



## ALPINE CITY PLANNING COMMISSION MEETING

**NOTICE** is hereby given that the **PLANNING COMMISSION** of Alpine City, Utah will hold a **Regular Meeting at Alpine City Hall, 20 North Main, Alpine, Utah on Tuesday, January 21, 2014 at 7:00 pm** as follows:

### I. GENERAL BUSINESS

- A. Welcome and Roll Call: Jannicke Brewer
- B. Prayer/Opening Comments: Jason Thelin

### 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. Auto Repair Shops

The Planning Commission will review a potential amendment to the Business Commercial Zone that would regulate auto repair shops and offer clarification on other items..

### IV. COMMUNICATIONS

### V. APPROVAL OF PLANNING COMMISSION MINUTES: December 03, 2013 and January 07, 2014

ADJOURN

Chairman Jannicke Brewer  
January 17, 2013

**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 in three public places within Alpine City limits. These public places being a bulletin board located inside City Hall at 20 North Main and located in the lobby of the Bank of American Fork, Alpine Branch, 133 S. Main, Alpine, UT; and the bulletin board located at The Junction, 400 S. Main, Alpine, UT. The above agenda notice was 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](http://www.alpinecity.org) and on the Utah Public Meeting Notices website at [www.utah.gov/pmn/index.html](http://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 v. 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: Amendment to the Business Commercial Zoning Ordinance  
(Auto Repair Shops and other clarification)**

**FOR CONSIDERATION ON: 21 Jan 2014**

**PETITIONER: City Council**

**ACTION REQUESTED BY PETITIONER: Review proposed amendment**

**APPLICABLE STATUTE OR ORDINANCE: Section 3.1.9 (Amendments to  
Zoning Ordinance)**

**PETITION IN COMPLIANCE WITH ORDINANCE: Yes**

### **BACKGROUND INFORMATION:**

On January 7, 2014, the Planning Commission reviewed the draft ordinance and eventually made a motion to have mechanical automotive repair shops listed as a conditional use within the Business Commercial zone.

On January 14, 2014, the City Council reviewed the potential amendments and pointed out a few things that should be clarified and addressed further. The draft amendment that reflects the City Council's suggestions is attached.

In addition to the proposed amendments that the Planning Commission discussed on January 7th, the draft amendment also focuses on the potential mixed-use or dual-use that may occur on a single piece of property within the zone (See 3.7.2.9)

The proposed amendment would also clarify what the setbacks are for residential structures that are within the Business Commercial zone. Currently the ordinance does not specify setbacks for dwelling structures. The amendment reflects the setbacks that the Alpine City staff currently requires when reviewing residential site plans within this zone. The setbacks are the same for dwelling structures within the TR-10,000 zone.

The banning of storage containers is also specifically addressed (See 3.7.8.5)

The Off-Street Parking and Home Occupation ordinances will also need to be amended to reflect the parking requirement for Auto Repair and the clarification that Auto Repair will not be permitted as a home occupation.

### **RECOMMENDED ACTION:**

That the Planning Commission review the draft ordinance and provide suggestions to prepare a draft to be ready for a public hearing and potential amendment to the Business/Commercial zone.

**ARTICLE 3.7 BUSINESS/COMMERCIAL DISTRICT (B-C)** (Ord. 95-22, 8/22/95 and Ord. 2002-13, Amended by Ord. 2011-09, 5/10/11)

**3.7.1 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.

**3.7.2 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, ~~but not including automotive repair establishments.~~
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. ~~Ancillary~~ Residential structures ~~(i.e. Dwellings)~~ 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. The property owner shall be responsible for all of the utilities and must retain ownership of all structures on the property. ~~and occupied by persons directly related to~~

~~such use in a caretaker or similar capacity).~~

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 Section 3.21.9.
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 Article 3.21.9 of the Development Code.

### **3.7.3 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 Article 3.10 Development Code.
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)
  1. A traffic analysis shall be provided as part of the conditional use application.
  2. The drive-up window and driveway shall be unobtrusive and be screened from the street by berming and landscaping.

3. Odors and noise shall be controlled as to not have an adverse impact on any nearby residential structures.
  4. Restaurants must comply with provisions of the sign ordinance.
  5. Restaurants must comply with the landscaping and design provisions in the B-C zone.
  6. 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.
  7. 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):
    1. No sexually-oriented business shall be located within:
      - a. One thousand (1,000) feet of a school, day care facility, public park, library, and religious institution;
      - b. Four hundred (400) feet of any residential use (no matter which zoning district) or residential zoning boundary;
      - c. One thousand (1,000) feet of a liquor store; and
      - d. 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:

    - a. The closest property line of any school, day care facility, public park, library, and religious institution;
    - b. The nearest property line of any residential use or residential zone;
    - c. The nearest property line of any liquor store; and
    - d. The closest exterior wall of another sexually-oriented business.
  10. Home occupations, subject to the provisions of Section 3.23.7.3 of the Development Code.
  11. Accessory apartments, subject to the provisions of Section 3.23.7.1 of the Development Code.

## 12. Mechanical Automotive Repair Shops

1. Odors and noise shall be controlled as to not have an adverse impact on any nearby structures.
2. There shall be no more than 4 automobile bays.

