

**ALPINE CITY PLANNING COMMISSION MEETING at
Alpine City Hall, 20 North Main, Alpine, Utah
February 2, 2016**

I. GENERAL BUSINESS

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

Chairman: Steve Cospser

Commission Members: Bryce Higbee, Jason Thelin, David Fotheringham, Steve Cospser, Jane Griener, Steve Swanson, Judi Pickell

Commission Members Not Present: Bryce Higbee

Staff: Jason Bond, Jed Muhlestein, Marla Fox

Others: Roger Bennett, Lon Lott, Sheldon Wimmer, Ramon Beck, McKay Niccum, JT Patterson, Jensen Bergquist, Ethan Funk, Wesley Funk, Brent Bateman, Jordan Cullimore, Harmsen Family

B. Prayer/Opening Comments: Steve Cospser

C. Pledge of Allegiance: By Invitation

II. PUBLIC COMMENT

No Comment

III. ACTION ITEMS

A. Planning Commission Training

The Planning Commission invited Ombudsman Brent Bateman, an attorney from the Office of Property rights to come tonight to give training.

Brent Bateman showed an overview of Land Use Law Common Issues. Judi Pickell asked about moderate income housing. Mr. Bateman said the city only has to provide a plan for it and that is all; he said you don't even have to implement it. He said a lot of people will come out to meetings and be upset about it because they don't want those type of people in their neighborhood, but you still have to have it in your plan and then do your best to provide it.

Steve Cospser said Business Commercial is one of the city's main problems. He said citizens have differing opinions about it. Mr. Bateman said every city needs a commercial district in order to pay the bills. Commercial brings in revenue to the city and you have to have a good balance of commercial to residential. Jane Griener said there hasn't been a lot of success for retail here in Alpine, she said we are more of a bedroom community.

Judi Pickell said if commercial businesses don't come in, then property taxes will have to be raised in the future to pay the bills. She said we could look at contained businesses which is a mixed use of business and residential. Steve Cospser asked how concerned the city is about the tax leakage study. Jason Bond said the City Administrator is concerned but wants to go in the direction of the City Council but give sound advice along the way. Jason Bond said Alpine is pretty much land locked and in the near future we will be built out and will need to replace building impact fees and replace that revenue with something else.

Jordan Cullimore said property taxes are a more even source of revenue and more dependable than sales tax. He said you have to be careful to not bring in more businesses than the city can support. He said office space brings in less revenue but is more stable than other businesses that may come and go.

The Planning Commission talked about Mountainland Association of Governments and if there would be money there to help with the business commercial area.

Jane Griener asked if the city needs additional park space and how to get it. She said as we are growing, we need more parks for the kids to practice and have games. Mr. Bateman said you need to measure how many parks vs how

many people there are in the city. Jason Bond said you need to consider the city has a limited Parks Department to maintain the parks.

Judi Pickell said Main Street is quite a mess when the school traffic is coming and going. She wanted to know if the city has any control over making them bus or carpool kids or is it up to the school. Mr. Bateman said the city has no control over a school. He said you can try to force them to do something or have a discussion with them and get them to want to do it. Jane Griener asked if the school has an obligation as far as safety is concerned. Mr. Bateman said you have to work together with the school on these issues.

Jason bond asked about grandfathering rights. Mr. Bateman said grandfathering is a law that says if you started doing something when it was legal, you get to still do it if it becomes illegal. He said you have to be careful with that because if a commercial business expands or stops and then starts back up, they can lose their grandfather status. Mr. Bateman said you can make different commercial zones. One could be commercial only, one could be a mixed use of commercial and residential. Sometimes you have to make a zone to fit what you already have.

Jason Thelin asked if the city could be legally obligated to provide a road through Lambert Park as a secondary access for the Box Elder South Subdivision. Jason Bond mentioned to Mr. Bateman that this property is in litigation. Mr. Bateman said the city has property rights too. He said the city can resist being told what to do with their land. Having said that, there are certain things that could happen. He said if the public starts to use the secondary road and uses it for long enough, then it can continue to be used.

Sheldon Wimmer said this road has been there and used unrestricted for ten consecutive years so there is nothing the city can do about it because it is a public right of way that has been established over time. Mr. Bateman said the City Council would have to try legally to get the road vacated and no longer used as a road. Jason Thelin said Lambert Park was never intended to be used as a road to somewhere. He said people just started driving on a trail and he's concerned that next it could be paved. Sheldon Wimmer said a developer can't close off this road and build on top of it because it has been used for ten years as a public right of way.

Judi Pickell asked what has to be done to block the traffic so the clock starts over. Mr. Bateman said you have to put up a barricade for twenty four hours, notify the police, and actually stop someone from driving on the road and have it documented.

B. General Plan Update

In the last meeting, the Planning Commission requested that language in the 2007 General Plan related to the Land Use Element be gathered and provided to the Planning Commission members. The Planning Commission also requested to have the Land Use Element broken up into sections so that it can be more easily addressed and discussed.

