

Attachment I-



Citizens' Open Space Advisory Committee (COSAC IV)
Council Chambers, 445 Marsac Avenue, Park City, Utah
August 25, 2015

- I. Meeting Called to Order at 8:36 am, by Judy Hanley, Chair**
- II. Roll Call: Members in Attendance**
 - Heinrich Deters
 - Tom Daly
 - Elizabeth Quinn Fregulia
 - Wendy Fisher
 - Bronson Calder
 - Tyler Dustman
 - Jim Doilney
 - Bill Cunningham
 - Meg Ryan
 - Cara Goodman
 - Suzanne Sheridan
 - Judy Hanley
 - Cheryl Fox
 - Steve Joyce
 - *Council Member Andy Beerman joined the meeting late.*
- III. Adoption of Minutes for August 11, 2015**
 - a. Ms. Fisher asked that the following changes be made to the minutes:
 - i. First paragraph: She is not proposing a different conservation easement for SS91 but suggesting that the committee might look at two different easements for east and west, and whether to leave in a portion of SS91.
 - ii. Page 3: "Ms. Fisher implied that they could put parameters on easements." Ms. Fisher wanted to clarify that part of the purposes of conservation easements is that they are removed from local lobbying/politics.
 - b. Mr. Joyce moved to accept minutes as amended.
 - i. Mr. Doilney seconded.
 - ii. Minutes were approved as amended.
- IV. Staff & Board Communications and Disclosures**
 - a. Council Member Beerman is currently speaking on the radio and will be join the meeting shortly.
 - b. City Tour is coming up. Mr. Deters asked if anyone from the committee was going, but nobody from COSAC will be attending (with the exception of Council Member Beerman, who was not present when the question was posed).
 - c. Summit Lands and Utah Open Lands fund-raisers

- i. Summit Lands: Ms. Fox reported that Summit Lands held their fund-raiser at Blue Sky Ranch. They had thought they would hold the event every other year, but they had so much fun that the board decided they would do so every year. It was a lot of fun and also effective. Mr. Doilney commented that he thought it was fantastic and loved the energy. The food, venue, and auction items were all great, especially the squirt guns! The partners (venue, wine, liquor) were also all great. Stay tuned for next September.
- ii. Utah Open Lands: Ms. Fisher reported that this is the organization's 25th year of operation, so this year they will honor the founding board members, all of whom are Parkites. UOL was the first land trust in the state. They will have a brief overview of a confidential project and other upcoming initiatives, and then will launch into the 25-year celebration. The event will be September 17th in the Scholarship room at the University of Utah, which overlooks the heritage preserve.
- d. Mr. Deters reported that on Sunday he presented to the Morningstar HOA, which is the subdivision that abuts Clark Ranch. He said he had a good discussion with the group, but is disappointed that no one from that entity is present at this meeting for public input. He said the HOA members are very willing to help—either financially or in other ways. The HOA represents a 12-lot subdivision, approximately eight of which are secondary homes.
- e. Mr. Deters provided an update specific to Clark Ranch: the movie studio's *Blood & Oil* project is filming now. He said he received a request to access the G-Bar venture parcel. After preliminarily working through the process, the production crew determined they will most likely not be accessing the venue. But this incident begs the larger question of access to this and other parcels/venues. Mr. Deters said he is examining this issue with Mr. Daly, specifically how to address such issues in an easement. He added that UPCM rejected the filming request, but said we should prepare for subsequent access requests.

V. Public Input: There was none.

VI. Old Business: Clark Ranch Easement Values (Entire Values)

Ms. Hanley then asked Mr. Deters to introduce Ms. Fisher's presentation. Mr. Deters used Gambel Oak as a good example in terms of the process of developing recommendations to present to Council. He reminded everyone that we are presenting value documents.

Mr. Deters said, up to this point, he has heard most about aesthetics and recreation. Agricultural is also important: this does not necessarily need to be a value, but it could help frame the discussion. Ms. Ryan asked Mr. Deters to help keep the group on task since there are so many facets to consider.