3. [There shall be no automobiles on the property that are 90 days or more past the expiration of the State of Utah registration and automobiles shall not be stored on the property for more than 14 days.](#)
4. [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.](#)
5. [Mechanical automotive repair shops must abut directly upon and have access to 200 North \(east of Main Street\), Main Street, or Canyon Crest Road within the Business Commercial zone.](#)
6. [Mechanical auto repair shops shall comply with the off-street parking requirements excepting there shall be no more than 2.5 parking spaces provided per bay.](#)
7. [Mechanical automotive repair shops shall conform to the provisions of the Gateway/Historic Zone \(Article 3.11\).](#)

### **3.7.4 AREA AND WIDTH REQUIREMENTS**

#### **3.7.4.1 Lot Occupied by a Dwelling Structure**

1. Lot Size. The minimum lot area for a single-unit dwelling shall be 10,000 square feet (Amended by Ord. 94-06).
2. Lot Coverage. No lot within the BC Zone may have more than fifty (50) percent of its land area covered by buildings or other impervious material.
3. Lot Width. The minimum width of any lot for a dwelling shall be ninety (90) feet, measured at the required front yard set back line.

#### **3.7.4.2 Lot Occupied by an Office and Commercial Structure**

There shall be no minimum lot area or width requirements except that an area sufficient to accommodate the structure, landscaped areas, minimum setback, required off-street parking, loading and unloading, vehicular ingress and egress shall be provided and maintained.

### **3.7.5 LOCATION REQUIREMENTS (Amended by Ord. 98-05, 3/10/98)**

All buildings shall comply with the following setbacks:

1. Front setback shall be not less than thirty (30) feet from the property line on all streets. No portion of the setback area adjacent to a street shall be used for off-street parking.
2. In commercial developments adjacent to other commercial areas, the side yard and rear yard setbacks will be not less than 20 feet unless recommended by the Planning Commission and approved by the City Council where circumstances justify.
3. Where a commercial zone abuts a residential zone, the side yard and rear yard setbacks will be not less than 20 feet unless recommended by the Planning Commission and approved by the City Council where circumstances justify.

[4 A lot occupied by a dwelling structure shall comply with the setback requirements set forth in the TR-10,000 zone \(Section 3.2.5.1\).](#)

### 3.7.6 ACCESS REQUIREMENTS

Each lot shall abut directly upon and have access to a City street which is improved in accordance with City street improvement standards.

### 3.7.7 UTILITY REQUIREMENTS

**3.7.7.1 Culinary Water.** All dwellings and other structures to be used for human occupancy shall be served by the City's water system. The system serving the dwelling shall be capable of providing water to the dwelling at a volume sufficient for both culinary and fire fighting purposes and at a pressure of not less than forty (40) psi as determined by the City Engineer.

**3.7.7.2 Domestic Sewage Disposal.** All dwellings and other structures intended for human occupancy shall be served by the City's central sewage collection system.

### 3.7.8 SPECIAL PROVISIONS

1. Uses Within Buildings. All commercial activities and storage shall be conducted entirely within a fully enclosed building, except those uses deemed by the City to be customarily and appropriately conducted in the open, including, but not limited to, gasoline dispensing, plant nursery displays, temporarily parked automobiles in need of repair, temporary sale of Christmas trees, etc.
2. Site Plan to Be Approved For All New Commercial Uses. Prior to the establishment of a new commercial use or the construction of a new building, a site plan shall be submitted, reviewed and recommended by the Planning Commission and approved by the City Council. (Amended by Ord. 2004-13, 9/28/04).
3. Off-street Parking. Off -street parking area which requires backing from the off-street parking space onto the street right-of-way in order to exit shall not be permitted. All ingress and egress shall be by forward motion only.

All points of ingress and egress to a commercial use or off-street parking areas shall be as shown on the site plan and shall be located not less than forty (40) feet from any intersection of public streets.

All off-street parking areas shall be hard-surfaced and shall be bordered by a curb or other barrier.

The number of required parking spaces and other particulars about the design and construction of off-street parking shall conform to the provisions of Article 3.24 of this ordinance.

4. Trash Storage. Adequate facilities for the disposal of solid waste shall be provided. All containers for the temporary storage and disposal solid waste material shall be of a size, type and quantity approved by the City shall be maintained in a location as shown on the Site Plan.
5. Storage Containers. The permanent or long-term use of any portable unit, pod, or similar type of storage container is prohibited in this zone. Temporary use for moving must be approved by the city.

~~6.5~~ Surface Water Drainage to be Retained On-site. All additional surface drainage generated as a result of development activity shall be disposed of on-site, as determined by the City

Engineer.

~~7.6.~~ Height of Buildings. The maximum height of any dwelling or other main building shall be thirty-four (34) feet, as determined in accordance with the provisions of Article 3.21.8 of the Development Code. (Ord. 96-15, 12/18/96).

~~8.7.~~ Landscaping Required. As a means of mitigating safety hazards or adverse visual impacts all areas of the site not devoted to buildings or off street parking shall be landscaped. The landscaped area shall be not less than twenty (20) percent of the total area of the site. In addition to all other plan elements, the site plan shall contain a landscape plan showing the location, type and initial size of all planting materials and other landscape features, and the location of the proposed sprinkler system.

