



August 25, 2020

Park City Municipal Corporation
Trails and Open Space Department
445 Marsac Avenue
Park City, UT 84060

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Application #</u>	PL-20-04560
<u>Subject</u>	Administrative Conditional Use Permit (CUP)
<u>Address</u>	Treasure Hill – Parcels PC-364-A-X and THILL-5-X
<u>Description</u>	The Applicant is proposing to construct a Trail and Trailhead Improvements.
<u>Action Taken</u>	Approved with Conditions
<u>Date of Action</u>	August 25, 2020

Action taken by Planning Department: An Administrative CUP was granted for a new non-motorized trail, trailhead sign, “mutt mitt” animal waste bag dispenser, retaining wall, compacted gravel landing pad, and a trash can at Parcels PC-364-A-X and THILL-5-X based on the following:

Findings of Fact:

1. The project is located on Treasure Hill. The parcels included in this proposal are PC-364-A-X and THILL-5-X.
2. An adjacent Parking Area consisting of five (5) spaces is being proposed within the City Right-of-Way. As it is within the Right-of-Way, the Planning Director and City Engineer determined that it does not need to be reviewed within the scope of this permit, per Land Management Code (LMC) 15-1-6. This Parking Area is on an Area of Lowell Avenue that is a City Permitted Parking Only Area, and as such outside of the proposed Parking Area will be restricted to permit holders. Signage will be provided indicating this, as well as Park City Parking Services Department monitoring the Area.
3. The Properties are located in the Recreation Open Space (ROS) Zoning District, in which a Trail and Trailhead Improvements are an Administrative Conditional Use. These parcels are owned by Park City Municipal Corporation.
4. The purpose of this Administrative CUP request is to allow for a new non-motorized “hiking/directional biking” trail that will connect to the existing trails on Treasure Hill, as well as trailhead improvements (i.e. trailhead sign, “mutt

mitt" animal waste bag dispenser, retaining wall, compacted gravel landing pad, and a trash can), as allowed by the Land Management Code (LMC). The trail will be for warm season use (i.e. the trails won't be accessible for hiking/biking during the winter season when snow is covering them). See Exhibit A. The proposed trail is shown as a purple line. The trailhead area is indicated with a red circle.

5. City Council Work Sessions regarding Treasure Hill's Open Space include May 2, 2019 (staff report linked [here](#) and minutes linked [here](#) beginning on page 3) and September 12, 2019 (staff report linked [here](#) and minutes linked [here](#) beginning on page 11). The Applicant has confirmed that, in coordination with Mayor Beerman, the proposed plans have been sent to the Treasure Stakeholders community group and the group had no concerns.
6. A donated art piece is proposed to be located at the Trailhead, as well, but that is not being reviewed with this permit. This was approved by City Council on September 12, 2019.
7. The public notice was posted and notice to adjacent Property owners was sent on August 11, 2020. An Administrative Review of the Planning Director was held on August 21, 2020, which was open to the public. Public comment was received and taken into consideration for this review, and are included with this letter as Exhibit B. This comment was supportive of the trails, but indicated that the City monitor the Parking Area (see Finding of Fact 2) in the winter in order to mitigate patrons of the ski resort(s) parking in the Trail Parking Area as well as along Lowell Avenue.
8. The Properties are located within the Sensitive Lands Overlay Zone. As the Sites are currently used for Trails, and the Trailhead Improvements will create a minimal disturbance, the addition of one trail will have minimal impact on this Site. The proposal complies with LMC 15-2.21.
9. Staff finds that this project, as Conditioned, is in compliance with Land Management Code (LMC) 15-1-10(E):
 - a. 1. Size and location of the Site. *Complies.* The Lots on which the trail is proposed are substantial in size and there is already existing trail system. Parcel PC-364-A-X is 6 acres and THILL-5-X is 4 acres, according to Summit County's Parcel Map. The Sites will be able to support the additional trail.
 - b. 2. Traffic considerations including capacity of the existing Streets in the Area. *Complies as conditioned.* The proposed Parking Area will be sufficient for the Trail and Trailhead Improvements Uses. LMC 15-3 Off-Street Parking does not list a requirement for Trails and Trailhead Improvements to include parking. Regarding concern in Exhibit B about the Parking Area in the winter season, see Conditions of Approval 4-6.
 - c. 3. Utility capacity, including Storm Water run-off. This is inapplicable to this Application. No new utilities are proposed and the trail will minimally impact the subject Sites' Storm Water run-off.
 - d. 4. Emergency vehicle Access. *Complies.* The proposal will not affect the existing emergency vehicle access to this and the adjacent Area.

