



ALPINE CITY PLANNING COMMISSION MEETING

NOTICE is hereby given that the **PLANNING COMMISSION** of Alpine City, Utah will hold a **Public Meeting** on **Tuesday, October 7th, 2025 at 6:00 p.m. at City Hall, 20 North Main Street, Alpine, Utah.**

The public may attend the meeting in person or view it via the Alpine City YouTube Channel. A direct link to the channel can be found on the homepage of the Alpine City website, alpineut.gov.

I. GENERAL BUSINESS

- A. Welcome and Roll Call: Alan MacDonald
- B. Prayer/Opening Comments: By Invitation
- C. Pledge of Allegiance: Troy Slade

II. REPORTS AND PRESENTATIONS

- A. None

III. ACTION/DISCUSSION ITEMS:

- A. **Public Hearing:** A proposed material change to the Alpine City Hall Park site. The proposed change is a remodel and expansion of the Alpine City Fire Station (Lone Peak Fire Station 202) located at 50 E 100 N.
- B. **Public Hearing:** Potential Rezone of Parcels #11:023:0083 (476 Alpine Highway) and 11:023:0129 from the CR-40,000 Zone to the Business-Commercial (B-C) Zone.
- C. **Discussion Item:** Potential rezone of the lots located at 625 S Alpine Highway & 491 S Alpine Highway from the CR-40,000 Zone to the Business Commercial (B-C) Zone.
- D. **Action Item:** Expansion of Existing Balcony in the Business-Commercial Zone Located at 333 S Main Street.

IV. COMMUNICATIONS

V. APPROVAL OF PLANNING COMMISSION MINUTES:

- A. September 23rd, 2025

ADJOURN

Chair Alan MacDonald
October 3rd, 2025

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 conversations 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 with 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 a 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 CITY PLANNING COMMISSION AGENDA

SUBJECT: Material Change to Alpine City Hall Park-Remodel and Expansion of Fire Station.

FOR CONSIDERATION ON: October 7th, 2025

PETITIONER: City Staff

**ACTION REQUESTED BY PETITIONER: Recommend Approving Material
Change to Alpine City Hall Park
for a Remodel and Expansion of
Fire Station.**

REVIEW TYPE: Legislative

BACKGROUND INFORMATION:

Alpine City is working on a project to update, remodel, and expand the existing Fire Station located at City Hall Park. Because this project represents a material change to an existing City Park, Alpine Development Code §3.16.040 requires additional public review and approval.

Under this provision, land included in a City Park may not be materially changed, improved, altered, disposed of, or used for another purpose unless:

1. The Planning Commission holds a public hearing and makes a recommendation, **and**
2. The City Council approves the change by a supermajority vote (at least 4 of 5 members).

A material change is defined as including, but not limited to:

- A change to the park's essential defining characteristics,
- Creation or improvement of roadways or parking lots within the park, or
- Other alterations that affect the existing nature of the park.

Because this project involves expanding the Fire Station and adding parking, both the Planning Commission and City Council must review it.

It is important to note that at this stage, the review is limited to the proposed change to the park itself. Design details for the new Fire Station building and related features will be considered separately at a future meeting. In addition, the City anticipates that the multiple parcels on the City Hall block will likely need to be consolidated to accommodate the project.

CITY CODE:

- Alpine Development Code §3.16.040 Special Provisions

GENERAL PLAN:

- Parks, Recreation, Trails, And Open Space Pg. 20.

PUBLIC NOTICE:

A public hearing is required as part of the review of this agenda item by the Planning Commission.

STAFF RECOMMENDATION:

Because this is a legislative decision, the standards for approval or denial are that the proposed application should be compatible with the standards found in the general plan, as well as the current city code and policies. A decision for approval or denial should be based on those criteria.

SAMPLE MOTION TO APPROVE:

I move to approve the material change proposed to the City Hall Park to allow for the expansion of the current Alpine Fire Station No. 202 Project as proposed.

SAMPLE MOTION TO APPROVE WITH CONDITIONS:

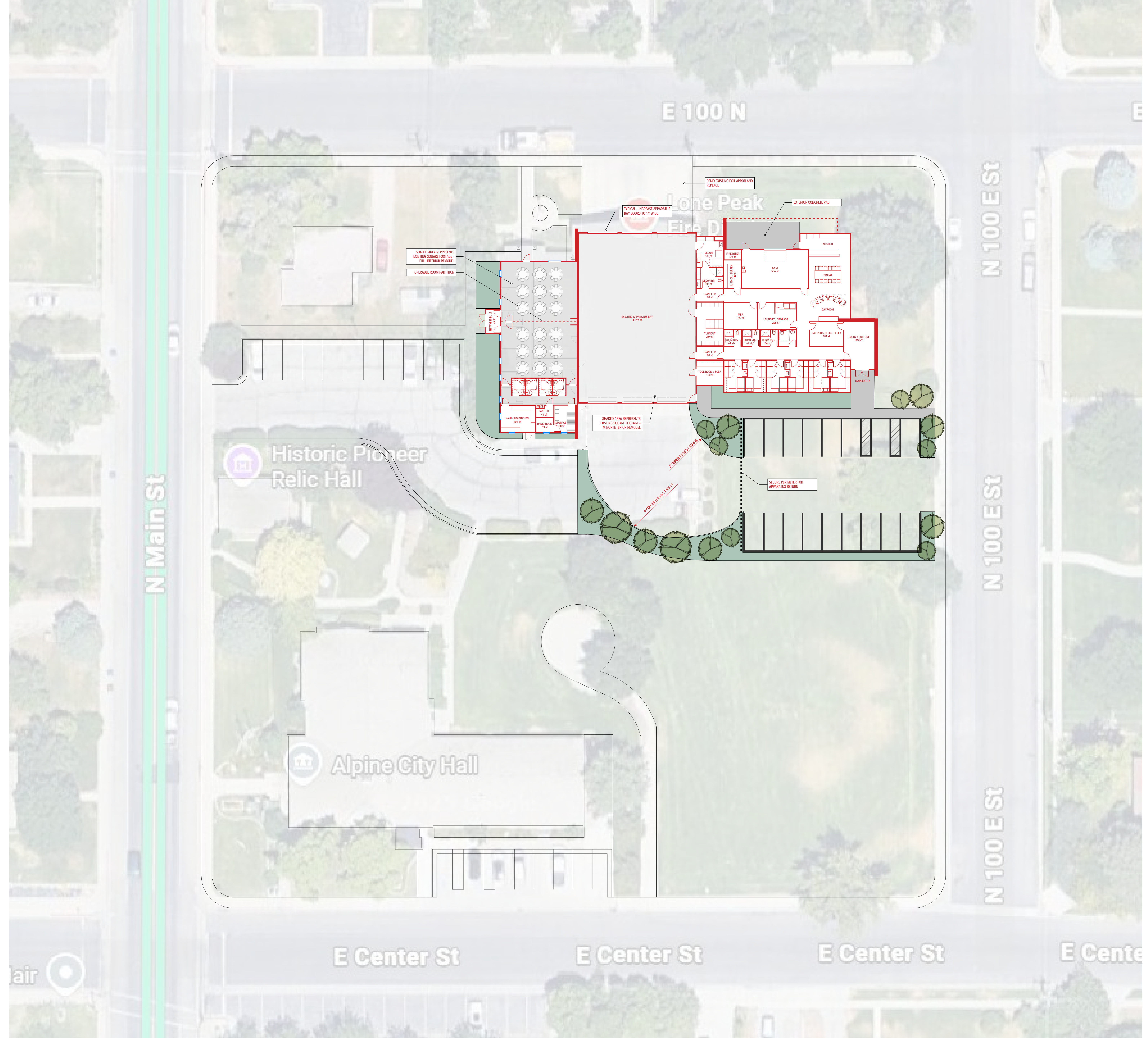
I move to approve the material change proposed to the City Hall Park to allow for the expansion of the current Alpine Fire Station No. 202 Project, subject to the following conditions/changes:

- ***Insert Finding***

SAMPLE MOTION TO TABLE/DENY:

I move to table/deny the material change proposed to the City Hall Park to allow for the expansion of the current Alpine Fire Station No. 202 Project based on the following:

- ***Insert Finding***



ALPINE CITY PLANNING COMMISSION AGENDA

SUBJECT: Rezone of Parcels #11:023:0083 476 S ALPINE HWY, & 11:023:0129

FOR CONSIDERATION ON: October 7th, 2025

PETITIONER: Gary and Brian Streadbeck

ACTION REQUESTED BY PETITIONER: Recommend approval of proposed rezone

REVIEW TYPE: Legislative

BACKGROUND INFORMATION

The petitioners, Gary and Brian Streadbeck, are requesting a rezone of Parcels #11:023:0083 (476 S Alpine Highway) and #11:023:0129 from CR-40,000 (Country Residential – one dwelling unit per 40,000 sq. ft.) to Business Commercial (B-C).

- Current Zoning (CR-40,000): Primarily allows for large-lot residential development.
- Requested Zoning (B-C): Permits a range of commercial uses, including retail, office, and service businesses, along with single-family residential lots of 10,000 sq. ft. A full list of permitted and conditional uses is included in the staff packet.

Reason for Request:

The applicants state that:

- They already own properties to the east and north of these parcels, which are zoned B-C. Rezoning would provide better access to Alpine Highway and allow their holdings to function cohesively.
- Because the parcels are adjacent to existing B-C zoning, they believe this location is a logical extension for additional commercial development in the city.

No formal site plan has been submitted at this time. If rezoned, the properties would be subject to all B-C zone standards, including permitted/conditional uses, building requirements, parking, landscaping, and screening regulations.

