

May 25,2022

Staff Memo to the Alta Planning Commission

RE: Alta Ski Area Request for a Conditional Use Permit for eight (8) Wyssen Tower Remote Avalanche Control Systems on Mount Baldy. Eleven (11) total, but three(3) on Forest property, eight (8) on private property under Planning Commission purview.

The Alta Ski Area (Alta) is requesting a Conditional Use Permit (CUP) to install 11 Wyssen Tower Remote Avalanche Control Systems (RACS), 8 on their private property and 3 on Forest property, in the Mount Baldy Area.

Alta's letter of application and background materials on the Wyssen Towers, Department of Justice ATF Approval letter and Forest Service approval letter for the towers on Forest property are attached. The application letter and attachments provide a detailed description of the proposal.

The Forest Service has jurisdiction over the RACS installations on Forest property. The town has jurisdiction over the private property requests. The RACS on Alta's property are property zoned FR-50 and require CUP approval prior to construction. They also require a variance since they will be constructed on slope over 30%, but that is an issue for the Land Use Appeal Authority and will be dealt with separately.

In the FR-50 zone, anything but a single-family dwelling and accessory uses to single family dwellings requires a CUP. The ski area is a conditional use under "Commercial and private recreation" and the RACS qualify as conditional uses since they are "accessory uses and structures customarily incidental to a conditional use."

10-6A-3: CONDITIONAL USES:

All conditional uses are subject to sections [10-6A-4](#) through and including [10-6A-9](#) of this article, except that the regulations of sections [10-6A-4](#) through [10-6A-9](#) of this article may be modified by the town council as they relate to Public Use and Quasi-Public Uses.

Accessory uses and structures customarily incidental to a conditional use.

Commercial and private recreation.

Staff analysis of Alta's CUP application:

The requirements don't really apply to the current RACS proposal. Those requirements, 10-6A-4-9, are attached separately. The requirements, established over 50 years ago, anticipated dealing with more traditional buildings and structures, not modern-day remote-controlled avalanche mitigation systems. With Alta's request there are no issues with the standard requirements such as lot size, coverage, parking, setbacks, waterway setbacks or wastewater systems. Alta will follow the Forest approvals revegetation plan for any disturbance, even on their private lands. It seems the only applicable regulations would be slope, height and building material. Slope will be dealt with by the Appeal Authority. Height is determined by the avalanche paths and terrain. Building material has been determined by the design requirements of the specialized manufacturer of the racs.

Alta's application letter does an excellent job of defining the installation, character and need for the Wyssen Towers. The addition of the Department of Justice's ATF approval letter, the Forest Service

Decision Memo and the Foundation Instruction and Assembly information of the Wyssen Avalanche Structures give even more depth to the project and need. The Forest Service has jurisdiction over any structures on Forest property and has given their approval. Alta will follow the same requirements of the Forest Service and the ATF approval and conditions for the installation of the structures on their private land now under Planning Commission purview.

These RACS will replace the use of military weapons for avalanche control, and the hazards associated with the use of military weapons. Plus, the Department of Defense has targeted 2025 for the discontinuation for the use of military weapons for avalanche control. It is best to get ahead of that deadline with the installation and use of modern alternative avalanche control methods like the RACS in this request.

The proposed RACS, if successful, would eliminate the need for a tram to Mount Baldy to transport ski area personnel to conduct avalanche control with hand charges, exposing those personnel to both avalanche and explosive risk.

Recommendation

Staff recommends approval of the structures as submitted, with the same requirements and conditions issued under Forest Service and Department of Justice ATF approval letters as attached as well as the Wyssen Avalanche Structure Foundation installation instructions, also attached.