



ALPINE CITY PLANNING COMMISSION MEETING

NOTICE is hereby given that the **PLANNING COMMISSION** of Alpine City, UT will hold a **Regular Meeting** at **Alpine City Hall**, 20 North Main, Alpine, Utah on **Tuesday, June 4, 2019 at 7:00 pm** as follows:

I. GENERAL BUSINESS

- A. Welcome and Roll Call: David Fotheringham
- B. Prayer/Opening Comments: Bryce Higbee
- C. Pledge of Allegiance: By Invitation

II. PUBLIC COMMENT

Any person wishing to comment on any item not on the agenda may address the Planning Commission at this point by stepping to the microphone and giving his or her name and address for the record.

III. ACTION ITEMS

- A. Public Hearing – Amendment to Development Code – Streets and Street Requirements**
Planning Commission will hold a public hearing and make a recommendation on the proposed change to the Development Code.
- B. Amendment to Development Code –Conditional Uses in the Business/Commercial Zone**
Planning Commission will make a recommendation on proposed language to allow dog kennels as a Conditional Use in the Business/Commercial Zone.

IV. COMMUNICATIONS

V. APPROVAL OF PLANNING COMMISSION MINUTES: May 21, 2019

ADJOURN

Chairman David Fotheringham
June 4, 2019

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 – Amendment to Development Code – Streets and Street Requirements

FOR CONSIDERATION ON: 4 June 2019

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Receive public comments and recommend approval of proposed amendments.

BACKGROUND INFORMATION:

Staff have reviewed the Development Code and have recommended changes to the Streets and Street Requirements found in the Subdivision Ordinance. The proposed change would take the Wildland Urban Interface street requirements and place them with the other Streets and Streets requirements found in the Subdivision Ordinance.

STAFF RECOMMENDATION:

Receive public comment and recommend approval of amendments to Article 4.07.404 of the Development Code.

**ALPINE CITY
ORDINANCE 2019-12**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 4.07.040 OF THE ALPINE
CITY DEVELOPMENT CODE PERTAINING TO STREETS AND STREET
REQUIREMENTS.**

WHEREAS, The Alpine City Council has deemed it in the best interest of Alpine City to amend the Subdivision Ordinance to add language regarding the street requirements for the Wildland Urban Interface to the list of other requirements for Streets and Street Requirements ; and

WHEREAS, the Alpine City Planning Commission has reviewed the proposed Amendments to the 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 the Development Code:

NOW THEREFORE, be it ordained by the Council of Alpine City, in the State of Utah, as follows: The amendments to Article 4.07.040 contained in the attached document will supersede Article 4.07.040 as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: **AMENDMENT** “4.07.040 Streets And Street Requirements” of the Alpine City Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

4.07.040 Streets And Street Requirements

1. Subdivision plans shall be consistent with the Major Street Plan, which has been adopted as part of the Transportation and Circulation element of the General Plan of the City.
 - a. Collector Streets (feeder). Where the area of a proposed subdivision includes any Collector class streets, as shown on the Major Street Plan, the subdivision plan shall incorporate such streets in the location shown on the Major Street Plan, and the approval of the Final Plat shall include the dedication of the right-of-way and its improvement in accordance with the applicable City standards.
 - b. Minor Streets (local service). Where the area of a proposed subdivision includes any Minor class streets, as shown on the Major Street Plan, the subdivision plan shall provide for such street in the approximate location shown on the Major Street Plan, and the approval of the Final Plat shall include the dedication of the right-of-way and its improvement in accordance with the applicable City standards.

- c. Arterial Streets. Where the area of a proposed subdivision includes any arterial class streets, as shown on the Major Street Plan, the subdivision plan shall incorporate such streets in the location shown on the Major Street Plan, and the approval of the Final Plat shall include the dedication of the right-of-way and its improvement in accordance with the applicable City standards.
2. **Through Traffic.** Minor streets shall be laid out to encourage circulation but discourage through traffic. Subdivisions with 20 or more lots shall provide two working accesses to the development.
3. **Stub Streets** (Amended by Ord. 96-08, 5/28/96; Amended by Ord. 2013-01, 1/15/13). Shall be required to provide adequate circulation – Temporary turnaround required in certain instances--Subsequent development of adjacent property to incorporate.
 - a. In order to facilitate the development of an adequate and convenient circulation system within the City, and to provide access for the logical development of adjacent vacant properties, the City shall, as a condition of approval, require the subdivision plan to include one or more temporary dead end streets (stub streets) which extend to the boundary of the parcel, and dedicate the right-of-way to the property line to the City to insure that adjacent properties are not landlocked.
 - b. All such stub streets shall be fully developed with full City street and utility improvements to the boundary of the subdivision unless it can be shown by the applicant for the subdivision that the need for a fully improved street does not have an essential link to a legitimate government interest or that the requirement to fully improve the stub street is not roughly proportionate, both in nature and extent to the impact of the proposed subdivision on the City.
 - c. Factors to be considered in determining whether or not the requirement to install a fully improved street is considered proportionate may include but not be limited to:
 - i. The estimated cost to improve the stub street;
 - ii. Whether or not the stub street will be essential to provide reasonable access to the undeveloped parcel;
 - iii. The number of lots in the proposed subdivision that will be accessed from the improved stub street;
 - iv. The estimated number of lots that can be developed in the future on the adjacent undeveloped parcel through use of the stub street.

After receiving a recommendation by the Planning Commission, if the City Council determines that the stub street need not be fully developed either because it does not further a legitimate government interest or that the requirement is disproportionate to the impact of the proposed subdivision on the City, then only the right-of-way for the stub street shall be dedicated to the City and the requirement to improve the stub street shall be placed on the undeveloped adjacent parcel as a condition of the development if the adjacent property is ever developed.

- d. Any such stub street having a length of more than 150 feet or providing primary vehicular access to one or more lots shall be terminated by an improved temporary turn-around designed and constructed in accordance with the City Standards. Where any portion of the temporary turn-around is to be located on private property, use of the portion located on private property by the public shall be secured through the conveyance of an easement for that purpose.
 - e. Any plan for the subsequent development of the adjacent property shall provide for the continuation of any such stub street and shall bear the burden of designing such stub street or streets in accordance with City standards.
4. **Intersections.** Intersections of minor streets with major streets shall be kept to the minimum.
5. **Right-of-Way Width.** Minimum right-of-way widths for local streets shall be the following:
- a. Arterial major street: 66 feet
 - b. Collector street: 60 feet
 - c. Minor street, rural road or frontage road: 54 feet
6. **Roadway Width.** Local streets shall have roadway widths and classifications as follows (add four feet [4'] for curb):
- a. Arterial street: 42 feet
 - b. Collector street: 36 feet
 - c. Minor street or frontage road: 30 feet
 - d. (Rural roads: 26 feet) - Requires a recommendation by the Planning Commission and approval by the City Council through the Subdivision exception procedure.
7. **Road Shoulders.** Where curbs are not required to be installed, a minimum of ten foot shoulders shall be provided on each side of the street unless parking is prohibited.
8. **Partial-Width Streets.** All streets within and adjacent to a subdivision shall either have been previously conveyed to the City by deed or dedication or shall be shown on the final plat for dedication to the City for street purposes.

All streets shown on the final plat for dedication to the City shall conform to the minimum standards for street width and improvements for the entire width of the street, except that the City Council may accept the dedication and improvement of partial width streets provided:

- a. That the proposed partial width street is located at the border of the subdivision and the land abutting the proposed uncompleted side of the street is not owned by the subdivider.
- b. The width of the right-of-way of the partial width street shall be not less than thirty- nine (39) feet in the instance of a minor class street and forty-two (42) feet in the instance of a collector class street.

