

2.2 Employee Housing

Developer shall construct or provide deed restricted off-site housing for 80 PCMR employees on or before October 1, 2003.¹ The rental rate (not including utilities) for the employee housing will be determined by the City Council Housing Resolutions Establishing Guidelines and Standards, but will not exceed 1/3 of the employee's base gross wages. The rental rate shall be assured in perpetuity through deed restrictions in form and substance satisfactory to the City. Developer must commence construction or complete the purchase of housing to accommodate 80 employees within 90 days of receiving a Small Scale MPD which, in combination with previously granted Small Scale MPDs, represent approvals for a total of 50% of the total square footage of the Concept Master Plan. Developer must work expeditiously to complete the employee housing project(s). In no case shall Small Scale MPDs, which represent approvals for a total of 60% of the Small Scale MPDs within the PCMR Concept Master Plan, be issued until the required housing is available for occupancy. Park City will provide Developer a letter of compliance when it fulfills this requirement.

2.3 Ski Operations Improvements

The Developer has submitted a Mountain Upgrade Plan, which is attached hereto as Exhibit L. Development of the skiing and related facilities as identified in the Mountain Upgrade plan is a conditional use within the City limits and is a subject to administrative review² and approval or rejection for improvements visible from vantage points within the City limits prior to application to Summit County for any necessary County permit. Within the areas shown on the view shed Area map, Exhibit M, the Developer shall notify the Community Development Director of the proposed project and shall submit a plan detailing the proposed location of the alignment and scope of the proposed undertaking will be submitted with such notification. The Developer and the Community Development Director shall discuss the project and the potential

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If there is a downturn in the market, and the Developer fails to obtain approval for 60% of the Small Scale MPDs within the PCMR Concept Master Plan, on or before October 1, 2003, Developer shall, at a minimum acquire, by lease or by purchase its proportionate obligation to produce employee housing, and shall offer such housing to employees at a price at or below Park City's applicable affordable housing rates and standards. For example, if only 40% of the Small Scale MPDs have been approved by October 1, 2003, Developer shall provide housing for 32 PCMR employees at the lesser of the City's Affordable Housing rate or no more than 1/3 of the employee's monthly income. Once Developer ultimately achieves the 60% Small Scale MPD approval, it must provide deed restricted housing for all 80 employees as detailed above.

² Developer shall have a right of appeal pursuant to the Land Management Code of any denial of an administrative permit for Ski Operations Improvements.

impacts of the project to Park City including its visibility, re-vegetation plan and erosion control proposal. The following Standards shall apply to the Community Development Director's review:

- 2.3.1. Consistency with the Mountain Upgrade plan. The selection of lift transportation type shall be at the sole discretion of the Developer.
- 2.3.2. The Community Development Director may identify certain techniques as identified in the Park City Mountain Resort Resource Management Plan - Visual Management Guidelines to mitigate any impact to the view shed. The techniques include realignment, re-vegetation, and special silvacultural treatments between ski spaces to achieve the necessary blending. Traditional openings for ski trails and lifts with straight edges and uniform widths will be minimized to the greatest extent possible. Interconnected ski spaces of variable width and length, which are linked together in the fall-line to take advantage of the natural open spaces and vegetative conditions, islands and glades, natural or natural appearing trail edges, are preferred. 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.
- 2.3.3. Ski run lighting shall be consistent with the Park City lighting standards. Glare shall be minimized to the greatest extent possible.
- 2.3.4. Lift towers shall be painted or otherwise treated to blend with the natural surroundings. The color black, as currently used on the Payday Lift, is considered to be the most appropriate. Other colors may be appropriate that are consistent with low contrast with the surrounding vegetation and terrain. Galvanized lift equipment shall be treated to minimize reflectivity.
- 2.3.5. Vegetation management, re-vegetation and erosion control techniques shall be designed in accordance with the Park City Mountain Resort Resource Management Plan - Vegetation Management Plan and Re-vegetation Guidelines. 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.

- 2.3.6. Parking. At all times Developer shall assure that it has adequate parking or has implemented such other assurances, as provided in the Parking Mitigation Plan, to mitigate the impact of any proposed expansion of lift capacity.

Upon Developer's compliance with the preceding standards, Developer shall apply to Summit County to issue a permit, consistent with the Community Development Director's approval, to proceed with Ski Operations Improvements within the unincorporated portions of the Viewshed Area. Ski Operations Improvements within the City limits shall comply with all applicable laws.

Section 3. DEVELOPMENT OF THE 1997 MASTER PLANNED AREA

- 3.1 Vested Right to Develop. Developer has a vested right to develop the 1997 Master Planned Area in accordance with the PCMR Concept Master Plan, which details volumetrics, horizontal and vertical articulation, maximum square footage of each building, streetscapes, and architectural and design guidelines, all of which are integral to this plan. Each Parcel is subject to Small-Scale MPD/conditional use review by the Planning Commission. Site specific proposals must substantially conform to the approved PCMR Concept Master Plan. The maximum square footages, unit equivalents and volumetrics as described in the Park City Mountain Resort Base Area Master Plan Study are the maximums permitted for each development Parcel. The overall project shall not exceed the permitted density of 491.78 Unit Equivalents (excluding support commercial, underground public convention and meeting space). If the Developer submits, or the Planning Commission approves (based on criteria in the Concept Master Plan), less than the maximum square footages outlined in the Park City Mountain Resort Base Area Master Plan Study for any given Parcel, that square footage will not be allowed to be transferred to another Parcel. The volumetrics outlined in the Park City Mountain Resort Base Area Master Plan Study communicates to potential developers that building height and facade variation is critical components of this project. The volumetrics represent maximums that can be achieved on any given Parcel. The vertical and horizontal articulations that are specified in the volumetrics are