

**ALPINE CITY PLANNING COMMISSION MEETING**  
**Alpine City Hall, 20 North Main, Alpine, UT**  
**February 21, 2023**

**I. GENERAL BUSINESS**

**A. Welcome and Roll Call:** The meeting was called to order at 6:00 p.m. by Co-Chair Alan Macdonald. The following were present and constituted a quorum:

Chair: Co-Chair Alan Macdonald

Commission Members: Susan Whittenburg, Ethan Allen, Troy Slade, Jeff Davis

Excused: Jane Griener, John Mackay

Staff: Ryan Robinson, Marla Fox, Heidi Jackman, Don Quigley

Others:

**B. Prayer/Opening Comments:** Alan Macdonald

**C. Pledge of Allegiance:** Ethan Allen

**II. REPORTS AND PRESENTATIONS**

**A. None**

**III. ACTION ITEMS**

**A. Public Hearing: Edits to Title 3.23 regulating conditional uses in relation to the designated land use authority, standards for review, shooting gallery standards, the approval process, and general language revisions.**

Ryan Robinson said City staff recently reviewed title 3.23 of the Alpine City development code. The following recommendations are made to clean up various sections of the code and make this section easier to understand/apply. He said this is a Legislative action so a motion needs to be sent to the City Council. He said the League of Cities and towns encourages us to try and remove conditional uses as much as we can. He said because this is a Legislative decision, they can get approved or denied more leniently. They need to have some conditions imposed to make them more in harmony with the zone they are in. The fruit stand would be a good example because it's a use we want in the area, but because of its nature, we want to be able to apply some conditions.

Ryan Robinson said we have added a conditional uses table so you can see all the conditional uses we have. Jeff Davis asked if these were tied to a zone and Ryan Robinson said yes, they are zone specific. He said there is sections that states what the purpose of the zone is, and what the permitted uses are and conditional. He said as we go through these, if there is something you don't think we need or like in that zone, let's talk about removing it, or if something is missing, we can add it.

The proposed changes include the following:

1. **3.23.030 Conditions Use Standards of review.** Clarifies the designated land use authority will issue a conditional use permit if standards as found in this section that mirrors language found in Utah State Code 10-9a-507 regulating conditional uses can be proposed, or can *be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.* Adds additional review language that can be used to apply conditions to a designated CUP use during the review process

2. **3.23.060 Review Conditions and Criteria for Certain Conditional Uses.** Adds a section adding further regulations to Shooting galleries. Currently, Shooting Galleries are allowed as a conditional use in the TR-10,000. CR-20,000. CR-40,000, CE-5, and CE-50 zones.
  
3. **3.23.070** Adds a new section outlining the approval process of a Conditional Use Permit and adds a table designating the land use authority for all the CUP's currently found throughout the various zones in the city.

Ryan Robinson said we added the designated Land Use Authority instead of the City Administrator to make it easier. He said there are parts in the code that states the Planning Commission is the Land Use Authority and other parts where it doesn't say anything, so this will clean it up and be more in compliance with State Code.

Ryan Robinson said any general use criteria that comes before the Land Use Authority; it could be Planning Commission, City Council, or staff review, this states an applicant has to demonstrate the following standards are met and are in the application. He said with any condition you impose on a Conditional Use Permit; those standards have to be tied somewhere to the code. This makes it so we can't just make up standards out of thin air, they have to be tied to something in the code.

Ryan Robinson said limitations on hours of operation, methods of operation, building height and size, and signage has been added and an applicant has to demonstrate that they meet these standards. He said Conditional Use applications have to come before Planning Commission. Shooting Galleries were added to this section, so all the conditional uses were in one place, and they would have to go to City Council as well. Ryan Robinson said we should change that section to say all approved shooting galleries.

Ryan Robinson said Land Use language from the State Code was added so we could use the correct process for conditional uses. He said the final draft will be given to the Attorney for review.

The Planning Commission had a discussion about the different types of conditional uses. Ryan Robinson said he will add another section about the different zones.

### **Noticing**

Notice has been properly issued in the manner outlined in City and State Code. A public hearing will be held tonight, February 21<sup>st</sup>, 2023, as part of this Planning Commission meeting.

Alan Macdonald opened the Public Hearing. There were no comments and Alan Macdonald closed the Public Hearing.

**MOTION:** Planning Commission member Ethan Allen moved to recommend approval of the proposed code text amendment changing the language in Section 3.23 regulating procedures and uses in regard to conditional uses including the designated land use authority, standards for review, shooting gallery standards, and the approval process with the following conditions:

1. Additional language for written approval or denial;
2. Text changes as discussed by the Planning Commission.

Jeff Davis seconded the motion. There were 5 Ayes and 0 Nays (recorded below). The motion passed.

**Ayes:**

Susan Whittenburg  
Jeff Davis  
Ethan Allen  
Troy Slade  
Alan Macdonald

**Nays:**

**Excused:**

Jane Griener  
John MacKay

**IV. COMMUNICATIONS**

Troy Slade asked about the antique store in the residential zone. Ryan Robinson said they are working with the owner to come into compliance or close the shop. The sign was removed a couple of days ago.

Jeff Davis asked if there was any update on the new gym on Main Street. There were no updates.

Alan Macdonald said power was off for several hours on Sunday and he said he would have appreciated some notice.

**V. APPROVAL OF PLANNING COMMISSION MINUTES: February 7, 2023**

**MOTION:** Planning Commissioner Susan Whittenburg moved to approve the minutes for February 7, 2023, as written.

Troy Slade seconded the motion. There were 5 Ayes and 0 Nays (recorded below). The motion passed unanimously.

**Ayes:**

Susan Whittenburg  
Jeff Davis  
Ethan Allen  
Troy Slade  
Alan Macdonald

**Nays:**

**Excused:**

Jane Griener  
John MacKay

**MOTION:** Planning Commissioner Jeff Davis moved to adjourn the meeting.

Ethan Allen seconded the motion. There were 5 Ayes and 0 Nays (recorded below). The motion passed unanimously.

**Ayes:**

Susan Whittenburg  
Ethan Allen  
Troy Slade  
Jeff Davis  
Alan Macdonald

**Nays:**

**Excused:**

Jane Griener  
John MacKay

The meeting was adjourned at 6:47 p.m.