- c. Upon approval of the City Council the improvements constructed on the partial width street may include: (a) the curb, gutter and sidewalk improvements adjacent to all abutting lots in the subdivision, (b) the water and sewer line, (c) a hard surfaced travelway portion having a width not less than one-half that required for the specified street class plus an additional twelve (12) feet of width, (d) all utility systems in the partial width street shall be located and constructed as set forth in City standards, and (e) storm drains.
- d. That there are no existing conditions which would have the effect of preventing the subsequent development of the remaining portion of the street.
- e. That construction of the partial width street at the proposed location will not create an unsafe or hazardous condition.

No final plat shall be approved where access to a proposed or existing street from adjacent property is proposed to be prohibited or is impaired by an access retainer strip ("nuisance" or "protective" strip).

- 9. **Cul-de-sac Streets.**(Ord 96-08 amended 5/28/96) Cul-de-sacs (dead end streets) shall be used only where unusual conditions exist which make other designs undesirable. Each cul-de-sac street shall have a minimum right-of-way width of fifty-four (54) feet and must be terminated by a turn-around having a radius of not less than sixty (60) feet to the property line. The maximum length of a cul-de-sac shall be four hundred and fifty (450) feet as measured from the center of the turn-around to the point of connection to the next intersecting street. Surface water must drain away from the turn-around, except where surface water cannot be drained away from the turn-around along the street, due to grade, necessary catch basins and drainage easements shall be provided.
- 10. **Number of Streets at Intersection.** No more than four streets shall enter an intersection.
- 11. **Angle of Street Intersections.** Streets shall intersect at ninety degrees, except where otherwise recommended as necessary by the Planning Commission and approved by the City Council. The minimum radius of property lines and back of curb at intersections shall be fifteen (15) feet and twenty-five (25) feet respectively
- 12. **Centerline of Intersecting Streets.** The centerline of two subordinate streets meeting a through street from opposite sides shall extend as a continuous line, or the centerline shall be offset at least one hundred fifty (150') feet. An exception may be given to the off-set requirement of up to 15 feet as recommended by the City Engineer and Planning Commission and approved by the City Council. (Amended by Ord. 2004-13, 9/28/04)
- 13. **Curved Streets Preferred.** In the design of subdivisions, curving streets shall be preferred to straight streets or rigid ninety degree grid systems.
- 14. **Frontage on Arterial Streets.** Driveways or other vehicular accesses to an individual lot that open onto any public street designated by the official City Street Plan as an arterial street may be used as an access if it is recommended by the City Engineer and Planning Commission and approved by the City Council. Turn-arounds, hammerhead or side-entry driveways must be incorporated to ensure that vehicles will not back out on arterial streets. (Amended by Ord. 2004-13, 9/28/04)

(Ord. 98-19 amending Ord. 78-03)
(Amended by Ord. 2014-12, 7/08/14; Ord. 2016-03, 02/23/16)

AFTER AMENDMENT

4.07.040 Streets And Street Requirements

1. Subdivision plans shall be consistent with the Major Street Plan, which has been adopted as part of the Transportation and Circulation element of the General Plan of the City.
 - a. Collector Streets (feeder). Where the area of a proposed subdivision includes any Collector class streets, as shown on the Major Street Plan, the subdivision plan shall incorporate such streets in the location shown on the Major Street Plan, and the approval of the Final Plat shall include the dedication of the right-of-way and its improvement in accordance with the applicable City standards.
 - b. Minor Streets (local service). Where the area of a proposed subdivision includes any Minor class streets, as shown on the Major Street Plan, the subdivision plan shall provide for such street in the approximate location shown on the Major Street Plan, and the approval of the Final Plat shall include the dedication of the right-of-way and its improvement in accordance with the applicable City standards.
 - c. Arterial Streets. Where the area of a proposed subdivision includes any arterial class streets, as shown on the Major Street Plan, the subdivision plan shall incorporate such streets in the location shown on the Major Street Plan, and the approval of the Final Plat shall include the dedication of the right-of-way and its improvement in accordance with the applicable City standards.
2. **Through Traffic.** Minor streets shall be laid out to encourage circulation but discourage through traffic. Subdivisions with 20 or more lots shall provide two working accesses to the development.
3. **Stub Streets** (Amended by Ord. 96-08, 5/28/96; Amended by Ord. 2013-01, 1/15/13). Shall be required to provide adequate circulation – Temporary turnaround required in certain instances--Subsequent development of adjacent property to incorporate.
 - a. In order to facilitate the development of an adequate and convenient circulation system within the City, and to provide access for the logical development of adjacent vacant properties, the City shall, as a condition of approval, require the subdivision plan to include one or more temporary dead end streets (stub streets) which extend to the boundary of the parcel, and dedicate the right-of-way to the property line to the City to insure that adjacent properties are not landlocked.
 - b. All such stub streets shall be fully developed with full City street and utility improvements to the boundary of the subdivision unless it can be shown by the applicant for the subdivision that the need for a fully improved street does not have an essential link to a legitimate government interest or that the requirement to fully improve the stub street is not roughly proportionate, both in nature and extent to the impact of the proposed subdivision on the City.
 - c. Factors to be considered in determining whether or not the requirement to

install a fully improved street is considered proportionate may include but not be limited to:

- i. The estimated cost to improve the stub street;
- ii. Whether or not the stub street will be essential to provide reasonable access to the undeveloped parcel;
- iii. The number of lots in the proposed subdivision that will be accessed from the improved stub street;
- iv. The estimated number of lots that can be developed in the future on the adjacent undeveloped parcel through use of the stub street.

After receiving a recommendation by the Planning Commission, if the City Council determines that the stub street need not be fully developed either because it does not further a legitimate government interest or that the requirement is disproportionate to the impact of the proposed subdivision on the City, then only the right-of-way for the stub street shall be dedicated to the City and the requirement to improve the stub street shall be placed on the undeveloped adjacent parcel as a condition of the development if the adjacent property is ever developed.

- d. Any such stub street having a length of more than 150 feet or providing primary vehicular access to one or more lots shall be terminated by an improved temporary turn-around designed and constructed in accordance with the City Standards. Where any portion of the temporary turn-around is to be located on private property, use of the portion located on private property by the public shall be secured through the conveyance of an easement for that purpose.
 - e. Any plan for the subsequent development of the adjacent property shall provide for the continuation of any such stub street and shall bear the burden of designing such stub street or streets in accordance with City standards.
4. **Intersections.** Intersections of minor streets with major streets shall be kept to the minimum.
 5. **Right-of-Way Width.** Minimum right-of-way widths for local streets shall be the following:
 - a. Arterial major street: 66 feet
 - b. Collector street: 60 feet
 - c. Minor street, rural road or frontage road: 54 feet
 6. **Roadway Width.** Local streets shall have roadway widths and classifications as follows (add four feet [4'] for curb):
 - a. Arterial street: 42 feet
 - b. Collector street: 36 feet
 - c. Minor street or frontage road: 30 feet
 - d. (Rural roads: 26 feet) - Requires a recommendation by the Planning Commission and approval by the City Council through the Subdivision exception procedure.
 7. **Road Shoulders.** Where curbs are not required to be installed, a minimum of ten foot shoulders shall be provided on each side of the street unless parking is prohibited.

