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Alta Planning Commission Meeting Packet September 24, 2025

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AGENDA

ALTA PLANNING COMMISSION MEETING

WEDNESDAY, SEPTEMBER 24, 2025 @ 3:00 PM

ALTA COMMUNITY CENTER

ALTA, UTAH

We encourage you to join us in person. This will be a hybrid meeting. For information about how to view the meeting online, please visit <https://townofalta.utah.gov/events/> or watch live <https://townofalta.utah.gov/live-stream/>

Public comment - please note, each person will be able to speak for up to 3 minutes.

Written public input can be submitted in advance to Chris Cawley via email (ccawley@townofalta.utah.gov)

To make a public comment virtually we recommend notifying Molly Austin via email (molly@townofalta.utah.gov) in advance of the meeting.

- 1 Call the Meeting to Order
- 2 Public Comment
- 3 Approval of the minutes of the August 27, 2025 meeting
- 4 Presentation and Discussion: Wildland Urban Interface Code and HB48
- 5 New business
- 6 Date of next meeting
- 7 Motion to adjourn

Notice Provisions:

- Motions relating to any of the foregoing including final action may be taken at the meeting.
- One or more members of the Alta Planning Commission may attend by electronic means, including telephonically. Such members may fully participate in the proceedings as if physically present. The anchor location for purposes of the electronic meeting is the ALTA COMMUNITY CENTER, 10361 EAST HWY 210, ALTA, UTAH
- Reasonable accommodation (including auxiliary communicative aids and services) for individuals with disabilities may be provided upon receipt of a request with three (3) working days' notice. For assistance, please call the Alta Town Office at 801-363-5105

MEETING MINUTES
ALTA PLANNING COMMISSION MEETING
Wednesday, August 27, 2025, 3:00 PM
Alta Community Center, 10351 E. Highway 210, Alta, Utah

ALTA PLANNING COMMISSION MEETING – 3:00 PM

PRESENT: Jon Nepstad, Chair (virtual)
Jeff Niermeyer, Vice-Chair (virtual)
Paul Moxley (virtual)
Maren Askins (virtual)
Roger Bourke, Town of Alta Mayor

STAFF PRESENT: Chris Cawley, Town Manager
Molly Austin, Assistant Town Manager
Polly McLean, Town Attorney (virtual)

ALSO PRESENT: John Guldner, Cottonwood Lands Advisory (virtual)

NOT PRESENT: David Abraham

1. INTRODUCTION AND WELCOME FROM THE CHAIR

Planning Commission Chair Jon Nepstad opened the August 27, 2025 meeting at 3:01 PM.

2. PUBLIC COMMENT

No comment received

3. APPROVAL OF THE MINUTES FROM THE JULY 15, 2025 MEETING

Planning Commission Chair Jon Nepstad introduced the main agenda item for this meeting as reviewing and approving the minutes from the July 15, 2025 Planning Commission Meeting. He stated that the July 15th meeting had been an important meeting that included a wide-ranging discussion and expressed gratitude that all commission members were in attendance. Nepstad agreed with Chris Cawley that the magnitude of that meeting warranted holding today's meeting so the minutes could be approved and added to the record. Nepstad asked members of the Planning Commission to share their comments on the minutes as drafted, starting with Jeff Niermeyer.

Niermeyer started by noting two small typos to be corrected:

- Page 11 of the minutes, item #3: 2004 should be corrected to 2014.
- Page 11 of the minutes, second to last paragraph: added clarification that the cap on water usage is 8,00 gallons **per day**.

Niermeyer then started more in-depth discussions about some of the final conditions listed on page 12 of the minutes.

Starting with item number #9, Niermeyer noted that the discussion regarding the building height was not fully captured in the current version of the minutes. He recalled a discussion led by David Abraham requesting that the height of the building was not to exceed the height of the Summer Road. After some dialogue about the sloped nature of the Summer Road, it was ultimately suggested by the applicant to consider the center line of the roof edge to be 8,850' in elevation.

Planning Commission chair Jon Nepstad asked if the height of any additional HVAC or other appurtenances that would be on top of the building was considered in determining the building height. It was clarified by both Jeff Niermeyer and Chris Cawley that the height of any appurtenances would be above the 8,850' mark, as it was not explicitly clarified by the Commission that those additions meet any height requirements.

Jeff Niermeyer then moved on to address condition #11 and suggested some revised language to better describe how the water system is intended to function.

Roger Bourke shared some context and background from the 2014 agreement about the location and function of the proposed water tank – highlighting that it was intended to gravity-feed 10 homes and provide emergency water for fire protection purposes. It was acknowledged that details about emergency water function were not articulated in the previous meeting.

Lastly, condition #4 was discussed to clarify whether the Commission's intent was to support the *process* of pursuing approval or to require the Estate to *obtain* approval for the alternate driveway. It was clarified that approval of the driveway was the condition.

John Guldner discussed condition #10 – requesting clarification that the building will maintain 3 workforce housing units, one of which will be a live-in caretaker unit with a minimum of 650 square feet, noting that the current language implies only one workforce unit had to be included.

