

**MAYOR**

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## **Alta Planning Commission Meeting Packet December 17, 2025**

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**AGENDA**

**ALTA PLANNING COMMISSION MEETING  
WEDNESDAY, DECEMBER 17, 2025 @ 3:00 PM  
10351 E HWY 210  
ALTA COMMUNITY CENTER  
ALTA, UTAH**

We encourage you to join us in person. This will be a hybrid meeting. For information about how to view the meeting online, please visit <https://townofalta.utah.gov/events/> or watch live <https://townofalta.utah.gov/live-stream/>

Public comment - please note, each person will be able to speak for up to 3 minutes.

Written public input can be submitted in advance to Chris Cawley via email ([ccawley@townofalta.utah.gov](mailto:ccawley@townofalta.utah.gov))

To make a public comment virtually we recommend notifying Molly Austin via email ([molly@townofalta.utah.gov](mailto:molly@townofalta.utah.gov)) in advance of the meeting.

- 1 Call the Meeting to Order
- 2 Public Comment
- 3 Approval of the minutes of the November 19, 2025 meeting
- 4 Presentation and Discussion: Shallow Shaft Proposed Zoning Text Amendment
- 5 Approval of the 2026 Meeting Schedule
- 6 New business
- 7 Date of next meeting
- 8 Motion to adjourn

**Notice Provisions:**

- Motions relating to any of the foregoing including final action may be taken at the meeting.
- One or more members of the Alta Planning Commission may attend by electronic means, including telephonically. Such members may fully participate in the proceedings as if physically present. The anchor location for purposes of the electronic meeting is the ALTA COMMUNITY CENTER, 10361 EAST HWY 210, ALTA, UTAH
- Reasonable accommodation (including auxiliary communicative aids and services) for individuals with disabilities may be provided upon receipt of a request with three (3) working days' notice. For assistance, please call the Alta Town Office at 801-363-5105

**MEETING MINUTES**  
**ALTA PLANNING COMMISSION MEETING**  
**Wednesday, November 19, 2025, 3:00 PM**  
Alta Community Center, 10351 E. Highway 210, Alta, Utah

**ALTA PLANNING COMMISSION MEETING – 3:00 PM**

**PRESENT:** Jon Nepstad, Chair  
Jeff Niermeyer, Vice-Chair (joined at 3:07 - virtual)  
Paul Moxley  
Maren Askins  
David Abraham  
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)  
Andrina Hougham, Shallow Shaft Property Owner  
Jay Springer, Shallow Shaft Attorney  
Hans Hoffman, Shallow Shaft Architect

**NOT PRESENT:**

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

Planning Commission Chair Jon Nepstad opened the November 19, 2025 meeting at 3:01 PM.

**2. PUBLIC COMMENT**

No comments received.

**3. APPROVAL OF THE MINUTES FROM THE OCTOBER 22, 2025 MEETING**

Planning Commissioner Maren Askins moved to approve the minutes from the October 22, 2025 Planning Commission meeting. Planning Commissioner David Abraham seconded. All were in favor, and the minutes were approved.

**4. PRESENTATION and DISCUSSION: SHALLOW SHAFT PROPOSED ZONING TEXT AMENDMENT**

Chris Cawley described that while the Shallow Shaft (“the Applicant”) presented at planning commission meetings over the past few years, they have now submitted a complete application that has initiated formal proceedings for a proposed code amendment. Another key difference from prior meetings is the actual text amendment itself, which has a new approach to the lot coverage requirements the Applicant proposes to amend as well as the introduction of a new allowable use that would only apply to Base Facility Zone (BFZ) Zone C. Cawley noted that there are some nonconformities that currently exist on the property and it is likely some of those nonconformities would still exist with the proposed development concept, but he encouraged the commission to focus on the actual ordinance changes that are proposed. Cawley clarified that there is no action on the agenda today, as a public hearing would need to occur prior to any final action. The role of the Planning Commission would be to offer a recommendation (either positive, negative, or neutral) to the Town Council, which has final authority to approve a land use regulation amendment.

Andrina Hougham introduced herself as owner of the Shallow Shaft property and introduced Jay Springer as their legal counsel and Hans Hoffman, the project architect. To start, Hougham gave a high-level overview of how we came to this meeting today. Hougham explained that the text amendment presented today is based on feedback previously received from the commission. Hougham reviewed that the Shallow Shaft has been under their ownership for 39 years and has provided ongoing support for local organizations. The Shallow Shaft restaurant closed in 2020 coinciding with the covid pandemic and has yet to reopen. During the closure, ownership explored the idea of a new use for their building and representatives first attended a public meeting in April of 2024 to present their concept to tear down the restaurant and rebuild a small lodging facility, emphasizing their desire to meet all code requirements. Feedback from that initial meeting was incorporated into their following presentation in March of 2025 as well as what is being presented today. Based on that feedback, the new proposal includes employee housing, a coffee shop, a reduced room count, adjustments to the parking area based on Utah Department of Transportation input, and a snow melt management solution. Hougham summarized that the main discussion points from the previous meeting were the culvert management and the consideration of hotel rooms that include kitchens, with the latter being a sticking point that was unable to be resolved in previous meetings. Since March 2025, representatives of the Shallow Shaft have met with Alta Ski Lifts general manager, Mike Maughan, placed a GRAMA request for building plans and permits for other Alta hotel properties (to better understand how other Alta hotels have come to have guest rooms with kitchens), met with Alta Town Council members, and had ongoing discussions with Town Manager, Chris Cawley. As an outcome of those actions, the Shallow Shaft has submitted a formal request for a rezone and/or text amendment. The goal of the proposal was to allow rooms with kitchens that can be rented on a nightly basis in Zone C of the BFZ.

Hougham gave an overview of the BFZ, noting that it is composed of 3 distinct Zones: Zone A includes the Snowpine Lodge, Rustler Lodge, and Alta Lodge; Zone B includes the Goldminer’s Daughter Lodge and Alta Peruvian Lodge; and Zone C includes the Shallow Shaft and Photohaus.

Hougham then provided a review of the proposal:



1. Lot width area

Town of Alta Code 10-6D-8 prohibits construction of any building, structure, or improvements on lots with an area of less than 1 net developable acre, a slope that exceeds 30%, or on a lot with a width of less than 100 feet.

The proposed text amendment to 10-6D-8 would distinguish Zone C of the BFZ from Zones A and B, and create a stipulation that “any lot or parcel in Zone C that existed as a separate legal lot or parcel prior to January 1, 2025, and has not been subdivided or otherwise modified since that date, shall be deemed to meet the minimum lot area and width requirements of this Code, despite net developable area being less than one acre, for purposes of any development application.”

2. New Permitted Use: Boutique Hotel

Town of Alta Code 10-6D-4 outlines current permitted and prohibited uses in the BFZ. The proposed text amendment would allow for an additional permitted use explicitly in Zone C only of a “boutique hotel” and “living quarters for persons employed on the premises of any Main Use”.

3. New Definition: Boutique Hotel

Town of Alta Code 10-1-6 provides definitions of terms in Title 10. The proposed amendment would add a new definition: “Boutique Hotel: A small, independently operated lodging facility located only within Zone C of the BFZ, containing no more than eight (8) guest-rooms, including any on-site worker housing units as may be required by Alta Code. A Boutique Hotel shall be separately owned and independent from any larger resort, hotel, or lodging facility. Notwithstanding anything to the contrary in Alta Code, guest-rooms in a Boutique Hotel may include in-room or shared kitchens and kitchenettes for guest use.”

Hougham explained that the intent is to only apply the above definition to Zone C and acknowledged that the proposed language may not be perfect.

To start the discussion, Cawley clarified that he has not told the Applicant what to do but rather offered the suggestion to limit their proposal to Zone C as applying it to the entire BFZ would result in a more significant change. It is ultimately up to the Planning Commission and Town Council to decide if, how, and where a zoning change is applied. Cawley also noted that “Boutique Hotel” could cause some confusion as all the major lodging properties in Alta could be considered a boutique hotel.

Moxley asked what amenities constitute a kitchen. Hougham offered that a refrigerator, stove, dishwashers, etc. would distinguish a kitchen from a kitchenette, which typically includes a mini fridge and microwave. Springer added that both the proposed new use and new definition are limited to Zone C, to make the intent explicit to limit this new use to Zone C only to anyone who may be reviewing the code in the future.

Nepstad inquired why we would need a new definition when a hotel is already a permitted use. McLean stated that current code definitions prohibit kitchens in hotels because a kitchen converts a hotel room into a “dwelling”, and the purpose statement clarifies that dwellings are not allowed in the BFZ. The new definition is required to allow for hotel room that have kitchens, if the commission supports the concept. McLean asked the commission to consider whether this amendment would open the door to other properties in the BFZ to include kitchens in hotel rooms. McLean stated that another topic that came up ahead of this meeting is that there is a long, complicated history with land ownership in the BFZ, with most of the land originally being owned by the United States Forest Service (USFS). The context and timeline of when the land was transferred and when the zone was created is important for the commission to understand and consider, as that process did result in creating some nonconformities.

Nepstad noted that the use of the term “Boutique” is somewhat arbitrary, and Cawley agreed, stating that a more ideal term and/or definition can be created if the Town wishes to allow the use. Cawley noted that the prohibition of residential uses in the BFZ has been a fundamental principle of Town of Alta land use planning and regulations.

