

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, UT
January 19, 2021

I. GENERAL BUSINESS

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

Chairwoman: Jane Griener

Commission Members: Ethan Allen, John MacKay, Alan MacDonald, Troy Slade, Ed Bush, Sylvia Christiansen

Excused:

Staff: Jed Muhlestein, Marla Fox

Others: Dawn Bingham, Emily Cushing, Travis Cushing

B. Prayer/Opening Comments: John MacKay

C. Pledge of Allegiance: Alan MacDonald

II. PUBLIC COMMENT

No Comments

III. ACTION ITEMS

A. Public Hearing – Accessory Building Setback Exceptions

On January 5, 2021, the Bingham, Cushing, and Strong families spoke during the public comment portion of the Planning Commission meeting. They felt an amendment was needed to the accessory building setback exception ordinance and the maximum allowed height for structures receiving an exception. The Planning Commission discussed the item and told the residents they would hold a public hearing and put this on the agenda for the upcoming meeting.

The Bingham, Cushing, and Strong families have put together a proposal that they would like the Planning Commission to consider for recommendation (see packet). The proposal would amend the height requirement under Article 3.03.050.2.vi.

Staff have reviewed this proposal in relation to neighboring municipalities (American Fork, Highland, and Lehi) and found that Alpine City's code is closely aligned with the requirements in other municipalities. One key finding is that none of the cities allowed accessory buildings or structures to be placed inside an easement, and only Alpine City allows for an exception to setback requirements. In making a recommendation the Planning Commission should consider impact on views, safety (fire hazard), and easements.

Jed Muhlestein said the three families are proposing to change the height for accessory buildings to thirteen feet when closer to the property line.

Jed Muhlestein read the six criteria from the ordinance:

1. The accessory building is located more than twelve (12) feet from an existing dwelling on the same or adjacent lot;
2. The accessory building contains no openings on the side contiguous to the lot line;
3. No drainage from the roof will be discharged onto an adjacent lot;
4. The accessory building shall be constructed of non-combustive materials or have fire resistive walls rated at one (1) hour or more.
5. The building will not be placed on land designated as a recorded easement, such as a utility or trail easement: and
6. The building will not be taller than ten (10) feet to the top of the roof line.

Jed Muhlestein said the proposal is to change the exception height for accessory buildings from ten feet to thirteen feet.

Jed Muhlestein said the three families mentioned that surrounding cities did not have height restrictions. Jed Muhlestein showed a graph of what restrictions other cities follow. The graph showed that Lehi, American Fork and Alpine do not allow building within the PUE (Utility Easement). Highland City did not specify.

Jed Muhlestein showed a graph showing different angles and placement of accessory buildings and if they blocked the view of the neighbor.

Jane Griener opened the Public Hearing.

Dawn Bingham, 680 W Willow Way, said Highland City has no setback requirements if the structure is under 200 square feet. She asked if she could get an exception for her shed because it is under 200 square feet. She asked when the height ordinance became a standard because she has seen other sheds in Alpine that seem to be too high.

Travis and Emily Cushing, 648 W Willow Way, said their shed is 12 ½ feet and asked if they could be given an exception for that height. Emily Cushing said her neighbor's house blocks their view and it wasn't protected by the City and now they are being asked to remove some of the height of their shed to protect the neighbor's view.

Jane Griener closed the hearing.

Sylvia Christiansen asked if the Cushing's property was surveyed. The Cushing's said their shed was one foot away from the property line. Sylvia Christensen asked if any of these families got a building permit.

Marla Fox said none of the three families got a building permit. She explained that the smaller easement was never meant for custom sheds, pool houses or accessory buildings; it is for small sheds to house a lawn mower or tools.

Ethan Allen said contractors know they must get a permit or run the risk of something being taken down.

Ed Bush said he looked at readymade sheds from Home Depot and most of them are under ten feet.

Jed Muhlestein said flatwork can be poured right up to the property line but could possibly have to be taken out if a utility company needed to get in the easement.

Sylvia Christiansen said she was concerned that the builders built these sheds without finding out where they could build.

Alan MacDonald asked why we have these heights. Jane Griener said Marla Fox said sheds built next to the property line are allowed only if they meet certain criteria. The ordinance with the six exception criteria was created for small tool sheds.

Alan MacDonald said there was some hearsay about other sheds in the city being too tall. He said he didn't see any pictures of infractions. He said the ordinances seem to be pretty cut and dried as to what sheds can go closer to the property line and what accessory buildings can't. He also said some buildings could have been built a long time ago before the ordinance was written and could be grandfathered in. Jed Muhlestein said that is true, we have many sheds that were built before the ordinance.

MOTION: Ed Bush moved to recommend DENYING the Accessory Building Setback Exceptions as proposed and leave the Ordinance as is.

Sylvia Christiansen seconded the motion. There were 5 Ayes and 2 Nays (recorded below). The motion passed.

Ayes:

Sylvia Christiansen
Ed Bush
Ethan Allen
Alan MacDonald
Troy Slade

Nays:

John MacKay
Jane Griener

B. Discussion – Temporary Sign Ordinance

On January 5, 2021, the Planning Commission made a recommendation to approve changes to the sign ordinance regarding monument signs. During the review, the Planning Commission had questions about the ordinance for temporary signs and asked that it be added to the next agenda for discussion.

Jane Griener said temporary vinyl signs on occasion are being staked in the ground, wrapped trailers on Main Street, and Grand Opening temporary signs on buildings are being put up and she wanted to know what was permitted. She asked if people were following this and if they were getting permits.

Marla Fox said that there are a few repeat businesses that come in and get a permit for temporary signs. She said Austin Roy works with businesses to get the permit and keeps track of them. Businesses are getting the permits for sales, open houses, promotions, etc. and the permit is good for two weeks.

Sylvia Christiansen asked if a realtor could put up directional signs for open houses. Jed Muhlestein said directional signs are not allowed.

Jane Griener had questions about the large trucks with billboards parked on Main Street in the Parking lot and in a driveway. She said she didn't think that followed the temporary sign ordinance. Marla Fox explained that the business owner was told he couldn't keep the trucks parked indefinitely in the parking lot, but it could be used to come and go for his business. The other truck is parked at his own home in his driveway and has a right to park there. He is fortunate to benefit from living on Main Street to get the business exposers.

IV. Communication

Ed Bush asked about the Blue Bison Appeal. Jed Muhlestein said we have not heard back from the Appeals Officer.

V. APPROVAL OF PLANNING COMMISSION MINUTES: January 5, 2021

MOTION: John MacKay moved to approve the minutes for January 5, 2021 with change by Sylvia Christiansen.

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

Ayes:

- Ethan Allen
- Jane Griener
- Alan MacDonald
- Troy Slade
- Ed Bush
- John MacKay
- Sylvia Christiansen

Nays:

None

MOTION: Alan MacDonald moved to adjourn the meeting.

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

Ayes:

- Ethan Allen
- Jane Griener
- Alan MacDonald
- Troy Slade
- Ed Bush
- John MacKay
- Sylvia Christiansen

Nays:

None

The meeting was adjourned at 8:31p.m.