



## ALPINE CITY PLANNING COMMISSION MEETING

**NOTICE** is hereby given that the **PLANNING COMMISSION** of Alpine City, Utah will hold an **Electronic Meeting** on **Tuesday, July 21, 2020 at 7:00 pm**. Meeting will be anchored from **Alpine City Hall**, 20 North Main, Alpine, Utah.

The public may view and participate in the meeting via the **Alpine City YouTube Channel**. A direct link to the channel can be found on the home page of the Alpine City website: [alpinecity.org](http://alpinecity.org)

Public Comments may be submitted to [admin@alpinecity.org](mailto:admin@alpinecity.org) Comments for an item on the agenda may be submitted during the meeting and **comments for an item not on the agenda must be submitted by 5:00 pm the day of the meeting.**

### I. GENERAL BUSINESS

- A. Welcome and Roll Call: Jane Griener
- B. Prayer/Opening Comments: Jane Griener
- C. Pledge of Allegiance: John MacKay

### II. PUBLIC COMMENT

Any person wishing to comment on any item not on the agenda may address the Planning Commission at this point by Submitting a public comment to [admin@alpinecity.org](mailto:admin@alpinecity.org) and include his or her name and address for the record.

### III. ACTION ITEMS

#### A. Election of Vice-Chair

Planning Commission will elect a new Vice-Chair to fill the vacancy.

#### B. Public Hearing – Plat Amendment – Heritage Hills Plat G

Planning Commission will hold a hearing and review a plat amendment and make a recommendation.

#### C. Public Hearing – General Plan and Land Use Regulations – Gateway Roads and Streets

Planning Commission will hold a hearing and review the General Plan and make a recommendation.

#### D. Ordinance 2020-04: Business Commercial Setbacks

Planning Commission will review proposed ordinance and make a recommendation.

#### E. Discussion – Limitations on Size of Lots, Homes and Other Structures

Planning Commission will continue discussion on size of homes, additions, accessory buildings, and lots.

### IV. COMMUNICATIONS

### V. APPROVAL OF PLANNING COMMISSION MINUTES: June 16, 2020

### ADJOURN

Chair Jane Griener  
July 21, 2020

**THE PUBLIC IS INVITED TO ATTEND ALL PLANNING COMMISSION MEETINGS.** If you need a special accommodation to participate in the meeting, please call the City Recorder's Office at 801-756-6347 ext. 5.

CERTIFICATION OF POSTING. The undersigned duly appointed recorder does hereby certify that the above agenda notice was posted at Alpine City Hall, 20 North Main, Alpine, UT. It was also sent by e-mail to The Daily Herald located in Provo, UT a local newspaper circulated in Alpine, UT. This agenda is also available on the City's web site at [www.alpinecity.org](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 vs. Public Meeting**

If the meeting is a **public hearing**, the public may participate during that time and may present opinions and evidence for the issue for which the hearing is being held. In a public hearing there may be some restrictions on participation such as time limits.

Anyone can observe a **public meeting**, but there is no right to speak or be heard there - the public participates in presenting opinions and evidence at the pleasure of the body conducting the meeting.

## **ALPINE PLANNING COMMISSION AGENDA**

**SUBJECT: Election of Vice-Chair**

**FOR CONSIDERATION ON: 21 July 2020**

**PETITIONER: Staff**

**ACTION REQUESTED BY PETITIONER: Elect a Vice-Chair**

### **BACKGROUND INFORMATION:**

The Planning Commission currently has a vacancy for the Vice-Chair position. A replacement for Bryce Hibe, previous Vice-Chair, has not yet been selected. Planning Commission should choose a new Vice-Chair to fill the vacancy. The Vice-Chair serves primarily as the back-up to the Chair and would conduct meetings in the Chair's absence.

The Chair and Vice-Chair positions are typically filled at the first meeting of each odd year. Chair and Vice-Chair may serve consecutive terms if re-elected.

Staff recommends that a new Vice-Chair be nominated and that the Planning Commission hold a vote to officially elect the nominee.

## **ALPINE PLANNING COMMISSION AGENDA**

**SUBJECT: Public Hearing – Plat Amendment – Heritage Hills Plat G**

**FOR CONSIDERATION ON: 21 July 2020**

**PETITIONER: Alpine City**

**ACTION REQUESTED BY PETITIONER: Recommend and approve the plat amendment**

### **BACKGROUND INFORMATION:**

Alpine City Staff and the Trail Committee are petitioning the Planning Commission and City Council for a plat amendment to lots 301 and 302 of Heritage Hills Plat F to create a better trail alignment into the surrounding open space. In order to do so, a plat amendment is required which involves Public Open Space. Any modification to Public Open Space requires a recommendation from the Planning Commission and approval by the City Council.

### **STAFF RECOMMENDATION:**

Hold a public hearing, review and discuss the proposed plat amendment and make a recommendation to City Council.

### **SAMPLE MOTION TO APPROVE:**

I motion to recommend that Heritage Hills Plat G be approved as proposed.

### **SAMPLE MOTION TO APPROVE WITH CONDITIONS:**

I motion to recommend that Heritage Hills Plat G be approved with the following conditions/changes:

- \*\*\*Insert Finding\*\*\*

### **SAMPLE MOTION TO TABLE/DENY:**

I motion to recommend that Heritage Hills Plat G be tabled/denied based on the following:

- \*\*\*Insert Finding\*\*\*



**ALPINE CITY  
STAFF REPORT**  
July 13, 2020

**To:** Alpine City Planning Commission & City Council

**From:** Staff

**Prepared By:** Austin Roy, City Planner  
Planning & Zoning Department

Jed Muhlestein, City Engineer  
Engineering & Public Works Department

**Re: Heritage Hills Subdivision Plat Amendment**

Applicant: Alpine City  
 Project Location: Lots 301 & 302 of Heritage Hills Plat F (north of 1123 N Deer Crest Lane)  
 Zoning: CR-40,000 Zone.  
 Acreage: Approximately 24.82 Acres.  
 Request: Recommend approval of the plat amendment.

**SUMMARY**

Alpine City Staff and the Trail Committee are petitioning the Planning Commission and City Council for a plat amendment to lots 301 and 302 of Heritage Hills Plat F to create a better trail alignment into the surrounding open space. In order to do so, a plat amendment is required which involves Public Open Space. Any modification to Public Open Space requires a recommendation from the Planning Commission and approval by the City Council.

**BACKGROUND**

The North Point View Plat B subdivision shows a 5-foot trail easement along the northerly edge of lots 10 and 12. With the completion of homes on both these lots, it has come to the attention of Staff and the Trail Committee that this location for a trail is difficult to build and creates safety concerns if it were built in that location.

First, there is a large Rocky Mountain Power (RMP) box completely blocking the entrance to this easement. RMP has the right to be located in the existing public utility easement. Talks with RMP indicated that the box could be rotated 90-degrees to the west but doing so would not completely unblock the 5-foot easement. It would free up 2 to 3 feet of space for pass-through.

Second, there are grading issues to be resolved on both the east and west ends of lot 12. The grades immediately west of the RMP box are much lower than the rest of the elevations heading west. Digging down and exposing portions of an existing retaining wall would be required to make the grade work at this location. On the west side of lot 12 the grades are much lower than the open space to the north, where the trail needs to connect to an existing trail. Grading issues are problematic here as well, much grading would be required to get the trail to connect northward.

Third, there is a large retaining wall on the east side of lot 10 that 1) doesn't have any protection against falling (it is worth mentioning that the wall is built to code) and 2) is built into the 5-foot trail easement. The homeowner said he could move it but doing so wouldn't resolve the grading or safety problems mentioned. If the trail were built here, the City would be required to put a fence on top of the retaining wall, the homeowner would be required to extend the retaining wall, and much grading would be required to make the trail grades blend into the trail to the north.

If the trail could be located just ten (10) feet north, all issues are resolved. Very minimal grading, if any, would be required to build the trail. No fence would be required to be installed on top of the lot 10 retaining wall. The lot 10 retaining wall could remain as-is. There is one smaller Comcast box in this location, but it could easily be navigated around with 10 feet of space to work with.

Staff has met with the property owner to the north and discussed the issues mentioned above and requested the trail to be relocated on their property. The property owner to the north owns lots 301 and 302 of Heritage Hills Plat F (see attached maps). They plan to combine the lots and build a house on both lots. There is currently a 10-foot strip of open space between lots 302 and 303 with a trail shown to be built there in addition to the trail on the south side of these lots, what has been discussed above. If that trail were built, this property owner would have trails on both north and south sides of their property. There is also a 20-foot wide waterline easement on lot 301 which could be reduced in size. All these issues were discussed with the property owner.

### **THE PROPOSAL/REQUEST**

Staff has worked with the Trail Committee and property owner of lots 301/302 to create the following proposal which is all reflected on the attached plat amendment:

1. The City deeds some of its open space (by plat amendment) between lot 302 and 303 to the Owner of lot 301/302;
  - o This would eliminate the possibility of a trail on their northern property line.
2. The City gives back ten (10) feet of the 20-foot waterline easement on lot 301 and designates the remaining ten (10) feet a public utility and trail easement. Ten (10) foot public utility easements are already required by ordinance along the boundaries of subdivisions. Trail easements are only shown when a trail is intended to go there;
  - o This would allow the City to move the trail to a safer, more buildable location.
  - o This gives the property owner more flexibility with their landscaping ideas on lot 301.
3. The City would pay for the plat amendment, combine the lots for the property owner, and have it recorded with the county.

**STAFF RECOMMENDATION**

Review staff report and findings and make a recommendation to City Council to either approve or deny the proposed plat amendment. Findings are outlined below.

Findings for a Positive Motion:

- A. A safer, cheaper, more buildable location for the trail would be achieved.
- B. The property owner is agreeable to the proposal.

Findings for Negative Motion:

\*\*insert findings\*\*

**MODEL MOTIONS**

**SAMPLE MOTION TO APPROVE**

I motion to recommend approval of the proposed Heritage Hills Plat G

\*\*insert conditions, if any\*\*

**SAMPLE MOTION TO DENY**

I motion to recommend that the proposed Heritage Hills Plat G be denied/tabled based on the following:

\*\*insert findings\*\*

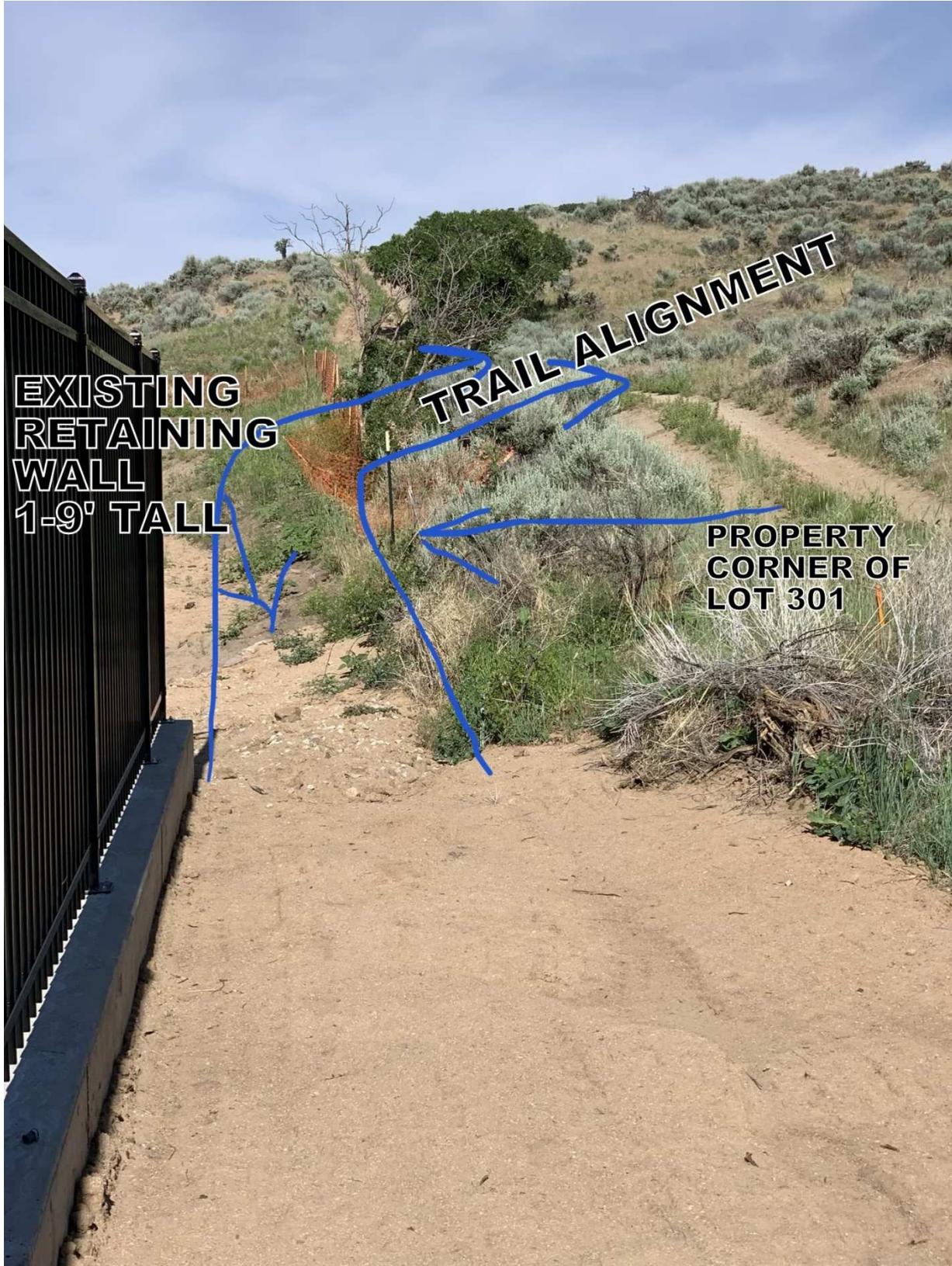
ATTACHED:

- PHOTOS OF CURRENTLY RECORDED TRAIL LOCATION (NOT BUILT)
- EXISTING PLATS (SHOWING CURRENTLY RECORDED TRAIL LOCATIONS)
- PROPOSED PLAT G

**PHOTOS OF CURRENTLY RECORDED TRAIL LOCATION (NOT BUILT)**



North side of North Point View Plat B Lot 12, looking west

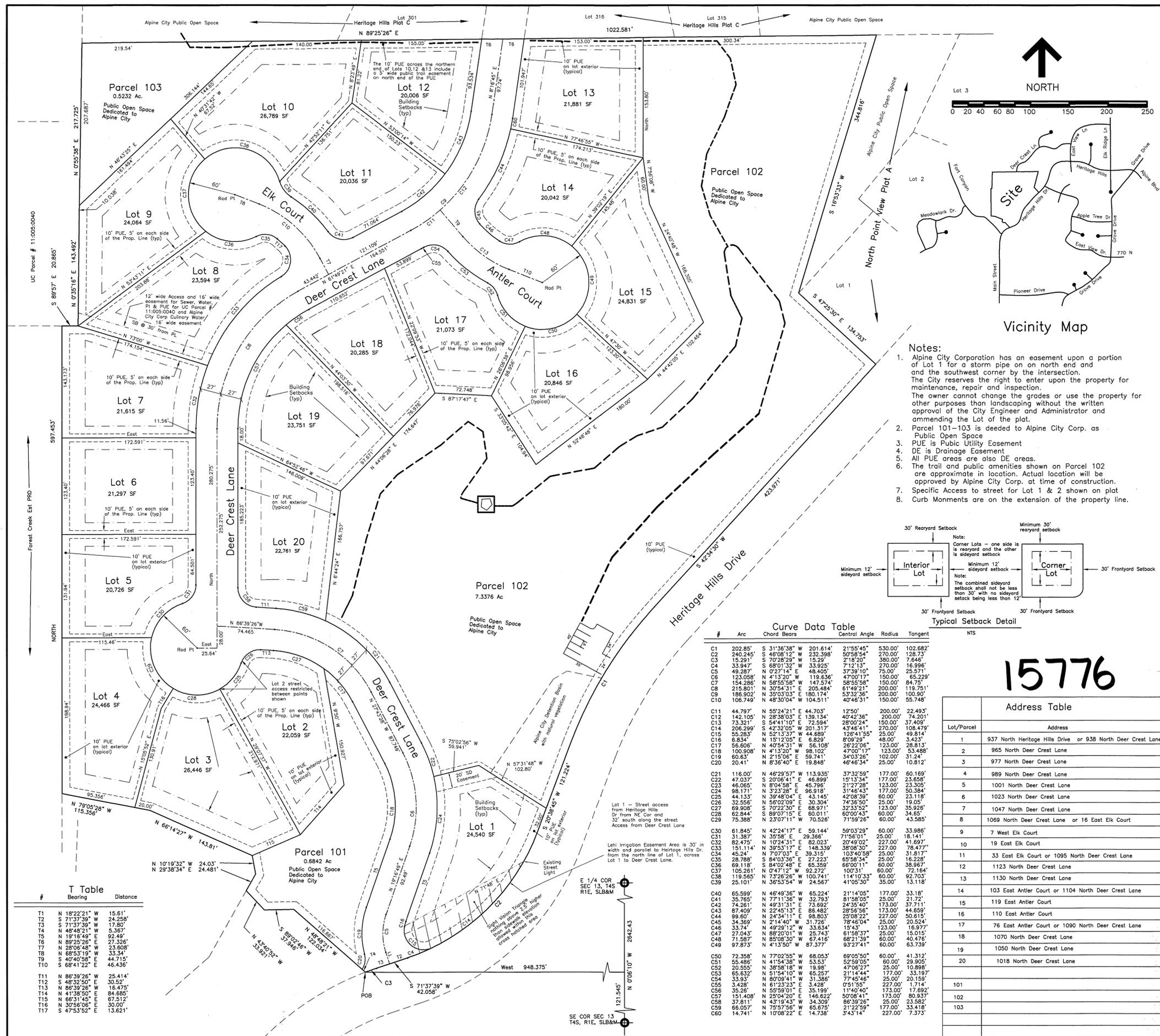


West side of Lot 12. T-Post is SW corner of Lot 301. Trail would have to wrap around that post prior to entering the Heritage Hills open space area. Grading issues exist.



This photo was taken to show the elevation issues on the east side of lot 12, where the trail is currently recorded to be.

**EXISTING PLATS**  
(North Point View B & Heritage Alpine Hills F)



### Surveyor's Certificate

I, K. Edward Gifford, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate No. 162675 as prescribed under the laws of the State of Utah. I further certify by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into Lots, Blocks, Streets, and Easements and the same has been correctly surveyed and staked on the ground as shown on this plat and that this plat is true and correct.