Hoffman noted that the Building Code allows for kitchens in hotels. McLean clarified that Alta Town code defines a dwelling as a living space with a kitchen – and dwellings are not allowed in this zone.

David Abraham agreed that a text amendment is the right path forward towards recommending something of this nature. He then described some favorable elements of the proposal, such as the mixed-use nature of the project, on-site parking, the inclusion of workforce housing, and commercial use of limited size. Abraham said he appreciates the nature of the proposal and how it fits into the vision for “downtown Alta”. He suggested there is a benefit to the community to a new use that is not single-family residential but questioned if the proposed coffee shop is enough of a trade-off for allowing the proposed new uses.

Maren Askins reiterated the benefit of the coffee shop and employee housing. However, she stated that she is struggling with the idea of allowing a new use for one business only when there are other established businesses in the area that may also want to add kitchens to their hotel rooms, but they are restricted from doing so. Askins asked if it would be problematic to have a definition that is so specific to this one building in our code, noting that the building design isn’t yet finalized and could change. McLean stated that this scenario is different than spot zoning because it is a subzone that includes two buildings. She continued that any new definition has to be tailored to what the commission thinks is correct for that area – noting that the changes would apply to the Photohaus building as well. McLean stated that the allowable number of guest rooms is based on net developable acreage. McLean also mentioned that employee housing is required under the current code, so it is redundant to include it in the definition.

McLean summarized that there are two major asks in the proposal:

1. Change the code related to lot size and lot width requirements, allowing the building to no longer be non-conforming and allow them to expand their footprint (clarifying that current code would allow them to rebuild with an increase of up to 250 square feet).

## 2. New use allowance.

Hougham stated current zoning allows for lot coverage of 65% of the lot area (updated from 25% previously), but that is a moot point in their case because their lot is less than one acre. Hougham stated that the allowable expansion of 250 square feet equates to a 6% increase for the Shallow Shaft compared to a 160% increase allowed elsewhere in the BFZ when the coverage requirements increased from 25% to 65%.

Jeff Niermeyer stated his appreciation for the application, noting the thought that went into it to try to find a desirable solution for both the Applicant and the Town. Niermeyer expressed concern about the precedent it may set in terms of fairness and equity to the other lodges that may want to make similar changes. Niermeyer shared that he reviewed the Town Council meeting review of the Shrontz Estate, leaving him with the impression that the Town Council is considering a wider update to the general plan that may result in different allowable uses in the future. Niermeyer questioned if would be appropriate to wait on this discussion until it can be incorporated into a broader discussion of a general plan update.

Paul Moxley stated that he tends to be more interested in the big picture than a detail-oriented person. Moxley shared that he is impressed with the proposal and the concept of more hot beds in Alta as well as a coffee shop as community benefits. Moxley stated he is in support of the other lodges adding sinks and microwaves to their hotel rooms, noting it is quite commonplace in hotels and could be a draw for tourism.

The conversation turned to other Alta hotels that advertise guest rooms with kitchens. Cawley clarified that hotel rooms with kitchens are not allowed, sharing that some of the examples were permitted as employee dwellings and others may have been altered without a building permit. Cawley reiterated that the Town is now aware of these instances as a result of this process.

Mayor Bourke shared that, generally, Alta has had traditional lodges. He noted that this proposal could add another option that doesn't exist yet in the central area of Town and it may be attractive to future visitors.

Jon Nepstad stated that the definition of a "kitchen" is a grey area versus what is an expected amenity of a hotel room (coffee pot, sink, and perhaps a mini fridge). When considering the bigger picture, Nepstad stated he is drawn to section 4.3 of the general plan which supports activating the center of Alta by encouraging commercial activity that is accessible to the community and has been keeping that in mind as a metric in consideration of this proposal. Bourke stated that compared to the current status of the building, the proposal is desirable, whereas Askins suggested the comparison be made to the previous use of the building as a public restaurant.

Cawley noted that Nepstad has always been a strong proponent of this provision of the general plan, stating that it is the most significant and recent general planning update. While it is relatively recent, Cawley noted it is 12 years old and highlighted the importance of evaluating the relevance of the commercial core plan, considering changes to the ski industry and visitation

in Little Cottonwood Canyon. Nepstad reiterated his preference for activating the commercial core.

Askins asked a clarifying question regarding the proposed text amendment to 10-6D-8 which defines lot area, width, and slope requirements. She asked if Zone C should be included in Section A, to clarify that the proposed exception would only apply to the lots referenced in section B. Springer offered to provide an alternate version of the language at the next meeting to address this concern and make the exception clearer. McLean stated that she had contemplated additional edits to the language, but didn't want to get into too much detail yet before having some direction from the commission. She stated that the intent of the meeting today was to gauge the temperature of the commission and explained that the Applicant has a right to a public hearing. After a public hearing, the commission could make recommendations to send to the Town Council for consideration, noting that there is still opportunity to refine the language.

Cawley summarized the discussion by highlighting the question of whether or not to require commercial use, acknowledging the intent with the "boutique hotel" definition (although he stated some discomfort with the concept), and the need to carefully consider the prohibition of residential uses as it appears elsewhere in the code, specifically in the "purpose" section which may have to be updated if it is something the commission and the Town Council decide to allow. Cawley continued to discuss the history of the properties in the Base Facilities Zone, noting that 7 of the 8 parcels were originally property of the USFS until approximately 1985. Cawley expressed his interest in seeing massing renderings of what could be built on these lots if the minimum lot area and width requirements are amended.

McLean stated that staff has not seen a clear site plan that correctly addresses the culvert issue nor is there a clear understanding of how much net developable acreage there is on the site. She cautioned against approving the zoning changes only to deny a future building permit application for other non-compliance issues.

Nepstad asked if there is any knowledge of guests booking a room in any of the Alta lodges for an extended stay of 3-4 months. Askins stated that at the Alta Lodge, it is rare and very difficult to arrange a stay for more than 30 days. Moxley noted that he believes there is a guest at the Peruvian Lodge who often stays for the entire season.

Hougham inquired about how the land ownership history is relevant to this application. Cawley explained that it is the circumstances surrounding the ownership of most of the parcels zoned Base Facilities is unique; the land was private in the 19<sup>th</sup> century, it was obtained by or donated to the US Forest Service in the early 20<sup>th</sup> century, and was then divested by the Forest Service in the 1980s. McLean shared that when looking at this request from an equity and fairness standpoint, it is beneficial to see what exists for the other properties that are in the BFZ, noting that different standards were in place prior to the creation of the BFZ. McLean continued that she felt it was interesting to understand and contemplate the context of the bigger picture, although it is not required that the commission do so.

Abraham acknowledged that zoning requirements are rigid, equating zoning to a square peg that must fit in a square hole, and encouraged the commission to think about how to create zoning

requirements that will allow commercial activation in the zone. Askins shared that there are lots of options for businesses that fit the current zoning. Hougham stated that hotels are already a permitted use.

For next steps, the commission asked that the Applicant provide new massing renderings to illustrate how close the buildings (both Shallow Shaft and Photohaus) could get to each other and to the road ahead of the next meeting. The idea of how a General Plan update might affect the timing of this application was discussed, but Cawley noted that the earliest a General Plan update project could get started is next July, and is likely to be a lengthy process, so it was determined to move forward sooner rather than later.

McLean stated that the Applicant has the right to have a public hearing or action in a timely manner. Cawley acknowledged that the discussion today was productive and proposed a future meeting with deeper discussion on some of the topics raised today and perhaps a closer look at the language in the proposed text amendments. Nepstad summarized that the plan is to have the Applicant back in December with additional information, but not likely a public hearing or action, but to plan for that step in January seems reasonable. The Applicant said they are ready for a hearing in December.

#### **5. PRESENTATION and DISCUSSION: PRIORITIES for FUTURE TOWN OF ALTA GENERAL PLAN UPDATE**

Cawley introduced the topic of a General Plan update. Wasatch Front Regional Council (WFRC) offers a grant program called Transportation and Land Use Connection (TLC). Cawley shared that we have used 3 of these grants in the last 11 years. These grants can fund general plan updates, code updates, and small area planning. Applications are due for the upcoming funding cycle on December 11. Cawley emphasized that a general plan update is no small feat, and would be a big undertaking for the commission, staff, council, community and all stakeholders. Cawley reviewed that a general plan is a guiding document for land use regulations and should include:

- A land use element
- A transportation and traffic circulation element (challenging for Alta as we don't own roads)
- A moderate-income housing element (Alta is exempt due to our classification as a town).
- A water use and prevention element (Alta is exempt due to our classification as a town).

Cawley reviewed the role of the planning commission in a general plan update and noted that our general plan was last comprehensively updated in 2005. The Utah Land Use Development and Management Act ("LUDMA") was also overhauled around that time. The most recent update to the Town of Alta general plan occurred in 2013 to adopt Section 4.3 "Town Center Commercial."

Cawley then summarized what has changed since our general plan update in 2005, noting the growth of the Salt Lake Valley, ski industry consolidation and pass products, the great recession, covid pandemic, increased visitation, Little Cottonwood Canyon transportation studies, and growth in Town of Alta budgets and scope of services. In other contexts, Alta has remained very much the same in terms of population, Alta Ski Area ownership, the scale of the business

community, land ownership patterns in Alta, annual snowfall totals, and no major change in transportation.