APPLICABLE CITY CODE

- Alpine Development Code §3.07 – Business Commercial Zone
- Alpine Development Code §3.04 – CR-40,000 Zone

GENERAL PLAN POLICIES

- Business Commercial (B-C): Land zoned B-C should provide professional office, retail, and other commercial uses serving the community within a safe and aesthetically pleasing environment. Limited residential may also be permitted. (*Goal #2, Policy 2.2, p. 7*)
- Country Residential – 40,000 (CR-40,000): Intended for low-density residential development on the periphery of the City center. These areas are designed to perpetuate Alpine's rural and open space image. (*Goal #2, Policy 2.5, p. 7*)

PUBLIC NOTICE

This item requires a public hearing before the Planning Commission.

STAFF RECOMMENDATION

As a legislative decision, the Planning Commission should consider whether the proposed rezone is compatible with the City's General Plan policies and Development Code standards. A decision for approval or denial should be based on those criteria.

SAMPLE MOTION TO APPROVE:

I move to recommend approval of the rezone request for Parcels #11:023:0083 and #11:023:0129 from CR-40,000 to Business Commercial (B-C), based on the findings that the proposed rezone is consistent with the General Plan and adjacent zoning patterns.

SAMPLE MOTION TO APPROVE WITH CONDITIONS:

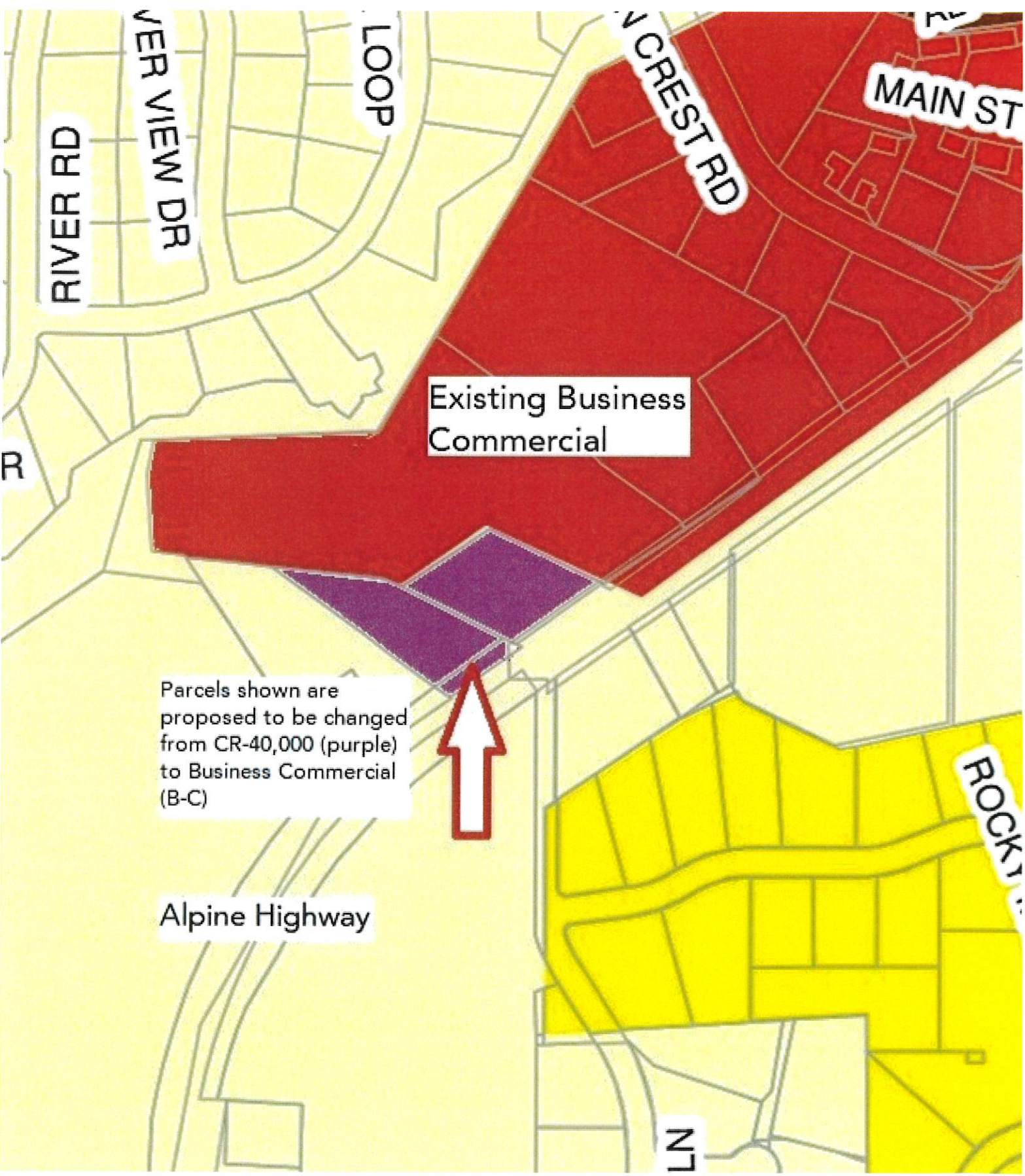
I move to recommend approval of the rezone request for Parcels #11:023:0083 and #11:023:0129 from CR-40,000 to Business Commercial (B-C), subject to the following condition:

- Insert Conditions

SAMPLE MOTION TO TABLE/DENY:

I move to table/ recommend denial of the rezone request for Parcels #11:023:0083 and #11:023:0129, based on the following:

- Insert Findings



Existing Business Commercial

Parcels shown are proposed to be changed from CR-40,000 (purple) to Business Commercial (B-C)

Alpine Highway

RIVER RD

VER VIEW DR

LOOP

V CREST RD

MAIN ST

ROCKY

N

3.07.010 Legislative Intent

The intent in establishing the B-C Business Commercial Zone is to provide an area in which the primary use of land is for retail and other commercial uses serving the immediate needs of Alpine residents and situated within an environment, which is safe and aesthetically pleasing. The zone is also intended to serve as the commercial core of the City.

The zone is characterized by a mixture of retail and service commercial uses such as stores, restaurants, office structures and a wide variety of specialty shops and is generally located adjacent to major transportation arteries.

Manufacturing, residential and other uses and other activities, which would be inconsistent with the use of the land for commercial activities are discouraged or not permitted within the zone.

The specific regulations considered necessary for the accomplishment of the intent of the zone are hereinafter set forth.

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

3.07.020 Permitted Uses

The following uses of land shall be permitted upon compliance with the applicable standards and conditions set forth in this ordinance.

1. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building; also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment.
2. Office buildings and medical clinics.
3. Personal service establishments such as barber and beauty shops, shoe repair, laundries and similar establishments.
4. Automotive service establishments, including gasoline dispensing facilities, car washes, and parking.
5. Recreational enterprises including but not limited to recreation centers, motion picture theaters, athletic clubs.
6. Funeral homes.

7. Single-unit detached dwellings when located on a lot in a recorded subdivision and subject to compliance with the applicable conditions within the zone.
8. Residential structures, provided that said structure existed as a residence prior to the effective date of this Chapter. Also, customary residential accessory structures (i.e. swimming pools, detached garages, private greenhouses etc.) when appurtenant to and on the same lot as a residence.
9. Residential structures located within or on the same premises as a permitted or conditional commercial use. Both residential and commercial buildings will be considered main buildings and will be required to meet the main building setbacks when on the same premises.
10. Accessory uses and structures shall be permitted provided they are incidental to and do not substantially alter the character of the permitted principle use or structure. Such permitted accessory uses and structures include, but are not limited to, buildings such as garages, carports, equipment and supply storage buildings which are customarily used in conjunction with and incidental to a principle use or structure permitted in the B-C Zone.
11. Agriculture, including the raising of row crops, grains and fruits and the incidental pasturage of animals. See DCA 3.21.090.
12. Other uses which are determined by the Planning Commission to be similar to and compatible with the foregoing uses and in harmony with the intent of the zone.
13. Water, sewer and utility transmission lines and facilities required as an incidental part of development within the zone, and subject to the approval of a site plan by the Planning Commission.
14. Motor vehicle roads and rights-of-way subject to compliance with City standards for design and construction for such uses, and upon approval of site plan by the Planning Commission.
15. Customary household pets.
16. The keeping and raising of animals and fowl, subject to the provisions of DCA 3.21.090.
17. Charter schools, home-based microschools, and micro-education, as required by Utah State Code §10-9a-305(7)(a), subject to DCA 3.20 and any additional requirements consistent with applicable provisions of State law.

ALPINE CITY PLANNING COMMISSION AGENDA

SUBJECT: Rezone Request – 491 S Alpine Highway & 625 S Alpine Highway to Business Commercial (B-C) Zone

FOR CONSIDERATION ON: October 7, 2025

PETITIONER: Derek Rowley & Paul Gu

ACTION REQUESTED BY PETITIONER

Feedback from the Planning Commission regarding a potential rezone request.

REVIEW TYPE

Legislative

BACKGROUND INFORMATION

The applicants are requesting that the properties located at **491 S Alpine Highway** and **625 S Alpine Highway** be rezoned from **CR-40,000** (Country Residential – one dwelling unit per 40,000 square feet) to **Business Commercial (B-C)**.

- **Current Zoning (CR-40,000):** Primarily allows large-lot residential development.
- **Requested Zoning (B-C):** Permits a range of commercial uses, including retail, office, and service businesses, along with single-family residential lots of 10,000 sq. ft. A full list of permitted and conditional uses is included in the staff packet.

Existing Uses:

- **625 S Alpine Highway:** Operates as a produce stand under a Conditional Use Permit (CUP).
- **491 S Alpine Highway:** Contains a residential home and provides additional parking for the produce stand.

The applicants state that rezoning is sought primarily to expand the range of products and services they may offer beyond what is permitted under the current CUP definition of a produce stand.

If rezoned, all permitted and conditional uses within the B-C Zone would apply, subject to applicable development standards (e.g., parking, trash and storage container screening, landscaping). The Gateway Historic Guidelines will also apply.