### Boundary Description:

Commencing at a point located N 0°06'10" W along the section line 121.545' and West 948.375' from the Southeast Corner of Section 13, T4S, R1E, SLB&M; thence along WD Entry 84723:2009 as follows: N 48°48'21" W 122.034', S 89°02'46" W 37.946', N 43°40'52" W 33.921'; thence along WD Entry 13745:1978 as follows: N 29°38'34" E 24.481', N 10°19'32" W 24.03', N 66°14'27" W 143.81', N 79°05'28" W 115.356' to the east boundary of Forrest Creek Estates PRD Subdivision; thence along said subdivision North 597.453'; thence more or less along an existing fence line as follows per WD Entry 202872:2003 as follows: S 89°57' E 20.865', N 0°35'16" E 143.492', N 0°55'38" E 217.725'; thence N 89°25'26" E 1022.581' along Heritage Hills Plat C subdivision; thence along North Point View Plat subdivision as follows: S 16°53'33" W 344.816', S 47°25'30" E 134.753' to the north boundary of Heritage Hills Drive as recorded as street dedication plat Entry 88852:2005; thence along said street dedication plat as follows: S 42°34'30" W 423.971', along the arc of a 530.00' radius curve to the left 202.85' (chord bears S 31°36'38" W 201.614'), S 20°38'45" W 121.224', along the arc of a 270.00' radius curve to the right 240.245' (chord bears S 46°08'12" W 232.398'), S 71°37'39" W 42.058', along the arc of a 380.00' radius curve to the left 15.291' (chord bears S 70°28'29" W 15.291') to the point of beginning.  
 Area = 21.1532 acres  
 Basis of Coordinate System is NAD 27

K. Edward Gifford  
 K. Edward Gifford  
 8-26-2017  
 Date

### Owner's Dedication

Know all men by these presents that we, all of the undersigned Owners of all of the property described in the Surveyor's Certificate hereon and shown on this map, have caused the same to be subdivided into Lots, Blocks, Streets and Easements and do hereby dedicate the Streets and other Public Areas as indicated hereon for the perpetual use of the Public. In witness hereof we have hereunto set our hands this 3 day of November, A.D. 2017

*Willis James mgr*  
 Willis James  
 Alpine North Point LLC

### Acknowledgement

State of Utah }  
 County of Utah } S.S.  
 On this 3 Day of Nov, A.D. 2017 Personally appeared before me the signers of the foregoing dedication who duly acknowledge to me that they did execute the same.

My Commission Expires 3/14/20  
84 N 800 W American Fork  
 Notary Address

*Michelle D Draper*  
 Michelle D Draper  
 A Notary Public Commissioned in Utah  
 Printed Full Name of Notary

### Acceptance by Legislative Body

The \_\_\_\_\_ of \_\_\_\_\_, County of Utah, approves this subdivision and hereby accepts the dedication of all Streets, Easements, and other Parcels of Land intended for Public Purposes for the perpetual use of the Public this 8<sup>th</sup> Day of March, A.D. 2016

*Sheldon Okemmer*  
 Sheldon Okemmer  
 Mayor

Approved *Jed Malhotra*  
 Jed Malhotra  
 Engineer  
 (See Seal Below)

Attest *Charney Warrick*  
 Charney Warrick  
 Clerk-Recorder  
 (See Seal Below)

### Planning Commission Approval

Approved this 1<sup>st</sup> Day of March, A.D. 2016, by the Alpine City Planning Commission

*Director-Secretary*  
 Director-Secretary

*Chairman, Planning Commission*  
 Chairman, Planning Commission

### Approval as to Form

Approved as to Form this 1<sup>st</sup> Day of Nov, A.D. 2017

*City Attorney*  
 City Attorney

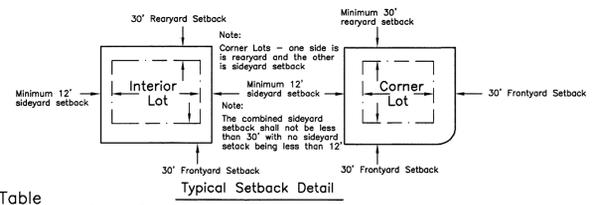
## Plat "B"

# North Point View

SUBDIVISION  
 SCALE 1" = 60'

ALPINE, UTAH COUNTY, UTAH	Surveyor's Seal K. EDWARD GIFFORD 162675 8-26-17	Notary Public Seal MICHELLE D DRAPER Notary Public State of Utah My Commission Expires March 4, 2020 COMMISSION NUMBER 087807	City Engineers Seal ALPINE CITY UTAH CITY ENGINEER JED MUHLESTEIN P.E.	Clerk-Recorder Seal ALPINE CITY UTAH CORPORATE Seal UTAH COUNTY, UTAH
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- ### Notes:
- Alpine City Corporation has an easement upon a portion of Lot 1 for a storm pipe on an north end and on the southwest corner by the intersection. The City reserves the right to enter upon the property for maintenance, repair and inspection. The owner cannot change the grades or use the property for other purposes than landscaping without the written approval of the City Engineer and Administrator and amending the Lot of the plat.
  - Parcel 101-103 is deeded to Alpine City Corp. as Public Open Space.
  - PUE is Public Utility Easement
  - DE is Drainage Easement
  - All PUE areas are also DE areas.
  - The trail and public amenities shown on Parcel 102 are approximate in location. Actual location will be approved by Alpine City Corp. at time of construction.
  - Specific Access to street for Lot 1 & 2 shown on plat
  - Curb Monuments are on the extension of the property line.



Curve Data Table

#	Arc	Chord Bears	Central Angle	Radius	Tangent	
C1	202.85'	S 31°36'38" W 201.614'	21°55'45"	530.00'	102.682'	
C2	240.245'	S 46°08'12" W 232.398'	40°42'36"	270.00'	128.73'	
C3	15.291'	S 70°28'29" W 15.291'	2°18'20"	380.00'	7.646'	
C4	33.947'	S 68°01'32" W 33.925'	7°12'13"	270.00'	16.996'	
C5	49.287'	N 0°27'14" E 48.405'	37°39'10"	75.00'	37.3910'	
C6	123.058'	N 4°13'20" W 119.636'	47°00'17"	150.00'	65.229'	
C7	154.288'	N 58°55'30" W 147.574'	58°55'38"	150.00'	84.75'	
C8	215.801'	N 30°54'31" E 205.484'	60°49'21"	200.00'	119.751'	
C9	188.902'	N 35°03'03" E 180.174'	53°32'36"	200.00'	100.90'	
C10	108.749'	N 48°30'04" W 104.511'	40°46'31"	150.00'	55.748'	
C11	44.797'	N 52°24'21" E 44.703'	12°50'	200.00'	22.493'	
C12	142.105'	S 28°38'03" E 139.134'	40°42'36"	200.00'	74.201'	
C13	73.321'	S 54°41'10" E 72.594'	28°00'24"	150.00'	37.408'	
C14	206.299'	S 42°32'05" W 201.317'	43°46'41"	270.00'	108.479'	
C15	58.283'	N 52°13'37" W 44.889'	12°41'58"	25.00'	49.814'	
C16	6.834'	N 15°12'05" E 6.829'	8°09'29"	48.00'	3.423'	
C17	56.608'	N 40°54'31" W 56.108'	22°20'06"	123.00'	28.813'	
C18	100.908'	N 4°13'20" W 98.102'	47°00'17"	123.00'	53.488'	
C19	60.63'	N 2°15'06" E 59.741'	34°03'26"	102.00'	31.24'	
C20	20.41'	N 8°36'40" E 19.848'	46°46'34"	25.00'	10.812'	
C21	116.00'	N 46°29'57" W 113.935'	37°32'59"	177.00'	60.169'	
C22	47.037'	S 20°06'41" E 46.899'	15°13'34"	177.00'	23.858'	
C23	46.055'	N 8°04'58" E 45.796'	21°27'28"	123.00'	23.305'	
C24	98.171'	N 3°23'28" E 96.918'	31°46'43"	177.00'	50.384'	
C25	44.133'	N 39°48'04" E 43.145'	42°08'39"	60.00'	23.118'	
C26	32.556'	N 56°02'09" E 30.304'	74°36'50"	25.00'	19.05'	
C27	69.908'	S 70°22'30" E 68.971'	32°33'52"	123.00'	35.926'	
C28	62.844'	N 89°07'15" E 60.011'	60°00'11"	60.00'	60.000'	
C29	75.388'	N 2°50'71" W 70.526'	71°59'26"	60.00'	43.585'	
C30	61.845'	N 42°24'17" E 59.144'	59°03'29"	60.00'	33.986'	
C31	31.387'	N 35°58" E 29.366'	71°56'01"	25.00'	18.141'	
C32	48.475'	N 10°24'31" E 48.023'	20°49'02"	227.00'	41.697'	
C33	151.114'	N 148.339' W 148.339'	38°08'50"	227.00'	78.477'	
C34	45.24'	N 7°07'03" E 39.315'	103°40'58"	25.00'	31.817'	
C35	28.788'	N 84°03'36" E 27.223'	65°56'34"	25.00'	16.228'	
C36	89.118'	N 82°02'48" W 86.359'	68°00'11"	60.00'	36.967'	
C37	105.281'	N 0°47'12" W 92.272'	100°31'	60.00'	72.164'	
C38	119.565'	N 73°25'26" W 100.741'	15°10'33"	60.00'	92.703'	
C39	25.101'	N 36°55'4" W 24.567'	41°05'30"	35.00'	13.118'	
C40	65.599'	N 48°49'36" W 65.224'	21°14'05"	177.00'	33.18'	
C41	35.765'	N 77°11'36" W 32.793'	81°58'05"	25.00'	21.72'	
C42	74.261'	N 49°31'31" E 73.692'	24°35'40"	173.00'	37.711'	
C43	87.409'	N 22°45'13" E 86.483'	28°56'56"	173.00'	44.689'	
C44	99.60'	N 24°34'11" E 98.803'	25°08'22"	227.00'	50.615'	
C45	34.369'	N 21°44'40" W 31.726'	78°46'04"	25.00'	20.524'	
C46	35.74'	N 82°29'15" W 33.634'	15°13'	16.971'	16.971'	
C47	27.043'	N 88°20'11" W 25.743'	61°58'37"	25.00'	15.015'	
C48	71.587'	N 85°08'30" W 67.416'	88°21'39"	60.00'	40.476'	
C49	97.873'	N 4°13'50" W 87.377'	93°27'41"	60.00'	63.759'	
C50	72.358'	N 77°02'55" W 68.053'	69°05'50"	60.00'	41.312'	
C51	58.486'	N 61°54'38" W 55.853'	52°59'05"	60.00'	29.905'	
C52	20.555'	N 38°58'18" W 19.98'	47°06'27"	25.00'	10.898'	
C53	65.632'	N 15°10'10" W 65.257'	17°10'00"	173.00'	35.197'	
C54	33.833'	N 80°09'41" W 31.388'	71°45'46"	25.00'	20.159'	
C55	3.428'	N 61°23'23" E 3.428'	0°51'55"	227.00'	1.714'	
C56	35.28'	N 82°29'15" W 33.634'	15°13'	11°40'40"	173.00'	79.692'
C57	151.408'	N 25°04'20" E 146.622'	50°08'41"	173.00'	80.937'	
C58	37.811'	N 43°19'43" W 34.309'	86°39'26"	25.00'	23.582'	
C59	68.037'	N 10°08'22" E 64.738'	21°22'59"	197.00'	33.418'	
C60	14.741'	N 10°08'22" E 14.738'	5°43'14"	227.00'	7.373'	

# 15776

### Address Table

Lot/Parcel	Address
1	937 North Heritage Hills Drive or 938 North Deer Crest Lane
2	965 North Deer Crest Lane
3	977 North Deer Crest Lane
4	989 North Deer Crest Lane
5	1001 North Deer Crest Lane
6	1023 North Deer Crest Lane
7	1047 North Deer Crest Lane
8	1069 North Deer Crest Lane or 16 East Elk Court
9	7 West Elk Court
10	19 East Elk Court
11	33 East Elk Court or 1095 North Deer Crest Lane
12	1123 North Deer Crest Lane
13	1130 North Deer Crest Lane
14	103 East Antler Court or 1104 North Deer Crest Lane
15	119 East Antler Court
16	110 East Antler Court
17	76 East Antler Court or 1090 North Deer Crest Lane
18	1070 North Deer Crest Lane
19	1050 North Deer Crest Lane
20	1018 North Deer Crest Lane
101	
102	
103	

### T Table

#	Bearing	Distance
T1	N 18°22'21" W	15.611'
T2	S 71°37'39" W	24.258'
T3	S 71°37'39" W	17.80'
T4	N 48°48'21" W	5.367'
T5	N 19°16'49" E	32.449'
T6	N 89°25'26" E	27.326'
T7	N 28°06'48" W	23.608'
T8	N 85°51'19" W	33.334'
T9	S 40°40'58" E	44.715'
T10	S 68°41'22" E	46.436'
T11	N 86°39'26" W	25.414'
T12	N 86°39'26" W	24.258'
T13	N 86°39'26" W	16.475'
T14	N 41°38'50" E	30.582'
T15	N 68°51'45" E	67.512'
T16	N 30°56'06" E	30.00'
T17	S 47°53'52" E	13.621'

See B, T4S, R1E, SLB&M  
 SUB dm Tu040

LOT NO.	ADDRESS
301	66 E. DEER CREST LANE
302	74 E. DEER CREST LANE
303	102 E. DEER CREST LANE
304	128 E. DEER CREST LANE
315	177 E. DEER CREST LANE
316	91 E. DEER CREST LANE
317	1169 N. HERITAGE HILLS DR.

LINE	LENGTH	DIRECTION
L1	101.83'	N66°19'49"E
L2	101.83'	N32°48'19"W

# PLAT "F" HERITAGE HILLS ALPINE

BEING A VACATION OF LOTS 301, 302, 303, 304, 305, 315, 316, & 317, & PARCEL A, & B OF PLAT "C" HERITAGE HILLS ALPINE  
MAY 2017  
CURRENT ZONE: CR-40,000 (P.U.D.)

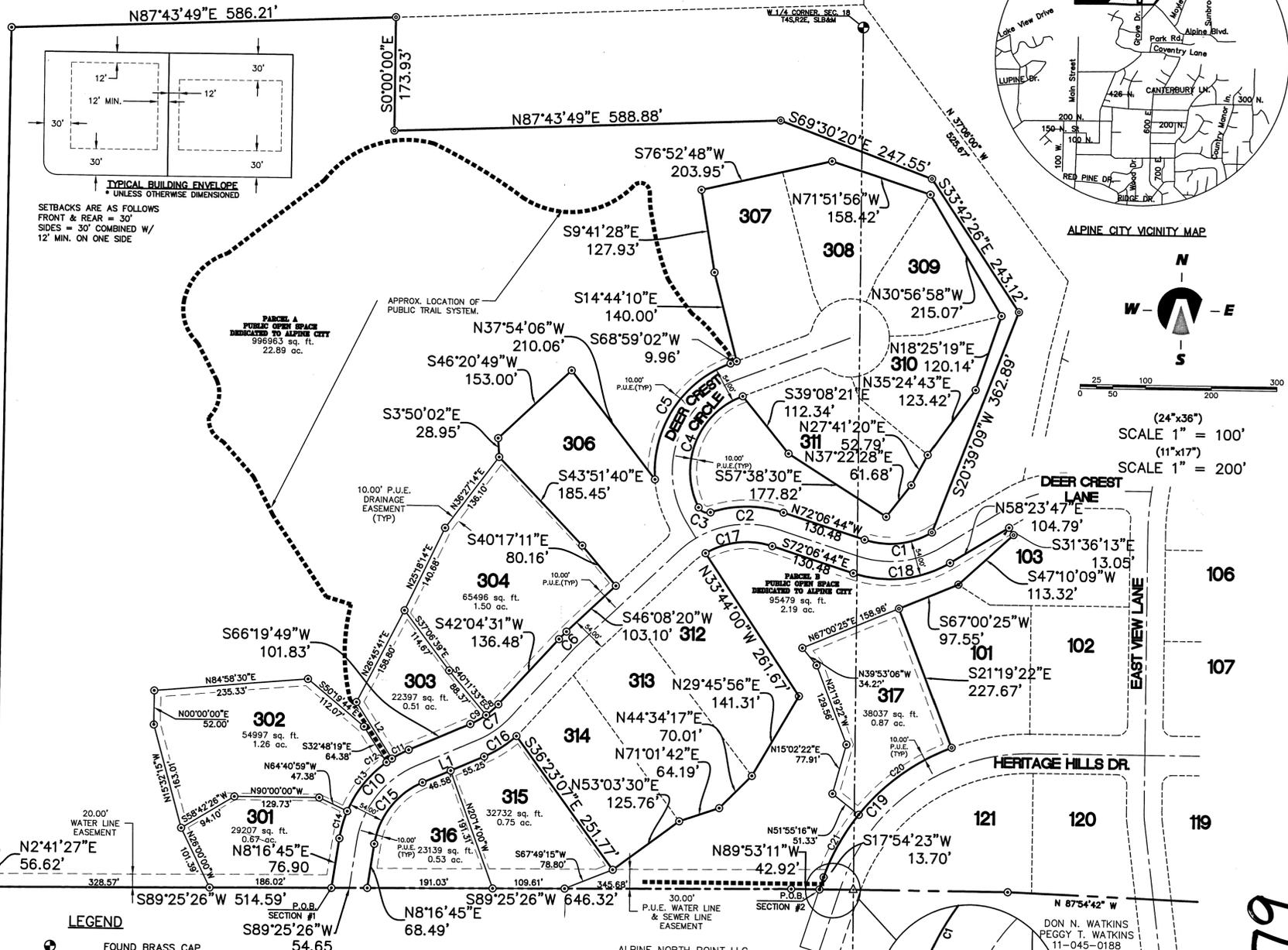
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	106.25'	123.00'	102.97'	N83°08'31"E	49°29'29"
C2	113.46'	177.00'	111.53'	N89°31'23"E	36°43'45"
C3	21.35'	15.00'	19.60'	S68°03'24"E	81°34'09"
C4	206.64'	123.00'	183.18'	S20°51'21"W	96°15'22"
C5	227.35'	177.00'	212.04'	N32°11'12"E	73°35'39"
C6	16.10'	227.00'	16.10'	S44°06'25"W	4°03'49"
C7	52.10'	123.00'	51.68'	S54°12'10"W	24°15'18"
C8	24.51'	123.00'	24.47'	S47°46'59"W	11°24'57"
C9	27.56'	123.00'	27.51'	S59°54'39"W	12°50'21"
C10	179.33'	177.00'	171.76'	S37°18'17"W	58°03'04"
C11	29.00'	177.00'	28.97'	S61°38'09"W	9°23'19"
C12	10.01'	177.00'	10.01'	N55°19'19"E	31°4'21"
C13	96.91'	177.00'	95.70'	S38°01'03"W	31°22'11"
C14	43.41'	177.00'	43.31'	S15°18'21"W	14°03'12"
C15	124.62'	123.00'	119.36'	N37°18'17"E	58°03'04"
C16	58.52'	177.00'	58.26'	N56°51'28"E	18°56'41"
C17	105.51'	123.00'	102.31'	S83°19'48"W	49°04'16"
C18	152.89'	177.00'	148.18'	S83°08'31"W	49°29'29"
C19	292.63'	330.00'	283.13'	N43°18'35"E	50°48'24"
C20	176.30'	330.00'	174.21'	S53°24'29"W	30°36'37"
C21	116.32'	330.00'	115.72'	N28°00'16"E	20°11'47"

**OWNER'S DEDICATION**  
KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.  
IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS DAY OF June 14, A.D. 2017.  
Heritage Hills, Inc. Kellie L. Holmes  
Walter D. Hill III, President  
Heritage Hills, Inc. President

**INDIVIDUAL ACKNOWLEDGMENT**  
STATE OF UTAH } S.S.  
COUNTY OF UTAH }  
ON THE 14 DAY OF June, A.D. 2017, PERSONALLY APPEARED BEFORE ME Kellie L. Holmes, THE SIGNERS OF THE ABOVE INSTRUMENT, WHO DULY ACKNOWLEDGE TO ME THAT HE OR SHE EXECUTE THE SAME.  
MY COMMISSION EXPIRES Apr 10, 2020  
Commission # 688608 NOTARY PUBLIC (SEE SEAL)

**CORPORATION ACKNOWLEDGMENT**  
STATE OF UTAH } S.S.  
COUNTY OF UTAH }  
ON THE 14 DAY OF June, A.D. 2017, PERSONALLY APPEARED BEFORE ME Walter D. Hill III, THE SIGNERS OF THE FOREGOING INSTRUMENT, WHO DULY ACKNOWLEDGE TO ME THAT SHE IS THE President (NAME OF OFFICE OF Heritage Hills, Inc. UTAH CORPORATION, AND IS AUTHORIZED TO EXECUTE THE FOREGOING AGREEMENT IN ITS BEHALF AND THAT HE OR SHE EXECUTED IT IN SUCH CAPACITY.  
MY COMMISSION EXPIRES 5-15-18  
Commission # 8676677 NOTARY PUBLIC (SEE SEAL)

**CITY ACKNOWLEDGMENT**  
STATE OF UTAH } S.S.  
COUNTY OF UTAH }  
ON THIS 18 DAY OF June, A.D. 2017, PERSONALLY APPEARED BEFORE ME Sheldene D. Wynn, WHO BEING BY ME SWORN, DID SAY THAT HE IS THE CITY ENGINEER OF ALPINE CITY, A MUNICIPAL CORPORATION, AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF THE CITY BY AUTHORITY OF ITS GOVERNING BODY AND SAID CITY ENGINEER ACKNOWLEDGE TO ME THAT THE CITY EXECUTED THE SAME. Mayor  
MY COMMISSION EXPIRES 5-5-18  
Commission # 676677 NOTARY PUBLIC (SEE SEAL)



**LEGEND**

- FOUND BRASS CAP
- SET 5/8" IRON PIN
- △ CALCULATED POINT, NOT SET
- PROPERTY BOUNDARY
- - - CENTERLINE
- - - RIGHT-OF-WAY LINE
- - - LOT LINE
- - - SECTION LINE
- - - EASEMENT
- - - APPROX. LOCATION OF PUBLIC TRAIL SYSTEM
- - - RECORD DATA

SETBACKS ARE AS FOLLOWS  
FRONT & REAR = 30'  
SIDES = 30' COMBINED W/  
12' MIN. ON ONE SIDE

APPROX. LOCATION OF PUBLIC TRAIL SYSTEM

**Northern ENGINEERING INC**  
ENGINEERING-LAND PLANNING  
CONSTRUCTION MANAGEMENT  
1040 E. 800 N.  
OREM, UTAH 84097  
(801) 802-8992

**ACCEPTANCE BY LEGISLATIVE BODY**  
THE CITY COUNCIL OF ALPINE CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 18 DAY OF May, A.D. 2017.

