

MEETING MINUTES
ALTA PLANNING COMMISSION MEETING
and PUBLIC HEARINGS
Wednesday, August 26, 2026, 3:00 PM
Alta Community Center, 10351 E. Highway 210, Alta, Utah

ALTA PLANNING COMMISSION MEETING – 3:00 PM

PRESENT: Jon Nepstad, Chair
Maren Askins
David Abraham (virtual – joined at 3:03 PM)
Paul Moxley (virtual)
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)

NOT PRESENT: Jeff Niermeyer, Vice-Chair

1) INTRODUCTION AND WELCOME FROM THE CHAIR

Planning Commission Chair Jon Nepstad called the August 26, 2026 meeting to order at 3:01 PM.

2) CONSIDERATION OF AMENDING SECTION 9-1-2 OF THE TOWN OF ALTA MUNICIPAL CODE TO ADOPT THE 2024 EDITION OF THE INTERNATIONAL WILDLAND URBAN INTERFACE CODE IN ACCORDANCE WITH H.B. 41 OF THE 2026 GENERAL LEGISLATIVE SESSION OF THE STATE OF UTAH.

a) PUBLIC HEARING

No public comment.

b) DISCUSSION AND POSSIBLE ACTION

Chris Cawley, Town Manager, noted a change in the agenda format stating that Public Hearings have traditionally been held all at once, at the beginning of the meeting, with action items following later in the meeting. He explained that for this meeting we are trying a different approach with each public hearing followed immediately by the associated action item. Cawley explained that adopting the 2024 Wildland Urban Interface ("WUI") Code is in response to updated requirements at the state level. He described that the Town was previously required to adopt an earlier iteration of the code (the 2006 WUI code), but new legislation requires that municipalities adopt the more recent 2024 version.

Polly McLean, Town Attorney, stated that the Town is choosing to be proactive on this matter as it is not required until January 1, 2027. McLean described that there are a handful of appendices associated with the 2026 WUI code that are not part of the code unless explicitly named in the adopting ordinance. McLean stated that current Town of Alta code includes Appendix A and Appendix B, but she was not prepared to offer a recommendation on which appendices to adopt with this ordinance update due to differing opinions she received from representatives from Forestry Fire and State Lands ("FFSL"), Michael Swinsick, and the Unified Fire Authority ("UFA"), Dave Bradley. She clarified that State code only requires us to adopt the 2024 WUI code, which is what is presented today, but recommended to have representatives from the fire department present at a future meeting to discuss the optional appendices. Depending on the outcome of that future discussion, it is possible that appendices can be adopted by the Town Council without further input from the Planning Commission.

Motion: Maren Askins moved to forward a recommendation to the Town Council to amend section 9-1-2 of the Town of Alta Municipal Code. Paul Moxley seconded.

Vote: All in favor

Result: Approved

3) CONSIDERATION OF AMENDING SECTION 10-5 OF THE TOWN OF ALTA MUNICIPAL CODE TO AMEND THE LAND USE APPEAL AUTHORITY FROM THE TOWN COUNCIL TO AN ADMINISTRATIVE LAW JUDGE IN ACCORDANCE WITH S.B. 284 OF THE 2026 GENERAL LEGISLATIVE SESSION OF THE STATE OF UTAH.

a) PUBLIC HEARING

No public comment.

b) DISCUSSION AND POSSIBLE ACTION

Cawley described that state law governing who can and cannot act as the land use appeal authority has changed in recent years, noting S.B 284 during the 2026 Legislative Session. He described that it is widely held to be best practice for cities, towns, and counties to appoint a

non-legislative body as the land use appeal authority, highlighting that the appeal authority is a quasi-judicial role. Cawley emphasized that as the legislative body, the Town Council's role is to make laws, not to apply or interpret them. Cawley explained that the Alta Town Council is currently designated as the appeal authority and described that S.B 284 prohibits the legislative body from being the appeal authority for all cities with a population greater than 5,000. While this technically does not apply to Alta, it is still strongly recommended to remove the legislative body as the appeal authority. Cawley stated that this change comes at a convenient time for the Town as we are already in the process of hiring an Administrative Law Judge to oversee civil code appeals.

McLean stated that the Town had considered making this change a handful of years ago, but that the Town Council was not in support at that time. She reiterated that it has been recommended against having the legislative body as the appeal authority for many years, emphasizing that elected officials are often inclined to consider public clamor when making decisions, whereas administrative or quasi-judicial decisions may only consider the law and *cannot* take public clamor into account. Cawley asked if the Town Council would remain as the variance authority. McLean clarified this ordinance amendment would change that as well for the same reasons.

Nepstad asked Cawley to clarify the process the Town is undergoing to hire an Administrative Law Judge ("ALJ"). Cawley explained that an RFP had been issued and three responses were received and are currently under evaluation, clarifying that the Town is going to select one individual to serve in this role on an as-needed basis. Moxley inquired about who pays the ALJ, with Cawley responding that payments will come from the General Fund. McLean added that applicant fees will also contribute to cover costs. Abraham noted that Alta is unique, and certain requests may be considered controversial and create a lot of public clamor. He asked what alternatives are available to hiring a single ALJ, such as a board. McLean clarified that the appeal authority cannot be the Planning Commission because they are making the land use decisions. McLean offered to research other alternatives, noting that the only instance of an appeal board she was aware of was Park City, although it has since switched to an individual.