APPLICABLE CITY CODE

- Alpine Development Code §3.07 – Business Commercial Zone
- Alpine Development Code §3.04 – CR-40,000 Zone

GENERAL PLAN POLICIES

- **Business Commercial (B-C):** Land zoned B-C should provide professional office, retail, and other commercial uses serving the community within a safe and aesthetically pleasing environment. Limited residential may also be permitted as outlined in the Development Code. (*Goal #2, Policy 2.2, p.7*)
- **Country Residential – 40,000 (CR-40,000):** Intended for low-density residential development on the periphery of the City center. These areas are designed to perpetuate Alpine's rural and open space image. (*Goal #2, Policy 2.5, p.7*)

PUBLIC NOTICE

A **public hearing** on this rezone request is scheduled for the **October 21, 2025 Planning Commission Meeting**.

STAFF RECOMMENDATION

Due to a noticing error regarding letters to property owners within 500 feet of the subject properties, this item is presented for **discussion only**.

The applicants are requesting feedback from the Planning Commission at this time. No motion is required. The formal request will be considered at the October 21, 2025 public hearing.

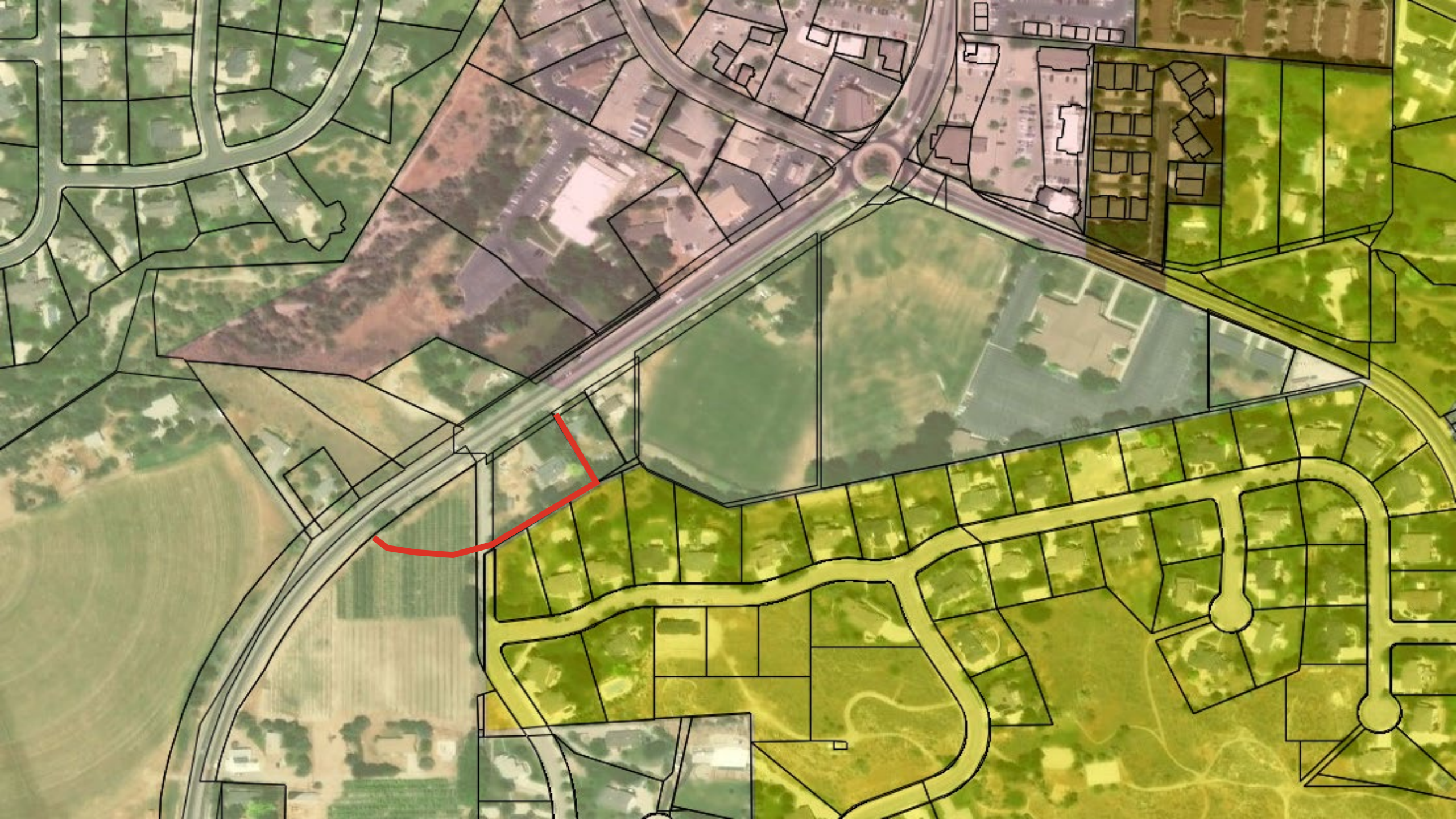
Review from Alpine City Attorney of potential “spot zoning” with this application:

Under Utah case law, “spot zoning occurs when a municipality either grants a special privilege or imposes a restriction on a particular small property that is not otherwise granted or imposed on surrounding properties in the larger area.” *Tolman v. Logan City*, 2007 UT App 260. This is particularly true when a single small tract or parcel within a large district is zoned differently than the larger district, but not in pursuance of any general plan. *Id.* This creates an “island” that is regulated either more restrictively or less restrictively than surrounding properties.

The key concepts seem to be whether the property proposed for rezone is relatively small, whether it is surrounded by uses inconsistent with the proposed rezone, and whether the rezone would be consistent with or in furtherance of the general plan. In *Crestview-Holladay Homeowners Ass’n, Inc. v. Engh Floral Co.*, 545 P. 2d 1150 (Utah 1976), a parcel surrounded on three sides by residential property was allowed to be rezoned to allow commercial use because nearby properties had commercial uses and the rezone was consistent with the general plan.

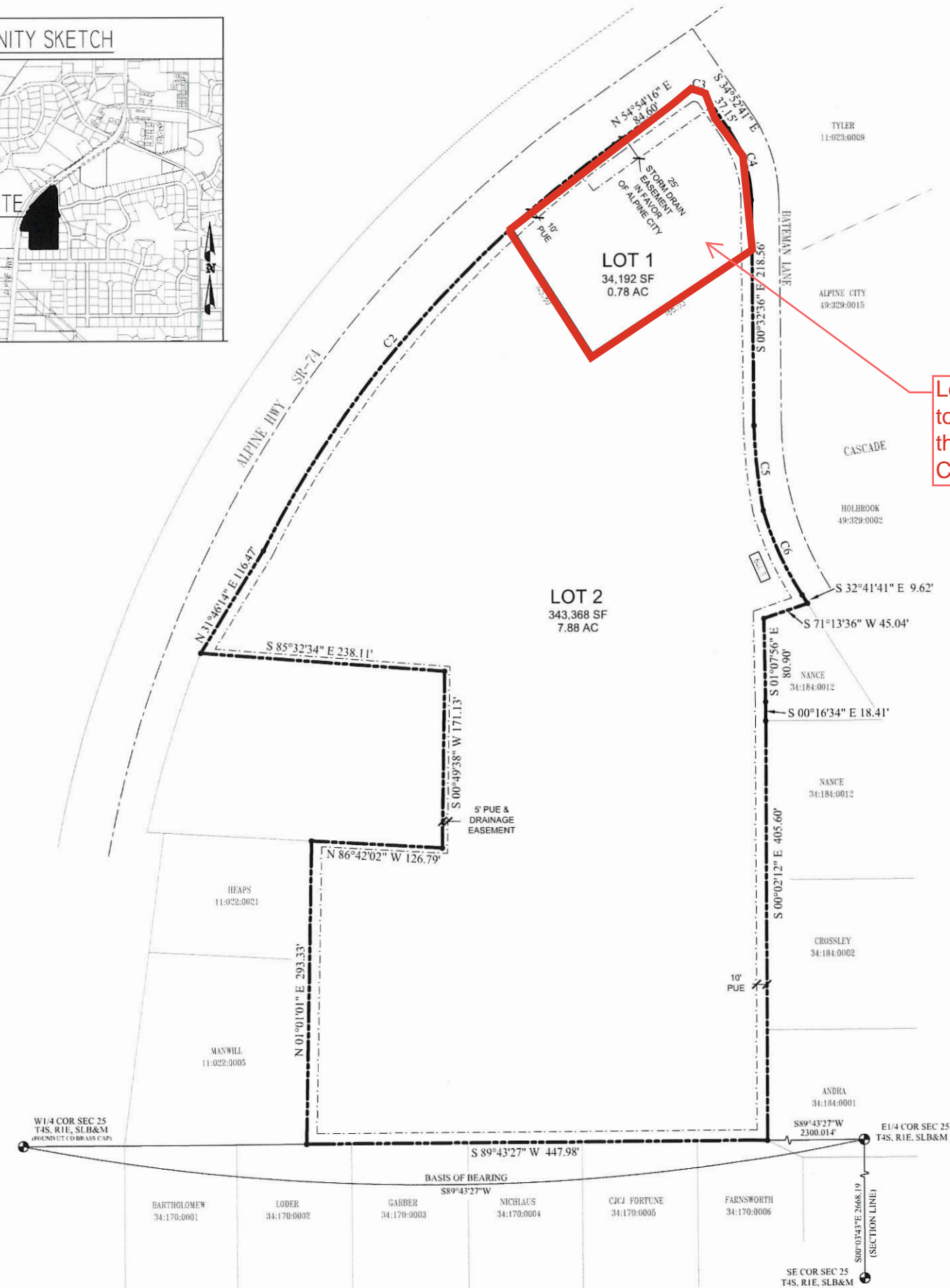
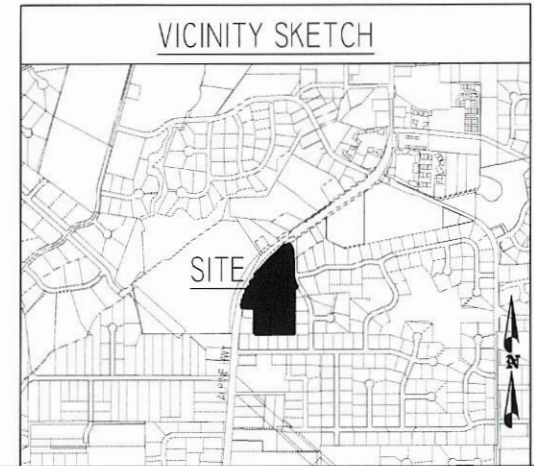
Here, the planning commission should consider whether the proposed rezone would isolate this property as an island benefiting from commercial use inconsistent with surrounding properties, or whether the commercial uses in the area could appropriately be extended to include this property. They should also consider whether the general plan supports the rezone. Goal #2 of the general plan’s land use section is to “Provide clearly defined land zones to support the vision for a low density, rural atmosphere that meets the needs of residents.” Policy 2.1 states: “Zoning shall be arranged from higher density zones in the center of the City to **gradually lower density zones** as you move towards the outer City limits (emphasis added).” See also Policy 2.8. Policies 2.4 and 2.5, describing the CR-20,000 and CR-40,000 zones surrounding the property proposed for rezone, state that these areas should provide for the perpetuation of the rural and open space image of the City. The land use map (Figure 1) doesn’t provide for future land use. It shows low density and medium density on the south side of the Business Commercial land use area. These are questions the planning commission should consider in making their recommendation on the rezone application.