Ms. Fisher began by asking the group to focus on defining the conservation values, for example restricting grazing on the west side. She reminded the group of the discussion led by her staff that highlights the various conservation areas. There is an aspen forest, mountain shrub, gambel oak, wet meadow, and sage brush steppe (view shed), which provides habitat for sage grouse, (although we have not seen sage grouse). There are rushes and sedges where seep-like areas come through. There are some critical conservation areas—particularly the springs—that may need restoration work, but we would need to fence them off from cattle. We would therefore need to figure out how to water the cattle. Ms. Sheridan clarified that we do have grazing, at least for the next two years.

Greenbelt / Tax Implications Discussion

Mr. Deters said that the property has been filed as greenbelt, which is very significant, in that it means several hundred thousands of dollars in taxes. Ms. Fox asked whether the easement precludes this. Mr. Daly said that if you keep leases going for five years, you will not be assessed a greenbelt or rollback tax.

If we maintain agricultural use for five years, once you change the use, you will not receive rollback taxes. The lease did go to council, which was part of the purchase. Mr. Deters said Council will most likely want to avoid rollback taxes. Ms. Fisher reminded group that we can use grazing as a land-management tool. For example, grazing helps keep invasive species at bay. It would be possible to insert specific language such as “right but not obligation.” The city will not have to continue to include grazing. If we do not want to put it into the conservation easement, then we can use it as a management tool to further our values on other parts of the property. It is hard to say that we will need to require heritage in agricultural value in perpetuity: it’s hard to keep agriculture on the land as an absolute.

Mr. Joyce asked if we need to allow this on both sides, and Mr. Deters responded that the lease identifies both sides.

Mr. Doilney asked for clarification about our tax obligation: why are we subject to taxes after the purchase? Mr. Daly explained that rollback taxes discourage people from developing agricultural land. There is no tax consequence looking forward, but we do need to look back. A change in use triggers the tax. The rollback tax is by statute/code: we pay tax as if the use changed back then. This is five years from the date of purchase. If you remove the agricultural use within less than five years, the rollbacks are triggered. Mr. Daly said that he would develop a graphic with a timeline to explain the rollback process, in terms of if and when it would be triggered.

Ms. Ryan stated, as she has in previous meetings, that the uses should be primarily conservation, secondarily recreation, and thirdly the conservation easement with preservation of oaks and springs. Finally, character is important but not necessarily the grazing/agricultural characteristics as much as for the visual characteristics. To this end, grazing should be considered a management tool rather than a conservation value. We have five years to deal with this issue anyway. This would then beg the question of how passive recreation fits in, as well as the height of structures and the proposed slip ramp.

Mr. Joyce moved that we adopt priorities as described by Ms. Ryan to drive the constitution of the easement. He outlined them as such:

- Aesthetics
- Passive Recreation
- Conservation Zones around springs and unique vegetation
- Do not prioritize agricultural for conservation but rather for a management tool.

Mr. Doilney seconded the motion.

Mr. Cunningham asked if passive recreation is compatible with grazing. Mr. Deters responded that it is not compatible through the same zones, but yes, if we fenced off grazing. Mr. Doilney asked if this would preclude us from installing an elk underpass. Mr. Deters responded no, and Mr. Fisher said this would be part of the details.

Ms. Fisher said we could further discuss the slip ramp, but in prioritizing values, we are limiting uses that will impair scenic value, recreation value, and critical conservation areas. If council contemplates the slip ramp, we should probably not site it in a seep, for example. In addition to the slip ramp, we should also talk about the west side.

Vote on Mr. Joyce’s motion:

- The group responded aye,
- with the exception of Ms. Goodman, who opposed the recreation element.
- Ms. Fisher abstained.
- The motion passed.

West Side

The discussion then turned to the west side. Ms. Fisher explained those areas on the map. Single-track recreation use is already taking place, which is heightened by the aesthetic views. There are also areas for critical conservation, including mountain mahogany, as well as aspen and gambel oak groves. The bench area is unique in terms of habitat. The ridge top area also has high value for habitat and critical conservation. This is why we would want two separate conservation easements. Ms. Fisher showed a rendering of a firehouse as a possible structure. We would also need to include access to any buildings. What is not shown is the Park City Heights development, which may or may not be obscured. There are not a lot of changes in topography because of the low sagebrush in other areas, so structures stand out. In the proposed rendering, the eye is less drawn to it the because of the mountains in the background.