~~9.8.~~ Design of Commercial Structures. Commercial buildings shall comply with the following architectural design criteria. (Preliminary architectural design drawings of all building elevations shall be presented to the Planning Commission for review).

1. The exterior of all commercial buildings shall be finished predominantly with wood and/or brick, stucco, stone or similar materials in accordance with guidelines in the Historical/Commercial/Residential Ordinance. Pitched roofs are preferred.
2. The architectural styles of the business district should be consistent and harmonious. The style of building design and trim should be compatible with the relatively uncomplicated rural, small town character of Alpine. Extremely irrelevant, contrived or inconsistent styles will be discouraged.

~~10.9.~~ Water Rights Conveyance Requirements. Water rights shall be conveyed to the City in accordance with the provisions of Article 3.21.7 of the Development Code.

~~11.40.~~ Nuisances Prohibited. No land or building shall be used in any manner so as to create dangerous, injurious, noxious or otherwise objectionable fire, explosive, or other hazard, noise, or vibration, smoke, dust, odor, or other form of air pollution; liquid or solid refuse or wastes; or other substance, condition or element in such a manner or in such an amount as to adversely affect the surrounding area or adjoining premises.

~~12.44.~~ Accessory Buildings. All accessory buildings shall be located in accordance with the following (Ordinance 2002-13) (Amended by Ord. 2006-14, 9/12/06; Ord. 2010-03, 8/24/10):

1. Setback from main building. Accessory buildings which are located twelve (12) feet or closer to a main building and are attached to the main building by a common roof or wall shall be considered as part of the main building and shall meet the same setbacks as the main building.
2. Side Setback - Corner Lot, Side Abutting a Street. Accessory buildings shall be set back not less than forty (40) feet from the side lot line which abuts on a street.
3. Front Setback. Accessory buildings shall be set back not less than forty (40) feet from the front property line.
4. Side and Rear Setback - Interior Lot Line. Accessory buildings shall be set back no less than ten (10) feet from the rear lot line and five (5) feet from the side lot line, except that no minimum rear or side setback shall be required when all the following conditions are met:
  - a. The accessory building is located more than twelve (12) feet from an existing

dwelling on the same or adjacent lot;

- b. The accessory building contains no openings on the side contiguous to the lot line;
  - c. No drainage from the roof will be discharged onto an adjacent lot;
  - d. The accessory building shall be constructed of non-combustive materials or have fire resistive walls rated at one (1) hour or more;
  - e. The building will not be placed on land designated as a recorded easement, such as a utility or trail easement; and
  - f. The building will not be taller than ten (10) feet to the top of the roof line.
5. Accessory Building Height. The maximum height of any accessory building shall be twenty (20) feet as measured from the average finished grade of the ground surface adjacent to the foundation of the structure to the top of the ridge line.
1. Exceptions to the Height Requirement. Chimneys, flag poles, television antennas, and similar ancillary structures not used for human occupancy shall be excluded in determining height, provided that no such ancillary structure shall extend to a height in excess of fifteen (15) feet above the building.
  2. Additional Accessory Building Height. For every one (1) foot of additional height above twenty (20) feet, an additional two (2) feet of side yard and rear yard setback will be required. The maximum height of the accessory building as measured to the ridgeline shall be thirty (30) feet.

**ALPINE CITY PLANNING COMMISSION MEETING at  
Alpine City Hall, 20 North Main, Alpine, Utah  
Dec 03, 2013**

**I. GENERAL BUSINESS**

**A. Welcome and Roll Call:** The meeting was called to order at 7:00pm by Chairman Jannicke Brewer. The following commission members were present and constituted a quorum.

Chairman: Jannicke Brewer

Commission Members: Bryce Higbee, Steve Cospser, Jannicke Brewer, Chuck Castleton, Steve Swanson

Commission Members Not Present: Jason Thelin, Todd Barney

Staff: Jason Bond

Others: Nathan Terry, Leonard Wendel, Hunter Barney, David Ballif, Kori Walkenhorst, Nicholas Conklin, Bob Fawson, Michael Anderson, Will Jones

**B. Prayer/Opening Comments:** Bryce Higbee

**II. PUBLIC COMMENT**

No Comment

Jannicke Brewer asked Jason Bond to give a report on Eagle Point. Jason Bond said last week at City Council a motion was made to uphold the same decision that was made by the Planning Commission. Jannicke Brewer said the developers are back at square one now and we don't know what they are going to do. She said the City Council said if there are no plans in the future to put a subdivision to the north of this property, then it makes no sense to put in a stub street. Our ordinance states that the purpose of a stub street is for the circulation of the city and not to go into other cities.

**III. AGENDA ITEMS**

**A. PUBLIC HEARING – Auto Repair Shops**

The City Council made a motion on November 26, 2013 recommending that the Planning Commission review a potential amendment to the Business/Commercial zone that would list automotive repair shops as a conditional use within the zone with a condition attached that would require that a shop could only have street frontage on Main Street, 200 North (East of Main Street only), Canyon Crest Road, and Alpine Highway.