Moxley asked if there has been any change in skier visitation, and Cawley stated that there has been a definite increase since covid. Moxley then inquired about what percentage of skiers have an Ikon pass, but Cawley did not have that information. Bourke noted that Mike Maughan gave an update at a recent Town Council meeting. An increase in traffic congestion was also discussed, noting that Snowbird has had a significant impact on that trend, including in the summer months with the expansion of Oktoberfest.

Cawley reiterated the necessity of a general plan update and the desire to pursue this grant opportunity to hire consultants to assist in the process. The grant application deadline is approaching, and we will have to narrow down what elements of the general plan to focus on.

Nepstad asked what is needed from the commission, and Cawley stated a general show of support is all that is needed today and a letter of support would certainly help the application process. Nepstad then asked what the funding expectation is. Cawley shared that exact costs are unknown, but consultant fees tend to be expensive, and we are looking at a 6-figure ask in terms of total funding, a small portion of which the Town would match. He continued that we could also consider a broader update to the Town Code, which could be an additional cost.

Abraham noted that the vision statement should be considered, as well as transportation, although most transportation decisions are outside of our control. He also noted intent to focus on the commercial core element. Cawley commented that other topics to consider are watershed protection and open space protection, noting the recent proposal to develop a large piece of vacant land.

Niermeyer suggested we make sure public engagement is highlighted in the application process as that can support a grant application. He also stated that our water contracts need to be revisited as we consider watershed protection. To conclude, McLean stated that as a result of this discussion, there is a clear indication of support from the commission in proceeding with the grant funding for a general plan update.

## **6. NEW BUSINESS**

No new business

## **7. DATE OF NEXT MEETING**

The next meeting is scheduled for Wednesday, December 17 and expected agenda topics are follow-up from the Shallow Shaft Applicants and potential update on the General Plan update project. The potential for skiing around with Alta Ski Area General Manager was discussed for 1:30 PM on December 17. Cawley noted that it is tentative based on skiing conditions and noted that two commissioners are unavailable to participate. Bourke suggested the ski around is



deferred until later in the spring when there is more snow and more commissioner availability to participate.

#### **8. 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.

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Minutes Approved on *December 17, 2025*

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Chris Cawley, Town Manager

## Alta Planning Commission

### Staff Report



**To:** Alta Planning Commission

**From:** Chris Cawley, Town Manager

**Date:** December 11, 2025

**Re:** Shallow Shaft, LLC, Proposed Base Facilities Zone Ordinance Text Amendment Work Session (No action)

**Attachments:** Updated text amendments, Applicant's massing renderings

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#### Introduction

The owners of the building at 10199 E Little Cottonwood Road known as the Shallow Shaft propose an amendment to the text of the Town's Base Facilities Zone (BFZ) Ordinance. The proposal, as well as the development concept, is similar to the text amendment the Shallow Shaft presented to the Alta Planning Commission during meetings in March of 2025 and May of 2024.

On November 10, the Shallow Shaft submitted a formal application to amend the zoning ordinance and paid the fee provided in the Town of Alta Fee Schedule for a "zoning change," and staff is processing the application as provided for in Town of Alta Code and Utah Law. The proposed text amendments and redevelopment vision were presented and discussed in the November 19<sup>th</sup> planning commission meeting.

For more background on the prior submittals, please see below:

[May 22, 2024 Planning Commission Meeting Packet](#)

[May 22, 2024 Planning Commission Meeting Minutes](#)

[March 26, 2025 Planning Commission Meeting Packet](#)

[March 26, 2025 Planning Commission Meeting Minutes](#)

[November 19, 2025 Planning Commission Meeting Packet](#)

#### The November 2025 Application

The Shallow Shaft submitted a formal application to the Town to amend the Town's land use regulations. The Town does not have a clear pathway in our code for the public to submit such an application. But the public generally has a right to make such proposals to a municipality so long as they follow whatever process the municipality requires including payment of applicable fees. Because Alta's code does not have a clear application process for the public, staff directed the Shallow Shaft to use the "petition to rezone" process provided in 10-6A-11 as an application template. Even this is not a perfect template, as "rezone" typically refers to the designation of a different, existing zoning district regulation. 10-6A is Alta's Forestry and Recreation Zone, rather than the BFZ; however, the BFZ itself does not, as written, have its own petition to rezone language. Once again, however, the public has a right to propose changes in zoning to



the Town's decision makers, and staff will facilitate the process when it receives a complete application. Utah State Code addressed land use regulation amendments and allows the legislative body to make amendments so long as the amendment is first submitted to the Planning Commission for the planning commission's recommendation. The decision to make an amendment to a land use regulation is legislative and allows for discretion by the Council and the standard of review is whether it is reasonably debatable that the land use regulation is consistent with the [State of Utah land use statute \(UCA 10-20\)](#).

### Revised Proposed Text Amendments

The Shallow Shaft provided updated versions of their proposed text amendments containing the following changes:

- **An alternative new definition "Compact Hotel Facility"** to permit their desired use. As discussed in the November meeting, common definitions or concepts of a "boutique hotel" include conditions that describe Alta's existing hotels, such as being independent of a larger hotel corporation or resort business, and being under 100 rooms. The definition of a "Compact Hotel Facility" removes the independent ownership condition from the original proposed definition, as we aren't certain a municipality can regulate under Utah law.
  - The updated definition appears to more narrowly describe the Shallow Shaft's proposed use as a use that is distinct from Alta's existing hotels, where kitchens are not allowed in guest rooms.
- **An alternative to the amendment to 10-6D-4 Permitted, Prohibited Uses** which takes a different approach to limiting the allowance of a "Compact Hotel Facility" to BFZ Zone C.
- **A new provision allowing a Compact Hotel Facility to include a retail commercial service** as defined in 10-6D-4(A)(3). The provision, as drafted, would prohibit the Town from requiring additional parking for the retail use if it is within the same structure, so long as it is under 400 square feet in size. Commercial Service uses area already allowed in the BFZ, so the net effect of this amendment would be to exempt a small commercial use from parking requirements.
  - This amendment does not require a retail commercial service in order to permit Compact Hotel Facility, as the commission discussed in the November meeting.
  - Staff is comfortable with the exception to parking requirements for, at least, a 250-foot retail commercial service, as shown in the plans. A retail commercial service in this location is likely to be patronized by people who are already in Alta for another purpose. They are likely to have a paid parking reservation at Alta Ski Area, an overnight parking permit, parking at one of Alta's hotels, to take the Alta Town Shuttle, or to walk. Whether it is appropriate to excuse a 400-foot retail space from parking requirements is perhaps a bigger question. However, the 80-seat Shallow Shaft Restaurant operated for many years with virtually no on-site parking; the parking in front of the building, as described below, is typically used as public overnight parking, and was often full during the winter season when the restaurant operated most routinely. Guests would presumably park in any of the hundreds of nearby parking stalls, which are usually not well occupied after day skiers leave Alta, or they would walk from a hotel, or they would get a ride from their place of lodging in a company vehicle. The Shallow Shaft was popular with Snowbird lodging guests, where various ride services are available.

### Massing Renderings

The massing renderings depict a three dimensional and architecturally detailed image of the Shallow Shaft's redevelopment concept. The first image includes a partial property boundary line, although it

does not show the property line frontage against SR 210. Generally speaking, the rendering appears to show a moderately larger building than what is present. It does not appear that it would completely block views or natural light as seen from adjacent buildings. The renderings do show that the building is significantly closer to SR 210 than the current building. They also shows that some of the public parking that occurs along the front of the property would be consumed by the driveway and parking stalls dedicated to the land use.

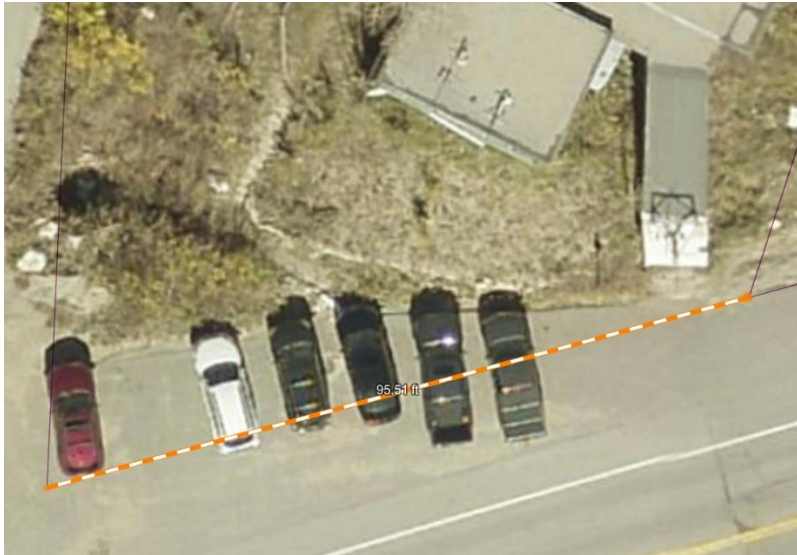
The renderings do not necessarily depict the maximum dimensions of a building that would be allowable on the lot or on the adjacent Photohaus lot, which would also be affected by the proposed text amendments, for the following reasons:

- The Shallow Shaft has not provided a calculation of lot area that excludes area in which improvements would be prohibited under [10-6D-14 Stream Regulations](#), but the proposed building is within 50' of a waterway under Town Code and Salt Lake County Health Department Regulations, so the building shown is larger than what would be permitted the culvert opening remains as it is presently located.
- Setbacks are individually determined by the planning commission in the BFZ under [10-6D-9: Yard Regulations](#). The planning commission would likely consider setbacks from neighboring properties and SR 210, and the aesthetic impacts on the neighborhood, and the criteria listed in 10-6D-9 in making a determination.
- Maximum building height in BFZ Zone C is also individually determined by the planning commission. The Shallow Shaft is proposing a new building that would be roughly 8' taller than the existing building as measured from SR 210. The planning commission would likely consider views from neighboring buildings, which include Alta Central, the Town Office, and the Photohaus and the aesthetic implications of whatever building height is proposed and the criteria listed in 10-6D-9.

