MEETING MINUTES
ALTA PLANNING COMMISSION MEETING
Wednesday, September 24, 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
Paul Moxley (virtual)
Maren Askins (virtual)
David Abraham (joined at 3:11PM)
Roger Bourke, Town of Alta Mayor

STAFF PRESENT: Chris Cawley, Town Manager
Molly Austin, Assistant Town Manager
Cameron Platt, Town Attorney (virtual)

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

NOT PRESENT:

1. INTRODUCTION AND WELCOME FROM THE CHAIR

Planning Commission Chair Jon Nepstad opened the September 24, 2025 meeting at 3:04 PM.

2. APPROVAL OF THE MINUTES FROM THE AUGUST 27, 2025 MEETING

Jeff Niermeyer noted a typo "8,00" was missing a zero and should be corrected to 8,000.

Jeff Niermeyer motioned to approve the minutes as amended. Maren Askins seconded the motion. All in favor. The minutes were approved unanimously.

3. PUBLIC COMMENT

No comment received.

4. PRESENTATION and DISCUSSION: WILDLAND URBAN INTERFACE CODE and HB48

Jon Nepstad welcomed the commission and introduced the primary topic for discussion for the meeting, which was a discussion of the Wildland Urban Interface (WUI) Code and Utah House Bill 48.

Cawley described that Utah House Bill 48 requires municipalities to adopt the WUI code. He noted a key detail that was missing from the presentation is that the deadline for adopting the WUI code and establishing a WUI boundary is December 31, 2025. In adopting the WUI code, the Town should also consider some amendments to the current Town Code to avoid conflicts.

Chris Cawley introduced Jay Torgerson, Unified Fire Authority (UFA) battalion chief and the Town of Alta's liaison to UFA and described that the Town works with the Fire Prevention Bureau and area fire marshal on day-to-day matters related to the fire code.

Cawley explained that the Wildland Urban Interface is where human development meets or intermingles with undeveloped wildland or vegetative fuel loads. These areas exist throughout the around the perimeter of the Salt Lake Valley as well as within its urban core.

Chris Cawley reviewed highlights of the current WUI Code, which was adopted in 2006, noting the provision of defensible space and vegetation management requirements that conflict with current Town of Alta code. Defensible space refers to treating vegetation around structures to reduce communicability of flames from a wildland fire to a home or structure. He clarified that defensible space is not synonymous with clear-cutting and does allow for trees if there is clearance between the treetops and electrical facilities, etc.

Cawley described Town of Alta code section 9-3-2 creates a known conflict with the WUI code. Title 9 of Alta code covers building codes and construction regulations. While this code section is distinct from Title 10 that describes Land Use regulations, Title 9 is arguably a land use regulation and amendments to it must be reviewed by the planning commission. Cawley stated that Section 9-3-2 provides strict rules for replacing any vegetation that may be removed during development. While it doesn't necessarily preclude defensible space, it does require on-site replacement of trees that are removed, which could make it difficult to maintain defensible space.

Chris Cawley stated there are a range of approaches to amending the vegetation management ordinance but recommended we at least make an exception for defensible space. He clarified again that defensible space does not mean clear-cutting, so there can still be a conservative tree removal requirement. Cawley also suggested we reconsider who has the authority to approve vegetation site plans, suggesting it may be UFA who will be doing so under the WUI code. Cawley shared how the Town of Brighton updated their code with a similar provision under the Tree and Vegetation Protection section of their Town Code.

Cawley said that if we don't take action to adopt the WUI code and a boundary, then it would disrupt the current agreement we have with Foresty Fire and State Lands (FFSL) to cover costs for initial attack on wildland fires.

Chris Cawley continued to describe that House Bill 48 requires the Town of Alta to establish a WUI boundary. Additionally, the State of Utah is responsible for designating a high-risk WUI area, which will be determined by a scientific and data-driven process and would potentially supersede the Town map if it found areas to be high-risk.

The Town of Brighton and Emigration Canyon are similar municipalities that have recently adopted the code and included their entire municipal boundary as the WUI area, and it is recommended that Alta do the same. This would require all properties in Alta to comply with the WUI code. Cawley explained that "ember casting" (how far active embers can be transported during a wildfire) is a crucial component of determining the level of risk to a specific area. Jay Torgeson confirmed that the WUI code currently applies to Snowbird.