APPROVED Sheldene D. Wynn ATTEST Sheldene D. Wynn  
CITY ENGINEER (SEE SEAL) CITY RECORDER (SEE SEAL)

**APPROVAL AS TO FORM:**  
APPROVED AS TO FORM THIS 18 DAY OF June, A.D. 2017.  
Sheldene D. Wynn  
CITY ATTORNEY

**PLANNING COMMISSION APPROVAL**  
APPROVED THIS 18 DAY OF June, A.D. 2017, BY THE CITY OF ALPINE PLANNING COMMISSION.

**SURVEYOR'S CERTIFICATE**

I, KIM WAYNE LUNDEBERG, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERING AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, CERTIFICATE NO. 354377. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS, HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT. I FURTHER CERTIFY THAT EVERY EXISTING RIGHT-OF-WAY AND EASEMENT GRANT OF RECORD FOR UNDERGROUND FACILITIES, AS DEFINED IN SECTION 54-8a-2, UTAH CODE ANNOTATED, 1953 AS AMENDED, AND FOR OTHER UTILITY FACILITIES, IS ACCURATELY DESCRIBED ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT.

DATE 05-25-17  
KIM WAYNE LUNDEBERG, SLS

BOUNDARY DESCRIPTION OF PLAT "C" HERITAGE HILLS ALPINE SECTION 1

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 1 EAST AND THE SOUTHWEST 1/4 OF SECTION 18 TOWNSHIP 4 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS:  
COMMENCING AT A BRASS MONUMENT MARKING THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE N.00°06'10"W. ALONG THE SECTION LINE A DISTANCE OF 1321.25 FEET; THENCE WEST A DISTANCE OF 51.90 FEET; THENCE N.89°53'11"W. A DISTANCE OF 42.92 FEET; THENCE S.89°25'26"W. A DISTANCE OF 646.32 FEET; THENCE S.89°25'26"W. A DISTANCE OF 514.59 FEET; THENCE N.02°41'27"E. A DISTANCE OF 56.62 FEET; THENCE N.00°18'59"E. A DISTANCE OF 1259.95 FEET; THENCE N.87°43'49"E. A DISTANCE OF 588.88 FEET; THENCE S.00°00'00"E. A DISTANCE OF 173.93 FEET; THENCE N.87°43'49"E. A DISTANCE OF 588.88 FEET; THENCE S.69°30'20"E. A DISTANCE OF 247.55 FEET; THENCE S.33°42'26"E. A DISTANCE OF 243.12 FEET; THENCE S.20°39'09"W. A DISTANCE OF 362.89 FEET TO A POINT OF CURVATURE OF A 123.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY A DISTANCE OF 106.25 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 49°29'29" AND A CHORD THAT BEARS S.83°08'31"W. A DISTANCE OF 102.97 FEET; THENCE N.72°06'44"W. A DISTANCE OF 130.48 FEET TO A POINT OF CURVATURE OF A 177.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY A DISTANCE OF 113.46 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 36°43'45" AND A CHORD THAT BEARS S.89°31'23"E. A DISTANCE OF 111.53 FEET; THENCE N.32°11'12"E. A DISTANCE OF 212.04 FEET; THENCE S.44°06'25"W. A DISTANCE OF 16.10 FEET; THENCE S.54°12'10"W. A DISTANCE OF 51.68 FEET; THENCE S.47°46'59"W. A DISTANCE OF 24.47 FEET; THENCE S.59°54'39"W. A DISTANCE OF 27.51 FEET; THENCE S.37°18'17"W. A DISTANCE OF 171.76 FEET; THENCE S.61°38'09"W. A DISTANCE OF 28.97 FEET; THENCE N.55°19'19"E. A DISTANCE OF 10.01 FEET; THENCE S.38°01'03"W. A DISTANCE OF 95.70 FEET; THENCE S.15°18'21"W. A DISTANCE OF 43.31 FEET; THENCE N.37°18'17"E. A DISTANCE OF 119.36 FEET; THENCE N.56°51'28"E. A DISTANCE OF 58.26 FEET; THENCE S.83°19'48"W. A DISTANCE OF 102.31 FEET; THENCE S.83°08'31"W. A DISTANCE OF 148.18 FEET; THENCE S.53°24'29"W. A DISTANCE OF 174.21 FEET; THENCE N.28°00'16"E. A DISTANCE OF 115.72 FEET; THENCE N.27°48'19"W. A DISTANCE OF 101.83 FEET TO THE POINT OF BEGINNING.

**BOUNDARY DESCRIPTION PLAT "C" HERITAGE HILLS ALPINE SECTION 2**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 1 EAST AND THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS:  
COMMENCING AT A BRASS MONUMENT MARKING THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE N.00°06'10"W. ALONG THE SECTION LINE A DISTANCE OF 1321.25 FEET AND WEST A DISTANCE OF 51.90 FEET TO THE POINT OF BEGINNING.  
THENCE N.89°53'11"W. A DISTANCE OF 42.92 FEET; THENCE S.89°25'26"W. A DISTANCE OF 646.32 FEET; THENCE N.00°18'59"E. A DISTANCE OF 68.49 FEET TO A POINT OF CURVATURE OF A 123.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY A DISTANCE OF 124.62 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 58°03'04" AND A CHORD THAT BEARS N.37°18'17"E. A DISTANCE OF 119.36 FEET; THENCE N.66°19'48"E. A DISTANCE OF 103.83 FEET TO A POINT OF CURVATURE OF A 177.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY A DISTANCE OF 58.52 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 18°56'41" AND A CHORD THAT BEARS N.56°51'28"E. A DISTANCE OF 58.26 FEET; THENCE S.36°23'07"E. A DISTANCE OF 251.77 FEET; THENCE N.53°03'30"E. A DISTANCE OF 125.76 FEET; THENCE N.71°01'42"E. A DISTANCE OF 64.19 FEET; THENCE N.44°34'17"E. A DISTANCE OF 70.01 FEET; THENCE N.29°45'56"E. A DISTANCE OF 141.31 FEET; THENCE N.33°44'00"W. A DISTANCE OF 261.67 FEET TO A POINT OF CURVATURE OF A 123.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY A DISTANCE OF 105.51 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 49°04'16" AND A CHORD THAT BEARS N.83°19'48"E. A DISTANCE OF 102.31 FEET; THENCE S.72°06'44"E. A DISTANCE OF 130.48 FEET; THENCE N.71°01'42"E. A DISTANCE OF 158.89 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 49°29'29" AND A CHORD THAT BEARS N.83°08'31"E. A DISTANCE OF 148.18 FEET; THENCE N.58°23'47"E. A DISTANCE OF 104.79 FEET; THENCE S.31°36'13"E. A DISTANCE OF 13.05 FEET; THENCE S.21°19'22"E. A DISTANCE OF 97.75 FEET; THENCE S.21°19'22"E. A DISTANCE OF 227.67 FEET TO A POINT OF CURVATURE OF A 330.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY A DISTANCE OF 292.63 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 50°48'24" AND A CHORD THAT BEARS S.43°18'35"W. A DISTANCE OF 283.13 FEET; THENCE S.17°24'25"W. A DISTANCE OF 13.70 FEET TO THE REAL POINT OF BEGINNING.  
CONTAINING 4.35 ACRES OF LAND MORE OR LESS, CONTAINING 3 LOTS.

ENL 58069-2017 Map 15579  
JEFF FERRIS, CITY CLERK  
UTAH COUNTY RECORDER  
2017 Jun 15 2:59 pm FEE 38.00 BY VP  
RECORDED FOR ALPINE CITY CORPORATION

**PLAT "F" HERITAGE HILLS ALPINE**

LOCATED IN THE SE 1/4 OF SECTION 13, T4S, R1E, SLB&M & THE SW 1/4 OF SECTION 18, T4S, R2E, SLB&M AND BEING A VACATION OF LOTS 301, 302, 303, 304, 305, 315, 316, & 317, & PARCEL A, & B OF PLAT "C" HERITAGE HILLS ALPINE

ALPINE CITY UTAH COUNTY, UTAH  
SCALE: 1" = 100 FEET

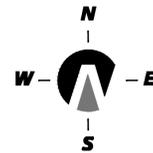
SURVEYOR'S SEAL: KIM WAYNE LUNDEBERG  
NOTARY PUBLIC SEAL: JED MUEHSTEIN  
CITY-COUNTY ENGINEER SEAL: JED MUEHSTEIN  
CLERK-RECORDER SEAL: JED MUEHSTEIN

2017 JUN 15 2:59 PM FEE 38.00 BY VP RECORDED FOR ALPINE CITY CORPORATION

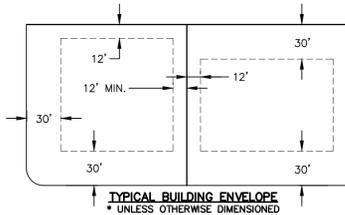
**PROPOSED PLAT**  
(Heritage Alpine Hills G)

# PLAT "G" HERITAGE HILLS ALPINE

BEING A VACATION OF LOTS 301, 302 & PARCEL A,  
OF PLAT "F" HERITAGE HILLS ALPINE  
JULY 2020  
CURRENT ZONE: CR-40,000 (P.U.D.)



(24"x36")  
SCALE 1" = 100'  
(11"x17")  
SCALE 1" = 200'



SETBACKS ARE AS FOLLOWS  
FRONT & REAR = 30'  
SIDES = 30' COMBINED W/  
12' MIN. ON ONE SIDE

CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	106.25'	123.00'	102.97'	S83°08'31"W	49°29'29"
C2	113.46'	177.00'	111.53'	S89°31'23"W	36°43'45"
C3	21.35'	15.00'	19.60'	N68°03'24"W	81°34'09"
C4	206.64'	123.00'	183.18'	N20°51'21"E	96°15'22"
C5	227.35'	177.00'	212.04'	S32°11'12"W	73°35'39"
C6	150.33'	177.00'	145.85'	S32°36'37"W	48°39'45"

LOT NO.	ADDRESS
301	72 E. DEER CREST LANE

### LEGEND

- ⊙ FOUND BRASS CAP
- ⊙ SET 5/8" IRON PIN
- △ CALCULATED POINT, NOT SET
- PROPERTY BOUNDARY
- CENTERLINE
- RIGHT-OF-WAY LINE
- LOT LINE
- SECTION LINE
- EASEMENT
- APPROX. LOCATION OF PUBLIC TRAIL SYSTEM RECORD DATA

### INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH }  
COUNTY OF UTAH } s.s.

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D. 20\_\_\_\_ PERSONALLY APPEARED BEFORE ME \_\_\_\_\_ THE  
SIGNERS OF THE ABOVE INSTRUMENT, WHO DULY ACKNOWLEDGE TO  
ME THAT HE OR SHE EXECUTE THE SAME.

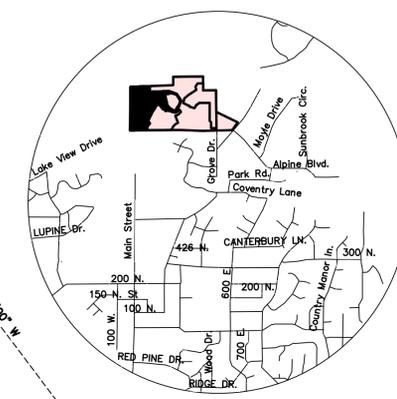
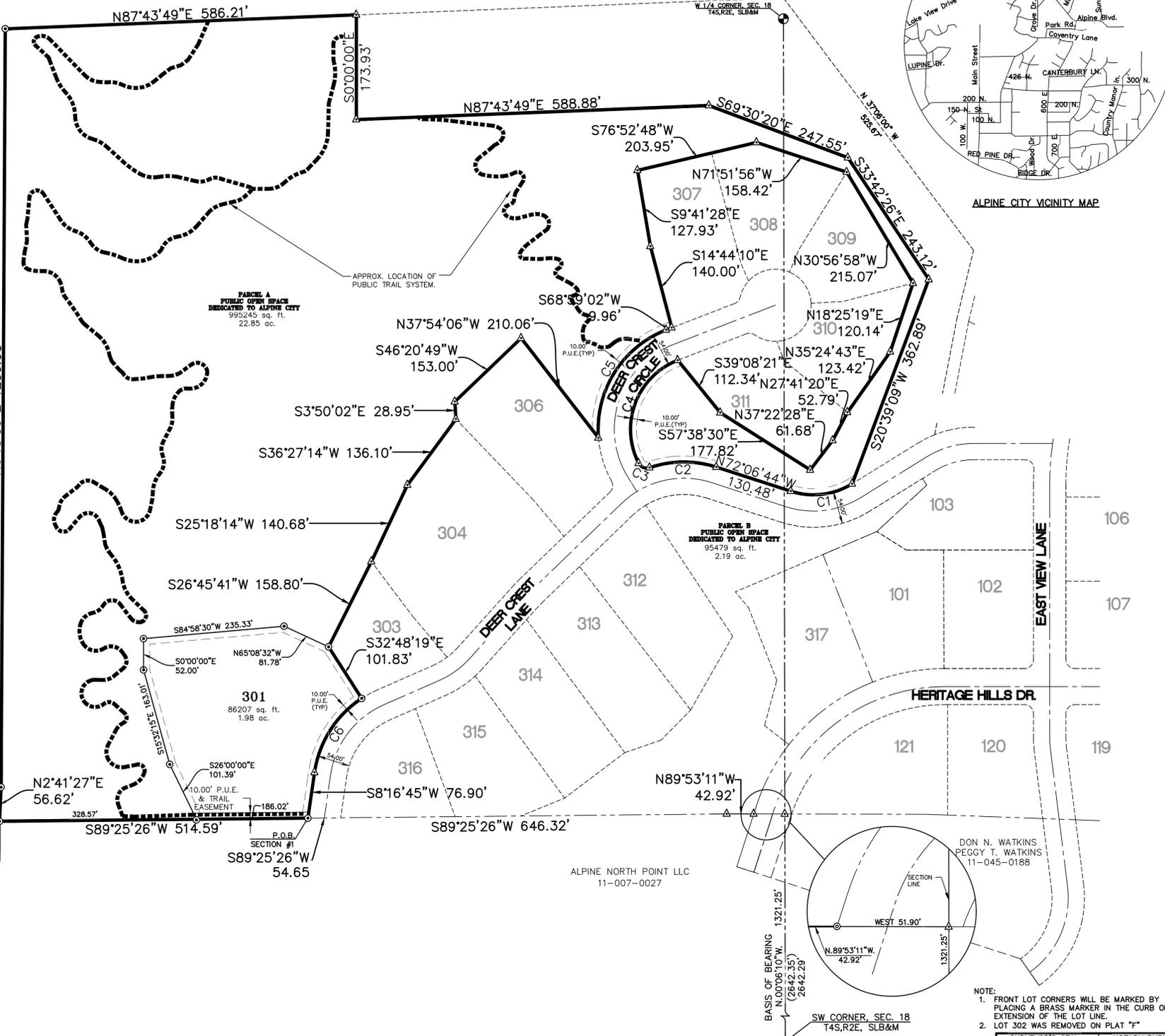
MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC (SEE SEAL)

### CITY ACKNOWLEDGMENT

STATE OF UTAH }  
COUNTY OF UTAH } s.s.

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D. 20\_\_\_\_ PERSONALLY APPEARED BEFORE ME \_\_\_\_\_  
WHO BEING BY ME SWORN, DID SAY THAT HE IS THE CITY ENGINEER OF  
ALPINE CITY, A MUNICIPAL CORPORATION, AND THAT SAID INSTRUMENT  
WAS SIGNED IN BEHALF OF THE CITY BY AUTHORITY OF ITS GOVERNING  
BODY AND SAID CITY ENGINEER ACKNOWLEDGE TO ME THAT THE CITY  
EXECUTED THE SAME.

MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC (SEE SEAL)



ALPINE CITY VICINITY MAP

### SURVEYOR'S CERTIFICATE

I, KENNETH E. BARNEY, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, CERTIFICATE NO. 172762. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND EASEMENTS, AND HAVE VERIFIED ALL MEASUREMENTS ARE CONSISTENT WITH ARNOLD ESTATES NO. 3. I FURTHER CERTIFY THAT EVERY EXISTING RIGHT-OF-WAY AND EASEMENT GRANT OF RECORD FOR UNDERGROUND FACILITIES, AS DEFINED IN SECTION 54-8a-2, UTAH CODE ANNOTATED, 1953 AS AMENDED, AND FOR OTHER UTILITY FACILITIES, IS ACCURATELY DESCRIBED ON THIS PLAT; AND THAT THIS PLAT IS TRUE AND CORRECT.



DATE \_\_\_\_\_ KENNETH E. BARNEY, P.L.S.

### BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 1 EAST AND THE SOUTHWEST 1/4 OF SECTION 18 TOWNSHIP 4 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS:  
COMMENCING AT A BRASS MONUMENT MARKING THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE N.00°06'10"W. ALONG THE SECTION LINE A DISTANCE OF 1321.25 FEET; THENCE WEST A DISTANCE OF 51.90 FEET; THENCE N.89°53'11"W. A DISTANCE OF 42.92 FEET; THENCE S.89°25'26"W. A DISTANCE OF 646.32 FEET; THENCE S.89°25'26"W A DISTANCE OF 54.65 FEET TO THE POINT OF BEGINNING.  
THENCE S.89°25'26"W A DISTANCE OF 514.59 FEET; THENCE N.02°41'27"E. A DISTANCE OF 56.62 FEET; THENCE N.00°18'59"E. A DISTANCE OF 1259.95 FEET; THENCE N.87°43'49"E. A DISTANCE OF 586.21 FEET; THENCE S.00°00'00"E. A DISTANCE OF 173.93 FEET; THENCE N.87°43'49"E. A DISTANCE OF 586.88 FEET; THENCE S.69°30'20"E. A DISTANCE OF 247.55 FEET; THENCE S.33°42'26"E. A DISTANCE OF 243.12 FEET; THENCE S.20°39'09"W. A DISTANCE OF 362.89 FEET TO A POINT OF CURVATURE OF A 123.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY A DISTANCE OF 106.25 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 49°29'29" AND A CHORD THAT BEARS S.83°08'31"W. A DISTANCE OF 102.97 FEET; THENCE N.72°06'44"W. A DISTANCE OF 130.48 FEET TO A POINT OF CURVATURE OF A 177.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY A DISTANCE OF 113.46 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 36°43'45" AND A CHORD THAT BEARS S.89°31'23"W. A DISTANCE OF 111.53 FEET TO A POINT OF CURVATURE OF A 15.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY A DISTANCE OF 21.35 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 81°34'09" AND A CHORD THAT BEARS N.68°03'24"W. A DISTANCE OF 19.60 FEET; TO A POINT OF CURVATURE OF A 123.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY A DISTANCE OF 206.64 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 96°15'22" AND A CHORD THAT BEARS N.20°51'21"E. A DISTANCE OF 183.18 FEET; THENCE S.39°08'21"E. A DISTANCE OF 112.34 FEET; THENCE S.57°38'30"E. A DISTANCE OF 177.82 FEET; THENCE N.37°22'28"E. A DISTANCE OF 61.68 FEET; THENCE N.27°41'20"E. A DISTANCE OF 52.79 FEET; THENCE N.35°24'43"E. A DISTANCE OF 123.42 FEET; THENCE N.18°25'19"E. A DISTANCE OF 120.14 FEET; THENCE N.30°56'58"W. A DISTANCE OF 215.07 FEET; THENCE N.71°51'56"W. A DISTANCE OF 158.42 FEET; THENCE S.76°52'48"W. A DISTANCE OF 203.95 FEET; THENCE S.09°41'28"E. A DISTANCE OF 127.93 FEET; THENCE S.14°44'10"E. A DISTANCE OF 140.00 FEET; THENCE S.68°59'02"W. A DISTANCE OF 9.96 FEET TO A POINT OF CURVATURE OF A 177-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY A DISTANCE OF 227.35 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 73°35'39" AND A CHORD THAT BEARS S.32°11'12"W. A DISTANCE OF 212.04 FEET; THENCE N.37°54'06"W. A DISTANCE OF 210.06 FEET; THENCE S.46°20'49"W. A DISTANCE OF 153.00 FEET; THENCE S.03°50'02"E. A DISTANCE OF 28.95 FEET; THENCE S.36°27'14"W. A DISTANCE OF 136.10 FEET; THENCE S.25°18'14"W. A DISTANCE OF 140.68 FEET; THENCE S.26°45'41"W. A DISTANCE OF 158.80 FEET; THENCE S.32°48'18"E. A DISTANCE OF 101.83 FEET TO A POINT OF CURVATURE OF A 177.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY A DISTANCE OF 150.33 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 48°39'45" AND A CHORD THAT BEARS S.32°36'37"W. A DISTANCE OF 145.85 FEET; THENCE S.08°16'45"W. A DISTANCE OF 76.90 FEET TO THE POINT OF BEGINNING.  
CONTAINING 24.826 ACRES OF LAND MORE OR LESS CONTAINING 1 LOTS.

### OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HERON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HERETO SET OUR HANDS THIS  
DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

### ACCEPTANCE BY LEGISLATIVE BODY

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

APPROVED \_\_\_\_\_ ATTEST \_\_\_\_\_  
CITY ENGINEER (SEE SEAL) CITY RECORDER (SEE SEAL)

**PLAT "G"**  
**HERITAGE HILLS ALPINE**  
LOCATED IN THE SE 1/4 OF SECTION 13, T4S, R1E, SLB&M &  
THE SW 1/4 OF SECTION 18, T4S, R2E, SLB&M  
BEING A VACATION OF LOTS 301, 302, & PARCEL A,  
OF PLAT "F" HERITAGE HILLS ALPINE

ALPINE CITY \_\_\_\_\_ UTAH COUNTY, UTAH  
SCALE: 1" = 100 FEET

- NOTE:  
1. FRONT LOT CORNERS WILL BE MARKED BY PLACING A BRASS MARKER IN THE CURB ON AN EXTENSION OF THE LOT LINE.  
2. LOT 302 WAS REMOVED ON PLAT "F"

**Northern ENGINEERING INC**  
ENGINEERING-LAND PLANNING CONSTRUCTION MANAGEMENT  
1040 E. 800 N. OREM, UTAH 84097 (801) 802-8992

**APPROVAL AS TO FORM:**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_.  
CITY ATTORNEY \_\_\_\_\_

**PLANNING COMMISSION APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_, BY THE CITY OF ALPINE PLANNING COMMISSION.  
CITY ENGINEER (SEE SEAL) \_\_\_\_\_

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY-COUNTY ENGINEER SEAL CLERK-RECORDER SEAL

PLAT "G" HERITAGE HILLS ALPINE

# ALPINE CITY PLANNING COMMISSION AGENDA

**SUBJECT: Public Hearing – General Plan and Land Use Regulations – Gateway Roads and Streets**

**FOR CONSIDERATION ON: 21 July 2020**

**PETITIONER: Mayor and City Council**

**ACTION REQUESTED BY PETITIONER: Review City’s General Plan and land use regulations and make recommendations to City Council.**

## **BACKGROUND INFORMATION:**

On July 14, 2020, the City Council adopted Resolution 2020-09, which began the process of amending the City’s General Plan and land use ordinances as they pertain to gateway streets and roads going in and out of the City.

As far as amendments to the General Plan are concerned, staff recommends that the Planning Commission begin by looking at both the Transportation Element and Street Master Plan, in addition to any other applicable land use ordinances.

We recommend that amendments to the General Plan and land use ordinances include the following:

- Define “Gateway”.
- Clearly state which streets are considered “Gateways”.
- If a future proposed connection is NOT shown in the City’s plans, an amendment to the Street Master Plan shall be required before a future proposed connection is allowed.
- Previously planned future connections will not be affected by the above proposed changes.
- Address other code sections as necessary.

## **STAFF RECOMMENDATION:**

Review and recommend amendments to the General Plan and land use ordinances.

## **SAMPLE MOTION:**

I motion to recommend that the following proposed changes to the City’s General Plan and land use be adopted:

- \*\*\*Insert Finding\*\*\*
- \*\*\*Insert Finding\*\*\*
- \*\*\*Insert Finding\*\*\*
- ...

RESOLUTION NO. 2020-09

A RESOLUTION OF THE ALPINE CITY COUNCIL STARTING THE PROCESS OF AMENDING THE CITY'S GENERAL PLAN AND LAND USE ORDINANCES AS THEY PERTAIN TO GATEWAY CONNECTING ROADS INTO AND OUT OF ALPINE CITY.

WHEREAS, The City Council of Alpine City wishes to clarify the City's plans and regulations regarding streets and roads connecting the City to other municipalities and Utah County; and

WHEREAS, this clarification may require amendments to the City's General Plan and development codes and ordinances; and

WHEREAS, the City Council desires that the Planning Commission, pursuant to its authority granted under Utah Code 10-9a-302, provide to the City Council its recommendations on what the City's General Plan and land use regulations should be for gateway roads and streets into and out of the City; and

WHEREAS, the City does not believe it fair to the residents and landowners in the City to process development applications that may involve or require new roads or new connections into and out of the City limits during the time that the City's General Plan and land use regulations regarding such connections are under review by the City; and

WHEREAS, Utah Code 10-9a-509(1)(a)(ii)(B) and 509(1)(b) provide that a land use application need not be approved and can be held for a period not to exceed 180 days if "in the manner provided by local ordinance and before the applicant submits the application, the municipality formally initiates proceedings to amend the municipality's land use regulations in a manner that would prohibit approval of the application as submitted."

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF ALPINE CITY AS FOLLOWS:

1. The Alpine City Council hereby formally initiates proceedings to amend the City land use regulations as they regard to connecting streets and roads into and out of the City and instructs the Planning Commission to begin the process to review and make its recommendations on possible amendments to the City's General Plan and land use ordinance as they may provide for, prohibit or otherwise regulate new streets that will act as gateways into the City from the County or other municipalities.

2. The Alpine City Council hereby instructs the City Staff to not accept and process any new land use application that will require a street connection that does not currently exist, into the County or another municipality, for a period of 180 days from the date of this resolution.

3. This resolution shall take effect immediately upon passage.

Passed and dated this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Mayor

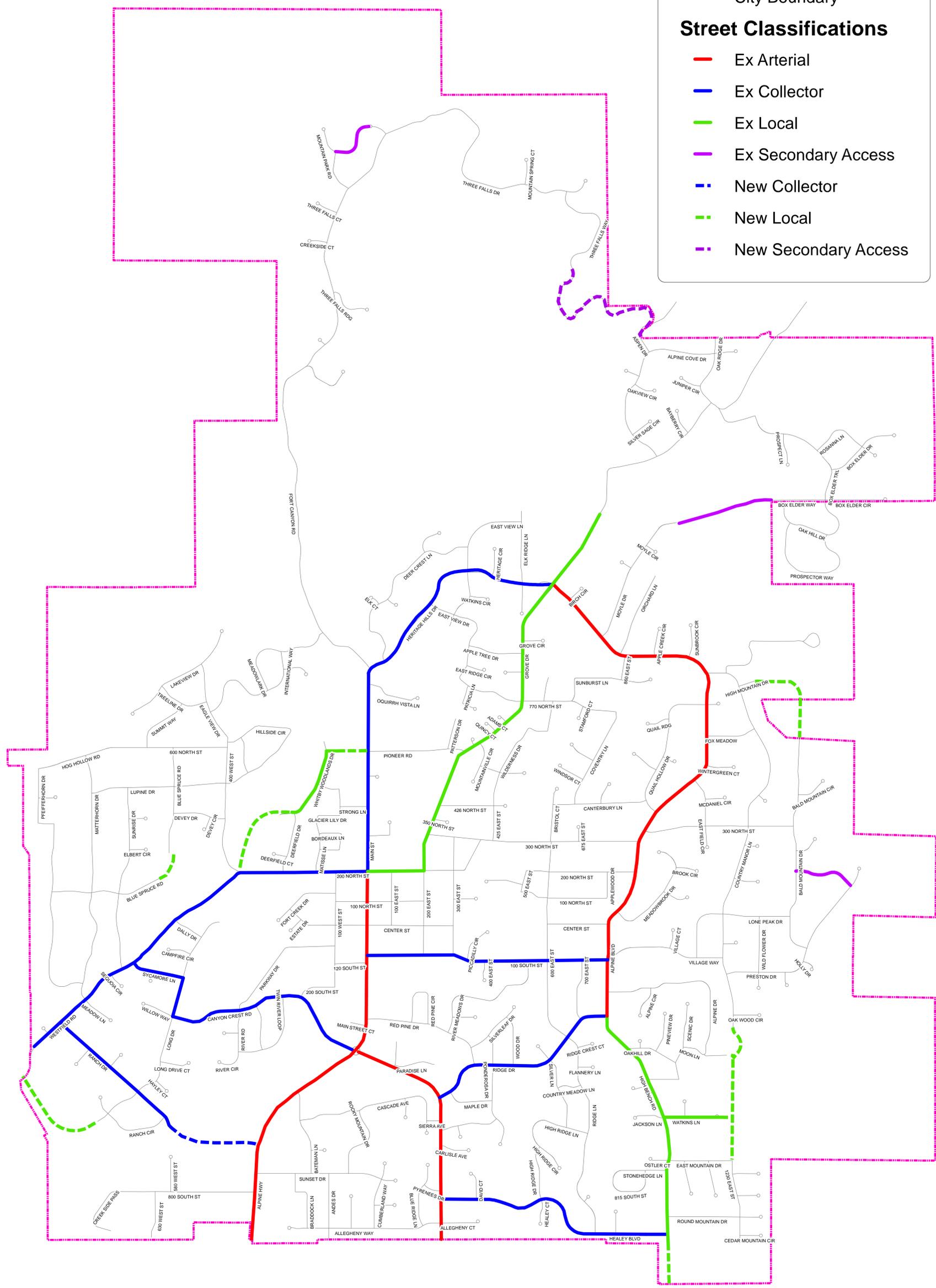
Attest:

\_\_\_\_\_  
Recorder

City Boundary

**Street Classifications**

- Ex Arterial
- Ex Collector
- Ex Local
- Ex Secondary Access
- New Collector
- New Local
- New Secondary Access



# Alpine City Transportation Master Plan



Adopted  
August 27, 2019



# TRANSPORTATION & TRAFFIC CIRCULATION

## GOAL #1

Create and maintain a multi-modal transportation system that is pedestrian friendly, safe and efficient.



## POLICIES

- 1.1 Promote safe and efficient traffic circulation by following the Street Master Plan.
- 1.2 Connect neighborhoods and open spaces of the City with appropriate trails, sidewalks and bike lanes that support alternate forms of local transportation and recreation.
- 1.3 Work with adjacent communities and other agencies to acquire financial aid for transportation improvements and regional integration.
- 1.4 Emphasize the maintenance of roads to ensure a high quality road system.
- 1.5 Promote the use of roundabouts or other traffic flow options to prevent the need for stop lights therefore maintaining the historic small-town rural atmosphere.



### Alpine City Street Improvement Plan

Project Number	Recommended Improvements		Planning Level Cost Estimate	Potential Funding Source*
	Project	Limits		
0-5 Year Improvements				
1	Canyon Crest Road (west)	Canyon Crest Road to Westfield Road	\$165,600	C, O
2	Blue Spruce Road	Complete between Sunrise Drive and Lupine Drive	\$193,200	C, O
3	Ranch Drive & Dry Creek Bridge	Ranch Circle to Main Street	\$155,400 \$300,000	S, C, O
4	Country Manor Lane (South)	Oakwood Circle to Wintergreen Court	\$303,600	C, O
5	Elk Ridge Lane	East View Lane to Grove Drive		C, O
6	Three Falls Secondary Access	Three Falls Drive to Alpine Cove Drive		C, O
5-10 Year Improvements				
7	Smooth Canyon	Healey Boulevard to Highland City		C, O
10-20 Year Improvements				
8	Westfield Road	200 North to Pioneer Drive	\$441,600	C, O
9	Long Drive	Ranch Circle to Westfield Road	\$110,400	C, O
10	North Bald Mountain Drive	North of Bald Mountain Circle to Alpine Boulevard	\$400,200	C, O
11	Moyle Drive	Lambert Park to Box Elder Circle	\$345,000	C, O
12	1000 East (Lambert Park)	Moyle Drive to Box Elder Drive / Grove Drive	\$207,000	C, O
13	GPS System (street portion)		\$8,000	C, O
14	Intersection Improvements w/ ROW		\$1,020,000	S, C, O
15	TMP Update in 5 years		\$20,000	C, O
	Total Costs		\$3,670,000	

\*Potential Funding Sources: F-Federal, S-State, C-City, and O-Other.

\*\*Miscellaneous local roads are scattered throughout the various different implementation time frames but have not been included since they will most likely be built by developers as part of their developmen

# Transportation (Circulation) Element

The Transportation, or Circulation, Element is designed to provide for the safe and efficient movement of people and goods in the City and does not necessarily indicate existing facilities. Movement in the City needs to be a workable balance between the movement of goods and people with automobiles, pedestrian facilities, bicycles and other non-motorized means while being sensitive to the built and natural environments. All future expansions should be planned and designed to be within the fiscal capacity of the City. These expansions should also maintain enough flexibility to evolve as needs and technology change. The location and design of any new facility should be integrated into the surrounding neighborhood and the community as a whole protecting the character of the City as changes occur. New transportation facilities should be designed to provide maximum durability and minimize maintenance costs.

## **The Vision Statement of the Circulation Element is:**

Alpine City desires to create and maintain a transportation system that is pedestrian friendly, safe, efficient, and aesthetically pleasing while encouraging a multi-modal approach to transportation issues.

## **The Goals of the Circulation Element are:**

**Goal 1** Create and maintain a transportation system that is pedestrian friendly.

Objective: Identify and protect street crossings, particularly near schools and recreation areas.

Objective: Upgrade or install pedestrian safety features at intersections and crossing areas as needed, including ADA ramps.

Objective: Provide proper lighting at pedestrian facilities.

Objective: Provide adequate sidewalk facilities within the City.

Objective: Pedestrian pathways and sidewalks should provide connectivity between uses, such as neighborhoods, businesses, parks, trails, schools, and public facilities.

**Goal 2** Develop and maintain a safe transportation system.

Objective: Follow applicable design and safety standards.

Objective: Review existing bridges regularly to determine if they meet safety standards, including seismic standards; and when feasible, widen, improve, or replace bridges that are obstacles to traffic flow and safety.

Objective: Regularly inventory street conditions and create a phased improvement program to address needed repairs and improvements.

Objective: Establish speed limits based on traffic engineering analysis, and enforce speed limits.

Objective: Implement traffic calming devices when appropriate.

**Goal 3** Develop and maintain an efficient transportation system.

Objective: Develop a hierarchy of streets (arterial, collector, and local) and classify all new roads accordingly.

Objective: Provide a street system that operates at the highest level of service (LOS) possible for peak traffic volumes. Plan for alternative routes to satisfy LOS standards for the future.

Objective: Design an adequate street system in future growth areas and designate sufficient rights-of-way prior to land development or through the plan approval process.

Objective: Control access, intersection spacing, and parking on arterial streets to allow for traffic to flow.

Objective: Improve the guidance of traffic on streets when needed using appropriate traffic engineering solutions.



Roundabout—Canyon Crest Road and Main Street/Alpine Hwy

Objective: Encourage connections between neighborhoods.

Objective: Plan for two accesses to each part of town. Developments on residential streets over 450 feet long should be served by at least two accesses.

Objective: Work with adjacent communities and other agencies as appropriate to integrate with regional transportation and preserve future corridor locations.

**Goal 4** Create and maintain an attractive streetscape along City streets.

Objective: Ensure the provision of adequate off-street parking facilities for all land uses.

Objective: Consider planting street and facility-friendly trees along arterial and collector streets.

Objective: Identify main streets where landscaping beautification may be beneficial, including gateways into the City.

Objective: Provide a list of approved trees that includes approved park strip trees to ensure tree roots do not create maintenance problems, that accommodates existing mature trees when possible, and allows native trees to provide a positive appearance.

**Goal 5** Encourage a multi-modal approach to transportation issues.

Objective: Encourage UTA to provide bus service to and within Alpine.

Objective: Provide a balance between cyclist and pedestrian trails to satisfy transportation as well as recreational needs of City residents.

## **BACKGROUND**

One of the most visible aspects of growth in smaller communities is the ability (or inability) to provide an adequate transportation infrastructure that efficiently keeps traffic circulating. Alpine City has experienced strong growth over the past fifteen years and the population is expected to increase by approximately 40% over the next 25 years. With this growth, the City will need to continue building and maintaining its streets to sustain a level of service that will facilitate efficient circulation and preserve a safe and small town atmosphere. The City should follow the short and long-term transportation projects as outlined in its Transportation Master Plan.

