

MINUTES
ALTA TOWN COUNCIL VIRTUAL WORK SESSION
Tuesday, January 5, 2021 11:00 AM
Alta Community Center, 10351 E. Highway 210, Alta, Utah

PRESENT: Mayor Harris Sondak
Council Member Margaret Bourke
Council Member Cliff Curry
Council Member Sheridan Davis
Council Member Elise Morgan

STAFF PRESENT: John Guldner, Town Administrator
Chris Cawley, Assistant Town Administrator
Piper Lever, Town Clerk
Jen Clancy, Deputy Town Clerk
Mike Morey, Town Marshal
Polly McLean, Town Attorney

WORK SESSION

- LAND USE AMENDMENTS

Mayor Sondak called the meeting to order at 11:00 am. Read 12-31-2020 determination letter regarding conducting the Town of Alta public meetings without an anchor location.

The Mayor of the Town of Alta hereby determines that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location pursuant to Utah Code section 52-4-207(4) and Resolution 2020-R-12. The facts upon which this determination is based include: The percent and number of positive COVID-19 cases in Utah has been significantly higher since May 27, 2020. The seven-day average for cases on December 30th is 2,288, with about half the state's cases in Salt Lake County. As of December 30, 2020, there have been 1,269 deaths reported in Utah due to COVID-19. This meeting will not have a physical anchor location. All attendees will connect remotely. Attendees may join the webinar by registering for the meeting through the Town website www.townofalta.com or the meeting can be watched on YouTube. Additionally, comments may be emailed to the Town Clerk plever@townofalta.com

This determination will expire in 30 days on January 29, 2021.

Mayor asked Town Administrator John Guldner to make an opening statement to begin the conversation. Guldner identified Section 10-6A-9G paragraph 3 containing the issue of the potential exemption matter. The Council can choose to put this paragraph aside and address all the other proposed amendments that are less controversial or spend this session fixing and filling in the blanks on this paragraph.

The Mayor suggested talking about the exemption issue for at least a few minutes. He noted two extremes the Town Council could choose to impose; either Alta Ski Lifts could do on their privately owned land the same as what they can do on public land or they must comply with the Town's building restrictions on their private land, the same as any other private landowner. Cliff Curry stated that TOA might want to find a middle ground to accommodate normal commercial ski area operations and could do so without favoritism separate from other private landowners. He said the Ordinance must clearly define the exemptions for minor structures (such as signs, gates, fences, picnic tables and firepits) and no exemption for major habitable structures (such as ski lifts, avalanche control devices and snowmaking). The major structures should have to comply with the Town's most restrictive measures, (such as setbacks) with provisions for variance when appropriate. Polly advised consistency for all private landowners and any exemptions for land use and not for a specific owner.

Council woman Margaret Bourke noted caution must be taken when making exemptions, because of possible uses that might have negative effects. She suggested breaking up the amendments of the ordinance.

Council woman Sheridan Davis wants to assert the Town's authority over all land use authority and not defer to the USFS authority.

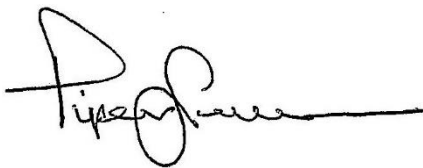
Council woman Elise Morgan promotes minor structure exemptions to ease a possible burden on Town and building officials.

John Guldner noted that state code defines structure as any building; Town needs to define it further in order to differentiate minor from major. Possibly that structures that are not buildings could be defined as minor. Mayor Sondak voiced concern of using FCOZ language; because it is too subjective and opens Town up to objections. Councilwoman Bourke wants to deal with some easy issues first and come back to other more substantive issues later. Council member Curry noted that negotiation would be key to trading interests and finding consensus.

Mayor Sondak asked the Council members to send their comments on the list of 41 items submitted by Councilwoman Bourke to Polly so she can draft changes to parts where the Council agreed. Polly could report at the next Council meeting what those items are. The mayor skimmed down the list, commenting on a few. Agreed to keep this matter on the Jan 13 agenda. Council should submit comments on the list of 41 items. A new draft could be brought back to the Council in the February meeting.

Work Session was adjourned at 12:05 pm

APPROVED by the Town Council on February 10, 2021

A handwritten signature in black ink, appearing to read "Piper Lever", written over a horizontal line.

Piper Lever, Town Clerk