Mr. Beerman reminded the group that Council has been asked to consider structures, so he wanted to ask the group if they were to build something, whether they would prefer it on the east or the west side. The firehouse is just an example. Mr. Deters asked about the acreage, and Mr. Beerman said it would be approximately three-to-ten acres. Mr. Joyce pointed that the land comes down to a point, and if you chopped three acres off from that point, it almost fits with the Park City Heights development. He suggested putting any buildings in this triangle. Access would come through PC Heights, as opposed to creating a new road. Ms. Sheridan said that trailheads are always important because trail parking is always maxed out. Mr. Deters seconded this because parking at trails is at a premium. He said he wants to push parking to an area in Park City Heights, and that he generally likes flexibility.

Mr. Doilney proposed the following motion: “In the event that additional property is needed by city, it should be carved off the property at the point.” COSAC-recommended language should include the designation of “Steve Point” to be the focus of any city uses that would be subtracted from the conservation easement. City Council would maintain the decision-making process, up to 10 acres. In the event that council chooses to retain property other than uses stated in the easement, we recommend that this not exceed 10 acres and be located at Steve Point. Mr. Calder asked to clarify vertical uses. Mr. Deters responded that this would fall under zoning.

- Aesthetics
 - Passive Recreation
 - Conservation Zones around springs and unique vegetation
 - Do not prioritize agricultural for conservation but rather for a management tool.
 - Exclude no more than 10 acres in the northwest corner of the parcel, adjacent to PC Heights from easement, for City uses TBD by Council.
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- Mr. Doilney’s motion was seconded by Ms. Ryan.
 - Ms. Hanley called a vote.
 - The motion was approved unanimously, except for
 - Ms. Fisher, who abstained.

Transportation (Slip Ramp) Discussion

Ms. Ryan mentioned the next discussion area and referenced Mr. Wilking (who was not present), saying that he felt uncomfortable about binding council to future decisions. She mentioned the letter from Ms. Foster that appeared in the July municipal newsletter, reading aloud the passage describing possible future transportation infrastructure. Mr. Joyce said that this will not impact our discussion. Ms. Ryan asked about the slip ramp impacting this. Mr. Joyce said that the study should answer the question of whether people coming into town will tolerate going around—rather than straight from 40 to the park and ride. If you make it this quick, would it be more highly utilized? Mr. Deters said that the group has already set a template for addressing an issue like this with previous values that have been defined, so we can we put in transportation infrastructure such as a slip ramp that is in concert with the values in a

way that will satisfy council. He asked how we want to define slip ramp and road. Mr. Beerman said this could be a reality sooner rather than later (next three years). He explained that this is not completely within in our purview, but we could give Council a recommendation. Ms. Fox asked if something is sewn up because of an easement, will they just go past this property to the next stop? We could make an additional right-hand lane that loops around and goes around the protected property. An easement does not prohibit this; it just makes them go around. Mr. Doilney said the speed is not impinged that much and we should not chew up open space.

- Ms. Ryan proposed a motion that—based on our defined values—the slip ramp not be accessed through this property.
- The group voted aye unanimously, with the exception of
- Ms. Fisher, who abstained.

Mr. Daly asked if this is based on the assumption that you can't come off the ramp. Ms. Fox said this is council's decision to make. Mr. Doilney said we can impose a restriction on the slip ramp location. Mr. Beerman said his one concern is that this is where the restored wetlands are, so this is probably not possible. Mr. Joyce said there are a lot of highway rules. His concern is about speed coming from the highway: you need to start a slip ramp far in advance. Mr. Deters cautioned that group that we are not engineers. If the impetus for the vote is here, we should pursue. Council may well postpone this decision until they receive transportation data. The city's transportation group will need to develop a solution. We cannot answer this question today. Mr. Doilney said that engineers always like the direct approach, but that they can always achieve their goals based on given constraints.