Roger Bourke noted that in hindsight, it would have been helpful to have the conditions displayed for all to see during the meeting and hopes we can learn from that and do a better job in the future.

As a result of the discussions, the following red-line changes were made to the draft minutes:

- 4) Approval of alternative year-round access for a separate parallel driveway. The Town and the Estate will jointly support the Forest Service Special Use Permit application for a separate parallel driveway
- 4) ~~Consideration of joint support from the Town and Estate for alternative year-round access via a Forest Service Special Use Permit application for a separate parallel driveway.~~
- 5) Agreement regarding the construction, operation, and maintenance of public restrooms accessible via the Summer Road, to be provided by the Estate as a public benefit associated with the project.
- 6) Receiving updated utility will serve letters for the proposed condominium project.
- 7) Working out agreements with Alta Ski Lifts.
- 8) Height of the building is not to exceed 8 stories and will step-back two times within the top 3 stories.
- 9) Height of the building is not to exceed the height of the summer road, as represented by the applicant to be 8,850' in elevation.
- 10) One of the three workforce housing units will be a dedicated live-in caretaker unit built to a minimum size of 650 square feet.
- 11) ~~Water tank is gravity fed. Water tank will gravity-feed the water system as agreed in the 2014 stipulation~~

Jeff Niermeyer motioned to approve the minutes from the July 15, 2025 Planning Commission Meeting, as amended. Maren Askins seconded the motion. All members voted in favor and the motion passed unanimously.

4. NEW BUSINESS

No new business.

5. DATE OF NEXT MEETING

The next meeting is scheduled for September 24, 2025 at 3:00 PM.

Chris Cawley described that HB48, adopted in the 2025 Utah legislative session, requires municipalities to adopt the Wildland Urban Interface (WUI) code by December 31 2025. The WUI code sets guidelines for defensible space, ignition resistant construction methods and materials, and fire flow requirements, amongst other things. Cawley noted there is some debate on whether or not this is officially considered a land use regulation, but as a best practice it is recommended to have it come before the Planning Commission. Cawley highlighted that some principles of the WUI code conflict with some of the regulations in Town Code regarding vegetation management. Given the timeline for adoption, staff will prepare a presentation and discussion on this topic for the September meeting.

Roger Bourke noted that this may require revisions to current Town Code regarding tree removal restrictions. Cawley acknowledged this conflict and shared that all of our peer jurisdictions have already adopted the WUI code, noting that the defensible space provisions are not “cookie-cutter” and can be tailored to the specific needs of the jurisdiction.

Jeff Niermeyer stated another potential conflict with existing water contracts relative to fire flows.

Next, a discussion ensued about the timeline and meeting schedule necessary to comply with the statutory timeline to adopt the WUI code. Polly McLean recommended bringing it to the Town Council in their November meeting and noted a planning commission public hearing will be required to make any changes to Town Code.

Niermeyer asked whether staff would provide proposed edits to Town Code in the September meeting, or if the September meeting would just include an informative presentation on the code requirements, followed by amending the Town Code in October. Cawley observed that we don't have a choice but to adopt the WUI code and we will have to do our best to resolve any conflicts with our current code. Cawley noted that the Town will have to adopt the WUI code by reference. Polly elaborated that it will be adopted as an attachment to our code.

Jon Nepstad stated he hopes to have a Public Hearing in October so we can get it to the council on time for the November council meeting and prefers that to having the Public Hearing in September so the public has more information to respond to following the discussion in September.

McLean noted that the Estate project is likely to go to the Town Council for a work session in September.

Jon Nepstad expressed his interest in having the Commission participate in a "walk about" or perhaps a "ski about" around Alta Ski Area (depending on time of year) to see some of the updates and capital projects the Alta Ski Area has been working on in recent months, noting they have had a very busy construction season. After further discussion, it was determined to target this tour for December 17 to align with the scheduled December Commission meeting.

6. MOTION TO ADJOURN

Planning Commission member Paul Moxley moved to adjourn the meeting. Planning Commission member Jeff Niermeyer seconded the motion, and the motion was passed unanimously.

