



ALPINE CITY PLANNING COMMISSION MEETING

NOTICE is hereby given that the **PLANNING COMMISSION** of Alpine City, UT will hold a **Regular Meeting** at **Alpine City Hall**, 20 North Main, Alpine, Utah on **Tuesday, February 18, 2020 at 7:00 pm** as follows:

I. GENERAL BUSINESS

- A. Welcome and Roll Call: Jane Griener
- B. Prayer/Opening Comments: Ethan Allen
- C. Pledge of Allegiance: By Invitation

II. PUBLIC COMMENT

Any person wishing to comment on any item not on the agenda may address the Planning Commission at this point by stepping to the microphone and giving his or her name and address for the record.

III. ACTION ITEMS

A. Plat Amendment – Thelin Estates Plat B – Lot Exception

Planning Commission will review the lot exception request and make a recommendation to City Council.

B. Public Hearing – Ordinance 2020-05 – Parking Lot Dimensions and Size of Parking Spaces

Planning Commission will hold a public hearing regarding a proposed ordinance to amend off street parking requirements.

C. Amendment – Ordinance 2020-05 – Parking Lot Dimensions and Size of Parking Spaces

Planning Commission will review proposed amendment to Alpine City off street parking requirements and make a recommendation to City Council.

D. Public Hearing – Ordinance 2020-06 – Sign Ordinance

Planning Commission will hold a public hearing regarding regulations for free standing or monument signs.

E. Amendment – Ordinance 2020-06 – Sign Ordinance

Planning Commission will review proposed amendment to change regulations for free standing or monument signs and make a recommendation to City Council.

F. Public Hearing – Ordinance 2020-07 – Electronic Bicycles

Planning Commission will hold a public hearing regarding a proposal to allow Class 1 electronic bicycles on Alpine City trails.

G. Amendment – Ordinance 2020-07 – Electronic Bicycles

Planning Commission will review proposed amendment to allow electronic bicycles on Alpine City trails and make a recommendation to City Council.

IV. COMMUNICATIONS

V. APPROVAL OF PLANNING COMMISSION MINUTES: February 4, 2020

ADJOURN

Chairman Jane Griener
February 18, 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 and on the Utah Public Meeting Notices website at 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: Plat Amendment – Thelin Estates Plat B – Lot Exception

FOR CONSIDERATION ON: 18 February 2020

PETITIONER: John Ogden representing Martin White

ACTION REQUESTED BY PETITIONER: Approve exception for number of sides to a lot.

BACKGROUND INFORMATION:

The petitioner is seeking adjust boundary lines and create frontage and access to a landlocked parcel of land. Properties are located at approximately 1115 East East Mountain Drive. Proposed lots range in size from 0.46 acres to 1.35 acres and located in the CR-20,000 Zone. The proposed lots meet lot width (minimum 110 feet) and lot area (20,000 square feet) requirements. Approximately 1,615 square feet (front of Lot 2 & 3) would be dedicated to the City as public right of way.

Two of the three lots have existing homes on them. Existing homes would still meet setback requirements after the proposed boundary line adjustment.

If granted an exception, the proposed boundary line adjustment/plat amendment would create a new buildable zoning lot which would allow permitted uses within the CR-20,000 Zone. The new buildable zoning lot would be a flag lot with a private driveway of approximately 269 feet. The developer would be required to meet water rights requirements and bond for infrastructure.

The Development Code (3.01.110) states:

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.

STAFF RECOMMENDATION:

Review the proposed lot exception request and make a recommendation to City Council.

SAMPLE MOTION TO APPROVE WITH CONDITIONS:

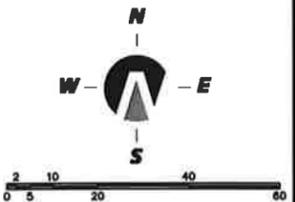
I motion to recommend that the proposed exception be approved with the following conditions:

- Water policy be met;
- Developer bond for required City infrastructure;
- ***Insert Finding***

SAMPLE MOTION TO DENY:

I motion to recommend that the proposed exception be denied based on the following:

- ***Insert Finding***

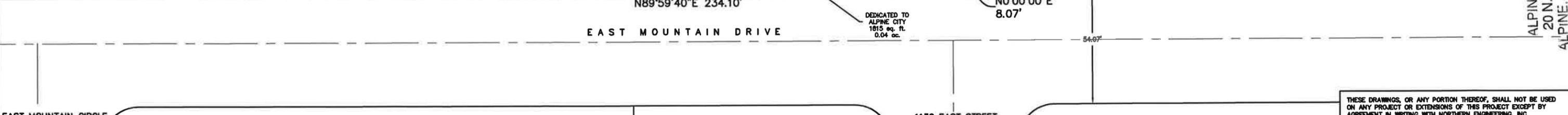
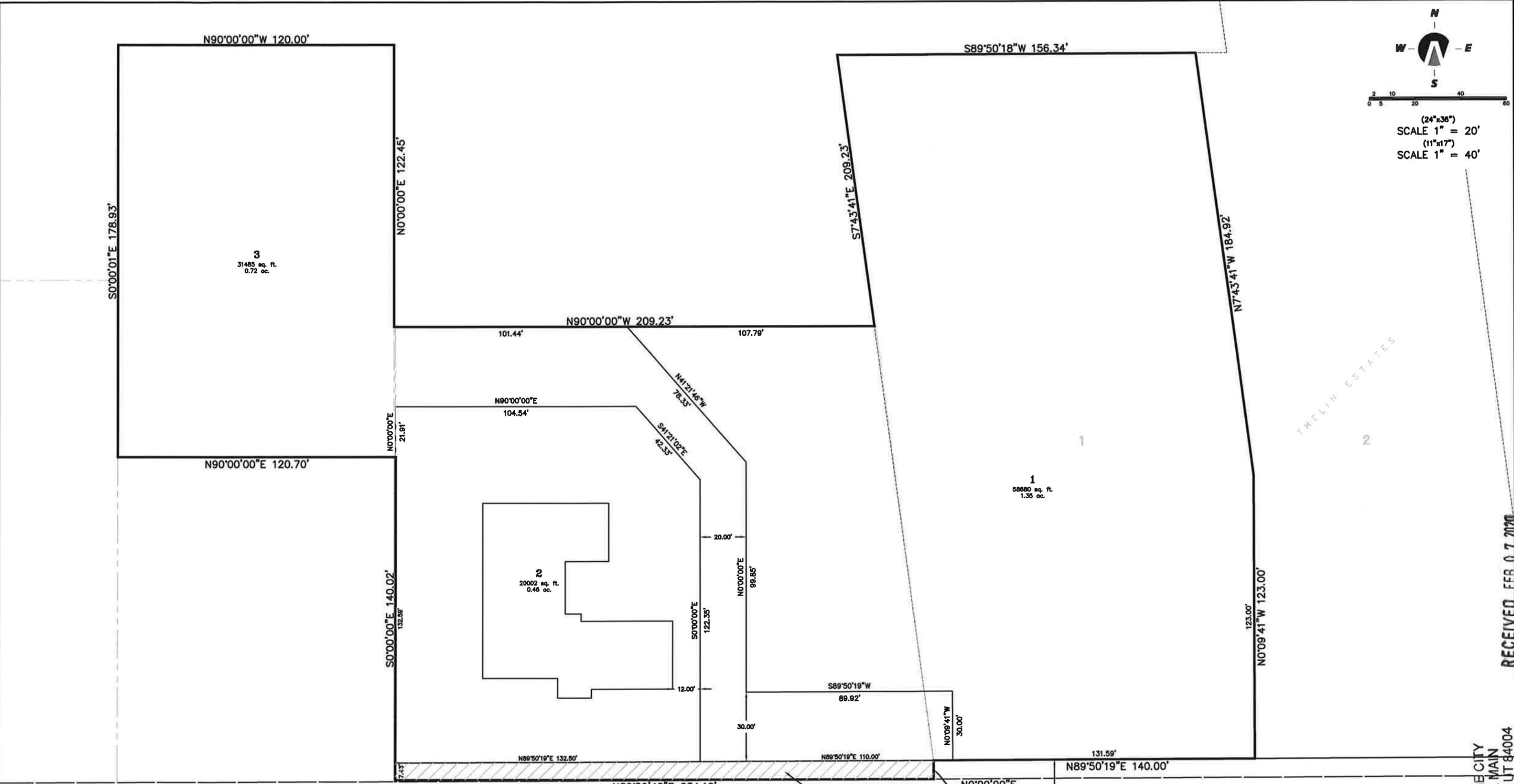


(24"x36")
 SCALE 1" = 20'
 (11"x17")
 SCALE 1" = 40'

THELIN ESTATES

RECEIVED FEB 07 2020

ALPINE CITY
 20 N. MAIN
 ALPINE, UT 84004



THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

NO.	REVISIONS	BY	DATE	REV. COGO FILE:	DATE
5				DESIGNED BY:	DATE:
4				DRAWN BY:	DATE:
3				CHECKED BY:	DATE:
2				APPROVED:	DATE:
1				COGO FILE:	DATE:



Northern ENGINEERING INC
 ENGINEERING—LAND PLANNING
 CONSTRUCTION MANAGEMENT

1040 E. 800 N.
 OREM, UTAH 84097
 (801) 802-8992

MARTIN WHITE

CONCEPT	JOB NO. 3-20-010
ALPINE CITY, UTAH	SHEET NO. 1

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(24"x36")
SCALE 1" = 20'
(11"x17")
SCALE 1" = 40'



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ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Public Hearing – Amendment – Ordinance 2020-05 – Parking lot Dimensions and Size of Parking Spaces

FOR CONSIDERATION ON: 18 February 2020

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Hold a public hearing, review the proposed ordinance and make a recommendation to City Council.

BACKGROUND INFORMATION:

Staff has been requested by Paul Anderson, who is hoping to develop land near 235 S Main, to evaluate the length of a parking stall, as regulated by ordinance under section 3.24.020 – Parking Lot Dimensions and Size of Parking Spaces. Current ordinance requires parking stall length to be nineteen (19) feet as measured from the curb face.

STAFF RECOMMENDATION:

Hold a public hearing, review and discuss Ordinance 2020-05 and make a recommendation to City Council.

SAMPLE MOTION TO APPROVE:

I motion to recommend that Ordinance 2020-05 be approved as proposed.

SAMPLE MOTION TO APPROVE WITH CONDITIONS:

I motion to recommend that Ordinance 2020-05 be approved with the following conditions/changes:

- ***Insert Finding***

SAMPLE MOTION TO DENY:

I motion to recommend that Ordinance 2020-05 be denied based on the following:

- ***Insert Finding***



**ALPINE CITY
STAFF REPORT**
December 17, 2019

To: Alpine City Planning Commission & City Council

From: Staff

Prepared By: Jed Muhlestein, City Engineer *JM*
Engineering & Public Works Department

Re: Development Code 3.24.020 – Parking Lot Dimensions and Size of Parking Spaces

Staff has been requested by Paul Anderson, who is hoping to develop land near 235 S Main, to evaluate the length of a parking stall, as regulated by ordinance under section 3.24.020 – Parking Lot Dimensions and Size of Parking Spaces. Current ordinance requires parking stall length to be nineteen (19) feet as measured from the curb face. Staff has researched this and found the following:

AASHTO Standards

AASHTO (American Association of State Highway Officials) is a national highway standard by which most cities and state DOT's (department of transportation) look to for guidance on roadway design and policies. AASHTO specifies "Design Vehicle" dimensions for many types of cars in different design situations. For a common parking stall, the design vehicle has dimensions of seven (7) feet wide by nineteen (19) feet long, with an overhang from the front tire to the front bumper of three (3) feet. See attached exhibit A. Overhang is the part of the vehicle that sometimes extends over the designated parking area (ie – the driver parks with the front tire against the curb and the front bumper "overhangs" into the curb/sidewalk).

AASHTO recommends nine (9) feet wide by twenty (20) feet long for standard passenger vehicles but also mentions that nine (9) feet wide by fifteen (15) feet long could be used for compact passenger vehicles. AASHTO acknowledges that parking stall lengths vary from place to place due to culture, use, available vehicles to buy, etc. Agencies should evaluate their specific circumstances and use judgement as to what is best for their individual circumstances.

AASHTO's standard gives a range of fifteen (15) to twenty (20) feet to choose from.

What are surrounding cities doing?

Provo City – 8.5'x18' for large cars, 7.5'x15' for small cars

UDOT – 9'x18' (Length measured from edge of asphalt. This is actually 19.5' measured to face of curb, which is the common location to measure from.)

Salt Lake City – 9'x17.5'

What vehicles are common to the area and would they fit an eighteen foot parking stall?

<u>VEHICLE</u>	<u>LENGTH</u>	<u>OVERHANG</u>	<u>SUBTRACT OVERHANG</u>	<u>WOULD IT FIT AN 18' STALL?</u>
2020 Chevy Suburban	18.67'	2'	16.67'	Yes
2020 Ford F350, four door, long bed	22.17'	2'	20.17'	No
2020 Chevy Impala (standard sized sedan)	16.77'	2'	14.77'	Yes
2020 Toyota Sienna Minivan	16.72'	2'	14.72'	Yes

STAFF'S RECOMMENDATION

UDOT's standard is on the larger side of the AASHTO recommendations, most likely to account for the uncertainty of larger vehicles traveling through the state. Provo's standard accounts for more than one scenario which makes sense where there are parts of Provo where a restriction of more compact vehicles would apply (ie – Center Street). Salt Lake City has the smallest “across the board” standard of the cities researched.

Based on AASHTO's given range of standards to choose from, the regulations of surrounding cities, and the lengths of common vehicles found within the community of Alpine; Staff would be in favor of decreasing the standard parking stall length from nineteen (19) feet to eighteen (18) feet. Exhibit B shows the updated Development Code Exhibit with eighteen (18) foot stall lengths. Exhibit C shows the current Development Code Exhibit with nineteen (19) foot stall lengths.

MODEL MOTION

SAMPLE MOTION TO APPROVE

I motion to recommend approval of the proposed ordinance 2020-05 as presented.

SAMPLE MOTION TO DENY

I motion to recommend denial of the proposed ordinance 2020-05 as presented.

