# ALPINE CITY PLANNING COMMISSION MEETING

**NOTICE** is hereby given that the **PLANNING COMMISSION** of Alpine City, Utah will hold a **Public Meeting** on **Tuesday, September 20, 2022, at 7:00 pm at City Hall, 20 North Main Street, Alpine, Utah.**

The public may attend the meeting in person or view the meeting via the **Alpine City YouTube Channel**. A direct link to the channel can be found on the home page of the Alpine City website: **alpinecity.org**

**I. GENERAL BUSINESS**

A. Welcome and Roll Call: Jane Griener
B. Prayer/Opening Comments: Alan MacDonald
C. Pledge of Allegiance: Susan Whittenburg

**II. PUBLIC COMMENT**

Any person wishing to comment on any item not on the agenda may address the Planning Commission. Comments may be given in person at the meeting.

**III. REPORTS AND PRESENTATIONS**

**A. None**

**IV. ACTION/DISCUSSION ITEMS**

**A. Public Hearing – Public Noticing on Setbacks**
**B. Public Hearing – Update Lambert Park Trail System – Lower Trail Proposal**
**C. Moderate Income Housing Element**
**D. Alpine View Estates Plat D – 325 N Chatfield Circle**
**E. Beck Pines Plat E – 617 W Campfire Cir / 675 W Westfield Rd - Boundary Line Adjustment**

**V. COMMUNICATIONS**

**VI. APPROVAL OF PLANNING COMMISSION MINUTES: August 2, 2022, and August 16, 2022**

**ADJOURN**

Chair Jane Griener
September 16, 2022

**THE PUBLIC IS INVITED TO ATTEND ALL PLANNING COMMISSION MEETINGS.** If you need a special accommodation to participate in the meeting, please call the City Recorder's Office at 801-756-6347 ext. 5.

CERTIFICATION OF POSTING. The undersigned duly appointed recorder does hereby certify that the above agenda notice was posted at Alpine City Hall, 20 North Main, Alpine, UT. It was also sent by e-mail to The Daily Herald located in Provo, UT a local newspaper circulated in Alpine, UT. This agenda is also available on the City's web site at www.alpinecity.org and on the Utah Public Meeting Notices website at www.utah.gov/pmn/index.html.

# PUBLIC MEETING AND PUBLIC HEARING ETIQUETTE

**Please remember all public meetings and public hearings are now recorded.**

- All comments **must** be recognized by the Chairperson and addressed through the microphone.
- When speaking to the Planning Commission, please stand, speak slowly and clearly into the microphone, and state your name and address for the recorded record.
- Be respectful to others and refrain from disruptions during the meeting. Please refrain from conversation with others in the audience as the microphones are very sensitive and can pick up whispers in the back of the room.
- Keep comments constructive and not disruptive.
- Avoid verbal approval or dissatisfaction of the ongoing discussion (i.e., booing or applauding).
- Exhibits (photos, petitions, etc.) given to the City become the property of the City.
- Please silence all cellular phones, beepers, pagers or other noise making devices.
- Be considerate of others who wish to speak by limiting your comments to a reasonable length, and avoiding repetition of what has already been said. Individuals may be limited to two minutes and group representatives may be limited to five minutes.
- Refrain from congregating near the doors or in the lobby area outside the council room to talk as it can be very noisy and disruptive. If you must carry on conversation in this area, please be as quiet as possible. (The doors must remain open during a public meeting/hearing.)

**Public Hearing vs. Public Meeting**

If the meeting is a **public hearing**, the public may participate during that time and may present opinions and evidence for the issue for which the hearing is being held. In a public hearing there may be some restrictions on participation such as time limits.

Anyone can observe a **public meeting**, but there is no right to speak or be heard there - the public participates in presenting opinions and evidence at the pleasure of the body conducting the meeting.

# ALPINE PLANNING COMMISSION AGENDA

**SUBJECT:** **Public Hearing – Ordinance 2022-26, Public Notice Required for Setback Requests**

**FOR CONSIDERATION ON:** **20 September 2022**

**PETITIONER:** **Staff**

**ACTION REQUESTED BY PETITIONER:** **Review and recommend approval of Ordinance 2022-26**

**BACKGROUND INFORMATION:**

In Planned Residential Developments the City Council, upon recommendation of the Planning Commission, can approve different setbacks for a development/lot. Until the recently, this had not been done. With recent setback modification requests, it has come to our attention that requiring a public notice prior to adjusting setbacks would be a good thing. The current ordinance does not require public noticing for a setback request. The proposal is to require public noticing for such requests.

**STAFF RECOMMENDATION:**

Review and approve Ordinance 2022-26.

**SAMPLE MOTION TO APPROVE:**
I move to recommend approval of Ordinance 2022-26 as proposed (or with the following changes):

- ***Insert Finding***

**ALPINE CITY**
**ORDINANCE 2022-26**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 3.09.060 OF THE ALPINE CITY DEVELOPMENT CODE PERTAINING TO PUBLIC NOTICING FOR SETBACK MODIFICATIONS**

**WHEREAS,** The Planning Commission held a public hearing on September 20, 2022, regarding proposed amendments to Article 3.09.060 of the Alpine City Development Code; and

**WHEREAS,** on September 20, 2022, the Planning Commission recommended approval of proposed amendments to Article 3.09.060 of the Alpine City Development Code; and

**WHEREAS,** on September 27, 2022, the Alpine City Council has deemed it in the best interest of Alpine City to amend Article 3.09.060 of the Alpine City Development Code; and

**WHEREAS,** the Alpine City Planning Commission has reviewed the proposed amendments to Article 3.09.060 of the Alpine City Development Code, held a public hearing, and has forwarded a recommendation to the City Council; and

**WHEREAS,** the Alpine City Council has reviewed the proposed amendments to Article 3.09.060 of the Alpine City Development Code:

**NOW THEREFORE,** be it ordained by the Council of Alpine City, in the State of Utah, as follows:The amendments to Article 3.09.060 of the Alpine City Development Code will supersede Article 3.09.060 of the Alpine City Development Code as previously adopted. This ordinance shall take effect upon posting.

**SECTION 1:** **AMENDMENT** "3.09.060 Dwelling Clusters; Lot Size; Buildable Area; Setback" of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.09.060 Dwelling Clusters; Lot Size; Buildable Area; Setback

1. All lots shall be located within a designated Dwelling Cluster. A project may contain more than one Dwelling Cluster. Each cluster shall contain not less than three (3) separate lots (except for developments having fewer than 3 lots for the entire development). Where a project contains land located within and outside the Sensitive Lands Overlay Zone, Dwelling Clusters will be located outside of the Sensitive Lands

Overlay Zone, to the maximum extent possible. No portion of lots within a PRD shall be located on lands which are required to be designated as open space.

2. (Ord. 97-23: 9/24/97) The size of each individual lot shall conform to the following:

**Minimum Lot Size**

| Zone District | Minimum Lot Size |
|---|---|
| CR-20,000 | 10,000 square feet* |
| CR-40,000 | 20,000 square feet* |
| CE-5 | 20,000 square feet* |
| CE-50 | N/A |

* Each zoning lot shall contain a minimum area outside the mapped 100 year flood plain areas and any storm water detention or retention basins that is equal to the minimum lot size.

3. (Ord 97-02, 2/25/97). Each individual lot shall contain at least one Designated Buildable Area of not less than five-thousand (5,000) square feet. All dwellings and other habitable structures and accessory buildings shall be located within the Designated Buildable Area.
    a. Each Designated Buildable Area shall conform to the criteria for qualification as a "buildable area" as defined in this ordinance. Except that the Planning Commission may approve or require the placement of the Designated Buildable Area in a location within the lot which does not conform to one or more of the criteria for buildable area, upon a finding that the proposed Designated Buildable Area:
        i. will more adequately accommodate subsequent development of the lot,
        ii. will not constitute a potential hazard to life or property, and
        iii. will serve to diminish the negative impact of subsequent development upon the lot or community (i.e. extraordinary construction of driveway access, mitigate visual intrusion of structure on ridge line).
    b. The location of each Designated Buildable Area shall be designated upon the preliminary plan and shall also be identified and described on the final recorded plat, together with a notation to the effect that all main and accessory buildings shall be located within the Designated Buildable Area. Where a Designated Buildable Area is shown on a lot, the boundary of said area shall constitute the Designated Setback envelope applicable to the lot. Where an entire lot area qualifies as a Buildable Area no designation on the final plat shall be required.
    c. Except as permitted pursuant to Part 3,a, any portion of a lot which has been graded to produce a percent of slope to qualify under the Buildable Area criteria shall be excluded from consideration as part of the Designated

Buildable Area.

d. The Designated Buildable Area may be amended by the City Planner and City Engineer as long as the minimum setback requirements of the underlying zone are met. (Ord. 2004-13, 9/28/04)

4. Each dwelling in the project shall be setback from the property line in accordance with the setback lines as shown on the approved plat (Designated Setback Envelope). The Designated Setback Envelope shall be established in accordance with the following (setbacks are measured from the property line to the nearest foundation):
    a. Front Yard. The minimum front yard setback shall be thirty (30) feet.
    b. Side Yard - Corner Lots. On corner lots, the side that faces onto a public street shall be not less than thirty (30) feet.
    c. Side Yard – Interior Lots. The minimum side yard setbacks for interior lots shall be an aggregate of thirty (30) feet with no less than twelve (12) feet on a side.
    d. Rear Yard. The minimum rear yard setback shall be thirty (30) feet.

    Subject to the ~~prior~~ recommendation of the Planning Commission, the City Council may approve an exception to the Designated Setback Envelope standards above for one or more lots within a PRD project, upon a finding that such exception is appropriate for the proper development of the lot and that the exception will not result in the establishment of a hazardous condition. Public noticing requirements per section 2.04 shall be followed.

    Where no designated building envelope is provided, the setbacks shall be the same as the minimum requirements within the underlying zone.
5. The maximum height of any dwelling or other main building shall be thirty-four (34) feet, as determined in accordance with the provisions of DCA 3.21.080, (Ord. 96-15, 12/18/96) except in the CE-50 zone the height shall not exceed 25 feet. (See DCA 3.06.070 Part 1)

(Ord. No. 95-04, 2/28/95; Amended Ord. No. 95-28, 11/28/95; Ord No. 2001-10, 4/10/01; Ord. No. 2004-13, 9/28/04; Ord. No. 2011-04, 01/11/11; Ord. No. 2012-10, 12/11/12; Ord. No. 2014-14, 09/09/14; Ord. No. 2015-11, 07/28/15)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL
_____.

| | **AYE** | **NAY** | **ABSENT** | **ABSTAIN** |
|---|---|---|---|---|
| Lon Lott | _____ | _____ | _____ | _____ |
| Gregory Gordon | _____ | _____ | _____ | _____ |
| Jason Thelin | _____ | _____ | _____ | _____ |
| Jessica Smuin | _____ | _____ | _____ | _____ |
| Kelli Law | _____ | _____ | _____ | _____ |

Presiding Officer

Attest

_____
Carla Merrill, Mayor, Alpine City

_____
Bonnie Cooper, City Recorder Alpine City

**ALPINE CITY**
**ORDINANCE 2022-26**

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PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL
_____.

| | **AYE** | **NAY** | **ABSENT** | **ABSTAIN** |
|---|---|---|---|---|
| Lon Lott | _____ | _____ | _____ | _____ |
| Gregory Gordon | _____ | _____ | _____ | _____ |
| Jason Thelin | _____ | _____ | _____ | _____ |
| Jessica Smuin | _____ | _____ | _____ | _____ |
| Kelli Law | _____ | _____ | _____ | _____ |

Presiding Officer

Attest

_____
Carla Merrill, Mayor, Alpine City

_____
Bonnie Cooper, City Recorder Alpine City

# ALPINE PLANNING COMMISSION AGENDA

**SUBJECT: Public Hearing – Trail Master Plan Update – Lambert Park**

**FOR CONSIDERATION ON: 20 September 2022**

**PETITIONER: Trail Committee**

**ACTION REQUESTED BY PETITIONER: Approve changes to the trail system in the south end of Lambert Park.**

**BACKGROUND INFORMATION:**
The trail committee is proposing changes to the trail system in the south end of Lambert Park, the area just east of the lower parking lot. Earlier this year the City Council approved changes that altered many of the trails in this south-eastern area of the park. These new trails are almost complete. In recent weeks funds have been secured to build "beginner flow trails." These proposed beginner flow trails are meant for smaller children and youth, something the park currently does not have. The proposed trails are shown in purple and light purple on the attached drawing. The proposed changes are primarily to improve sustainability of the trail system, create better trails for all users of the park, and to design trails in such a way to discourage shooting activity on forest land. These beginner flow trails would further that purpose.

**STAFF RECOMMENDATION:**
Hold a public hearing and make a recommendation to the City Council.

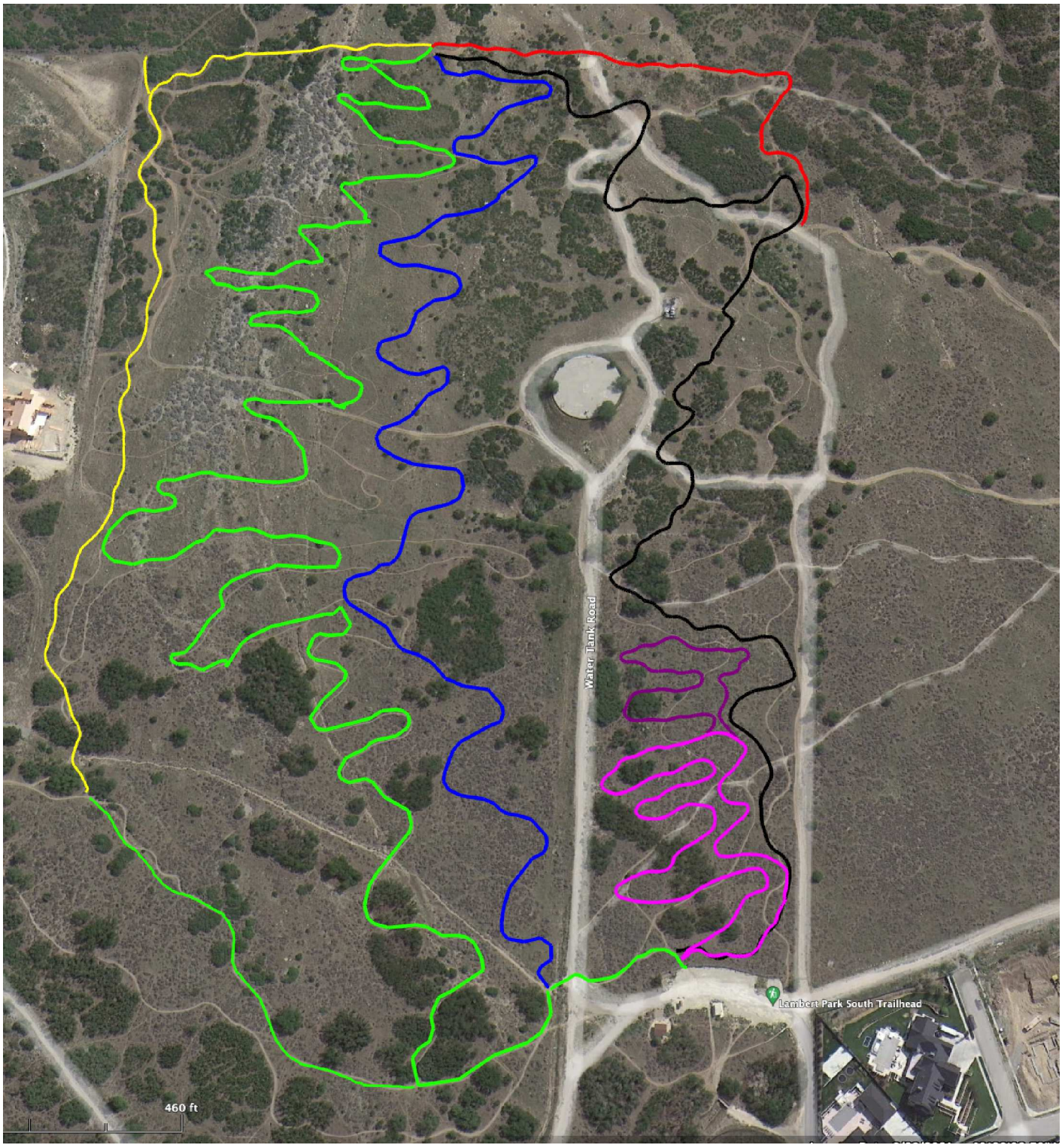
**SAMPLE MOTION TO APPROVE:**
I move to recommend that the trail master plan update for Lambert Park be adopted as proposed.

