

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, UT
August 18, 2026

I. GENERAL BUSINESS

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

Chair: Alan Macdonald

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

Excused:

Staff: Caden Lyon, Marla Fox, Jason Judd

Others: Andy spencer, Isaac Platter

B. Prayer/Opening Comments: Greg Butterfield

C. Pledge of Allegiance: Susan Whittenburg

II. REPORTS AND PRESENTATIONS

None

III. ACTION ITEMS

A. Action Item: Public Hearing - Review of proposed Detached ADU Code Language

Caden Lyon explained that because of the approval of Senate Bill 284, by October 1, 2026, Alpine City is required to have a detached accessory dwelling unit (ADU) code adopted to meet new State requirements. With the recommendations from the discussion about detached ADU's on August 4th, 2026, Staff has brought together a detached ADU ordinance for the Planning Commission to review and consider recommending for approval by the City Council.

Caden Lyon said we meet the State requirements and said we are allowed to add other requirements that we feel would be beneficial for our city. The definition of a detached accessory dwelling unit is: An accessory dwelling unit that is not attached to or within a primary detached single-family dwelling and located on the same lot or parcel as the primary detached single-family dwelling.

3.14.010 Accessory Dwelling Units

An accessory dwelling unit shall be considered a subordinate dwelling unit within and part of a principal dwelling or detached from a principal dwelling and located on the same parcel as the principal dwelling.

3.14.030 Detached Accessory Dwelling Units

Accessory dwelling units may be a permitted use subject to the following:

1. Accessory dwelling units are listed as permitted use within the zone.
2. Detached accessory dwelling units are only allowed on any lot or parcel that is 11,000 square feet or larger.
3. Detached accessory dwelling units shall be owner-occupied or be located on a property that has an owner-occupied single-family dwelling.
 - a. Owner occupancy shall not be required when the owner has submitted a temporary absence application prior to beginning the temporary absence and meets the following criteria:

- i. The owner has a bona fide, temporary absence of three (3) years or less for activities such as temporary job assignments, sabbaticals, military service, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or
 - ii. The owner is placed in a hospital, nursing home, assisted living facility or other similar facility,
 - iii. Owner occupancy shall have the meaning set forth in Article 3.01.110, alpine City Development Code,
 - iv. The owner has resided in the residence for at least one (1) year prior to beginning the temporary absence.
4. A maximum of one (1) accessory dwelling unit shall be permitted on each owner-occupied lot or parcel. If a lot or parcel already has an internal accessory dwelling unit, no detached accessory dwelling unit will be allowed.
 5. The detached accessory dwelling unit shall provide at least two (2) on-site parking spaces in addition to the parking spaces required for a single-family dwelling.
 6. The detached accessory dwelling unit shall have a living space of no more than 1200 square feet in size.
 7. The detached accessory dwelling unit shall meet the same setbacks as those required for accessory buildings in the zone in which it is located.
 8. The detached accessory dwelling unit shall meet the same height requirement as that required for accessory buildings in the zone in which it is located.
 9. The detached accessory dwelling unit shall be built with materials and design that match those of the main dwelling.
 10. The detached accessory dwelling unit shall comply with all size and access specifications of the International Residential and Building Codes.
 11. The detached accessory dwelling unit shall connect to the same meter as the main dwelling for each water, gas, and electric utility service, and the meter shall be in the name of the owner. If there is not sufficient capacity for the accessory dwelling unit on the meter, it is prohibited.
 12. All construction and remodeling to accommodate the detached accessory dwelling unit shall be in accordance with the International Residential and Building Codes in effect at the time of construction or remodeling.
 13. Any person constructing or causing the construction of a detached accessory dwelling unit or any person remodeling or causing the remodeling of a detached accessory dwelling unit shall obtain an Accessory Dwelling Unit Permit from the Building Department. Such permits shall be in addition to any building permits that may be necessary.

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

Alan Macdonald said there is a State Law requiring municipalities to adopt ordinances for detached accessory dwelling units. He said there are very good reasons that we need to amend out ADU ordinance because it has been restrictive in the past. He said for a variety of reasons including affordability, ability for lower income families or young couples, aging in place, and flexibly housing options, this is a good option. He said the ordinance looks great and incorporated all the State requirements but said there are other elements that should go in it and he would like to consider other issues tonight.

Alan Macdonald said he is including language from the Holiday City Ordinance. He said their city is similar to ours.

1. **Purpose:** Accessory Dwelling Units are meant to assist in the creation of new housing units; support a more efficient use of existing housing stock and infrastructure, and provide housing that

responds to changing family needs, smaller households, and increasing housing costs within the city and not a response to supplemental income or vacation rental opportunities.

2. **Rental Restriction:** If rented, a Detached Accessory Dwelling Unit must be rented for a minimum of ninety (90) consecutive days. A rented ADU is subject to annual approval of a license.
3. **Dwelling Unit Occupancy:** The occupants of an accessory dwelling unit shall be limited to a single family, defined as (in accordance with Utah Code). If not related, State code allows up to four unrelated people.
4. **Footprint:** A Detached ADU shall provide a footprint size of a minimum of three hundred (300) square feet and a minimum footprint as per chart below.

