

**ALPINE CITY PLANNING COMMISSION MEETING**  
**Alpine City Hall, 20 North Main, Alpine, UT**  
**May 3, 2022**

**I. GENERAL BUSINESS**

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

Chair: Jane Griener

Commission Members: Alan MacDonald, John MacKay, Ethan Allen, Troy Slade, Jeff Davis

Excused: Susan Whittengurg

Staff: Jed Muhlestein, Austin Roy, Marla Fox

**B. Prayer/Opening Comments:** Alan MacDonald

**C. Pledge of Allegiance:** Troy Slade

**II. PUBLIC COMMENT**

No Public Comment

**III. REPORTS AND PRESENTATIONS**

None

**IV. ACTION ITEMS**

**A. Public Hearing – Site Plan – AT&T Collocation on Lambert Tower**

Austin Roy explained that AT&T is seeking to collocate wireless antennas on the Tower in Lambert Park. The proposed replacement does not substantially change the physical dimensions of the tower or base station (height and width), and thus, should be approved per the Wireless Telecommunications Ordinance of the Development Code. A lease agreement will need to be approved and should be a condition of approval. Article 3.27.030 states:

*State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. For purposes of this Part, the term “eligible facilities request” means any request for modification of an existing wireless tower or base station that involves:*

- *collocation of new transmission equipment;*
- *removal of transmission equipment; or*
- *replacement of transmission equipment.*

Austin Roy said the tower can hold up to three carriers. There will be a base area at the bottom of the tower on an 18 X26 concrete pad for the station equipment enclosed with a fence. He said the city would have to work out some sort of a lease agreement with the carrier. There will be no additional burden to the public because the tower is already located there.

Jane Griener opened the Public Hearing, there were no comments and Jane Griener closed the Public Hearing.

Ethan Allen asked if the equipment could go in the building already there. Austin Roy said there isn't room for additional equipment.

**MOTION:** Commission Member Ethan Allen moved to recommend that the site plan be approved with the condition that a lease agreement first be approved.

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

**Ayes:**

Alan MacDonald  
Ethan Allen  
Jane Griener  
John MacKay  
Troy Slade  
Jeff Davis

**Nays:**

**Excused:**

Susan Whittenburg

**B. Public Hearing – Ordinance 2022-11 – Definition of Major Street Plan**

Austin Roy explained that the City Council adopted changes to the Street Master Plan, Design Standards, the definition of the Major Street Plan, and the Standard Specification and Details on February 22, 2022. Then on April 12, 2022, the above-mentioned changes were repealed. This was a result of the City Council deciding to no longer move forward with a proposal to widen Canyon Crest Road. However, when the ordinances and resolutions were repealed a certain amendment to the definition of the Major Street Plan was also repealed. This amendment needs to be restored to make the ordinance accurate.

Jane Griener opened the Public Hearing, there were no comments and Jane Griener closed the Public Hearing.

**MOTION:** Commission Member Troy Slade moved to recommend that Ordinance 2022-11 be adopted as proposed.

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

**Ayes:**

Alan MacDonald  
Ethan Allen  
Jane Griener  
John MacKay  
Troy Slade  
Jeff Davis

**Nays:**

**Excused:**

Susan Whittenburg

**C. Public Hearing – Ordinance 2022-09 – Definition of Natural Open Space**

Austin Roy explained that the Open Space ordinance is not clear on what kind of improvements are allowed in open space. Based on the recommendation of Councilman Greg Gordon staff have drafted language which clarifies the type of improvements that are permitted.

1. Soil is left undisturbed;
2. Natural vegetation, whether or not native to the area, occupies the major visible aspect of the land;
3. Recreational improvements which are incidental to the natural area, such as trails, parking, bike stations, kiosks, and other similar improvements;
4. Construction and maintenance of City utilities shall be permitted;
5. Structures for the maintenance and operation of city business shall be conditionally approved.

Jane Griener opened the Public Hearing, there were no comments and Jane Griener closed the Public Hearing.