Minutes Approved on *September 24, 2025*

Chris Cawley, Town Manager

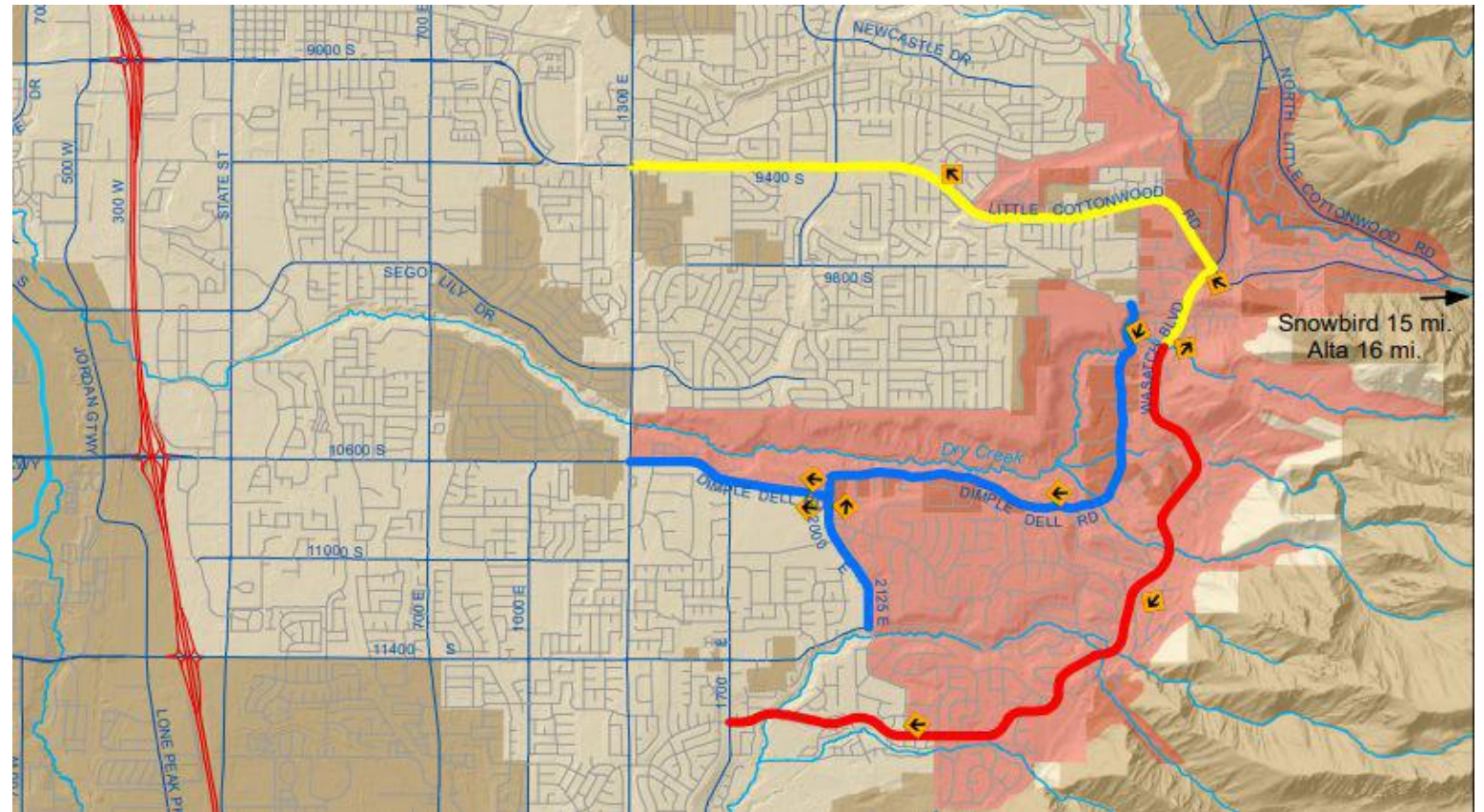
Town to Adopt Wildland Urban Interface Code

September 2025 Town Council
Meeting



Wildland Urban Interface

WILDLAND URBAN INTERFACE. The line, area or zone where structures or other human development (including critical infrastructure that if destroyed would result in hardship to communities) meet or intermingle with undeveloped wildland or vegetative fuel. [2006 Utah Wildland Urban Interface Code, Section 202](#)



2025 Utah HB 0048

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires counties to take certain actions related to wildland urban interface property, including assessing a fee;
- ▶ directs the fee to be retained by a county and deposited into the Wildland-urban Interface Prevention, Preparedness, and Mitigation Fund;
- ▶ addresses insuring wildland urban interface property;
- ▶ imposes notice requirements related to insuring wildland urban interface property;
- ▶ requires counties and municipalities to adopt the wildland urban interface building code standards;
- ▶ permits the Division of Forestry, Fire, and State Lands (division) to choose not to cover costs of local governments under certain circumstances;
- ▶ directs the division to establish a program for wildland urban interface coordinators to evaluate, using a triage scale, high risk wildland urban interface property;
- ▶ addresses actions related to evaluating the high-risk wildland urban interface property;
- ▶ provides for a database to be accessed by certain insurers related to evaluating high risk wildland urban interface property;
- ▶ authorizes rulemaking;
- ▶ addresses liability; and
- ▶ makes technical changes.

