

MEETING MINUTES
ALTA PLANNING COMMISSION MEETING
and PUBLIC HEARINGS
Wednesday, February 25, 2026, 3:00 PM
Alta Community Center, 10351 E. Highway 210, Alta, Utah

ALTA PLANNING COMMISSION MEETING – 3:00 PM

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

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

ALSO PRESENT: John Guldner, Cottonwood Lands Advisory (virtual)
Ryan Marks, Hellgate Condominiums Property Manager
Beth Weisman, Hellgate Condominiums Property Manager
Kyle Ogilvie, Benchmark Engineering

NOT PRESENT:

1. INTRODUCTION AND WELCOME FROM THE CHAIR

Planning Commission Vice-Chair Jeff Niermeyer opened the February 25, 2026 meeting at 3:00 PM.

2. PUBLIC HEARING: RECEIVE PUBLIC COMMENT ON A CONDOMINIUM PLAT AMENDMENT FOR THE HELLGATE CONDOMINIUMS, LOCATED AT 9670 E HWY 210, ALTA, UT 84092

Robert Hoffman introduced himself as a representative of the Hellgate homeowner's association and offered to answer questions, but he had no formal comment. Planning Commission Chair Jon Nepstad moved to close the public hearing. Planning Commissioner Maren Askins seconded the motion. All were in favor and the public hearing was closed.

3. PUBLIC HEARING: RECEIVE PUBLIC COMMENT ON UPDATING REFERENCES TO THE UTAH LAND USE, DEVELOPMENT, AND

**MANAGEMENT ACT ("LUDMA") IN THE TOWN OF ALTA CODE TO UTAH
CODE ANNOTATED 10 – 20**

No public comment received. Planning Commission member Moxley moved to close the public hearing. Planning Commission member Askins seconded the motion. All were in favor and the public hearing was closed.

**4. PUBLIC HEARING: RECEIVE PUBLIC COMMENT ON AMENDMENTS TO
THE TOWN OF ALTA ZONING MAP TO REFLECT BASE FACILITIES
ZONES A, B, AND C**

No public comment received. Planning Commission member Moxley moved to close the public hearing. Planning commission member Askins seconded the motion. All were in favor and the public hearing was closed.

**5. PUBLIC HEARING: RECEIVE PUBLIC COMMENT ON AMENDMENTS TO
PROVISIONS OF TITLE 10 REGARDING PETITIONS TO REZONE**

No public comment received. Planning Commission member Moxley moved to close the public hearing. Planning commission member Askins seconded the motion. All were in favor and the public hearing was closed.

**6. PUBLIC HEARING: RECEIVE PUBLIC COMMENT ON AMENDMENTS TO
PROVISIONS OF THE SUBDIVISION CHAPTER**

No public comment received. Planning Commission member Askins moved to close the public hearing. Planning commission member Moxley seconded the motion. All were in favor and the public hearing was closed.

7. GENERAL PUBLIC COMMENT

No public comment received.

8. APPROVAL OF THE MINUTES OF THE DECEMBER 17, 2025 MEETING

Planning Commission member Moxley motioned to approve the minutes of the December 17, 2025 meeting. Planning Commission member Askins seconded, and the motion passed unanimously. The minutes were approved.

**9. PRESENTATION AND POSSIBLE ACTION: PROPOSED HELLGATE
CONDOMINIUM PLAT AMENDMENT PRELIMINARY APPROVAL**

Chris Cawley introduced the agenda item and introduced representatives from the Hellgate Condominium Association: Ryan Marks and Beth Weisman, property managers, and Kyle Ogilve, the project surveyor. Cawley thanked the Hellgate team for their cooperation during the application process. Cawley explained that Hellgate was originally platted in 1971 before it was part of the

Town of Alta. The plat on record at Salt Lake County is still the original plat, and is actually two separate plat maps so the proposal today is to update to combine the two original documents into one, and to update changes to the interior partitions. He continued to describe that this amendment will clean up changes that have occurred between common areas and private areas and unit dimensions, noting that it is mostly a housekeeping update as no changes to the exterior or footprint are proposed. Cawley clarified there will be no impacts to zoning regulations or setbacks. Cawley noted the Town may continue to see condominium plat amendment applications due to the age of development in Alta. Cawley described that the Town provided the applicant with an application form, which was completed, and all submitted materials were reviewed by Town staff, noting that the entire application was not included in the meeting packet.

