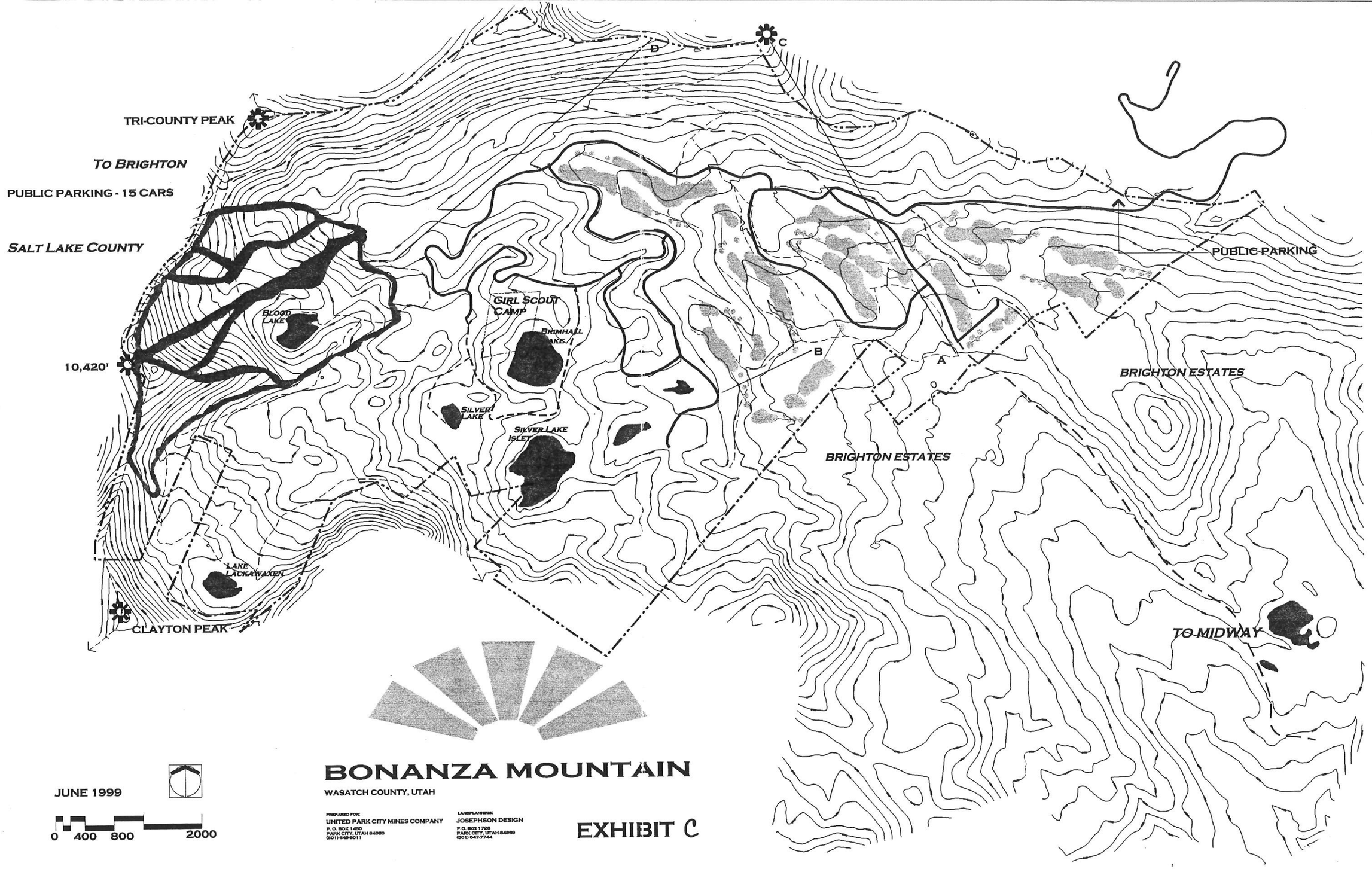


JUNE 1999

0 400 800 2000

BONANZA MOUNTAIN

WASATCH COUNTY, UTAH

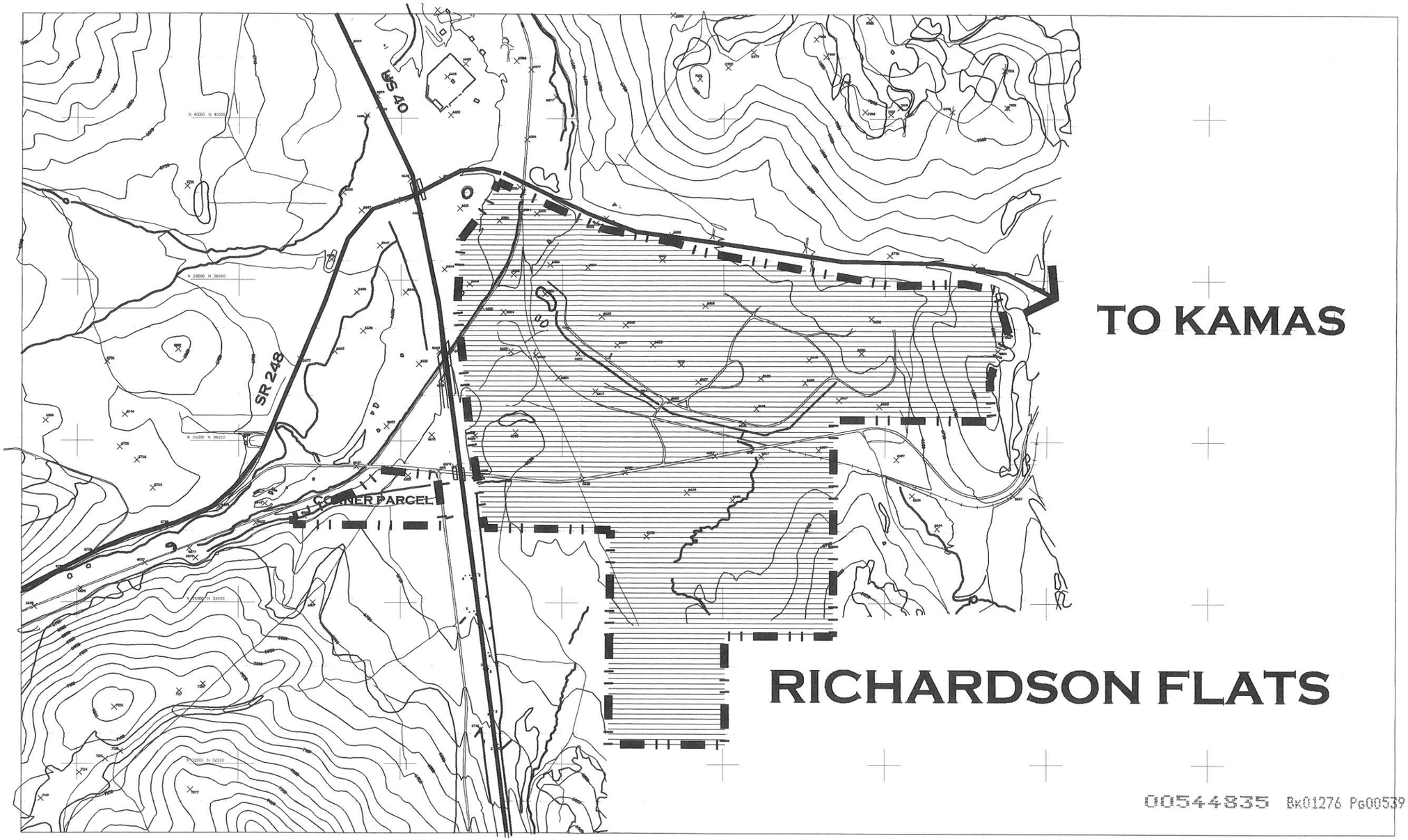
PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1725
PARK CITY, UTAH 84060
(801) 647-7744

EXHIBIT C

00544835 Bk01276 Pg00536

00544835 Bk01276 Pg00537



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00544835 Bk01276 Pg00538

APRIL 1999

0 400 800 2000

RICHARDSON FLATS PARCEL

SUMMIT COUNTY, UTAH

SUMMIT COUNTY, UTAH

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-9011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1728
PARK CITY, UTAH 84069
(801) 647-7748

EXHIBIT D

UNITED PARK CITY MINES COMPANY

RICHARDSON FLATS DESCRIPTION

GENERAL DESCRIPTION

All of the property owned by United Park City Mines Company lying East of U. S Highway 40, South of Utah Highway 189, West of the Summit Wasatch County Line and North of the foothills forming the South edge of the Basin, being more particularly described as follows:

Beginning at a point lying on the center section line of Section 1, Township 2 South, Range 4 East Salt Lake Base and Meridian, said point also common with a point on the Summit and Wasatch County lines and lying South 64°34'17" East 6177.91 Feet, more or less, from the Northwest Corner of said Section 1;

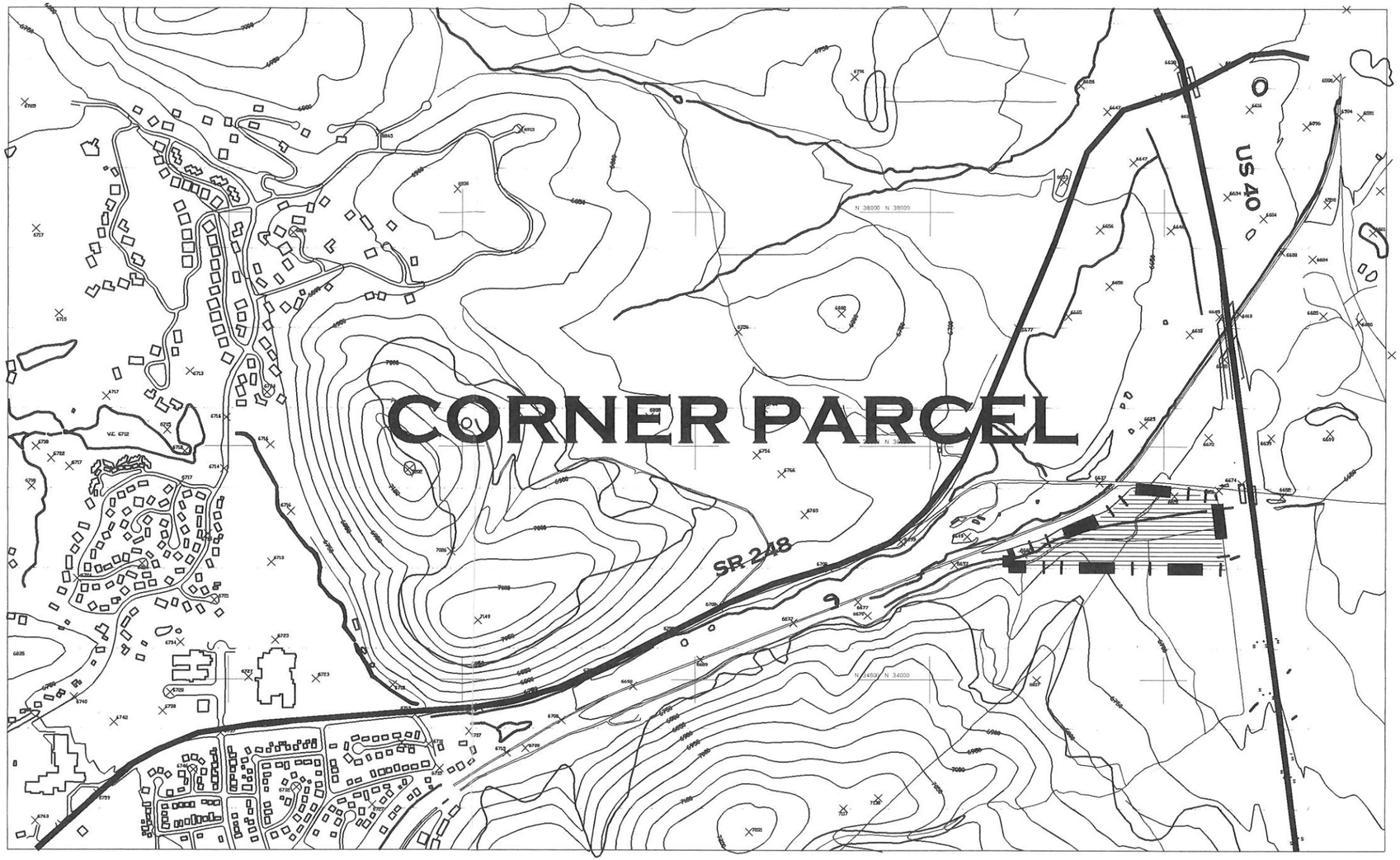
Thence North 07°48'30" West 569.42 Feet more or less;
Thence North 30°03'00" East 491.00 Feet along said County Line to County Line Marker 138;
Thence North 15°43'00" West 620.95 Feet more or less to a point on the Southerly Right-of-Way line to Utah State Highway 189, said point lying on a 1,679.86 Foot radius curve to the left whose radius point bears South 18°25'57" West;
Thence along said curve, through a central angle of 12°57'43" a distance of 380.03 Feet;
Thence North 87°46'51" West 300.64 Feet;
Thence South 88°33'10" West 541.22 Feet;
Thence North 85°26'18" West 193.25 Feet;
Thence North 78°57'34" West 621.06 Feet;
Thence North 81°30'46" West 503.42 Feet;
Thence North 76°56'20" West 501.60 Feet;
Thence North 81°30'46" West 700.00 Feet;
Thence North 71°23'40" West 227.68 Feet;
Thence North 79°09'47" West 994.80 Feet;
Thence North 66°54'08" West 590.16 Feet;
Thence North 64°10'15" West 167.19 Feet;
Thence North 89°53' 00" West 978.55 Feet;
Thence South 25°23'31" West 116.87 Feet to a point on the northerly section line of said section 2;
Thence South 00°45'29" West 178.58 Feet more or less along said section line to a point on the Easterly Right-of-Way line of U. S. Highway 40;
Thence South 5°56'20" West 253.60 Feet;
Thence South 5°56'20" West 205.58 Feet to a point on a 2406.48 radius curve to the left whose radius point bears South 84°01'04" East;
Thence along said curve, through a central angle of 9°17'52" a distance of 390.52 Feet;
Thence South 3°23'37" East 105.10 Feet;
Thence South 7°04'23" East 356.56 Feet more or less to a point on the northwesterly boundary of the Rails to Trails Right-of-Way;
Thence South 7°04'23" East 150.58 Feet to a point on the southeasterly boundary of said Right-of-Way;
Thence South 7°04'24" East 48.63 Feet;
Thence South 1°27'27" West 202.24 Feet;
Thence South 40°00'00" East 554.91 Feet;
Thence South 31°40'49" West 481.87 Feet;

00544835 Bk01276 Pg00540

Thence South 7°04'23" East 493.36 Feet more or less to a point on the northerly edge of the County Road across Richardson Flat;
Thence South 7°04'19" East 102.54 Feet to a point on the southerly boundary of said roadway;
Thence South 7°04'23" East 575.60 Feet to a point on the northern line of the South 1/2 of the Southeast one quarter of said Section 2;
Thence South 89°57'22" East 1604.54 Feet more or less along said line to the east line of said Section 2;
Thence South 00°33'35" West 1326.74 Feet more or less to the Southeast Corner of said Section 2, said point also common to Sections 1, 12 and 11 of Township 2 South, Range 4 East S.L.B. & M.;
Thence South 00°10'48" West 1328.76 Feet along the east section line of said Section 11 to a point common to the center line of the Northeast one quarter of said Section 11;
Thence South 89°09'12" East 1358.31 Feet more or less along the south line of the northwest one quarter of the northwest quarter of said Section 12;
Thence North 00°07'55" East 1347.76 Feet more or less to a point on the south line of said Section 1:
Thence North 89°58'31" East 1357.10 Feet, more or less, along said south section line to the south quarter corner of said Section 1;
Thence North 00°00'24" East 2679.92 Feet more or less along the center section line of said Section 1 to the Center of said Section 1;
Thence South 89°30'01" East 2043.63 Feet more or less along the center section line of said Section 1 to the Point of Beginning;

Contains 573 acres more or less.

00544835 Bk01276 Pg00541



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APRIL 1999

0 400 800 2000

CORNER PARCEL

SUMMIT COUNTY, UTAH

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1726
PARK CITY, UTAH 84969
(801) 647-7744

00544835 Bk01276 Pg00543

EXHIBIT E

UNITED PARK CITY MINES COMPANY

Richardson Flat Corner Parcel Description

Two parcels of land located in the North 1/2 of the South 1/2 of Section 3, Township 2 South, Range 4 East, S. L. B. & M. being more particularly described as follows:

All of that portion of the NE 1/4 of the SW 1/4 of Section 2, Township 2 South, Range 4 East S.L.B. & M. lying South of the Rails to Trails right-of-way and the County Road.
Contains 12.33 acres more or less.

And,

All of that portion of the NW 1/4 of the SE 1/4 of Section 2, Township 2 South, Range 4 East S.L.B. & M. lying west of the relocated U. S. 40 and South of the County Road.
Contains 7.01 acres more or less.

00544835 Bk01276 Pg00544

Future Lodge Site
Tree Skiing
Advanced Terrain Tree Skiing
Expert Terrain
FUTURE POD "X"
FUTURE POD "Z"
PARK CITY SKI AREA
Note:
The proposed ski trails shown on this plan are of a conceptual nature. Configurations may change at the time of final design and field location.
SKI AREA PLAN
DEER VALLEY RESORT COMPANY
EXISTING SKI RUNS (NAMED)
PROPOSED SKI RUNS (NUMBERED)
EXISTING SKI LIFTS (NAMED)
PROPOSED SKI LIFTS (LETTERED)
400 0 400 800 FEET
NOTE:
THIS EXHIBIT IS NOT INTENDED TO BE A SURVEY OF BOUNDARY AND PLANAMETRIC FEATURES SHOWN. MAP ACCURACY IS LIMITED TO GENERAL DESCRIPTIVE PURPOSES ONLY.
Exhibit F
SHANER
Design Graphics
00544835 Bk01276 Pg00546
00544835 Bk01276 Pg00545

Exhibit G

Deer Valley Resort Company
Ski Run Construction and
Revegetation Standards

1. Prior to construction activity, ski trail sidelines will be flagged by Deer Valley Resort Company personnel. Construction activity shall be limited to within the flagged sidelines, lift tower and lift terminal areas.

2. Access to construction activity shall be by existing service roads where available.

3. Clearing operations shall leave the ski trails with a feathered edge. Low shrubs at trail edges shall remain. Tree islands shall be incorporated in the field into trails where feasible and safe.

4. After clearing in areas of cut, topsoil shall be stripped and stockpiled for later respreading.

5. In fill areas, stumps shall remain in place to a 2' maximum height. In cut areas, stumps will be removed by backhoe or dozer. Stumps shall be flush cut in areas where no grading or fill will occur.

6. Any trees cut suitable for use as firewood will be cut into firewood length and transported to Deer Valley's day lodges. Stumps and slash shall be buried as deeply as possible in field-designated areas with 3' minimum cover over uppermost slash layer. Alternate 3' maximum slash layers with 3' soil layers, running over layers with heavy equipment as placement occurs. Maximum length of any one piece of slash shall be 10'. Slash and rock burial may be used to produce terrain features within ski trails.

7. Excavation, embankment and fill operations shall proceed in such a manner that finish grading and erosion control implementation will occur as soon as possible after disturbance.

00544835 Bk01276 Pg00547

8. Cut and fill slopes shall be 1.5 : 1 maximum unless rock is encountered. Cut slopes in rock may be oversteepened depending upon geotechnical considerations. The top of all cut slopes in soil shall be rounded for a horizontal distance of 3' beyond the catch point. Slope rounding shall occur as the slope is being brought down.

9. Lift towers shall be set by helicopter. No work roads shall be cut to lift tower locations except at the upper and lower terminals where access roads are depicted.

10. The finished surface of ski trails shall be graded with 3' maximum, well graded topsoil and native soils. The finished surface of ski trails, fills and cut slopes not in rock shall be tracked prior to reseeding, with cleat marks left perpendicular to the fall line of the slope.

11. Sediment shall be controlled for the duration of the project. Straw bales and sediment filter fencing shall be installed at the lower limits of graded areas so that sediment is not transported off the site or into drainages.

12. On ski trails, construct water bars at 300' intervals for slopes less than 25%, at 200' intervals for slopes between 25% and 50%, and at 100' intervals for slopes in excess of 50%. Water bar locations will be field determined. Water bars shall slope at 6% to 7% in the direction of existing vegetated areas. Water bars shall be constructed immediately after rough grading and shall be maintained for the duration of the project.

13. Snowmaking and utility trenches shall be backfilled to at least 85% of maximum density. Trenches shall be mounded with 6' of compacted soil to allow settlement.

14. Riprap for drainage channels and culvert inlets and outlets shall be angular and outlets shall be angular, hard, dense, durable rock. Riprap shall be spread to achieve an interlocking structure and minimize voids.

00544835 Bk01276 Pg00548

15. All areas with earth disturbance other than existing roads shall be revegetated. Seed mix shall be applied at a minimum rate of 26 lbs. per acre. Seed mix shall have the following proportions:

Durar Hard Fescue	30%
Manchar Bromegrass	30%
Orchardgrass	30%
Perennial Ryegrass	15%
Pubescent Wheatgrass	15%

Seed shall be applied by broadcast methods. Fertilizer shall be applied at a minimum rate of 400 lbs. per acre. Areas not achieving germination and subsequent coverage of 80% shall be reseeded.

16. After seeding, ski trails shall be mulched with certified weed free straw mulch at a rate of approximately 2 tons per acre (2' to 3' in depth).

00544835 Bk01276 Pg00549

ANCHOR

EMPIRE CANYON EXPRESS QUAD CHAIR LIFT

DALY WEST

PROPOSED PUBLIC ROAD

PROPOSED ROUND ABOUT

EXISTING GAURDSMAN ROAD ABANDONED

PROPOSED PUBLIC ROAD

FUTURE VILLAGE ROAD

ONTARIO MINE

PROPOSED PRIVATE ROAD

PROPOSED RE-ALIGNMENT TO GAURDSMAN ROAD

RUBY CHAIR LIFT

NORTH SIDE QUAD CHAIR LIFT

PROPOSED PRIVATE ROAD

EXISTING GAURDSMAN ROAD

PROPOSED OVERPASS

PROPOSED PRIVATE ROAD

ACCESS GATE

RED CLOUD CHAIR LIFT

QUINCY CHAIR LIFT

VIKING CHAIR

EXHIBIT "H"

500 0 500 1000 FEET

RECEIVED
JUL - 2 1999
PARK CITY PLANNING DEPT.

WASATCH COUNTY

(435) 649-9467

Alliance Engineering Inc.

CONSULTING ENGINEERS, LAND PLANNERS, SURVEYORS

REVISED:
9-1-98
1-13-99
4-13-99
6-9-99

STAFF:
S. DECKERT
D. CARDWELL

PAGE 1 OF 1

FLAGSTAFF MOUNTAIN RESORT
GAURDSMAN RE-ALIGNMENT
PROPOSED PUBLIC/PRIVATE ROADS
FOR: UPCMC

EXISTING GAURDSMAN ROAD

RUBY CHAIR LIFT

NORTH SIDE QUAD CHAIR LIFT

TO SILVER LAKE

PROPOSED PUBLIC ROAD

STEIN ERIKSEN LODGE

RED CLOUD CHAIR LIFT

QUINCY CHAIR LIFT

EXISTING ROAD

DEER VALLEY MAINTAINANCE

PROPOSED NORTH SIDE SUBDIVISION

PROPOSED PRIVATE ROAD

ONTARIO CANYON

EXISTING 20' WIDE 10% MAX GRADE SEASONAL EMERGENCY ACCESS ROAD

PROPOSED 20' WIDE 10% MAX GRADE SEASONAL EMERGENCY ACCESS ROAD

WASATCH COUNTY

00544835 Bk01276 Pg00553

00544835 Bk01276 Pg00552

EXHIBIT "I"

500 0 500 1000 FEET

RECEIVED
JUL - 7 1999
PARK CITY PLANNING DEPT.

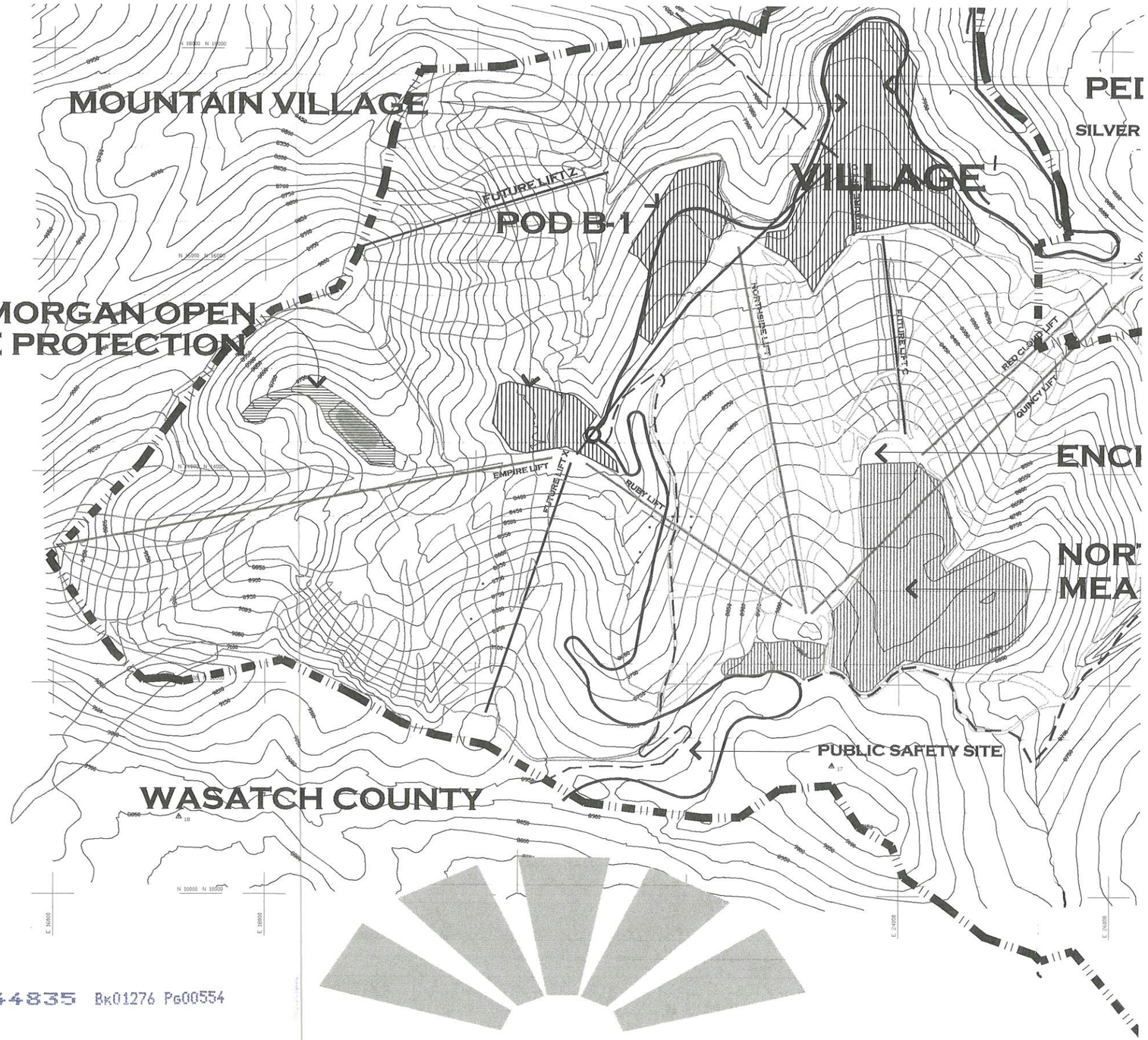
(435) 649-9467
Alliance Engineering Inc.

REVISED:
9-1-98
4-13-99

STAFF:
S. DECKERT
D. CARDWELL

PAGE
1

FLAGSTAFF MOUNTAIN RESORT
PROPOSED SEASONAL
EMERGENCY ACCESS ROAD



00544835 Bk01276 Pg00554

JUNE 1999

0 400 800 2000

FLAGSTAFF MOUNTAIN RESORT

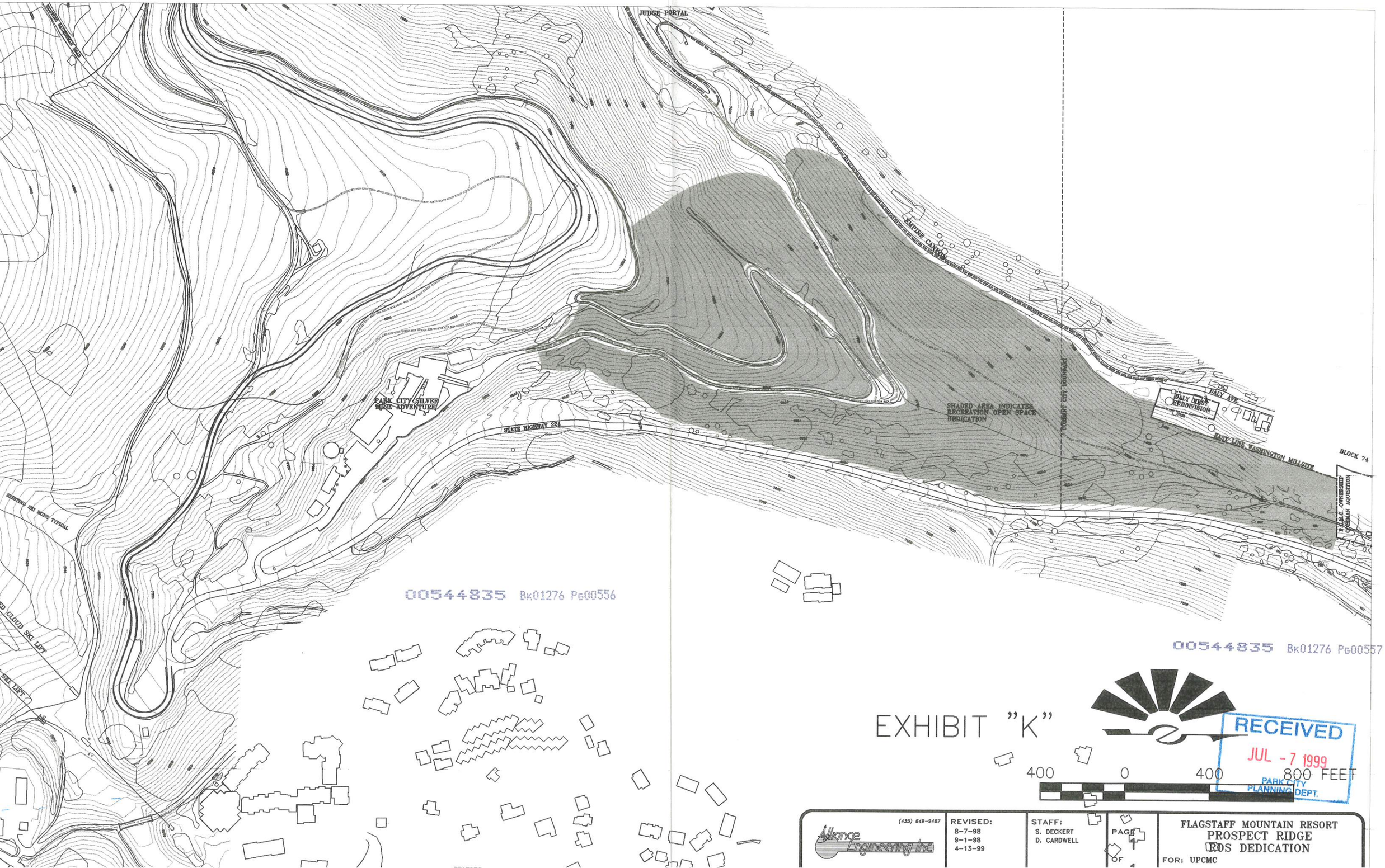
SUMMIT COUNTY, UTAH

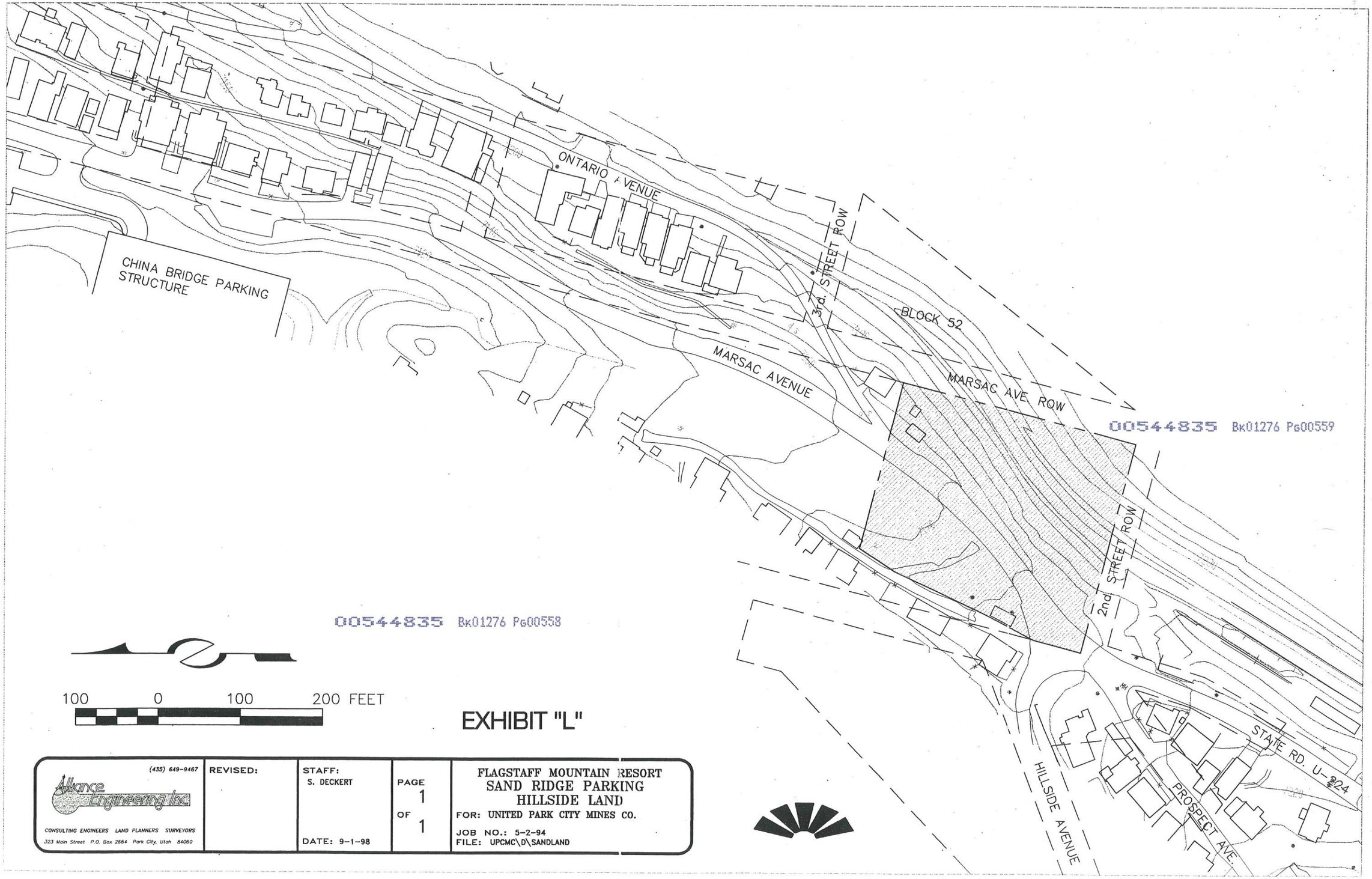
PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1726
PARK CITY, UTAH 84969
(801) 647-7744

00544835 Bk01276 Pg00555

EXHIBIT J


JUDGE PORTAL
EMPIRE CANYON
PARK CITY SILVER MINE ADVENTURE
STATE HIGHWAY 224
SHADED AREA INDICATES RECREATION OPEN SPACE DEDICATION
CURRENT CITY BOUNDARY
DALY AVE.
DALY WEST SUBDIVISION
EAST LINE WASHINGTON MILLSITE
BLOCK 74
P.A.M.C. OWNERSHIP OVERMAN AQUISITION
EXISTING SKI RUNS TYPICAL
CLOUD SKI LIFT
SKI LIFT
00544835 Bk01276 Pg00556
00544835 Bk01276 Pg00557
EXHIBIT "K"
400 0 400 800 FEET
RECEIVED
JUL - 7 1999
PARK CITY PLANNING DEPT.
(435) 649-9467
Alliance Engineering Inc
REVISED:
8-7-98
9-1-98
4-13-99
STAFF:
S. DECKERT
D. CARDWELL
PAGE 1 OF 1
FLAGSTAFF MOUNTAIN RESORT
PROSPECT RIDGE
ROS DEDICATION
FOR: UPCMC



00544835 Bk01276 Pg00559

00544835 Bk01276 Pg00558

100 0 100 200 FEET

EXHIBIT "L"

(435) 649-9467 Alliance Engineering Inc. CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060	REVISED:	STAFF: S. DECKERT DATE: 9-1-98	PAGE 1 OF 1	FLAGSTAFF MOUNTAIN RESORT SAND RIDGE PARKING HILLSIDE LAND FOR: UNITED PARK CITY MINES CO. JOB NO.: 5-2-94 FILE: UPCMC\D\SANDLAND

Exhibit M

The Flagstaff Mountain Resort
At
Deer Valley

Road Construction Plan

Off-site, Highway 224 Improvements
Lower Mine Road

Summary of Current Conditions.

Upgrading and improving State Highway 224 has been identified as an important component related to the Flagstaff Mountain project. S.R. 224, or the Mine Road, as it is commonly referred to, will be the primary ingress and egress route from the Flagstaff Mountain Resort project. The developer has volunteered, at considerable expense, to upgrade and improve the Mine Road. This would not only benefit the Flagstaff Mountain Resort, but all users of the road. It should be noted that the developer volunteered to fund the cost of these considerations up-front and not as an extracted concession.

The route referred to as the Mine Road begins at the far northern end of Marsac Avenue, travels along the length of Marsac Avenue and through Ontario Canyon. The Road crosses the Summit/Wasatch County line, and continues west to Brighton or east to Midway. The Mine Road currently serves during the summer months as a business route to UPCMC, the Silver Mine Adventure, Deer Valley and the horse stables. It serves as a residential access route to Brighton Estates, upper Deer Valley and the Girl Scout facility. It also serves as a sight-seeing route for the Bonanza area. Beyond the Deer Valley turn-off, traffic is not heavy on the road during the summer months, totaling approximately 3-400 vehicles/day (source: MK Centennial Traffic Eng. Report: *Deer Valley Residential Expansion 9/93, rev. 12/93*).

During the winter months the Mine Road is closed by the Utah Department of Transportation just beyond the Deer Valley connector road. The lower road then serves as business access for UPCMC, the Silver Mine Adventure, Deer Valley and High Country Snowmobiles. The road also serves as residential access route for Deer Valley. There are also a small number of snowmobilers who use the road as a recreation access point, however this number continues to decrease as more and more land in the Bonanza Basin is closed to this type of activity.

This proposal covers that portion of the Mine Road which originates at the intersection of Marsac and Deer Valley Drive, and extends to the upper Deer Valley turn-off (Guardsmen Connection). The upper sections of the Mine Road will be addressed in other proposals.

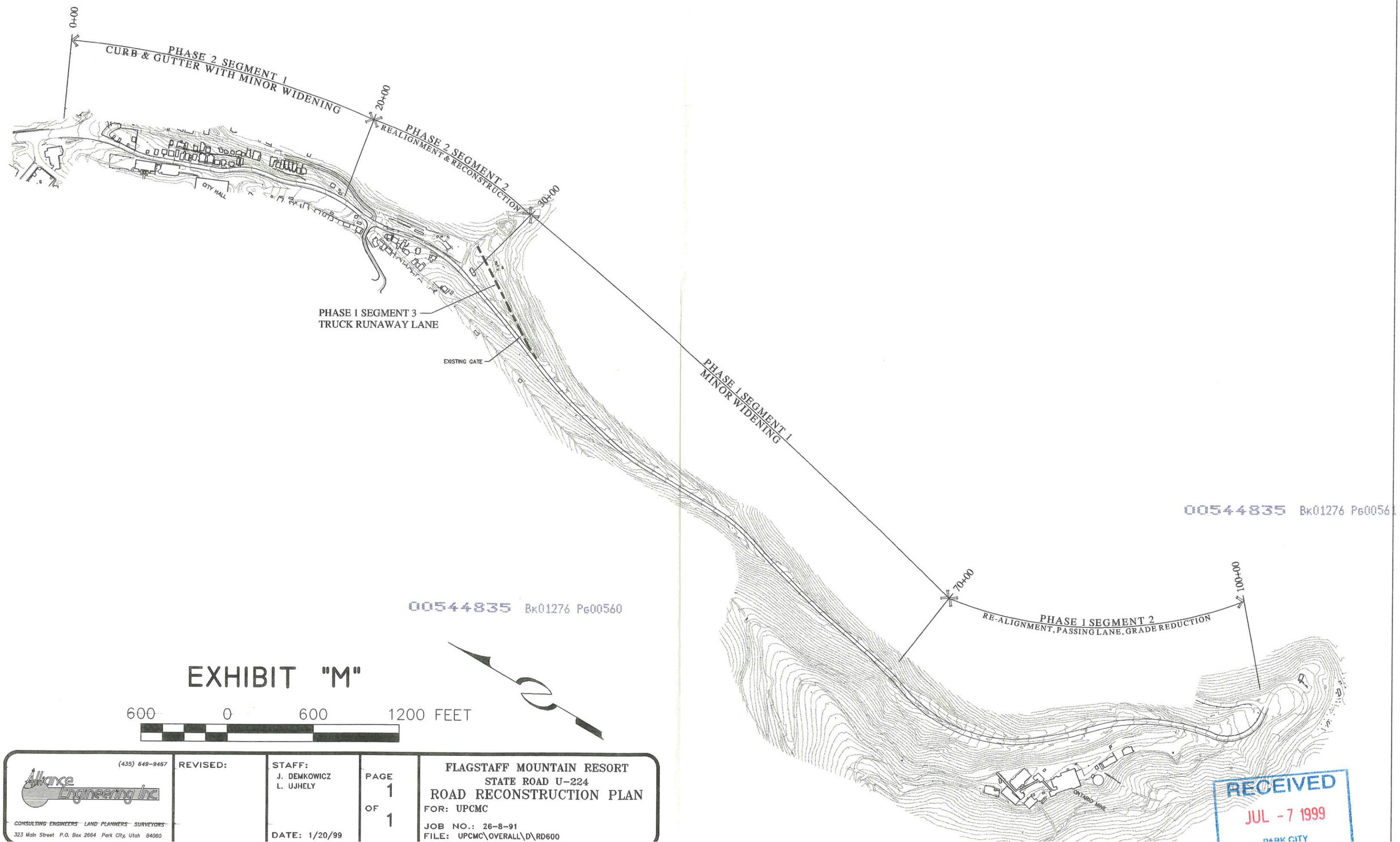
00544835 Bk01276 Pg00562

Construction traffic to upper Deer Valley is continuous throughout the year. Heavy trucks haul supplies up and excavated material down the road. In addition, delivery trucks access the aforementioned businesses throughout the year. An important consideration for public safety is a runaway truck lane. This is currently a problem on the mine road, and the voluntary concession of a runaway truck lane installed at the expense of the developer should greatly improve a problem which is presently of concern.

The present situation on the mine road will be improved with the development of the Flagstaff Mountain Resort project. Current areas of concern will be enhanced by planned improvements. The improvements to the mine road will create a situation whereby levels-of-service will be increased and the road will be made safer and more efficient.

* * *

00544835 Bk01276 Pg00563



00544835 Bk01276 Pg00560

00544835 Bk01276 Pg00561

EXHIBIT "M"

600 0 600 1200 FEET

(435) 649-9467
Alliance Engineering Inc.
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060

REVISED:

STAFF:
J. DEMKOWICZ
L. UJHELY

DATE: 1/20/99

PAGE 1 OF 1

FLAGSTAFF MOUNTAIN RESORT
STATE ROAD U-224
ROAD RECONSTRUCTION PLAN
FOR: UPCMC

JOB NO.: 26-8-91
FILE: UPCMC\OVERALL\D\RD600

RECEIVED
JUL - 7 1999
PARK CITY

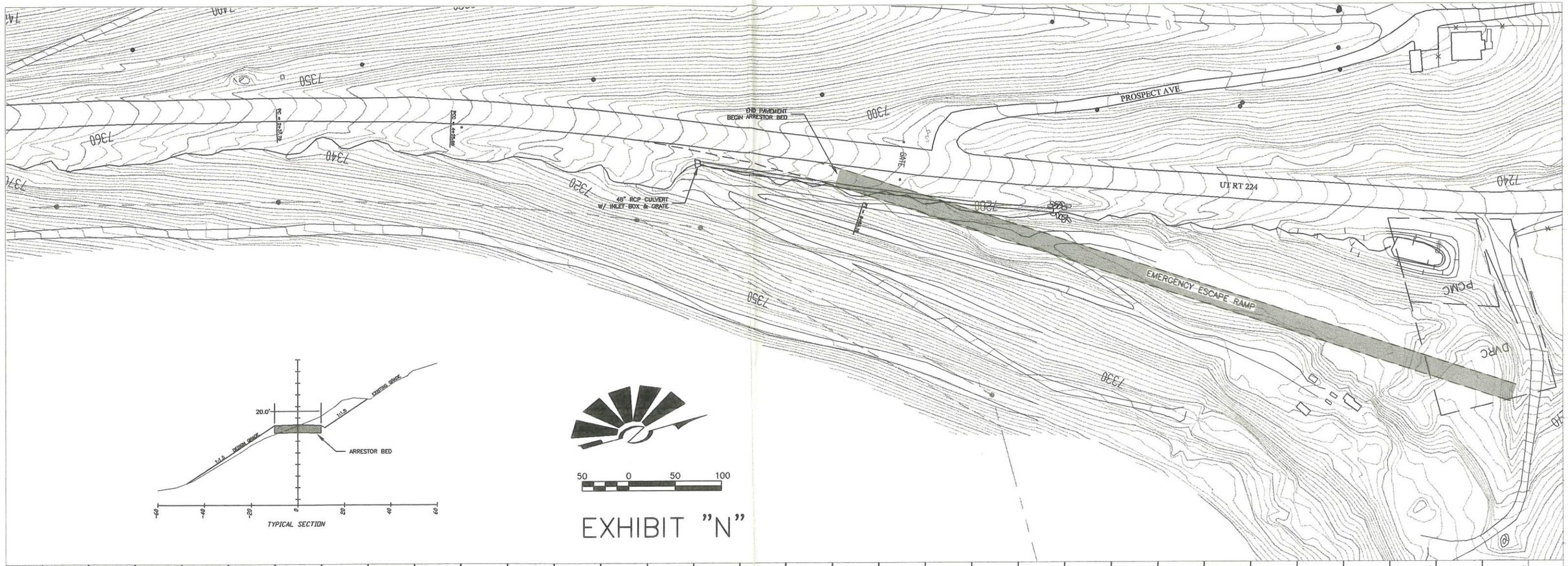
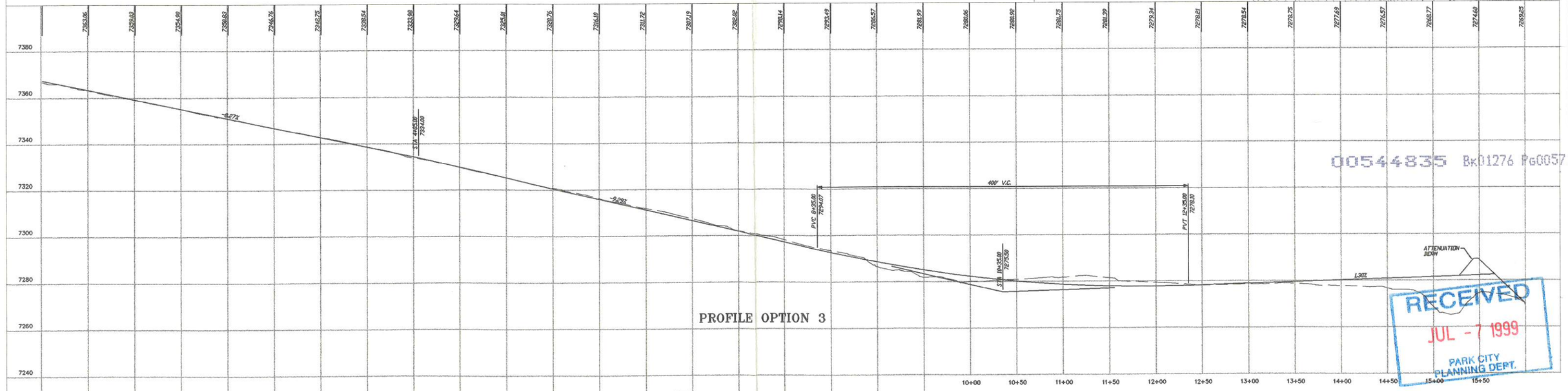


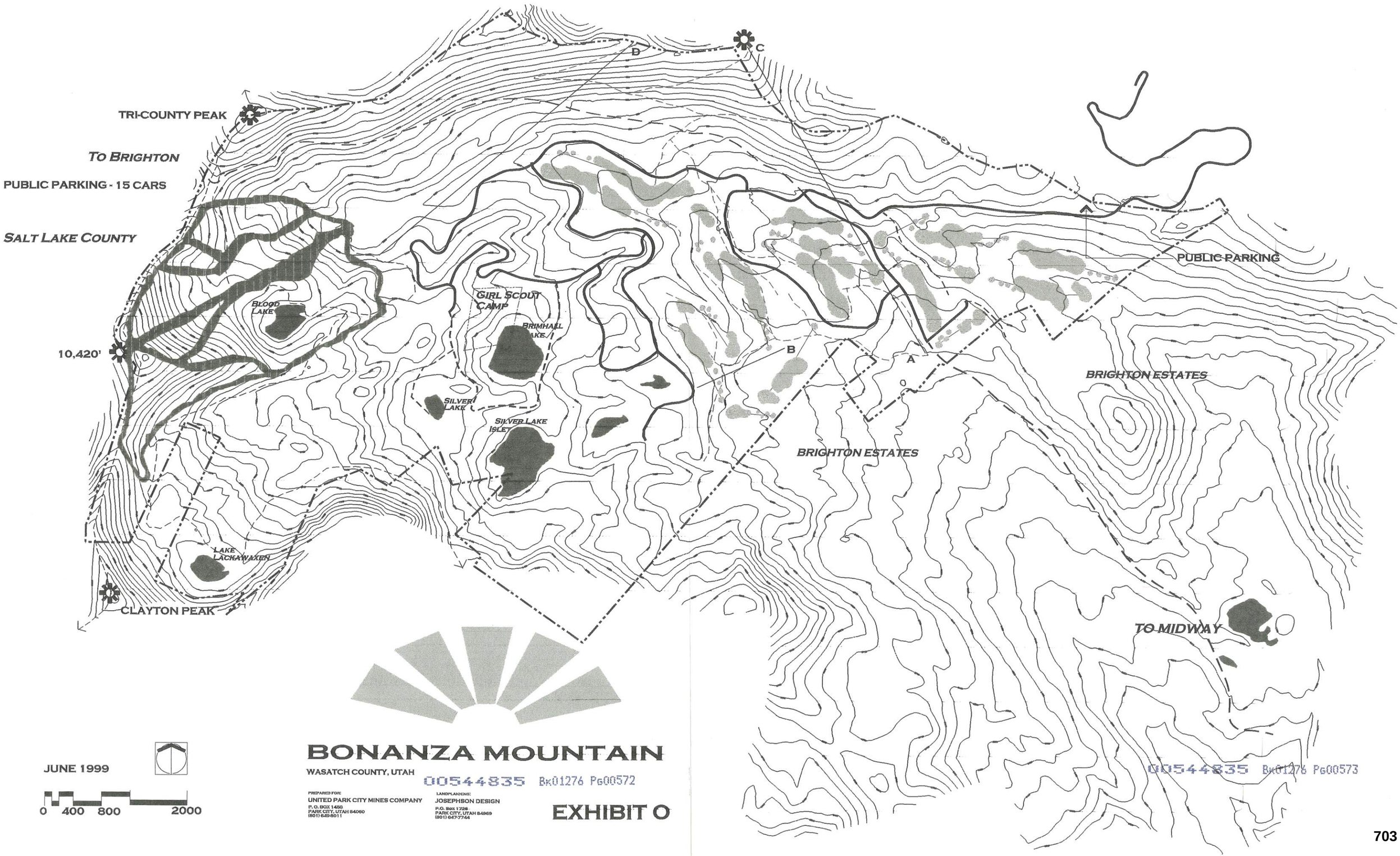
EXHIBIT "N"



PROFILE OPTION 3

00544835 Bk01276 Pg00570
00544835 Bk01276 Pg00571
RECEIVED
JUL - 7 1999
PARK CITY
PLANNING DEPT.

Alliance (435) 649-9467	REVISED:	STAFF: R. McMAHON	PAGE 1	EMERGENCY ESCAPE RAMP PLAN & PROFILE



JUNE 1999

0 400 800 2000

BONANZA MOUNTAIN

WASATCH COUNTY, UTAH

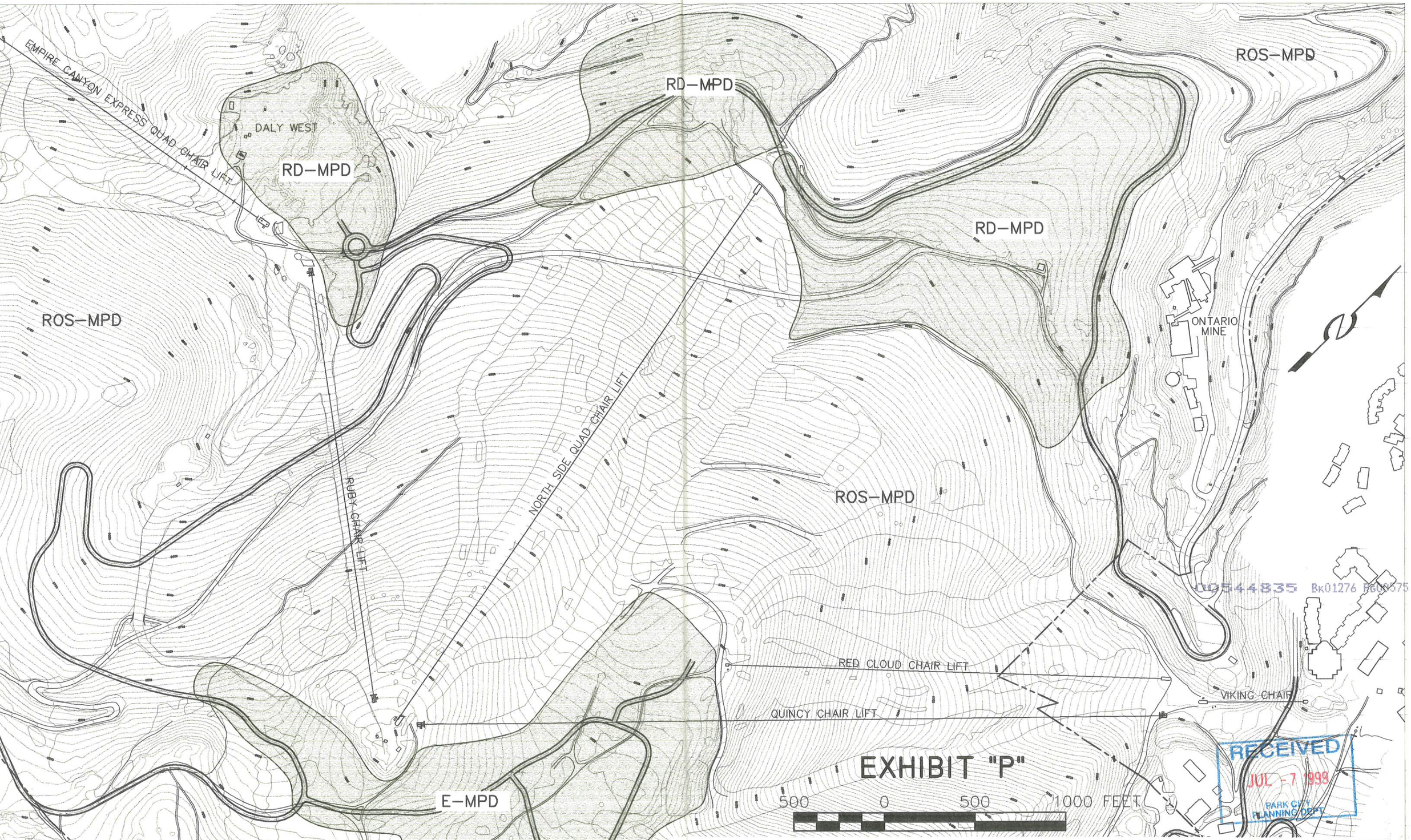
00544835 Bk01276 Pg00572

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1726
PARK CITY, UTAH 84969
(801) 647-7744

EXHIBIT O

00544835 Bk01276 Pg00573



00544835 Bk01276 Pg00375

RECEIVED
JUL - 7 1998
PARK CITY
PLANNING DEPT

(435) 649-9467 Alliance Engineering Inc.	REVISED:	STAFF: S. DECKERT D. CARDWELL	PAGE 1	FLAGSTAFF MOUNTAIN RESORT DEVELOPMENT PODS "ZONING MAP"

Summary of Objectives

The off-site improvements to Highway 224 are considered to be an important component of the overall Flagstaff Mountain Resort Master Plan. The current parameters of the mine road will improve in both efficiency and safety. The following constitute the voluntary proposed changes to the mine road to develop a safe and adequate ingress/egress route to and from the Flagstaff Mountain Resort project.

- ⇒ **Widen the road needs where necessary**
- ⇒ **Increase the overall level of service**
- ⇒ **Curb and gutter installed in residential areas**
- ⇒ **Install a runaway truck lane uphill from the residential area**
- ⇒ **Install hydrologic controls where necessary**
- ⇒ **Install a passing lane below the Ontario Mine**
- ⇒ **Improve the grade where practical**

* * *

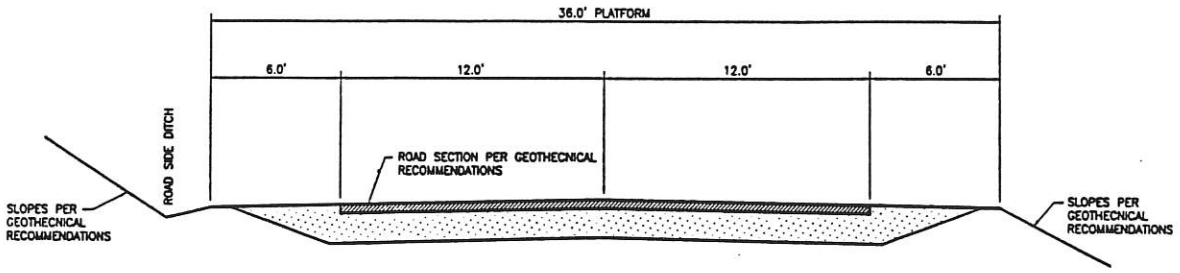
00544835 Bk01276 Pg00564

Phase I

Segment 1- Station 30+00 to Station 70+00.

Segment 1 of Phase 1 extends from just below the sedimentation pond through to the beginning of the passing lane. The improvements to this section of road will generally follow the existing grading and alignment. The profile of the road is a 24' wide asphalt travel platform with six-foot shoulders on either side. The horizontal and vertical alignment will follow the existing road to minimize grading. It is possible that minor slope stabilization will be necessary on those slopes adjacent to the drain channel. A soils engineer will be overseeing the construction of the road and will make the determination in regards to the slope stability of the drain channel. Drainage improvements will consist of roadside ditching and culvert diversions to adjacent intermittent steam at appropriate spacing. Straw hay bales will be placed lengthwise at regular intervals to trap excess sediment.

FLAGSTAFF DEVELOPMENT PARAMETERS
TYPICAL ROAD SECTION



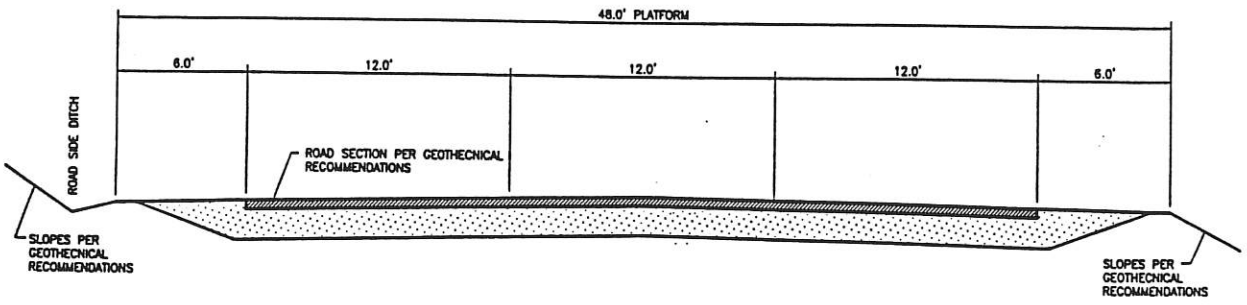
ONTARIO CANYON ROAD – PUBLIC ROAD
HILLSIDE TO GUARDSMAN DV INTERSECTION

00544835 Bk01276 Pg00565

Segment 2- Station 70+00 to Station 100+00

Segment 2 of Phase 1 consists of the route which begins at the passing lane and travels uphill to the Deer Valley connector road (Station 100+00). This segment is planned for extensive re-grading, widening and realignment. Due to the line-of-site situation which currently exists on the Mine Road, a passing land is planned along the length of this segment. The general description is three 12' travel lanes (two uphill and one downhill) for a total of 36' of paved road width. The uphill truck passing lane should greatly increase the overall safety on the road. In addition, two six-foot shoulders are planned for construction on either side. The horizontal and vertical alignment will be reconfigured so that the maximum grade does not exceed 12%. This should also positively influence safety on the road. The drainage channel for this segment will be reconstructed adjacent to new alignment. The drainage channel will be a rip rap bed which consists of large rocks hand-placed in the channel. At regular intervals, straw hay bales will be placed lengthwise to trap sedimentation, which will develop from the construction of the road. Roadside drainage will have culvert diversions to the new channel at regular spacing.

FLAGSTAFF DEVELOPMENT PARAMETERS
TYPICAL ROAD SECTION



ONTARIO CANYON ROAD – PUBLIC ROAD
PASSING LANE

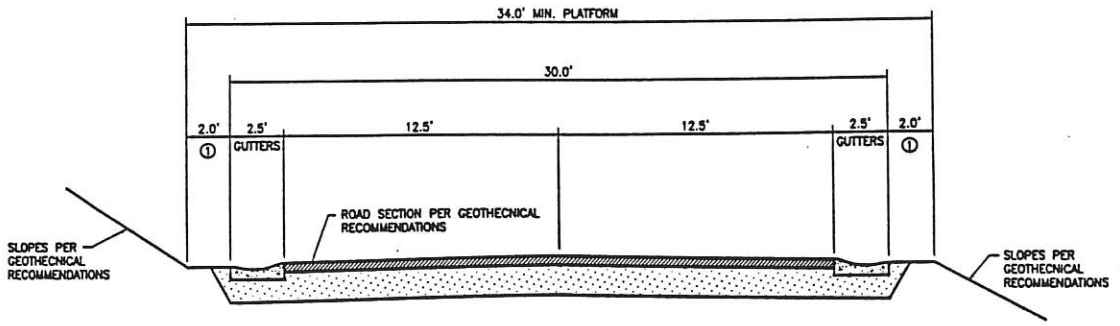
00544835 Bk01276 Pg00566

Phase II

Segment 1. Station 0+00 to Station 20 +00

Segment 1 of Phase II extends from Deer Valley Drive and extends south to Hillside Avenue. General improvements to this section of road will be the installation of a 30' wide asphalt travel lane with 2' shoulders on either side. Curb and gutter will be installed along the entire length. General alignment will follow the current horizontal and vertical alignment to minimize grading and conflicts with existing driveways. Where practical, shoulder widths will be increased provided this does not involve extensive retaining wall work or regrading. Surface drainage will be channeled through inlets and drain lines where it will be connected to existing drainage facilities at the belt route intersection and above 4th Street parking structure. Electrical conduit and sanitary sewer will be placed along the length of this road and stubbed off. The future possibility exists to bury electrical lines in Old Town and the installation of conduit will circumvent the necessity of tearing up the road to do so.

FLAGSTAFF DEVELOPMENT PARAMETERS
TYPICAL ROAD SECTION



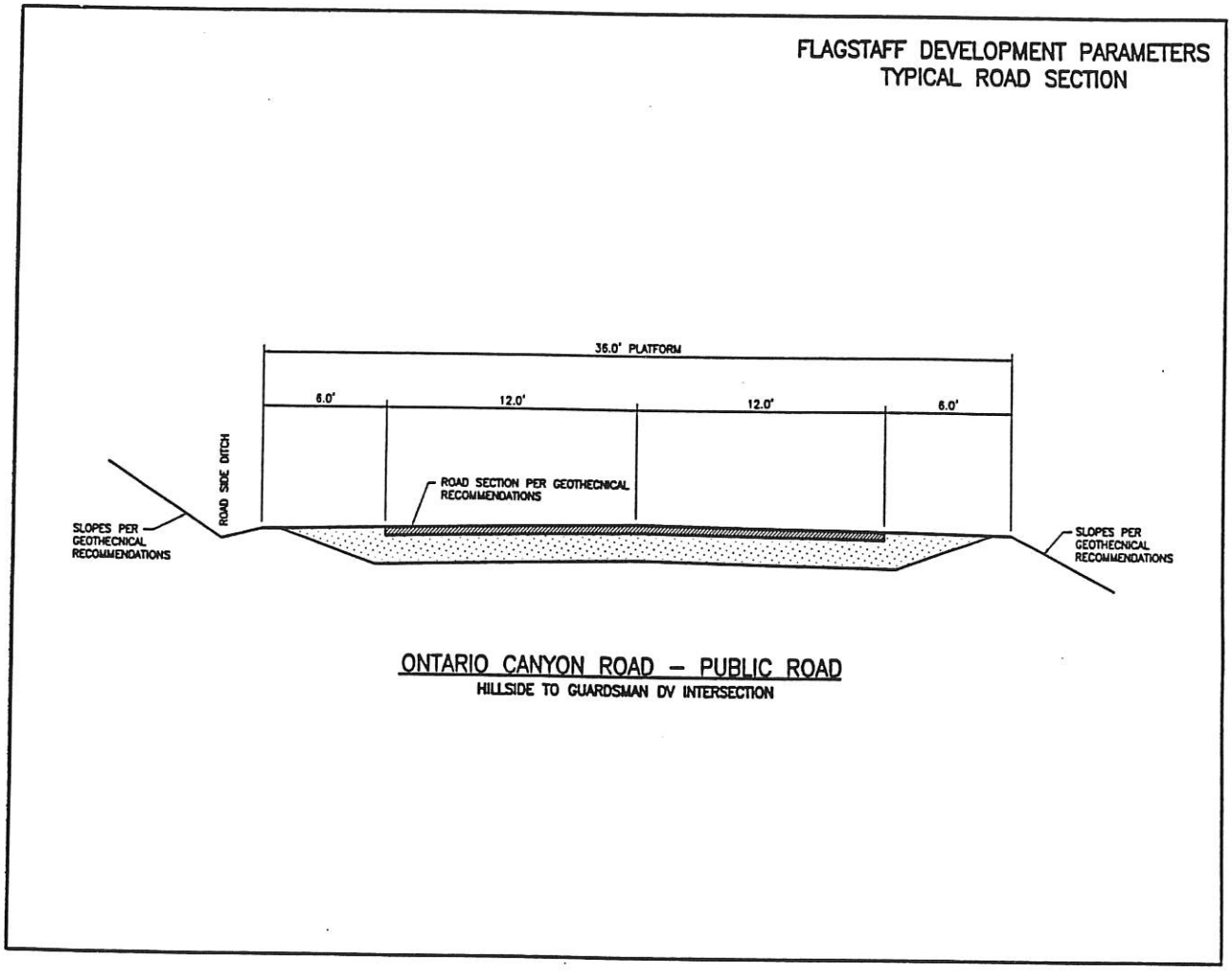
MARSAC AVE – PUBLIC ROAD
DEER VALLEY DRIVE TO HILLSIDE AVE

NOTE:
① SHOULDERS TO BE WIDENED TO 5' WHERE PRACTICAL WITHOUT SIGNIFICANT EARTHWORK AND/OR RETAINING WALL CONSTRUCTION.