**MOTION:** Commission Member Jeff Davis moved to recommend that Ordinance 2022-109 be adopted as proposed.

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

**Ayes:**

Alan MacDonald  
Ethan Allen  
Jane Griener  
John MacKay  
Troy Slade  
Jeff Davis

**Nays:**

**Excused:**

Susan Whittenburg

**D. Public Hearing – Three Falls Upper Parking Lot**

Austin Roy explained that On March 15, 2022, the Planning Commission held a public hearing and reviewed the proposed plan for parking in upper area of Three Falls. Following the public hearing and discussion on the item the Planning Commission decided to table the item until they could receive input from the Trail Committee and the City Attorney regarding the proposed plan.

Since that meeting, representatives from the City have met with representatives of the Three Falls Home Owners Association and have discussed the possibility of six parking stalls instead of the originally proposed 20 stalls. This new plan has been included in the packet for consideration.

The Trail Committee was consulted about the possibility of trailhead parking, there comments included concern about the possibility of bikers shuttling up and down Fort Canyon, that the trail system was originally designed to only have parking below, and that with an upper parking lot, traffic on the trails from Three Falls to Draper would likely increase.

All improvements to public open space require a recommendation from the Planning Commission and a supermajority vote of approval from the City Council (3.16.040).

Alan MacDonald wanted to know what the City Attorney had to say about adding the upper parking lot if it wasn't in the original agreement with the developers. Austin Roy said the Attorney knows there was a discussion between the city and the HOA and wanted to see if the issues could be worked out between the two parties first, before he got involved.

Jane Griener asked what is sufficient parking to get the public off the road. She said she thought six spaces would be the bare minimum. She said she thought eight or twelve would be better.

Alan MacDonald said there is an extensive trail system up there. He thinks too big of a parking lot would create a shuttle system for downhill riders only. He said he understands there is a need for others who don't ride or run, but he has concerns about it like kids coming up there doing mischief.

Austin Roy said in the meeting between the staff and the HOA, they thought the six spaces was a good compromise. They also had concerns about shuttling bikes back and forth.

Jane Griener said the six spaces includes two ADA spots so that only leave four parking spots which she doesn't think is enough. Jeff Davis agreed and said if the parking lot is not large enough, people will just park on the street. They both said we need a good balance.

Austin Roy said the Trail Committee had concerns about the increased traffic on the trails connecting to Draper.

Alan MacDonald said he didn't think we needed to provide an upper parking lot. He said people can park down below and walk as far as they would like.

Jane Griener opened the Public Hearing.

Will Jones, developer, said the plan was approved with two ADA parking spots on the road. He said there are four different kinds of open space, private, public, developed, and undeveloped. He said they chose to do undeveloped, and, in the ordinance, a parking lot is not allowed in this type of open space. He said they agreed to move the ADA parking spots off the road. He said when neighbors bought their property, they did not agree to a parking lot across from them. He said it is not right to change this at this date.

Will Jones said they are inviting the public to come up to the area with twenty-six miles of trails. He said they are not trying to keep the public out. He said they met as a group with the staff and came up with a compromise of six stalls. He said he is in agreement with that plan, but no more.

Jane Griener closed the Public Hearing.

Jeff Davis said he does not want people to park on the street and thinks this will be brought back in the future to enlarge the parking.

John MacKay said we should honor the agreement between the developers and the staff.

Alan MacDonald said we will need signage stating no parking on the street.

Will Jones, developer, said they built twenty-seven spaces at the bottom for public parking. Please do not infringe on other people's rights by parking all over the streets when parking is provided. He said that parking lot has never been full.

**MOTION:** Commission Member Jeff Davis moved to recommend that the proposed parking plan be approved as proposed. Six parking stalls with two being ADA spots.

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

**Ayes:**

Jeff Davis  
Ethan Allen  
Jane Griener  
John MacKay  
Alan MacDonald  
Troy Slade

**Nays:**

**Excused:**

Susan Whittenburg

**E. Discussion – Outdoor Lighting**

Austin Roy Explained that Staff have prepared a draft ordinance based on feedback from Councilman Greg Gordon. The proposed ordinance would add additional restrictions to the outdoor lighting ordinance.

Austin Roy said we adopted a new ordinance last year to help with lighting on sports courts to help keep lighting pointing down onto the sports courts and not in neighbor's direction.

Austin Roy explained light trespass. He said outdoor lighting should be pointed downward to be considerate of the neighbors.

Austin Roy said if we have an extensive ordinance such as how many lumens or candelas you can use, it makes it hard to enforce.

Alan MacDonald asked if we have a real problem with this or are we just searching for a problem?