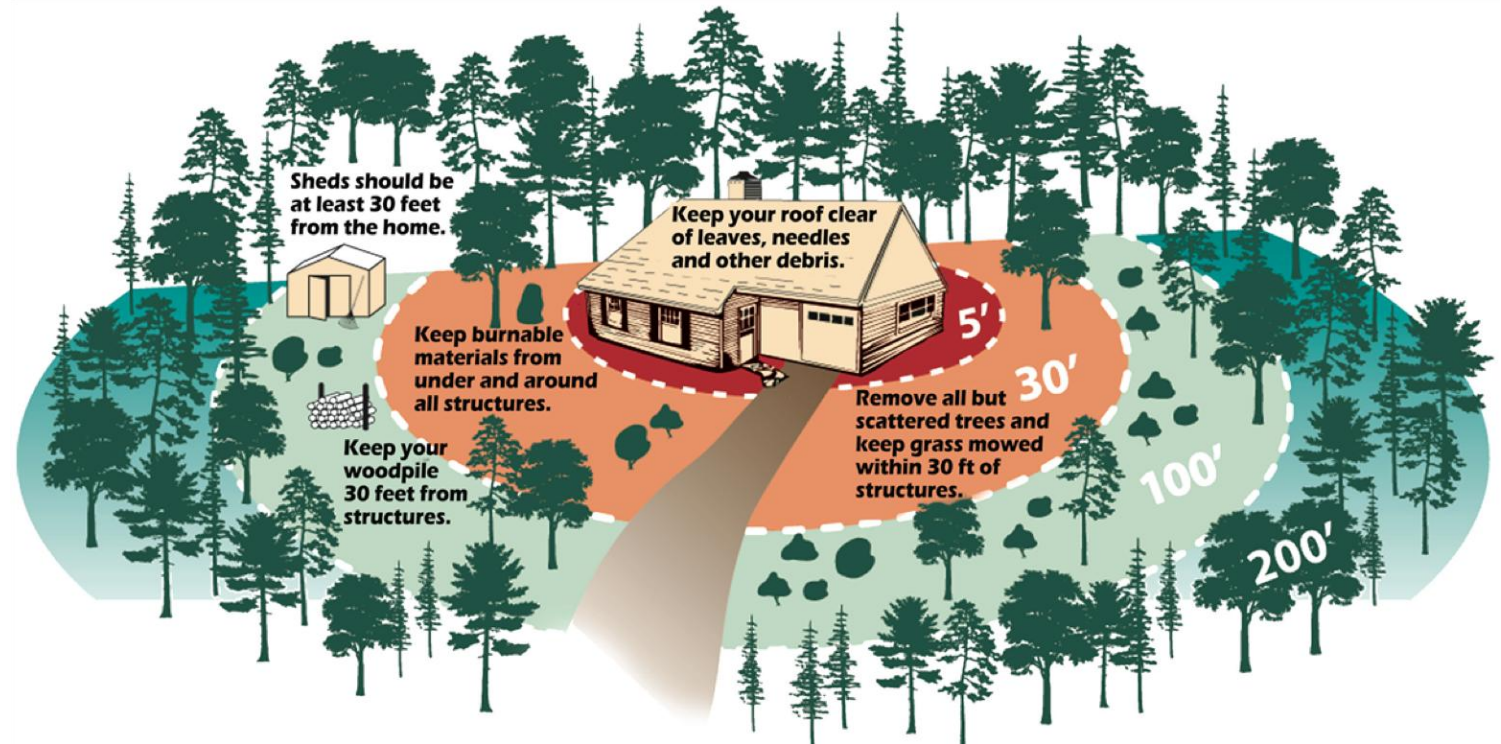
2006 Utah Wildland Urban Interface Code

Section	What it Covers	Key Requirements / Highlights
Purpose & Scope	Applies to construction, alteration, relocation, repair, maintenance & use of structures in designated WUI areas in Utah.	Mitigates risk to life & property from wildfires and fire exposures from adjacent structures.
<i>Defensible Space / Vegetation Management</i>	<i>Fuel modification & defensible space around structures.</i>	<i>Required clearance (horizontal/vertical) of vegetation; removal or thinning; distances depend on slope etc.</i>
Ignition-Resistant Construction	Requirements for roofs, walls, windows etc. to resist fire ignition.	Roofs must have Class A roofing; exterior construction materials rated; details in plan must show compliance.
Access & Water Supply	Fire apparatus access roads, driveways; water supply provisions.	All-weather roads, approved access widths; required water supply for fire protection; local jurisdictions set fire flow / water amounts.
Administration & Compliance	Code adoption; authority; permits; inspections; exceptions.	Local amendments allowed if not less restrictive; code official enforces; permits and inspections required; some exemptions for small structures.

https://ffsl.utah.gov/wp-content/uploads/06_Utah_Wildland_5thdnd.pdf

WUI Code Defensible Space Provisions

- Moderate vs. High vs. Extreme hazard areas require 30, 50, or 100 feet of defensible space
- Trees are allowed with 10' clearance between crowns and electrical facilities or other unmodified fuels
- Fuel modification plans are approved by the code official prior to permit



Known conflicts: TOA vs. WUI

Chapter 9-2 Preservation of Vegetation During Development

9-3-2: SITE PLAN APPROVAL:

A. Required; Approving Authority: It is the express policy of the town to preserve as many mature trees as possible. It shall be unlawful for any person to proceed with any development or remove mature trees within the town without first having submitted a site plan and obtaining an approved site plan with respect to vegetation. For single-family residential development, the mayor shall provide said approval. For all other development, the planning commission shall provide said approval. In order to obtain approval to remove mature trees, a person must show that the failure to remove a mature tree will constitute extreme hardship.

9-3-3: REQUIREMENTS FOR PRESERVATION OR REPLACEMENT:

A. Seedlings: Any seedling removed from the property shall be replaced with three (3) vigorous seedlings of at least six inches (6") in height.

B. Saplings: Any sapling removed from the property shall be replaced with three (3) vigorous seedlings at least six inches (6") in height and three (3) vigorous saplings at least five feet (5') in height.