Jason Bond said we need to discuss how we want to regulate this zone just like we have done with restaurants and other businesses. Jannicke Brewer said we need to come up with requirements that should be added to the Business Commercial zone for an auto repair shop. Steve Swanson said he did some research on this and he came up with a checklist for repair shops. He said he thought this would be good as far as how these shops would be inspected or approved. The Fire Marshall would have to be involved to take a look at where solvents and other materials are kept. He would have to look at welding materials and see if they are allowed at all. A big problem is storage of hazmat material which can include tires, car batteries, paints and thinners. The State of Utah has specific regulations about disposing of oil and we would need to look at that when we write the code.

Jannicke Brewer asked James Lawrence what type of license he needed to run an auto repair shop. James Lawrence said that the information Steve Swanson brought in was out of date. He said tires are not hazardous. We shred them up and put them on our playgrounds for our kids to play on. As far as batteries go, I have to turn in the old battery every time I buy a new one. You can store oil in safety containers, but you have to have some sort of absorbent nearby in case some gets spilled. For disposal of anti freeze and oil you have to have a licensed person come and pick it up to dispose of it. They usually resell it as fuel in the wintertime.

James Lawrence said as far as being licensed, it is just like any other business. If he wanted to start up a business, he could. Jannicke Brewer said she spoke with someone at Orem City and they said you have to have 7 different licenses to run an auto repair shop. James Lawrence said the only license he is required to have is the R134 for the

1 refrigerant. Steve Swanson said that tires are an issue when a person is only allowed to dispose of 4 tires at one time  
2 to the landfill. He said he just wants to be clear on the regulations on how these auto repair shops will be run in our  
3 city. He doesn't want someone to come in and abuse the situation and stack tires up to the ceiling and spill oil down  
4 the drain. Others may not have the ethics and the quality control that you have. We don't know who will come in  
5 and these regulations need to be in place.

6  
7 Jason Bond said you are exactly right and we have to look at the big picture because a Jiffy Lube or a Pep Boys may  
8 want to move in. Steve Swanson said instead of listing out every little thing we could say that the environmental  
9 codes must be adhered to. We could also have a basic sheet listing things such as fire hazards, and disposal  
10 requirements. Chuck Castleton said there is no reason for us to repeat what is already in the State Code.

11  
12 Steve Swanson asked if we need to require that only certified mechanics can work in these shops. James Lawrence  
13 said that would be hard because there are different certificates for every make and model of car. You can also go  
14 online and print these certificates, so there isn't really a true way to govern it.

15  
16 Steve Swanson said another concern is oil spills and you have to have a hazmat plan. What are the cleanup  
17 procedures, how are you going to dispose of it, who are you going to call. The last thing we want is an oil spill and  
18 someone just throws dirt on top of it and leaves it. Jannicke Brewer asked James Lawrence what he does with an oil  
19 spill. Mr. Lawrence said he uses compressed paper that looks like cat litter. He spreads it on the oil and lets it soak  
20 up and then scoops it into a barrel and has it picked up with his old oil. Steve Swanson said this works for spills on  
21 a hard surface. It's a different story when the spill is in the dirt. You have to dig down with a shovel or a back hoe  
22 to remove the oil. James Lawrence said he remembered Jannicke Brewer saying that the work had to be done in an  
23 enclosed building with a hard surface.

24  
25 Leonard Wendel said when you are talking about hard surfaces for a garage; oil eats up asphalt so it would have to  
26 be a concrete floor. He said the illegal auto repair business adjacent to his property has spilled oil out in the yard  
27 and it has killed his pine trees.

28  
29 Nathan Terry said this is a good start for auto mechanical repair, but no-one has touched upon auto body repair.  
30 Things you need to be concerned about are donor cars in the back of the shop, extra parts stacked up, paint booth  
31 with paints and solvents, ventilation and a lot of hammering and noise. What are the work hours going to be?  
32 Jannicke Brewer said so far, we are only talking about auto repair shops and not auto body shops. In our ordinance  
33 it talks about noise and noxious chemicals, vibrations, smoke and odors. She said we can choose to not add auto  
34 body or collision as a conditional use.

35  
36 Mr. Terry said you can't just use the broad term auto repair because there are so many specific types of auto repair.  
37 That could mean mechanical, electrical, body work, diesel, etc. You have to be more specific and say exactly what  
38 you will allow like mechanical auto repair. James Lawrence said you could put a limit on donor cars and they have  
39 been registered within 90 days. You could make a condition that you can't store any extra parts outside. They have  
40 to be stored in your shop or in a shed. He said he believes in this 100% and you can drive by his shop right now and  
41 see that his place is clean and well maintained. If you have rules in place then everyone would understand the  
42 standard.

43  
44 Jannicke Brewer said this would be an amendment to the ordinance even though we are not adding a new zone. She  
45 said we have to come up with language for the amendment which would require a hearing and then be sent to City  
46 Council. Steve Cospers asked if the City Council was against creating a Service commercial zone. Will Jones said  
47 they were not against it, they just thought the better way to handle it would be to have auto repair in the Business  
48 Commercial zone as a conditional use. It would be exactly the same, but the Service Commercial zone would go  
49 away and you would accomplish the same thing in the Business Commercial zone.

