

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, UT
January 17, 2023

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 7:00 p.m. by Chair Jane Griener. The following were present and constituted a quorum:

Chair: Jane Griener

Commission Members: John MacKay, Susan Whittenburg, Alan Macdonald, Jeff Davis, Ethan Allen, Troy Slade

Excused:

Staff: Jed Muhlestein, Ryan Robinson, Marla Fox, Heidi Jackman

Others: Attorney Craig Hall, Steve Doxey, Cedar Hills City Planning Commission members: Jared Anderson, Tyler Dahl, Bob Morgan, Steve Thomas, LoriAnne Spear, Don Dolenc

B. Prayer/Opening Comments: John MacKay

C. Pledge of Allegiance: Susan Whittenburg

II. REPORTS AND PRESENTATIONS

A. Training: Powers & Duties of the Planning Commission

Attorney Craig Hall explained that in 2021 the Utah Legislature passed HB 409 (10-9a-302 (6)(b)) which requires Planning Commissions in municipalities that meet criteria of certain populations to meet land use training requirements each year.

Steve Doxey talked about Land Use Issues. How do we get anything done with public participation? Disputes can happen during Planning Commission meetings. We have to decide if it is legislative or administrative. Land use regulation is: A legislative decision enacted by ordinance, law, code, map, resolution, specification, fee, or rule that governs the use or development of land.

The Planning Commission's role in Land Use Regulations. The Planning Commission does not make, but may be called upon to recommend, the adoption of land use regulations (legislative decision):

1. Adopting or amending zoning map;
2. Adopting or amending land use code;
3. Adopting or amending General Plan.

Land Use Decision. An administrative decision of a land use authority or appeal authority regarding a land use permit or a land use application.

1. Land use authority means "a person, board, commission, agency, or body, including the local legislative body, designated by the local legislative body to act upon a land use application."
2. Land use application means an application that is required by a municipality and is submitted by a land use applicant to obtain a land use decision.
3. Land use application does not mean "an applicant to enact, amend, or repeal a land use regulation."

Planning Commission's role in Land Use Decisions.

1. Planning Commission may make certain land use decisions but is tasked with recommending others to the City Council for decision.
2. Example of land use decisions made: Conditional use permit. Concept and preliminary subdivision plat approval.
3. Example of land use decisions recommended: Final subdivision plat approval. Extension or reconstruction of non-conforming buildings or buildings housing non-conforming uses.

Attorney Craig Hall talked about public clamor. He said if someone from the public stands up and says the city is going to kill kids if they approve a certain road or subdivision, or your decision is going to ruin the school, etc. then that is public clamor. He said you do not use public clamor to make decisions. He said the public is going to show up with all kinds of disputes of why you shouldn't approve something. They are just throwing out stuff to see if it sticks and to get you to change your mind. Craig Hall said if you have questions, you should ask the City Planner if the plan complies with the ordinances.

Craig Hall said public clamor could be people complaining about traffic, crime, losing property values, high density, or impact on schools. He said to keep people's comments to three minutes and then thank them for coming and participating. He said don't feel like you have to make comments back to each person. Resist the urge to talk with them and ask questions. Just say thank you and let them sit down. He said to respect the comments, let them be heard and then decide if it is public clamor, or if it can be applied.

Craig Hall talked about moderate income housing and said it will be a topic discussed at the Utah Legislator meetings. He said he will be meeting with Shane Sorensen to discuss what that means for Alpine.

Ryan Robinson said the Planning Commission is required to have four hours of training. Tonight's training will count, attending meetings, and then we will have two other training meetings later in the year.

III. ACTION ITEMS

A. Public Hearing: Code Amendment Section 3.07.030 #11-F to increase maximum parking requirements for automotive repair shops.

Ryan Robinson said an application has been submitted for a code text amendment to section 3.07.030 #11-F which regulates the maximum amount of parking spaces allowed for an automotive repair shop. Currently the requirement calls for no more than three (3) parking spaces provided per bay with no more than five (5) automobile bays per automotive repair shop. This would be a maximum of 15 parking spaces per shop. The request is to allow for up to eight (8) parking spaces provided per bay as well as an additional 10 spaces for employee parking, which is currently not differentiated in City Code. With the maximum number of bays remaining at five (5) this change would allow for up to 40 parking spaces as well as 10 spaces for employees for a total of 50 parking spaces for the entirety of an automotive repair shop within the City.