C. Mature Trees:

1. Any mature tree, if approved for removal from the property, shall be replaced with five (5) vigorous seedlings at least six inches (6") in height and five (5) vigorous saplings at least five feet (5') in height.

2. No mature tree shall be removed without site plan approval.

D. Survival; Replacement: Appropriate steps shall be taken to ensure all planted trees survive. Any planted trees that do not survive shall be replaced.

What's the rub? What's the Solution?

Section 9-2 doesn't necessarily preclude defensible space, but it's much harder to maintain if one is required to add trees on the lot

- ***Bare minimum:*** create exception for defensible space
- ***Recommended:*** remove requirement to replace trees, reassign site plan approval to staff or code official
- ***Idea:*** create more comprehensive tree removal ordinance or vegetation protection ordinance

Alternative? Brighton 19.38.110

Town of Brighton Code 19.38.110 TREE AND VEGETATION PROTECTION

C. Tree/Vegetation Removal

1. Outside the Limits of Disturbance. The removal of trees is allowed under the following circumstances:
 - a) Where trees have naturally fallen or are determined by a licensed arborist to be dead or dying.
 - b) Where trees have been diagnosed by a qualified arborist as unhealthy beyond reasonable rehabilitation.
 - c) Where the species is classified by the Utah Department of Agriculture and Food as a noxious weed.
 - d) Where trees are determined to be potentially harmful to the public health, safety, or welfare.
 - e) Where it has been determined by the Town of Brighton that tree removal is necessary to restore clear visibility at driveways and intersections.
 - f) Where the preservation of trees would prevent reasonable site grading to accommodate a functional arrangement of buildings and related improvements on the property. Written documentation of the above is required prior to the removal of any tree.
 - g) Any removal of trees within fifty-feet (50') of a stream corridor or wetlands must be approved by the Salt Lake City Department of Public Utilities prior to their removal.
2. Wildfire Hazards and Tree/Vegetation Removal. Defensible space is defined as the required space between a structure and wildland area that, under normal conditions, creates a sufficient buffer to slow or halt the spread of wildfire to a structure. Appropriate defensible space surrounding a structure is established in Utah Wildland-Urban Interface Code incorporated in UFA Wildland-Urban Interface Site Plan/Development Review Guide. See subsection G below. A copy of the approved fire protection plan shall be submitted to the Planning and Development Services for incorporation into the final approval documents.
3. Tree/Vegetation Removal for Views Prohibited. No trees or vegetation may be removed solely for the purpose of providing open views to or from structures on a site.

https://brighton.municipalcodeonline.com/book?type=ordinances#name=19.38.110_TREE_AND_VEGETATION_PROTECTION