EXHIBIT A – AASHTO RECOMMENDED PARKING STALL DIMENSIONS

with only one occupant and should be located far enough out that land costs are not prohibitive. In addition, bicycle and pedestrian access to park-and-ride facilities should be considered.

Other considerations that affect parking lot location are impacts on surrounding land uses, available capacity of the highway system between the roadway and proposed sites, terrain, and the costs to acquire the land.

Design

The size of the park-and-ride parking lot is dependent upon the design volume, the available land area, and the size and number of other parking lots in the area. Twenty to sixty spaces represent a reasonable range.

Each parking area should provide a drop-off facility close to the station entrance, plus a holding or short-term parking area for passenger pickup. This area should be clearly separated from the park-and-ride areas.

Consideration should be given to the location for bus loading and unloading, taxi service, bicycle parking, and special parking for persons with disabilities. Conflicts between pedestrians and vehicles should be minimized. Parking aisles should be located perpendicular to the bus roadway so that pedestrians do not need to cross the driveways between parking aisles. All bus roadways should have a minimum width of 6.0 m [20 ft] to permit the passing of standing buses. Facilities should be designed for self-parking. Parking spaces should be 2.7 m by 6.0 m [9 ft by 20 ft] for full-sized cars. Where a special section is provided for subcompact cars, 2.4 m by 4.5 m [8 ft by 15 ft] spaces are sufficient. Parking requirements for persons with disabilities should be in accordance with the ADAAG (24).

Sidewalks should be a minimum of 1.5 m [5 ft] wide and loading areas should be 3.6 m [12 ft] wide. Principal loading areas should be provided with sidewalk curb ramps. Preferably, pedestrians should not have to walk more than 120 m [400 ft], although slightly longer distances may be permitted under some circumstances. Pedestrian paths from parking spaces to loading areas should be as direct as practical. Facilities for locking bicycles should be provided where needed.

Grades of parking areas should be set so that drainage can be effective. Recommended grades along vehicle paths within the parking area are 1 percent minimum and 2 percent desirable with a maximum of 5 percent. Grades of over 8 percent parallel to the length of the parked vehicles should be avoided. Climatic conditions should be considered in establishing the maximum acceptable grade. Curvature, radius of planned vehicular paths within the parking area, and access roads should be sufficiently large to accommodate the vehicles that they are intended to serve.

Access to the lots should be at points where they will disrupt through traffic as little as practical. Access points should be at least 90 m [300 ft] from other intersections, and there should be sufficient sight distance for vehicles to exit and enter the lot. This means that exits and

EXHIBIT B – UPDATED 3.24.020(6) EXHIBIT, Parking Lot Dimensions and Size of Parking Spaces

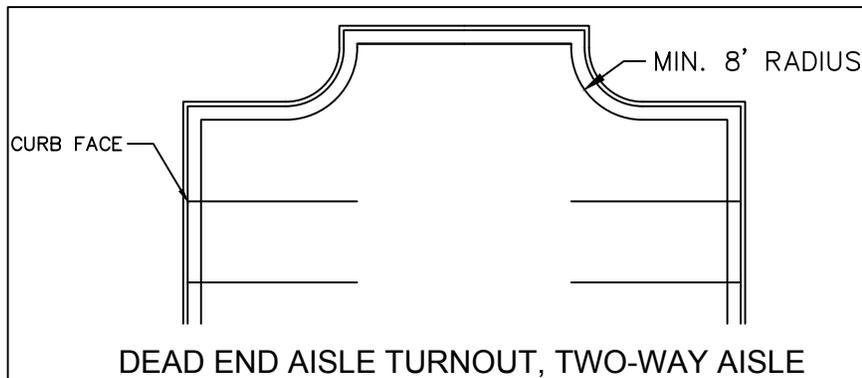
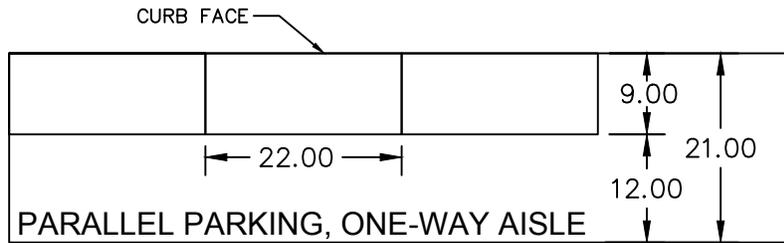
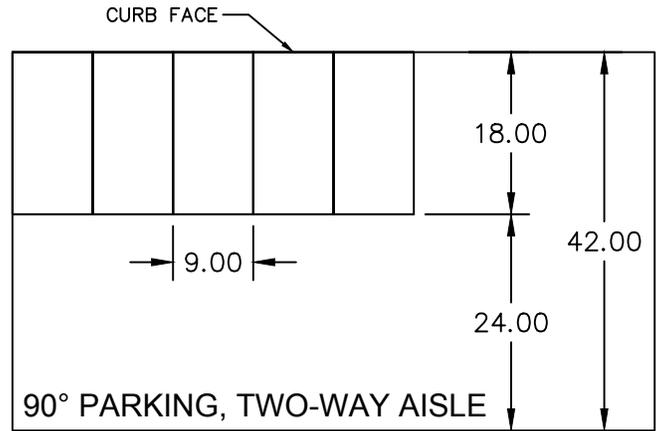
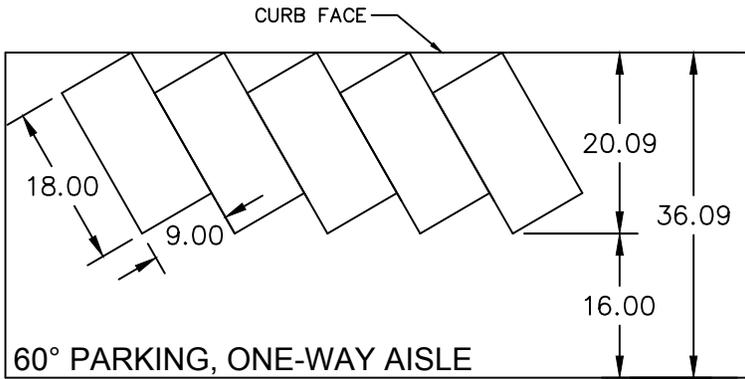
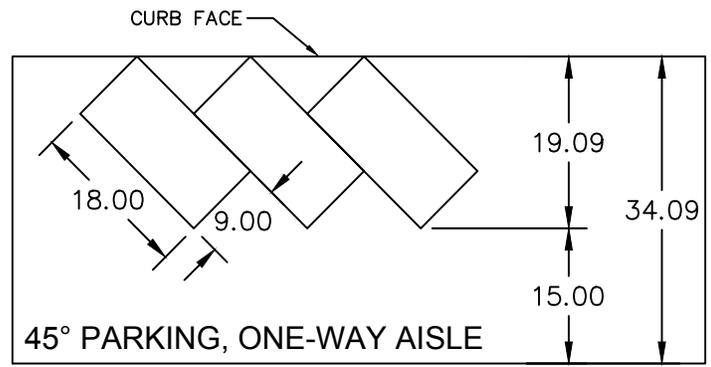
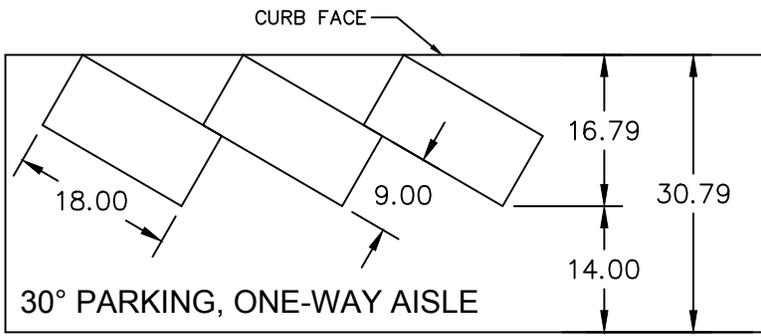
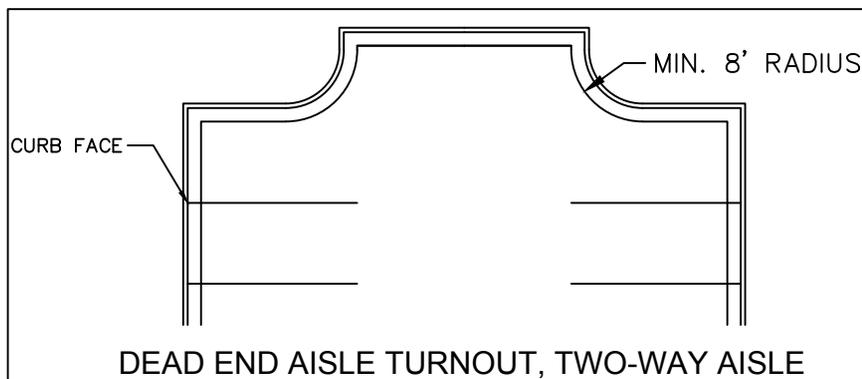
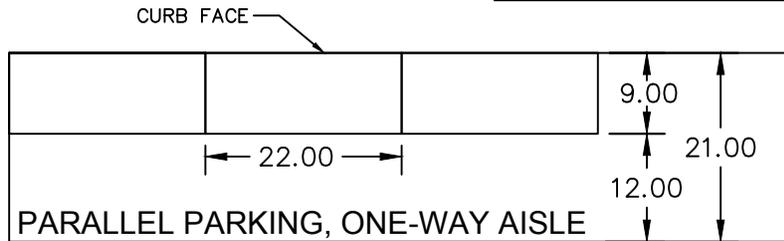
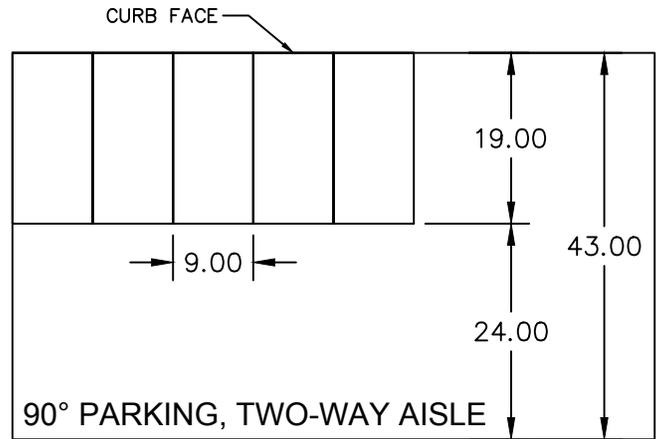
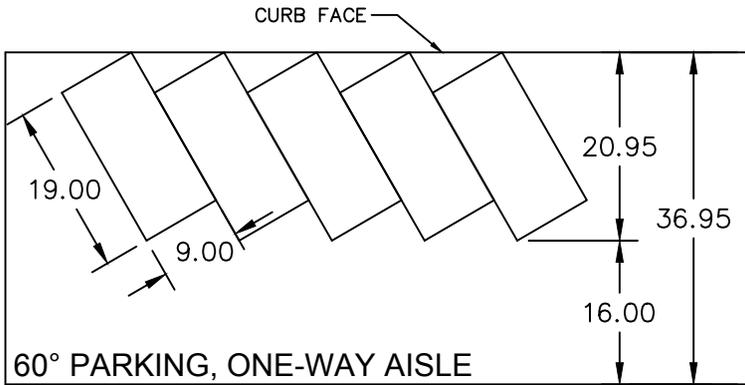
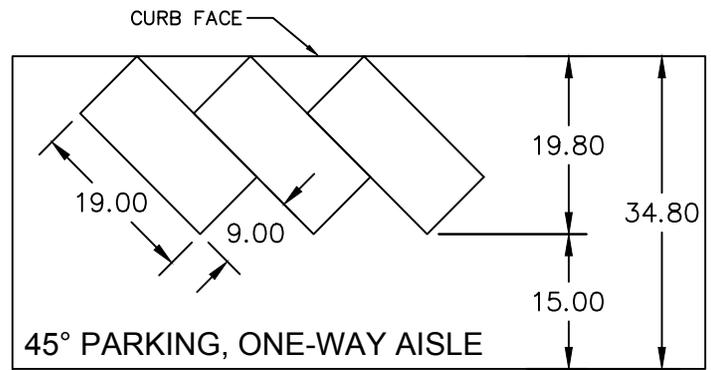
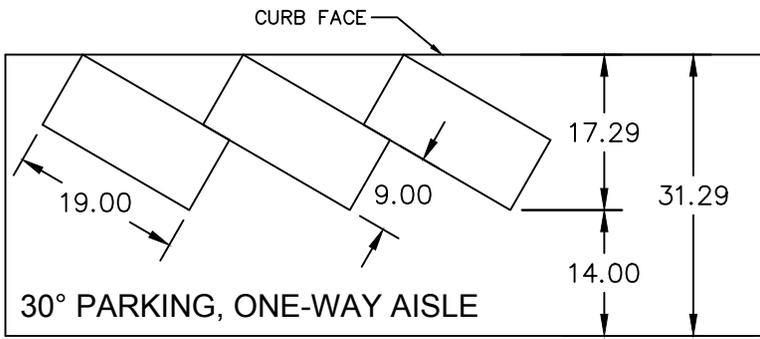
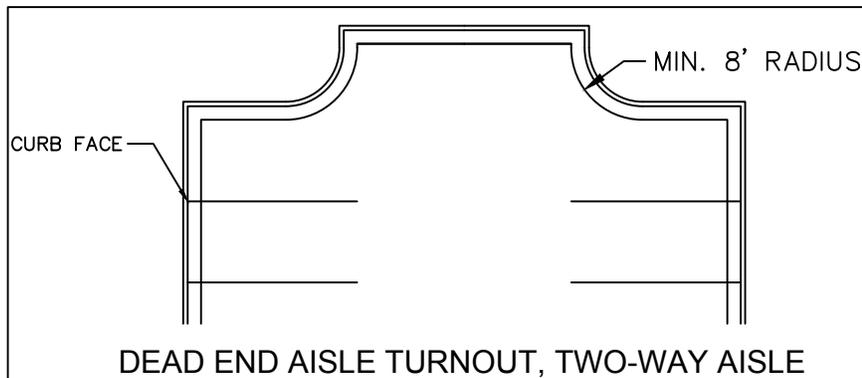
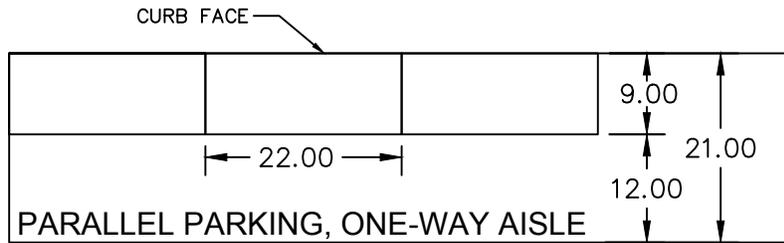
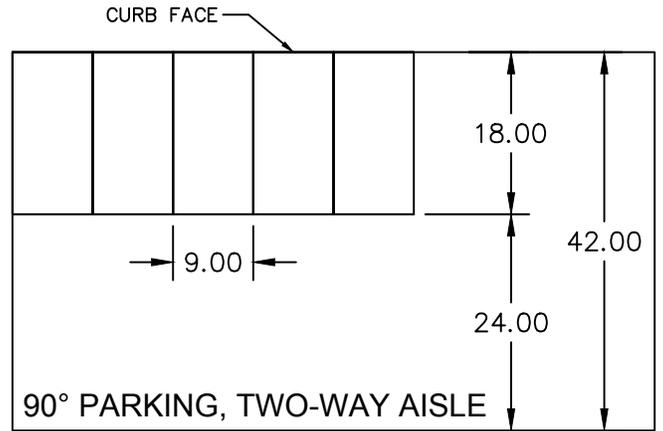
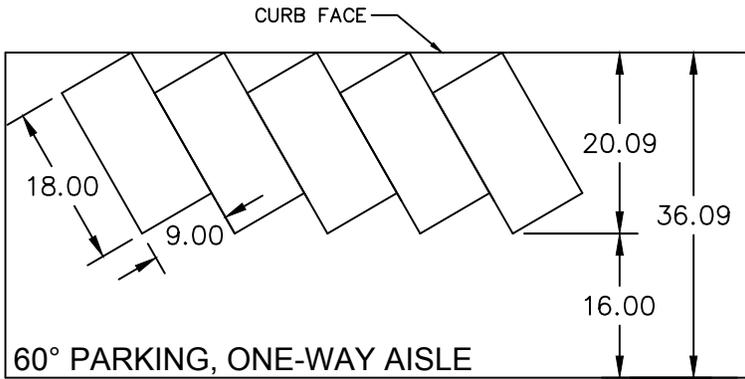
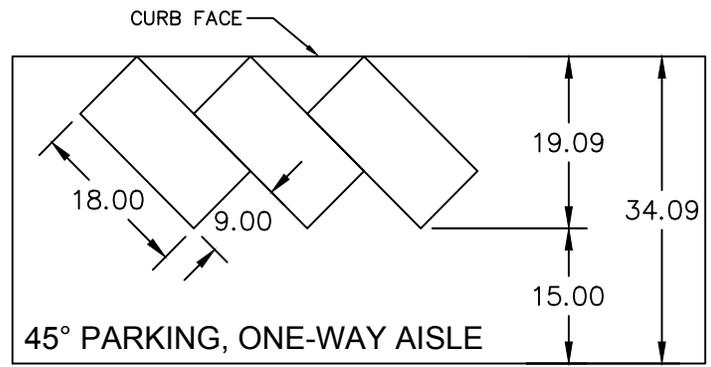
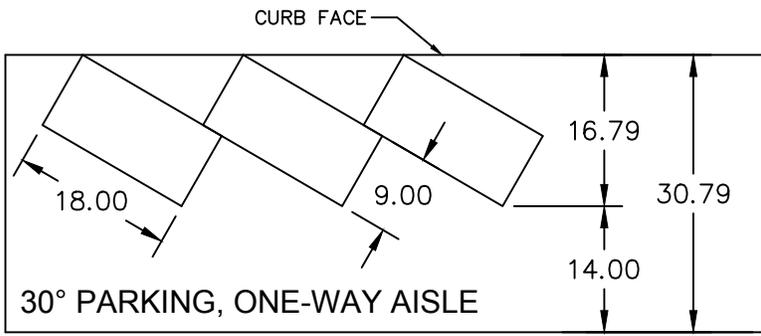