Jeff Niermeyer asked if the State is on track for their October timeline. Jay Torgerson stated that UFA is not involved in that process but is under the impression that the state is working through it as quickly as they can, but it is not clear when the property assessments and risk map will be available. Cawley noted that he is not aware of any hard timelines other than the end of year deadline for municipalities to comply. Cawley shared the Utah Wildfire Risk Assessment Portal (UWRAP) and demonstrated how to determine risk-level at any given location.

Cawley described that a potentially controversial component of this program is that FFSL as well as counties are required to assess fees after further evaluating individual properties determined to be high-risk. Torgersen shared that this fee will be assessed via taxes, some of which will go to the county and some to the state. Fees will vary based on risk classification level and property owner response to the assessment results. Exactly how these funds will be used hast not been identified, but it will be related to wildfire mitigation or wildfire risk reduction programs.

Cawley shared that property insurance is becoming increasingly harder to get and more expensive in communities that are more exposed to wildfire risk. Another high-level objective of HB 48 is to create guidelines for property insurers to be transparent about their rates or policy changes and to require them to use the FFSL risk mapping tool to base policies on.

Cawley stated that wildfire does not appear in the General Plan or Town Code. There has been a longstanding cultural assumption that our risk in Alta is lower due to elevation and precipitation, but it has more recently been understood that it may just be a matter of time before we experience one here. Cawley described the "swiss cheese" model of risk – describing that overlapping circumstances, or "holes," such as unextinguished campfires, no recent rain, high winds, and a busy day in the canyon, can line up to make the opportunity for a wildfire more likely and harder to manage. Any fire would entail a multi-agency response. Cawley shared some recent examples of fires along the Wasatch front corridor – namely the Parley's Fire of August 2021 and the Pole Creek/Bald Mountain fires in 2018. Small fires do occur in and around Alta from things like lightning strikes – noting an example at the Hellgate Cliffs. Torgersen shared a few other examples, stating that these types of fires often don't have much risk of spreading and are left to burn out on their own under supervision. However, Torgerson emphasized that the possibility of a fast-spreading fire in the canyon does exist.

Cawley reviewed the next steps, including adoption of the WUI code, designating a local WUI boundary, amending Town of Alta Code Section 9-3, and holding a public hearing as well as commission vote, and encouraged the commission to review the meeting materials in more detail.

Planning Commission chair Jon Nepstad asked about enforcement mechanisms to check existing properties once the code is adopted. Torgerson noted it would be part of the inspection process

during the building permit application process and would not apply to existing structures as they are, unless they undergo a significant remodel.

Jeff Niermeyer asked if there was a way for existing structures to reduce their assessed fee by taking actions on their properties to mitigate risk. Torgersen stated that there will be opportunities for property owners to reduce their risk and potentially lower the fee by obtaining a lower risk rating.

Niermeyer recognized two primary scenarios of how the WUI code may be applied in Alta: either a resident who wants to reduce risk, which would be managed at the staff level; or a major new development (such as the proposed condo building on the Patsey Marley parcel) would come before the Planning Commission, noting the need to address the Town ordinance.

Niermeyer asked if we can adopt the WUI Code now and come back and modify the Town ordinances after, or if we have to adjust our vegetation management ordinance simultaneously with WUI adoption. Cameron Platt recommended following the state statute of adopting the WUI code initially to ensure it occurs by the end of the year, acknowledging that we have identified direct conflicts. He stated that the Town *can* update our ordinance at the same time but noted that the WUI would supersede any Town Code. Platt noted that there is no specific language in the statute that describes whether or not the WUI code can be amended at the jurisdiction level. However, he advised that we will still be in compliance if we are more restrictive and not less restrictive than the WUI code.

Cawley asked Platt to clarify what is meant by "more restrictive" as the Town ordinance restricts vegetation management while the WUI code requires vegetation *removal*. Platt stated that the WUI code may not necessarily conflict with the Town's vegetation management ordinance as the ordinance does not dictate where replacement trees be planted, as long as they are on the property. It would only be in conflict if the trees were placed within the 30-foot radius of defensible space as outlined in the WUI code. Platt concluded that ultimately the Town Code is going to have to conform to the WUI code as mandated by the state.

Cawley stated that the WUI Code is a relatively obscure piece of code language, and he would not safely assume that developers will read it in its entirety. Instead, Cawley recommended a stop-gap amendment or exception for creating defensible space that we can put into an ordinance update.

Roger Bourke asked if the first step isn't simply designating the WUI boundary. Cawley agreed but elaborated that we only have so many opportunities to act before the end of year deadline. Cawley recommended it would be best for the Town to amend the Town Code in conjunction with adopting the WUI code.

