

**COSAC IV Meeting Minutes
City Council Chambers
March 12, 2013, 8:30 a.m.**

COSAC members in attendance: Charlie Sturgis, Cheryl Fox, Erin Bragg, Jan Wilking, Suzanne Sheridan, Bronson Calder, Brooke Hontz, Rhonda Sideris, Kathy Kahn, Tim Henney, Cara Goodman, Megan Ryan, Jim Doilney, Judy Hanley, Carolyn Frankenburg

Excused: Stew Gross, Wendy Fisher

Staff: Heinrich Deters, Thomas Eddington, Polly Samuels-McLean, Mark Harrington, Andy Beerman, ReNae Rezac

Heinrich asked the committee members to introduce themselves since there were alternates in attendance that may not know everyone.

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Motion: Jan Wilking moved to approve the minutes as written; Judy Hanley seconded the motion.

Vote: The motion carried.

PUBLIC COMMUNICATIONS

None

STAFF AND COMMITTEE DISCLOSURES/COMMENTS

None

Committee member Ryan asked for an update of the discussion relating to COSAC and City Council on March 7. Heinrich said in response to feedback received from Diane Foster and Andy Beerman, the role of COSAC needs to be expanded to address policy strategies relating to conservation easements vs. deed restrictions *and* management/maintenance issues.

Council member Beerman said one of the issues City Council is considering is whether COSAC should spend money on stewardship funds to manage open space vs. purchasing additional open space. Council's conclusion was that they would like COSAC to explore those topics with the understanding that their role is advisory only.

Heinrich mentioned a property tax law discussion will occur at COSAC's March 26 meeting. Background information will be distributed prior to the meeting so the members have an opportunity to read it prior to the discussion.

Council member Beerman stated the Risner Ridge area is a priority now. Committee member Kahn asked for more information on the Risner Ridge situation. Heinrich explained that the open space parcels involved have been deeded to the City and are

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part of the Eagle Pointe and Quarry Mountain master plan. The first two parcels had deed restrictions noted on the plat; the last two did not. Without written deed restrictions, the property use is not regulated.

Committee member Fox referred to a map of open space parcels. The five parcels near Risner Ridge are connector parcels between Quarry Mountain and Round Valley open space parcels. Neighbors are concerned that without restrictions on the property, the City could sell them to a developer. Neighbors contacted Summit Land Conservancy for assistance in getting conservation easements on the properties to protect them as open space, and are willing to pay for the easements, or at the very least, help Summit Land Conservancy raise the money to cover the ongoing stewardship of the easements. Last summer Summit Land Conservancy (SLC) met with the three HOA's in the area to educate them as to the difference between conservation easements and deed restrictions. Conservation easements are expensive; deed restrictions are free. Most of the funds for conservation easements go into a permanent endowment fund. The interest from the money goes into a fund that pays for the stewardship of the property.

The City asked for further verification that the neighbors were interested in having a conservation easement on the property, so SLC collected signatures on a petition last summer. One hundred forty-eight signatures were obtained indicating support for the easements. City Council consensus was that it was more important to protect some properties than others. In the discussions about reconvening COSAC, Council felt it was important to protect the parcels at Risner Ridge due to their proximity to trail connections and the existing visual corridor. There is some money to create a conservation easement already sitting in a restricted account. If the City decides *not* to put a conservation easement on the property, the money will be returned.

Ms. Fox noted there are a number of City-owned small parcels throughout the Park City area wherein a conservation easement may be warranted. Committee member Doilney suggested some type of cataloging method for these properties, including how they are being currently used to aid in conservation easement prioritization.

Council member Beerman commented this was not a topic for in-depth consideration today and reassured the group the City-owned parcels are preferred to remain as open space. Both the expense and appropriate degree of protection are important factors in the discussion. City Council's goal is to have these properties serve the whole community and remain as open space.

Heinrich said it is important to be wise in choosing where conservation easements go and consider their enforcement. Committee member Sturgis asked if these decisions were driven by the type of funding used to buy them. Heinrich responded conservation easements allow leveraging of funds; i.e. providing an opportunity to 1) keep the property; and, 2) provide an ongoing tax incentive. When a conservation

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easement is placed on a piece of property, grant monies can be obtained and funds can be leveraged. Placing a perpetual easement for the future allows for additional funding.

Committee member Fox clarified a fee title is attached to most of the properties the City acquires through conservation easements. In the past, COSAC policy has been that any land purchased with open space bond money should have a conservation easement on it since it was an issue of public trust. Conservation easements are the state of the art tool in the U.S. for protecting open space.

Committee member Henney commented that this committee has more flexibility than past open space committees since the open space funding for this group is not through a bond, but through resort sales tax. Committee member Sturgis said the conservation easement vs. deed restriction debate is based on intent . . . whether to preserve it for conservation reasons or to hold it for future needs of the City, is a different and separate intent.

Committee member Ryan summarized the discussion.

1. Create inventory first to aid in crafting long-term strategy
2. Frame policy choices for Council approval.
 - A. Risner Ridge is a subset of these discussion issues.

Ms. Ryan recommended the above items be added to the March 26 meeting.

Assistant City Attorney Polly Samuels-McLean addressed the group to outline/explain "Open Meetings" policies and procedures. A copy of Ms. McLean's presentation is attached hereto as Attachment A and made a part of these minutes.

Committee member Ryan asked if there was a chance COSAC members could get electronic messages through City email addresses to prevent confiscation of personal email accounts and provide legal protection for members. After discussion, the group decided to foregoing having City email accounts.

Committee member Doilney asked for clarification about attending a meeting electronically since he is scheduled to be out of town for 3 of the next 4 meetings and wants to stay up to speed.

