

**Alta Planning Commission  
Minutes  
January 21, 2010**

The Alta Planning Commission held a meeting on January 21, 2010, 12 pm, at Trio Restaurant on 6405 South, 3000 East, Salt Lake City. Planning Commission members in attendance included Skip Branch, Joan Degiorgio, Jan Striefel, Jon Nepstad, Rob Voye, and Lee Kapaloski. Town of Alta staff present included John Guldner and Claire Runge. Town of Alta attorney Katie Lewis and Town of Alta Mayor Tom Pollard were also present. Members of the public present included Mark Haik, and Jennifer Garner (with court recorder).

**PUBLIC HEARING ON THE PROPOSED FLOOD DAMAGE PREVENTION  
ORDINANCE**

Ms. Runge briefly introduced the Flood Damage Prevention Ordinance and noted that there is no item on the agenda to formally address and act on the ordinance today. Ms. Runge recalled that the Federal Emergency Management Agency (FEMA) has identified a very small portion of the Town as a “special flood hazard area,” and because of that designation, FEMA has encouraged the Town to join the National Flood Insurance Program and come into compliance with FEMA’s regulations by passing an ordinance and resolution. Ms. Runge showed a map of this “special flood hazard area” and Mr. Guldner noted the discrepancies between the FEMA map and the actual Town boundaries.

Ms. Runge noted the purpose of the public hearing is to gather input on the ordinance, and noted the ordinance was written by FEMA, not the Town. Ms. Runge further remarked that the Planning Commission cannot make ordinance less restrictive, it can only make it more restrictive. Ms. Runge hopes that the Planning Commission takes a vote next month and moves the ordinance along to the Town Council.

Ms. Runge discussed the role of FEMA as a funding agency and the Town’s need for federal support if flooding were to occur. Mayor Pollard believes this issue deals with compliance with national regulations, participation in the National Flood Insurance Program, and has implications for qualifications for financing.

Ms. Runge noted that the Planning Commission is required to review this ordinance and have a public hearing as required by LUDMA. Ms. Runge also emphasized that the ordinance would only apply to land designated as a special flood hazard area on the map and that all other municipalities in Salt Lake County have passed this ordinance.

Mr. Nepstad asked about the current use of that “special flood hazard area.” Mr. Guldner stated that we are not entirely sure the area is even in the Town, but our best guess is that the land is FR-50 or part of the open space of Sugar Plum, but either way is not developable. Ms. Striefel postulated that FEMA had intended to stop at the end of the county boundary, but ended up in the Town. Ms. Striefel believes that if FEMA were to look at the entire Town, the special flood hazard area would most likely follow the creek all the way up.

Mr. Branch opened the public hearing, and invited input from the public.

**MARK HAIK**

Mr. Haik believes the Town should determine if the zone identified on that map is or is not in the Town of Alta. If the zone is not in the Town of Alta, the Town should let FEMA know. He noted that in the fall he gave the Town a full color map of the 1965 Salt Lake County Flood Control Zone that identifies a significant portion of Little Cottonwood Creek as a flood control zone. Mr. Haik believes the Planning Commission should consult that map and provide that map to FEMA. Mr. Haik noted that the fact that FEMA overlooked it, seems egregious and that topographers should do a better job than that as it seems like a large oversight. Furthermore, it is the sight of regular spring flooding due to the ice and snow dams when the runoff is culverted past wildcat and the buckhorn. These frequently jam up with snow and the creek floods out in to the parking lot, and people who are present in the Town in the springtime know that is a regular occurrence. The town should also identify other potential spots in Town that could be used for either flood control or be potential flood zones. In the course of that process, the Town should also identify and possibly rank the various watercourses that contribute to flooding. Mr. Haik noted that in 2007, the Friends of Alta was generous enough to give approximately \$80,000 to the Town for GIS work and possibly that GIS work should be reviewed to see if there was any topography that was included in part of that work and that should be reviewed and presented to the Planning Commission prior to their action. Just because FEMA has and possibly erroneously identified one potential flood zone, does not relieve this body of a thorough consideration of where the flood zones are in the Town and what should be the remedies and the solutions for the future. Mr. Haik urged the Planning Commission to obtain from the staff the Salt Lake County Flood Map (1965) that was given last fall, and should consider a walking tour of the zone identified. Since the time that map was produced there have been numerous diversion structures and other drains put in that area by the Alta Ski Lifts and others. That situation should be reviewed particularly in light of the Alta Ski Lifts proposed build out.