- e. 5. Location and amount of off-Street parking. *Complies.* See item 8b above.
- f. 6. Internal vehicular and pedestrian circulation system. *Complies.* The trail(s) allow for pedestrian circulation on the Sites.
- g. 7. Fencing, Screening, and landscaping to separate the Use from adjoining Uses. *Complies as conditioned.* As the Parking Area, although not included in this permit, does cause a need for a portion of grade to be relocated on the Site, a steel retaining wall (not exceeding 4' in height) will be required. This has been reviewed by the City's Historic Preservation staff and no concerns were brought forward. The Area disturbed by this project will be re-seeded as shown with Seed Mix "A". The area of disturbance for the wall will be about 350 square feet and the soil deposit Area will be on-site. See Condition of Approval 11. The compacted gravel landing pad for the trailhead entry will not be made of loose gravel. The gravel will stay in place and not be utilized for Parking.
- h. 8. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots. This is inapplicable to this Application, as no buildings are proposed.
- i. 9. Usable Open Space. *Complies.* As the Application is for passive recreation trails that are open to the public, the proposal complies.
- j. 10. Signs and lighting. *Complies.* [Municipal Code Section 12-8-1](#) states that City Signs are exempt from Permit Requirements. No lighting is proposed with this Application.
- k. 11. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing. *Complies.* The Recreation Open Space (ROS) Zone allows for Trail and Trailhead Improvements as an Administrative Conditional Use, per [LMC 15-2.7-2](#). The proposed project aspects are typical to other designs for the same Use throughout Park City. The steel wall is compatible with walls seen throughout the Historic Districts and complies with standards in LMC 15-13.
- l. 12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site. *Complies as conditioned.* See Condition of Approval 8.
- m. 13. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas. Not applicable, as these aspects are not proposed for this Application.
- n. 14. Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities. Not applicable to this Application, as no Nightly Rentals are proposed.
- o. 15. Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed

Structure to the existing topography of the Site. Complies as conditioned. See Finding of Fact 8 above. These properties are not within the Soil Ordinance Boundary.

- p. 16. Reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding. This Application has been reviewed for consistency with the General Plan and staff has found it to comply.

Conclusions of Law:

1. The application complies with all requirements of Section [15-1-10\(E\)](#), [15-2.7-2\(B\)](#), and [LMC 15-2.21](#) of the Land Management Code.
2. The proposed Use, as conditioned, is compatible with the surrounding Sites in Use.
3. As conditioned the use is consistent with the Park City General Plan.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All standard conditions of approval apply to this Administrative Conditional Use Permit.
2. The aspects of this Permit shall comply with the Land Management Code.
3. The trail and trailhead improvements shall be installed as approved in the plans shown in Exhibit A of this letter.
4. The 5 space Parking Area adjacent to the proposed Trailhead shall be approved by the City Engineer and Signs shall be installed in coordination with the Parking Services Department. Parking shall be limited to 5 parking spaces and no winter season parking.
5. A rail fence, or equivalent, shall be installed as close to the back of curb as possible, subject to City Engineer approval on all City property adjacent to Lowell / Empire Avenue connection curve, not specifically approved for parking. "No parking" signs will be installed in the fenced areas. The fencing shall comply with LMC 15-13 Design Guidelines for Historic Districts and Historic Sites.
6. If 3 formal complaints are received by the City regarding the Parking Area, the Community Development Departments (Engineering, Planning, and Building), the Applicant, and the Parking Services Department will review the complaint(s) and may require further mitigation strategies to lessen unpermitted parking on Lowell Avenue. The Parking Area, which is within the City Right-of-Way is being reviewed by the City Engineer.
7. The trails shall not violate applicable International Fire Code, International Building Code, and/or Park City Municipal Code. Applicant is responsible for obtaining any required City permits based on this scope of work. Applicant shall comply with any Building Department process/procedures regarding obtaining proper authorization.
8. The aspects of this Permit shall comply with the requirements of [Municipal Code Title 6](#) Health; Nuisance Abatement; Noise.

9. Construction of the Trail and trailhead improvements shall not impact other areas outside of the trail corridors.
10. Trail and trailhead improvements construction areas shall be properly posted to ensure safety of trail users.
11. The Area of disturbance shall be re-vegetated with Seed Mix "A", as shown in Exhibit A, and shall comply with LMC 15-5-5(N). This includes the graded Area adjacent to Lowell Avenue, any new access pathways, and the soil deposit Area.

If you have any questions regarding your project or the action taken please don't hesitate to contact me at (435) 615-5060 or bruce.erickson@parkcity.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Erickson', with a long horizontal flourish extending to the right.

