

August 17, 2004

Minutes of the Alpine City Planning Commission meeting held August 17, 2004 at Alpine City Hall. The meeting was called to order at 7:00 pm by Chairman Jannicke Brewer. The following commission members were present and constituted a quorum:

Chairman Jannicke Brewer

Commission Members: Dale Porter, Thomas Whitchurch, Steve McArthur, Mike Mickelson, Phil Andrus. Loretta Stevens excused.

Staff: Charmayne Warnock, Shane Sorensen, Rachel McTeer, Ted Stillman

Others: Jim Tracy, Craig Broadbent, Lynn Broadbent, Blaine Hudson, Don Rogers, Marla Rogers, Margie Holmes

The prayer was offered by Dale Porter.

**PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE DEVELOPMENT CODE:**

Rachel McTeer said that the Planning Commission had been working on the amendments to the Development Code for some time. City Ordinance required a public hearing to be held on proposed changes prior to the Planning Commission sending a recommendation to the City Council.

There were no questions or comments, and Chairman Brewer closed the hearing.

**1. PUBLIC COMMENT:** None

Jannicke Brewer informed the public that the Three Falls Subdivision had been postponed to a later agenda at the request of Will Jones.

**2. CONDITIONAL USE PERMITS FOR A HOME OCCUPATION**

**CT Vending – 1360 N. Grove Drive – Chase Butterfield:** Mr. Butterfield requested a permit for his business in which he filled vending machines located in Lindon, Utah. The only thing he did at his home was make phone calls to order product.

**Shuriken Systems – 906 S. Ridge Lane – Kurt Haug:** Mr. Haug requested a permit for his internet marketing consulting business. No inventory was kept at the home.

**Bit of Memories – 490 E. Silverleaf Drive – Jeanne Swenson:** Ms. Swenson requested a permit for her business of scanning digital photos. No customers visited the home.

**MOTION:** Dale Porter moved to approve conditional permits for home occupations for Chase Butterfield dba CT Vending at 1360 N. Grove Drive, Kurt Haug dba Shuriken Systems at 906 S. Ridge Lane and Jeanne Swenson dba Bit of Memories at 490 E. Silverleaf Drive. Phil Andrus seconded. Ayes: 4 Nays: 0. Motion passed. Mike Mickelson was not present at the time of the motion.

**3. HEALEY HEIGHTS PLAT AMENDMENT (Lot 48, Plat E and Lot 78, Plat G) – DAVID BURNINGHAM:**

Rachel McTeer said David Burningham owned lot 48 in Plat E and lot 78 in Plat G of the Healey Heights Subdivision. He wanted to adjust the rear lot lines of the two adjoining lots.

The Planning Commission briefly discussed the request and found no problems with it.

**MOTION:** Dale Porter moved to recommend the approval to the City Council of the Healey Heights Plat Amendment as requested by David Burningham. Steve McArthur seconded. Ayes: 4 Nays: 0. Motion passed. Mike Mickelson was not present at the time of the motion.

**4. ALLEGHENY TRAIL – ENCROACHMENTS ON EASEMENT:** Rachel McTeer said City staff wanted input from the Planning Commission on the future of the Allegheny Trail that ran behind seven or eight homes on Allegheny Way in the South Pointe subdivision. The trail was not used and had not been maintained. Some property owners would like to see it abandoned so they could landscape all the way back to their property line. The trail was an easement only.

Rachel McTeer said that one of the issues was access to the property owned by Alpine School District which was adjacent to the trail on the south. When a school was built in the future, the trail would provide an access to the school for children on the northwest side of the school.

Thomas Whitchurch said the property owners along Allegheny had talked to him and were frustrated about the 10 ft. wide weed patch behind their houses. Ted Stillman said the City had been derelict in maintaining the trail easement, but would start taking care of it.

Jannicke Brewer said there had been a discussion a few years earlier about abandoning the trail in the back and putting a sidewalk along the front of the homes. It would require taking a section off the front yards for a sidewalk and some financial participation from the residents. The residents had said they didn't want to do that so nothing more was done by the City.

Steve McArthur said he had no objections to keeping the trail, but the City should maintain it.

Later in the meeting, Stacy Summers, a homeowner on Allegheny Way came to the meeting and said she'd understood from Thomas Whitchurch that the neighbors along Allegheny would be notified when the Planning Commission discussed the trail. She hadn't been notified.