EXHIBIT C – CURRENT 3.24.020(6) EXHIBIT, Parking Lot Dimensions and Size of Parking Spaces





**ALPINE CITY
ORDINANCE 2020-05**

AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 3.24.020 OF THE ALPINE CITY DEVELOPMENT CODE PERTAINING TO PARKING LOT DIMENSIONS IN THE OFF-STREET PARKING ORDINANCE.

WHEREAS, The Alpine City Council has deemed it in the best interest of Alpine City to update parking lot dimension requirements; 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 3.24.020 contained in the attached document will supersede Article 3.24.020 as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: AMENDMENT “3.24.020 Parking Lot Characteristics” of the Alpine City Development Code is hereby *amended* as follows:

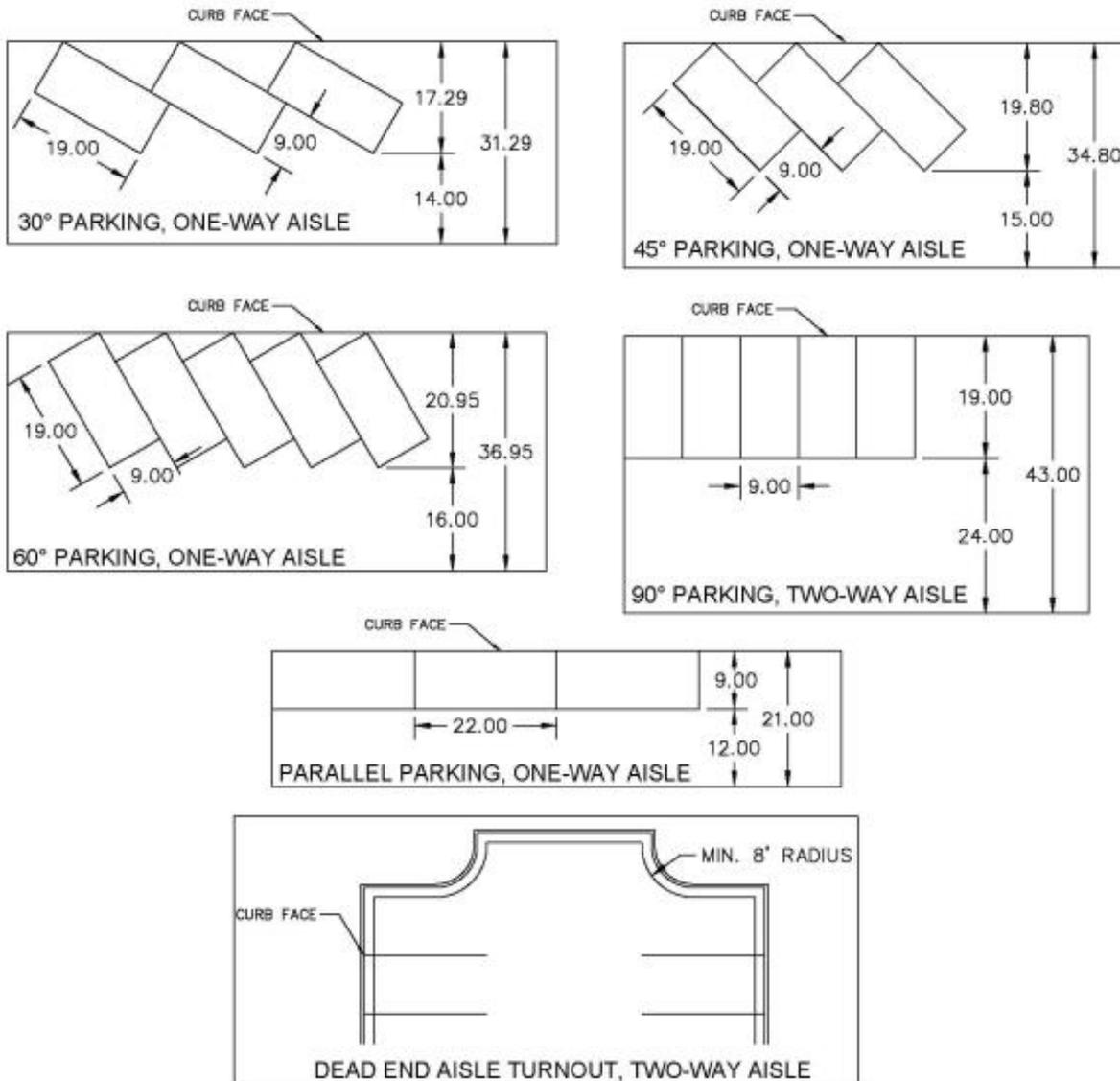
B E F O R E A M E N D M E N T

3.24.020 Parking Lot Characteristics

Each parcel of land developed for off-street parking in response to the requirements of this chapter shall provide the following characteristics:

1. **Paving.** Each lot shall be paved with an all weather surface material (asphalt or concrete), and be maintained in good condition and kept in an unobstructed and usable condition at all times. Responsibility for maintenance of the lot shall rest with the property owner. The lot shall provide adequate access to a street or alley.
2. **Wheel Stops.** Off-street parking shall be designed with wheel stops or curbing. Wheel stops shall be located in a manner so as to prevent any portion of the parked vehicle from extending over a property line or sidewalk. Manufactured wheel stops are preferred. All curbing shall be maintained in a functional and safe condition.
3. **Striping.** All off-street parking shall be striped to clearly show required parking spaces. Striping shall be maintained in functional condition. Striping shall be at least three (3) inches wide and shall consist of white or yellow paint designed for this purpose.

4. **Grading.** Parking lots shall be graded for proper drainage with surface water diverted in such a way as to keep the parking area free of accumulated water or ice.
5. **Parking Lot Lighting.** A lighting plan provided by the applicant shall be reviewed and approved by the City Engineer. Lots shall be illuminated with standards arranged so as to reflect light away from any adjoining residential buildings. Parking lot lights shall be fully shielded to direct light downward in order to decrease light pollution.
6. **Parking Lot Dimensions and Size of Parking Spaces.** See diagram below or [link](#).



1. **Accessible Parking Spaces.** All accessible parking spaces shall meet the requirements of the ADA Standards for Accessible Design (28 CFR Part 36).
2. **Oil separators.** Oil separators and other pollution control devices may be required to minimize storm water pollution, as recommended by the City Engineer.

3. **Screening.** The sides and rear of any off-street parking area that adjoins a residence or residential zone shall be required to be screened by a masonry wall or solid visual barrier fence.
4. **Landscaping.** All off-street parking areas shall be landscaped and permanently maintained as required by DCA 3.07.080 Part 7.
5. **Off-Street Loading.** Every building or use receiving or distributing materials or merchandise by truck shall provide and maintain on the same lot as the building or use adequate off-street loading space(s).

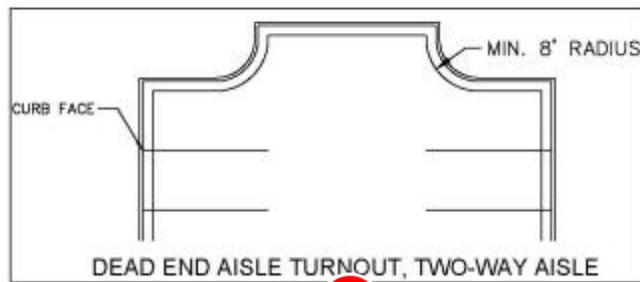
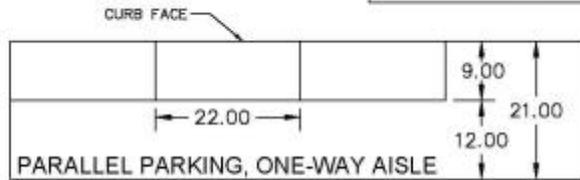
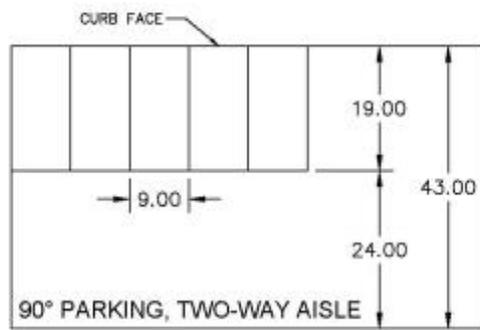
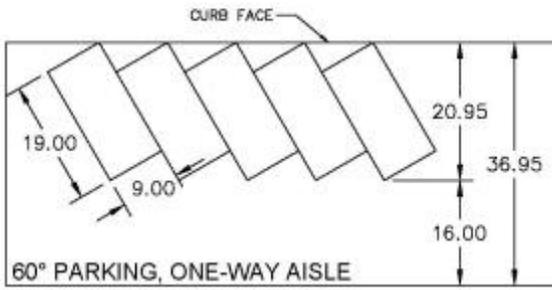
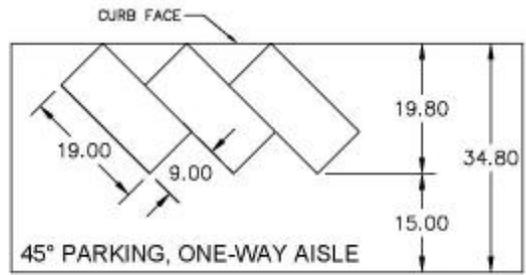
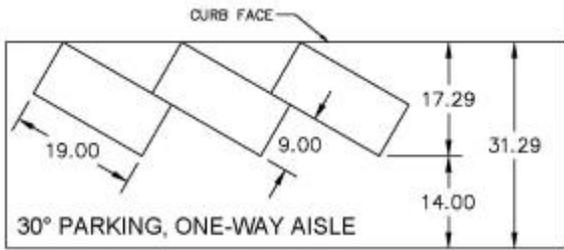
(Amended Ord. No. 2006-14, 9/12/2006; Ord. No. 2008-06, 5/27/08; Ord. No. 2008-13, 8/26/08; Ord. No. 2014-05, 3/25/14)

