

MAYOR

ROGER BOURKE

TOWN COUNCIL

CAROLYN ANCTIL

CRAIG HEIMARK

DAN SCHILLING

ELISE MORGAN



TOWN OF ALTA

P.O. BOX 8016

ALTA, UTAH 84092

TEL (801) 363-5105

(801) 742-3522

FAX (801)742-1006

TTY 711

**Alta Planning Commission
Meeting Materials
March 25, 2026**

Document Tips: The sections below are each hyperlinked to help you navigate straight to a section of interest. Page numbers refer to the header numbers on the top right of the page in blue.

Table of Contents

| | |
|---------|---|
| 2 | Agenda |
| 3 - 10 | Draft Meeting Minutes: February 25, 2025 |
| 11 - 15 | Staff Report: Shallow Shaft Proposed Base Facilities Zone Ordinance Text Amendments |
| 16 - 22 | Proposed Text Amendments to Title 10 of the Alta Town Code |

MAYOR

ROGER BOURKE

TOWN COUNCIL

CAROLYN ANCTIL

CRAIG HEIMARK

ELISE MORGAN

DAN SCHILLING



TOWN OF ALTA
P.O. BOX 8016
ALTA, UTAH 84092

TEL (801) 363-5105
(801) 742-3522
FAX (801)742-1006
TTY 711

AGENDA

**ALTA PLANNING COMMISSION MEETING
WEDNESDAY, MARCH 25, 2026 @ 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)

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

- 1 Call the Meeting to Order
- 2 Public Hearing: Receive input on a proposal by owners of the Shallow Shaft property to make amendments to the text of the Town of Alta Zoning Ordinance
- 3 General Public Comment
- 4 Approval of the minutes of the February 25, 2026 meeting
- 5 Discussion and possible action: Make a recommendation to the Alta Town Council regarding a proposal by owners of the Shallow Shaft property to make amendments to the Town of Alta Zoning Ordinance
- 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
and PUBLIC HEARINGS
Wednesday, February 25, 2026, 3:00 PM
Alta Community Center, 10351 E. Highway 210, Alta, Utah

ALTA PLANNING COMMISSION MEETING – 3:00 PM

PRESENT: Jeff Niermeyer, Vice-Chair
Jon Nepstad, Chair (virtual)
Maren Askins
David Abraham
Paul Moxley
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)
Ryan Marks, Hellgate Condominiums Property Manager
Beth Weisman, Hellgate Condominiums Property Manager
Kyle Ogilvie, Benchmark Engineering

NOT PRESENT:

1. INTRODUCTION AND WELCOME FROM THE CHAIR

Planning Commission Vice-Chair Jeff Niermeyer opened the February 25, 2026 meeting at 3:00 PM.

2. PUBLIC HEARING: RECEIVE PUBLIC COMMENT ON A CONDOMINIUM PLAT AMENDMENT FOR THE HELLGATE CONDOMINIUMS, LOCATED AT 9670 E HWY 210, ALTA, UT 84092

Robert Hoffman introduced himself as a representative of the Hellgate homeowner’s association and offered to answer questions, but he had no formal comment. Planning Commission Chair Jon Nepstad moved to close the public hearing. Planning Commissioner Maren Askins seconded the motion. All were in favor and the public hearing was closed.

3. PUBLIC HEARING: RECEIVE PUBLIC COMMENT ON UPDATING REFERENCES TO THE UTAH LAND USE, DEVELOPMENT, AND

**MANAGEMENT ACT (“LUDMA”) IN THE TOWN OF ALTA CODE TO UTAH
CODE ANNOTATED 10 – 20**

No public comment received. Planning Commission member Moxley moved to close the public hearing. Planning Commission member Askins seconded the motion. All were in favor and the public hearing was closed.

**4. PUBLIC HEARING: RECEIVE PUBLIC COMMENT ON AMENDMENTS TO
THE TOWN OF ALTA ZONING MAP TO REFLECT BASE FACILITIES
ZONES A, B, AND C**

No public comment received. Planning Commission member Moxley moved to close the public hearing. Planning commission member Askins seconded the motion. All were in favor and the public hearing was closed.

**5. PUBLIC HEARING: RECEIVE PUBLIC COMMENT ON AMENDMENTS TO
PROVISIONS OF TITLE 10 REGARDING PETITIONS TO REZONE**

No public comment received. Planning Commission member Moxley moved to close the public hearing. Planning commission member Askins seconded the motion. All were in favor and the public hearing was closed.