The renderings do not include an image of an enlarged building on the Photohaus property, but the Photohaus would also be able to be enlarged, pending approval of height and setbacks. Because of this, it is difficult to understand the impacts of the proposed text amendment on the look and feel of the neighborhood or functional relationships of nearby buildings, trails, roadways, and other spaces and amenities to each other. But they do help understand and evaluate the mass of the proposed building.

### **Existing Parking**

The renderings highlight effects on the public parking that occurs on the edge of the property. Very rough calculations indicate that about .018 acres, or 9% of the property, is currently paved, and the paved area is used for public parking. The south property line is about 95' long, and up to about 8 cars park along roughly 77 feet of it. [10-12-3 Size of Parking Stalls](#) defines parking stall dimensions at 9'x 22'. The deepest portion of the paved area within the lot is 14" from road edge to the property line, but the area narrows toward the east, and cars parked in this portion of the area are mostly on USFS land under UDOT's SR 210 easement. The Snow removal on this paved area is managed by UDOT and the Town of Alta. In recent years, the Alta Marshals Office (AMO) has signed and designated the west side of this area as the "official zone" where deputy marshals and dispatchers park while on-shift. The Shallow Shaft has indicated willingness to continue providing parking to AMO personnel as their redevelopment planning unfolds. However, it is not clear if the Shallow Shaft intends to replace or preserve the other public parking that occurs on the property. Staff believes that these same parking patterns have occurred in the area since the land was owned by USFS.



### History of Land Ownership and Zoning Regulations in the Alta's Commercial Core

- Land currently zoned BFZ was presumably privately held as mining claims in the 19<sup>th</sup> and early 20<sup>th</sup> centuries.
- USFS acquired land in Alta throughout the early 20<sup>th</sup> century and acquired significant holdings in and around the center of Alta through donations by George Watson in the 1930s.
- Snowpine Lodge, Rustler Lodge, Alta Lodge, Goldminer's Daughter, Photohaus, and Shallow Shaft were all originally constructed on USFS land under special use authorization. The Peruvian Lodge property has never been held by USFS, and the lodge was built (or placed there upon being transported to Alta) on the same private land where it sits today.
- In the 1980s, a multi-party land exchange involving USFS, the LDS Church, the Trust for Public Lands, and Alta commercial property owners resulted in acquisition by those property owners of the parcels. The lot area and boundaries of the Shallow Shaft property, like other properties zoned Base Facilities, has not changed since those boundaries were established by USFS during the exchange.
- The Town of Alta adopted Salt Lake County zoning regulations in 1972. When the Shallow Shaft property was exchanged into private ownership by USFS in 1985 along with 6 other discrete parcels, it was zoned Base Facilities or BF-10, which functioned as an overlay zone to Forestry-Multifamily or FM-10. Minimum lot area was .5 acre.
- In 2008, Ordinance 2008-O-7 established the BFZ as a zoning district independent of FM-10, and established the 1-acre minimum lot size and 100-foot minimum lot width provisions currently applied in the BFZ.
- Ordinance 2014-O-5 increased maximum lot coverage to 65% from 25% in the BFZ and introduced the "subzones" A, B, and C scheme to provide distinct height requirements based on each subzone's relationship to SR 210, Alta Ski Area's parking lots, and other elements.
- Ordinance 2021-O-1 modified [Alta's Nonconforming Uses and Noncomplying Structures regulations](#) to allow buildings or uses that don't comply with Alta's code to be demolished and replaced with an additional 250 square feet of floor area. However, replacement structures must remain within the original footprint, notwithstanding a 250 square foot expansion. The Shallow Shaft can tear down and rebuild under this provision, although the footprint changes they envision would not be permitted, nor would additional floor area beyond 250 square feet.
- The Shallow Shaft property has been under the minimum lot area regulation that applied to it under FM-10, BF-10, and the current Base Facilities Zone.

- There are 8 privately-owned parcels zoned BFZ; five of them are over one acre in gross area, and three are well below one acre: the Shallow Shaft property and the Photohaus, in Zone C, and the Deep Powder House property, which is in BFZ Zone A.

### **Nonconformities Exhibited by Redevelopment Concept Presentation**

The Shallow Shaft has presented to the commission twice in recent years on similar proposed text amendments and a similar development concept. The development concept still seems to exhibit areas of noncompliance with Alta's code and other regulations. One problem is the large culvert opening on the southwest corner of the property, and the plans show improvements within 20 feet of the culvert. The culvert may not be altered or covered without permission from the Salt Lake County Health Department, Salt Lake City Department of Public Utilities, and the Utah Division of Water Rights. Under existing watershed regulations, no improvements may be constructed within 50 feet of the culvert. In addition, Alta Town Code 10-6D-14 (G) also requires a 50' setback from a Waterway. Culverts fall under the definition of a waterway. This and any other noncompliance would affect a future application for development, and known issues with the development concept may be considered by the commission and ultimately the town council in reviewing the proposed amendments. The Shallow Shaft has stated they are aware of the issues and will address them at future stages of design and permitting.

### **Key Issues for Planning Commission Consideration Prior to Public Hearing and Possible Recommendation (may put these points/topics up in an analysis section)**

- The Shallow Shaft desires to permanently discontinue the full-service restaurant, Alta's only stand-alone restaurant, for various reasons including that the local economy is too seasonal and sporadic to support it. The Shallow Shaft's proposed use is likely much easier to operate financially. However, if the Town permits this new use in the BFZ C, it seems unlikely the owners of these small properties would ever pursue any other kind of business. Is a "Compact Lodging Facility" the only realistic or pragmatic commercial use of these small properties? Or, should the Town maintain its existing permitted uses in the BFZ and hope current owners change their minds or that future owners will explore another allowed use in the zone?
- Should the Town require a retail commercial use in order to permit a Compact Lodging Facility? Such uses are already allowed in the BFZ.
- Should the Town require parking for a retail commercial use on the same property as a Compact Lodging Facility? Or is it safe to assume patrons will already have parking elsewhere?
- Would granting an exception to minimum lot size in Zone C, which would allow the buildings to expand beyond their historic footprints, negatively impact the look, feel, and function of the cluster of buildings around Alta Central or the nearby public thoroughfares including SR 210?
- Would effectively reducing minimum lot size in BFZ Zone C lead to unintended impacts elsewhere?
- Would allowing kitchens in a lodging facility in BFZ Zone C lead to unintended impacts elsewhere?
- The Shallow Shaft has stated they will address the waterway setback issue at future stages of development. However, the presentation still shows a building that would not be permitted today due to conflicts with the waterway setback regulations applied by several agencies. The Town cannot issue a building permit for a project that does not comply with Town Code or

regulations applied by other jurisdictions. The commission and council must keep this in mind as it considers the proposed text amendments. Should the Town require that the culvert issue be addressed prior to considering the legislative change the Shallow Shaft is proposing?

**Next Steps**

The commission should discuss the issues outlined in the staff report and any other topics raised by the presentation and proposal. Staff requests the commission focus on whether the Shallow Shaft's proposed text amendments are in the public interest. No action can be taken in the 12/17 meeting. For the proposed amendments to be adopted, the commission must hold a public hearing and vote on a positive, negative, or neutral recommendation to the town council, and the town council must then vote on the proposed the amendments. The commission can recommend changes or conditions of approval to the council.



**SUPPLEMENT TO  
REQUEST AND PROPOSAL TO THE TOWN OF ALTA  
FOR REZONING AND/OR ZONING TEXT AMENDMENT**

**To: Jen Clancy, Town Clerk, Alta, Utah**

**Applicant: Walter Krebsbach**

**Re: Supplemental Information for Shallow Shaft Property Text Amendment and/or Rezone**

**Date Submitted: November 12, 2025**

**Via Email ([jclancy@townofalta.utah.gov](mailto:jclancy@townofalta.utah.gov))**

Petitioners Walter Krebsbach and Shallow Shaft, LLC, a Utah limited liability company (together, the “**Owner**”), hereby respectfully supplement the Request and Proposal to the Town of Alta for Rezoning and/or Zoning Text Amendment dated November 10, 2025 (“**Request**”), as follows:

**I. SUPPLEMENTAL NARRATIVE ON THE COMPLIANCE OF THE PLANS  
SUBMITTED AS EXHIBIT C TO THE REQUEST**

Along with the Request, Owner submitted renderings and plans as “Exhibit C” to the Request that have recently been discussed with the Town staff and the Planning Commission (referred to herein as the “**Plans**”). The plain barriers to *any development* on the Property are those addressed in the code amendment. We believe that with those obstacles removed, Owner will be able to submit a complete application and site plan fully compliant with all applicable sections of the Alta Town Code, specifically all of Article 10-6D. This supplement addresses specific substantive requirements.