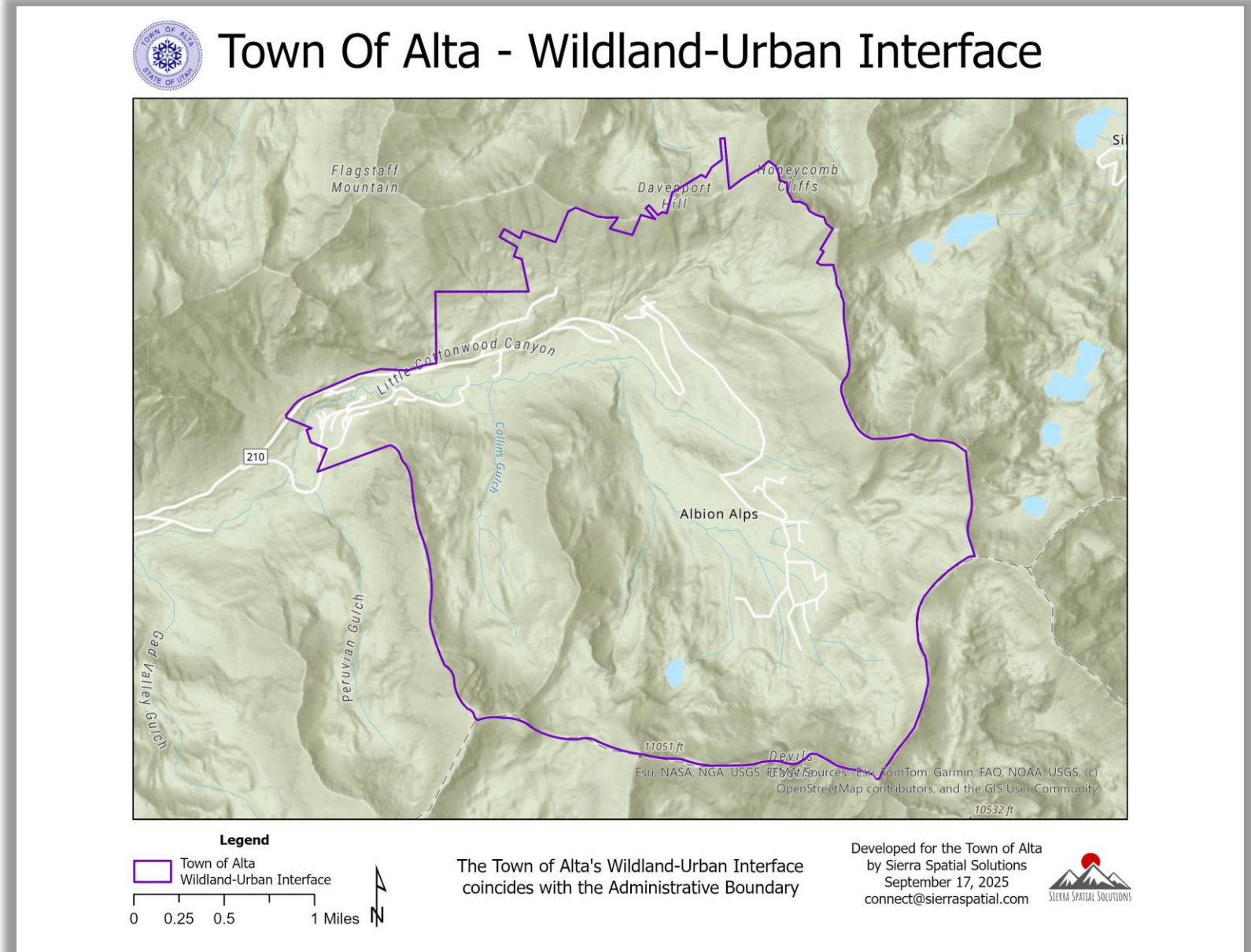
What If We Don't Adopt the WUI Code

UCA 65A-8-203 Cooperative fire protection agreements with eligible entities allows municipalities, other entities to enter into cooperative agreements with FFSL to cover costs for initial attack on wildland fires in exchange for mitigation and preparedness actions

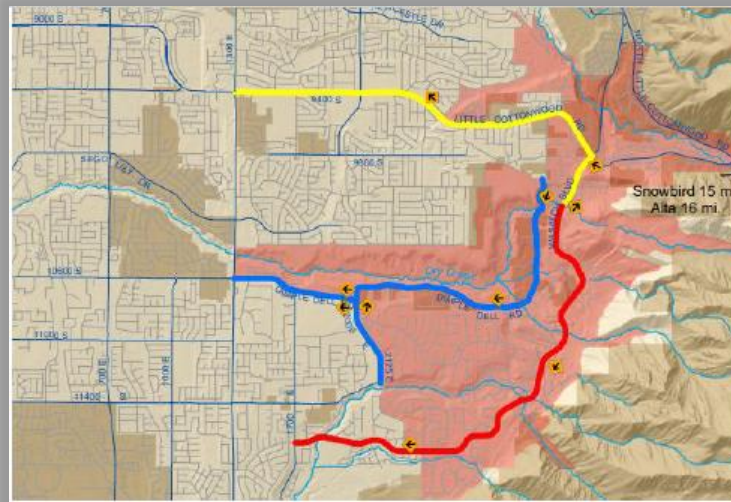
- Allows the state not to cover those costs if the Town has not adopted 2006 WUI Code and any subsequent editions of WUI Code adopted by State of Utah

We need to adopt a local WUI designation

- Similarly situated communities nearby (Brighton and Emigration Canyon) have declared their entire jurisdiction as WUI area
- We could extract areas, but it would need to be supported by various data, and it may introduce confusion or difficulty interpreting the designation