Cawley reminded the Commission that the Town recently updated the subdivision ordinance at the end of 2024. Cawley referenced his staff report to explain that this application is being run through the subdivision ordinance process as Town code is inconclusive about plat amendments. In this process, the Planning Commission provides preliminary approval and town staff will give final approval after receiving an updated title report. Niermeyer clarified that the Town Manager signs the updated plat as the land use authority and Cawley concurred, stating that the Town Council is removed as an approval authority on land use related matters per recent changes to state code.

McLean clarified that the Planning Commission is asked to approve the preliminary plat, which would then get forwarded to town staff for final approval. McLean shared her recommendation that the approval includes a condition of approval that the CC&Rs and title report are updated along with the plat.

Ryan Marks included that this application is also in response to a new Utah state statute that requires HOAs to update plat maps and CC&R's regularly, which Hellgate is currently out of compliance with. Marks thanked Kyle Ogilvie for his expertise in engineering and Natalie Segall for her legal counsel. Marks explained that they are here today to get guidance on where they are in the process and get on the right path, if need be, to move forward.

Ogilvie emphasized what was previously stated – that the goal is to have an updated and accurate plat. Robert Hoffman expressed appreciation to the Town for reviewing the application and expressed the applicant's interest in getting it done correctly.

Abraham thanked Cawley for the thorough packet for this meeting. Abraham highlighted the three distinct employee quarters and applauded the inclusion of workforce housing in the updated plat.

In a brief discussion, the Planning Commission members found the proposal to be straightforward and had no significant comments.

Mayor Bourke asked the applicant what they would ask if they were in the Commission's position. Marks replied that they were just curious if there are any pain points in the process – expressing a desire to make it as easy and straightforward as possible moving forward. Marks expressed gratitude to Cawley for making the process seamless.

Cawley discussed the need for the Town to carefully consider the internal process for reviewing such applications in the future. Niermeyer suggested Cawley document his thoughts on the process this time around.

Weisman asked who is proofreading the application and ensuring everything is recorded correctly on the new plat. Niermeyer explained that professional surveyors and engineers are hired by both parties to ensure accuracy. A brief discussion followed describing that UDOT took possession of part of the road that was included in the original plat. This was determined as part of a process with the Forest Service to determine the right of way.

Bourke asked about ownership of the parking area on the north side of the road. It was clarified that it is not part of the Hellgate property. It appears that UDOT now owns it but prior to that it was part of an old mining claim.

Planning Commissioner Moxley motioned to approve the preliminary plat subject to updating the CC&Rs and title report. Planning Commissioner Askins seconded the motion. All were in favor and the motion passed.

10. DISCUSSION AND POSSIBLE ACTION: RECOMMENDATIONS TO THE TOWN COUNCIL ON LAND USE ORDINANCE UPDATES

Niermeyer introduced that we have four more sub-items as part of this portion of the agenda and requested that each one be addressed and voted on individually.

a. UPDATING REFERENCES TO THE UTAH LAND USE DEVELOPMENT AND MANAGEMENT ACT IN THE TOWN OF ALTA CODE TO UTAH CODE ANNOTATED 10 – 20

Cawley gave an overview that there is a need to make some minor housekeeping amendments to town land use regulations. While at one point it was envisioned to do a large overhaul in one fell swoop, we are now focusing on taking some of these on one-by-one. He highlighted that these changes are ministerial in nature and bring the Town into compliance with state code, from which the Town's land use authority derives. Cawley described there is a longer list of updates that we will want to address, but the items on the agenda today are at the top.

Cawley reviewed the process on land use regulations, describing that the Planning Commission reviews proposed amendments and then offers a recommendation to the Town Council, which has the final authority. In an effort to not get too far ahead of the council, Cawley explained that he has already previewed the items on today's agenda with them.

The first ordinance update makes amendments to town code to update references to the portion of state code that defines the Town's land use authority. This chapter of state code is known as the Land Use and Development Management Act ("LUDMA"). In November 2025 during a special session of the state legislature, LUDMA was moved from section 10-9a to 10-20. Town currently references 10-9a and this proposed ordinance update would remedy the outdated references.

Abraham asked if this would be changed again and/or if we could adopt alternative language that would avoid this type of update in the future. McLean noted that the land management code is a living document. While we could take out those references in the future, for these purposes it seemed like less work to do it this way versus changing all the language to take the references out completely.