00544835 Bk01276 Pg00567

Segment 2. Station 20+00 to Station 30+00

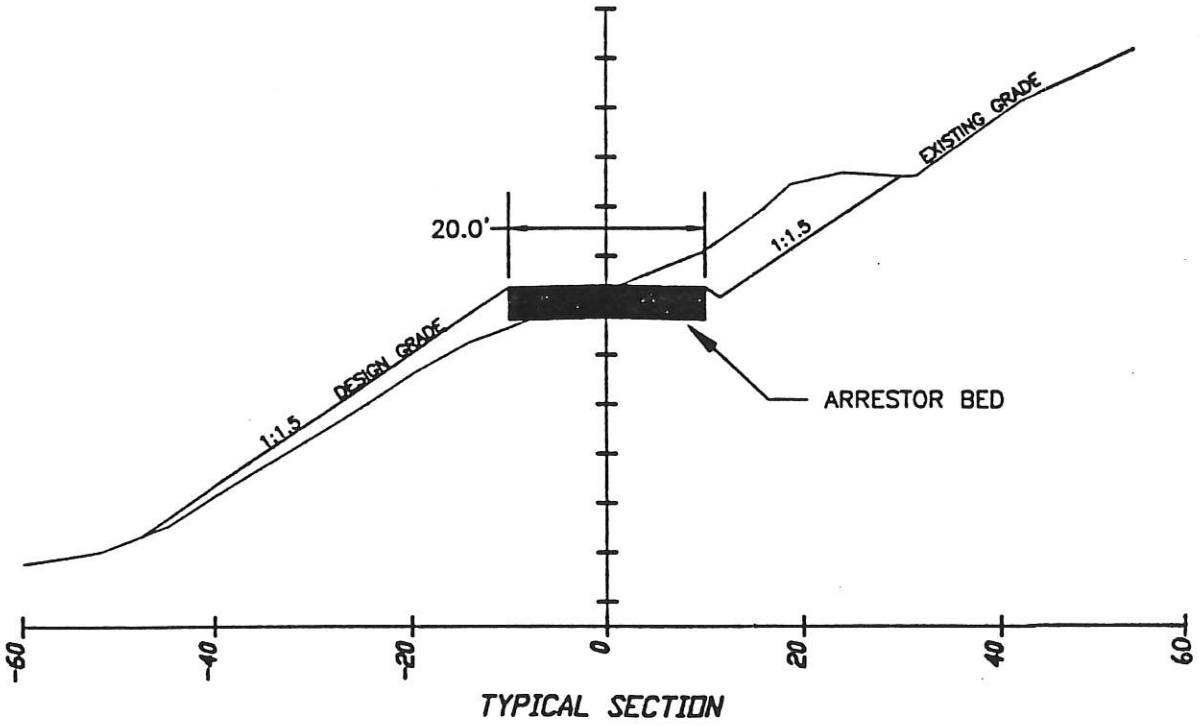
The road will have a 24' wide asphalt travel platform with 4' shoulders. Drainage will consist of inlets and drain lines which channel surface water to existing drainage facilities at the belt route intersection, above the 4th Street parking facility and above the Hillside intersection. Curb and gutter will be installed along the length of the improvements.



00544835 Bk01276 Pg00568

Segment 3- Runaway Truck Lane at Station 30+00.

The construction of a runaway truck ramp is proposed as a safety consideration. This is a courtesy of the developer and should be recognized as such. There are no definitive design guidelines for runaway truck ramps from AASHTO (Fehr and Peers, 11/12/98, Scott Zeigler). Basic criteria emphasize that the offset degree of the ramp to the road should be as minimal as site constraints allow. 20 feet in width is recommended as an adequate width to handle most big trucks without requiring excessive handling by the driver. The AASHTO manual recognizes that runaway truck ramps, out of necessity, need to take into account the nature of the site and design a best fit for that particular piece of property. Options for increasing the efficiency of the ramp include increasing the upward slope and installing sand piles at regular spaced intervals to slow the progress of the vehicle. At present, the Project Engineer (John Demkowicz, Alliance Engineering) is conferring with City's Engineer to determine the best layout and course for the runaway truck ramp.



TYPICAL SECTION

* * *

00544835 Bk01276 Pg00569

October 8, 2021

Re: Notice of *Notice of Intent to File a Petition under Utah Code section 10-2-403(2)(a)(i)*

Attention Park City Recorder,

This Notice of Intent to File a Petition is required by Utah Code section 10-2-403(2)(a)(i). Included with this Notice of Intent is an accurate map of the area that is proposed to be annexed. A copy of this Notice of Intent has also been sent to each affected entity, as defined by Utah Code section 10-2-401.

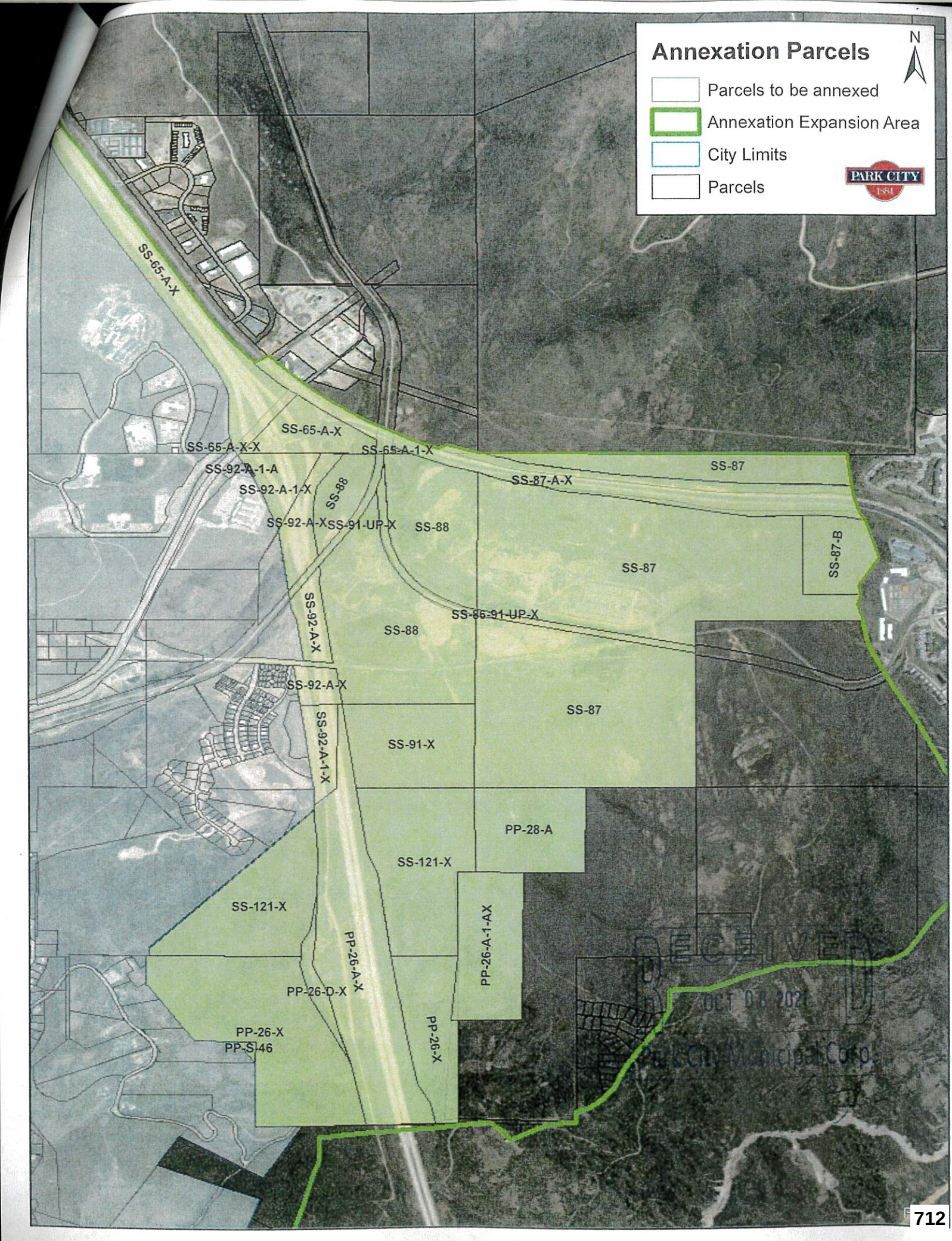
A written request has also been sent to Summit County, asking that the statutorily required notice under Utah Code section 10-2-403(2)(b)(iii) be mailed to owners of real property in the area to be annexed and owners of real property located within 300 feet of the area proposed to be annexed. That request includes a proposed copy of the notice to property owners, which is included with this letter as a courtesy.

Yours,

Matt Dias
City Manager

RECEIVED
OCT 08 2021
Park City Municipal Corp.

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Phone (435) 615-5010 • FAX (435) 615-4901


Annexation Parcels
N
Parcels to be annexed
Annexation Expansion Area
City Limits
Parcels
PARK CITY
SS-65-A-X
SS-65-A-X-X
SS-65-A-1-X
SS-92-A-1-A
SS-92-A-1-X
SS-88
SS-92-A-X
SS-91-UP-X
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SS-87-B
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SS-86-91-UP-X
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SS-91-X
PP-28-A
SS-121-X
SS-121-X
PP-26-A-X
PP-26-A-1-AX
PP-26-D-X
PP-26-X
PP-S-46
PP-26-X
RECEIVED
OCT 08 2021
Park City Municipal Corp.

Eve Furse
Summit County Clerk
efurse@summitcounty.org
435-336-3203

60 North Main Street
Po Box 128
Coalville, UT 84017

CERTIFICATE OF MAILING

I do hereby certify that I mailed a true and correct copy of the Park City Municipal Proposed Annexation Notice to the following by first class mail on October 13, 2021:

AMEZQUITA EDGAR
ASTORGA FRANCISCO
BIG HOSS PROPERTIES LLC
BIGATEL TODD A
BROWN KEVIN W
CLOUSE EDWARD B JR
CRONIN SEAN
E22 LLC
FORESTDALE INVESTMENTS LLC
FRANCIS CORY LEE
GAMMON LYNSEY
G-BAR VENTURES LLC
GERTZ EVA JOBANA
GMG II INVESTMENT LLC
GOLIATH PARTNERS LLC
HAAGA PAUL G III TRUSTEE
HALL KRISTEN HOLCOMB
HATCH SUSAN MARLENE
HIDEOUT COMMUNITY ADVANCEMENT AND DEVELOPMENT LLC
I-40 STORAGE (DE) LLC
IHC HEALTH SERVICES INC
IMRIE SAMANTHA T
IVORY DEVELOPMENT LLC
IVORY LAND CORPORATION
JAGER LINDA P
JORDANELLE STORAGE PARK LLC
JOURNEY TAYLOR
LABOV DANIEL TRUSTEE
LACY K2 LLC
LAFARGA JANICE
LEE SHANNON L
LESLIE KATHRYN HOOD
LONG TRICIA
MARSHALL SHELLEY LYNN
MCKENNA MEGAN MARIE
NAGEL MATTHEW THOMAS
NICHOLAS DAVID
NICHOLS ENTERPRISES LLC
NOVELLE DIANA JO
OLSON NATHAN
PARK CITY AUTO CENTER INC
PARK CITY FIRE SERVICE DISTRICT
PARK CITY HEIGHTS MASTER ASSOCIATION
PARK CITY MUNICIPAL CORPORATION
SFP FORESTDALE LLC
SOUTH POINT UTAH LLC
SPACE PLACE ANNEX LLC
STATE OF UTAH
STAUFFER TARA
STEELE MEGAN S
STEPHENS TAMARA
STICHING MAYFLOWER MOUNTAIN FONDS
STICHTING MAYFLOWER RECREATIONAL FONDS
SUCIK RONALD M II
SUMMIT COUNTY
SUNDBORN LLC
TALLERING KENNETH H/W (JT)
TOPMARK INVESTMENTS LLC
UNITED PARK CITY MINES COMPANY
UNITED STATES OF AMERICA

UNITED STATES OF AMERICA/INTERIOR DEPT
UTAH DEPARTMENT OF TRANSPORTATION
UTAH DEPT OF TRANSPORTATION
WEST AMANDA
WESTERN REAL ESTATE DEVELOPMENT LLC
WILLIS LAURA M
WILKINSON MICHAEL D

JORDANELLE SPECIAL SERVICE DIS
DORTMUND HOLDINGS LC
EMP PARK CITY LLC
BB PARTNERS LLC
WIENER DAVID MICHEL TR
BRULECREEK UT HOLDINGS LLC
PROMONTORY INVESTMENTS LLC

DATED this 13th day of October, 2021.

Signature
Jessika O'Brien
Deputy Clerk
On behalf of Eve Furse
Summit County Clerk

October 13, 2021

NOTICE OF INTENT
TO FILE
ANNEXATION PETITION

Attention: Your property may be affected by a proposed annexation.

Records show that you own property within an area that is intended to be included in a proposed annexation to Park City, Utah, or that is within 300 feet of that area. If your property is within the area proposed for annexation, you may be asked to sign a petition supporting the annexation. You may choose whether to sign the petition. By signing the petition, you indicate your support of the proposed annexation. If you sign the petition but later change your mind about supporting the annexation, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Park City Municipal Corp. within 30 days after Park City receives notice that the petition has been certified.

There will be no public election on the proposed annexation because Utah law does not provide for an annexation to be approved by voters at a public election. Signing or not signing the annexation petition is the method under Utah law for the owners of property within the area proposed for annexation to demonstrate their support of or opposition to the proposed annexation.

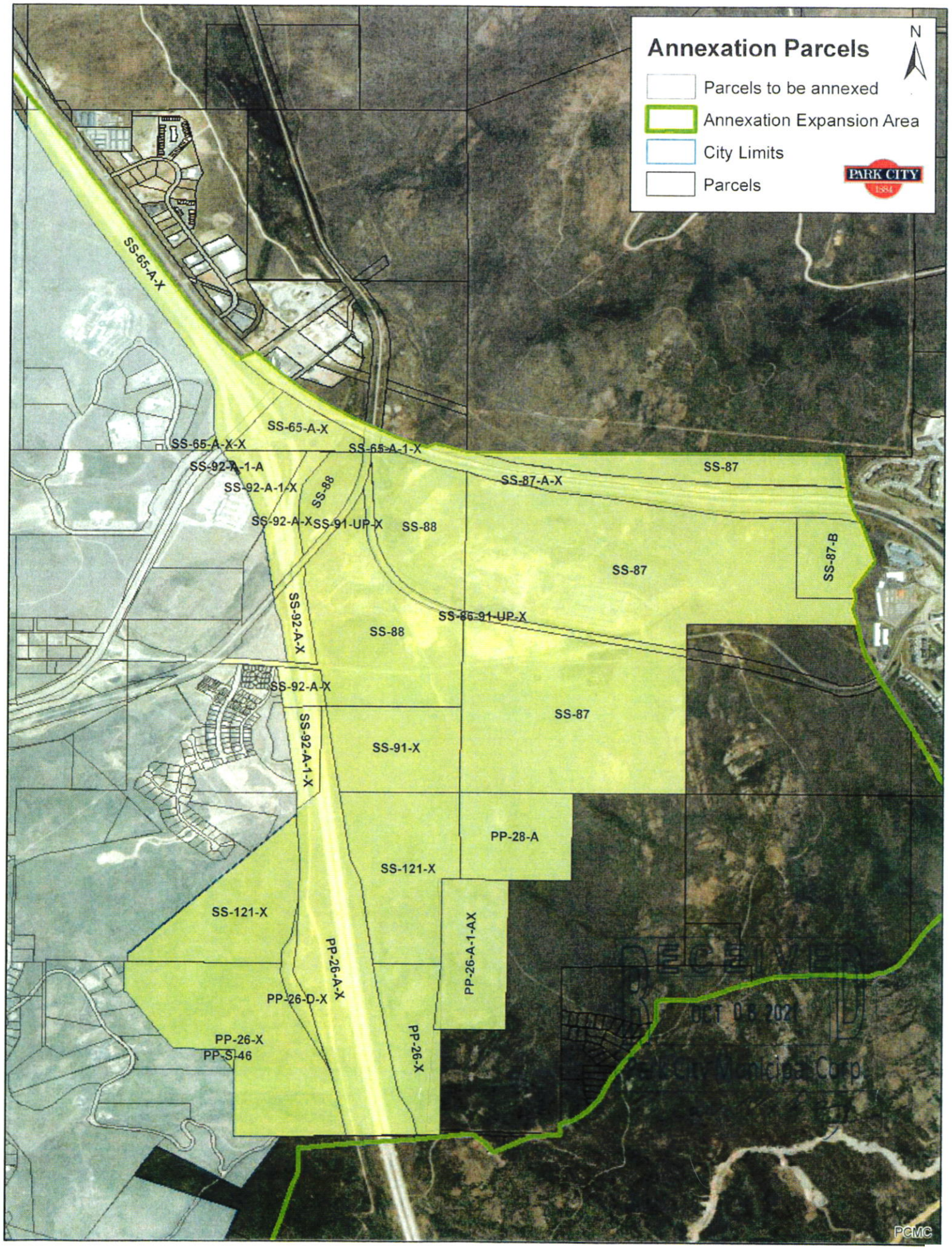
You may obtain more information on the proposed annexation by contacting:

Park City Municipal Corporation
Attn: Matt Dias, City Manager
Manager
445 Marsac Avenue
P.O. Box 1480
Park City, Utah 84060-1480
Matt.dias@parkcity.org
435.615.5180

Summit County
Attn: Tom Fisher, County

60 N. Main Street
P.O. Box 128
Coalville, Utah 84017
tfisher@summitcounty.org
435.336.3200

Once filed, the annexation petition will be available for inspection and copying at the office of Park City Municipal Corp. located at 445 Marsac Avenue, Park City, Utah 84060.


Annexation Parcels
N
Parcels to be annexed
Annexation Expansion Area
City Limits
Parcels
PARK CITY
1884
SS-65-A-X
SS-65-A-X-X
SS-65-A-1-X
SS-92-A-1-A
SS-92-A-1-X
SS-88
SS-92-A-X
SS-91-UP-X
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SS-87
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SS-87
SS-92-A-1-X
SS-91-X
PP-28-A
SS-121-X
SS-121-X
PP-26-A-X
PP-26-A-1-AX
PP-26-D-X
PP-26-X
PP-S-46
PP-26-X
RECEIVED
OCT 08 202
PCMC

October 28, 2021

Re: Notice of Certified Annexation Petition for Southeast Quinn's Junction Area

Attention:

An annexation petition has been filed proposing to annex an area southeast of Quinn's Junction to Park City, Utah. This area, located east of Park City, between the existing City boundary and the Summit County line, includes approximately 1200 acres of land intersected by SR-248 and US-40.

The annexation petition was accepted for further consideration by the Park City Council on October 18, 2021. On October 28, 2021, the Park City Recorder certified that the petition was complete and met the statutory requirements. The Park City Council was notified of certification on that same date. A copy of the petition is available for inspection and copying at the Park City Recorder's office. It is also available online at: engageparkcity.org/richardson-flat-annexation.

Park City may grant the petition unless a written protest is filed with the county boundary commission and a copy delivered to the Park City Recorder by November 27, 2021, at:

County Boundary Commission
c/o Evelyn Furse, County Clerk
60 N. Main Street
P.O. Box 128
Coalville, UT 84017
Phone: (435) 336-3204

Park City Recorder
Michelle Kellogg, City Recorder
445 Marsac Avenue
P.O. Box 1480
Park City, UT 84060
Phone: (435) 615-5007

Information about who can protest and what information should be included in a protest can be found in Title 10, Chapter 2, Part 4 of the Utah Code, which is available online at: https://le.utah.gov/xcode/Title10/Chapter2/10-2-P4.html. Section 407 contains information about the process for protests.

Park City Council
445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Phone (435) 615-5007 • FAX (435) 615- 4901

Eve Furse
County Clerk
www.summitcounty.org/clerk
efurse@summitcounty.org

SUMMIT COUNTY

Phone: (435) 336-3204
FAX: (435) 336-3030
PO BOX 128
60 North Main
Coalville, UT 84017

February 18, 2022

Park City Council
c/o Michelle Kellogg
445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060

Re: Annexation Protest – Richardson Flats

Dear Ms. Kellogg:

Attached please find a copy of the Boundary Commission's Decision.

Sincerely,

Eve Furse

Eve Furse
Summit County Clerk

BEFORE THE SUMMIT COUNTY BOUNDARY COMMISSION
IN AND FOR SUMMIT COUNTY, STATE OF UTAH

IN THE MATTER OF THE PROTEST OF HIDEOUT COMMUNITY ADVANCEMENT AND DEVELOPMENT, LLC	**FINDINGS OF FACT & CONCLUSIONS OF LAW** Effective Date: February 16, 2022

On February 14, 2022, this matter came before the Summit County Boundary Commission ("*Commission*") on a protest by Hideout Community Advancement and Development, LLC ("*HCAD*") of the Annexation Petition for Southeast Quinns Junction (the "*Park City Petition*").

HCAD was represented by Bruce R. Baird. Park City Municipal Corporation ("*Park City*") was represented by Margaret D. Plane and Luke Henry from the Park City Attorney's Office. The Commission was represented by David L. Thomas, Chief Civil Deputy County Attorney.

Evidence and materials were presented by way of testimony, statements, documents and memorandum for consideration by the Commission. Having considered the evidence presented by all parties and the entire record relating to this Protest (defined below), the Commission rendered its decision following discussion and deliberation as part of its scheduled meeting and hearing on February 14, 2022, adopting a motion to DENY the Protest, with that decision to become final following the adoption of these findings and conclusions. The voting of the Commission on this matter was 7-0. In support of that decision, the Commission adopts the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Park City Petition was filed on October 15, 2021.

2. The Park City Petition includes Parcels SS-88 (166 acres), SS-87 (380 acres), PP-28-A (40 acres), SS-87-B (23 acres), SS-91-X (45 acres), SS-121-X (125 acres), PP-26-X (125 acres), and PP-26-A-1-AX (44 acres), as well as rights-of-way owned by the Utah Department of Transportation and Parcel SS-87-A-X (17 acres) owned by the United States of America, Bureau of Reclamation (together, the "*Annexation Area*") (approximately 965 acres).

3. HCAD is the record title owner of Parcel SS-87-B, which is located within the Annexation Area.

4. HCAD filed a protest of the Park City Petition on November 24, 2021 (the "*Protest*"). The Protest was timely filed. The Protest asserted the following:

   a. HCAD is the record owner of Parcel SS-87-B.

b. Parcel SS-87-B is "rural real property."

c. HCAD did not sign its consent to the inclusion of Parcel SS-87-B within the Park City Petition.

d. To the extent Park City "believes it is holding an authorization, any such authorization is expressly withdrawn by this notice and protest."

e. HCAD "reserves the right to seek all other legal and equitable remedies, including the right to raise other claims related to the deficiencies associated with the Annexation, including items raised by other protesters."

5. Parcel SS-87-B is located within the Mountain Remote Zone District in the Snyderville Basin Planning Area.

6. The Mountain Remote Zone District has the following characteristics:

a. "Intent: The purpose of the mountain remote (MR) zone district is to identify lands that, because of their location, accessibility, terrain, or other similar features, are not easily serviced by local service providers. Development shall be limited in these areas to minimize disturbance to the natural environment, lessen the fire danger, protect water supplies, protect wildlife, protect natural resources and viewsheds, and protect and promote open space values of the Snyderville Basin." Summit County Code §10-2-6(A).

b. "Density: In areas that are not already platted, or otherwise entitled, the base density shall be one unit per one hundred twenty (120) acres on both developable lands and critical lands." Summit County Code §10-2-6(B).

c. "Schedule of Uses: The table of uses sets forth the appropriate uses in this zone. In general, low density residential, recreational and agricultural and grazing uses are considered appropriate." Summit County Code §10-2-6(C).

d. Development within the Mountain Remote Zone District must comport with height and setback standards which are specific to the zone. Summit County Code §10-2-6(D) – (H).

e. The Use Table (Summit County Code §10-2-10) provides that:

i. Accessory Buildings (minor), Agriculture, Home Childcare, Accessory Dwelling Units, Home Based Businesses, Open Space, Recycling Facilities, and Telecommunication Facilities are Allowed Uses within the Mountain Remote Zone District and require a building permit to vest development rights.

ii. Childcare Facilities, Dwelling Units (agricultural employee, ridgeline overlay zone, single family attached, and single family detached), Helicopter (utility construction), Horse Boarding (private), Recreation and Athletic Facilities (private), Resort Operations (including replacement resort lifts and resort structures under 5,000 square feet), Signs, Structures in the Ridgeline Overlay Zone, Stealth Telecommunication Facilities, Neighborhood Trails, and Underground Utilities are Low Impact Uses within the Mountain Remote Zone District and require an administrative Low Impact Permit issued by the Community Development Director ("*CDD*") and a building permit to vest development rights.

iii. Accessory Buildings (major), Bed and Breakfast Inn, Campground, Cemetery, Childcare Center, Commercial Kennels, Hazardous Liquid or Materials Transmission

Pipelines, Historically Significant Structures (including adaptive reuse), Horse Boarding (commercial), Commercial Horse Stables and Riding Academy, Hotels (fewer than 16 rooms), Logging Camp, Mining, Wholesale Nursery, Commercial Recreation, Park and Ride Facility, Parks, Public Facilities, Public Recreation, New Resort Lifts or Runs, Resort Structures over 5,000 square feet, Ski Lifts and Runs (private), Telecommunications Facilities, Trailhead Parking, Utilities (above ground or major), and Vehicle Control Gate are Conditional Uses within the Mountain Remote Zone District and require an administrative Conditional Use Permit issued by the Snyderville Basin Planning Commission and a building permit to vest development rights.

f. The Mountain Remote Zone District is not a "holding zone" as characterized by HCAD. There is no evidence of such in the record of this Protest. The Snyderville Basin Development Code makes no such statement. Nor is there evidence that Open Space is not a valid Allowed Use which has value to a property owner.

7. Use determinations under the Snyderville Basin Development Code (Summit County Code, Title 10) are made by the CDD. Summit County Code §10-2-10.

8. Further, under the Snyderville Basin Development Code, the CDD is empowered to "make administrative interpretations pertaining to the operation and implementation of this title consistent with and in furtherance of chapter 1, "Program for Resort and Mountain Development," of this title." Summit County Code §10-9-10(D)(2)(b)(3).

9. Agriculture is an Allowed Use within all zone districts in the Snyderville Basin Planning Area.

10. The Eastern Summit County Planning Area has a series of specific agricultural zone districts: AG-5, AF-10, AG-20, AG-40, and AG-80. Summit County Code §11-3-2 thru 11-3-7. Agriculture is an Allowed Use within all zone districts in the Eastern Summit County Planning Area.

11. The Eastern Summit County Development Code (Summit County Code, Title 11), provides that the CDD is "responsible for interpreting the provisions of this title." Summit County Code §11-7-11.

12. The CDD executed a declaration in which he provided interpretations of the two planning areas and their development codes, which interpretations are instructive to the Commission.

> The Eastern Summit County Development Code covers the majority of the county and acknowledges traditional rural, agricultural, and small-town land uses. While Eastern Summit County planning district has zoning districts for residential, commercial and industrial uses, most of the land covered by the Eastern Summit County Development Code is under various agricultural districts. All these Agricultural zoning districts are primarily for agricultural use. However, they also allow subordinate uses, such as low-density residential development.
>
> The Snyderville Basin Development Code covers the southwestern portion of Summit County. The land addressed in the Snyderville Basin Development Code is generally more directed to resort development, support commercial, and varying degrees of low-density residential development, than the land covered by the Eastern Summit County Development Code.
>
> The Mountain Remote Zoning District is found in the Snyderville Basin Development Code. The fundamental purpose of the zoning district was to minimize disturbance, lessen fire danger, protect water supplies, protect wildlife, protect natural resources and viewsheds, and protect and promote open space. The zoning district exists to protect the natural environmental and open space values of the Snyderville Basin.

Like every other zoning district in Summit County, the Mountain Remote Zoning District allows agricultural use. It is among several allowed uses – it is not a primary purpose.

In the Mountain Remote Zoning District, agricultural use is a subordinate use, meaning it can occur but that is not what the zoning district was created for.

BASED on the totality of facts and circumstances presented by the evidence and the entire record considered as part of the decision, the Commission renders the following Conclusions of Law:

CONCLUSIONS OF LAW

1. The task of the Boundary Commission is to evaluate the protests of annexation petitions to ensure that such petitions substantively comply with Utah Code §10-2-415(8). Matter of Boundary Commission of Davis County, 737 P.2d 163, 165 (Utah 1987); Szathowski v. Bountiful City, 906 P.2d 902, 904 (Utah App. 1995).

2. In doing so, "the boundary commission may: (a) approve the proposed annexation, either with or without conditions; (b) make minor modification to the proposed annexation and approve it, either with or without conditions; or (c) disapprove the proposed annexation." Utah Code §10-2-416(1).

3. However, the Boundary Commission may only entertain protests filed by claimants who qualify under the annexation statute. Utah Code §10-2-407; McKitrick v. Gibson, 2021 UT 48, ¶¶2, 17, 496 P.3d 147 (statutory claimant must have statutory standing to assert a claim). As applied to the Protest, a qualified claimant includes "an owner of rural real property." Utah Code §10-2-407(1)(b).

4. Rural Real Property is defined as "an area: (a) zoned primarily for manufacturing, commercial, or agricultural purposes; and (b) that does not include residential units with a density greater than one unit per acre." Utah Code §§ 10-2-401(j); 17B-2a-1107(1).

5. Parcel SS-87-B is zoned Mountain Remote. HCAD asserts that it is Rural Real Property because it is zoned primarily for agricultural uses, while Park City counters that it is not Rural Real Property because agricultural uses are a subordinate use and not the primary purpose of the zone. The resolution of this question regarding Rural Real Property is a threshold question to the Commission entertaining the Protest, as it bears directly upon statutory standing. Absent statutory standing, the Commission has no jurisdiction to adjudicate the Protest.

6. In order to determine whether Parcel SS-87-B is "zoned primarily for . . . agricultural purposes," the Commission must evaluate the purpose of the Mountain Remote Zone District.

7. In statutory interpretation, courts attempt to give effect to the legislative intent of statutes as evidenced by the statute's plain language. Summit Water Distribution Company v. Summit County, 2005 UT 73, 123 P.3d 437, 442; Jensen v. Intermountain Health Care, Inc., 679 P.2d 903, 906 (Utah 1984). This is because courts have determined that "[t]he best evidence of the [legislative] intent is the statute's plain language." Marion Energy, Inc. v. KFJ Ranch Partnership, 2011 UT 50, 267 P.3d 863, 866. In doing so, courts "interpret statutes to give meaning to all parts, and avoid rendering portions of the statute *superfluous*." State v. Watkins, 2013 UT 28, 309 P.3d 209, 213 (emphasis added). "To do so, [courts] read the *plain language of the statute as a whole*, and interpret its provisions in *harmony with other statutes in the same*

chapter and *related chapters*." State v. Barrett, 2005 UT 88, 127 P.3d 682, 689 (emphasis added).

8. While such rules of statutory interpretation and construction are instructive, here the legislative body of Summit County gave specific regulatory authority to the CDD to render interpretations of its development codes. Consequently, we cannot divorce our statutory analysis completely from the testimony of the CDD, but rather will include his interpretations as part of our overall interpretive analysis.

9. HCAD urges us to follow the holding in Price Development which asserts that an ordinance's intent statement "provide[s] guidance to the reader as to how the act should be enforced and interpreted, but they are not a substantive part of the statute. They may be used to clarify ambiguities, but they do not create rights that are not found within the statute, nor do they limit those actually given by the legislation. Accordingly, we have said that we will not limit our interpretation of a statute by reference to a 'general declaration of purpose actuating the legislature in passing the Act.' Instead, we look to the statute as an operative whole in divining legislative intent." Price Dev. Co., LP v. Orem City, 2000 UT 26, ¶23, 995 P.2d 1237. Price Development was a sales tax case, not an annexation case wherein the statute expressly seeks to know the "purpose" of the zone in order to determine statutory standing. Such makes Price Development of limited value. However, we agree with Price Development in that we should "look to the statute as an operative whole in divining legislative intent."

10. We conclude that Park City's analysis is more compelling than that of HCAD. The legislative body of Summit County certainly knows how to create zone districts whose primary

purpose is agriculture, as they did so within the Eastern Summit County Development Code. The CDD's testimony is helpful in understanding the basis of both development codes. HCAD spent its argument on the narrow issue of "use," while the annexation statute focused not on "use," but rather on "purpose." We cannot ignore the fact that there is an intent statement from the legislative body within the body of the Mountain Remote Zone District. Agriculture is not mentioned. Rather, the various purposes espoused by the CDD are stated therein.

11. The development density is determined by the number of residential dwelling units and the schedule of uses provides for "low density residential, recreational and agricultural and grazing uses." While HCAD focused on the Allowed Uses only, statutory construction would have us consider the entire Use Table, which also includes Low Impact and Conditional Uses. All three types of uses require administrative land use permits. Especially instructive to us is that Agriculture is an Allowed Use in all zone districts, not just in the Snyderville Basin, but in the Eastern Summit County Planning Area as well. With respect to the Snyderville Basin, this indicates that Agriculture is a subordinate use in all zones. Consequently, centering upon the Allowed Use of Agriculture is not compelling. Many of the "low density residential" and "recreational" uses mentioned in Summit County Code §10-2-6(C) are embedded in the Low Impact and Conditional Uses within the Use Table. The intent language in Summit County Code §10-2-6(A) marries well with these Low Impact and Conditional Uses. The Allowed Use of Open Space is also fully consistent with that intent language.

12. Based upon the plain language within the Snyderville Basin Development Code, as it relates to the Mountain Remote Zone District, and considering such as a whole, including the

express Intent, Density, and Schedule of Uses language within the Mountain Remote Zone, the Table of Uses, which provides a plethora of Allowed, Low Impact and Conditional Uses not centered upon Agriculture, the declaration of the CDD (who is empowered to interpret the development code), and an analysis of the Eastern Summit County Development Code, we conclude that the Mountain Remote Zone District was not primarily created for agricultural purposes. Consequently, we conclude that Parcel SS-87-B is not Rural Real Property.

13. The Commission thusly concludes that HCAD does not have statutory standing to file a protest under Utah Code §10-2-407. The Protest is hereby DENIED.

This is the final administrative decision of the Summit County Boundary Commission and is appealable pursuant to Utah Code §10-2-417 within twenty (20) days of the Effective Date to the Third District Court of Summit County.

DATED this 16 day of February, 2022.

SUMMIT COUNTY BOUNDARY COMMISSION

By: _____
Tal Adair
Chair

APPROVED AS TO FORM:

David L. Thomas

David L. Thomas
Chief Civil Deputy

01175236 B: 2699 P: 0521
Page 1 of 16
Rhonda Francis Summit County Recorder
10/13/2021 10:18:14 AM Fee $40.00
By PARK CITY TITLE
Electronically Recorded

GROUND LEASE

between

UNITED PARK CITY MINES COMPANY
("Landlord")

and

PARK CITY MUNICIPAL CORPORATION
("Tenant")

dated as of

April 30, 2010

GROUND LEASE

THIS GROUND LEASE (the "Lease") is made and entered into this 30th day of April, 2010 (the "Effective Date") by and between United Park City Mines Company, a Delaware Corporation ("Landlord") and Park City Municipal Corporation, a political subdivision in the State of Utah (the "City" or "Tenant"). Landlord and Tenant are sometimes collectively referred to as the "Parties."

RECITALS

A. The Parties are signatories to an Amended & Restated Development Agreement dated March 2, 2007 (the "Development Agreement").

B. Section 3.1 and related Schedule 3.1 of the Development Agreement contain certain provisions related to a 30-acre parcel which is to be deeded or leased to the City. This Lease is in fulfillment of, and is implemented pursuant to, those provisions.

C. The Premises described herein are subject to the requirements of that certain Consent Decree (the "Consent Decree") between United Park City Mines and the United States Environmental Protection Agency approved by the United States District Court for the District of Utah on October 4, 2007, a copy of which has been provided to Tenant by Landlord.

TERMS & CONDITIONS OF LEASE

NOW THEREFORE, in consideration of the mutual promises of Landlord and Tenant, and for other good and valuable consideration, Landlord and Tenant agree as follows:

1. LEASED PREMESIS AND RENT

1.01 For the payment of One Dollar ($1.00), Landlord hereby leases to Tenant, and Tenant hereby leases from Landlord, that improved parking lot and surface use rights as defined herein on the parcel of land more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference, together with all improvements thereon and appurtenances related thereto (collectively, the "Premises"). Nothing herein shall be interpreted to include any Hazardous Material within the Premises.

1.02 Except for: 1) the existing Development Improvement Agreement with Summit County dated July 18, 2008, and the associated Parking Lot Pavement Warranty (as described in the letter from Derek Radke, Summit County Engineer, dated February 2, 2010), which obligations shall remain with Landlord; 2) as otherwise expressly provided in this Lease; and 3) subject to the Landlord's indemnity in Section 7.03 below; Tenant hereby accepts the Premises from Landlord on an "AS-IS," "WHERE-IS" basis, without any representations or warranties from Landlord, and subject to all physical conditions of the Premises, whether known or unknown.

2. DURATION OF LEASE

2.01 The term of this Lease shall commence on the date hereof and shall continue for a period of Ninety-Nine (99) years (the "Term").

2.02 Tenant may by right extend the term of this Lease on the same terms and conditions as provided herein for an additional term of Ninety-Nine (99) years (the "Renewal Term") by sending Landlord written notice of the exercise of this renewal option not less than 12 months prior to the expiration of the Initial Term. Upon such receipt of written notice, the Lease shall be renewed for the Renewal Term.

3. USE OF THE PREMISES, AND LANDLORD'S RESERVED RIGHTS AND OBLIGATIONS

3.1 The Premises shall be used by the Tenant only for ball fields or similar recreational spaces, and improvements related thereto, and parking (the "Permitted Uses"). Landlord has constructed a Park & Ride facility and related improvements on the Premises comprising 750 parking spaces which will accommodate (i) segregated Montage Hotel and Empire Pass parking (up to 100 spaces) the access and use of which is reserved to Landlord, and (ii) parking for the City (up to 650 spaces) which may also be used by the City for reasonable ancillary uses such as special events. This parking area also serves as the location for Montage Hotel construction parking, and the Landlord or Montage Hotel shall be responsible for providing or arranging construction parking shuttles. Landlord has the exclusive right to name the ball fields or similar recreational spaces, and will not select a name that is inappropriate.

3.2 Subject to the use rights and restrictions specified herein, Tenant shall control the use of and access to the Premises. Landlord shall have access to the Premises as may be necessary to conduct restoration and reclamation activities including, without limitation, any activities directed by any federal or state agency with jurisdiction over the Premises.

3.3 Landlord shall not perform any act or omission in relation to the Premises that is materially inconsistent with or which will materially impair Tenant's actual utilization of the permitted uses under this Lease; provided, however, that nothing in this provision shall be construed to prevent Landlord from complying with any Environmental Law or any other applicable law, rule, regulation or order. Landlord shall provide Tenant written notice of any certificate of completion, violation notice, or any material modification of the Consent Decree in relation to the Premises.

4. COSTS AND EXPENSES

Tenant shall, during the Term of this Lease, be responsible for and shall pay all costs and expenses of any kind or nature whatsoever related to the Premises and the use, occupancy, improvement and operation thereof, including, without limitation, all assessments, utilities, taxes, operating and maintenance costs, and other charges, costs and expenses of every kind and nature whatsoever, extraordinary as well as ordinary. The precise layout and costs of any kind associated with the ball fields or similar recreational spaces, and improvements related thereto, are the Tenant's responsibility.

5. LIENS

Tenant shall not permit any lien to be filed against the Premises or any interest of Landlord or Tenant that remains more than sixty (60) days after it has been filed. Tenant shall cause any such lien to be discharged of record by payment, deposit, bond, order if a court of competent jurisdiction, or as otherwise permitted by law. If Tenant fails to cause such lien to be discharged within the 60-day period, then, in addition to any other right or remedy, Landlord may, but shall not be obligated to, discharge the lien by paying the amount in question. Tenant may, at Tenant's expense, contest the validity of any such asserted lien, provided Tenant has furnished a bond in an amount sufficient to release the Premises from such lien. Any amounts paid by Landlord to discharge such liens shall be deemed to be an additional Ground Lease Fee payable by Tenant upon demand.

6. MAINTENANCE AND USE

6.01 Tenant shall, at Tenant's sole expense, use, occupy, operate and maintain the Premises in accordance with applicable laws, and consistent with the terms of this Lease and the Consent Decree, and in accordance with all Environmental Laws applicable to Tenant's use, occupancy, operation, and maintenance of the Premises. Tenant shall take no action or make no omission that shall exacerbate any condition relating to Hazardous Materials that may exist on the Premises or its surrounding environs.

6.02 In the event that Landlord is required by any federal or state agency having jurisdiction over the Premises to conduct any response action, maintenance, or other work on the Premises, Tenant shall accommodate and provide Landlord reasonable access to complete any such action, maintenance or work.

6.03 Tenant shall neither cause nor permit any Hazardous Materials to be used, generated, stored, transported, handled or disposed of in or about the Premises at any time following the Effective Date, unless thereafter expressly authorized to do so by Landlord in a manner that is consistent with the Consent Decree and the 2005 Memorandum of Understanding between Tenant and Landlord.

7. RELEASE AND INDEMNIFICATION

7.01 Landlord shall not be liable to Tenant and Tenant hereby releases, agrees to hold harmless, and waives all claims and causes of action against the Landlord for any injury to or death of any person or damage to or destruction of property in or about the Premises arising by or from any use, occupancy, operation or maintenance by Tenant of the Premises pursuant to this Lease, except to the extent resulting from any Environmental Conditions, or any negligence or intentional torts of Landlord.

7.02 Tenant shall indemnify, protect and hold the Landlord harmless from and defend (by counsel reasonably acceptable to Landlord) the Landlord against any and all claims, causes of action, liability, damage, loss or expense (including reasonable attorneys' fees and costs and court costs),

statutory or otherwise arising out of or incurred in connection with (i) the use, operation, occupancy or existence of the Premises or the presence of visitors, or any other person, at the Premises during the Term or the Renewal Term, (ii) any activity, work or thing done or permitted or suffered by Tenant in or about the Premises, (iii) any acts, omissions or negligence of Tenant, any person claiming through Tenant, or the contractors, agents, employees, members of the public, invitees, or visitors of Tenant or any other such person ("Tenant Party" or "Tenant Parties"), (iv) any breach, violation or nonperformance by any Tenant Party of any provision of this Lease or of any law of any kind, or (v) except to the extent resulting from any Environmental Conditions, or any negligence or intentional torts of Landlord, or any injury to or damage to the person, property or business of any Tenant Party or any other person or entity.

7.03 Landlord shall indemnify, protect and hold Tenant harmless from, and shall defend Tenant against, any and all Environmental Claims arising out of or incurred in connection with the violation of any Environmental Law by Landlord. Notwithstanding the foregoing, Landlord shall have no duty, liability or responsibility to Tenant to the extent that any Environmental Claim arises out of or is based on any action or omission by Tenant that directly or indirectly exacerbates any condition relating to Hazardous Materials that may exist on the Premises or its surrounding environs.

7.04 The foregoing indemnity obligations shall include reasonable attorneys' fees and all other reasonable costs and expenses incurred by reason of any of the foregoing. The provisions of this Paragraph 7 shall survive the expiration or earlier termination of this Lease with respect to any damage, injury or death occurring prior to such expiration or termination. Nothing herein shall limit or waive any defense or limitation of the Utah Government Immunity Act.

8. INSURANCE

8.01 Tenant will maintain, and/or cause to be maintained, at no cost to Landlord, public general liability and umbrella and/or excess insurance insuring its interests against claims for personal injury, bodily injury, death and property damage occurring on, in or about the Premises with a "Combined Single Limit" (covering personal injury liability, bodily injury liability and property damage liability) in an amount to be reasonably designated from time-to time by Landlord, with an initial designation of not less than Five Million Dollars ($5,000,000.00), for total claims for any one occurrence.

8.02 All policies of insurance carried by Tenant pursuant hereto shall be issued by insurance companies which have a Best's Rating of "A-IX" or better and which are qualified to do business in the State of Utah. Landlord shall be named as an "additional insured" on Tenant's policies. Insurance certificates evidencing Tenant's compliance with the insurance requirements herein shall be delivered to Landlord prior to delivery of possession of the Premises to Tenant, within ten (10) days after renewal of any policy of insurance, and within thirty (30) days after written request by Landlord. All policies of insurance or certificates thereof delivered to Landlord must specify thereon the amount of deductible, if any, and shall contain a provision that the company writing the policy shall give to Landlord thirty (30) days' advance written notice of any cancellation or lapse or the effective date of any reduction in the amounts of insurance. All liability and property damage and other casualty policies shall be written as primary policies, not contributing with, and not in excess of coverage which Landlord or any other party may carry respecting the Premises.

8.03 From time-to-time as determined by Landlord, Landlord may review the nature, type extent, levels of insurance coverage, and any other insurance related matter to update the insurance requirements of this Lease to be generally consistent with insurance customarily being maintained by comparable properties with comparable uses, which determinations by Landlord shall be final and binding on the Parties.

9. DEFAULT AND REMEDIES

9.01 Events of Tenant's Default. Tenant shall be in default under this Lease if any of the following occurs: Tenant shall have failed to perform any material obligation, term, covenant or condition of this Lease to be performed by Tenant, and Tenant fails to substantially cure same within sixty (60) days after written notice from Landlord, delivered in accordance with the provisions of this Lease, specifying the nature of such default, where such failure could reasonably be cured within said sixty(60)-day period: provided, however, that where such failure could not reasonably be cured within said sixty(60)-day period, that Tenant shall not be in default unless it has failed to promptly commence and thereafter continue to make diligent and reasonable efforts to substantially cure such failure as soon as practicable.

9.02 Landlord's Remedies. In the event of Tenant's default, Landlord may, at Landlord's election, enforce all of its rights and remedies at law or in equity, including the right to recover sums as they become due by appropriate legal action or proceed in equity or at law to compel Tenant to perform its obligations and/or to recover damages proximately caused by such failure to perform.

9.03 Landlord's Default and Tenant's Remedies. In the event Landlord fails to perform any material term, covenant or condition of this Lease to be performed by Landlord, and Landlord fails to substantially cure such default within sixty (60) days after written notice from Tenant, delivered in accordance with the provisions of this Lease, specifying the nature of such default, where such default could reasonably be cured within said sixty (60) day period, or fails to commence such cure within said sixty (60) day period and thereafter continuously with due diligence prosecute such cure to completion where such default could not reasonably be cured within said sixty (60) day period, then Tenant may, at its option proceed in equity or at law to compel Landlord to perform its obligations and/or to recover damages proximately caused by such failure to perform.

10. SUBLETTING AND ASSIGNMENT

10.01 Tenant shall not, without the prior written consent of Landlord, which consent may be withheld for any reason, (a) assign this Lease or any interest hereunder, or (b) permit any assignment of this Lease by operation of law. Tenant may not sublet the Premises or any part thereof and may permit the use or occupancy of all or any part of the Premises by any parties other than Tenant, its agents, employees and invitees without the consent of Landlord. Temporary or seasonal licenses for parking use with Montage or similar employee, ski resort or master festival/special event users shall not require prior written consent, provided that such do not interfere with the uses and access described in Section 3.1.

10.02 Landlord shall cause any transferee of Landlord's interest in the Premises to assume Landlord's obligations under this Lease, and shall provide Tenant with advance written notice of such transfer.

11. ENVIRONMENTAL DEFINITIONS

(a) "Environmental Claim" means any claim for damages, personal injury, death and/or property damage made, asserted or prosecuted by or on behalf of any third party, including, without limitation, any other governmental entity, employee, former employee, or their respective legal representatives, heirs, beneficiaries and estates, relating to the Premises and arising or alleged to arise under any Environmental Law and resulting from the presence of Hazardous Material in existence prior to the Effective Date.

(b) "Environmental Conditions" shall mean any Hazardous Material subject to the Consent Decree on, under, or related to the Premises, except to the extent exacerbated by the use, occupancy, operation, or maintenance of the Premises by Tenant.

(c) "Environmental Law" means any federal or state statute, rule, regulation, order, consent decree, judgment or common-law doctrine, and provisions and conditions of permits, licenses and other operating authorizations relating to (i) pollution or protection of the environment, including natural resources, (ii) exposure of persons, including employees, to Hazardous Materials or other products, raw materials, chemicals or other substances, (iii) protection of the public health or welfare from the effects of by-products, wastes, emissions, discharges or releases of chemical substances from industrial or commercial activities, or (iv) regulation of the manufacture, use or introduction into commerce of chemical substances, including, without limitation, their manufacture, formulation, labeling, distribution, transportation, handling, storage and disposal.

(d) "Hazardous Material" is defined to include any chemical or hazardous or toxic substances, material or waste which is or becomes regulated by the State of Utah, or the United States Government, including, without limitation, petroleum, asbestos, lead, PCBs, hazardous substances and hazardous wastes.

12. QUIET ENJOYMENT

Landlord, subject to the provisions hereafter set out, warrants that Landlord will not disturb Tenant's quiet possession or enjoyment of the Premises throughout the Term and the Renewal Term, provided Tenant is not in default in performance of any of the covenants or conditions of this Lease.

13. CAPTIONS/NUMBER/GENDER

The headings of the Sections contained herein are for convenience only and do not define, limit, or construe their contents. When required by context, the singular includes the plural, and the neuter gender includes a person, corporation, firm or association.

14. NOTICES

Wherever in this Lease it shall be required or permitted that notice or demand be given or served by either party to this Lease to or on the other, such notice or demand shall, except as otherwise provided herein, not be deemed to be given or served unless such notice is in writing and personally delivered, or forwarded by certified or registered mail, or sent for next-day delivery through a courier or delivery

company maintaining delivery records and providing nationwide service, addressed to the following addresses:

If to Landlord:

United Park City Mines
1850 Sidewinder Drive, 2nd Floor
P.O. Box 4349
Park City, Utah 84060
Attn: David J. Smith

If to Tenant:

Park City Municipal Corporation
1354 Park Avenue
P.O. Box 1480
Park City, Utah 84060
Attn: Mark Harrington

Either Party may change such address by written notice to the other given at least ten (10) days prior to the effective date of the change.

15. RELATIONSHIP TO THE PARTIES

Nothing herein shall be deemed or construed by the Parties or by any third party as creating the relationship of principal and agent or of partnership or of joint venture between the Parties, it being understood and agreed that no provision herein, nor any acts of the Parties, shall be deemed to create any relationship between the Parties other than the relationship of landlord and tenant.

16. CONSENT OF LANDLORD AND TENANT

Except as otherwise provided in this Lease, wherever Landlord or Tenant is required to give its consent or approval to any action on the part of the other, such consent or approval shall not be unreasonably withheld conditioned or delayed. This Paragraph 16 shall not apply to Paragraph 10.

17. SUCCESSORS

All of the rights and obligations of the Parties under this Lease shall bind and inure to the benefit of the respective successors, grantees and assigns of the Parties.

18. SEVERABILITY

If any term or provision of this Lease or the application of it to any person or circumstance shall to any extent be held by a court in an action between the Parties or otherwise affecting this Lease to be invalid or unenforceable, the remainder of this Lease or the application of such term or provision to persons or circumstances other than those to which it is invalid or unenforceable shall

not be affected thereby, and each term and provision of this Lease shall be valid and shall be enforced to the extent permitted by law.

19. AUTHORITY

The individuals who execute this Lease represent and warrant that they are dilly authorized to execute this Lease on behalf of Landlord or Tenant, as the case may be, that the Parties named are all the necessary and proper parties, and that no other signature, act or authorization is necessary to bind such entity to the provisions of this Lease.

20. GOVERNING LAW

This Lease shall be governed by and construed in accordance with the laws of the State of Utah.

21. WAIVER

A waiver of any breach, default or condition shall not be a waiver of any other breach, default or condition. Landlord's consent to, or approval of, any act by Tenant requiring Landlord's consent or approval shall not be deemed to waive or render unnecessary Landlord's consent to or approval of any subsequent similar act by Tenant.

22. SURRENDER

On the last day or sooner termination of the Term or the Renewal Term of this Lease, Tenant shall quit and surrender to Landlord the Premises, and any permanent improvements located thereon, provided, however, that notwithstanding anything in this Lease to the contrary, Tenant shall have the right, but not the obligation, at the end of the term, to remove any improvements made, constructed or installed by Tenant upon the Premises, provided that such removal shall be accomplished within thirty (30) days following the end of the term.

23. FEDERAL COMPLIANCE OBLIGATIONS

23.01 Access to Records. The following access to records requirements apply to this Lease:

(a) Where the Tenant is not a State but a local government and is the FTA Recipient or a subgrantee of the FTA Recipient in accordance with 49 C.F.R. 18.36(i), the Landlord agrees to provide the FTA Administrator, the Comptroller General of the United States or any of their authorized representatives access to any books, documents, papers and records of the Landlord which are directly pertinent to this Lease for the purposes of making audits, examinations, excerpts and transcriptions. Landlord agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.

(b) Landlord agrees to maintain all books, records, accounts and reports required under this contract for a period of not less than three years after the date of termination or expiration of this Lease, except in the event of litigation or settlement of claims arising from the performance of this Lease, in which case Landlord agrees to maintain same until the Tenant, the FTA Administrator, the Comptroller

General, or any of their duly authorized representatives, have disposed of all such litigation, appeals, claims or exceptions related thereto. Reference 49 CFR 18.39(i)(11).

23.02 No Obligation by the Federal Government

(a) Landlord and Tenant acknowledge and agree that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of any underlying contract, absent the express written consent by the Federal Government, the Federal Government is not a party to this contract and shall not be subject to any obligations or liabilities to the Tenant, Landlord, or any other party (whether or not a party to that contract) pertaining to any matter resulting from any underlying contract.

(b) Landlord agrees to include the above clause in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that this clause shall not be modified, except to identify any sub-tenant who will be subject to its provisions.

23.03 Program Fraud and False or Fraudulent Statements or Related Acts

(a) Tenant acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. § 3801 et seq. and U.S. DOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. Part 31, may apply to its actions pertaining to use of the Premises. Upon execution of the underlying Lease, Landlord certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, it may make, or causes to be made, to the Federal Government pertaining to the underlying Lease. In addition to other penalties that may be applicable, the Landlord further acknowledges that if it knowingly and willingly makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government directly pertinent to the underlying lease, the Federal Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on the Tenant to the extent the Federal Government deems appropriate.

(b) Landlord also acknowledges that if it knowingly and willingly makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government under a contract connected with a project that is financed in whole or in part with Federal assistance originally awarded by FTA under the authority of49 U.S.C. § 5307, the Government has the right to impose the penalties of 18 U.S.C. § 1001 and 49 U.S.C. § 5307(n)(I) on the Landlord, to the extent the Federal Government deems appropriate.

23.04 Suspension and Debarment. This Lease is a covered transaction for purposes of49 CFR Part 29. As such, the Tenant is required to verify that none of the Landlord, its principals, as defined at 49 CFR 29.995, or affiliates, as defined at 49 CFR 29.905, are excluded or disqualified as defined at 49 CFR 29.940 and 29.945.

The certification in this clause is a material representation of fact relied upon by the Tenant. If it is later determined that Landlord knowingly rendered an erroneous certification, in addition to remedies available to it the certification in this clause is a material representation of fact relied upon by the Tenant, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment. Landlord agrees to comply with the requirements of49 CFR 29, Subpart C during the term of this Lease.

23.05 Civil Rights. The following requirements apply to the Lease:

(a) Nondiscrimination -In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990,42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, Tenant agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, Tenant agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.

(b) Equal Employment Opportunity -The following equal employment opportunity requirements apply to the Lease:

(i) Race, Color, Creed, National Origin, Sex -In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49.

U.S.C. § 5332, the Tenant agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. Parts 60 et seq., (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the Project. Tenant agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, Tenant agrees to comply with any implementing requirements FTA may issue.

(ii) Age -In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. §§ 623 and Federal transit law at 49 U.S.C. § 5332, the Tenant agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, Tenant agrees to comply with any implementing requirements FTA may issue.

(iii) Disabilities -In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, Tenant agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, Tenant agrees to comply with any implementing requirements FTA may Issue.

(iv) Tenant also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary to identify the affected parties.

23.06 Lobbying. The Parties understand and agree that Landlord's ability to enter into this Lease is subject to the Landlord's certification regarding lobbying, as outlined in Exhibit B.

23.07 Federal Changes. Landlord shall at all times comply with the applicable FTA regulatory provisions as contained in this Section 23, and as the same may be amended or promulgated from time to time during the Term of the Lease.

23.08 Incorporation of Federal Transit Administration (FTA) Terms. The preceding provisions include, in part, certain Standard Terms and Conditions required by DOT. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this Lease. Landlord shall not perform any act, fail to perform any act, or refuse to comply with any Tenant requests which would cause Tenant to be in violation of the FTA terms and conditions in this Lease.

IN WITNESS WHEREOF, the Parties have executed this Lease as of the day and year first above written.

Landlord:

United Park City Mines, Inc.

By: _____

Its: Vice President

Date: 4-30-10

Tenant:

Park City Municipal Corporation

By: _____

Its: Mayor

Date: 4/30/10

STATE OF UTAH
COUNTY OF SUMMIT

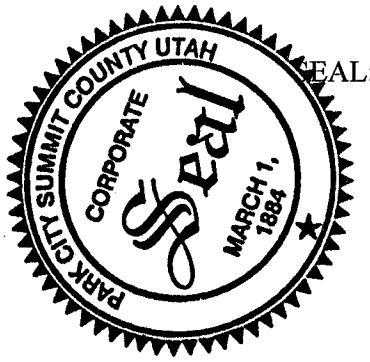
I hereby certify that on this 30 day of April, 2010, before the subscribed, a Notary Public of the State of Utah, and for the County of Summit, personally appeared DANA WILLIAMS for the Tenant who did acknowledge the foregoing instrument to be his/her Act.

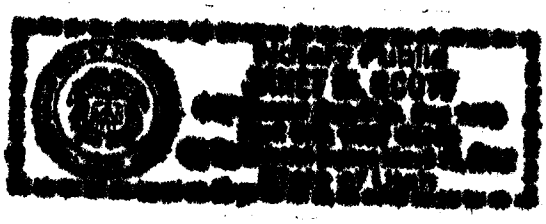
In testimony whereof,
I have affixed my official seal.

NOTARY PUBLIC

My Commission Expires: 3/11/12

SEAL:





STATE OF UTAH
COUNTY OF SUMMIT

I hereby certify that on this 30th day of April, 2010, before the subscribed, a Notary Public of the State of Utah, and for the County of Summit, personally appeared Kerry Gee for the Landlord who did acknowledge the foregoing instrument to be his/her Act.

In testimony whereof,
I have affixed my official seal.

NOTARY PUBLIC

My Commission Expires: June 3, 2012

SEAL:

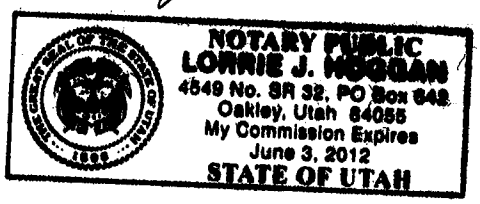


Exhibit A

RICHARDSON FLAT
30-ACRE PARCEL

A parcel of land located in the west half of Section 1, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at point that is South 00°34'37" West 1576.63 feet along section line and East 945.28 feet from the northwest corner of Section 1, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 77°11'28" East 994.74 feet; thence South 34°18'26" East 855.13 feet; thence South 57°47'58" West 285.31 feet; thence South 10°16'00" East 253.35 feet; thence South 79°44'00" West 60.00 feet; thence North 10°16'00" West 229.19 feet; thence South 57°47'58" West 172.70 feet; thence North 77°12'02" West 1251.75 feet; thence North 12°48'25" East 951.79 feet to the point of beginning.

55-87

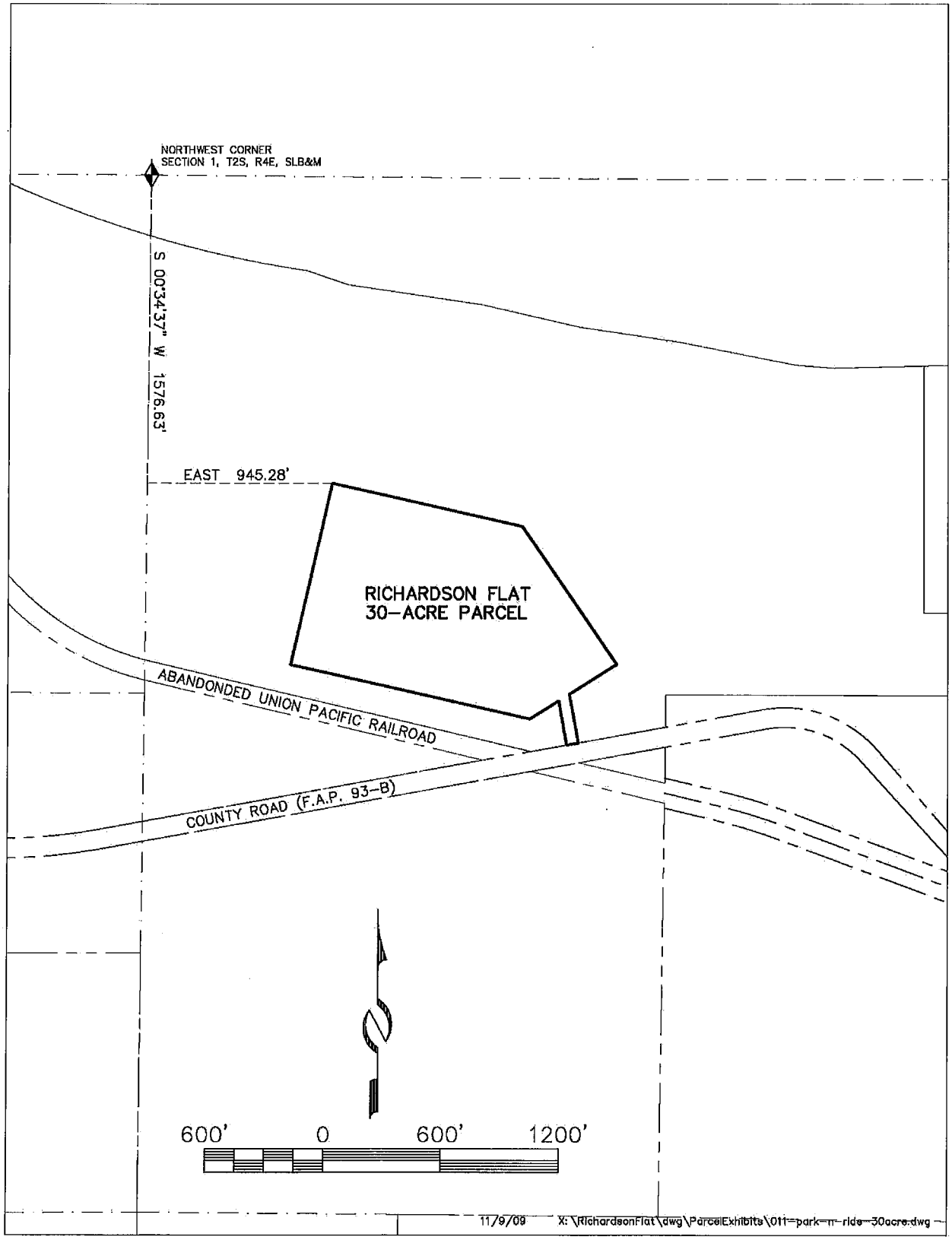

NORTHWEST CORNER
SECTION 1, T2S, R4E, SLB&M
S 00°34'37" W 1576.63'
EAST 945.28'
RICHARDSON FLAT
30-ACRE PARCEL
ABANDONDED UNION PACIFIC RAILROAD
COUNTY ROAD (F.A.P. 93-B)
600'
0
600'
1200'
11/9/09
X:\RichardsonFlat\dwg\ParcelExhibits\011-park-n-ride-30acre.dwg

Exhibit B

49 CFR PART 20 – CERTIFICATION REGARDING LOBBYING

The undersigned Landlord certifies, to the best of its knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form – LL, "Disclosure Form to Report Lobbying," in accordance with its instructions [as amended by "Government wide guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, *et seq.*)]

This certification is a material representation of fact upon which reliance was placed when this Lease was made or entered into. Submission of this certification is a prerequisite for making or entering into this Lease imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.
The Landlord certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Landlord understands and agrees that the provisions of 31 U.S.C. A 3801, *et seq.*, apply to this certification and disclosure, if any.

Signature of Landlord's Authorized Official

Kerry C. Gee, Vice Pres. — Name and Title of Landlord's Authorized Official

4-30-10 — Date

SOUTHEAST QUINN'S JUNCTION ANNEXATION AGREEMENT

This Southeast Quinn's Junction Annexation Agreement is dated _____ and is made by and for Park City Municipal Corporation, a Utah municipal corporation ("**PCMC**"), also referred to as the Petitioner ("**Petitioner**").

PCMC initiated the annexation of approximately 1,236 acres of property in the Quinn's Junction area to the east of Park City's current boundaries through the filing of an annexation petition on October 15, 2021. The City Council accepted the petition for further consideration on October 18, 2021, and the Park City Recorder certified the annexation petition on October 28, 2021.

This agreement meets the requirements of section 15-8-5(C) of the Park City Municipal Code and documents the following:

Article 1
PROPERTY AND ZONING

1.1 **Property**. The Southeast Quinn's Junction Annexation contains approximately 1,236 acres of land as described and depicted on the annexation plat attached as Exhibit A. This property contains, but is not limited to, the following parcels in Summit County:

(1) SS-65-A-X (69.80 acres)
(2) SS-65-A-X-X (0.78 acres)
(3) SS-65-A-1-X (0.26 acres)
(4) SS-92-A-1-A (0.22 acres)
(5) SS-92-A-1-X (0.22 acres)
(6) SS-92-A-X (34.19 acres)
(7) SS-88 (166.27 acres)
(8) SS-91-UP-X (6 acres)
(9) SS-87-A-X (17.18 acres)
(10) SS-87 (380 acres)
(11) SS-87-B (22.85 acres)
(12) SS-86-91-UP-X (12.38 acres)
(13) SS-91-X (45.85 acres)
(14) PP-28-A (40 acres)
(15) SS-121-X (124.98 acres)
(16) PP-26-A-1-AX (44 acres)
(17) PP-26-X (125.76 acres)
(18) PP-26-D-X (6.03 acres)
(19) PP-26-A-X (94.56 acres)
(20) PP-S-46 (0.57 acres)

1.2 **Zoning**. At the time of annexation, the Southeast Quinn's Junction Annexation parcels will be zoned Recreation and Open Space (ROS) and subject to the Entry Corridor Protection Overlay and Sensitive Land Overlay.