**SAMPLE MOTION TO APPROVE WITH CONDITIONS:**
I move to recommend that the trail master plan update for Lambert Park be adopted with the following conditions:

- ***Insert Finding***

**SAMPLE MOTION TO TABLE/DENY:**
I move to recommend that the trail master plan update for Lambert Park be tabled (or denied) based on the following:

- ***Insert Finding***




EXISTING APPROVED TRAILS

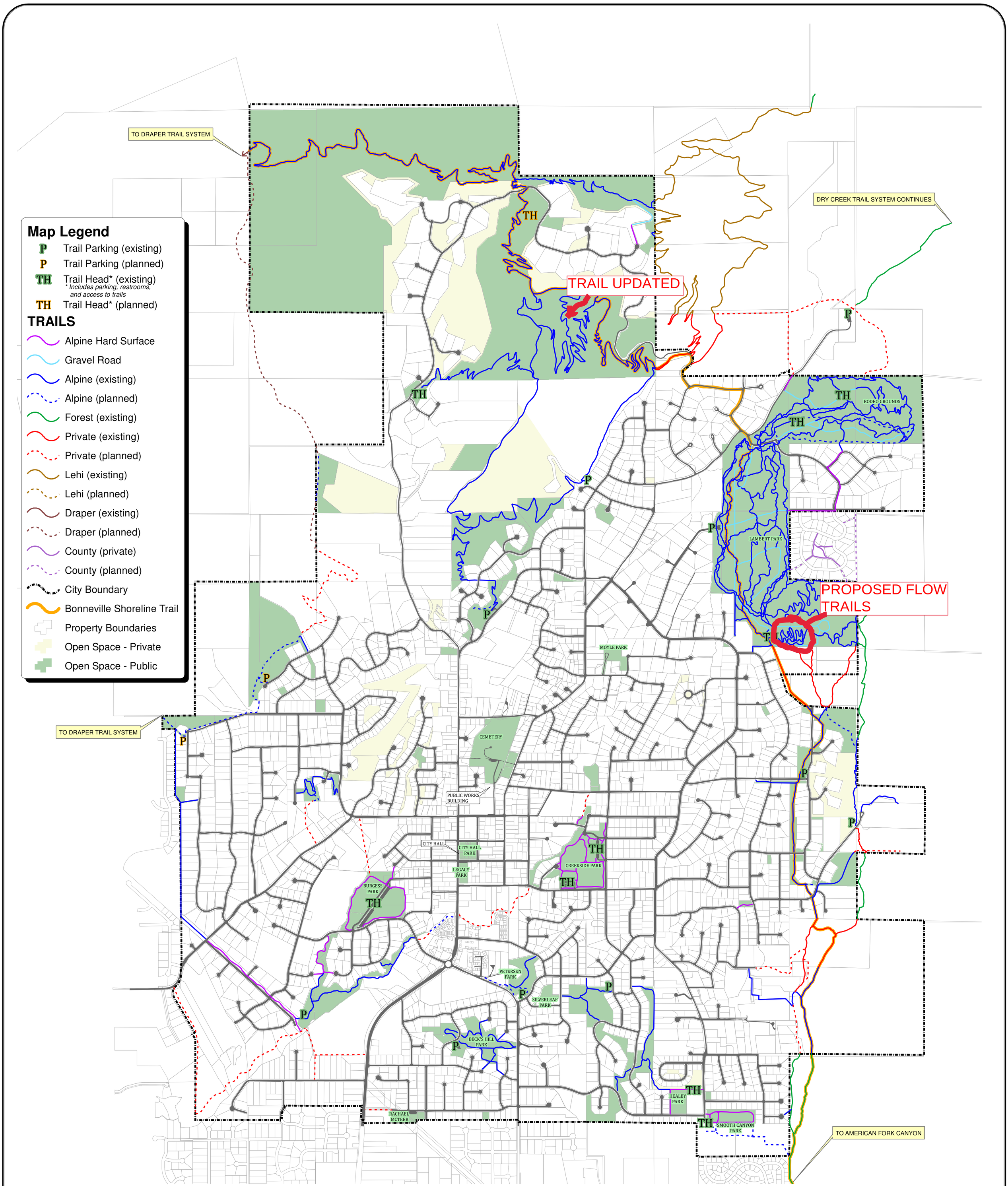
Yellow - Hiking Only
Green - Multiuse, multie direction
Blue - Blue Skill Level Flow Trail
Black - Black Skill Level Flow Trail
Red - Double Black Skill Level Jump Line

PROPOSED TRAILS

Purple/Light Purple - Youth Flow Trails

N

ALPINE
1850




** ALL PLANNED TRAILS ARE SHOWN AS A POINT "A" TO "B" ALIGNMENT. AT TIME OF DEVELOPMENT PLANNED TRAILS WILL NEED TO BE ENGINEERED AND FLAGGED FOR APPROVAL **

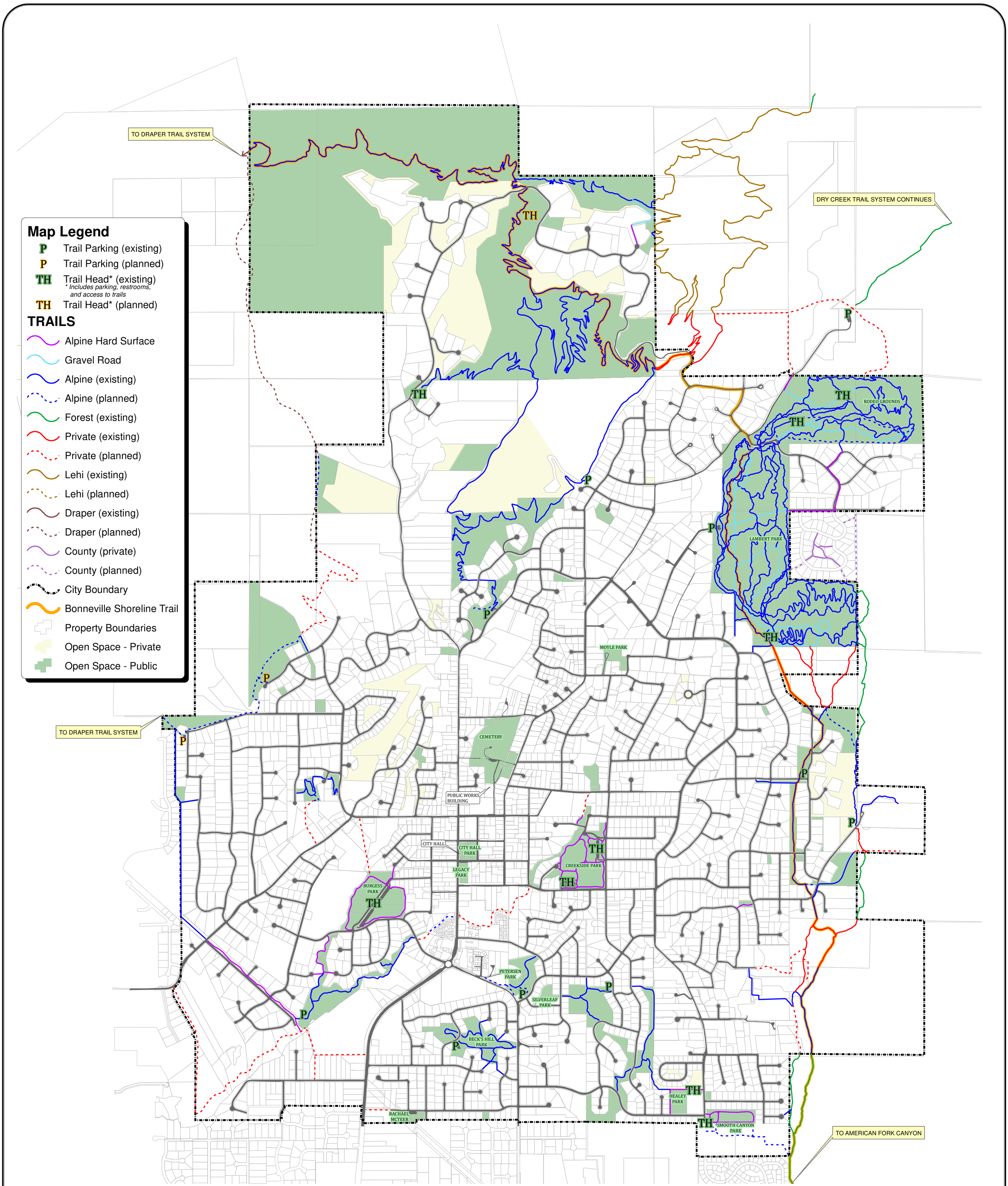
ALPINE
1850

# Trail Master Plan

0 0.125 0.25 0.5 0.75 1 Miles

N
W E
S

PROPOSED 9/20/2022




** ALL PLANNED TRAILS ARE SHOWN AS A POINT "A" TO "B" ALIGNMENT. AT TIME OF DEVELOPMENT PLANNED TRAILS WILL NEED TO BE ENGINEERED AND FLAGGED FOR APPROVAL **

# ALPINE PLANNING COMMISSION AGENDA

**SUBJECT:** **Moderate Income Housing Element**

**FOR CONSIDERATION ON:** **20 September 2022**

**PETITIONER:** **Staff**

**ACTION REQUESTED BY PETITIONER:** **Review and discuss the Moderate Income Housing Element of the General Plan.**

**BACKGROUND INFORMATION:**

In the 2022 legislative session, House Bill 462 passed and with it new requirements for Moderate Income Housing throughout the state. Based on these new requirements Alpine City needs to update the Moderate Income Housing Element of the General Plan. The update should include amendments to any of the strategies that my have changed due to HB462 and include a new "Implementation Plan" as part of the General Plan or Moderate Income Housing Element. Also, each municipality is required to submit a Moderate Income Housing Report Form by **October 1, 2022**.

Per 2019 Senate Bill 34, Alpine City implemented three strategies as part of the Moderate Income Housing Element of the General Plan.

> *E. Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones.*
>
> *K. Preserve existing moderate income housing.*
>
> *X. Any other program or strategy implemented by the municipality to address the housing needs of residents of the county/municipality who earn less than 80% of the area median income.*

In 2022, House Bill 462 amended those requirements as follows:

> *E. Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.*
>
> *L.* Reduce, waive, or eliminate impact fees related to moderate income housing
>
> ~~*L*~~*K. Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund.*
>
> ~~*W*~~*X. Demonstrate implementation of any other program or strategy* ~~*implemented by the municipality*~~ *to address the housing needs of residents of the county/municipality who earn less than 80% of the area median income, including the dedication of a local*

*funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing.*

Alpine City needs to consider these new changes and create a new implementation plan. A new implementation plan was discussed during a work session of the September 13, 2022 City Council meeting. The City Council felt the plan was the direction the City wanted to move towards and would fit the legal requirements. This plan is now being sent through the approval process for review and recommendation, which must be approved prior to October 1, 2022.

**STAFF RECOMMENDATION:**

Review and discuss the Moderate Income Housing Element of the General Plan.

**SAMPLE MOTION TO APPROVE:**
I move to recommend that the Moderate Income Housing Element of the General Plan be approved as proposed (or with the following changes):

- ***Insert Finding***

| | 2009 American Community Survey | 2017 American Community Survey | Annual Growth Rate (Slope) | 2024 Projection | Difference between 2017 and 2024 |
|---|---|---|---|---|---|
| Median HOUSEHOLD income (ACS Table B19019) | $0 | $67,042 | $4,950 | $108,972 | $ 41,930 |

Source 1: U.S. Census Bureau. Table B19019: Median household income that past 12 months by household size. American

# GOAL

Promote moderate income housing that meets the needs of those desiring to live in Alpine.

# POLICIES

1.1 Allow accessory apartments within owner-occupied dwellings throughout the City

1.2 Allow senior housing units to be built in more dense clusters to reduce costs of living.

1.3 Preserve existing moderate income housing.

1.4 Provide a mortgage assistance program for employees of the municipality or of an employer that provides contracted services to the municipality.

2019

| | 2009 American Community Survey | 2017 American Community Survey | Annual Growth Rate (Slope) | 2024 Projection | Difference between 2017 and 2024 |
|---|---|---|---|---|---|
| Median HOUSEHOLD income (ACS Table B19019) | $0 | $67,042 | $4,950 | $108,972 | $ 41,930 |

Source 1: U.S. Census Bureau. Table B19019: Median household income that past 12 months by household size. American

## GOAL

Promote moderate income housing based on State guidelines.

## POLICIES

1.1 Allow accessory apartments within owner-occupied dwellings throughout the City

1.2 Allow senior housing units to be built in more dense clusters in the Senior Housing Overlay to reduce the cost of living.

1.3 Preserve existing moderate income housing.

2020

# MODERATE INCOME HOUSING

## PURPOSE

The Moderate Income Housing Element is intended to accomplish the following:

- Comply with Utah State Code;
- Summarize Alpine City's population, income levels, and housing values;
- Discuss constraints and opportunities for the provision of moderate income housing; and
- Identify goals and policies to address Alpine City housing needs.

## DEFINITION

Moderate income housing is defined by the state as *"housing occupied or reserved for occupancy by households with a gross household income equal to or less than eighty percent (80%) of the median income for households of the same size in the county in which the city is located"(Utah Code 10-9a Part 1).*

For the purposes of this element, this definition is further refined to include the following income categories:

A. Moderate Income: 51% – 80% of the county median income
B. Low Income: 31% - 50% of the county median income
C. Very Low: 30% or less of the county median income

## STATE LAW AND LOCAL PLANNING

Utah Municipal Code Chapter 10-9a-403-B-iii requires each city to: 1) provide an estimate of the need for the development of additional moderate income housing within the city, and 2) to provide a plan to provide a realistic opportunity to meet estimated needs for additional moderate income housing if long-term projections for land use and development occur.
State law requires each city to:

- Consider the Legislature's determination that cities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing;
- Meet the needs of people desiring to live there; and
- Allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life.

# CURRENT AND FUTURE PROJECTIONS

**POPULATION ESTIMATE**

According to the U.S. Census Bureau, the population estimate for Alpine City in 2017 was 10,197 with a projected annual rate of growth of 117. Projected population for 2024 is 11,004.

| | 2009 American Community Survey | 2017 American Community Survey | Annual Growth Rate (Slope) | 2024 Projection | Difference between 2017 and 2024 |
|---|---|---|---|---|---|
| Total Population: (ACS Table B01003) | 9,651 | 10,197 | 117 | 11,004 | 807 |
| Total Population in occupied housing units (ACS Table B25008) | 9,651 | 10,197 | 117 | 11,004 | 807 |
| Total Population in owner-occupied housing (ACS Table B25008) | 8,695 | 8,780 | 63 | 9,014 | 234 |
| Total Population in renter-occupied housing (ACS Table B25008) | 956 | 1,417 | 54 | 1,990 | 573 |

Source 1: U.S. Census Bureau. Table B01003: Total population. American Community Survey.

Source 2: U.S. Census Bureau. Table B25008: Total population in occupied housing units by tenure. American Community Survey.

**TOTAL HOUSEHOLD UNITS**

Over the next 5 years the U.S. Census Bureau projects the ratio of renter-occupied structures to owner occupied structures to increase at approximately 40 units per year:

| | 2009 American Community Survey | 2017 American Community Survey | Annual Growth Rate (Slope) | 2024 Projection | Difference between 2017 and 2024 |
|---|---|---|---|---|---|
| TOTAL HOUSING UNITS (ACS Table B25001) | 2,499 | 2,770 | 40 | 3,098 | 328 |

Source 1: U.S. Census Bureau. Table B25001: Total housing units. American Community Survey.

Source 2: U.S. Census Bureau. Table B25032: Tenure by units in structure. American Community Survey.

## EXISTING MODERATE INCOME HOUSING

Alpine City's existing moderate income housing is a mix of twin homes, apartments, accessory apartments, duplexes, fourplexes, and cottages (senior housing). According to City records, as of November 2020, there are 270 moderate income housing units in Alpine.

## HOUSEHOLD SIZE

Household size, unlike population, is projected to drop in the next 5 years. A possible indicator of an aging population.

| | 2009 American Community Survey | 2017 American Community Survey | 2024 Projection |
|---|---|---|---|
| Average Household Size (ACS Table B25010) | 4.3 | 3.87 | 3.54 |

Source 1: U.S. Census Bureau. Table B25010: Average household size of occupied housing units by tenure. American Community Survey

## ALPINE CITY MEDIAN HOUSHOLD INCOME

Median household income is projected to decrease over the next 5 years, which may be related to the projected decrease in household size.

| | 2009 American Community Survey | 2017 American Community Survey | Annual Growth Rate (Slope) | 2024 Projection | Difference between 2017 and 2024 |
|---|---|---|---|---|---|
| Median household income (ACS Table B25119) | $104,436 | $112,727 | $73 | $101,542 | $ (11,185) |
| Owner-occupied income (ACS Table B25119) | $111,071 | $124,240 | $522 | $120,816 | $ (3,424) |
| Renter-occupied income (ACS Table B25119) | $38,304 | $54,375 | $1,002 | $50,627 | $ (3,748) |

Source 1: U.S. Census Bureau. Table B25119: Median household income that past 12 months by tenure. American Community Survey

## UTAH COUNTY AREA MEDIAN INCOME

According to the U.S. Census Bureau American Community Survey, the Utah County area median income is projected to increase significantly over the next 5 years from $67,042 in 2017 to $108,972 in 2024, a difference of over $41,000. If this projection is accurate, it would indicate that the median income gap between Alpine City and Utah County will close over the next 5 years.

| | 2009 American Community Survey | 2017 American Community Survey | Annual Growth Rate (Slope) | 2024 Projection | Difference between 2017 and 2024 |
|---|---|---|---|---|---|
| Median HOUSEHOLD income (ACS Table B19019) | $0 | $67,042 | $4,950 | $108,972 | $ 41,930 |

Source 1: U.S. Census Bureau. Table B19019: Median household income that past 12 months by household size. American Community Survey

# GOAL

Promote moderate income housing based on State guidelines.

# POLICIES AND IMPLEMENTATION

1 **Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.**

Goal: Allow accessory apartments within owner-occupied dwellings throughout the City.

Key tasks: Identify regulations related to accessory dwelling units (ADUs).

Implementation plan: The City will permit internal accessory dwelling unit in all zones of the City. Internal accessory dwelling units will be required to be registered with the City for tracking purposes. In 2023, the city will update their registry of accessory dwelling units for future study.

2 **Preserve existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund.**

Goal: Preserve existing moderate-income housing.

Key tasks: Reach out to property owners of MIH and establish relationships. Identify and draft a landlord incentive program.

Implementation plan: The City will register and track existing and new moderate-income housing. The City will provide specific incentives to landlords and track incentives over time. This landlord incentive program will be studied and detailed further, with expected completion by July 2023.

3 **Reduce, waive, or eliminate impact fees related to moderate income housing**

Goal: Reduce financial stressors/barriers related to moderate income housing units.

Key tasks: Identify impact fees that can be reduced or waived. Identify funds that can be used to reduce impact fees for moderate income housing.

Implementation plan: Starting in 2023 city staff will prepare a recommendation to the city council for reducing impact fees related to moderate-income housing. The council will review city staff recommendations for reducing impact fees and consider the reductions for adoption. The city will track, as a benchmark, the impact reduction in impact fees will have on helping to create moderate-income housing in Alpine.

# ALPINE CITY COUNCIL AGENDA

**SUBJECT: Plat Amendment – Alpine View Estates Plat D**

**FOR CONSIDERATION ON: 20 September 2022**

**PETITIONER: Ed Gifford representing Morgan Brown**

**ACTION REQUESTED BY PETITIONER: Approve the Plat Amendment**

**BACKGROUND INFORMATION:**

On June 7, 2022, Morgan Brown's boundary line adjustment request was reviewed by the Planning Commission (located at 325 N. Chatfield Circle). The proposal was to exchange 7,067 square feet of Morgan Brown's property to the south for 7,067 Square Feet of City open space to the west. The boundary line adjustment would be done via plat amendment since Alpine View Estates is a recorded subdivision. The Planning Commission recommended that the proposal be denied due to concerns brought forth by the owners of Lot 11, adjacent to this lot. Mr. Brown talked with the owners of Lot 11 and brought multiple options for review on August 2, 2022. The Planning Commission again reviewed the proposals and recommended denial after hearing from both the applicant and owners of Lot 11 (who opposed the proposals).