Generally, the Plans are compliant with Alta Code to the extent they have been developed. A complete application will of course be more robust and include elements that are not available or reasonable to obtain at this stage before an application may even be submitted.

**A. Addressed in Request:**

The proposed amendments address the substantive requirements in Alta Code Sections 10-6D-3 (guestroom, through unit cap and size), 10-6D-4 (uses, through the introduction of the Boutique Hotel use), and 10-6D-8 (lot area and width).

It does not appear that there are substantive requirements to address in the context of the potential plans in Alta Code Sections 10-6D-1 (Introduction) or 10-6D-15 (construction document approvals), though any subsequent application.

**B. Specific requirements and descriptions:**

- a. 10-6D-2 Purpose. The project will comply with the purpose of the base facilities zone as the new use of a boutique hotel provides transient accommodations.

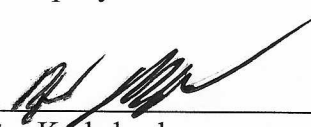
## Walter Krebsbach / Shallow Shaft Request for Rezoning and/or Zoning Code Text Amendment

Page 2 of 2


- b. 10-6D-5 Density regulations. The proposed amendment will allow up to 8 guest rooms for boutique hotels in the Base Facilities Zone C. The proposed Plan includes 5 guest rooms.
- c. 10-6D-6 Parking requirements. The proposed Plan provides 5 internal parking spaces and 2 external parking spaces. The parking exceeds the requirements of the Alta Town Code.
- d. 10-6D-7 Employee housing. The proposed Plan for the Shallow Shaft property includes 5 guest rooms and provides living accommodations for 1 employee.
- e. 10-6D-9 Yard regulations. The proposed plan for the Shallow Shaft Property will comply with the yard regulations determined by the land use authority.
- f. 10-6D-10 Height Requirements. The height of the Shallow Shaft building in the proposed Plan is estimated to be 35 feet, and the maximum is set on a case-by-case basis.
- g. 10-6D-11 Maximum Coverage. The Plan shows coverage at 51% following the calculation in the Code, which is less than the 65% coverage maximum coverage allowed.
- h. 10-6D-12 Step Back (Building). This section does not apply as the proposed height of the Shallow Shaft is well under the 48 foot height restriction.
- i. 10-6D-13 Mechanical Screening: The proposed plan for the Shallow Shaft Property will meet all mechanical screening requirements.
- j. 10-6D-14 Special Regulations: The proposed plan for the Shallow Shaft Property will meet all special regulation requirements.

Respectfully Submitted by the Owner on the date listed above.

**Shallow Shaft, LLC**, a Utah limited liability company

  
By: Walter Krebsbach  
Its: Manager

and

  
Walter Krebsbach, an individual

## REQUEST AND PROPOSAL TO THE TOWN OF ALTA FOR REZONING AND/OR ZONING TEXT AMENDMENT

**To: Jen Clancy, Town Clerk, Alta, Utah**

**Applicant: Walter Krebsbach**

**Re: Shallow Shaft Property Text Amendment and/or Rezone**

**Date Submitted: November 10, 2025**

**Via Email ([jlclancy@townofalta.utah.gov](mailto:jlclancy@townofalta.utah.gov))**

Pursuant to Alta Code § 10-6A-11, Petitioners Walter Krebsbach and Shallow Shaft, LLC, a Utah limited liability company (together, the “**Owner**”), the undersigned owner of certain private real property described and depicted in **Exhibit A (“Applicable Property”)**, hereby respectfully requests the Town of Alta to amend code provisions and/or rezone property within the Base Facilities, Subzone C, including provisions providing for lot area, lot width, and uses.

### I. PROPOSED REZONE AND CONDITIONS

- A. Applicability: Owner requests amendment of Alta Town Code provisions that apply to the Applicable Property within the Base Facilities Zone and Subzone C (“**BFZ**” and “**BFZ-C**,” respectively) as follows, subject to all provisions generally applicable to the BFZ currently in effect, except to the extent conflicting or more specific amendments applicable to the BFZ-C are adopted.
- B. Lot Width and Area: Owner proposes the following specific amendments applicable to only the BFZ-C be adopted as an ordinance and land use regulation for lot width and area, each of which are material to the Owner’s submission of this request:
- a. Alta Code § 10-6D-8 LOT AREA, LOT WIDTH AND SLOPE REQUIREMENTS is amended from the current ordinance<sup>1</sup> to read in its entirety:

*§ 10-6D-8 LOT AREA, LOT WIDTH AND SLOPE REQUIREMENTS:*

*A. Construction of any building, structure or improvements in Zones A and B shall not be permitted where any of the following conditions exist.*

- 1. The lot area is less than one net developable acre in size; or*

---

<sup>1</sup> The current code as of October 2025 reads as follows:

§ 10-6D-8 LOT AREA, LOT WIDTH AND SLOPE REQUIREMENTS: Construction of any building, structure or improvements shall not be permitted where any of the following conditions exist:

- A. The lot area is less than one net developable acre in size; or  
 B. The slope exceeds thirty percent (30%); or  
 C. The width of the lot shall be less than one hundred feet (100'). (Ord. 2008-O-7, 6- 12-2008).



Walter Krebsbach / Shallow Shaft Request for Rezoning and/or Zoning Code Text Amendment  
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2. *The slope exceeds thirty percent (30%); or*
3. *The width of the lot shall be less than one hundred feet (100').*

*B. Any lot or parcel in Zone C that existed as a separate legal lot or parcel prior to January 1, 2025, and has not been subdivided or otherwise modified since that date, shall be deemed to meet the minimum lot area and width requirements of this Code, despite net developable area being less than one acre, for purposes of any development application. Such lots shall be developed in accordance with all other applicable zoning regulations, including lot coverage and height, regardless of whether the lot meets current dimensional standards for lot size, width, or frontage.*

C. Permitted Uses: To better facilitate the narrow scope intended by this request, the Owner also proposes specific amendments applicable to only the BFZ-C be adopted as an ordinance and land use regulation for permitted uses and related definitions to be adopted along with the proposed lot area and width amendments, as follows:

- a. Alta Code § 10-6D-4 PERMITTED, PROHIBITED USES is amended from the current ordinance<sup>2</sup> to repeal and replace Subsection B and add a new Subsection C.:

*B. The following are additional permitted uses only in the base facilities zone C (and not Zones A and B): Boutique Hotel; living quarters for persons employed on the premises of any Main Use.*

*C. All uses not identified in Subsection A, above, are prohibited in base facilities zones A and B. All uses not identified in Subsection A or B, above, are prohibited in the base facilities zone, including Zone C.*

- b. Alta Code § 10-1-6 DEFINITIONS is amended to add the following definition of "Boutique Hotel" following the same format as other definitions currently in the code, with no changes to any other definitions:

---

<sup>2</sup> The current code as of October 2025 reads as follows:

§ 10-6D-4 PERMITTED, PROHIBITED USES:

A. Permitted uses:

1. Hotels.
2. Conferences.
3. Retail commercial services, limited to the following and similar uses: retail shops, art galleries, bakeries, bars, bookstores, liquor stores, clothing stores, drugstores, food markets, gift shops, restaurants, sporting goods stores, ski shops and variety stores.
4. Storage of materials accessory to permitted uses in subsections A1 and A2 of this section, provided all such storage is located within a structure.
5. Parking of motor vehicles accessory to other uses permitted herein.
6. Parks, open spaces and recreational uses.
7. Designated employee housing units, as described in section 10-6D-7 of this article.

B. Prohibited: All other uses are not permitted in the base facilities zone.

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***Boutique Hotel:*** A small, independently operated lodging facility located only within the Zone C of the Base Facilities Zone, containing no more than eight (8) guest-rooms, including any on-site worker housing units as may be required by Alta Code. A Boutique Hotel shall be separately owned and independent from any larger resort, hotel, or lodging facility. Notwithstanding anything to the contrary in Alta Code, guest-rooms in a Boutique Hotel may include in-room or shared kitchens and kitchenettes for guest use.

## II. REQUIRED AND ADDITIONAL INFORMATION PURSUANT TO ALTA CODE

Based on direction from the Town to follow the process generally described in the Forestry Zone section of Alta's Code for rezoning and code text amendments, Owner provides the following information in accordance with the requirements of Alta Code § 10-6A-11:

A. The full name and address of the Petitioner:

Walter Krebsbach  
Shallow Shaft, LLC  
2 Ridge Road  
North Oaks, MN 55127

B. A statement of all legal, contractual, and equitable interest in the property as to which zoning amendment or change is sought, including the names and addresses of all such individuals:

All legal, contractual, and equitable interest in the Applicable Property is held by:

*[Shallow Shaft Property]*  
Walter Krebsbach  
Shallow Shaft, LLC  
2 Ridge Road  
North Oaks, MN 55127

*[Photohaus Property, last known publicly available information]*  
LCC Photohaus, LLC, a Wisconsin limited liability company  
1740 Eisenhower Dr.  
De Pere, WI 54301

C. A legal description of the property as to which zoning amendment or change is sought:

That real property identified as Salt Lake County Parcel Nos.:

Shallow Shaft Property: Parcel No. 30-05-126-001  
Photohaus Property: Parcel No. 30-05-126-002



Walter Krebsbach / Shallow Shaft Request for Rezoning and/or Zoning Code Text Amendment  
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- D. A statement as to the reasons and basis for the amendment or change to any zoning ordinance or land use classification:

Current Alta code does not permit the redevelopment of the Shallow Shaft site as envisioned by the Owner. This is primarily because of the code's lot area and width requirements which limit options for the structure itself. Additionally, a new proposed definition tailored to the project provides additional clarity to the Town and the Owner consistent with the small scope and boutique nature of the project compared to other hotels in Alta. Owner has consulted with the town staff on possible procedures and options<sup>3</sup> and presented plans for discussion purposes to the Town's planning commission which gave helpful feedback in formulating this formal application and request. Accordingly, Owner is requesting a zone ordinance text amendment and/or rezone for BFZ-C, affecting only the Applicable Property (Shallow Shaft) and the Photohaus.