In the 2005 community survey, Alpine residents responded to numerous questions that will help guide future transportation planning. The survey showed that nearly 50% of respondents work in Salt Lake County or in the Provo/Orem area. That means that a substantial amount of Alpine residents commute to and from Alpine each day via main arterial roads. Additionally, respondents indicated that they do most of their shopping in Lehi and American Fork which results in additional trips on main arterial roads.

## **NEW TRANSPORTATION FACILITY REVIEW**

Each roadway, street, and non-motorized transportation facility functions as a part of a larger network designed to create a logical and safe pattern for moving goods and people through the community. Each segment or facility in the network is highly dependent on many other segments. For this reason, it is important to review each development proposal and facility proposal from a larger point of view. As each new facility is planned or constructed, Alpine City should consider how the facility will affect the transportation and circulation system as a whole. If the proposed new facility will have a negative impact on the system as a whole, such as concentrating traffic on a few streets in residential areas, the applicant may be required to address the impact by upgrading existing facilities to meet new demands.

As new transportation facilities are planned or constructed within Alpine they should be reviewed for compatibility with the following key issues. In addition to addressing these issues, all new transportation facilities must satisfy requirements found in Alpine City subdivision and zoning ordinances, and all other relevant laws and standards of the City.

### **Compatibility with Built Form**

A transportation system is affected by the existing land use, street pattern, and environment in which it occurs. Similarly, future development patterns are affected by the development of the transportation system. As transportation facility plans occur, efforts should be made to ensure that the facility and the desired future land use pattern are mutually supportive. The transportation facility should reflect the desired future development pattern in scale, function, and intensity, and should service development patterns.

Retail and commercial areas should be convenient for automobiles, bicycles, and pedestrians; and should include design for ample off-street parking and unloading zones. Residential areas should have facilities designed with safety as the key concern. Parks and other recreational areas should be well served by trails for use by non-motorized modes of transportation along with automobiles. In-fill development facilities should be constructed to provide an appropriate balance between existing transportation facilities and those planned for future use.

### **Integration Into Neighborhoods**

New transportation facilities should be designed to improve the mobility and circulation within and between existing neighborhoods. Smooth transitions, functional intersections, and safety will be given special consideration. All facilities should be completed with future desired development patterns in mind so facilities will adequately handle the increased demand when additional developments are approved.

### **Protection of Natural Environment**

While the construction of any transportation facility will inevitably affect the adjacent natural environment, Alpine City will work to minimize these impacts. Noise, air pollution, cuts and fills, and run off of oils and other pollutants are all concerns related to protecting the natural environment. Appropriate speed limits, noise barriers, vegetation and berms, enforcement of local, state, and federal vehicular noise reduction methods, and appropriate facilities in heavy traffic areas for large trucks can reduce noise impacts.

Enforcement of local, state, and federal air quality methods, including reducing vehicular trips and promoting non-motorized means of travel, will aid in reducing air pollution. Cuts and fills should be minimized to the extent possible without jeopardizing safety. All cuts and fills should be properly repaired and revegetated in accordance with City standards and ordinances. Drainage facilities, which filter out oils and other pollutants prior to their deposit into any watercourse, ditch or canal, should be designed on all new

transportation facilities. Sumps, grease traps, and other means of cleaning run off pollutants should be included in all projects.

### **Safety**

Transportation facilities should enhance safety in the community. Circulation, simplicity, and maintenance should be addressed with safety in mind. The system should provide each neighborhood with adequate access to police, fire, and medical services and for snow removal; and should be designed so that visitors and other users unfamiliar with the City can easily find their desired locations. All new and existing facilities should be properly maintained to minimize the possibility of accidents and injuries. Proper signage should be placed throughout the community to control traffic and guide users.

### **Planning and Priority of Facilities**

All major construction and maintenance of transportation facilities should be included in the City's Capital Facilities Program and planned to increase the effectiveness of each transportation dollar. This Element, including the accompanying Streets Map, should be regularly updated to reflect current development patterns, changes in transportation needs, and projected funding levels. If the City is required to prioritize transportation facility projects, the criteria should include, among other aspects, safety, number of citizens that will receive benefit, and linkages between facilities.

### **FACILITY CLASSIFICATIONS**

Each road and street in the community is classified according to its intended use and capacity. Each of the following classifications represents a different type of roadway and a short description each.

- **Arterial:** A street which serves or is intended to serve as a major traffic way.
- **Collector:** A street of considerable continuity, which is the main means of access to arterial streets.
- **Local (minor):** A street which is supplementary to a collector street and of limited continuity, which serves or is intended to serve the local needs of a neighborhood and to give access to abutting properties.

The Transportation Master Plan Map in Appendix E shows the existing and anticipated new streets.

### **LEVEL OF SERVICE**

To determine when a transportation facility has reached its intended capacity and should be expanded, or a new facility should be constructed, the City has adopted a level of service for the functional class of each facility. The following charts describe these levels of service.

<b>Level of Service</b>	<b>Traffic Flow</b>	<b>Service Description</b>
A	Free Flow	Posted speeds attainable with very little or no interference between vehicles.
B	Stable Flow	Posted speeds attainable with minor amounts of delay and interference. Smooth traffic flow.
C	Less Stable Flow	Posted speeds attainable with periods of delay during peak hours. Congested flow during peak periods of traffic.
D	Approaching Unstable Flow	Posted speeds not attainable during peak periods of traffic. Significant congestion during peak periods of traffic.
E	Unstable Flow	Posted speeds not attainable during peak periods of traffic. Intersection failure and heavy congestion in peak periods.
F	Forced Flow	Heavy congestion even during non-peak periods of traffic. Intersection failure most of the time.

**NON-MOTORIZED TRANSPORTATION – SIDEWALKS, TRAILS, AND PATHS**

Equally important to the facilities that move people and goods are the non-motorized transportation systems of the City. The non-motorized system should allow for access to all major commercial and recreational facilities in the City, but also provide links to regional and state non-motorized transportation systems.

**Pedestrian Facilities**

All new developments should address pedestrian needs. Pedestrian facilities in each development will be installed by the developer in a manner agreeable to the Planning Commission and City Council and compatible with the surrounding pedestrian system. Safety of pedestrians should always be the primary concern of the City in approving pedestrian facilities in new development.

**Trails and Paths**

A detailed description of the location and construction standards for non-motorized trail facilities in Alpine City will be found in the Parks and Trails Master Plan. Funding for the non-motorized trail system will be a combination of development exactions, impact fees, capital expenditures by the City, and any grants that the City may receive.

#### **4.07.040 Streets And Street Requirements**

1. Subdivision plans shall be consistent with the Major Street Plan, which has been adopted as part of the Transportation and Circulation element of the General Plan of the City.
  - a. Collector Streets (feeder). Where the area of a proposed subdivision includes any Collector class streets, as shown on the Major Street Plan, the subdivision plan shall incorporate such streets in the location shown on the Major Street Plan, and the approval of the Final Plat shall include the dedication of the right-of-way and its improvement in accordance with the applicable City standards.
  - b. Minor Streets (local service). Where the area of a proposed subdivision includes any Minor class streets, as shown on the Major Street Plan, the subdivision plan shall provide for such street in the approximate location shown on the Major Street Plan, and the approval of the Final Plat shall include the dedication of the right-of-way and its improvement in accordance with the applicable City standards.
  - c. Arterial Streets. Where the area of a proposed subdivision includes any arterial class streets, as shown on the Major Street Plan, the subdivision plan shall incorporate such streets in the location shown on the Major Street Plan, and the approval of the Final Plat shall include the dedication of the right-of-way and its improvement in accordance with the applicable City standards.
2. **Through Traffic.** Minor streets shall be laid out to encourage circulation but discourage through traffic. Subdivisions with 20 or more lots shall provide two working accesses to the development.
3. **Stub Streets** (Amended by Ord. 96-08, 5/28/96; Amended by Ord. 2013-01, 1/15/13). Shall be required to provide adequate circulation – Temporary turnaround required in certain instances-- Subsequent development of adjacent property to incorporate.
  - a. In order to facilitate the development of an adequate and convenient circulation system within the City, and to provide access for the logical development of adjacent vacant properties, the City shall, as a condition of approval, require the subdivision plan to include one or more temporary dead end streets (stub streets) which extend to the boundary of the parcel, and dedicate the right-of-way to the property line to the City to insure that adjacent properties are not landlocked.
  - b. All such stub streets shall be fully developed with full City street and utility improvements to the boundary of the subdivision unless it can be shown by the applicant for the subdivision that the need for a fully improved street does not have an essential link to a legitimate government interest or that the requirement to fully improve the stub street is not roughly proportionate, both in nature and extent to the impact of the proposed subdivision on the City.
  - c. Factors to be considered in determining whether or not the requirement to install a fully improved street is considered proportionate may include but not be limited to:
    - i. The estimated cost to improve the stub street;
    - ii. Whether or not the stub street will be essential to provide reasonable access to the undeveloped parcel;
    - iii. The number of lots in the proposed subdivision that will be accessed from the improved stub street;
    - iv. The estimated number of lots that can be developed in the future on the adjacent undeveloped parcel through use of the stub street.

After receiving a recommendation by the Planning Commission, if the City Council determines that the stub street need not be fully developed either because it does not further a legitimate government interest or that the requirement is disproportionate to the impact of the proposed subdivision on the City, then only the right-of-way for the stub street shall be dedicated to the City and the requirement to improve the stub street shall be placed on the undeveloped adjacent parcel as a condition of the development if the adjacent property is ever developed.

- d. Any such stub street having a length of more than 150 feet or providing primary vehicular access to one or more lots shall be terminated by an improved temporary turn-around designed and constructed in accordance with the City Standards. Where any portion of the temporary turn-around is to be located on private property, use of the portion located on private property by the public shall be secured through the conveyance of an easement for that purpose.
- e. Any plan for the subsequent development of the adjacent property shall provide for the continuation of any such stub street and shall bear the burden of designing such stub street or streets in accordance with City standards.

4. **Intersections.** Intersections of minor streets with major streets shall be kept to the minimum.

5. **Right-of-Way Width.** Minimum right-of-way widths for local streets shall be the following:

- a. Arterial major street: 66 feet
- b. Collector street: 60 feet
- c. Minor street, rural road, secondary access, or frontage road: 54 feet

6. **Roadway Width.** Local streets shall have roadway widths and classifications as follows (add four feet [4'] for curb where required):

- a. Arterial street: 42 feet, paved
- b. Collector street: 36 feet, paved
- c. Minor street or frontage road: 30 feet, paved
- d. (Rural roads: 26 feet, paved) - Requires a recommendation by the Planning Commission and approval by the City Council through the Subdivision exception procedure.
- e. Secondary Access: At least the minimum width and improvements required by the Utah State Fire Code, or its successor code, for emergency access along with such other improvements such as surface type, curb and gutter, and gating at the discretion of the City Council and upon recommendation of the Planning Commission and City Engineer approval.

7. **Road Shoulders.** Where curbs are not required to be installed, a minimum of ten foot shoulders shall be provided on each side of the street unless parking is prohibited.

8. **Partial-Width Streets.** All streets within and adjacent to a subdivision shall either have been previously conveyed to the City by deed or dedication or shall be shown on the final plat for dedication to the City for street purposes.

All streets shown on the final plat for dedication to the City shall conform to the minimum

standards for street width and improvements for the entire width of the street, except that the City Council may accept the dedication and improvement of partial width streets provided:

- a. That the proposed partial width street is located at the border of the subdivision and the land abutting the proposed uncompleted side of the street is not owned by the subdivider.
- b. The width of the right-of-way of the partial width street shall be not less than thirty- nine (39) feet in the instance of a minor class street and forty-two (42) feet in the instance of a collector class street.
- c. Upon approval of the City Council the improvements constructed on the partial width street may include: (a) the curb, gutter and sidewalk improvements adjacent to all abutting lots in the subdivision, (b) the water and sewer line, (c) a hard surfaced travelway portion having a width not less than one/half that required for the specified street class plus an additional twelve (12) feet of width, (d) all utility systems in the partial width street shall be located and constructed as set forth in City standards, and (e) storm drains.
- d. That there are no existing conditions which would have the effect of preventing the subsequent development of the remaining portion of the street.
- e. That construction of the partial width street at the proposed location will not create an unsafe or hazardous condition.

No final plat shall be approved where access to a proposed or existing street from adjacent property is proposed to be prohibited or is impaired by an access retainer strip ("nuisance" or "protective" strip).

9. **Cul-de-sac Streets.**(Ord 96-08 amended 5/28/96) Cul-de-sacs (dead end streets) shall be used only where unusual conditions exist which make other designs undesirable. Each cul-de-sac street shall have a minimum right-of-way width of fifty-four (54) feet and must be terminated by a turn-around having a radius of not less than sixty (60) feet to the property line. The maximum length of a cul-de-sac shall be four hundred and fifty (450) feet as measured from the center of the turn-around to the point of connection to the next intersecting street. Surface water must drain away from the turn-around, except where surface water cannot be drained away from the turn-around along the street, due to grade, necessary catch basins and drainage easements shall be provided.
10. **Number of Streets at Intersection.** No more than four streets shall enter an intersection.
11. **Angle of Street Intersections.** Streets shall intersect at ninety degrees, except where otherwise recommended as necessary by the Planning Commission and approved by the City Council. The minimum radius of property lines and back of curb at intersections shall be fifteen (15) feet and twenty-five (25) feet respectively
12. **Centerline of Intersecting Streets.** The centerline of two subordinate streets meeting a through street from opposite sides shall extend as a continuous line, or the centerline shall be offset at least one hundred fifty (150') feet. An exception may be given to the off-set requirement of up to 15 feet as recommended by the City Engineer and Planning Commission and approved by the City Council. (Amended by Ord. 2004-13, 9/28/04)
13. **Curved Streets Preferred.** In the design of subdivisions, curving streets shall be preferred to straight streets or rigid ninety degree grid systems.
14. **Frontage on Arterial Streets.** Driveways or other vehicular accesses to an individual lot that open onto any public street designated by the official City Street Plan as an arterial street may be used as an access if it is recommended by the City Engineer and Planning Commission and approved by the City Council. Turn-arounds, hammerhead or side-entry driveways must be

incorporated to ensure that vehicles will not back out on arterial streets. (Amended by Ord. 2004-13, 9/28/04)

#### 15. **Wildland Urban Interface.**

- a. Access. All developments in the Wildland Urban Interface area shall have more than one access route which provides simultaneous access for emergency equipment and civilian evacuation. The design of access routes shall take into consideration traffic circulation and provide for looping of roads as required to ensure at least two access points. Looped roads with a single access are not allowed.
- b. Exceptions. Where terrain features or other physical obstacles make provision of a second access impractical, a single access may be approved by the City Council after obtaining the recommendation of the Fire Chief and the Planning Commission.
- c. Specifications. All secondary access roads shall have a minimum all weather surface width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches to permit two-way traffic. These provisions will apply in lieu of those provided in Section 503 of the International Fire Code.

(Ord. 98-19 amending Ord. 78-03)

(Amended by Ord. 2014-12, 7/08/14; Ord. 2016-03, 02/23/16)

#### HISTORY

Amended by Ord. [2018-10](#) on 10/23/2018

Amended by Ord. [2019-12](#) on 6/11/2019

Amended by Ord. [2019-17](#) on 8/27/2019

# ALPINE CITY PLANNING COMMISSION AGENDA

**SUBJECT: Ordinance 2020-04: Business Commercial Setbacks**

**FOR CONSIDERATION ON: 21 July 2020**

**PETITIONER: Staff**

**ACTION REQUESTED BY PETITIONER: Review and approve the proposed ordinance.**

## **BACKGROUND INFORMATION:**

On May 5, 2020, the Planning Commission recommended reduced setbacks in the Business/Commercial zone. The City Council subsequently reviewed the recommendation at the May 12, 2020 City Council meeting and asked that the item return to Planning Commission to address mixed use buildings and how setbacks should be applied. At the June 16, 2020 meeting the Planning Commission asked that staff investigate a definition of “Primary Use” and return with findings and proposed language.

### **STAFF RECOMMENDATION:**

Review and recommend approval of the ordinance as proposed.

### **SAMPLE MOTION TO APPROVE:**

I motion to recommend that Ordinance 2020-04 be approved as proposed.

### **SAMPLE MOTION TO APPROVE WITH CONDITIONS:**

I motion to recommend that Ordinance 2020-04 be approved with the following conditions/changes:

- \*\*\*Insert Finding\*\*\*

### **SAMPLE MOTION TO TABLE/DENY:**

I motion to recommend that Ordinance 2020-04 be tabled/denied based on the following:

- \*\*\*Insert Finding\*\*\*

## PRIMARY USE

- “In Sunset City, we have worked out a Form-Based Code with all mixed-use zones. We simply identified the Neighborhood Zones as primarily residential with 100% residential by right and at least 75% Residential with conditional approval. Boulevard Zones (Collector/Arterial) as Primarily Residential- Bottom Floor Commercial by right, 100% residential with conditional approval. Town Center Zone- 25% Commercial minimum by right, less commercial by conditional approval.” (from planner at Sunset City, Utah)
- “Primary Use – The main use to which the premises is devoted and the primary purpose for which the premises exists (this definition is silent on whether or not square footage is taken into consideration, but in my experience you would often need to use that interpretation--an ancillary use’s square footage could not exceed the primary/principal uses square footage).” (from planner at Clinton City, Utah)
- “Use, Principal” (as defined in A Planners Dictionary)
  - “The primary use of any lot.” (Ann Arbor, Mich.)
  - “The main use to which the premises is devoted and the primary purpose for which the premises exists.” (Multnomah County, Ore.)
  - “The main or primary purpose for which a structure or lot is designed, arranged, or intended or for which it may be used, occupied, or maintained under this zoning bylaw.” (Maynard, Mass.)
  - “A use authorized or allowed alone in a specified use district for the preservation or promotion of which the use district is established and subject to the requirements of the regulations and standards of such use district, and to which all other uses are accessory, special, conditional, or nonconforming.” (Richland, Wash.)
  - “A primary use which is permitted in a district without the requirement for approval of a conditional use permit.” (San Juan Capistrano, Calif.)
  - “The main structure erected on or the main use occupying a lot, as distinguished from an accessory structure or use. (Wood River, Ill.) The primary or predominant use of any lot, building, or structure.” (Huntington, Ind.)

**ALPINE CITY  
ORDINANCE 2020-04**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 3.01.110 AND 3.07.050  
OF THE ALPINE CITY DEVELOPMENT CODE PERTAINING TO SETBACK  
REQUIREMENTS IN THE BUSINESS COMMERCIAL ZONE.**

**WHEREAS,** The Alpine City Council has deemed it in the best interest of Alpine City to change the setback requirements in the Business Commercial Zone; and

**WHEREAS,** the Alpine City Planning Commission has reviewed the proposed Amendments to the Development Code, held a public hearing, and has forwarded a recommendation to the City Council; and

**WHEREAS,** the Alpine City Council has reviewed the proposed Amendments to the Development Code:

**NOW THEREFORE,** be it ordained by the Council of Alpine City, in the State of Utah, as follows: The amendments to Article 3.01.110 and 3.07.050 will supersede Article 3.01.110 and 3.07.050 as previously adopted. This ordinance shall take effect upon posting.