Jannicke Brewer explained that the trail was a preliminary discussion item requested by the Planning Commission. Notification was typically done on subdivisions, but not other agenda items. She said the Planning Commission had discussed what they wanted to do with the trail. Since the Alpine School District owned property adjacent to the trail, and would likely build a school in the future, the Planning Commission felt it would be good to keep the trail because it would provide a safe walking route for children. The trail was also part of the Bonneville Shoreline Trail.

Stacy Summers said the neighbors' proposal would be to run a trail along the west side of the well house to get to the school property. She asked why there could not be a sidewalk in front of the homes. She felt it would be safer for the children so they did not have to ride their tricycles, etc. in the street.

Shane Sorensen said the City had approached the neighbors several years ago about putting a sidewalk along the front of their lots but the property owners didn't want it. Mrs. Summers said that, at the time, some residents hadn't wanted a sidewalk because they had sprinklers that would be affected. She said she and others would very much like to have a sidewalk.

In regard to the trail, Ted Stillman said the City had not maintained it in the past, but they intended to maintain it in the future.

Steve McArthur said he felt the trail and the sidewalk were two different issues. Even if there was a sidewalk, the City should keep the trail.

Jannicke Brewer suggested that the neighbors get together and bring a proposal to the City regarding a sidewalk. She told Mrs. Summers that homeowners could put a fence between their yards and the trail.

**5. DEVELOPMENT CODE RECOMMENDATION AND APPROVAL:** The Planning Commission had been working on numerous revisions to the Development Code for the past few months. A public hearing had been held prior to the meeting and there were no comments.

Board of Adjustment member Lynn Armitstead had requested the Planning Commission to consider amending Section 3.3.5.2, paragraph 1, which required that there be a distance of 12 feet between an accessory building and the rear wall and side wall of the main dwelling. If it was closer than 12 feet, it was considered part of the house and had to meet the same setback requirements as the house. The building inspector had traditionally required that accessory buildings closer than 12 feet also be connected to the house in some way such as with a common wall or common roofline.

Ted Stillman explained that the Board of Adjustment dealt with a lot of variances for accessory buildings. One of the problems they encountered was that the property owner was restricted in where he could locate an accessory building because of the requirement that it not only meet the setback requirements from rear and side property lines, but it must also meet a distance requirement of 12 feet from the side and rear walls of the home.

Mr. Armitstead was not asking the Planning Commission to reconsider the setbacks from the property lines for accessory buildings, only the distance from the home.

It was unclear what the rationale was for the 12-foot distance requirement. It had been in the ordinance for many years. One possible reason was that it insured that accessory buildings were located behind the homes rather than in the front yard. Jim Tracy suggested that perhaps it related to fire safety. Steve McArthur said that fire issues could be dealt with by requiring the buildings to meet fire code.

Jannicke Brewer asked staff to return with examples and more information about why the change should be made.

Rachel McTeer said staff recommended another change in the Development Code which would require builders to mark off the boundary between the building lot and open space/trails with temporary fencing rather than yellow tape. She said the City was having a lot of problems with builders encroaching on open space and felt a fence might be a better deterrent.

**MOTION:** Dale Porter moved to accept proposed revisions to the Alpine City Development Code including the change to Section 3.16.11.3.2 requiring temporary fencing between building lots and open space, and recommended the revised Development Code to the City Council. Steve McArthur seconded. Ayes: 5 Nays: 0. Motion passed.

**6. GEOLOGIC HAZARD ORDINANCE:** Rachel McTeer and Max Pitcher had worked on creating a Geologic Hazard Ordinance by combining the already adopted Sensitive Lands Ordinance, Hillside Protection Ordinance, Flood Plain Ordinance and Urban Wildland Interface Ordinance into one ordinance along with new material on geologic hazards. The Planning Commission reviewed the first draft of the ordinance and recommended some changes. The ordinance would then be reviewed by Gary Christensen at the State Department of Natural Resources.

Craig Skidmore suggested the City also include the hazards of radon gas in the Hazard Ordinance.

**MOTION:** Mike Mickelson moved to approved the minutes of August 6, 2004 and adjourn. Phil Andrus seconded. Ayes: 5 Nays: 0. Motion passed

The meeting was adjourned at 8:30 pm