One of the concerns brought forth by the owners of Lot 11 is that Lot 12 received approval of a setback change without their knowledge; after their foundation hole was dug. The Lot 11 owners expressed that their lot has already been negatively impacted by that approval and to further adjust Lot 12 would impact their lot even more. The owner of Lot 12 feels his latest proposal will not adversely affect Lot 11's views any more than they currently are. If a vote of approval is considered, setbacks need to be part of the discussion.

The proposal was seen by the City Council August 23rd where a different option was presented. The City Council felt the different proposal should be seen by the Planning Commission before taking a vote.

The Trail Committee held a public meeting August 25th and recommended denial of the proposal for reason of protecting the oak brush between the city trail and currently existing property boundary.

The proposal seeks to exchange City open space for private property. Changes to open space require a **super majority vote of approval** from the City Council (ADC 3.16.040).

Per Utah Code 10-9a-609, plat amendments may be approved by the City Council, as the land use authority, if they find that:

a) "there is good cause for the vacation or amendment; and"
b) "no public street or municipal utility easement has been vacated or amended."

**STAFF RECOMMENDATION:**
Review and consider approval of the plat amendment as proposed.

**SAMPLE MOTION TO APPROVE**
I move to recommend approval of the Alpine View Estates Plat D with the following conditions:

- The petitioner work with the City to resolve the Title on the property prior to recording;
- ***INSERT FINDING***

**SAMPLE MOTION TO DENY**
I move to recommend that Alpine View Estates Plat D be denied based on the following:

- The owners of Lot 11 have expressed concern that any change would negatively impact their property;
- Any one of the proposals would include oak brush that is currently on City Open Space, which could be eliminated by the owner of Lot 12. The oak brush is currently acting as a buffer between a city trail and private property;
- ***INSERT FINDING***

**ALPINE CITY**
**STAFF REPORT**
JULY 2022

**To:** Alpine City Planning Commission & City Council
Business Date: August 2, 2022

**From:** Staff

**Prepared By:** Austin Roy, City Planner
Planning & Zoning Department

Jed Muhlestein, City Engineer
Engineering & Public Works Department

**Re:** **Alpine View Estates Plat D – Plat Amendment (AMENDED 8/17/22)**

| | |
|---|---|
| Applicant: | Ed Gifford, representing Morgan Brown. |
| Project Location: | 325 N. Chatfield Circle. |
| Zoning: | CR-40,000 Zone. |
| Acreage: | Approximately 0.877 Acres. |
| Lot Size: | 1 lot, 38,183 Square Feet. |
| Request: | Recommend approval of the plat amendment. |

## SUMMARY

On June 7, 2022, Morgan Brown's boundary line adjustment request was reviewed by the Planning Commission (located at 325 N. Chatfield Circle). The proposal was to exchange 7,067 Square Feet of Morgan Browns property to the south for 7,067 Square Feet of City open space to the west. The boundary line adjustment would be done via plat amendment since Alpine View Estates is a recorded subdivision. The Planning Commission recommended that the proposal be denied and suggested that Morgan Brown try and negotiate a compromise with the owners of Lot 11 who had raised concerns about the proposal.

Mr. Brown is now returning to the Planning Commission after having spoken with the owners of Lot 11. Mr. Brown has adjusted his proposal and would like to seek a new recommendation on the new proposal from the Planning Commission.

Per Utah Code 10-9a-609, plat amendments may be approved by the City Council, as the land use authority, if they find that:

a) "there is good cause for the vacation or amendment; and"

b) "no public street or municipal utility easement has been vacated or amended."

## BACKGROUND

From the applicant:

> *Morgan is proposing to exchange property with the Alpine City Corporation. Morgan desires to make Lot 12, Alpine View Estates Subdivision have a better building depth from Chatfield Circle... The southern portion of Lot 12, Alpine View Subdivision would go to the City for an equal area of a portion of Alpine City Corporation ... A new subdivision plat would need to be created, approved, and recorded. Morgan and the City would need to work out the details of the title.*

## ANALYSIS

*General Plan*

The proposed plat amendment seeks to adjust boundaries within an approved Alpine View Estates Subdivision. The proposal would not substantially change the plat and the subdivision appears to be compatible with the City's General Plan. No streets, utilities, or trails, would be impacted by the proposed plat amendment.

*Location*

Alpine View Estates is a PRD located in the CR-40,000 zone. Minimum lot sizes are 20,000 square feet. The proposal would not change the final total square footage of the lot or open space. The proposed boundary adjustment that would be part of the plat amendment would be a like for like exchange of square footage.

*Frontage & Setbacks*

The lot meets the City's frontage requirements. No changes would be made to the lots frontage. May 4, 2021, the Planning Commission granted approval for the southerly property lines of lots 12 and 13 to be designated at the rear property lines. By doing so, the west and east property lines of lots 12 and 13 respectively, would now be designated a side yard property line; meaning they could have a minimum of a 12-foot side-yard setback. The motion read as follows:

> *"Commission Member Ed Bush moved to recommend that an exception be granted for a 30-foot south side setback be approved for Lot 12 and 13 of Alpine View Estates as requested by the applicant. Ethan Allen seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed."*

**The City Council needs to listen to both arguments for or against the proposal and make a decision regarding setbacks if any proposal or change of property line is approved.**

*Use*

Single-unit detached dwellings, which is the proposed use for lots as shown on the plat amendment, are a permitted use in the zone. The applicant has not proposed any other uses.

*Street System*

The proposed plat amendment does not impact the approved street system that was approved with the original Alpine View Estates Final Plat.

*Trails*
The City has visited the site and checked the proposed boundary location. The existing approved trails system in City open space will not be affected by the boundary adjustment however, there is currently oak brush located between the private property of Lot 12 and the city trails, which acts as a visual buffer. If a property line adjustment is approved, the oak brush would be on private property and subject to removal, removing the buffer between a city trail and private property that the oak brush currently provides.

## REVIEWS

PLANNING AND ZONING DEPARTMENT REVIEW
The analysis section in the body of this report serves as the Planning and Zoning Department review.

ENGINEERING AND PUBLIC WORKS DEPARTMENT REVIEW
*Streets*
The proposed plat amendment does not impact the approved street system that was approved with the original Alpine View Estates Final Plat.

*Traffic Impact Study*
Traffic was addressed at the approval of the Alpine View Estates subdivision final plat. Proposal does not impact traffic.

*Culinary and Pressurized Irrigation*
No comments. Approved previously with the Alpine View Estates subdivision final plat.

*Sewer and Storm Drain*
No comments. Approved previously with the Alpine View Estates subdivision final plat.

*Other*
Title details need to be worked out between the City and the petitioner prior to recording.

NOTICING
Notice has been properly issued in the manner outlined in City and State Code

## STAFF RECOMMENDATION
Review and consider approval of the plat amendment as proposed.

Findings for a Positive Motion:

A. Lots comply with area, minimum frontage, use, and slope requirements for the CR-40,000 zone.
B. No changes are made to streets, water, or sewer systems.
C. Trail system will NOT be impacted by new boundary lines.

Findings for Negative Motion:

A. The owners of Lot 11 have expressed concern that any change would negatively impact their property;
B. Any one of the proposals would include oak brush that is currently on City Open Space, which could be eliminated by the owner of Lot 12. The oak brush is currently acting as a buffer between a city trail and private property.

## MODEL MOTIONS

### SAMPLE MOTION TO APPROVE

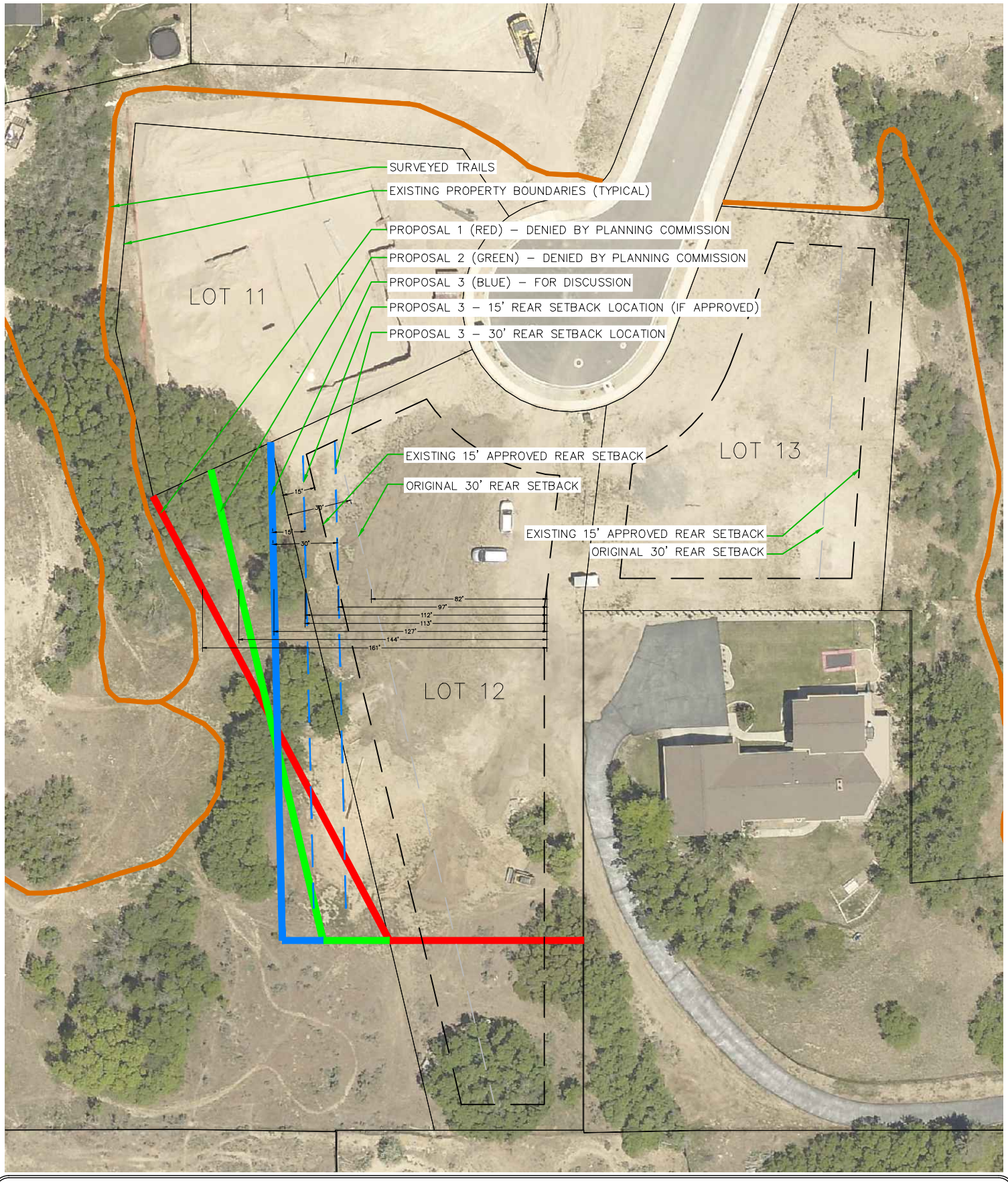
I move to recommend approval of the Alpine View Estates Plat D with the following conditions:

- The petitioner work with the City to resolve the Title on the property prior to recording;
- ***INSERT FINDING***

### SAMPLE MOTION TO DENY

I move to recommend that Alpine View Estates Plat D be denied based on the following:

- The owners of Lot 11 have expressed concern that any change would negatively impact their property;
- Any one of the proposals would include oak brush that is currently on City Open Space, which could be eliminated by the owner of Lot 12. The oak brush is currently acting as a buffer between a city trail and private property;
- ***INSERT FINDING***



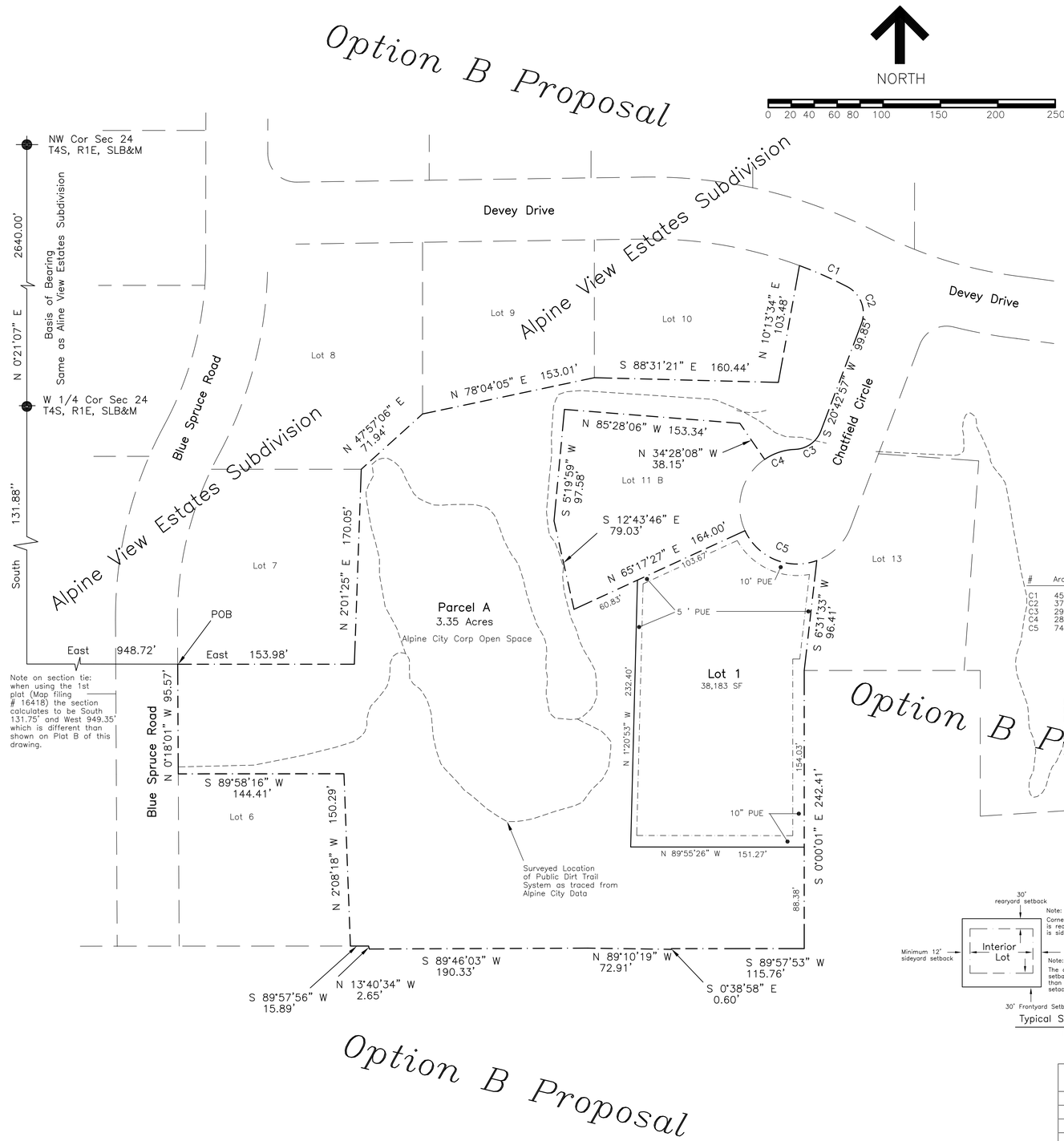

SCALE: 1"=60' (8.5x11)

ALPINE 1850

# ALPINE ESTATES PLAT D
## A Proposed Boundary Line Adjustment

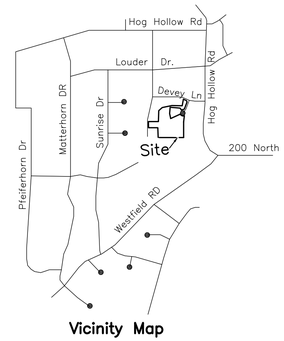
## HISTORY OF PROPOSALS - EXHIBIT

Option B Proposal




Option B Proposal

Option B Proposal

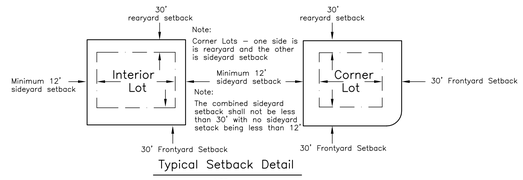



Vicinity Map

### Notes:

1. Parcel A is Public Open Space
   The entire area of Parcel A is subject to having a PUE and DE upon all the parcel
2. PUE is Public Utility Easement
3. DE is Drainage Easement

| # | Arc | Chord Bears | | Delta | Radius |
|---|---|---|---|---|---|
| C1 | 45.51' | S 66°12'11" E | 45.48' | 6°59'25" | 373.00' |
| C2 | 37.86' | S 20°59'46" W | 34.60' | 83°25'25" | 26.00' |
| C3 | 29.34' | S 54°20'32" W | 27.69' | 67°15'10" | 25.00' |
| C4 | 28.31' | S 71°45'07" W | 27.93' | 32°26'29" | 50.00' |
| C5 | 74.49' | S 67°23'27" E | 67.79' | 85°21'48" | 50.00' |




Typical Setback Detail

NTS

## Address Table

| Lot | Address |
|---|---|
| 1 | 325 N Chatfield Circle |

## Surveyor's Certificate

I, K. Edward Gifford, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate No. 162675 as prescribed under the laws of the State of Utah. I further certify by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into Lots, Blocks, Streets, and Easements and the same has been correctly surveyed and staked on the ground as shown on this plat and that this plat is true and correct.

## Boundary Description:

Commencing at the Southwest Corner of Lot 7 of Alpine View Estates Sub., said point beginning located South 131.88' and East 948.72' as shown on Plat B, Alpine View Estates; thence along Plat B, Alpine View Estates Subdivision Sub. as follows: East 153.98', N 2°01'25" E 170.05', N 47°57'06" E 71.94', N 78°04'05" E 153.01', S 88°31'21" E 160.44', N 10°13'34" E 103.48'; thence along a Alpine Public Street as follows: 45.51' along the arc of a 373.00' radius curve to the right (chord bears S 66°12'11" E 45.48', central angle equals 6°59'25"), 37.86' along the arc of a 26.00' radius curve to the right (chord bears S 20°59'46" E 34.60', central angle equals 83°25'25"), S 20°42'57" W 99.85', 29.35' along the arc of a 25.00' radius curve to the right (chord bears S 50°20'32" W 27.69', central angle equals 67°15'10"), 28.31' along the arc of a 50.00 radius curve to the left (chord bears S 71°45'07" W 27.93', central angle equals 32°26'29"); thence along Lot 11, Plat B, Alpine View Estates Subdivision as follows: N 34°28'08" W 38.15', N 85°28'06" W 153.34', S 5°19'59" W 97.58', S 12°43'46" E 79.03', N 65°17'27" E 164.00' to Chatfield Circle (Public Street); thence along said street 74.49' along the arc of a 50.00' radius curve to the left, (chord bears S 67°23'27" E 67.79', central angle equals 85°21'48"); thence along the westerly boundary of Lot 13, Alpine View Estates Subdivision S 6°31'33" W 96.41'; thence along the boundary of Alpine View Estates Subdivision as follows: S 0°00'01" E 242.41', S 89°57'53" W 115.76', S 0°38'58" E 0.60', N 89°10'19" W 72.91', S 89°46'03" W 190.33', N 13°40'34" W 2.65', S 89°57'56" W 15.89'; thence along Lot 6, Alpine View Estates Subdvision as follows: N 2°08'18" W 150.29', S 89°58'16" W 144.41'; thence along the east boundary of Blue Spruce Road (Public Street) N 0°18'01" W 95.57' to the point of beginning.

