

**MEETING MINUTES**  
**ALTA PLANNING COMMISSION MEETING**  
**Tuesday, May 22nd, 2024, 3:00 PM**  
Alta Community Center, 10351 E. Highway 210, Alta, Utah

**PRESENT:** John Nepstad, Chair  
Jeff Niermeyer, Vice-Chair  
Rob Voyer  
Dave Abraham  
Maren Askins  
Roger Bourke, Town of Alta Mayor (ex-officio)

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

**OTHERS:** John Guldner, Cottonwood Lands Advisory  
Hans Hoffman

**1. INTRODUCTION AND WELCOME FROM THE CHAIR**

Planning Commission Chair John Nepstad opened the May 22, 2024 meeting at 3:22 PM.

**2. APPROVAL OF MINUTES FROM THE April 24, 2024, MEETING**

**Planning Commission member Marin Askins introduced a motion to approve the minutes from the April 24, 2024, Alta Planning Commission Meeting. Planning Commission Member David Abraham seconded the motion, and the motion was passed with unanimous consent of the commission.**

**3. UPDATE ON TOWN OF ALTA SUBDIVISION ORDINANCE REVISION PROJECT – TODD GODFREY, HGB LAW**

Todd Godfrey presented a proposed red line draft of the subdivision ordinance, accompanied by a memorandum explaining the review process. Godfrey found that the current ordinance was mostly compliant with state law but recommended some changes for clarity and better compliance. The revisions appeared significant but were mainly organizational, maintaining the existing application requirements and keeping the Planning Commission as the authority for preliminary plat reviews. He pointed out the absence of a public hearing requirement for subdivisions and left the option open for the town to include it.

Roger Bourke inquired about the potential jeopardy of not changing the ordinance. Godfrey responded that while the process might seem efficient, clarifying the final plat decision as being made by the town manager would help align with state law.

Abraham questioned the scheduling of a pre-submission meeting, to which Godfrey clarified that only the scheduling, not the meeting itself, must occur within 15 days. There was a discussion on the necessity of preliminary title reports at various stages of the subdivision process, with consensus on requiring these reports at both preliminary and final stages, updated as necessary.

Polly McLean asked about the inclusion of language clarifying no vesting at the pre-submission stage and the process for amended plats. Godfrey noted that state law doesn't directly address amended plats, suggesting a similar process to the subdivision process. It was decided to require public hearings for amended plats, recognizing the complexity and community interest.

The meeting concluded with a plan to incorporate the discussed changes, including requiring a preliminary title report and its update, adding a public hearing requirement, and drafting language for plat amendments. The next steps included scheduling a public hearing and finalizing the draft for council approval.

#### **4. DISCUSSION REGARDING TOWN OF ALTA GENERAL PLAN AND THE SHALLOW SHAFT RESTAURANT'S PROPOSAL TO AMEND THE BASE FACILITIES ZONE ORDINANCE AND REDEVELOP THE PROPERTY**

Overall, the meeting focused on evaluating the alignment of a proposed land use change with the town's general plan and broader community goals. John Nepstad directed the discussion towards the general plan's relevance to recent changes, such as the pandemic and the rise of short-term rentals. Chris Cawley provided a presentation on the Town's general plan, its function and history.

The last major update was in 2005, with a minor update in 2013 focusing on the Town Center commercial element. The plan includes policy statements on environmental protection, interagency cooperation, and commercial development. The 2013 update emphasized facilitating commercial development in the base facilities zone. The only major development since the amendments is the Snowpine Lodge project, significantly increasing its size and year-round operations.

Cawley also discussed the Utah municipal code requirements for cities to prepare a comprehensive long-range general plan and highlighted how the Town of Alta's general plan serves as an advisory guide for land use, economic development decisions and infrastructure investments, and emphasized its role in guiding land use decisions.

The discussion shifted into the Shallow Shaft proposal and its alignment with the general plan. The commission examined relevant excerpts from the general plan and discussed how they apply to the proposal. They touched on past planning processes, including the Mountain Accord, and considered long-term sustainability and community development in Alta. Commission members noted changes in Alta's summer economy and climate as factors influencing some land use decisions. The proposal from the Shallow Shaft calls for amending the base facilities zoning ordinance to increase the minimum lot size restriction. The Commission discussed the potential implications of changing the minimum lot size in the base facilities zone and discussed concerns

regarding short-term rentals, questioning whether allowing changes like the Shallow Shaft proposal would constitute spot zoning.

Polly McLean added clarification on the definition of short-term rentals and emphasized that they are considered residential uses from a legal perspective. John Guldner echoed this sentiment, emphasizing the need to distinguish between short-term rentals and residential uses in the base facilities zone. The general plan does not explicitly mention short-term rentals, requiring interpretation of broader policy statements

John Nepstad raised questions about the adequacy of the town's planning tools to address new developments, particularly regarding the commercial core vision and the relevance of the general plan. Other participants shared their perspectives on the town's zoning ordinances and their implications for future development, including considerations for workforce housing and mixed-use developments.

David Abraham highlighted the pre-existing status of certain properties and the concept of grandfathered rights. John Guldner provided historical context, explaining how zoning changes affected different parcels at different times. The discussion delved into the distinction between residential and commercial uses, particularly regarding short-term rentals. Chris Cawley emphasized the need to understand the proposed text amendment and its implications, including potential changes to lot sizes and building mass.

Rob Voyer raised questions about the project's objectives and the inclusion of caretaker units. The meeting concluded with a plan to continue dialogue with the applicant and address concerns about zoning, precedent-setting, and community impact in future meetings.

#### **Final Notes:**

- The discussion revolved around how to balance preserving Alta's character with adapting to new economic realities and community needs.
- The town needs to carefully evaluate short-term rentals and their impact on the community and economy.
- Further dialogue and potential involvement of external experts may be necessary to navigate these complex issues.

#### **5. DATE OF NEXT MEETING**

The next meeting is scheduled for June 26, 2024 at 3pm.

#### **6. MOTION TO ADJOURN**

**Planning Commission member Rob Voyer moved to adjourn the meeting. Planning Commission Vice-Chair Jeff Niermeyer, seconded the motion, and the motion was carried with unanimous consent of the commission.**

Minutes Approved on

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Chris Otto, Assistant Town Manager

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