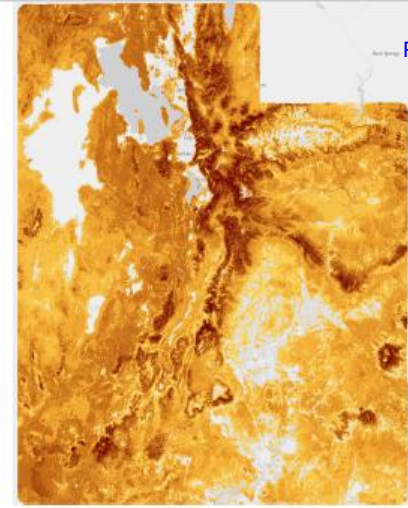


Other Provisions in HB 48



WUI Mapping

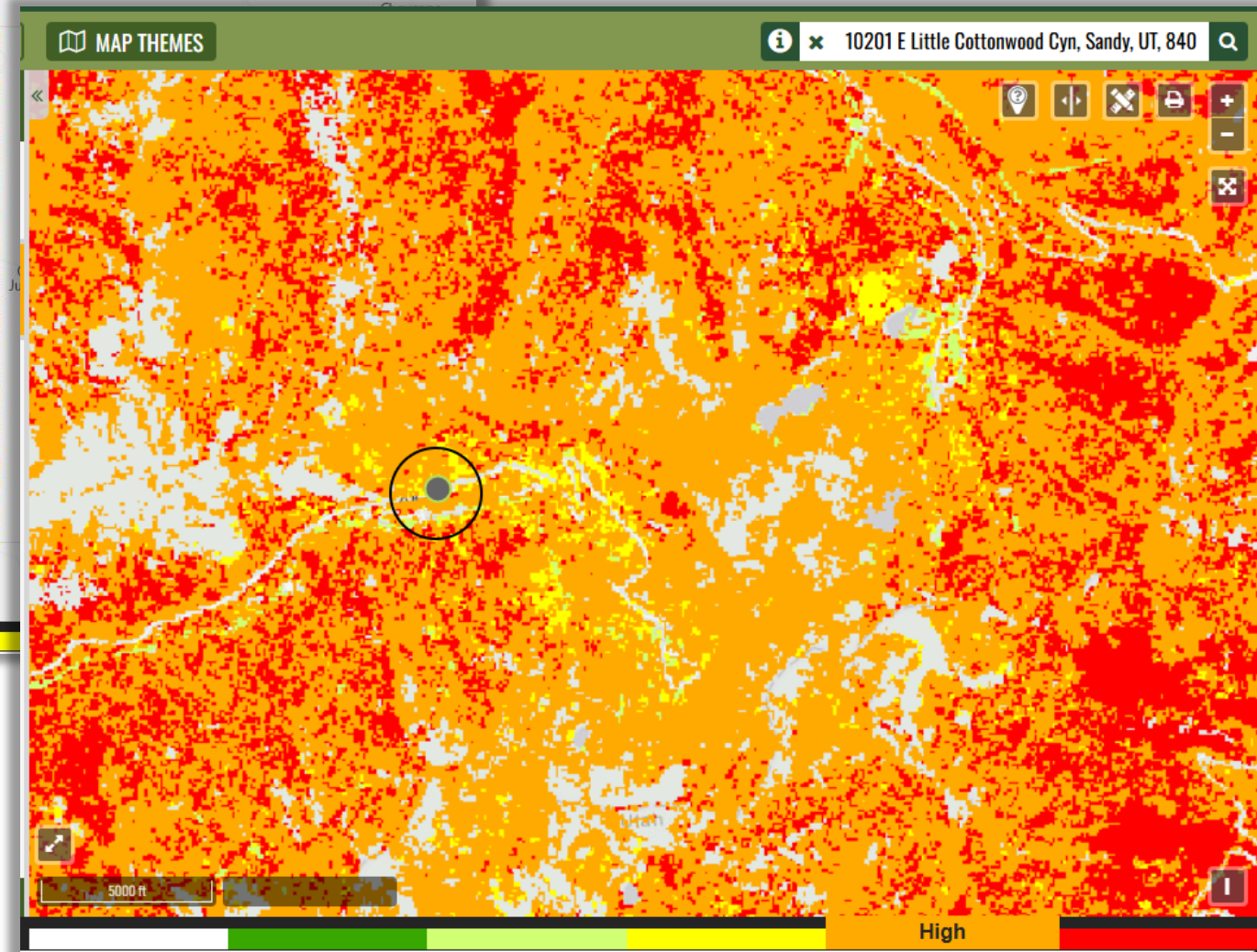
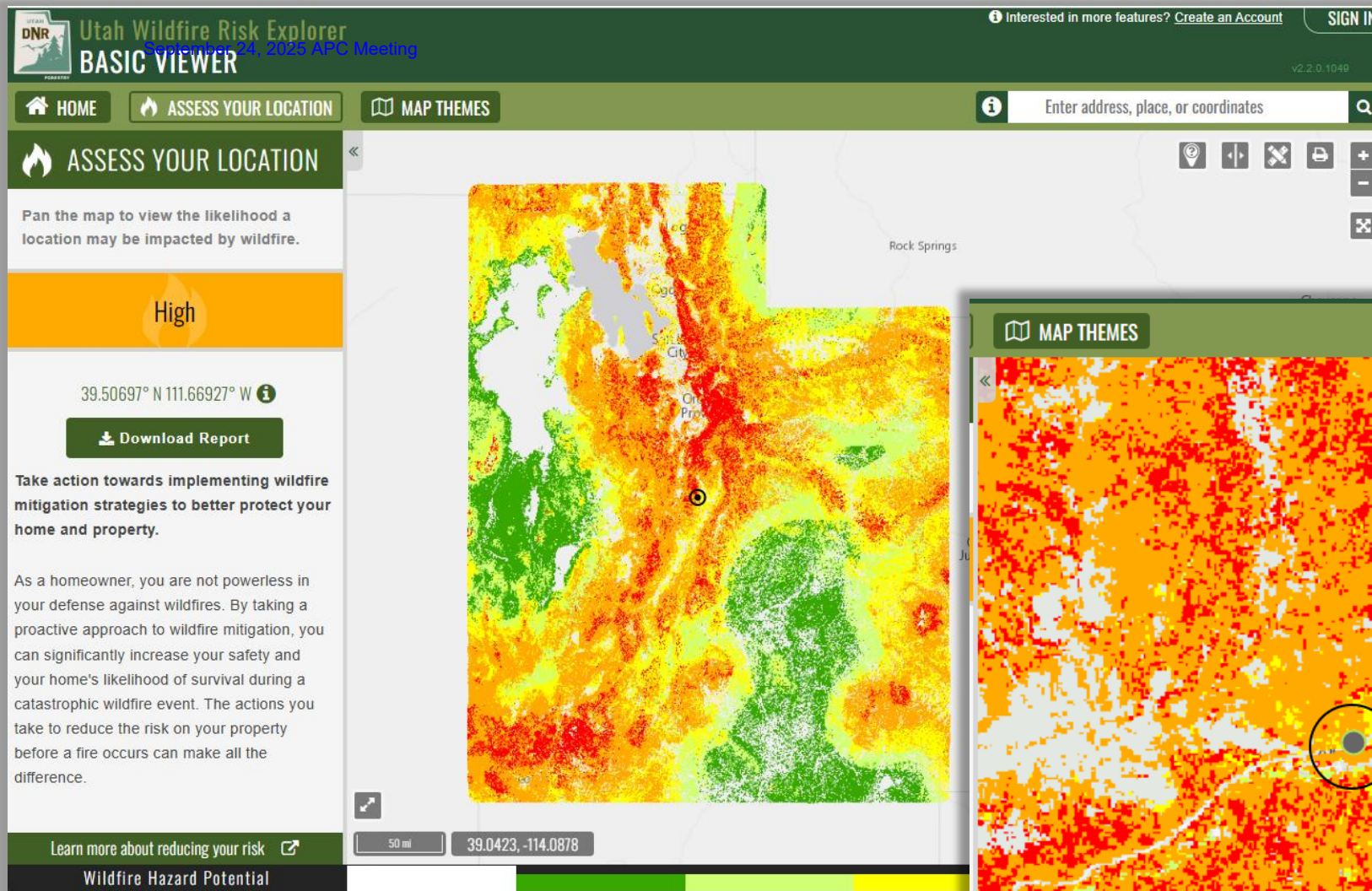
- Counties and Municipalities are required to adopt and enforce Utah's WUI code by **January 1, 2026**.
- The WUI code are local construction and property regulations intended to reduce the risk of wildfire by prevention wildfire spreading to structures and vice versa.
- Like all codes, the local jurisdiction must specify where the WUI code will apply by creating a boundary map.
- The WUI boundary map is developed by the local jurisdiction, in consultation with FFSL, relying on local knowledge of wildfire risk to the community.
- This map should encompass any area at risk for wildfire threatening structures, including potential new development areas.