8. **Partial-Width Streets.** All streets within and adjacent to a subdivision shall either have been previously conveyed to the City by deed or dedication or shall be shown on the final plat for dedication to the City for street purposes.

All streets shown on the final plat for dedication to the City shall conform to the minimum standards for street width and improvements for the entire width of the street, except that the City Council may accept the dedication and improvement of partial width streets provided:

- a. That the proposed partial width street is located at the border of the subdivision and the land abutting the proposed uncompleted side of the street is not owned by the subdivider.
- b. The width of the right-of-way of the partial width street shall be not less than thirty- nine (39) feet in the instance of a minor class street and forty-two (42) feet in the instance of a collector class street.
- c. Upon approval of the City Council the improvements constructed on the partial width street may include: (a) the curb, gutter and sidewalk improvements adjacent to all abutting lots in the subdivision, (b) the water and sewer line, (c) a hard surfaced travelway portion having a width not less than one/half that required for the specified street class plus an additional twelve (12) feet of width, (d) all utility systems in the partial width street shall be located and constructed as set forth in City standards, and (e) storm drains.
- d. That there are no existing conditions which would have the effect of preventing the subsequent development of the remaining portion of the street.
- e. That construction of the partial width street at the proposed location will not create an unsafe or hazardous condition.

No final plat shall be approved where access to a proposed or existing street from adjacent property is proposed to be prohibited or is impaired by an access retainer strip ("nuisance" or "protective" strip).

9. **Cul-de-sac Streets.**(Ord 96-08 amended 5/28/96) Cul-de-sacs (dead end streets) shall be used only where unusual conditions exist which make other designs undesirable. Each cul-de-sac street shall have a minimum right-of-way width of fifty-four (54) feet and must be terminated by a turn-around having a radius of not less than sixty (60) feet to the property line. The maximum length of a cul-de-sac shall be four hundred and fifty (450) feet as measured from the center of the turn-around to the point of connection to the next intersecting street. Surface water must drain away from the turn-around, except where surface water cannot be drained away from the turn-around along the street, due to grade, necessary catch basins and drainage easements shall be provided.
10. **Number of Streets at Intersection.** No more than four streets shall enter an intersection.
11. **Angle of Street Intersections.** Streets shall intersect at ninety degrees, except where otherwise recommended as necessary by the Planning Commission and approved by the City Council. The minimum radius of property lines and back of curb at intersections shall be fifteen (15) feet and twenty-five (25) feet respectively

12. **Centerline of Intersecting Streets.** The centerline of two subordinate streets meeting a through street from opposite sides shall extend as a continuous line, or the centerline shall be offset at least one hundred fifty (150') feet. An exception may be given to the off-set requirement of up to 15 feet as recommended by the City Engineer and Planning Commission and approved by the City Council. (Amended by Ord. 2004-13, 9/28/04)
13. **Curved Streets Preferred.** In the design of subdivisions, curving streets shall be preferred to straight streets or rigid ninety degree grid systems.
14. **Frontage on Arterial Streets.** Driveways or other vehicular accesses to an individual lot that open onto any public street designated by the official City Street Plan as an arterial street may be used as an access if it is recommended by the City Engineer and Planning Commission and approved by the City Council. Turn-arounds, hammerhead or side-entry driveways must be incorporated to ensure that vehicles will not back out on arterial streets. (Amended by Ord. 2004-13, 9/28/04)
15. **Wildland Urban Interface.**
 - a. Access. All developments in the Wildland Urban Interface area shall have more than one access route which provides simultaneous access for emergency equipment and civilian evacuation. The design of access routes shall take into consideration traffic circulation and provide for looping of roads as required to ensure at least two access points. Looped roads with a single access are not allowed.
 - b. Exceptions. Where terrain features or other physical obstacles make provision of a second access impractical, a single access may be approved by the City Council after obtaining the recommendation of the Fire Chief and the Planning Commission.
 - c. Specifications. All secondary access roads shall have a minimum paved width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches to permit two-way traffic. These provisions will apply in lieu of those provided in Article 9.02-2-1 of the Uniform Fire Code.

(Ord. 98-19 amending Ord. 78-03)

(Amended by Ord. 2014-12, 7/08/14; Ord. 2016-03, 02/23/16)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	_____	_____	_____	_____
Kimberly Bryant	_____	_____	_____	_____
Carla Merrill	_____	_____	_____	_____
Ramon Beck	_____	_____	_____	_____
Jason Thelin	_____	_____	_____	_____

Presiding Officer

Attest

Troy Stout, Mayor, Alpine City

Charmayne G. Warnock, City
Recorder Alpine City

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Amendment to Development Code – Conditional Uses in the Business Commercial Zone

FOR CONSIDERATION ON: 4 June 2019

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Recommend approval of proposed amendments.

BACKGROUND INFORMATION:

The Alpine Animal Hospital is proposing that dog kennels/boarding be allowed as a Conditional Use in the Business Commercial Zone. Proposed language has been prepared that would regulate and allow this use. If approved, the Alpine Animal Hospital is seeking to add this service to their business.

STAFF RECOMMENDATION:

Review and recommend approval of the proposed amendments to Article 3.07.030 of the Development Code.

**ALPINE CITY
ORDINANCE 2019-13**

AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 3.07.030 OF THE ALPINE CITY DEVELOPMENT CODE PERTAINING TO CONDITIONAL USES IN THE BUSINESS/COMMERCIAL ZONE.

WHEREAS, The Alpine City Council has deemed it in the best interest of Alpine City to amend the Business/Commercial Zone Conditional Use Ordinance to to allow Dog Kennels/Boarding Facilities ; and

WHEREAS, the Alpine City Planning Commission has reviewed the proposed Amendments to the 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 the Development Code:

NOW THEREFORE, be it ordained by the Council of Alpine City, in the State of Utah, as follows: The amendments to Article 3.07.030 contained in the attached document will supersede Article 3.07.030 as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: **AMENDMENT** “3.07.030 Conditional Uses” of the Alpine City Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

3.07.030 Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Ordinance and after approval has been given by the designated reviewing agencies (Approval of other agencies or levels of government may be required.):

1. Planned Commercial Developments Projects which are designed, approved, constructed and maintained in accordance with the provisions of DCA 3.10.
2. Commercial Condominium Projects subject to the applicable provisions of law relating thereto.
3. Hotels and motels.
4. Schools, churches, hospitals (human care), nursing homes and other similar quasi-public buildings subject to approval by the Planning Commission.
5. Civic Buildings. (Ord. 95-10, 4/25/9)
6. Restaurants, provided that any such facility providing drive-up window service shall also include an area for inside service to patrons in an amount not less than fifty (50%) of the

total floor area of the structure. In addition, the following shall apply to restaurants.
(Ord. 97-05, 5/27/97)

- a. A traffic analysis shall be provided as part of the conditional use application.
 - b. The drive-up window and driveway shall be unobtrusive and be screened from the street by berming and landscaping.
 - c. Odors and noise shall be controlled as to not have an adverse impact on any nearby residential structures.
 - d. Restaurants must comply with provisions of the sign ordinance.
 - e. Restaurants must comply with the landscaping and design provisions in the B-C zone.
 - f. Any drive-through window must be located on the side of the restaurant building which does not abut a public street and must be screened from the street side with berming and landscaping.
 - g. Any drive-through window must have a stacking lane which will accommodate at least six cars off of the public street.
7. Single family dwellings (conventional construction) when proposed for placement on a lot not in a recorded subdivision, subject to compliance with the applicable conditions within the zone and approval of a site plan by the Planning Commission.
 8. Seasonal sales such as produce or Christmas trees provided a business license is obtained from Alpine City.
 9. Sexually-oriented businesses are a conditional use in the Business Commercial (BC) zone and are subject to the provisions of this chapter, including (Ord. 2010-07, 5/11/10):
 - a. No sexually-oriented business shall be located within:
 - i. One thousand (1,000) feet of a school, day care facility, public park, library, and religious institution;
 - ii. Four hundred (400) feet of any residential use (no matter which zoning district) or residential zoning boundary;
 - iii. One thousand (1,000) feet of a liquor store; and
 - iv. One thousand (1,000) feet of any other sexually-oriented business.