**6. PUBLIC HEARING: RECEIVE PUBLIC COMMENT ON AMENDMENTS TO
PROVISIONS OF THE SUBDIVISION CHAPTER**

No public comment received. Planning Commission member Askins moved to close the public hearing. Planning commission member Moxley seconded the motion. All were in favor and the public hearing was closed.

7. GENERAL PUBLIC COMMENT

No public comment received.

8. APPROVAL OF THE MINUTES OF THE DECEMBER 17, 2025 MEETING

Planning Commission member Moxley motioned to approve the minutes of the December 17, 2025 meeting. Planning Commission member Askins seconded, and the motion passed unanimously. The minutes were approved.

**9. PRESENTATION AND POSSIBLE ACTION: PROPOSED HELLGATE
CONDOMINIUM PLAT AMENDMENT PRELIMINARY APPROVAL**

Chris Cawley introduced the agenda item and introduced representatives from the Hellgate Condominium Association: Ryan Marks and Beth Weisman, property managers, and Kyle Ogilve, the project surveyor. Cawley thanked the Hellgate team for their cooperation during the application process. Cawley explained that Hellgate was originally platted in 1971 before it was part of the

Town of Alta. The plat on record at Salt Lake County is still the original plat, and is actually two separate plat maps so the proposal today is to update to combine the two original documents into one, and to update changes to the interior partitions. He continued to describe that this amendment will clean up changes that have occurred between common areas and private areas and unit dimensions, noting that it is mostly a housekeeping update as no changes to the exterior or footprint are proposed. Cawley clarified there will be no impacts to zoning regulations or setbacks. Cawley noted the Town may continue to see condominium plat amendment applications due to the age of development in Alta. Cawley described that the Town provided the applicant with an application form, which was completed, and all submitted materials were reviewed by Town staff, noting that the entire application was not included in the meeting packet.

Cawley reminded the Commission that the Town recently updated the subdivision ordinance at the end of 2024. Cawley referenced his staff report to explain that this application is being run through the subdivision ordinance process as Town code is inconclusive about plat amendments. In this process, the Planning Commission provides preliminary approval and town staff will give final approval after receiving an updated title report. Niermeyer clarified that the Town Manager signs the updated plat as the land use authority and Cawley concurred, stating that the Town Council is removed as an approval authority on land use related matters per recent changes to state code.

McLean clarified that the Planning Commission is asked to approve the preliminary plat, which would then get forwarded to town staff for final approval. McLean shared her recommendation that the approval includes a condition of approval that the CC&Rs and title report are updated along with the plat.

Ryan Marks included that this application is also in response to a new Utah state statute that requires HOAs to update plat maps and CC&R's regularly, which Hellgate is currently out of compliance with. Marks thanked Kyle Ogilvie for his expertise in engineering and Natalie Segall for her legal counsel. Marks explained that they are here today to get guidance on where they are in the process and get on the right path, if need be, to move forward.

Ogilvie emphasized what was previously stated – that the goal is to have an updated and accurate plat. Robert Hoffman expressed appreciation to the Town for reviewing the application and expressed the applicant's interest in getting it done correctly.

Abraham thanked Cawley for the thorough packet for this meeting. Abraham highlighted the three distinct employee quarters and applauded the inclusion of workforce housing in the updated plat.

In a brief discussion, the Planning Commission members found the proposal to be straightforward and had no significant comments.

Mayor Bourke asked the applicant what they would ask if they were in the Commission's position. Marks replied that they were just curious if there are any pain points in the process – expressing a desire to make it as easy and straightforward as possible moving forward. Marks expressed gratitude to Cawley for making the process seamless.

Cawley discussed the need for the Town to carefully consider the internal process for reviewing such applications in the future. Niermeyer suggested Cawley document his thoughts on the process this time around.

Weisman asked who is proofreading the application and ensuring everything is recorded correctly on the new plat. Niermeyer explained that professional surveyors and engineers are hired by both parties to ensure accuracy. A brief discussion followed describing that UDOT took possession of part of the road that was included in the original plat. This was determined as part of a process with the Forest Service to determine the right of way.

Bourke asked about ownership of the parking area on the north side of the road. It was clarified that it is not part of the Hellgate property. It appears that UDOT now owns it but prior to that it was part of an old mining claim.