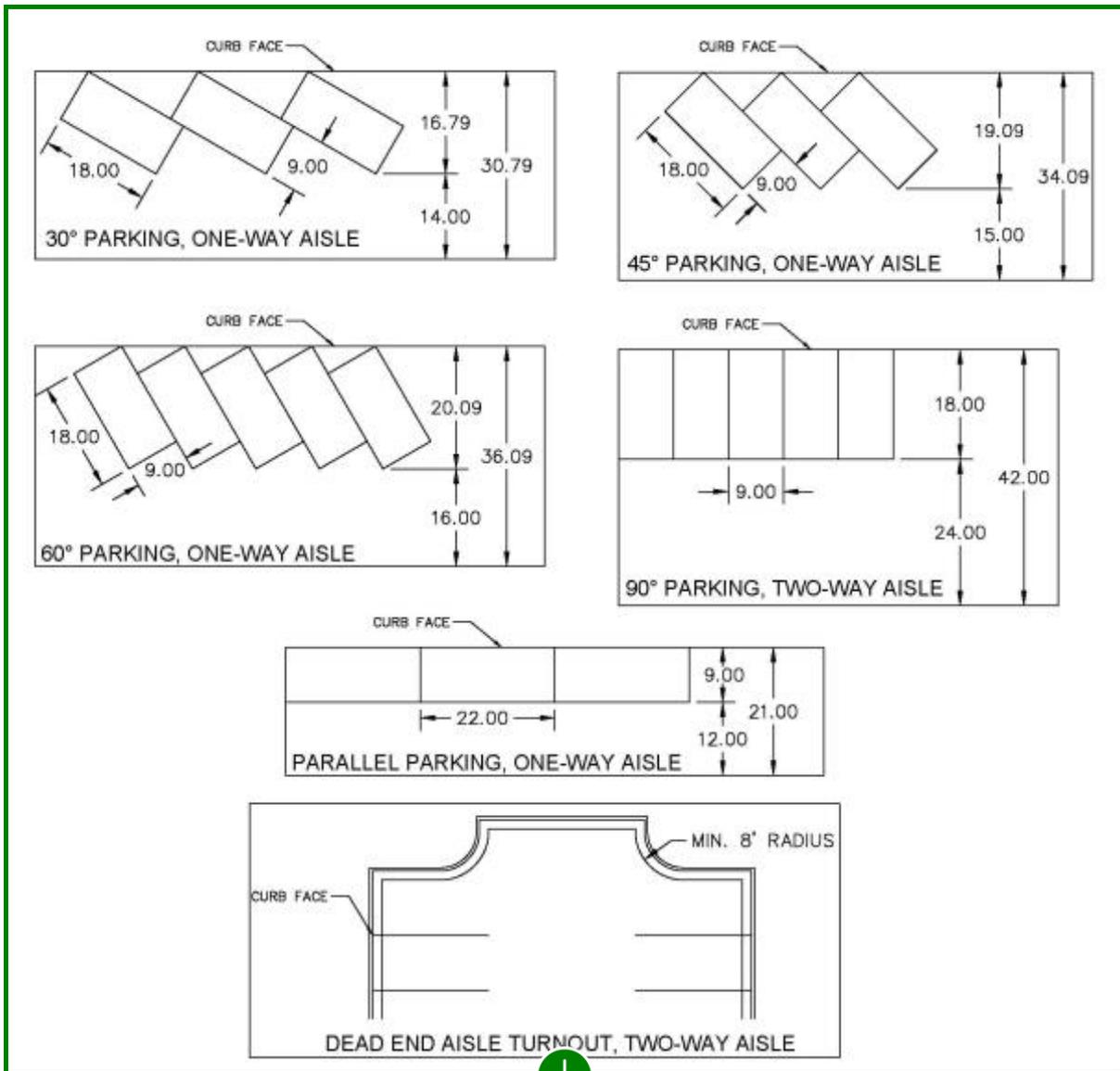
AFTER AMENDMENT

3.24.020 Parking Lot Characteristics

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6. **Parking Lot Dimensions and Size of Parking Spaces.** See diagram below or [link](#).





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5. Off-Street Loading. Every building or use receiving or distributing materials or merchandise by truck shall provide and maintain on the same lot as the building or use adequate off-street loading space(s).

(Amended Ord. No. 2006-14, 9/12/2006; Ord. No. 2008-06, 5/27/08; Ord. No. 2008-13, 8/26/08; Ord. No. 2014-05, 3/25/14)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	_____	_____	_____	_____
Judi Pickell	_____	_____	_____	_____
Carla Merrill	_____	_____	_____	_____
Gregory Gordon	_____	_____	_____	_____
Jason Thelin	_____	_____	_____	_____

Presiding Officer

Attest

Troy Stout, Mayor, Alpine City

Charmayne G. Warnock, City
Recorder Alpine City

**ALPINE CITY
ORDINANCE 2020-05**

AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 3.24.020 OF THE ALPINE CITY DEVELOPMENT CODE PERTAINING TO PARKING LOT DIMENSIONS IN THE OFF-STREET PARKING ORDINANCE.

WHEREAS, The Alpine City Council has deemed it in the best interest of Alpine City to update parking lot dimension requirements; 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 3.24.020 contained in the attached document will supersede Article 3.24.020 as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: **AMENDMENT** “3.24.020 Parking Lot Characteristics” of the Alpine City Development Code is hereby *amended* as follows:

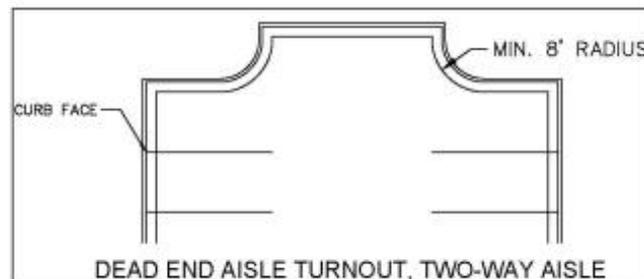
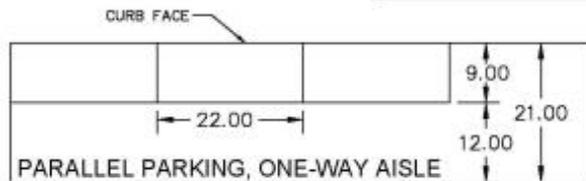
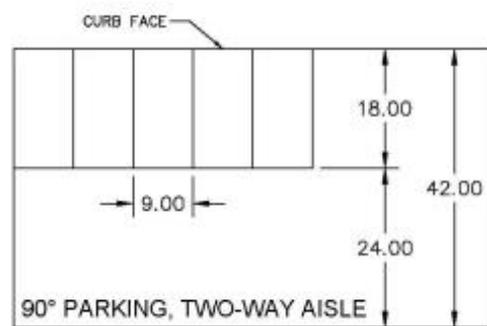
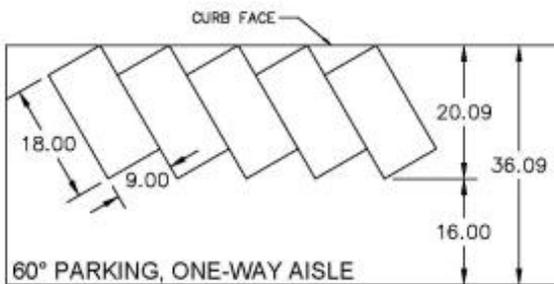
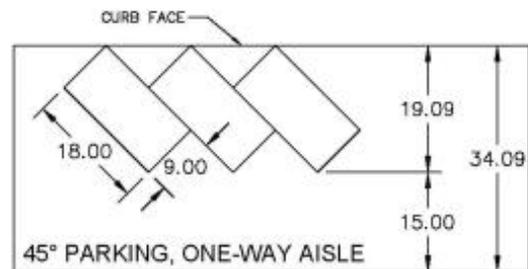
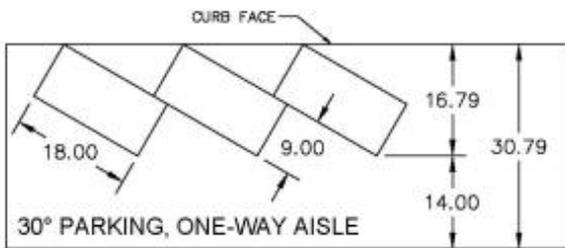
A M E N D M E N T

3.24.020 Parking Lot Characteristics

Each parcel of land developed for off-street parking in response to the requirements of this chapter shall provide the following characteristics:

1. **Paving.** Each lot shall be paved with an all weather surface material (asphalt or concrete), and be maintained in good condition and kept in an unobstructed and usable condition at all times. Responsibility for maintenance of the lot shall rest with the property owner. The lot shall provide adequate access to a street or alley.
2. **Wheel Stops.** Off-street parking shall be designed with wheel stops or curbing. Wheel stops shall be located in a manner so as to prevent any portion of the parked vehicle from extending over a property line or sidewalk. Manufactured wheel stops are preferred. All curbing shall be maintained in a functional and safe condition.
3. **Striping.** All off-street parking shall be striped to clearly show required parking spaces. Striping shall be maintained in functional condition. Striping shall be at least three (3) inches wide and shall consist of white or yellow paint designed for this purpose.

4. **Grading.** Parking lots shall be graded for proper drainage with surface water diverted in such a way as to keep the parking area free of accumulated water or ice.
5. **Parking Lot Lighting.** A lighting plan provided by the applicant shall be reviewed and approved by the City Engineer. Lots shall be illuminated with standards arranged so as to reflect light away from any adjoining residential buildings. Parking lot lights shall be fully shielded to direct light downward in order to decrease light pollution.
6. **Parking Lot Dimensions and Size of Parking Spaces.** See diagram below or [link](#).



1. **Accessible Parking Spaces.** All accessible parking spaces shall meet the requirements of the ADA Standards for Accessible Design (28 CFR Part 36).
2. **Oil separators.** Oil separators and other pollution control devices may be required to minimize storm water pollution, as recommended by the City Engineer.
3. **Screening.** The sides and rear of any off-street parking area that adjoins a residence or residential zone shall be required to be screened by a masonry wall or solid visual barrier fence.
4. **Landscaping.** All off-street parking areas shall be landscaped and permanently maintained as required by DCA 3.07.080 Part 7.
5. **Off-Street Loading.** Every building or use receiving or distributing materials or merchandise by truck shall provide and maintain on the same lot as the building or use adequate off-street loading space(s).

(Amended Ord. No. 2006-14, 9/12/2006; Ord. No. 2008-06, 5/27/08; Ord. No. 2008-13, 8/26/08; Ord. No. 2014-05, 3/25/14)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	_____	_____	_____	_____
Judi Pickell	_____	_____	_____	_____
Carla Merrill	_____	_____	_____	_____
Gregory Gordon	_____	_____	_____	_____
Jason Thelin	_____	_____	_____	_____

Presiding Officer

Attest

Troy Stout, Mayor, Alpine City

Charmayne G. Warnock, City
Recorder Alpine City

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Public Hearing – Amendment – Ordinance 2020-06 – Sign Ordinance

FOR CONSIDERATION ON: 18 February 2020

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Hold a public hearing, review the proposed ordinance and make a recommendation to City Council.

BACKGROUND INFORMATION:

In January 2020, Altabank installed a new monument sign on the corner of Main Street and 100 South. The City has received numerous complaints regarding the location, size and orientation of the sign. Staff have reviewed the ordinance and evaluated the situation and drafted an ordinance to potentially avoid similar future issues.

STAFF RECOMMENDATION:

Hold a public hearing, review and discuss Ordinance 2020-06 and make a recommendation to City Council.

SAMPLE MOTION TO APPROVE:

I motion to recommend that Ordinance 2020-06 be approved as proposed.

SAMPLE MOTION TO APPROVE WITH CONDITIONS:

I motion to recommend that Ordinance 2020-06 be approved with the following conditions/changes:

- ***Insert Finding***

SAMPLE MOTION TO TABLE:

I motion to recommend that Ordinance 2020-06 be tabled based on the following:

- ***Insert Finding***

Main Street



Main Street



**ALPINE CITY
ORDINANCE 2020-06**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLES 3.25.020 AND
3.25.050 OF THE ALPINE CITY DEVELOPMENT CODE PERTAINING TO FREE
STANDING OR MONUMENT SIGNS.**

WHEREAS, The Alpine City Council has deemed it in the best interest of Alpine City to revise setback and sight triangle requirements for free standing or monument signs; 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 Articles 3.25.020 and 3.25.050 contained in the attached document will supersede Articles 3.25.020 and 3.25.050 as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: AMENDMENT “3.25.020 General Standards” of the Alpine City Development Code is hereby *amended* as follows:

BEFORE AMENDMENT

3.25.020 General Standards

1. Except as provided herein, it shall be unlawful to erect, construct, reconstruct, alter, or change the use of any structure, wall marquees, or any other parts jointed together to form a sign without first obtaining a sign permit from Alpine City.
2. Except as provided herein, all applicants for signs within Alpine City must receive a permit from the City prior to construction, placement, or replacement of any sign.
3. For permanent signs, the signs shall be colorfast and resistant to corrosion and rotting.
4. **General Location.** All permanent signs shall be set back at least three (3) feet behind the sidewalk or twelve (12) feet behind the curb if there is not a sidewalk. All temporary signs shall be set back at least three (3) feet behind the sidewalk or three (3) feet behind the curb if there is not a sidewalk. No sign shall be placed closer than fourteen (14) feet to a driveway.

No sign, permanent or temporary, in excess of three (3) feet in height shall be placed within the sight triangle on any corner lot. No part of any sign shall interfere with the use of any fire escape, exit, required stairway, door ventilator, or window.

5. **Maintenance.** All signs shall be maintained in a safe, presentable and good condition including the replacement of defective parts, cleaning, painting, oiling, changing of light bulbs, or other acts required for the maintenance of said sign. Maintenance shall also include the restoration or repair of any exterior wall penetrations, discolorations, or other

damages caused by the installation, removal, or placement of signs on a building.