For the purposes of this section, distance shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which the sexually-oriented business is located, and:

- (1) The closest property line of any school, day care facility, public park, library, and religious institution;
 - (2) The nearest property line of any residential use or residential zone;
 - (3) The nearest property line of any liquor store; and
 - (4) The closest exterior wall of another sexually-oriented business.
10. Home occupations, subject to the provisions of DCA 3.23.070 Part 3.
 11. Accessory apartments, subject to the provisions of DCA 3.23.070 Part 1.
 12. Mechanical Automotive Repair Shops
 - a. Odors and noise shall be controlled as to not have an adverse impact on any nearby structures.

- b. There shall be no more than 5 automobile bays.
- c. No automobiles shall be stored on the property for more than 14 days.
- d. Mechanical automotive repair shops shall comply with the regulations of the applicable entities including but not limited to the State of Utah, Timpanogos Service District, Lone Peak Fire Marshall, and Environmental Protection Agency.
- e. Mechanical automotive repair shops must abut directly upon and have access to Main Street (south of southern property line of the property located at 30 South Main Street) or Canyon Crest Road within the Business Commercial zone.
- f. Mechanical auto repair shops shall comply with the off-street parking requirements excepting there shall be no more than 3 parking spaces provided per bay.
- g. Mechanical automotive repair shops shall conform to the provisions of the Gateway/Historic Zone (DCA 3.11).

(Ord. 95-22, 8/22/95 and Ord. 2002-13, Amended by Ord. 2011-09, 5/10/11; Ord. 2014-04, 3/25/14)

A F T E R A M E N D M E N T

3.07.030 Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Ordinance and after approval has been given by the designated reviewing agencies (Approval of other agencies or levels of government may be required.):

1. Planned Commercial Developments Projects which are designed, approved, constructed and maintained in accordance with the provisions of DCA 3.10.
2. Commercial Condominium Projects subject to the applicable provisions of law relating thereto.
3. Hotels and motels.
4. Schools, churches, hospitals (human care), nursing homes and other similar quasi-public buildings subject to approval by the Planning Commission.
5. Civic Buildings. (Ord. 95-10, 4/25/9)
6. Restaurants, provided that any such facility providing drive-up window service shall also include an area for inside service to patrons in an amount not less than fifty (50%) of the total floor area of the structure. In addition, the following shall apply to restaurants. (Ord. 97-05, 5/27/97)
 - a. A traffic analysis shall be provided as part of the conditional use application.
 - b. The drive-up window and driveway shall be unobtrusive and be screened from the street by berming and landscaping.
 - c. Odors and noise shall be controlled as to not have an adverse impact on any nearby residential structures.
 - d. Restaurants must comply with provisions of the sign ordinance.
 - e. Restaurants must comply with the landscaping and design provisions in the B-C zone.

- f. Any drive-through window must be located on the side of the restaurant building which does not abut a public street and must be screened from the street side with berming and landscaping.
 - g. Any drive-through window must have a stacking lane which will accommodate at least six cars off of the public street.
7. Single family dwellings (conventional construction) when proposed for placement on a lot not in a recorded subdivision, subject to compliance with the applicable conditions within the zone and approval of a site plan by the Planning Commission.
 8. Seasonal sales such as produce or Christmas trees provided a business license is obtained from Alpine City.
 9. Sexually-oriented businesses are a conditional use in the Business Commercial (BC) zone and are subject to the provisions of this chapter, including (Ord. 2010-07, 5/11/10):
 - a. No sexually-oriented business shall be located within:
 - i. One thousand (1,000) feet of a school, day care facility, public park, library, and religious institution;
 - ii. Four hundred (400) feet of any residential use (no matter which zoning district) or residential zoning boundary;
 - iii. One thousand (1,000) feet of a liquor store; and
 - iv. One thousand (1,000) feet of any other sexually-oriented business.

For the purposes of this section, distance shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which the sexually-oriented business is located, and:

- (1) The closest property line of any school, day care facility, public park, library, and religious institution;
 - (2) The nearest property line of any residential use or residential zone;
 - (3) The nearest property line of any liquor store; and
 - (4) The closest exterior wall of another sexually-oriented business.
10. Home occupations, subject to the provisions of DCA 3.23.070 Part 3.
 11. Accessory apartments, subject to the provisions of DCA 3.23.070 Part 1.
 12. Mechanical Automotive Repair Shops
 - a. Odors and noise shall be controlled as to not have an adverse impact on **any** nearby structures and/or property.
 - b. There shall be no more than 5 automobile bays.
 - c. No automobiles shall be stored on the property for more than 14 days.
 - d. Mechanical automotive repair shops shall comply with the regulations of the applicable entities including but not limited to the State of Utah, Timpanogos Service District, Lone Peak Fire Marshall, and Environmental Protection Agency.
 - e. Mechanical automotive repair shops must abut directly upon and have access to Main Street (south of southern property line of the property located at 30 South Main Street) or Canyon Crest Road within the Business Commercial zone.

- f. Mechanical auto repair shops shall comply with the off-street parking requirements excepting there shall be no more than 3 parking spaces provided per bay.
- g. Mechanical automotive repair shops shall conform to the provisions of the Gateway/Historic Zone (DCA 3.11).

13. Dog Kennels/Boarding Facilities

- a. Odors and noise shall be controlled as to not have an adverse impact on nearby structures and/or property.
- b. Dogs shall be kept primarily indoors, with the exception of short periods of time for the dogs to exercise, relieve themselves, go on walks, etc.
- c. Shall have no more than twenty five (25) individual dog kennel runs.
- d. Facility shall be sound proofed.
- e. Shall comply with City off-street parking requirements.
- f. Shall provide daily disposal of all animal feces and wastes.
- g. Shall conform to the provisions of the Gateway/Historic Zone (DCA 3.11).
- h. There shall be adequate and effective means of control of insects and rodents at all times, such control shall be carefully monitored.
- i. Operator shall bear full responsibility for recapturing and controlling any escaped animal.

(Ord. 95-22, 8/22/95 and Ord. 2002-13, Amended by Ord. 2011-09, 5/10/11; Ord. 2014-04, 3/25/14)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	_____	_____	_____	_____
Kimberly Bryant	_____	_____	_____	_____
Carla Merrill	_____	_____	_____	_____
Ramon Beck	_____	_____	_____	_____
Jason Thelin	_____	_____	_____	_____

Presiding Officer

Attest

Troy Stout, Mayor, Alpine City

Charmayne G. Warnock, City
Recorder Alpine City

Alpine Pet Lodge Proposal



Introduction; The owners of Alpine Animal Hospital, Michael Kendig and Sarah Kendig, and their practice manager, Monica Lawlis have created a proposal for construction and opening of a dog boarding kennel on the current property of the veterinary hospital. The building would measure 30'0"x 64'0" x 11'4" with a 10'0" truss clearance and be located on the far side of the property, on the other side of the clinic from Alpine Highway. In this proposal we will address possible concerns that may arise due to this project and our proposed solutions. We believe this will be a much needed service for Alpine and only bring positive changes.