Mr. Branch closed the public hearing portion of the meeting.

Mr. Kapaloski asked where we go from here. Ms. Lewis noted that on the next meeting agenda we will have discussion with possible action and when the Planning Commission is ready it can make a recommendation to the Town Council. Mayor Pollard suggested converting the Salt Lake County Flood Control Map (1965) into an electronic file. Ms. Runge noted we can try, and remarked that the map just looks like someone took a highlighter and highlighted Little Cottonwood Creek all the way to the top. Mayor Pollard suggested contacting FEMA. Ms. Runge noted that she has, and that the 1965 Salt Lake County Flood map is no longer in use by Salt Lake County as Salt Lake County has adopted all of FEMA's maps. Ms. Runge has asked FEMA to be on the list of communities to be re-studied.

Ms. Degiorgio noted that when she thinks of a Flood Plain Ordinance she thinks of what it can contribute to protecting a natural waterway, flood plain, and riparian corridor. It may be interesting to make the ordinance more restrictive and include criteria on the natural stream environment and riparian corridor. Ms. Degiorgio is not sure if its appropriate or not, but may be something to think about.

## **1) INTRODUCTION AND COMMENTS FROM THE CHAIR**

Mr. Branch noted that Mr. Muir, Ms. Striefel, and himself were up for reappointment on the Planning Commission. Mr. Muir has chosen to move on and Mr. Branch thanked Mr. Muir for his many years of dedication. Now the selection of a new member is up to the Mayor and Town Council and we will report more at the next meeting. Ms. Degiorgio expressed that she will miss his architectural background and planning and zoning experience, and suggested we could think about maybe replacing that niche. Mr. Branch noted that the representation from different fields as noted in the Planning Commission Ordinance is just a suggestion not a requirement. Mr. Kapaloski suggested an appropriate departure both socially and commemoratively for Mr. Muir, and Mr. Branch suggested a reception to appreciate him would be terrific. Mr. Kapaloski thinks that we should consider a commemoration for those who have served the Town for a long time.

## **2) STAFF UPDATE**

Mr. Branch noted that the Shrontz Estate has filed a lawsuit against the Town and Salt Lake City. Mr. Guldner recapped the Planning Commission and Town Council's review of the Shrontz Estate's application, which was ultimately denied by the Town Council since it did not comply with the Town's ordinances. The Town has until February 3, 2010 to respond to the complaint. Ms. Degiorgio wondered how the natural waterways discussion that occurred during the review of the subdivision application is related to floodplains.

Mr. Branch asked Mr. Guldner about other outstanding lawsuits. Mr. Guldner recapped:

- The View lawsuit from 1999 is still ongoing over a snow removal, snow storage, and parking dispute.
- There is also a smaller lawsuit regarding excavation without a permit in the Albion Basin.
- Melville versus Town of Alta and John Guldner lawsuit is still open. The lawsuit is about defamation of character, constitutional takings, and water issues.
- Dr. Tolton versus the Town of Alta lawsuit over record requests was recently dismissed.

Mr. Guldner recapped other issues the Planning Commission worked on recently:

- Approval of the Snowpine Lodge sideyard setbacks
- Approval of an amendment to the Powder Ridge Planned Unit Development
- Extensive work to come into compliance with LUDMA. The Land Use Authority has been established and Planning Commission now wears two hats.
- Land Use Appeal Authority was established, and the Board of Adjustment eliminated
- Improvement to Base Facilities Zone to keep it a hot-bed hotel zone, and made important changes to definition of guest room

Ms. Runge brought the Planning Commission up to speed on other things affecting the Town:

- U.S. Forest Service Albion Basin Transportation study is ongoing and the final study will suggest a range of transportation alternatives into the Albion Basin.
- The Scenic Byways Corridor Management Plan was finished we applied for a National Scenic Byways designation. The application for designation was denied.
- Completion of a Community Greenhouse Gas Inventory

Mayor Pollard updated the Planning Commission on Wasatch Canyons Tomorrow, which is a process started by Salt Lake City to update the Canyons Masterplan. Mayor Pollard noted this has been a thorough process run by Envision Utah with multi-agency involvement. The focus has been on land use, transportation, recreation, development, and resources. Mountain transportation has played a big role, with a focus on looking at the impact on transportation concepts as it deals with the canyons. Mayor Pollard emphasized that the plan is just a recommendation of what should be done in the future. Different transportation scenarios were developed based on public input. Envision Utah came up with five scenarios, and then reduced those down to two scenarios. One scenario is improving bus service in the canyon both summer and winter, and also including a parking fee in the canyon to pay for increases in services. The other scenario is the possibility of a train/COG railway up the canyon that would be tied into a corridor starting at the airport. The basis of whole project is that population will double by 2040 and how the canyons will deal with that. Mayor Pollard thinks this process has a lot of energy behind it.

