



Planning Department

June 27, 2022

Deer Valley Resort Co. LLC
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NOTICE OF PLANNING COMMISSION DETERMINATION

Description

Address: Parcel Number PC-900-4

District: Recreation and Open Space Zone and Sensitive Land Overlay

Application: Conditional Use Permit Number:
PL-22-05237

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: June 27, 2022

Project Summary: The applicant proposes to move and reconstruct the Burns ski lift and relocate and regrade the Lower Little Stick ski run.

Action Taken

On June 22, 2022, the Planning Commission conducted a public hearing and approved the construction of the Burns ski lift and the relocation of and regrading of the Lower Little Stick ski run according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. The Site is located at Parcel Number PC-900-4.
2. The Site is located in the Recreation and Open Space (ROS) Zoning District.
3. The Applicant proposes to remove, move, and rebuild the Burns ski lift and regrade of the Lower Little Stick ski run.
4. The Lower Little Stick ski run will be 2/3rds regraded.
5. The existing lift towers are between 20' and 45' in height.



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6. The proposed four new lift towers are between 29.9' and 41.5' in height.
7. The new lift terminals will be 25' in height.
8. The existing lift is fixed grip double chair, and has a capacity of 950 people per hour (pph).
9. The proposed lift will be a detachable quad chair and has a capacity of 1,800 pph.
10. The 1800 pph of the Burns lift is effectively metered by the Snowflake lift's pph of 1000 and therefore has no impact on parking demand.
11. Staff reviewed the Parcel Number PC-900-4 Conditional Use Permit Application for compliance with LMC Chapter 15-2.7, Recreation and Open Space (ROS) Zoning District, Chapter 15-2.21, Sensitive Land Overlay (SLO) Zoning District, Section 15-4-18 Passenger Tramways And Ski Base Facilities, and Section 15-1-10 Conditional Use Review Process.
12. The new Burns lift and regraded Lower Little Stick ski run comply with setbacks in the ROS Zone.
13. The new terminals are at least ~500 feet away from the nearest residence.
14. Under SLO criteria, the Planning Commission found:
 - i. The new terminals and towers are proposed to be built on Very Steep Slopes and
 - I. An intrusion into the Ridgeline areas is not created.
 - II. The project does not create an excessive cut into the slope.
 - III. The Limit of Disturbance is limited to the project scope, and surrounding areas will be revegetated.
 - IV. Erosion hazards will be mitigated through re-vegetation.
 - V. The plan does not propose the construction of units.
 - VI. The plan does not propose additional Density massing.
 - VII. The scope of the project is limited to the proposed plans.
 - ii. The new location of the Burns lift does not have a significant impact on any ridgelines. The current lift is visible from the Snow Park Lodge vantage point, and the new location will also be visible from this point.
 - iii. Vegetation will be impacted by the installation, and the surrounding impacted areas will be revegetated with native vegetation.
 - iv. No wetlands are within the proposed project area.
The new lift and graded run will not significantly impact the runoff that feeds the creek.
 - v. The project area shall comply with the WUI.