Area = 4.2305 acres

K. Edward Gifford _____ Date _____

## Owner's Dedication

Know all men by these presents that we, all of the undersigned Owners of all of the property described in the Surveyor's Certificate hereon and shown on this map, have caused the same to be subdivided into Lots, Blocks, Streets and Easements and do hereby dedicate the Streets and other Public Areas as indicated hereon for the perpetual use of the Public.

In witness hereof we have hereunto set our hands this _____ day of _____, A.D. 202__

## Acknowledgement

State of Utah )
) S.S.
County of Utah )

On this ___ Day of _____, A.D. 202 _ Personally appeared before me the signers of the foregoing dedication who duly acknowledge to me that they did execute the same.

My Commission Expires _____

A Notary Public Commissioned in Utah

Notary Address

Printed Full name of Notary

## Acceptance by Legislative Body

The _____ of _____, County of Utah, approves this subdivision and hereby accpets the dedication of all Streets, Easements, and other Parcels of Land intented for Public Purposes for the perpetual use of the Public this _____ Day _____, A.D. 202__

Approved _____ Attest _____

Engineer (See Seal Below)

Clerk–Recorder (See Seal Below)

## Planning Commission Approval

Approved this _____ Day of _____, A.D. 202__, by the Alpine City Planning Commission

Director–Secretary

Chairman, Planning Commission

## Approval as to Form

Approved as to Form this____ Day of _____, A.D. 202____

City Attorney _____

Plat "D"

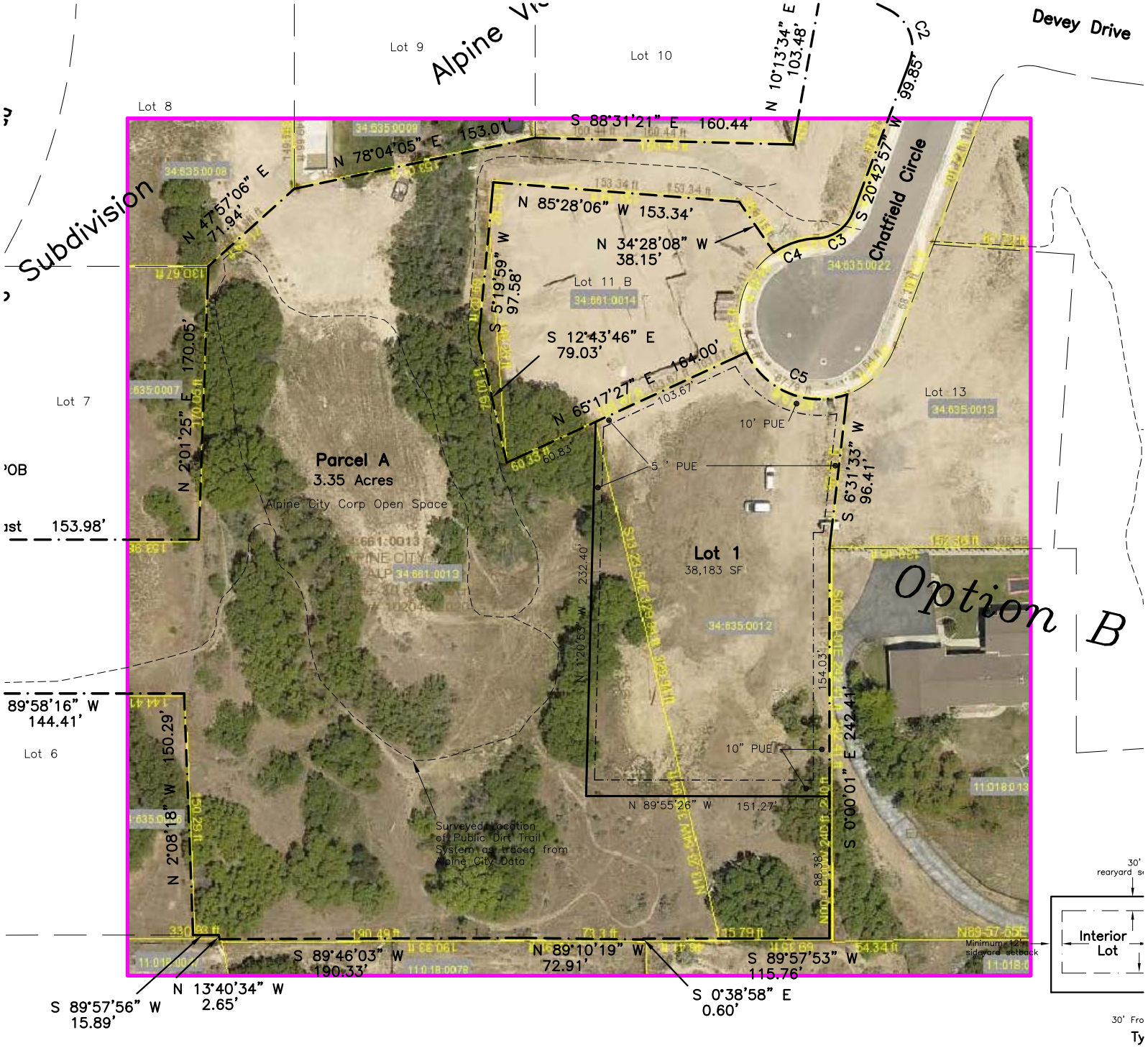
# Alpine View Estates

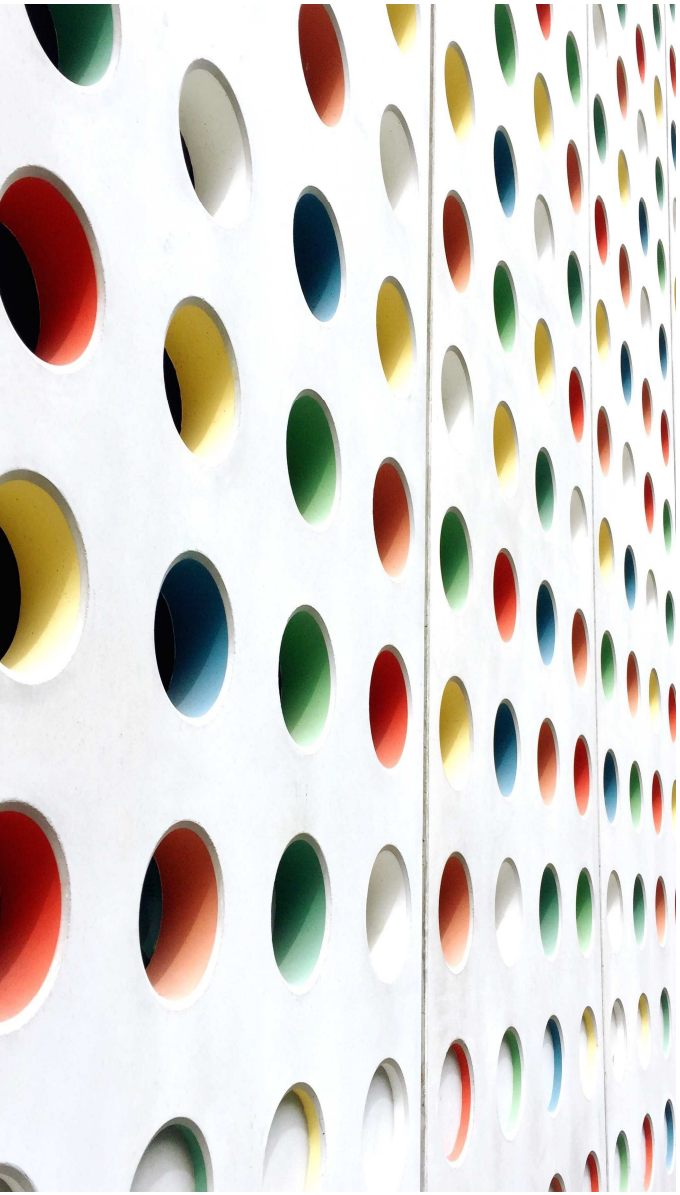
Includes vacating Lot 12, Alpine View Estates Subdivision
Includes vacating Parcel A, Alpine View Estates, Plat B
and the PUE and DE easemnts on said Lot and Parcel

SUBDIVISION

ALPINE, SCALE 1" = 50' UTAH COUNTY, UTAH

| Surveyor's Seal | Notary Public Seal | City Engineers Seal | Clerk–Recorder Seal |
|---|---|---|---|
| | | | |


Devey Drive
Alpine Vi
Subdivision
Lot 8
Lot 9
Lot 10
Lot 7
Lot 6
Lot 13
Lot 11 B
Chatfield Circle
S 88°31'21" E 160.44'
N 10°13'34" E 103.48'
C2
99.85'
N 78°04'05" E 153.01'
N 47°57'06" E 71.94'
N 85°28'06" W 153.34'
N 34°28'08" W 38.15'
C4
C3
S 20°42'57" W
S 5°19'59" W 97.58'
S 12°43'46" E 79.03'
N 65°17'27" E 164.00'
103.67'
C5
10' PUE
5' PUE
S 6°31'33" W 96.41'
N 2°01'25" E 170.05'
153.98'
Parcel A
3.35 Acres
Alpine City Corp Open Space
Lot 1
38,183 SF
232.40'
N 1°20'53" W
154.03'
S 0°00'01" E 242.41'
10" PUE
N 89°55'26" W 151.27'
Option B
89°58'16" W 144.41'
N 2°08'18" W 150.29'
Surveyed Location of Public Dirt Trail System as traced from Alpine City Data
S 89°46'03" W 190.33'
N 89°10'19" W 72.91'
S 89°57'53" W 115.76'
S 89°57'56" W 15.89'
N 13°40'34" W 2.65'
S 0°38'58" E 0.60'
Interior Lot
Minimum 12' sideyard setback
30' rearyard
Option B Proposal

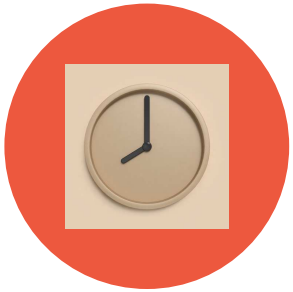


# 325 N. Chatfield Circle

## Proposed Plat Adjustment

MORGAN AND TRISH BROWN

# Background

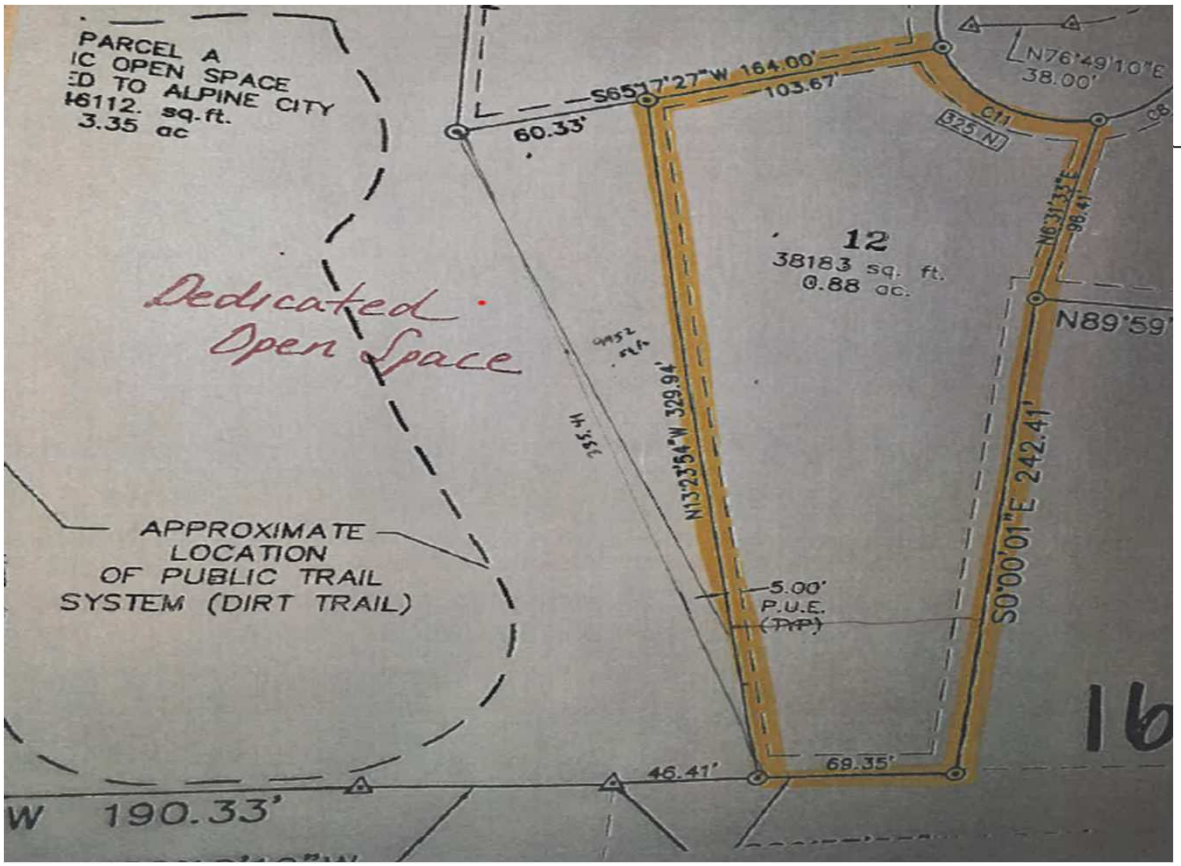


MEET WITH THE CITY COUNCIL ON AUGUST 23RD

ASKED US TO COME BACK TO THE PLANNING COMMISSION AND HAVE OFFICIAL VOTE ON CURRENT PROPOSAL

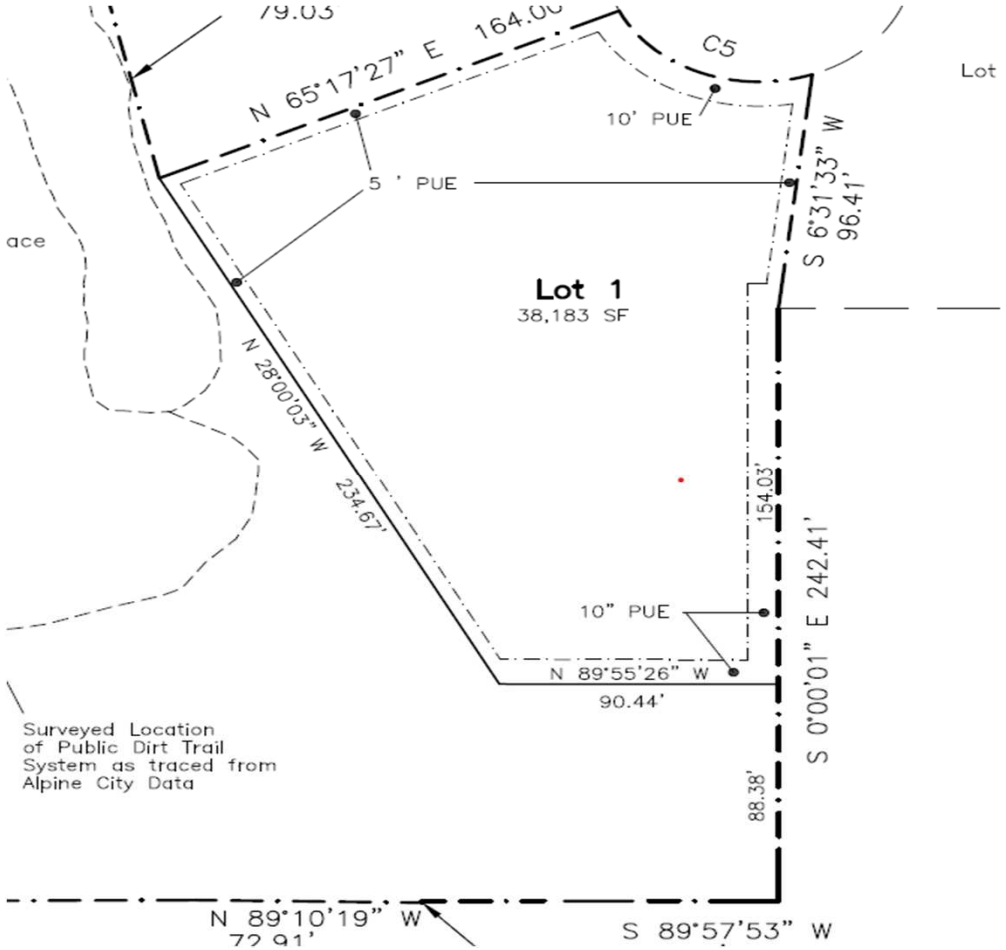
BELIEVE THIS PROPOSAL REPRESENTS A WIN-WIN FOR ALL PARTIES