Moxley asked what qualifications the Town is looking for in an ALJ and what criteria would make them more qualified than the Council. Cawley stated that due to the quasi-judicial nature of the position, we are seeking someone with a law background – either a lawyer or possibly a judge. The role of an ALJ is to interpret the law, consider the facts of the case, and apply the law to the case. He reiterated that the reason the state law has changed is because while the Town Council should and may consider public clamor when making legislative decisions or creating laws,, decisions on land use appeals are administrative and cannot take public clamor into account under Utah law. This leaves Town Council decisions on appeals potentially easy to overturn.

McLean described the appeal process, stating that appeals starts at the Town level, but can be appealed to a District Court.

Moxley asked, as an example, if the Planning Commission hadn't forwarded a recommendation to the Town Council on the Shallow Shaft proposal, and the Shallow Shaft wanted to appeal, would that go before the ALJ. McLean stated not in that case - that example is a legislative decision on a land use regulation that would go to the Town Council regardless. Cawley explained that land use applications that are denied by the Planning Commission, like conditional use permits or boundary adjustments, could be appealed.

Abraham asked how long the appointed ALJ would serve. McLean stated that it would be a term of 5 years, with appointment by the Mayor and consent of the Town Council, with the option to be renewed for another term at the conclusion of the 5-year period. Nepstad reiterated that they will be available on an as-needed basis and suggested it is unlikely to have many appeal hearings.

Motion: Maren Askins moved to forward a recommendation to the Town Council to amend section 10-5 of the Town of Alta Municipal Code. Paul Moxley seconded.

Vote: All in favor

Result: Approved

4) CONSIDERATION OF AMENDING SECTION 10-6A-5 OF THE TOWN OF ALTA MUNICIPAL CODE TO AMEND AUTHORITY TO DETERMINE SETBACK REQUIREMENTS IN FORESTY AND RECREATION ZONES FROM THE TOWN COUNCIL TO THE PLANNING COMMISSION.

a) PUBLIC HEARING

No public comment.

b) DISCUSSION AND POSSIBLE ACTION

Cawley described that he recently observed that Town of Alta code states setbacks in single-family zones have a different approval process than any other zone. The current code states that setback determinations in single-family zones require a two-step process: recommendation from the Planning Commission followed by approval by the Town Council, whereas other zoning districts do not require Town Council approval. He noted it is a bit cumbersome to have to receive approval from both bodies, so this amendment would remove the Town Council requirement from the ordinance. Cawley explained that it is an administrative decision to determine a setback, not a legislative one, and since the Council is a legislative body it should not make administrative decisions. Abraham described this amendment as a general code clean up to align the requirements across zoning districts.

Motion: Paul Moxley moved to forward a recommendation to the Town Council to amend section 10-6A-5 of the Town of Alta Municipal Code. Maren Askins seconded.

Vote: All in favor

Result: Approved

5) GENERAL PUBLIC COMMENT

No public comment.

6) INTRODUCTION OF SUNRISE ENGINEERING PLANNING TEAM

Cawley introduced Gabby Blackburn and Daniel Jensen from Sunrise Engineering. Cawley described that the Town issued a Request for Qualifications ("RFQ") in early 2026 for a contract planner, and after a competitive process, Sunrise Engineering won the bid. Cawley noted that Sunrise Engineering has also recently been contracted to serve as the Town Building Official and Town Engineer through two additional procurement processes that were also recently completed. Cawley described the scope of work as providing general support to the Town for anything related to land use. As a start, the Sunrise team is initiating a code audit and working to create land use application forms to create a more consistent process. Cawley highlighted that John Guldner is still available as a resource, specifically to offer his institutional knowledge.

Gabby Blackburn introduced herself and Daniel Jensen, describing that they both have a background in planning working for municipalities in Utah and expressed excitement to be working for Alta. Jensen described his public sector planning work for Provo, Payson, and Utah County before moving to Sunrise nearly 5 years ago.

Bourke asked if there is any concern about a conflict of interest with Sunrise Engineering holding these three distinct roles with the Town. McLean responded that there is no conflict and described the benefits of having all those functions housed under one roof. Cawley described that Town lost valuable professional planning experience when John Guldner left full-time employment, and this arrangement is helping to fill that gap.

7) APPROVAL OF THE MINUTES OF THE FEBRUARY 25, 2026 MEETING

Motion: Maren Askins moved to approve the minutes of the February 25, 2026 meeting. David Abraham seconded.

Vote: All in favor.

Result: Approved

8) APPROVAL OF THE MINUTES OF THE MARCH 25, 2026 MEETING

Motion: Maren Askins moved to approve the minutes of the March 25, 2026 meeting. Paul Moxley seconded.

Vote: All in favor.

Result: Approved.