Austin Roy said he doesn't like to change ordinances and suggested to tweak our current ordinance. He said make the ordinance a little broader instead of just lighting on sports courts. He said we could extend it to all outdoor areas.

The proposed language states:

*For the purpose of this chapter, outdoor lighting shall be defined as external lighting on buildings and any other artificial illumination of a property. All lighting shall be shielded and directed to illuminate only the areas in use. Light trespass onto an adjacent property or public right of way is prohibited. Subject to the foregoing, the maximum allowed vertical illuminance at any point on the plane of the property line is 0.1 foot-candles. Lighting is permitted from 7:00 a. to 11 p.m., or 30 minutes after use of the outdoor area ceases, whichever is earlier.*

Jane Griener asked what is included in the nuisance ordinance? Austin Roy said it covers things like hours of construction.

The Planning Commission said to change candles to lumens.

**F. Discussion – Shooting Ranges**

Austin Roy explained that the city has received building permit applications for private indoor shooting ranges. Alpine City ordinance does not address shooting ranges explicitly, however staff have interpreted the City's ordinances on firearms to permit shooting range within residence.

Of the requests that have been approved, the shooting ranges were all located underground in a room of primarily concrete construction.

The City has now been approached about the possibility of an above ground facility, but the City does not have an ordinance to say how this should be constructed for safety and noise concerns. Staff is seeking input from the Planning Commission on how shooting ranges should be regulated and what types of shooting ranges the City should allow. The goal of this discussion is to begin the process of creating an ordinance for shooting ranges.

The Planning Commission said their concerns are safety and noise and wouldn't want to live next to one.

Austin Roy said the range would have to have a vent, concrete walls, and a way to catch the ammunition.

Jane Griener asked what the City Attorney has to say about this. Austin Roy said he will look what other cities are doing with this issue.

The Planning Commission said an underground range is safer because the bullet can't go anywhere.

Jane Griener said we should all research this issue and bring it back later for discussion.

Alan MacDonald said shooting ranges are very loud, and there would be a lot to consider. He wanted to know on what grounds we have given a permit and why we didn't give a permit. Austin Roy said we have given permits for underground ranges, but now someone wants to have an above ground range. He said that is why this is up for discussion, because we need an ordinance to regulate this.

Jane Griener asked Austin Roy to bring back a proposal for further discussion.

#### **G. Discussion – Public Noticing**

Austin Roy explained that Staff have gathered information from neighboring communities and how they address public noticing. The city is looking to improve the noticing requirements so that residents don't feel like they are being left out.

Austin Roy said we are working on a new website and there will be a way to opt in to get notices about meetings.

The Planning Commission had a discussion about how to best contact the public about upcoming agenda items. They asked about using the emergency system. Marla Fox mentioned that staff gets angry calls from residents about getting too many messages and it's best to leave that system for emergencies only. She asked if the school message boards could be used for community messages.

Austin Roy said we currently notice the agenda on our website, the State website, City Hall, in the newspaper, and posted at the Junction and the Public Works building. The information is out there if someone wants it.

Jane Griener said the method of noticing needs to change because people don't look in those areas for information. She said we need to have a more open communication line.

#### **IV. COMMUNICATIONS**

Austin Roy said the Planning Commission members and City Council members all received books

Austin Roy said the staff meets with the City Attorney on the same Tuesday as Planning Commission. He said if there are questions, please send them so they can be discussed during that meeting.

Austin Roy said it would be nice if the City Council motions were sent out to the Planning Commission so they were up to date on what was approved.

**V. APPROVAL OF PLANNING COMMISSION MINUTES: April 19, 2022**

**MOTION:** Commission Member Ethan Allen moved to approve the minutes for April 19, 2022, with corrections.

Troy Slade seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed unanimously.

**Ayes:**

Alan MacDonald  
Ethan Allen  
Jane Griener  
John MacKay  
Troy Slade  
Jeff Davis

**Nays:**

**Excused:**

Susan Whittenburg

**MOTION:** John MacKay moved to adjourn the meeting.

Ethan Allen seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed unanimously.

**Ayes:**

Alan MacDonald  
Ethan Allen  
Jane Griener  
John MacKay  
Troy Slade  
Jeff Davis

**Nays:**

**Excused:**

Susan Whittenburg

The meeting was adjourned at 8:54 p.m.