Noise; The facility will feature all indoor, soundproofed kennels having a maximum of twenty five cages/rooms at one time. Outside time with the dogs will only happen with a trained staff member. This will control any excessive barking or noise from the dogs due to constant supervision while outside on the grounds. For play time we will convert an existing empty building so that dogs can run and play but still be inside, controlling noise and any outside disturbances. We will not allow noise to affect any neighboring businesses, residents, or the veterinary clinic.

Aesthetic; Alpine is a beautiful city featuring the mountains and local architecture. Local buildings and style will be kept in mind while building the new facility. Not only will it fit into the city, it will also improve the look of the whole property, including our veterinary clinic. Old buildings on the property will be torn down, landscaping of the whole yard will be done, and the water drainage that is currently an eye sore will be redirected and not seen as obviously. Trees will have to be removed but will be replaced with the building and a well-manicured yard and fence that is consistently up kept. The actual boarding facility will not be seen from Alpine Highway but will have an entrance close to where the current veterinary clinic entrance exists.

Parking; Currently, our parking lot has 21 well outlined parking spaces. In the summer months we not only handle our own clients, but the very busy Snoasis customers as well. With most services at the new facility only being 5-10 min interactions during drop off and discharges,

parking should never be an issue. Snoasis will be off the property before the facility opens as well which will open up most of our available parking. There will not be a certain window of an influx of traffic due to us being open all day and the flexibility for clients to come by when it's most convenient for them during our open hours. This will prevent any traffic issues that may affect local businesses and schools around the morning and evening rush hours.

Environment; Outside pet waste will be routinely picked up and disposed of as not to be a nuisance from odor or sight. Inside waste will be taken care of by indoor plumbing in the kennels via drains, connected to the sanitation system. Patients will be vetted for any sickness or disease and will be required to have a negative fecal test before boarding, insuring disease doesn't spread among our clients or into the local pet community.

Alpine Benefits; There are no current boarding or grooming facilities in Alpine, and they are very much in demand. Since opening our veterinary clinic almost four years ago we have received an increasing amount of inquiries about boarding and grooming services. We are unable to accommodate due to needing kennel space for our veterinary patients. A separate boarding facility would greatly help out Alpine residents. Including a peace of mind of being directly supervised by our veterinary clinic next door should anything ever arise.

Creating Jobs; Jobs will be created for Alpine applicants especially, having local young people trained to work will benefit them, our facility, and Alpine as a whole. We will be hiring locally for young people who may be in school as well as a groomer. Offering local jobs helps to keep our business supporting Alpine city and Alpine residents. We have many young people from the area intern at the veterinary clinic who have expressed a lot of interest working at our boarding facility. Many want to work in the veterinary or pet industry as they get older and would like a starting position to work their way up in the field.





BRUCE A ALLEN
Cell Phone: (801) 231-6522
Phone Number: (801) 465-0300
Email: BALLE@Clearybuilding.com

4/9/2019
KENDIG, MIKE
Doc ID: 1150720190409125854

Cleary Buildings Project Estimate Client Proposal - Erected

Project Name: KENDIG, MIKE
Site Address: 424 ALPINE HIGHWAY ALPINE, UTAH 84004
Email: vetmedmck79@gmail.com
Cell Phone: (385) 498-4500



Commercial 30' 0"x64' 0"x11' 4" with 10' 0" truss clearance from 100'-0" mark. (8 Bays at 8' o.c.)

Details:

Truss (Standard Lower Chord) with 3/12 roof pitch.
Default Ceiling Design: Designed to Support a Future Drywall Ceiling
Purlin Blocking: Both Endwalls are purlin blocked
Type Foundation: In Ground
Concrete Floor: Yes - Supplied by Purchaser
54 psf Ground Snow Load with 2"x4" Continuous 2' 0" inch on center purlins.

Exterior Finishes:

Roof/Siding: Grand Rib 3 Plus
Roof Condensation Control: 2" condensation blanket white vinyl faced
- Lifetime Film Integrity Warranty, 35 Year Fade and Chalk Warranty, and G-90 Galvanizing Up to 1.0 ounce of Zinc Protection.

Accessories:

Standard Ridge Cap.
Marco LP2 Weather-Tite Ridge Vent "Low Profile" (Add ventilation to ridge).
Side Wall Overhang: Low Profile Eave Ventilation on S1 & S2
End Wall Overhang: None on E1 & E2

(1) - Plyco Series 20 Blocked 3'-0"x6'-8" with 2x6 frame 22"x36" Insulated - Thermo Pane
(1) - Plyco Series 20 Blocked 3'-0"x6'-8" with 2x6 frame 22"x36" Insulated - Thermo Pane
(16) - Plyco CTB500 Horizontal Step Saver Horizontal (Single Slider) 4'-0"x2'-0" with 2x6 Step-Saver Screen



BRUCE A ALLEN
Cell Phone: (801) 231-6522
Phone Number: (801) 465-0300
Email: BALLEEN@Clearybuilding.com

4/9/2019
KENDIG, MIKE
Doc ID: 1150720190409125854

Features: Insulated Double Pane

Interior Finish / Insulation

Responsibilities

Temporary Services:

- Purchaser will provide electric power during construction.
- Portable toilet rental not included with this proposal.
- Seller to pile scrap for Purchaser use or disposal.

Permit

Purchaser shall timely obtain at Purchaser's cost all necessary and required permits and licenses for the construction contemplated by this Agreement.

Site

If Seller is unable to proceed with normal digging procedures (concrete, rocks, etc.), then the extra expense resulting from such condition(s) will be the obligation of the Purchaser and shall be paid to Seller upon request.

Access must be provided for unloading materials to the building material placement area which must be within 75 feet of the building pad – If greater than 75 feet, additional charges will be applied

Total Building Proposal Investment: \$67,506

- Includes material, labor, tax, delivery, warranties and builder's risk insurance.
- Please note this price is subject to change without notice after 4/17/2019.

Dumpster Option - NOT included in the project investment price above

Seller to place scrap in the dumpster and remove from site (Price subject to change based upon delivery and travel charges for the dumpster) \$1,200

Note: If Dumpster Option is not selected, Seller will pile scraps and packaging near building for Purchaser use or disposal.

1. Cleary Trained Crews
2. Workers Compensation and Builders Risk Insurance
3. Only National Builder debt free since 1985.
4. SteelWood University® - through our best-in-class in-house curriculum, we invest in our employees' education to have the premier team to provide you the best solution and the best service.
5. 99.0% Customer Satisfaction
6. Fully staffed for concept, engineering and construction with just one point of contact for you.
7. Dedicated to your design with personal service specialized by our unique Shamrock Service Guarantee.
8. Best warranties in the industry with the financial strength to stand behind them.

