



**Planning Department**

June 27, 2022

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**NOTICE OF PLANNING COMMISSION FINAL ACTION**

**Description**

Application Appealed: Park City Mountain Resort Administrative Conditional Use Permit to upgrade two ski lifts: Silverlode (to remain in the same location) and Eagle (to be realigned and extended) on Parcel Nos. PCA-S-98-PCMR-1, PCA-29-A, PCA-29-D, PCA-1003, SA-402-A, SA-253-B-2 in the Recreation and Open Space Zoning District and Sensitive Land Overlay (PL-22-05145).

Appeal Number: PL-22-05249

Action: APPEAL GRANTED (See Below)

Date of Final Action: June 27, 2022

Appeal Summary: The Appellant appealed the April 25, 2022 Planning Director Approval of the Administrative Conditional Use Permit.

**Action Taken**

On June 8, 2022, the Planning Commission reviewed an appeal of an Administrative Conditional Use Permit (ACUP) for the construction and upgrading of two ski lifts and conducted a public hearing. On June 15, 2022, the Planning Commission concluded their deliberations regarding the appeal. The Planning Commission hereby GRANTS the appeal according to the following Findings of Fact and Conclusions of Law:

**Findings of Fact**

1. The Site is located at Parcels PCA-S-98-PCMR-1, PCA-29-A, PCA-29-D, PCA-1003, SA-402-A, SA-253-B-2.



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2. The Site is in the Recreation and Open Space (ROS) and Sensitive Land Overlay (SLO).
3. The ACUP Applicant proposed to upgrade the existing Silverlode ski lift from a six-person chairlift to an eight-person chairlift.
4. The Applicant proposed to replace the existing Eagle and Eaglet lifts with a single lift in an adjacent alignment.
5. The 1998 Development Agreement and Park City Mountain Resort 1998 Mountain Upgrade Plan (MUP) outlines future ski lift upgrades.
6. On April 25, 2022, the Planning Director approved an ACUP for the lift upgrades as proposed by Park City Mountain.
7. On May 5, 2022, the Appellant filed a timely Appeal regarding the ACUP approval with the Planning Department.
8. The appellant has standing to appeal because they submitted public input and participated in the Administrative Public Hearing on April 25, 2022.
9. The Planning Commission reviews appeals of Planning Staff pursuant to Land Management Code Section 15-1-18(A).
10. The Planning Commission heard the Appeal on June 8, 2022, conducted a public hearing, closed the public hearing, and continued their deliberations to June 15, 2022.
11. On June 15, 2022, the Planning Commission voted 3-1 to grant the appeal.
12. The Planning Commission determined the proposal did not meet Criteria 1 and 6 of the 1998 Development Agreement, in that:
  - The alignment of the new Eagle (Chondola) lift is not the same as shown in the MUP, as it does not go to the Meadow area. The new Eagle (Chondola) lift is therefore not consistent with the Park City Mountain Resort 1998 MUP.
  - The total CCC analysis due to the lift upgrades contain discrepancies in Vertical Demand between the 1998 Mountain Upgrade Plan and the proposed CCC tables submitted by the Applicant. Discrepancies also existing in the CCC analysis and appropriate Vertical Demand calibration for the Eagle Lift, Silverlode and King Con between SE Group (the Applicant's consultant) and EcoSign (Park City Municipal's Consultant). Therefore, the total operating CCC has not been verified and/or defined. As a result it is not possible to accurately assess the required parking and other mitigation measures.
  - The lease for additional parking at Park City High School is available a maximum of eight days per month limited to weekends and holidays and not to include consecutive weekends and is, therefore, insufficient to properly mitigate the increased parking demand which overflowed at least 68 days during the 2021/22 ski season. The number of stalls to be used was not defined, and therefore insufficient to properly mitigate.
  - The paid parking mitigation plan was based on unconfirmed CCC numbers and ski resort data that is not satisfactorily comparable to Park City in terms of access and



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controls for parking. Therefore, the assumed 11% reduction in Average Vehicle Occupancy (AVO) is in error.

- The City's consultant, EcoSign, did not verify actual calculations, and review was limited to the data and tables provided by the ACUP Applicant, Park City Mountain.
- The MUP specifies 200 stalls, plus the Sweetwater site, to be used by employees of Park City Mountain Resort, but these stalls are not accounted for in the Parking Mitigation Plan, and parking mitigation therefore is insufficient.
- The ACUP Application is inconsistent with Figure IV-1 (denoting ski lift locations) from the MUP.

### Conclusions of Law

1. The Planning Director erred in determining the ACUP complies with Criteria 1 and 6 of the 1998 Development Agreement.
2. The effects of any differences in use or scale have not been sufficiently mitigated through careful planning because parking and other required mitigation cannot be determined because CCCs are neither agreed upon nor absolutely confirmed.

### Order

The Appeal is GRANTED. Nothing herein prevents the Applicant from proceeding with a full Conditional Use Permit for each lift individually or jointly.

If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5068 or email [lillian.lederer@parkcity.org](mailto:lillian.lederer@parkcity.org).

By:



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John Phillips,  
Planning Commission Chair

CC: Lillian Lederer, Project Planner