6. **Inspections.** Alpine City may make an initial inspection or re-inspection of any sign for which a permit has been issued and/or for which an inspection has been deemed necessary. Such inspections shall be performed to determine that all signs, constructions, and all reconstructions or modifications of existing signs are built or constructed in conformance with this ordinance and as represented at application for a permit.

All permanent signs containing electrical components, footings or foundations, or as otherwise required by the City, shall receive final inspections to certify that the placement and construction of such sign is in conformance with representations made in permit applications and that work is completed and meets all applicable building and safety codes and conditions of approval.

7. Regulatory signs, as outlined by local, state and/or federal law, are exempt from the provisions of the Alpine City Sign Ordinance.

(Amended by Ord. No. 2005-02, 2/3/05 & Ord. No. 2005-19, 10/25/05; Ord. No. 2007-02, 4/24/07; Ord. No. 2008-04, 5/13/08; Ord. No. 2011-01, 01/11/11)

AFTER AMENDMENT

3.25.020 General Standards

1. Except as provided herein, it shall be unlawful to erect, construct, reconstruct, alter, or change the use of any structure, wall marquees, or any other parts jointed together to form a sign without first obtaining a sign permit from Alpine City.
2. Except as provided herein, all applicants for signs within Alpine City must receive a permit from the City prior to construction, placement, or replacement of any sign.
3. For permanent signs, the signs shall be colorfast and resistant to corrosion and rotting.
4. **General Location.** All permanent signs shall be set back at least ~~three~~five (35) feet behind the sidewalk or ~~twelve~~fourteen (14) feet behind the curb if there is not a sidewalk. All temporary signs shall be set back at least ~~three~~five (35) feet behind the sidewalk or ~~three~~five (35) feet behind the curb if there is not a sidewalk. No sign shall be placed closer than fourteen (14) feet to a driveway.

No sign, permanent or temporary, in excess of three (3) feet in height shall be placed within the ~~sight triangle~~Sight Traingle for Signs on any corner lot. No part of any sign shall interfere with the use of any fire escape, exit, required stairway, door ventilator, or window.

5. **Maintenance.** All signs shall be maintained in a safe, presentable and good condition including the replacement of defective parts, cleaning, painting, oiling, changing of light bulbs, or other acts required for the maintenance of said sign. Maintenance shall also include the restoration or repair of any exterior wall penetrations, discolorations, or other damages caused by the installation, removal, or placement of signs on a building.
6. **Inspections.** Alpine City may make an initial inspection or re-inspection of any sign for which a permit has been issued and/or for which an inspection has been deemed necessary. Such inspections shall be performed to determine that all signs, constructions, and all reconstructions or modifications of existing signs are built or constructed in conformance with this ordinance and as represented at application for a permit.

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7. Regulatory signs, as outlined by local, state and/or federal law, are exempt from the provisions of the Alpine City Sign Ordinance.

(Amended by Ord. No. 2005-02, 2/3/05 & Ord. No. 2005-19, 10/25/05; Ord. No. 2007-02, 4/24/07; Ord. No. 2008-04, 5/13/08; Ord. No. 2011-01, 01/11/11)

SECTION 2: **AMENDMENT** “3.25.050 Definitions” of the Alpine City Development Code is hereby *amended* as follows:

BEFORE AMENDMENT

3.25.050 Definitions

Community or Civic Event: A public event that is of interest to the community as a whole rather than the promotion of any product, or commercial goods or services.

Height: The vertical distance measured from the ground level to the highest point of the sign including sign supports.

Public Property: Any property owned by a governmental entity.

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.

Sight Triangle: The area formed by connecting the corner of the property to points thirty-five (35) feet back along each property line abutting the street, or as per AASHTO policy on geometric design of highways and streets regarding safe sight distances.

Sign: Sign shall mean and include a display of an advertising message, usually written, including an announcement, declaration, demonstration, product reproduction, illustration, insignia, surface or space erected or maintained in view of the observer thereof primarily for identification, advertisement, or promotion of the interest of any person, entity, product, or service, and visible from outdoors. The definition of sign shall also include the sign structure, supports, lighting system, and any attachments, flags, ornaments or other features used to draw the attention of observers.

Sign, Activity Sponsor: Signs advertising an individual, business, corporation, or other entity that sponsors sports, such as Alpine Youth Baseball.

Sign, A-frame: A two-sided sign which is self-supporting, easily moved, and not permanently attached to the ground or any structure or building (shaped similar to the graphic shown in Figure 3.25.5.7).

Figure 3.25.5.7



Sign, Construction: A temporary sign placed on a site identifying a new development, the contractor, builder, and/or financial institution; and may include a plat map, project marketing sign, and real estate information. The sign shall be placed only on the site for which it provides information.

Sign, Directional: Temporary, off-premise sign giving directions.

Sign, Election and Political: A temporary sign announcing, promoting, or drawing attention to any candidate(s) seeking public office in a forthcoming election; or signs announcing, promoting, or discouraging political issues.

Sign, Electronic: A sign that flashes, blinks, revolves or is otherwise in motion; or a sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means. This definition includes an electronic message display terminal, screen, or monitor used to receive or provide information, advertise a good or service, or promote an event.

Sign, For-Profit Community Event: Temporary signs advertising community events that are sponsored by a for-profit business.

Sign, Free-Standing (Monument): A sign that is supported by one or more uprights or braces which are fastened to or embedded in the ground or a foundation in the ground, and is not attached to any building or wall.

Sign, Neighborhood Information: A sign that is located entirely on private property and is designed to provide information or notifications to local residents regarding neighborhood events, meetings, or issues.

Sign, Outdoor: Any wood, metal, glass, stone, concrete, or painting on any surface that is designed for outdoor advertising, identification, or directional purposes, and is placed on the ground or attached to any tree, wall, fence, post, or building structure. Outdoor signs may be temporary or permanent.

Sign, Portable: Any sign that can be moved from place to place and is not permanently affixed to the ground or building.

Sign, Real Estate: A temporary sign advertising the sale, rental, or lease of the premises, part of the premises, or lot on which the sign is displayed.

Signs, Regulatory: A range of signs used to indicate or reinforce traffic laws, regulations, or requirements which apply either at all times or at specified times or places upon a street or highway, the disregard of which may constitute a violation.

Sign, Temporary: A sign which is intended for use during a specified, limited time.

(Amended by Ord. No. 2005-02, 2/3/05 & Ord. No. 2005-19, 10/25/05; Ord. No. 2007-02, 4/24/07; Ord. No. 2008-04, 5/13/08; Ord. No. 2011-01, 01/11/11)

AFTER AMENDMENT

3.25.050 Definitions

Community or Civic Event: A public event that is of interest to the community as a whole rather than the promotion of any product, or commercial goods or services.

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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.

Sight Triangle for Signs: The area formed by connecting the corner of the property to points ~~thirty-five~~ fifty (3550) feet back along each property line abutting the street, ~~or as per AASHTO policy on geometric design of highways and streets regarding safe sight distances.~~

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Figure 3.25.5.7



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Sign, Election and Political: A temporary sign announcing, promoting, or drawing attention to any candidate(s) seeking public office in a forthcoming election; or signs announcing, promoting, or discouraging political issues.

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Sign, Free-Standing (Monument): A sign that is supported by one or more uprights or braces which are fastened to or embedded in the ground or a foundation in the ground, and is not attached to any building or wall.

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Signs, Regulatory: A range of signs used to indicate or reinforce traffic laws, regulations, or requirements which apply either at all times or at specified times or places upon a street or highway, the disregard of which may constitute a violation.

Sign, Temporary: A sign which is intended for use during a specified, limited time.

(Amended by Ord. No. 2005-02, 2/3/05 & Ord. No. 2005-19, 10/25/05; Ord. No. 2007-02, 4/24/07; Ord. No. 2008-04, 5/13/08; Ord. No. 2011-01, 01/11/11)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	_____	_____	_____	_____
Judi Pickell	_____	_____	_____	_____
Carla Merrill	_____	_____	_____	_____
Gregory Gordon	_____	_____	_____	_____
Jason Thelin	_____	_____	_____	_____

Presiding Officer

Attest

Troy Stout, Mayor, Alpine City

Charmayne G. Warnock, City
Recorder Alpine City

**ALPINE CITY
ORDINANCE 2020-06**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLES 3.25.020 AND
3.25.050 OF THE ALPINE CITY DEVELOPMENT CODE PERTAINING TO FREE
STANDING OR MONUMENT SIGNS.**

WHEREAS, The Alpine City Council has deemed it in the best interest of Alpine City to revise setback and sight triangle requirements for free standing or monument signs; 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 Articles 3.25.020 and 3.25.050 contained in the attached document will supersede Articles 3.25.020 and 3.25.050 as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: **AMENDMENT** “3.25.020 General Standards” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.25.020 General Standards

1. Except as provided herein, it shall be unlawful to erect, construct, reconstruct, alter, or change the use of any structure, wall marquees, or any other parts jointed together to form a sign without first obtaining a sign permit from Alpine City.
2. Except as provided herein, all applicants for signs within Alpine City must receive a permit from the City prior to construction, placement, or replacement of any sign.
3. For permanent signs, the signs shall be colorfast and resistant to corrosion and rotting.
4. **General Location.** All permanent signs shall be set back at least five (5) feet behind the sidewalk or fourteen (14) feet behind the curb if there is not a sidewalk. All temporary signs shall be set back at least five (5) feet behind the sidewalk or five (5) feet behind the curb if there is not a sidewalk. No sign shall be placed closer than fourteen (14) feet to a driveway.

No sign, permanent or temporary, in excess of three (3) feet in height shall be placed within the Sight Triangle for Signs on any corner lot. No part of any sign shall interfere with the use of any fire escape, exit, required stairway, door ventilator, or window.

5. **Maintenance.** All signs shall be maintained in a safe, presentable and good condition including the replacement of defective parts, cleaning, painting, oiling, changing of light bulbs, or other acts required for the maintenance of said sign. Maintenance shall also include the restoration or repair of any exterior wall penetrations, discolorations, or other

damages caused by the installation, removal, or placement of signs on a building.

6. **Inspections.** Alpine City may make an initial inspection or re-inspection of any sign for which a permit has been issued and/or for which an inspection has been deemed necessary. Such inspections shall be performed to determine that all signs, constructions, and all reconstructions or modifications of existing signs are built or constructed in conformance with this ordinance and as represented at application for a permit.

All permanent signs containing electrical components, footings or foundations, or as otherwise required by the City, shall receive final inspections to certify that the placement and construction of such sign is in conformance with representations made in permit applications and that work is completed and meets all applicable building and safety codes and conditions of approval.

7. Regulatory signs, as outlined by local, state and/or federal law, are exempt from the provisions of the Alpine City Sign Ordinance.

(Amended by Ord. No. 2005-02, 2/3/05 & Ord. No. 2005-19, 10/25/05; Ord. No. 2007-02, 4/24/07; Ord. No. 2008-04, 5/13/08; Ord. No. 2011-01, 01/11/11)

SECTION 2: AMENDMENT “3.25.050 Definitions” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.25.050 Definitions

Community or Civic Event: A public event that is of interest to the community as a whole rather than the promotion of any product, or commercial goods or services.

Height: The vertical distance measured from the ground level to the highest point of the sign including sign supports.

Public Property: Any property owned by a governmental entity.

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Sight Triangle for Signs: The area formed by connecting the corner of the property to points fifty (50) feet back along each property line abutting the street,.

Sign: Sign shall mean and include a display of an advertising message, usually written, including an announcement, declaration, demonstration, product reproduction, illustration, insignia, surface or space erected or maintained in view of the observer thereof primarily for identification, advertisement, or promotion of the interest of any person, entity, product, or service, and visible from outdoors. The definition of sign shall also include the sign structure, supports, lighting system, and any attachments, flags, ornaments or other features used to draw the attention of observers.

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Figure 3.25.5.7



Sign, Construction: A temporary sign placed on a site identifying a new development, the contractor, builder, and/or financial institution; and may include a plat map, project marketing sign, and real estate information. The sign shall be placed only on the site for which it provides information.

Sign, Directional: Temporary, off-premise sign giving directions.

Sign, Election and Political: A temporary sign announcing, promoting, or drawing attention to any candidate(s) seeking public office in a forthcoming election; or signs announcing, promoting, or discouraging political issues.

Sign, Electronic: A sign that flashes, blinks, revolves or is otherwise in motion; or a sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means. This definition includes an electronic message display terminal, screen, or monitor used to receive or provide information, advertise a good or service, or promote an event.

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Sign, Neighborhood Information: A sign that is located entirely on private property and is designed to provide information or notifications to local residents regarding neighborhood events, meetings, or issues.

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Sign, Real Estate: A temporary sign advertising the sale, rental, or lease of the premises, part of the premises, or lot on which the sign is displayed.

Signs, Regulatory: A range of signs used to indicate or reinforce traffic laws, regulations, or requirements which apply either at all times or at specified times or places upon a street or highway, the disregard of which may constitute a violation.

Sign, Temporary: A sign which is intended for use during a specified, limited time.

(Amended by Ord. No. 2005-02, 2/3/05 & Ord. No. 2005-19, 10/25/05; Ord. No. 2007-02, 4/24/07; Ord. No. 2008-04, 5/13/08; Ord. No. 2011-01, 01/11/11)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	_____	_____	_____	_____
Judi Pickell	_____	_____	_____	_____
Carla Merrill	_____	_____	_____	_____
Gregory Gordon	_____	_____	_____	_____
Jason Thelin	_____	_____	_____	_____

Presiding Officer

Attest

Troy Stout, Mayor, Alpine City

Charmayne G. Warnock, City
Recorder Alpine City

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Public Hearing – Amendment – Ordinance 2020-07 – Electronic Bicycles

FOR CONSIDERATION ON: 18 February 2020

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Hold a public hearing, review the proposed ordinance and make a recommendation to City Council.

BACKGROUND INFORMATION:

The City Council discussed this topic at the January 14, 2020 City Council meeting and decided that they would like to consider allowing Class 1 e-bikes on City trails. Staff have drafted an ordinance and a public hearing is now needed.