Planning Commission Chair Nepstad motioned to pass a positive recommendation to the Town Council. Planning Commission member Abraham seconded the motion, and the motion was passed unanimously.

**b. AMENDMENTS TO THE TOWN OF ALTA ZONING MAP TO REFLECT
BASE FACILITIES ZONES A, B, AND C**

Cawley shared the current zoning map, noting that it is somewhat outdated as it is only available as a pdf for viewing. The most recent update to the zoning map was to add the Albion Basin Protection Overlay Zone. Cawley clarified that the new map proposed today does not create any new zoning, it just clarifies the subzones of the Base Facilities Zone (zones A, B, and C). These specific zoning districts have come up in recent meetings, prompting the desire to have a map that accurately reflects them.

Cawley explained that these subzones were created as part of the Base Facility Zone (BFZ) Ordinance update in 2014. These subzones were developed to create different regulations throughout the BFZ in terms of height and coverage requirements. Cawley described the properties affected by the subzones: Zone A includes the Alta Lodge, Rustler Lodge, and Snowpine Lodge; Zone B includes the Goldminer's Daughter Lodge and the Alta Peruvian Lodge; and Zone C includes the Shallow Shaft and Photohaus properties. Cawley emphasized that the existing zoning map doesn't depict current subzones, so the new map is adding them in.

Bourke asked for clarification on the Upper Albion Basin Protection Overlay Zone, as sometimes it is only referred to as simply the Albion Basin Overlay Zone. Cawley explained that there is only one overlay zone, officially named the UABPOZ.

Askins asked if the zoning text is also going to be amended to remove the place names and, if so, how the subzones would be defined in the code. Cawley clarified that there is no proposal to update or amend the text of the code, though he recognized that it could create a conflict in the future if one of the properties changed ownership or name. Niermeyer and McLean clarified that the zoning map takes priority.

Abraham expressed appreciation for the effort of the enlargement section on the pdf but noted his preference to have an even better and more detailed enlargement that is easier to decipher with clearer color distinctions.

Planning Commission member Moxley motioned to pass a positive recommendation to the Town Council with the direction to get a better-quality map, particularly of Zone C. Planning Commission member Askins seconded the motion, and the motion was passed unanimously.

c. AMENDMENTS TO PROVISIONS OF TITLE 10 REGARDING PETITIONS TO REZONE

Cawley described that while the Town does not routinely receive applications or proposals to amend land use regulations, two recent applications highlighted gaps and inconsistencies in Alta's code and led staff to propose amendments to sections of the code that govern land use amendments.

Cawley described that a petition to rezone is the pathway in Alta's for an applicant to propose changing the zoning designation on a property. Staff noticed that there was no petition to rezone section in the BFZ section of town code. It was never the intent to restrict zoning proposals for that zone; it was just an omission in the ordinance update process. This omission led to questions about how to navigate such a request. Staff determined it would be simpler to take the text out of the individual zoning districts completely and instead move it up to the general provisions of the land use chapter, so the same ordinance would apply to all zones uniformly.

Abraham asked about the red vs. blue text in the proposed code amendment language. McLean clarified that the red text is language that was brought over from existing Alta Code Section 10-1-8, whereas the blue text is new language to make language that previously existed within the Code's zoning district sections apply universally to any proposal to amend land use regulations.

Planning Commission member Moxley motioned to pass a positive recommendation to the Town Council. Planning Commission member Abraham seconded the motion, and the motion was passed unanimously.

d. AMENDMENTS TO PROVISIONS OF THE SUBDIVISION CHAPTER

Cawley explained this update is also an outcome of recent events that highlighted the need to ensure third party approvals are current. He continued that we currently lack a provision in Town Code to deny an application with stale signatures, and this proposed update would require signatures to be no more than six months old. McLean expanded that you don't want to have approved plats out there that haven't been recorded, since laws can change. This proposed amendment would ensure approvals get recorded in a timely manner. This update would require final approvals within six months of preliminary approval, with a provision that a six-month extension can be applied for. It would also require a year between final approval and recordation, with ability to extend an additional year. Niermeyer stated that this would allow for a total of up to three years to complete the process.

Planning Commission member Askins motioned to pass a positive recommendation to the Town Council. Planning Commission member Moxley seconded the motion, and the motion was passed unanimously.

Bourke requested to rearrange the remainder of the agenda to put the training portion at the end, since he recently received the training, and the commission agreed to rearrange the agenda.