Planning Commissioner Moxley motioned to approve the preliminary plat subject to updating the CC&Rs and title report. Planning Commissioner Askins seconded the motion. All were in favor and the motion passed.

10. DISCUSSION AND POSSIBLE ACTION: RECOMMENDATIONS TO THE TOWN COUNCIL ON LAND USE ORDINANCE UPDATES

Niermeyer introduced that we have four more sub-items as part of this portion of the agenda and requested that each one be addressed and voted on individually.

a. UPDATING REFERENCES TO THE UTAH LAND USE DEVELOPMENT AND MANAGEMENT ACT IN THE TOWN OF ALTA CODE TO UTAH CODE ANNOTATED 10 – 20

Cawley gave an overview that there is a need to make some minor housekeeping amendments to town land use regulations. While at one point it was envisioned to do a large overhaul in one fell swoop, we are now focusing on taking some of these on one-by-one. He highlighted that these changes are ministerial in nature and bring the Town into compliance with state code, from which the Town's land use authority derives. Cawley described there is a longer list of updates that we will want to address, but the items on the agenda today are at the top.

Cawley reviewed the process on land use regulations, describing that the Planning Commission reviews proposed amendments and then offers a recommendation to the Town Council, which has the final authority. In an effort to not get too far ahead of the council, Cawley explained that he has already previewed the items on today's agenda with them.

The first ordinance update makes amendments to town code to update references to the portion of state code that defines the Town's land use authority. This chapter of state code is known as the Land Use and Development Management Act ("LUDMA"). In November 2025 during a special session of the state legislature, LUDMA was moved from section 10-9a to 10-20. Town currently references 10-9a and this proposed ordinance update would remedy the outdated references.

Abraham asked if this would be changed again and/or if we could adopt alternative language that would avoid this type of update in the future. McLean noted that the land management code is a living document. While we could take out those references in the future, for these purposes it seemed like less work to do it this way versus changing all the language to take the references out completely.

Planning Commission Chair Nepstad motioned to pass a positive recommendation to the Town Council. Planning Commission member Abraham seconded the motion, and the motion was passed unanimously.

b. AMENDMENTS TO THE TOWN OF ALTA ZONING MAP TO REFLECT BASE FACILITIES ZONES A, B, AND C

Cawley shared the current zoning map, noting that it is somewhat outdated as it is only available as a pdf for viewing. The most recent update to the zoning map was to add the Albion Basin Protection Overlay Zone. Cawley clarified that the new map proposed today does not create any new zoning, it just clarifies the subzones of the Base Facilities Zone (zones A, B, and C). These specific zoning districts have come up in recent meetings, prompting the desire to have a map that accurately reflects them.

Cawley explained that these subzones were created as part of the Base Facility Zone (BFZ) Ordinance update in 2014. These subzones were developed to create different regulations throughout the BFZ in terms of height and coverage requirements. Cawley described the properties affected by the subzones: Zone A includes the Alta Lodge, Rustler Lodge, and Snowpine Lodge; Zone B includes the Goldminer's Daughter Lodge and the Alta Peruvian Lodge; and Zone C includes the Shallow Shaft and Photohaus properties. Cawley emphasized that the existing zoning map doesn't depict current subzones, so the new map is adding them in.

Bourke asked for clarification on the Upper Albion Basin Protection Overlay Zone, as sometimes it is only referred to as simply the Albion Basin Overlay Zone. Cawley explained that there is only one overlay zone, officially named the UABPOZ.

Askins asked if the zoning text is also going to be amended to remove the place names and, if so, how the subzones would be defined in the code. Cawley clarified that there is no proposal to update or amend the text of the code, though he recognized that it could create a conflict in the future if one of the properties changed ownership or name. Niermeyer and McLean clarified that the zoning map takes priority.

Abraham expressed appreciation for the effort of the enlargement section on the pdf but noted his preference to have an even better and more detailed enlargement that is easier to decipher with clearer color distinctions.

Planning Commission member Moxley motioned to pass a positive recommendation to the Town Council with the direction to get a better-quality map, particularly of Zone C. Planning Commission member Askins seconded the motion, and the motion was passed unanimously.

c. **AMENDMENTS TO PROVISIONS OF TITLE 10 REGARDING PETITIONS TO REZONE**

Cawley described that while the Town does not routinely receive applications or proposals to amend land use regulations, two recent applications highlighted gaps and inconsistencies in Alta's code and led staff to propose amendments to sections of the code that govern land use amendments.