Under the current ordinance all motorized vehicles are prohibited on Alpine City open space, and it has been interpreted that this applies to all types of e-bikes. However, both the State of Utah and the United States Forest Service define certain types of e-bikes (Class 1, Class 2, or Class 3) as a “bicycle”.

The table below breaks down the differences between the various classes of e-bikes. See attached files for further information on how e-bikes are defined.

E-Bike Classifications	Peddle Assist	Max. Watts	Max Speed w/ Assist	Speedometer	Electric Assist
Class 1	Yes	750 (1h.p.)	20 mph	No	Yes
Class 2	No	750 (1h.p.)	20 mph	No	Yes
Class 3	Yes	750 (1h.p.)	28 mph	Yes	Yes

STAFF RECOMMENDATION:

Hold a public hearing, review and discuss Ordinance 2020-07 and make a recommendation to City Council.

SAMPLE MOTION TO APPROVE:

I motion to recommend that Ordinance 2020-07 be approved as proposed.

SAMPLE MOTION TO APPROVE WITH CONDITIONS:

I motion to recommend that Ordinance 2020-07 be approved with the following conditions/changes:

- ***Insert Finding***

SAMPLE MOTION TO DENY:

I motion to recommend that Ordinance 2020-07 be denied based on the following:

- ***Insert Finding***

**ALPINE CITY
ORDINANCE 2020-07**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLES 3.01.110, 3.16.080,
3.17.020, 3.17.060, AND 3.17.130 OF THE ALPINE CITY DEVELOPMENT CODE
PERTAINING TO ELECTRONIC BICYCLES AS A PERMITTED USE FOR
ALPINE CITY TRAILS AND OPEN SPACE.**

WHEREAS, The Alpine City Council has deemed it in the best interest of Alpine City to allow certain classifications of electronic bicycles on Alpine City trails and in Alpine City open space; 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 Articles 3.01.110, 3.16.080, 3.17.020, 3.17.060, and 3.17.130 contained in the attached document will supersede Articles 3.01.110, 3.16.080, 3.17.020, 3.17.060, and 3.17.130 as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: AMENDMENT “3.16.080 General Restrictions” of the Alpine City Development Code is hereby *amended* as follows:

BEFORE AMENDMENT

3.16.080 General Restrictions

Certain restrictions apply to all publicly-owned space, regardless of designation.

1. Unless specifically authorized, no motorized vehicles are allowed.
2. Public entry may be prohibited in designated areas, at specific times, and/or seasons. This may be further restricted to specific types of use, such as cycling, horseback riding, or cross country skiing as established by the City Council.
3. Open fires will not be allowed, except in City-installed fire pits in such places as the Bowery and Historic Moyle Park.
4. Overnight camping will not be allowed, except in designated areas (Bowery and rodeo grounds) and with the notification and permission of City Hall. Permit to be obtained at City Hall.
5. No animals of any kind are allowed in Historic Moyle Park. In all other parks pets are to be leashed, except in Lambert Park in which case the pet is to be under the owner's direct control at all times. All animal excrement is to be cleaned up by the owner of the animal or pet.
6. Dumping or storage of private property will not be allowed.
7. Nothing may be placed by individuals to restrict or obstruct the public right-of-way.
8. The City Council may allow or prohibit other uses as it deems reasonable and proper.

(Ord. 1998-20, 11/24/98; amended by Ord. 2004-18, 11/23/04; amended Ord. 2007-12, 08/14/07; Ord. 2016-07, 07/26/16; Ord. 2016-24, 11/09/16)

AFTER AMENDMENT

3.16.080 General Restrictions

Certain restrictions apply to all publicly-owned space, regardless of designation.

1. Unless specifically authorized, no motorized vehicles are allowed (Electronic Bicycles (Class 1) are exempt).
2. Public entry may be prohibited in designated areas, at specific times, and/or seasons. This may be further restricted to specific types of use, such as cycling, horseback riding, or cross country skiing as established by the City Council.
3. Open fires will not be allowed, except in City-installed fire pits in such places as the Bowery and Historic Moyle Park.
4. Overnight camping will not be allowed, except in designated areas (Bowery and rodeo grounds) and with the notification and permission of City Hall. Permit to be obtained at City Hall.
5. No animals of any kind are allowed in Historic Moyle Park. In all other parks pets are to be leashed, except in Lambert Park in which case the pet is to be under the owner's direct control at all times. All animal excrement is to be cleaned up by the owner of the animal or pet.
6. Dumping or storage of private property will not be allowed.
7. Nothing may be placed by individuals to restrict or obstruct the public right-of-way.
8. The City Council may allow or prohibit other uses as it deems reasonable and proper.

(Ord. 1998-20, 11/24/98; amended by Ord. 2004-18, 11/23/04; amended Ord. 2007-12, 08/14/07; Ord. 2016-07, 07/26/16; Ord. 2016-24, 11/09/16)

SECTION 2: AMENDMENT “3.17.020 Permitted Uses” of the Alpine City Development Code is hereby *amended* as follows:

BEFORE AMENDMENT

3.17.020 Permitted Uses

1. **Trail Usage.** Alpine trails are multi-use for pedestrians, equestrians, bicyclists and other similar non-motorized uses. ADA (American Disability Act) access for motorized wheelchairs shall be indicated by signage.

(Ord. 99-08, 8-10-99; Amended by Ord. 2004-11, 7/13/04; Ord. 2008-05, 7/22/08; Ord. 2009-06, 4/28/09)

AFTER AMENDMENT

3.17.020 Permitted Uses

1. **Trail Usage.** Alpine trails are multi-use for pedestrians, equestrians, bicyclists (including

Electronic Bicycles (Class 1) and other similar non-motorized uses. ADA (American Disability Act) access for motorized wheelchairs shall be indicated by signage.

(Ord. 99-08, 8-10-99; Amended by Ord. 2004-11, 7/13/04; Ord. 2008-05, 7/22/08; Ord. 2009-06, 4/28/09)

SECTION 3: AMENDMENT “3.17.060 General Restrictions” of the Alpine City Development Code is hereby *amended* as follows:

BEFORE AMENDMENT

3.17.060 General Restrictions

1. **General Restrictions.** Certain restrictions apply to all publicly owned trails, regardless of designation.
 - a. No motorized vehicles shall be allowed on trails except for vehicles performing trail maintenance, emergency vehicles, motorized wheel chairs on trails which are ADA (American Disability Act) accessible, or as designated by the City Council.
 - b. Public entry may be prohibited in designated areas, at specific times, and/or seasons. This may be further restricted to specific types of use, such as cycling, horseback riding, cross country skiing or as established by the City Council.
 - c. Open fires will not be allowed except in City-installed fire pits in such places as the Bowery and historic Moyle Park.
 - d. Overnight camping will not be allowed, except in designated areas (Bowery), and with the notification of and a permit from City Hall.
 - e. All dogs are to be leashed, except in Lambert Park in which case the dog is to be under the owner's direct control at all times. All animal excrement is to be cleaned up by the dog owner.
 - f. Dumping or storage of private property will not be allowed.
 - g. Nothing may be placed by individuals to restrict or obstruct the public right-of-way.
 - h. The City Council may allow or prohibit other uses as it deems reasonable and proper.

(Ord. 99-08, 8-10-99; Amended by Ord. 2004-11, 7/13/04; Ord. 2008-05, 7/22/08; Ord. 2009-06, 4/28/09)

AFTER AMENDMENT

3.17.060 General Restrictions

1. **General Restrictions.** Certain restrictions apply to all publicly owned trails, regardless of designation.
 - a. No motorized vehicles shall be allowed on trails except for vehicles performing trail maintenance, emergency vehicles, Electronic Bicycles (Class 1), motorized wheel chairs on trails which are ADA (American Disability Act) accessible, or as designated by the City Council.
 - b. Public entry may be prohibited in designated areas, at specific times, and/or

- seasons. This may be further restricted to specific types of use, such as cycling, horseback riding, cross country skiing or as established by the City Council.
- c. Open fires will not be allowed except in City-installed fire pits in such places as the Bowery and historic Moyle Park.
 - d. Overnight camping will not be allowed, except in designated areas (Bowery), and with the notification of and a permit from City Hall.
 - e. All dogs are to be leashed, except in Lambert Park in which case the dog is to be under the owner's direct control at all times. All animal excrement is to be cleaned up by the dog owner.
 - f. Dumping or storage of private property will not be allowed.
 - g. Nothing may be placed by individuals to restrict or obstruct the public right-of-way.
 - h. The City Council may allow or prohibit other uses as it deems reasonable and proper.

(Ord. 99-08, 8-10-99; Amended by Ord. 2004-11, 7/13/04; Ord. 2008-05, 7/22/08; Ord. 2009-06, 4/28/09)

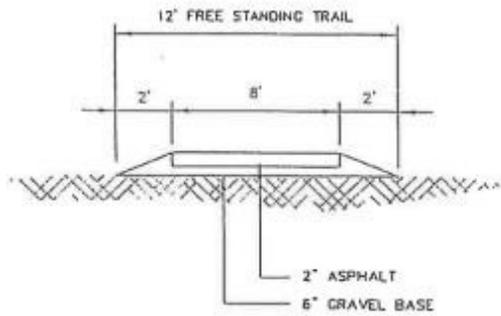
SECTION 4: AMENDMENT “3.17.130 Trail Safety And Etiquette” of the Alpine City Development Code is hereby *amended* as follows:

BEFORE AMENDMENT

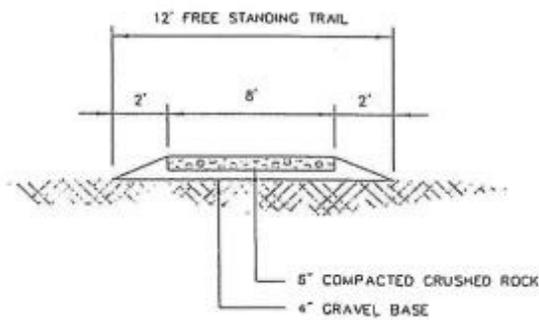
3.17.130 Trail Safety And Etiquette

1. **Purpose.** The purpose of this Ordinance is to secure the safe, quiet, orderly and suitable use and enjoyment by the public on Alpine City Trail, and to ensure the public’s right quiet, lawful enjoyment, both users and homeowners.
2. **General Restrictions**
 - a. Trails will be closed between dusk and dawn. This excludes the trails in all City parks and sidewalks designated as trails.
 - b. Do not serve, possess, or consume any alcoholic beverages or illegal drugs within or upon the Trail Corridor.
 - c. No discharge of any weapons.
 - d. No Fires, Fireworks and Smoking along the trail corridor.
 - e. No Dumping or any discharge of waste.
 - f. Do not remove, alter, injure or destroy the natural resources in city open spaces and trail corridors (rocks, flowers, trees, etc.).
 - g. No operation of motorized vehicles except in designated areas. Motorized vehicle trails shall be closed from dusk to 7:00 am.
 - h. All dogs must be leashed except within the boundaries of Lambert Park.
 - i. Trail users shall not leave the trail corridor and enter on private property without permission of the landowner.
 - j. New trails and trail realignments shall be approved by the City.
 - k. Nothing will be constructed or placed to restrict the trail right of way.
 - l. Any abuse of the above restrictions could result in closing the trail by the City.
3. **Trail Etiquette**
 - a. Stay on established, marked trails.
 - b. Do not cut cross country where there are not trails.

- c. Try to prevent widening of trails.
 - d. Bikers yield to Hikers, both yield to horses. Motorized vehicles yield to all.
 - e. Do not enter private property.
 - f. Keep noise level appropriate.
 - g. Keep speed under control.
4. **Trail Events.** Any organization wishing to use Alpine City trails must post a refundable deposit for events such as races, etc. to protect against the damage to public trails and clean-up costs. The refundable deposit shall be set by the Alpine City Council on the City Fee Schedule. Alpine City Council shall approve the trail/course to be used in the event. Alpine City shall not take responsibility for injury resulting from said activities.
5. **Trail Watch.** The Alpine City PRO Committee is charged with the job of creating and overseeing the trail-watch program. The trail-watch program shall be created too provide a safe city trail system. The trail-watch program shall consist of the following four categories: 1) volunteer patrols, 2) trail maintenance reporting system, 3) better signage, and 4) training and notifying the public on various trail issues including what to do in an emergency or how to report on general trail problems.



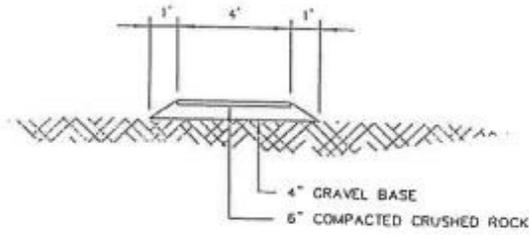
CLASS B 8' ASPHALT TRAIL CROSS-SECTION
N.T.S.



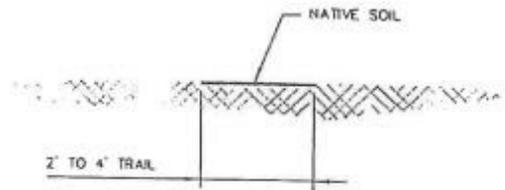
CLASS C 8' CRUSHED ROCK TRAIL CROSS-SECTION
N.T.S.

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 01/02/98 11:31 am

ALPINE CITY
STANDARD DRAWING



CLASS D 4' CRUSHED ROCK TRAIL CROSS-SECTION
N.T.S.

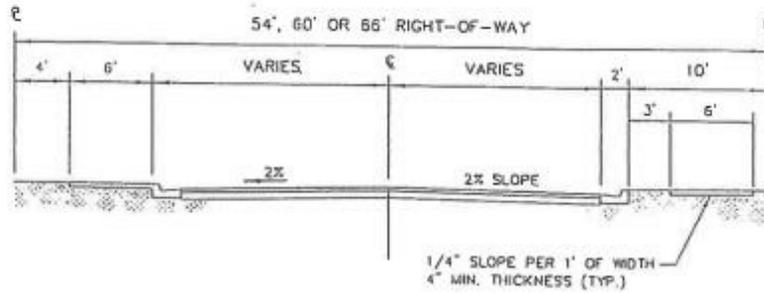


CLASS E 2' DIRT TRAIL CROSS-SECTION
N.T.S.