<u>Square Foot Lot</u>	<u>Total Footprint</u>
Less than 10,000	800
10,001 to 20,000	900
20,001 – 40,000	1,000
40,001 – 80,000	1,200

Alan Macdonald said we don't have to follow these exact numbers but would like to see something similar. He said he would like to see everybody in Alpine be able to build an ADU, even in the TR10,000 zone. Caden Lyon said we liked the 1200 square feet because we know what the limit is. With a footprint, you can double the size and end up with a 2800 square foot home. He said our City Administrator is concerned about infrastructure. Alan Macdonald said if the lot can't accommodate the utilities, they won't be able to build the ADU.

Andy Spencer, resident, said he doesn't think it's fair to exclude the TR10,000 zone if the rest of the city is allowed to have a detached dwelling unit. He said other cities have small ADU's with a 500 square foot footprint. He likes the idea of allowing ADU's proportionate to the lot size. Greg Butterfield asked what the ADU's will do to property values. Andy Spencer said we need to look at setbacks and height to preserve our neighbor's value.

John MacKay asked if we should consider the building envelope versus lot size. Alan Macdonald said we will talk about that in the next section. John MacKay said he could see very easily that we get a large footprint between the primary and the ADU that we no longer have space in the buildable area. Alan Macdonald said we have hillside lots that may not be able to build an ADU. John MacKay said we should add a line that says ADU's are allowed subject to having room in the buildable area. Caden Lyon said if the lot has a building envelope, we'll see it on the plat. We'll make sure any building is in the building envelope just like a main use. An Accessory building must be five feet away from the main use as per the current code requirement. If it can meet all those requirements, then it can be built.

Lot Coverage: The total allowable coverage for all structures, including the primary single-family dwelling and the detached accessory dwelling unit, but excluding outdoor swimming pools, ponds with artificial liners and other water features is set forth on the following chart, expressed as a percentage of lot size. For bulk and massing, the Planning Commission want to include all permanent structures such as a pool house, barn, detached garage, indoor sport court, etc.

<u>Square Foot Lot</u>	<u>Percent Lot Coverage of Permanent Structures</u>
Less than 10,000	35
10,001 – 20,000	30
20,001 – 40,000	25
40,001 and above	22

Greg Butterfield asked how you determine infrastructure. If you make it available to this number of lots, sewer, water, safety, and snow cleaning, at what point do you hit a threshold. We may get started and a certain amount of people may get to do it and then you have to cut it off. What happens if we open this up and now you have double the density.

Alan Macdonald said first of all, we have to open this up to any lot greater than 11,000 square feet. So that means almost everybody in Alpine can build an ADU if they want. He said just because you can build an ADU, doesn't mean that everyone will. He said he's not going to build one and he doesn't know how many people will, but the city has been told they shall do this.

Jason Judd asked if the lot coverage included landscaping, do you want to include the pool, sport courts, etc. Alan Macdonald said it will be a hard sell to tell people what hardscape they can do. He said these things are behind a fence, and you don't see them and they don't add to the massing problem. We want to keep neighbors from encroaching on each other, and we don't want to get in the business of legislating how much hardscape somebody can have in their backyard.

Jason Judd said people have pool houses, garages, and large indoor sport court buildings that are tall, he asked if we wanted to include those. Alan Macdonald said maybe we include all permanent structures and if someone already has them, we say you're already over the percent coverage and you can't build an ADU.

Greg Butterfield asked about tall lighting structures or a big tube pool slide. These things are vertical and permanently fixed to the ground.

Setbacks: A Detached Accessory Dwelling Unit shall comply with the setback provisions of an accessory building in the same zone in which it is located.

Height: A Detached Accessory Dwelling Unit shall be no taller than twenty-five (25) feet tall.

Converting Existing Buildings: Conversion of existing accessory buildings, including non-conforming structures, to ADU's is allowed with standards.

1. Structure shall meet all design standards when the International Residential Building Codes in effect at the time of the conversion or remodeling.
2. Structures that do not conform to the building footprint sizes shown in 13.14.101 must apply for a conditional use permit for a footprint that exceeds the allowed size.
3. Structures that do not conform to setback provisions herein must apply for a conditional use permit.