Cawley described that a petition to rezone is the pathway in Alta's for an applicant to propose changing the zoning designation on a property. Staff noticed that there was no petition to rezone section in the BFZ section of town code. It was never the intent to restrict zoning proposals for that zone; it was just an omission in the ordinance update process. This omission led to questions about how to navigate such a request. Staff determined it would be simpler to take the text out of the individual zoning districts completely and instead move it up to the general provisions of the land use chapter, so the same ordinance would apply to all zones uniformly.

Abraham asked about the red vs. blue text in the packet. McLean clarified that the red text is language that was brought over, whereas the blue text is new language to make it more universal.

Planning Commission member Moxley motioned to pass a positive recommendation to the Town Council. Planning Commission member Abraham seconded the motion, and the motion was passed unanimously.

d. **AMENDMENTS TO PROVISIONS OF THE SUBDIVISION CHAPTER**

Cawley explained this update is also an outcome of recent events that highlighted the need to ensure third party approvals are current. He continued that we currently lack a provision in Town Code to deny an application with stale signatures, and this proposed update would require signatures to be no more than six months old. McLean expanded that you don't want to have approved plats out there that haven't been recorded, since laws can change. This proposed amendment would ensure approvals get recorded in a timely manner. This update would require final approvals within six months of preliminary approval, with a provision that a six-month extension can be applied for. It would also require a year between final approval and recordation, with ability to extend an additional year. Niermeyer stated that this would allow for a total of up to three years to complete the process.

Planning Commission member Askins motioned to pass a positive recommendation to the Town Council. Planning Commission member Moxley seconded the motion, and the motion was passed unanimously.

Bourke requested to rearrange the remainder of the agenda to put the training portion at the end, since he recently received the training, and the commission agreed to rearrange the agenda.

11. NEW BUSINESS

Cawley shared that the Town is preparing for a special townhall meeting scheduled for March 11 from 5:00 – 6:30 PM that will focus on capital improvement planning and funding options. The

meeting is scheduled in March to try to increase involvement during ski season. Planning Commission involvement is not required but always encouraged to stay current on Town business.

Cawley noted that the Town has applied for a Wasatch Front Regional Council grant to hire consultants to help update the general plan and expects to know by the next meeting if the grant has been awarded.

Bourke described an avalanche accident that occurred over the previous weekend in Big Cottonwood Canyon, noting that Chris Cawley was the first person on the scene to be able to find and rescue the victims and commended Cawley for this heroic effort.

12. DATE OF NEXT MEETING

The next meeting is scheduled for Wednesday, March 25, 2026 with a tentative “ski-around” at Alta Ski Area to precede the regular meeting. McLean will be out of the country, but legal coverage will be available with Cameron Platt. A tentative agenda includes a public hearing and possible action to issue a recommendation to the town council regarding the Shallow Shaft’s proposed zoning ordinance amendments.. Niermeyer proposed to leave the meeting as-is for now and ask if the Shallow Shaft applicant would be available to come to the April meeting instead.

13. OPEN PUBLIC MEETINGS ACT (“OPMA”) TRAINING

McLean shared that this training is quite similar to last year, with one new addition. This training is required annually, and McLean appreciates that the Town chooses to hold the training during a public meeting rather than having officials complete training online.

McLean introduced the Open and Public Meetings Act and summarized that the basis of the Act is to ensure that public business is conducted transparently and in public. The Act applies to any public body of two or more individuals supported by tax money or with decision-making authority. A meeting is defined as a quorum of a public body, which for the Alta Planning Commission means three or more members convening to discuss, receive comments, or act on town-related matters. McLean acknowledged that site visits must still be noticed to the public and no official actions can be taken during such gatherings as they are not recorded like regular meetings, but the content of the visit should be discussed openly in a recorded meeting after the site visit.

McLean clarified that casual social interactions among members do not constitute meetings unless town business is discussed. She addressed potential issues with electronic communications (such as email chains and group text messages), explaining that if a quorum participates and town business is discussed, such exchanges could qualify as meetings and must comply with the Act. McLean cautioned against post-meeting discussions or private deliberations that could undermine the transparency of decision-making. It was noted that any decision must be discussed openly in meetings to ensure public awareness and participation.