DRAFT

Article 2
CONDITIONS OF ANNEXATION APPROVAL

2.1 **Conditions of Annexation Approval**. The conditions of approval under section 15-8-5(C) of the Park City Municipal Code are largely inapplicable because there is no development planned in the annexation area, the proposed zoning and use are intended to maintain the status quo, and PCMC is the Petitioner. Any proposed future development would have to comply with all relevant requirements in the Park City Municipal Code. For these reasons, the following conditions do not currently apply:

(1) Transfer of usable water rights as established by PCMC policy sufficient to serve the proposed development.
(2) Additional improvements as necessary, which may be required in order to improve the water system.
(3) Dedication of necessary streets, trails, utilities, and rights-of-way consistent with the subdivision standards of the Park City Municipal Code.
(4) Phasing of the project to ensure adequacy of public facilities may be required.
(5) Payment of park land acquisition fees, dedication of open space or conservation areas, and payment of development impact fees.
(6) Provision of affordable housing in accordance with the affordable housing Park City Resolution 03-2017, as in effect at the time of petition.
(7) Submittal of site plans and architectural plans for review.
(8) Analysis and survey of any historic and cultural resources located on the property.
(9) Analysis of the fiscal impacts of the development as determined necessary by PCMC.
(10) Fees paid in lieu of satisfying certain conditions, as approved by PCMC City Council action.
(11) Comprehensive review of surrounding property.
(12) Any other condition reasonably related to a health, safety, or welfare issue or negative impact of the project.

2.2 **Flood plain management or preservation of environmentally sensitive lands**. Environmentally sensitive lands will be preserved through zoning of the area as Recreation and Open Space (ROS) subject to the Entry Corridor Protection and Sensitive Land Overlays. This will restrict development in these areas.

2.3 **Consistency with Quinn's Junction Joint Planning Commission Principles.** The annexation is consistent with the Quinn's Junction Joint Planning Commission Principles outlined in the General Plan. The Recreation and Open Space (ROS) zoning subject to the Entry Corridor Protection and Sensitive Land Overlays is consistent with the desires expressed in the principles to zone the Richardson Flat area as ROS and to preserve key open spaces, a substantial open space corridor, important topographical features, natural areas, and view sheds. Because no development is proposed within the annexation area, many of the principles related to development are not relevant.

Article 3
GENERAL TERMS

3.1 **Governing Law, Jurisdiction, and Venue.** The laws of the state of Utah will govern this agreement. Jurisdiction and venue are proper in Summit County.

3.2 **Vested Rights**. Subject to the provisions of this agreement, Petitioner (or its assigns)

shall have the right to propose future uses, whether allowed or conditioned uses, in accordance with this agreement.

3.3 **Severability**. If any part or provision of this agreement is found to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this agreement except that specific provision determined to be unconstitutional, invalid, or enforceable. If any condition, covenant, or other provision of this agreement is deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by the law.

3.4 **Real Covenant and Equitable Servitude**. This agreement constitutes a real covenant and an equitable servitude on the properties within the annexation area. The terms of this agreement touch and concern and both benefit and burden the properties. The benefits and burdens of this agreement run with the land and are intended to bind all successors in interest to any portion of the properties.

3.5 **Entire Agreement**. This agreement constitutes the entire understanding between the parties with respect to the subject matter of this agreement and supersedes all other agreements, whether written or oral, between the parties.

The parties are signing this agreement on the date stated in the introductory clause.

PARK CITY MUNICIPAL CORPORATION

By: _____
Nann Worel
Mayor

ATTEST:

By: _____
Michelle Kellogg
City Recorder

DRAFT

Planning Commission
Staff Report

Subject: **Fractional Ownership**
Application: **PL-22-05210**
Authors: **Makena Hawley, Spencer Cawley, and Rebecca Ward**
Date: **May 25, 2022**
Type of Item: **Legislative – Land Management Code Amendment**

Recommendation

Staff recommends the Planning Commission (I) review proposed Land Management Code amendments to define Single-Family Dwelling Fractional Ownership/Use, to establish Fractional Ownership/Use of Single-Family Dwellings as Conditional Uses with additional review criteria in those Zoning Districts that allow Timeshares and Private Residence Clubs, and to require a Business License for the management of each Single-Family Dwelling Fractional Ownership/Use, (II) conduct a public hearing, and (III) consider forwarding a positive recommendation for City Council's consideration on June 23, 2022.

Description

Applicant:	Planning Department
Land Management Code Sections:	**Historic Recreation Commercial** 15-2.5-2, *Uses*
	Historic Commercial Business 15-2.6-2, *Uses*
	Residential Development 15-2.13-2, *Uses*
	Residential Development – Medium Density 15-2.14-2, *Uses*
	Recreation Commercial 15-2.16-2, *Uses*
	Regional Commercial Overlay 15-2.17-2, *Uses*
	General Commercial 15-2.18-2, *Uses*
	Definitions 15-15-1

Reason for Review:	Land Management Code amendments require Planning Commission review and recommendation to City Council for Final Action

Background

Recently, companies offering fractional ownership—a mechanism establishing ownership of vacation properties often in the form of a 1/2 to 1/8 share—have started selling “fractions” of Single-Family Dwellings as vacation properties in Park City. Fractional ownership companies may create an LLC for each Single-Family Dwelling and then manage the property for multiple owners, providing furnishings, maintenance, cleaning, and scheduling services.[1] While fractional ownership may make vacation properties more affordable for some users through a shared economy, finding a balance that protects Park City’s primarily residential Zoning Districts for full-time primary residents is important.

Timeshares and Private Residence Clubs

Use of residential units by multiple parties is not new to Park City. In the 1980s, the City enacted a series of land use regulations for Timeshares, defined by Utah Code Section 57-19-2(26) as a small, undivided fractional fee interest in real property by which the purchaser does not receive any right to use an accommodation except as provided by contract, declaration, or other instrument defining a legal right, and in Utah Code Section 57-19-2(27) as a right to occupy fixed or variable accommodations during three or more separate fixed or variable time periods over a period of at least three years, including renewal options, whether or not coupled with an estate in land.

The LMC establishes Timeshares as Conditional Uses in the Recreation Commercial, General Commercial, Historic Commercial Business, and Historic Recreation Commercial Zoning Districts, and outlines additional Timeshare review considerations in Section 15-4-10 and Section 15-4-11, requiring evaluation of Timeshare instruments, rules and regulations, management, utility service payments, minimum duration of Timeshare intervals, and parking considerations.

The LMC also regulates Private Residence Clubs, in which ownership of a condominium unit is shared by no less than four and no more than 12 owners and is operated by a property management service that provides reservations and registration.[2] Private Residence Clubs are Conditional Uses in the same Zoning Districts as Timeshares, with expanded Conditional Use in the Residential Development, Residential Development – Medium Density, Regional Commercial Overlay, and Light Industrial Zoning Districts.

Existing Timeshares and Private Residence Clubs in Park City are for the most part in Multi-Unit Dwellings in or near commercial Zoning Districts or Zoning Districts proximate to the resorts. What sets the current fractional ownership model apart is the shared

[1] To view an example of a fractional ownership company, visit the website for Pacaso.
[2] See LMC Section 15-15-1, *Definitions*.

ownership of a Single-Family Dwelling for vacation purposes in a primary residential neighborhood. The proposed amendments direct fractional ownership/use of Single-Family Dwellings to the same Zoning Districts that allow Timeshares and Private Residence Clubs to protect primarily residential neighborhoods for primary residents.[3]

To address the new fractional ownership model in residential areas, staff proposes amendments to:

(1) define Single-Family Dwelling Fractional Ownership/Use,

(2) establish Single-Family Dwelling Fractional Ownership/Use in Zoning Districts where Timeshares and Private Residence Clubs are allowed and require a Conditional Use Permit,

(3) prohibit fractional ownership in primarily residential Zoning Districts, and

(4) require an active Business License for each Single-Family Dwelling Fractional Ownership/Use.

Analysis

The LMC implements the goals and policies of the General Plan for purposes that include promoting the general health, safety, and welfare of the present and future inhabitants and visitors of the City, protecting and enhancing the vitality of the City's resort-based economy, the overall quality of life, and unique mountain town community, and protecting or promoting moderate income housing. LMC Section 15-1-2.

The General Plan Identifies the Importance of Protecting the City's Primarily Residential Neighborhoods

Sense of Community is one of the core values in the Park City General Plan and Goal 7 of the General Plan is to create a diversity of primary housing opportunities to address the changing needs of residents. Objective 7B is to focus efforts for diversity of primary housing stock within primary residential neighborhoods to maintain majority occupancy by full time residents within these neighborhoods.[4]

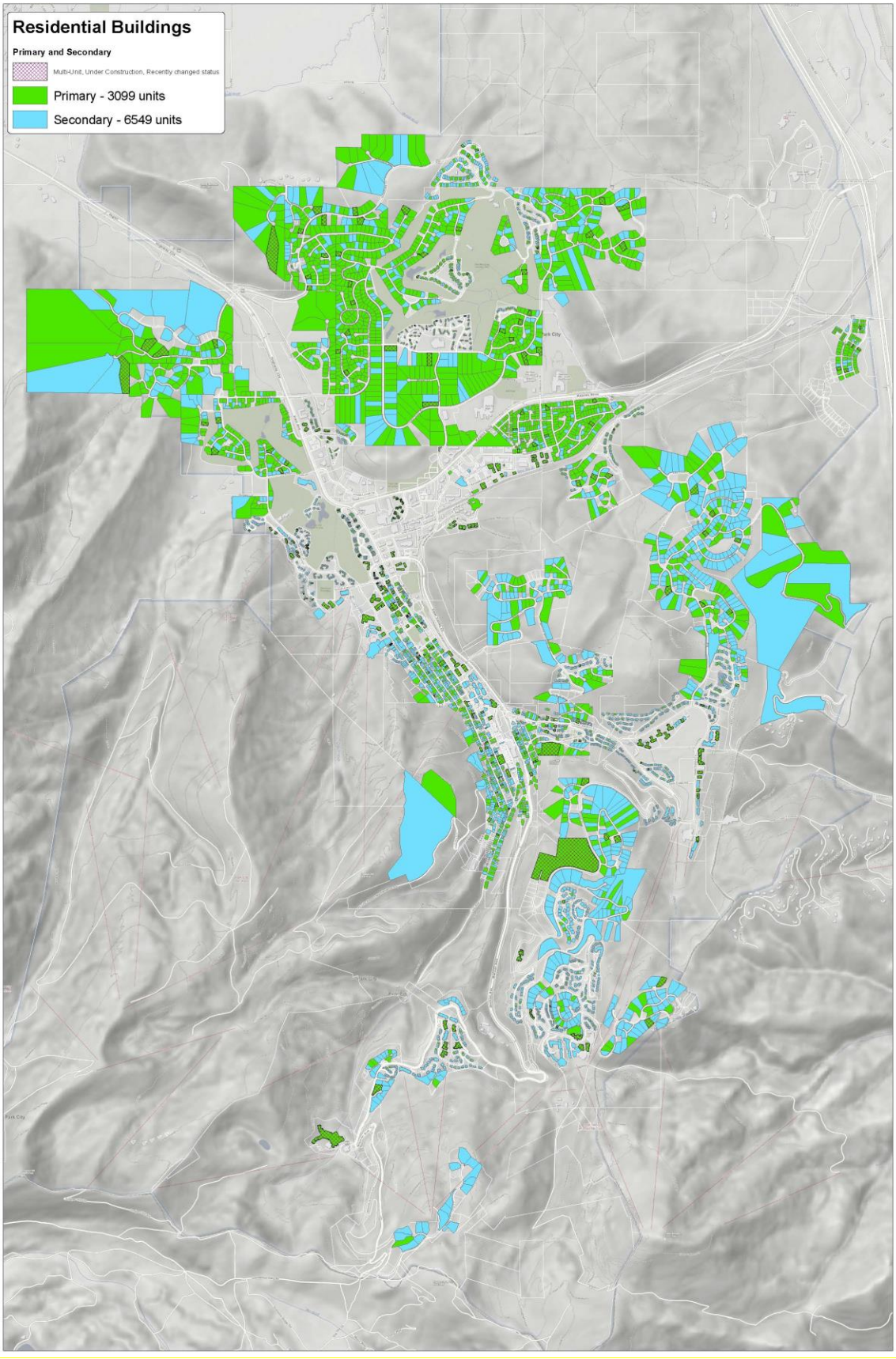
Goal 8 of the General Plan is to increase affordable housing opportunities and associated services for the workforce of Park City. Objective 8C of the General Plan is to increase housing ownership opportunities for workforce within primary residential neighborhoods.[5]

[3] Private Residence Clubs are allowed in the Light Industrial Zoning District. However, Single-Family Dwellings are not. As a result, Single-Family Dwelling Fractional Ownership/Use is not proposed to be allowed in the Light Industrial Zoning District.
[4] General Plan Volume I, Sense of Community, p. 5.
[5] General Plan Volume I, Sense of Community, p. 8.

The General Plan also acknowledges neighborhoods where secondary homeownership are appropriate and support the City's resort economy. For example, the General Plan identifies the Lower Deer Valley neighborhood as a resort neighborhood catering to second homes.[6]

The General Plan identifies primary and secondary homeowners based on 2010 data and identifies Park Meadows, Bonanza Park, Prospector, and Thaynes Canyon as four neighborhoods dominated by primary homes. Recent data shown in the updated map below demonstrates these neighborhoods continue to be primary residences.

[6] General Plan, Volume II, Neighborhoods 3, p. 7.


Residential Buildings
Primary and Secondary
Multi-Unit, Under Construction, Recently changed status
Primary - 3099 units
Secondary - 6549 units

The Budget Department evaluated primary versus secondary residents based on the Summit County Assessor's Office data and the numbers indicate a rise in primary residences in 2019, a decline in primary residences in 2020, and an increase in 2021; but overall, the primary residences have hovered around 3,000 for the past six years:

Year	Primary Residence	Secondary Residence
2015	3,075	6,211
2016	3,078	6,211
2017	3,091	6,299
2018	3,173	6,231
2019	3,269	6,231
2020	2,980	6,870
2021	3,193	6,590

In addition to protecting primarily residential neighborhoods for full-time residents, the General Plan identifies the need to protect and incentivize primary homeownership in Old Town. "Planning efforts to maintain primary home ownership in the Old Town neighborhood is motivated by the community's Vision. In order to Keep Park City Park City, it is essential that Parkites be located in the heart of the City. While, there is certainly a need to allow nightly rental in the district to provide visitors with the authentic Park City experience, it is recommended that the City consider investigating incentives to keep primary residents located within Old Town."[7] The General Plan also establishes a policy to protect a Sense of Community: "[t]he City should consider incentives for primary homeownership in Old Town; a balance between residents and tourists is desirable in this neighborhood."[8]

To further support full-time primary residents in an ever-increasing housing market, on May 5, 2022, the City Council adopted the Lite Deed Restriction Pilot Program (Staff Report; Audio). This pilot program is designed to provide more housing supply for year-round Park City residents and provides cash payments to qualified property owners in exchange for a deed restriction recorded against their property that requires year-round occupancy.

To meet the core value of a Sense of Community, the General Plan supports a balance between residents and visitors. To protect primarily residential neighborhoods, the proposed LMC amendments define Single-Family Dwelling Fractional Ownership/Use, direct Single-Family Dwelling Fractional Ownership/Use to those Zoning Districts that support the resort economy and that already allow Timeshares and Private Residential Clubs, and to establish Business License requirements to ensure compliance with the proposed amendments.

[7] General Plan, Volume II, Neighborhoods 2, p. 34
[8] *Id*.

(1) The proposed amendments define Single-Family Dwelling Fractional Ownership/Use.

To distinguish fractional ownership from Timeshare Units and Private Residence Clubs, staff recommends amending LMC Section 15-15-1 to define fractional ownership as follows:

> **Single-Family Dwelling, Fractional Ownership/Use**: Any Single-Family property which is owned by an LC or LLC which limits the LC or LLC member's/shareholder's/owner's right to occupy the property by member/shareholders agreement or any other contract which limits owner use of the property to fractional reservations under thirty (30) days at a time. Other factors include but are not limited to centralized management, advanced reservations via electronic/App reservation systems, maximum stay limits on each owner's overall reservation/use of the property, and fixed management subscription fee as part of initial purchase [although subscription may be canceled].

Not all residences with multiple owners or owned by business entities (such as family trusts, LLCs, or corporations without fractional use limitations) fall under the proposed definition for fractional ownership/use of a Single-Family Dwelling. The new definition identifies the regulation of the management model rather than how it is owned. The definition differentiates this by highlighting the use of the property for a specific period of time, the property being managed by a centralized entity, or having characteristics such as advanced reservations or a management fee.

Staff expect input regarding the definition from Pacaso. Staff requests further Planning Commission feedback regarding the 30-day time period, and whether that should be longer (such as less than 45 or 60 days) to prevent circumvention of the regulatory definition.

(2) Require a Conditional Use Permit and Additional Management Standards.

The proposed amendments establish fractional ownership/use of Single-Family Dwellings as a Conditional Use in those Zoning Districts that allow Timeshares and Private Residence Clubs. The Planning Commission reviews 16 criteria outlined in LMC Section 15-1-10(E) when considering a Conditional Use Permit, including some of the concerns community members have raised regarding fractional ownership of Single-Family Dwellings in residential neighborhoods, like traffic, parking, noise, ownership, and control of delivery and service vehicles.

Additionally, Conditional Use Permit review by the Planning Commission triggers public notice to properties within 300 feet, providing neighbors an opportunity to participate in the public hearing process and to provide input regarding management and use of fractional ownership/use of Single-Family Dwellings in their neighborhood.

In addition to the Conditional Use criteria, staff recommends the proposed code include Management Standards which the Planning Commission evaluates at the time of Conditional Use review, including, but not limited to:

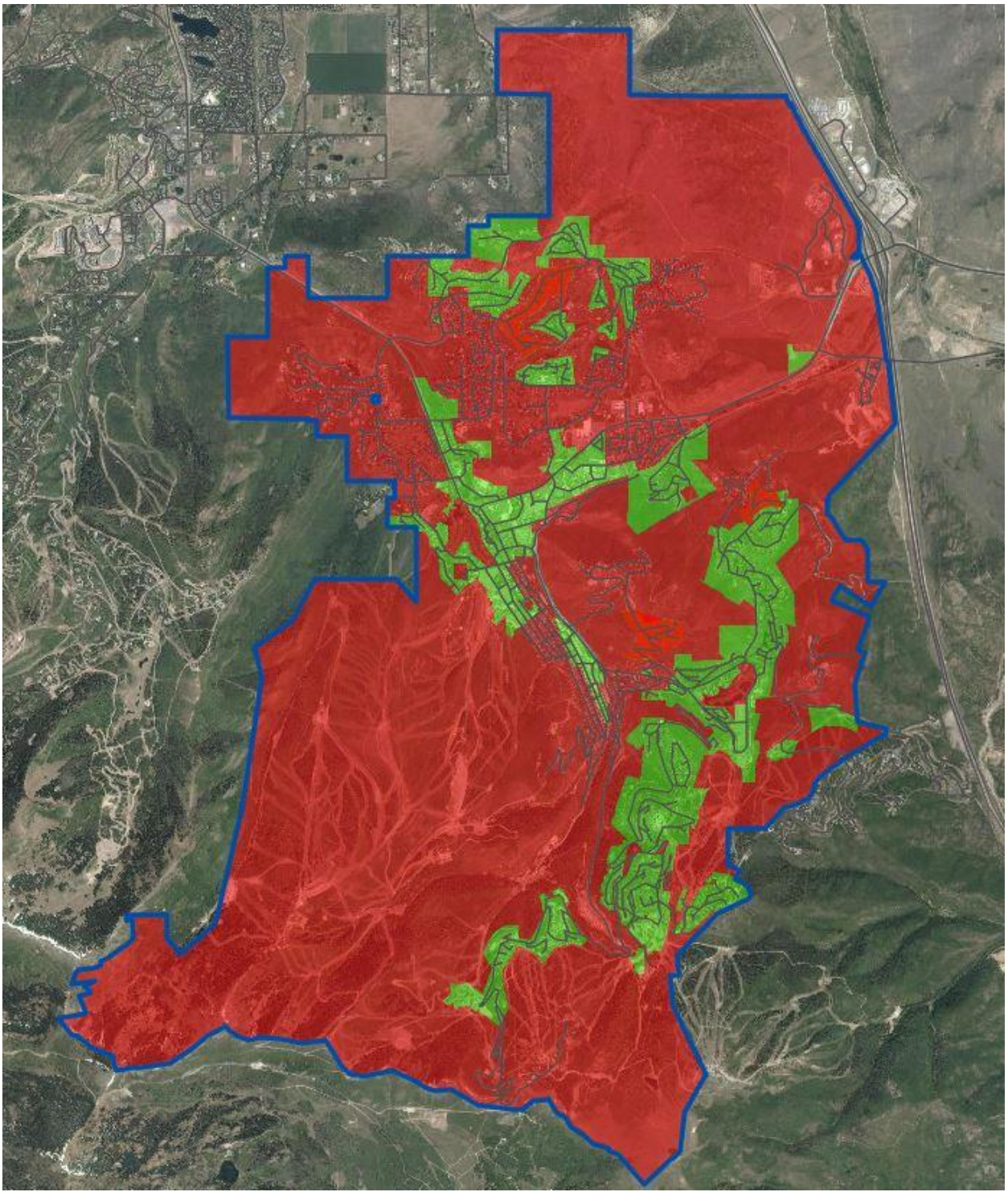
- Prohibition of
    - Nightly Rentals
    - On-Street Parking
    - Outdoor display of goods and merchandise
    - Signs
    - Commercial uses not otherwise permitted in the Zoning District
- Submittal of a Management Plan outlining a satisfactory level of management and maintenance of the fractional ownership/use of the Single-Family Dwelling, addressing at least the following:
    a. Designating a responsible party that is a property management company, realtor, lawyer, owner, or other individual, who resides within a one-hour drive of the property, or, in the case of a company, has offices in Summit County. The responsible party must be available by telephone, or otherwise, twenty-four (24) hours per day, and must be able to respond to telephone inquiries within twenty (20) minutes of the receipt of such inquiries. The responsible party is also designated as the agent for receiving all official communications.
    b. Snow removal during winter months to a level that allows safe vehicular and pedestrian access to the Single-Family Dwelling.
    c. Snow removal service to any off-street parking associated with the property to ensure parking is available for owner use at all times
    d. Yard maintenance, including landscaping, weed control, and irrigation.
    e. Structural maintenance to preserve substantial code compliance
    f. Routine upkeep, including painting and repair
    g. Trash collection and management which ensures that trash cans are not left at the curb for any period in excess of 24 hours; the property must be kept free from accumulated garbage and refuse
    h. Noise and Occupancy Control – Property management and owners are responsible for regulating the occupancy of the property and noise created by occupants. Violation of the Noise Ordinance in Municipal Code of Park City Chapter 6-3, violation of occupancy loads, failure to use designated off-street parking, illegal conduct, or any other abuse which violates any law regarding use or occupancy of the property is grounds for revocation.
    i. Information on the proposed fractional ownership use, including:
        i. A description of the method of management of the fractional ownership use
        ii. Any restrictions on the use or occupancy of the Single-Family Dwelling and property
        iii. Any additional documentation the Applicant, City staff, or the Planning Commission deem reasonably necessary to evaluate the fractional ownership and use.
    j. A Business License is required as a condition precedent to initiating Single-Family Dwelling Fractional Ownership/Use.

(3) Direct Single-Family Dwelling Fractional Ownership/Use to Zoning Districts that allow Timeshares and Private Residential Clubs

To protect primarily residential Zoning Districts, staff recommends restricting fractional ownership to the same Zoning Districts outlined for Timeshare Units and Private Residential Clubs:

- Recreation Commercial
- General Commercial
- Historic Commercial Business
- Historic Recreation Commercial
- Residential Development, except for those subdivisions that prohibit Nightly Rentals
- Residential Development – Medium Density
- Regional Commercial Overlay

The map below shows the areas prohibiting Single-Family Dwelling Fractional Ownership/Use in red, and establishing them as Conditional Uses in the Zoning Districts shown in green:



These Zoning Districts limit fractional ownership as a Conditional Use in Zoning Districts wherein Nightly Rentals—rentals for less than 30 days—are allowed. The Residential Development Zoning District includes subdivisions wherein Nightly Rentals are prohibited. Staff recommends fractional ownership also be prohibited in the same subdivisions: April Mountain, Mellow Mountain Estates Subdivisions, Meadows Estates

Subdivision Phases #1A and #1B, Fairway Meadows Subdivision, and Hidden Oaks at Deer Valley Phases 2 and 3.

(4) The proposed amendments require an active Business License for each Single-Family Dwelling Fractional Ownership/Use.

Regulation of fractional ownership of Single-Family Dwellings presents enforcement challenges because, in Zoning Districts where Single-Family Dwellings are allowed, it is the ownership model and use that is regulated, rather than the physical structure. As a result, requiring an active Business License for the sale and management of fractional ownerships will help Planning, Building, and Finance monitor and ensure fractional ownership/use of Single-Family Dwellings operates in compliance with the proposed amendments. Additionally, a Business License process triggers an inspection for health and safety. Finance and Planning Staff are working to implement a Business License for each Single-Family Dwelling Fractional Ownership/Use.

Department Review

The Planning, Engineering, and Legal Departments reviewed the proposed Land Management Code amendments.

Notice

Staff mailed postcard notices on May 10, 2022, to property owners within the affected Zoning Districts and posted public notice to the Utah Public Notice Website and City Website on May 9, 2022. The *Park Record* published legal notice on May 11, 2022.

Public Outreach and Input

Staff met with community members who have expressed concern regarding Single-Family Dwelling Fractional Ownership/Use on May 9 and May 23. Staff also met with representatives from Pacaso. Please see Exhibit B to review public input and Exhibit C to review Pacaso's Economic Impact Analysis submitted for Planning Commission review.

Staff was still engaging stakeholders, including Pacaso, as this report was finalized. Further updates may be provided at the meeting.

Alternatives

- The Planning Commission may forward a positive recommendation to City Council regarding the proposed Land Management Code amendments to regulate Single-Family Dwelling Fractional Ownership/Use outlined in Draft Ordinance No. 2022-XX;
- The Planning Commission may forward a negative recommendation to City Council regarding the proposed Land Management Code amendments to regulate Single-Family Dwelling Fractional Ownership/Use outlined in Draft Ordinance No. 2022-XX; or

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

Exhibits

Exhibit A: Draft Ordinance No. 2022-XX
    Attachment 1 – Land Management Code Redlines
Exhibit B: Public Input
Exhibit C: Pacaso's Economic Impact Analysis

Ordinance No. 2022-XX

AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTIONS 15-2.5-2 *HISTORIC RECREATION COMMERCIAL*, 15-2.6-2 *HISTORIC COMMERCIAL BUSINESS*, 15-2.13-2 *RESIDENTIAL DEVELOPMENT*, 15-2.14-2 *RESIDENTIAL DEVELOPMENT – MEDIUM DENSITY*, 15-2.16-2 *RECREATION COMMERCIAL*, 15-2.17-2 *REGIONAL COMMERCIAL OVERLAY*, AND 15-2.18-2 *GENERAL COMMERCIAL* TO ALLOW "SINGLE-FAMILY DWELLING, FRACTIONAL OWNERSHIP/USE," ENACTING SECTION 15-4-23, *SINGLE-FAMILY DWELLING FRACTIONAL OWNERSHIP USE*, AND AMENDING SECTION 15-15-1 *DEFINITIONS* TO DEFINE "SINGLE-FAMILY DWELLING, FRACTIONAL OWNERSHIP/USE"

WHEREAS, companies offering fractional ownership—a mechanism establishing ownership of vacation properties in the form of a 1/2 to 1/8 or lesser share—have started selling "fractions" of Single-Family Dwellings as vacation properties in Park City, including within primarily residential neighborhoods;

WHEREAS, *Sense of Community* is one of the core values in the Park City General Plan, Goal 7 of the General Plan is to create a diversity of primary housing opportunities to address the changing needs of residents, and Objective 7B of the General Plan is to focus efforts for diversity of primary housing stock within primary residential neighborhoods to maintain majority occupants by full time residents within these neighborhoods;

WHEREAS, Goal 8 of the General Plan is to increase affordable housing opportunities and associated services for the workforce of Park City;

WHEREAS, Objective 8C of the General Plan is to increase housing ownership opportunities for workforce within primary residential neighborhoods;

WHEREAS the General Plan acknowledges neighborhoods where secondary homeownership is appropriate and support the City's resort economy like those neighborhoods near the resorts;

WHEREAS, the General Plan identifies the need to protect and incentivize primary homeownership in Old Town and states "it is essential that Parkites be located in the heart of the City;"

WHEREAS, the Land Management Code implements the goals and policies of the General Plan in part to promote the health, safety, and welfare of the present and future inhabitants, to protect and enhance the vitality of the City's resort-based economy, and to protect or promote moderate income housing;

WHEREAS, to protect primarily residential neighborhoods while allowing for Single-Family Dwelling Fractional Ownership/Use near the resort bases and in those Zoning Districts that allow Timeshares and Private Residence Clubs, the Land Management Code amendments define Single-Family Dwelling Fractional Ownership/Use and establish them as a Conditional Use in the Historic Recreation Commercial, Historic Commercial Business, Residential Development, Residential Development – Medium Density, Recreation Commercial, Regional Commercial Overlay, and General Commercial Zoning Districts with specific standards, and require a Business License for each Single-Family Dwelling Fractional Ownership/Use;

WHEREAS, the Planning Commission conducted a duly noticed work session on May 11, 2022, and a duly noticed public hearing on May 25, 2022, and forwarded a _____ to the City Council;

WHEREAS, the City Council conducted a duly noticed public hearing on June 23, 2022.

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

SECTION 1. AMEND MUNICIPAL CODE OF PARK CITY LAND MANAGEMENT CODE TITLE 15. The recitals are incorporated herein as findings of fact. Municipal Code of Park City Title 15 Land Management Code § 15-2.5-2 *Historic Recreation Commercial*, § 15-2.6-2 *Historic Commercial Business*, § 15-2.13-2 *Residential Development*, § 15-2.14-2 *Residential Development – Medium Density*, § 15-2.16-2 *Recreation Commercial*, § 15-2.17-2 *Regional Commercial Overlay*, § 15-2.18-2 *General Commercial*, and § 15-15-1 *Definitions*, are hereby amended as outlined in Attachment 1.

SECTION 2. ENACT MUNICIPAL CODE OF PARK CITY LAND MANAGEMENT CODE SECTION 15-4-23. The recitals are incorporated herein as findings of fact. Municipal Code of Park City Section 15-4-23 is enacted as outlined in Attachment 1.

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

PASSED AND ADOPTED THIS 23rd day of June 2022.

PARK CITY MUNICIPAL CORPORATION

_____
Nann Worel, Mayor

Attest:

_____
City Recorder

Approved as to form:

_____
City Attorney’s Office

Attachment 1

15-2.5-2 Uses

Uses in the HRC are limited to the following:

A. **ALLOWED USES**.[10]

1. Single Family Dwelling[5]
2. Duplex Dwelling[5]
3. Secondary Living Quarters[5]
4. Lockout Unit[1,5]
5. Accessory Apartment[2,5]
6. Nightly Rental[5]
7. Home Occupation[5]
8. Child Care, In-Home Babysitting
9. Child Care, Family[3]
10. Child Care, Family Group[3]
11. Child Care Center[3]
12. Accessory Building and Use
13. Conservation Activity
14. Agriculture
15. Bed and Breakfast Inn[4,5]
16. Boarding House, hostel[5]
17. Hotel, Minor, fewer than sixteen (16) rooms[5]
18. Office, General[5]
19. Parking Area or Structure, with four (4) or fewer spaces[5]

20. Food Truck Location[11]

B. **CONDITIONAL USES.**[9, 10]

1. Triplex Dwelling[5]
2. Multi-Unit Dwelling[5]
3. Guest House, on Lots one (1) acre[5]
4. Group Care Facility[5]
5. Public and Quasi-Public institution, church, or school
6. Essential Municipal public utility Use, facility, service, and Structure
7. Telecommunication Antenna[6]
8. Satellite dish, greater than thirty-nine inches (39") in diameter[7]
9. Plant and Nursery stock products and sales
10. Hotel, Major[5]
11. Timeshare Projects and Conversions[5]
12. Private Residence Club Project and Conversion[4,5]
13. Office, Intensive[5]
14. Office and clinic, Medical[5]
15. Financial institution, without drive-up window[8]
16. Commercial Retail and Service, Minor[8]
17. Commercial Retail and Service, Personal Improvement[8]
18. Neighborhood Convenience Commercial, without gasoline sales
19. Café or Deli[8]
20. Restaurant, General[8]
21. Restaurant and Café, outdoor dining[4]

22. Outdoor Events and Uses[4]

23. Bar

24. Parking Area or Structure, with five (5) or more spaces[5]

25. Temporary Improvement[4]

26. Passenger Tramway station and ski base facility

27. Ski tow, ski lift, ski run, and ski bridge

28. Recreation Facility, Commercial, Public, and Private[12]

29. Entertainment Facility, Indoor

30. Fences greater than six feet (6') in height from Final Grade[4]

31. Private Residence Club, Off-Site[5]

32. Private Event Facility[5]

33. Single-Family Dwelling, Fractional Ownership/Use[13]

C. **PROHIBITED USES**. Unless otherwise allowed herein, any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

[1]Nightly rental of Lockout Units requires a Conditional Use permit.

[2]Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

[3]See Section 15-4-9, Child Care And Child Care Facilities.

[4]Requires an Administrative or Administrative Conditional Use permit, see Chapter 15-4.

[5]Prohibited in HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue and Park Avenue, excluding those HRC Zoned Properties on the west side of Park Avenue and also excluding those HRC Zoned Properties with the following addresses: 702 Main Street, 710 Main Street, 738 Main Street (for the plaza side storefronts), 780 Main Street, 804 Main Street (for the plaza side storefronts), 875 Main Street, 890 Main Street, 900 Main Street, and 820 Park Avenue. Hotel rooms shall not be located within Storefront Property; however access, circulation, and lobby areas are permitted within Storefront Property.

[6]See Section 15-4-14, Telecommunication Facilities.

[7]See Section 15-4-13, Placement Of Satellite Receiving Antennas.

[8]If Gross Floor Area is less than 2,000 sq. ft., the Use shall be considered an Allowed Use.

[9]No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage Control Act) are permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah Code 32B-1-202, to obtain a liquor license.

[10]Within the HRC Zoning District, no more than seven (7) Conventional Chain Businesses are permitted in Storefront Properties.

[11]The Planning Director, or his or her designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

[12]See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

[13] See Section 15-4-23, Single-Family Dwelling Fractional Ownership/Use.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 04-39 on 3/18/2004

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 07-55 on 8/30/2007

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 12-37 on 12/20/2012

Amended by Ord. 16-02 on 1/7/2016

Amended by Ord. 2017-45 on 8/17/2017

Amended by Ord. 2018-55 on 10/23/2018

Amended by Ord. 2020-36 on 7/30/2020

Amended by Ord. 2020-42 on 9/17/2020

Amended by Ord. 2021-51 on 12/16/2021

15-2.6-2 Uses

Uses in the Historic Commercial Business (HCB) District are limited to the following:

A. **ALLOWED USES**.[11]

1. Single Family Dwelling[1]
2. Multi-Unit Dwelling[1]
3. Secondary Living Quarters[1]
4. Lockout Unit[1,2]
5. Accessory Apartment[1,3]
6. Nightly Rental[4]
7. Home Occupation[1]
8. Child Care, In-Home Babysitting[1]
9. Child Care, Family[1,5]
10. Child Care, Family Group[1,5]
11. Child Care Center[1,5]
12. Accessory Building and Use[1]
13. Conservation Activity
14. Agriculture
15. Bed and Breakfast Inn[1, 6]
16. Boarding House, hostel[1]
17. Hotel, Minor, fewer than 16 rooms[1]
18. Office, General[1]
19. Office, Moderate Intensive[1]
20. Office and clinic, Medical[1]

21. Financial institution, without drive-up window
22. Commercial Retail and Service, Minor
23. Commercial Retail and Service, Personal Improvement
24. Commercial Neighborhood Convenience, without gasoline sales
25. Restaurant, Cafe or Deli
26. Restaurant, General
27. Bar
28. Parking Lot, Public or Private with four (4) or fewer spaces
29. Entertainment Facility, Indoor
30. Salt Lake City 2002 Winter Olympic Games Legacy Displays[7]
31. Temporary winter Balcony enclosures
32. Food Truck Location[12]

B. **CONDITIONAL USES.**[10, 11]

1. Group Care Facility[1]
2. Public and Quasi-Public institution, church, or school
3. Essential municipal public utility Use, facility, service, and Structure
4. Telecommunication Antenna[8]
5. Satellite dish, greater than thirty-nine inches (39") in diameter[9]
6. Plant and Nursery stock products and sales
7. Hotel, Major[1]
8. Timeshare Projects and Conversions[1]
9. Timeshare Sales Office, Off-Site within an enclosed Building[1]
10. Private Residence Club Project and Conversion[1,6]

11. Commercial Retail and Service, Major
12. Office, Intensive[1]
13. Restaurant, outdoor dining[6]
14. Outdoor Events and Uses[6]
15. Hospital, Limited Care Facility[1]
16. Parking Area or Structure for five (5) or more cars[1]
17. Temporary Improvement[6]
18. Passenger Tramway station and ski base facility
19. Ski tow, ski lift, ski run, and ski bridge
20. Recreation Facility, Public
21. Recreation Facility, Private[13]
22. Recreation Facility, Commercial
23. Fences greater than six feet (6') in height from Final Grade[6]
24. Private Residence Club, Off-Site[1]
25. Private Event Facility[1]
26. Single-Family Dwelling, Fractional Ownership/Use[14]

C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

[1]Prohibited in HCB Zoned Storefront Property adjacent to Main Street, Heber Avenue, Grant Avenue, and Swede Alley. Hotel rooms shall not be located within Storefront Property; however access, circulation and lobby areas are permitted within Storefront Property.

[2]Nightly Rental of Lock Units requires a Conditional Use permit.

[3]Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

[4]Nightly Rental of residential dwellings does not include the Use of dwellings for Commercial Uses.

[5]See Section 15-4-9, Child Care And Child Care Facilities.

[6]Requires an Administrative or Administrative Conditional Use permit.

[7]Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services Agreement and/or Master Festival License. Requires an Administrative Permit.

[8]See Section 15-4-14, Telecommunication Facilities.

[9]See Section 15-4-13, Placement Of Satellite Receiving Antennas.

[10]No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage Control Act) are permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah Code 32B-1-202, to obtain a liquor license.

[11]Within the HCB Zoning District, no more than seventeen (17) Conventional Chain Businesses are permitted in Storefront Properties.

[12]The Planning Director or his or her designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

[13]See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

[14] See Section 15-4-23, Single-Family Dwelling Fractional Ownership/Use.

HISTORY

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Amended by Ord. 16-01 on 1/7/2016

Amended by Ord. 2017-45 on 8/17/2017

Amended by Ord. 2018-55 on 10/23/2018

Amended by Ord. 2020-36 on 7/30/2020

Amended by Ord. 2020-42 on 9/17/2020

Amended by Ord. 2021-51 on 12/16/2021

15-2.13-2 Uses

Uses in the RD District are limited to the following:

A. **ALLOWED USES**.

1. Single-Family Dwelling
2. Duplex Dwelling
3. Secondary Living Quarters
4. Lockout Unit[1]
5. Accessory Apartment[2]
6. Nightly Rental[3]
7. Home Occupation
8. Child Care, In-Home Babysitting[4]
9. Child Care, Family[4]
10. Child Care, Family Group[4]
11. Accessory Building and Use
12. Conservation Activity Agriculture
13. Parking Area or Structure with four (4) or fewer spaces
14. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays[5]
15. Food Truck Location[16]

16. Internal Accessory Dwelling Unit[17]

B. **CONDITIONAL USES**.

1. Triplex Dwelling[6]
2. Multi-Unit Dwelling[6]
3. Guest House
4. Group Care Facility
5. Child Care Center[4]
6. Public and Quasi-Public Institution, Church, and School
7. Essential Municipal Public Utility Use, Facility, Service, and Structure
8. Telecommunication Antenna[7]
9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter[8]
10. Raising, grazing of horses
11. Cemetery
12. Bed and Breakfast Inn
13. Hotel, Minor[6]
14. Hotel, Major[6]
15. Private Residence Club Project and Conversion[10]
16. Office, General[6,9]
17. Office, Moderate Intensive[6,9]
18. Office, Medical[6,9]
19. Financial Institution without drive-up window[6,9]
20. Commercial Retail and Service, Minor[6,9]
21. Commercial Retail and Service, personal improvement[6,9]

22. Commercial, Resort Support[6,9]
23. Café or Deli[6,9]
24. Restaurant, Standard[6,9]
25. Restaurant, Outdoor Dining[10]
26. Outdoor Event[10]
27. Bar[6,9]
28. Hospital, Limited Care Facility[6,9]
29. Parking Area or Structure with five (5) or more spaces
30. Temporary Improvement[10]
31. Passenger Tramway Station and Ski Base Facility[11]
32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge[11]
33. Recreation Facility, Public
34. Recreation Facility, Commercial[6]
35. Recreation Facility, Private[18]
36. Entertainment Facility, Indoor[6,9]
37. Commercial Stables, Riding Academy[12]
38. Heliport[12]
39. Vehicle Control Gate[13]
40. Fences and walls greater than six feet (6') in height from Final Grade[10]
41. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays[14]
42. Amenities Club
43. Club, Private Residence Off-Site[15]
44. Single-Family Dwelling, Fractional Ownership/Use[19]

C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

[1]Nightly rental of Lockout Units requires a Conditional Use permit

[2]Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments

[3]Nightly Rentals do not include the Use of dwellings for Commercial Uses and Nightly Rentals and Single-Family Dwelling, Fractional Ownership/Use are not permitted in the April Mountain, Mellow Mountain Estates Subdivisions, Meadows Estates Subdivision Phases #1A and #1B, Fairway Meadows Subdivision, and Hidden Oaks at Deer Valley Phases 2 and 3.

[4]See Section 15-4-9 Child Care and Child Care Facilities

[5]Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License

[6]Subject to provisions of LMC Chapter 15-6, Master Planned Development

[7]See Section 15-4-14, Telecommunications Facilities

[8]See Section 15-4-13, Placement of Satellite Receiving Antennas

[9]Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments.

[10]Requires an Administrative Conditional Use permit.

[11]As part of an approved Ski Area Master Plan. See Section 15-4-18 Passenger Tramways and Ski Base Facilities.

[12]Omitted.

[13]See Section 15-4-19, Review Criteria For Control Vehicle Gates.

[14]Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

[15]Only allowed within a Master Planned Development. Requires an Administrative Conditional Use permit. Is permitted only in approved existing Commercial spaces or developments that have ten (10) or more

units with approved Support Commercial space. A Parking Plan shall be submitted to determine site specific parking requirements.

[16]The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

[17]See Section 15-4-7.1, Internal Accessory Dwelling Units.

[18]See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

[19] See Section 15-4-23, Single-Family Dwelling Fractional Ownership/Use.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 02-38 on 9/12/2002

Amended by Ord. 04-08 on 3/4/2004

Amended by Ord. 05-39 on 6/30/2005

Amended by Ord. 06-76 on 11/9/2006

Amended by Ord. 11-05 on 1/27/2011

Amended by Ord. 14-35 on 6/26/2014

Amended by Ord. 2018-23 on 5/17/2018

Amended by Ord. 2018-55 on 10/23/2018

Amended by Ord. 2020-38 on 7/30/2020

Amended by Ord. 2020-45 on 10/1/2020

Amended by Ord. 2021-16 on 4/15/2021

Amended by Ord. 2021-38 on 9/23/2021

Amended by Ord. 2021-52 on 12/16/2021

Amended by Ord. 2021-51 on 12/16/2021

15-2.14-2 Uses

Uses in the RDM District are limited to the following:

A. **ALLOWED USES**.

1. Single Family Dwelling
2. Duplex Dwelling
3. Triplex Dwelling
4. Secondary Living Quarters
5. Lockout Unit[1]
6. Accessory Apartment[2]
7. Nightly Rental[3]
8. Home Occupation
9. Child Care, In Home Babysitting[4]
10. Child Care, Family[4]
11. Child Care, Family Group[4]
12. Accessory Building and Use
13. Conservation Activity
14. Agriculture
15. Parking Area or Structure with four (4) or fewer spaces
16. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays[5]
17. Food Truck Location[14]
18. Internal Accessory Dwelling Unit[15]

B. **CONDITIONAL USES**.

1. Multi Unit Dwelling[6]
2. Guest House
3. Group Care Facility

4. Child Care Center
5. Public and Quasi Public Institution, Church, and School
6. Essential Municipal Public Utility Use, Facility, Service, and Structure
7. Telecommunication Antenna[7]
8. Satellite Dish, greater than thirty nine inches (39") in diameter[8]
9. Raising grazing of horses
10. Cemetery
11. Bed and Breakfast Inn
12. Boarding House, Hotel
13. Hotel, Minor[6]
14. Hotel, Major[6]
15. Private Residence Club Project and Conversion[11]
16. Office, General[6]
17. Office, Moderate Intensive[6,9]
18. Office and Clinic, Medical[6,10]
19. Financial Institution, without drive up window[6,10]
20. Commercial Retail and Service, Minor[6,10]
21. Commercial Retail and Service, personal improvement[6,10]
22. Commercial, Resort Support[6,10]
23. Cafe or Deli[6,10]
24. Restaurant, Standard[6,10]
25. Restaurant, Outdoor Dining[11]
26. Outdoor Event[11]

27. Bar[6,10]

28. Hospital, Limited Care Facility[6,9]

29. Parking Area or Structure with five (5) or fewer spaces

30. Temporary Improvement[11]

31. Passenger Tramway Station and Ski Base Facility[12]

32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge[12]

33. Recreation Facility, Public

34. Recreation Facility, Commercial[6]

35. Recreation Facility, Private[16]

36. Entertainment Facility, Indoor[6,9]

37. Commercial Stables, Riding Academy[6,10]

38. Fences greater than six feet (6') in height from Final Grade

39. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays[13]

40. Single-Family Dwelling, Fractional Ownership/Use[17]

C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

[1]Nightly Rental of Lockout Units requires a Conditional Use permit.

[2]Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

[3]Nightly Rentals do not include the Use of Dwellings for Commercial Use.

[4]See Section 15-4-9, Child Care and Child Care Facilities

[5]Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License

[6]Subject to Master Planned Development approval. See Chapter 15-6.

[7]See Section 15-4-14, Telecommunication Facilities.

[8]See Section 15-4-13, Placement of Satellite Receiving Antennas.

[9]General Offices are only permitted with an approved Master Planned Development and may only be approved as the redevelopment of an existing Building or Property. In addition to meeting the necessary criteria in the Chapter 15-6 Master Planned Developments, the Planning Commission must find that: a) the redevelopment of an existing Building or Property to a General Office use will substantially advance the objectives of Economic Element of the General Plan or other more specific neighborhood plans; b) it has minimized/eliminated any potential detrimental impact on the resort and/or resort-residential character of the RDM District and the Frontage Protection Zone through careful planning and conditions of approval; c) it will not result in an intensification of use incompatible with neighboring developments; and d) it will not result in substantial increase in the existing trip generations for services and deliveries.

[10]Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Development.

[11]Requires an administrative Conditional Use permit.

[12]As part of an approved Ski Area Master Plan. See Section 15-4-18, Passenger Tramways and Ski Base Facilities

[13]Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

[14]The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

[15]See Section 15-4-7.1, Internal Accessory Dwelling Units.

[16]See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

[17] See Section 15-4-23, Single-Family Dwelling Fractional Ownership/Use.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 02-24 on 6/27/2002

Amended by Ord. 02-38 on 9/12/2002

Amended by Ord. 04-39 on 3/18/2004

Amended by Ord. 06-76 on 11/9/2006

Amended by Ord. 2018-55 on 10/23/2018

Amended by Ord. 2018-55 on 10/23/2018

Amended by Ord. 2020-45 on 10/1/2020

Amended by Ord. 2021-38 on 9/23/2021

Amended by Ord. 2021-51 on 12/16/2021

15-2.16-2 Uses

Uses in the RC District are limited to the following:

A. **ALLOWED USES**.

1. Single Family Dwelling
2. Duplex Dwelling
3. Triplex Dwelling
4. Secondary Living Quarters
5. Lockout Unit[1]
6. Accessory Apartment[2]
7. Nightly Rental[3]
8. Home Occupation
9. Child Care, In-Home Babysitting[4]
10. Child Care, Family[4]
11. Child Care, Family Group[4]
12. Child Care Center[4]

13. Accessory Building and Use
14. Conservation Activity
15. Agriculture
16. Bed and Breakfast Inn
17. Boarding House, Hostel
18. Hotel, Minor
19. Parking Area or Structure with four (4) or fewer spaces
20. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays[5]
21. Food Truck Location[12]

B. **CONDITIONAL USES**.

1. Multi-Unit Dwelling
2. Group Care Facility
3. Public and Quasi-Public institution, church, and school
4. Essential municipal and public utility Use, facility, service, and Structure
5. Telecommunications Antenna[6]
6. Satellite dish Antenna, greater than thirty-nine inches (39") in diameter[7]
7. Raising, grazing of horses
8. Cemetery
9. Hotel, Major
10. Timeshare Project and Conversion
11. Timeshare Sales Office
12. Private Residence Club Project and Conversion[9]
13. Office, General[8]

14. Office, Moderate[8]
15. Office and clinic, Medical[8]
16. Financial institution without drive-up window[8]
17. Minor Retail and Service Commercial[8]
18. Retail and Service Commercial, Personal Improvement[8]
19. Transportation Service[8]
20. Neighborhood Market, without gasoline sales[8]
21. Café or Deli[8]
22. Restaurant, General[8]
23. Restaurant, outdoor dining[8,9]
24. Bar[8]
25. Hospital, Limited Care Facility[8]
26. Parking Area or Structure with five (5) or more spaces
27. Temporary Improvement[9]
28. Passenger Tramway station and ski base facility[10]
29. Ski tow rope, ski lift, ski run, and ski bridge[10]
30. Outdoor Events and Uses[9]
31. Recreation Facility, Public and Private[8, 13]
32. Recreation Facility, Commercial[8]
33. Entertainment Facility, Indoor[8]
34. Commercial Riding Stable(s), riding academy[8]
35. Heliport[8]
36. Amenities Club

37. Club, Private Residence Off-Site[11]

38. Single-Family Dwelling, Fractional Ownership/Use[14]

C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

[1]Nightly Rental of Lockout Units requires a Conditional Use permit

[2]Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments

[3]Nightly Rentals do not include the Use of dwellings for Commercial Uses

[4]See Section 15-4-9, Child Care And Child Care Facilities

[5]Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License. Requires an Administrative Permit.

[6]See Section 15-4-14, Telecommunication Facilities

[7]See Section 15-4-13, Placement Of Satellite Receiving Antennas

[8]As support Use to primary Development or Use, subject to provisions of LMC Chapter 15-6, Master Planned Developments

[9]Requires an Administrative or Administrative Conditional Use permit, see Chapter 15-4

[10]As part of an approved Ski Area Master Plan

[11]Requires an Administrative Conditional Use permit. Is permitted only in approved existing Commercial spaces or Developments that have ten (10) or more units with approved Support Commercial space. A Parking Plan shall be submitted to determine site specific parking requirements.

[12]The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

[13]See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

[14] See Section 15-4-23, Single-Family Dwelling Fractional Ownership/Use.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 02-38 on 9/12/2002

Amended by Ord. 04-39 on 3/18/2004

Amended by Ord. 06-76 on 11/9/2006

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 11-05 on 1/27/2011

Amended by Ord. 15-35 on 10/12/2015

Amended by Ord. 2018-23 on 5/17/2018

Amended by Ord. 2018-55 on 10/23/2018

Amended by Ord. 2020-36 on 7/30/2020

Amended by Ord. 2020-45 on 10/1/2020

Amended by Ord. 2021-51 on 12/16/2021

15-2.17-2 Uses

Uses in the RCO District are limited to the following:

A. **ALLOWED USES**.

1. Secondary Living Quarters
2. Lockout Unit[1]
3. Accessory Apartment[2]
4. Nightly Rental
5. Home Occupation
6. Child Care, In-Home Babysitting[3]
7. Child Care, Family[3]

8. Child Care, Family Group[3]
9. Accessory Building and Use
10. Conservation Activity
11. Agriculture
12. Parking Area or Structure with four (4) or fewer spaces
13. Recreation Facility, Private[12]
14. Allowed Uses in the Underlying Zoning District
15. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays[4]
16. Food Truck Location[11]

B. **CONDITIONAL USES**.

1. Multi-Unit Dwelling[5]
2. Group Care Facility[5]
3. Child Care Center[3,5]
4. Public and Quasi-Public Institution, Church and School[5]
5. Essential Municipal Public Utility Use, Facility, Service, and Structure[5]
6. Telecommunication Antenna[6]
7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter[7]
8. Plant and Nursery stock products and sales[5]
9. Bed and Breakfast Inn[5]
10. Boarding House, Hostel[5]
11. Hotel, Minor[5]
12. Hotel, Major[5]
13. Private Residence Club Project and Conversion[9]

14. Timeshare Sales Office, off-site[5]
15. Office, General[5]
16. Office, Moderate Intensive[5]
17. Office, Intensive[5]
18. Office and Clinic, Medical[5]
19. Financial Institution, with and without drive-up window[5,8]
20. Retail and Service Commercial, Minor[5]
21. Retail and Service Commercial, personal improvement[5]
22. Retail and Service Commercial, Major[5]
23. Transportation Service[5]
24. Retail Drive-Up Window[8]
25. Neighborhood Convenience Commercial[5]
26. Commercial, Resort Support[5]
27. Gasoline Service Station[5]
28. Cafe, Deli[5]
29. Restaurant, General[5]
30. Restaurant, Outdoor Dining[9]
31. Outdoor Event[9]
32. Restaurant, Drive-up window[8]
33. Bar[5]
34. Hospital, Limited Care Facility[5]
35. Hospital, General[5]
36. Parking Area or Garage with five (5) or more spaces[8]

37. Temporary Improvement[9]

38. Passenger Tramway Station and Ski Base Facility[5]

39. Ski tow rope, ski lift, ski run, and ski bridge[5]

40. Recreation Facility, Public[5]

41. Recreation Facility, Commercial[5]

42. Entertainment, Indoor[5]

43. Heliport[5]

44. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays[10]

45. Single-Family Dwelling, Fractional Ownership/Use[13]

C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

[1]Nightly Rental of Lockout Units requires a Conditional Use permit.

[2]Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

[3]See Section 15-4-9, Child Care and Child Care Facilities.

[4]Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License.

[5]Subject to Master Planned Development approval. See Chapter 15-6.

[6]See Section 15-4-14, Telecommunication Facilities.

[7]See Section 15-4-13, Placement of Satellite Receiving Antennas.

[8]See Section 15-2.18-5 criteria for drive-up windows.

[9]Requires an administrative Conditional Use permit.

[10]Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

[11]The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

[12]See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

[13] See Section 15-4-23, Single-Family Dwelling Fractional Ownership/Use.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 02-38 on 9/12/2002

Amended by Ord. 04-39 on 9/23/2004

Amended by Ord. 06-76 on 11/9/2006

Amended by Ord. 2018-55 on 10/23/2018

Amended by Ord. 2018-55 on 10/23/2018

Amended by Ord. 2020-45 on 10/1/2020

Amended by Ord. 2021-51 on 12/16/2021

15-2.18-2 Uses

Uses in the GC District are limited to the following:

A. **ALLOWED USES**.

1. Secondary Living Quarters
2. Lockout Unit[1]
3. Accessory Apartment[2]
4. Nightly Rental
5. Home Occupation
6. Child Care, In-Home Babysitting[3]
7. Child Care, Family[3]

8. Child Care, Family Group[3]
9. Child Care Center[3]
10. Accessory Building and Use
11. Conservation Activity
12. Agriculture
13. Plant and Nursery Stock production and sales
14. Bed and Breakfast Inn
15. Boarding House, Hostel
16. Hotel, Minor
17. Hotel, Major
18. Office, General
19. Office, Moderate Intensive
20. Office, Intensive
21. Office and Clinic, Medical and Veterinary Clinic
22. Financial Institution without a drive-up window
23. Commercial, Resort Support
24. Retail and Service Commercial, Minor
25. Retail and Service Commercial, Personal Improvement
26. Retail and Service Commercial, Major
27. Cafe or Deli
28. Restaurant, General
29. Hospital, Limited Care Facility
30. Parking Area or Structure with four (4) or fewer spaces

31. Parking Area or Structure with five (5) or more spaces

32. Food Truck Location[10]

B. **CONDITIONAL USES**.

1. Single Family Dwelling
2. Duplex Dwelling
3. Triplex Dwelling
4. Multi-Unit Dwelling
5. Group Care Facility
6. Public and Quasi-Public Institution, Church, and School
7. Essential Municipal Public Utility Use, Facility, Service, and Structure
8. Telecommunication Antenna[4]
9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter[5]
10. Timeshare Project and Conversion
11. Timeshare Sales Office, off-site within an enclosed Building
12. Private Residence Club Project and Conversion[8]
13. Financial Institution with a Drive-up Window[6]
14. Retail and Service Commercial with Outdoor Storage
15. Retail and Service Commercial, Auto Related
16. Transportation Service
17. Retail Drive-Up Window[6]
18. Gasoline Service Station
19. Restaurant and Cafe, Outdoor Dining[7]
20. Restaurant, Drive-up Window[6]

21. Outdoor Event[7]
22. Bar
23. Sexually Oriented Businesses[8]
24. Hospital, General
25. Light Industrial Manufacturing and Assembly
26. Temporary Improvement[7]
27. Passenger Tramway and Ski Base Facility
28. Ski tow rope, ski lift, ski run, and ski bridge
29. Commercial Parking Lot or Structure
30. Recreation Facility, Public
31. Recreation Facility, Commercial
32. Recreation Facility, Private[9]
33. Indoor Entertainment Facility
34. Heliport
35. Temporary Sales Trailer in conjunction with an active Building permit for the Site.[8]
36. Fences greater than six feet (6') in height from Final Grade[7]
37. Household Pet, Boarding[7]
38. Household Pet, Daycare[7]
39. Household Pet, Grooming[7]
40. Single-Family Dwelling, Fractional Ownership/Use[11]

C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

[1]Nightly rental of Lockout Units requires Conditional Use permit.

[2]Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

[3]See Section 15-4-9, Child Care and Child Care Facilities.

[4]See Section 15-4-14, Telecommunication Facilities.

[5]See Section 15-4-13, Placement of Satellite Receiving Antennas.

[6]See Section 15-2.18-6 for Drive-Up Window review.

[7]Requires an Administrative Conditional Use permit.

[8]See Section 15-4-16 for additional criteria.

[9]See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

[10]The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

[11] See Section 15-4-23, Single-Family Dwelling Fractional Ownership/Use.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 04-39 on 9/23/2004

Amended by Ord. 06-76 on 11/9/2006

Amended by Ord. 14-57 on 11/20/2014

Amended by Ord. 2018-55 on 10/23/2018

Amended by Ord. 2018-55 on 10/23/2018

Amended by Ord. 2020-45 on 10/1/2020

Amended by Ord. 2021-51 on 12/16/2021

Section 15-4-23 Single-Family Dwelling, Fractional Ownership/Use

The Planning Commission shall evaluate the Conditional Use criteria outlined in Section 15-1-10 for Single-Family Dwelling, Fractional Ownership/Use Applications, and shall find compliance with the following in addition to the Conditional Use review:

A. The following are prohibited:

1. Nightly Rentals;

2. On-Street Parking;

3. Outdoor display of goods and merchandise;

4. Signs;

5. Commercial uses not otherwise permitted in the Zoning District.

B. The Applicant submits a Management Plan describing the satisfactory level of management and maintenance of the Single-Family Dwelling, Fractional Ownership/Use that addresses the following:

1. A designated responsible party that is a property management company, realtor, lawyer, owner, or other individual, who resides within a one-hour drive of the property, or, in the case of a company, has offices in Summit County. The responsible party must be available by telephone, or otherwise, twenty-four (24) hours per day, and must be able to respond to telephone inquiries within twenty (20) minutes of the receipt of such inquiries. The responsible party is also designated as the agent for receiving all official communications.
2. Snow removal during winter months to a level that allows safe access to the Single-Family Dwelling over the normal pedestrian access
3. Snow removal service to off-street parking associated with the property to ensure parking is available for owner use at all times
4. Summer yard maintenance, including landscaping, weed control, and irrigation to a level that is consistent with the level of landscaping and maintenance on adjoining and nearby properties

5. Structural maintenance to preserve substantial code compliance
6. Routine upkeep, including painting and repair to a level that is consistent with the level of maintenance on adjoining or nearby properties
7. Trash collection which ensures that trash cans are not left at the curb for any period in excess of 24 hours; the property must be kept free from accumulated garbage and refuse
8. Noise and Occupancy Control – Property management and owners are responsible for regulating the occupancy of the property and noise created by occupants. Violation of the Noise Ordinance in Municipal Code of Park City Chapter 6-3, violation of occupancy loads, failure to use designated off-street parking, illegal conduct, or any other abuse, which violates any law regarding use or occupancy of the property is grounds for revocation.
9. Information on the proposed fractional ownership use, including:
    a. A description of the method of management of the fractional ownership use
    b. Any restrictions on the use or occupancy of the Single-Family Dwelling and property
    c. Any additional documentation the Applicant, City staff, or the Planning Commission deem reasonably necessary to evaluate the fractional ownership and use.
10. Requirement of an Active Business License as a condition precedent to initiating Single-Family Dwelling Fractional Ownership/Use.

. . . .

Section 15-15-1 Definitions

. . . .

SINGLE-FAMILY DWELLING, FRACTIONAL OWNERSHIP/USE. Any Single-Family property which is owned by an LC or LLC which limits the LC or LLC member's shareholder's/owner's right to occupy the property by member/shareholder agreement or any other contract which limits owner use of the property to fractional reservations under thirty (30) days at a time. Other factors include but are not limited to centralized management, advanced reservations via electronic/app reservation systems, maximum day limits on each owner overall reservation/use of the property, and fixed management subscription fee as part of initial purchase, although subscription may be cancelled.

. . . .

Thursday, January 6, 2022, 9:05 AM

Jo Janger

We live in 84060 and are opposed to this new form of ownership.

Also opposed to weekly rentals in private homes where it is not allowed due to

HOA CCR’s and legally zoned areas drawn up by the city. I have checked with them.

Thursday, January 6, 2022, 9:07 AM

Hello Rebecca,

I have lived in PC for 29 years. Instead of telling you all of the changes that are

breaking my heart, I will keep this brief.

I am AGAINST fractional ownership of homes!

Jill Bond

Thursday, January 6, 2022, 9:28 AM

I oppose fractional ownership, as well. When I was doing some investigation for

Prospector Park HOA, I discovered there was a house on Samuel Colt Court that had

52 separate owners. I don't know how that ownership was dissolved, but I'm guessing it

was bankruptcy in the early 80's.

If there's anything I can do to help please let me know. I opposed short-term occupancy

on all levels.

Sally Cousins Elliott

Thursday, January 6, 2022, 10:43 AM

Hi Rebecca,

I heard you are taking input about fractional ownership.

I am opposed to operations like Pacaso. By managing it like a business, it makes neighborhoods lose the essence. Our neighborhood is zoned as single family with no nightly rental. Also, by selling homes in fractions, it drives up the price of the home, inflating our already inflated real estate costs, driving more long term full time residents out of town as they can no longer afford in town.

I recognize fractional ownership exists within families and friends, but having a company run it, changes the dynamic.

Thank you.

Meredith Riley

Thursday, January 6, 2022, 3:09 PM

Rebecca:

I live in the Aerie Subdivision. The Aerie a single family neighborhood that is not zoned for nightly rental or time shares. Fractional ownership of houses is akin to time shares but cleverly structured under LLCs to avoid the technical determination of time share ownership. It essentially acts the same way as time shares and does not fit into a single family environment. It is my understanding that currently there are two fractional owned homes on The Aerie and a third is projected for this spring. All are being purchased and the shares sold by an entity known as Picasso. The Aerie has no HOA and has no way

to stop the erosion of our single family home subdivision thereby changing the nature of the entire neighborhood.

Park City has to find a way to stop this means of essentially putting in time shares into areas not otherwise zoned for time shares while doing so under the guise of an LLC. Obviously, ownership under an LLC is not the issue: rather, the issue is that the LLC is selling shares amounting to timeshares and thereby circumventing zoning laws.

Please have the Park City legal department look into this and see if there is not a way to stop this "zoning violation" before more and more single family neighborhoods are lost.

Thank you.

Evelyn Saunders

Thursday, January 6, 2022, 5:21 PM

Hi Rebecca,

I live in zip code 84060 and am opposed to building or converting residential property to fractional ownership.

Cheers

Susan C. Daniero

Tuesday, May 10, 2022, 9:21 AM

New eComment for Planning Commission

James Brown III submitted a new eComment.

Meeting: Planning Commission

Item: 4.B) Land Management Code Amendments - The Planning Commission Will Conduct a Work Session on Fractional Ownership of Single-Family Dwellings in Residential Zoning Districts. PL-22-05210. (60 min.)
eComment: We strongly endorse the proposed amendment to the Land Management Code and would request a clarification that Aerie is included in the primarily residential Zoning District. Aerie is zoned single family and nightly rentals and timeshares are prohibited. Permitting further spread of fractional ownership to our neighborhood will create incompatible uses. Fractional ownership requires short stay/high turnover more akin to nightly rentals and timeshares, uses that are prohibited in Aerie. Permitting fractional ownership will permanently and negatively impact the current single family usage in Aerie and other similar neighborhoods. Jim Brown, 1252 Aerie Drive

Monday, May 9, 2022, 1:12 PM
New eComment for Planning Commission

Peter Nussbaum submitted a new eComment.
Meeting: Planning Commission
Item: 4.B) Land Management Code Amendments - The Planning Commission Will Conduct a Work Session on Fractional Ownership of Single-Family Dwellings in Residential Zoning Districts. PL-22-05210. (60 min.)
eComment: My family owns a home on Aerie Drive and also a not-yet-built lot. We strongly support limiting fractional ownership programs to areas that are already commercial or, more specifically, banning them from primarily residential areas such as

Aerie. One fear we have is that fractional ownership may result in substantially more noise due to parties and the like and adversely impact the character of our community. In addition, we believe that Aerie should be included in the group of primarily residential zones as that is certainly an apt description of Aerie. Thanks. Peter Nussbaum

Monday, May 9, 2022, 10:58 AM

New eComment for Planning Commission

stephen beem submitted a new eComment.