50  
51 Jason Bond explained that in the different zones you have permitted uses and conditional uses. Permitted uses are  
52 known in that zone and you don't have to come in to Planning Commission and get permission. You still have to  
53 get the necessary permits to move forward. Conditional uses are those that the City needs to look at and regulate  
54 that use to mitigate potential impact. The City also can't automatically deny a conditional use. There has to be a  
55 good reason for saying no and the City has to back up that reason.

1 The Planning Commission discussed the differences between creating a special Service Commercial zone and the  
2 Business Commercial zone. Jannicke Brewer said we can accomplish the same thing in the Business Commercial  
3 zone by having conditional uses. If we make a Service Commercial zone, we will have to make changes to the  
4 General Plan and have two or three more hearings. Jason Bond said whatever we decide to do, we need to take our  
5 time and make sure we do it right the first time.

6  
7 Will Jones said the City Council would like to see what kind of restrictions are going to be put in place, how's it  
8 going to be handled, who is going to regulate it; will it be by State Law? The City Council also wants to know what  
9 the building is going to look like, what kind of materials will it be made out of. Steve Swanson said we regulate  
10 how a snow shack looks, so we should be able to regulate how this building should look. Will Jones asked if a fence  
11 would be required and if so, would it be solid, block, etc. How many cars are going to be allowed to be parked in  
12 the parking lot? Which way is the garage door going to face, toward Main Street or on the side of the building?  
13 These are critical questions that we need answers to. Steve Cospser said we can go off the State list and then go from  
14 there.

15  
16 Jannicke Brewer said we already have regulations in our ordinance about how the building should look. Will Jones  
17 asked if the Planning Commission was going to change that. Jannicke Brewer said she didn't think so because these  
18 buildings should look attractive just like any other business. She also said we have Historic Gateway Ordinance that  
19 tells about pitch of roof, windows, landscaping, and other regulations. Jannicke Brewer said more than anything, we  
20 need the auto repair shop to have a hazmat plan for cleanup and storage.

21  
22 Steve Cospser asked if we should have legal advice or some hazmat expertise to help us make a checklist. Will Jones  
23 said to ask David Church to give input and also other professional people if we need to so we can move forward  
24 with this. Steve Cospser said that he thinks Jason Bond should take all of this information and boil it down into an  
25 intelligent ordinance. He said this is a staff issue and until we can get it narrowed down we can't vote on it. He  
26 wanted to know if Jason Bond could take the items that James Lawrence brought in, the list that Steve Swanson  
27 brought in and combine them with our current ordinance and come up with something the Planning Commission  
28 could look at. Jason Bond said he could bring in a draft ordinance.

29  
30 Steve Swanson asked about an operational bonding. Jannicke Brewer said we require it only if the State or some  
31 other agency requires it. James Lawrence said if you require auto repair to have bonding, then you would have to  
32 look back at a lot of other businesses in the city and require them to have it as well. There are other businesses that  
33 have more hazmat material than cars.

34  
35 Steve Swanson said we are talking about auto repair, but does that mean diesel or big trucks? We have to be careful  
36 with this because it could quickly escalate into something we didn't intend. Chuck Castleton asked if we required all  
37 work to be done in an enclosed building, then wouldn't that solve most of those problems. Jannicke Brewer asked  
38 James Lawrence if he can get a fire truck in his shop to work on it. Mr. Lawrence said there is no way he could get  
39 a fire truck in his shop. He said that would be a mobile repair on site. He also said that big semi trucks are not  
40 considered automotive repair, they are considered heavy equipment. In the ordinance you would put no heavy  
41 equipment such as tractors, back hoes, front end loaders.

42  
43 Jannicke Brewer said when an applicant comes to the City to get approved; they can't make changes to the approval.  
44 If they are approved for four bays, they can't later put in eight bays. Any changes that are made would have to be  
45 approved by the Planning Commission.

46  
47 Mr. Terry said there is a lot of information online from different States and Governments. He said you could take  
48 the information from those sites so you don't have to reinvent the wheel. James Lawrence asked if there was any  
49 way to put a time frame on getting this done. He said we were told in June that in ninety days this would be  
50 resolved and now here we are seven months later still juggling the balls. Jannicke Brewer said we can't do that  
51 because it is very hard with government to put a time frame on issues.

52  
53 Bryce Higbee said this has to be carefully done and we will take our time doing it. The other option is to not do it at  
54 all. Mr. Higbee said unless we can meet the stringent requirements and we really feel like it can be regulated, then  
55 he said he didn't think it was worth it. He said it would benefit Mr. Lawrence if the Planning Commission took their  
56 time and did it that way. James said he was told he had to move and there are only a few lots that would work. He

1 said he can't tie up a lot and wait for three years while the City makes a decision. Jannicke Brewer said the Planning  
2 Commission would do their very best and then it will be up to the City Council.  
3