McLean highlighted the new addition to the training regarding the prohibition against predetermining the formal action of a public body outside of an open meeting. She summarized

that this provision describes the need to come into the meeting with an open mind. It was clarified that commissioners are allowed to speak one-on-one with each other or with Town staff if the conversation doesn't result in a decision to take a specific action during a public meeting.

McLean also touched on the importance of preserving government records, such as emails and messages, and recommended using official town email accounts to ensure compliance with GRAMA requests. Polly briefly discussed the topic of closed meetings, explaining they are allowed for specific purposes, but that it is unlikely for the Planning Commission to convene a closed meeting.

Meeting notices and agendas must be posted at least 24 hours in advance and include sufficient detail for the public to understand the topics, whereas public hearings require noticing ten days in advance. Emergency meetings require the maximum possible notice under the circumstances. McLean highlighted that public comments are welcomed on any topic, but decisions can only be made on agenda-listed items.

McLean warned of serious consequences for knowingly violating the Act, including potential legal ramifications. She concluded by providing additional training resources, including a link to receive a certificate of completion. Moxley asked if the commission is insured or indemnified. McLean explained that the Town is insured via the Utah Local Governments Trust.

14. 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.

Minutes Approved on *March 25, 2026*

Chris Cawley, Town Manager

Alta Planning Commission



Staff Report

To: Alta Planning Commission

From: Chris Cawley, Town Manager

Date: March 18, 2026

Re: Shallow Shaft, LLC, Proposed Base Facilities Zone Ordinance Text Amendment

Attachments: Updated text amendments, Applicant's massing renderings

Introduction

The Owners of the Shallow Shaft Restaurant (the "Applicant") have requested amendments to the Town of Alta's land use regulations affecting Base Facilities Zone (BFZ) Zone C in order to allow redevelopment of their property as a small lodging facility. The proposal includes amendments to lot area and lot width requirements for certain existing parcels in BFZ Zone C and the creation of a new lodging use defined as a "Compact Hotel Facility," which would allow guest rooms to include provisions for cooking.

The Planning Commission has discussed the proposal at several meetings over the past few years, including most recently on November 19, 2025 and December 17, 2025. During those meetings the Commission requested additional information, including massing renderings and revisions to the proposed ordinance language. The Commission also discussed broader policy questions including the roles of different types of commercial activity in Alta's "Commercial Core," potential precedent for other properties and future zoning amendment proposals and how allowing provisions for cooking in guest rooms relates to the long-standing prohibition of residential uses within the BFZ.

[April 24, 2024 Meeting Packet](#)

[April 24, 2024 Minutes](#)

[May 22, 2024 Packet](#)

[May 22, 2024 Minutes](#)

[March 26, 2025 Packet](#)

[March 26, 2025 Minutes](#)

[November 19, 2025 Packet](#)

[November 19, 2025 Minutes](#)

[December 17, 2025 Packet](#)

[December 17, 2025 Minutes](#)

Prior Planning Commission Discussion

November 19, 2025 – Initial Review of Formal Application

The Planning Commission reviewed the Applicant's formal request to amend provisions of the Base Facilities Zone (BFZ), including proposed amendments to lot area and lot width requirements in BFZ Zone C and the creation of a new lodging use that would allow hotel guest rooms to include kitchens.

The Commission did not take action but provided feedback and requested additional information to support further review. Specifically, the Commission requested massing renderings illustrating potential development envelopes, clarification of the proposed text amendment language, and additional information regarding site constraints including net developable acreage and conditions related to the culvert on the property.

December 17, 2025 – Follow-Up Discussion

The Applicant returned with revised text amendments and massing renderings addressing feedback from the November meeting. The Applicant also revised the proposed lodging definition, renaming the use from “Boutique Hotel” to “Compact Hotel Facility.”

The Planning Commission continued discussion of the proposed amendments and raised additional policy considerations including whether a ground-floor retail or commercial space should be required or optional, potential parking impacts, the need to ensure the amendments clearly apply only to BFZ Zone C, and the need for caution about setting precedent elsewhere in the BFZ or other zoning districts. They also discussed that the application could not be held back while waiting on updates to the General Plan. The Commission did not take action but identified a public hearing as a next step following additional refinement of the proposed ordinance language.