Meeting: Planning Commission

Item: 4.B) Land Management Code Amendments - The Planning Commission Will Conduct a Work Session on Fractional Ownership of Single-Family Dwellings in Residential Zoning Districts. PL-22-05210. (60 min.)

eComment: Staff report is incomplete. Aerie Subdivision should be included. Why not? I sent a detailed email once before on this and can't tell if it went through. Please advise. Stephen G. Beem, Attorney, 1527 Aerie Drive, Park City, Utah 84060

Monday, May 9, 2022, 2:23 PM

To the Planning Commission Members:

I have been a resident of Park City since 1978 and currently live at 1329 Aerie Dr, Park City, 84060 (“The Aerie”.) I have lived at the same address since 1990. We built our home and raised a family in it. At the time we choose our lot to build our family home, we choose The Aerie because it was not in a commercial zone and was designated/zoned as single family residences. I was subsequently pleased when the

City required rentals to be a minimum of 30 days in order to preserve the single family neighborhood feeling that many of us, on The Aerie, enjoy.
Unfortunately I believe our sense of a residential home neighborhood has been threatened by the purchase of two homes in The Aerie subdevelopment that are held under an LLC but are sold as fractional ownership. The Aerie has no HOA and, thus, no rules to prohibit fractional share ownership, thereby leaving us at the mercy of whatever entity wants to buy a home for sale and set it up under one owner name but multiple owners. We are in dire need of a prohibition from Park City on the fractional share ownership hiding under the guise of an LLC.

I live directly across from one of the two houses that is owned by an LLC and has fractional ownership and I will admit the idea of essentially "time share ownership" under the guise of an LLC greatly bothers me. It certainly devalues a neighborhood feeling. I previously went, in person, to the city to discuss it with the zoning/planning department and was told there was nothing they could do. I also spoke to a city “ombudsman” (I don’t recall her technical title) and again was told there was really nothing that could be done. I am greatly encouraged that it now is being discussed and I totally support employing new regulations to address and ban this ownership business model. I know that the LLC is technically a single owner although it has fractional share members. Seems like a clever way to get around the single family designation that the Aerie enjoys. We, as a city, need to protect our family neighborhoods and do away with this charade of “single family ownership” that sells fractional shares These owners have no real interest in the neighborhood-they come and go and treat it as a vacation unit. There is also no way to determine if the fractional share owners are sub-

leasing some or all of their designated time to third parties who simply treat it as a rental, thereby circumventing the city's prohibition on short term rentals in a single family residence neighborhood. Looks like it is an idea that will spread in Park City and the city should certainly be looking into controlling this busines model before it creeps everywhere and our community loses its neighborhoods.. All of us on The Aerie bought into a single family neighborhood and I, for one, wish it to remain the neighborhood I bought into 32 years ago.

The last comment I wish to make is that in the list of neighborhoods set out by the planning commission that are impacted, it omits The Aerie. Please be sure to add us into that list of neighborhoods as we are already victims of the LLC/fractional ownership scheme and we are a long standing single family neighborhood that equally needs the protection of your proposed draft ordinance.

Respectfully yours,

Evelyn Saunders

Tuesday, May 10, 2022, 8:20 AM

New eComment for Planning Commission

Craig Kipp submitted a new eComment.

Meeting: Planning Commission

Item: 4.B) Land Management Code Amendments - The Planning Commission Will Conduct a Work Session on Fractional Ownership of Single-Family Dwellings in Residential Zoning Districts. PL-22-05210. (60 min.)

eComment: 1) I support the City’s efforts to restrict residential timeshares via Pacaso and other LLC’s. 2) This is a National issue. For more details, see the website StopPacasonow.com. City’s such as Palm Springs, Santa Barbara, Napa Valley and Sonoma have already implemented City/County wide restrictive ordinances. Please review their documents on this website. 3) I urge the City to be as restrictive as possible. So far, residential timeshares have been focused on higher end resort homes. But, Pacaso’s CEO has stated their next growth area is lower priced residential homes. Park City could potentially have 100’s of these timeshares.

Tuesday, May 10, 2022, 9:51 AM

New eComment for Planning Commission

Richard Kennedy submitted a new eComment.

Meeting: Planning Commission

Item: 4.B) Land Management Code Amendments - The Planning Commission Will Conduct a Work Session on Fractional Ownership of Single-Family Dwellings in Residential Zoning Districts. PL-22-05210. (60 min.)

eComment: We are both long term residents of The Aerie subdivision and even longer term in Park City itself, having both moved here in the 70s'. Like others we have seen many changes to our town and are striving to maintain what sense of community we have left in our neighborhoods. We do not believe that time share, or fractional ownership uses are compatible with primary resident neighborhoods. Therefore, we strongly encourage the change to the LMC to prohibit fractional ownership in primarily

residential Zoning Districts. Of course, we would also like to see The Aerie included in the General Plan map of primarily residential Zoning Districts, it seems this map is based on 2010 data and may be outdated. On a related issue, The Aerie is zoned residential and nightly rentals are prohibited. There is currently a home on the corner of Mellow Mountain Rd. and Eagle Way that is listed on VRBO for nightly rental - https://www.vrbo.com/379307. This matter was brought to the attention of code enforcement at Park City Municipal back in October of 2021, however it appears to still be used as nightly rental. Perhaps we could also do a better job of enforcing our current regulations. Sincerely, Richard and Catherine Kennedy 1542 Aerie Dr.

Tuesday, May 10, 2022, 9:21 AM

New eComment for Planning Commission

Paul Santacaterina submitted a new eComment.

Meeting: Planning Commission

Item: 4.B) Land Management Code Amendments - The Planning Commission Will Conduct a Work Session on Fractional Ownership of Single-Family Dwellings in Residential Zoning Districts. PL-22-05210. (60 min.)

eComment: I am a full time resident in the Aerie subdivision. I would recommend including Aerie as a primary residential neighborhood and I support restrictions on residential timeshares including fractional ownership within park city and residential neighborhoods

PACASO

PACASO ECONOMIC IMPACT ANALYSIS

808

Introduction and Overview

Pacaso is a real estate marketplace and property management service that aims to make second homeownership more accessible by facilitating co-ownership of luxury homes between families. The company purchases homes above the median price in popular second home destinations, and then sells up to eight shares to individual buyers. Pacaso vets owners, furnishes and manages each property, and provides a mobile app for owners to schedule time at their home. Co-ownership of homes is an established practice that Pacaso is extending in new ways.

In 2022, Pacaso hired EBP, a national economics firm, to conduct a study to understand the net economic impact of its co-ownership model in five markets: Palm Springs, California, Colorado Mountains, New York City Area, San Francisco Bay Area, and South Florida. Key findings include the following:

- Across the five markets, the average Pacaso home generates nearly 10 times more in annual household spending compared with the average second home. This amounts to about $48,400 more per home.
- Compared with the average second home, the average Pacaso home also generates 10 times more in state sales tax revenue and nearly 10 times more in local sales tax revenue. This amounts to $2,400 more in state revenue and $1,400 more in local revenue per home.
- The average Pacaso home costs six times more than the average second home and seven times more than the average year-round home, meaning the company is unlikely to compete with middle-class or lower-income homebuyers in the five markets EBP studied.

Utilization

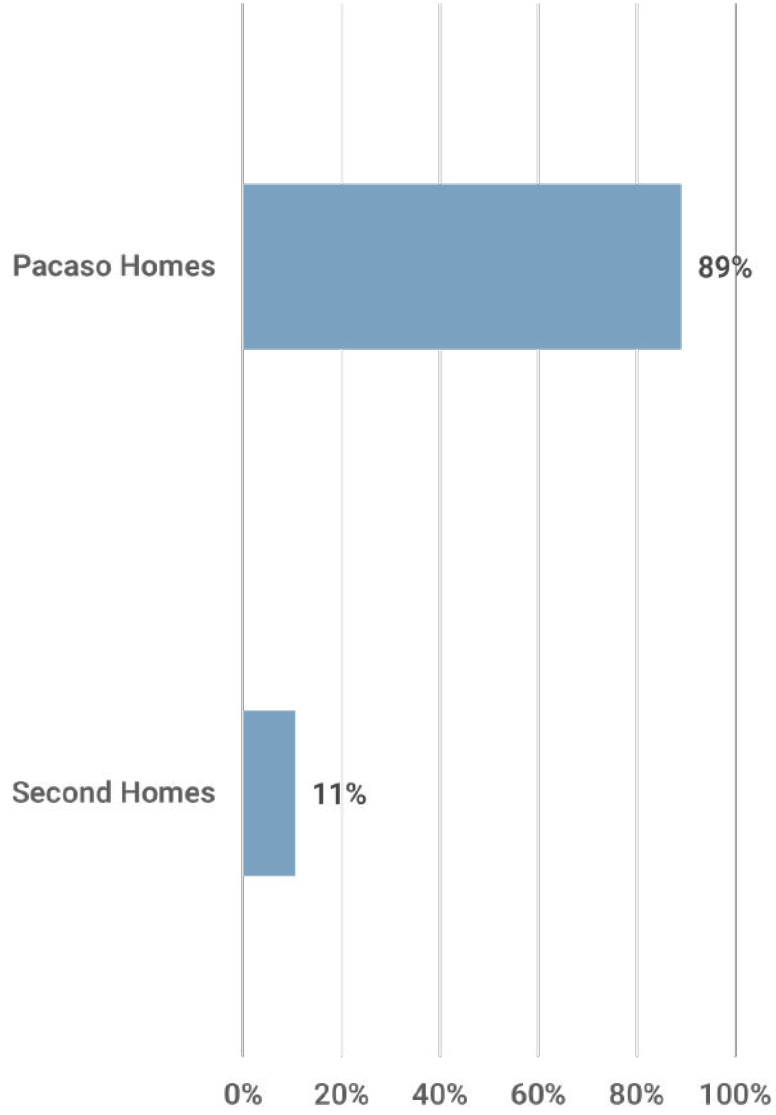
Co-ownership means higher utilization rates.

The average second home sits empty over ten months out of the year.[1] By comparison, the average Pacaso home is occupied 89 percent of the year — almost 11 months.[2]

Co-ownership makes more efficient use of second homes by increasing the amount of time they are occupied. Since the average Pacaso home is occupied more months of the year than other second homes, their owners spend more money in the community. This spending benefits local businesses and generates tax revenue.

As discussed later, Pacaso also enables people to share in ownership of homes that are significantly more expensive than average. By providing an alternative to median-priced homes, Pacaso can help maintain local housing affordability.

Figure 1. Average Annual Utilization Rates



Source: Pacaso and Census Bureau.

1 Census Bureau, 2019 American Housing Survey.

2 Pacaso, Second Homeowners Survey. Utilization is calculated based on the number of days a home is reserved.

Household Spending

Pacaso homes contribute more spending in their communities.

The average second homeowner spends money on a range of goods and services, as seen in the table below. Because Pacaso homes are utilized more than the average second home, they produce greater spending across all categories. The average Pacaso home generates an average of $48,390 in annual spending compared with the average second home. This additional spending benefits local restaurants, stores, and many other businesses.

Figure 2. Annual Household Spending By Market and Type

	Bay Area	Colorado Mountains	New York City Area	Palm Springs	South Florida
Average Second Home	$6,610	$4,960	$4,950	$3,990	$3,770
Average Pacaso Home	$72,240	$54,610	$53,850	$44,090	$41,450
Additional Spending	**$65,630**	**$49,650**	**$48,900**	**$40,100**	**$37,680**

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Notes: Our approach involved adjusting year-round spending patterns from Business Analyst Online to better reflect spending patterns of Pacaso homeowners. See the Notes page for more details.

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State Tax Revenue

Greater utilization drives more tax revenue for states.

Pacaso homes also generate additional tax revenue compared with the average second home. This includes revenue collected by states, part of which is distributed back to local communities. The table below shows that the average Pacaso home generates an average of $2,370 in additional state tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 3. Annual State Sales Tax Revenue By Market and Type

	Bay Area	Colorado Mountains	New York City Area	Palm Springs	South Florida
Average Second Home	$370	$140	$195	$240	$235
Average Pacaso Home	$4,080	$1,555	$2,145	$2,650	$2,590
Additional Tax Revenue	**$3,710**	**$1,415**	**$1,950**	**$2,410**	**$2,355**

Source: Avalara.com. Tax rates as of March 2022.

Local Tax Revenue

Greater utilization drives more tax revenue for counties.

Pacaso homes also generate local tax revenue. The table below shows that the average Pacaso home also generates an average of $1,410 in additional local tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 4. Annual Local Sales Tax Revenue By Market and Type

	Bay Area	Colorado Mountains	New York City Area	Palm Springs	South Florida
Average Second Home	$160	$200	$235	$70	$45
Average Pacaso Home	$1,740	$2,180	$2,570	$770	$490
Additional Tax Revenue	**$1,580**	**$1,980**	**$2,335**	**$700**	**$445**

Source: Avalara.com. Tax rates as of March 2022.

Notes: This study does not include the net increase in property tax revenue to counties from Pacaso homes, which is likely higher than that of traditional second homes or homes near the median housing price.

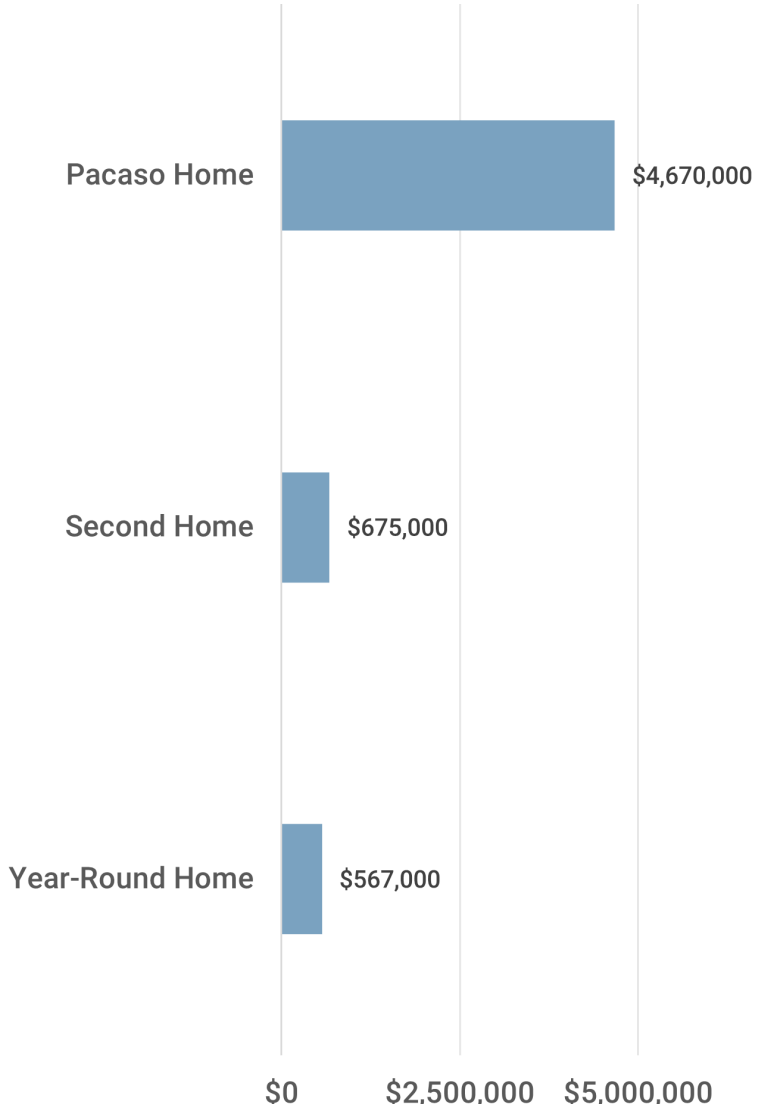
Housing Comparison

Pacaso concentrates demand into more expensive homes.

The median Pacaso home is 6.9 times the price of the typical second home and 8.2 times the price of the typical year-round home, as seen in the figure to the right.[3]

Through co-ownership, Pacaso concentrates demand for the most expensive homes in popular second home destinations, thereby shifting demand away from the median-priced market. The following page describes this in more detail.

Figure 5. Median Listing Price by Home Type



Source: Pacaso.

3 Definitions of second homes and year-round homes come from Optimal Blue, which is the source for Pacaso's price data.

Without Pacaso

Eight out-of-town buyers search for homes in a neighborhood with a mix of median-priced homes and high-end homes they are unable to afford. Wanting to spend a portion of the year in the area, they purchase eight median-priced homes, making them unavailable to year-round residents and bidding up the price of each.

With Pacaso

The same eight buyers purchase shares of a high-end Pacaso home, leaving the median-price homes on the market for year-round residents. Because Pacaso is available, there is less demand for the year-round homes, potentially keeping their sale prices lower than they would have been otherwise.

Market Impact

Co-ownership concentrates demand into fewer homes.

The concentration of buyers into expensive homes likely relieves pressure on local housing markets in popular second home destinations. This is because in the absence of a co-ownership model, some second homeowners will likely purchase a median-priced home, reducing the supply available for year-round residents.

The scenarios to the left illustrate the potential effect of Pacaso on a segment of the housing market.

This effect is most likely to be experienced in in popular second home destinations, where the housing markets are very competitive, partially because of strong demand for second homes, especially in certain sub-markets. As Pacaso grows, the mitigating effect on the supply of median-priced homes will only increase.

Notes

Pacaso is still in a growth phase, meaning EBP relied on assumptions based on industry and public record data. As Pacaso expands, its effect will likely become clearer, and we encourage future research to this end.

EBP and Pacaso made the following assumptions in completing this study. Adjustments to these assumptions could change the results.

- EBP used a national average utilization rate for Pacaso homes because market-specific rates fluctuate.
- We began our household spending analysis using values for all households in all jurisdictions included in our analysis, not spending by second homes or Pacaso homes specifically. To be more accurate, we made the adjustments listed in the table below to household spending categories pulled from our primary data source, Esri ArcGIS Business Analyst Online, which is itself based on data from the Bureau of Labor Statistics Consumer Expenditure Survey. This adjustment process was built on our assumption that second homeowner spending patterns fall somewhere in between short-term visitors and year-round residents. Compared to visitor spending patterns from various reports, we assumed that homeowners spend comparatively more (as a share of their budget) on food and beverages, a similar amount on retail, less on recreation, and less on transportation.
- For the tax impact analysis, we used state and county tax rates as of March 2022 from Avalara.com, a website that helps businesses calculate their tax bills. After comparing Avalara tax rates with tax rates published on several government websites for jurisdictions included in our analysis, EBP determined that it is a reliable source.

Cover Photography by Pacaso.

Appendix A. Household Spending Category Inclusion

Spending Category	Inclusion in Analysis
Alcohol	Included (37% under Dining Out and 63% under Food at Home).
Apparel	Included. Assumes co-owners spend like year-round residents during longer stays.
Dining Out	Included.
Education	Not included.
Entertainment and Recreation	Partially included (43%). Includes items, such as event admissions.
Finance	Not included.
Food at Home	Included.
Health Care	Not included.
Household Goods	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Household Services	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Housing	Not included. Mostly fixed housing costs, utilities, and maintenance and repairs.
Life Insurance and Pensions	Not included.
Miscellaneous Expenses	Not included.
Personal Care	Included. Assumes co-owners spend like year-round residents during longer stays.
Local Transportation	Partially included (20%). Includes items, such as gasoline and public transportation.
Travel	Not included. Related items are covered by other categories.

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Appendix B. Annual Household Spending By Market and Category

Spending Category	Bay Area	Colorado Mountains	New York City Area	Palm Springs	South Florida
Average Second Home					
Apparel	$1,090	$820	$830	$650	$610
Dining Out	$1,950	$1,460	$1,440	$1,160	$1,090
Entertainment and Recreation	$280	$210	$200	$170	$160
Food at Home	$2,700	$2,030	$2,040	$1,650	$1,560
Personal Care	$430	$320	$320	$260	$250
Transportation	$160	$120	$120	$100	$100
Total	**$6,610**	**$4,960**	**$4,950**	**$3,990**	**$3,770**
Average Pacaso Home					
Apparel	$10,310	$7,790	$7,890	$6,130	$5,800
Dining Out	$18,450	$13,880	$13,600	$11,060	$10,360
Entertainment and Recreation	$6,260	$4,770	$4,530	$3,880	$3,600
Food at Home	$25,660	$19,260	$19,320	$15,670	$14,790
Personal Care	$4,070	$3,070	$3,030	$2,490	$2,360
Transportation	$7,490	$5,840	$5,480	$4,860	$4,540
Total	**$72,240**	**$54,610**	**$53,850**	**$44,090**	**$41,450**

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Appendix C. Median Listing Price by Market and Type

	Bay Area	Colorado Mountains	New York City Area	Palm Springs	South Florida
Year-Round Home	$785,000	$600,000	$560,000	$500,000	$390,000
Second Home	$845,000	$815,000	$765,000	$530,000	$420,000
Pacaso Home	$4,500,000	$8,350,000	$4,700,000	$2,000,000	$3,800,000

Source: Pacaso.

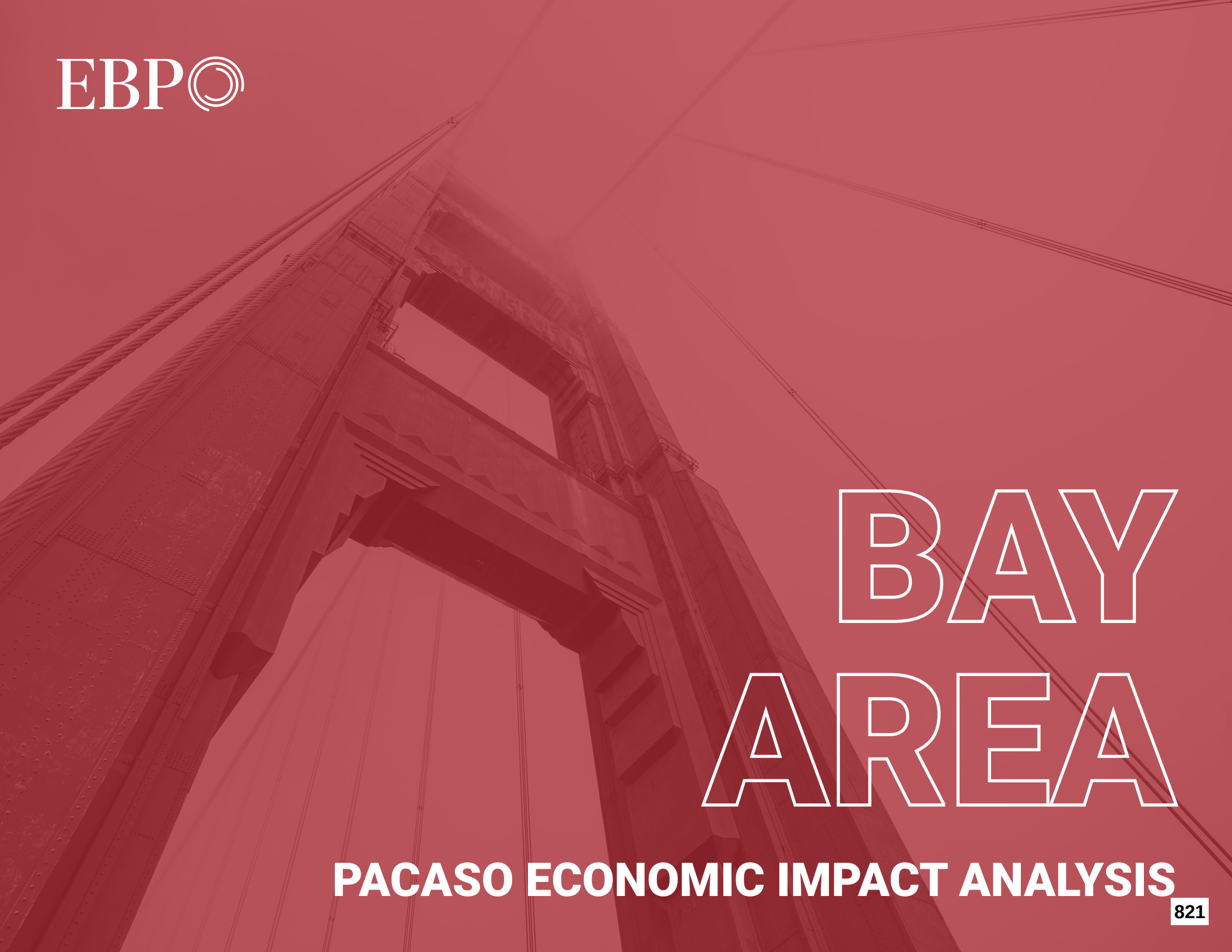
Appendix D. Market Definitions

Market	Included Counties						
Bay Area	Napa	Marin	San Francisco	San Mateo	Sonoma		
Colorado Mountains	Eagle	Pitkin	Summit				
New York City Area	Bronx	Kings	Nassau	New York	Queens	Richmond	Suffolk
Palm Springs	Riverside						
South Florida	Broward	Miami	Monroe	Palm Beach			

EBPO

820

EBP



BAY AREA

PACASO ECONOMIC IMPACT ANALYSIS

821

Introduction and Overview

Pacaso is a real estate marketplace and property management service that aims to make second homeownership more accessible by facilitating co-ownership of luxury homes between families. The company purchases homes above the median price in popular second home destinations like the Bay Area, and then sells up to eight shares to individual buyers. Pacaso vets owners, furnishes and manages each property, and provides a mobile app for owners to schedule time at their home. Co-ownership of homes is an established practice that Pacaso is extending in new ways.

In 2022, Pacaso hired EBP, a national economics firm, to conduct a study to understand the net economic impact of its co-ownership model. As described in the following pages, we focused specifically on Pacaso's impact on home utilization, household spending, tax revenue, and the local housing market in the Bay Area, which includes Napa, Marin, San Francisco, San Mateo, and Sonoma counties.

Utilization

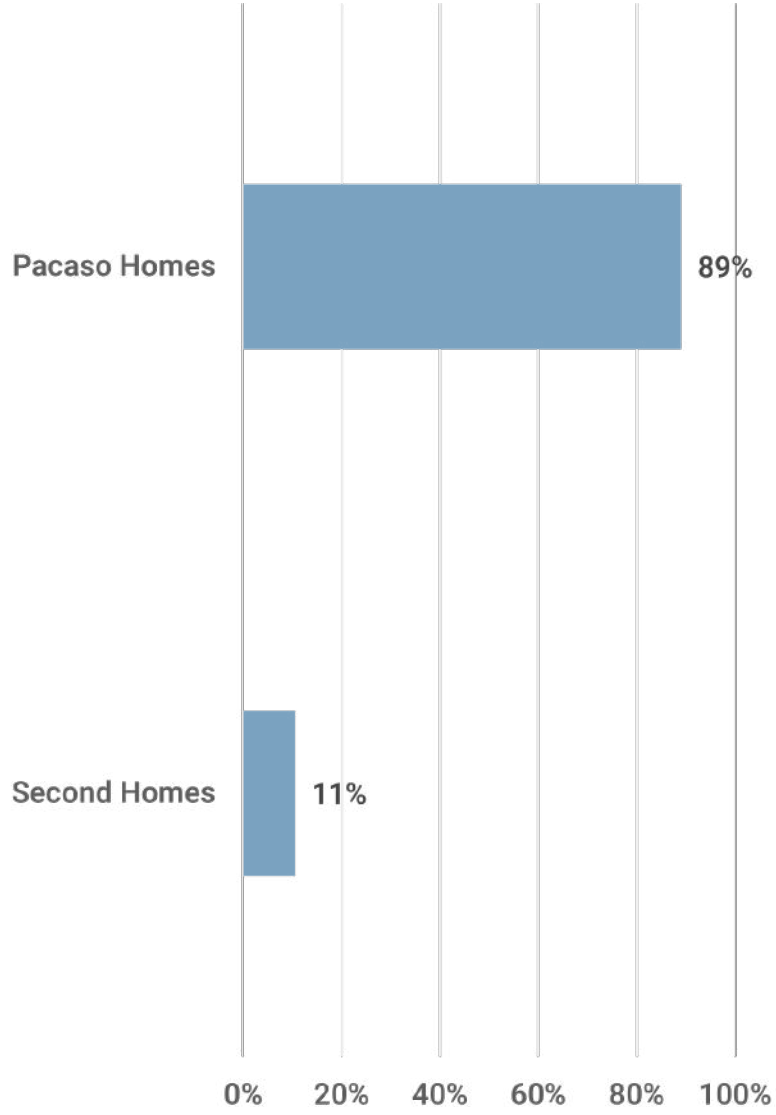
Co-ownership means higher utilization rates.

The average second home sits empty over ten months out of the year.[1] By comparison, the average Pacaso home is occupied 89 percent of the year — almost 11 months.[2]

Co-ownership makes more efficient use of second homes by increasing the amount of time they are occupied. Since the average Pacaso home is occupied more months of the year than other second homes, their owners spend more money in the community. This spending benefits local businesses and generates tax revenue.

As discussed later, Pacaso also enables people to share in ownership of homes that are significantly more expensive than average. By providing an alternative to median-priced homes, Pacaso can help maintain local housing affordability.

Figure 1. Average Annual Utilization Rates



Source: Pacaso and Census Bureau.

1 Census Bureau, 2019 American Housing Survey.

2 Pacaso, Second Homeowners Survey. Utilization is calculated based on the number of days a home is reserved.

Household Spending

Pacaso homes contribute more spending in their communities.

The average second homeowner spends money on a range of goods and services, as seen in the table below. Because Pacaso homes are utilized more than the average second home, they produce greater spending across all categories. The average Bay Area Pacaso home generates $65,630 more in annual spending compared with the average second home. This additional spending benefits local restaurants, stores, and many other businesses.

Figure 2. Annual Household Spending By Category and Type

Spending Category	Average Second Home	Average Pacaso Home	Additional Spending
Apparel	$1,090	$10,310	$9,220
Dining Out	$1,950	$18,450	$16,500
Entertainment and Recreation	$280	$6,260	$5,980
Food at Home	$2,700	$25,660	$22,960
Personal Care	$430	$4,070	$3,640
Transportation	$160	$7,490	$7,330
Total	**$6,610**	**$72,240**	**$65,630**

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Notes: Our approach involved adjusting year-round spending patterns from Business Analyst Online to better reflect spending patterns of Pacaso homeowners. See the Notes page for more details.

State Tax Revenue

Greater utilization drives more tax revenue for the State of California.

Pacaso homes also generate additional tax revenue compared with the average second home. This includes revenue collected by the State of California, part of which is distributed back to the Bay Area. The table below shows that the average Pacaso home generates an additional $3,710 in state tax revenue on average when compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 3. Annual State Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Napa	$310	$3,450	$3,140
Marin	$390	$4,310	$3,920
San Francisco	$440	$4,780	$4,340
San Mateo	$430	$4,740	$4,310
Sonoma	$280	$3,110	$2,830

Source: Avalara.com. Tax rates as of March 2022.

Local Tax Revenue

Greater utilization drives more tax revenue for the Bay Area.

Pacaso homes also generate local tax revenue. The table below shows that the average Pacaso home generates an average of $1,580 in additional local tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 4. Annual Local Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Napa	$90	$1,010	$920
Marin	$150	$1,620	$1,470
San Francisco	$190	$2,100	$1,910
San Mateo	$240	$2,670	$2,430
Sonoma	$120	$1,300	$1,180

Source: Avalara.com. Tax rates as of March 2022.

Notes: This study does not include the net increase in property tax revenue to counties from Pacaso homes, which is likely higher than that of traditional second homes or homes near the median housing price.

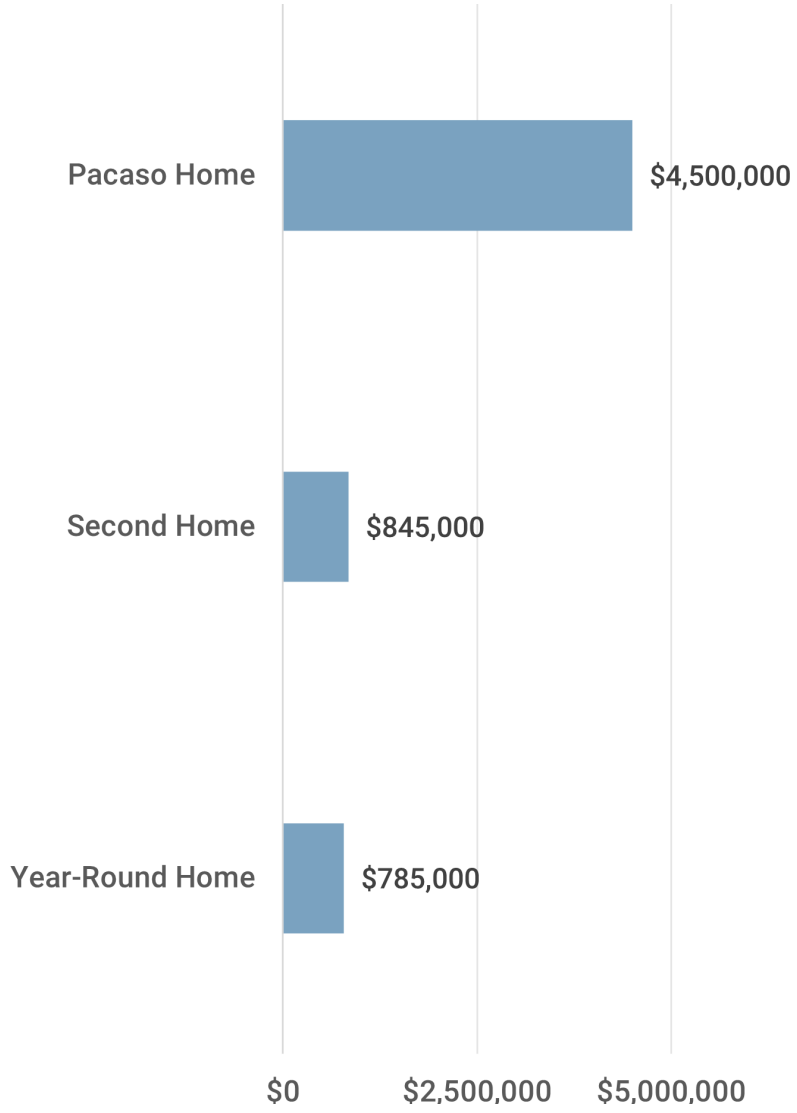
Housing Comparison

Pacaso concentrates demand into more expensive homes.

The median Pacaso home in the Bay Area is 5.3 times the price of the typical second home and 5.7 times the price of the typical year-round home, as seen in the figure to the right.[3]

Through co-ownership, Pacaso concentrates demand for the Bay Area's most expensive homes, thereby shifting demand away from the median-priced market. The following page describes this in more detail.

Figure 5. Median Listing Price by Home Type



Source: Pacaso.

3 Definitions of second homes and year-round homes come from Optimal Blue, which is the source for Pacaso's price data.

Without Pacaso

Eight out-of-town buyers search for homes in a neighborhood with a mix of median-priced homes and high-end homes they are unable to afford. Wanting to spend a portion of the year in the Bay Area, they purchase eight median-priced homes, making them unavailable to year-round residents and bidding up the price of each.

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The same eight buyers purchase shares of a high-end Pacaso home, leaving the median-price homes on the market for year-round residents. Because Pacaso is available, there is less demand for the year-round homes, potentially keeping their sale prices lower than they would have been otherwise.

Market Impact

Co-ownership concentrates demand into fewer homes.

The concentration of buyers into expensive homes likely relieves pressure on the Bay Area's local housing market. This is because in the absence of a co-ownership model, some second homeowners will likely purchase a median-priced home, reducing the supply available for year-round residents.

The scenarios to the left illustrate the potential effect of Pacaso on a segment of the housing market.

This effect is most likely to be experienced in places like the Bay Area, where the housing market is very competitive, partially because of strong demand for second homes, especially in certain sub-markets. As Pacaso grows, the mitigating effect on the supply of median-priced homes will only increase.

Notes

Pacaso is still in a growth phase, meaning EBP relied on assumptions based on industry and public record data. As Pacaso expands, its effect will likely become clearer, and we encourage future research to this end.

EBP and Pacaso made the following assumptions in completing this study. Adjustments to these assumptions could change the results.

- EBP used a national average utilization rate for Pacaso homes because market-specific rates fluctuate.
- We began our household spending analysis using values for all households in the Bay Area, not spending by second homes or Pacaso homes specifically. To be more accurate, we made the adjustments listed in the table below to household spending categories pulled from our primary data source, Esri ArcGIS Business Analyst Online, which is itself based on data from the Bureau of Labor Statistics Consumer Expenditure Survey. This adjustment process was built on our assumption that second homeowner spending patterns fall somewhere in between short-term visitors and year-round residents. Compared with Bay Area visitor spending patterns from a 2019 study by Dean Runyan Associates, we assumed that homeowners spend comparatively more (as a share of their budget) on food and beverages, a similar amount on retail, less on recreation, and less on transportation.
- For the tax impact analysis, we used state and county tax rates as of March 2022 from Avalara.com, a website that helps businesses calculate their tax bills. After comparing Avalara tax rates with tax rates published on several government websites for jurisdictions included in our analysis, EBP determined that it is a reliable source.

Cover Photography by Jacob Morch on Unsplash. Report Photography by Pacaso.

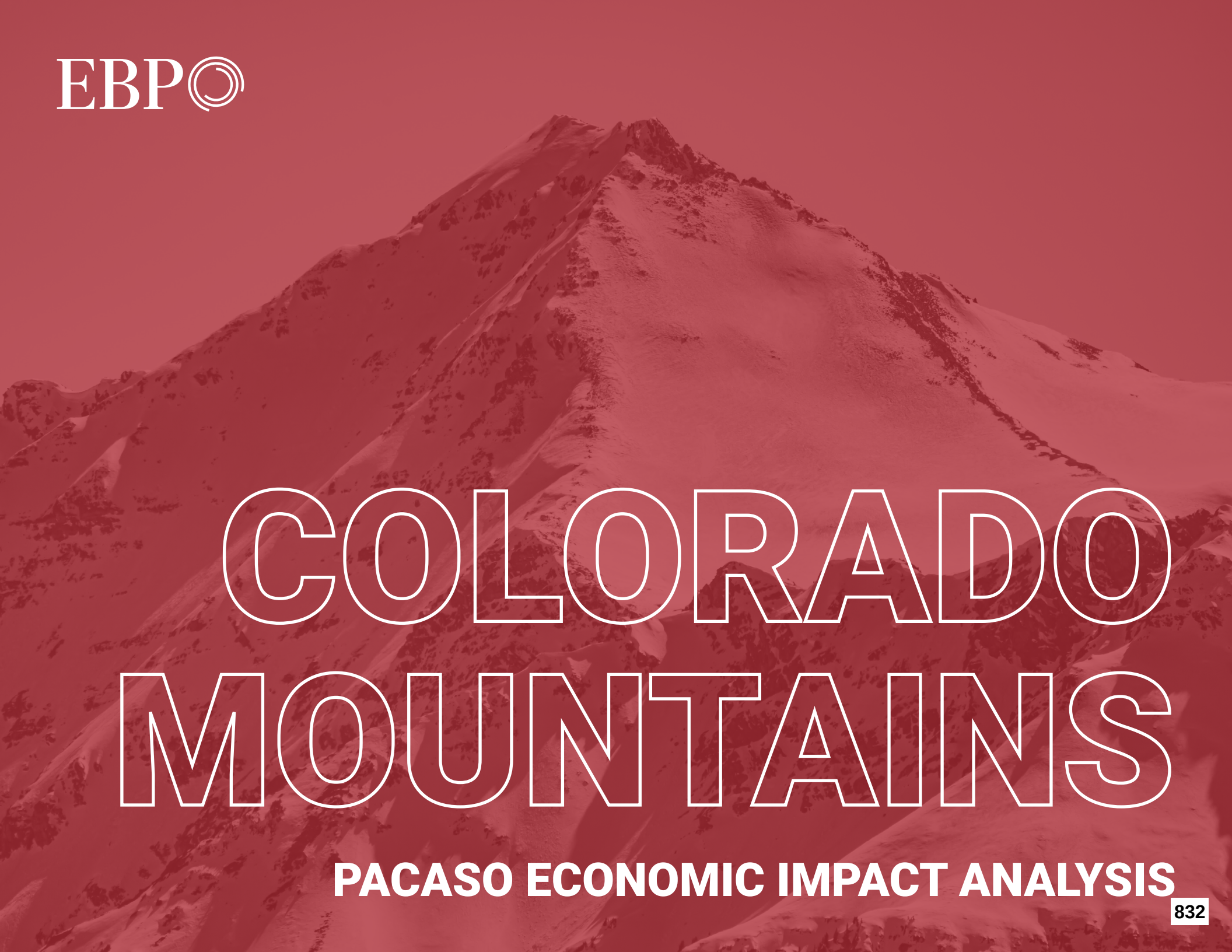
Appendix A. Household Spending Category Inclusion

Spending Category	Inclusion in Analysis
Alcohol	Included (37% under Dining Out and 63% under Food at Home).
Apparel	Included. Assumes co-owners spend like year-round residents during longer stays.
Dining Out	Included.
Education	Not included.
Entertainment and Recreation	Partially included (43%). Includes items, such as event admissions.
Finance	Not included.
Food at Home	Included.
Health Care	Not included.
Household Goods	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Household Services	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Housing	Not included. Mostly fixed housing costs, utilities, and maintenance and repairs.
Life Insurance and Pensions	Not included.
Miscellaneous Expenses	Not included.
Personal Care	Included. Assumes co-owners spend like year-round residents during longer stays.
Local Transportation	Partially included (20%). Includes items, such as gasoline and public transportation.
Travel	Not included. Related items are covered by other categories.

Source: Esri ArcGIS Business Analyst Online and Pacaso.

EBPO

EBP



COLORADO MOUNTAINS

PACASO ECONOMIC IMPACT ANALYSIS

832

Introduction and Overview

Pacaso is a real estate marketplace and property management service that aims to make second homeownership more accessible by facilitating co-ownership of luxury homes between families. The company purchases homes above the median price in popular second home destinations like the Colorado Mountains, and then sells up to eight shares to individual buyers. Pacaso vets owners, furnishes and manages each property, and provides a mobile app for owners to schedule time at their home. Co-ownership of homes is an established practice that Pacaso is extending in new ways.

In 2022, Pacaso hired EBP, a national economics firm, to conduct a study to understand the net economic impact of its co-ownership model. As described in the following pages, we focused specifically on Pacaso's impact on home utilization, household spending, tax revenue, and the local housing market in the Colorado Mountains, which includes Eagle, Pitkin, and Summit counties.

Utilization

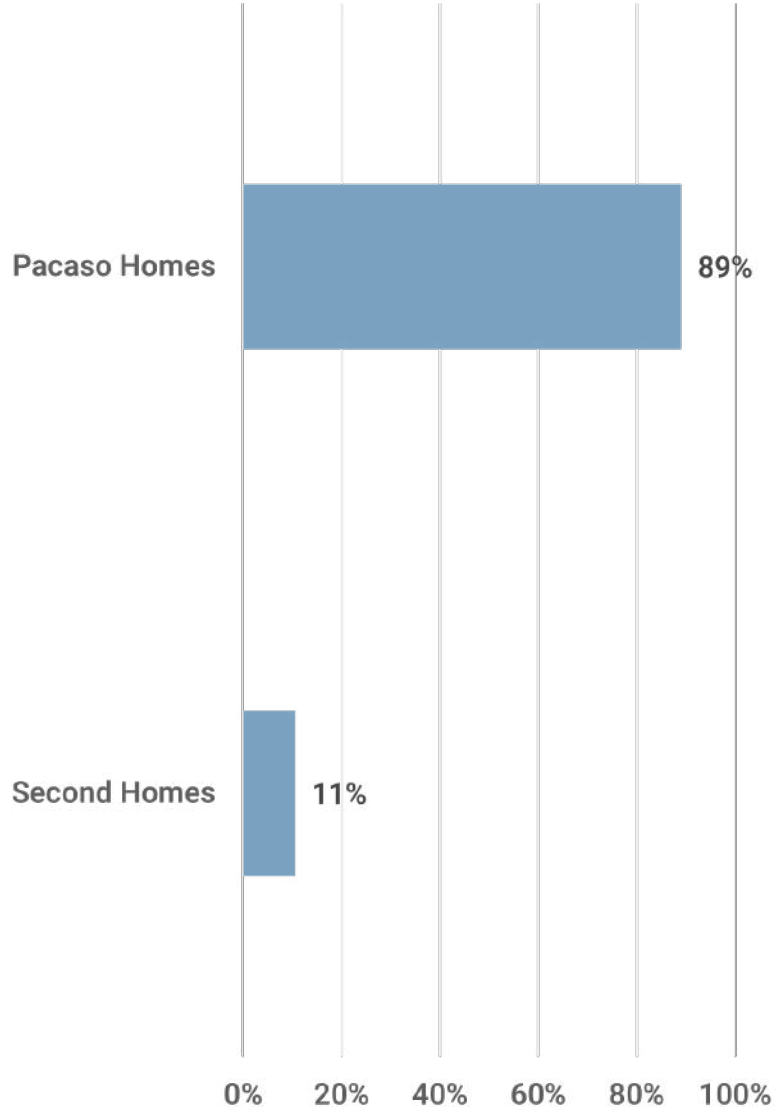
Co-ownership means higher utilization rates.

The average second home sits empty over ten months out of the year.[1] By comparison, the average Pacaso home is occupied 89 percent of the year — almost 11 months.[2]

Co-ownership makes more efficient use of second homes by increasing the amount of time they are occupied. Since the average Pacaso home is occupied more months of the year than other second homes, their owners spend more money in the community. This spending benefits local businesses and generates tax revenue.

As discussed later, Pacaso also enables people to share in ownership of homes that are significantly more expensive than average. By providing an alternative to median-priced homes, Pacaso can help maintain local housing affordability.

Figure 1. Average Annual Utilization Rates



Source: Pacaso and Census Bureau.

1 Census Bureau, 2019 American Housing Survey.

2 Pacaso, Second Homeowners Survey. Utilization is calculated based on the number of days a home is reserved.

Household Spending

Pacaso homes contribute more spending in their communities.

The average second homeowner spends money on a range of goods and services, as seen in the table below. Because Pacaso homes are utilized more than the average second home, they produce greater spending across all categories. The average Colorado Mountains Pacaso home generates $49,650 more in annual spending compared with the average second home. This additional spending benefits local restaurants, stores, and many other businesses.

Figure 2. Annual Household Spending By Category and Type

Spending Category	Average Second Home	Average Pacaso Home	Additional Spending
Apparel	$820	$7,790	$6,970
Dining Out	$1,460	$13,880	$12,420
Entertainment and Recreation	$210	$4,770	$4,560
Food at Home	$2,030	$19,260	$17,230
Personal Care	$320	$3,070	$2,750
Transportation	$120	$5,840	$5,720
Total	**$4,960**	**$54,610**	**$49,650**

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Notes: Our approach involved adjusting year-round spending patterns from Business Analyst Online to better reflect spending patterns of Pacaso homeowners. See the Notes page for more details.

State Tax Revenue

Greater utilization drives more tax revenue for the State of Colorado.

Pacaso homes also generate additional tax revenue compared with the average second home. This includes revenue collected by the State of Colorado, part of which is distributed back to the Colorado Mountains. The table below shows that the average Pacaso home generates an additional $1,410 in state tax revenue on average when compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 3. Annual State Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Eagle	$150	$1,690	$1,540
Pitkin	$140	$1,520	$1,380
Summit	$130	$1,450	$1,320

Source: Avalara.com. Tax rates as of March 2022.

Local Tax Revenue

Greater utilization drives more tax revenue for the Colorado Mountains.

Pacaso homes also generate local tax revenue. The table below shows that the average Pacaso home generates an average of $1,980 in additional local tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 4. Annual Local Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Eagle	$80	$880	$800
Pitkin	$360	$3,920	$3,560
Summit	$160	$1,740	$1,580

Source: Avalara.com. Tax rates as of March 2022.

Notes: This study does not include the net increase in property tax revenue to counties from Pacaso homes, which is likely higher than that of traditional second homes or homes near the median housing price.

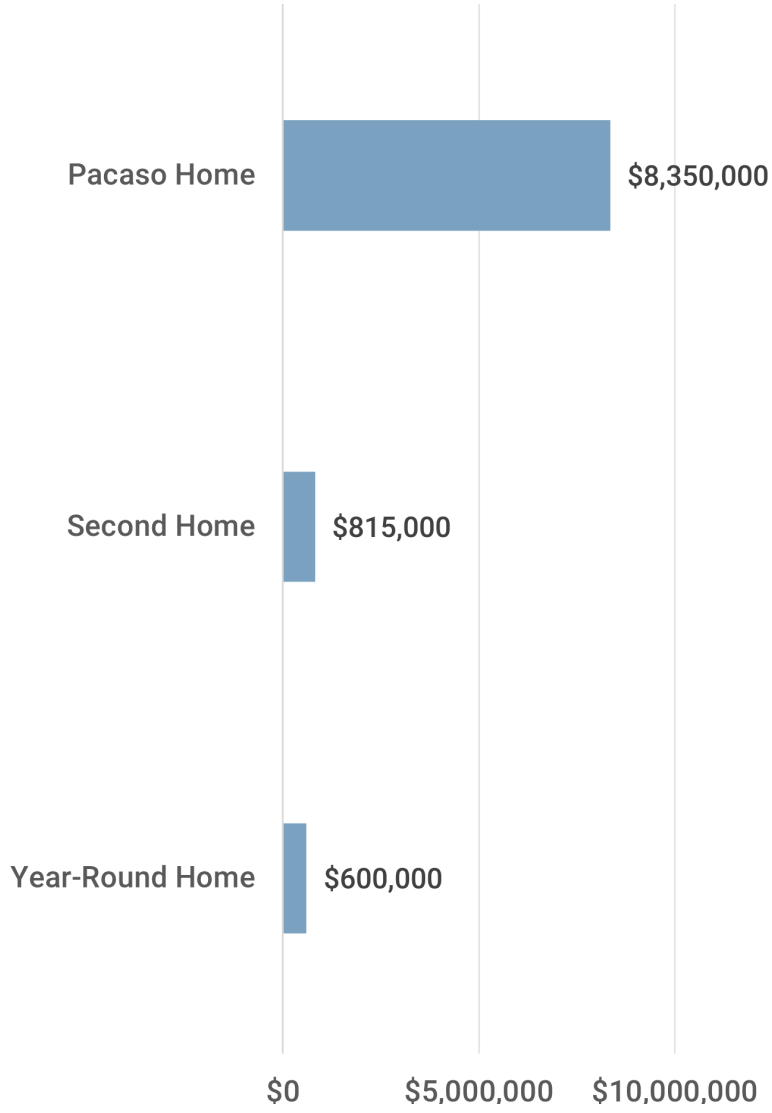
Housing Comparison

Pacaso concentrates demand into more expensive homes.

The median Pacaso home in the Colorado Mountains is 10.2 times the price of the typical second home and 13.9 times the price of the typical year-round home, as seen in the figure to the right.[3]

Through co-ownership, Pacaso concentrates demand for the Colorado Mountains' most expensive homes, thereby shifting demand away from the median-priced market. The following page describes this in more detail.

Figure 5. Median Listing Price by Home Type



Source: Pacaso.

3 Definitions of second homes and year-round homes come from Optimal Blue, which is the source for Pacaso's price data.

Without Pacaso

Eight out-of-town buyers search for homes in a neighborhood with a mix of median-priced homes and high-end homes they are unable to afford. Wanting to spend a portion of the year in the Colorado Mountains, they purchase eight median-priced homes, making them unavailable to year-round residents and bidding up the price of each.

With Pacaso

The same eight buyers purchase shares of a high-end Pacaso home, leaving the median-price homes on the market for year-round residents. Because Pacaso is available, there is less demand for the year-round homes, potentially keeping their sale prices lower than they would have been otherwise.

Market Impact

Co-ownership concentrates demand into fewer homes.

The concentration of buyers into expensive homes likely relieves pressure on the Colorado Mountains' local housing market. This is because in the absence of a co-ownership model, some second homeowners will likely purchase a median-priced home, reducing the supply available for year-round residents.

The scenarios to the left illustrate the potential effect of Pacaso on a segment of the housing market.

This effect is most likely to be experienced in places like the Colorado Mountains, where the housing market is very competitive, partially because of strong demand for second homes, especially in certain sub-markets. As Pacaso grows, the mitigating effect on the supply of median-priced homes will only increase.

Notes

Pacaso is still in a growth phase, meaning EBP relied on assumptions based on industry and public record data. As Pacaso expands, its effect will likely become clearer, and we encourage future research to this end.

EBP and Pacaso made the following assumptions in completing this study. Adjustments to these assumptions could change the results.

- EBP used a national average utilization rate for Pacaso homes because market-specific rates fluctuate.
- We began our household spending analysis using values for all households in the Colorado Mountains, not spending by second homes or Pacaso homes specifically. To be more accurate, we made the adjustments listed in the table below to household spending categories pulled from our primary data source, Esri ArcGIS Business Analyst Online, which is itself based on data from the Bureau of Labor Statistics Consumer Expenditure Survey. This adjustment process was built on our assumption that second homeowner spending patterns fall somewhere in between short-term visitors and year-round residents. Compared with Colorado Mountains visitor spending patterns from a 2019 study by Dean Runyan Associates, we assumed that homeowners spend comparatively more (as a share of their budget) on food and beverages, a similar amount on retail, less on recreation, and less on transportation.
- For the tax impact analysis, we used state and county tax rates as of March 2022 from Avalara.com, a website that helps businesses calculate their tax bills. After comparing Avalara tax rates with tax rates published on several government websites for jurisdictions included in our analysis, EBP determined that it is a reliable source.

Cover Photography by Joshua Sukoff on Unsplash. Report Photography by Pacaso.

Appendix A. Household Spending Category Inclusion

Spending Category	Inclusion in Analysis
Alcohol	Included (37% under Dining Out and 63% under Food at Home).
Apparel	Included. Assumes co-owners spend like year-round residents during longer stays.
Dining Out	Included.
Education	Not included.
Entertainment and Recreation	Partially included (43%). Includes items, such as event admissions.
Finance	Not included.
Food at Home	Included.
Health Care	Not included.
Household Goods	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Household Services	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Housing	Not included. Mostly fixed housing costs, utilities, and maintenance and repairs.
Life Insurance and Pensions	Not included.
Miscellaneous Expenses	Not included.
Personal Care	Included. Assumes co-owners spend like year-round residents during longer stays.
Local Transportation	Partially included (20%). Includes items, such as gasoline and public transportation.
Travel	Not included. Related items are covered by other categories.

Source: Esri ArcGIS Business Analyst Online and Pacaso.

EBPO

842

EBP

PALM SPRINGS

PACASO ECONOMIC IMPACT ANALYSIS

843

Introduction and Overview

Pacaso is a real estate marketplace and property management service that aims to make second homeownership more accessible by facilitating co-ownership of luxury homes between families. The company purchases homes above the median price in popular second home destinations like Palm Springs, and then sells up to eight shares to individual buyers. Pacaso vets owners, furnishes and manages each property, and provides a mobile app for owners to schedule time at their home. Co-ownership of homes is an established practice that Pacaso is extending in new ways.

In 2022, Pacaso hired EBP, a national economics firm, to conduct a study to understand the net economic impact of its co-ownership model. As described in the following pages, we focused specifically on Pacaso's impact on home utilization, household spending, tax revenue, and the local housing market in Palm Springs.

Utilization

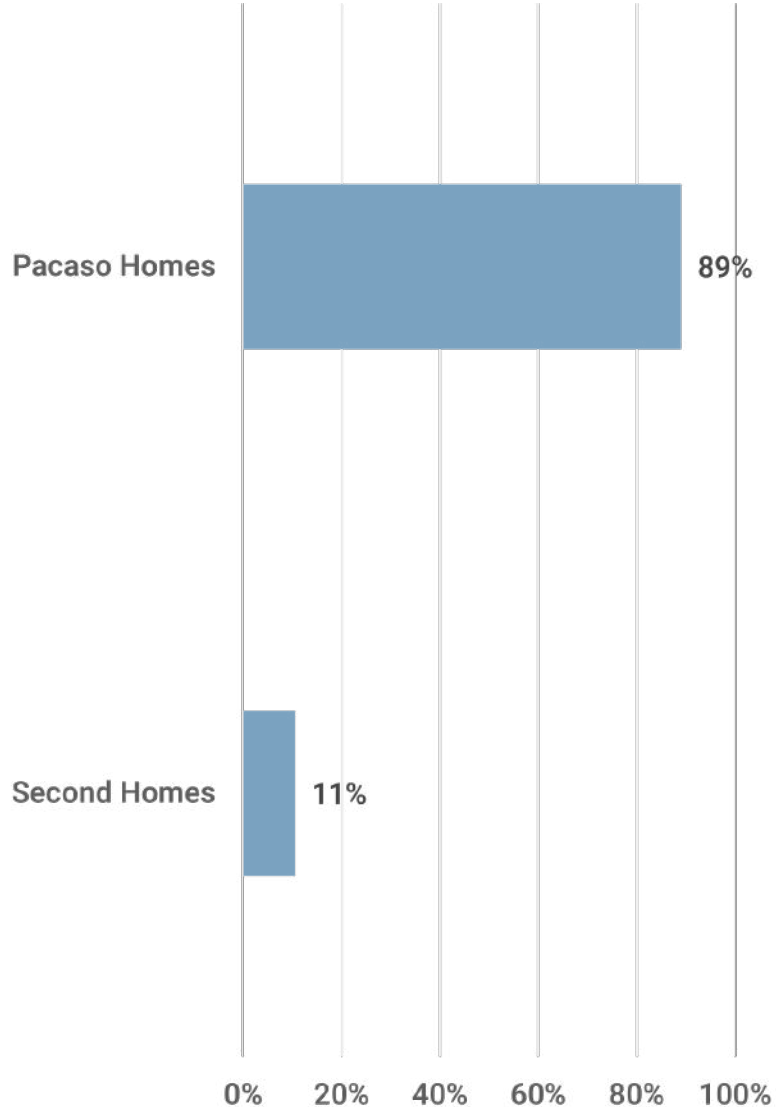
Co-ownership means higher utilization rates.

The average second home sits empty over ten months out of the year.[1] By comparison, the average Pacaso home is occupied 89 percent of the year — almost 11 months.[2]

Co-ownership makes more efficient use of second homes by increasing the amount of time they are occupied. Since the average Pacaso home is occupied more months of the year than other second homes, their owners spend more money in the community. This spending benefits local businesses and generates tax revenue.

As discussed later, Pacaso also enables people to share in ownership of homes that are significantly more expensive than average. By providing an alternative to median-priced homes, Pacaso can help maintain local housing affordability.

Figure 1. Average Annual Utilization Rates



Source: Pacaso and Census Bureau.

1 Census Bureau, 2019 American Housing Survey.

2 Pacaso, Second Homeowners Survey. Utilization is calculated based on the number of days a home is reserved.

Household Spending

Pacaso homes contribute more spending in their communities.

The average second homeowner spends money on a range of goods and services, as seen in the table below. Because Pacaso homes are utilized more than the average second home, they produce greater spending across all categories. The average Palm Springs Pacaso home generates $40,100 more in annual spending compared with the average second home. This additional spending benefits local restaurants, stores, and many other businesses.

Figure 2. Annual Household Spending By Category and Type

Spending Category	Average Second Home	Average Pacaso Home	Additional Spending
Apparel	$650	$6,130	$5,480
Dining Out	$1,160	$11,060	$9,890
Entertainment and Recreation	$170	$3,880	$3,710
Food at Home	$1,650	$15,670	$14,030
Personal Care	$260	$2,490	$2,230
Transportation	$100	$4,860	$4,760
Total	**$3,990**	**$44,090**	**$40,100**

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Notes: Our approach involved adjusting year-round spending patterns from Business Analyst Online to better reflect spending patterns of Pacaso homeowners. See the Notes page for more details.

State Tax Revenue

Greater utilization drives more tax revenue for the State of California.

Pacaso homes also generate additional tax revenue compared with the average second home. This includes revenue collected by the State of California, part of which is distributed back to Palm Springs. The table below shows that the average Pacaso home generates an additional $2,410 in state tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 3. Annual State Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Riverside	$240	$2,650	$2,410

Source: Avalara.com. Tax rates as of March 2022.

Local Tax Revenue

Greater utilization drives more tax revenue for Palm Springs.

Pacaso homes also generate local tax revenue. The table below shows that the average Pacaso home also generates an additional $700 in local tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 4. Annual Local Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Riverside	$70	$770	$700

Source: Avalara.com. Tax rates as of March 2022.

Notes: This study does not include the net increase in property tax revenue to counties from Pacaso homes, which is likely higher than that of traditional second homes or homes near the median housing price.

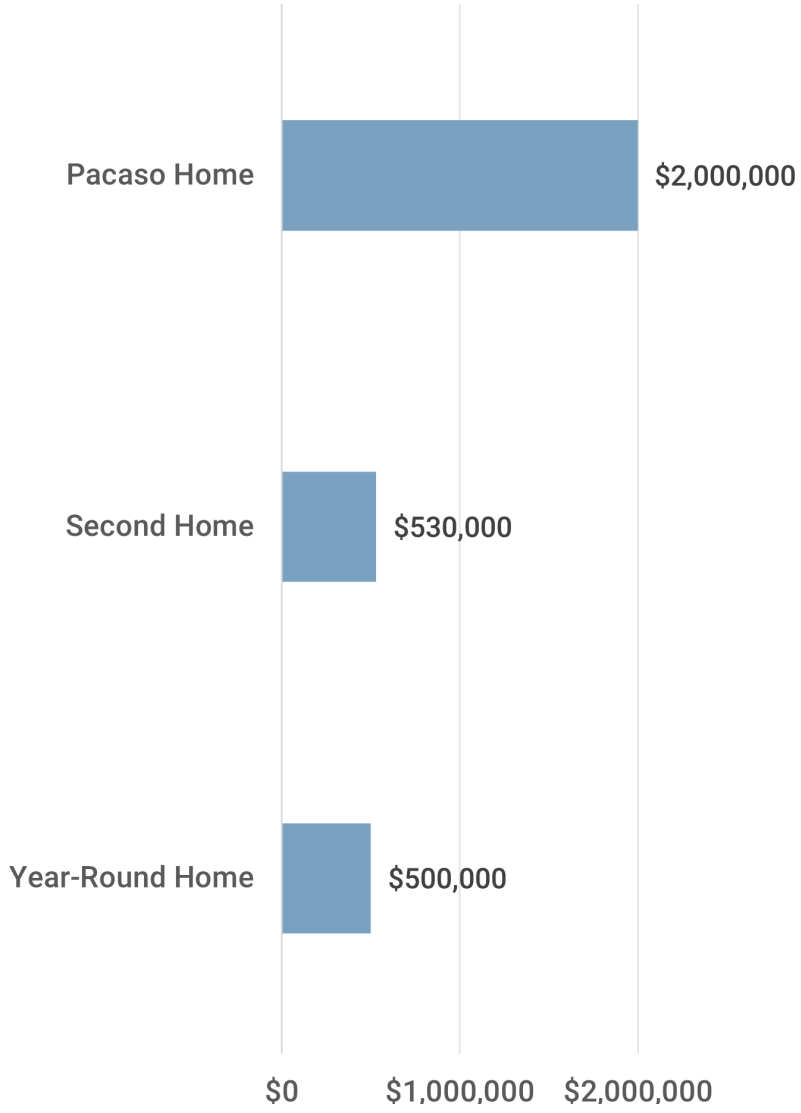
Housing Comparison

Pacaso concentrates demand into more expensive homes.

The median Pacaso home in Palm Springs is 3.8 times the price of the typical second home and 4 times the price of the typical year-round home, as seen in the figure to the right.[3]

Through co-ownership, Pacaso concentrates demand for Palm Springs' most expensive homes, thereby shifting demand away from the median-priced market. The following page describes this in more detail.

Figure 5. Median Listing Price by Home Type



Source: Pacaso.

3 Definitions of second homes and year-round homes come from Optimal Blue, which is the source for Pacaso's price data.

Without Pacaso

Eight out-of-town buyers search for homes in a neighborhood with a mix of median-priced homes and high-end homes they are unable to afford. Wanting to spend a portion of the year in Palm Springs, they purchase eight median-priced homes, making them unavailable to year-round residents and bidding up the price of each.

With Pacaso

The same eight buyers purchase shares of a high-end Pacaso home, leaving the median-price homes on the market for year-round residents. Because Pacaso is available, there is less demand for the year-round homes, potentially keeping their sale prices lower than they would have been otherwise.

Market Impact

Co-ownership concentrates demand into fewer homes.

The concentration of buyers into expensive homes likely relieves pressure on Palm Springs' local housing market. This is because in the absence of a co-ownership model, some second homeowners will likely purchase a median-priced home, reducing the supply available for year-round residents.

The scenarios to the left illustrate the potential effect of Pacaso on a segment of the housing market.

This effect is most likely to be experienced in places like Palm Springs, where the housing market is very competitive, partially because of strong demand for second homes, especially in certain sub-markets. As Pacaso grows, the mitigating effect on the supply of median-priced homes will only increase.

Notes

Pacaso is still in a growth phase, meaning EBP relied on assumptions based on industry and public record data. As Pacaso expands, its effect will likely become clearer, and we encourage future research to this end.

EBP and Pacaso made the following assumptions in completing this study. Adjustments to these assumptions could change the results.

- EBP used a national average utilization rate for Pacaso homes because market-specific rates fluctuate.
- We began our household spending analysis using values for all households in Riverside County, not spending by second homes or Pacaso homes specifically. To be more accurate, we made the adjustments listed in the table below to household spending categories pulled from our primary data source, Esri ArcGIS Business Analyst Online, which is itself based on data from the Bureau of Labor Statistics Consumer Expenditure Survey. This adjustment process was built on our assumption that second homeowner spending patterns fall somewhere in between short-term visitors and year-round residents. Compared with Palm Springs visitor spending patterns from a 2019 study by Dean Runyan Associates, we assumed that homeowners spend comparatively more (as a share of their budget) on food and beverages, a similar amount on retail, less on recreation, and less on transportation.
- For the tax impact analysis, we used state and county tax rates as of March 2022 from Avalara.com, a website that helps businesses calculate their tax bills. After comparing Avalara tax rates with tax rates published on several government websites for jurisdictions included in our analysis, EBP determined that it is a reliable source.

Cover Photography by Nathan Dumlao on Unsplash. Report Photography by Pacaso.