#### 4 **B. Pine Valley Realty Office Renderings – Will Jones**

5 The proposed Pine Valley Realty Commercial Site Plan is located at approximately 36 west Canyon Crest road. The  
6 property is in the Business Commercial zone. On November 5, 2013, the Planning Commission approved the  
7 proposed site plan subject to some conditions. One of those conditions was to submit some color renderings of the  
8 proposed office so that the Planning Commission could review the design of the proposed building.  
9

10 On November 19, 2013, the Planning Commission reviewed some colored renderings submitted by the applicant and  
11 made a motion to disapprove the design of the proposed Pine Valley Realty office building until the Planning  
12 Commission could see a better rendering.  
13

14 Will Jones brought in a colored rendering for his new Pine Valley Realty office building. Jannicke Brewer asked  
15 the Planning Commission if they felt like this design would be a good fit for the location at the entrance of the city.  
16 Steve Cospers said it would give variety and he said it had a Park City look. Bryce Higbee said it look like a ski  
17 lodge. The Planning Commission talked about the trim around the doors and windows and also about the exposed  
18 steel beams. Steve Cospers said he wasn't crazy about the roof. Will Jones showed pictures of how it would oxidize  
19 over the years and look in the future. He said they can control how the oxidation will look by not putting an acid  
20 wash on it because the acid speeds up the oxidation process.  
21

22 **MOTION:** Bryce Higbee moved to approve the design as proposed for the Pine Valley Realty office building.  
23

24 Steve Cospers seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Bryce Higbee, Steve  
25 Cospers, Jannicke Brewer, Chuck Castleton and Steve Swanson all voted Aye.  
26

#### 27 **IV. COMMUNICATIONS**

28 Jannicke Brewer mentioned that we have two spots opening up in the New Year for the Planning Commission and  
29 there will also be an opening in the City Council.  
30

31 Will Jones said it might be a good idea to have one member of the City Council come to the Planning Commission  
32 and report back so the Council knows more about the issues. He said the first we hear about the issues is when we  
33 vote on them.  
34

#### 35 **VI. APPROVAL OF PLANNING COMMISSION MINUTES OF: Nov 19, 2013**

36  
37 **MOTION:** Steve Cospers moved to approve the Planning Commission Meeting Minutes with revisions for Nov 19,  
38 2013.  
39

40 Chuck Castleton seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Bryce Higbee,  
41 Steve Cospers, Jannicke Brewer, Chuck Castleton, and Steve Swanson all voted Aye.  
42

43 Jannicke Brewer stated that the Planning Commission had covered all of the items on the agenda and adjourned the  
44 meeting at 8:40pm.

**ALPINE CITY PLANNING COMMISSION MEETING at  
Alpine City Hall, 20 North Main, Alpine, Utah  
Jan 07, 2014**

**I. GENERAL BUSINESS**

**A. Welcome and Roll Call:** The meeting was called to order at 7:06pm by Chairman Jannicke Brewer. The following commission members were present and constituted a quorum.

Chairman: Jannicke Brewer

Commission Members: Bryce Higbee, Steve Cospser, Jason Thelin, Jannicke Brewer, Steve Swanson

Commission Members Not Present: Chuck Castleton, Todd Barney

Staff: Jason Bond, Marla Fox

Others: Becky Rasband, Will Jones, Don Watkins, James Lawrence

**B. Prayer/Opening Comments:** Steve Cospser

**II. PUBLIC COMMENT**

No Comment

Jannicke Brewer asked Jason Bond to recap what happened at the County Meetings on the Box Elder Subdivision. He said that the County Planning Commission had a split vote with 3 to 2 against the Subdivision because of safety issues. This morning, all three of the Utah County Commissioners voted to approve the Subdivision.

**III. AGENDA ITEMS**

**A. PUBLIC HEARING – Auto Repair Shops**

The City Council made a motion on November 26, 2013 recommending that the Planning Commission review a potential amendment to the Business/Commercial zone that would list automotive repair shops as a conditional use within the zone with a condition attached that would require that a shop could only have street frontage on Main Street, 200 North (East of Main Street only), Canyon Crest Road, and Alpine Highway.

On December 3, 2013, the Planning Commission discussed the City Council's suggestion and requested that the City Planner put together a draft. The DRC and City Attorney, with suggestions from James Lawrence, came up with a potential Service Commercial zoning ordinance for the Planning Commission to review.

Jason Bond talked about the auto repair conditional use ordinance for a new Service Commercial zone.

- A. Odors and noise shall be controlled to not have an adverse impact on nearby structures.
- B. There shall be no more than 5 automobile bays per shop and automobiles in need of repair shall not be stored on the property for more than fourteen days.
- C. All mechanical automotive repair shops should 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 the EPA.

Access requirements reference the direction we want to go and have frontage on the major streets East of 200 North, Canyon Crest, Main Street, and Alpine Highway. Jason Bond said there may be a few wording issues to make this a Service District, but it is pretty similar to the Business Commercial. He asked the Planning Commission to tell him if there were things in it they liked, or didn't like. He said he would like to get a draft ordinance ready to be considered for adoption by the City Council.

Jannicke Brewer said the City Council asked the Planning Commission to come up with regulations in the Business Commercial zone or in a Service Commercial zone. This will be for mechanical auto repair only and not for heavy equipment or big trucks, diesel or semi's. Jannicke Brewer showed some maps of where these zones could be.