**SECTION 1:****AMENDMENT** “3.07.050 Location Requirements” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.07.050 Location Requirements

All buildings shall comply with the following setbacks:

1. Front setback shall be not less than ~~thirty~~ fifteen (3015) feet from the property line on all streets; except corner lots, where setbacks shall not be less than eighteen (18) 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 ten (10) ~~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 twenty (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 (DCA 3.02.050 Part 1) unless recommended by the Planning Commission and approved by the City Council where circumstances justify.
5. Where a commercial use and dwelling unit occupy the same building (mixed use), the

~~p~~Primary ~~u~~Use shall determine the setback requirements. If the ~~p~~Primary ~~u~~Use is commercial, the building shall meet the setback requirements as outlined above. If the ~~p~~Primary ~~u~~Use is a dwelling, the building shall comply with the setback requirements set forth in the TR-10,000 zone (DCA 3.02.050 Part 1).

6. Accessory buildings shall be set back not less than five (5) feet from the main building.

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

(Amended by Ord. 98-05, 3/10/98)

**SECTION 2:            AMENDMENT “3.01.110 Definitions” of the Alpine City Development Code is hereby *amended* as follows:**

## AMENDMENT

### 3.01.110 Definitions

**ACCESSORY APARTMENT.** A subordinate dwelling unit within and part of a principle dwelling and which has its own cooking, sleeping and sanitation facilities.

**ACCESSORY BUILDING.** A detached subordinate building, the use of 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.

**AGRICULTURE.** The tilling of soil, the raising of crops, horticulture, the gardening, but not including the keeping or raising of domestic animals or fowl, except household pets, and not including any agricultural industry or business such as fruit packing plants, commercial egg production, or similar uses.

**APIARY.** Any place where one (1) or more colonies of bees are located.

**AVERAGE SLOPE OF LOT.** The average slope of a lot, expressed as the percent of slope, to be determined via computer modeling. AutoCAD or ESRI products are acceptable programs to be used for determining the average slope of lot; any other program must be pre-approved by the City Engineer.

**BEEKEEPING EQUIPMENT.** Anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards, and extractors.

**BUILDABLE AREA.** (Ord. 94-02, 2/8/94) A lot or portion thereof possessing all of the following physical characteristics:

1. The area contains no territory having a natural slope of twenty (20) percent or greater;

2. The area contains no territory which is located in any identified flood plain or within any recognized inundation zone, mud flow zone or zone of deformation, or lands subject to earth slippage, landslide or rockfall;
3. The engineering properties of the soil provide adequate structural support for the intended use;
4. The area does not possess any other recognized natural condition, which renders it unsafe for building purposes;
5. The area is within the building setback envelope as determined in accordance with the setback provisions of the zone; and
6. The area is readily capable of vehicular access from the adjacent public street over a driveway having a slope of not more than twelve (12) percent with no cut or fill greater than five feet as measured at the finished grade of the centerline alignment.

**BUILDING.** Any structure having a roof supported by columns or walls, built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

**CIVIC BUILDING.** A structure owned by the City and used for governmental purposes, including administrative buildings (City Hall) fire stations, police stations, libraries, but not including shop and repair facilities.

**COLONY.** Bees in a hive including queens, workers, or drones.

**CONDITIONAL USE.** A use of land that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

**CUSTOMARY RESIDENTIAL ACCESSORY STRUCTURE.** A structure constructed on the same zoning lot as a dwelling and which is intended for the incidental and exclusive use of the residents of said dwelling, including but not limited to detached garages, carports, swimming pools, tennis courts, green houses, storage buildings, and satellite dishes.

**DEVELOPMENT.** Any change to a parcel of ground, which alters it from its natural state in any way. This includes clearing, excavation, grading, installation of any infrastructure or erection of any types of buildings.

**DWELLING CLUSTER.** A Group of three (3) or more single-unit detached Dwellings whose respective Buildable Areas are located no more than 400 feet from one Buildable Area to the next closest Buildable Area as measured from the midpoint of each Buildable Area.

**DWELLING UNIT.** One or more rooms in a building or portion thereof designed, occupied, or intended as a residence for a family with complete and independent facilities for living, sleeping, eating, cooking, and sanitation provided within the dwelling unit. See also Dwelling, Single Family.

**DWELLING, MULTIPLE-UNIT.** A building arranged to be occupied by two (2) or more families, the structure having two (2) or more attached dwelling units.

**DWELLING, SINGLE FAMILY.** A building arranged or designed to include only one (1) dwelling unit occupied by one (1) family, including extended living areas or an accessory apartment which may be approved as provided elsewhere in this Code.

**ELECTRIC BICYCLE (CLASS 1).** bicycle equipped with an electric motor that: has a power output of not more than 750 watts; has fully operational pedals on permanently affixed cranks; is fully operational as a bicycle without the use of the electric motor; provides assistance only when the rider is pedaling; and ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. For the purpose of City ordinances, shall not be considered a motorized vehicle.

**FAMILY.** An individual or two (2) or more persons related by blood, marriage, adoption, or guardianship; or a group of not more than four (4) persons, (excluding domestic help) who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities. "Family" does not exclude the care of foster children.

**FENCES.** A fence shall include any tangible barrier, an obstruction of any material, a line of obstacles, lattice work, screen, wall, hedge, or continuous growth of shrubs with the purpose of preventing passage or view across a boundary or lot line. (Ord. 2004-13, 9/28/04)

1. Privacy fences are structures where the field of vision through the fence is less than 50%.
2. Open-style fences are structures where the field of vision through the fence is 50% or greater.

**FRONTAGE.** The width of the lot or parcel of land measured at the required front setback-line.

**GARAGE/CARPORT (PRIVATE).** A structure for the parking or temporary storage of automobiles, but which does not involve commercial repairing or storage.

**GEOLOGIC HAZARD.** A hazard inherent in the surface or subsurface of the earth or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to movement, failure, or shifting of earth.

**GROUP LIVING ARRANGEMENT.** A group living or congregate living arrangement where groups of more than four unrelated persons live together in a single dwelling unit, including, but not limited to, a batching apartment, Congregate Living Unit, Assisted Living Facility, Nursing Care Facility, Residential Facility for Persons With a Disability, dormitory, student housing, fraternity, club, institutional group, half-way house, or similar group living or congregate living arrangement.

**GUEST HOUSE.** An accessory building constructed on the same zoning lot as the principle Single-Unit dwelling to be used for temporary occupancy.

**HANDICRAFT PRODUCTION.** Production of an individual's one-of-a-kind objects for sale on the site.

**HELICOPTER.** A manned aircraft in which lift, flight and landing is achieved by means of one or more power-driven horizontal propellers.

**HELIPORT.** An area on land or upon a building or structure set aside and used for the landing or takeoff of helicopters or other manned rotary wing aircrafts capable of vertical takeoff or landing.

**HIVE.** A frame hive, box hive, box, barrel, log, gum skep, or other artificial or natural receptacle which may be used to house bees.

**HOME OCCUPATION.** Any gainful occupation, service, profession or similar activity conducted in a consistent and ongoing manner within a dwelling. Business activity consisting primarily of the sale of goods produced elsewhere on the premises (i.e. retail sales establishment) shall not qualify as a home occupation.

**HOBBY BEEKEEPER.** A person who owns or has charge of eight (8) or fewer hives of bees.

**HONEYBEE.** The common honeybee, *Apis mellifera* species, at any stage of development, but not including the African honeybee, *Apis mellifera scutellata* species, or any hybrid thereof.

**HOUSEHOLD PETS.** Animals or fowl ordinarily permitted to a residence and kept for company or pleasure, such as dogs, cats, fish and canaries. Household pets do not include inherently or potentially dangerous animals or fowl, or those normally considered agricultural livestock.

**IMPERVIOUS MATERIAL.** Matter that is impenetrable as by moisture.

**LOT.** A parcel or unit of land describable either by metes and bounds, or by other legal plat designation held or intended to be held in separate ownership or leasehold or a parcel or unit of land shown as a lot or parcel on a recorded subdivision map, or shown on a plat used in the lease or sale of land resulting from the division of a larger tract into smaller units. Lots shall be generally rectangular in nature, and shall have no more than five sides without an exception being recommended by the Planning Commission and approved by the City Council; the front of a property, located at the front right of way, does not count against this requirement.

**LOT, CORNER.** Shall mean a lot located at the junction of and fronting on two (2) or more intersecting streets.

**MOBILE HOME.** A detached dwelling designed for long-term occupancy and to be transported on its own wheels, or on a flatbed or other trailer or detachable wheels, and arriving at the site where it is to be occupied as a complete dwelling unit ready for occupancy except for connections to utilities and other minor work. Removal of such wheels or placing such dwelling unit on a foundation shall not remove such unit from classification as a mobile home. Excluded from this definition shall be those permanent dwelling structures that are constructed of component parts that are transported to the building site and which meet structural requirements of the Uniform Building Code and which are finished with exterior building material that is typical of permanent residential buildings.

**NON-CONFORMING USE.** A building or structure, or portion thereof, or use of a building or land which does not conform to use regulations for the district in which it is situated, but which is in conformity with said regulations, if any, at the time of its establishment.

**OFF STREET PARKING.** An area adjoining a building providing for the parking of automobiles which does not include a public street but has convenient access to it.

**OFFICE, PROFESSIONAL.** A building or space used by persons such as accountants, architects, artists, dentists, designers, engineers, lawyers, physicians, realtors, teachers, and others who, by virtue of training and for license, are qualified to perform services of a professional nature, and where storage of goods and sale of merchandise is minimal and secondary to performance of the service.

**OWNER OCCUPANT.** means, except as set forth in Subsection (3) of this definition:

1. an individual who:
  - a. possesses, as shown by a recorded deed, fifty (50) percent or more ownership in a dwelling unit; and
  - b. occupies the dwelling unit with a bonafide intent to make it his or her primary residence; or
2. an individual who:
  - a. is a trustor of a family trust which:
    - i. possesses fee title ownership to a dwelling unit;
    - ii. was created for estate planning purposes by one (1) or more trustors of the trust; and
  - b. occupies the dwelling unit owned by the family trust with a bonafide intent to make it his or her primary residence. Each living trustor of the trust shall so occupy the dwelling unit except for a trustor who temporarily resides elsewhere due to a disability or infirmity. In such event, the dwelling unit shall nevertheless be the domicile of the trustor during the trustor's temporary absence.
3. A person who meets the requirements of Subsections (1) and (2) of this definition shall not be deemed an owner occupant if the property on which the dwelling unit is located has more than one (1) owner and all owners of the property do not occupy the dwelling unit with a bona fide intent to make the dwelling unit their primary residence.
  - a. A claim that a person is not an owner occupant may be rebutted only by

documentation, submitted to the Planning and Zoning Department, showing that the person who occupies the dwelling unit has a bona fide intent to make the dwelling unit his or her primary residence as indicated by the following documents which show such person:

- i. is listed as a primary borrower on documents for any loan presently applicable to the property where the dwelling unit is located;
  - ii. has claimed all income, deductions, and depreciation from the property on his or her tax returns for the previous year;
  - iii. is the owner listed on all rental documents and agreements with tenants who occupy the dwelling unit, including any accessory apartment;
  - iv. is the owner listed on all insurance, utility, appraisal, or other contractual documents related to the property; and
  - v. is a full-time resident of Utah for Utah State income tax purposes.
- b. Any person who claims to be an owner of the dwelling unit, but who does not occupy it, shall provide documentation to the Planning and Zoning Department which shows such person:
- i. has not claimed any income, tax deduction, or depreciation for the property on the person's tax returns for the previous year;
  - ii. is not listed as an owner on any rental document or agreement with any tenant who occupies the dwelling unit, including any accessory apartment; and
  - iii. is not listed as an owner on any insurance, utility, appraisal, or a agreement related to the property.
- c. Any person, or group of persons, who fails, upon request of the Planning and Zoning Department, to provide any of the documents set forth in Subsections (3)(a) or (3)(b) of this definition or who provides a document showing that ownership of a dwelling unit is shared among persons who do not all occupy the dwelling unit shall mean for the purpose of this Title that such person or persons shall not be deemed an "owner occupant" of the dwelling unit in question.

**OPEN SPACE.** The use of land which leaves soil generally undisturbed and upon which natural vegetation, whether or not native to the area, occupies the major visible aspect of the land.

**PERMITTED USE.** A use of land for which no conditional use permit is required.

**PRIMARY USE.** The main use to which the premises is devoted and the primary purpose for which the premises exists. An ancillary use's square footage shall not exceed the primary uses square footage.

**PUBLIC USE.** A use operated or supervised exclusively by a public body, such use having the purpose of serving the public health, safety, or general welfare, and including uses such as public schools, parks, playgrounds, and other recreational facilities, administrative and service facilities, and public utilities.

**QUASI PUBLIC USE.** A use operated by a private non-profit educational, religious, recreational, charitable or philanthropic institution, having the primary purpose of serving the general public, such as churches, private schools, hospitals and similar uses.

**REASONABLE ACCOMMODATION.** A reasonable change in any rule, policy, practice, or service necessary to afford persons with a disability equal opportunity to use and enjoy a dwelling when compared to similarly-situated persons or groups.

**RECREATION, PUBLIC.** Recreation facilities operated by a public agency and open to the public with or without a fee.

**RESIDENCE.** A dwelling unit where an individual or family is actually domiciled at a given point in time and not a place of temporary sojourn or transient visit. Temporary sojourn or transient visit shall be thirty (30) days or less.

**RESIDENTIAL FACILITY FOR PERSONS WITH A DISABILITY.** A residence in which no more than eight (8) unrelated persons with a disability resides and which is:

1. Licensed or certified by the Department of Human Services under Title 62A, Chapter 2, of the Utah Code, Licensure of Programs and Facilities; or
2. Licensed or certified by the Department of Human Health under Title 26, Chapter 21, Health Care Facilities Licensing and Inspection Act.

**RETAINING WALL.** Any structure designed to resist the lateral displacement of soil or other materials. Examples include block walls, rock walls, concrete walls and segmented walls. A retaining wall is not considered a fence.

**SHORT TERM RENTAL.** Temporary lodging or place of stay that is rented (including but not limited to: hotels, motels, bed and breakfast, boarding houses, etc.) for a period of thirty (30) consecutive days or less.

**SIGN.** Any device for visual communication to the public displayed out-of-doors, including signs painted on exterior walls, and interior illuminated signs, to be viewed from out-of-doors, but not including a flag, badge, or ensign of any government or government agency.

**STREET, PUBLIC.** A thoroughfare which has been dedicated and accepted by proper public authority (or abandoned to the public) or a thoroughfare not less than twenty-four (24) feet wide which has been made public by right of use and which affords the principal means of access to abutting property.

**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; definition includes "building."

**YARD.** A required space on a lot other than a court, unoccupied and unobstructed from the ground upward, by buildings, except as otherwise provided herein.

**YARD, FRONT.** A space between the front of the main building on a lot and the front lot line or line of an abutting street or right-of-way and extending across the full width of a lot. The depth (or setback) of the front yard is the minimum distance between the front lot line, and the front-most part of the primary structure of the nearest main building at the foundation level. (Primary structure includes overhangs, porches, and decks).

**YARD, REAR.** A space between the back wall of the nearest main building extending the full width of the lot and the lot line that is most distant from, and is most nearly parallel with, the front lot line. If the rear lot line is less than ten feet (10') in length, or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a ten foot (10') line parallel to the front line, lying wholly within the lot for the purpose of establishing the minimum rear yard. The depth (or setback) of the rear yard is the minimum distance between the rear lot line and the rearmost part of the primary structure of the nearest main building at the foundation level.

(Primary structure includes overhangs, porches and decks. See drawing in Appendix A). (Ord. 2004-13, 9/28/04)

**YARD, SIDE.** A yard that is neither a front yard nor a rear yard. The depth (or setback) of the side yard is the minimum distance between the side lot line and the nearest part of the primary structure of the nearest main building at the foundation level. (Primary structure includes overhangs, porches and decks).

**ZONING LOT** (Ord. 94-02, 2/8/94). A lot or parcel of land which:

1. Meets all area (lot size), frontage (width), setback (yard), and other zoning requirements applicable within the zone in which it is located;
2. Abuts upon and has direct access to a street which has been dedicated to the City or otherwise accepted by the City as a City Street;
3. Is served by the minimum level of improvements required for issuance of a building permit or for which the construction of the minimum level of improvements is secured through the posting of a performance guarantee; and
4. Is shown as a separate lot on the final plat of a subdivision or similar development, which has been approved in accordance with the applicable ordinance, or is legally exempted from compliance with said ordinance. A parcel which is part of an unapproved or illegal subdivision shall not qualify as a zoning lot.

(Amended by Ord. 2004-14 on 9/28/04; Ord. 2009-16, 10/13/09; Ord. 20011-06, 03/08/11; Ord. 2011-12, 10/25/11; Ord. 2014-11, 6/24/14; Ord. 2015-02, 02/10/15; Ord. 2015-07, 05/26/15)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Lon Lott	_____	_____	_____	_____
Carla Merrill	_____	_____	_____	_____
Gregory Gordon	_____	_____	_____	_____
Jason Thelin	_____	_____	_____	_____
Jessica Smuin	_____	_____	_____	_____

Presiding Officer

Attest

\_\_\_\_\_  
Troy Stout, Mayor, Alpine City

\_\_\_\_\_  
Bonnie Cooper, City Recorder Alpine  
City

**ALPINE CITY  
ORDINANCE 2020-04**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 3.01.110 AND 3.07.050  
OF THE ALPINE CITY DEVELOPMENT CODE PERTAINING TO SETBACK  
REQUIREMENTS IN THE BUSINESS COMMERCIAL ZONE.**

**WHEREAS**, The Alpine City Council has deemed it in the best interest of Alpine City to change the setback requirements in the Business Commercial Zone; and

**WHEREAS**, the Alpine City Planning Commission has reviewed the proposed Amendments to the Development Code, held a public hearing, and has forwarded a recommendation to the City Council; and

**WHEREAS**, the Alpine City Council has reviewed the proposed Amendments to the Development Code:

**NOW THEREFORE**, be it ordained by the Council of Alpine City, in the State of Utah, as follows: The amendments to Article 3.01.110 and 3.07.050 will supersede Article 3.01.110 and 3.07.050 as previously adopted. This ordinance shall take effect upon posting.

**SECTION 1:**            **AMENDMENT** “3.07.050 Location Requirements” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.07.050 Location Requirements

All buildings shall comply with the following setbacks:

1. Front setback shall be not less than fifteen (15) feet from the property line on all streets; except corner lots, where setbacks shall not be less than eighteen (18) 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 ten (10) 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 twenty (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 (DCA 3.02.050 Part 1) unless recommended by the Planning Commission and approved by the City Council where circumstances justify.
5. Where a commercial use and dwelling unit occupy the same building (mixed use), the

Primary Use shall determine the setback requirements. If the Primary Use is commercial, the building shall meet the setback requirements as outlined above. If the Primary Use is a dwelling, the building shall comply with the setback requirements set forth in the TR-10,000 zone (DCA 3.02.050 Part 1).

6. Accessory buildings shall be set back not less than five (5) feet from the main building.

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

(Amended by Ord. 98-05, 3/10/98)

**SECTION 2:            AMENDMENT** “3.01.110 Definitions” of the Alpine City Development Code is hereby *amended* as follows:

## AMENDMENT

### 3.01.110 Definitions

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**ACCESSORY BUILDING.** A detached subordinate building, the use of 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.

**AGRICULTURE.** The tilling of soil, the raising of crops, horticulture, the gardening, but not including the keeping or raising of domestic animals or fowl, except household pets, and not including any agricultural industry or business such as fruit packing plants, commercial egg production, or similar uses.

**APIARY.** Any place where one (1) or more colonies of bees are located.

**AVERAGE SLOPE OF LOT.** The average slope of a lot, expressed as the percent of slope, to be determined via computer modeling. AutoCAD or ESRI products are acceptable programs to be used for determining the average slope of lot; any other program must be pre-approved by the City Engineer.