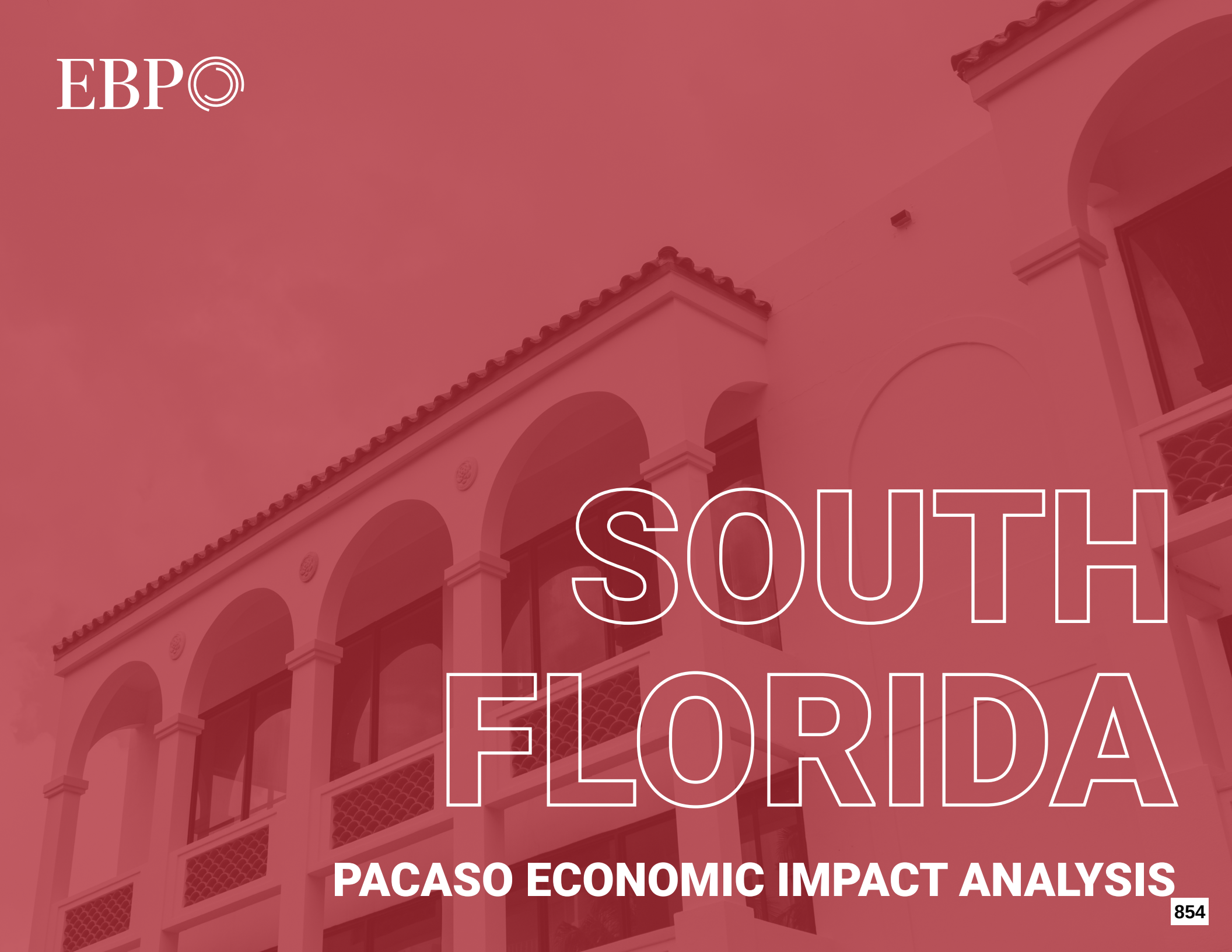
Appendix A. Household Spending Category Inclusion

Spending Category	Inclusion in Analysis
Alcohol	Included (37% under Dining Out and 63% under Food at Home).
Apparel	Included. Assumes co-owners spend like year-round residents during longer stays.
Dining Out	Included.
Education	Not included.
Entertainment and Recreation	Partially included (43%). Includes items, such as event admissions.
Finance	Not included.
Food at Home	Included.
Health Care	Not included.
Household Goods	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Household Services	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Housing	Not included. Mostly fixed housing costs, utilities, and maintenance and repairs.
Life Insurance and Pensions	Not included.
Miscellaneous Expenses	Not included.
Personal Care	Included. Assumes co-owners spend like year-round residents during longer stays.
Local Transportation	Partially included (20%). Includes items, such as gasoline and public transportation.
Travel	Not included. Related items are covered by other categories.

Source: Esri ArcGIS Business Analyst Online and Pacaso.

EBPO

EBP



SOUTH FLORIDA

PACASO ECONOMIC IMPACT ANALYSIS

854

Introduction and Overview

Pacaso is a real estate marketplace and property management service that aims to make second homeownership more accessible by facilitating co-ownership of luxury homes between families. The company purchases homes above the median price in popular second home destinations like South Florida, and then sells up to eight shares to individual buyers. Pacaso vets owners, furnishes and manages each property, and provides a mobile app for owners to schedule time at their home. Co-ownership of homes is an established practice that Pacaso is extending in new ways.

In 2022, Pacaso hired EBP, a national economics firm, to conduct a study to understand the net economic impact of its co-ownership model. As described in the following pages, we focused specifically on Pacaso's impact on home utilization, household spending, tax revenue, and the local housing market in South Florida, which includes Broward, Miami-Dade, Monroe, and Palm Beach counties.

Utilization

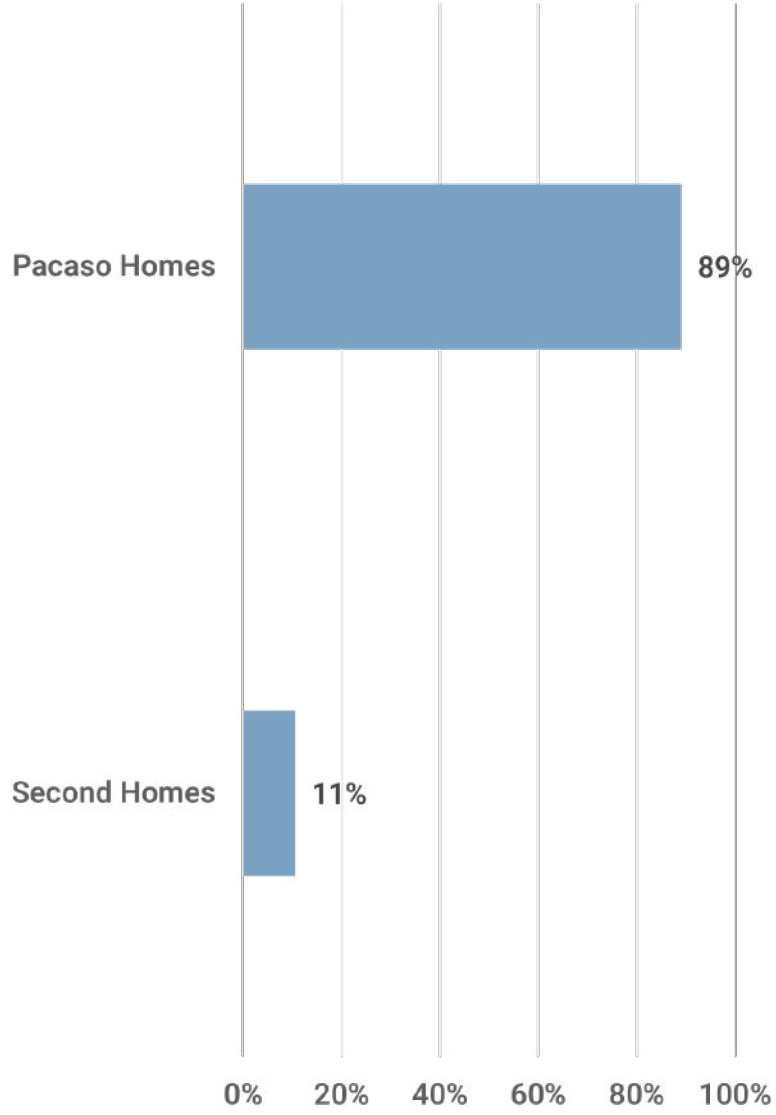
Co-ownership means higher utilization rates.

The average second home sits empty over ten months out of the year.[1] By comparison, the average Pacaso home is occupied 89 percent of the year — almost 11 months.[2]

Co-ownership makes more efficient use of second homes by increasing the amount of time they are occupied. Since the average Pacaso home is occupied more months of the year than other second homes, their owners spend more money in the community. This spending benefits local businesses and generates tax revenue.

As discussed later, Pacaso also enables people to share in ownership of homes that are significantly more expensive than average. By providing an alternative to median-priced homes, Pacaso can help maintain local housing affordability.

Figure 1. Average Annual Utilization Rates



Source: Pacaso and Census Bureau.

1 Census Bureau, 2019 American Housing Survey.

2 Pacaso, Second Homeowners Survey. Utilization is calculated based on the number of days a home is reserved.

Household Spending

Pacaso homes contribute more spending in their communities.

The average second homeowner spends money on a range of goods and services, as seen in the table below. Because Pacaso homes are utilized more than the average second home, they produce greater spending across all categories. The average South Florida Pacaso home generates $37,680 more in annual spending compared with the average second home. This additional spending benefits local restaurants, stores, and many other businesses.

Figure 2. Annual Household Spending By Category and Type

Spending Category	Average Second Home	Average Pacaso Home	Additional Spending
Apparel	$610	$5,800	$5,190
Dining Out	$1,090	$10,360	$9,270
Entertainment and Recreation	$160	$3,600	$3,440
Food at Home	$1,560	$14,790	$13,230
Personal Care	$250	$2,360	$2,110
Transportation	$100	$4,540	$4,440
Total	**$3,770**	**$41,450**	**$37,680**

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Notes: Our approach involved adjusting year-round spending patterns from Business Analyst Online to better reflect spending patterns of Pacaso homeowners. See the Notes page for more details.

State Tax Revenue

Greater utilization drives more tax revenue for the State of Florida.

Pacaso homes also generate additional tax revenue compared with the average second home. This includes revenue collected by the State of Florida, part of which is distributed back to South Florida. The table below shows that the average Pacaso home generates an additional $2,360 in state tax revenue on average when compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 3. Annual State Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Broward	$220	$2,470	$2,250
Miami	$210	$2,290	$2,080
Monroe	$250	$2,800	$2,550
Palm Beach	$250	$2,800	$2,550

Source: Avalara.com. Tax rates as of March 2022.

Local Tax Revenue

Greater utilization drives more tax revenue for South Florida.

Pacaso homes also generate local tax revenue. The table below shows that the average Pacaso home generates an average of $450 in additional local tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 4. Annual Local Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Broward	$40	$410	$370
Miami	$30	$380	$350
Monroe	$60	$700	$640
Palm Beach	$40	$470	$430

Source: Avalara.com. Tax rates as of March 2022.

Notes: This study does not include the net increase in property tax revenue to counties from Pacaso homes, which is likely higher than that of traditional second homes or homes near the median housing price.

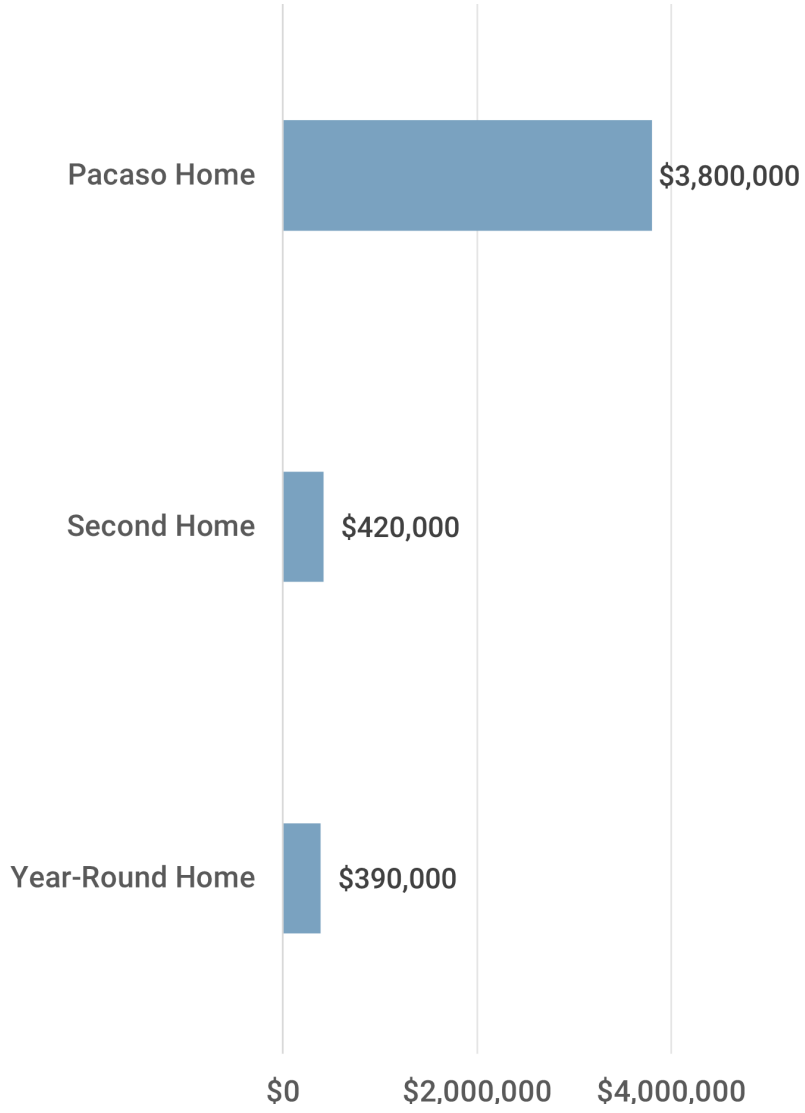
Housing Comparison

Pacaso concentrates demand into more expensive homes.

The median Pacaso home in South Florida is 9 times the price of the typical second home and 9.7 times the price of the typical year-round home, as seen in the figure to the right.[3]

Through co-ownership, Pacaso concentrates demand for South Florida's most expensive homes, thereby shifting demand away from the median-priced market. The following page describes this in more detail.

Figure 5. Median Listing Price by Home Type



Source: Pacaso.

3 Definitions of second homes and year-round homes come from Optimal Blue, which is the source for Pacaso's price data.

Without Pacaso

Eight out-of-town buyers search for homes in a neighborhood with a mix of median-priced homes and high-end homes they are unable to afford. Wanting to spend a portion of the year in South Florida, they purchase eight median-priced homes, making them unavailable to year-round residents and bidding up the price of each.

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Market Impact

Co-ownership concentrates demand into fewer homes.

The concentration of buyers into expensive homes likely relieves pressure on South Florida's local housing market. This is because in the absence of a co-ownership model, some second homeowners will likely purchase a median-priced home, reducing the supply available for year-round residents.

The scenarios to the left illustrate the potential effect of Pacaso on a segment of the housing market.

This effect is most likely to be experienced in places like South Florida, where the housing market is very competitive, partially because of strong demand for second homes, especially in certain sub-markets. As Pacaso grows, the mitigating effect on the supply of median-priced homes will only increase.

Notes

Pacaso is still in a growth phase, meaning EBP relied on assumptions based on industry and public record data. As Pacaso expands, its effect will likely become clearer, and we encourage future research to this end.

EBP and Pacaso made the following assumptions in completing this study. Adjustments to these assumptions could change the results.

- EBP used a national average utilization rate for Pacaso homes because market-specific rates fluctuate.
- We began our household spending analysis using values for all households in South Florida, not spending by second homes or Pacaso homes specifically. To be more accurate, we made the adjustments listed in the table below to household spending categories pulled from our primary data source, Esri ArcGIS Business Analyst Online, which is itself based on data from the Bureau of Labor Statistics Consumer Expenditure Survey. This adjustment process was built on our assumption that second homeowner spending patterns fall somewhere in between short-term visitors and year-round residents. Compared with South Florida visitor spending patterns from a 2019 study by the Greater Miami Convention and Visitors Bureau, we assumed that homeowners spend comparatively more (as a share of their budget) on food and beverages, a similar amount on retail, less on recreation, and less on transportation.
- For the tax impact analysis, we used state and county tax rates as of March 2022 from Avalara.com, a website that helps businesses calculate their tax bills. After comparing Avalara tax rates with tax rates published on several government websites for jurisdictions included in our analysis, EBP determined that it is a reliable source.

Cover Photography by Arnel Hasanovic on Unsplash. Report Photography by Pacaso.

Appendix A. Household Spending Category Inclusion

Spending Category	Inclusion in Analysis
Alcohol	Included (37% under Dining Out and 63% under Food at Home).
Apparel	Included. Assumes co-owners spend like year-round residents during longer stays.
Dining Out	Included.
Education	Not included.
Entertainment and Recreation	Partially included (43%). Includes items, such as event admissions.
Finance	Not included.
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Miscellaneous Expenses	Not included.
Personal Care	Included. Assumes co-owners spend like year-round residents during longer stays.
Local Transportation	Partially included (20%). Includes items, such as gasoline and public transportation.
Travel	Not included. Related items are covered by other categories.

Source: Esri ArcGIS Business Analyst Online and Pacaso.

EBPO

EBP

NEW YORK CITY AREA

PACASO ECONOMIC IMPACT ANALYSIS

865

Introduction and Overview

Pacaso is a real estate marketplace and property management service that aims to make second homeownership more accessible by facilitating co-ownership of luxury homes between families. The company purchases homes above the median price in popular second home destinations like the New York City Area, and then sells up to eight shares to individual buyers. Pacaso vets owners, furnishes and manages each property, and provides a mobile app for owners to schedule time at their home. Co-ownership of homes is an established practice that Pacaso is extending in new ways.

In 2022, Pacaso hired EBP, a national economics firm, to conduct a study to understand the net economic impact of its co-ownership model. As described in the following pages, we focused specifically on Pacaso's impact on home utilization, household spending, tax revenue, and the local housing market in the New York City Area, which includes Bronx, Kings, Queens, Nassau, New York, Richmond, and Suffolk counties.

Utilization

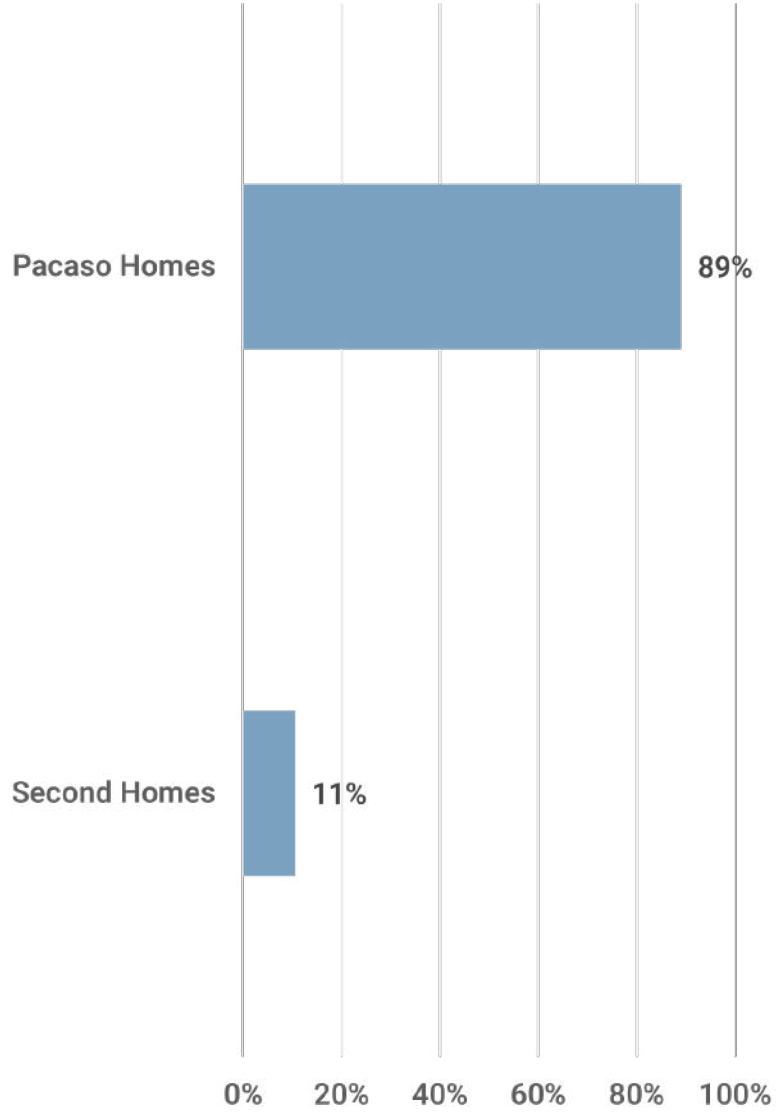
Co-ownership means higher utilization rates.

The average second home sits empty over ten months out of the year.[1] By comparison, the average Pacaso home is occupied 89 percent of the year — almost 11 months.[2]

Co-ownership makes more efficient use of second homes by increasing the amount of time they are occupied. Since the average Pacaso home is occupied more months of the year than other second homes, their owners spend more money in the community. This spending benefits local businesses and generates tax revenue.

As discussed later, Pacaso also enables people to share in ownership of homes that are significantly more expensive than average. By providing an alternative to median-priced homes, Pacaso can help maintain local housing affordability.

Figure 1. Average Annual Utilization Rates



Source: Pacaso and Census Bureau.

1 Census Bureau, 2019 American Housing Survey.

2 Pacaso, Second Homeowners Survey. Utilization is calculated based on the number of days a home is reserved.

Household Spending

Pacaso homes contribute more spending in their communities.

The average second homeowner spends money on a range of goods and services, as seen in the table below. Because Pacaso homes are utilized more than the average second home, they produce greater spending across all categories. The average New York City Area Pacaso home generates $48,900 more in annual spending compared with the average second home. This additional spending benefits local restaurants, stores, and many other businesses.

Figure 2. Annual Household Spending By Category and Type

Spending Category	Average Second Home	Average Pacaso Home	Additional Spending
Apparel	$830	$7,890	$7,060
Dining Out	$1,440	$13,600	$12,160
Entertainment and Recreation	$200	$4,530	$4,330
Food at Home	$2,040	$19,320	$17,280
Personal Care	$320	$3,030	$2,710
Transportation	$120	$5,480	$5,360
Total	**$4,950**	**$53,850**	**$48,900**

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Notes: Our approach involved adjusting year-round spending patterns from Business Analyst Online to better reflect spending patterns of Pacaso homeowners. See the Notes page for more details.

State Tax Revenue

Greater utilization drives more tax revenue for the State of New York.

Pacaso homes also generate additional tax revenue compared with the average second home. This includes revenue collected by the State of New York, part of which is distributed back to the New York City Area. The table below shows that the average Pacaso home generates an additional $1,950 in state tax revenue on average, when compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 3. Annual State Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Bronx	$110	$1,200	$1,090
Kings	$180	$1,900	$1,720
Nassau	$250	$2,770	$2,520
New York	$260	$2,860	$2,600
Queens	$170	$1,840	$1,670
Richmond	$180	$2,000	$1,820
Suffolk	$220	$2,450	$2,230

Source: Avalara.com. Tax rates as of March 2022.

Local Tax Revenue

Greater utilization drives more tax revenue for the New York City Area.

Pacaso homes also generate local tax revenue. The table below shows that the average Pacaso home generates an average of $2,340 in additional local tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 4. Annual Local Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Bronx	$140	$1,460	$1,320
Kings	$210	$2,320	$2,110
Nassau	$290	$3,210	$2,920
New York	$320	$3,490	$3,170
Queens	$210	$2,240	$2,030
Richmond	$220	$2,440	$2,220
Suffolk	$260	$2,840	$2,580

Source: Avalara.com. Tax rates as of March 2022.

Notes: This study does not include the net increase in property tax revenue to counties from Pacaso homes, which is likely higher than that of traditional second homes or homes near the median housing price.

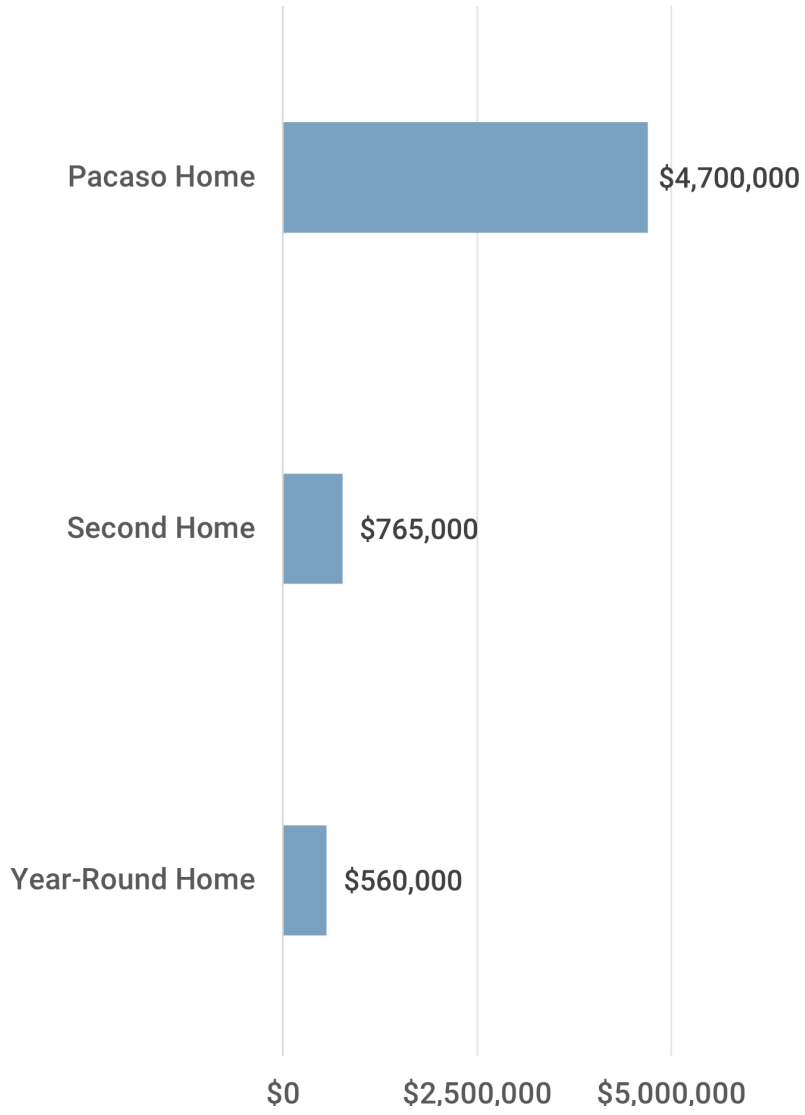
Housing Comparison

Pacaso concentrates demand into more expensive homes.

Though Pacaso does not currently operate in the New York City Area, the median Pacaso home is expected to be 6.1 times the price of the typical second home and 8.4 times the price of the typical year-round home. These values can be seen in the figure to the right.[3]

Through co-ownership, Pacaso is expected to concentrate demand for the New York City Area's most expensive homes, thereby shifting demand away from the median-priced market. The following page describes this in more detail.

Figure 5. Median Listing Price by Home Type



Source: Pacaso.

3 Definitions of second homes and year-round homes come from Optimal Blue, which is the source for Pacaso's price data.

Without Pacaso

Eight out-of-town buyers search for homes in a neighborhood with a mix of median-priced homes and high-end homes they are unable to afford. Wanting to spend a portion of the year in the New York City Area, they purchase eight median-priced homes, making them unavailable to year-round residents and bidding up the price of each.

With Pacaso

The same eight buyers purchase shares of a high-end Pacaso home, leaving the median-price homes on the market for year-round residents. Because Pacaso is available, there is less demand for the year-round homes, potentially keeping their sale prices lower than they would have been otherwise.

Market Impact

Co-ownership concentrates demand into fewer homes.

The concentration of buyers into expensive homes likely relieves pressure on the New York City Area's local housing market. This is because in the absence of a co-ownership model, some second homeowners will likely purchase a median-priced home, reducing the supply available for year-round residents.

The scenarios to the left illustrate the potential effect of Pacaso on a segment of the housing market.

This effect is most likely to be experienced in places like the New York City Area, where the housing market is very competitive, partially because of strong demand for second homes, especially in certain sub-markets. As Pacaso grows, the mitigating effect on the supply of median-priced homes will only increase.

Notes

Pacaso is still in a growth phase, meaning EBP relied on assumptions based on industry and public record data. As Pacaso expands, its effect will likely become clearer, and we encourage future research to this end.

EBP and Pacaso made the following assumptions in completing this study. Adjustments to these assumptions could change the results.

- EBP used a national average utilization rate for Pacaso homes because market-specific rates fluctuate.
- We began our household spending analysis using values for all households in the New York City Area, not spending by second homes or Pacaso homes specifically. To be more accurate, we made the adjustments listed in the table below to household spending categories pulled from our primary data source, Esri ArcGIS Business Analyst Online, which is itself based on data from the Bureau of Labor Statistics Consumer Expenditure Survey. This adjustment process was built on our assumption that second homeowner spending patterns fall somewhere in between short-term visitors and year-round residents. Compared with New York City Area visitor spending patterns from 2019 studies by Tourism Economics, we assumed that homeowners spend comparatively more (as a share of their budget) on food and beverages, a similar amount on retail, less on recreation, and less on transportation.
- For the tax impact analysis, we used state and county tax rates as of March 2022 from Avalara.com, a website that helps businesses calculate their tax bills. After comparing Avalara tax rates with tax rates published on several government websites for jurisdictions included in our analysis, EBP determined that it is a reliable source.

Cover Photography by Laurenz Heymann and Report Photography by Rafael Leão on Unsplash.

Appendix A. Household Spending Category Inclusion

Spending Category	Inclusion in Analysis
Alcohol	Included (37% under Dining Out and 63% under Food at Home).
Apparel	Included. Assumes co-owners spend like year-round residents during longer stays.
Dining Out	Included.
Education	Not included.
Entertainment and Recreation	Partially included (43%). Includes items, such as event admissions.
Finance	Not included.
Food at Home	Included.
Health Care	Not included.
Household Goods	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Household Services	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Housing	Not included. Mostly fixed housing costs, utilities, and maintenance and repairs.
Life Insurance and Pensions	Not included.
Miscellaneous Expenses	Not included.
Personal Care	Included. Assumes co-owners spend like year-round residents during longer stays.
Local Transportation	Partially included (20%). Includes items, such as gasoline and public transportation.
Travel	Not included. Related items are covered by other categories.

Source: Esri ArcGIS Business Analyst Online and Pacaso.

EBPO

Planning Commission
Staff Report

Subject: **The Washington School Inn**
Application: **PL-20-04477**
Author: **Browne Sebright**
Date: **May 25, 2022**
Type of Item: **Hotel, Minor Conditional Use Permit**

Recommendation

(I) Review the Applicant's request to convert the Washington School Inn from a Bed & Breakfast to a Minor Hotel, (II) conduct a public hearing, and (III) consider the Minor Hotel Conditional Use Permit subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant:	Washington School House LLC, represented by Jason Boal
Location:	543 Park Avenue
Zoning District:	Historic Residential – 1
Adjacent Land Uses:	Residential; Parking Structure; Offices
Reason for Review:	The Planning Commission reviews and takes final action on Conditional Use Permits[1]

CUP	Conditional Use Permit
HR – 1	Historic Residential – 1
LMC	Land Management Code
WSI	Washington School Inn
COA	Condition of Approval

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

Background

The Planning Commission held work sessions and took public input on this application on:

1. April 28, 2021 (Staff Report, Minutes beginning on pg. 3)
2. November 10, 2021 (Staff Report, Minutes beginning on pg. 2)

For a detailed history of this property, please refer to the April 28, 2021, and the November 10, 2021, staff reports, and reference Attachment 1: *Background and History*.

Analysis

[1] LMC § 15-1-8(G).

The Planning Commission reviews and takes final action on Conditional Use Permits.[2] The Planning Commission approves Conditional Use Permits "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." [3]

Criteria the Planning Commission considers when evaluating Conditional Uses include traffic, location and amount of off-street parking, noise and other factors that might affect people and property off-site, control of delivery and service vehicles, and loading and unloading zones. [4]

> **(I) The Applicant states the purpose of the proposed Minor Hotel Use is to generally maintain the current operation as a Bed and Breakfast Use, with the exception for non-resident guests to visit the hotel for dining or small gatherings.**

The Land Management Code provides the following definitions:[5]

> *Accessory Use: A land Use that is customarily incidental and subordinate to the to the primary Use located on the same Lot.*
>
> *Restaurant: A Business in which food is prepared and sold for consumption.*
>
> *Private Event Facility: A facility where the primary Use is for staging, conducting, and holding Private Events.*
>
> *Commercial Use. Retail Business, service establishments, professional offices, and other enterprises that include commerce and/or trade and the buying and selling of goods and services.*
>
> *Commercial Use, Support. A Commercial Use oriented toward the internal circulation of a Development, for the purpose of serving the needs of the residents or users of that Development, and not Persons drawn from Off-Site.*

Staff seeks input from the Planning Commission on whether the proposed use of the Washington School Inn for the dinning and gathering of non-resident guests should be considered an Accessory Use, or as a separate Commercial Use. Staff also seeks input from the Planning Commission to determine appropriate Conditions of Approval that would ensure that any Commercial Use of the property is limited to an Accessory Use.

The Applicant proposes to expand the use of the property by allowing overnight guests

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[2] LMC § 15-1-8(G).
[3] LMC § 15-1-8(G).
[4] LMC § 15-1-10(E).
[5] LMC § 15-15-1.

to invite or host non-resident guests to the property and for the Washington School Inn to be able to serve non-resident guests as part of their operations. The Applicant describes these operations in their project description as potentially including, “an informal meeting, corporate meeting, or other social gathering”.

The Applicant proposes that the “dining and gathering activities” to only take place inside the hotel building during the hours of 8:00 AM – 10:00 PM, and that no outside areas of the property would be permitted for non-resident guest use.

The Applicant provides the following definitions for “Overnight Guests” and “Non-resident Guests”:

> *Overnight Guests - Hotel guest that have reserved a room for overnight accommodations.*
>
> *Non-resident Guests - Includes guests of overnight guests, or guests using the dining facility and indoor areas that have not reserved overnight accommodations but have made reservations for dining or indoor gathering.*

The WSI website currently advertises several kinds of events that can take place in the Washington School House and on its grounds. These include weddings, executive retreats, and “special events”. Because organized events at the WSI are not permitted under the scope of the 1983 Conditional Use Permit, the Owner must seek a Permit for each event that requires licensing or services beyond the normal scope of business; and/or temporary events that do not normally occur with the permitted venue use. Staff has not found record of any Administrative CUP for an event, nor any record of a Special Event Permit for this property. In 2017, a representative from a marketing company sought information on holding a Corporate-Sponsored event at the WSI, but the application was withdrawn.

The table below compares the definitions of Bed and Breakfast Inn and Hotel/Motel, as defined in LMC § 15-15-1.

Bed and Breakfast Inn	**Hotel/Motel**
A Business, located in an Owner or on-Site manager occupied dwelling, in which up to ten (10) Bedrooms are rented nightly or weekly, and where one (1) or more meals are provided to the guests only, the price of which is usually included in the room rate. Bed and Breakfast Inns are	A Building containing sleeping rooms for the occupancy of guests for compensation on a nightly basis that includes accessory facilities such as restaurants, bars, spas, meeting rooms, on-site check-in lobbies, recreation facilities, group dining facilities, and/or other facilities and activities customarily associated with Hotels, such as concierge services, shuttle services, room service, and daily maid service. Hotel/Motel does not include Nightly Rental Condominium projects without restaurants, bars, spas, and on-site check-in lobbies. Lockout Units or Bed and

considered a lodging Use where typical lodging services are provided, such as daily maid service.	Breakfast Inns and Boarding Houses are not Hotels. Hotels are considered a lodging Use and ownership of units may be by a condominium or timeshare instrument Hotel rooms may include a Lockout as part of the Unit.

The current designation of a Bed and Breakfast allows the WSI to operate as a lodging use where typical lodging services are provided, such as daily maid services. By contrast, a Hotel is defined as a lodging facility that, "includes accessory facilities such as restaurants, bars, spas, meeting rooms, on-site check-in lobbies, recreation facilities, group dining facilities, and/or other facilities and activities customarily associated with Hotels, such as concierge services, shuttle services, room service, and daily maid service".

The Applicant proposes in the Management Plan (Exhibit B) to limit the indoor dining operations to two (2) evening seatings with a total building capacity of sixty (60) guests. This occupancy limit is less than the maximum allowed by the building and fire code, as determined by the Chief Building Official on May 18, 2021. The Applicant notes that they do not intend to increase the number of staff as a result of the contemplated change, and that the maximum number of employees on-site will remain at eight.

There are no proposed physical changes to the historic Washington School House, its accessory facilities, or to the site associated with this application, other than the potential twelfth (12th) parking spot on Woodside Ave.

The proposed change in use would impact the parking requirement for the property, requiring the Washington School House Inn to construct a 12th spot on the property, however, the Applicant is seeking a reduction in the parking requirement by the Planning Commission to keep the grounds of the WSI in its present condition. The parking analysis is discussed in Analysis IV.

The Owner has an active Nightly Rental business license with Park City's Finance Department. The current business license has an assessed fee for the 12 rental rooms but does not currently assess the other internal and external spaces for guests on the property. Staff recommends the Owners of the WSI provide updated business operations and square footages to the Finance Department upon renewal of their business license so that the WSI will be assessed a licensing fee that is consistent with how other Hotels in the City are assessed (Condition of Approval 24).

The following table establishes the maximum number of hotel guests, outside guests, and employees that have historically been permitted on-site during the 1983 CUP, and what the Applicant is proposing:

	1983 CUP	**Applicant's Proposal**

Guests	Maximum occupancy of the WSI for overnight guests is approximately 30. Non-resident guests are not permitted under the 1983 CUP.	**Condition of Approval 7** No change to maximum overnight guest occupancy. No maximum non-guest occupancy proposed. Proposed cap on total number of guests is 60.
Employees	No maximum – WSI operates normally with no more than 5 employees	**Condition of Approval 8** Maximum of 8 employees
Total Occupancy	Approximately 35 people	**Condition of Approval 9** 68 people

Figure 4. Comparison of property occupancy requirements

(II) The applicant seeks Planning Commission approval to reduce the parking requirement. [6]

LMC § 15-3-6(B) requires one parking space per room and one parking space per on-duty manager for Bed & Breakfasts, and one parking space per room and one space per 200 square feet of separately leasable commercial space for Minor Hotels. While Historic Structures in the HR – 1 Zoning District that do not comply with parking are valid Non-Complying Structures, "Conditional Uses proposed on the Site . . . . shall comply with parking requirements of Chapter 15-3."[7]

A Minor Hotel requires one off-street parking space per bedroom, plus one space per 200 sf of separately leasable commercial space.[8] The WSI has a parking easement for 11 spaces across Park Avenue and is potentially proposing one new spot off Woodside Avenue.

The Applicant's Project Description states that there is not any separately leasable commercial space in the Washington School Inn, and that the areas that will be used for non-resident dining are, "areas currently used for resident dining and are vital to the current operation of the Hotel".

	Minor Hotel	Restaurant, Standard and Bar	Auditorium and Assembly Hall
Parking Requirement	1 space per bedroom and 1 space per 200 sf of separately leasable	1 space for every 100 sf of net leasable Area, including kitchen	1 space per every 5 seats

[6] LMC § 15-3-7(A)
[7] LMC § 15-2.2-4.
[8] LMC Section 15-3-6 (B)

	commercial space	Areas	
Washington School Inn Property	12 bedrooms	Dining Areas: 708 sf Kitchen: 216 sf Total: 924 sf	Gathering Areas: 26 guests
Parking Demand	12 spaces	10 spaces	6 spaces

Pursuant to LMC 15-3-6(C), *Calculation of Spaces*, "if a project incorporates two Uses, the Use requiring higher number of Parking Spaces shall govern. Whenever the calculation results in a fractional number, the number of spaces required must be rounded up to the next whole number".

Pursuant to MCPC 4-2-9, the proposed dining use would not require a sperate business license from the Nightly Lodging Facility license. This section states, "Traditional hotel/Restaurant offerings including private dinner bookings in Restaurants, existing entertainment such as in Restaurant outlets or lounges etc., or groups utilizing interior signage" are exempt from obtaining a separate business license, because the use is considered part of the hotel operation.

The Applicant has indicated that they would be supportive of a Condition of Approval that would prohibit the dining operations on the site from becoming separately leasable space (Condition of Approval 43).

The valet service, outlined in the proposed Management Plan (Exhibit B), as an existing service offered by the property to overnight guests. This service is proposed to continue, and to only be offered to overnight guests of the hotel.

In 1983, staff recommended 0.66 parking spaces per hotel room and 1 space for the caretaker's unit (Exhibit F). The 1983 Bed & Breakfast CUP required two Conditions of Approval to address parking:

1. That an agreement acceptable to the City Attorney that commits the developer to provide 11 parking stalls for the Washington School be recorded.
2. That if the land to the north of the Sun Classics building is under City ownership, that the developer reach an acceptable agreement with the City for use of the land for stairways and parking access. The agreement should protect the possibility of closing the driveway to Main Street if necessary (Exhibit E).

The Property Owner fulfilled both Conditions of Approval:

- On October 9, 1984, the Property Owner of WSI entered into an Easement Agreement for 11 parking spaces east across Park Avenue (Summit County Recorder Entry No. 225977; Exhibit G).

- In March of 1984, Park City Municipal Corporation and the Property Owner of WSI entered into a Non-Exclusive Easement Agreement to improve the Right-of-Way connecting Park Avenue and Main Street. The City granted to the WSI

Property Owner a private non-exclusive pedestrian and vehicular Right-of-Way easement (Exhibit H). The Google Map image below shows the upper level of the Parking Structure:

Images of the existing parking structure, and the analysis of those spaces provided by the City Engineer, are included in the Background and History document (Attachment 1).

LMC § 15-3-7 grants the Planning Commission discretion to reduce parking requirements for Conditional Uses:

The Applicant must prove by a parking study that the proposed parking is adequate. The parking study must analyze whether:

1. parking Uses will overlap,
2. commercial spaces within the project will serve those residing within the project rather than the general public, or
3. other factors that support the conclusion that the project will generate less parking than this Code would otherwise require.

In review of Conditional Use permits, the initial parking requirement is determined by referring to the requirements for the Use and the underlying zone. The Planning Commission may reduce this initial parking requirement to prevent excessive parking and paving. The Applicant must prove by a parking study that the proposed parking is adequate.

In March of 2021, the Applicant submitted the *Washington School House Inn Parking Study* ("Parking Study") completed by Hales Engineering (Exhibit C). This study was updated and resubmitted in May of 2022. The study identifies a total of 12 parking spaces for the WSI: 11 located across Park Avenue, one potentially proposed along Woodside Avenue, and two in the existing driveway (leading to the detached garage that now serves as the laundry facility).

The Parking Study concludes that approximately 25% of overnight guests bring their own vehicles and require parking and that only three of the 12 parking spaces would regularly used, leaving nine parking spaces available for WSI use (Exhibit C, p. 3).

In response to questions posed by Staff and Commissioners at the April 28, 2021, and November 10, 2021 Planning Commission meetings, the Application provided the following information:

- Employees will be required to arrive at the Washington School House using one of the following methods: on foot; using public transit; parking at a public parking lot and then use public transit; on bike; or using one of the trip options available through Ride On Park City (Condition of Approval 36)
- The Owner will notify employees of their commute options, including the Ride On

program and public transit. The Owner will encourage employees to use the Ride On program and public transit for their commute.

- Bicycle parking for employees is currently provided in the structure of the Hotel (garage area) and this will continue to be provided (Condition of Approval 33).
- The Driveway on Park Avenue is approximately fourteen feet (14') deep and eighteen feet (18') wide. The Owner does not propose to use space in the driveway to satisfy off-street parking requirements. However, appropriately sized delivery and service vehicles may park in the driveway at the Washington School House, provided that the vehicles do not block the sidewalks. To the extent possible, delivery and service vehicles shall use Woodside Avenue to separate those vehicles from vehicles associated with the private events. (Conditions of Approval 25 and 37).

Staff recommends that Planning Commission reduce the parking requirement for the Conditional Use Permit from 12 spaces to 11 to maintain the status quo condition of WSI grounds and to preserve Significant Vegetation. This reduction in parking requirement is subject to a one-year grace period, during which the Owner will be responsible for proactive monitoring, documentation, and study of the parking conditions of the 11 spaces and the Residential Parking within 100' feet of the WSI on Park Avenue (Condition of Approval 26).

The Applicant has proposed using 2,273 square feet of indoor spaces for the use of Overnight Guests and Non-resident Guests. The Applicant also maintains 2,701 square feet of outdoor space for passive use by Overnight Guests.

The Management Plan for the Washington School House (Exhibit B) outlines the proposed parking conditions during maximum occupancy. Non-resident guests will arrive from off-site via shuttle, rideshare, taxi, public transit, or on foot. In the event that excess vehicles arrive, the Applicant proposes that the private event staff will direct the guests to park at their off-site lodging, or at lots identified in the Parking Management Plan, and then travel to the event by shuttle, rideshare, taxi, public transit, or on foot.

Staff seeks input from the Planning Commission on whether additional Conditions of Approval that propose a solution prior to problems arising should be required.

If the Planning Commission determines the Applicant meets the criteria to reduce the parking requirement for the Conditional Use Permit, the Owner will remove the proposed Woodside Avenue parking space from the application. Based on the submitted drawings, it is possible for the Owner to fit two or more parking spaces off of Woodside Avenue. The Applicant submitted the details of the Woodside Avenue off-street parking space, which are described in the Background and History document (Attachment 1).

(III) Management Plan Breakdown

The provided Management Plan (Exhibit B) contains four sections:

1. Parking Management Plan
2. Noise Management Plan
3. Site Plan
4. Supplemental Information

The Parking Management Plan addresses the potential 12th parking space on Woodside Avenue, and the request from the applicant for the Planning Commission to grant a parking reduction from 12 to 11 spaces, pursuant to LMC Section 15-3-7, *Parking In Master Planned Developments And Conditional Use Permits*. This section also addresses guest parking and circulation, employee parking and circulation, and delivery and service vehicles. The Parking Management Plan is discussed in further detail in Analysis II.

The Noise Management Plan establishes the proposed hours of operations, limitations on the use of outdoor areas of the property to passive use by overnight guests, and the designation of a Neighborhood Coordinator to actively manage site noise and neighborhood complaints.

The Site Plan details what parts of the site and Park Avenue Right-of-Way will be used for the new Hotel Minor land use. The site plan depicts an area of on-street residential parking described as the “Park Avenue Pullout”, near the sidewalk exit where the hotel contact information will be posted. It also shows the driveway, and the patio areas where guests can gather, “to avoid sidewalk congestion during arrival and departure”. It also shows the potential 12th parking space on Woodside Avenue. The second page of the site plan shows the patio area surrounding the pool which is to be limited to passive use by overnight hotel guests.

The Supplemental Information section covers remaining miscellaneous details including: waste management, square footage for indoor and outdoor spaces of the facility, the estimated number of employees, the source of the Institute of Transportation Engineer’s parking demand rate, and the owner’s justification for reducing off-street parking from 12 spaces to 11 spaces.

(IV) The Planning Commission evaluates the proposal, as conditioned, for compliance with Conditional Use Permit Criteria, as outlined in LMC Section 15-1-10.

In the HR – 1 Zoning District, Minor Hotels are a Conditional Use and require a Conditional Use Permit. LMC § 15-1-10 outlines Conditional Use Permit criteria.

> The Planning Department and/or Planning Commission must review each of the following items when considering whether or not the proposed

Conditional Use mitigates impacts of and addresses the following items.[9]

The Planning Commission evaluates Minor Hotel Conditional Use Permits with Conditional Use Permit Criteria. These criteria are evaluated individually in the Draft Final Action Letter Findings of Fact (Exhibit A). Staff have provided a series of recommended Conditions of Approval (COAs) intended to mitigate the proposed conditions of the Minor Hotel. The recommended Conditions of Approval are organized into five sections:

- Historic District and Building Permit Requirements (1-5)
- Occupancy (6-10)
- Site Management (11-24)
- Traffic (25-37)
- Site Conditions (38-43)

Historic District and Building Permit Requirements

These five conditions address the standard requirements that any exterior changes must comply with the Historic District Design Guidelines and be reviewed and approved via a Historic District Design Review application (COAs 1, 2, and 3). These conditions also address signage, design, and the compliance of any exterior lighting (COAs 4 and 5).

Occupancy

These five conditions of approval establish the maximum building occupancy to be 68 persons (COA 9), according to the Chief Building Official's determination, and to establish maximum number of guests and employees (COAs 7 and 8).

Site Management

These thirteen conditions enumerate the restrictions for the property, specifically around the use of outdoor areas for passive use of overnight hotel guests (COA 11), the capacity of the dining areas (COA 14), a prohibition on outdoor events (COA 19), and the hours of operation for non-resident guests (COA 22). This section further establishes an obligation for the property owner to screen and manage trash and recycling storage areas (COA 23), and to obtain and updated business license for the facility to reflect the new operations of the hotel (COA 24).

Traffic

This section outlines the parking and delivery management conditions from prior Conditional Use Permits, such as the 2010 approval of the pool which are still in effect for the property (COA 25). This section also outlines the requirements for the hotel to be

[9] LMC § 15-1-10(E)

able to forgo construction of the 12th parking space on Woodside Avenue (COAs 26, 27, 28, 29, 30, and 32). This section also outlines the requirements for bicycle parking (COA 33), the valet service (COA 35), employee arrival (COA 36), and guest arrival (COA 37).

Site Conditions

This section outlines the larger requirements for the site as a whole and to anticipate conditions that may arise in the future. This section requires a construction mitigation plan for any future site development, including the 12th parking space, and the obligation to replace any significant vegetation lost to construction (COAs 38, 39, and 40). This section also requires the owner to submit a Plat Amendment application within 30 days of the CUP approval to join the two Lots into one Lot of Record, to ensure that the property can provide additional parking off site if required (COAs 41 and 42). Finally, this section also prohibits the dining and gathering operations and spaces of the hotel from becoming separately leasable space and that they must remain under the same business license and ownership as the hotel (COA 43).

Department Review

On August 26, 2021, Staff took this application to the Neighborhood Traffic Management Program (NTMP) for review and discussion based on the questions raised at the Planning Commission Public Hearing. The recommendations from the NTMP are discussed in Analysis III, and include notifying and encouraging employees of the Ride On Park City program or to use public transit for their commute. This program works by matching the user with other residents and employees taking similar trips in order to enable alternative trips to single occupancy vehicles. This program connects employees to carpools, bikes, buses, and pedestrian routes through a single website.

The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application.

Notice

Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on May 10, 2022. Staff mailed courtesy notice to property owners within 300 feet on May 10, 2022. The *Park Record* published notice on May 10, 2022. LMC § 15-1-21.

Public Input

One new comment was submitted collectively by the neighbors of the WSI on May 12, 2022. The neighbors noted that they have not received communication from the Washington School Inn and that they are concerned that the WSI is not interested in respecting their concerns. They requested that the Planning Commission deny the requested Conditional Use Permit. This comment is included in Exhibit Q.

On the same day, the applicant's representative responded to staff stating that they

reached out to the property owners the previous week, and that their application has been significantly modified from what had been presented earlier in the year. Staff notes that the applicant has removed previously proposed outdoor uses of the site, and that the proposed scope of use is more limited from previous proposals.

Previous public comment is attached in Exhibit P.

Alternatives

- The Planning Commission may approve the Minor Hotel Conditional Use Permit;
- The Planning Commission may deny the Minor Hotel Conditional Use Permit 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

Attachment 1: Background and History
Exhibit A: Draft Final Action Letter
Exhibit B: Applicant's Project Description and Management Plan
Exhibit C: Hales Engineering Parking Study
Exhibit D: 1983 CUP Application for a Bed & Breakfast
Exhibit E: 1983 Conditional Use Permit Approval Letter
Exhibit F: September 21, 1983 Conditional Use Permit Staff Report
Exhibit G: 1984 Parking Easement Agreement
Exhibit H: 1984 Non-Exclusive Agreement with Park City Municipal
Exhibit I: November 5, 2001 Community Development Director Determination
Exhibit J: December 12, 2001 Planning Commission Staff Report
Exhibit K: November 10, 2010 Planning Commission Approval for Outdoor Pool
Exhibit L: August 21, 2012 Planning Commission Conditional Use Approval Letter
Exhibit M: June 24, 2015 Planning Commission Approval Letter to Relocate Laundry
Exhibit N: 2012 Historic Preservation Board Award to Washington School House
Exhibit O: Washington School House Historic Site Form
Exhibit P: Neighbor's Concerns for the Washington School CUP
Exhibit Q: Public Comment

Attachment 1: Background and History

1983 Bed & Breakfast Conditional Use Permit Approval

On September 1, 1983, the Washington School House Property Owner applied to rehabilitate the Structure and convert it to a Bed & Breakfast (Exhibit D). On September 21, 1983, the Historic District Commission approved a Conditional Use Permit (CUP) to operate a 14-room Bed & Breakfast with an additional room for the caretaker (Exhibit E). In 2011, the Applicant completed an interior renovation and reduced the number of rooms from 15 to 12.

Request for a Minor Hotel Conditional Use Permit to Expand the Use to include Accessory Facilities for Events

In 2020, the Applicant submitted a CUP application to convert the Washington School Inn (WSI) Bed & Breakfast to a Minor Hotel. A Bed & Breakfast requires the Property Owner or manager to live on-site—or to have a manager on the site 24-7—and is limited to guest rooms and facilities for guest meals, whereas a Minor Hotel allows for accessory facilities like restaurants, bars, spas, meeting rooms, group dining facilities, and other activities customarily associated with Hotels. Please see Exhibit B to read the Applicant's Project Description.

The Applicant's Management Plan states that the proposed request for a Minor Hotel CUP is to, "generally maintain the current operation as a Bed and Breakfast. The one exception to the current operation that the applicant seeks to permit, is the ability of overnight guests to invite/host non-resident guests for dining or small gatherings".

The table below outlines previous land use approvals for the property:

Meeting Date	Summary	Links and Exhibits
September 21, 1983	Historic District Commission approved a Conditional Use Permit (CUP) to operate a 14-room Bed & Breakfast with an additional room for the caretaker.	CUP Application (Exhibit D) CUP Approval Letter (Exhibit E)
June 7, 2001	City Council approved a Subdivision Plat that combined 7 old town lots into one lot of record for the historic building (WSI-1).	Staff Report (starting page 47) Minutes (starting page 14) Ordinance (starting page 191)
November 5, 2001	The City approved renovations to the non-historic, detached garage on the property because it qualifies as an allowed accessory building.	Community Development Director determination letter (Exhibit I)
December 22, 2001	The Planning Commission upheld the Community Development Director's	Staff Report (Exhibit J)

	determination interpreting the Land Management Code	
November 10, 2010	Planning Commission approved a Conditional Use Permit (CUP) for a private recreation facility, which allowed a lap pool behind the Washington School House.	CUP Approval Letter (Exhibit K)
May 24, 2011	Planning Department approved an Administrative Conditional Use Permit to allow the Applicant to complete a total interior renovation of the Washington School House. As part of the renovation, the Applicant decreased the number of rooms from 15 to 12.	Administrative CUP Approval Letter
August 22, 2012	Planning Commission approved a modification to the 2011 CUP. The modification expanded the site to include landscaping improvements on Lot 34 of Block 5 of the Park City Survey.	CUP Approval Letter (Exhibit L)
June 24, 2015	Planning Commission approved a modification to the Bed & Breakfast CUP to shift the laundry facilities from the basement of the WSI to the detached garage, which was being used for storage (and has never been used for parking).	CUP Approval Letter (Exhibit M)

Figure 1. Previous land use approvals for the property

On April 28, 2021, the Planning Commission held a public hearing on the proposed Minor Hotel Conditional Use Permit and asked questions of the Applicant regarding clarification of what rights the property would have as a Minor Hotel versus a Bed and Breakfast, whether the proposed parking on Woodside Avenue would bring additional traffic to that street, pedestrian access, employee parking, lighting, and deliveries to the property. The Commission asked for calirifcation on the proposed lighting, and potentially for the Applicant to provide an outdoor lighting plan. The Planning Commission also discussed noise and outdoor use for events. The Commission requested that the Applicant come back with illustrations showing the area where outdoor events would occur.

On November 10, 2021, the Planning Commission held a public hearing on the proposed Minor Hotel Conditional Use Permit and asked questions of the Applicant regarding the separate landscaped lot (Lot 35) on Woodside Avenue, the capacity of the dining facility inside the WSI, how the use of a dining facility was accessory to the hotel use, the total occupancy of the site, the use of the proprety for private and special events, event logistics (including deliveries), and opening the property up to neighbors of the facility.

At this meeting, a representative spoke on behalf of 28 homeowners on Park and Woodside Avenue regarding concerns with guests parking on Park Avenue, drucks blocking driveways to homes, noise, outdoor events, parking, the number of employees, and consistence with the General Plan.

The change in Use from a Bed and Breakfast to a Minor Hotel is discussed in Analysis I, and includes how the proposed Conditional Use Permit would impact how the property is used, and what constraints would remain by nature of the property's location in a residential zoning district.

Lighting and other externalities requiring mitigation are discussed in Analysis III, and include an overview of the relevant Conditions of Approval. Parking management is discussed in Analysis IV in this Staff Report, which includes an overview of guest and employee parking, deliveries to the property, and the parking space on Woodside Avenue.

The Applicant has also updated the proposed Management Plan to address these questions and includes a "Supplemental Information" section with succinct responses (Exhibit B).

Existing Parking Facilities

The images below show the upper level of the parking structure as viewed from Park Avenue (Figure 7), the Right-of-Way easement that provides access to the lower parking level (Figure 8), a dimensioned plan of the upper level of the parking structure (Figure 9), and a dimensioned plan of the lower level of the parking structure (Figure 10).

Figure 7. Upper level of the parking structure from Park Avenue

Figure 8. The Right-of-Way easement that provides access to the lower parking level

Figure 9. Plan of the upper level of the parking structure

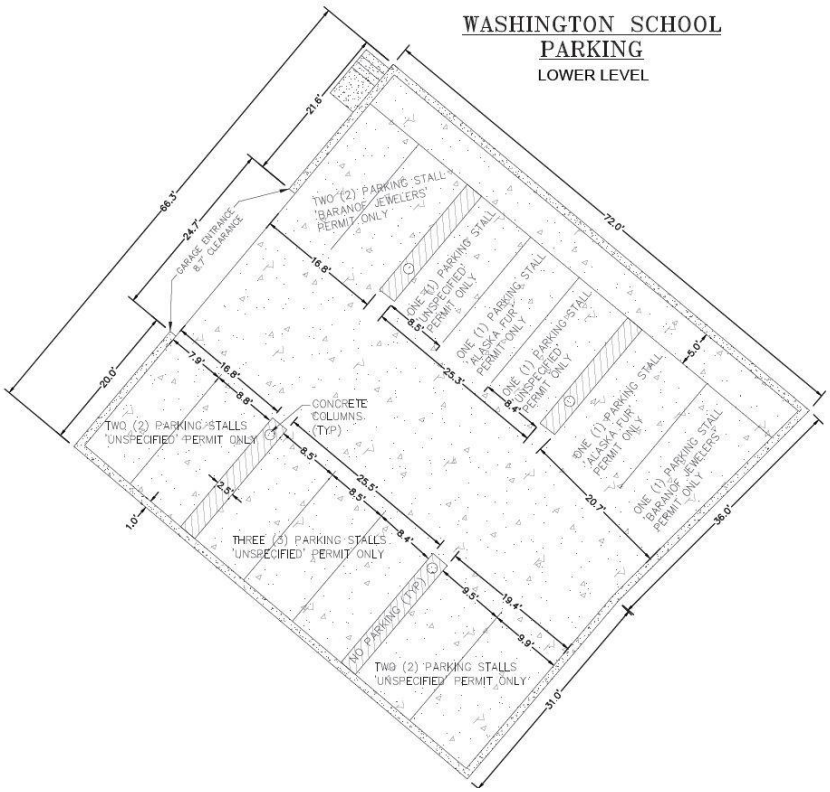

Figure 10. Plan of the lower level of the parking structure

As configured, five of the eleven parking spaces are substandard in width, and do not meet the required dimensions outlined in the Land Management Code. Per LMC § 15-3-3(F), parking Spaces must be at least nine feet (9') wide by eighteen feet (18') long. The City Engineer may approve minor variations in Parking Space dimensions. Four of the substandard parking spaces are between 8.4’ and 8.8’ feet in width. One parking space is 7.9’ in width. The Applicant has sought approval from the City Engineer to count the five substandard parking spaces toward the parking requirement.[1] On October 27, 2021, the City Engineer gave written support to a minor variation to the minimum parking stall dimensions, giving the following determinations:

1. The existing parking lot is considered a valid non-compliant structure, and remodeling is not feasible.
2. The striping of the parking stalls is limited by the location of the reinforced concrete columns (see Figure 3).
3. The hardship of the existing parking stalls being smaller than required by the city code is not self-imposed.
4. The existing striping still works for small and mid-size sedan vehicles.
5. The applicant could coordinate the parking of large size vehicles before a scheduled event.

Proposed Potential Parking Facilities

[1] LMC § 15-3-3 (F)(1).

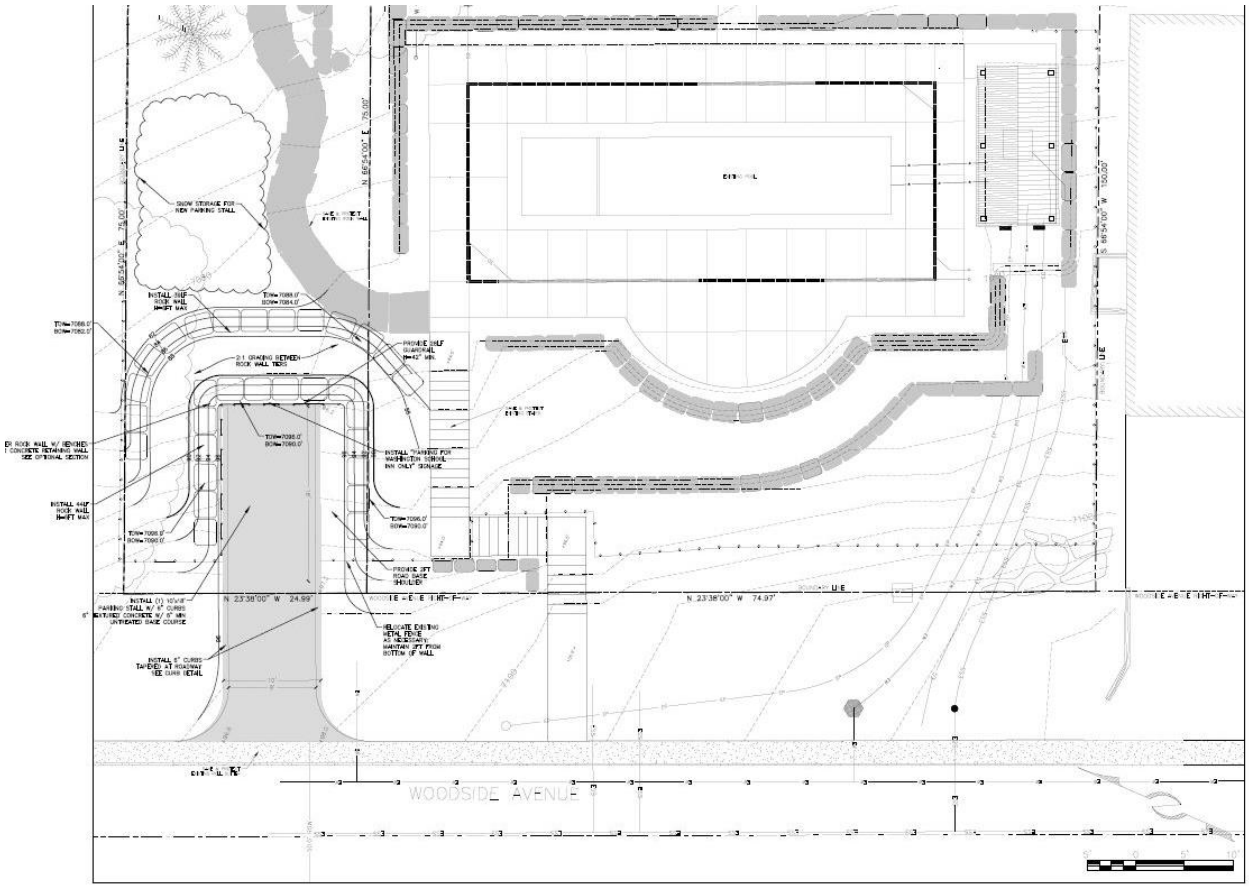

Figure 11. Proposal of the Woodside Avenue off-street parking space

Section 15-2.2-10 of the Land Management Code requires the Property Owner to protect Significant Vegetation during any Development activity. Significant Vegetation is defined as large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') 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.

The Google Map image below shows the location of the proposed Woodside Avenue off-street parking space and the existing vegetation of that location.

Figure 12. The proposed location of the Woodside Avenue off-street parking space

However, the Land Management Code also allows applicants to remove Significant Vegetation when a certified arborist determines the vegetation is not healthy, and the Planning Director may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in Section 15-3-3 and Title 14. In this case, Staff recommends a one-year grace period whereby the additional space is not required to be provided (Condition of Approval 26) because as the intent of this recommendation for approval is to memorialize the status quo of the physical and operational conditions of the site and to maintain the vegetative buffer between the outdoor spaces of the WSI and the neighboring residential properties.

Condition of Approval 29 requires that in one year from the approval of the Conditional Use Permit, the Owner is required to provide an updated Parking Study to the Planning, Engineering, and Parking Departments that details the average and peak usage of the available parking spaces to validate whether the additional space is not required. To finalize the parking conditions of the CUP, the Applicant must return to the Planning Commission to seek final approval for the reduced parking requirements. The Planning Commission will consult the updated parking study and the recommendation from Planning, Engineering, and Parking Staff to determine whether residential parking on Woodside Avenue has been regularly disrupted during times that coincide with WSI events. If the Planning Commission makes the determination that additional parking spaces are required, the Owner shall be responsible for executing the option of developing the 12th parking space on Woodside Avenue (Condition of Approval 40).

Additionally, because this proposed parking space is on a vacant parcel – Condition of Approval 41 requires the applicant to complete a Plat Amendment within one year of the approval of the Conditional Use Permit to preserve the option of meeting additional parking requirements on site. If the Applicant develops the 12th parking space, a Steep Slope Conditional Use Permit will also be required (Condition of Approval 42).

The Applicant submit a Plat Amendment Application within 30 days of CUP approval and that a Plat Amendment be reviewed and approved within 1 year of the approval of the CUP to combine the two Lots into one Lot of Record. Creating one Lot will join Lot 34 of Block 5 to the Washington School Inn Lot, preventing the potential future sale of Lot 34 of Block 5. This will provide an opportunity for additional parking on the site if parking management subject to the CUP Conditions of Approval does not adequately mitigate the parking impact.

May 25, 2022

Jason Boal
543 Park Avenue
Park City, UT 84060
jboal@swlaw.com
801-201-1917

CC: Washington School House LLC

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	543 Park Avenue
Zoning District:	Historic Residential – 1 (HR-1)
Application:	Minor Hotel Conditional Use Permit
Project Number:	PL-20-04477
Action:	Approved with Conditions
Date of Final Action:	May 25, 2022
Project Summary:	The proposal is to convert the Washington School Inn from a Bed & Breakfast to a Minor Hotel

Action Taken

On May 25, 2022, the Planning Commission conducted a public hearing and approved the proposal to convert the Washington School Inn from a Bed & Breakfast to a Minor Hotel according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. The property is located at 543 Park Avenue.
2. On February 18, 2020, the Planning Department received a Conditional Use Permit (CUP) application for the conversion the Washington School Inn from a Bed & Breakfast to a Minor Hotel at 543 Park Avenue. The property is located in

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the Historic Residential (HR-1) District. The property includes two Lots: Lot 1 of the Washington School Inn Replat (13,068 square feet) and Lot 34 of Block 5 of the Park City Survey (1,875 square feet).

3. The property is located in the Historic Residential (HR-1) District.
4. The property is a through-lot, with frontages on Park Avenue and Woodside Avenue.
5. The primary access to the property is from Park Avenue, a public street.
6. The neighborhood is characterized by a mix of historic and non-historic residential structures. The streetscape is dominated by homes set close to the street. The homes are a mix of one- to two-story residential developments, with a few three- to four-story houses.
7. The proposal complies with LMC 15-2.2-2(B) as a Minor Hotel is a Conditional Use in the HR-1 zone.
8. The proposal complies with LMC 15-2.2-3(A) as there is no minimum Lot Size for Minor Hotels. The two Lots, when combined into one Lot of Record, total 14,943 square feet.
9. The proposal complies with LMC 15-2.2-3(E) as Historic Buildings that do not comply with maximum building footprint are valid Non-Complying Structures.
10. The proposal complies with LMC 15-2.2-5 Building Height as Historic Buildings that do not comply with maximum building height are valid Non-Complying Structures.
11. The proposal seeks a parking reduction in accordance with LMC 15-3-6(B) as a Minor Hotels require one (1) parking space per room or suite. The Applicant has a private parking easement for eleven (11) parking spaces in a parking structure across the street. The Applicant requests that the parking requirement be reduced from twelve (12) spaces to eleven (11) to protect Significant Vegetation and to retain the vegetative buffer between the Washington School Inn and neighboring residential properties.
12. In accordance with LMC 15-3-7, the Applicant seeks a reduction in the initial parking requirement to prevent excessing parking and paving, and to preserve significant vegetation on Woodside Avenue. The Applicant has provided a parking study that shows the proposed parking is adequate.
13. The Applicant currently provides bicycle parking within the onsite garage.
14. The proposal must comply with LMC 15-5-2 *Historic Districts and Historic Sites*, as stipulated in Condition of Approval 1.
15. The driveway on Park Avenue is approximately 14’ deep and cannot accommodate many standard motor vehicles.
16. The Applicant has defined, “Overnight Guests” as, “Hotel guest that have reserved a room for overnight accommodations”.