1. Exhibit A is a map of the existing area of the Business Commercial zone with the area shown in red.
2. Exhibit B is the Service Commercial zone which shows every lot that is facing Main Street, 200 North

1 East of Main Street, Canyon Crest and Alpine Highway.

- 2 3. Exhibit C shows the area where the staff thought the Service Commercial zone could be. This area is  
3 located on 200 North in the Business area by the Mattress Factory. Auto repair would be restricted to  
4 this area.

5  
6 Jason Thelin asked Jason Bond if there was a reason why staff wanted a smaller area for the Service Commercial  
7 zone. Steve Swanson asked if it was because it was hidden off Main Street and they felt it was more appropriate.  
8 Jason Bond said when they took a look at the current Business Commercial area, it seemed too big. This smaller  
9 area already has businesses there with an industrial feel. Staff felt like there were potential opportunities in this area  
10 and it would be less impactful to the city.

11  
12 The Planning Commission members talked about having a Service Commercial overlay zone in the Business  
13 Commercial zone. Jannicke Brewer said to keep the Business Commercial but put a conditional use for the  
14 mechanical auto repair shops with additional requirements to lessen the impact on the neighbors. Steve Cospers said  
15 he felt if we did it this way we would have less control than if we had an overlay. Steve Swanson asked if we could  
16 start with a small area and then open it up later if it was needed.

17  
18 Will Jones said the City Council sent a different map with everything taken out on the West side of Main Street. He  
19 said the City Council would like to create a Service Commercial zone with all the underlining uses of the Business  
20 Commercial zone. Jannicke Brewer said if we change this to an overlay zone, then we have to have a hearing and a  
21 zone change.

22  
23 Steve Cospers asked if the Planning Commission can deny an area for an auto repair shop if they want. Jannicke  
24 Brewer said if it is a permitted use and they follow the ordinance, then you cannot deny a shop coming in. Steve  
25 Cospers asked James Lawrence if the area up by the Mattress Factory would work for an auto repair shop. Mr.  
26 Lawrence said it would not work. He said he thought we were talking all along about the Business Commercial area  
27 and the only house that would work is one at 53 North Main Street that Will Jones owns. Jason Bond said that James  
28 Lawrence's current property would be included. James Lawrence said City Council denied annexing his current  
29 property into the Business Commercial because it would be unfair to Tom Jenks who is running Kyle Terry's shop.

30  
31 Steve Cospers asked about the restrictions of cars on the lot. He said the only thing he saw in the ordinance was only  
32 5 bays would be allowed. Steve Cospers said that doesn't stop cars from being parked out in front of the bays. Just  
33 take a look at Greenwoods down in American Fork. There are cars parked everywhere and it looks like a junkyard.

34  
35 Jannicke Brewer said we would have to have restrictions on parked cars and also on customer and employee  
36 parking. Steve Swanson said when we first started this process; he thought it would be so residents would have  
37 somewhere to take their car. Now it seems like this is blossoming into this big thing that is not conducive to Alpine.  
38 He said he doesn't want something twice the size of Jiffy Lube on Main Street.

39  
40 Jannicke Brewer asked what are we looking for here in Alpine, what do we want, and what do we need? Don  
41 Watkins said he would be interested in having a repair shop in town but nothing like what is down in American  
42 Fork. He said you have to have design criteria and we could take a look at other cities to see if they have a good  
43 model.

44  
45 Jason Bond said we do have the Historic Gateway guidelines to help us with design but they do need to be defined  
46 because they are pretty subjective and obscure. Bryce Higbee said we have that obligation and input anyway. Jason  
47 Bond said we need to have it more defined because it is hard with conditional uses. Sometimes we're on our A game  
48 and sometimes we're not. We have two sno shacks that have two different conditions set on them. We need it to be  
49 more streamlined and consistent.

50  
51 Bryce Higbee said it will operate exactly the same whether you create a new zone or not by restrictions and  
52 conditional uses. He also said he doesn't like any accessory buildings and doesn't think they should be allowed.  
53 Jannicke Brewer said Commercial Businesses can have more than one building on the property as long as they meet  
54 the setbacks.

1 Will Jones said to take the subjectivity out of it and give the City Council a model under which they can design  
2 something today and tomorrow. Bryce Higbee asked Mr. Jones if he was looking for CC&R's. Will Jones said yes,  
3 he wants to know exactly what shingles can be used, etc. Jannicke Brewer said these are the types of things we can  
4 do under conditional use. The Planning Commission looked at a plan that James Lawrence brought in. They talked  
5 about parking and garage bays. Jannicke Brewer said this is what we check when the site plan is brought in; you  
6 have to follow the requirements for parking, building height, and materials. We need to put in requirements that  
7 everyone can follow. We are not building an ordinance around what Mr. Lawrence needs, but an ordinance that  
8 works in every case, for everyone.  
9

10 Don Watkins said in James Lawrence's unique situation, his gut feeling was for us to work with him on this plan.  
11 Mr. Lawrence's shop would be in back of the house where no one would see it or know it's there and that way you  
12 wouldn't have to rush the auto repair ordinance. Jannicke Brewer asked Don Watkins if he wanted the Planning  
13 Commission to only make this one property Service Commercial. She said that is a very friendly approach.  
14