# Current Boundaries and Goal of Adjustment



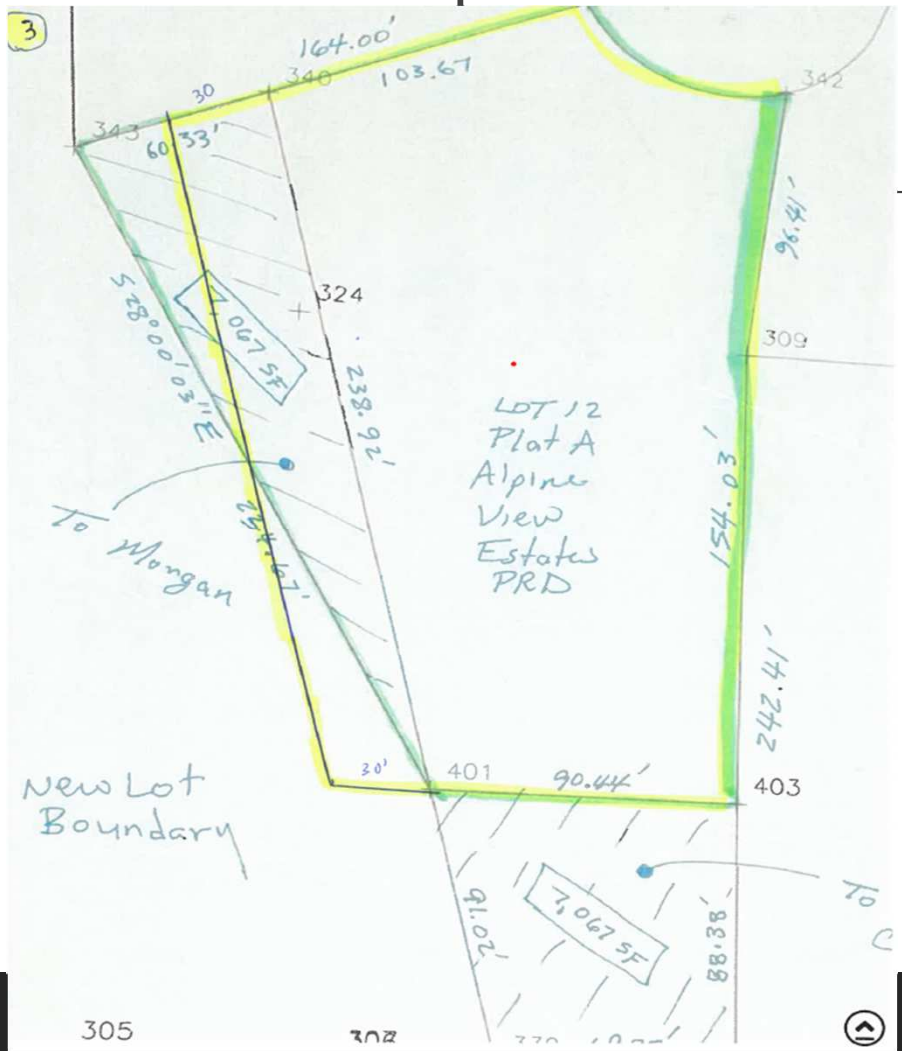

- Current boundaries are very narrow
  - Accommodates City's open space requirement
  - Access to potential property to south of Alpine View Subdivision
  - NW corner boundary does not line up with Lot 11
- We have no interest in future development
- Prefer to have a wider buildable plot, consistent with the angle of the street
  - Swap like sq footage on current lot with open space
  - Don't want to impact the current trial system in the open space to the west

# Original Proposal to Planning Commission



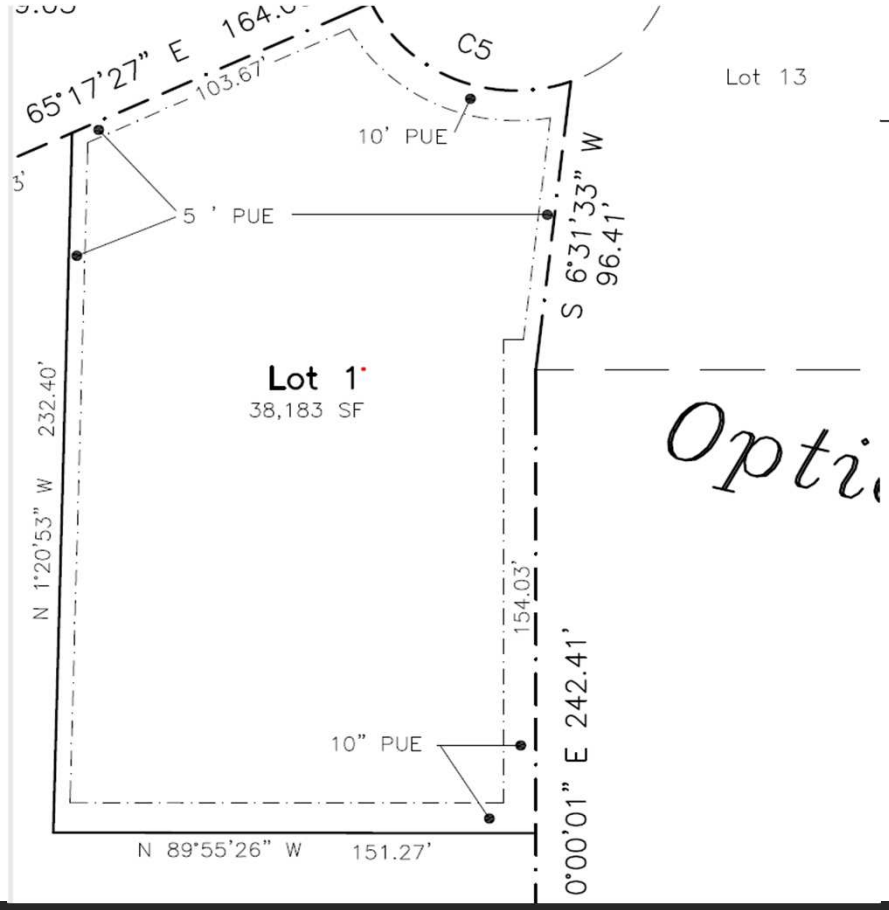

- Based on conversations with City Planner didn't think the proposal would be controversial
- Lot 11 neighbors made an argument around losing "view corridor"
- Planning commission encouraged parties to compromise and come back
- No impact on current open space trial system
- Ultimately denied by Planning Commission

# Second Proposal to Planning Commission



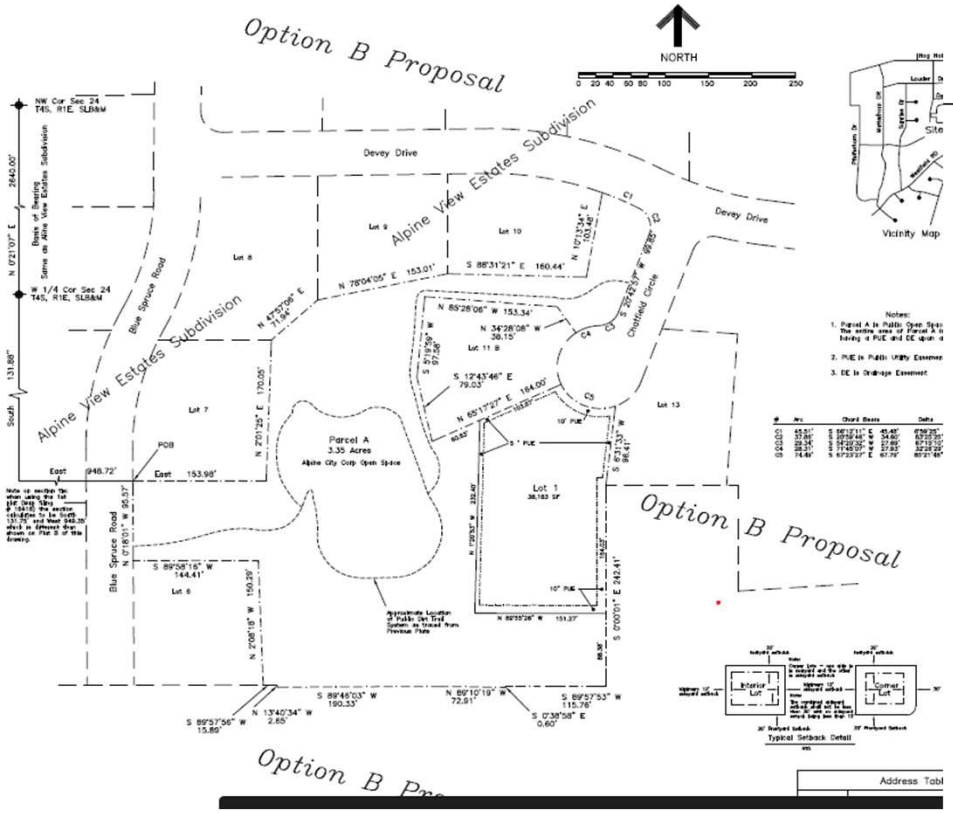

- Compromised on the ask of northwest boundary by ½ (Move from 60' on the northwest corner of Lot 12 to 30')
- Asked that the lost 30' to be added to the back of the property (southwest corner)
  - Same sq footage swap with Alpine City
- No impact on current trail system
- Ultimately denied by Planning Commission

# Current Proposal– Win/Win For All Effected Parties



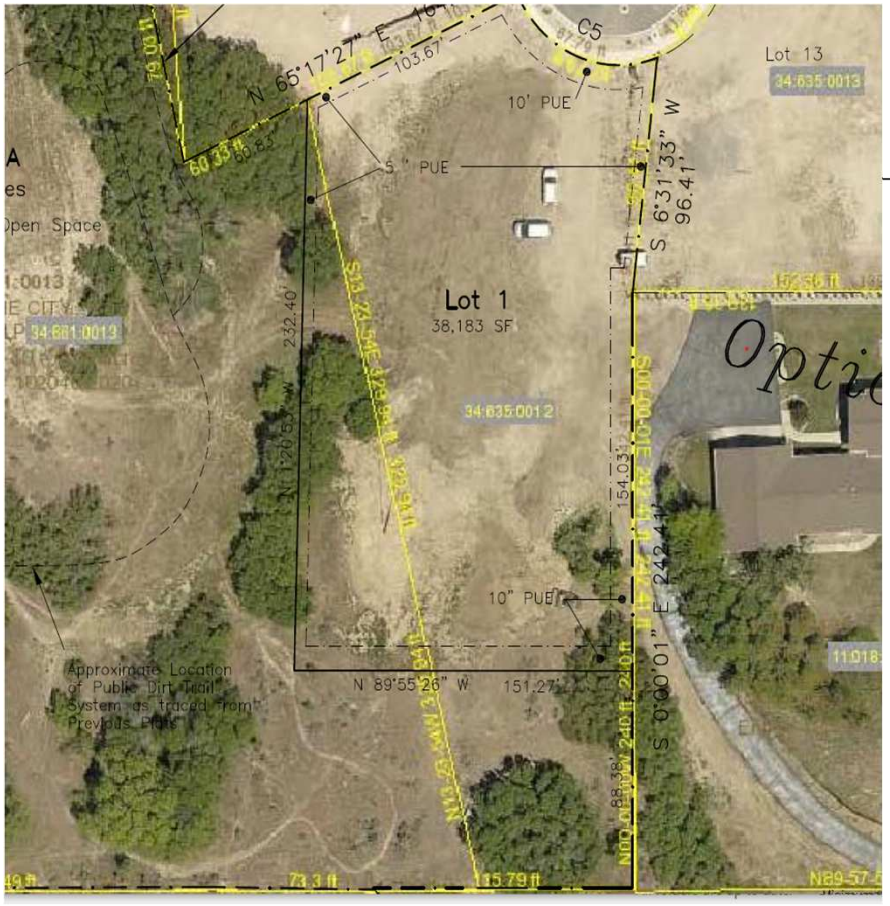

- Leave the northwest corner boundary <u>exactly</u> where it currently exists (no impact on Lot 11)
- Extends the southwest boundary by 60' into open space
- Same land swap with Alpine City as original and second proposal
- No impact on current trial system including maintaining existing tree border to open space trials
  - Addresses concern of trail system manager

# Current Proposal– Plat View




- Alpine City has shown a willingness to modify plat boundaries in this subdivision for the benefit of its citizens including for Lot 11 (neighbors to the north)
  - Original Alpine View Estates subdivision was recorded on 1-8-2019
  - On 7-17-2000 the open space boundaries were adjusted on Lot 11 to benefit the owner of Lot 11 (Plat B) - open space swap
  - Finally, on 2-10-2021 Alpine City allowed Lots 18 & 19 to be combined into one lot for the benefit of the lot owner (Plat C)

# Current Proposal– Aerial View




- Maintains open space in the northwest corner of Lot 12 which protects the "view corridor" of Lot 11 – concern of Lot 11 owner
- Maintains the "tree buffer" between the trials in the open space and Lot 12 – concern of Alpine Trial Mgr
- Swap of open space does no harm to Alpine City, rather it provides a benefit to Alpine City:
  - Provides an elevated view platform at south end of open space
  - Maintains trees on south of open space

# Summary

- Believe we have tried to compromise in our "ask" and meet Lot 11 demands as well as Open Space trail system demands
  - Have reached out to Lot 11 owners on this proposal but won't return emails or texts
  - Have discussed with Trail Manager and his group was going to review the current proposal by walking the open space
- Believe that the Current Proposal is a win for all parties involved (Lot 12, Lot 11 and Alpine City)
  - No change to northwest boundary of Lot 12
    - ✓ Lot 11 maintains their west facing view in the wintertime when leaves are off trees
  - Enables Lot 12 to have a larger buildable footprint
  - No impact on trial system and maintains most of tree buffer to open space to the west of Lot 12
  - Provides elevated south view open space at rear of Alpine View subdivision (doesn't exist currently)
- Questions?

# Opposition to Proposed Plat Adjustment for Lot 12 Alpine View Estates

Jim and Lynette Helmer, Residence of Lot 11

# Clarification:

- Lot 12 boundaries are not too narrow, the current homes built on Lot 11 and Lot 13 would fit on Lot 12 with the current boundaries

- Lot 11 Owners are not only concerned with view corridor, but want to main and preserve open space and tree barrier along the trail system. Existing trees and dedicated open space will be impacted by Mr. Brown's proposal.

- On 7-17-2020, the open space boundaries were adjusted for the benefit of City of Alpine residents. Lot 11 did not have an owner that time. The City approached the Developer to ask for the adjustment to widen the trails around the property.

- The land that Mr. Morgan Brown would like to swap is at the bottom of a hill in a ditch. It is does not provide an elevated south view. The open space the City would be giving up is an elevated south and west view including a view of Utah Lake

# Impact of New Proposal:

- All trees would be on private property and will likely be removed to add “more” view corridors for the owner of Lot 12.
- City of Alpine Residents would no longer have access to elevated city views – all elevated view corridors would be on private land.

Mr. Morgan Browns proposal would take out all of these trees which is a buffer between the developed areas (homes) and the designated open space. The proposed plan also affects the view scape for the residents of the City of Alpine.

# Impact of New Proposal:

Red Line:
Current Boundary with previous 30 foot setbacks as recorded when Helmer's purchased Lot 11

Orange Line:
15 foot setbacks approved on 5/11/2021 by City Council. Note the owner of Lot 12 did not ask for a variance on the setbacks for Lot 12 and should not have been added to the variance request by Lot 13 Owners

# Impact of New Proposal:

Current boundaries with 15 foot setbacks where a structure can not be built

# Alpine City General Plan

- The mission of this General Plan is to provide a strong, positive civic image and quality of life in Alpine City by providing guidelines and standards that ensure the orderly and balanced distribution of growth; sound fiscal and economic investment; and preservation of the open and rural environment in a clean, attractive physical setting.

# Alpine City General Plan

## LAND USE

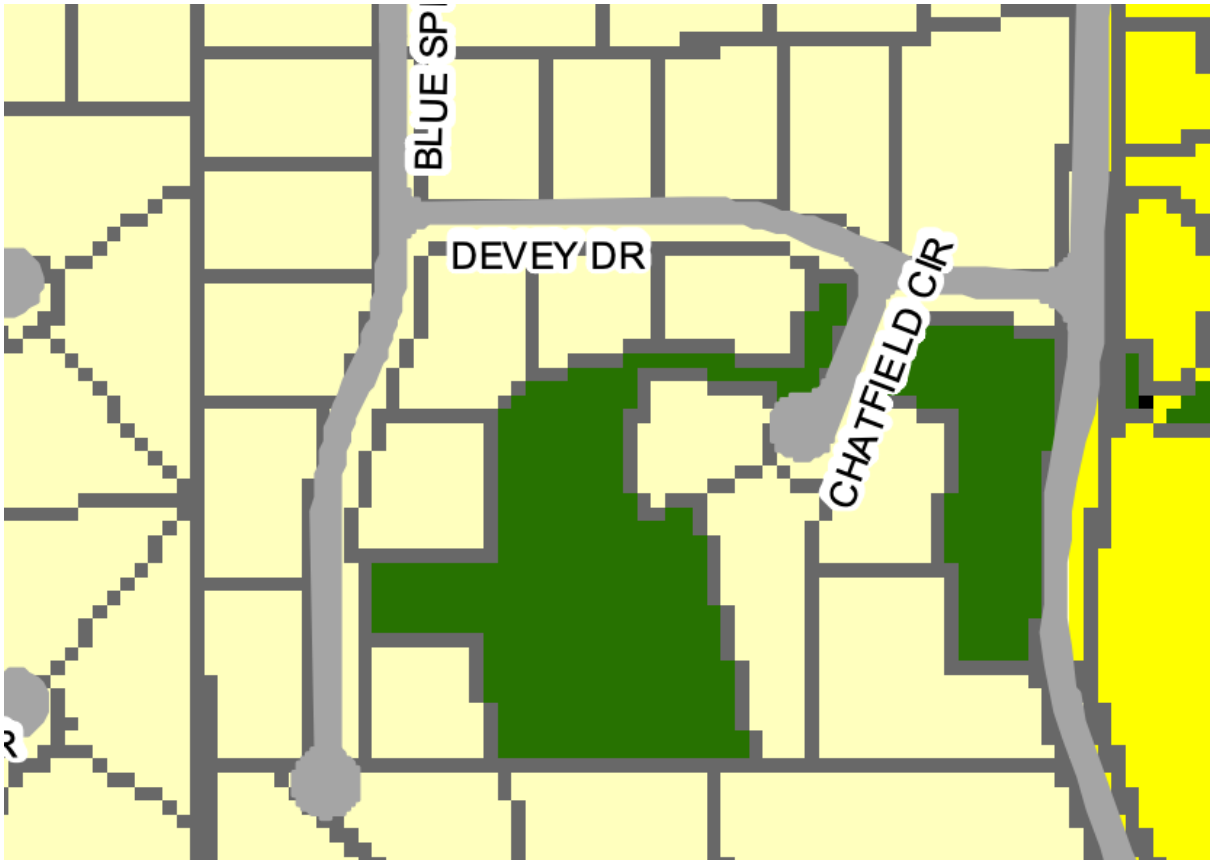
GOAL #1Maintain and promote a historic small-town, rural atmosphere that embraces agricultural uses, open spaces and the mountainous surroundings of the City.

Promote and preserve both natural and developed open spaces around the City with a preference towards public open spaces.
Promote the creation of, and preserve existing, access to trails, mountains and open space.

GOAL #2 Provide clearly defined land zones to support the vision for a low density, rural atmosphere that meet the needs of residents.

Neighborhood is zones as CR-40,000 (low density). These areas should provide for the perpetuation of the rural and open space image of the City.