MOTION: Planning Commissioner John MacKay moved to Table the proposed amendments to the Development Code for Detached Accessory Dwelling Units for staff to rework language to include:

1. Language from the Holiday City ordinance specifically to include:
 - a. Purpose Statement.
 - b. Minimum rental term of 90 days.
 - c. Require a rental license as required with current interior dwelling units.
 - d. Incorporate dwelling occupancy language.
 - e. Include a footprint for lots:

i.	Minimum is 300 square feet building footprint
ii.	0 – 10,000 sq ft lot 800 sq ft building footprint
iii.	10,001 – 20,000 sq ft lot 900 sq ft building footprint
iv.	20,001 – 40,000 sq ft lot 1,000 sq ft building footprint
v.	40,001 – and above 1,200 sq ft building footprint

- f. Percent of Lot Coverage: We want to modify the language that the total allowable lot coverage is for all permanent structures. Delete everything after the dwelling unit. We're not going to specify excluding outdoor swimming pools, ponds, artificial liners or other water features. We do want to include: Is set forth on the following chart expressed as a percentage of lot size. The percentages will be broken down into four bands:
 - i. Less than 10,000 sq ft 35% Coverage of all Structures
 - ii. 10,001 – 20,000 sq ft 30% Coverage of all Structures
 - iii. 20,001 – 40,000 sq ft 25% Coverage of all Structures
 - iv. 40,001 and above 22 % Coverage of all Structures
- g. Delete from Holiday City language that falls under Design Standards,
- h. Incorporate the conversion of accessory buildings to include a process and criteria for granting exceptions and/or conditional uses that Alpine Staff will come up with.
- i. Setbacks will be the same as an accessory building in the same zone.
- j. The height of an ADU will be modified to a maximum of 25 feet and follow the same criteria as an accessory building in the same zone.
- k. These additional items are to be added to the existing proposed language.

Jeff Davis seconded the motion. There were 7 Ayes and 0 Nays. The motion passed unanimously.

Ayes

John MacKay
 Jeff Davis
 Michelle Schirmer
 Susan Whittenburg
 Troy Slade
 Greg Butterfield
 Alan Macdonald

Nays

Action Item: Proposed text amendments to Alpine Development Code

Caden Lyon said there were a number of clerical and numbering changes. He reviewed proposed changes to the language.

3.07-A.050 Site Design

5. Access Requirement: Each lot shall abut and have direct access to a City-maintained or City-accepted street. The minimum frontage shall be the required lot width of the zone; except the cul-de-sac or curve lots may reduce frontage to sixty (60) feet if the width at the front setback meets the zone's minimum.

3.23.060 Review Conditions and Criteria for Certain Conditional Uses – Home Occupation

Only a limited number of customers or clients may visit the property in connection with the home occupation, provided such visits take place during regular business hours, remain incidental to the residential character of the dwelling, and do not create impacts beyond those normally associated with residential use.

4.6.030 Final Plat

vii. A revised narrative or summary statement describing any changes made from the previous narratives or summary statements submitted during the preliminary plan.

3.01.110 Definitions

Minor Subdivision: A subdivision development of three (3) or fewer lots which meet the requirements of DCA 4.05.

Accessory Structure: Anything constructed, the use of which requires fixed location upon the ground, or attached to something having a fixed location upon the ground, and which creates an impervious material on or above the ground, not including fences; and which is appropriate, subordinate, and customarily incidental to that of the main building or to the main use of the land and which is located on the same lot or parcel of land with the main building or use.

Pool House: An Accessory building associated with a swimming pool that provides enclosed space intended for the use or convenience of those using the swimming pool, and may include changing spaces, restrooms, showers, storage, pool equipment, etc. A pool house with pool equipment must meet the setbacks required for related facilities as described in the applicable zone.

3.02.050 Setback Requirements – Customary Residential Accessory Structures

1. Accessory Buildings which are located more than twelve (12) feet away from the main building, whether attached or not, are not considered detached structures.

3.03.050 Setback Requirements - Customary Residential Accessory Structures

i. Accessory Buildings which are located more than twelve (12) feet away from the main building, whether attached or not, are not considered part of the main building and are considered detached structures.

b. Swimming Pools & Related Facilities: In terms of this section, storage structures and pool houses that do not contain pool equipment are not considered related facilities and are evaluated based on the accessory structure requirements of the underlying zone.

MOTION: Planning Commissioner Jeff Davis moved to Table the proposed text amendments to Alpine Development Code as presented to a future meeting in order to allow additional time for the revisions and discussion by the Planning Commission on the Customary Accessory Structures for each zone.

Susan Whittenburg seconded the motion. There were 7 Ayes and 0 Nays. The motion passed unanimously.

Ayes

John MacKay
Jeff Davis
Michelle Schirmer
Susan Whittenburg
Troy Slade
Greg Butterfield
Alan Macdonald

Nays

IV. COMMUNICATIONS

None

V. APPROVAL OF PLANNING COMMISSION MINUTES: August 4, 2026

MOTION: Planning Commissioner John MacKay moved to approve the minutes for August 4, 2026, as written.

Jeff Davis seconded the motion. There were 7 Ayes and 0 Nays. The motion passed unanimously.

Ayes

John MacKay
 Jeff Davis
 Michelle Schirmer
 Susan Whittenburg
 Troy Slade
 Greg Butterfield
 Alan Macdonald

Nays

MOTION: Planning Commission member Greg Butterfield moved to adjourn the meeting.

John MacKay seconded the motion. There were 7 Ayes and 0 Nays. The motion passed unanimously.

Ayes

John MacKay
 Jeff Davis
 Michelle Schirmer
 Susan Whittenburg
 Troy Slade
 Greg Butterfield
 Alan Macdonald

Nays

The meeting was adjourned at 8:11 p.m.