Nepstad asked if the commission is being asked to take two actions: one to establish the boundary and another to adopt the code. Cawley said it could be accomplished on one agenda, with one public hearing and one Planning Commission meeting, followed by a Town Council meeting for final adoption, but was not sure exactly how many resolutions or ordinances would be required in the process.

David Abraham asked if there was any reason that Town wouldn't consider designating the entire Town boundary as the WUI boundary. Cawley stated that while there may be some isolated areas within the Town boundary that may be lower risk, we have to consider the risks of ember-casting and other factors. Cawley concluded that he recommends designating the Town boundary as the WUI boundary, since virtually all of Alta is designated high-risk by FFSL.

Paul Moxley asked how adopting the WUI requirements would impact the Town. Platt stated that it would most tangibly affect building code requirements such as what materials can be used, designated defensible space requirements, landscaping plans, etc. Platt shared some examples of potential conflicts such as placement of property addresses, vegetation management, and building materials.

Moxley asked if existing projects that are not completed be affected. Cameron stated that by and large, current projects that are already underway will not be affected because they are held to the standard of the building code that was in place at the time the building permit was issued. However, it can cause complications for long-term projects if a permit lapses – any renewals or new permits will have to adhere to the new code.

Moxley asked what the consequence would be if the Town chose to do nothing. Platt shared that the Town would not receive any state or federal funding to help fight forest fires. Moxley then asked about the history of fires in Alta. Torgerson shared that in the last 20 years there have been 3 major structure fires of note.

David Abraham noted that the times, as well as the environment, have changed since the Town implemented the current vegetation management ordinance, and stated his support for adopting the WUI code.

Torgerson reiterated that UFA recommends including the entire municipal boundary – not just because it is the easy thing to do, but you would have to defend the decision to exclude any area, which would be challenging in this environment.

Moxley asked how properties in Albion Basin will be affected by this. Cawley clarified that the WUI code is not just defensible space, there are other provisions, such as building materials. He reiterated that it is not something that is going to be enforced retroactively and would only apply if a property underwent a major change.

Jeff Niermeyer also identified potential conflicts with existing water supply contracts, sharing that some of the WUI code requirements may be hard to achieve due to limitations with existing water contracts.

Jon Nepstad recommended adopting the WUI code to comply with the state statute and asked what the anticipated timeline is to meet the deadline. Cawley suggested the Planning Commission hold a Public Hearing and take action next month (in October) so the decision can be passed along to the Town Council in time for their November meeting, leaving ample time to take final action.

Abraham asked the best way to approach the ordinance update, considering if there could be a blanket exception added. Platt suggested adding language that the vegetation preservation requirements are disallowed when prohibited under WUI, essentially pointing Town code to the WUI code. Cawley stated there are multiple ways to go about it, referencing the language in the Town of Brighton Code 19.38.110 as an example.

Moxley expressed his interest in hearing what the public has to say before making a decision. Niermeyer stated his preference to adopt the WUI code and boundary with the provision that any current conflicts with Town Code would be superseded by the WUI code, leaving a more comprehensive update to the vegetation management ordinance for a future date. Nepstad and Moxley shared their agreement in taking that approach.

5. NEW BUSINESS

No new business.

6. DATE OF NEXT MEETING

The next meeting is scheduled for Wednesday, October 22, 2025 at 3:00 PM.
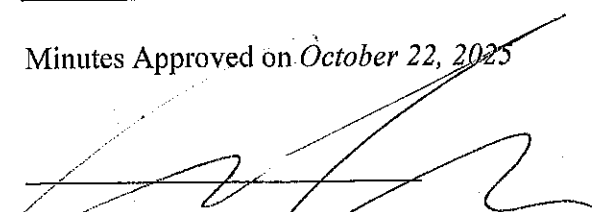
Chris Cawley thanked the commission for being so available for meetings, noting that there have been more meetings this year than in recent years due to an increase in matters of planning commission business. Cawley reminded the commission that November and December meetings will be the 3rd Wednesday of the month due to the holidays that fall in those months: November 19th and December 17th. Nepstad included that the December meeting is scheduled to include a "ski about" at Alta Ski Area to learn about ski area projects.

Jon Neptstad noted the upcoming Utah League of Cities and Towns conference and the resort communities breakout group.

7. MOTION TO ADJOURN

Planning Commission member Paul Moxley motioned to adjourn the meeting. Planning Commission member David Abraham seconded the motion, and the motion was passed unanimously. The meeting was adjourned.

Minutes Approved on *October 22, 2025*

Chris Cawley, Town Manager