Ms. Ryan recommended adopting some simple rules of procedure. Ms. McLean suggested adding the electronic meeting policy discussion to the next meeting agenda. Ms. McLean asked the group to be prepared to decide whether the person listening will be participating or just listening in. She continued COSAC has the freedom to set the policy, but staff needs to be kept informed to be sure noticing requirements are met.

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Planning Director Eddington gave an overview of open space as addressed in the General Plan (GP). The GP is scheduled to be finalized at the end of this month. The sense of community, small town historic character, and natural setting core values are all considered in the re-write. Mr. Eddington outlined some of the work the Planning Department has been focusing on and associated timelines. The Bonanza Park Redevelopment Plan was completed in early 2012, along with the collaborative agreement on how to develop the lower Park Avenue area. Some Land Management Code amendments were done in 2012; other amendments are to be completed in April and May, 2013. Main Street Improvement work is scheduled to begin 2013.

The Planning Department is incorporating regional collaboration with Snyderville Basin and Summit County relating to land use, transportation, and open space. Planning Director Eddington outlined future developments on the horizon that could be challenging. The projects include Boyer Research Park, a 1200 unit MPD in the Silver Creek area, Park City Heights (239 units), redevelopment in the Bonanza Park (BoPa) area, lower Park Avenue, and Main Street. There are also platted lots in the Brighton Estates and Bonanza Flats area with 8000 units potentially to be developed near the Jordanelle Reservoir. The development potential in the Jordanelle area is *massive*.

The lower Park Avenue and PCMR parking lots are planned to be a community transition zone with some housing elements. The goal is to create connectivity between City Park and PCMR.

Plans for the BoPa area include:

- Creating a walkable/connected neighborhood;
- Creating a better network for traffic;
- Reigning in some of the existing density in the GC zone;
- Creating open spaces with an opportunity for mixed income/mixed use commercial and residential elements; and
- Maintaining local character.

Park City is at about 82% buildout so the majority of future growth will likely be outside of our city limits.

Mr. Eddington said the Park City population in 2002 was 7,300; in 2012 – 7,500. Currently, the Summit County population is 36,000; projected to be 70,000 in 2050.

He stated the new philosophy relating to population growth is not based so much by state, but by region. Park City is part of the mountain range region; Denver is part of the mountain range region, as well, and is called the "Front Range". The mountain range is projected to be the fastest growing region in the next 50 years.

Planning Director Eddington showed a map illustrating wildlife corridors and pathways from a regional perspective. The wildlife travel pattern crosses right through Park City

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across Highways 224, 248, and Highway 40 on the way to the Uinta Wasatch Cache forest area.

A copy of Planning Director Eddington's presentation is attached hereto as Attachment B and made a part of these minutes.

The General Plan is advisory in nature; the Land Management Code is a regulatory document.

Committee member Ryan asked that COSAC be kept in the loop regarding open space definitions.

Heinrich announced Jan Scott, City Recorder *and* a notary, was in attendance at the meeting to notarize disclosure statements from COSAC members.

Heinrich took a straw poll to see who was interested in having a City email account. The majority of the committee did *not* want a City email account.

Heinrich conducted an informal election for Chair and Vice Chair. Megan Ryan was elected Chair; Tim Henney was elected Vice Chair. The Chair will serve for a year and a half until (July 14, 2014). At that time, Mr. Henney will assume the Chair and Ms. Ryan will become Vice Chair.

Motion: Committee member Wilking made a motion to elect Megan Ryan as Chair with Tim Henney serving as Vice Chair until July 14, 2014, at which time they will switch. Committee member Doilney seconded the motion.

Vote: The motion carried.

Heinrich noted that a policy discussion regarding criteria and deed restrictions vs. conservation easements will occur at the March 26 meeting.

Committee member Kahn asked the "at-large" committee members to introduce themselves and provide a brief background of their experience. Judy Hanley stated she has lived in Park City since the first traffic signal was installed and is an avid trail user. She is a strong believer that preserving open space is an extremely worthwhile endeavor. Megan Ryan said she has lived in Park City for 20 years and has a land use planning background. She currently has a contract with the Utah League of Cities and Towns and provides procedural training and land use policy training for Planning Commissions and City Council members throughout the state. Additionally, she and her family love to hike and enjoy all outdoor activities Park City has to offer. Carolyn Frankenburg introduced herself as an "at-large" alternate, who has lived in town for 26 years. She is raising her children here and has been actively involved in some of the City initiatives including walkability. She wants to preserve the lifestyles we all

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currently enjoy. She feels there is an overwhelming precedent occurring with relationship to development and is hopeful COSAC can provide some assistance in initiating open space preservation safeguards. Cara Goodman has lived in town for a few years. She moved here from Boulder, Colorado, and feels a strong devotion to open space preservation. She lived for a time in Washington, D.C., and moved back west to come back to the lifestyle she loves. She works with the Nature Conservancy and has been with them for about 6 years. Tim Henney said he is a 21-year resident. His passions and interests are similar to other members of the group. He is involved with Summit Land Conservancy and Mountain Trails as a board member. He also served on COSAC II. Jim Doilney has a background in teaching urban economics prior to moving to Park City in 1974. He is a developer/builder but believes the best way to preserve open space is to not use it and to build differently. He feels the building projects he has been involved with conserved open space. He hopes to have an influence on COSAC at a policy level, specifically through offering incentives to *not* build on open space. Bronson Calder was born and raised in Park City. He has the same passions and interests as other members of COSAC.

Council member Beerman noted City Council wanted to choose participants from various walks of life who would be passionate about recreation and open space.

The meeting adjourned at 10:05 a.m.