



**COSAC IV MEETING MINUTES
CITY COUNCIL CHAMBERS
August 11, 2015**

Open Session, Special Meeting

- I. ROLL CALL:** Board chair Judy Hanley called the special meeting of the COSAC Board to order at 8:35 a.m. at the Marsac Municipal Building on Tuesday, August 11, 2015.

Members in attendance were: Judy Hanley, Chair; Andy Beerman, City Council Liaison; Erin Bragg; Bill Cunningham, At-Large Member; Heinrich Deters, Open Space & Trails Manager; Wendy Fisher, Utah Open Lands; Carolyn Frankenburg, Alternate; Cara Goodman, At-Large Member; Steve Joyce, Park City Planning Commission; Kathy Kahn, Recreation Advisory Board; Meg Ryan, At-Large Member; Rhonda Sideris, Park City Chamber/Bureau (by telephone); Charlie Sturgis, Mountain Trails Foundation; Jan Wilking; Karen McLaws, Recording Secretary.

- II. ADOPTION OF MINUTES: July 28, 2015**

Motion: Jan Wilking moved approval of the minutes as written; Steve Joyce seconded.

Vote: Motion carried.

- III. STAFF & BOARD COMMUNICATIONS/DISCLOSURES**

Heinrich Deters reported that Mark Harrington will arrive later.

- IV. PUBLIC INPUT**

There was no public input.

- V. OLD BUSINESS – Clark Ranch use discussion specific to Parcel SS-91**

Mr. Deters clarified that, from the previous meeting, it appeared that all of COSAC was in favor of including Parcel SS-91 in a conservation easement, but there were questions as to what level of use should be allowed on that parcel. Wendy Fisher with Utah Open Lands proposed that Parcel SS-91 have a separate easement. Mr. Deters reviewed some of the uses discussed at the previous meeting and described what is meant by a slip ramp and what would be need in order to add one.

Meg Ryan asked what level of detail Ms. Fisher is asking for from COSAC. Mr. Deters explained that they want to determine the values and prioritize them. If there are things they definitely do or do not want to allow, that language should be written into the easement. If there are uses in the future they did not foresee, they can go back to the values to determine whether the uses are appropriate. The values need to be prioritized so they can determine which value has the greatest priority if there are conflicts in values.

Chair Hanley asked if they have to hold this in abeyance until the transportation issues are solved. Council Member Andy Beerman stated that sometimes the potential for a road that could impact the property is written into a conservation easement up front, and it is agreed to in advance. Ms. Fisher stated that Utah Open Lands will fight a condemnation if a road is not called for in the conservation easement, and they would rather not do that. If they know in advance that a road may be needed, it should be put in the conservation easement. They need to set the priority value for SS-91 and then decide whether putting a road through the middle of the parcel would protect that value. Cara Goodman asked if there is a way to write the language with an "if-then" clause to address a potential road, because the values on this parcel would change if a road goes in.

Jan Wilking did not believe an off-ramp would have much impact relative to where the road is, and he believed it could be designed to be right next to the road. With regard to Parcel SS-91, he expressed concern about tying the community's hands forever. He would favor a process for adding something in the future that might be a critical community need, and they do not know now what that critical community need might be. He is in favor of preserving open space but believed they need some flexibility in the future. Charlie Sturgis asked if Mr. Wilking believes they could set aside a small portion of this parcel for a critical community use in the future. Mr. Wilking replied that, overall, he believes some flexibility needs to be built into this.

Mr. Wilking was excused from the remainder of the meeting.

Kathy Kahn agreed with Mr. Wilking's position and explained that an immediate need is flat ground for the recreation department and perhaps for a cemetery. She noted that there are very few flat spaces where they could put a cemetery within the City limits.

Rhonda Sideris stated that she is nervous about leaving the option open to a future City Council and referred to Treasure Hill. She commented that the Council continually gets requests for what people want, and the more restrictions they put on this property, the better. Mr. Beerman explained that everyone's definition of a critical need is different, and he agreed that they need to think about how they might interpret a critical need in the future if it is available as an opportunity. Ms. Fisher explained that they can allow some flexibility in a conservation easement to allow for things in the future, but if they want to leave an option open for a use, they can be sure it will occur, because open space is the final frontier. Leaving options open does not force them to

do good planning. She felt it was important to start by prioritizing the conservation values, because some values are not compatible with certain uses. She reiterated that, if they carve out a piece of property for a critical community need, they can be certain it will happen. She stated that she and Mr. Deters will take the input and craft a document to bring back to the Committee that clarifies the issues, prioritizes the values, and allows the flexibility and permanence they are looking for. Mr. Sturgis clarified that he and Mr. Wilking are talking about leaving just a small percentage of Parcel SS-91 to provide some flexibility. Mr. Deters referred to the proposed open space map and suggested some ideas for addressing certain uses. Mr. Sturgis indicated a portion of land where they could leave some flexibility. He did not want flexibility to go through the middle of any of the parcels, and he believed it should be on the periphery.