If the applicant included a larger number of properties and they were contiguous to the B-C zone, the spot zoning argument may diminish in importance. I also think if the applicant included more than just the small northern portion of its property the spot zoning argument may be less important. But that doesn’t mean the planning commission or city council, in their discretion, would need to approve the rezone.



JECCO FARMS PLAT "B"

LOCATED IN THE NW 1/4 & THE NE 1/4 OF SECTION 25, T4S, R1E, SLB&M
ALPINE CITY, UTAH COUNTY, STATE OF UTAH



Lot 1 is proposed to be rezoned to the Business Commercial Zone.

PLAT NOTES

- DESIGN CRITERIA FOR ELEVATION OF 5,000 FEET
- DESIGN CRITERIA FOR SNOW LOAD OF 45 LBS/FT²
- 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%.
- CURB MONUMENTS ARE AN EXTENSION OF THE PROPERTY LINE

TABULATIONS

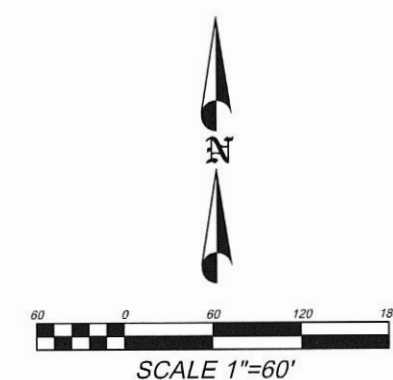
ZONE =	CR-0.000
TOTAL AREA =	9.72 AC
AREA OF EXISTING ROADS =	0 AC
NET DEVELOPABLE AREA =	9.72 AC
AREA OF NEW ROADS =	0.00 AC
AREA IN LOTS =	9.72 AC
OPEN SPACE / LANDSCAPE	0.00 AC
NUMBER OF LOTS	2
DENSITY	0.21 DU/AC

ADDRESS TABLE

LOT	ADDRESS
1	65 SOUTH ALPINE HWY
2	644 SOUTH BATEMAN LANE

CURVE TABLE

CURVE	BEARING	LENGTH	DELTA	CHORD	BEARING
C1	N 54°54'16" E	84.60'	90.11'	146.52'	N 54°54'16" E
C2	N 31°46'14" E	116.47'	121.55'	160.71'	N 31°46'14" E
C3	S 71°13'36" W	45.04'	50.11'	72.61'	S 71°13'36" W
C4	S 32°41'41" E	9.62'	10.62'	15.82'	S 32°41'41" E
C5	S 00°02'12" E	405.60'	405.60'	405.60'	S 00°02'12" E
C6	S 00°16'34" E	18.41'	18.41'	18.41'	S 00°16'34" E



APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____, A.D. 20____

CITY ATTORNEY

SURVEYOR'S CERTIFICATE

I, DAN E. KIMBLEY JR., DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 21755AS AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, 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, OPEN SPACES, AND EASEMENTS AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

DATE _____ SURVEYOR _____

BOUNDARY DESCRIPTION

Beginning at a point located South 89°43'27" West 2300.014 feet along 1/4 section line from the East Quarter Corner of Section 25, Township 4 South, Range 1 East, Salt Lake Base and Meridian;

thence along the Northern boundary of Alpine Hills Plat "A" the following course: 1) South 89°43'27" West 447.98 feet; thence North 01°01'01" East 293.33 feet; thence North 55°42'02" West 160.60 feet to the Easterly right-of-way line of Alpine Highway; thence along said right-of-way the following four (4) courses: 1) along the arc of a 1111.28 foot radius curve to the right a distance of 180.91 feet (curve having a central angle 09°19'39" and a long chord bears N16°43'05" E 180.71 feet); 2) North 31°46'14" East 116.47 feet; 3) along the arc of a 1096.28 foot radius curve to the right a distance of 526.84 feet (curve having a central angle 27°31'27" and a long chord bears N41°08'33" E 521.59 feet); and 4) North 54°54'16" East 84.60 feet to a point along the existing right-of-way of Bateman Lane; thence along said right-of-way the following seven (7) courses: 1) along the arc of a 15.00 foot radius curve to the right a distance of 23.82 feet (curve having a central angle 90°13'03" and a long chord bears S79°59'12" E 21.25 feet); 2) South 34°52'41" East 37.15 feet; 3) along the arc of a 123.00 foot radius curve to the right a distance of 73.71 feet (curve having a central angle 34°20'05" and a long chord bears S17°42'38" E 72.61 feet); 4) South 00°32'36" East 218.56 feet; 5) along the arc of a 564.77 foot radius curve to the left a distance of 82.99 feet (curve having a central angle 08°25'10" and a long chord bears S06°07'30" E 82.92 feet); 6) along the arc of a 323.83 foot radius curve to the left a distance of 90.63 feet (curve having a central angle 16°02'09" and a long chord bears S24°40'37" E 90.34 feet); and 7) South 32°41'41" East 9.62 feet; thence South 71°13'36" West 45.04 feet; thence South 01°07'56" East 80.90 feet; thence South 00°16'34" East 18.41 feet to a point along the Western boundary of Alpine Hills Plat "B"; thence along said boundary the following course: South 00°02'12" East 405.60 feet to the point of beginning.

Contains: 423,595 sf or 9.72 ac

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL 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, STREETS, OPEN SPACE, AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, A.D. 20____

OWNER _____ DATE _____

BY: PAUL KINGMAN GU
JECCO FARMS LLC, A UTAH LIMITED LIABILITY COMPANY

ACKNOWLEDGMENT

STATE OF UTAH _____
COUNTY OF UTAH _____

ON THE _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

NOTARY PUBLIC _____

NOTARY FULL NAME _____, A NOTARY COMMISSIONED IN UTAH

COMMISSION NUMBER _____ MY COMMISSION EXPIRES _____

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF ALPINE CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, OPEN SPACES, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, A.D. 20____

MAYOR CARLA MERRILL _____ ATTEST _____ CLERK - RECORDER
(SEE SEAL BELOW)

APPROVED _____ CITY ENGINEER
(SEE SEAL BELOW)

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE ALPINE CITY PLANNING COMMISSION.

DIRECTOR - SECRETARY _____ CHAIRMAN, PLANNING COMMISSION _____

JECCO FARMS
PLAT "B"

LOCATED IN THE NW 1/4 & THE NE 1/4 OF SECTION 25, T4S, R1E, SLB&M
ALPINE CITY, UTAH COUNTY, STATE OF UTAH
SCALE: 1"= 60' FEET

CITY ENGINEER	CITY ATTORNEY	CITY CLERK

3.07.010 Legislative Intent

The intent in establishing the B-C Business Commercial Zone is to provide an area in which the primary use of land is for retail and other commercial uses serving the immediate needs of Alpine residents and situated within an environment, which is safe and aesthetically pleasing. The zone is also intended to serve as the commercial core of the City.

The zone is characterized by a mixture of retail and service commercial uses such as stores, restaurants, office structures and a wide variety of specialty shops and is generally located adjacent to major transportation arteries.

Manufacturing, residential and other uses and other activities, which would be inconsistent with the use of the land for commercial activities are discouraged or not permitted within the zone.

The specific regulations considered necessary for the accomplishment of the intent of the zone are hereinafter set forth.

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

3.07.020 Permitted Uses

The following uses of land shall be permitted upon compliance with the applicable standards and conditions set forth in this ordinance.

1. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building; also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment.
2. Office buildings and medical clinics.
3. Personal service establishments such as barber and beauty shops, shoe repair, laundries and similar establishments.
4. Automotive service establishments, including gasoline dispensing facilities, car washes, and parking.
5. Recreational enterprises including but not limited to recreation centers, motion picture theaters, athletic clubs.
6. Funeral homes.

7. Single-unit detached dwellings when located on a lot in a recorded subdivision and subject to compliance with the applicable conditions within the zone.
8. Residential structures, provided that said structure existed as a residence prior to the effective date of this Chapter. Also, customary residential accessory structures (i.e. swimming pools, detached garages, private greenhouses etc.) when appurtenant to and on the same lot as a residence.
9. Residential structures located within or on the same premises as a permitted or conditional commercial use. Both residential and commercial buildings will be considered main buildings and will be required to meet the main building setbacks when on the same premises.
10. Accessory uses and structures shall be permitted provided they are incidental to and do not substantially alter the character of the permitted principle use or structure. Such permitted accessory uses and structures include, but are not limited to, buildings such as garages, carports, equipment and supply storage buildings which are customarily used in conjunction with and incidental to a principle use or structure permitted in the B-C Zone.
11. Agriculture, including the raising of row crops, grains and fruits and the incidental pasturage of animals. See DCA 3.21.090.
12. Other uses which are determined by the Planning Commission to be similar to and compatible with the foregoing uses and in harmony with the intent of the zone.
13. Water, sewer and utility transmission lines and facilities required as an incidental part of development within the zone, and subject to the approval of a site plan by the Planning Commission.
14. Motor vehicle roads and rights-of-way subject to compliance with City standards for design and construction for such uses, and upon approval of site plan by the Planning Commission.
15. Customary household pets.
16. The keeping and raising of animals and fowl, subject to the provisions of DCA 3.21.090.
17. Charter schools, home-based microschools, and micro-education, as required by Utah State Code §10-9a-305(7)(a), subject to DCA 3.20 and any additional requirements consistent with applicable provisions of State law.