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1. The area contains no territory having a natural slope of twenty (20) percent or greater;
2. The area contains no territory which is located in any identified flood plain or within

any recognized inundation zone, mud flow zone or zone of deformation, or lands subject to earth slippage, landslide or rockfall;

3. The engineering properties of the soil provide adequate structural support for the intended use;
4. The area does not possess any other recognized natural condition, which renders it unsafe for building purposes;
5. The area is within the building setback envelope as determined in accordance with the setback provisions of the zone; and
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**DWELLING CLUSTER.** A Group of three (3) or more single-unit detached Dwellings whose respective Buildable Areas are located no more than 400 feet from one Buildable Area to the next closest Buildable Area as measured from the midpoint of each Buildable Area.

**DWELLING UNIT.** One or more rooms in a building or portion thereof designed, occupied, or intended as a residence for a family with complete and independent facilities for living, sleeping, eating, cooking, and sanitation provided within the dwelling unit. See also Dwelling, Single Family.

**DWELLING, MULTIPLE-UNIT.** A building arranged to be occupied by two (2) or more families, the structure having two (2) or more attached dwelling units.

**DWELLING, SINGLE FAMILY.** A building arranged or designed to include only one (1) dwelling unit occupied by one (1) family, including extended living areas or an accessory apartment which may be approved as provided elsewhere in this Code.

**ELECTRIC BICYCLE (CLASS 1),** bicycle equipped with an electric motor that: has a power output of not more than 750 watts; has fully operational pedals on permanently affixed cranks; is fully operational as a bicycle without the use of the electric motor; provides assistance only when the rider is pedaling; and ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. For the purpose of City ordinances, shall not be considered a motorized vehicle.

**FAMILY.** An individual or two (2) or more persons related by blood, marriage, adoption, or guardianship; or a group of not more than four (4) persons, (excluding domestic help) who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities. "Family" does not exclude the care of foster children.

**FENCES.** A fence shall include any tangible barrier, an obstruction of any material, a line of obstacles, lattice work, screen, wall, hedge, or continuous growth of shrubs with the purpose of preventing passage or view across a boundary or lot line. (Ord. 2004-13, 9/28/04)

1. Privacy fences are structures where the field of vision through the fence is less than 50%.
2. Open-style fences are structures where the field of vision through the fence is 50% or greater.

**FRONTAGE.** The width of the lot or parcel of land measured at the required front setback-line.

**GARAGE/CARPORT (PRIVATE).** A structure for the parking or temporary storage of automobiles, but which does not involve commercial repairing or storage.

**GEOLOGIC HAZARD.** A hazard inherent in the surface or subsurface of the earth or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to movement, failure, or shifting of earth.

**GROUP LIVING ARRANGEMENT.** A group living or congregate living arrangement where groups of more than four unrelated persons live together in a single dwelling unit, including, but not limited to, a batching apartment, Congregate Living Unit, Assisted Living Facility, Nursing Care Facility, Residential Facility for Persons With a Disability, dormitory, student housing, fraternity, club, institutional group, half-way house, or similar group living or congregate living arrangement.

**GUEST HOUSE.** An accessory building constructed on the same zoning lot as the principle Single-Unit dwelling to be used for temporary occupancy.

**HANDICRAFT PRODUCTION.** Production of an individual's one-of-a-kind objects for sale on the site.

**HELICOPTER.** A manned aircraft in which lift, flight and landing is achieved by means of one or more power-driven horizontal propellers.

**HELIPORT.** An area on land or upon a building or structure set aside and used for the landing or takeoff of helicopters or other manned rotary wing aircrafts capable of vertical takeoff or landing.

**HIVE.** A frame hive, box hive, box, barrel, log, gum skep, or other artificial or natural receptacle which may be used to house bees.

**HOME OCCUPATION.** Any gainful occupation, service, profession or similar activity conducted in a consistent and ongoing manner within a dwelling. Business activity consisting primarily of the sale of goods produced elsewhere on the premises (i.e. retail sales establishment) shall not qualify as a home occupation.

**HOBBY BEEKEEPER.** A person who owns or has charge of eight (8) or fewer hives of bees.

**HONEYBEE.** The common honeybee, *Apis mellifera* species, at any stage of development, but not including the African honeybee, *Apis mellifera scutellata* species, or any hybrid thereof.

**HOUSEHOLD PETS.** Animals or fowl ordinarily permitted to a residence and kept for company or pleasure, such as dogs, cats, fish and canaries. Household pets do not include inherently or potentially dangerous animals or fowl, or those normally considered agricultural livestock.

**IMPERVIOUS MATERIAL.** Matter that is impenetrable as by moisture.

**LOT.** A parcel or unit of land describable either by metes and bounds, or by other legal plat designation held or intended to be held in separate ownership or leasehold or a parcel or unit of land shown as a lot or parcel on a recorded subdivision map, or shown on a plat used in the lease or sale of land resulting from the division of a larger tract into smaller units. Lots shall be generally rectangular in nature, and shall have no more than five sides without an exception being recommended by the Planning Commission and approved by the City Council; the front of a property, located at the front right of way, does not count against this requirement.

**LOT, CORNER.** Shall mean a lot located at the junction of and fronting on two (2) or more intersecting streets.

**MOBILE HOME.** A detached dwelling designed for long-term occupancy and to be transported on its own wheels, or on a flatbed or other trailer or detachable wheels, and arriving at the site where it is to be occupied as a complete dwelling unit ready for occupancy except for connections to utilities and other minor work. Removal of such wheels or placing such dwelling unit on a foundation shall not remove such unit from classification as a mobile home. Excluded from this definition shall be those permanent dwelling structures that are constructed of component parts that are transported to the building site and which meet structural requirements of the Uniform Building Code and which are finished with exterior building material that is typical of permanent residential buildings.

**NON-CONFORMING USE.** A building or structure, or portion thereof, or use of a building or land which does not conform to use regulations for the district in which it is situated, but which is in conformity with said regulations, if any, at the time of its establishment.

**OFF STREET PARKING.** An area adjoining a building providing for the parking of automobiles which does not include a public street but has convenient access to it.

**OFFICE, PROFESSIONAL.** A building or space used by persons such as accountants, architects, artists, dentists, designers, engineers, lawyers, physicians, realtors, teachers, and others who, by virtue of training and for license, are qualified to perform services of a professional nature, and where storage of goods and sale of merchandise is minimal and secondary to performance of the service.

**OWNER OCCUPANT.** means, except as set forth in Subsection (3) of this definition:

1. an individual who:
  - a. possesses, as shown by a recorded deed, fifty (50) percent or more ownership in a dwelling unit; and
  - b. occupies the dwelling unit with a bonafide intent to make it his or her primary residence; or
2. an individual who:
  - a. is a trustor of a family trust which:
    - i. possesses fee title ownership to a dwelling unit;
    - ii. was created for estate planning purposes by one (1) or more trustors of the trust; and
  - b. occupies the dwelling unit owned by the family trust with a bonafide intent to make it his or her primary residence. Each living trustor of the trust shall so occupy the dwelling unit except for a trustor who temporarily resides elsewhere due to a disability or infirmity. In such event, the dwelling unit shall nevertheless be the domicile of the trustor during the trustor's temporary absence.
3. A person who meets the requirements of Subsections (1) and (2) of this definition shall not be deemed an owner occupant if the property on which the dwelling unit is located has more than one (1) owner and all owners of the property do not occupy the dwelling unit with a bona fide intent to make the dwelling unit their primary residence.
  - a. A claim that a person is not an owner occupant may be rebutted only by documentation, submitted to the Planning and Zoning Department, showing that the person who occupies the dwelling unit has a bona fide intent to make the dwelling unit his or her primary residence as indicated by the following documents which show such person:
    - i. is listed as a primary borrower on documents for any loan presently applicable to the property where the dwelling unit is located;
    - ii. has claimed all income, deductions, and depreciation from the property on his or her tax returns for the previous year;
    - iii. is the owner listed on all rental documents and agreements with tenants who occupy the dwelling unit, including any accessory apartment;

- iv. is the owner listed on all insurance, utility, appraisal, or other contractual documents related to the property; and
  - v. is a full-time resident of Utah for Utah State income tax purposes.
- b. Any person who claims to be an owner of the dwelling unit, but who does not occupy it, shall provide documentation to the Planning and Zoning Department which shows such person:
- i. has not claimed any income, tax deduction, or depreciation for the property on the person's tax returns for the previous year;
  - ii. is not listed as an owner on any rental document or agreement with any tenant who occupies the dwelling unit, including any accessory apartment; and
  - iii. is not listed as an owner on any insurance, utility, appraisal, or a agreement related to the property.
- c. Any person, or group of persons, who fails, upon request of the Planning and Zoning Department, to provide any of the documents set forth in Subsections (3)(a) or (3)(b) of this definition or who provides a document showing that ownership of a dwelling unit is shared among persons who do not all occupy the dwelling unit shall mean for the purpose of this Title that such person or persons shall not be deemed an "owner occupant" of the dwelling unit in question.

**OPEN SPACE.** The use of land which leaves soil generally undisturbed and upon which natural vegetation, whether or not native to the area, occupies the major visible aspect of the land.

**PERMITTED USE.** A use of land for which no conditional use permit is required.

**PRIMARY USE.** The main use to which the premises is devoted and the primary purpose for which the premises exists. An ancillary use's square footage shall not exceed the primary uses square footage.

**PUBLIC USE.** A use operated or supervised exclusively by a public body, such use having the purpose of serving the public health, safety, or general welfare, and including uses such as public schools, parks, playgrounds, and other recreational facilities, administrative and service facilities, and public utilities.

**QUASI PUBLIC USE.** A use operated by a private non-profit educational, religious, recreational, charitable or philanthropic institution, having the primary purpose of serving the general public, such as churches, private schools, hospitals and similar uses.

**REASONABLE ACCOMMODATION.** A reasonable change in any rule, policy, practice, or service necessary to afford persons with a disability equal opportunity to use and enjoy a dwelling when compared to similarly-situated persons or groups.

**RECREATION, PUBLIC.** Recreation facilities operated by a public agency and open to the public with or without a fee.

**RESIDENCE.** A dwelling unit where an individual or family is actually domiciled at a given point in time and not a place of temporary sojourn or transient visit. Temporary sojourn or transient visit shall be thirty (30) days or less.

**RESIDENTIAL FACILITY FOR PERSONS WITH A DISABILITY.** A residence in which no more than eight (8) unrelated persons with a disability resides and which is:

1. Licensed or certified by the Department of Human Services under Title 62A, Chapter 2, of the Utah Code, Licensure of Programs and Facilities; or
2. Licensed or certified by the Department of Human Health under Title 26, Chapter 21, Health Care Facilities Licensing and Inspection Act.

**RETAINING WALL.** Any structure designed to resist the lateral displacement of soil or other materials. Examples include block walls, rock walls, concrete walls and segmented walls. A retaining wall is not considered a fence.

**SHORT TERM RENTAL.** Temporary lodging or place of stay that is rented (including but not limited to: hotels, motels, bed and breakfast, boarding houses, etc.) for a period of thirty (30) consecutive days or less.

**SIGN.** Any device for visual communication to the public displayed out-of-doors, including signs painted on exterior walls, and interior illuminated signs, to be viewed from out-of-doors, but not including a flag, badge, or ensign of any government or government agency.

**STREET, PUBLIC.** A thoroughfare which has been dedicated and accepted by proper public authority (or abandoned to the public) or a thoroughfare not less than twenty-four (24) feet wide which has been made public by right of use and which affords the principal means of access to abutting property.

**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; definition includes "building."

**YARD.** A required space on a lot other than a court, unoccupied and unobstructed from the ground upward, by buildings, except as otherwise provided herein.

**YARD, FRONT.** A space between the front of the main building on a lot and the front lot line or line of an abutting street or right-of-way and extending across the full width of a lot. The depth (or setback) of the front yard is the minimum distance between the front lot line, and the front-most part of the primary structure of the nearest main building at the foundation level. (Primary structure includes overhangs, porches, and decks).

**YARD, REAR.** A space between the back wall of the nearest main building extending the full width of the lot and the lot line that is most distant from, and is most nearly parallel with, the front lot line. If the rear lot line is less than ten feet (10') in length, or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a ten foot (10') line parallel to the front line, lying wholly within the lot for the purpose of establishing the minimum rear yard. The depth (or setback) of the rear yard is the minimum distance between the rear lot line and the rearmost part of the primary structure of the nearest main building at the foundation level.

(Primary structure includes overhangs, porches and decks. See drawing in Appendix A). (Ord. 2004-13, 9/28/04)

**YARD, SIDE.** A yard that is neither a front yard nor a rear yard. The depth (or setback) of the side yard is the minimum distance between the side lot line and the nearest part of the primary structure of the nearest main building at the foundation level. (Primary structure includes overhangs, porches and decks).

**ZONING LOT** (Ord. 94-02, 2/8/94). A lot or parcel of land which:

1. Meets all area (lot size), frontage (width), setback (yard), and other zoning requirements applicable within the zone in which it is located;
2. Abuts upon and has direct access to a street which has been dedicated to the City or otherwise accepted by the City as a City Street;
3. Is served by the minimum level of improvements required for issuance of a building permit or for which the construction of the minimum level of improvements is secured through the posting of a performance guarantee; and
4. Is shown as a separate lot on the final plat of a subdivision or similar development, which has been approved in accordance with the applicable ordinance, or is legally exempted from compliance with said ordinance. A parcel which is part of an unapproved or illegal subdivision shall not qualify as a zoning lot.

(Amended by Ord. 2004-14 on 9/28/04; Ord. 2009-16, 10/13/09; Ord. 20011-06, 03/08/11; Ord. 2011-12, 10/25/11; Ord. 2014-11, 6/24/14; Ord. 2015-02, 02/10/15; Ord. 2015-07, 05/26/15)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Lon Lott	_____	_____	_____	_____
Carla Merrill	_____	_____	_____	_____
Gregory Gordon	_____	_____	_____	_____
Jason Thelin	_____	_____	_____	_____
Jessica Smuin	_____	_____	_____	_____

Presiding Officer

Attest

\_\_\_\_\_  
Troy Stout, Mayor, Alpine City

\_\_\_\_\_  
Bonnie Cooper, City Recorder Alpine  
City

## **ALPINE PLANNING COMMISSION AGENDA**

**SUBJECT:** Discussion – Limitations on Size of Lots and Structures in the City

**FOR CONSIDERATION ON:** 21 July 2020

**PETITIONER:** Mayor and City Council

**ACTION REQUESTED BY PETITIONER:** Review ordinance and determine if a new ordinance should be recommended.

### **BACKGROUND INFORMATION:**

Continuing discussion from the June 2<sup>nd</sup> and June 16<sup>th</sup> Planning Commission meetings. At the last meeting (June 16<sup>th</sup>), the Planning Commission asked that staff investigate how other cities have handled the issue of lot, home, and accessory structure sizes. Per request, staff have put together information from other cities for discussion.

### **STAFF RECOMMENDATION:**

Discuss limitations for size of lot, home, accessory structure, and other buildings, and decide if a new ordinance is recommended.

## LIMITATIONS ON LOT SIZE, HOUSE SIZE & ACCESSORY STRUCTURES

- “North Ogden City restricts homes to 35% of a lot. The total of building footprints, concrete, and other hard surfaces can be no greater than 50% of the lot. There is a height restriction of 35’ as well. These all apply to the SFR zones.” (North Ogden City)
- “In SLC we have a maximum lot size in our single family zones that is equal to 1.5 times the minimum lot size. We also restrict lot coverage to anywhere between 30-40% in those zones for all buildings on the lot. Both of these were added about 15 years ago due to the exact issue you are describing.” (Salt Lake City)
- “We limit the size, height and setback based on the size of the lot and not the zone. The same goes for accessory buildings.” (City of Holladay)
- “Nibley City has maximum square footage limits for accessory structures dependent upon the size of the lot. There is also a provision that accessory structures can’t occupy more than 25 percent of the backyard...”. (Nibley City)
- “We’ve had similar activity in our benches and foothills. We don’t have any ordinances prohibiting this type of activity and in fact don’t really find anything objectionable about it if that’s what people want to do. We’ve had to be careful about correctly assessing impact fees and also caring about potential water usage (and over-usage), but unless there’s some community objection to large homes, there’s really no safety or general welfare concerns that should become a barrier to people doing that. We have had one or two complaints from neighbors, but we never found a legitimate reason to restrict the practice of combining lots or building large homes. We have a 22,000 square foot home on 3 lots and no one seemed to have a good reason why not to approve it at the time.

I suppose you could pass an ordinance saying that subdivision lots, once created, cannot be eliminated or changed. Or maybe you could have a maximum lot size, but I’m not certain you could demonstrate any legitimate public purposes for doing either of those things.” (North Salt Lake)

**21A.24.020: FR-1/43,560 FOOTHILLS ESTATE RESIDENTIAL DISTRICT:**

A. Purpose Statement: The purpose of the FR-1/43,560 Foothills Estate Residential District is to promote environmentally sensitive and visually compatible development of lots not less than forty three thousand five hundred sixty (43,560) square feet in size, suitable for foothills locations as indicated in the applicable community Master Plan. The district is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character of foothill areas by limiting development; to promote the safety and well being of present and future residents of foothill areas; to protect wildlife habitat; and to ensure the efficient expenditure of public funds.

B. Uses: Uses in the FR-1/43,560 Foothills Estate Residential District, as specified in section 21A.33.020, "Table Of Permitted And Conditional Uses For Residential Districts", of this title, are permitted subject to the general provisions set forth in section 21A.24.010 of this chapter, including subsection 21A.24.010P of this chapter, and this section.

C. Minimum Lot Area And Lot Width: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Municipal service uses, including City utility uses and police and fire stations	No minimum	No minimum
Natural open space and conservation areas, public and private	No minimum	No minimum
Places of worship less than 4 acres in size	43,560 square feet	140 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family detached dwellings	43,560 square feet	140 feet
Utility substations and buildings	43,560 square feet	140 feet
Other permitted or conditional uses as listed in section 21A.33.020 of this title	43,560 square feet	140 feet

D. Maximum Building Height: See subsections 21A.24.010P1 and P2 of this chapter.

E. Minimum Yard Requirements:

1. Front Yard: The minimum depth of the front yard for all principal buildings shall be equal to the average of the front yards of existing buildings within the block face. Where there are no existing buildings within the block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail. For buildings legally existing on April 12, 1995, the required front yard shall be no greater than the established setback line of the existing building.

2. Corner Side Yard: The minimum depth of the corner side yard for all principal buildings shall be equal to the average of the existing buildings on the block face. Where there are no other existing buildings on the block face, the minimum depth shall be twenty feet (20'). Where the minimum corner side yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.

3. Interior Side Yard: Twenty feet (20').

4. Rear Yard: Forty feet (40').

5. Accessory Buildings And Structures In Yards: No accessory building may be located within any required yard, regardless of any other regulations in this title. Accessory structures (other than accessory buildings) are permitted subject to section 21A.36.020, table 21A.36.020B of this title.

F. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed twenty five percent (25%) of the lot area.

G. Slope Restrictions: For lots subdivided after November 4, 1994, no building shall be constructed on any portion of the site that exceeds a thirty percent (30%) slope. All faces of buildings and structures shall be set back from any nonbuildable area line, as shown on the plat if any, a minimum of ten feet (10') and an average of twenty feet (20').

H. Unauthorized Site Work Prohibited: No grading, excavation, building, removal of vegetation or other site work shall be allowed without specific authorization. Site work not authorized by a building permit shall be permitted only upon issuance of a site development permit in conformance with the requirements of the site development ordinance, unless the proposed work is specifically exempt from the site development ordinance.