It is the Owner's understanding in consultation with the Town that the Photohaus, the only other property in BFZ-C, was grandfathered to continue to allow dwelling units at the time of the remodel in 2018. The proposed amendment is not specifically tailored to account for Photohaus, its plans, future, or current uses except as it is necessary to meet Owner's goals.

- E. Based on direction from the Town to use follow the process generally described in the Forestry Zone section of Alta's Code for rezoning and code text amendments, Owner includes a statement in detail of the plans and documents relating to a proposed or possible development made possible by the proposed action. These plans, specifications and other documents describe in detail the nature, character and extent of the proposed development as to which the petition relates:

See attached **Exhibit C**.

- F. A statement as to the availability of all utility services:

All utility services are available as the Applicable Property was previously developed and operated with all applicable utilities.

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<sup>3</sup> For example, previously, Owner inquired if a variance was the appropriate procedure to allow expansion of the structure on the Applicable Property. This request was reviewed by the Town's legal counsel who stated: "After reviewing the background sent by John and looking into the Town Code and Utah Code, it appears the only option available to allow for the Shallow Shaft [Applicable Property] to expand . . . is to amend the Town Code (the best option would probably be to change the Base Facilities Zone C only, which only applies to the Shallow Shaft and Photohaus). Furthermore, there are not (to our knowledge) special circumstances attached to the Shallow Shaft property [Applicable Property] that deprive the property privileges granted to other properties in the same zone. Because of this, a variance does not seem like a viable option for addressing this issue." A copy of this email is attached as **Exhibit B**.

Walter Krebsbach / Shallow Shaft Request for Rezoning and/or Zoning Code Text Amendment  
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G. Owner shall pay fees upon confirmation by the Town Clerk.

Respectfully Submitted by the Owner on the date listed above.

**Shallow Shaft, LLC**, a Utah limited  
liability company

  
\_\_\_\_\_  
By: Walter Krebsbach  
Its: Manager

*and*

  
\_\_\_\_\_  
Walter Krebsbach, an individual

SHALLOW SHAFT (code amendment references are omitted for ease of reading)

## 10-1-6 DEFINITIONS

New Definition Added (no other changes):

***Boutique Hotel:** A small, independently operated lodging facility located only within the Zone C of the Base Facilities Zone, containing no more than eight (8) guest-rooms, including any on-site worker housing units as may be required by Alta Code. A Boutique Hotel shall be separately owned and independent from any larger resort, hotel, or lodging facility. Notwithstanding anything to the contrary in Alta Code, guest-rooms in a Boutique Hotel may include in-room or shared kitchens and kitchenettes for guest use.*

## 10-6D-4: PERMITTED, PROHIBITED USES:

### A. Permitted uses:

1. Hotels.
2. Conferences.
3. Retail commercial services, limited to the following and similar uses: retail shops, art galleries, bakeries, bars, bookstores, liquor stores, clothing stores, drugstores, food markets, gift shops, restaurants, sporting goods stores, ski shops and variety stores.
4. Storage of materials accessory to permitted uses in subsections A1 and A2 of this section, provided all such storage is located within a structure.
5. Parking of motor vehicles accessory to other uses permitted herein.
6. Parks, open spaces and recreational uses.
7. Designated employee housing units, as described in section 10-6D-7 of this article.

~~—B. Prohibited: All other uses—~~ *The following are ~~not~~ additional permitted uses only in the base facilities zone C (and not Zones A and B): Boutique Hotel; living quarters for persons employed on the premises of any Main Use.*

*C. All uses not identified in Subsection A, above, are prohibited in base facilities zones A and B. All uses not identified in Subsection A or B, above, are prohibited in the base facilities zone, including Zone C.*

## 10-6D-8: LOT AREA, LOT WIDTH AND SLOPE REQUIREMENTS:

*A. Construction of any building, structure or improvements in Zones A and B shall not be permitted where any of the following conditions exist:*

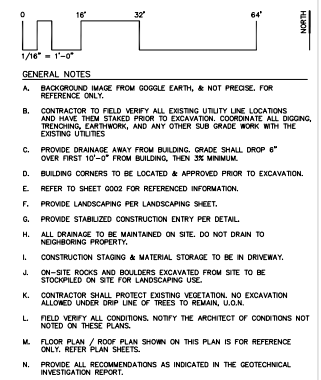
- ~~—A.—~~ 1. *The lot area is less than one net developable acre in size; or*
- ~~—B.—~~ 2. *The slope exceeds thirty percent (30%); or*
- ~~—C.—~~ 3. *The width of the lot shall be less than one hundred feet (100').*

*B. Any lot or parcel in Zone C that existed as a separate legal lot or parcel prior to January 1, 2025, and has not been subdivided or otherwise modified since that date, shall be deemed to meet the minimum lot area and width requirements of this Code, despite net developable area being less than one acre, for purposes of any development application. Such lots shall be developed in accordance with all other applicable zoning regulations, including lot coverage and height, regardless of whether the lot meets current dimensional standards for lot size, width, or frontage.*

**Exhibit A**

*Map of the Entire Area of the Proposed Rezone*





14 MAY 2021  
CONCEPTS

## SHALLOW SHAFT RENOVATION

DESIGNED: \_\_\_\_\_ DRAWN: GS REVIEWED: HH 2021-32

OVERALL  
SITE PLAN A001

A001



**Exhibit B**

*Email from Alta's Attorney*

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**From:** "Harris Sondak" <[hsondak@townofalta.com](mailto:hsondak@townofalta.com)>  
**Subject:** Re: planning commission  
**Date:** December 21, 2018 at 11:22:15 AM CST  
**To:** "Walter Krebsbach" <[Walter1200@comcast.net](mailto:Walter1200@comcast.net)>

Dear Walter,

Here is the explanation from our attorney as to why a variance is not the correct procedure for Shallowshaft but that a change in zoning is the correct procedure.

Sincerely,  
Harris

*After reviewing the background sent by John and looking into the Town Code and Utah Code, it appears the only option available to allow for the Shallow Shaft to expand or change its use is to amend the Town Code (the best option would probably be to change the Base Facilities Zone C only, which only applies to the Shallow Shaft and Photohaus). We looked into whether a variance would be an option and found that the standard for a variance would not be met in this situation (both the Alta Code variance section and Utah Code variance section are copied below). The Alta Code requires compliance with the requirements of the Utah Code Annotated Section 10-9a-702, which limits the appeal authority to granting a variance only if:*

- *literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;*
- *there are special circumstances attached to the property that do not generally apply to other properties in the same zone;*
- *granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;*
- *the variance will not substantially affect the general plan and will not be contrary to the public interest; **and***
- *the spirit of the land use ordinance is observed and substantial justice done.*

*The appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic. In determining whether or not there are special circumstances attached to the property, the appeal authority may find that special circumstances exist only if the special circumstances deprive the property of privileges granted to other properties in the same zone. The appeal authority may not grant a use variance.*

*As we understand the circumstances, the hardship at issue is economic and likely self-imposed. Furthermore, there are not (to our knowledge) special circumstances attached to the Shallow Shaft property that deprive the property privileges granted to other properties in the same zone. Because of this, a variance does not seem like a viable option for addressing this issue.*

---

**From:** Walter Krebsbach <[Walter1200@comcast.net](mailto:Walter1200@comcast.net)>  
**Sent:** Friday, December 21, 2018 9:24:36 AM  
**To:** Harris Sondak  
**Subject:** RE: planning commission

Harris,

Thank you for your assistance. When you get a chance please call me. I need about 10 minutes of your time to clarify some issues

Walter Krebsbach  
651-983-8387

Krebsbach & Associates Real Estate Services  
[www.krebsbachrealestate.com](http://www.krebsbachrealestate.com)  
North Oaks, Minnesota 55127

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Shallow Shaft Restaurant  
[www.shallowshaft.com](http://www.shallowshaft.com)  
Alta, Utah 84092

-----Original Message-----

From: Harris Sondak <[hsondak@townofalta.com](mailto:hsondak@townofalta.com)>  
Sent: Thursday, December 20, 2018 11:31 PM  
To: Walter Krebsbach <[walter1200@comcast.net](mailto:walter1200@comcast.net)>  
Subject: planning commission

Dear Walter,

I have directed John to work with you to get you in front of the planning commission and have asked the planning commission to develop a set schedule of meetings. Here's one of the things I requested of Jon Nepstad:

> And I request that Walter be given a fair chance to have a dialogue with the Commission, which should have an open mind.

You need to have a fairly clear concept to present to them. You do not need drawings etc, but if you come to the commission and say, "what can I do with my building" you will not get what you need.