11. NEW BUSINESS

Cawley shared that the Town is preparing for a special townhall meeting scheduled for March 11 from 5:00 – 6:30 PM that will focus on capital improvement planning and funding options. The meeting is scheduled in March to try to increase involvement during ski season. Planning Commission involvement is not required but always encouraged to stay current on Town business.

Cawley noted that the Town has applied for a Wasatch Front Regional Council grant to hire consultants to help update the general plan and expects to know by the next meeting if the grant has been awarded.

Bourke described an avalanche accident that occurred over the previous weekend in Big Cottonwood Canyon, noting that Chris Cawley was the first person on the scene to be able to find and rescue the victims and commended Cawley for this heroic effort.

12. DATE OF NEXT MEETING

The next meeting is scheduled for Wednesday, March 25, 2026 with a tentative “ski-around” at Alta Ski Area to precede the regular meeting. McLean will be out of the country, but legal coverage will be available with Cameron Platt. A tentative agenda includes a public hearing and possible action to issue a recommendation to the town council regarding the Shallow Shaft’s proposed zoning ordinance amendments.. Niermeyer proposed to leave the meeting as-is for now and ask if the Shallow Shaft applicant would be available to come to the April meeting instead.

13. OPEN PUBLIC MEETINGS ACT (“OPMA”) TRAINING

McLean shared that this training is quite similar to last year, with one new addition. This training is required annually, and McLean appreciates that the Town chooses to hold the training during a public meeting rather than having officials complete training online.

McLean introduced the Open and Public Meetings Act and summarized that the basis of the Act is to ensure that public business is conducted transparently and in public. The Act applies to any public body of two or more individuals supported by tax money or with decision-making authority. A meeting is defined as a quorum of a public body, which for the Alta Planning Commission means three or more members convening to discuss, receive comments, or act on town-related matters. McLean acknowledged that site visits must still be noticed to the public and no official actions can be taken during such gatherings as they are not recorded like regular meetings, but the content of the visit should be discussed openly in a recorded meeting after the site visit.

McLean clarified that casual social interactions among members do not constitute meetings unless town business is discussed. She addressed potential issues with electronic communications (such as email chains and group text messages), explaining that if a quorum participates and town business is discussed, such exchanges could qualify as meetings and must comply with the Act. McLean cautioned against post-meeting discussions or private deliberations that could undermine the transparency of decision-making. It was noted that any decision must be discussed openly in meetings to ensure public awareness and participation.

McLean highlighted the new addition to the training regarding the prohibition against predetermining the formal action of a public body outside of an open meeting. She summarized that this provision describes the need to come into the meeting with an open mind. It was clarified that commissioners are allowed to speak one-on-one with each other or with Town staff if the conversation doesn't result in a decision to take a specific action during a public meeting.

McLean also touched on the importance of preserving government records, such as emails and messages, and recommended using official town email accounts to ensure compliance with GRAMA requests. Polly briefly discussed the topic of closed meetings, explaining they are allowed for specific purposes, but that it is unlikely for the Planning Commission to convene a closed meeting.

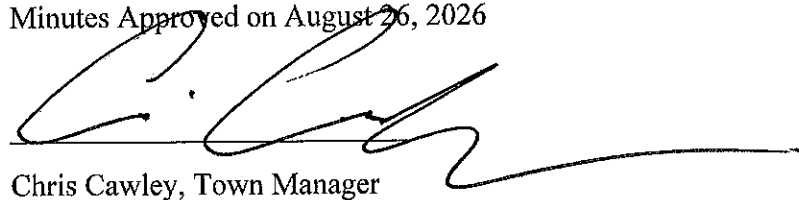
Meeting notices and agendas must be posted at least 24 hours in advance and include sufficient detail for the public to understand the topics, whereas public hearings require noticing ten days in advance. Emergency meetings require the maximum possible notice under the circumstances. McLean highlighted that public comments are welcomed on any topic, but decisions can only be made on agenda-listed items.

McLean warned of serious consequences for knowingly violating the Act, including potential legal ramifications. She concluded by providing additional training resources, including a link to receive a certificate of completion. Moxley asked if the commission is insured or indemnified. McLean explained that the Town is insured via the Utah Local Governments Trust.

14. MOTION TO ADJOURN

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

Minutes Approved on August 26, 2026

A handwritten signature in black ink, appearing to read 'Chris Cawley', is written over a horizontal line.

Chris Cawley, Town Manager