Jason Bond said he broke the Land Use element into three sections:

1. The goals and policies of the specific zones. TR-10,000 zone, CR-20,000 zone, CR-40,000 zone, CE-5 zone, CE-50 zone, and B/C zone.
2. The goals and policies of the overlay zone.
3. The goals and policies of the special uses.

Steve Cospser said he wanted to have a discussion about what the Planning Commission liked and disliked about the General Plan. He said he thought the General Plan is outdated. He said when he reads small town, rural feel he doesn't think that fits with the city anymore. Jane Griener said there are still commercial farms in Alpine. Steve Cospser said you have to drive someplace in the city to see a rural area. Jason Bond said rural means living in the country or relating to agriculture. He said right now the only thing that makes Alpine rural is our animal rights. He said we have no control over farmers selling their farms to developers.

Judi Pickell said some cities have branding rules like fences on Main Street be split rail and all the same. She said we have not been consistent with the buildings on Main Street looking rural. Roger Bennett said the rural feel left Alpine when we put in curb and gutter. Steve Swanson asked what is wrong with saying we are small town? Jason Thelin said we are not rural or small town but we could say we have a small town, rural feel.

The Planning Commission debated taking out the work historic. Some felt that the historic elements left when businesses came in at the round a bout and they are not historic. Some said we still have Moyle Park and the history of Alpine is historic along with the older homes.

Judi Pickell asked if you can take a walk in the community and have connected trails. Can you ride a bike or go shopping in the community. She said the small town feel is connecting with your neighbors and if you can't, then that is not good planning principles.

Jason Bond said maintaining current animal rights will help with the rural feel. Sheldon Wimmer said Alpine is passed being a rural town, we missed that when commercial buildings were built a certain way. He said we should be good neighbors and encourage residents of large lots to maintain their property.

Steve Cospers asked the Planning Commission what we need to do to promote the small town, rural feel.

Jane Griener said we need to promote venues that encourage gatherings.

Steve Cospers said something should be done to the entrance of Alpine.

Judi Pickell said we need connectivity in the city through development of trails, sidewalks and bike lanes.

Steve Swanson said we need more community activities because people tend to only know the people in their Ward.

Jason Bond said we need to protect, maintain and promote new open space.

Jason Thelin asked if we are okay with natural open space.

Jason Bond said PRD's can be a good thing by keeping open space in the city. Jason Thelin said he is not a fan of PRD's unless it benefits the city. Jason Bond said the open space benefits the city by preserving the open feel.

Jason Thelin asked how we are going to handle lower density. Steve Cospers said it is a great goal to have lower density. He said he talked to David Church and Mr. Church said the purpose of community is families and we have to decide how many families we want in our community. Judi Pickell said higher density doesn't mean a cheaper property. She said we are disproportionately one acre lots and said it would be a benefit to the city to have some townhomes. She said they are obviously needed because of all the people living in basements. She said we already have a higher density because of all the basement apartments. She said you could put the townhomes at the entrance of the city so it keeps lower traffic coming through the city and preserving property values. She said she is not talking about lower income apartments, but smaller patio homes or townhomes that provide options to residents. Jason Bond said this concept is called aging in place because it gives the city diversity.

Steve Cospers asked Jason Thelin under what circumstance he would be in favor of a zone change. He said his views are changing if it were the right situation to bring in a townhome but he is not in favor of changing the zones. Jason Bond said the General Plan supported a zone change for the Beck property as it is written. He said if that is not what the Planning Commission wants for that zone, then the language needs to be cleaned up and more clear.

Steve Cospers said there is a lot of fluff language in the Plan that needs to be taken out because it is too general.

Jason Bond said he would like the Planning Commission to read the General Plan and mark it up with what they thought needed to be changed. David Fotheringham said he likes the way Elkridge has written their General Plan and would like to refer to it to help with ours.

COMMUNICATION:

Jason Bond said the City Council approved getting bids for an RFP to help with certain parts of the General Plan but not for someone to come in and do the whole General Plan.

Jason Bond asked the Planning Commission to read a chapter from a book called Thoughts on Building Strong Towns. He said if they liked it and thought it would be useful he could get a book for each member.

The Planning Commission asked what the process was to get a new Mayor. Jason Bond said applicants need to submit a letter expressing interest by this Friday at noon. The City Council must vote and an applicant receive three votes to become the new Mayor.

Steve Cosper reported on the deer controversy and what the plan was going to be going forward. He said nothing was decided at the last City Council meeting but there was a discussion about options.

VI. APPROVAL OF PLANNING COMMISSION MINUTES OF: January 19, 2016

MOTION: David Fotheringham moved to approve the Planning Commission Minutes for January 19, 2016 subject to changes.

Judi Pickell seconded the motion. The motion passed unanimously with 6 Ayes and 0 Nays. Jason Thelin, David Fotheringham, Steve Cosper, Jane Griener, Steve Swanson and Judi Pickell all voted Aye.

Steve Cosper stated that the Planning Commission had covered all of the items on the agenda and adjourned the meeting at 9:25 pm.