Hope this helps.

Sincerely,

Harris

Walter Krebsbach J.D.  
651-983-8387  
Krebsbach & Associates  
Real Estate Services  
[www.krebsbachrealestate.com](http://www.krebsbachrealestate.com)

Shallow Shaft Restaurant, Owner  
Alta, Utah  
[www.shallowshaft.com](http://www.shallowshaft.com)

**Exhibit C**

*Plans for potential development*

## Proposal Concept (1)

### Thoughtful Design & Land Use

- **Lower level:** Covered parking garage, Cafe.
- **Second & third levels:** Five hotel units.
- Roof designed to support **safe snow storage & runoff management.**

### Health, Safety & Sustainability Focus

- Meets **up-to-date code requirements.**
- **Safe egress** from living quarters.
- **Renewable energy sources (solar panels)**—aiming for **zero external energy consumption.**





## Proposal Concept (2)

### Parking Solutions & Community Benefits

- **Improved aesthetics** – garage door in front, café for community
- **Parking garage** incorporates UDOT feedback.
- **Electric vehicle (EV) charging stations** to support sustainability.
- **Potential dedicated parking for town use**, improving community access.

### Sustainable & Resilient Design

- **Green roof** to enhance insulation and reduce environmental impact.
- **High-performance building envelope**—exceeds energy code requirements for insulation and sealing.
- **Designed to resist avalanche** – can be used during inter-lodge



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## **Interior Designs / Set Backs**



# Basement Floor Plan

## Key Features of the Basement Floor Plan

### Parking & Accessibility:

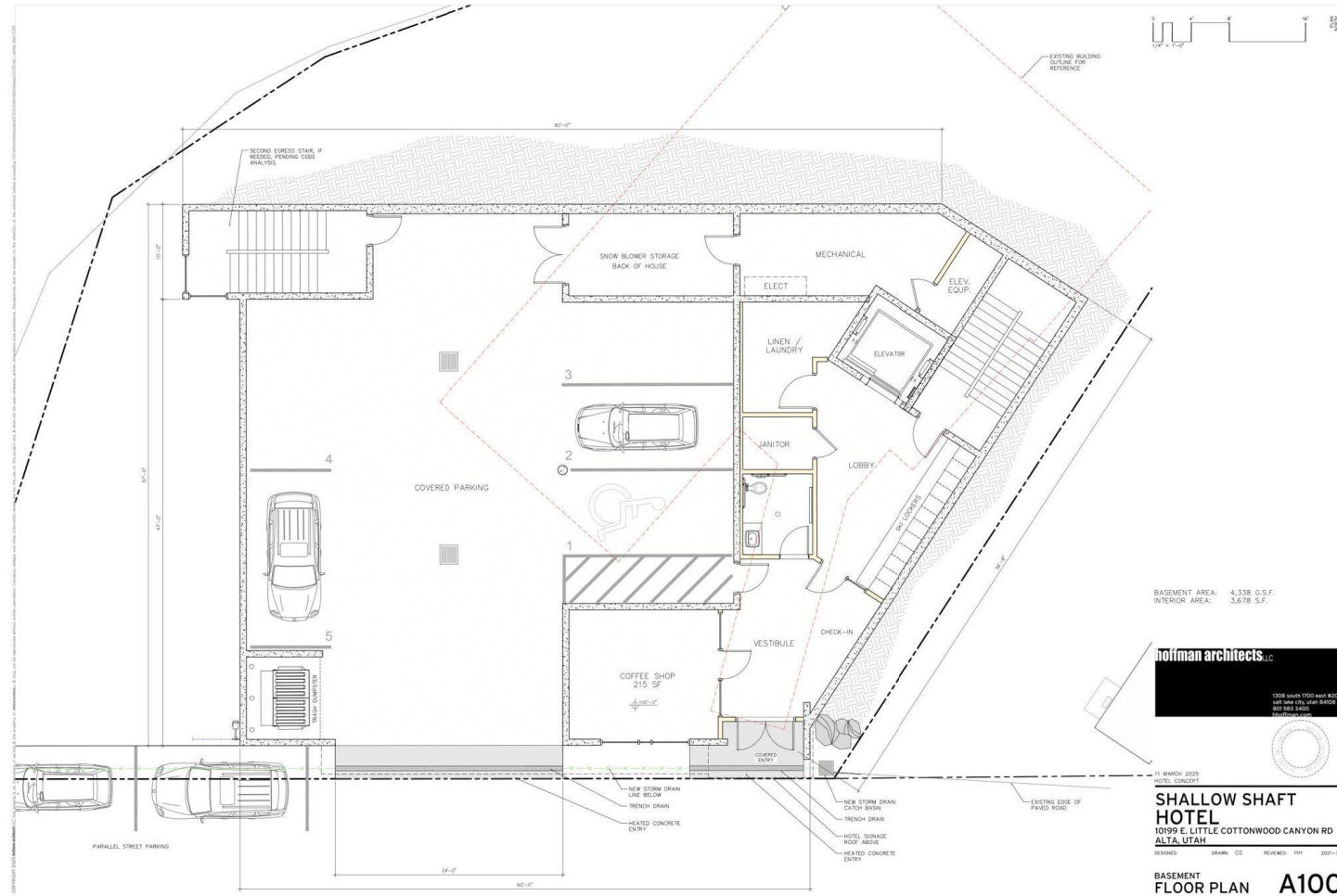
- **Garage entrance with 5 covered parking spaces**
- **Elevator** – ensures **ADA room access**
- **Stairs** for alternate access

### Guest & Operational Spaces:

- **Check-in/Lobby** area for arrivals
- **Ski Storage Area** for guest convenience
- **Laundry Room** for housekeeping operations
- **Mechanical Room** for essential building systems
- **Snow Blower** storage, etc

### Support & Infrastructure:

- **Coffee Shop**
- **Bathroom** for staff/guest use





# Level One Floor Plan – Key Features

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**Employee Housing** included for workforce support.

**Three hotel units** designed for flexibility and guest convenience.

- **King Suite:** Bedroom, Bathroom, Kitchen / Living Area.
- **Standard Room:** Bedroom, Bathroom (can be adjoined to King Suite).
- **Standard Room:** Bedroom, Bathroom.



# Level Two Floor Plan – Key Features

Two hotel units designed for guest flexibility

- **King Suite:** Bedroom, Bathroom, Kitchen / Living Area
- **Standard Room:** Bedroom, Bathroom (can be adjoined to King Suite)



LEVEL TWO AREA: 1,667 G.S.F.  
HOTEL AREA: 1,165 S.F.

**hoffman architects, llc**  
1008 SOUTH 1750 WEST ROAD  
SALT LAKE CITY, UTAH 84108  
801.463.7400  
www.hoffmanarchitects.com

11 MARCH 2025  
HOTEL CONCEPT  
**SHALLOW SHAFT  
HOTEL**  
10199 E. LITTLE COTTONWOOD CANYON RD  
ALTA, UTAH

DESIGNED: DRAWN: CS REVIEWED: HPH 2025-11-11

UPPER LEVEL  
FLOOR PLAN **A102**

## Coverage/Setback of New Structure

## Existing Building

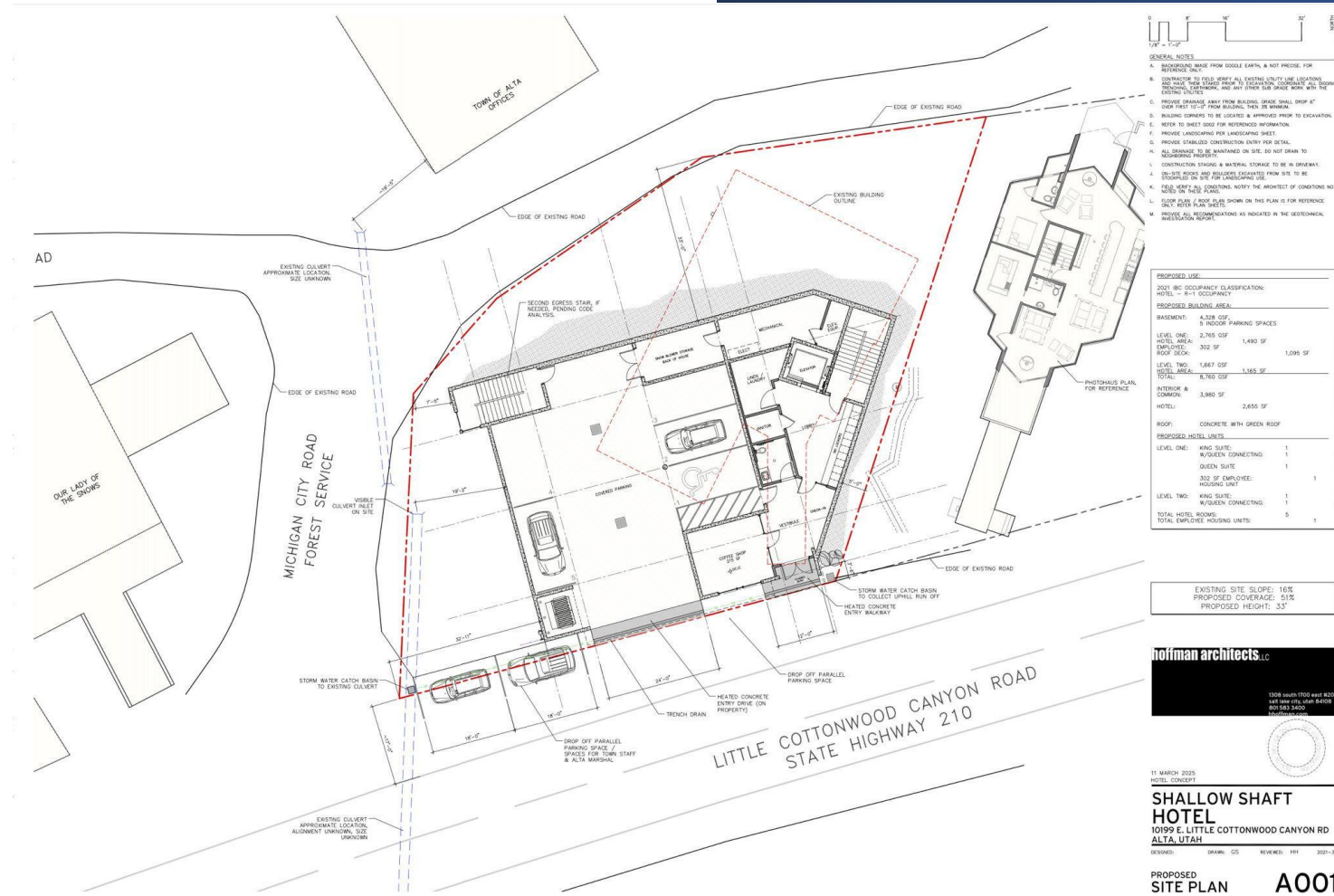
- Slope – 16%
- Coverage – 44%
- Height ~ 28 ft

