

PARK CITY MOUNTAIN SKI LIFT IMPROVEMENTS ADMINISTRATIVE CUP APPEAL FAQ RESPONSES

The appeal will be heard by the Planning Commission at a regularly scheduled hybrid meeting in City Council chambers on June 8th, 2022, starting at 5:30 pm.

The Planning Commission meeting staff report, appeal, and applicant's response to the appeal will be published on Wednesday May 25th and posted on the city website [here](#). The original application materials, administrative staff report, conditions of approval and a link to the Planning Director's action letter may be found on the City's website [here](#). The full Planning Commission packet will also contain all the appeal materials and will be published on the City's website under "Public Meetings" on Friday, June 3rd.

When the Planning Commission hears this appeal, it acts in a quasi-judicial manner. All comments should be made at the hearing or sent to the Planning staff at planning@parkcity.org.

Please do not contact or email Planning Commissioners directly.

The appellants bear the burden of proving that the Planning Director erred in approving the Administrative Condition Use Permit as conditioned. Because the appellants bear the burden of proof, they will present first. Then the Planning Director, followed by the applicant. It is anticipated that the appellants, the staff, and the applicant will each be allowed 15-30 minutes to present, for a total presentation time of one hour. The time allotments are at the discretion of the chairperson.

Utah's Office of the Property Rights Ombudsman has a summary of conductional uses [here](#).

The Planning Commission is required to review factual matters de novo, which means anew and without deference to the Planning Director's determination of factual matters.

The Planning Commission is required to determine the correctness of the Planning Director's interpretation and application of the plain meaning of the land use regulations. The Commission must interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application.

A public hearing is required. During the public hearing comments will be limited to 3 minutes each, unless otherwise determined by the chairperson. Only comments about matters raised in the appeal will be allowed—general comments about the applicant or the applicant's business will not be received. The Commission may allow either party to enlarge the scope of the appeal. If this is allowed, any additional information accepted must be related to the scope of the appeal. The role of City staff, including legal staff, is to provide technical and legal advice and professional judgment to the Planning Commission. Staff are not advocates of any party or position, but it is appropriate for staff to make recommendations based on their technical and legal advice and professional judgment.

The Planning Commission's decision may be appealed to Third District Court within thirty (30) days.

There is no appeal option to the City Council and the deadline for City Council call-up has passed.