Proposed Development

The owners propose to develop a two-story building on top of a 5-stall parking garage on the ground floor. The proposed structure would have 51% lot coverage, stand 36’ above the lowest adjacent finished grade and have setbacks between 5’ and 30’ from various property lines. The proposed use is to provide a “Compact Hotel Facility” per the proposed new definition described above and in the application exhibits. The development would include an employee dwelling unit and a retail space described as a café or coffee shop.

March 2026 Submittal

The current version of the Applicant’s proposed text amendments would have the following effects:

- Create a new definition “Compact Hotel Facility” to permit the proposed use. A Compact Hotel Facility could contain no more than 8 guestrooms. Guestrooms in a Compact Hotel Facility would be allowed to include provisions for cooking, which are otherwise prohibited in the BFZ as they would qualify a guestroom as a “dwelling unit” under the Town’s code.
- Deems parcels in Zone C that legally existed prior to 2025 to meet the minimum lot area and width requirements. Both parcels in Zone C are less than 1 acre, so that without this proposed provision, development is limited to existing footprints. With this amendment both properties could expand their footprints.
- Allows or requires a “retail commercial service.” The Applicant has provided three alternative text amendments to either allow a retail commercial service “as an accessory use,” *require* a retail commercial service, or not address retail uses, an option which provides for the Town Council “or designee” to waive the requirement. The proposal would exempt the retail commercial service from providing additional parking if the space is under 400 square feet. At the December meeting at least three members of the Commission supported having retail use be mandatory with this proposal.

Staff Recommendations on Proposed Text Amendments

If the Planning Commission decides to recommend the proposed text amendments to the council, Staff recommends the following:

- Change the language in the proposed definition of “Compact Lodging Facility” to refer to “provisions for cooking” instead of “kitchens and kitchenettes,” to match the terminology used in Alta Code 10-1-6 DEFINITIONS to define a Dwelling Unit. “Kitchens” and “kitchenettes” are not defined terms in the code:

§ 10-1-6 DEFINITIONS

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

- Remove “or designee” from the provision for relief by the Town Council of the requirement to include a retail use or consider recommending removal of the relief provision entirely. Staff recommends at least isolating this proposed authority to the Town’s legislative body, which is the Town Council, because it would be a significant policy decision best made by elected officials:

§ 10-6D-4: PERMITTED, PROHIBITED USES

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

...

C. *Notwithstanding the foregoing in Subsection B, the use Compact Hotel Facility is an additional permitted use in Zone C only. A Compact Hotel Facility shall include as an accessory use a retail commercial service identified in or consistent with subsection A.3, above; provided, however, that the Town Council ~~or its designee~~ may waive this requirement in writing.*

Key Policy Questions for the Planning Commission

- Does the proposal advance the Town’s goals for social activation in Alta’s Commercial Core, and are those goals still relevant, given the time that has passed since their adoption into the Town’s general plan?
- Does the Applicant’s argument regarding seasonal economics and limited demand outside of ski season for stand-alone retail or commercial justify creating a new lodging use that is limited to BFZ Zone C?
- Should the new use be strictly limited to Zone C, and what precedent might this set for other properties to seek zoning amendments in response to site-specific constraints or desires?
- What level of commercial activation is appropriate: should retail be required or options—and if required, should it be located on the ground floor and/or subject to waiver by the Town Council?
- Are the proposed changes to lot area and lot width requirements appropriate for Zone C properties, or would they create a broader precedent concern, including in light of the area’s unique land ownership history?

- Is there sufficient understanding of development potential and site constraints on the Shallow Shaft parcel, including but not limited to potential total massing under the proposed text amendment and net developable acreage on the property, to approve the amendments at this time?

Summary and Next Steps

The Applicant proposes amendments to the text of the Base Facilities Zone ordinance that would only apply to properties in BFZ Zone C. The changes would introduce a new definition of a “Compact Hotel Facility” that would allow guestrooms to include provisions for cooking, which would classify them as dwelling units that are otherwise prohibited in the BFZ. The changes would also deem the very small Zone C properties to comply with minimum lot area requirements, which would allow for more flexibility and expansion of development on Zone C properties. The Applicant seeks to tear down the existing Shallow Shaft and rebuild a larger building containing 5 guestrooms including provisions for cooking, underground parking, and a small café or coffee shop. The proposed development cannot be permitted without the proposed code amendments and without resolving certain site conditions including the culvert opening on the property which triggers waterway setback regulations applied by several jurisdictions.