Mayor Pollard also noted that transfer development rights (TDR) are gaining momentum in county. TDR would allow moving of development rights in sensitive areas to more preferred development areas. The Town has been asked how we feel about it, and there may be a county ordinance looking at this that includes an incentive to moving development rights.

Mr. Kapaloski feels that the low hanging fruit to target air quality, will be identifiable, discrete, generators of traffic and they are the ski areas, which are a discrete single location. We need to look at our own reality, and Mr. Kapaloski feels that the transportation issue will go away; it will become its own driver. The County and State need discrete action taken and mass transit is a possible solution to a discrete traffic generator.

Ms. Degiorgio noted it was interesting to see which ideas were eliminated, such as the Zion Park transportation idea. Ms. Degiorgio asked if the Town is going to comment on the outcome or state a preference. Mayor Pollard has noted that Envision Utah has begun to get input and the Town needs to become more active in participation.

Ms. Degiorgio noted that the U.S. Forest Service has in the past addressed capacity by limiting parking, what would happen when we have no limit? Ms. Degiorgio feels we could have a lot more people up there and that is good to a point, but is it all good? Mayor Pollard used the example of the summer shuttle as a look at capacity.

Mr. Kapaloski noted that having a large population close to Little Cottonwood Canyon and population growth is a harsh reality. The Town is going to be the focus of a lot of concentrated discussion and they will all have different ramifications. He believes it is more of a summer issue. When you talk about the number of people physically getting up and down this canyon, then what is the future? Do we accommodate it? Do we limit it? The Town needs to think about how we react to this.

Mr. Branch asked if Mayor Pollard or other staff could report to the Planning Commission on this item. Mayor Pollard suggested that a representative from Envision Utah come to a future meeting.

Mr. Branch acknowledged and appreciated Bill Levitt, and noted that we are here because of him. Mr. Branch believes that what we have talked about as a Planning Commission is responsible development and protection of Alta, and Bill represents the core heart of that vision.

Mr. Kapaloski reiterated that the transportation issue is a great focal point for what we do with the future because it relates to so many things we are trying to decide. Mr. Kapaloski recalled the discussion of the parking ordinance and felt the Planning Commission should also invite Alta Ski Area to be here as well. There was discussion on what the capacity is and how hard it is to determine.

Mr. Kapaloski noted it is a difficult decision – should you be able to drive up the canyon and have a picnic, should you have a reservation, etc.? These are difficult questions about urban recreation. All these issues are about transportation, access, and people coming up the canyon.

Ms. Degiorgio noted that Alta Ski Area has the effect of concentrating people in the winter, but that is not true in the summer.

### **3) REVIEW WITH POSSIBLE ACTION ON THE MINUTES FROM THE JULY 21, 2009, PLANNING COMMISSION MEETING**

Ms. Runge noted that although these minutes were voted on in the November 21, 2009, Planning Commission meeting, there was not a quorum so the vote did not count.

**Ms. Striefel moved to approve the minutes of the July 21, 2009, Planning Commission meeting. The motion was seconded by Ms. Degiorgio and the motion was carried with all members that were present voting in the affirmative except for Mr. Kapaloski who abstained since he was not present at the July 21, 2009, meeting.**

### **4) REVIEW WITH POSSIBLE ACTION ON THE MINUTES FROM THE NOVEMBER 10, 2009, PLANNING COMMISSION MEETING**

**Mr. Kapaloski moved to approve the minutes of the November 10, 2009, Planning Commission meeting. The motion was seconded by Ms. Striefel and the motion was carried with all members that were present at that meeting voting in the affirmative.**

### **5) LAND USE APPLICATION ORDINANCE**

Not discussed.

### **6) DISCUSSION OF UPCOMING YEAR**

Not discussed.

### **7) DATE OF NEXT MEETING**

The next meeting was scheduled for February 25, 2010 at noon.

**Ms. Striefel moved to adjourn the Planning Commission meeting. Mr. Nepstad seconded the motion with all Planning Commission members that were present voting in the affirmative. The motion was carried.**

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These minutes were passed and approved on the twenty-fifth day of February, 2010.

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Claire E. Runge  
Assistant Town Administrator