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17. The Applicant has defined, “Non-resident Guests” as, “the guests of overnight guests, or guests using the dining facility and indoor areas that have not reserved overnight accommodations but have made reservations for dining or indoor gathering”.
18. The property was posted and notice was mailed to property owners within 300 feet on August 25, 2021, February 9, 2022, and May 10, 2022.
19. The findings in the Analysis section of this report are incorporated herein.

Zoning Requirement	Analysis of Proposal
There is no Minimum Lot size for Minor Hotels	Lot 1 of the Washington School Inn Replat is 13,068 square feet. Lot 34 of Block 5 of the Park City Survey is 1,875 square feet
Minimum Lot width is 25 feet	**Complies** The width of Lot 1 of the Washington School Inn Replat is 100 feet. The width of Lot 34 of Block 5 of the Park City Survey is 25 feet.
Maximum Building Footprint for a 13,068-square-foot Lot is 3,135 square feet[1]	**Historic Buildings that do not comply with Building Footprint are valid Non-Complying Structures.** [2] The Building Footprint for the Washington School House is 3,507 square feet. The Footprint of the Detached Accessory Garage is 483 square feet.
Front and Rear Setbacks for Lots over 100 feet in length are 15 feet each for a total of 30 feet	**Historic Buildings that do not comply with Building Setbacks are valid Non-Complying Structures.** The Front Setback for the WSI is zero feet (0’); the Front Setback for the Detached Accessory Garage is twelve feet (12’). The rear setback of the WSI is seventy-five feet (75’).
Side Setbacks for Lots up to 100 feet wide are 10 feet each for a total of 24 feet Detached Accessory Buildings, located a minimum of five feet (5') behind the Front facade of the Main Building, maintaining a	**Historic Buildings that do not comply with Building Setbacks are valid Non-Complying Structures.** The south Side Setback of the WSI is 5.5 feet. The north Side Setback of the Detached Accessory Garage is 4.5 feet.

[1] MAXIMUM FP = (A/2) x $0.9^{A/1875}$ where FP = maximum Building Footprint and A = Lot Area.
[2] LMC § 15-2.2-4.

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minimum Side Setback of three feet (3')	

Criteria	Analysis of Proposal
Size and Location of Site	**Condition of Approval 41** The proposed Conditional Use Permit applies to both Lot 1 of the Washington School Inn Replat and Lot 34 of Block 5 of the Park City Survey. Staff recommends that a Condition of Approval require that the Applicant submit a Plat Amendment Application within 30 days of CUP approval and that a Plat Amendment be reviewed and approved within 1 year of the approval of the CUP to combine the two Lots into one Lot of Record. Creating one Lot will join Lot 34 of Block 5 to the Washington School Inn Lot, preventing the potential future sale of Lot 34 of Block 5. This will provide an opportunity for additional parking on the site if parking management subject to the CUP Conditions of Approval does not adequately mitigate the parking impact.
Traffic capacity	**Condition of Approval 35** The proposed Management Plan requires a valet to be stationed outside the Washington School House on Park Avenue during guest arrival and departure. As vehicles arrive during an event, the valet(s) will direct them to temporarily park in the Washington School House's driveway, or in the pull-out (public residential parking) on Park Avenue utilizing residential parking permits. As a business within the Residential Permit Program, the WSI is eligible to receive one residential guest permit along with their residential parking permit which is only to be used during periods when guests are visiting the permit holder's address. When guests depart, the valet(s) will return vehicles to them at the driveway, or in the pull-out on Park Ave. The valet(s) are counted towards the maximum of 8 employees permitted on site. The Development Review Committee did not identify any issues regarding traffic counts or capacity of streets in the area. Recommendations from the Neighborhood Traffic Management Program include notifying and encouraging employees of the Park City Ride On program to carpool and/or use public transit for their commute.
Utility capacity	**No unmitigated impacts** 543 Park Avenue is accessed by Park Avenue, which serves as a utility easement. The Development Review Committee did not identify any issues regarding utility capacity.

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Emergency vehicle access	**Condition of Approval 25** The property will be accessed via Park Avenue and Woodside Avenue. Park Avenue is the primary access to the property. Woodside Avenue access is limited to service vehicles, consistent with the 2010 CUP Approval for pool service and delivery vehicles.
Off-street parking	**Conditions of Approval 25 through 37** Please see the analysis below for the recommended off-street parking.
Internal vehicle and pedestrian circulation	**Condition of Approval 34** The WSI will have standard interior circulation, and vehicular access will be provided via a driveway off Park Avenue. The internal circulation, including the queuing of guests, location of the valet service, and the use of the primary and sidewalk-level entrances is outlined in the proposed Management Plan (Exhibit B).
Fencing, screening, landscaping to separate use from adjoining properties	**Condition of Approval** The project will maintain the existing landscaping of shrubs and trees to separate the WSI from adjacent land uses. Staff recommends that the Planning Commission grant a one-year grace period to the Owner to retain the grove of trees in the northwest corner of the property in lieu of a twelfth parking space. No change to fencing is proposed (See Parking, Section IV).
Building mass, bulk, and orientation	**No unmitigated impacts** No changes are proposed to the existing structures on site.
Usable open space	**No unmitigated impacts** No changes are proposed to the existing open space on site.
Signs and lighting	**No unmitigated impacts** No changes to existing approved signs are proposed. Outdoor lighting must comply with LMC § 15-5-5-(J). All outdoor lighting must be 3,000 degrees Kelvin or less by December 31, 2024. Fully Shielded outdoor lighting is required for new construction.
Physical design and compatibility with surrounding structures	**Condition of Approval 40** If the Owner chooses to or is required to construct the 12th parking space, all significant vegetation that is removed during the construction of the twelfth parking spot must be replaced

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	on-site.
Noise, vibration, odors, steam, or othe mechanical factors	**Conditions of Approval 11 through 23** Outdoor events are not permitted. Only Overnight Guests may use the outdoor areas at the Minor Hotel, such as pool, sitting areas, etc. Any activities including nonresident guests shall comply with the Management Plan for activities on the property. For each event, the Owner shall designate an Event Coordinator as described in the Management Plan. The Owner shall provide the Event Coordinator's contact information to the Planning Department. The Owner shall also make the Event Coordinator's contact information available to neighbors.
Control of delivery and service vehicles, loading and unloading, screening of trash and recycling pickup areas	**Conditions of Approval 24** Consistent with the 2010 CUP Approval (PL-10-01066), pool service and delivery vehicles may use Woodside Avenue. All other delivery and service vehicles shall park on Park Avenue. Vehicles less than 14' in length may park temporarily in the driveway at Washington School House, provided that the vehicles do not block the sidewalks. The driveway shall not be counted towards the parking requirements. The Owner shall use reasonable efforts to schedule event-related delivery and pickup on days other than the event. The Owner will continue to screen trash and recycling storage areas, and event staff will be available at least one hour prior to the outdoor event and one hour following the event to ensure a timely and orderly removal of any trash.
Expected ownership	**No unmitigated impacts** No change in ownership is proposed.
Environmentally Sensitive Lands, Physical Hazards, Historic Mining Waste, Park City Soils Ordinance, Steep Slope	**No unmitigated impacts** The proposed twelfth parking space on Woodside Avenue will require a Steep Slope Conditional Use Permit. Significant vegetation that is removed if the twelfth parking spot is constructed must be replaced on-site. The other criteria are not applicable for this application. Property is not located in any additional Overlay Zones, Environmentally Sensitive Lands, or Park City Soils Ordinance Parcels.
General Plan consistency	**Complies; Condition of Approval 33**

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	The project site is located within the Old Town neighborhood of Park City. The General Plan stresses the importance of infill development being compatible in the neighborhood context and subordinate to existing historic structures. The proposed conversion from a Bed & Breakfast to a Minor Hotel preserves the existing historic development of the site. Strategy 3.1 of the General Plan (starting on page 44) encourages development and redevelopment to increase the potential for multi-modal transportation options. The Owners have documented how the proposal encourages walking, biking, public transportation, and shuttle services over the single-occupancy vehicle. The WSI will be required to install or maintain three (3) bicycle Parking Spaces on site, as required by LMC 15-3-9 (A). In Section 6.4 of the General Plan (starting on page 28), the plan stresses that the character of historic sites must be retained and preserved. The plan indicates that the traditional aspects of sites (such as vegetation and landscaping) are threatened by parking demands and that many sites are losing their historic integrity due to the addition of driveways, parking pads, and the removal of landscaping elements to accommodate the car. By granting a one-year grace period during which the parking requirement is reduced from 12 spaces to 11 as requested by the Applicant, the Planning Commission would help preserve the site-specific details that contribute to the overall historic character of the streetscape and the neighborhood.

Conclusions of Law

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-1-10.
2. The Use, as conditioned, is consistent with the Park City General Plan.
3. The effects of any differences in use of scale have been mitigated through careful planning.

Condition of Approval

HISTORIC DISTRICT AND BUILDING PERMIT REQUIREMENTS

1. The proposed project shall complete a Historic District Design Review for any exterior changes to the site.
2. If the Owner proposes future changes to windows, doors, exterior materials, roof or other elements regulated by the Land Management Code, it shall obtain

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separate approval in accordance with applicable sections of the Land Management Code and Historic District Design Guidelines.

3. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Director or Designee and the Final HDDR Design.
4. All lighting shall comply with the Land Management Code, and the Owner shall obtain a permit for the small, business identification sign proposed in the Management Plan in accordance with Title 12 of the City Code
5. All exterior lighting shall be down directed and shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Final lighting details will be reviewed by the Planning Staff prior to installation.

OCCUPANCY

6. The hotel's occupancy and use shall be in accordance with applicable codes and the Conditions of Approval.
7. The maximum number of guests allowed on site is sixty (60), inclusive of Overnight Guests and Non-resident Guests.
8. The maximum number of employees on site shall be eight (8).
9. The total maximum occupancy of the property shall be 68.
10. The Minor Hotel use shall be limited to the occupancy of Overnight Guests and those Non-resident Guests engaged in on-site activities with guests, and accessory facilities such as restaurants, bars, spas, meeting rooms, group dining facilities and other facilities associated with hotels

SITE MANAGEMENT

11. Only Overnight Guests may use the outdoor areas at the Minor Hotel, such as pool, sitting areas, etc.
12. Any activities including nonresident guests shall comply with the Management Plan for activities on the property.
13. The dining area shall not operate as a separate restaurant but may only operate in connection with and as an accessory use to the Minor Hotel. Any dining area use by Non-resident Guests shall be in accordance with the conditions of approval and the Management Plan.
14. Capacity for the dining area shall be limited to twenty-six (26) and if Nonresident Guests are being served, there shall only be two "seatings" per night.
15. No walk-in Non-resident Guests are permitted for dining. Any Non-resident Guests arriving to dine on site must make reservations prior to arriving.
16. If the Minor Hotel is at capacity for Overnight Guests, no Non-resident Guest reservations for dining will be accepted.

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17. The Owner shall comply with the Park City Noise Ordinance, City Code 6-3-9.
18. The Owner shall designate a Neighborhood Coordinator as described in the Management Plan. The Owner shall provide the Neighborhood Coordinator's contact information to the Planning Department. The Owner shall also make the Neighborhood Coordinator's contact information available to neighbors.
19. Outdoor events are not permitted.
20. Nothing herein restricts the Owner from applying for Special Event Permits in accordance with Title 4A of the City Code. The terms of a Special Event Permit shall supersede this conditional use permit for the time period covered by the Special Event Permit.
21. The maximum Special Event that the Washington School Inn may host is a Level 1 Event.
22. Nonresident Guests are only permitted on site from 8:00 a.m. to 10:00 p.m.
23. The Owner will continue to screen trash and recycling storage areas.
24. The Owners of the Washington School Inn shall provide updated business operations and square footages to the Finance Department upon renewal of their business license so that the Washington School Inn will be assessed a licensing fee that is consistent with how other Park City hotels are assessed.

TRAFFIC

25. Consistent with the 2010 CUP Approval (PL-10-01066), pool service and delivery vehicles may use Woodside Avenue. All other delivery and service vehicles shall use Park Avenue.
    a. Vehicles less than 14' in length may park temporarily in the driveway at Washington School Inn, provided that the vehicles do not block the sidewalks. The driveway shall not be counted towards the parking requirements.
    b. The Owner shall use reasonable efforts to schedule any delivery and pickup related to the operation of the hotel or similar activities on days and times to minimize impacts, including scheduling deliveries and pickups related on days other than the events.
    c. To the extent possible, delivery and service vehicles shall use Woodside Avenue to separate those vehicles from vehicles associated with the private events.
    d. The loading and unloading of equipment or other items shall be limited to the hours of 9:00 AM to 6:00 PM. Unloading should occur the evening prior to the event, and loading should occur the following morning.
26. This Permit grants a one (1) year grace period to evaluate whether the parking requirement shall be reduced from twelve (12) parking spaces to eleven (11).

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27. During the one (1) year grace period, the Owner must proactively monitor parking conditions on Park Avenue and Woodside Avenue, at locations within 100' of the Washington School Inn before, during, and after all Special Events.
28. Washington School Inn staff must monitor if overnight and nonresident guests improperly use public residential parking on Park Avenue and proactively work to relocate the vehicles as soon as possible, and to report improper use of residential parking to the City.
29. One year from the approval of the Conditional Use Permit, the Owner is required to provide an updated Parking Study to the Planning, Engineering, and Parking Departments, that details the average and peak usage of the available parking spaces to validate whether the additional space is not required. This study shall include photographic documentation of on-street parking on Park Avenue and Woodside Avenue, at locations within 100' of the Washington School Inn during all Special Events, and data concerning the utilization of the eleven (11) off-street parking spaces.
30. If the proposed twelfth (12) parking space is required, the Owner will operate the proposed Woodside Avenue Parking space as a valet-only space. This will prevent guests from traveling on Woodside Avenue in search of a parking.
31. The Owner of shall apply for a Special Use of Public Parking Permit to utilize the "Park Avenue Pullout" during Special Events that necessitate the pullout use.
32. If the Parking Study determines that the demand for spaces exceeds the available supply, or if the Parking Department finds that the residential parking on Woodside Avenue has been regularly disrupted during times that coincide with Washington School Inn Special Events, the Owner may elect to either construct the 12th parking space or return to the Planning Commission for a hearing. The purpose of a Planning Commission hearing would be to determine whether the 12th parking space should be required and what conditions should apply to it.
33. The Washington School Inn shall maintain or install three (3) bicycle Parking Spaces on site.
34. The hotel shall operate parking in accordance with the Parking Management Plan.
35. The valet service operated by the Washington School Inn shall not obstruct any sidewalks or public Right-of-Ways. The valet shall be stationed outside the Washington School Inn on Park Avenue during guest arrival and departure. The Washington School Inn will proactively notify private event guests that a limited number of parking vouchers will be available, and during the private event, event staff will valet park the allowed vehicles
36. Employees will be required to arrive at the Washington School House using one of the following methods: on foot; using public transit; parking at a public parking

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lot and then use public transit; on bike; or using one of the trip options available through Ride On Park City ("Ride On").

37. Guests must arrive via Park Avenue. Woodside Avenue is not to be used for arrival or parking. Woodside Avenue access shall be limited to service vehicles, consistent with the 2010 CUP Approval for pool service and delivery vehicles.

SITE CONDITIONS

38. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The construction mitigation plan shall include language regarding the method of protecting adjacent structures.
39. To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. The Owner shall maintain the existing landscaping of shrubs, and trees to separate the Washington School Inn from adjacent land uses.
40. If the Owner chooses to or is required to construct the 12th parking space, all significant vegetation that is removed during the construction of the twelfth parking spot must be replaced on site. When approved by the Planning Department in writing to be removed, the Significant Vegetation shall be replaced with equivalent landscaping in type and size. Multiple trees equivalent in caliper to the size of the removed Significant Vegetation may be considered instead of replacement in kind and size.
41. The Owner shall submit a Plat Amendment Application within 30 days of CUP approval and the Plat Amendment Application shall be reviewed and approved within 1 year of the approval of the CUP to combine the two Lots into one Lot of Record. Creating one Lot will join Lot 34 of Block 5 to the Washington School Inn Lot, preventing the potential future sale of Lot 34 of Block 5. This will provide an opportunity for additional parking on the site if parking management subject to the CUP Conditions of Approval does not adequately mitigate the parking impact. City Engineer review and approval of all lot grading, utility installations, public improvements, and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
42. If the Owner chooses to or is required to develop the 12th parking space, a Steep Slope Conditional Use Permit shall be required and a Building Permit shall be required.
43. The dining and gathering operations and spaces of the hotel are prohibited from becoming separately leasable space, and must remain under the same business license and ownership as the hotel.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5063 or email browne.sebright@parkcity.org.

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Sincerely,

John Phillips
Planning Commission, Chair

CC: Browne Sebright, Planner II

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Washington School House
Project Number PL-20-04477

PROJECT DESCRIPTION

This application is a request for a new conditional use permit ("CUP") to allow the Washington School House to modify its current operations as a Bed and Breakfast Inn to a Minor Hotel. Although Minor Hotels are typically permitted to include accessory facilities such as restaurants, bars, spas, meeting rooms, on-site check-in lobbies, recreation facilities, group dining facilities, and/or other facilities and activities customarily associated with Hotels, such as concierge services, shuttle services, room service, and daily maid service[1], the applicant seeks to generally maintain the current operation as a Bed and Breakfast. The one exception to the current operation that the applicant seeks to permit, is the ability of Overnight Guests to invite/host Non-Resident Guests for dining or small gatherings. These small gathering might include an informal meeting, corporate meeting, or other social gathering. These dining and gathering activities will only take place inside the Hotel during the hours of 8:00 am – 10pm. No outside areas of the Hotel are proposed/permitted for Non-Resident Guest use. By limiting the dining/gathering to the inside of the hotel, the square footage limitation of the interior dining area, the limitation of two (2) evening seatings in the dining room and total building capacity of sixty (60) guests, will ensure that the proposed change in operation is scaled appropriately for the historic building and neighborhood. This occupancy limit is supported by the building and fire codes. There are no proposed physical changes to the site or the structure associated with this application, other than the potential twelfth (12th) parking spot on Woodside Ave.

The applicant is seeking to reduce the number of parking stalls required, so that the twelfth (12th) stall is not required. Per Park City Land Management Code 15-3-6.B the required parking for a Minor Hotel is "1 space per room or suite, and 1 space per 200 sf of separately leasable commercial space". There has never been any "leasable commercial space" in the Hotel and the proposed use will not change that. The areas that will be used for non-resident dining are the areas currently used for resident dining and are vital to the current operation of the Hotel. The Park City Land Management Code 15-3-7 does permit the Planning Commission to reduce the required number of parking stalls in order to prevent excessive parking and paving. The applicant believes it is in the best interest of the neighborhood and city to preserve the wooded area and Woodside, as opposed to paving it for parking for the twelfth (12th) stall. An analysis from a traffic engineer has been provided to support the reduction in parking as well.

The Washington School House was originally constructed in 1889 from limestone quarried in Peoa, Utah. It is a landmark structure that is listed on the Park City Historic Sites Inventory and the National Register for Historic Places. A prior owner granted the Utah State Historical Society a preservation easement on the building's façade.

On September 21, 1983, the Historic District Commission granted a conditional use permit that authorized a 15-unit bed and breakfast on the property. The Historic District Commission granted the approval to encourage the restoration and adaptive reuse of the Washington School House. A recorded easement (Entry No. 225977) provides 11 parking spaces for the Washington School House.

[1] Park City Land Management Code 15-15 Definitions: Hotel/Motel

The property has been the subject of several subsequent approvals. In 2001, the City approved a plat that combined 7 old town lots into the one lot of record for the historic building. The lot is currently identified as Parcel No. WSI-1. At the same time, the City approved renovations to the non-historic, detached garage on the property because it qualifies as an allowed accessory building.

On November 10, 2010, the Planning Commission approved a CUP for a private recreation facility, which allowed a lap pool behind the Washington School House. In 2012, the Planning Commission approved a modification to the CUP it approved in 2010. The modification expanded the site plan to include landscaping improvements on Lot 34 (identified by Parcel No. PC-78-88- 89-C), which is located on the northwest side of Parcel No. WSI-1. The modification also included changes to the screening of mechanical equipment.

The Applicant completed a total interior renovation of the Washington School House in 2011. As part of the renovation, the Applicant decreased the number of rooms from 15 to 12. This application requests a new CUP to operate a 12 room Minor Hotel. The CUP will apply to both Parcel No. WSI-1 and Parcel No. PC-78-88-89-C.

Management Plan
Washington School House
Project Number PL-20-04477

The Washington School House is located at 543 Park Avenue. The property includes Summit County Parcel Nos. WSI-1 and PC-78-88-89-C.

The Owner, Washington School House LLC, prepared this Management Plan to facilitate implementation of Conditions of Approval for the Washington School House's Minor Hotel Conditional Use Permit. The Owner shall comply with the terms and requirements of the Conditional Use Permit and this Management Plan.

This Management Plan includes the following components:

Section 1: Parking Management Plan
Section 2: Noise Management Plan
Section 3: Site Plan
Section 4: Supplemental Information

DEFINITIONS:

Non-Resident Guests - Includes guests of Overnight Guests, or guests using the dining facility and indoor areas that have not reserved overnight accommodations but have made reservations for dining or indoor gathering. No walk-ins are permitted.

Overnight Guests - Hotel guest that have reserved a room for overnight accommodations.

Section 1

Parking Management Plan
Washington School House
Project Number PL-20-04477

The Owner holds a private easement (Entry No. 225977) that authorizes it to use 11 parking stalls located in a two-level parking lot on the east side of Park Avenue, near the Washington School House ("**Park Avenue Lot**"). In addition, the Owner has the ability to create one (1) off-street parking space located on the Washington School House Property and accessed from Woodside Avenue, that if needed, could be utilized. In total, the Owner will provide eleven (11) off-street parking stalls, unless the data collected over a year after the approval of the Planning Commission show that a twelfth (12th) spot is needed.[2] A site plan for this Parking Management Plan is included. To facilitate implementation of this Parking Management Plan, the Owner will limit occupancy to sixty (60) guests, inclusive of Overnight and Non-Resident Guests and maintain the seating capacity of the dining facility at twenty-six (26), at one time. This occupancy limit is supported by the building and fire codes.

The change that is being proposed with the Conditional Use Permit application, permitting Non-Resident Guests to dine and gather at the Hotel, does not necessitate any additional parking stalls per the Park City Land Management Code (PCLMC) parking standards. PCLMC 15-3-6.B required parking for a Minor Hotel to be based on "1 space per room or suite, and 1 space per 200 sf of separately leasable commercial space". There has never been any "leasable commercial space" in the Hotel and the proposed use will not change that. The areas that will be used for non-resident dining, are the areas currently used for resident dining and are vital to the current operation of the Hotel. Additionally, Park City Code 4-2-9 provides persuasive support that dining facilities in a hotel are not a separate use. It states that "Traditional hotel/Restaurant offerings including private dinner bookings in Restaurants, existing entertainment such as in Restaurant outlets or lounges etc., or groups utilizing interior signage" are exempt from obtaining a separate business license, because the use is considered part of the hotel operation. Furthermore, Park City Land Management Code 15-3-7 does permit the Planning Commission to reduce the required number of parking stalls in order to prevent excessive parking and paving. The applicant believes it is in the best interest of the neighborhood and city to preserve the wooded area and Woodside, as opposed to paving it for parking for the twelfth (12th) stall. An analysis from a traffic engineer has been provided to support the reduction in parking as well.

Additional bicycle parking for the proposed Conditional Use Permit should not be required. PCLMC 15-3-9 .1 requires bicycle parking for new structures or additions to structures. There is no change to the structure being proposed. There is also an exception for required bicycle parking "when such facilities would negatively impact access, circulation, or snow removal", see PCLMC 15-3-9 .3. With this being a historic site, with limited area, this exception is applicable. Bicycle parking will continue to be provided, as it currently is provided within the onsite garage.

- **Guest Parking and Circulation.**
    - Arriving and departing Overnight Guests may self-park or use a valet parking at the Washington School House's entrance on Park Avenue, to park in the Park

[2] The conditions of approval for CUP# PL-20-04477 allow for one year of observation before the determination of whether the additional spot is need.

Avenue Lot.

- All guests arriving on site shall do so on a reservation-only basis. When the reservation is made, the Owner shall advertise that parking is only available to Overnight Guests.

- If vehicles in excess of the Washington School House's eleven (11) available spots arrive, staff will direct the vehicles to park at the lots shown on the **Public Parking Lots Map**, or other City-approved lots.

- Non-Resident Guests must arrive by private shuttle, ride share, taxi, public transit, or on foot.

- The valet(s) will direct the private shuttle, ride shares, or taxis to temporarily park in the Washington School House's driveway, or in the pull out on Park Avenue, when guests are loading or unloading.

- When valet parking is provided, one or two valets will be stationed outside the Washington School House during Overnight Guests' arrival and departure. As vehicles arrive, the valet(s) will direct them to temporarily park in the Washington School House's driveway, or in the pull out on Park Avenue, as shown on the **Parking Management Site Plan**. The valet(s) will then park the vehicles at the Washington School House's off-street parking stalls. When Overnight Guests depart, the valet(s) will return vehicles to them at the driveway, or in the pull out on Park Avenue. To avoid blocking the sidewalk, the valet(s) will only direct appropriately sized vehicles to use the driveway for pick-up and drop-off. In addition, the valet will instruct vehicles not to block the sidewalk.

- Upon arrival, all guests will enter the Washington School House through the Hotel Entrance, as shown on the **Parking Management Site Plan**. Due to the limited number of guests, no queuing is anticipated during guest arrival. If a queue does form at the entrance, guests will be directed to wait at the Northeast Patios, shown on **Parking Management Site Plan**, until they are able to enter the building. This will help avoid sidewalk congestion. When guests depart, they will exit through the Hotel Entrance, or the sidewalk level door, as shown on the **Parking Management Site Plan**. The sidewalk level door locks automatically and will not be used as an entrance. If multiple guests are waiting for vehicles, they will be directed to wait inside, or at the Northeast Patios, to avoid sidewalk congestion.

- In the winter Park Avenue is utilized as a one-way street with traffic movement going from south to north. When reservations are made, guests will receive instruction on how to arrive at the Property.

- **Employee Parking and Circulation.**

  - Employees will be required to arrive at the Washington School House using one of the following methods: on foot; using public transit; parking at a public parking lot and then use public transit; on bike; or using one of the trip options available

through Ride On Park City ("Ride On"). The Owner will notify employees of their commute options, including the Ride On program and public transit. The Owner will encourage employees to use the Ride On program and public transit for their commute.

- Bicycle parking for employees is currently provided in the structure of the Hotel (garage area) and this will continue to be provided.

- **Delivery and Service Vehicles**. All vendors making deliveries to the Washington School House shall adhere to the following guidelines:

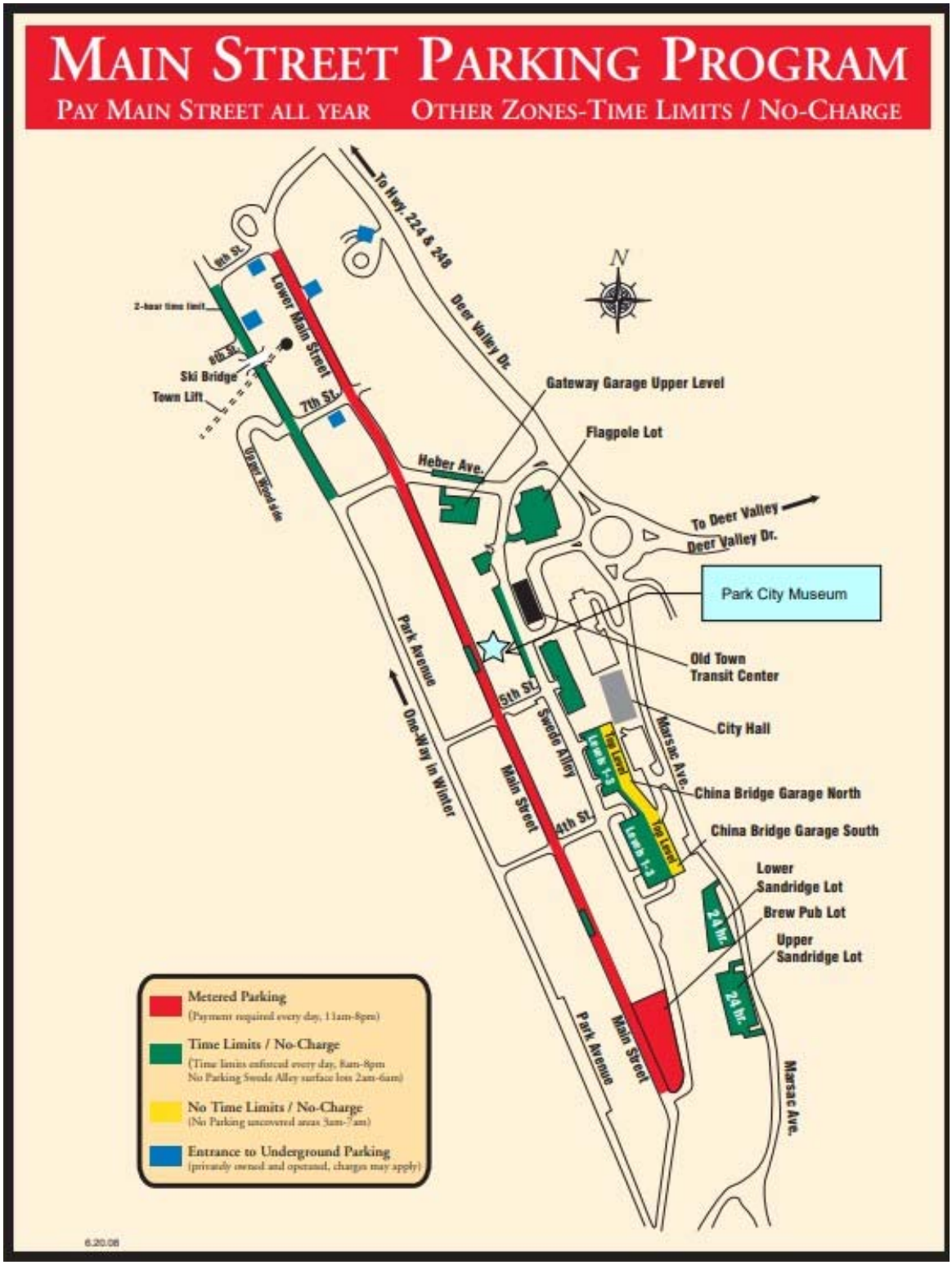
  - Subject to the exception noted below, delivery and service vehicles shall park on Park Avenue. In addition, appropriately sized delivery and service vehicles may park in the driveway at the Washington School House, provided that the vehicles do not block the sidewalk.

  - Consistent with the 2010 CUP Approval (Project No. PL-10-01066), pool service and delivery vehicles may use Woodside Avenue.

  - Subject to the exception for limited pool deliveries, delivery and service vehicles for Washington School House shall not park on Woodside Avenue.

  - The Owner shall use reasonable efforts to schedule delivery and pickup on days and at times to minimize all impacts.

Public Parking Lots Map



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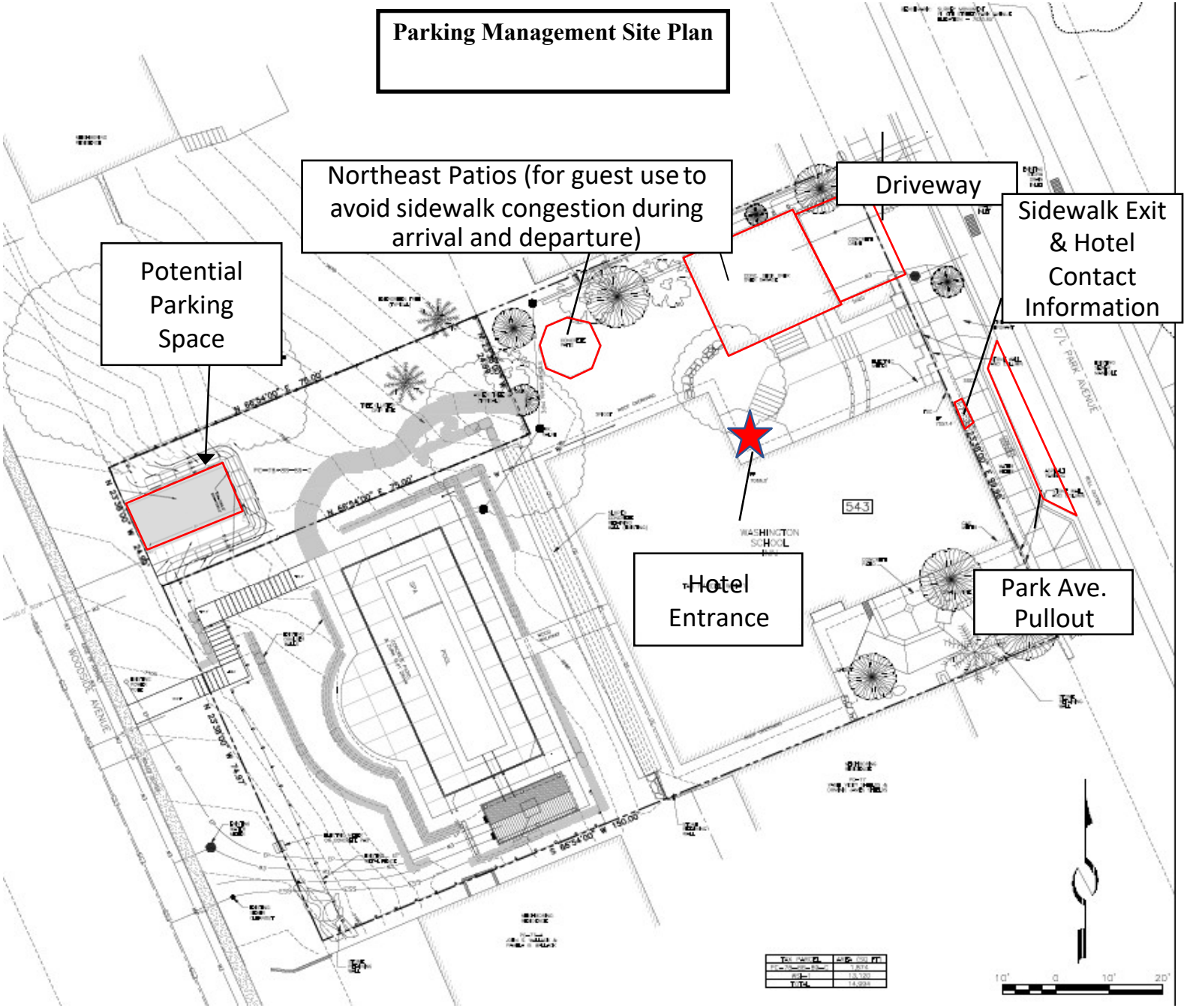
Parking Management Site Plan



Section 2
Noise Management Plan
Washington School House
Project Number PL-20-04477

SUMMARY

The purpose of this Noise Management Plan is to detail the procedures in place to ensure compliance with the CUP and the Park City Noise Ordinance, City Code 6-3-9 ("**Noise Ordinance**"). This Noise Management Plan will be applicable to all hotel operations, pursuant to the approval of the CUP. The outdoor areas of the hotel will only be used by Overnight Guests during normal operations. Non-Resident Guests will only be permitted in the indoor areas of the Hotel. The primary location for outdoor passive uses will be on the west side of the building, around the pool, as shown on **the Hotel Site Plan.**

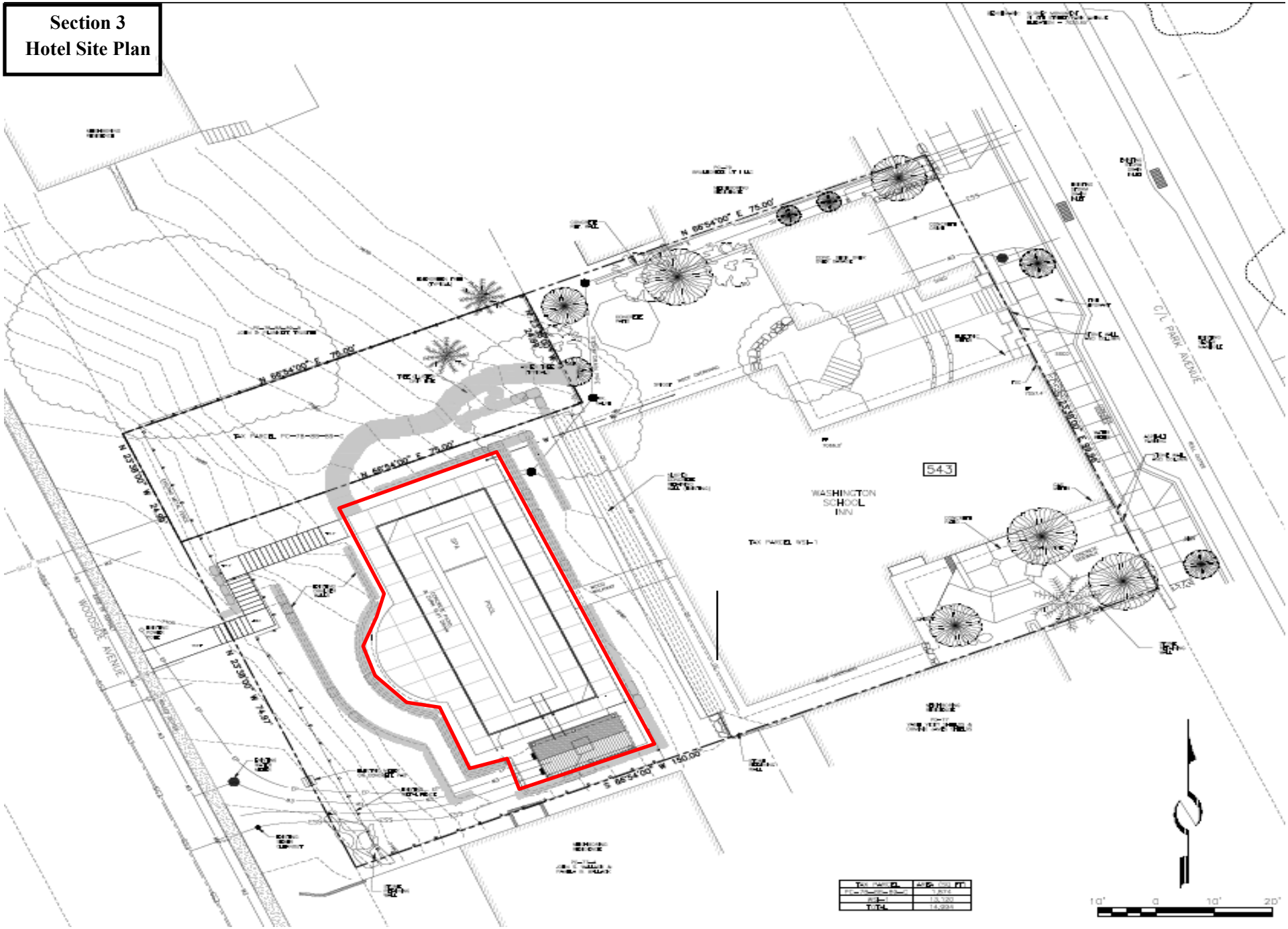
Key Requirements

- The hours of operation for outdoor areas for Overnight Guests shall be 8:00 AM – 10:00 PM. The closing time will be strictly enforced.
- The hours of operation when Non-Resident Guests shall be permitted shall be 8:00 AM – 10:00 PM. The closing time will be strictly enforced.
- The outdoor areas of the hotel will only be used by Overnight Guests during normal operations.
- The Owner will designate a Neighborhood Coordinator. The Neighborhood Coordinator's information will be provided to the city and the neighbors.
- Outdoor passive uses for Overnight Guests and hotel operations shall be programmed and oriented to minimize sound impacts to the surrounding neighbors.
- The Owner shall regularly monitor noise levels to ensure compliance with the Noise Ordinance.

Site Planning

- Outdoor passive uses should be designed in a way to mitigate sound impacts to the adjacent neighbors.
- Complaints related to noise originating from outdoor passive uses should be reported directly to the Neighborhood Coordinator. Any complaints received by the Planning Department will be forwarded to the Neighborhood Coordinator upon receipt.

Section 3
Hotel Site Plan



Section 4
Supplemental Information
Washington School House
Project Number PL-20-04477

As part of the Washington School House's Management Plan, the following information is provided to add clarification to the operation of the hotel.

1. **Waste Management.**

- The owner will work with the county to obtain the largest possible trash containers.
- Trash pickups will be scheduled for pick up at least three (3) times a week in order to prevent trash build up.
- Trash containers will not be put out for pickup on days when pickup is not scheduled.
- Trash containers will be stored in the garage area.

2. **Square footage for indoor and outdoor space of the facility**

The indoor and outdoor square footage of the hotel that will be used by Overnight Guests during normal operations and indoor square footage that could be used by Non-Resident Guests is summarized in the table below. The maximum occupancy shall be sixty (60) guests. The primary location for outdoor passive uses will be on the west side of the building, around the pool.

Location	Square Feet
Indoor total	2,273 SF
Kitchen	Approx. 216 SF
Main floor dining	Approx. 492 SF
Basement dining	Approx. 398 SF
Outdoor	2,701 SF
Total	**4,974 SF**

3. **The estimate the number of employees that will be required.**

During maximum occupancy, the Owner plans to have 8 employees on-site. Thus, the total occupancy during will be 68 people (including 60 guests and 8 staff).

4. **The source of the ITE parking demand rate.**

The Institute of Transportation Engineer's ("**ITE**") parking demand rates are based on 11 study sites located across the United States. ITE's parking demand rates are discussed further in Item 7.

5. **The Owner's justification for reducing off-street parking from 12 spaces to 11**

pursuant to section 15-3-7 of the City Code.

Section 15-3-6(B) of the City Code requires the Owner to provide 12 off-street parking spaces for its proposed Minor Hotel. The Owner has an easement to use 11 existing spaces in a parking lot located on Park Avenue, across from the Washington School House. To meet the City Code's requirements for a Minor Hotel, the Owner proposed a twelfth space on Woodside Avenue. The 12 off-street parking spaces are dedicated, private spaces for the Minor Hotel; they will not overlap with other parking uses. Section 15-3-7 of the City Code authorizes the Planning Commission to reduce the parking requirement to prevent excessive parking and paving. The Owner requests that the Planning Commission reduce its off-street parking requirement from 12 spaces to 11.

Hales Engineering completed a March 15, 2021 Parking Study for the Washington School House. To estimate parking requirements for the Minor Hotel, the Parking Study relied on the ITE Parking Generation Manual (5th Ed. 2019). The ITE Manual estimates a parking demand rate for uses similar to the proposed Minor Hotel based on 11 study sites across the United States. The parking rate, and recommended number of spaces for the Minor Hotel, are summarized in Table 1 (excerpted from the Parking Study).

Table 1: ITE Parking Generation

Park City - Washington School House Inn ITE Parking Generation (LU 312)		
Rate Type	Rate (stalls/dwelling unit)	Stalls
Average	0.72	9
85th Percentile	0.83	10
Maximum	0.85	11
ITE Parking Generation, 5th Edition, 2019 Source: Hales Engineering, February 2021		

Hales Engineering drew two important conclusions from Table 1. First, Hales Engineering typically recommends that the ITE's 85th Percentile parking demand estimate be increased by 10%. For the Minor Hotel, this results in a parking demand of 11 spaces. Second, the ITE data showed a maximum observed parking demand rate of 0.85 spaces. For the Washington School House, this results in a parking demand of 11 spaces. In addition, the Owner collected parking data during 2019 based on the number of off-street parking passes issued to guests. The Owner determined that guests for the existing bed and breakfast use at the Washington School House use only 3 of the 11 available parking spaces. In summary, the ITE data, and existing use patterns, support the conclusion that the Minor Hotel needs only 11 off-street parking spaces.

The proposed CUP for the Minor Hotel don't necessitate a twelfth parking space. The Owner proposes a maximum occupancy of 60 guests. Up to 30 of these will be Overnight Guests. The remaining 20-30 people will be Non-Resident Guests that arrive from offsite. The Owner's Parking Management Plan details how parking will be managed. Notably, the Owner will discuss parking management with the booking guest and require Non-Resident Guests to private shuttle, ride share, taxi, public transit, or on foot. Staff will valet park the allowed vehicles, when

applicable. The remaining guests will arrive from off-site via shuttle, ride share, taxi, public transit, or on foot. If excess vehicles arrive, staff will direct the guests to park at their off-site lodging, or at lots identified in the Parking Management Plan, and to then travel by shuttle, ride share, taxi, public transit, or on foot. Because the Owner will cap the number of vehicles allowed and require other guests to be picked up/dropped off, or travel by foot, a twelfth parking space is not necessary.

For the reasons set forth above, a twelfth spot is not needed for the proposed Minor Hotel. As a result, the Owner requests that the Planning Commission reduce its off-street parking requirement from 12 spaces to 11. If the off-street parking requirement is reduced, the Owner will remove the proposed Woodside Avenue parking space from its Application.

MEMORANDUM

Date: May 18, 2022

To: Washington School House, LLC

From: Hales Engineering

Subject: Washington School House Inn Parking Study

UT21-1830

This memorandum discusses the parking study completed for the Washington School House Inn in Park City, Utah. The study identifies the parking supply included in the site plan, the parking supply rates required by the City and parking demand rates identified by the Institute of Transportation Engineers (ITE). A discussion of the anticipated parking demand for special events on the property is also included.

Project Description

The Washington School House is located at 543 Park Avenue. A vicinity map of the project site is shown in Figure 1, and a full site plan is found in Appendix A. The Washington School House operates as a boutique bed and breakfast. It serves a limited number of guests that seek a small, private, and exclusive destination. The Washington School House has been recognized in the media, including Travel + Leisure, as a destination draw for Park City.

The owners of the property applied for a conditional use permit to change the Washington School House's current operations as a Bed and Breakfast Inn to a Hotel Minor land use under Park City code. The hotel will have 12 rooms. The property site plan identifies a total of 12 stalls (11 stalls located in a lot across Park Avenue and authorized by easement and 1 parking stall planned for the west end of the property on Woodside Avenue). A driveway on the property offers 2 additional stalls that do not meet the City's off-street parking dimensions.

Figure 1: Site vicinity map of the project in Park City, Utah

Park City Parking Code

The Park City code specifies parking rates for various land use types. According to section 15-3-6B of the code, the City requires "1 space per room or suite, and one space per 200 sf of separately leasable commercial space." This property doesn't include any separately leasable commercial space. Based on these requirements, the Washington School House is required to provide a total of 12 off-street parking spaces. This requirement will be met with the 11 current off-street parking spaces and the 1 proposed parking space.

ITE Parking Demand Rates

While the planned usage of the Washington School House is unique and smaller than a typical hotel, it is comparable to the Institute of Transportation Engineers (ITE), *Parking Generation*, 5th Edition, 2019, business hotel land use. The average parking demand rate for a business hotel (ITE land use 312 is 0.72 parking stalls per hotel room, with an 85th percentile demand rate of 0.83 stalls per room and a maximum observed rate of 0.85 parking stalls per room. This is based on 11 study sites across the United States since the year 1980, with an average parking supply of 1.1 spaces per room. The number of stalls needed based on each of these rates for the proposed project is shown in Table 1.

Table 1: ITE Parking Generation

Park City - Washington School House Inn ITE Parking Generation (LU 312)		
Rate Type	Rate (stalls/dwelling unit)	Stalls
Average	0.72	9
85th Percentile	0.83	10
Maximum	0.85	11
ITE Parking Generation, 5th Edition, 2019		
Source: Hales Engineering, February 2021		

It is typically recommended that the parking demand be increased by 10% to provide an adequate parking supply for the property. If the 85th percentile parking demand of 10 stalls is used, then a parking supply of 11 stalls is advisable. A summary of the parking rates from the existing site plan, the Park City code, and ITE data can be found in Table 2.

Table 2: Parking Rate Comparison

Park City - Washington School House Inn Parking Rate Comparison		
Source	Rate (stalls / room)	# of Stalls
Park City Parking Code	1.00	12
ITE 85th Percentile Parking Demand	0.83	10
Existing Site Parking (off-street)	1.00	12
ITE Parking Generation, 5th Edition, 2019		
1. Two driveway parking spaces exist and have not been included in these numbers		
Source: Hales Engineering, February 2021		

The proposed site plan, which includes 12 off-street parking spaces, exceeds the recommended ITE parking supply. Moreover, the property owner reports, based on experience with the bed and breakfast, that only about 25% of guests require parking during their stay. This results in use of about 3 of the available parking spaces. The remaining guests arrive via transit, ridesharing services, or private transportation services and use these same services during their stay. Guests using transportation services are picked up and dropped off in a pull out located in front of the Washington School House.

Daytime Guests

It is anticipated that some overnight guests may wish to dine with non-overnight guests in the indoor dining area. These daytime-only guests will not be provided with parking and will be required to arrive via rideshare or other transportation services. Guests arriving by rideshare or other transportation service, will be picked up and dropped off in the pull-out area in front of the Washington School House. The Washington School House will manage parking and ensure that only registered overnight guests may use the allotted parking spaces.

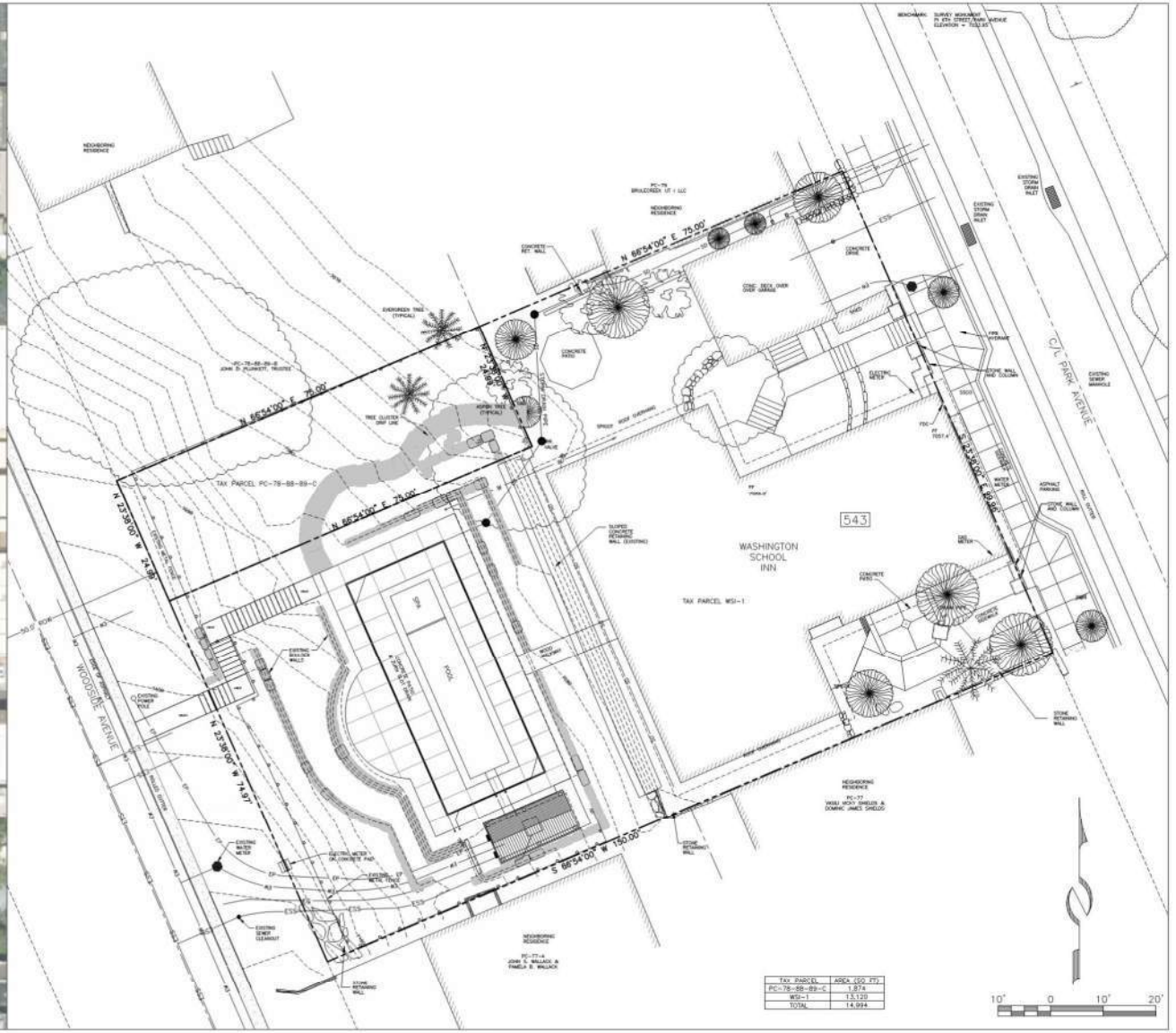
Conclusions and Recommendations

Hales Engineering makes the following conclusions for parking at the proposed Washington School House Hotel in Park City, Utah:

- The proposed site plan for the Washington School House Hotel identifies a total of 12 off-street parking spaces, with 2 additional spaces available in the driveway at the property. This equals a parking supply of 1 parking space per room.
- Section 15-3-6B of the Park City code would require 12 parking spaces for the Washington School House property under the "Hotel (minor)" land use. This translates to a parking supply rate of 1.0 parking space per room.
- The ITE 85th percentile parking demand rate for a business hotel is 0.83 parking stalls per room, translating to 10 parking stalls. With a 10% increase to parking demand, a parking supply of 11 parking stalls is recommended.
    - The current site plan meets the number of parking spaces required in the Park City code and exceeds the number recommended by the ITE data.
    - Based on past parking usage at the property, overnight guests will likely only use approximately 3 of the 12 available spots.
- The Washington School House is a small, private, exclusive destination that is meant to provide a high level of service to a limited number of guests. Overnight guests may wish to dine with daytime-only guests arriving on the property.
    - Daytime guests will be required to use rideshare or other transportation services to arrive on-site. It is not anticipated that parking demand will exceed the 12 supplied parking spaces.

APPENDIX A

Site Plan



(435) 649-9467

CONSULTING ENGINEERS (AND PLANNERS) SURVEYORS

No. 4857204 MICHAEL DEMKOWICZ 2/12/20 REGISTERED PROFESSIONAL ENGINEER STATE OF UTAH

STAFF: MICHAEL DEMKOWICZ, RYAN BETZ

DATE: 2/12/20

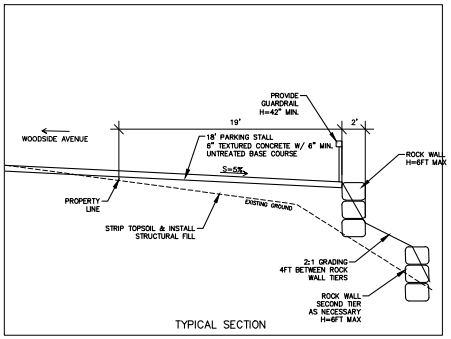
2020 EXISTING CONDITIONS & VICINITY
543 PARK AVENUE
WASHINGTON SCHOOL INN

FOR: TRIP BENNETT

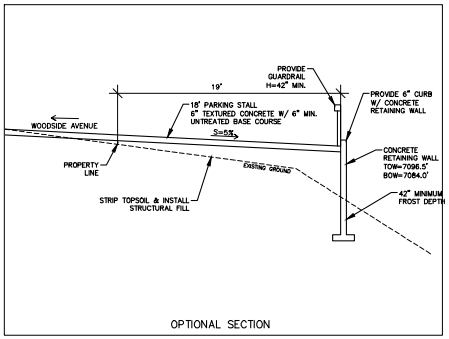
JOB NO.: 20-7-17

FILE: X:\ParkCitySurvey\dwg\7-4-10\2017 Improvements\wsi2017.dwg

SHEET 1 OF 2



TYPICAL SECTION



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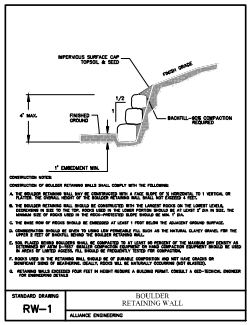
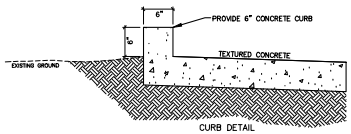
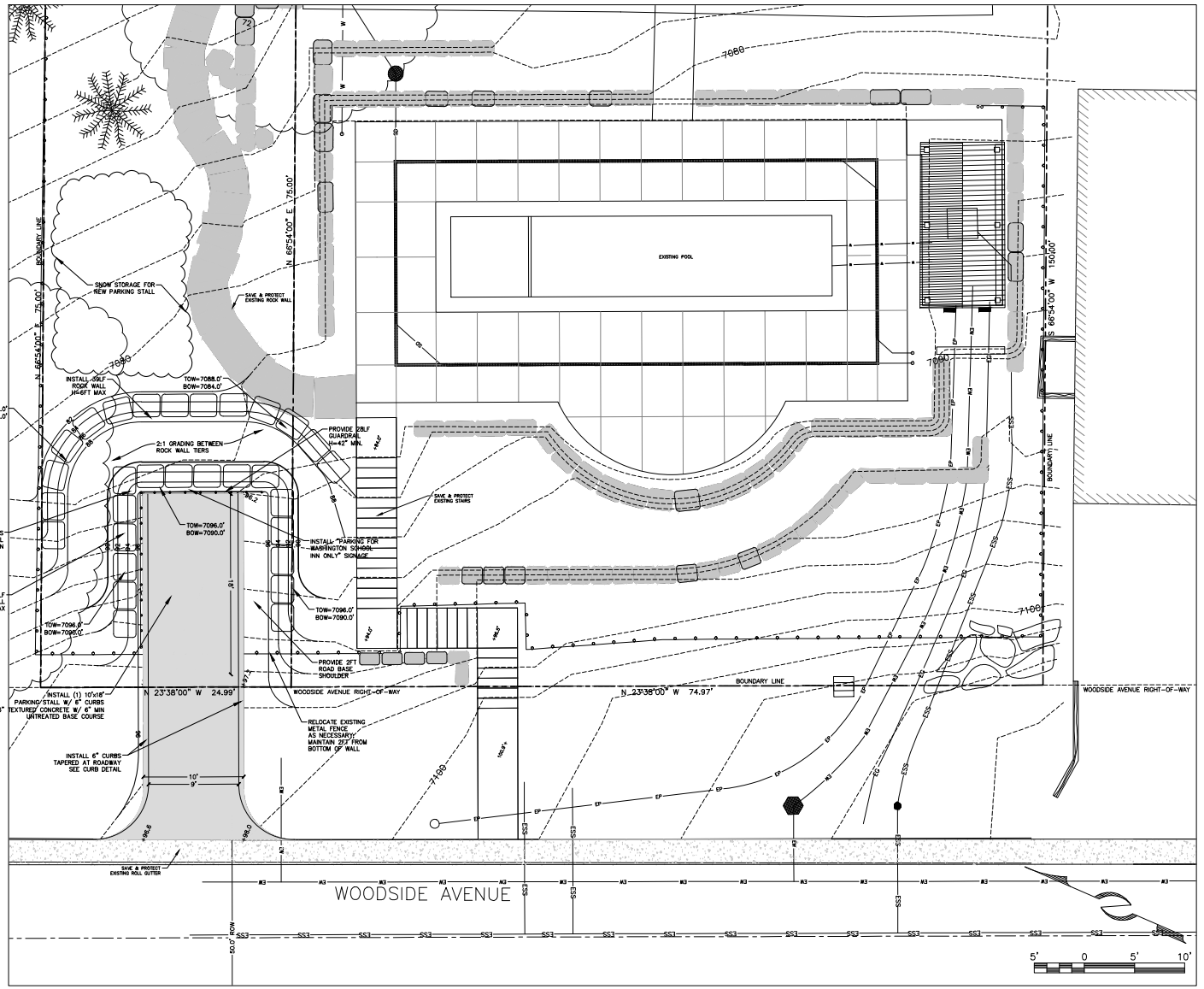




CURB DETAIL

DETAILS



(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
MICHAEL DEMKOWICZ
RYAN BETZ

DATE: 2/12/20

2020 IMPROVEMENTS
543 PARK AVENUE
WASHINGTON SCHOOL INN

FOR: TRIP BENNETT
JOB NO.: 20-7-17
FILE: X:\ParkCitySurvey\dwg\7-4-10\2017 improvements\WSI-civil.dwg

SHEET 2 OF 2

1022

RECEIVED
SEP 06 1983
PARK CITY
MUNICIPAL CORP.

The MacQuoid Company
CUSTOM BUILDERS/DEVELOPERS

HDC - rec - Sept. 21
BJ - HJ - Oct. 4B

September 1, 1983

Mr. Bill Ligety
Director of Planning
Park City, Utah 84060

Re: Washington School Application for
Conditional Use Permit #378

Dear Mr. Ligety:

Regarding our application yesterday for restoration of the Washington School, we would like to provide some additional information for your consideration. Please be advised that we are working closely with the Utah State Historical Society, the Utah Heritage Foundation and the National Trust for Historical Preservation on this project.

Our purpose is to renovate the 100 year old historic school house to the Washington School Inn in order to save the building from demolition or accidental loss, to provide overnight lodging facilities for guests, and to provide education and pleasure for the community in the preservation of an important and beautiful Park City landmark.

The exterior of the building will be restored as completely as possible to the original detail of the building including the fabulous roof and bell tower. The building sits on a lot 75' x 75'. The adjacent lot on Woodside Avenue of 75' x 75' will be dedicated green space and provide garden area for the restored building. Total site square footage is 11,250.

The interior of the building will be refurbished and professionally decorated to reflect the historical value of the structure and to meet all current building and safety codes for lodging of overnight guests.

Parking will be provided in an adjacent parking structure provided by agreement with Old Town Associates.

The Inn will provide overnight lodging facilities with 14 rental bedrooms, public rooms such as lounge, spa, sauna, locker rooms and dining room for serving continental breakfast to guests. The

P.O. Box 1825, Park City, Utah 84060 (801) 649-6372

Inn will also contain living quarters for the innkeeper.

The Inn should influence other property owners in the neighborhood to restore and maintain buildings. The use of the school house as the Washington School Inn will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity.

We are appreciative of your assistance with this project.

Sincerely,

Malcolm S. MacQuoid

MSM/nb

PARK CITY 1884

Community Development/Engineering
Building and Planning Departments

September 26, 1983

The Mac Quoid Company
P.O. Box 1825
Park City, Utah 84060
Attn: Mr. Malcolm S. Mac Quoid

RE: WASHINGTON SCHOOL
545 Park Avenue

Dear Mac:

The Park City Historic District Commission approved your conditional use application for a Bed and Breakfast Inn to be located at 545 Park Avenue at their regularly scheduled September 21, 1983 meeting. The Commission stressed that they approved the use because by doing so, a significant, Nationally Registered Historic Building would be restored. The approval was granted on the following two conditions:

1. That an agreement acceptable to the City Attorney that commits the developer to provide 11 parking stalls for the Washington School be recorded.

2. That if the land to the north of the Sun Classics building is under City ownership, that the developer reach an acceptable agreement with the City for use of the land for stairways and parking access. The agreement should protect the possibility of closing the driveway to Main Street if necessary.

Please keep in mind that the Commission approved only the use of the building, the Staff will review the final drawings for the project. Besides the standard submittal requirements, the Staff is particularly interested in reviewing the landscape plans, the elevations of the parking structure, stairway locations and details, alteration of rock walls, fencing details, details for the decorative iron railings and signage. Modifications to the Sun Classics building will be considered as a separate application.

The Staff is satisfied with the drawings for the school. However, while we would approve the building with the additional dormers, we caution you that the Federal Government may question the approval of the building for the tax

credits with such modifications.

We look forward to continue working with you toward the completion of a successful project. If you have any questions, please don't hesitate to contact either Alison Child or me at 649-6714.

Sincerely,

Bill Ligety

William C. Ligety
Planning Director

WCL:ew

PARK CITY
1884

Community Development/Engineering
Building and Planning Departments

AGENDA

HISTORIC DISTRICT COMMISSION MEETING

September 21, 1983

MARSAC SCHOOL

5:00 p.m.

Present
Steve
Nina
Jacquie
Allison
Max
Brooke
Erna
Absent
Paul
Alan

WORK SESSION

5:00 p.m.

1. Park Avenue Rezoning - Discussion of rezoning options for Park Avenue between Heber Avenue and 11th Street.

2. Demolition - Discussion of incentives to discourage the demolition of historic buildings.

3. Bed and Breakfast - Discussion of elements that an ordinance regulating Bed and Breakfast accommodations should contain.

REGULAR MEETING

6:00 p.m.

Proved

1. Washington School Inn - Consideration of Conditional Use Application for Bed and Breakfast Inn proposed for 545 Park Avenue, in the HR-1 Zone.

2. Election of Chairperson

Nina
vice chair
@ next mtg

Posted: 9/12/83
Published: 9/15/83

Marsac School • Park City Municipal Corporation • P.O. Box 1480 • Park City, UT 84060 • (801) 649-6714

HISTORIC DISTRICT COMMISSION

DIRECTORS RECOMMENDATIONS

September 21, 1983

5:00 p.m.

I. Washington School Inn - Consideration of Conditional Use Application for Bed and Breakfast Inn proposed for 545 Park Avenue, in the HR-1 Zone.

This proposal is to restore the Washington School to a Bed and Breakfast Inn. Fourteen individual rental rooms would be provided in addition to a caretaker's unit. The exterior of the building would be restored to its original condition with the exception of the addition of new dormers. The interior would be completely redesigned to accommodate the proposed use.

The Washington School is located in the Historic Residential Zone (HR-1) where hotels and lodging facilities are not allowed. However, there is a provision in the Land Management Code Section 3.7 (see attached copy) which gives the Historic District Commission the authority to approve uses that are not consistent with the zoning regulations when such an approval is necessary to preserve an historic structure.

Since the Washington School is a Nationally Registered Historic Site, Section 3.7 seems especially well suited to this proposal.

The following are the items in the proposal do not conform to the existing zoning regulations:

1) The use of rooms in the proposed "Inn".

2) The parking structure would be located off the property, it does not meet side yard setback requirements of the zone, and it exceeds the maximum amount of hard surfaced area allowed for parking.

3) Two parking stalls are 9' x 20' when 10' x 20' is the minimum for outside spaces.