# Open Space Outlined on City of Alpine General Plan



# City of Alpine General Plan

- **PARKS, RECREATION, TRAILS and OPEN SPACE**
  - GOAL #1 Plan and maintain a sustainable high-quality parks, trails and open space network within the community.
    - Promote and support the Alpine Trail Committee in the planning, creation, and maintenance of trails in Alpine City.

# Conclusion

- The request for a plat amendment to build a bigger home on Lot 12 does not comply with the City of Alpine ordinances or general plan.

- Lot 12 has enough space to build a home facing the cul-de-sac - the same size as the other homes currently on the cul-de-sac.

- The want to build a bigger home is not “cause” to approve a plat amendment on Lot 12

# ALPINE PLANNING COMMISSION AGENDA

**SUBJECT: Beck Pines Plat E – Boundary Line Adjustment**

**FOR CONSIDERATION ON: 20 September 2022**

**PETITIONER: Dan Vore with Killowen Construction**

**ACTION REQUESTED BY PETITIONER: Recommend approval of creation of double fronted lot**

**BACKGROUND INFORMATION:**
The proposed boundary line adjustment, Beck Pines Plat E, consists of 1 lot on 1.18 aces. The development is in the CR-20,000 zone and located at approximately 617 W Campfire Cir / 675 W Westfield Rd. Applicant is seeking approval of the boundary line adjustment (BLA). One resident owns two adjacent lots and wishes to combine them into one via BLA. Normally BLA's can be approved on a Staff level so long as there is no change of use or zone but in this case, the proposed BLA will create a double fronted lot. D.C. 4.07.030.4 states:

> ***"Street Frontage**. All residential lots in BLAs shall front on a public street, or on a private street recommended by the Planning Commission and approved by the City Council. Double frontage lots are prohibited unless recommended by the Planning Commission and approved by the City Council."*

Double fronted lots have been approved in the past and typically have a "No Access" restriction on one of the frontages. The Planning Commission reviewed this application August 16th and requested more information. At that time, the owner desired to have an access on Westfield Road. The owner has eliminated that access and is bringing the item for review. Additionally, the owner has received approval from the irrigation company to pipe the portion of Westfield ditch which this property covers.

**STAFF RECOMMENDATION:**

Review and discuss the proposal and make a motion.

**SAMPLE MOTION TO APPROVE**
I motion to recommend approval of the proposed BLA with the following conditions:

- "No Access" be labeled on the plat on the Westfield Rd frontage;
- The owner addresses the redlines on the plat;
- The owner provides a bond for modification of city infrastructure.

**SAMPLE MOTION TO DENY/TABLE**
I motion to recommend that the proposed BLA be denied/tabled based on the following:

**INSERT FINDING**

**ALPINE CITY**
**STAFF REPORT**
September 15, 2022

**To:** Alpine City Planning Commission

**From:** Staff

**Prepared By:** Jed Muhlestein, City Engineer
Engineering & Public Works Department

**Re:** **BECK PINES PLAT E – Boundary Line Adjustment**

| | |
|---|---|
| Applicant: | Dan Vore with Killowen Construction |
| Project Location: | 617 W Campfire Cir / 675 W Westfield Rd |
| Zoning: | CR-20,000 Zone |
| Acreage: | Approximately 1.18 Acres |
| Lot Number & Size: | Combines two existing lots into one, 1.18 total acres |
| Request: | Recommend approval of creation of double frontage lot |

## SUMMARY

The proposed boundary line adjustment, Beck Pines Plat E, consists of 1 lot on 1.18 aces. The development is in the CR-20,000 zone and located at approximately 617 W Campfire Cir / 675 W Westfield Rd. Applicant is seeking approval of the boundary line adjustment (BLA).

## BACKGROUND

One resident owns two adjacent lots and wishes to combine them into one via BLA. Normally BLA's can be approved on a Staff level but in this case, the proposed BLA will create a double fronted lot. D.C. 4.07.030.4 states:

> ***"Street Frontage**. All residential lots in BLAs shall front on a public street, or on a private street recommended by the Planning Commission and approved by the City Council. Double frontage lots are prohibited unless recommended by the Planning Commission and approved by the City Council."*

Double fronted lots have been approved in the past and typically have a "No Access" restriction on one of the frontages. It is recommended a "No Access" label be placed on the plat on the frontage of Westfield Rd.

## ANALYSIS

*Lot Width and Area*

The proposed lot meets the area and width requirements of the CR-20,000 zone lots, see table below:

**3.03.040 Density, Lot Area And Width Requirements - Single Family Dwellings**

1. The minimum area and width requirements of a zoning lot shall be determined upon the average slope of the lot and the following schedule:

| Average Slope of Lot* | Minimum Area (in square feet) | Minimum Width (at min. front setback) |
|---|---|---|
| 0-9.9% | 20,000 (.46 ac) | 110 ft. |
| 10-14.9% | 30,000 (.68 ac) | 110 ft. |
| 15-19.9% | 40,000 (.92 ac) | 110 ft. |
| 20-24.9% | 60,000 (1.37 ac) | 110 ft. |
| 25%+ | Not Buildable | Not Buildable |

*Buildable Area*
The proposed lot consists of two existing lots of record with minimal slope, both of which have/had homes built on them. The buildable area will be limited to the setbacks of the zone and outside utility easements.

*Use*
The owner is proposing that the lot be used for single-unit detached dwellings, which is consistent with the permitted uses of the CR-20,000 zone.

*Sensitive Lands (Wildland Urban Interface)*
The property is not located in areas identified on the City hazard maps, therefore no geologic hazard reports are required.

*Trails*
The City has no planned trails through this area.

*General Plan*
Proposed BLA is compatible with the City's General Plan.

*Streets*
All frontage improvements and dedicated right of way currently exist.

*Utilities*
All utilities currently exist. **Existing pressurized irrigation and culinary laterals for the westfield home (the house has been removed) are required to be removed and capped at the main** lines in Westfield Rd.

Westfield Ditch runs through the property. Per D.C. 4.07.090, open ditches are required to be piped and approval from Alpine Irrigation Company is required. Plans to pipe the ditch have been provided and approved by the irrigation company.

*Other*
**The owner would be required to provide a bond for the modification of any City infrastructure, such as the removal of existing laterals.**

**There are redlines on the plat to be corrected.**

*Noticing*
Notice has been properly issued in the manner outlined in City and State Code (none required on this project)

## STAFF RECOMMENDATION

Review staff report and findings and make a recommendation to City Council to either approve or deny the proposed BLA. Findings are outlined below.

Findings for a Positive Motion:

A. Frontage and size requirements align with code for the zone.

Findings for Negative Motion:

A. INSERT FINDING

## MODEL MOTIONS

### SAMPLE MOTION TO APPROVE

I motion to recommend approval of the proposed BLA with the following conditions:

- "No Access" be labeled on the plat on the Westfield Rd frontage;
- The owner addresses the redlines on the plat;
- The owner provides a bond for modification of city infrastructure.

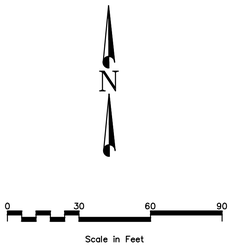
### SAMPLE MOTION TO DENY/TABLE

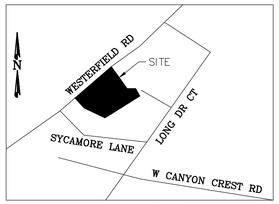
I motion to recommend that the proposed BLA be denied/tabled based on the following:

**INSERT FINDING**

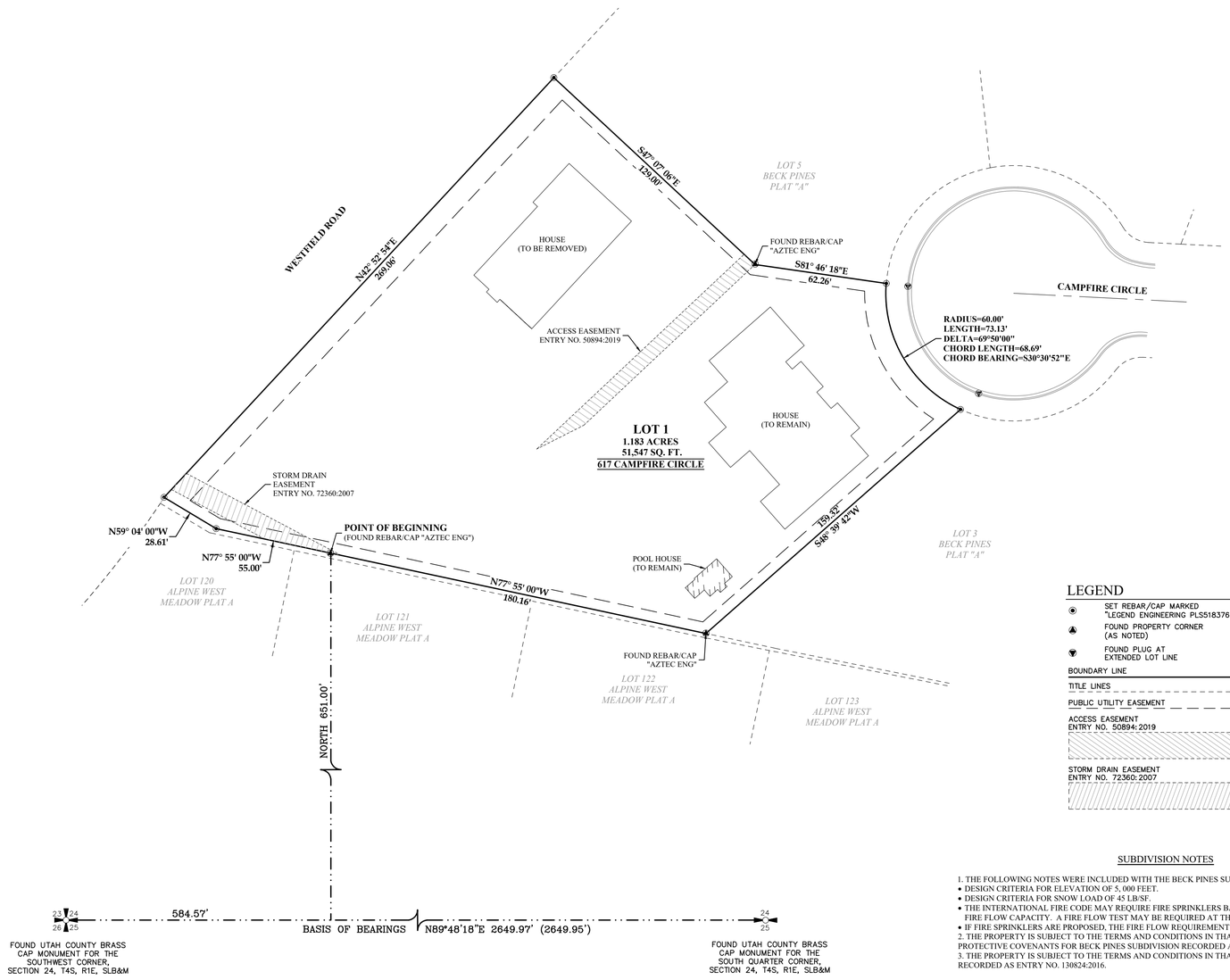
# BECK PINES LOT 4 AMENDED

*(COMBINING OF BECK PINES PLAT "A" LOT 4 WITH OTHER LAND)*
*LOCATED IN THE SOUTHWEST QUARTER OF*
*SECTION 24, TOWNSHIP 4 SOUTH, RANGE 1 EAST,*
*SALT LAKE BASE AND MERIDIAN*
*ALPINE CITY, UTAH COUNTY, UTAH*




VICINITY MAP
(N.T.S.)




## LEGEND

- SET REBAR/CAP MARKED "LEGEND ENGINEERING PLS5183760"
- FOUND PROPERTY CORNER (AS NOTED)
- FOUND PLUG AT EXTENDED LOT LINE
- BOUNDARY LINE
- TITLE LINES
- PUBLIC UTILITY EASEMENT
- ACCESS EASEMENT ENTRY NO. 50894:2019
- STORM DRAIN EASEMENT ENTRY NO. 72360:2007

## SUBDIVISION NOTES

1. THE FOLLOWING NOTES WERE INCLUDED WITH THE BECK PINES SUBDIVISION PLAT "A":
   - DESIGN CRITERIA FOR ELEVATION OF 5, 000 FEET.
   - DESIGN CRITERIA FOR SNOW LOAD OF 45 LB/SF.
   - THE INTERNATIONAL FIRE CODE MAY REQUIRE FIRE SPRINKLERS BASED UPON THE SIZE OF HOME AND FIRE FLOW CAPACITY. A FIRE FLOW TEST MAY BE REQUIRED AT THE TIME OF BUILDING PERMIT.
   - IF FIRE SPRINKLERS ARE PROPOSED, THE FIRE FLOW REQUIREMENT IS REDUCED BY 50%.
2. THE PROPERTY IS SUBJECT TO THE TERMS AND CONDITIONS IN THAT CERTAIN DECLARATION OF PROTECTIVE COVENANTS FOR BECK PINES SUBDIVISION RECORDED AS ENTRY NO. 42604:2018.
3. THE PROPERTY IS SUBJECT TO THE TERMS AND CONDITIONS IN THAT CERTAIN BLANKET EASEMENT RECORDED AS ENTRY NO. 130824:2016.


**LEGEND ENGINEERING**
52 WEST 100 NORTH
HEBER CITY, UT 84032
PHONE: 435-654-4828
www.legendengineering.com


## SURVEYOR'S CERTIFICATE

I, CORY B. NEERINGS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 5183760 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNER(S), I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW IN ACCORDANCE WITH SECTION 17-23-17, HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS, HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

## BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF LOT 4 BECK PINES SUBDIVISION PLAT "A", SAID POINT BEING NORTH 89°48'18" EAST 584.57 FEET ALONG THE SECTION LINE AND NORTH 651.00 FEET FROM THE SOUTHWEST CORNER OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN;
THENCE NORTH 77°55'00" WEST 55.00 FEET;
THENCE NORTH 59°04'00" WEST 28.61 FEET;
THENCE NORTH 42°52'54" EAST 269.06 FEET TO THE SOUTHWEST CORNER OF LOT 5 BECK PINES SUBDIVISION PLAT "A";
THENCE SOUTH 47°07'06" EAST 129.00 FEET ALONG LOT 5 OF SAID SUBDIVISION;
THENCE ALONG LOT 4 BECK PINES SUBDIVISION PLAT "A" THE FOLLOWING FOUR COURSES:
1) SOUTH 81°46'18" EAST 62.26 FEET;
2) 73.13 FEET ALONG THE ARC OF A 60.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT THRU A CENTRAL ANGLE OF 69°50'00" (CHORD BEARS SOUTH 30°30'52" EAST 68.69 FEET);
3) SOUTH 48°39'42" WEST 159.32 FEET;
4) NORTH 77°55'00" WEST 180.16 FEET TO THE POINT OF BEGINNING

CONTAINS
1 LOT
1.183 ACRES
51,547 SQUARE FEET, MORE OR LESS

## BASIS OF BEARINGS

THE BASIS OF BEARINGS WAS ESTABLISHED AS NORTH 89°48'18" EAST BETWEEN THE SOUTHWEST CORNER AND THE SOUTH QUARTER CORNER OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

## OWNER'S DEDICATION

WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HERON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC, THE PUBLIC UTILITY EASEMENTS THEIR SUCCESSORS AND ASSIGN IN PERPETUITY.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS____ DAY OF_____2022.

SYD MCGEE

PRINT NAME:_____.

SIGNATURE:_____.

SHEA MCGEE LIVING TRUST DATED JANUARY 29, 2021

_____.
SHEA MCGEE
TRUSTEE

_____.
SYD MCGEE
TRUSTEE

## ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF }

ON THE ____DAY OF_____, IN THIS YEAR 20__, PERSONALLY APPEARED BEFORE ME THE SIGNER OF THE FORGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

COMMISSION NUMBER:_____.

MY COMMISSION EXPIRES_____.

_____.

PRINT NAME_____.
A NOTARY PUBLIC COMMISSIONED IN UTAH

## TRUSTEE ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF }

ON THE ___DAY OF_____, A.D. 20___, PERSONALLY APPEARED BEFORE ME, _____, AND _____, THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGED TO ME THAT THEY DID FREELY AND VOLUNTARILY EXECUTE THE SAME FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION NUMBER:_____.

MY COMMISSION EXPIRES_____.

_____.

PRINT NAME_____.
A NOTARY PUBLIC COMMISSIONED IN UTAH

## ACCEPTANCE BY LEGISLATIVE BODY

THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF ALPINE CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSE FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, A.D. 20__.

APPROVED BY MAYOR _____.

APPROVED_____
CITY ENGINEER
(SEE SEAL BELOW)

ATTEST_____
CLERK-RECORDER
(SEE SEAL BELOW)

## PLANNING COMMISSION APPROVAL

APPROVED AS TO FORM THIS___ DAY OF_____, A.D. 20__ BY THE ALPINE CITY PLANNING COMMISSION.