ALPINE CITY PLANNING COMMISSION AGENDA

SUBJECT: Setback Exception Side Yard 333 S Main Street

FOR CONSIDERATION ON: October 7th, 2025

PETITIONER: Larry Hilton

ACTION REQUESTED BY PETITIONER: Recommend approval of Proposed Setback Exception.

REVIEW TYPE: Administrative

BACKGROUND INFORMATION:

Larry Hilton has submitted a request for a reduced side yard setback for the property located at 333 S Main Street.

The request involves expanding the existing balcony across a drive-thru lane to provide weather protection for patrons. The project also includes the construction of a new outdoor staircase to create an alternative access point to the second floor.

Applicable Code: Alpine Development Code §3.07.050 – *Location Requirements* provides that in commercial developments adjacent to other commercial areas, the side yard and rear yard setbacks shall not be less than ten (10) feet, unless recommended by the Planning Commission and approved by the City Council where circumstances justify.

- The current side yard setback is approximately 20 feet (measured from the property line to the building foundation).
- If approved, the proposed setback exception would reduce the setback to approximately zero feet, with the building expansion located on or near the property line.

ALPINE CITY CODE:

- Alpine City Code §3.07.050 Location Requirements.

GENERAL PLAN:

- N/A

PUBLIC NOTICE:

City and State Code do not require a public hearing or additional notice for this agenda item.

STAFF RECOMMENDATION:

The Planning Commission should review the proposal and determine whether circumstances justify the reduced setback.

Because the expansion extends into a common area owned collectively by businesses on the recorded plat, staff recommends requiring a written letter of consent from the property ownership group. This approval letter could be provided as part of the staff review during the building permit process, if the City Council grants final approval.

SAMPLE MOTION TO APPROVE:

I move to recommend approval of the requested side yard setback exception at 333 S Main Street, as presented, based on the findings that the circumstances justify the reduced setback under Alpine City Code §3.07.050.

SAMPLE MOTION TO APPROVE WITH CONDITIONS:

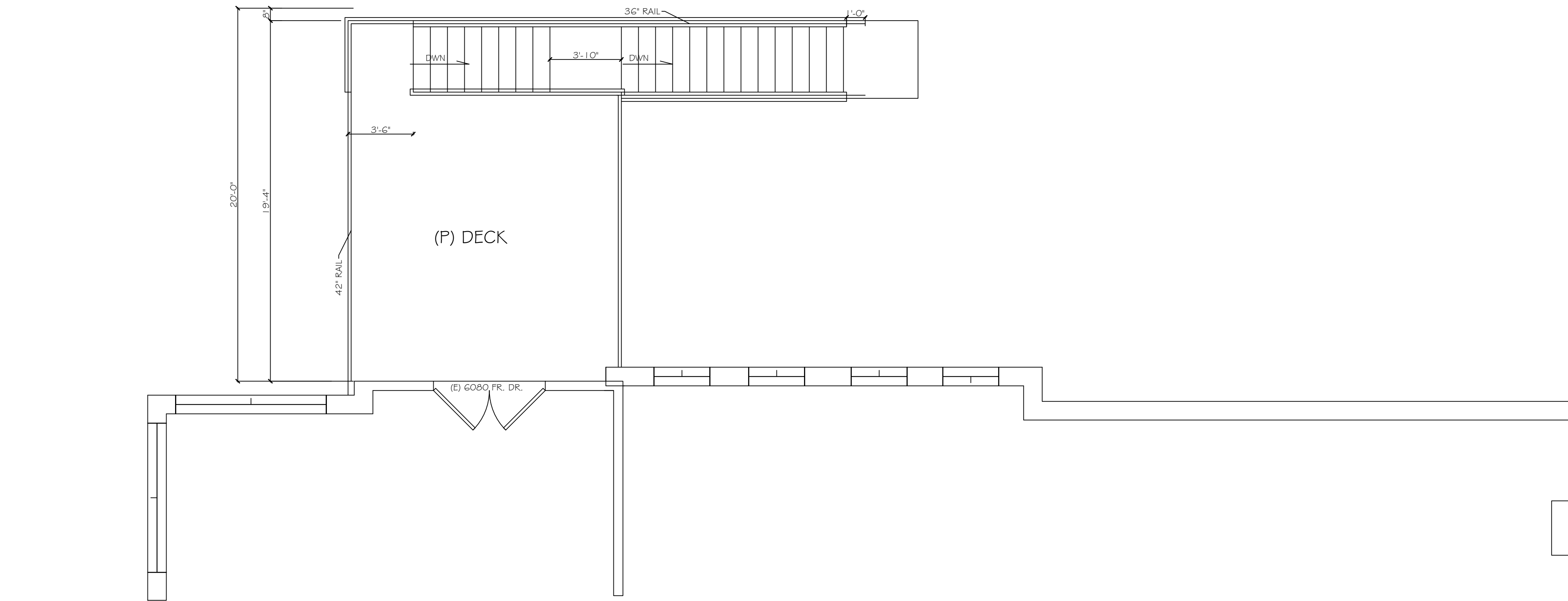
I move to recommend approval of the requested side yard setback exception at 333 S Main Street, subject to the following condition:

- The petitioner provide written consent from the property ownership group permitting the balcony and staircase expansion into the common area, to be verified during staff review of the building permit application.
- Other conditions if necessary

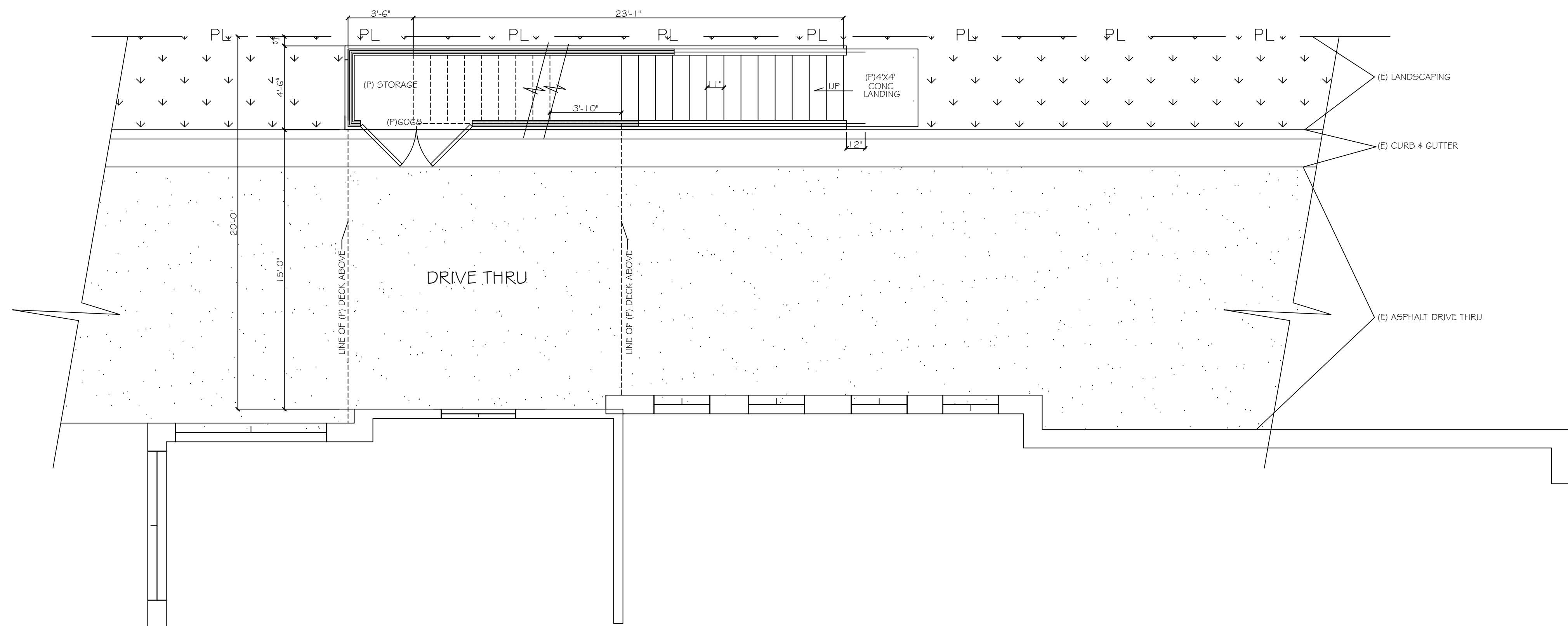
SAMPLE MOTION TO TABLE/DENY

I move that the Planning Commission table/deny the requested side yard setback exception at 333 S Main Street, based on the finding that the proposal does not sufficiently justify a reduction from the required 10-foot setback standard under Alpine City Code §3.07.050.

- Insert additional findings.



2ND FL. PLAN XX S.F.
SCALE 1/4" = 1'-0"



MAIN FL. PLAN XX S.F.
SCALE 1/4" = 1'-0"

DOUBLE DOOR

A REMODEL FOR:
DOMINION INSURANCE OFFICE BUILDING
LOCATION:
341 S. MAIN ST., ALPINE, UT.

PLANS

CONTRACTOR
TO VERIFY ALL
CONDITIONS &
DIMENSIONS.