Payment Terms



BRUCE A ALLEN
 Cell Phone: (801) 231-6522
 Phone Number: (801) 465-0300
 Email: BALLE@Clearybuilding.com

4/9/2019
 KENDIG, MIKE
 Doc ID: 1150720190409125854

Payment Terms

Amount	Type	Percent	Description
\$13,501	Down Payment	20 %	Upon the signing of the contract with CLEARY BUILDING CORP.
\$27,002	Delivery Payment	40 %	Payment due upon first load of building materials. In the event that multiple loads of materials are required, due to the size of the building, the remaining materials will be shipped to the site as needed while the building is under construction
\$20,252	Truss Payment	30 %	When all trusses are installed on the building. In the event that there is more than one building on a contract, the truss in place payment is due upon installing the trusses in one of the buildings.
\$6,751	Final Payment	10 %	Paid upon Completion and such payment to be delivered to the crew foreman of CLEARY BUILDING CORP.
\$67,506	Total Amount	100%	

TERMS OF PAYMENT: (1) If Contract Amount is \$35,000.00 or less, the terms of payment shall be as provided in the payment terms section above. (2) If Contract Amount is over \$35,000.00, the terms of payment shall be pursuant to the Bank Reference Form which is made a part of this Contract.

If the Purchaser fails to make a payment when due, Purchaser agrees to pay Cleary, upon demand, a delinquency charge equal to the lesser of three-quarter percent (.75%), or the highest rate allowed by law, of the delinquent amount per fifteen (15) days, from the date the delinquent amount is due, until the date it is paid.

License numbers by state: VA #2705 123094A, MI #2102150963, MN #20076522, IL #104.002640, AZ # ROC212050 Limit \$250,000, NM #86107 Limit \$1,000,000, NV #0042464 Limit \$2,000,000, OR # CCB 115247, WA # CLEARBC044NE, PA120833, WV # WV034562

This contract has not been reviewed for energy code compliance. Conformance to the International Energy Conservation Code (IECC) may necessitate additional costs not included in this contract.

This proposal and similar work hereunder are predicated on non-union (non-prevailing wage) labor. If union (prevailing wage) is required, the additional costs will be covered by the purchaser.

Building Proposal Investment is based upon paying with cash or check. If credit card payment is requested (MasterCard, Visa, Discover, or American Express), the purchaser waives the 3% cash or check discount that would be applied to the contract amount.



3D



To turn off 3D imagery, update your map style [MAP STYLE](#)

Google

9:43 PM Thu Apr 18

100%

Street View



3D

Google

Google

40°26'50"N 111°46'49"W 1 mi



Michael Kendig <alpineanimalhospital424@gmail.com>

Invoice + Alpine Animal Lodge!

Whitni Smith <whitni76@gmail.com>

Fri, Apr 26, 2019 at 2:31 PM

To: alpineanimalhospital424@gmail.com

I am an alpine resident and would love for Alpine to have a boarding option. I have two dogs and go out of town frequently and am need of a place for my dogs. There is no option right now in Alpine.

Thank you,
Whitni Smith

Sent from my iPhone

> On Apr 26, 2019, at 2:14 PM, alpineanimalhospital424@gmail.com wrote:

>

[Quoted text hidden]

> <AVIE070335E.PDF>

4/22/19

To: Alpine City Council & Planning Commission,

Subject: Alpine Animal Hospital, Animal Boarding Addition

The Ferrier's have been a resident of Alpine for 16 years and hopefully will spent our remaining years here as well.

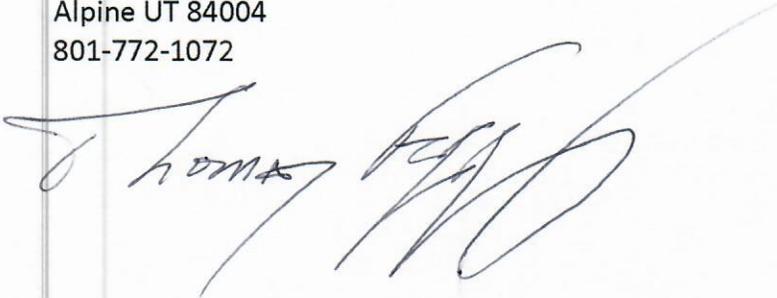
We have had dogs all of the years mentioned above and when we needed vet care for yearly vaccinations or emergencies we were going up into Draper or farther for treatment. Before Dr Kenig came to Alpine we had a very serious condition happen to our dog, which evolved in about 12 months of vet visits and the problems were not getting resolved. I took that same dog to Alpine Animal Hospital after it opened here in Alpine and Dr Kendig explained in a brief few minutes what the problem was and the course of action to repair him, a few weeks and he was back in great shape.

My wife and I travel for our business and to see family in Phoenix and Boise quite often, and most of the time are unable to bring our pets. We currently have been taking our pets to PG for boarding which takes over an hour each way to take them and pickup them 2-3 times a month, consuming a lot of time each month, and most trips are only a few days. So, having a boarding facility locally would be an extreme benefit for us.

We are very glad that Alpine Animal Hospital is located close by and that Dr Kendig has built a viable business here in our community.

Hoping the Board of Alpine will vote in favor of them having a boarding facility at there current location.

Thomas & Carol Ferrier
1061 Moyle Dr
Alpine UT 84004
801-772-1072

A handwritten signature in black ink, appearing to read "Thomas Ferrier", written in a cursive style.

Alpine Animal Hospital

Michael C. Kendig DVM
424 Alpine Highway
Alpine, UT 84004

Phone: (385) 498-4500

Email: alpineanimalhospital424@gmail.com

To whom it may concern,

We are contacting you in regards to a proposal of a pet boarding lodge being added to our current property next to Alpine Animal Hospital. We are reaching out to our neighbors and local government to address any questions or concerns and to hopefully receive feedback and support as we move forward. Please read over the proposal and if you have any unanswered questions do not hesitate to call or email Monica Lawlis (practice manager) or Dr. Michael Kendig (owner and veterinarian). We feel this will be a positive addition to the Alpine community. We have gone to great lengths to foresee any undesirable consequences to our neighbors and Alpine in general and feel we have solutions to any possible concerns. The building will be constructed directly next to the veterinary clinic which has been open now for four years with great success and overwhelmingly positive feedback. Please let us know your thoughts or if you have any concerns, we will be happy to discuss them and make any changes necessary.

With warm regards,

Monica Lawlis & Dr. Michael Kendig

*Great Idea!
I'm all in!
Sharon Outson*



Michael Kendig <alpineanimalhospital424@gmail.com>

Dog Boarding

Richard Thomsen <ravengramps@gmail.com>
To: alpineanimalhospital424@gmail.com

Fri, Apr 26, 2019 at 7:55 PM

Daisy and Sage enjoy their boarding time. I appreciate how quiet the facility is. I've never heard dogs barking. Plus the facility is extremely clean. I've never seen or smelled anything objectionable inside the building or outside. I appreciate how clean the facility always is.

I hope you are allowed to expand. There are times when you have been too busy to board my dogs. Alpine City needs to expand its businesses to make the city more livable.

Sincerely,
Richard Thomsen

4113 Alpine Cove Circle, Alpine, Utah

Sent from my iPhone



Michael Kendig <alpineanimalhospital424@gmail.com>

Alpine Animal Lodge Support

Paul Speed <pauljspeed@gmail.com>

Mon, Apr 22, 2019 at 9:33 PM

To: Michael Kendig <alpineanimalhospital424@gmail.com>

To Alpine City Planning:

As an Alpine resident, I can attest that our community would greatly benefit from an animal boarding and grooming service provider. The fact that it would be owned and operated by a conscientious and community-minded professional like Dr. Michael Kendig makes the proposal all the more enticing to the local citizenry. I, along with the host of Dr. Kendigs friends and neighbors, wholeheartedly support the advancement of the planning process with Alpine City

Very best regards,

Paul Speed

[Quoted text hidden]

To whom it may concern,

My name is Laine Smith and have lived in Alpine for the last 19 years. Having a veterinarian run boarding and grooming facility in Alpine would be of great use to me and my family as we leave out of town often in the summer and struggle to find somewhere safe to leave our family dog. Being able to leave our pet at a facility under the care of our trusted veterinarian would give us much more peace of mind during these times. Dr. Kendig and his staff have always taken the best care of our animals and I feel that a boarding and grooming facility run by Dr. Kendig would serve our community well.