_____
DIRECTOR - SECRETARY

_____
CHAIRMAN, PLANNING COMMISSION

| SURVEYOR'S SEAL | CITY ENGINEER SEAL | CLERK-RECORDER SEAL |
|---|---|---|
| PROFESSIONAL LAND SURVEYOR · CORY B. NEERINGS · No. 5183760 · 6/20/22 · STATE OF UTAH | | |

Recorder

REVIEW COPY

| | |
|---|---|
| DATE: | 6/20/22 |
| SCALE: | 1"=30' |
| PAGE: | 1 OF 1 |
| PROJECT: | S2-010 |

West Field Road

Shea McGee

Campfire Circle

5

4

3

Install 6.60 L.F. 36" RCP @ 23.95%

FL Existing 36" RCP Pipe
4931.52

0+00

FL OUT 4929.77 (+36" + 7" PIPE THICKNESS)
4931.35 outside pipe (TOP OF PIPE)

EL: 4932.71

EL: 4931.68

Install 5x5 Irrigation Box
STA = 0+48.51
Rim = 4935.34
FL IN = 4929.84
FL OUT = 4929.84

Install 5x5 Irrigation Box
STA = 0+93
Rim = 4935.75
FL IN = 4931.42
FL OUT = 4931.42

4935.2 STEP UP?

DETACHED GARAGE
4934.2 GFFE

4935.2 STEP UP?

4935 FG

4934.5 FG

RETAINING WALL/TERRACED SEATING

VIEWING AREA

EVERGREEN TREE SCREEN FROM WESTFIELD RD

EXT TREES TO REMAIN

10' SET BACK

Install 35.64 L.F. 36" RCP @ 0.50%

EL: 4932.65

EL: 4931.66

EL: 4932.80

32.80 EL.

Existing Driveway

Install 5x5 Irrigation Box
STA = 1+20.08
Rim = 4934.10
FL IN = 4929.62
FL OUT = 4929.62

60X110
TENNIS COURT
4932.5 FS?
(STEP DOWN 1 FOOT TO 32.5")

Existing Top of Bank

PROPOSED PIPED DITCH ALIGNMENT

Existing Top of Bank

Shea McGee

Install 5x5 Irrigation Box
STA = 1+60.80
Rim = 4933.50
FL IN = 4929.50
FL OUT = 4929.50

4933 EG

FL OUT 4929.36 (+36" + 7" PIPE THICKNESS)
4932.94 outside pipe (TOP OF PIPE)

Install 8" PROPOSED PIPED DITCH ALIGNMENT

Existing 8" 36.96 L.F. 15" RCP @ 6.66%

Install 33.75 L.F. 36" RCP @ 0.74%

Install 5x5 Irrigation Box
STA = 2+53.36
Rim = 4933.25
FL IN = 4929.22
FL OUT = 4929.22

Install 5x5 Irrigation Box
STA = 2+91.73
Rim = 4934.00
FL IN = 4929.10
FL OUT = 4929.10

Existing SDMH
Rim 4934.18
FL 4929.07

ng Catch Basin
ate = 4939.27
OUT = 4934.97

ting 36" Irrigation Pipe

LOT 5
BECK PINES
PLAT A

LOT 4
McGEE'S HOUSE
PLAT A

LOT 120
ALPINE WEST

MAIN HOUSE

POOL HOUSE

CAMPFIRE CIRCLE

10'-0" SETBACK

TO F ACCESSORY SETBACK

S48° 39' 43"W
159.32'

N27° 55'W
180.16'

S27° 26'E
129.00'

4942
4937
4936
4935
4934
4933
4932
4931

4940.8 FS

4933.83 FS

4932.8 FS

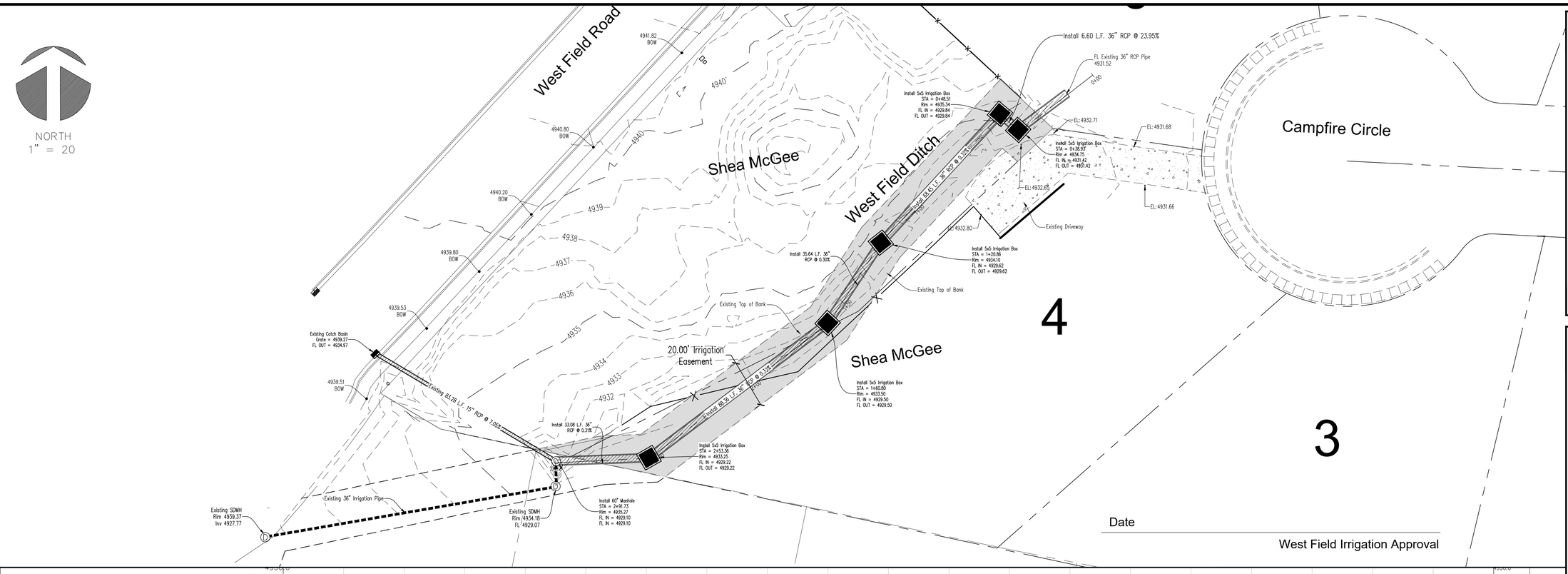
4934 FS?

4933 EG

2+00

1+50

0+00




GRAPHIC SCALE

20 0 10 20 40 80

( IN FEET )
1 inch = 20 ft.

CAUTION!!! Notice to contractors

The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. the information is not to be considered exact or complete. The Contractor must notify the utility location center at least 48 hours prior to any excavation to request the exact location of the utilities in the field. It shall be the responsibility of the Contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plan.

DUDLEY AND ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
353 EAST 1200 SOUTH, OREM, UTAH
801-224-1252

Shea McGee

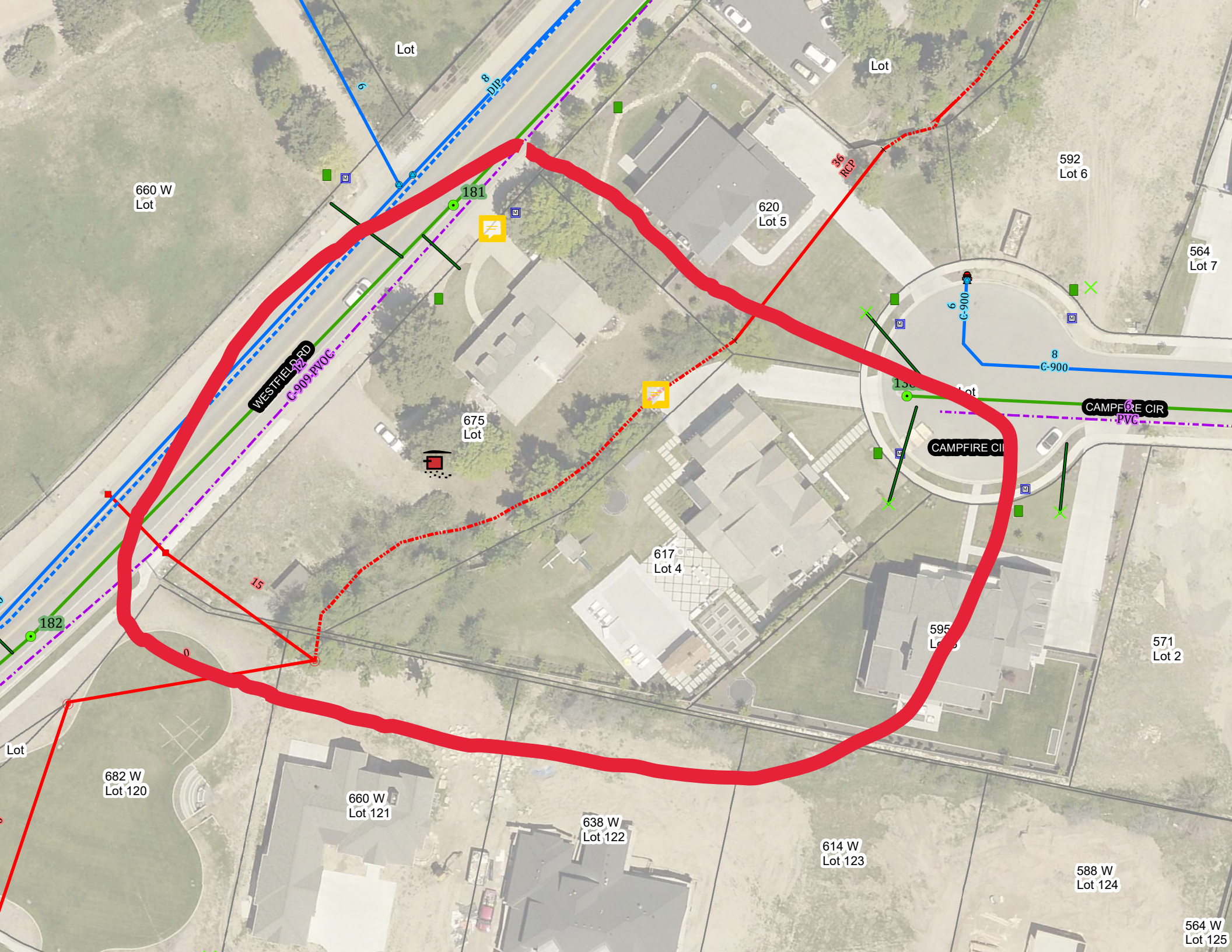
# Irrigation Plan

Alpine City Utah

Revisions
9-2-2022

| | |
|---|---|
| Date | 6-22-2022 |
| Scale | 1"=20' |
| By | BHT |
| Tracing No. | L - 6120 |

Sheet No.
P - 1


Lot
Lot
660 W
Lot
181
620
Lot 5
592
Lot 6
564
Lot 7
36
RCP
6
C-900
8
C-900
WESTFIELD RD
12
C-909 PVOC
675
Lot
CAMPFIRE CIR
6
PVC
CAMPFIRE CI
617
Lot 4
15
182
0
595
571
Lot 2
Lot
682 W
Lot 120
660 W
Lot 121
638 W
Lot 122
614 W
Lot 123
588 W
Lot 124
564 W
Lot 125

**ALPINE CITY PLANNING COMMISSION MEETING**
**Alpine City Hall, 20 North Main, Alpine, UT**
**August 2, 2022**

## 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: Alan MacDonald, Ethan Allen, Troy Slade, Jeff Davis, Susan Whittenburg, John MacKay
Excused:
Staff: Jed Muhlestein, Austin Roy, Marla Fox

**B. Prayer/Opening Comments**: Ethan Allen
**C. Pledge of Allegiance**: Jane Griener

## II. PUBLIC COMMENT

No Public Comment

## III. REPORTS AND PRESENTATIONS

None

## IV. ACTION ITEMS

### A. Public Hearing – Concept/Preliminary – Smooth Canyon Subdivision Phase 2

Austin Roy explained that the Smooth Canyon Subdivision Phase 2 consists of 19 lots on 10.95 acres, with lots ranging from 0.46 acres to 0.55 acres in size. The development is located at approximately 1000 South 1100 East, and in the CR 20,000 zone. The application is for the concept/preliminary approval of the plat and plans.

Austin Roy said this subdivision is south of the soccer fields at Smooth Canyon., is Phase 2, and the first phase was built about 20 years ago. He said the subdivision meets the zoning standards as far as size, lot width requirements, standard 54 width streets, and the Master Plan shows a trail connection. He said there will be a third phase in the future to the east. In the Transportation Master Plan, it shows a connection to Highland City and a temporary lane to the east for a north/south connection between the streets.

Jed Muhlestein said the proposed development shows a street connection to Highland City which does comply with our General Plan Map which was updated in 2020.

This connection would provide a secondary access to meet fire code for the subdivision in the south named View Point, provide cross access for both cities, be another means of access in case of emergencies, and a connection for the school busses to get through is the school district chooses. He said the road coming into View Point from the south into the subdivision off SR 92 is too steep for the school busses to traverse, so the bus stop is at the bottom of SR 92.

DRAFT

Jed Muhlestein said this connection could provide a way of access for them to come in at the top if they so chose to. He said even in non-emergency situations, the access would be good for both cities just for road maintenance or working on infrastructure and gives traffic another way to go in case they need it.

Jed Muhlestein said our Transportation Master Plan has specific guidelines on how to design roads, specifically the efficiency of them. He quoted a couple of sections from the Transportation Master Plan:

1. *Design transportation facilities to ensure efficient traffic flow throughout the city.*
2. *Compatible connections to regional transportation systems.*

Jed Muhlestein said one way to minimize speeds on certain streets is to provide direct routes to collector streets. He said it is his job to work with developers to provide efficient design in conformance with the standards set forth in the Alpine City Transportation Master Plan.

Jed Muhlestein said on our Transportation Master Plan Map, when a new development comes in, we typically have an A to B connection through that property. Most of the time the A to B connection is more or less saying we need a connection from one side of the property to the other. In this situation, the A to B connection is shown as a direct connection from High Bench Road to Park Drive in Highland. He said in this situation, this specific alignment would corollate exactly with our Transportation Master Plan.

Jed Muhlestein said the plan does not meet the Design Guidelines in terms of intent of traffic circulation, speeds, efficient design, and a connection to the nearest collector street, which in this case is Healey Blvd. He said collector streets on the map are indicated by the color blue, arterial is red, and the typical residential street is shown in green.

Jed Muhlestein said the proposed alignment goes in a horseshoe design which forces traffic to go through the neighborhood to get to their destination. He said the Master Plan specifically talks about designs like this where that would encourage speeding because people don't have a direct route to get to where they need to go. He said beside a speeding issue, it's an efficiency issue, we would recommend changing the design and go with a straight through connection. Beside the alignment of the road, the plans show putting the utilities in the alignment of where we would like the road to be. They show them going from Park Drive in Highland to High Bench Road and show them going through easements on private properties.

Jed Muhlestein said Alpine City calls these side lot utility easements and said we try to avoid them as much as possible because they are hard for staff to keep track of. He said it's hard to continually update homeowners that move in and out of the properties that there is an easement there and they can't do things like build sheds, pools, or retaining walls in them. We try to avoid this sinario as much as possible. Beside the alignment issue with the road, we also have an issue with this utility easement which we would propose be put into a road or some other form of right-of -way that we would have better access to and control over it.

Jed Muhlestein said our Transportation Master Plan recommends that we require a traffic study anytime a development generates more than 100 peak hour trips. This development would only generate 190 daily trips. He said there's a big difference between daily and peak hour, but having said that, obviously this development is making a connection between two cities would open up a connection for Alpine and Highland to cross connect there.



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Jed Muhlestein said this could be justification for the city to require a traffic study impact study. He said we were going to, but then Highland City beat us to it. Highland City, having learned of the proposed development, commissioned a traffic impact study. These are some of the details that came forth from the traffic impact study. He said that study analyzed four different senecios.

1. Analyzed existing conditions, which is no connection at all,
2. Analyzed proposed alignment, which is the horseshoe alignment,
3. Analyzed a straight through connection,
4. Analyzed a by-pass connection which comes off High Bench Road and by-passes the development entirely and goes through the gravel pit to SR-92.

Jed Muhlestein said it was interesting the only scenario that was actually faster for traffic to get from Alpine to the west side and SR-92, which was the majority of the traffic according to the traffic study, was if a by-pass road were built through the gravel pit. Even the straight through connection which would be the next quickest option, was slower than it would be for traffic to turn right on Healey Blvd and go down to Canyon Crest.

Jed Muhlestein said in talking in terms of numbers, the existing peak hour trips occurring in the evening time in the View Point neighborhood and on Park Drive, that peak hour number is 143 trips. With a straight through connection, it would add 76 more trips to that peak hour number bringing their total number to 219. For the horseshoe alignment, the numbers were slightly less and add 61 more peak hour trips. In terms of the impact to the View Point neighborhood, there would be either 76 or 61 more peak hour trips. He said Alpine and Highland both want traffic flow to operate at a level A or B and it is anticipated that the cut through traffic will be minimal and still operate at an A or B level.

Jed Muhlestein said Austin Roy mentioned the 20-foot lane and said this road would be classified as a secondary access. Our code talks about secondary accesses and state they have to meet the fire code at a minimum. If we put anything else on them such as curb and gutter, or gating, it is at the discretion of the City Council and upon recommendation by the Planning Commission and City Engineer approval. He said they have to make a specific motion regarding those items on a secondary access road if we are going to approve this alignment. He said as the City Engineer, his recommendation is if we go with this alignment, lets do it as they propose it because as Austin Roy mentioned, this road is going to get replaced with a residential lot. As the development continues to the east. He said there's no reason for curb and gutter or gating at this time.

Jane Griener asked where the land from the temporary road would go when Phase 3 gets built. Austin Roy said it will get absorbed into lots 113 and 114.

Jed Muhlestein said the culinary water, PI and sewer is shown to have new services for each lot as code requires. The storm drain has a couple of red lines because we need more information on the storm drain report, but the design looks fine. In terms of Geotechnical Hazard issues, this property is not located in any areas that are classified or shown on our hazard maps as having the potential for the hazard and were not required to turn in any hazard report. They were not in any alluvial fan or flood plain and turned in standard geotech reports required at preliminary and there was nothing of concern with it.

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Jed Muhlestein said in staff recommendations, there is a motion to approve or a motion to table. If we choose to recommend approval, two motions will have to be made. One regarding concept and preliminary, and one specifically about the secondary access road. If you go with the table option, then there are options there.

Alan MacDonald said we've been shown a horseshoe design and asked what the developer was asking for. Jed Muhlestein said the developer is trying to make two cities happy because he works in both cities and is proposing the horseshoe layout. Alan MacDonald asked if there was a design showing a straight road, and Jed Muhlestein answered no.

Ethan Allen asked why this is not in an alluvial fan, because it seems like it should be. Jed Muhlestein said it is not on our map.

Alan MacDonald said he didn't understand the part about a road going through the gravel pit and that it could be years down the road before that happened. Jed Muhlestein said a year or two ago, Alpine, Highland, and Lehi got together to do a traffic study on the entire region. We looked at options of getting traffic to SR-92 in the most efficient manner possible. The option of going through the gravel pit was brained stormed at that time. If we could by-pass this neighborhood and go straight out, that would obviously be awesome for everybody. He said it's been talked about and thrown out there but never materialized because you would have to buy a lot of property and there's over 100 feet of elevation between that point and the bottom and it would be very expensive to get a road down there right now.

Jane Griener opened the Public Hearing.

Andrew Redford Young said thank you for moving the pickle ball courts. He said this is similar to the Blue Bison road that wanted to connect to Draper. He said this all has to do with the Master Street Plan. He wanted to know why we stopped the Draper road but not this one. He said the win-win is no road.

Dan Milan said safety trumps efficiency. Currently Park Drive is not a collector road and has about 1030 trips per day. A street connection will make this road a collector road which it is not built for.