The parking for the "Inn" is proposed to be located directly east of the Washington School on the other side of Park Avenue behind the Sun Classics Building. The existing parking lot behind Sun Classics would be covered with a parking deck that would be accessed from Park Avenue. The upper level of the deck would contain 10 spaces plus a trash area. The lower level would be redesigned to hold 13 cars. Access to the existing parking area is from a driveway that

runs between Main Street and Park Avenue. The access would remain unchanged. There exists a question as to whether the driveway is privately owned or owned by the City. It is the Staff's primary concern that the addition of the second parking level not preclude closing the Main Street access should Main Street be closed to vehicular traffic. The Staff and the ordinance discourage parking lots between Main Street and Park Avenue, however, this situation is different because the Sun Classics's lot already exists and the upper level is to serve a residential use in the HR-1 Zone.

The Staff recommends the application of the more liberal RC Zone parking standard for this project given its location and unit configuration. Parking recommended is .66 spaces per hotel room and 1 space for the caretaker's unit.

If the conditional use permit is approved by the Commission, the Staff will review the final drawings for the project. We have requested that the applicant provide the submittal requirements outlined in the attached lists. The Staff is particularly interested in reviewing the landscape plans, the elevations of the parking structure, stairway locations and details, alteration of rock walls, fencing details, details for the decorative iron railings and signage. Modifications to the Sun Classics building will be considered as a separate application.

The Staff is satisfied with the drawings for the school. However, while the Staff would approve the building with the additional dormers, we caution the applicant that the Federal Government may question the approval of the building for the tax credits with such modifications.

Recommendations

Staff recommends approval of the project on two conditions:

1) That an agreement acceptable to the City Attorney that commits the developer to provide 11 parking stalls for the Washington School be recorded.

2) That if the land to the north of the Sun Classics building is under City ownership, that the developer reach an acceptable agreement with the City for the use of the land for stairways and parking access. The agreement should protect the possibility of closing the driveway to Main Street if necessary.

When recorded return to:

Old Towne Associates
P.O. Box 1825
Park City, Utah 84060

Entry No. 225977
REQUEST OF The McQuoid Company
FEE ALAN SPRIGGS, SUMMIT CO. RECORDER
$ 12.00 By Susan Lebrecht
RECORDED 10-9-84 at 3:45 M

EASEMENT AGREEMENT

This Agreement is made and entered into by and between Old Towne Associates, a Utah general partnership ("Old Towne"), and Sierra Pacific Financial, a California general partnership ("Sierra Pacific").

Recitals:

A. Old Towne is the owner of certain real property located in Park City, Utah and more particularly described in Exhibit "A" attached to this Agreement and incorporated by this reference.

B. Sierra Pacific is the owner of certain real property located at 543 Park Avenue, Park City, Utah known as the Washington School and more particularly described in Exhibit "B" attached to this Agreement and incorporated by this reference.

C. By this Agreement the parties intend to provide an easement for parking purposes whereby the property described in Exhibit "A" will be subject to an easement in favor of the property described in Exhibit "B" for motor vehicle parking purposes, as provided in this Agreement.

Now, therefore, the parties hereto agree as follows:

1. Old Towne hereby grants to Sierra Pacific a private easement for parking purposes, sufficient to allow Sierra Pacific to park 11 automobiles or comparably sized motor vehicles on the property described in Exhibit "A". Such easement shall be a benefit appurtenant to the property described in Exhibit "B" and shall run with title to such property.

2. Old Towne shall improve and maintain the property described in Exhibit "A" sufficient to allow compliance with the easement for parking purposes described herein.

3. This Agreement and the rights and duties provided herein shall be binding on, and shall inure to the benefit of, the successors and assigns of Old Towne and Sierra Pacific, respectively.

BOOK 316 PAGE 696

In witness whereof, the parties have entered into this Agreement as of the date first written above.

Old Towne Associates,
a Utah general partnership

By The MacQuoid Company,
a Utah corporation

By: _____
Malcolm S. MacQuoid,
President

Sierra Pacific Financial,
a California general partnership

By Spring Mountain Enterprises,
a California corporation

By: _____
Frank O'Bryan,
President

BOOK 316 PAGE 697

State of Utah)
) ss.
County of Summit)

On the 4th day of October, 1984, personally appeared before me Malcolm S. MacQuoid, who being by me duly sworn did say that he is the president of The MacQuoid Company, a Utah corporation, a general partner of Old Towne Associates, a Utah general partnership, and that said instrument was signed in behalf of said corporation and said partnership by authority, and said Malcolm S. MacQuoid acknowledged to me that said corporation and said partnership executed the same.

Notary Public

My Commission Expires:
February 10, 1986

Residing at:
Salt Lake City, Utah

State of California)
) ss.
County of Orange)

On the 3rd day of October, 1984, personally appeared before me Frank O'Bryan, who being by me duly sworn did say that he is the president of Spring Mountain Enterprises, a California corporation, a general partner of Sierra Pacific Financial, a California general partnership, and that said instrument was signed in behalf of said corporation by authority, and said Frank O'Bryan acknowledged to me that said corporation and said partnership executed the same.

Lorraine Bellovich
Notary Public

My Commission Expires:
11-11-87

Residing at:
Huntington Beach, Ca.

OFFICIAL SEAL
LORRAINE BELLOVICH
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
ORANGE COUNTY
My Commission Exp. Nov. 11, 1987

BOOK 316 PAGE 698

All of Lots 37, 38 and 39 in Block 9, Park City Survey, except the following:

Beginning at a point on the Easterly line of Park Avenue, said point being South 23°38' East along said Park Avenue 12.90 feet from the Northwest Corner of Lot No. 37, Block 9, Park City Survey and running thence North 66°22' East 20.00 feet; thence South 23°38' East 30.00 feet; thence South 66°22' West 20.00 feet to the Easterly line of said Park Avenue, thence North 23°38' West along said Easterly line 30.00 feet to the point of beginning.

Subject to the general property taxes for the year 1983, and thereafter, and any special assessments now due or to become payable.

Subject to easements and restrictions of record or enforceable in law and equity.

Exhibit "A"

BOOK 316 PAGE 699

All of Lots 10, 11 and 12, Block 5, Amended Plat of Park City Survey, according to the plat of record and on file in the office of the County Recorder, Summit County, Utah.

Subject to easements and restrictions of record or enforceable in law and equity.

Excepting all oil, gas and/or other minerals which were previously reserved.

Exhibit "B"

BOOK 316 PAGE 700

Entry No. 218601
REQUEST OF The MacQuoid Company
FEE ALAN SPRIGGS, SUMMIT CO. RECORDER
$ 19.00 By Susan Lubenow
RECORDED 3-22-84 at 4:00 M

NON-EXCLUSIVE EASEMENT AGREEMENT

This Agreement is entered into by and among Park City Municipal Corporation ("City"), Old Towne Associates, a Utah general partnership ("Old Towne"), and Sierra Pacific Financial, a California general partnership ("Sierra Pacific"), as of March 22, 1984.

Recitals:

A. Old Towne is the owner of certain real property located at 537 Main Street, Park City, Utah presently known as the Old Towne Shoppes and more particularly described in Exhibit "A" attached to this Agreement and incorporated by this reference.

B. Sierra Pacific is the owner of certain real property located at 543 Park Avenue, Park City, Utah known as the Washington School and more particularly described in Exhibit "B" attached to this Agreement and incorporated by this reference.

C. Old Towne and Sierra Pacific have entered into a parking agreement which necessitates the improvement of an existing right-of-way connecting Park Avenue and Main Street and more particularly described as the North 21.5 feet of Lot 11, and all of Lot 36, Block 9, of the amended plat of Park City Survey ("the Right-of-Way").

D. It is in the best interests of the public health, safety and welfare to improve the Right-of-Way described above and to grant non-exclusive easements to Old Towne and Sierra Pacific appurtenant to each of the properties described in Exhibits "A" and "B", as provided in this Agreement.

Now, therefore, the parties hereto agree as follows:

1. City hereby grants to Old Towne a private non-exclusive pedestrian and vehicular right-of-way easement over the Right-of-Way as described above. Such easement shall be appurtenant to the property described in Exhibit "A" and shall run with such property.

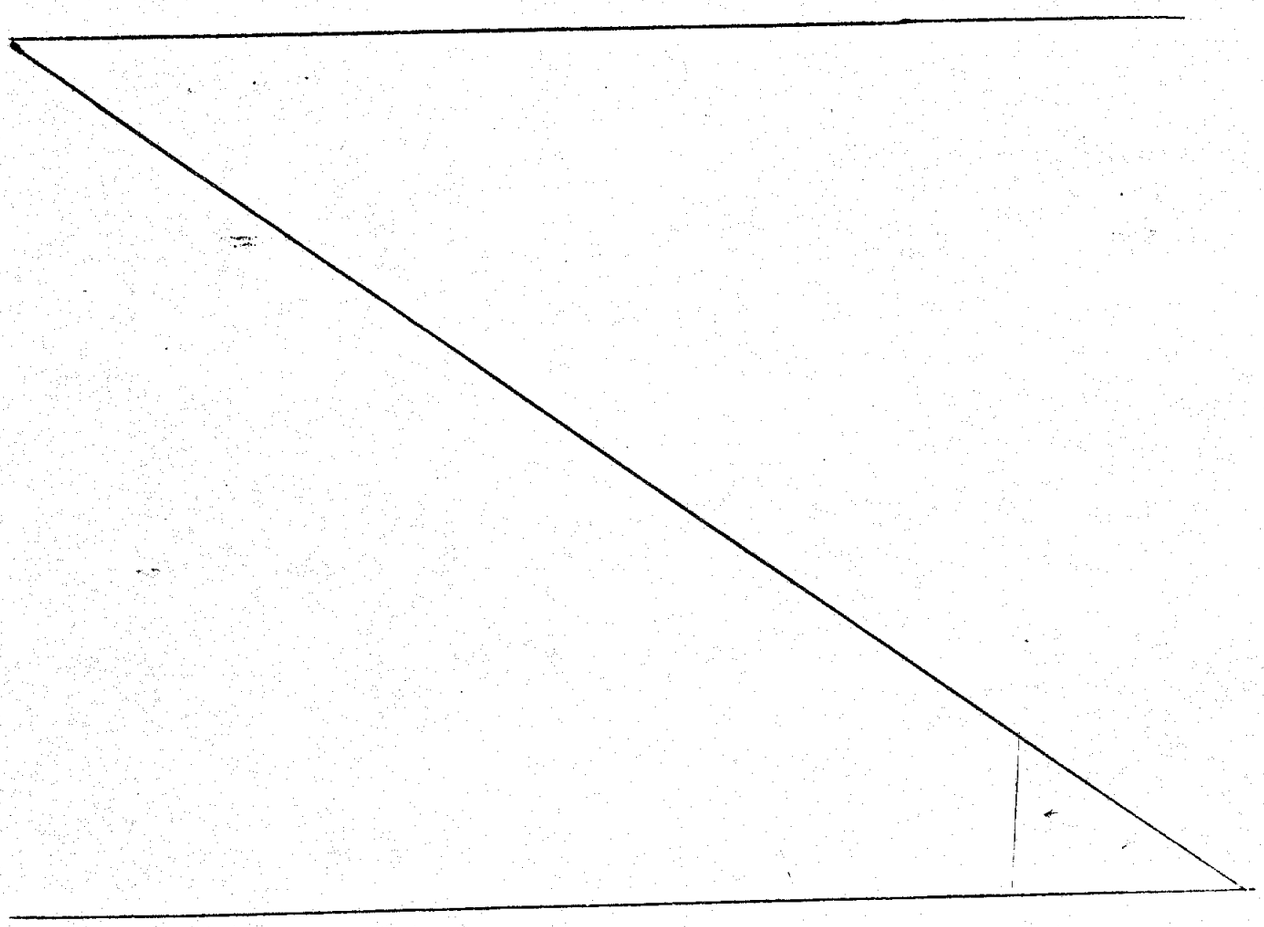
2. City hereby grants to Sierra Pacific a private non-exclusive pedestrian and vehicular right-of-way easement over the Right-of-Way as described above. Such easement shall be appurtenant to the property described in Exhibit "B" and shall run with such property.

BOOK 295 PAGE 135

3. Old Towne and Sierra Pacific shall improve the Right-of-Way by, among other things, rebuilding the existing stairs and installing lights to light the stairs. Such lights shall be hooked into the City's lighting system. All improvements to the Right-of-Way shall be subject to City's prior approval.

4. City shall maintain the Right-of-Way as required for safe pedestrian access, but Old Towne and Sierra Pacific may supplement the City's maintenance as they deem necessary or appropriate.

5. The easement granted hereby shall create no implication or duty by City to provide or allow vehicular access to the Right-of-Way from Main Street. At such time, if any, that motor vehicles are prohibited or restricted from access to the Right-of-Way from Main Street, City shall permit the Right-of-Way to be used in a manner that will permit vehicular access from Park Avenue to the lower level of parking at the rear of the property described in Exhibit "A".



BOOK 295 PAGE 136

6. This Agreement shall be binding on, and shall inure to the benefit of, the successors and assigns of Old Towne and Sierra Pacific, respectively.

In witness whereof, the parties have entered into this Agreement as of the date first written above.

Old Towne Associates,
a Utah general partnership

By The MacQuoid Company,
a Utah corporation

By: _____
Malcolm S. MacQuoid,
President

Sierra Pacific Financial,
a California general partnership

By Spring Mountain Enterprises,
a California corporation

By: _____
Frank O'Bryan,
President

Park City Municipal Corporation

By: _____
Mayor Pro Tempore

BOOK 295 PAGE 137

State of Utah)
) ss
County of Summit)

On the 16th day of March, 1984, personally appeared before me Malcolm S. MacQuoid, who being by me duly sworn did say that he is the president of The MacQuoid Company, a Utah corporation, a general partner of Old Towne Associates, a Utah general partnership, and that said instrument was signed in behalf of said corporation and said partnership by authority, and said Malcolm S. MacQuoid acknowledged to me that said corporation and said partnership executed the same.

Notary Public

My Commission Expires:
February 16, 1986

Residing at:
Park City Utah

State of California)
) ss.
County of Orange)

On the 20th day of March, 1984, personally appeared before me Frank O'Bryan, who being by me duly sworn did say that he is the president of Spring Mountain Enterprises, a California corporation, a general partner of Sierra Pacific Financial, a California general partnership, and that said instrument was signed in behalf of said corporation by authority, and said Frank O'Bryan acknowledged to me that said corporation and said partnership executed the same.

Notary Public

My Commission Expires:
August 31, 1987

Residing at:
Newport Beach, California

OFFICIAL SEAL
IDA RUTH PHINNEY
NOTARY PUBLIC - CALIFORNIA
ORANGE COUNTY
My comm. expires AUG 31, 1987

State of Utah)
) ss.
County of Summit)

On the 2nd day of March, 1984, personally appeared before me William H. Coleman, who being by me duly sworn did say that he is the Mayor Pro-Tempore of Park City Municipal Corporation, a municipal corporation organized and existing under the laws of the State of Utah, and that said instrument was signed in behalf of said Park City Municipal Corporation by authority of a resolution of its City Council, and said William H. Coleman acknowledged to me that said Park City Municipal Corporation executed the same.

William R. Gatherum
Notary Public

My Commission Expires:
May 13, 1987

Residing at:
Salt Lake City, Utah

WILLIAM R. GATHERUM NOTARY PUBLIC STATE OF UTAH

BOOK 295 PAGE 139

The North 3.50 feet of Lot No. 8, all of Lot Nos. 9 and 10, the South 3.50 feet of Lot No. 11, and all of Lot Nos. 37, 38 and 39, in Block 9, Park City Survey; Except the following:

Beginning at a point on the Easterly line of Park Avenue, said point being South 23°38' East along said Park Avenue 12.90 feet from the Northwest Corner of Lot No. 37, Block 9, Park City Survey and running thence North 66°22' East 20.00 feet; thence South 23°38' East 30.00 feet; thence South 66°22' West 20.00 feet to the Easterly line of said Park Avenue, thence North 23°38' West along said Easterly line 30.00 feet to the point of beginning.

Subject to the general property taxes for the year 1983, and thereafter, and any special assessments now due or to become payable.

Subject to easements and restrictions of record or enforceable in law and equity.

Exhibit "A"

Lots 10, 11, 12, 32, 33, 34, 35, 36, and 37, Block 5, Amended Plat of PARK CITY SURVEY, according to the plat of record and on file in the office of the County Recorder, Summit County, Utah.

Subject to the general property taxes for the year 1983 and thereafter, and any special assessments now due or to become due.

Subject to easements and restrictions of record or enforceable in law and equity.

Excepting all oil, gas and/or other minerals which were previously reserved.

Exhibit "B"

BOOK 295 PAGE 141

PARK CITY
1884

Department of Community Development
Engineering • Building Inspection • Planning

Via facsimile transmission to (435) 940-1032
Originals to follow via US Mail

November 5, 2001

Ms. Jodi Hoffman, Esq.
Hoffman Law
PO Box 681333
Park City, Utah 84068

Mr. Frank O'Bryan
c/o Washington School Inn
PO Box 17689
Irvine, CA 92623

RE: Washington School Inn; Conditional Use Permit Status

Dear Ms. Hoffman and Mr. O'Bryan:

As you are aware, on October 25, 2001, the Planning Department discovered a 1983 file containing Washington School Inn's (WSI) 1983 conditional use permit application and related documentation. Contents of that file were copied to you shortly thereafter. As the cover letter accompanying the file copy explains, that file was not discovered by Planning Department staff despite more than ten hours of diligent searching due to labeling and filing pursuant to a Main Street address. In light of this recent discovery, I have reviewed the file in order to make determinations concerning the status of WSI's apparent conditional use permit and its effect on previous determinations, including the September 27th and October 2nd non-conforming use status and expansion letters; the October 4th Land Management Code (LMC) interpretation letter; and the October 12th letter concerning the status of the June 7, 2001 lot combination plat. This letter shall serve as my official notice of determinations regarding those issues.

WSI Conditional Use Permit Status:

The 1983 File contents, together with Historic District Commission meeting minutes dated September 23, 1983, indicate that the Historic District Commission issued a conditional use permit for WSI to operate as a Bed & Breakfast on September 21, 1983. This conditional use permit was issued pursuant to Land Management Code Section 3.7, in effect on that date. More specifically, the conditional use permit authorized fifteen (15) inn units at property located 545 Park Avenue (lots 10, 11, and 12, Block 5 of the Park City Survey). Two conditions of approval were attached to the CUP, both addressing the developer's need "to provide 11 parking stalls for the Washington School Inn."

September 27th and October 2nd Non-Conforming Use Status and Expansion Determinations:

Because I have determined that WSI has a valid conditional use permit to operate as a Bed & Breakfast Inn, I hereby withdraw my September 27, 2001 determination of non-conforming status. Furthermore, because the WSI is not a non-conforming use, my determinations of enlargement of non-conforming use dated September 27 and October 2, 2001 are likewise hereby withdrawn.

October 4th Land Management Code Determinations:

On October 4, 2001, I issued a letter to John Plunkett and Barbara Kuhr adopting Patrick Putt's LMC determinations as set forth in his September 27, 2001 letter to Mr. Plunkett and Ms. Kuhr. My determinations affirming Mr. Putt's findings remain unchanged.

Status of June 7, 2001 Lot Combination Plat:

On October 12, 2001, I issued a letter to Jodi Hoffman and Frank O'Bryan finding that the aforementioned lot combination plat was void ab initio because it unlawfully enlarged a non-conforming use since WSI did not possess a conditional use permit to operate as a bed & breakfast inn. Because I have determined that WSI does possess a valid conditional use permit to operate as a bed & breakfast inn, I hereby withdraw my October 12th finding. I find that the June 7, 2001 lot combination plat legally combined 7 lots owned by WSI into one lot of record.

Effect of the Conditional Use Permit on WSI's Current Project:

1. The garage renovation does not require a new conditional use permit nor modification to WSI's 1983 conditional use permit. Accessory buildings and uses are allowed uses in the HR-1 District pursuant to the Land Management Code (LMC), Section 15-2.2-2(A). Accessory buildings and uses are defined in the LMC as follows:

   An "Accessory Building" is:
   A building on the same lot as the principal building and that is:
   a. Clearly incidental to, and customarily found in connection with such principal building;
   b. is operated and maintained for the benefit of the principal use located on the same lot; and
   c. is not a dwelling unit. (LMC § 15-15-1.3)

   An "Accessory Use" is a "land use that is customarily incidental and subordinate to the primary use located on the same lot." (LMC §15-15-1.4)

I find that the WSI garage meets these above-listed criteria. Because the garage is allowed in the HR-1 district, no additional conditional use permit or modification to the 1983 permit is required, provided the character and scope of its use remains consistent with the aforementioned LMC definitions. This qualification further applies to the use of the proposed flat-roof/terrace element of the garage or

other permitted improvements. No additional conditional use permit or modification to the 1983 permit is required, provided use of the flat-roof/terrace element conforms to the aforementioned definitions and remains consistent in character and scope with the use of other residential flat-roof/terrace elements in the HR-1 district. Programming the flat-roof/terrace for outdoor commercial activities which are inconsistent with the character and scope of bed and breakfast inn operations is not permitted under the 1983 conditional use permit or the HR-1 district regulations.

2. I also find that the remaining elements of the current WSI project, including landscaping, grading, and exterior stairs, do not require a new conditional use permit nor modification to the 1983 permit.

Pursuant to the Land Management Code, Section 15-1-17(A), my decision(s) applying the Land Management Code to the aforementioned issues are appealable to the Planning Commission. Any such appeal must be made in writing and submitted to the Community Development Department within ten (10) calendar days. Please refer to LMC Section 15-1-17(F) for further information concerning the required form of appeal. The appeal deadline is November 15, 2001. The filing fee for an appeal to the Planning Commission is $50.

If you have any questions, please contact me at 615-5057.

Sincerely,

Richard E. Lewis, AICP
Community Development Director

C. Toby Ross, City Manager
Timothy C. Twardowski, Assistant City Attorney
Dwayne A. Vance, Esq. (via facsimile only)
John Plunkett and Barbara Kuhr (via facsimile only)

PLANNING COMMISSION STAFF REPORT

DATE:	December 12, 2001
DEPARTMENT:	Planning Department
TITLE:	543 Park Avenue, Washington School Inn
TYPE OF ITEM:	Appeal of Community Development Director=s decisions interpreting the Land Management Code.

SUMMARY RECOMMENDATION: Conduct a hearing, consider public input, and uphold the Community Development Director=s decisions applying the Land Management Code to the improvements project at the Washington School Inn according to the Findings of Fact, and Conclusions of Law in this staff report.

A. PROJECT

Project Name:	Washington School Inn Garage Renovation and Improvements
Appellant:	John Plunkett/Barbara Kuhr
Location:	543 Park Avenue
Zoning:	Historic Residential (HR-1) zone
Adjacent Land Uses:	Historic residential/commercial
Date of Application:	May 2, 2001
Project Planner:	Ray Milliner

B. BACKGROUND.

The appellant is requesting that the Planning Commission review several decisions made by the Community Development Director applying the LMC to certain elements of the garage renovation and improvements project at the Washington School Inn (WSI). The following is a narrative description of the events that have transpired leading up to this hearing.

Plat Amendment

To accommodate a garage renovation, the WSI submitted an application for a plat amendment to combine seven Old Town lots into one on March 28, 2001. City Planner Ray Milliner was assigned to the project in April of 2001, and subsequently, it was scheduled for staff review on April 17, 2001, Planning Commission review on May 9, 2001 and City Council review on June 7, 2001. At staff review, staff checked the garage side yard setbacks to ensure that it met the LMC requirements. Subsequent reviews by staff confirmed that the structure as proposed would meet the requirements of the LMC on the wider lot. The application was taken to both the Planning Commission and the City Council with positive recommendations from staff and final approval was granted by the City Council on June 7, 2001. Property owners within a 300 foot radius of the subject property were mailed notices of the scheduled public hearing for the project. Both reviews included a public hearing, at which no public comments were received.

Historic District and Building Permit Approval

On May 2, 2001, the WSI submitted an Historic District Design Review Application for the renovation of the existing, non-historic, detached, gable-roofed, two-car garage located adjacent to the Washington School Inn, at 543 Woodside Avenue. Following the City Council action and plat recordation, Staff reviewed the proposed garage renovation project for compliance with the Historic District Guidelines and approved it on August 7, 2001. The applicant obtained a building permit on August 7, 2001 and commenced work on the project.

Appeal of Staff Approval

Director=s decisions applying the Land Management Code to the improvements project at the Washington School Inn according to the Findings of Fact, and Conclusions of Law below:

Findings of Fact

8. The WSI is located within the HR-1 District.
9. An plat amendment combining lots 10, 11, 12, 13, 37, 36 and 35 of Block 5 of the Park City Survey into one lot was approved by the City Council on June 7, 2001.
10. Staff approval for the garage reconstruction was granted on August 7, 2001.
11. John Plunkett=s letter appealing staff=s approval was received by staff on August 17, 2001.
12. On October 15, 2001 the Historic District Commission overturned staff=s August 7, 2001 approval for the garage design.
13. The Historic District Commission decision was appealed to the Board of Adjustment by WSI on October 25, 2001.
14. On September 27, 2001 CDD Director Richard Lewis sent a letter to the WSI indicating his determination that the WSI was a non-conforming use, that the garage reconstruction constituted an expansion of the non-conforming use, and as a result the WSI would be required to acquire a CUP from the Planning Commission.
15. On October 12, 2001 the WSI appealed Director Lewis= determination of enlargement of non-conforming use.
16. On October 23, 2001the WSI submitted evidence to the Community Development Department indicating that the WSI received a CUP for a 15 unit bed and breakfast in the HR-1 District on September 21, 1983.
17. On November 5, 2001 Director Lewis distributed a letter rescinding his September 27, 2001 determination of non-conforming use and making a number of LMC related determinations.
18. On November 12, John Plunkett submitted a letter appealing the Director Lewis' November 5, 2001 determinations.
19. The proposed garage is an allowed use in the HR-1 District.
20. Access stairways are allowed uses in the HR-1 District
21. Landscaping is an allowed use in the HR-1 District.
22. The proposed garage reconstruction is an accessory building.
23. The proposed garage reconstruction is approximately 15' above grade at its highest point.
24. The LMC requires that accessory buildings not exceed a height of 18'
25. The proposed garage reconstruction is set back 10' from the front facade of the main structure.
26. The LMC requires that accessory buildings in the HR-1 District be set back at least 5' from the front facade of the main structure.
27. The proposed garage reconstruction has a side yard setback of 4'.
28. The LMC requires a 3' side yard setback for accessory buildings.

Conclusions of Law

29. The proposal is consistent with Section15-1-9(D), and Section 15-2.2-2(A) of the Park City Land Management Code.
30. The Community Development Director did not err in his November 5, 2001 letter which outlined his conclusions as they relate to the non-conforming status of the WSI.
31. The WSI is in compliance with the conditions of approval of the 1983 CUP.
32. The 1983 CUP did not require that the property behind the main WSI structure be dedicated as green space.
33. The WSI meets the 11 space parking requirement as specified by condition #1 in the

1983 CUP approval. On October 29, 1984 WSI executed an easement agreement with Old Towne Associates which granted 11 parking spaces on Old Towne Associates property in exchange for maintenance and landscaping.

34. The 1983 CUP did not specifically restrict WSI use to the interior of the building.
35. The proposed garage renovation does not require a new CUP or modification to the 1983 CUP.
36. Use of the garage for guest or employee parking does not require a modification of the 1983 CUP approval.
37. Construction of an exterior staircase connecting WSI to Woodside Avenue does not require a CUP or a modification to the 1983 CUP.
38. Issuance of the building permit for the building permit for the WSI did not violate Section 15-1-9(D) of the Land Management Code.
39. The WSI=s purchase of the garage lot and reconstruction of the garage does not constitute a transfer of the 1983 CUP from one property to another.
40. The appellant=s lack of notice of the staff=s August 7, 2001 Historic District Design Review approval was remedied by conversations with staff on August 15 and 16, 2001, the staff notice dated September 17, 2001, and subsequent hearings before the HDC on October 1, 2001 and October 15, 2001.

EXHIBITS:

Exhibit A - August 16, letter from John Plunkett to Director Lewis
Exhibit B - September 27, letter from Director Lewis to WSI
Exhibit C - October 2, letter from Director Lewis to WSI
Exhibit D - September 27 letter from Jodi Hoffman to Director Lewis
Exhibit E - October 23 letter from Jodi Hoffman to Director Lewis
Exhibit F - September 26, 1983 WSI CUP approval letter
Exhibit G - November 5, 2001 Letter from Director Lewis to WSI
Exhibit H - November 12, 2001 Letter from John Plunkett to Director Lewis
Exhibit I - September 1, 1983 Letter from WSI to Staff
Exhibit J - September 21, 1983 CUP Staff Report
Exhibit K - 1983 WSI CUP application
Exhibit L - October 9, 1984 Easement Agreement
Exhibit M - September 17, 2001 notice letter
Exhibit N - September 27, 2001 Letter from Administrator Putt to John Plunkett
Exhibit O - October 4, 2001 from Director Lewis to John Plunkett
Exhibit P - October 15, 2001 letter from John Plunkett to Director Lewis
Exhibit Q - November 1, 2001 letter From Director Lewis to John Plunkett
Exhibit R - November 26, 2001letter from WSI to Director Lewis
Exhibit S - Land Management Code Section 15-2.2-2(A)
Exhibit T - Land Management Code Section 15-1-9(D)

M:\RAY\WorkFiles\planningCommission\2001\543ParkCUPAppeal.wpd

PL-18-03803

PARK CITY 1884

PLANNING DEPARTMENT

THE PLANNING COMMISSION
PARK CITY, SUMMIT COUNTY, UTAH

RE: CONDITIONAL USE PERMIT FOR A 'RECREATION FACILITY, PRIVATE' IN THE (HR-1) HISTORIC RESIDENTIAL ZONE

The Planning Commission of Park City, Utah met on Wednesday, November 10, 2010 for a regularly scheduled and duly noticed meeting. After determining that a quorum was present, the Commission conducted its scheduled business. Among the items heard by the Commission was the 543 Park Avenue Conditional Use Permit application.

NOTICE OF PLANNING COMMISSION ACTION:

Project Address:	543 Park Avenue
Project Number:	PL-10-01066
Type of Hearing:	Conditional Use Permit – Recreation Facility, Private (swimming pool) for Bed & Breakfast
Hearing Date:	November 10, 2010
Commission Action:	**APPROVED** the request pursuant to the findings of fact, conclusions of law and conditions of approval as written below.

Findings of Fact - 543 Park Avenue

1. The property is located at 543 Park Avenue.

2. The zoning is Historic Residential (HR-1).

3. The proposed Conditional Use Permit is for a private recreation facility (lap pool).

4. The Washington School Inn is a landmark structure listed on the Park City Historic Sites Inventory, when the site was nominated to the National Register in 1978, the building was vacant and in disrepair.

5. On September 21, 2983, the Historic District Commission granted a conditional use permit for the site to rehabilitated and adaptively reused as a bed and breakfast. The site continues to be used as a bed and breakfast.

6. On March 22, 1984, Park City Municipal Corporation entered a non-exclusive easement agreement for the parking access and use of the staircase located as the north 21.5 feet of Lot 11 and all of Lot 36, Block 9 of the amended plat of Park City Survey.

7. On October 9, 1984 an easement agreement (entry #225977) granted the Washington School Inn a private easement for the 11 automobile parking spaces.

8. On June 7, 2001, the City Council approved a plat amendment to combine seven old town lots into one lot of record on the site where the Inn is located.

9. The dimensions of the proposed lap pool are ten feet wide by forty fee long.

10. Retaining walls are necessary due to the steepness of the existing grade in the rear yard. The proposed retaining walls exceed six feet in height in some locations within the building pad area. Six foot high retaining walls and fences within the side yard setbacks and four foot high retaining walls and fences within the front setbacks are permitted by the Code. 15-4-2(1) allows an increase to six foot high retaining walls and fences in the front yard setback.

11. Additional parking requirements for the site are not affected by this application. Parking by guests or employees shall only occur in designated parking associated with the original Conditional Use Permit for the bed and breakfast.

12. The lap pool is for the use of the Washington School Inn guests. No additional traffic will be produced by the addition of a lap pool on the property.

13. The heated lap pool will not be enclosed. No enclosed structures are included within this application. The pool will be fenced.

14. The application includes an open shade structure and landscape improvements. Approval for compliance with the historic district design guidelines is required prior to issuance of a building permit.

15. Passive use of the Washington School Inn garden and grounds by patrons of the Inn are a permitted use in the HR1 zone and consistent with the 1983 conditional use permit approval. Organized events for the Washington School Inn patrons and/or the general public including parties weddings, or other public assemblies, are not permitted in the HR1 zone and are outside the scope of the 1983 conditional use permit.

16. The Washington School Inn is identified as a Landmark Structure on the Historic Sites Inventory with a recorded Facade Easement with the State of Utah.

17. The stone walkway and landscape improvements through adjacent lot have been removed and are reflected in the drawings dated November 10, 2010.

Conclusions of Law - 543 Park Avenue

1. There is good cause for this Conditional Use Permit.

2. The Conditional Use Permit is consistent with the Park City Land Management Code and applicable State law.

3. Neither the public nor any person will be materially injured by the proposed Conditional Use Permit.

4. 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 - 543 Park Avenue

1. New retaining walls and fences proposed within the private recreation facility conditional use permit may not exceed six feet (6') in height.

2. The outdoor pool and spa shall be restricted to use between the hours of 7 am to 10 pm. A sign must be posted by the pool area stating the operating hours of the pool.

3. This approval is for a private recreation facility. Any additional uses, including public assemblies, must be reviewed independently and are outside the scope of the 1983 bed and breakfast conditional use permit and the present private recreation facility conditional use permit.

4. No guest or employee parking shall occur on Woodside Avenue or Park Avenue. Guest and employee parking shall adhere to the 1983 Bed & Breakfast conditional use permit approval.

5. The applicant will apply for a building permit from the City within one year from the date of Planning Commission approval. If a building permit has not been granted within one year's time, this Conditional Use Permit will be void.

6. Any modifications to signs shall be reviewed under separate application.

7. An approved Historic District Design review is required prior to building permit issuance.

8. Lighting of the proposed pool and deck will be restricted to hours of pool operation, 7 am to 10 pm.

9. Delivery and service vehicles to the Washington School Inn and related pool area will occur off of Park Avenue. Woodside Avenue may be used by maintenance vehicles to service pool only. Two or more complaints will require Planning Commission review. An administrative review will be conducted by Staff one year from the date of approval.

10. Noise levels will comply with 6-3-9 of the Park City Municipal Code.

11. Retaining walls and fences up to six feet (6') in height will be allowed in the front yard setback and side yard setbacks.

12. Improvements in the City right-of-way will require an Encroachment Agreement.

13. Mechanical equipment pad shall have roof structure shielding the mechanical equipment from view above.

Best Regards,

Kayla Sintz
Planning Department

PARK CITY
1884
PLANNING DEPARTMENT

August 22, 2012

P.C.E.
PO Box 536
Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

Application #	PL-12-01535
Subject	Washington School House
Address	543 Park Avenue
Description	Modification to Conditional Use Permit
Action Taken	Approved
Date of Action	August 21, 2012

On August 22, 2012 the Planning Commission called a meeting to order, a quorum was established, a public meeting was held, and the Planning Commission approved the modification to the Conditional Use Permit based on the following:

Findings of Fact:

1. The property is located at 543 Park Avenue.
2. The zoning is Historic Residential (HR-1).
3. On November 10, 2010, the Planning Commission approved a Conditional Use Permit for a private recreation facility. In the HR-1 zone, a Conditional Use Permit is required for a private recreation facility. A private lap pool for the bed and breakfast falls under the definition of a private recreation facility within the Land Management Code (LMC). The approved CUP allowed a lap pool behind the Washington School Inn.
4. On April 24, 2012, the City received a request for a modification to the November 10, 2010 approved CUP to expand the site to include Lot 34 of Block 5 of the Park City survey.
5. Lot 34 of Block 5 of the Park City survey is located on the north-west corner of the property. It is owned by the owner of the Washington School Inn. The lot is

a single lot of record, dimensioned twenty-five feet wide by seventy-five feet deep.

6. The proposed modification encloses Lot 34 with the site of the Washington School Inn within a six foot high fence.
7. A conditional use permit can include more than one lot of record.
8. Multiple lots of record may be enclosed by a fence.
9. The fence was installed in violation of the Conditional Use Permit. The fence enclosed the entire rear yard of the Washington School Inn including Lot 34 of Block 5 of the Park City survey. Lot 34 was not included in the site for the November 10, 2010 CUP approval.
10. A modification of the CUP is required to allow the fence to stay in the current location and for the owner to receive a Certificate of Occupancy from the City.
11. No structures are proposed on Lot 34. Stepping stones, vegetation, and the extension of the fence around the lot are the only improvement proposed on Lot 34.
12. If the owner plans to build a structure on lot 34 in the future, the conditional use permit will have to be modified to review the proposed change. If the owner chooses to develop the lot separately, the CUP must be modified to no longer include Lot 34.
13. The Washington School Inn is a landmark structure listed on the Park City Historic Sites Inventory and the National Register for Historic Places (listed 1978). The stone building was built in 1889. According the Park City Historic Sites Inventory, when the site was nominated to the National Register in 1978, the building was vacant and in disrepair.
14. On September 21, 1983, the Historic District Commission granted a conditional use permit for the site to rehabilitated and adaptively reused as a bed and breakfast. The site continues the use as a bed and breakfast.
15. On March 22, 1984, Park City Municipal Corporation entered a non-exclusive easement agreement for the parking access and use of the staircase located as the north 21.5 feet of Lot 11 and all of Lot 36, Block 9 of the amended plat of Park City Survey.
16. On October 9, 1984 an easement agreement (entry #225977) granted the Washington School Inn a private easement for the 11 automobile parking spaces.
17. On June 7, 2001, the City Council approved a plat amendment to combine seven old town lots into one lot of record.
18. Parking requirements for the site are not affected by this application.
19. The exterior of the existing historic Landmark Structure will not be modified.
20. Passive use of the Washington School Inn garden and grounds by patrons of the Inn are a permitted use in the HR1 zone and consistent with the 1983 conditional use permit approval.

21. Organized events for the Washington School Inn patrons and/or the general public including parties, weddings, or other public assemblies, are not permitted in the HR1 zone and are outside the scope of the 1983 condition use permit.

Conclusions of Law:

1. There is good cause for this Conditional Use Permit.
2. The Conditional Use Permit is consistent with the Park City Land Management Code and applicable State Law.
3. Neither the public nor any person will be materially injured by the proposed Conditional Use Permit.
4. 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 conditions of approval within the November 10, 2010 Conditional Use Permit continue to apply.
2. If the owner plans to build a structure on lot 34 in the future, the conditional use permit must be modified to review the proposed change. If the owner chooses to develop the lot separately, the CUP must be modified to no longer include Lot 34.
3. This approval is for a private recreation facility. Any additional uses, including public assemblies, must be reviewed independently and are outside the scope of the 1983 bed and breakfast conditional use permit and the present private recreation facility conditional use permit.
4. Any modifications to signs, lighting, or landscaping shall be reviewed under the appropriate application.
5. The applicant is required to submit for a review by the Planning Commission by August 22, 2013. The Planning Commission review is for compliance with the Conditional Use Permit.

If you have questions regarding your project or the action taken please don't hesitate to contact me at 435-615-5068 or kcattan@parkcity.org.

Sincerely,

Katie Cattan
Senior Planner

June 25, 2015

P.C.E.
PO Box 536
Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

Application #	PL-15-02759
Subject	Washington School House, 543 Park Avenue
Address	543 Park Avenue
Description	Modification of Conditional Use Permit
Action Taken	Approved
Date of Action	June 24, 2015

On June 25, 2015 the Planning Commission called a meeting to order, a quorum was established, a public meeting was held, and the Planning Commission approved the modification of the 1983 Conditional Use Permit (CUP):

Findings of Fact

1. The property is located at 543 Park Avenue, and is currently the home of the Washington School House bed and breakfast.
2. The zoning is Historic Residential (HR-1).
3. The proposed Modification to Conditional Use Permit is to permit the construction of on-site laundry facilities consisting of one (1) commercial size washing machine, one (1) commercial size dryer, one (1) commercial ironing board, one (1) small utility sink, and one (1) heating/cooling unit. The on-site laundry facilities are an auxiliary use of the bed and breakfast, in the non-historic accessory garage structure. The garage is north of and adjacent to the Washington School House building and is located within the same lot of record.
4. The Washington School House bed and breakfast is a landmark structure listed on the Park City Historic Sites Inventory (HSI) and the National Register of Historic Places (listed in 1978). The stone building was constructed in 1889. According to the HSI, the building was vacant and in disrepair at the time of its listing on the National Register in 1978.

5. On September 21, 1983, the Historic District Commission granted a conditional use permit for the site to be rehabilitated and adaptively reused as a bed and breakfast. The site continues to be used as such, and it has twelve (12) guest rooms. The Washington School House provides breakfast, snacks, and other light meals as needed to its guests.
6. On March 22, 1984, Park City Municipal Corporation entered a non-exclusive easement agreement for the parking access and use of the staircase located as the north 21.5 feet of Lot 11 and all of Lot 36, Block 9 of the amended plat of Park City Survey.
7. On October 9, 1984, an easement agreement (entry #225977) granted the Washington School Inn a private easement for the 11 automobile parking spaces.
8. On June 7, 2001, the Park City Council approved a plat amendment to combine seven Old Town lots into one lot of record on the site where the Inn is located.
9. On November 10, 2010, the Planning Commission approved a Conditional Use Permit for a private recreation facility, which included a year-round heated lap pool with connected hot tub and spa located behind the Washington School Inn. bed and breakfast
10. Use of the garage as an accessory structure is an allowed use in the HR-1 zone.
11. The garage has a side yard setback of four feet (4') along the north property line; the required side yard setback is three feet (3'). The garage is not historic.
12. The garage measures approximately 21 feet by 23 feet, or approximately 483 square feet. It is currently used as a storage room to support the bed and breakfast use only; it is not currently being used for parking.
13. The property is currently over footprint for the lot configuration with the existing historic structure and non-historic garage, thus no addition could be added to either existing structure, and no new enclosed building could be placed on the site.
14. Additional parking requirements for the site are not affected by this application. Parking by guests or employees shall only occur in designated parking associated with the original Conditional Use Permit for the bed and breakfast. The 1983 CUP approval did not include the garage as part of the site's parking requirement, thus any current use of the garage for private guest parking was an additional, but not required, benefit to the bed and breakfast.
15. The proposed laundry room does not require additional parking per the requirements of the Land Management Code. The relocation of the laundry room to the accessory structure will not displace any existing parking.
16. Adherence to previously approved associated parking with the original bed and breakfast CUP will be followed. Guests and employees will continue to not be permitted to park on Woodside Avenue. Deliveries and servicing of the bed and breakfast as well as its pool will continue to occur off of Park Avenue, per the existing CUP applications. Because the bed and breakfast will no longer be outsourcing their laundry, there will be a reduction to trucks servicing the site to fulfill the bed and breakfast's laundry needs.

17. The laundry facility in the garage will not interfere with existing access routes for emergency vehicles. The most direct emergency access to the laundry room will be from Park Avenue.
18. Minor exterior changes to the non-historic garage will include revising the design and operation of the existing overhead door, as well as new vents and flues on the south elevation of the structure. Laundry facilities are an auxiliary use to the bed and breakfast. Only laundry for the bed and breakfast will be done on site. Any new exhaust vents will not impact the site's existing open space.
19. Ownership of the current business license will not change. The use is limited to owners and guests of the property.
20. The use is proposed to be contained within the existing accessory structure—the garage, and no new structures are proposed at this time. The garage is not located on a Steep Slope, nor is the property located in the Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance.
21. Staff findings in the Analysis section are incorporated herein.

Conclusions of Law

1. The CUP, as proposed, is not consistent with all requirements of the Park City Land Management Code.
2. The CUP, as proposed, is consistent with the Park City General Plan.
3. Neither the public nor any person will be materially injured by the proposed CUP.
4. Approval of the CUP is 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 applicant shall apply for a building permit from the City within one (1) year from the date of Planning Commission approval. If a building permit has not been granted within one year's time, this Conditional Use Permit will be void.
2. An approved Historic District Design Review will be required prior to building permit issuance for any exterior work.
3. Fire sprinklers will be required by the Chief Building Official at the time of review of the building permit submittal.
4. Any improvements in the City right-of-way will require an Encroachment Agreement with the City prior to building permit issuance.
5. The needed exterior condenser will comply with LMC 15-2.2-3(I) which requires screened mechanical equipment and similar structures to be located a minimum of 5 feet from the side lot line. Any new exterior exhaust vents and similar equipment shall be screened with vegetation.
6. The laundry room shall only be used between the hours of 7am and 8pm.
7. The approval is for the on-site laundry room use only. Any additional uses would require additional CUP modification and are outside the scope of the 1983 bed and breakfast conditional use permit, the 2010 private recreation facility conditional use permit, and this 2015 modification to CUP.
8. No guest or employee parking shall occur on Woodside Avenue or Park Avenue. Guest and employee parking shall adhere to the 1983 conditional use permit

approval. Service and deliveries for the Washington School House Bed and breakfast shall continue along Park Avenue.

9. Any new signage will require a new sign permit.
10. No new lighting is proposed at this time. Any new lighting shall be reviewed and approved by the Planning Department prior to installation.
11. Noise levels shall comply with 6-3-9 of the Park City Municipal Code.

If you have questions regarding your project or the action taken please do not hesitate to contact me at 435-615-5067 or anya.grahn@parkcity.org.

Sincerely,

Anya E. Grahn

Anya Grahn
Historic Preservation Planner

City Council
Staff Report

Subject:	**2012 HPB Award to Washington School Hotel**
Authors:	**Anya Grahn, Historic Preservation Planner**
Department:	**Planning Department, GI-11-00124**
Date:	**May 16, 2013**

Summary Recommendation:
Staff recommends that the City Council partner with the Historic Preservation Board (HPB) to present the 2012 HPB Award to the Washington School House Hotel at 543 Park Avenue for its Excellence in Restoration of a landmark structure.

Background:
This is the second year that the Historic Preservation Board (HPB) has chosen to recognize a significant preservation project in the community. The award is not meant to compete with any of the Historical Society's awards, but complement the existing joint preservation efforts already taking place and highlight the *Design Guidelines for Historic Districts and Historic Sites* by which all development in the Historic Districts must comply.

Properties are selected for this award based on the following categories:

- Adaptive Re-Use
- Infill Development
- Excellence in Restoration
- Sustainable Preservation
- Embodiment of Historical Context
- Connectivity of Site

In 2011, the Historic Preservation Board recognized the exemplary adaptive reuse of the High West Distillery. The Board commissioned artist Sid Ostergaard to create a twenty (20) by thirty (30) inch oil painting of the building that currently hangs in the entry area of City Hall.

The HPB chose to honor the hotel at 543 Park Avenue for its Excellence in Restoration. Listed on the National Register of Historic Places in 1978, the Washington School House Hotel required significant interior renovation work, bringing back many of the historical elements that had been lost over time. The 1889 limestone school is a local landmark, and its adaptive reuse contributes to the success of our resort economy. The restoration of the landmark Washington School House Hotel also promotes historic preservation within Park City, which adds to our community's identity and sense of place. Preservation is an integral part of the City, and supports our cultural-heritage tourism and resort-based economy. This year, the Board commissioned artist Jan Perkins to create a twenty (20) by twenty (20) inch oil painting of the Washington School Hotel to be displayed in the entry area of City Hall.

The Washington School was the first of three (3) schools built in Park City during the late nineteenth century that followed the "ward school" concept. Built of hammered and tooled limestone blocks quarried in Peoa, Utah, the 1889 structure is a T-plan concept that originally had three (3) classrooms and a centrally located, square bell tower. It was built for a cost of $13,000. The school was one of the few buildings that survived the Great Fire of June 19, 1898. Elementary school classes commenced on November 18, 1889. Due to declining

enrollments, the school was sold in 1931. Though much of its historic materials were lost over time, the Washington School House Hotel has restored much of the structure's historic character and integrity.

Department Review:
Legal, Planning, and the City Manager reviewed this report and their feedback was incorporated.

Exhibit A—Historic Sites Inventory Form

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life + Internationally recognized & respected brand ~ Unique and diverse businesses + + +	~ Reduced municipal, business and community carbon footprints + Enhanced conservation efforts for new and rehabilitated buildings	+ Preserved and celebrated history; protected National Historic District + Community gathering spaces and places + Primarily locally owned businesses + Vibrant arts and culture offerings	+ Fiscally and legally sound + Engaged, capable workforce
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Positive ⇧	Positive ⇧	Very Positive ⇧	Positive ⇧
Comments: The Staff Recommendation advances a variety of goals and is responsive to historic preservation that enhance community character.				

Recommendation:
Staff recommends that the City Council partner with the Historic Preservation Board (HPB) to present the 2012 HPB Award to the Washington School House Hotel at 543 Park Avenue for its Excellence in Restoration of the landmark structure.

HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property: **Washington School**

Address: 543 Park Ave *AKA: 541 Park Avenue*

City, County: Park City, Summit County, Utah *Tax Number:* WSI-1

Current Owner Name: PCE *Parent Parcel(s):* PC-78-88-89 PC-79-A

Current Owner Address: PO BOX 536, PARK CITY, UT 84060-0536

Legal Description (include acreage): ALL LOTS 9 BLK 5 PARK CITY SURVEY; CONT O.04 AC

2 STATUS/USE

Property Category	*Evaluation**	*Reconstruction*	*Use*
☑ building(s), main	☑ Landmark Site	Date:	Original Use: Institutional
☐ building(s), attached	☐ Significant Site	Permit #:	Current Use: Commercial
☐ building(s), detached	☐ Not Historic	☐ Full ☐ Partial	
☐ building(s), public			
☐ building(s), accessory			
☑ structure(s)			

*National Register of Historic Places: ☐ ineligible ☑ eligible
☑ listed (date: 12/08/1978 - Individually listed.)

3 DOCUMENTATION

Photos: Dates
☐ tax photo:
☑ prints:
☐ historic: c.

Drawings and Plans
☐ measured floor plans
☐ site sketch map
☐ Historic American Bldg. Survey
☐ original plans:
☐ other:

Research Sources (check all sources consulted, whether useful or not)

☐ abstract of title	☑ tax card	☐ original building permit
☐ sewer permit	☑ Sanborn Maps	☐ obituary index
☐ city directories/gazetteers	☐ census records	☐ biographical encyclopedias
☐ newspapers	☑ city/county histories	☐ personal interviews
☐ Utah Hist. Research Center	☐ USHS Preservation Files	☐ USHS Architects File
☐ LDS Family History Library	☐ Park City Hist. Soc/Museum	☐ university library(ies):
☐ other:		

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.
Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah: University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.
McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.
Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.
Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: School type No. Stories: 2

Additions: ☐ none ☑ minor ☐ major (describe below) Alterations: ☐ none ☑ minor ☐ major (describe below)

Number of associated outbuildings and/or structures: ☐ accessory building(s), # _____; ☑ structure(s), # _1___.

General Condition of Exterior Materials:

Researcher/Organization: Preservation Solutions/Park City Municipal Corporation *Date:* 12-2008

☑ Good (Well maintained with no serious problems apparent.)

☐ Fair (Some problems are apparent. Describe the problems.):

☐ Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):

☐ Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Site: Stone retaining walls extend along the Park Avenue.

Foundation: Stone

Walls: Stone.

Roof: Cross-wing roof form sheathed in Wooden shingles.

Windows/Doors: Four-over-four double-hung sash type, small one-over-one double-hung sash type in paired or grouped.

Essential Historical Form: ☑ Retains ☐ Does Not Retain, due to:

Location: ☑ Original Location ☐ Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): The 2-story stone structure remains largely as it was described in the National Register nomination (see Nomination Form, National Register of Historic Places Inventory, 1978). When the site was nominated to the NR, the photographs suggest the building was vacant and in disrepair. The structure has been rehabilitated and adaptively reused as a Bed & Breakfast. Some changes have been made--garage added on north end of property--but many of the historical elements lost over time have been returned. The changes do not affect the site's original design integrity.

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): The setting has not been significantly altered from what is suggested in the Sanborn Insurance maps and what is described in the National Register nomination.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): The physical evidence from the period that defines this as an educational building constructed during the mining era are the use of stone, the building type of a central block with projecting wings, the bell tower, and the plain finishes.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, convey a sense of the type of educational buildings constructed in western towns of the late nineteenth and early twentieth centuries.

Association (Describe the link between the important historic era or person and the property.): The school building was constructed in 1889. It is one of the oldest buildings in Park City and is associated with development of public education in Park City.

This site was individually listed on the National Register of Historic Places in 1978. It was built c. 1889, is associated with the development of public education in Park City, and it retains its historic integrity. As a result, it meets the criteria set forth in LMC Chapter 15-11 for designation as a Landmark Site.

5 SIGNIFICANCE

Architect: ☑ Not Known ☐ Known: (source:) Date of Construction: c. 1889[1]

Builder: ☐ Not Known ☑ Known: R. Hobbs, contractor (source: National Register nomination)

[1] National Register nomination.

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

1. Historic Era:
   - ☑ Settlement & Mining Boom Era (1868-1893)
   - ☐ Mature Mining Era (1894-1930)
   - ☐ Mining Decline & Emergence of Recreation Industry (1931-1962)

   As stated in the National Register nomination, " The Washington School, constructed in 1889 of limestone quarried at Peoa, Utah is the remaining structure of the three public schools constructed in Park City in the late nineteenth century that followed the "ward school" concept. In addition, the structure is one of the few remaining buildings which survived the Great Fire of June 19, 1898. "

2. Persons (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. Architecture (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: Southeast oblique. Camera facing northwest, 2006.
Photo No. 2: East elevation. Camera facing west, 2006.
Photo No. 3: Northeast oblique. Camera facing southwest, 2006.
Photo No. 4: East elevation - garage. Camera facing west, 2006.
Photo No. 5: Southeast oblique. Camera facing northwest, 1995.
Photo No. 6: Northeast oblique. Camera facing southwest, 1978.
Photo No. 7: Southeast oblique. Camera facing northwest, 1978.

SERIAL NO.

RE-APPRAISAL CARD (1940 APPR. BASE)

Owner's Name

Owner's Address

Location

Kind of Building Res Street No. 553 Park Ave

Schedule 1 Class 3 Type 1-2-3-4 Cost $ X %

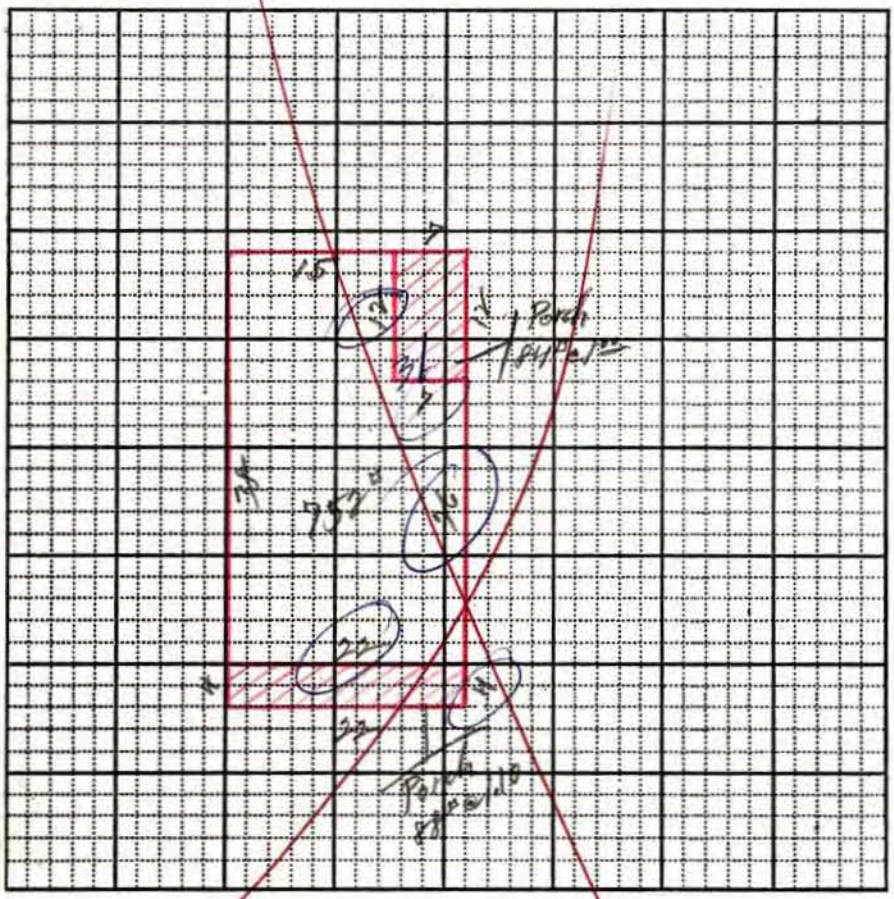
Stories	Dimensions	Cu. Ft.	Sq. Ft.	Actual Factor	Totals
1	x x		752	$ —	$ 1470
	x x			$	$
	x x			$	$

No. of Rooms 4 Condition

Description of Building	Add	Deduct
120 @ 1= Foundation—Stone Conc. None ✓		120
Ext. Walls Siding		
Insulated—Floors Walls Clgs.		
Roof—Type Gab. Mat. Pot. Shg.		
Dormers—Small Med. — Lg.		
Bays—Small Med. — Lg.		
Porches—Front 88# @ 1.10	97	
Rear 84# @ 1=	84	
Cellar—Basm't—¼ ⅓ ½ ⅔ ¾ full-floor Dirt		
Basement Apts.—Rooms Fin. —		
Attic Rooms Fin. — Unfin.		
Plumbing—Class 1 Tub 1 Trays Basin 1 Sink 1 Toilet 1 Urls. Ftns. Shr. Dishwasher Garbage Disp.	350	
Heat—Stove ✓ H. A. Steam S. Blr. Oil Gas Coal		
Air Conditioned Incinerators		
Radiant—Pipeless		
Finish—Hd. Wd. Fir. ✓ Floors—Hd. Wd. Fir. ✓ Conc.		
Cabinets 1 Mantels —	40	
Tile—Walls Wainscot. Floors —		
Lighting—Lamp Drops ✓ Fix.		
Lbr. Lined. No Studs - 11 @ 35=		140
Total Additions and Deductions	571	260
Net Additions or Deductions	-260	

		1470
		$ +311
Ave Age 45 Yrs. by Est. Owner Tenant Neighbors Records ✓	REPRODUCTION VALUE	$ 1781
	Depr. 1-2-3-4-5-6 58/42 %	$
	Reproduction Val. Minus Depr.	$ 748
Remodeled Est. Cost	Remodeling Inc. %	$
Garage—S 8 C Depr. 2% 3%	Obsolescence	$
Cars Walls	Out Bldgs.	$
Roof Size x Age		$
Floor Cost Depreciated Value Garage		$
Remarks (3 yr Ave Used 1941)	Total Building Value	$

Appraised 10/1949 By CAO-AJ



OUT BUILDINGS	Age	Size	Area	Factor	Cost	Depr. Value
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				

Serial No. PC79

Location

Kind of Bldg. RES St. No. 553 Park Ave

Class 3 Type 1 2 3 4. Cost $ X %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Factor	Totals
1	x x		752		$ 1527
	x x				
	x x				

Gar.—Carport x Flr. Walls Cl.

Description of Buildings	Additions
Foundation—Stone Conc. None ✓	
Ext. Walls SIDING	
Insulation—Floors Walls Clgs.	
Roof Type Galv Mtl. Pat	
Dormers—Small Med. Large	
Bays — Small Med Large	
Porches — Front 88 @ 100	88
Rear 84 @ 100	84
Porch @	
Metal Awnings Mtl. Rail	
Basement Entr. @	
Planters @	
Cellar-Bsmt. — ¼ ⅓ ½ ⅔ ¾ Full Floor dirt	50
Bsmt. Apt. Rooms Fin. Unfin.	
Attic Rooms Fin. Unfin.	
Plumbing: Class 1 Tub 1 Trays; Basin 1 Sink 1 Toilet 1; Wtr. Sftr. Shr. St. O.T.; Dishwasher Garbage Disp.	350
Built-in-Appliances	
Heat—Stove ✓ H.A. Steam Stkr. Blr.	
Oil Gas Coal Pipeless Radiant	
Air Cond.	
Finish— Fir ✓ Hd. Wd.	
Floor— Fir ✓ Hd. Wd Other	
Cabinets 1 Mantels	
Tile — Walls Wainscot Floors	
Storm Sash— Wood D. S.; Metal D. S.	
Total Additions	572

Year Built	Avg. Age 53	Current Value	$ 2099
		Commission Adj. %	
Inf. by (Owner) - Tenant - Neighbor - Record - Est.		Bldg. Value	
		Depr. Col. 1 2 3 4 5 6 34 %	
Remodel Year Est. Cost		Current Value Minus Depr.	$ 714

Garage — Class Depr. 2% 3% Carport — Factor

Cars Floor Walls Roof Doors

Size — x Age Cost x %

Other

Total Building Value $

Appraised 11-29 19 57 By 1331

PC 79
Serial Number

OF
Card Number

Owners Name

Location

Kind of Bldg. Res St. No. 653 Park

Class 3 Type 1 2 (3) 4. Cost $ X 100 %

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
	x x	752		$ 3,363	$
	x x				
	x x				

Att. Gar.—C.P. x Flr. Walls Cl.

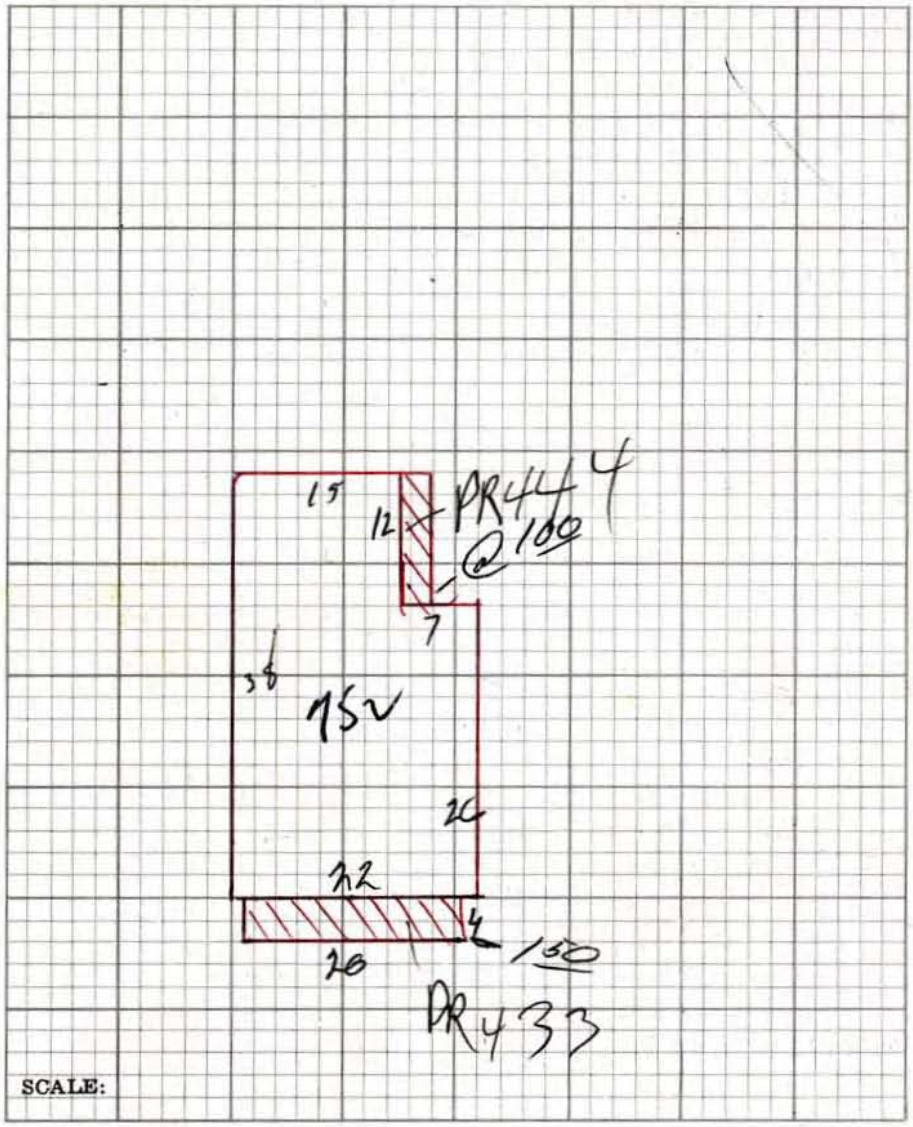
Description of Buildings	Additions	Additions
Foundation—Stone Conc. A Sills		
Ext. Walls Sid (A)		
Roof Type Gab Mtl. RR		
Dormers—Small Med. Large		
Bays—Small Med Large		
Porches—Front 30# @ 150	120	
Rear 36# @ 100	36	
Porch @		
Planters @		
Ext. Base. Entry @		
Cellar-Bsmt. — ¼ ⅓ ½ ⅔ ¾ Full Floor	80	
Bsmt. Gar.		
Basement-Apt. Rms. Fin. Rms.		
Attic Rooms Fin. 1 Unfin.	225	
Plumbing: Class 1 Tub. 1 Trays; Basin 1 Sink 1 Toilet 1; Wtr. Sftr. Shr. St. O.T.; Dishwasher Garbage Disp.	550	
Heat—Stove H.A. FA X HW Stkr Elec.	329	
Oil Gas X Coal Pipeless Radiant		
Air Cond. — Full Zone		
Finish—Fir. 1 Hd. Wd. Panel		
Floor—Fir. 1 Hd. Wd Other		
Cabinets 1 Mantels		
Tile—Walls Wainscot Floors		
Storm Sash—Wood D. S.; Metal D. 1 S.	30	
Awnings — Metal Fiberglass		
Total Additions	1370	

Peap 11-20-79 #22172

Year Built 1904	Avg.	1904	Replacement Cost	4733
	Age	2.	Obsolescence	
Inf. by (Owner) Tenant Neighbor (Record) Est.			Adj. Bld. Value	
			Conv. Factor	
Replacement Cost—1940 Base				
Depreciation Column (1) 2 3 4 5 6				
1940 Base Cost, Less Depreciation				
Total Value from reverse side				
Total Building Value				$

Appraised ① 10-17-68 19 By 1208 DEC 19 1968

Appraised ② 19 By 1328



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Conv. Fac.	Adj. Cost	Depr. Value
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		

Garage — Class _____ Depr. 2% 3% _____

Cars _____ Floor _____ Walls _____ Roof _____ Doors _____

Size _____ x _____ Age _____ Cost _____ x 47% _____

_____ 1940 Base Cost _____ x _____ % Depr. _____

_____ Total _____

REMARKS _____

TC-74 REV. 61
STATE OF UTAH — STATE TAX COMMISSION

Form No. 10-300 REV. (9/77)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

FOR NPS USE ONLY
RECEIVED JUN 6 1978
DATE ENTERED DEC 8 1978

SEE INSTRUCTIONS IN *HOW TO COMPLETE NATIONAL REGISTER FORMS*
TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS

1 NAME

HISTORIC
Washington School

AND/OR COMMON
Public School District No. 12

2 LOCATION

STREET & NUMBER
541 Park Avenue — __NOT FOR PUBLICATION

CITY, TOWN
Park City — __ VICINITY OF

CONGRESSIONAL DISTRICT

STATE
Utah

CODE

COUNTY
Summit

CODE

3 CLASSIFICATION

CATEGORY	OWNERSHIP	STATUS	PRESENT USE	
__DISTRICT	__PUBLIC	__OCCUPIED	__AGRICULTURE	__MUSEUM
X BUILDING(S)	X PRIVATE	X UNOCCUPIED	__COMMERCIAL	__PARK
__STRUCTURE	__BOTH	__WORK IN PROGRESS	__EDUCATIONAL	__PRIVATE RESIDENCE
__SITE	**PUBLIC ACQUISITION**	**ACCESSIBLE**	__ENTERTAINMENT	__RELIGIOUS
__OBJECT	__IN PROCESS	__YES: RESTRICTED	__GOVERNMENT	__SCIENTIFIC
	__BEING CONSIDERED	X YES: UNRESTRICTED	__INDUSTRIAL	__TRANSPORTATION
		__NO	__MILITARY	X OTHER: Vacant

4 OWNER OF PROPERTY

NAME
David S. Grow

STREET & NUMBER
P. O. Box 202

CITY, TOWN
Provo — __ VICINITY OF

STATE
Utah

5 LOCATION OF LEGAL DESCRIPTION

COURTHOUSE, REGISTRY OF DEEDS, ETC.
Summit County Courthouse

STREET & NUMBER

CITY, TOWN
Coalville

STATE
Utah

6 REPRESENTATION IN EXISTING SURVEYS

TITLE
Utah State Historic Sites Inventory

DATE
1973/1978 — __FEDERAL X STATE __COUNTY __LOCAL

DEPOSITORY FOR SURVEY RECORDS
Utah State Historical Society

CITY, TOWN
Salt Lake City

STATE
Utah

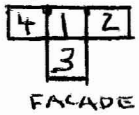
974

7 DESCRIPTION

CONDITION		CHECK ONE	CHECK ONE
_EXCELLENT	XDETERIORATED	XUNALTERED	XORIGINAL SITE
_GOOD	_RUINS	_ALTERED	_MOVED DATE_____
_FAIR	_UNEXPOSED		

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

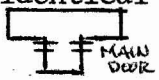
The basic plan of the George Washington Schoolhouse is a "T" plan built in stone. It is a split level structure rising to a height of two full storeys at the main elevation and one and one half at the rear. Three wings extend from the central block on both sides and the front. The central square and wings will be numbered as follows:



The plot is located on a slope which causes the split leveling. The basement, done in cut stone, is partial, only extending under section #3. The exterior wall material is also cut stone and is a combination of broken course and composition coursing. The texture of the stone is hammered or tooled. In the exterior wall of the main facade there is a date stone which reads "Public School District No. 12, 1889."