9) REAPPOINTMENT OF COMMISSION CHAIR

Cawley gave a brief overview of Nepstad's service on the Planning Commission, noting his recent reappointment to the commission by the Town Council. Austin explained it was determined that he was first appointed as commission chair 8 years ago and there should have been a reappointment action after 5 years, which was missed, describing this as a housekeeping item to officially reappoint Jon Nepstad as the chair of the Planning Commission, for a term that will expire at the end of 2028. It was clarified that after his term as chair expires, he will still be an active member of the Planning Commission for at least 3 more years due to his recent reappointment to the commission by the Town Council. Nepstad expressed interest and appreciation for serving as chair and enthusiasm for carrying out the term.

Motion: Paul Moxley moved to appoint Jon Nepstad as the Commission Chair for a term to expire at the end of 2028. Maren Askins seconded.

Vote: Jen Nepstad abstained from voting. All other commissioners voted in favor.

Result: Approved.

10) DISCUSSION AND POSSIBLE ACTION: SIMPLE BOUNDARY LINE ADJUSTMENT APPLICATION SUBMITTED BY ALTA SKI AREA TO ADJUST A .18-ACRE TRACT OF LAND FROM PARCEL 30-05-154-013-0000 AND INCORPORATE IT INTO PARCEL 30-05-154-015-0000

This item is not going to be heard today due to lack of application materials. Cawley explained that Alta Ski Lifts and Alta Peruvian Lodge are proposing to adjust a sliver of property from the Peruvian Lodge to Alta Ski lifts to accommodate a parking lot enhancement project. The item is expected to be on the agenda for the September meeting.

11) DISCUSSION: DRAFT SCOPE OF WORK FOR TOWN OF ALTA GENERAL PLAN UPDATE

Nepstad explained that he assisted staff in submitting a grant application to Wasatch Front Regional Council ("WFRC") for assistance in updating the Town of Alta General Plan.

Cawley reviewed that the application was submitted in December of 2025 and has been discussed previously in commission meetings. He explained that the Town's General Plan has not been completely updated since 2005, noting small additions or revisions in the meantime. As a baseline, the goal with this grant is to review and update the entire General Plan with a focus on the vision statement, Town Center commercial element, and economic and market analysis of what is possible in downtown Alta. Cawley stated that we did not plan for extensive code updates as part of this project, but to identify updates to land use regulations, specifically in the Base Facilities Zone. Transportation readiness, including preparing for upcoming UDOT projects and continued consideration of the Town Shuttle program, were also identified as priorities. Cawley noted that housing is big part of grant program, but Alta is unique as a resort community with different constraints and housing challenges. Cawley identified interest from the community to explore more diverse housing opportunities.

Cawley emphasized that the General Plan is the primary responsibility of the Planning Commission under state code.

Nepstad added that the scope will include a community engagement element, but the details are still unknown. Cawley highlighted that public engagement is a critical step in the process of updating the General Plan.

Cawley explained that this meeting will be the last opportunity for the Planning Commission to provide input on the scope of the project and requested that commissioners discuss their top priorities, considering what land use or general Town of Alta vision policy areas that have been underserved in the recent past.

Askins described the decision to allow or continue to prohibit condominiums as a top priority, and the discussion of housing opportunities is also interesting to consider, noting that very few employees have the opportunity to live and work in Alta year-round. She described that more year-round housing opportunities for employees could help support a more year-round economy but acknowledged that opportunities for such housing is limited.

Abraham agreed that a workforce housing component is a high priority, noting that workforce and caretaker housing opportunities seem to be less than in the past. He identified circulation and transportation improvements as his second highest priority, considering what improvements are possible and what comes to pass with a transit hub station.

Nepstad and Cawley described that if we can adhere to the desired timeline, we should be under contract with a consultant by the October commission meeting. Cawley stated the desire to host a joint meeting of the Planning Commission and the Town Council, desirably before Christmas. This meeting would encourage public attendance and participation and is likely to fall on a date that is already set aside in the calendar for a public meeting. The purpose of such a meeting would be to get everyone on the same page about expected outcomes.

12) NEW BUSINESS

Nepstad noted that there is a lot of new construction activity in Town and asked about the possibility of having a walking tour before winter. Cawley stated that changes in management at Alta Ski Lifts may pose a challenge to get something like that scheduled.

13) DATE OF NEXT MEETING

The next meeting is scheduled for September 23, 2026 at 3:00 PM.

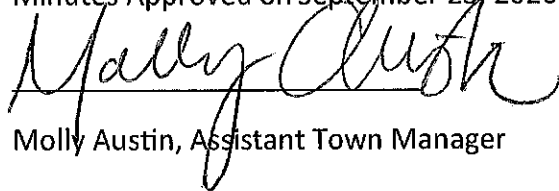
14) MOTION TO ADJOURN

Motion: Maren Askins moved to adjourn the August 26, 2026 Planning Commission Meeting. David Abraham seconded.

Vote: All in favor.

Result: Approved.

Minutes Approved on September 23, 2026

A handwritten signature in black ink, appearing to read "Molly Austin", is written over a horizontal line.

Molly Austin, Assistant Town Manager