Discussion of Table

Discussion then turned to the table, which is based on the last discussion that was had. Stated restrictions: no impervious surfaces except paved trails for e-bikes on west trail. Mr. Deters said that he put this exception in because—in working with Wasatch County—he wanted to develop non-car alternatives for ingress/egress to terminate at the Mayflower property (this is part of a bigger plan for a Wasatch County trail network). Mr. Deters said this would stay as close as possible to the boundary, winding its way up to the county line. It would be exactly like Silver Quinn. Ms. Fisher asked for the distinction: alternative transportation route paved on both east and west or just west?

Ms. Sheridan proposed an exception for the east side for e-bikes on the west side because it is so crucial to get people out of their cars. Ms. Goodman asked if it could not just follow the road there. Mr. Deters said this is not our jurisdiction, but he said he would try to do this. Mr. Doilney agreed with Ms. Sheridan but suggested that we define it narrowly. Mr. Deters said that we would word it so that it is in concert with the values as stated. Solutions could be re-vegetation or moving the trail to develop the best possible solution.

Ms. Fisher said whether this is in the easement or the management plan, we could coordinate with UDOT. In addition, it may be good to stay on the UDOT right-of-way simply because of the grade issue.

Ms. Fox asked the group whether the committee would prefer that it stay on the UDOT right of way. Ms. Hanley said she is in favor of the alternative trail but not the e-bikes. Ms. Ryan asked if we are looking at the trail as a whole or just this one. Also, the grazing management plan will dictate other choices to be made. Mr. Deters said that the Stone Ridge easement can help dictate this process. Ms. Fisher said that she thinks they have enough direction to create a blueprint: they can then come back to the group to make sure they have captured the values and uses appropriately to protect the property in the best and most effective ways.

Mr. Beerman said that setting things in stone are important, but something like e-bikes is a new frontier.

He asked Ms. Fisher if she has the flexibility to recognize future development and changing definitions. Ms. Fisher said yes: it always comes back to the conservation values and what you are trying to protect. So, through this process, you look at what will create more pressure on the habitats and wildlife. E-bikes would create noise issues, so you can specify where they are and are not appropriate. The City also was very smart to look at the management plan because this helps manage the intent of the conservation easement and manage it within those parameters. This achieves the flexibility but contains potential future loopholes.

Ms. Sheridan mentioned the Deer Valley easement as a cautionary tale: mountain biking has changed the use dramatically. Ms. Fox said she wishes the easements—which were written in 2001—were written differently. Mountain biking has changed from single-track to wider roads. This shift has completely changed the complexion of the place. We always need to come back to the intent.

Discussion of Amenities, including Restrooms & Parking

Ms. Ryan asked about restrooms and parking. If “Steve’s Meadow” includes a trailhead, will this be sufficient, or should we go back to SS91? Also, with regard to the Talisker property: the county is entertaining development. This holistic extension is very important. Mr. Dustman said BOSAC has not spent a lot of time talking about this area because it has been focused on the bond, so they are playing catch-up on the area. Mr. Beerman said that he and Pat Putt, Chris Robinson, and Mr. Dustman will talk about collaborating on this. Ms. Sheridan said that county council is also talking about open space broadly.

Ms. Fisher said that restrooms are being looked at in this parcel, but her staff will do a visual analysis and consider this within the decision of carving out 10 acres. Mr. Deters asked for clarification: if we put a trailhead on SS91—should we do so with or without restrooms? Ms. Ryan referred everyone to the passive recreation definition. Ms. Fisher also mentioned equestrian use. Ms. Hanley said the barn visualization was helpful. Mr. Joyce said that there is a difference between a two-story barn that is more prominently placed than a restroom that is tucked away and hidden by a dirt mound and painted subtly. Ms. Fisher said they will consider this in their recommendations. Reserving future use may happen in the future. Ms. Ryan suggested a composting toilet.

Sommer Parcel

Mr. Deters gave an update on this parcel. The sale has been approved. He said they will try to close on the 4th rather than the 25th. They will identify funding. The current plan is to do some affordable housing and some open space. There is no access on this property. This is a one-time purchase. Mr. Deters said he would also like to tie up the Hogle parcel.

VII. Adjourn

Mr. Cunningham made a motion to adjourn.
The motion was seconded by Mr. Dustman.
Meeting adjourned at 9:59 am.

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance. Minutes were recorded and prepared by Elizabeth Quinn Fregulia, Community Affairs Associate for Park City Municipal Corporation.