100-00-000 03/02/08 10:38 000000

STANDARD DRAWING

ALPINE CITY
 STANDARD DRAWING
 FIGURE X-X



ALPINE CITY RESERVES THE RIGHT TO DETERMINE WHETHER THE COMBINATION OR PLANTER STRIP OPTION WILL BE CONSTRUCTED ON A CASE-BY-CASE BASIS.

CLASS A 6' SIDEWALK TRAIL CROSS-SECTION

N.T.S.

ALPINE CITY
STANDARD DRAWING
FIGURE X-X

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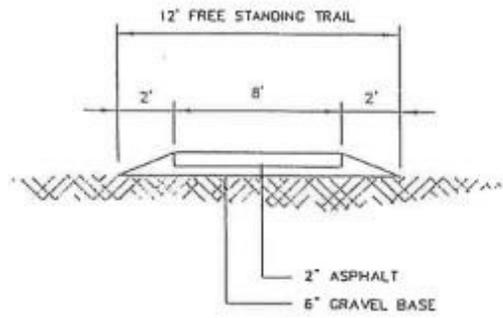
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(Ord. 99-08, 8-10-99; Amended by Ord. 2004-11, 7/13/04; Ord. 2008-05, 7/22/08; Ord. 2009-06, 4/28/09)

AFTER AMENDMENT

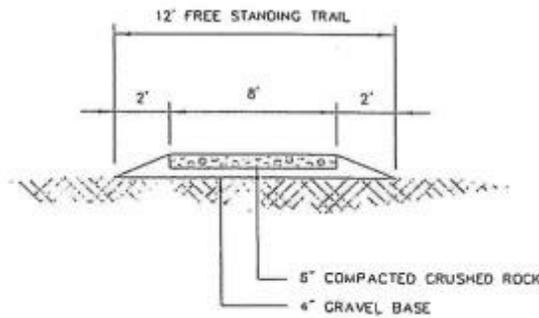
3.17.130 Trail Safety And Etiquette

1. **Purpose.** The purpose of this Ordinance is to secure the safe, quiet, orderly and suitable use and enjoyment by the public on Alpine City Trail, and to ensure the public's right quiet, lawful enjoyment, both users and homeowners.
2. **General Restrictions**
 - a. Trails will be closed between dusk and dawn. This excludes the trails in all City parks and sidewalks designated as trails.
 - b. Do not serve, possess, or consume any alcoholic beverages or illegal drugs within or upon the Trail Corridor.
 - c. No discharge of any weapons.
 - d. No Fires, Fireworks and Smoking along the trail corridor.
 - e. No Dumping or any discharge of waste.
 - f. Do not remove, alter, injure or destroy the natural resources in city open spaces and trail corridors (rocks, flowers, trees, etc.).
 - g. No operation of motorized vehicles except in designated areas ([Electric Bicycles \(Class 1\) being exempt](#)). Motorized vehicle trails shall be closed from dusk to 7:00 am.
 - h. All dogs must be leashed except within the boundaries of Lambert Park.
 - i. Trail users shall not leave the trail corridor and enter on private property without permission of the landowner.
 - j. New trails and trail realignments shall be approved by the City.
 - k. Nothing will be constructed or placed to restrict the trail right of way.
 - l. Any abuse of the above restrictions could result in closing the trail by the City.
3. **Trail Etiquette**
 - a. Stay on established, marked trails.
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CLASS B 8' ASPHALT TRAIL CROSS-SECTION

N.T.S.

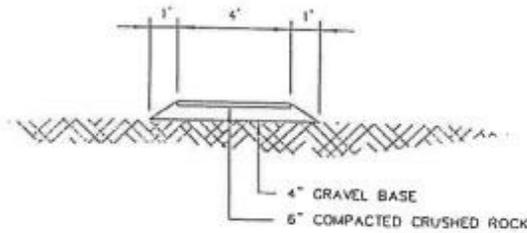


CLASS C 8' CRUSHED ROCK TRAIL CROSS-SECTION

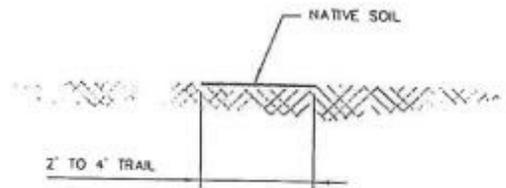
N.T.S.

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ALPINE CITY
STANDARD DRAWING



CLASS D 4' CRUSHED ROCK TRAIL CROSS-SECTION
N.T.S.

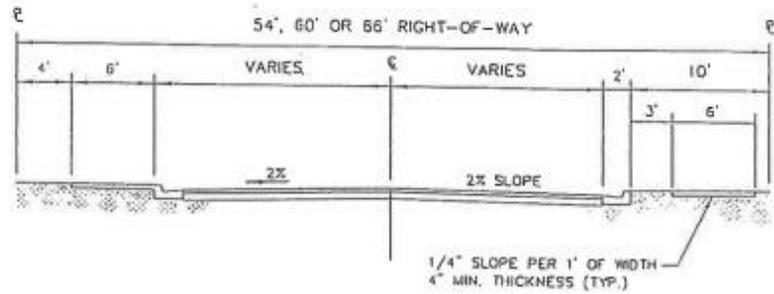


CLASS E 2' DIRT TRAIL CROSS-SECTION
N.T.S.

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ALPINE CITY
STANDARD DRAWING
FIGURE X-X



ALPINE CITY RESERVES THE RIGHT TO DETERMINE WHETHER THE COMBINATION OR PLANTER STRIP OPTION WILL BE CONSTRUCTED ON A CASE-BY-CASE BASIS.

CLASS A 6' SIDEWALK TRAIL CROSS-SECTION

W.T.S.

ALPINE CITY
STANDARD DRAWING
FIGURE X-X

STANDARD/DRAWING: 03/01/08 1.0.13 (minimum)

(Ord. 99-08, 8-10-99; Amended by Ord. 2004-11, 7/13/04; Ord. 2008-05, 7/22/08; Ord. 2009-06, 4/28/09)

SECTION 1: 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). A 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.

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

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	_____	_____	_____	_____
Judi Pickell	_____	_____	_____	_____
Carla Merrill	_____	_____	_____	_____
Gregory Gordon	_____	_____	_____	_____
Jason Thelin	_____	_____	_____	_____

Presiding Officer

Attest

Troy Stout, Mayor, Alpine City

Charmayne G. Warnock, City
Recorder Alpine City

**ALPINE CITY
ORDINANCE 2020-07**

AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLES 3.01.110, 3.16.080, 3.17.020, 3.17.060, AND 3.17.130 OF THE ALPINE CITY DEVELOPMENT CODE PERTAINING TO ELECTRONIC BICYCLES AS A PERMITTED USE FOR ALPINE CITY TRAILS AND OPEN SPACE.

WHEREAS, The Alpine City Council has deemed it in the best interest of Alpine City to allow certain classifications of electronic bicycles on Alpine City trails and in Alpine City open space; 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 Articles 3.01.110, 3.16.080, 3.17.020, 3.17.060, and 3.17.130 contained in the attached document will supersede Articles 3.01.110, 3.16.080, 3.17.020, 3.17.060, and 3.17.130 as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: AMENDMENT “3.16.080 General Restrictions” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.16.080 General Restrictions

Certain restrictions apply to all publicly-owned space, regardless of designation.

1. Unless specifically authorized, no motorized vehicles are allowed (Electronic Bicycles (Class 1) are exempt).
2. Public entry may be prohibited in designated areas, at specific times, and/or seasons. This may be further restricted to specific types of use, such as cycling, horseback riding, or cross country skiing as established by the City Council.
3. Open fires will not be allowed, except in City-installed fire pits in such places as the Bowery and Historic Moyle Park.
4. Overnight camping will not be allowed, except in designated areas (Bowery and rodeo grounds) and with the notification and permission of City Hall. Permit to be obtained at City Hall.
5. No animals of any kind are allowed in Historic Moyle Park. In all other parks pets are to be leashed, except in Lambert Park in which case the pet is to be under the owner's direct control at all times. All animal excrement is to be cleaned up by the owner of the animal or pet.
6. Dumping or storage of private property will not be allowed.
7. Nothing may be placed by individuals to restrict or obstruct the public right-of-way.

8. The City Council may allow or prohibit other uses as it deems reasonable and proper.

(Ord. 1998-20, 11/24/98; amended by Ord. 2004-18, 11/23/04; amended Ord. 2007-12, 08/14/07; Ord. 2016-07, 07/26/16; Ord. 2016-24, 11/09/16)

SECTION 2: AMENDMENT “3.17.020 Permitted Uses” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.17.020 Permitted Uses

1. **Trail Usage.** Alpine trails are multi-use for pedestrians, equestrians, bicyclists (including Electronic Bicycles (Class 1)) and other similar non-motorized uses. ADA (American Disability Act) access for motorized wheelchairs shall be indicated by signage.

(Ord. 99-08, 8-10-99; Amended by Ord. 2004-11, 7/13/04; Ord. 2008-05, 7/22/08; Ord. 2009-06, 4/28/09)

SECTION 3: AMENDMENT “3.17.060 General Restrictions” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.17.060 General Restrictions

1. **General Restrictions.** Certain restrictions apply to all publicly owned trails, regardless of designation.
 - a. No motorized vehicles shall be allowed on trails except for vehicles performing trail maintenance, emergency vehicles, Electronic Bicycles (Class 1), motorized wheel chairs on trails which are ADA (American Disability Act) accessible, or as designated by the City Council.
 - b. Public entry may be prohibited in designated areas, at specific times, and/or seasons. This may be further restricted to specific types of use, such as cycling, horseback riding, cross country skiing or as established by the City Council.
 - c. Open fires will not be allowed except in City-installed fire pits in such places as the Bowery and historic Moyle Park.
 - d. Overnight camping will not be allowed, except in designated areas (Bowery), and with the notification of and a permit from City Hall.
 - e. All dogs are to be leashed, except in Lambert Park in which case the dog is to be under the owner's direct control at all times. All animal excrement is to be cleaned up by the dog owner.
 - f. Dumping or storage of private property will not be allowed.
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 - h. The City Council may allow or prohibit other uses as it deems reasonable and proper.

(Ord. 99-08, 8-10-99; Amended by Ord. 2004-11, 7/13/04; Ord. 2008-05, 7/22/08; Ord. 2009-06, 4/28/09)

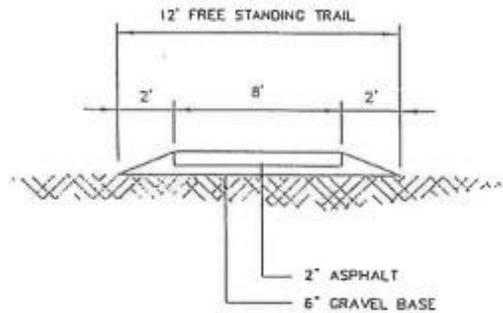
SECTION 4: **AMENDMENT** “3.17.130 Trail Safety And Etiquette” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.17.130 Trail Safety And Etiquette

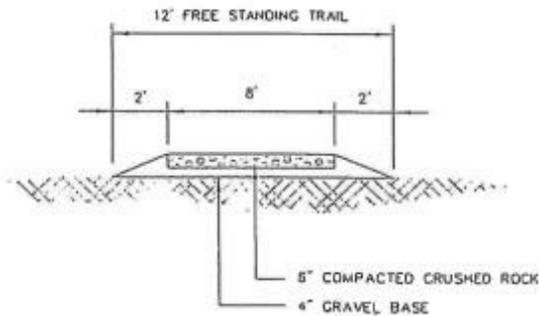
1. **Purpose.** The purpose of this Ordinance is to secure the safe, quiet, orderly and suitable use and enjoyment by the public on Alpine City Trail, and to ensure the public’s right quiet, lawful enjoyment, both users and homeowners.
2. **General Restrictions**
 - a. Trails will be closed between dusk and dawn. This excludes the trails in all City parks and sidewalks designated as trails.
 - b. Do not serve, possess, or consume any alcoholic beverages or illegal drugs within or upon the Trail Corridor.
 - c. No discharge of any weapons.
 - d. No Fires, Fireworks and Smoking along the trail corridor.
 - e. No Dumping or any discharge of waste.
 - f. Do not remove, alter, injure or destroy the natural resources in city open spaces and trail corridors (rocks, flowers, trees, etc.).
 - g. No operation of motorized vehicles except in designated areas (Electric Bicycles (Class 1) being exempt). Motorized vehicle trails shall be closed from dusk to 7:00 am.
 - h. All dogs must be leashed except within the boundaries of Lambert Park.
 - i. Trail users shall not leave the trail corridor and enter on private property without permission of the landowner.
 - j. New trails and trail realignments shall be approved by the City.
 - k. Nothing will be constructed or placed to restrict the trail right of way.
 - l. Any abuse of the above restrictions could result in closing the trail by the City.
3. **Trail Etiquette**
 - a. Stay on established, marked trails.
 - b. Do not cut cross country where there are not trails.
 - c. Try to prevent widening of trails.
 - d. Bikers yield to Hikers, both yield to horses. Motorized vehicles yield to all.
 - e. Do not enter private property.
 - f. Keep noise level appropriate.
 - g. Keep speed under control.
4. **Trail Events.** Any organization wishing to use Alpine City trails must post a refundable deposit for events such as races, etc. to protect against the damage to public trails and clean-up costs. The refundable deposit shall be set by the Alpine City Council on the City Fee Schedule. Alpine City Council shall approve the trail/course to be used in the event. Alpine City shall not take responsibility for injury resulting from said activities.
5. **Trail Watch.** The Alpine City PRO Committee is charged with the job of creating and overseeing the trail-watch program. The trail-watch program shall be created too provide a safe city trail system. The trail-watch program shall consist of the following four categories: 1) volunteer patrols, 2) trail maintenance reporting system, 3) better signage,

and 4) training and notifying the public on various trail issues including what to do in an emergency or how to report on general trail problems.



CLASS B 8' ASPHALT TRAIL CROSS-SECTION

N.T.S.