VS. High-Risk WUI Mapping

- FFSL is required to create a High-Risk WUI boundary map.
- Structures within this boundary will be assessed a fee, based on their classification level.
- The High-Risk WUI map is created utilizing advanced wildfire risk modeling software, and is not directly associated with the local broader WUI map.
- FFSL is creating brand new more accurate maps to with updated fuelscape modeling.
- Once the draft mapping is complete (expected October 2025), FFSL will collaborate with local wildfire partners to ensure the highest degree of accuracy.
- Property insurance carriers must use this High-Risk WUI Map when evaluating wildfire risk.

UWRAP: Utah Risk Assessment Portal*



<https://wrap.wildfirerisk.utah.gov/Map/Public/#whats-your-risk>

*New assessment tool coming by year-end, will be the official risk assessment map

Property Assessments, Fees, Insurance provisions in HB 48

- Utah Division of Forestry, Fire, and State Lands (FFSL) and/or counties will assess properties within the state-designated High Risk WUI
- Property owners within the High Risk WUI will be assessed a fee based on structure square footage, to be collected by counties
- Fees will vary based on classification level and compliance with defensible space requirements, “home hardening,” etc; properties that meet requirements may be assessed lower fees
- Counties and FFSL will use fees to fund assessments, etc.

- Requires insurers to use the FFSL risk-mapping tool (UWRAP, to be updated/replaced)
- Creates requirements for insurers that raise rates or cancel policies
- Context: property insurance market in wildfire-prone communities increasingly expensive and difficult to obtain

Other

- UFA is Alta's fire department and likely initial attack agency for wildland fire in Alta
- ~80 percent of land in Alta is owned and managed by the US Forest Service
 - Any significant wildland fire in or near Alta is likely to provoke a significant, multi-agency response led by federal agencies due to watershed, high property values and commercial activity, potential for significant risk to health and safety of residents and visitors
- Some have assumed that Alta is less at risk to catastrophic fire due to high elevation/cold temps, high annual precipitation and late spring melt-out, forest characteristics. Is this still true?
- Small fires routinely occur in central Wasatch near Alta: lightning strikes, campfires, etc. Will one of these grow out of control? Other "swiss cheese theory" risk factors
- Recent major fires on Wasatch Front: Parley's 137, August 2021, ~3000 acres; Pole Creek Complex near Payson, August 2018, ~120,000 acres



Summary and Next Steps

- Adopt WUI Code
- Designate local WUI boundary
- Amend Section 9-3 Preservation of Vegetation During Development to reduce conflicts with WUI Code
- Public hearing and commission vote in October?
- More resources:
 - [FFSL webpage on HB 48](#)
 - [Utah Wildfire Risk Assessment Portal \(UWRAP\)](#)
 - [UFA Wildland Division webpage](#)
 - [Utah DNR Wildfire Perimeters Map 1999-2020](#)
- State will finalize rulemaking in October for other provisions in HB 48 re: high-risk WUI designations, property assessments, etc.