The total roof shape is a "T" gable covered with wood (probably cedar) shingles. There are three interior chimneys which are centrally located at the end of wings 2,3, and 4. These are single units made of brick. There are several dormer windows of pediment shape and having windows of the "four sash with mullions" type. The eaves are done in wood which projects and have no exposed rafters. The raking is a wood fascia and frieze with no special features.

The main windows on the first floor are flat two sash (double hung) with a plain lintel. There are no side elements, but the sill is of lugsill type. Both lintel and sill are done in smoothly cut stone. The second floor windows are two sash with one upper and one lower. There are two circular windows in the uppermost storey of section two.

There are two identical doors, one main and one secondary, located off-center on the main floor. 

Their structural openings are flat with plan, cut stone surround heads and sides. The architrave type is plain with embrasure. The side panels are recessed on both sides and the transom panels are plain and recessed. The doors are double, four panel doors, and the panels are recessed with moulded railings. The glazing on the door was undeterminable.

The location of the main staircase is at the main door. They extend straight from the main door parallel to the exterior wall from a low porch supported by wooden blocks.

One of the more interesting features of the building is the centrally located bell tower which is square in shape, supported at four corners by wood columns having bracketed eaves and scroll worked corner brackets. Topping the steep cupola roof is a flag pole which could be original. The sides of the cupola below the roof are open at this time and the bell has been removed.

8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW				
__PREHISTORIC	__ARCHEOLOGY-PREHISTORIC	__COMMUNITY PLANNING	__LANDSCAPE ARCHITECTURE	__RELIGION	
__1400-1499	__ARCHEOLOGY-HISTORIC	__CONSERVATION	__LAW	__SCIENCE	
__1500-1599	__AGRICULTURE	__ECONOMICS	__LITERATURE	__SCULPTURE	
__1600-1699	X ARCHITECTURE	X EDUCATION	__MILITARY	__SOCIAL/HUMANITARIAN	
__1700-1799	__ART	__ENGINEERING	__MUSIC	__THEATER	
X 1800-1899	__COMMERCE	__EXPLORATION/SETTLEMENT	__PHILOSOPHY	__TRANSPORTATION	
__1900-	__COMMUNICATIONS	__INDUSTRY	__POLITICS/GOVERNMENT	__OTHER (SPECIFY)	
		__INVENTION			

SPECIFIC DATES 1889 BUILDER/ARCHITECT R. Hobbs, contractor

STATEMENT OF SIGNIFICANCE

The Washington School, constructed in 1889 of limestone quarried at Peoa, Utah is the remaining structure of the three public schools constructed in Park City in the late nineteenth century that followd the "ward school" concept. In addition, the structure is one of the few remaining buildings which survived the Great Fire of June 19, 1898.

HISTORY

Park City, Utah, quickly became one of the leading and most profitable argentiferous lead mining areas in the world. The initial discover date is cited as 1868, but it was the Ontario Mine, sold to George Hearst in 1872, that initiated efforts to mine lode ores and acted as the catalyst for Park City's reputation as a bonanza camp. The district grew rapidly attracting a diverse population, with commercial and social activity centered in the town of Park City.

The increase in population and prosperity affected Park City's development from a settlement, to a camp, and finally to a town. Within such a framework of development the social environment underwent changes, with various aspects of that environment needing attention. Education, practically from the outset, became of particular importance.

The first educational efforts in Park City culminated in the establishment of the Ontario School, in 1875. Other reports indicate that earlier in the winter of 1875, John L. Street and George C. Snyder sponsored a school taught by Dominic Dignan;[1] followed by the Ontario School, which was supported by subscriptions from the Ontario miners, and also from donations. Following closely were other schools sponsored by the Catholic Church, Congregational Church and the Public Free School No. 12.

The 1870's and 1880's proved a difficult period for public schools in Park City. Tax measures to aid public education were voted down and in addition, the presence of other schools, Saint Mary's (Catholic) and the Park Academy (Congregational), created alternatives to public education. The Free School was originally run by the New West Education Commission, Congregational Church, but sponsorship was later dropped because of financial difficulties. The church shortly thereafter sponsored the Park Academy. In 1883 citizens voted down a school tax levy;[2] children were to be sent to either Saint Mary's (still remaining) or the Park Academy.

[1] William McPhee, The Trail of the Leprechaun: Early History of a Utah Mining Camp (Hicksville, N.Y., 1977), p. 69; J. Weston Woodbury, "A History of the Park City School District," (M.S. Thesis, University of Utah, 1960).

[2] Ibid., pp. 69-78: Woodbury, Park City School District, p. 57

9 MAJOR BIBLIOGRAPHICAL REFERENCES

McPhee, William M. The Trail of the Leprechaun: Early History of a Utah Mining Camp Hicksville, N.Y. 1977

Woodbury, J. Weston, "A History of the Park City School District." M.S. thesis, University of Utah, 1960

Park City School District No. 12, Treasurer Ledger, August 1880, to June 1897. Park City Board of Education Office

10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY less than one acre

QUADRANGLE NAME Park City East, Utah QUADRANGLE SCALE 1:24000

UTM REFERENCES

	ZONE	EASTING	NORTHING
A	12	457990	4499210
B			
C			
D			
E			
F			
G			
H			

VERBAL BOUNDARY DESCRIPTION

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE	CODE	COUNTY	CODE
STATE	CODE	COUNTY	CODE

11 FORM PREPARED BY

NAME / TITLE
Philip F. Notarianni, Historian

ORGANIZATION
Utah State Historical Society

DATE
March 31, 1978

STREET & NUMBER
307 West 2nd South, Suite 1000

TELEPHONE
533-6017

CITY OR TOWN
Salt Lake City,

STATE
Utah

12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

NATIONAL ___ STATE X LOCAL ___

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

STATE HISTORIC PRESERVATION OFFICER SIGNATURE

TITLE SHPO DATE May 24, 1978

FOR NPS USE ONLY

I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER

DATE 12-8-78

KEEPER OF THE NATIONAL REGISTER

ATTEST: DATE

CHIEF OF REGISTRATION

William A. Brockman 12-8-78

GPO 921-803

Form No. 10-300a
(Rev. 10-74)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

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DATE ENTERED DEC 8 1978

Population growth, apparently increased a demand, as reports indicated an enrollment of one hundred during the 1885-1886 school year. At that time the Public Free School, District No. 12[3] had John F. Bledsoe as principal, later replaced by Miss Lizzie Holding, assisted by Miss Mary Kelly. During the 1886-1887 year, C.A. Short was hired as principal, with assistants Mrs. F. V. Davis and Miss E. L. Stalker. Enrollment increased to 162. In 1888, Professor M. G. Hoover replaced Short, with rolls climbing to 194 students.

During 1888, the Trustees of School District No. 12 debated the issue of building new schools. Opposition formed against the idea of a large central school because of a lack of a sufficient population and a lack of property valuation to provide for construction This followed from an earlier meeting, in July 1888, in which interest was generated in the building of two ward school houses (political "wards")-upper and lower Park Avenue. This system was favored, and as a result studies were made, and plans obtained, of two existing schools -- one a ward school in Grand Haven, Michigan, and the other the school at Lynn, near Ogden, Utah.[4]

The June 15, 1889 issue of The Park Record related that the old public school house on Park Avenue was to be demolished to make way for a new structure. In July the Trustees of District No. 12 decided that the school should be constructed of rock, not lumber, and would contain three rooms, each 30 by 30 feet in size, with 16 foot ceilings. A contract was let to R. Hobbs, and grading commenced, but the excessive amount of grading necessary to prepare the lot caused a delay in the structure's completion.[5]

The rock building, in contrast to the red brick used in later structures, was completed in the late fall of 1889, at a cost of about $13,000.[6] Classes for the elementary grades commenced on November 18, 1889, and The Park Record quickly labeled the building as ". . . one of the finest in the state." The school, known originally as the Central School, or Building No. 1, was the first of three schools built in the 1880s and 1890s to accomodate Park City's growing population. School Buildings No. 2 and No. 3 were erected in 1891 and 1895 respectively. On July 12, 1897, F. R. Davis, Clerk of District No. 12, suggested that due to confusion, the Central School, and Buildings No. 2 and 3 be named the Washington, Jefferson, and Lincoln Schools. Davis' motion carried.[8]

---

[3]The first record of this district is a Treasurer's Ledger, dated August 10, 1880.

[4]The Park Record, July 14, 1888; December 1, 1888. In the July, 1888 meeting, Frank E. James stated that by law the trustees were not allowed to bond the school district or involve it in heavy debt; therefore, the board decided to postpone a decision until 1889, in time to have increased the building fund.

[5]The Park Record, June 15, 1889; July 27, 1889; September 14, 1889; Park City School District No. 12, Treasurer Ledger, August, 1880 to June 1897, p. 49, Hobbs was paid $348.55.

[6]Sources vary from $10,5550.00 to $13,807.71.

978

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

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[7]The Park Record, November 9, 1889.

[8]Record of District School No. 12, July 8, 1895- July 6, 1906, pp. 38,39.

The Washington School continued to function as an important part of Park City's educational program until 1931. At that time the school and lot were listed for sale, the Trustees having decided to close the school in the term, apparently due to declining enrollments. It was sold in 1936 to the Veterans of Foreign Wars for $200.00. A new central school, the Marsac Elementary School, was constructed in 1936 when the Trustees voted to build a new central elementary school rather than remodeling the Jefferson or Lincoln schools.[9]

Thus, the Washington School remains and is most significant because of its architectural detailing (see Item 7) and its role in documenting the history of public eduation in Park City, Utah. The present owner has granted the Utah State Historical Society a preservation easement on the facade to insure the building's preservation.

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[9]Woodbury, Park City School District, p. 61; Hazel T. Taylor, Clerk, to Kent Powell, Historian, Utah State Historical Society, October 22, 1971.

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

FOR NPS USE ONLY
RECEIVED JUN 6 1978
DATE ENTERED DEC 8 1978

The Park Record, July 14, 1888; December 1, 1888; June 15, 1889; July 27, 1889; September 14, 1889; November 9, 1889.

Record of District School No. 12, July 8, 1895 - July 6, 1906. Park City Board of Education Offices.

981

982

LOADING
ZONE
15 MIN
PARKING

9866

987

HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property: **Washington School**

Address: 543 Park Ave *AKA: 541 Park Avenue*

City, County: Park City, Summit County, Utah *Tax Number:* WSI-1

Current Owner Name: PCE *Parent Parcel(s):* PC-78-88-89 PC-79-A

Current Owner Address: PO BOX 536, PARK CITY, UT 84060-0536

Legal Description (include acreage): ALL LOTS 9 BLK 5 PARK CITY SURVEY; CONT O.04 AC

2 STATUS/USE

Property Category	*Evaluation**	*Reconstruction*	*Use*
☑ building(s), main	☑ Landmark Site	Date:	Original Use: Institutional
☐ building(s), attached	☐ Significant Site	Permit #:	Current Use: Commercial
☐ building(s), detached	☐ Not Historic	☐ Full ☐ Partial	
☐ building(s), public			
☐ building(s), accessory			
☑ structure(s)			

*National Register of Historic Places: ☐ ineligible ☑ eligible
☑ listed (date: 12/08/1978 - Individually listed.)

3 DOCUMENTATION

Photos: Dates
☐ tax photo:
☑ prints:
☐ historic: c.

Drawings and Plans
☐ measured floor plans
☐ site sketch map
☐ Historic American Bldg. Survey
☐ original plans:
☐ other:

Research Sources (check all sources consulted, whether useful or not)

☐ abstract of title	☑ tax card	☐ original building permit
☐ sewer permit	☑ Sanborn Maps	☐ obituary index
☐ city directories/gazetteers	☐ census records	☐ biographical encyclopedias
☐ newspapers	☑ city/county histories	☐ personal interviews
☐ Utah Hist. Research Center	☐ USHS Preservation Files	☐ USHS Architects File
☐ LDS Family History Library	☐ Park City Hist. Soc/Museum	☐ university library(ies):
☐ other:		

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.
Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah: University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.
McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.
Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.
Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: School type No. Stories: 2

Additions: ☐ none ☑ minor ☐ major (describe below) Alterations: ☐ none ☑ minor ☐ major (describe below)

Number of associated outbuildings and/or structures: ☐ accessory building(s), # _____; ☑ structure(s), # _1___.

General Condition of Exterior Materials:

Researcher/Organization: Preservation Solutions/Park City Municipal Corporation *Date:* 12-2008

☑ Good (Well maintained with no serious problems apparent.)

☐ Fair (Some problems are apparent. Describe the problems.):

☐ Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):

☐ Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Site: Stone retaining walls extend along the Park Avenue.

Foundation: Stone

Walls: Stone.

Roof: Cross-wing roof form sheathed in Wooden shingles.

Windows/Doors: Four-over-four double-hung sash type, small one-over-one double-hung sash type in paired or grouped.

Essential Historical Form: ☑ Retains ☐ Does Not Retain, due to:

Location: ☑ Original Location ☐ Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): The 2-story stone structure remains largely as it was described in the National Register nomination (see Nomination Form, National Register of Historic Places Inventory, 1978). When the site was nominated to the NR, the photographs suggest the building was vacant and in disrepair. The structure has been rehabilitated and adaptively reused as a Bed & Breakfast. Some changes have been made--garage added on north end of property--but many of the historical elements lost over time have been returned. The changes do not affect the site's original design integrity.

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): The setting has not been significantly altered from what is suggested in the Sanborn Insurance maps and what is described in the National Register nomination.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): The physical evidence from the period that defines this as an educational building constructed during the mining era are the use of stone, the building type of a central block with projecting wings, the bell tower, and the plain finishes.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, convey a sense of the type of educational buildings constructed in western towns of the late nineteenth and early twentieth centuries.

Association (Describe the link between the important historic era or person and the property.): The school building was constructed in 1889. It is one of the oldest buildings in Park City and is associated with development of public education in Park City.

This site was individually listed on the National Register of Historic Places in 1978. It was built c. 1889, is associated with the development of public education in Park City, and it retains its historic integrity. As a result, it meets the criteria set forth in LMC Chapter 15-11 for designation as a Landmark Site.

5 SIGNIFICANCE

Architect: ☑ Not Known ☐ Known: (source:) Date of Construction: c. 1889[1]

Builder: ☐ Not Known ☑ Known: R. Hobbs, contractor (source: National Register nomination)

[1] National Register nomination.

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

1. Historic Era:
   - ☑ Settlement & Mining Boom Era (1868-1893)
   - ☐ Mature Mining Era (1894-1930)
   - ☐ Mining Decline & Emergence of Recreation Industry (1931-1962)

   As stated in the National Register nomination, " The Washington School, constructed in 1889 of limestone quarried at Peoa, Utah is the remaining structure of the three public schools constructed in Park City in the late nineteenth century that followed the "ward school" concept. In addition, the structure is one of the few remaining buildings which survived the Great Fire of June 19, 1898. "

2. Persons (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. Architecture (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: Southeast oblique. Camera facing northwest, 2006.
Photo No. 2: East elevation. Camera facing west, 2006.
Photo No. 3: Northeast oblique. Camera facing southwest, 2006.
Photo No. 4: East elevation - garage. Camera facing west, 2006.
Photo No. 5: Southeast oblique. Camera facing northwest, 1995.
Photo No. 6: Northeast oblique. Camera facing southwest, 1978.
Photo No. 7: Southeast oblique. Camera facing northwest, 1978.

SERIAL NO.

RE-APPRAISAL CARD (1940 APPR. BASE)

Owner's Name

Owner's Address

Location

Kind of Building Res Street No. 553 Park Ave

Schedule 1 Class 3 Type 1-2-3-4 Cost $ X %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Actual Factor	Totals
1	x x		752	$ —	$ 1470
	x x			$	$
	x x			$	$

No. of Rooms 4 Condition

Description of Building	Add	Deduct	
120' @ 1.00 Foundation—Stone Conc. None ✓		120	
Ext. Walls Siding			
Insulated—Floors Walls Clgs.			
Roof—Type Gab. Mat. Pot. Shg.			
Dormers—Small Med. — Lg.			
Bays—Small Med. — Lg.			
Porches—Front 88# @ 1.10	97		
Rear 84# @ 1.00	84		
Cellar—Basm't—¼ ⅓ ½ ⅔ ¾ full-floor Dirt			
Basement Apts.—Rooms Fin. —			
Attic Rooms Fin. — Unfin.			
Plumbing—Class 1 Tub 1 Trays Basin 1 Sink 1 Toilet 1 Urls. Ftns. Shr. Dishwasher Garbage Disp.	350		
Heat—Stove ✓ H. A. Steam S. Blr. Oil Gas Coal			
Air Conditioned Incinerators			
Radiant—Pipeless			
Finish—Hd. Wd. Fir. ✓ Floors—Hd. Wd. Fir. ✓ Conc.			
Cabinets 1 Mantels —	40		
Tile—Walls Wainscot. Floors —			
Lighting—Lamp Drops ✓ Fix.			
Lbr. Lined No Studs - 4 @ 35.00		140	
Total Additions and Deductions	571	260	1470
Net Additions or Deductions	-260		$ +311

Ave Age 45 Yrs. by Est. Owner ✓ Tenant Neighbors Records ✓

REPRODUCTION VALUE $ 1781

Depr. 1-2-3-4-5-6 58/42 % $

Reproduction Val. Minus Depr. $ 748

Remodeled Est. Cost | Remodeling Inc. % $

Garage—S 8 C Depr. 2% 3% | Obsolescence $

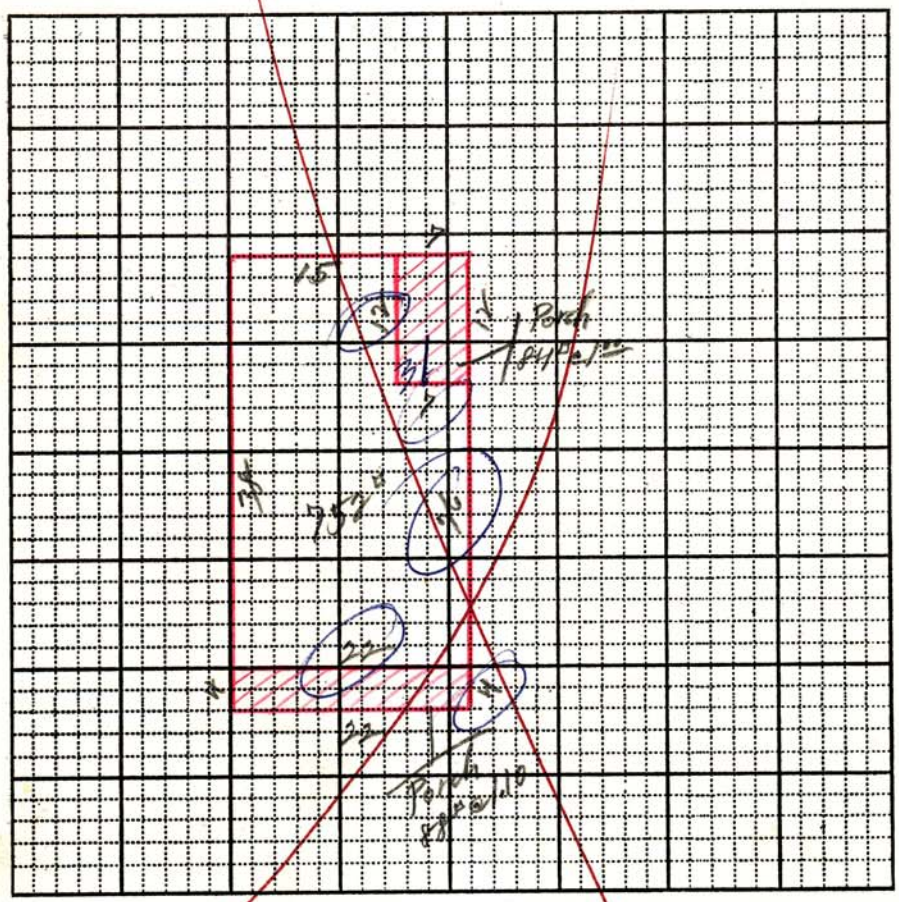
Cars Walls | Out Bldgs. $

Roof Size x Age | $

Floor Cost Depreciated Value Garage $

Remarks (37 yr Ave Used - 1941) Total Building Value $

Appraised 10/1949 By C.A.O. & A.J.



OUT BUILDINGS	Age	Size	Area	Factor	Cost	Depr. Value
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				

Form T. C. 74
State of Utah State Tax Commission

Serial No. PC 79

Location

Kind of Bldg. RES St. No. 553 Park Ave

Class 3 Type 1 2 (3) 4. Cost $ ____ X ____ %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Factor	Totals
1	x x		752		$ 1527
	x x				
	x x				

Gar.—Carport ____ x ____ Flr. ____ Walls ____ Cl. ____

Description of Buildings	Additions
Foundation—Stone ____ Conc. ____ None ✓	
Ext. Walls SIDING	
Insulation—Floors ____ Walls ____ Clgs. ____	
Roof Type Galv Mtl. Pat	
Dormers—Small ____ Med. ____ Large ____	
Bays — Small ____ Med. ____ Large ____	
Porches—Front 88 @ 100	88
Rear 84 @ 100	84
Porch ____ @ ____	
Metal Awnings ____ Mtl. Rail ____	
Basement Entr. ____ @ ____	
Planters ____ @ ____	
Cellar-Bsmt. — ¼ ⅓ ½ ⅔ ¾ Full ____ Floor dirt	50
Bsmt. Apt. ____ Rooms Fin. ____ Unfin. ____	
Attic Rooms Fin. ____ Unfin. ____	
Plumbing: Class 1 Tub 1 Trays ____	
Basin 1 Sink 1 Toilet 1	
Wtr. Sftr. ____ Shr. St. ____ O.T. ____	
Dishwasher ____ Garbage Disp. ____	350
Built-in-Appliances ____	
Heat—Stove ✓ H.A. ____ Steam ____ Stkr. ____ Blr. ____	
Oil ____ Gas ____ Coal ____ Pipeless ____ Radiant ____	
Air Cond. ____	
Finish— Fir ✓ Hd. Wd. ____	
Floor— Fir ✓ Hd. Wd. ____ Other ____	
Cabinets 1 Mantels ____	
Tile — Walls ____ Wainscot ____ Floors ____	
Storm Sash— Wood D. ____ S. ____ ; Metal D. ____ S. ____	
Total Additions	572

Year Built ____	Avg. Age 53	Current Value	$ 2099
		Commission Adj. %	
Inf. by (Owner) Tenant - Neighbor - Record - Est.		Bldg. Value	
		Depr. Col. 1 2 3 4 5 6 (34) %	
Remodel Year Est. Cost		Current Value Minus Depr.	$ 714

Garage — Class ____ Depr. 2% 3% Carport — Factor ____

Cars ____ Floor ____ Walls ____ Roof ____ Doors ____

Size — ____ x ____ Age ____ Cost ____ x ____ %

Other ____

Total Building Value $

Appraised 11-29 19 57 By 1331

PC 79
Serial Number

OF
Card Number

Owners Name

Location

Kind of Bldg. Res St. No. 653 Park

Class 3 Type 1 2 (3) 4. Cost $ X 100 %

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
	x x	752		$ 3,363	$
	x x				
	x x				

Att. Gar.—C.P. x Flr. Walls Cl.

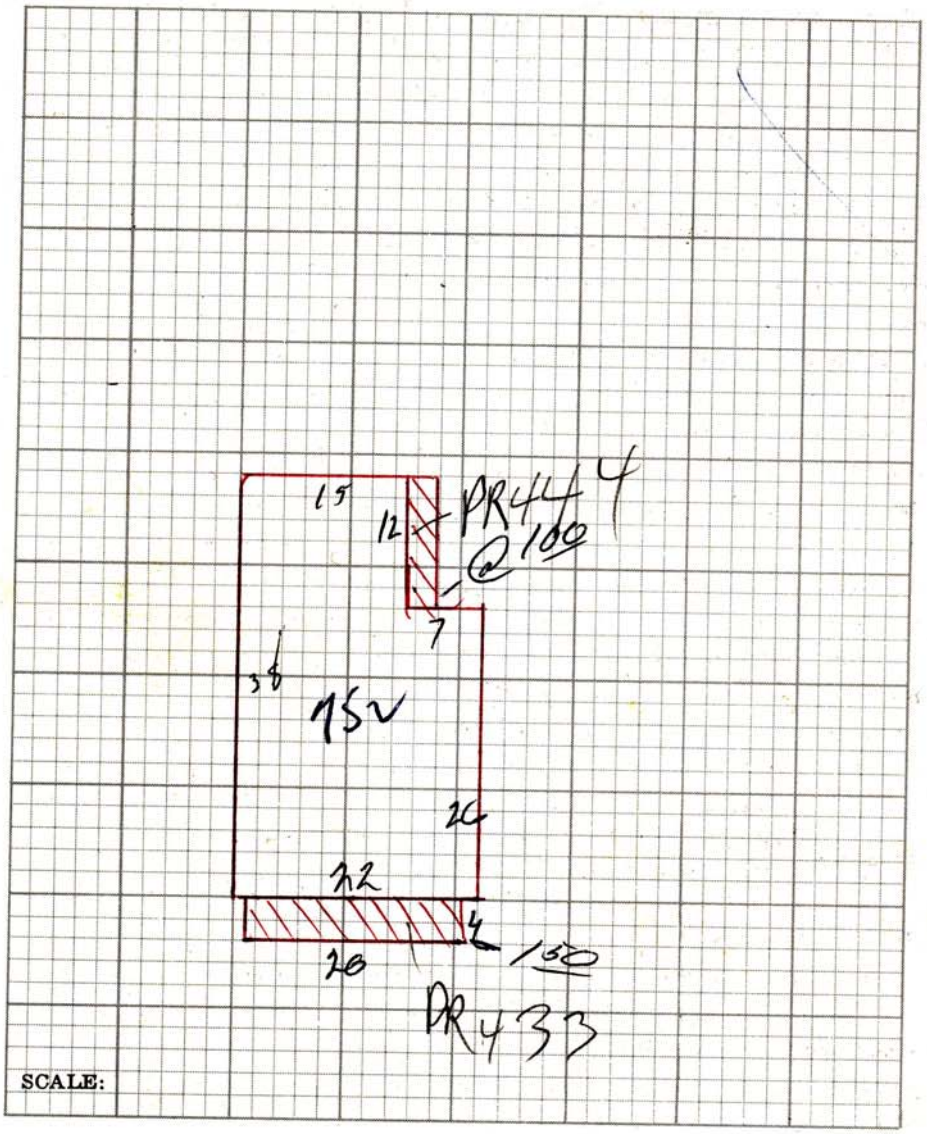
Description of Buildings	Additions	Additions
Foundation—Stone Conc. X Sills		
Ext. Walls Sid (A)		
Roof Type Gab Mtl. RR		
Dormers—Small Med. Large		
Bays—Small Med Large		
Porches—Front 80# @ 150	120	
Rear 36# @ 100	36	
Porch @		
Planters @		
Ext. Base. Entry @		
(Cellar) Bsmt. — ¼ ⅓ ½ ⅔ ¾ Full Floor	80	
Bsmt. Gar.		
Basement-Apt. Rms. Fin. Rms.		
Attic Rooms Fin. 1 Unfin.	225	
Plumbing: Class 1 Tub. 1 Trays; Basin 1 Sink 1 Toilet 1; Wtr. Sftr. Shr. St. O.T.; Dishwasher Garbage Disp.	550	
Heat—Stove H.A. FA X HW Stkr Elec.	329	
Oil Gas X Coal Pipeless Radiant		
Air Cond. — Full Zone		
Finish—Fir. 1 Hd. Wd. Panel		
Floor—Fir. 1 Hd. Wd Other		
Cabinets 1 Mantels		
Tile—Walls Wainscot Floors		
Storm Sash—Wood D. S.; Metal CL D. 1 S.	30	
Awnings — Metal Fiberglass		
Total Additions	1370	

Reap 11-20-79 #2272

Year Built 1904	Avg. 1 1904	Replacement Cost	4733	
	Age 2.	Obsolescence		
Inf. by (Owner) Tenant Neighbor (Record) Est.		Adj. Bld. Value		
		Conv. Factor	[illegible]	
Replacement Cost—1940 Base				
Depreciation Column (1) 2 3 4 5 6				
1940 Base Cost, Less Depreciation				
Total Value from reverse side				
Total Building Value			$	

Appraised ① 10-17-68 19 By 1208 DEC 13 1968

Appraised ② 19 By 1328



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Conv. Fac.	Adj. Cost	Depr. Value
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		

Garage — Class _____ Depr. 2% 3% _____

Cars _____ Floor _____ Walls _____ Roof _____ Doors _____

Size _____ x _____ Age _____ Cost _____ x 47% _____

_____ 1940 Base Cost _____ x _____ % Depr. _____

_____ Total _____

REMARKS _____

TC-74 REV. 61

STATE OF UTAH — STATE TAX COMMISSION

Form No. 10-300 REV. (9/77)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

FOR NPS USE ONLY
RECEIVED JUN 6 1978
DATE ENTERED DEC 8 1978

SEE INSTRUCTIONS IN *HOW TO COMPLETE NATIONAL REGISTER FORMS*
TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS

1 NAME

HISTORIC
Washington School

AND/OR COMMON
Public School District No. 12

2 LOCATION

STREET & NUMBER
541 Park Avenue _NOT FOR PUBLICATION

CITY, TOWN
Park City _ VICINITY OF

CONGRESSIONAL DISTRICT

STATE
Utah

CODE

COUNTY
Summit

CODE
49

3 CLASSIFICATION

CATEGORY	OWNERSHIP	STATUS	PRESENT USE	
_DISTRICT	_PUBLIC	_OCCUPIED	_AGRICULTURE	_MUSEUM
X BUILDING(S)	X PRIVATE	X UNOCCUPIED	_COMMERCIAL	_PARK
_STRUCTURE	_BOTH	_WORK IN PROGRESS	_EDUCATIONAL	_PRIVATE RESIDENCE
_SITE	**PUBLIC ACQUISITION**	**ACCESSIBLE**	_ENTERTAINMENT	_RELIGIOUS
_OBJECT	_IN PROCESS	_YES: RESTRICTED	_GOVERNMENT	_SCIENTIFIC
	_BEING CONSIDERED	X YES: UNRESTRICTED	_INDUSTRIAL	_TRANSPORTATION
		_NO	_MILITARY	X OTHER: Vacant

4 OWNER OF PROPERTY

NAME
David S. Grow

STREET & NUMBER
P. O. Box 202

CITY, TOWN
Provo _ VICINITY OF

STATE
Utah

5 LOCATION OF LEGAL DESCRIPTION

COURTHOUSE, REGISTRY OF DEEDS, ETC.
Summit County Courthouse

STREET & NUMBER

CITY, TOWN
Coalville

STATE
Utah

6 REPRESENTATION IN EXISTING SURVEYS

TITLE
Utah State Historic Sites Inventory

DATE
1973/1978 _FEDERAL X STATE _COUNTY _LOCAL

DEPOSITORY FOR SURVEY RECORDS
Utah State Historical Society

CITY, TOWN
Salt Lake City

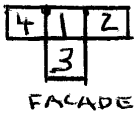
STATE
Utah

7 DESCRIPTION

CONDITION		CHECK ONE	CHECK ONE
__EXCELLENT	X DETERIORATED	X UNALTERED	X ORIGINAL SITE
__GOOD	__RUINS	__ALTERED	__MOVED DATE_____
__FAIR	__UNEXPOSED		

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

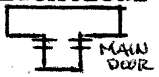
The basic plan of the George Washington Schoolhouse is a "T" plan built in stone. It is a split level structure rising to a height of two full storeys at the main elevation and one and one half at the rear. Three wings extend from the central block on both sides and the front. The central square and wings will be numbered as follows:



The plot is located on a slope which causes the split leveling. The basement, done in cut stone, is partial, only extending under section #3. The exterior wall material is also cut stone and is a combination of broken course and composition coursing. The texture of the stone is hammered or tooled. In the exterior wall of the main facade there is a date stone which reads "Public School District No. 12, 1889."

The total roof shape is a "T" gable covered with wood (probably cedar) shingles. There are three interior chimneys which are centrally located at the end of wings 2,3, and 4. These are single units made of brick. There are several dormer windows of pediment shape and having windows of the "four sash with mullions" type. The eaves are done in wood which projects and have no exposed rafters. The raking is a wood fascia and frieze with no special features.

The main windows on the first floor are flat two sash (double hung) with a plain lintel. There are no side elements, but the sill is of lugsill type. Both lintel and sill are done in smoothly cut stone. The second floor windows are two sash with one upper and one lower. There are two circular windows in the uppermost storey of section two.

There are two identical doors, one main and one secondary, located off-center on the main floor. 

Their structural openings are flat with plan, cut stone surround heads and sides. The architrave type is plain with embrasure. The side panels are recessed on both sides and the transom panels are plain and recessed. The doors are double, four panel doors, and the panels are recessed with moulded railings. The glazing on the door was undeterminable.

The location of the main staircase is at the main door. They extend straight from the main door parallel to the exterior wall from a low porch supported by wooden blocks.

One of the more interesting features of the building is the centrally located bell tower which is square in shape, supported at four corners by wood columns having bracketed eaves and scroll worked corner brackets. Topping the steep cupola roof is a flag pole which could be original. The sides of the cupola below the roof are open at this time and the bell has been removed.

8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW				
__PREHISTORIC	__ARCHEOLOGY-PREHISTORIC	__COMMUNITY PLANNING	__LANDSCAPE ARCHITECTURE	__RELIGION
__1400-1499	__ARCHEOLOGY-HISTORIC	__CONSERVATION	__LAW	__SCIENCE
__1500-1599	__AGRICULTURE	__ECONOMICS	__LITERATURE	__SCULPTURE
__1600-1699	X ARCHITECTURE	X EDUCATION	__MILITARY	__SOCIAL/HUMANITARIAN
__1700-1799	__ART	__ENGINEERING	__MUSIC	__THEATER
X 1800-1899	__COMMERCE	__EXPLORATION/SETTLEMENT	__PHILOSOPHY	__TRANSPORTATION
__1900-	__COMMUNICATIONS	__INDUSTRY	__POLITICS/GOVERNMENT	__OTHER (SPECIFY)
		__INVENTION		

SPECIFIC DATES 1889 BUILDER/ARCHITECT R. Hobbs, contractor

STATEMENT OF SIGNIFICANCE

The Washington School, constructed in 1889 of limestone quarried at Peoa, Utah is the remaining structure of the three public schools constructed in Park City in the late nineteenth century that followd the "ward school" concept. In addition, the structure is one of the few remaining buildings which survived the Great Fire of June 19, 1898.

HISTORY

Park City, Utah, quickly became one of the leading and most profitable argentiferous lead mining areas in the world. The initial discover date is cited as 1868, but it was the Ontario Mine, sold to George Hearst in 1872, that initiated efforts to mine lode ores and acted as the catalyst for Park City's reputation as a bonanza camp. The district grew rapidly attracting a diverse population, with commercial and social activity centered in the town of Park City.

The increase in population and prosperity affected Park City's development from a settlement, to a camp, and finally to a town. Within such a framework of development the social environment underwent changes, with various aspects of that environment needing attention. Education, practically from the outset, became of particular importance.

The first educational efforts in Park City culminated in the establishment of the Ontario School, in 1875. Other reports indicate that earlier in the winter of 1875, John L. Street and George C. Snyder sponsored a school taught by Dominic Dignan;[1] followed by the Ontario School, which was supported by subscriptions from the Ontario miners, and also from donations. Following closely were other schools sponsored by the Catholic Church, Congregational Church and the Public Free School No. 12.

The 1870's and 1880's proved a difficult period for public schools in Park City. Tax measures to aid public education were voted down and in addition, the presence of other schools, Saint Mary's (Catholic) and the Park Academy (Congregational), created alternatives to public education. The Free School was originally run by the New West Education Commission, Congregational Church, but sponsorship was later dropped because of financial difficulties. The church shortly thereafter sponsored the Park Academy. In 1883 citizens voted down a school tax levy;[2] children were to be sent to either Saint Mary's (still remaining) or the Park Academy.

[1] William McPhee, The Trail of the Leprechaun: Early History of a Utah Mining Camp (Hicksville, N.Y., 1977), p. 69; J. Weston Woodbury, "A History of the Park City School District," (M.S. Thesis, University of Utah, 1960).

[2] Ibid., pp. 69-78: Woodbury, Park City School District, p. 57

9 MAJOR BIBLIOGRAPHICAL REFERENCES

McPhee, William M. The Trail of the Leprechaun: Early History of a Utah Mining Camp Hicksville, N.Y. 1977

Woodbury, J. Weston, "A History of the Park City School District." M.S. thesis, University of Utah, 1960

Park City School District No. 12, Treasurer Ledger, August 1880, to June 1897. Park City Board of Education Office

10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY less than one acre

QUADRANGLE NAME Park City East, Utah QUADRANGLE SCALE 1:24000

UTM REFERENCES

458-020

	ZONE	EASTING	NORTHING
A	12	457990	4499210
B			
C			
D			
E			
F			
G			
H			

VERBAL BOUNDARY DESCRIPTION

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE	CODE	COUNTY	CODE
STATE	CODE	COUNTY	CODE

11 FORM PREPARED BY

NAME / TITLE
Philip F. Notarianni, Historian

ORGANIZATION
Utah State Historical Society

DATE
March 31, 1978

STREET & NUMBER
307 West 2nd South, Suite 1000

TELEPHONE
533-6017

CITY OR TOWN
Salt Lake City,

STATE
Utah

12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

NATIONAL ___ STATE X LOCAL ___

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

STATE HISTORIC PRESERVATION OFFICER SIGNATURE

TITLE SHPO DATE May 24, 1978

FOR NPS USE ONLY

I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER

DATE 12-8-78

KEEPER OF THE NATIONAL REGISTER

ATTEST: DATE

CHIEF OF REGISTRATION

William H. Brockman 12-8-78

999

GPO 921-803

Form No. 10-300a
(Rev. 10-74)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

FOR NPS USE ONLY
RECEIVED JUN 6 1978
DATE ENTERED DEC 8 1978

Population growth, apparently increased a demand, as reports indicated an enrollment of one hundred during the 1885-1886 school year. At that time the Public Free School, District No. 12[3] had John F. Bledsoe as principal, later replaced by Miss Lizzie Holding, assisted by Miss Mary Kelly. During the 1886-1887 year, C.A. Short was hired as principal, with assistants Mrs. F. V. Davis and Miss E. L. Stalker. Enrollment increased to 162. In 1888, Professor M. G. Hoover replaced Short, with rolls climbing to 194 students.

During 1888, the Trustees of School District No. 12 debated the issue of building new schools. Opposition formed against the idea of a large central school because of a lack of a sufficient population and a lack of property valuation to provide for construction This followed from an earlier meeting, in July 1888, in which interest was generated in the building of two ward school houses (political "wards")-upper and lower Park Avenue. This system was favored, and as a result studies were made, and plans obtained, of two existing schools -- one a ward school in Grand Haven, Michigan, and the other the school at Lynn, near Ogden, Utah.[4]

The June 15, 1889 issue of The Park Record related that the old public school house on Park Avenue was to be demolished to make way for a new structure. In July the Trustees of District No. 12 decided that the school should be constructed of rock, not lumber, and would contain three rooms, each 30 by 30 feet in size, with 16 foot ceilings. A contract was let to R. Hobbs, and grading commenced, but the excessive amount of grading necessary to prepare the lot caused a delay in the structure's completion.[5]

The rock building, in contrast to the red brick used in later structures, was completed in the late fall of 1889, at a cost of about $13,000.[6] Classes for the elementary grades commenced on November 18, 1889, and The Park Record quickly labeled the building as ". . . one of the finest in the state." The school, known originally as the Central School, or Building No. 1, was the first of three schools built in the 1880s and 1890s to accomodate Park City's growing population. School Buildings No. 2 and No. 3 were erected in 1891 and 1895 respectively. On July 12, 1897, F. R. Davis, Clerk of District No. 12, suggested that due to confusion, the Central School, and Buildings No. 2 and 3 be named the Washington, Jefferson, and Lincoln Schools. Davis' motion carried.[8]

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[3]The first record of this district is a Treasurer's Ledger, dated August 10, 1880.

[4]The Park Record, July 14, 1888; December 1, 1888. In the July, 1888 meeting, Frank E. James stated that by law the trustees were not allowed to bond the school district or involve it in heavy debt; therefore, the board decided to postpone a decision until 1889, in time to have increased the building fund.

[5]The Park Record, June 15, 1889; July 27, 1889; September 14, 1889; Park City School District No. 12, Treasurer Ledger, August, 1880 to June 1897, p. 49, Hobbs was paid $348.55.

[6]Sources vary from $10,5550.00 to $13,807.71.

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[7]The Park Record, November 9, 1889.

[8]Record of District School No. 12, July 8, 1895- July 6, 1906, pp. 38,39.

The Washington School continued to function as an important part of Park City's educational program until 1931. At that time the school and lot were listed for sale, the Trustees having decided to close the school in the term, apparently due to declining enrollments. It was sold in 1936 to the Veterans of Foreign Wars for $200.00. A new central school, the Marsac Elementary School, was constructed in 1936 when the Trustees voted to build a new central elementary school rather than remodeling the Jefferson or Lincoln schools.[9]

Thus, the Washington School remains and is most significant because of its architectural detailing (see Item 7) and its role in documenting the history of public eduation in Park City, Utah. The present owner has granted the Utah State Historical Society a preservation easement on the facade to insure the building's preservation.

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[9]Woodbury, Park City School District, p. 61; Hazel T. Taylor, Clerk, to Kent Powell, Historian, Utah State Historical Society, October 22, 1971.

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The Park Record, July 14, 1888; December 1, 1888; June 15, 1889; July 27, 1889; September 14, 1889; November 9, 1889.

Record of District School No. 12, July 8, 1895 - July 6, 1906. Park City Board of Education Offices.

1003

1004

1005

LOADING
ZONE
15 MIN
PARKING

1007

1008

1009

Browne Sebright

From: John Plunkett <[redacted]>
Sent: Thursday, October 7, 2021 2:39 PM
To: Browne Sebright
Cc: John Browning; Bill & Robin Dark; Barbara Kuhr; Linda Cox; Kirsten Ehrich
Subject: [External] Neighbor's concerns for the Washington School CUP staff report

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Hi Browne,

There are now 24 homeowners (and counting) of 17 homes on both Woodside and Park Avenues, next to or near the Washington School, who are united in opposition to Commercial Outdoor Events in our HR-1 neighborhood.

We call on the Planning Department to protect our homes and investments in this Residential Zone, and to recommend that the Washington School's new C.U.P. requests be denied.

We also ask that the Staff Report include our names and concerns — Please include the color map below as part of the staff report — It lists all the homeowners and shows our home's locations in yellow with street addresses (Gray shows homeowners who we haven't heard back from yet, and two who are undecided).

We neighbors are happy for the School to continue just as it has for over 30 years, as a quiet, low-impact B&B whose Conditions of Approval limit parking and do not allow 'Organized Outdoor Events' to take place. We also don't mind if the School continues to call itself a hotel for marketing purposes.

Thank-you for the Department's consideration and acknowledgement of our concerns, as well as the many millions of dollars we have collectively invested to improve both our Historic District and our homes.

Sincerely,

John Plunkett, Barbara Kuhr, Mike & Katie Mueller, John & Dianne Browning, Linda & Will Cox, Robin & Bill Dark, Ben & Shelly Chigier, Larry Meadows, Clayton McNeel, Robert Gebhart, Jodi VanDresser, Jen Tashima, Tim & Alisa Hoffman, Jeff Love, Jim Tuton, Rachel & Kirk Wilson, Kirsten Ehrich

24 Homeowners United Against
Commercial Outdoor Events
in Our Residential Neighborhood!

Woodside Avenue:

503 Ben & Shelly Chigier
515 Larry Meadows
537 Katie & Mike Mueller
543 Clayton McNeel
528 Robert Gebhart
564 Barbara Kuhr, John Plunkett
568 Jodi VanDresser & family
572 Jen Tashima
605 Tim & Alisa Hoffman
615 Jeff Love
621 Jim Tuton

Park Avenue:

527 Rachel & Kirk Wilson
553 Kirsten Ehrich & family
557 Barbara Kuhr & John Plunkett
561 Dianne & John Browning
575 Linda & Will Cox
594 Robin & Bill Dark

Woodside Avenue:

503 Kevin Efrusy
503 1/2 Ben & Shelly Chigier
515 Larry Meadows
521 Bruce Ward & Cynthia Coe
533,535,537 Katie & Mike Mueller
528 Robert Gebhart
532 Jack Wallack
543 Clayton McNeel
564 Barbara Kuhr, John Plunkett
568 Jodi VanDresser & family
572 Jen Tashima
605 Tim & Alisa Hoffman
615 Jeff Love
621 Jim Tuton

Park Avenue:

527 Rachel & Kirk Wilson
553 Kirsten Ehrich & family
550 Mark Fischer
557 Barbara Kuhr & John Plunkett
561 Dianne & John Browning
575 Linda & Will Cox
594 Robin & Bill Dark

28 Homeowners of 22 Homes October 20,2021

Browne Sebright

From: John Plunkett <john@plunkettkuhr.com>
Sent: Thursday, May 12, 2022 12:12 PM
To: John Phillips; Sarah Hall; John Kenworthy; Bill Johnson; Laura Suesser; Douglas Thimm; Christin VanDine; Browne Sebright; Gretchen Milliken
Cc: Nicole Deforge; Barbara Kuhr
Subject: [External] Follow-up to Washington School, Nov 10 work session & Feb 27 continuance

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: WSI Public Comment

[CAUTION] This is an external email.

Dear Planning Commissioners,

It's been six months since the November work session, but you may recall that the Washington School's attorney requested a continuance so that they could work with the neighbor's attorney and adjust their C.U.P application to respond to our concerns. There were similar reasons given at the Feb 27 continuance.

We now see notice of a new hearing on May 25, but to date we have not received any further information from the Washington School — We take this as confirmation that the School has zero actual interest in respecting their neighboring property-owner's concerns.

A copy of our February email is attached below. As the 28 residential property owners who would be affected by this Use change, we still request and hope that:

> the Planning Department and Commissioners will Deny this request for a Hotel c.u.p. — Surely the rights of one (commercial) property owner do not outweigh the rights of the many (residential) property owners who would be directly affected.

Thank-you for your consideration,

John Plunkett & Barbara Kuhr,
564 Woodside & 557 Park, representing:

Kevin Efrusy, 503 Woodside
Ben & Shelly Chigier, 503 1/2 Woodside
Larry Meadows 515 Woodside
Bruce Ward & Cynthia Coe, 521 Woodside
Robert Gebhart, 528 Woodside
Jack Wallack, 532 Woodside
Mike & Katie Mueller, 553, 555 & 557 Woodside
Clayton McNeel, 543 Woodside
Jennifer Tashima, 572 Woodside

Jodi VanDresser & family, 568 Woodside
Tim & Alissa Hoffman, 605 Woodside
Jeff Love, 615 Woodside
Jim Tuton, 621 Woodside
Rachel & Kirk Wilson, 527 Park
Kirsten Ehrich & family, 553 Park
John & Dianne Browning, 561 Park & Woodside lot
Linda & Will Cox, 575 Park
Mark Fischer, 550 Park
Bill & Robin Dark, 594 Park

Begin forwarded message:

From: John Plunkett <john@plunkettkuhr.com>
Subject: Follow-up to Washington School, Nov 10 Hearing
Date: February 9, 2022 at 1:53:58 PM MST
To: john.phillips@parkcity.org, sarah.hall@parkcity.org, john.kenworthy@parkcity.org, bill.johnson@parkcity.org, laura.suesser@parkcity.org, douglas.thimm@parkcity.org, christin.vandine@parkcity.org, Browne Sebright <browne.sebright@parkcity.org>
Cc: Nicole Deforge <ndeforge@fabianvancott.com>, Barbara Kuhr <barbara@plunkettkuhr.com>

Dear Planning Department and Planning Commissioners,

We are 28 residential property owners on Woodside and Park Avenues (who you have heard from before) who stand opposed to the Washington School's request to expand its commercial business in our Historic Residential, HR-1 zone.

Yesterday we learned that a revised application has been received and a public hearing is scheduled for Feb 23.

We're writing today with the goal of a staff report that acknowledges our concerns, and the 39-year history of Conditions of Approval that prohibit the School from Organized Outdoor Events, guest or employee parking on Park and Woodside Avenues, and delivery or service trucks on Woodside.

As comments from the School's attorney at the last hearing made clear, the practical effect of a Hotel c.u.p. would be to eliminate ALL these restrictions — allowing outdoor weddings and corporate events, a restaurant, and guest and employee parking on our Residential streets.

It's our understanding that LMC 15-1-10 gives the City the power to deny this Hotel c.u.p. application. It states:

"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…"

"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."

For these reasons, we ask the Planning Department and Commissioners to Deny this request for a Hotel c.u.p. — Surely the rights of one (commercial) property owner do not outweigh the rights of the many (residential) property owners who would be directly affected.

We neighbors have had few problems with the Washington School as it has been quietly run (and Conditioned) since 1983. We look the other way at most parking and noise violations. But if ever there was a commercial c.u.p. in Park City that should be denied, for the greater livability of the residential zones in our historic core, THIS IS IT.

Thank-you for your consideration,

John Plunkett & Barbara Kuhr,
564 Woodside & 557 Park, representing:

Kevin Efrusy, 503 Woodside
Ben & Shelly Chigier, 503 1/2 Woodside
Larry Meadows 515 Woodside
Bruce Ward & Cynthia Coe, 521 Woodside
Robert Gebhart, 528 Woodside
Jack Wallack, 532 Woodside
Mike & Katie Mueller, 553, 555 & 557 Woodside
Clayton McNeel, 543 Woodside
Jennifer Tashima, 572 Woodside
Jodi VanDresser & family, 568 Woodside
Tim & Alissa Hoffman, 605 Woodside
Jeff Love, 615 Woodside
Jim Tuton, 621 Woodside
Rachel & Kirk Wilson, 527 Park
Kirsten Ehrich & family, 553 Park
John & Dianne Browning, 561 Park & Woodside lot
Linda & Will Cox, 575 Park
Mark Fischer, 550 Park
Bill & Robin Dark, 594 Park

MEMORANDUM

Date: May 18, 2022

To: Washington School House, LLC

From: Hales Engineering

Subject: Washington School House Inn Parking Study

UT21-1830

This memorandum discusses the parking study completed for the Washington School House Inn in Park City, Utah. The study identifies the parking supply included in the site plan, the parking supply rates required by the City and parking demand rates identified by the Institute of Transportation Engineers (ITE). A discussion of the anticipated parking demand for special events on the property is also included.

Project Description

The Washington School House is located at 543 Park Avenue. A vicinity map of the project site is shown in Figure 1, and a full site plan is found in Appendix A. The Washington School House operates as a boutique bed and breakfast. It serves a limited number of guests that seek a small, private, and exclusive destination. The Washington School House has been recognized in the media, including Travel + Leisure, as a destination draw for Park City.

The owners of the property applied for a conditional use permit to change the Washington School House's current operations as a Bed and Breakfast Inn to a Hotel Minor land use under Park City code. The hotel will have 12 rooms. The property site plan identifies a total of 12 stalls (11 stalls located in a lot across Park Avenue and authorized by easement and 1 parking stall planned for the west end of the property on Woodside Avenue). A driveway on the property offers 2 additional stalls that do not meet the City's off-street parking dimensions.

Figure 1: Site vicinity map of the project in Park City, Utah

Park City Parking Code

The Park City code specifies parking rates for various land use types. According to section 15-3-6B of the code, the City requires "1 space per room or suite, and one space per 200 sf of separately leasable commercial space." This property doesn't include any separately leasable commercial space. Based on these requirements, the Washington School House is required to provide a total of 12 off-street parking spaces. This requirement will be met with the 11 current off-street parking spaces and the 1 proposed parking space.

ITE Parking Demand Rates

While the planned usage of the Washington School House is unique and smaller than a typical hotel, it is comparable to the Institute of Transportation Engineers (ITE), *Parking Generation*, 5th Edition, 2019, business hotel land use. The average parking demand rate for a business hotel (ITE land use 312 is 0.72 parking stalls per hotel room, with an 85th percentile demand rate of 0.83 stalls per room and a maximum observed rate of 0.85 parking stalls per room. This is based on 11 study sites across the United States since the year 1980, with an average parking supply of 1.1 spaces per room. The number of stalls needed based on each of these rates for the proposed project is shown in Table 1.

Table 1: ITE Parking Generation

Park City - Washington School House Inn ITE Parking Generation (LU 312)		
Rate Type	Rate (stalls/dwelling unit)	Stalls
Average	0.72	9
85th Percentile	0.83	10
Maximum	0.85	11
ITE Parking Generation, 5th Edition, 2019		
Source: Hales Engineering, February 2021		

It is typically recommended that the parking demand be increased by 10% to provide an adequate parking supply for the property. If the 85th percentile parking demand of 10 stalls is used, then a parking supply of 11 stalls is advisable. A summary of the parking rates from the existing site plan, the Park City code, and ITE data can be found in Table 2.

Table 2: Parking Rate Comparison

Park City - Washington School House Inn Parking Rate Comparison		
Source	Rate (stalls / room)	# of Stalls
Park City Parking Code	1.00	12
ITE 85th Percentile Parking Demand	0.83	10
Existing Site Parking (off-street)	1.00	12
ITE Parking Generation, 5th Edition, 2019		
1. Two driveway parking spaces exist and have not been included in these numbers		
Source: Hales Engineering, February 2021		

The proposed site plan, which includes 12 off-street parking spaces, exceeds the recommended ITE parking supply. Moreover, the property owner reports, based on experience with the bed and breakfast, that only about 25% of guests require parking during their stay. This results in use of about 3 of the available parking spaces. The remaining guests arrive via transit, ridesharing services, or private transportation services and use these same services during their stay. Guests using transportation services are picked up and dropped off in a pull out located in front of the Washington School House.

Daytime Guests

It is anticipated that some overnight guests may wish to dine with non-overnight guests in the indoor dining area. These daytime-only guests will not be provided with parking and will be required to arrive via rideshare or other transportation services. Guests arriving by rideshare or other transportation service, will be picked up and dropped off in the pull-out area in front of the Washington School House. The Washington School House will manage parking and ensure that only registered overnight guests may use the allotted parking spaces.

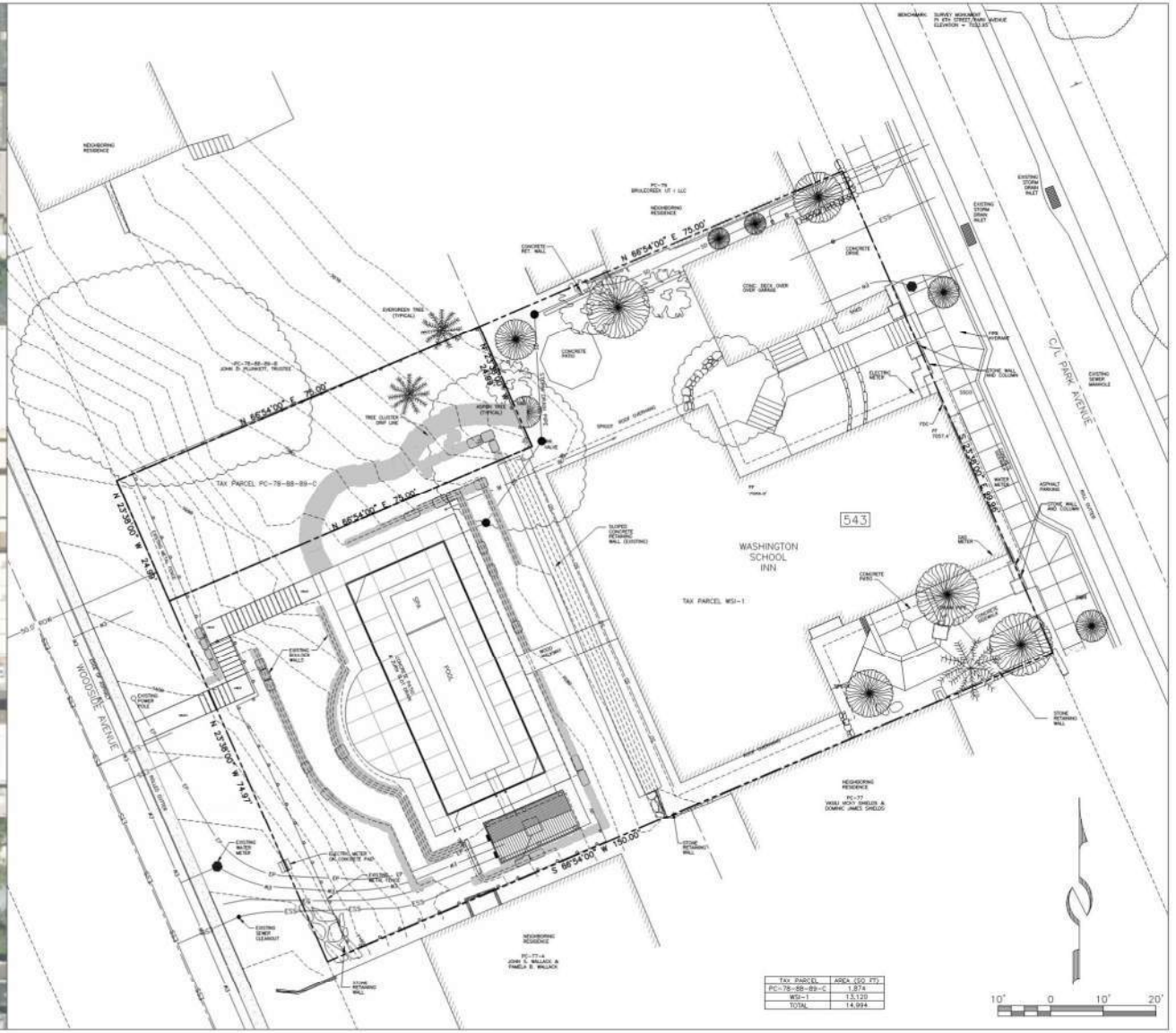
Conclusions and Recommendations

Hales Engineering makes the following conclusions for parking at the proposed Washington School House Hotel in Park City, Utah:

- The proposed site plan for the Washington School House Hotel identifies a total of 12 off-street parking spaces, with 2 additional spaces available in the driveway at the property. This equals a parking supply of 1 parking space per room.
- Section 15-3-6B of the Park City code would require 12 parking spaces for the Washington School House property under the "Hotel (minor)" land use. This translates to a parking supply rate of 1.0 parking space per room.
- The ITE 85th percentile parking demand rate for a business hotel is 0.83 parking stalls per room, translating to 10 parking stalls. With a 10% increase to parking demand, a parking supply of 11 parking stalls is recommended.
    - The current site plan meets the number of parking spaces required in the Park City code and exceeds the number recommended by the ITE data.
    - Based on past parking usage at the property, overnight guests will likely only use approximately 3 of the 12 available spots.
- The Washington School House is a small, private, exclusive destination that is meant to provide a high level of service to a limited number of guests. Overnight guests may wish to dine with daytime-only guests arriving on the property.
    - Daytime guests will be required to use rideshare or other transportation services to arrive on-site. It is not anticipated that parking demand will exceed the 12 supplied parking spaces.

APPENDIX A

Site Plan



(435) 649-9467

CONSULTING ENGINEERS (AND PLANNERS) SURVEYORS

No. 4857204 MICHAEL DEMKOWICZ 2/12/20 REGISTERED PROFESSIONAL ENGINEER STATE OF UTAH

STAFF: MICHAEL DEMKOWICZ, RYAN BETZ

DATE: 2/12/20

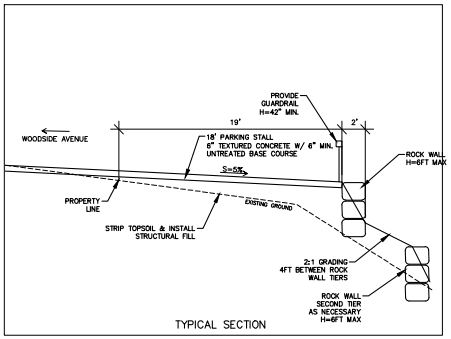
2020 EXISTING CONDITIONS & VICINITY
543 PARK AVENUE
WASHINGTON SCHOOL INN

FOR: TRIP BENNETT

JOB NO.: 20-7-17

FILE: X:\ParkCitySurvey\dwg\7-4-10\2017 Improvements\wsi2017.dwg

SHEET 1 OF 2



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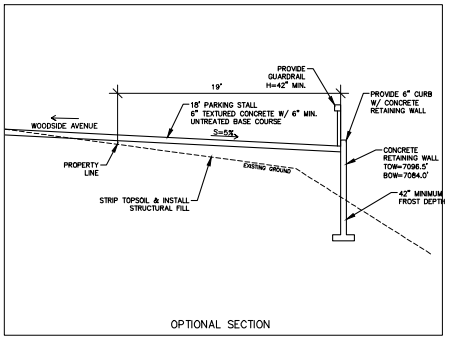

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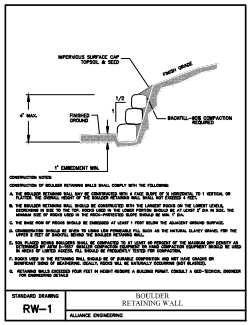
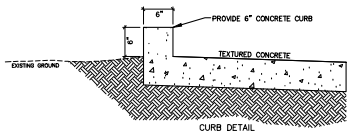
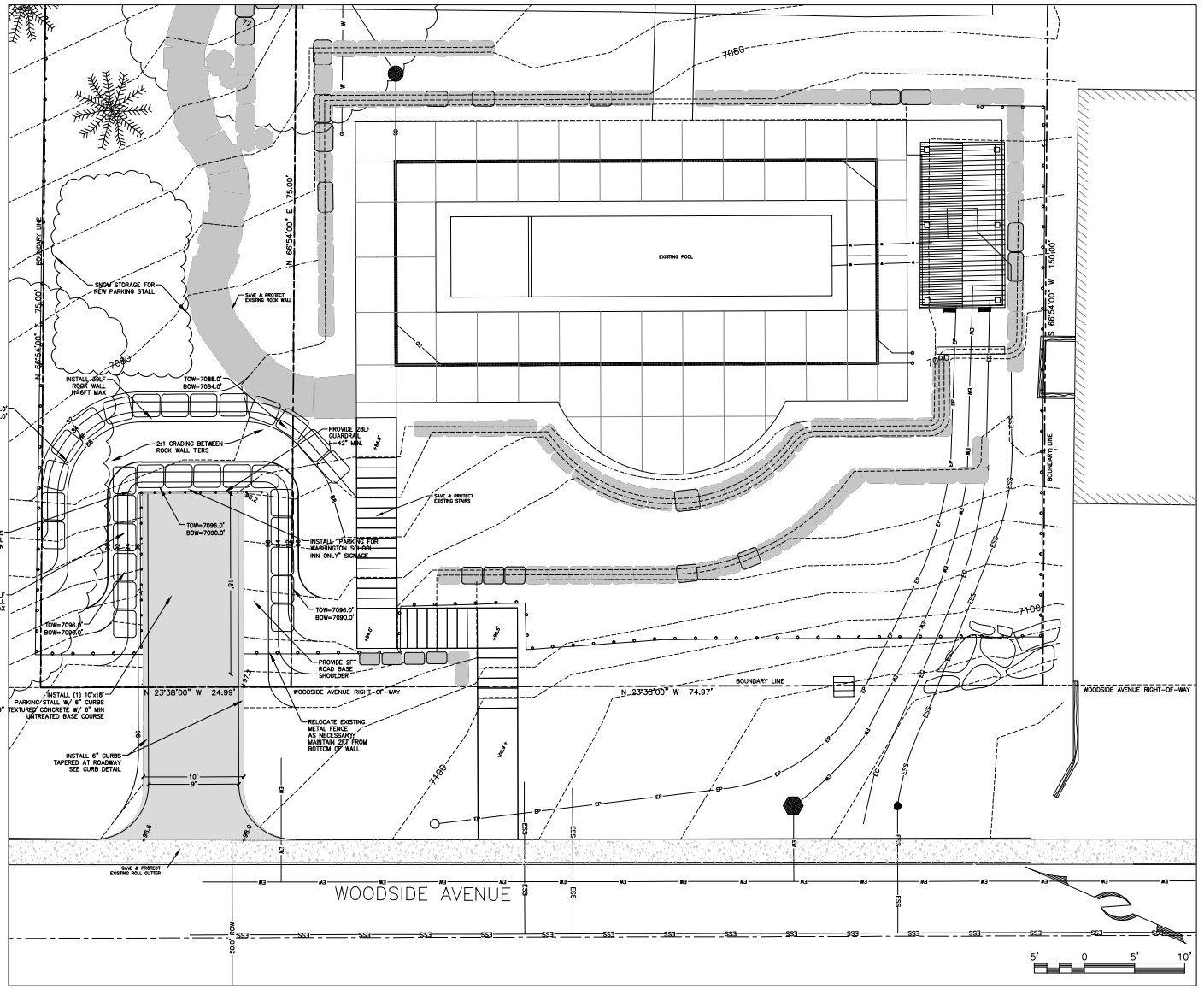




CURB DETAIL

DETAILS



(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
MICHAEL DEMKOWICZ
RYAN BETZ

DATE: 2/12/20

2020 IMPROVEMENTS
543 PARK AVENUE
WASHINGTON SCHOOL INN

FOR: TRIP BENNETT
JOB NO.: 20-7-17
FILE: X:\ParkCitySurvey\dwg\7-4-10\2017 improvements\WSI-civil.dwg

SHEET 2 OF 2

1022