Community References:

Lehi Four (4) Stalls per Bay. (Minimum)

Eagle Mountain One (1) stall per 500 square feet of gross finished floor area plus two (2) stalls per bay. (Minimum)

Mapleton One (1) space per 300 square feet of gross finished floor area. (Minimum)

Bountiful Three (3) spaces for each stall for customers only (Minimum).

Brigham City Three (3) spaces for each service bay plus one (1) space for every 300 square feet of retail sales area. (Minimum)

Vineyard Three (3) spaces per service bay, plus one (1) space per 300 square feet of gross floor area excluding service bays. (Minimum)

Jane Griener opened the Public Hearing. There were no comments and Jane Griener closed the Public Hearing.

Jane Griener said the maximum number of parking spots was put in place to keep from having a large parking lot in Alpine. She said this is a big jump from three spots to eight spots. Jed Muhlestein said the automotive shop was originally approved for four bays. The owner later came in and received approval for a fifth bay. He said the only reason a limit was put on the number of parking spots, was because the Planning Commission at the time was concerned about a large car lot on Main Street.

Jane Griener said there was discussion about same day repairs vs. people leaving their cars on the lot for long periods of time.

Alan Macdonald said there is no application from J&L Automotive. He said they are just asking to change the number of parking spaces allowed per bay. He said we need to decide what kind of vehicular density we want on Main Street.

Ethan Allen said employees need somewhere to park. If they only have fifteen spots and ten of those spots are taken up by employees, then that’s a problem.

MOTION: Planning Commission member Alan Macdonald moved to recommend **DENYING** the code text amendment allowing for an increase from three parking spaces per bay to up to eight and for up to 10 additional parking spaces for employees of the automotive repair shop based on the following:

- 1 Incompatible with ordinance
- 2. Increase in odors and noise,
- 3. Impact on neighbors,
- 4. Increase of stored vehicles,
- 5. Not compatible with the Historic District.

Jeff Davis seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

- Susan Whittenburg
- Jane Griener
- John MacKay
- Alan Macdonald
- Jeff Davis
- Ethan Allen
- Troy Slade

Nays:

Excused:

B. Appointment of Planning commission Chair and Vice-Chair.

Ryan Robinson explained that Alpine City Code 2.02.030 (1) Requires that in January of each odd year the Planning Commission elect one of its members to serve as Chair and a second member to serve as Vice-Chair for a two-year term and until a successor is chosen. The Chair and in their absence the Vice-Chair is responsible to preside at all meeting of the Planning Commission. A person may be elected to serve consecutive terms as the chair.

MOTION: Planning Commission member Alan Macdonald moved to appoint Planning Commissioner (Jane Griener) as Chairperson and Planning Commissioner (Alan Macdonald) as Vice-Chair for a two-year term and until a successor is appointed.

Susan Whittenburg seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

Susan Whittenburg
John MacKay
Alan Macdonald
Ethan Allen
Jeff Davis
Jane Griener
Troy Slade

Nays:

Excused:

IV. COMMUNICATIONS

V. APPROVAL OF PLANNING COMMISSION MINUTES: January 3, 2023

MOTION: Planning Commissioner Susan Whittenburg moved to approve the minutes for January 3, 2023, as written.

Ethan Allen seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed unanimously.

Ayes:

Jane Griener
Susan Whittenburg
John MacKay
Alan Macdonald
Jeff Davis
Ethan Allen
Troy Slade

Nays:

Excused:

MOTION: Planning Commissioner Ethan Allen moved to adjourn the meeting.

Troy Slade seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed unanimously.

Ayes:

Jane Griener
Susan Whittenburg
John MacKay
Alan Macdonald
Jeff Davis
Ethan Allen
Troy Slade

Nays:

Excused:

The meeting was adjourned at 7:48 p.m.