Thank you,

Laine Smith

To Whom It May Concern:

I heard about the animal boarding project at the Alpine Animal Hospital. I think it's a very useful service here in Alpine. I have spoke with many pet owners in Alpine that have to take their pets long distances to have them boarded if their pet needs aftercare following a surgery/procedures and or need a place if they are going on vacation. This boarding is situated in the perfect place off main street on the way out of town secluded in it's own little area. I think it's a great idea.

Paul Anderson (Alpine Resident 14 years)



Michael Kendig <alpineanimalhospital424@gmail.com>

Alpine Boarding

1 message

Briana Wiegele <bmwiegele@gmail.com>

Mon, Apr 22, 2019 at 3:57 PM

To: Michael Kendig <alpineanimalhospital424@gmail.com>

To whom it may concern,

My husband and I both work full time and sometimes are required to travel for work. To have a boarding facility in Alpine for our dog, Curry would be extremely convenient. We currently have to travel to American Fork for daycare, grooming, and boarding.

We are very supportive of having a boarding facility in Alpine and couldn't think of anyone better suited than the staff at Alpine Animal Hospital. They are very caring and accommodating and we have had nothing but positive interactions with them.

We would definitely be a customer and hope we can offer these services in our area!

Respectfully,
Bri & Matt DeHaan

To whom it may concern,

Our family has lived in Alpine for the last 19 years and have been taking our family pets to be seen by Alpine Animal Hospital 4 years. We have felt that Dr. Kendig's facility was an excellent addition to our community.

Our family dog has separation anxiety and we have struggled finding somewhere to board her safely when we leave out of town. We would feel much safer knowing our family pet was under the care of a veterinarian that we trust.

A pet boarding facility in Alpine run by Dr. Kendig would be a great contribution to our community. I would also be excited to see the youth of Alpine have an opportunity to be employed at this facility. Working with animals is a great opportunity.

Thank you,

Heather and Scott Smith

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Planning Commission Minutes May 21, 2019

FOR CONSIDERATION ON: 4 June 2019

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Approve Minutes

BACKGROUND INFORMATION:

Minutes from the May 21, 2019 Planning Commission Meeting.

STAFF RECOMMENDATION:

Review and approve the Planning Commission Minutes.

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, UT
May 21, 2019

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 7:00 pm by Chairman David Fotheringham. The following were present and constituted a quorum:

Chairman: David Fotheringham

Commission Members: Bryce Higbee, Alan MacDonald, John MacKay, Jessica Smuin, Sylvia Christiansen

Excused: Jane Griener

Staff: Austin Roy, Marla Fox, Jed Muhlestein

Others: Sarah Kendig, Michael Kendig, Monica Lawlis, Heather Smith, Lauren Smith, Paul Anderson, Thomas Ferrier, Rita Haan

B. Prayer/Opening Comments: John MacKay

C. Pledge of Allegiance: David Fotheringham

II. PUBLIC COMMENT

There were no public comments.

III. ACTION ITEMS

A. Public Hearing – Amendment to Development Code – Structures in Setbacks

Staff reviewed the Development Code and recommended changes to the setback requirements for dwellings and main buildings. Accessory structures would be prohibited within those setbacks.

Austin Roy said the majority of cities had a setback requirement for how far accessory structure could be to the main building or home. He said the City of Alpine currently did not have this requirement. They did have a provision of how far it could be from the home considering it was attached. The proposed changes would consider detached accessory structures. He said they wanted to create a distance that matched International Building Code. This would help create space in between homes.

Staff recommended the following language:

Accessory buildings shall be a back not less than five (5) feet from the main building.

David Fotheringham opened the Public Hearing. No comments were made, and David Fotheringham closed the Public Hearing.

MOTION: Bryce Higbee moved to recommend approval of the Amendment to Development Code – Structures in Setbacks as proposed. Alan MacDonald seconded the motion.

1 David Fotheringham asked for clarification on the wording. Austin Roy explained that the
2 ordinance allowed accessory apartments within twelve feet from the house. This rule was for
3 residents that wanted to have living space in the accessory building. They would be allowed to
4 have a detached building farther away if there was no living space. There was subsequent
5 discussion regarding language that would clarify the City's intention with this code amendment.
6

7 Alan MacDonald asked if there was a definition of accessory buildings available. Austin Roy
8 responded in the affirmative and read from the code:
9

10 *An accessory building is a detached subordinate building. The use of which is appropriate*
11 *subordinate and customarily incidental to that of a main building, or to the main use of the land*
12 *in which is located on the same lot or parcel of land with the main building or use.*
13

14 Alan MacDonald asked if detached garages and tuff sheds were accessory buildings, to which
15 Austin Roy answered in the affirmative. Jed Muhlestein said anything that was not the house
16 was considered an accessory building.
17

18 The Planning Commission discussed pergolas and decided most people wanted a shade structure
19 closer to their home. Austin Roy said a pergola would be considered an accessory building and
20 would be required to be five feet away from the home. He said they could attach it to the home,
21 but it would then become part of the home and would have to follow the same setbacks as the
22 home. He explained the need for this ordinance, stating that some residents were abutting an
23 accessory structure right up against the house. They claimed it was an accessory structure and
24 therefore did not have to follow the same setback requirements as the home.
25

26 Jessica Smuin asked if there was a problem that occurred to prompt this change. Austin Roy
27 responded in the affirmative. He explained an accessory building was built next to the house and
28 the owner claimed it was an accessory building. Accessory buildings required smaller setbacks
29 than homes required. This ordinance would prevent this type of incident from happening.
30

31 Austin Roy explained that there was an ordinance that allowed accessory buildings to be closer
32 to the property line if six criteria were met:
33

- 34 1. *The accessory building is located more than twelve feet away from the main structure*
35 *on the same adjacent lot.*
- 36 2. *The accessory building contains no openings on the site contiguous to the lot line.*
- 37 3. *No drainage from the roof will be discharged onto an adjacent lot.*
- 38 4. *The accessory building shall be constructed of non-combustible materials.*
- 39 5. *The accessory building will not be placed on land designated as a recorded easement.*
- 40 6. *The Accessory building will not be taller than ten feet.*
41

42 Austin Roy said an accessory structure could be built on parts of the property that a home could
43 not be built on. The proposed code changes would prevent the loophole of homeowners building
44 accessory structures next to their home.
45

1 **MOTION:** John MacKay moved to amend the motion to add the word “additionally,” then
2 comma, at the beginning of the third sentence, paragraph 2A.

3
4 Sylvia Christiansen seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The
5 motion passed.

6
7 **Ayes:**

8 Bryce Higbee

9 Alan MacDonald

10 John MacKay

11 David Fotheringham

12 Jessica Smuin

13 Sylvia Christiansen

7 **Nays:**

8 None

14
15 **B. Public Hearing – Amendment to Development Code – Uses in the**
16 **Business/Commercial Zone**

17
18 Austin Roy explained that the Alpine Animal Hospital wanted to add a new dog boarding kennel
19 as an additional service at the veterinary hospital. Under the current ordinance this was not a
20 permitted use within the City. The applicant was seeking approval of the proposed use within
21 the Business/Commercial Zone.