Chair Hanley believed they should keep everything in open land. Steve Joyce stated that he did not want to get to the point that they have to keep every square inch of every opportunity that is presented to them open forever. That says they are not doing anything and not prioritizing anything. He believed the City Council is looking for them to prioritize. Mr. Beerman explained that they are looking at this piece of property because it was purchased largely for conservation values and open space. That does not mean they have to turn every piece of City-owned property into open space. The question is whether the conservation values on this property are so strong that they want to preserve it or whether they want to provide some flexibility. Mr. Joyce stated that, if the conservation value is aesthetics, there are already roads and trails on the property that cannot be seen from the highway, so a road or cemetery might not ruin the aesthetics. He felt it was important to determine what they are trying to protect.

Carolyn Frankenburg believed the concept behind the bond was open space, not recreational buildings and facilities. She believed the community that voted for the bond would say their primary goal is to create open space. Mr. Deters agreed that open space was a component, but so were capital projects, and this funding source gives a little more flexibility. Mr. Beerman stated that at least one-third of the money was intended for purchase of open space; however, the perception by the public is that a lot of the money is going into open space. He compared the purchase of open space to a marriage and stated that you remove some flexibility when you purchase open space, but you also gain something, which is community character. He has come to realize that flexibility is a Pandora's box that opens up all kinds of questions, and it is important to get it right from the beginning. If something comes up later that is so important that they need to make a change, he believed they would find a way to do it as a community.

Meg Ryan noted that their focus is to make a recommendation to the City Council on Parcel SS-91, and she believed they will need to pitch that to the Council with a strong recommendation. She believed the aesthetic and conservation values are a priority on this parcel. She provided documents with her proposed pitch to the Council about why it is important for Parcel SS-91 to be included in the conservation easement and what kind of values they might want to include. She referred to the General Plan criteria and how this parcel meets those objectives. She believed aesthetics is the top priority for a

buffer entry corridor, that passive recreation would be the second priority and that this is a parcel where they need to say no to any kind of construction or development. If a slip ramp is necessary at some time, it should be designed to take into consideration the aesthetic and recreational values. She believed there are other places for some of the uses other committee members have suggested.

Mr. Sturgis stated that the only thing he is concerned about is the northern aspect of SS-91, which he believes has lower aesthetic value. He was in favor of an easement over the whole thing but believed something might need to be there in the future.

Mr. Deters stated that he tries to get people to think about where else a use will go if it does not go here and if someplace else is a better place. He encouraged the Committee Members to decide on their intent, which will help them draft the language.

Mr. Cunningham asked if there is any City land near the park and ride that could be used for ball fields. Mr. Beerman replied that the City does not own any land there, including the park and ride, which is on a long-term lease from Talisker. He commented that it might be possible to get a long-term lease for ball fields after the land is cleaned up. The only other space left for fields is the North 40, and the School District is already carving that up.

Mr. Sturgis was excused from the remainder of the meeting.

Ms. Kahn stated that she believes they need some flexibility to meet some of their community needs and that a section of this parcel could be used for that purpose. She did not want to tie their hands so they could not fulfill those needs in the future. She asked if they could craft this so a future COSAC would make that determination. Ms. Fisher replied that they could put some parameters on it, but it would be better to remove conservation easements from local lobbying, because when there is no place else to go, people will want to use this space.

Ms. Fisher asked about the agricultural value of the land, which fits in with the aesthetics but would be in conflict with passive recreation. She provided photographs of the land with a dairy barn where a historic barn was previously located and indicated the visual impact. She discussed what a recreational restroom facility would look like on the property and its visibility from the highway. Mr. Beerman noted that there is a buffer of 1,200 acres of land around this property that cannot be developed or has very limited use. Ms. Fisher stated that they want to look at what adjacent property owners might want to push onto the open space parcel if they are not clear about what they are willing to allow on the parcel. She suggested looking at the entire area as different zones, what exists in those zones, and what uses might be appropriate in those zones. Ms. Ryan did not believe they are qualified to get into that level of detail.