Bruce Erickson
Planning Director, AICP

CC: Liz Jackson, Planner

Exhibit A – Approved Plans
Exhibit B – Public Comments

EXHIBIT A – Proposed Plans

Trailhead Site Before Proposed Project





Proposed Project Renderings



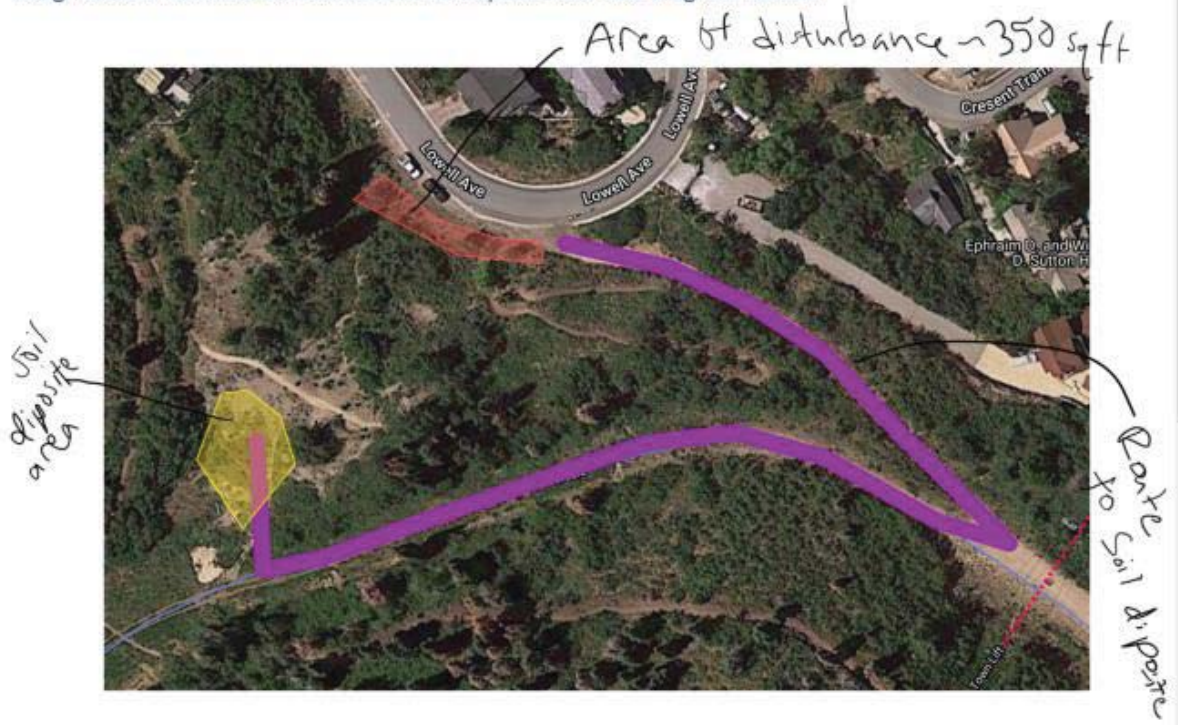


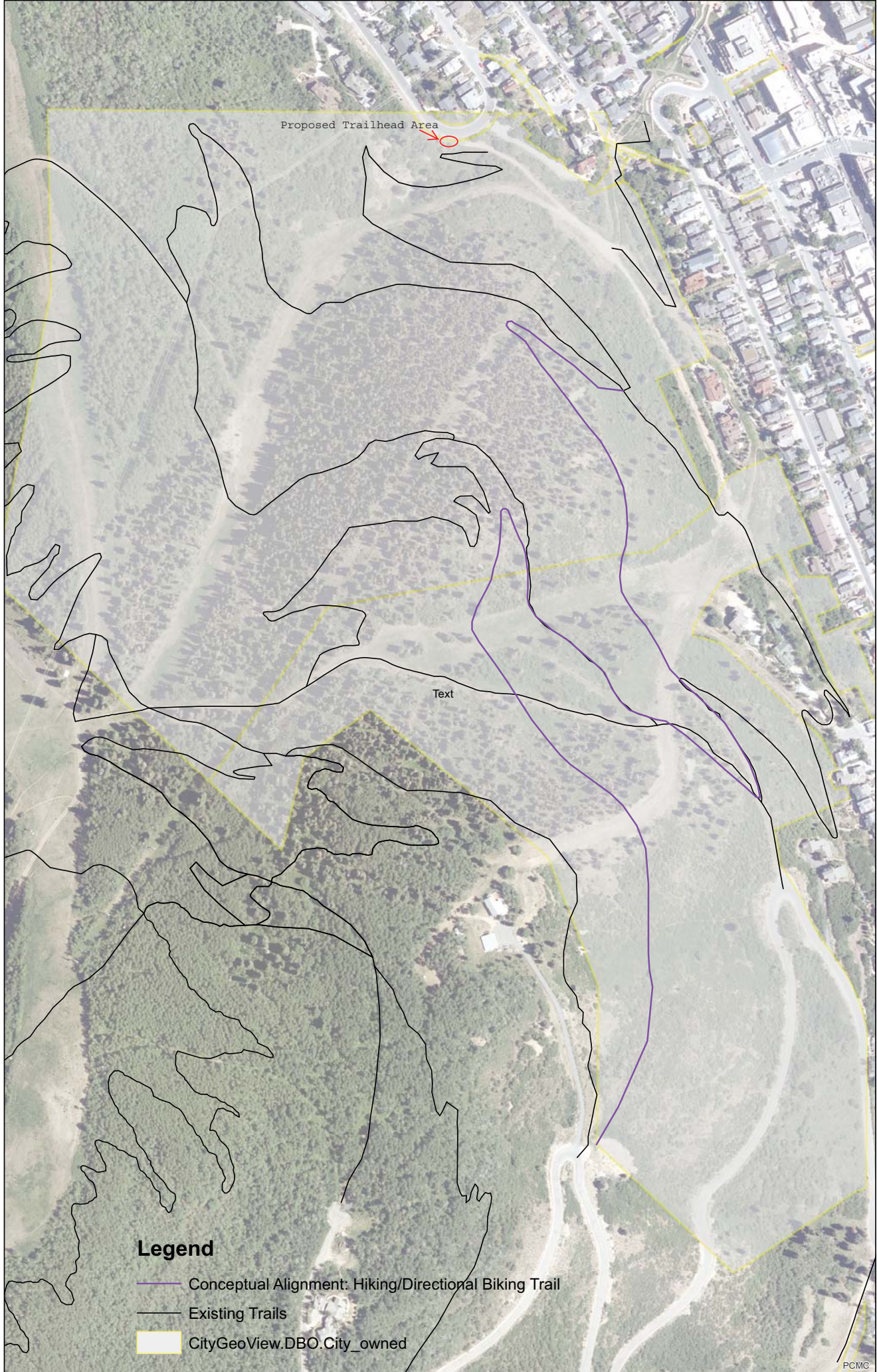
Parking Area and majority of sidewalk are considered to be within the City Right-of-Way and are not included in this permit, per LMC 15-1-6.

- Seed mix:

SEED MIX "A"							
GRASSES/ FORBS	SEED NAME			NUMBER SEEDS PER POUND	POUNDS OF PURE LIVE SEED PER ACRE	% OF MIX	SEEDS PER SQ. FT.
	SEED NO	COMMON NAME	BOTANICAL NAME				
G	1	Sandberg's Bluegrass	<i>Poa secunda</i>	925,000	1	14%	21
G	2	Idaho Fescue	<i>Festuca idahoensis</i>	450,000	2	13%	21
F	3	Blanketflower	<i>Gallardia arisata</i>	186,000	5	14%	21
G	4	Indian Ricegrass	<i>Achnatherum hymenoides</i>	161,920	5	12%	19
G	5	Slender Wheatgrass	<i>Elymus trachycaulus</i>	150,000	5	11%	17
G	6	Blue Bunch Wheatgrass	<i>Pseudoroegneria spicata</i>	125,600	4	7%	12
F	7	Rocky Mountain Penstemon	<i>Penstemon strictus</i>	489,800	4	29%	45
TOTAL POUNDS OF PURE LIVE SEED PER ACRE					26	100%	156

- Rough area of disturbance estimate is 350 square Feet. See diagram below:





From: nielspv@yahoo.com
Sent: Friday, August 14, 2020 8:27 AM
To: Elizabeth Jackson; Heinrich Deters
Subject: Treasure Hill trailhead.

Greetings Liz. I live across the street from the proposed tailhead. Heinrich has shared the details of the plan and I think the plan is great. It is wonderful to see how many people use the trails for hiking and biking. One issue deals with winter parking. With PEG and PCMR planning to charge for parking, the trailhead parking spaces will be inviting. I see in the plans that you plan on discouraging this by using the parking area for snow storage. During midwinter that should be adequate. However in early and late season that area will not have snow. Skiers will quickly figure out that they can park for free and get to the Town Lift. Plenty of skiers already park along upper Lowell to get to the Town Lift. A parking lot will make the situation worse. Other than signage saying your car will be towed and adequate enforcement, I don't have any practical suggestions.

Niels Vernegaard
822 Lowell Ave