The essential policy choice for the Town of Alta is whether to maintain existing zoning regulations in the BFZ, which limit small Zone C properties to their historic dimensions, and to uses that may be economically challenging on very small parcels but may socially activate the area better. Alternatively, the Town could modify those constraints to allow Compact Hotel Facilities, which may be more economically viable on small lots, but may not activate Alta’s Commercial Core, may introduce equity concerns among lodging properties, and may set a precedent for relaxing zoning standards in response to site-specific limitations or desires elsewhere.

The Applicant provides the following motion language for consideration:

- *As a whole: “I move to forward a positive recommendation to the Town Council of the proposed amendments to Town Code Sections 10-1-6, 10-6D-4, and 10-6D-8 as presented in the proposal presented by the Applicant dated March 5, 2026, including selecting Option **[A, B, or C]**.”*
- *Individual Sections:*
 - *“I move to forward a positive recommendation to the Town Council of the proposed amendment to Town Code Section 10-1-6, adding a definition of Compact Hotel Facility.”*
 - *“I move to forward a positive recommendation to the Town Council of the proposed amendment to Town Code Section 10-6D-8 addressing lot width and area in Zone C but preserving the slope requirements.”*
 - *“I move to forward a positive recommendation to the Town Council of the proposed amendment to Town Code Section 10-6D-4 identified as Option **[A, B, or C]** [optional explanation such as: with no requirement of a retail space, for Option A].”*

Motions for Adoption with Changes:

- *“I move to forward a positive recommendation to the Town Council of the proposed amendments to Town Code Sections 10-1-6, 10-6D-4, and 10-6D-8 as presented in the proposal dated January 23, 2026, inclusive of the language detailed under [Specify Option A, B, or C], with the following changes: **[detail added]**.”*

Motion To Deny: *“I move to recommend denial of the proposed text changes to the Town Code.”*

**TOWN OF ALTA
ORDINANCE # 2026-O-X**

**AN ORDINANCE AMENDING TITLE 10 OF THE ALTA TOWN CODE TO ADD A
DEFINITION FOR “COMPACT HOTEL FACILITY,” AND TO AMEND
DEVELOPMENT STANDARDS AND PERMITTED USES WITHIN THE BASE
FACILITIES ZONE**

WHEREAS, Alta Town Code (ATC) Section 10-1-6 establishes definitions for land uses within Alta, Section 10-6D-4 establishes uses for the base facilities zone, and Section 10-6D-8 establishes certain development standards;

WHEREAS, a request to amend the text of each of these sections has been received and processed by the Town;

WHEREAS, the Town planning commission held a properly-noticed public hearing on March 25, 2026, to receive public comment on the proposed code changes and thereafter made a recommendation to the Alta Town Council; and

WHEREAS, the Town desires to clarify that any petition to rezone follows the same process and requirements and be located in the general provisions;

NOW THEREFORE, BE IT ORDAINED BY THE ALTA TOWN COUNCIL AS FOLLOWS:

Section 1: Amendment. Alta Town Code Sections 10-1-6, 10-6D-4 and 10-6D-8 are amended as shown in Exhibit A.

Section 2: Effective Date. This ordinance shall go into effect after publication and posting as required by Utah Code Title 10, Chapter 3

PASSED AND ADOPTED by the Town of Alta Council on this __th day of _____, 2026.

TOWN OF ALTA

By: Roger Bourke, Mayor

ATTEST:

Jen Clancy, Town Clerk

Voting:

Mayor Bourke _____

Council Member Anctil _____

Council Member Schilling _____

Council Member Morgan _____

Council Member Heimark _____

(Complete as Applicable)

Date ordinance summary was published on the Utah Public Notice Website per Utah Code §10-3-711: _____

Effective date of ordinance: _____

DRAFT

EXHIBIT A

**RETAIL SPACE
UPDATED REDLINE FOR SHALLOW SHAFT PROPOSAL**

March 5, 2026

SHALLOW SHAFT PROPOSALS (code amendment references are omitted for ease of reading)
(Code-ready once “track changes” are accepted based on the option selected.)

1. SECTION 10-1-6: PROPOSED DEFINITION ADDITION

10-1-6 DEFINITIONS

New Definition of “Compact Hotel Facility” Added (no other changes):

Compact Hotel Facility: A small lodging facility located only within 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.