22
23 Mike Kendig said he was the owner of the Alpine Animal Hospital. He said he had received a
24 lot of requests to board dogs. He currently did not have the space to offer that service and was
25 asking approval to construct an addition to the hospital so he could board dogs. He then
26 presented an aerial map of this property to identify where the proposed addition would be
27 located.

28
29 Austin Roy clarified that the Planning Commission was not deciding to approve the dog kennel
30 business; rather, it was considering the use of a dog kennel use in this area.

31
32 Alan MacDonald asked Austin Roy to research what other cities had done to regulate dog
33 kennels. If this proposal did not pass, they would have language justifying the decision.

34
35 Monica Lawlis, manager of the Animal Hospital, said she sent letters to everyone within 300 feet
36 of their business. She explained there was little or no concern from her neighbors.

37
38 David Fotheringham opened the Public Hearing.

39
40 Heather Smith, a resident, said she had to drive to Pleasant Grove to board her dog. There was a
41 shortage boarding facilities in the County. She was in favor of the proposal.

42
43 Paul Anderson, a resident, said this would be a good amenity to Alpine. This would unlikely
44 impact anyone because of the space around the building. He said this service would be very
45 convenient for residents.

1 Thomas Ferrier, a resident, said he was so happy Dr. Kendig had come to Alpine. He explained
2 he traveled a lot and had to drive two hours to board his dog. This service would be a great asset
3 to the community.

4
5 Rita Haan, a resident, said her dog went to daycare in American Fork; having daycare and
6 veterinary services in one place would be great. She said her dog would benefit from this service
7 and it would be very convenient.

8
9 David Fotheringham closed the Public Hearing.

10
11 Sylvia Christiansen asked if State licensing was required for this service; furthermore, she
12 wanted to know who would inspect the facility. Dr. Kendig stated that the City would grant the
13 license.

14
15 Bryce Higbee said he loved the idea but it needed stringent rules. He suggested this use be an
16 exception rather than including it in the code.

17
18 Austin Roy said if this was allowed in the City, it would be in the business commercial zone. He
19 explained that conditional permits were for certain duration of time; the applicant would be
20 required to renew their permit with the City at some point.

21
22 Alan MacDonald said this would be a good addition to the area but not if there were several
23 boarding kennels. They needed specific conditions for this service if it was approved.

24
25 John MacKay suggested they investigate what other cities had done and address rules such as
26 safety, noise, and limiting hours of free run.

27
28 Sylvia Christiansen said she wanted approval from the neighbors or some type of agreement with
29 the neighbors.

30
31 Jessica Smuin asked if the applicant would always have to renew their permit if the use was
32 considered conditional. Austin Roy said if it was added as a permitted use, the applicant would
33 not have to renew their permit. They would still be required to have a business license, but the
34 use would be allowed.

35
36 The Planning Commission discussed this business being a conditional use or not. They said it
37 would make it difficult for the applicant to get a loan on the building if they had to re-apply
38 every three years. It would also make it difficult if the City made it conditional based. This
39 would make it difficult to sell the property in the future.

40
41 **MOTION:** Sylvia Christiansen moved to recommend tabling this item until language is created
42 by Staff for a dog kennel in the business commercial zone.

43
44 Bryce Higbee seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The
45 motion passed.

Ayes:

Bryce Higbee
 Alan MacDonald
 John MacKay
 David Fotheringham
 Jessica Smuin
 Sylvia Christiansen

Nays:

C. Site Plan Review – Produce Stand (Peach Pit) – Clark Burgess

Austin Roy said the applicant was seeking to sell peach shakes and apple slushes this summer. A new temporary building would be added. The temporary building would only be used from August through November. The Utah Department of Agriculture and Food and the Utah County Health Department already gave approval for the sale of the proposed items. Produce stands were permitted as a conditional use and needed to meet the following terms and conditions:

1. *Incidental Produce Stands are listed as a conditional use in the zone.*

Produce stands were a conditional use in the CR-40,000 zone, where the stand was located.

2. *Only plants, animals, or parts thereof which are products of the subject lot shall be offered for sale.*

Products to be sold were derived from peaches and/or apples grown on site.

3. *The Produce stand shall provide sufficient off-street parking space to safely accommodate the anticipated level of patrons. The required off-street parking shall be in addition to the spaces required to meet the parking requirements of the primary use.*

According to Article 3.24, less intensive commercial businesses were to provide 3.5 parking spaces per 1000 square feet. The produce stand was primarily outside and occupied a few hundred square feet. The applicant had three paved parking spaces along their existing apple cooler and additional overflow parking along the length of the property.

4. *Each produce stand shall be entitled to one sign. Said sign shall have not more than thirty-two (32) sq. ft. of sign area and shall advertise only products of the lot. The sign shall not extend into the road right-of-way.*

The applicant had a sign on the side of the existing apple cooler and was not proposing to add any additional signs. However, Staff recommended that signs be added to direct traffic to available off-street parking.

5. *An annual business license to operate the produce stand shall be obtained from the City.*

The applicant indicated they would obtain a business license prior to operation.

- 1 6. *The application shall include a detailed site plan showing the location of all dwellings*
 2 *and other buildings on the site and also all facilities and areas intended for use in the*
 3 *production, processing, storage and sales of the products intended to be offered for sale*
 4 *on the premises.*

5
 6 The applicant was asking that the Planning Commission review and approve the proposed site
 7 plan. Staff reviewed the proposed site plan and conditional produce stand and the application
 8 appeared to meet the requirements set forth in the Development Code.

9
 10 The Planning Commission also discussed the parking.

11
 12 **MOTION:** Sylvia Christiansen moved to approve the Clark Burgess Produce Stand (Peach Pit)
 13 with the following condition:

- 14
 15 1. Signage be used to clearly identify off-street parking

16
 17 John MacKay seconded the motion.

18
 19 **MOTION:** Bryce Higbee moved to amend the Clark Burgess Produce Stand (Peach Pit) with an
 20 additional condition:

- 21
 22 2. Add stripes to the parking stalls.

23
 24 Sylvia Christiansen seconded the motion. There were 5 Ayes and 1 Nays (recorded below). The
 25 motion passed.

26
 27 **Ayes:**

28 Bryce Higbee
 29 John MacKay
 30 David Fotheringham
 31 Jessica Smuin
 32 Sylvia Christiansen

27 **Nays:**

28 Alan MacDonald

33
 34 **D. Rules of Order**

35
 36 Austin Roy said at the April 16, 2019 meeting, the Planning Commission reviewed and discussed
 37 proposed Rules of Order. The document was created as an adaption of the City Council Rules of
 38 Procedure. Staff had made changes to the document that were discussed in the April meeting
 39 and now the document was ready for the Planning Commission to review and consider adopting.

40
 41 **MOTION:** Bryce Higbee moved to approve of the Rules of Order as proposed.

42
 43 Alan MacDonald seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The
 44 motion passed.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Ayes:
Bryce Higbee
Alan MacDonald
John MacKay
David Foderingham
Jane Griener
Jessica Smuin

Nays:
None

IV. Communications

There were no communication items.

V. APPROVAL OF PLANNING COMMISSION MINUTES: May 7, 2019

MOTION: Sylvia Christiansen moved to approve the minutes for May 7, 2019, as written.

John MacKay seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:
Bryce Higbee
Alan MacDonald
John MacKay
David Fotheringham
Jessica Smuin
Sylvia Christiansen

Nays:
None

The meeting was adjourned at 8:10 pm.