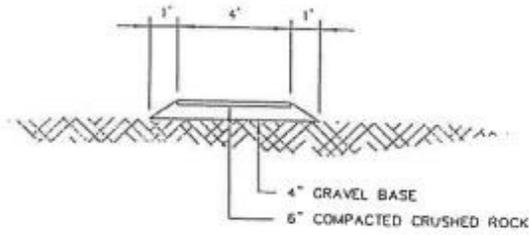


CLASS C 8' CRUSHED ROCK TRAIL CROSS-SECTION

N.T.S.

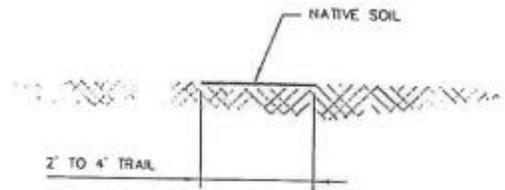
STANDARD DRAWING JBC:ey 03/02/98 11:34 penman

ALPINE CITY
STANDARD DRAWING



CLASS D 4' CRUSHED ROCK TRAIL CROSS-SECTION

N.T.S.



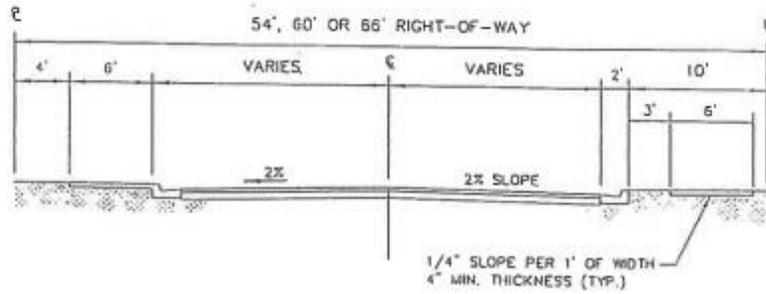
CLASS E 2' DIRT TRAIL CROSS-SECTION

N.T.S.

Std. DE-44 03/02/08 11-38 jms:m

STANDARD/DIRECT-VI

ALPINE CITY
STANDARD DRAWING
FIGURE X-X



ALPINE CITY RESERVES THE RIGHT TO DETERMINE WHETHER THE COMBINATION OR PLANTER STRIP OPTION WILL BE CONSTRUCTED ON A CASE-BY-CASE BASIS.

CLASS A 6' SIDEWALK TRAIL CROSS-SECTION

N.T.S.

ALPINE CITY
STANDARD DRAWING
FIGURE X-X

Std_A-6 03/12/95 13.13 jms:m

5/15/00-ADD/DTRE

(Ord. 99-08, 8-10-99; Amended by Ord. 2004-11, 7/13/04; Ord. 2008-05, 7/22/08; Ord. 2009-06, 4/28/09)

SECTION 1: **AMENDMENT** “3.01.110 Definitions” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

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). A 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.

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

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	_____	_____	_____	_____
Judi Pickell	_____	_____	_____	_____
Carla Merrill	_____	_____	_____	_____
Gregory Gordon	_____	_____	_____	_____
Jason Thelin	_____	_____	_____	_____

Presiding Officer

Attest

Troy Stout, Mayor, Alpine City

Charmayne G. Warnock, City
Recorder Alpine City

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Planning Commission Minutes February 4, 2020

FOR CONSIDERATION ON: February 18, 2020

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Approve Minutes

BACKGROUND INFORMATION:

Minutes from the February 4, 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
February 4, 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: Ethan Allen, John MacKay, Alan MacDonald,

Excused: Bryce Higbee, Jessica Smuin, Sylvia Christiansen

Staff: Austin Roy, Jed Muhlestein, Marla Fox

Others: Marne Reneer, Greg Wilding, Will Jones

B. Prayer/Opening Comments: John MacKay

C. Pledge of Allegiance: Jane Griener

II. PUBLIC COMMENT

There were no public comments.

III. ACTION ITEMS

A. Public Hearing – Short Term Rentals

Austin Roy explained that in October 2019 the Planning Commission reviewed and discussed a proposed ordinance that would allow Short Term Rentals with certain restrictions. After some discussion, the Planning Commission articulated that the downsides to allowing Short Term Rentals outweighed the benefits. Staff subsequently prepared a proposed ordinance which would prohibit Short Term Rentals in Alpine City, and it was discussed at the January 7, 2020 meeting. The Planning Commission requested that staff make changes to the proposed language. The proposed ordinance had since been updated based on feedback from that meeting and was now returning to Planning Commission for a public hearing and action on a forwarded recommendation to the City Council.

Chairwoman Jane Griener opened the Public Hearing

Marne Reneer, resident, said she had an accessory apartment in her home and wanted to turn it into an Airbnb because it would allow her to make extra income while still having her home available when her kids came to visit. She said she should have done her research before starting this project and she wanted to know why this was not legal. Chairwoman Jane Griener told Mrs. Reneer that it was against the City's policy to rent out both sides of one's home. If a resident rented their home, they had to live in part of it; it was not possible to rent half of the home long-term while renting the other half of it short-term. Additionally, the City had a moderate income housing plan that used the City's mother-in-law apartments as a major part of that plan to provide lower income housing. If all of those units were to become Short Term Rentals, that would take away from the Moderate Income Housing Plan. Furthermore, this had been discussed multiple times and residents who lived by these Short Term Rentals were very unhappy. They didn't like the traffic, the noise, strangers in their neighborhoods, trespassing, and single-family homes being turned into hotels.

1 Alan MacDonald reiterated Chairwoman Jane Griener's point regarding the Moderate Income Housing
2 Plan.

3
4 Ms. Reneer asked that the City reconsider its position to allow for these Short Term Rentals. She stated
5 that not all short-term tenants caused issues and that by having travelers come in and out of the area there
6 were opportunities for sharing meaningful cultural experiences without ever having to leave Alpine. There
7 was subsequent discussion on points previously raised regarding this item.

8
9 Chairwoman Jane Griener closed the Public Hearing.

10
11 **B. Amendment to Ordinance – Short Term Rentals**

12
13 Austin Roy explained that the proposed Ordinance defined Short Term Rentals as follows: "Temporary
14 lodging or place of stay that is rented (including, but not limited to hotels, motels, bed and breakfast,
15 boarding homes, etc.) for a period of thirty (30) consecutive days or less." He stated that this definition was
16 created based on the feedback of the Planning Commission the last time this item was discussed. He further
17 noted that the majority of the above language was borrowed from the Utah State Tax Commission.

18
19 In response to questions from Planning Commissioners, Austin Roy explained that every zone in the City
20 had a clause stating that Short Term Rentals were prohibited. Code violators would be issued fines of \$50
21 per day. Residents issued fines would also have the opportunity to appeal any citations. Austin Roy
22 explained that the fine was standard for any code infraction in the City, with the exception of street
23 sweeping. The question was asked if merely posting a rental on websites like Airbnb and VRBO was cause
24 for a citation to be issued, to which Austin Roy said no. He further explained that this was due to a law
25 recently passed by the State Legislature prohibiting cities from using web postings to issue citations to
26 residents. The City's code enforcement program was based primarily on complaints.

27
28 The Planning Commission had subsequent discussion about enforcement and fines. Chairwoman Jane
29 Griener asked if they could revisit the fine structure in the future, to which staff indicated that this would
30 be an issue that would need to be reviewed by the City Council.

31
32 **MOTION:** Alan MacDonald moved to recommend approval of Ordinance 2020-2 to the City Council as
33 proposed, with the further recommendation that the City Council review the penalty structure and determine
34 whether or not the fine amounts are adequate. John MacKay seconded the motion. There were 4 Ayes and
35 0 Nays (recorded below). The motion passed.

36
37 **Ayes:**

38 Ethan Allen

39 John MacKay

40 Jane Griener

41 Alan MacDonald

37 **Nays:**

38 None

42
43 **C. Public Hearing – FEMA Updates**

44
45 Jed Muhlestein explained that FEMA was updating maps for Utah County in June 2020. Prior to doing so,
46 they were requiring cities to update and reference the new map. In order to be in compliance with this
47 update, the City needed to amend the ordinance to reference the most current maps applicable to the area.
48 Jed Muhlestein said the State would like to encourage cities to stop using the phrase 100-year flood, as the
49 State usually experienced a flood storm every 30 years.

1 Chairwoman Jane Griener opened the Public Hearing. There were no comments and Chairwoman Jane
2 Griener closed the Public Hearing.

3
4 **D. Amendment to Ordinance – FEMA Updates**

5
6 **MOTION:** John MacKay moved to recommend approval of the proposed updates to the ordinance in
7 reference to the 2020 FEMA maps. Ethan Allen seconded the motion. There were 4 Ayes and 0 Nays
8 (recorded below). The motion passed.

9
10 **Ayes:**

11 Ethan Allen
12 John MacKay
13 Jane Griener
14 Alan MacDonald

10 **Nays:**

11 None

15
16 **E. Road Grade Exception Request – Brookside Meadows Subdivision**

17
18 Jed Muhlestein said the Developer was seeking an exception to the City standard for road grades in an
19 intersection: specifically, five percent (5%) grades through the intersections of the Brookside Meadows
20 Subdivision. The Development Code (4.07.090) stated:

21
22 *“Street intersections: Shall have a vertical alignment such that the grade shall not exceed three*
23 *percent (3%) for a minimum distance of fifty feet (50') each way from the centerline of the*
24 *intersection.”*

25
26 Jed Muhlestein presented an aerial map depicting where the exception would take place and where two
27 retaining walls would be located. On the 5% design, there were no retaining walls along Soldier Circle.
28 This was a conceptual design and they still needed to iron out all of the details. He said he was not sure the
29 walls would be completely gone but they would be greatly reduced. Jed Muhlestein said he was interested
30 in distances in the sight triangle, and the same cut slope would be maintained in the sight triangle with
31 either design. He noted that Draper City had a 5% slope ordinance whereas Park City had a 2% slope
32 ordinance. Cars needed to be stored at an intersection and have flat space. This particular intersection did
33 not need space for stored cars and he said he would feel comfortable going up to a higher slope percentage.
34 He said he was in favor of giving the developer the exception. He supported residential intersections being
35 built at a 5% slope but keeping arterial intersections at the 3% slope.

36
37 Greg Wilding, representative of the developer, said if the exception was granted they would grade the sight
38 triangle back so it was flat and grade up into the lot. He discussed the review that was conducted of the site
39 by his engineer. He said they would still have a retaining wall with the 5% slope but the height would be
40 cut in half.

41
42 Ethan Allen thought the exception was reasonable. Chairwoman Jane Griener wanted a little more
43 information but understood that it needed to move forward.

44
45 **MOTION:** Alan Macdonald moved to recommend approval of the exception request to the City Council
46 based on the following:

- 47
48 1. The 5% design would reduce retaining walls;
49 2. The sight distance outside the site triangle will be better due to less cut slopes;
50 3. Due to low traffic volume, the need for vehicular storage area is not anticipated;
51 4. The request follows generally accepted planning and engineering;

1 5. The request does not vary the zone, use or lot size of the development.

2
3 Ethan Allen seconded the motion. There were 4 Ayes and 0 Nays (recorded below). The motion passed.

4
5 **Ayes:**

6 Ethan Allen

7 John MacKay

8 Jane Griener

9 Alan MacDonald

Nays:

None

10
11 **E. Major Subdivision Final Plat – Brookside Meadows Subdivision**

12
13 Austin Roy explained that Brookside Meadows consisted of 15 lots on 13.306 acres. From a zoning
14 standpoint, the plan had not changed much since the preliminary phase. The development was located at
15 approximately 430 North 400 West, and in the CR 20,000 zone. The final plan showed a connection to the
16 Whitby Woodlands Subdivision on the east side of the property. The City Council had reviewed and
17 approved the concept plan and Planned Residential Development (PRD) status of the subdivision and the
18 Planning Commission had approved the Preliminary Plan. The developer was now seeking approval of the
19 Final Plat. Austin Roy said all red lines on the plat and plans needed to be addressed and changed to show
20 the 5% slope. Lastly, he noted that the developer addressed landscaping and open south fence requirements
21 on the retaining wall plans prior to construction of said items.

22
23 Jed Muhlestein added that the retaining walls were tiered and required landscaping between the tiers. There
24 was brief discussion regarding an appropriate motion to make on this action in order to cover all of the
25 necessary items.

26
27 **MOTION:** John MacKay moved to recommend approval to the City Council the Brookside Meadows Final
28 plan with the conditions listed below. Prior to the recording of the plat, the developer is to:

- 29
30 1. Remove existing buildings or include the removal of existing buildings in the bond;
31 2. Meet the Water Policy;
32 3. Provide escrow funds for a roadway preservation coat;
33 4. Provide a cost estimate for development;
34 5. Address the redlines on the plat and plans including the 5% exception recommended to
35 City Council if approved;
36 6. The Developer address landscaping and open style fence requirements on the retaining wall
37 plans prior to construction of said items.

38
39 Alan MacDonald seconded the motion. There were 4 Ayes and 0 Nays (recorded below). The motion
40 passed.

41
42 **Ayes:**

43 Ethan Allen

44 John MacKay

45 Jane Griener

46 Alan MacDonald

Nays:

None

47
48 **IV. Communications**

49
50 Austin Roy welcomed new Planning Commission member Ethan Allen. He noted that the City was working
51 with the bank to increase visibility at the 100 South intersection because of the obstruction of their sign.

1 Austin Roy said the Trails Committee would soon be reporting on E-Bikes. The City Council approved the
2 new cell tower at City Hall. Lastly, the next Planning Commission meeting would be held on February 18,
3 2020.
4

5 **V. APPROVAL OF PLANNING COMMISSION MINUTES:** January 21, 2020
6

7 **MOTION:** Ethan Allen moved to approve the minutes for January 21, 2020 with corrections (Jane was
8 absent from the previous meeting; change “co-chairman” to “vice chairman”). Alan MacDonald seconded
9 the motion. There were 4 Ayes and 0 Nays (recorded below). The motion passed.
10

11	<u>Ayes:</u>	<u>Nays:</u>
12	Ethan Allen	None
13	Jane Griener	
14	John MacKay	
15	Alan MacDonald	

16
17 The meeting was adjourned at 8:13 p.m.