Carma Compozano, said the road needs to be connected, but would like to see it only as an emergency road. She said there are blind curves and walking paths, and at busy peak times, the sun is in your eyes, and you can't see in these areas. She is concerned about speeding and safety, and the steep hill in the wintertime.

Bryant Larsen, said he is concerned about not having a second egress for emergencies.

Shalayna Fuller, said they were told this property was going to be a mirror soccer field, which has been a nightmare. She said a road through here would be a cut through for sure to go to the canyon or to Pleasant Grove.

Joe Oler, said highland kids walk across the field to Alpine to catch a bus.

Jane Griener Closed the Public Hearing.

Jed Muhlestein said as far as the collector road goes, he talked to Highland City and the road would continue to be a local street as shown on their Master Plan.



DRAFT

Jed Muhlestein said Alpine city's right-of-way street width is 54 feet, our pavement width is actually 30 feet. He said Highland City's pavement width is 34 feet, so they are a touch wider that we are on our local streets.

Jed Muhlestein said because of the Blue Bison deal, in 2020, the City Council specified the connections in the city they wanted, and they updated our Street Master Plan to show that this connection was one of them.

Jed Muhlestein said the traffic would increase by 50% only during the peak travel time and not 50% all day.

Alan MacDonald asked how many lots would be impacted with a straight through street vs a horseshoe pattern.

Ross Welch for Patterson Construction said the original plan was for a straight through street. He said Highland City asked them to change to a horseshoe pattern. He said it didn't affect the number of lots in the subdivision.

A straight street would only impact 8 or 9 homes vs 29 0r 30 homes. Alan MacDonald asked Ross Welch if they looked at a residential round-about to slow traffic. Jed Muhlestein said they are expensive. Ross Welch said it would consume a few lots and wouldn't want to do that unless the city required it. He said this connection has always been a know thing and in the works for over 20 years. He said they develop in Highland and want to be good neighbors to them as well so that is why they are looking at different options.

Jacquelyn Vinci said she would prefer a horseshoe road rather than a straight road.

Troy Slade said he's not convinced that a horseshoe road will be better because it effects more homes.

Ethan Allen said it makes more sense to have a straight road.

John MacKay said he is in favor of the horseshoe option.

Susan Whittenburg said she is worried about traffic in this neighborhood.

Jeff Davis said he is in favor of connecting and providing another access. He said he likes the horseshoe road even though cars will go past more homes, he feels like less cars will go that way, than a straight shot.

Jane Griener said with the traffic study and the engineer and planner, she is in favor of the straight road.

Alan MacDonald is in favor of the straight road rather than having to make turns.

**MOTION:** Commission Member Jeff Davis moved to recommend approval of the Concept & Preliminary applications of Smooth Canyon Phase 2 with the following conditions:

1. Prior to Final Application, the Developer:
    a. Address the redlines on the plat and plans, including revised storm drain calculations.
    b. Address the property gap issue between Highland and Alpine.



DRAFT

John MacKay seconded the motion. There were 2 Ayes and 5 Nays (recorded below). The motion did not pass.

| Ayes: | Nays: | Excused: |
|---|---|---|
| | Alan MacDonald | |
| John MacKay | | |
| | Ethan Allen | |
| | Susan Whittenburg | |
| Jeff Davis | | |
| | Troy Slade | |
| | Jane Griener | |

**MOTION:** Alan MacDonald moved to **Table** Smooth Canyon Subdivision Phase 2 based on the following:

1. The proposed High Bench alignment does not follow adopted design guidelines,
2. Does not make a direct connection with Park Drive,
3. Some utilities are proposed to be in the easements on private property,
4. The property gap between Highland City and Alpine City needs to be resolved.

Susan Whittenburg seconded the motion. There were 6 Ayes and 1 Nays (recorded below). The motion passed.

| Ayes: | Nays: | Excused: |
|---|---|---|
| Alan MacDonald | | |
| John MacKay | | |
| Ethan Allen | | |
| Susan Whittenburg | | |
| | Jeff Davis | |
| Troy Slade | | |
| Jane Griener | | |

**B. Public Hearing – Plat Amendment – Alpine View Estates Plat D**

Austin Roy explained that on June 7, 2022, Morgan Brown's boundary line adjustment request was reviewed by the Planning Commission (located at 325 N. Chatfield Circle). The proposal was to exchange 7,067 Square Feet of Morgan Browns property to the south for 7,067 Square Feet of City open space to the west. The boundary line adjustment would be done via plat amendment since Alpine View Estates is a recorded subdivision. The Planning Commission recommended that the proposal be denied and suggested that Morgan Brown try and negotiate a compromise with the owners of Lot 11 who had raised concerns about the proposal.

Mr. Brown is now returning to the Planning Commission after having spoken with the owners of Lot 11. Mr. Brown has adjusted his proposal and would like to seek a new recommendation on the new proposal from the Planning Commission.

The proposal seeks to exchange City open space for private property. Changes to open space require a **super majority vote of approval** from the City Council (ADC 3.16.040).



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Per Utah Code 10-9a-609, plat amendments may be approved by the City Council, as the land use authority, if they find that:

a) "There is good cause for the vacation or amendment; and"
b) "No public street or municipal utility easement has been vacated or amended."

Jane Griener opened the Public Hearing.

Morgan Brown presented a slide show to the Planning Commission. He said we have to have a cause for a plat adjustment and follow certain criteria. He said they purchased their lot in April and asked the developer why the lot was shaped the way it was. He said he spoke with the City Planner and was told he could probably get a lot line adjustment and they went ahead and purchased the lot based on that information.

Mr. Brown said when the proposal was made to adjust the lot lines, the north neighbors were upset because it would block their view and they built their home based on the current lot lines. Mr. Brown said he has spoken with the neighbors to try and come up with a solution. He said they didn't feel like it was in their best interest to compromise because they wouldn't benefit. He said he is here tonight with a new proposal. He feels like this is a win for both properties and provides a good buffer zone and makes a lot of sense.

Trish Brown said she and her husband have tried so hard to work with their neighbor and lost so much sleep over this and said the neighbors won't work with them unless they get something out of it.

Lynette Helmer said they are torn up about this as well because they have already built their home and designed their home to maximize the view on the lot. She said they weren't notified that the Brown's lot was given an adjustment to go to a 15-foot rear setback. She said they were shocked that the rear setback was changed when this lot is buildable. She said they would have changed their plans if they had known the setbacks were going to be changed. She said they have already lost, so they don't feel like they need to compromise any more. She said she had emailed the City Planner multiple times and didn't hear anything back from him. She said they are sick about this and don't want to be labeled as the bad guys because they have already lost in this situation.

Mr. Brown said he wanted to widen his lot so he could get a better buildable lot.

Will Jones asked why we would trade our open space when it is so close to the trail. He said this will create an issue.

Jed Muhlestein said we had the trails surveyed and if we do an adjustment, the trees would get taken out and they buffer the trail.

Jane Griener asked if there is any gain for the city.

Will Jones said he doesn't see any reason why we would make this trade. He said we don't want our trails close to residential homes.

Jane Griener Closed the Public Hearing

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Jed Muhlestein said the third option brings the property boundary closer to the trail.

Jane Griener said the Helmers made decisions based off the recorded plat and didn't know an exception had been made.

**MOTION:** Commission Member Troy Slade moved to recommend to **DENY** approval of the Alpine View Estates Plat D for these reasons:

1. The city doesn't gain anything,
2. It is too close to our trails.

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

| **Ayes:** | **Nays:** | **Excused:** |
|---|---|---|
| John MacKay | | |
| Troy Slade | | |
| Susan Whittenburg | | |
| Jane Griener | | |
| Ethan Allen | | |
| Jeff Davis | | |
| Alan MacDonald | | |

**C. Site Plan – Montdella Townhomes covered Patio/Deck Option**

Austin Roy said in 2019, the City Council approved the Montdella Townhomes project and designs. Ownership of the project has changed since that time.

The current owner of the project is seeking approval of an option to add covered decks and patios on all units located on the north side of the development. The proposed changes are being done by the original architect.

The petitioner has prepared colored elevations of the proposed option for Planning Commission and City Council review.

Stephanie Herrera, Montdella Development representative, said they have purchased this property and will be taking over the building. She said they like the uniqueness and the location. She said she will get the project done and will not make too many changes. She said they are eager to get this project done and make it pretty. She said the benefit they have is the owner's own construction companies and that is how they can make it work.

**MOTION:** Commission Member Ethan Allen moved to recommend that the covered patio/deck option be approved as proposed.

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

| **Ayes:** | **Nays:** | **Excused:** |
|---|---|---|
| Alan MacDonald | | |
| John MacKay | | |
| Ethan Allen | | |
| Jane Griener | | |
| Troy Slade | | |



DRAFT

Jeff Davis
Susan Whittenburg

**D. Open Space Improvement Request – 676 & 698 S Ridge Lane**

Austin Roy explained that Resident Pheobe and Udell Blackham would like to request authorization to improve the open space near their properties at 676 and 698 South Ridge Lane. Improvements include planting of pine trees, native grasses, and grading.

Austin Roy said the trees were planted in the open space so will need approval from the City Council and a recommendation from the Planning Commission. Austin Roy said the Blackhams have installed a drip irrigation system.

Udell Blackham said he's been a bad boy and trespassed and scarred the open space with his equipment when building his pool house. He said when they finished their projects, there was an issue with them encroaching in the open space.

Austin Roy said the Blackhams violated the city code by encroaching into open space and planting trees and tearing up the area without approval. He said someone else was granted approval to do this a few years ago but doesn't look like they planted anything.

**MOTION:** Commission Member Troy Slade moved to recommend that the open space request be approved as proposed.

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

| **Ayes:** | **Nays:** | **Excused:** |
|---|---|---|
| Alan MacDonald | | |
| John MacKay | | |
| Jeff Davis | | |
| Ethan Allen | | |
| Jane Griener | | |
| Troy Slade | | |
| Susan Whittenburg | | |

**E. Public Hearing – Moderate Income Housing Element**

Austin Roy said in the 2022 legislative session, House Bill 462 passed and with it new requirements for Moderate Income Housing throughout the state. Based on these new requirements Alpine City needs to update the Moderate Income Housing Element of the General Plan. The update should include amendments to any of the strategies that may have changed due to HB462 and include a new "Implementation Plan" as part of the General Plan or Moderate Income Housing Element. Also, each municipality is required to submit a Moderate Income Housing Report Form by October 1, 2022.

Per 2019 Senate Bill 34, Alpine City implemented three strategies as part of the Moderate Income Housing Element of the General Plan.

*E. Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones.*



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*K. Preserve existing moderate income housing.*

*X. Any other program or strategy implemented by the municipality to address the housing needs of residents of the county/municipality who earn less than 80% of the area median income.*

**MOTION:** Commission Member Alan MacDonald moved to **Table** further discussion on the Moderate Income Housing Element of the General Plan.

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

| **Ayes:** | **Nays:** | **Excused:** |
|---|---|---|
| Alan MacDonald | | |
| John MacKay | | |
| Jeff Davis | | |
| Ethan Allen | | |
| Jane Griener | | |
| Troy Slade | | |
| Susan Whittenburg | | |

**IV. COMMUNICATIONS**

Austin Roy, City Planner will be taking a new job at Saratoga Springs, and this will be his last meeting.
Jed Muhlestein said we should add a public notice to setback adjustments.
Jeff Davis asked about the Alpine Fitness signs that have been up all summer.
Jane Griener asked if he has to fill in his hole for his new building. Austin Roy said he is trying to find a way to move forward.

**V. APPROVAL OF PLANNING COMMISSION MINUTES:** June 21, 2022

**MOTION:** Commission Member Jeff Davis moved to approve the minutes for June 21, 2022, as written.

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

| **Ayes:** | **Nays:** | **Excused:** |
|---|---|---|
| Alan MacDonald | | |
| John MacKay | | |
| Ethan Allen | | |
| Jane Griener | | |
| Troy Slade | | |
| Jeff Davis | | |
| Susan Whittenburg | | |

**MOTION**: Commissioner John MacKay moved to adjourn the meeting.

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

| **Ayes:** | **Nays:** | **Excused:** |
|---|---|---|



DRAFT

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

The meeting was adjourned at 9:46 p.m.

DRAFT

**ALPINE CITY PLANNING COMMISSION MEETING**
**Alpine City Hall, 20 North Main, Alpine, UT**
**August 16, 2022**

## 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: Ethan Allen, Troy Slade, Jeff Davis, Susan Whittenburg
Excused: Alan MacDonald, John MacKay
Staff: Jed Muhlestein, Austin Roy, Marla Fox

**B. Prayer/Opening Comments**: Jeff Davis
**C. Pledge of Allegiance**: Troy Slade

## II. PUBLIC COMMENT

Dan Millron at 4201 Elk Cove Circle in Highland, Utah passed out a handout showing a turn-a-round with a cross walk. He said he and his neighbor's want to propose this plan for the Smooth Canyon Subdivision with a second emergency road only.

Clark Thane at 995 E Stonehedge Alpine, Utah said the plan shows an emergency secondary access road only with a pathway for kids to get to the school bus. There would be no connecting road between Alpine and Highland.

Jane Griener said she appreciated the residents doing this but said the developer must be the one to bring plans forward. She said citizens don't own the property, so they can't present a plan. She asked the residents to show their plan and ideas to the developer.

## III. REPORTS AND PRESENTATIONS

None

## IV. ACTION ITEMS

### A. Public Hearing – Moderate Income Housing Element

Jed Muhlestein said in the 2022 legislative session, House Bill 462 passed and with it new requirements for Moderate Income Housing throughout the state. Based on these new requirements Alpine City needs to update the Moderate Income Housing Element of the General Plan. The update should include amendments to any of the strategies that may have changed due to HB462 and include a new "Implementation Plan" as part of the General Plan or Moderate Income Housing Element. Also, each municipality is required to submit a Moderate Income Housing Report Form by October 1, 2022.

Per 2019 Senate Bill 34, Alpine City implemented three strategies as part of the Moderate Income Housing Element of the General Plan.

*E. Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones.*

*K. Preserve existing moderate income housing.*

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*X. Any other program or strategy implemented by the municipality to address the housing needs of residents of the county/municipality who earn less than 80% of the area median income.*

In 2022, House Bill 462 amended those requirements as follows:

E. Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.

K. Preserve existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund.

X. Demonstrate implementation of any other program or strategy to address the housing needs of residents of the county/municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing. Alpine City needs to consider these new changes and create a new implementation plan.

Jane Griener said the City Council has already chosen these three policies. The first one has to do with accessory apartments. The city already allows for an internal apartment and accessory dwelling units (ADU) or second home on lots greater than five acres.

The second one would be to preserve existing moderate income housing and have landlord agreements or landlord incentives. The Planning Commission discussed this and said we also have our 55 and older communities that should count as moderate-income housing.

Jane Griener said she wasn't sure what the third element meant. She said it could mean a grant or lower interest rates to help our essential workers like the police, fire fighters, and teacher be able to afford to live in Alpine. She said she was concerned because the City Council may already have a plan for this element which we don't know about, and she said she doesn't feel comfortable moving forward with this until she had more information.

Jed Muhlestein said we have until October 1st, 2022, to give our answer and that only leaves one more Planning Commission and City Council to get it figured out. Jane Griener said we'll have to get it figured out next time.

**MOTION:** Commission Member Susan Whittenburg moved to Table the Moderate-Income Housing Element of the General Plan until they could get more information.

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

| **Ayes:** | **Nays:** | **Excused:** |
|---|---|---|
| Susan Whittenburg | | |
| Jeff Davis | | |
| Ethan Allen | | |
| Jane Griener | | |
| Troy Slade | | |

CONFIDENTIAL

Susan Whittenburg

**B. Beck Pines Plat E – Boundary Line Adjustment**

Jed Muhlestein said the proposed boundary line adjustment, Beck Pines Plat E, consists of 1 lot on 1.18 aces. The development is in the CR-20,000 zone and located at approximately 617 W Campfire Cir / 675 W Westfield Rd. Applicant is seeking approval of the boundary line adjustment (BLA). One resident owns two adjacent lots and wishes to combine them into one via BLA. Normally BLA's can be approved on a Staff level so long as there is no change of use or zone but in this case, the proposed BLA will create a double fronted lot. D.C. 4.07.030.4 states: "Street Frontage. All residential lots in BLAs shall front on a public street, or on a private street recommended by the Planning Commission and approved by the City Council. Double frontage lots are prohibited unless recommended by the Planning Commission and approved by the City Council." Double fronted lots have been approved in the past and typically have a "No Access" restriction on one of the frontages. In this situation it is Staff's understanding that the owner desires to continue to be able to access from both frontages. The Planning Commission needs to make a recommendation to City Council regarding the proposal, specifically whether access will or won't be allowed off Westfield Road.

Jed Muhlestein said our code states no access on one of the sides, but the homeowner would like to access both streets. The Westfield Ditch runs through part of this land and plans have been provided to pipe the ditch. He said utilities need to be altered and a bond provided. Jed Muhlestein said we restrict access onto arterial roads.

Syd McGee, landowner at 617 Campfire Circle said he needs access to his future accessory building for a boat. He said there are currently two driveways. One is on Westfield Drive, and one is on Campfire Circle. He said he would like to be able to pull through one driveway and out the other so he doesn't have to back up.

Jed Muhlestein said he would like to see a circular driveway so Mr. McGee wouldn't have to back up onto Westfield Road. Mr. McGee said that would be difficult because there is an elevation drop from north to south.

Jeff Davis said he would like to see a plan drawn up so we can see the design before voted on.

Jane Griener asked why we don't allow two accesses. Jed Muhlestein said it's in the ordinance and has been in practice.

**MOTION:** Commission Member Ethan Allen moved to Table the proposed boundary line adjustment until an elevation map showing the double frontage or a plan was shown.

seconded the motion. There were5 Ayes and 0 Nays (recorded below). The motion passed unanimously.

| **Ayes:** | **Nays:** | **Excused:** |
|---|---|---|
| Ethan Allen | | |
| Jane Griener | | |
| Troy Slade | | |
| Jeff Davis | | |
| Susan Whittenburg | | |

**IV. COMMUNICATIONS**

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**V. APPROVAL OF PLANNING COMMISSION MINUTES:** August 2, 2022
Minutes will be approved at the next meeting.

**MOTION**: Commissioner Jeff Davis moved to adjourn the meeting.
Susan Whittenburg seconded the motion. There were 5 Ayes and 0 Nays (recorded below). The motion passed unanimously.

| **Ayes:** | **Nays:** | **Excused:** |
|---|---|---|
| Ethan Allen | | |
| Jane Griener | | |
| Troy Slade | | |
| Jeff Davis | | |
| Susan Whittenburg | | |

The meeting was adjourned at 8:20 p.m.

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