Chair Hanley asked why they are talking about agricultural uses on this property. Ms. Ryan explained that the City leases the land to the Gillmors, and the lease is in effect for another year. Mr. Beerman explained that they will probably renew the lease for a few more years to avoid a big tax impact.

Ms. Fisher clarified that she is not asking the committee to get into the details of where things should happen. She believed she has heard from the committee that they would like to conserve the entire parcel. Second, there is a primary aesthetic value on this property that is very useful, and certain uses could destroy that conservation value. The other real value on this property is passive recreation, which could fit in with the overriding aesthetic value. One of the current conditions on the property is agriculture, which is in line with aesthetics but may create some issues with recreation.

Mr. Joyce believed most people in Park City have no idea of the agricultural value of this property. He asked if preserving this as a farm is something they value versus the City doing what is needed for the next few years to get through the tax impacts. He has never thought of this as agricultural land, and that is not one of the reasons he thought they were trying to preserve it. He would prefer that the agricultural use would disappear. Mr. Cunningham stated that he does not have a problem with an agricultural use on the property. Erin Bragg stated that she does not have a problem with an agricultural use; it is a heritage of the community character of Park City. Chair Hanley did not feel strongly about it one way or another. Ms. Ryan noted that the sheep have done something to the habitat that allows for certain species of wildlife, but if they take them off, it will open the land to another ecological process. She was not certain if that is good or bad. Ms. Fisher explained that they can work on grazing plans, and sheep have been used as a natural herbicide for some types of noxious species. Ms. Ryan expressed concern about the conflicts between passive recreation and agriculture. Ms. Fisher stated that, if they acknowledge that grazing is a tool they may want to use on the property, they can be certain that grazing will continue. If it interferes with passive recreation as one of the values, it needs to be mitigated.

Ms. Goodman stated that she was not sure how they got to recreation being prioritized over critical conservation. If grazing provides a way to conserve the land, it would make more sense to her to put passive recreation a step lower down. She agrees with aesthetics as a priority, but to her, critical conservation is a high priority with managed grazing to preserve community character.

Ms. Frankenburg commented that the projection of some 20,000 additional units to be developed on the north side of SR 40 between Silver Creek and Heber will change the character of the wildlife situation. The idea of establishing open space as a priority for wildlife is difficult to assess at this point. She stated that the noxious weed impact is staggering, and that will likely be impacted by changes in the climate. She was not certain that they should look at anything other than aesthetic open space and passive recreation, because everything else is an unknown.

Ms. Kahn stated that she sees this property as an entry corridor with a lot of aesthetic value. She likes the idea of defining the community with open space at the entry corridors. She was not sure how people might recreate in 20 or 30 years based on how recreation has changed in her lifetime, but she believed people would still do things that could be considered passive recreation, so she would like to keep that designation. If they include a slip ramp, she could see including parking and restrooms. She believed they should keep agriculture for the amount of time it takes for the tax savings and then see where it takes them. She did not want to eliminate agriculture.

Ms. Fisher suggested that she return with two ideas for a conservation easement, one with a broader agricultural use, and one with agriculture as an ecosystem service. She discussed the family that uses the land for grazing, the nature of grazing on the property, and the fact that the sheep are only on the property at certain times of the year.

Mr. Joyce stated that what he has heard from the other committee members is that agriculture would be used as a tool to accomplish other priorities on the property, not that they simply want to preserve the agricultural heritage. Mr. Deters stated that he would not want to disallow agriculture, because it is a tool they can use to manage the property, and people enjoy seeing animals there.

Mr. Cunningham was not in favor of the flexibility discussed by some of the Committee Members, but he would be in favor of allowing the agricultural use and flexibility for a later COSAC to change the agricultural use. Ms. Fisher explained that there is also a management plan component to the conservation easement, and that is where agriculture would come into play. Having this type of discussion is important to Utah Open Lands to be able to move the process forward.

Mr. Beerman stated that he would like to see some discussion at the next meeting about the west side adjacent to Park City Heights, because there has been pressure to develop that. Some City Council Members have talked about whether some of the City's critical needs would be better met adjacent to the Park City Heights development, and a strong consensus from COSAC would be helpful as the Council makes that decision.

VI. ADJOURN

The COSAC meeting adjourned at 10:05 a.m.

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance.

Prepared By
Karen McLaws
The Secretarial Source