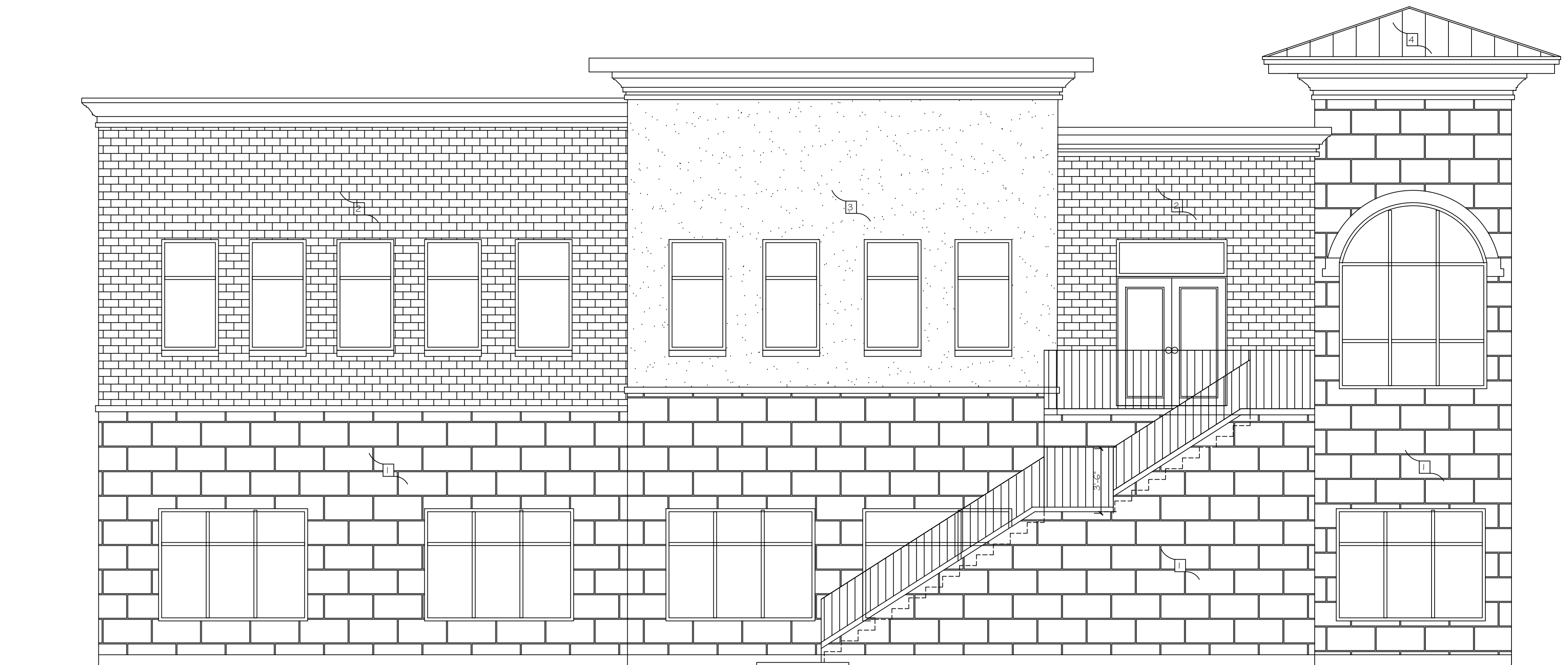
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2



WEST ELEVATION

SCALE 1/4" = 1'-0"



NORTH ELEVATION

SCALE 1/4" = 1'-0"

DOUBLE DOOR

A REMODEL FOR:

DOMINION INSURANCE OFFICE BUILDING

LOCATION:
341 S. MAIN ST., ALPINE, UT.

ELEVATIONS

CONTRACTOR
TO VERIFY ALL
CONDITIONS &
DIMENSIONS.

MARK	REVISION	OWNER REQUESTED CHANGES	DATE
1			26 SEPTEMBER 2016

SHEET NOTES

- WALL MOUNTED CABINET WITH 24"IRC FIRE EXTINGUISHER.
- ADA COMPLIANT "STAIRS" SIGN. SEE DETAIL D26003.

EGRESS PATH

EGRESS PATH	EGRESS LENGTH	LEVEL
EGRESS PATH 1	95'-7"	MAIN LEVEL
EGRESS PATH 2	95'-11"	MAIN LEVEL
EGRESS PATH 3	74'-7"	MAIN LEVEL
EGRESS PATH 4	78'-8"	MAIN LEVEL
EGRESS PATH 5	81'-3"	MAIN LEVEL
EGRESS PATH 6	91'-1"	SECOND LEVEL
EGRESS PATH 7	95'-8"	SECOND LEVEL
EGRESS PATH 8	95'-8"	SECOND LEVEL
EGRESS PATH 9	95'-1"	SECOND LEVEL
EGRESS PATH 10	95'-1"	SECOND LEVEL
EGRESS PATH 11	49'-9"	SECOND LEVEL

SEPARATION LEGEND

- ▼ - ONE HOUR SHAFT ENCLOSURE (FIRE BARRIER)
- - ONE HOUR DWELLING SEPARATION (FIRE PARTITION, ONE HOUR-FIRE-RESISTANT CONSTRUCTION)

GENERAL NOTES

- SEE SHEET G001 FOR ALL RELATED CODE COMPLIANCE INFORMATION.

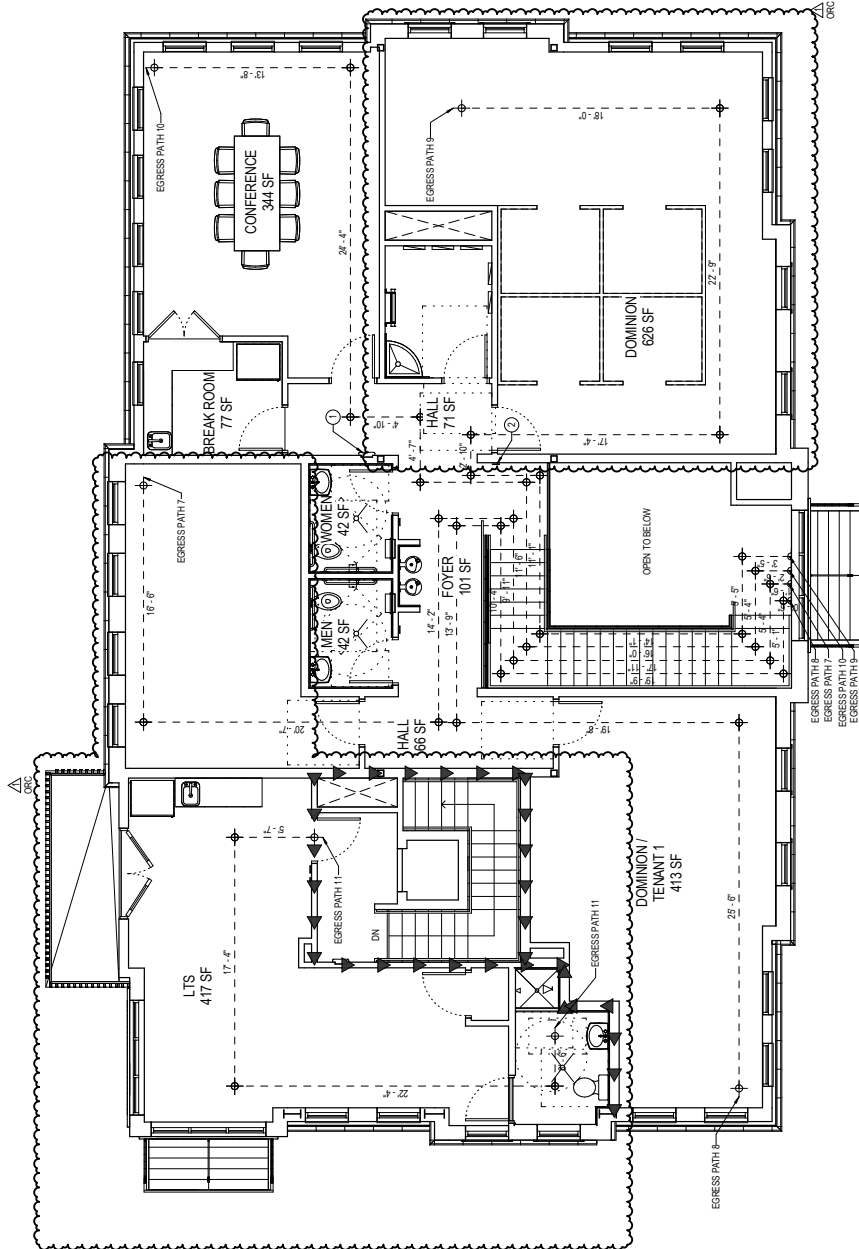
DATE: 27 SEPTEMBER 2016 PROJECT: CURTIS MINER ARCHITECTURE PROJ. MAN.: CURTIS MINER CHECKED BY: CURTIS MINER FAC: (802) 755-0001 PAC: (802) 755-0001 CADD: CURTIS MINER	215 SOUTH PLEASANT AVENUE, SUITE 300 SALT LAKE CITY, UT 84103 TEL: (802) 755-0001 FAX: (802) 755-0001 WWW.CURTISMINER.COM
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PROJECT: DOMINION INSURANCE OFFICE BUILDING 341 SOUTH MAIN STREET ALPINE, UT 84004	SHEET: G102
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01 SECOND LEVEL LIFE SAFETY PLAN

SCALE: 1/8" = 1'-0"