15 Steve Cosper said we are trying to keep traffic off of Main Street and once Mr. Lawrence is on Main Street, he will  
16 get busier because he is more visible and more traffic will be there. Mr. Lawrence asked if we have had that  
17 problem with his current shop. Jason Thelin said it is entirely different because currently Mr. Lawrence has a home  
18 business with a small shop. He has gone out of his way to be a good neighbor and purposely kept it to two cars. It  
19 will be completely different with a Commercial Business. James Lawrence said he disagrees because he doesn't  
20 take on more work than he has room for.  
21

22 Jason Thelin asked what will become of the house on the property. James Lawrence said he will rent the home out.  
23 The Planning Commission discussed if renting a home is allowed in this zone. James Lawrence said he already  
24 cleared this with David Church. Jannicke Brewer said Mr. Lawrence would be allowed to have two businesses on  
25 one property.  
26

27 Bryce Higbee said he would put this under conditional use and Steve Cosper asked what control we would lose by  
28 doing it this way. Jason Bond said you wouldn't lose control on an individual application, but you could lose  
29 control on where it goes because the location could be anywhere in the zone. Steve Cosper said you can still restrict  
30 it further by requiring access points. Steve Swanson asked if part of the condition could be getting the approval of  
31 the neighbors. The Planning Commission discussed this and decided that it would not work to get neighbor  
32 approval. Jason Bond said that neighbors could be involved through the legislative process but once you have the  
33 regulation set then it becomes administrative. Neighbors can come in and express their concerns and we can address  
34 those concerns by mitigating it with conditions, but they can't say yes or no.  
35

36 Bryce Higbee suggested restricting the area from the round-a-bout up Main Street and East of Main on 200 North.  
37 He said he would not put it on Alpine Highway so it's not the first thing you see when you come into town. Jannicke  
38 Brewer read from the Historic Gateway where it states that the Planning Commission may recommend the exception  
39 to the business Commercial zone regarding parking, building height, signage, setback and use if they find that the  
40 plan proposed implement better than the design.  
41

42 Steve Swanson asked Mr. Lawrence about signage. Mr. Lawrence showed a picture of an on the ground marquee  
43 that he liked. He asked what materials he could use. Jannicke Brewer said Mr. Lawrence would have to comply  
44 with the sign ordinance.  
45

46 The Planning Commission discussed parking at length and setback requirements. Jason Thelin said setbacks are  
47 there for a reason so neighbors don't have to be right on top of your building. James Lawrence showed pictures of  
48 the surrounding neighbor's property lines. One bordering neighbor garage goes right to the fence on the property  
49 line. The neighbor on the other side has his house six to eight off the property line. Jason Thelin said the ordinance  
50 has changed since those buildings were built. Jannicke Brewer said we can't make a decision on this property until a  
51 site plan is submitted. She said we also have to make a decision based on this property being used by you or others;  
52 we are not creating a James Lawrence zone.  
53

54 **MOTION:** Bryce Higbee moved to recommend the addition of a conditional use in our Business Commercial  
55 District instead of a Service Commercial District, to include mechanical auto repair establishments, building  
56 material stores and yards with the language as proposed:

- 1
- 2 1. Except for under conditional uses there be no more than four automobile bays per shop.
- 3 2. Automobiles in need of repair shall not be stored on site for more than 14 days, and no automobile shall
- 4 be on site ninety days past expiration of the registration.
- 5 3. Delete reasonable person's standard.
- 6 4. City Council gives guidance on how they want parking addressed.
- 7 5. Only exterior storage shall be automobiles.
- 8 6. Activity and storage shall be inside the building.
- 9

10 Steve Cospers seconded the motion. Steve Cospers expressed his concern again about parking and there was a long  
11 discussion about parking and storage. The Planning Commission decided to ask for guidance from the City Council  
12 and to take more time looking at parking because it was such an important issue. Jannicke Brewer called for a vote.

13  
14 The motion was unanimous with 5 ayes and 0 Nays. Bryce Higbee, Steve Cospers, Jason Thelin, Jannicke Brewer,  
15 and Steve Swanson all voted Aye.

#### 16 **B. Calendar**

17 The Planning Commission will adopt its 2014 Meeting Schedule.

18  
19  
20 **MOTION:** Jason Thelin moved to recommend approving the Planning Commission Meeting Schedule with the  
21 removal of the July 1, Aug 5, and Nov 18, 2014 dates.

22  
23 Steve Cospers seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Bryce Higbee, Steve  
24 Cospers, Jannicke Brewer, Chuck Castleton and Steve Swanson all voted Aye.

#### 25 **IV. COMMUNICATIONS**

26 The Planning Commission discussed items they want to discuss in the General Plan update in 2014.

#### 27 **VI. APPROVAL OF PLANNING COMMISSION MINUTES OF:** Dec 03, 2013

28 The Planning Commission will review the minutes and approve them at the next meeting.

29  
30  
31  
32 Jannicke Brewer stated that the Planning Commission had covered all of the items on the agenda and adjourned the  
33 meeting at 9:05pm.