## New Structure

- Slope – 16%
- Coverage - 51%
- Height – 35 ft

## New Structure Setbacks

- Back – 35'
- West – 7'-5"
- East – 5'
- Front – 3'- 6"



## UPDATED REDLINE FOR SHALLOW SHAFT PROPOSAL

December 8, 2025

SHALLOW SHAFT (code amendment references are omitted for ease of reading)

Each proposed change starts on a new page.

### 1. DEFINITION

NOV 19 VERSION: Proposed New Definition Added (no other changes) (this is what the Planning Commission saw on November 19):

#### 10-1-6 DEFINITIONS

*Boutique Hotel: A small, independently operated lodging facility located only within the Zone C of the Base Facilities Zone, containing no more than eight (8) guest-rooms, including any on-site worker housing units as may be required by Alta Code. A Boutique Hotel shall be separately owned and independent from any larger resort, hotel, or lodging facility. Notwithstanding anything to the contrary in Alta Code, guest-rooms in a Boutique Hotel may include in-room or shared kitchens and kitchenettes for guest use.*

ALTERNATE (this is Shallow Shaft's updated alternative for consideration that changes the name and removes the references to independent operation, based on feedback from the Planning Commission meeting):

*Compact Hotel Facility: A small lodging facility located only within the Zone C of the Base Facilities Zone, containing no more than eight (8) guest-rooms, including any on-site worker housing units as may be required by Alta Code. Notwithstanding anything to the contrary in Alta Code, guest-rooms in a Compact Hotel Facility may include in-room or shared kitchens and kitchenettes for guest use.*

## 2. USES

NOV. 19 VERSION: (this is what the Planning Commission saw on November 19)

### 10-6D-4: PERMITTED, PROHIBITED USES:

#### A. Permitted uses:

1. Hotels.
2. Conferences.
3. Retail commercial services, limited to the following and similar uses: retail shops, art galleries, bakeries, bars, bookstores, liquor stores, clothing stores, drugstores, food markets, gift shops, restaurants, sporting goods stores, ski shops and variety stores.
4. Storage of materials accessory to permitted uses in subsections A1 and A2 of this section, provided all such storage is located within a structure.
5. Parking of motor vehicles accessory to other uses permitted herein.
6. Parks, open spaces and recreational uses.
7. Designated employee housing units, as described in section 10-6D-7 of this article.

~~—B.—Prohibited: All other uses~~ The following are ~~not~~additional permitted uses only in the base facilities zone C (and not Zones A and B): Boutique Hotel; living quarters for persons employed on the premises of any Main Use.

C. All uses not identified in Subsection A, above, are prohibited in base facilities zones A and B. All uses not identified in Subsection A or B, above, are prohibited in the base facilities zone, including Zone C.

ALTERNATE: This proposed alternative: (i) provides a simplified, but substantively similar, method to allow only the additional use, (ii) removes the unnecessary use of “living quarters for persons employed...” as that use is covered by the definition and calls back to the other requirements of the Alta Code, and (iii) provides an optional subsection to allow a small retail space, but that such a distinct space would not require additional parking.

### 10-6D-4: PERMITTED, PROHIBITED USES:

#### A. Permitted uses for all base facilities zones:

1. Hotels.
2. Conferences.

3. Retail commercial services, limited to the following and similar uses: retail shops, art galleries, bakeries, bars, bookstores, liquor stores, clothing stores, drugstores, food markets, gift shops, restaurants, sporting goods stores, ski shops and variety stores.

4. Storage of materials accessory to permitted uses in subsections A1 and A2 of this section, provided all such storage is located within a structure.

5. Parking of motor vehicles accessory to other uses permitted herein.

6. Parks, open spaces and recreational uses.

7. Designated employee housing units, as described in section 10-6D-7 of this article.

B. Prohibited: All other uses are not permitted in the base facilities zone.

C. Notwithstanding the foregoing in Subsection B, the use Compact Hotel Facility is an additional permitted use in Zone C only.

[OPTIONAL CAN BE OMITTED OR INCLUDED WITH Subsection C.] 1. A Compact Hotel Facility may include as an accessory use a retail commercial service identified in or consistent with subsection A.3, above. No additional parking may be required for the accessory retail commercial service use contained within the same structure as the Compact Hotel Facility, provided the accessory use occupies no more than four hundred square feet (400 sq. ft.).



### 3. LOT AREA, WIDTH, and SLOPE

NOV. 19 VERSION: (this is what the Planning Commission saw on November 19)

#### 10-6D-8: LOT AREA, LOT WIDTH AND SLOPE REQUIREMENTS:

A. Construction of any building, structure or improvements in Zones A and B shall not be permitted where any of the following conditions exist:

- ~~—A.—1.~~ The lot area is less than one net developable acre in size; or
- ~~—B.—2.~~ The slope exceeds thirty percent (30%); or
- ~~—C.—3.~~ The width of the lot shall be less than one hundred feet (100').

B. Any lot or parcel in Zone C that existed as a separate legal lot or parcel prior to January 1, 2025, and has not been subdivided or otherwise modified since that date, shall be deemed to meet the minimum lot area and width requirements of this Code, despite net developable area being less than one acre, for purposes of any development application. Such lots shall be developed in accordance with all other applicable zoning regulations, including lot coverage and height, regardless of whether the lot meets current dimensional standards for lot size, width, or frontage.

ALTERNATE: This version (i) clarifies further that the slope requirement is not modified by the change and (ii) removes the superfluous reference to frontage.

#### 10-6D-8: LOT AREA, LOT WIDTH AND SLOPE REQUIREMENTS:

A. Construction of any building, structure or improvements shall not be permitted where any of the following conditions exist:

- ~~—A.—1.~~ The lot area is less than one net developable acre in size; or
- ~~—B.—2.~~ The slope exceeds thirty percent (30%); or
- ~~—C.—3.~~ The width of the lot shall be less than one hundred feet (100').

B. ~~Notwithstanding the foregoing,~~ any lot or parcel in Zone C that existed as a separate legal lot or parcel prior to January 1, 2025, and has not been subdivided or otherwise modified since that date, shall be deemed to meet the minimum lot area and width requirements of this Code, despite net developable area being less than one acre, for purposes of any development application. Such lots shall be developed in accordance with all other applicable zoning



regulations, including lot coverage and height, regardless of whether the lot meets current dimensional standards for lot size or width. This provision may not be deemed to modify the slope requirement in Subsection A above in any way.





















## 2026 Alta Planning Commission Meeting Schedule

January 1<sup>st</sup>, 2026 – December 31<sup>st</sup>, 2026

The Alta Planning Commission conducts hybrid meetings on the fourth (4<sup>th</sup>) Wednesday of each month at 3:00 PM with an anchor location at the Alta Community Center. Information about meetings will be posted to the Town of Alta website at: <https://townofalta.utah.gov/events/> and <https://townofalta.utah.gov/meetings/>. If a holiday takes place on or just after the fourth (4<sup>th</sup>) Wednesday of a given month, the meeting will be held on the third (3<sup>rd</sup>) Wednesday of the month instead. If there is no business before the Planning Commission, there will be no meeting.

January 28, 2026  
February 25, 2026  
March 25, 2026  
April 22, 2026  
May 27, 2026  
June 24, 2026  
July 22, 2026  
August 26, 2026  
September 23, 2026  
October 28, 2026  
November 18, 2026\* (adjusted for Thanksgiving)  
December 16, 2026\* (adjusted for Christmas)

Reasonable accommodation (include auxiliary communicative aids and services) for individuals with disabilities may be provided upon receipt of a request with three (3) working days notice. For assistance, please call the Town Office at 801-742-3522. Requests for additional information on this schedule should be directed to Chris Cawley at [ccawley@townofalta.utah.gov](mailto:ccawley@townofalta.utah.gov).