SHEET NOTES

- 1 NEW CONCRETE SIDEWALK.
- 2 ADA W/ PARKING SIGN. SEE A6A301.
- 3 NEW ASPHALT PAVING SEE CIVIL
- 4 PATCH EXISTING ASPHALT AS REQUIRED.
- 5 GAS METER LOCATION. SEE MECHANICAL DRAWINGS.
- 6 EXISTING CURB AND GUTTER. ASPHALT TO REMAIN.
- 7 NEW PAINTED PARKING STRIPS, COLOR TO MATCH EXISTING. SEE A5101 AND CIVIL.
- 8 CONCRETE FLEET BOLLARD. MANUFACTURER: DEARSHIELD. HEAVY DUTY. 3' X 3' X 5' TALL. VERIFY COLOR WITH OWNER. SEE DETAIL C-1000.
- 9 HATCHED AREAS INDICATE LANDSCAPED AREA
- 10 EXISTING STORM DRAINS. SEE CIVIL
- 11 ELECTRICAL TRANSFORMER ON CONCRETE PAD. SEE ELECTRICAL AND CIVIL. VERIFY CONCRETE PAD WITH POWER COMPANY.
- 12 EXISTING COMMUNICATION PEDISTAL. SEE ELECTRICAL.
- 13 EXISTING COMMUNICATION PEDISTAL. SEE ELECTRICAL.
- 15 STAINED AND STAINED COORDINATE COLOR AND STAMP PATTERN WITH OWNER.
- 16 EXISTING LIGHT POLE. SEE CIVIL AND ELECTRICAL DRAWINGS
- 17 NEW LIGHT POLE. - SEE D2A501 AND ELECTRICAL DRAWINGS.
- 18 MONUMENT SIGN. - SEE A501
- 19 EXISTING POWER BOX TO REMAIN
- 20 EXISTING POWER BOX TO REMAIN
- 21 PROPOSED BUILDING
- 22 PEDESTRIAN CROSSING SIGN
- 23 HOSE BIB LOCATION. SEE PLUMBING DRAWINGS
- 24 TRUNCATED DOME. VERIFY COLOR WITH THE OWNER AND CITY DEVELOPMENT REQUIREMENTS
- 25 ALONG NEWWALL EXISTING CURB
- 26 NEW ASPHALT PAVING. SEE CIVIL DRAWINGS
- 27 NEW STORM DRAIN. SEE CIVIL
- 28 EXPANDED FILL PER SOILS REPORT REQUIREMENTS
- 29 COMPACTED JOINT. SEE CIVIL


SITE AREA = 13,984 S.F.

20	STALLS EXISTING
6	STALLS ADDED
26	STALLS TOTAL

A. COORDINATE SITE PLAN WITH LANDSCAPE, ARCHITECTURAL, CIVIL, MECHANICAL AND ELECTRICAL SITE PLAN. REPORT ANY DISCREPANCIES TO THE ARCHITECT.

B. SEE AS301 AND AS502 FOR SITE DETAILS.

C. SAW CUT ALL CONTROL JOINTS BACKFILL WITH CAULK TO MATCH COLOR OF CONCRETE.

 <p>OMA CURTIS JENNER ARCHITECTURE</p>	<p>2315 SOUTH HAVASUPAI DRIVE SUITE 800 PHOENIX, ARIZONA 85004 PHONE: (602) 799-8000 FAX: (602) 799-8001 www.omausa.com cjenner@omausa.com</p>	<p>DATE OF SETBACK PERMIT: 08/15/2011 PROJECT #: OMA-15000 PROJ. PLAN: JUS CIRCULAR: 1ST CITY: PHOENIX COUNTY: MARICOPA SHEET: 1 OF 1 THIS SET IS VALID FOR 180 DAYS FROM DATE OF SETBACK PERMIT</p>	<p>PROJECT: DOMINION INSURANCE OFFICE BUILDING</p>	<p>341 SOUTH MAIN STREET ALBUQUE, UTAH 80004</p>	<p>SHEET: AS101</p>	<p>SHEET DESCRIPTION: ARCHITECTURAL SITE PLAN</p>
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ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, UT
September 16, 2025

I. GENERAL BUSINESS

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

Chair:

Commission Members: Troy Slade, Michelle Schirmer, Jeff Davis, John MacKay, Susan Whittenburg

Excused: Greg Butterfield, Alan Macdonald

Staff: Ryan Robinson, Jason Judd, Marla Fox

Others: Michael Nielsen, Claudia Nielsen, Andrew Young, Jennifer Wadsworth, Sheryl Dame, Craig Dame

B. Prayer/Opening Comments: Troy Slade

C. Pledge of Allegiance: Michelle Schirmer

II. REPORTS AND PRESENTATIONS

Jeff Davis, Planning Commission member, shared that his great, great, great grandfather, William Wadsworth was the man that brought the founding families to Alpine in 1850. He said that every year during Alpine days he leads people on a hike and talks about the history of Alpine. He said he talks about our water because that's what he does for a living. He said he is fascinated by the history of Alpine, and this year he said when he was preparing for the hike, he was reading about our very first Planning Commission.

Jeff Davis said it coincided with a lot of things because in the 1950's, there were a lot of issues here because for the first time in a long time, the town started to grow. The city was facing a lot of challenges and so the City Council said they were going to form a Planning and Zoning Commission. He said this was taken out of the history of Alpine. During February and March of 1956, the City Council appointed a Planning Commission. Dale Burgess was the Chairman, Stanley Gilekta, Robert Patterson, Dan Clark, and Robert Hall as members. They were to map out the city and plan for future streets and roadways, draw up subdivision rules and regulations and determine zoning ordinances to keep the city in an orderly growth pattern.

Jeff Davis said a year later in 1957, Dan Clark met with the City Council and presented a Zoning Ordinance book for adoption. The ordinances had been drawn up with the advice of the City Engineer and the City Attorney to harmonize with those of American Fork. Many people felt like the zoning ordinances were unfair since Alpine was such a small city and did not need regulations as did larger cities. For some reason, the ordinances were not enforced at this time even though the book has been printed and stored in a vault in City Hall.

Jeff Davis said he wanted to share that story because it shows where we've come from and how we got here today to review ordinances.

III. ACTION ITEMS

- A. Public Hearing: Amendment to Alpine Development Code 3.01.060 – Site Plan requirements for building permits.**

1 Ryan Robinson said Alpine City Staff is responsible for reviewing site plans for proposed construction
2 projects to ensure compliance with City Code. The proposed amendments are intended to simplify the
3 process, eliminate redundant requirements, and clarify compliance with applicable regulations. The
4 proposed changes include:

- 5 • Removing the requirement that existing structures on adjoining properties be shown on a site
6 plan.
- 7 • Adding language that if the lot is within a recorded subdivision, the average slope of the lot is not
8 required, as the slope of the lot would have been provided in the subdivision proposal.
- 9 • Removing a repetitive requirement to show the location of the proposed construction and
10 improvements. This is typically shown in the requirement that they show setbacks and building
11 height.

12
13 Ryan Robinson said we are looking at this one for site plan requirements. Currently there is a requirement
14 to show the location of all existing structures on the subject property and the adjoining properties. This is
15 fine if someone does that, but our code doesn't allow us to take those structures into consideration. When
16 there's a barn or structure for animals, then we will review that to make sure they meet the ordinance.

17 Ryan Robinson said he took out the repetitive language, cleaned up other language, and renumbered the
18 document.

19 Jeff Davis asked about landscaping and signs. Ryan Robinson said we review landscaping to make sure
20 they don't have too much. He said we allow developers to put up a sign and a SWPPP sign. John
21 Mackay asked about watering in the park strip and Ryan Robinson said that it is covered in another
22 ordinance. Ryan Robinson said if an application for a new home came in but also showed a retaining
23 wall, swimming pool, or other structures, we would require those to be on separate permits.

24 Jeff Davis opened the Public Hearing.

25
26 Andrew Young, resident, said he thinks we should take the neighboring properties into consideration
27 when making decisions because new the builds could ruin the views of the existing homes.

28
29 Jeff Davis closed the Public Hearing.

30
31 Ryan Robinson said the way the code is written, we can't base our decisions on the neighbor's property or
32 their views. He said we consider the setbacks and height and approve it if it meets the code. He said we
33 take measurements from the average finished grade to the mid-point of the roof to get the height. In the
34 future, we could look at language that states you have to measure from natural grade and not artificially
35 raise the grade.

36
37 Jason Judd said it would be additional work and expense for homeowners and contractors to survey the
38 neighbor's property. We are taking that out because it is not needed for what we are reviewing for.

39
40 Jeff Davis asked if the city was keeping record of when these ordinances had changes. Ryan Robinson
41 said the City Recorder keeps those records.

42
43 John MacKay said we have setbacks and heights for the very purpose of protecting view corridors. When
44 someone has asked for an exception, it is usually not granted but if it is, the neighbors have weighed in to
45 object if their view corridor is being taken.

MOTION: Planning Commission member John MacKay moved to recommend approval of the proposed Code Amendment to Alpine Development Code 3.01.060, as presented, based on the findings that it is consistent with the General Plan and complies with City Code and policies.

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

Ayes:

Michelle Schirmer
Troy Slade
Jeff Davis
John MacKay
Susan Whittenburg

Nays:

Excused

Greg Butterfield
Alan Macdonald

B. Public Hearing: Amendment to Alpine Development code 2.03 – Appeal Authority, clarifying that fees must be paid before an application is considered submitted.

Ryan Robinson said this proposed code amendment clarifies the requirements for an application to be considered complete for variances and land use appeals. Specifically, it adds language requiring that the applicable form must be submitted within the designated timeframe and that all fees associated with a variance or land use appeal must also be paid within that timeframe also.

Ryan Robinson said that it is usually within ten days to make the application complete. He also said that most people don't know there is a fee that needs to be paid before it goes to an appeal. Currently our Appeal Officer is Angela Adams who is an attorney from the city. He said variances are different and they are just handled as they come in and there isn't a time frame on them.

Michelle Schirmer asked how often this happens. Ryan Robinson said not that often, maybe eight or nine times a year. He said most of them are denied because the State has specific requirements that must be met in order to be approved. He said most of the people trying to get a variance were turned away because they couldn't meet the requirements.

Jeff Davis opened the Public Hearing.

Andrew Young, resident, said he was representing another resident with a situation. This resident is upset about the cost of the appeal and was frustrated that he couldn't build a garage onto his home when he was only five feet over the setback but had neighbor approval. Andrew Young said this is a pretty brutal process for this resident and wants to know how it can be fixed or if we could add neighbor approval or an easier way to finance it.