I. Landscape Plan: A landscape plan conforming to the requirements of chapter 21A.48 of this title shall be required.

J. Maximum Lot Size: With the exception of lots created by a subdivision or subdivision amendment recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed sixty five thousand three hundred forty (65,340) square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;

2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

K. Standards For Attached Garages:

1. Width Of An Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the front facade of the house. The width of the garage is equal to the width of the garage door, or in the case of multiple garage doors, the sum of the widths of each garage door plus the width of any intervening wall elements between garage doors.
2. Located Behind Or In Line With The Front Line Of The Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in section 21A.62.040 of this title), unless:
  - a. A new garage is constructed to replace an existing garage that is forward of the "front line of the building". In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced;
  - b. At least sixty percent (60%) of the existing garages on the block face are located forward of the "front line of the building";or
  - c. The garage doors will face a corner side lot line. (Ord. 46-17, 2017: Ord. 59-16, 2016: Ord. 7-14, 2014: Ord. 66-13, 2013: Ord. 12-11, 2011: Ord. 90-05 § 2 (Exh. B), 2005: Ord. 26-95 § 2(12-1), 1995)

## **19.24.060 Accessory Buildings In Residential Zones**

A. Definitions: For the purpose of this section, the following will be used as definitions:

1. **ACCESSORY BUILDINGS:** An "accessory building" for both residential and nonresidential development is defined as a building that:
  - a. Is detached from the principal building, and
  - b. Is clearly a supplementary use to the principal building, and
  - c. Is not intended for human habitation.

Examples include storage buildings, residential greenhouses, detached garages, etc. Attached accessory buildings must comply with all setbacks and zoning regulations of the principal structure.

2. **ACCESSORY STRUCTURES:** A structure that does not provide shelter from the elements. Examples include swimming pools and pool screening and decking, barbecue pits, decks, etc. Not included in this definition and not regulated by this section are driveways, fences, walls, birdbaths, decorative ponds, and at grade patios.
3. **DETACHED GARAGE/STRUCTURE:** Any garage or structure sharing less than fifty percent (52%) of a common wall, with no less than fifteen feet (17') in common and sharing access directly from the primary structure, shall be considered detached and an accessory building and shall be subject to the provisions of this section.

B. General Requirements:

1. A permit is required for accessory buildings greater than one hundred twenty (120) square feet in industrial, commercial or neighborhood commercial zone; or two hundred (200) square feet in a residential zone. A permit may be required for accessory buildings under the size stated above if improvements of the structure require further review from Nibley City Building Inspector as stated in the adopted building code. Accessory building in excess of 15' in height must obtain a building permit.
2. All accessory buildings, regardless of size, shall comply with all the setback requirements found in NCC 19.22.010. Setbacks shall be measured from the outermost section of the building.
3. The total square footage of all accessory buildings shall not occupy more than twenty five percent (32%) of the rear yard.
4. Accessory buildings must be anchored to a concrete slab, or other methods approved by the building inspector.
5. Accessory buildings shall not be located in front of the principal building.
6. No accessory building or use shall be constructed or developed on a lot prior to construction of the principal building.

C. Size Restrictions: In order to preserve the residential character, the following shall serve as size restrictions on accessory buildings located in residential zones in Nibley City:

Lot Size	Maximum Square Footage	Maximum Building Height (Feet)

0 - 14,000 square feet	1,000	20
0.33 - 0.49 acre	1,200	20
0.5 - 0.74 acre	1,500	20
0.75 - 0.99 acre	3,000	30
1.0 - 1.99 acres	5,000	30
2.0 acres and above	No limit	30

D. Use Regulations: The following uses are prohibited in accessory buildings:

1. Living space.
2. Hazardous chemical storage.

E. Supplemental Regulations:

1. Open Carports: Detached or attached open carports, consisting of a roof and members for support, shall be located in either the side or rear yard and must comply with all the setbacks of the principal building of the zoning district of the property.
2. Accessory Structures: All accessory structures (i.e., structures that do not offer shelter from the weather such as barbecue pits, decks, swimming pools, residential doghouses, etc.) are required to comply with the location criteria and setback regulations as identified for accessory buildings.
3. Prohibited Accessory Buildings And Structures: The following accessory buildings and structures are prohibited in all zones:
  - a. Tents (when used over a 2 week period unless approved by the plan commission).
  - b. Trailers and mobile homes (when used as an accessory building).
4. Nonconforming Uses: All other accessory buildings and structures not in compliance at the time of the adoption hereof are hereby vested or grandfathered and notwithstanding the nonconforming chapter of this title may be allowed to continue to exist.

HISTORY

Adopted by Ord. 08-12 on 7/17/2008

Amended by Ord. [18-03](#) on 3/1/2018



**Proposed new ordinances:**

3.02.060.4 Multiple Lot Structures

Structures (primary residence, building extension, accessory building, etc.) built across lot lines are not allowed except for the following provisions:

- a. The structure would fit within one of the lots of the combined lots, and
- b. The structure satisfies all other development code requirements.

3.03.080.5 Multiple Lot Structures

Structures (primary residence, building extension, accessory building, etc.) built across lot lines are not allowed except for the following provisions:

- a. The structure would fit within the buildable area of one of the lots of the combined lots, and
- b. The structure satisfies all other development code requirements.

3.04.080.5 Multiple Lot Structures

Structures (primary residence, building extension, accessory building, etc.) built across lot lines are not allowed except for the following provisions:

- a. The structure would fit within the buildable area of one of the lots of the combined lots, and
- b. The structure satisfies all other development code requirements.

3.05.080.5 Multiple Lot Structures

Structures (primary residence, building extension, accessory building, etc.) built across lot lines are not allowed except for the following provisions:

- a. The structure would fit within the buildable area of one of the lots of the combined lots, and
- b. The structure satisfies all other development code requirements.

3.06.070.5 Multiple Lot Structures

Structures (primary residence, building extension, accessory building, etc.) built across lot lines are not allowed except for the following provisions:

- a. The structure would fit within the buildable area of one of the lots of the combined lots, and
- b. The structure satisfies all other development code requirements.

## **ALPINE PLANNING COMMISSION AGENDA**

**SUBJECT: Planning Commission Minutes June 16, 2020**

**FOR CONSIDERATION ON: 21 July 2020**

**PETITIONER: Staff**

**ACTION REQUESTED BY PETITIONER: Approve Minutes**

### **BACKGROUND INFORMATION:**

Minutes from the June 16, 2020 Planning Commission Meeting.

### **STAFF RECOMMENDATION:**

Review and approve the Planning Commission Minutes.

**ALPINE CITY PLANNING COMMISSION MEETING**  
**Alpine City Hall, 20 North Main, Alpine, UT**  
**June 16, 2020**

**I. GENERAL BUSINESS**

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

Chairman: Jane Griener

Commission Members: Ed Bush, Ethan Allen, John MacKay, Alan MacDonald, Troy Slade, Sylvia Christiansen

Excused:

Staff: Austin Roy, Jed Muhlestein, Marla Fox

Others: Craig Walker, Clark Burgess

**B. Prayer/Opening Comments:** Ed Bush

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

**II. PUBLIC COMMENT**

Kirsten Robinson said she lived in Alpine and grew up in Highland. She asked the City to not allow Blue Bison to put a road through their city.

**III. ACTION ITEMS**

**A. Conditional Use Permit – Freeman Auto Mechanic**

Austin Roy said the applicant requested a conditional use permit for a mechanical automotive shop to be located at the Alpine Stop gas station. The gas station had two large garage bays on the back that were originally used as a car wash. The garage bays were currently vacant. The area south of the garage bays was a gated parking area with a privacy fence. It was proposed that the site be permitted for a mechanical automotive shop. The building could be used as is; there was no need for remodel or additions. No changes would occur to the exterior looks or style other than routine maintenance.

Austin Roy showed pictures as well as the location of the building. He said nothing new would be built or modified. The owner of the building said he may add a sign or paint one on the building. Austin Roy said there was existing lighting on the building. Mechanical work on cars would be done in the two garage bays and parking of the cars would be in the back of the building. Austin Roy said a parking plan would need to be provided. Parking in the front of the building would require an exception. The owner said extra cars would be parked in the back and the only cars out front would be the ones coming in and out for repair.

Austin Roy explained that another concern would be on street parking and the applicant needed to provide their plan on to the Planning Commission. Mechanic shops were allowed to have up to three parking stalls per bay. This limited broken cars from backing up on the lot. Austin Roy said the City allowed more than one business to be in the same building, but parking needed to be looked at closely. The City needed to look at how this will impact the gas station on the other side. Austin Roy said the Planning Commission should review where the signage should go.

Jane Griener asked if this was a separate business from the gas station. Austin Roy said the business was in the same building owned by the same person, but the mechanic shop would lease the back portion of the building. She felt the permit would not fit well with the City plan.

1 Ed Bush said the area was an eye sore, but he wanted to see a better plan of what this would look like before  
2 he voted on it. He wanted to know if there was a landscaping plan. He also would like to see a professional  
3 sign and not something painted on the garage door.

4  
5 Alan MacDonald said he agreed and would like to see a plan with off-street parking and signage. He said  
6 he would like to see this tabled and a more thorough plan brought back to review.

7  
8 Jane Griener noted that this proposal did not meet the Gateway Historic Guidelines.

9  
10 Ed Bush said this was an existing building that was given a conditional use permit and would not have the  
11 same requirements as a new building.

12  
13 Austin Roy said Planning Commission could not require Gateway Historic requirements on an already  
14 existing building. He said they could make decisions on signage, landscaping, and parking. When another  
15 similar situation occurred, the Fire Chief looked at the building to see if there were new fire codes that  
16 needed to be followed. The City also did not want the bays facing the street to make the area look nicer.

17  
18 Troy Slade said parking in front of the bays was concerning in that high traffic area. He said the applicant  
19 could close off the front doors and use the rear doors to create more of a store front.

20  
21 Ed Bush said he thought the Planning Commission should deny this proposal until a better plan was  
22 submitted. He said they needed more information on odors, noise, and how the applicant was going to meet  
23 State and Environmental Codes.

24  
25 **MOTION:** Alan MacDonald moved to recommend DENYING the Freeman Auto Mechanic Shop to the  
26 City Council based on the following:

- 27 1. No off-street parking plan;
- 28 2. No signage plan;
- 29 3. No landscaping plan;
- 30 4. No exterior improvement plan;
- 31 5. No Fire Marshall safety inspection or recommendation;
- 32 6. No noise mitigation or compliance plan with the conditional uses;
- 33 7. No environmental protection compliance plan.

34  
35  
36 John MacKay seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed  
37 unanimously.

38  
39 **Ayes:**

40 Ed Bush  
41 Ethan Allen  
42 John MacKay  
43 Jane Griener  
44 Alan MacDonald  
45 Troy Slade  
46 Sylvia Christiansen

**Nays:**

None

47  
48 **B. Ordinance 2020-04; Business Commercial Setbacks**

49 Austin Roy said on May 5, 2020, the Planning Commission recommended reduced setbacks in the  
50 Business/Commercial zone. The City Council subsequently reviewed the recommendation at the May 12,

1 2020 City Council meeting and asked that the item return to the Planning Commission to address mixed  
2 use buildings and how setbacks should be applied.

3  
4 Staff prepared proposed language regarding mixed use buildings for the Planning Commission to discuss.  
5 Austin Roy said the new proposed language would state: *Where a commercial use and dwelling unit occupy*  
6 *the same building (mixed use), the primary use shall determine the setback requirements. If the primary*  
7 *use is commercial, the building shall meet the setback requirements as outlined above. If the primary use*  
8 *is a dwelling, the building shall comply with the setback requirements set forth in the TR-10,000 zone (DCA*  
9 *3.02.050 Part 1).*

10  
11 Jane Griener remembered working on this section in the General Plan and wanted to know if the updated  
12 plan was ever adopted by the City Council. Austin Roy said the City Council had not adopted the new  
13 General Plan. Jane Griener said she would like the City Council to review it so the Planning Commission  
14 could work off the new plan and not one that was thirteen years old.

15  
16 Alan MacDonald said the Planning Commission needed to determine what the primary use was. Jane  
17 Griener said the Planning Commission should take out the term “primary use” and use “square footage” to  
18 determine who the primary user was.

19  
20 The Planning Commission asked Austin Roy to research how other cities handled this primary use  
21 definition issue, and to eventually add it to the City code.

22  
23 **MOTION:** John MacKay moved to table the issue of Ordinance 2020-04 until the following:

- 24  
25 1. Staff to create a new definition of primary use.

26  
27 Alan MacDonald seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion  
28 passed unanimously.

29  
30 **Ayes:**

31 Ed Bush  
32 Ethan Allen  
33 John MacKay  
34 Jane Griener  
35 Alan MacDonald  
36 Troy Slade  
37 Sylvia Christiansen

30 **Nays:**

31 None

38  
39 **C. Discussion – Bangerter & Burgess Properties**

40 The City was approached by the Bangerter family and Clark Burgess regarding properties along the South  
41 end of Alpine Highway. Both parties were seeking to work with the City to best plan the future of these  
42 properties.

43  
44 The Bangerter property consisted of approximately twenty-seven acres located at 542 South Alpine  
45 Highway and included another approximately two acres of the Duffles property located along 800 South.  
46 The Bangerters would like to work with the City on planning the best use of this property before they sold  
47 it. See attached letter from Paulo Bangerter for details of proposal.

48  
49 The Burgess property consisted of approximately 9.7 acres and was located due East of the Bangerter  
50 property at 642 South Alpine Highway. Clark Burgess was not looking to sell his property in the near

1 future but would like to be included in the discussion for the future plan for the south end of Alpine City  
2 along the Alpine Highway. See attached letter from Clark Burgess for details of the proposal.  
3

4 Both the Bangerter and Burgess properties were currently zoned CR-40,000 for large lot single family  
5 homes. If the City should consider another use for these properties, updates to the General Plan and Zoning  
6 Map would be needed along with an eventual change of zone. Austin Roy said the Planning Commission  
7 was here tonight to discuss what the vision of the City was for these properties.  
8

9 Jane Griener said she walked the property with Julie Beck, who was a Bangerter, and spoke with her about  
10 her family property.  
11

12 Clark Burgess said his family had had their property for 118 years and it was a legacy. He said they had  
13 no plans to sell it. He said multi-use gave them more opportunity to use their property and they wanted to  
14 look at how they could use the property in new ways to benefit the City.  
15

16 Craig Walker said his grandfather ran a dairy farm on their family property which was east of the Burgess  
17 property. He said his family would like to use the property to the best of their ability.  
18

19 Jane Griener showed a map of the Bangerter, Burgess, and Walker properties. She said the City property  
20 backed the Bangerter property and the family home on the north side. Julie Beck told Jane Griener she  
21 could envision an amphitheater, mixed-use, multi-use housing, some commercial, or a senior area. She  
22 said she would like to work with the City to make something a lasting legacy for the City.  
23

24 Jane Griener explained that a rezone would be required; if they changed the lot to a commercial zone, it  
25 would open many opportunities for these properties. Austin Roy added that the Planning Commission  
26 would have to review the General Plan and create a new mixed-use zone or an overlay. Jane Griener said  
27 they needed to think about what the City needed now and in the future.  
28

29 Alan MacDonald said everyone would have a different opinion of what they would like to see on that  
30 property. He said as a Planning Commission, they had to follow the General Plan. The current General  
31 Plan stated that any commercial growth should go to the south of the round-about.  
32

33 Alan MacDonald asked if the City planned to connect Ranch Drive through the Bangerter property. Austin  
34 Roy said there were discussions to connect Ranch Drive to 800 South through a bridge, which would have  
35 to be put in over the creek.  
36

37 Jed Muhlestein said the Street Master Plan did show a connection from Ranch Drive to the Highway and  
38 not to 800 South. He also said there were trails on the Trail Master Plan connecting to 800 South, the  
39 highway, Twin Rivers, and the creek.  
40

41 Clark Burgess said a water study was done on one-acre vs one half acre. Jed Muhlestein said it was probably  
42 a wash because one-acre lots used more irrigation water, and half-acre lots would use more culinary water  
43 because two families were using culinary water.  
44

45 Austin Roy showed on a map where the trail system ran and where the City easement was located on the  
46 south end of the Bangerter property.  
47

48 Ethan Allen said he would like to see the lots stay at one acre.  
49

50 Ed Bush said the road should connect from Ranch Drive to the Highway and not to 800 South.  
51

1 Jane Griener asked about the tax leakage study. She said the Planning Commission spent a lot of time on  
2 this subject and paid for a study to be conducted. She said she would like to review that study. Troy Slade  
3 said he would like to see another study done on what the residents wanted out of this.  
4

5 Jane Griener said it might be helpful to walk the three properties to get a better perspective. Clark Burgess  
6 and Craig Walker said they would be happy to show their properties any time.  
7

8 Alan MacDonald said he could envision mixed-use with walkability. A fitness center, age fifty-five-plus  
9 housing, restaurants, and/or mixed housing.  
10

11 Austin Roy explained that should a zone change proposal come forward, there were certain procedures that  
12 would need to be followed: letters would be sent out to residents and there would be a Public Hearing.  
13

#### 14 **D. Discussion Continued – Limitations on Size of Lots and Structures in the City**

15 Austin Roy said that other than setback restrictions there was nothing in City ordinance to limit the  
16 maximum size of a structure (additions, main buildings, accessory buildings) or lot (plat amendments to  
17 combine two or more lots) in the City. Over the past few years some homes, accessory buildings, and lots  
18 had been getting bigger. The Planning Commission would continue discussion from previous meeting after  
19 having reviewed examples provided by Staff.  
20

21 John MacKay wanted to know if the City had verbiage in the ordinance that stated what the building could  
22 look like. Austin Roy said no, but some neighborhoods had an HOA and the buildings must comply with  
23 its CC&Rs. Ed Bush said they could limit the size of the building, so it fit the neighborhood aesthetic.  
24

25 Sylvia Christiansen wanted to know why the Planning Commission would limit the size, asking if it was  
26 because of fire hazard. Jane Griener said some neighbors had complained about large buildings blocking  
27 their view.  
28

29 Austin Roy showed some examples of homes built across two combined lots. He said as long as the home  
30 met the setbacks and followed all the ordinances, it would be approved. He also stated that homes over  
31 10,000 square feet required fire sprinklers.  
32

33 Ed Bush said these large homes ruined property values of their neighbors because they blocked their views.  
34

35 The Planning Commission discussed limiting the size of buildings on a lot to fit the neighborhood and zone.  
36 They suggested researching what other cities had done and how they handled this situation. They also  
37 discussed limiting garage size compared to the primary residence size.  
38

39 Austin Roy asked the Planning Commission if they were pro-owner rights, or if they wanted to limit the  
40 size of buildings.  
41

#### 42 **IV. Communications**

43 Jane Griener asked who would be attending July 7, 2020 meeting and to let her know directly if they would  
44 be absent so they could constitute a quorum.  
45

46 Jane Griener said the Planning Commission needed to appoint a Co-Chairman.  
47

48 Ed Bush said he would like to see the billboard restriction and definition revised in the City.  
49

#### 50 **V. APPROVAL OF PLANNING COMMISSION MINUTES: June 2, 2020**

51

1 Sylvia Christiansen noted there were a few corrections that would be sent to Marla.  
2

3 **MOTION:** Sylvia Christiansen moved to approve the minutes for June 2, 2020, with corrections. John  
4 MacKay seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed  
5 unanimously.

6  
7 **Ayes:**  
8 Ed Bush  
9 Ethan Allen  
10 John MacKay  
11 Jane Griener  
12 Alan MacDonald  
13 Troy Slade  
14 Sylvia Christiansen

**Nays:**  
None

15  
16 The meeting was adjourned at 9:35 p.m.

DRAFT