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- vi. The new lift and ski run area will not create a significantly larger impact on the existing habitat areas.
15. Under CUP criteria, the Planning Commission found:
- i. The site is existing, with existing ski lifts and runs. The old part of the ski run shall be revegetated to mitigate impacts of the new part of the run.
 - ii. The proposed lift and ski run will be constructed within the resort property and will not impact traffic. The proposal will not increase the base capacity of the beginner section of the mountain, and therefore will not increase traffic.
 - iii. The Development Review Committee reviewed the proposal and did not identify any impacts to utility capacity.
 - iv. The ski lift will not impede Emergency Vehicle Access.
 - v. The proposed ski lift will not increase the base capacity of the beginner section of the mountain, and therefore will not increase parking demand.
 - vi. The ski lift and run will affect the internal pedestrian circulation system, but make it easier to move beginner skiers around the mountain.
 - vii. Impacted vegetative areas must be revegetated (see Condition of Approval 6). The old Lower Little Stick ski run shall be revegetated with Deer Valley Mountain Mix.
 - viii. The open space will be made more accessible to beginner skiers, and the beginner ski terrain and circulation will be efficiently redistributed.
 - ix. There are no proposed outdoor lighting or signs.
 - x. The new terminals will be compatible with existing terminals. The new towers will be galvanized steel, which match existing towers.
 - xi. The new Burns lift will be 70 to 75 decibels at the drive terminals, typical for ski lifts. The new lift will be at least 500' away from existing residences, which reduces the overall sound impact from the proposal.
 - xii. The expected ownership is Private, by Deer Crest Associates I, L.C.
 - xiii. The project complies with the Sensitive Land Overlay.
 - xiv. The proposed Use of the Site is consistent with the Small Town and Natural Setting Goals of the General Plan, specifically the goals to further the City's role as a world-class destination and supporting high-quality recreation in open space.
16. Under Passenger Tramways And Ski Base Facilities criteria, the Planning Commission found:
- i. The Applicant has permission from the Owner of the property to install the lift.
 - ii. The proposed lift will extend a distance of at least ten feet outward from the vertical plane.
 - iii. The base and terminal facilities of the ski lifts are prohibited from and



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- will not be constructed in the HR-1 or HRL zones, per the LMC.
- iv. The ski lift will not be constructed over public roads.
 - v. The ski lift will not be constructed over any wires or utility lines.
 - vi. The ski lift expansion will not increase the base capacity at the beginner section of the mountain, and therefore will not impact parking.
 - vii. The purpose of the expanded Burns lift is to better circulate beginner skiers on the mountain in existing ski terrain and runs. A decrease in beginner base lift capacity, while making the beginner area safer and more efficient, serves the overall community goals by implementing world class resort planning, pursuant to the General Plan, Deer Valley Lower Neighborhood. Also, the lift reduces or will not impact the adjoining properties or parking in the Historic Districts.
17. Staff posted notice to the City website, City Hall, and the property on June 8, 2022.
 18. Staff mailed courtesy notices to the adjacent property owners on June 8, 2022.
 19. On June 8, 2022, the Park Record published legal notice.

Conclusions of Law

1. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.7 Recreation and Open Space (ROS) Zoning District, Chapter 15-2.21 Sensitive Land Overlay (SLO) Zoning District, Section 15-4-18 Passenger Tramways And Ski Base Facilities, and Section 15-1-10, Conditional Use Review Process.
2. The use will be compatible with surrounding Structures in use, scale, mass, and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. This action letter is only applicable to the Burns ski lift, and Lower Little Stick ski run.
2. Final building plans and construction details shall reflect substantial compliance with the final plans submitted on June 15, 2022, to the Planning Department. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning Department may result in a stop work order.
3. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.
4. Any changes, modifications, or deviations from the approved scope of work



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shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.

5. The lift shall extend a distance of at least ten feet outward from the vertical plane and shall not encroach into Setbacks.
6. No signs or outdoor lights are approved.
7. All vegetation removal shall be kept to a minimum, and impacted vegetative areas shall be revegetated and compliant with the Wildland-Urban Interface Code. The unused portion Lower Little Stick ski run shall be revegetated. The Applicant shall provide a re-vegetation plan identifying all significant vegetation impacted by the lift removal. All replacement vegetation shall be designed to control erosion and to restore native, water-wise, and fire-resistant ground cover as quickly as possible after ground disturbing activities. The re-vegetation plan shall be submitted with the Building Permit application, reviewed, and approved by the Planning Director.
8. The new towers shall be galvanized to match the existing towers.
9. The project is subject to safety regulation by the Passenger Tramway Safety Committee of the State Department of Transportation.
10. The new lift terminals shall comply with the City Noise Ordinance, Chapter 6-3.
11. The Applicant shall comply with the 25-foot ROS Setback requirement for all structures and staging areas.
12. The existing Burns lift, including all towers and terminals, shall be dismantled and moved off-site prior to the operation of the new lift.

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

Sincerely,



John Phillips,
Planning Commission Chair

CC: Lillian Lederer, Project Planner