DRAFT

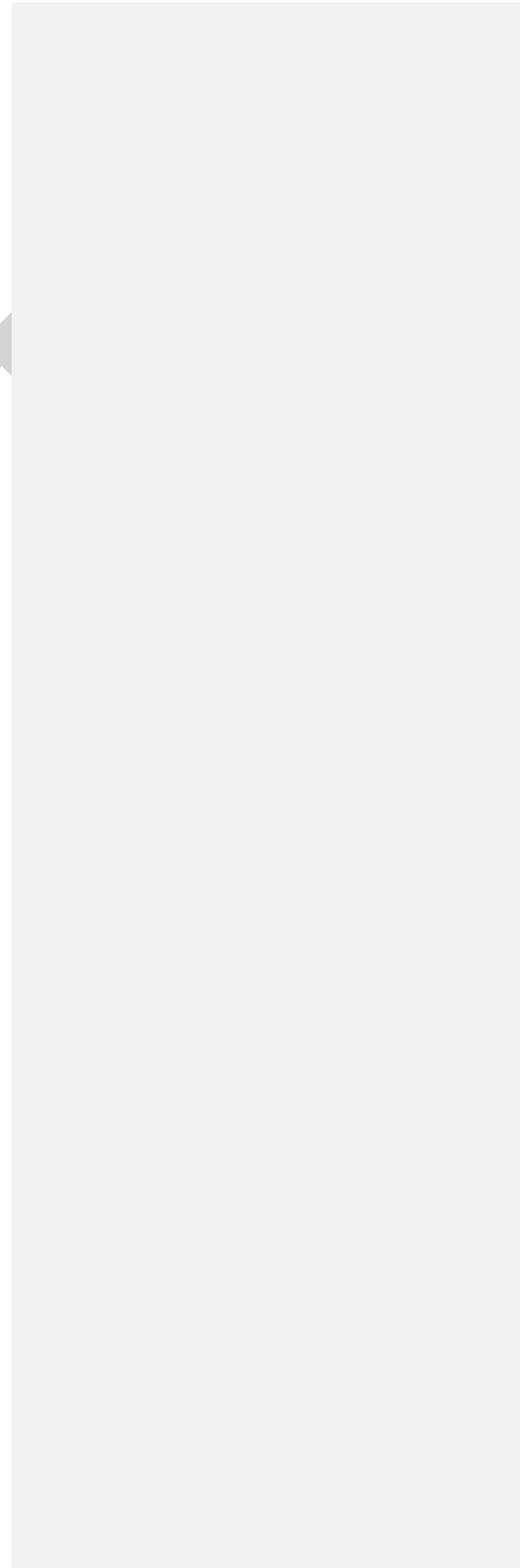


EXHIBIT A

Walter Krebsbach / Shallow Shaft Request for Rezoning and/or Zoning Code Text Amendment
March 5, 2026 – Updated Redline with Retail Space Options
Page 2 of 5

2. SECTION 10-6D-8: PROPOSED LOT AREA, LOT WIDTH, AND SLOPE REQUIREMENTS

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.*

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

2. *The slope exceeds thirty percent (30%); or*

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 shall not be deemed to modify the slope requirement in Subsection A above in any way.*

Deleted: :

Deleted: A.

Deleted: B.

Deleted: C.

DRAFT

EXHIBIT A

Walter Krebsbach / Shallow Shaft Request for Rezoning and/or Zoning Code Text Amendment
March 5, 2026 – Updated Redline with Retail Space Options
Page 3 of 5

3. SECTION 10-6D-4: PROPOSED ALTERNATIVES FOR USES

A. ALTERNATE OPTION A:

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.

DRAFT

EXHIBIT A

Walter Krebsbach / Shallow Shaft Request for Rezoning and/or Zoning Code Text Amendment
March 5, 2026 – Updated Redline with Retail Space Options
Page 4 of 5

B. ALTERNATE OPTION B:

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. 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.).

EXHIBIT A

Walter Krebsbach / Shallow Shaft Request for Rezoning and/or Zoning Code Text Amendment
March 5, 2026 – Updated Redline with Retail Space Options
Page 5 of 5

C. ALTERNATE OPTION C:

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. A Compact Hotel Facility shall 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.). Notwithstanding the foregoing, the Town Council or its delegee may waive this requirement for a retail commercial service provided such waiver is in writing.