Andrew Young said the only reason this resident is in this situation is because the neighbor that sold it to him changed the boundary line. He said this is a gray area because he doesn't have a neighbor behind him and the other neighbors have given him approval.

Jeff Davis closed the Public Hearing.

Ryan Robinson said this process is regulated by the State and there are five requirements that must be met. He said we don't require a resident to get an attorney. He said the applicant would fill out the form and explain how they can meet each of the five criteria. If they can't meet them, then there is no reason to take

1 it further. He said people get exceptions and variances confused. A variance is heavily regulated by the
 2 State. Our codes would have to state that the Staff, Planning Commission, or City Council could grant an
 3 exception. Our fee used to be \$200 but is now \$500. This covers the cost of letters, and postage to be sent
 4 out, field officer and staff time. Ryan Robinson said we checked what other cities in Utah County were
 5 charging and this seemed to be the going rate.

6 Ryan Robinson said everyone has setbacks that must be met. With a variance, you would need to show
 7 something wrong with your lot like a gas line that ran through your backyard making it so you couldn't
 8 build on it. Then you could ask for a variance to the setbacks so you could build on the lot. He said
 9 someone may have a slope in their yard that was naturally caused that makes it hard to build and they need
 10 to ask for a variance. These are the types of issues we are trying to solve, and the process is heavily
 11 regulated by the state, and we have to follow those standards.

12 **MOTION:** Planning Commission member Susan Whittenburg moved to recommend approval of the
 13 proposed Code Amendment to Alpine Development Code 2.03.010, Appeal Authority Requirements, as
 14 presented, finding that it is consistent with the General Plan, City Code, and applicable City policies.

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

16
 17 **Ayes:**

18 Michelle Schirmer
 19 Jeff Davis
 20 John MacKay
 21 Troy Slade
 22 Susan Whittenburg
 23

24 **Nays:**

25 **Excused**

26 Greg Butterfield
 27 Alan Macdonald

28 **C. Public Hearing: Amendment to Alpine Development Code 3.02, 3.03, 3.04, 3.06, and 3.07 –**
 29 **allowing schools as permitted uses in each zone, as required by Utah State Code §10-9a-305.**

30 Ryan Robinson said Utah State Code § 10-9a-305(7)(a) requires all charter schools, home-based
 31 microschools, and micro-education entities to be considered permitted uses in all zoning districts within a
 32 municipality. This proposed code amendment brings Alpine City Code into compliance with the State
 33 mandate. We are also removing schools as conditional uses in each zone. The city recently created the Public
 34 Facility Zone (P-F). A proposed public school would need to apply for a rezone to the P-F zone if this
 35 proposal were adopted as a result.

36 Ryan Robinson said a couple of years ago the city created a Public Facility Zone. He said at the time, we
 37 discussed if a school were to shut down, it could revert back to its original zone. For example, if Alpine
 38 Elementary were to close, thirty homes could possibly be built there because it is in the residential zone.
 39 We felt like that was a significant change to the area and should require a zone change request that changes
 40 use.

41 Ryan Robinson said this is the reverse of that. Where public schools weren't specifically listed as a
 42 permitted use in all zones, we're going to take them out as conditional uses in all zones. They are permitted
 43 in that Public Facility Zone. He said if a public school wanted to buy five or six homes and tear them down
 44 to build a school, they could do that; it would just be a re-zone process, like what we have for the Public
 Facility Zone. Planning Commission and City Council could have a Public Hearing and get public feedback
 and go through a request for a re-zone.

1 Susan Whittenburg asked if this would include micro-schools. Ryan Robinson said yes, it would. He said
2 micro-schools are sixteen students or less and are usually in someone's home. A micro-entity would be
3 more than sixteen students, and they have different standards. Susan Whittenburg asked if we look at
4 parking and traffic. Ryan Robinson said there is a calculation of two parking spaces for students and
5 teachers, so we would have to figure that out based on how many students they have. He said we would
6 also look at traffic patterns and safety issues, and the State said we can regulate those things as well. Susan
7 Whittenburg asked if they would have business hours. Ryan Robinson said yes, it would be school hours
8 during the day. He also said they would need a business license.

9
10 Michelle Schirmer asked if the school would come to the Planning Commission to get approval for a
11 business license. Ryan Robinson said no, because they are a permitted use, they would apply for the license
12 with the city.

13
14 Jeff Davis opened the Public Hearing.

15
16 Andrew Young, resident, asked why there is public comment if this is just State Law. He asked if the
17 residents have any recourse to defend against it or change something down at the local level? He said he
18 knows there are a lot of Federal things the State overrides and said there are things the City and County
19 override and it's just not one way. He wanted to know if there was any background of why the State did
20 this and if there had been any defense for it and if we just take everything that comes down to us.

21
22 Andrew Young said there are a lot of incentives for some of these things and wanted to know if this was
23 just a formula that we have to check off. He asked if there has ever been an example where a city could
24 say they have their own unique circumstances with three sides surrounded by mountains and having a
25 school in every zone is probably not a good idea. He said this is really weird to have schools in every zone
26 which could give us weird consequences. He asked who was applying for these schools and why we are
27 prioritizing this code over other codes like security guards in our schools. He said it seemed like the city
28 was favoring this and asked if there was anyone at the city who was pushing this agenda.

29
30 Jeff Davis closed the Public Hearing.

31
32 Ryan Robinson said we are required to have a Public Hearing, that's why we're having one. He said the
33 State trumps the city. This one is black and white and a permitted use. He said this has been brought to us
34 by Mountainville, with charter schools, and we're working with a micro-school. It was brought to our
35 attention that we are out of compliance. No one is pushing this, and the city is not getting a kickback as
36 implied for making this choice, we are just trying to comply with State Code. He said a lot of State Laws
37 don't pertain to us. The School District would deal with armed guards at the schools and not the city.

38
39 Susan Whittenburg said this type of school is going on in our city and needs to be addressed. The
40 Planning Commission had a discussion and said basically our hands are tied on this.

41
42 **MOTION:** Planning Commission member Troy Slade moved to recommend approval of the proposed
43 Code Amendment to Alpine City Code Sections 3.02.020-.030, 3.03.020-.030, 3.04.020-.030, 3.05.020,
44 and 3.07.020, as presented, finding that the amendment is required by Utah State Code § 10-9a-305(7)(a)
45 and is consistent with the General Plan, City Code, and applicable City policies."
46

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

Ayes:

Michelle Schirmer
Jeff Davis
John MacKay
Troy Slade
Susan Whittenburg

Nays:

Excused

Greg Butterfield
Alan Macdonald

D. Public Hearing: Amendment to Alpine Development Code 3.01.110 – Adding a definition for a front yard on a corner lot.

Ryan Robinson said City Staff is proposing to add language defining what a front yard for a corner lot would be. Recently we have seen house plans submitted for corner lots and due to lesser setback requirements want to designate clear side yards as a front yard. This definition will help identify what a reasonable person would define as a front yard vs what is a designated side yard.

Ryan Robinson said what we want to do is change the language to clarify what a front yard is. He said we look at the orientation of the building, the front door, the address of the property and what is the longest street frontage to help us determine the front yard. He said this won't impact existing homes but new homes being built.

Ryan Robinson said every corner lot is assigned two different addresses and it's important to know what address will be used and where the front door is because that's where packages will be delivered, and fire and police for any safety issues.

Ryan Robinson said the main issue with corner lots is setbacks. He said a lot of the time; people are trying to build too large of a home for the lot, and then the setbacks don't work.

Jeff Davis opened the Public Hearing.

Andrew Young, resident, asked if there were any examples of corner lots down by the Burgess Orchards or other commercial areas that are next to residential. He also said he thought this could impact people's views and said we don't have anything to protect people's views. He said when you allow homes to be built on the diagonal, the corners are too close to the neighbors. He also asked who the person was or group, who was bringing up when Alpine was out of compliance.

Jeff Davis closed the Public Hearing.

Ryan Robinson said in each of these cases, an applicant has come in and while working with them, staff discovered we were out of compliance with State Code. With the schools, we have been saying those were a conditional use and found out that the State has said they are a permitted use.

Ryan Robinson said with corner lots, different zones have different setback requirements. In the commercial zone, the City Council can grant exceptions like they did for the physical fitness gym on Main Street. He said we are trying to clean up the code on corner lots so that it makes sense, is a natural fit on the lot and meets the standards.

MOTION: Planning Commission member Michelle Schirmer moved to recommend approval of the proposed amendment to Alpine Development Code §3.01.110 defining the front yard on corner lots, finding that it is consistent with the General Plan, City Code, and City policies.

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

Ayes:

Michelle Schirmer
Jeff Davis
John MacKay
Troy Slade
Susan Whittenburg

Nays:

Excused

Greg Butterfield
Alan Macdonald

IV. COMMUNICATIONS

Ryan Robinson said that Mountainville has certain things they need to bring back before they can be on the agenda again. He said he and Jason Judd toured the area for the STEM building and discussed the plans with the applicant.

Ryan Robinson said we will have a Public Hearing on property rezoning to commercial. He said there has been no submission for a rezone for the fruit stand property.

Ryan Robinson said we will be looking at a cell tower upgrade on Shephard Hill.

V. APPROVAL OF PLANNING COMMISSION MINUTES: September 2, 2025

MOTION: Planning Commissioner John MacKay moved to approve the minutes for September 2, 2025, with changes.

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

Ayes:

Michelle Schirmer
Troy Slade
Jeff Davis
John MacKay
Susan Whittenburg

Nays:

Excused:

Greg Butterfield
Alan Macdonald

MOTION: Planning Commissioner Susan Whittenburg moved to adjourn the meeting.

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

Ayes:

Michelle Schirmer
Troy Slade
Jeff Davis
John MacKay
Susan Whittenburg

Nays:

Excused

Greg Butterfield
Alan Macdonald

The meeting was adjourned at 7:40 p.m.