



ALPINE CITY COUNCIL **ELECTRONIC** MEETING AGENDA

NOTICE is hereby given that the CITY COUNCIL of Alpine City, Utah will hold an **Electronic Public Meeting** on **Tuesday, July 28, 2020 at 7:00 pm** hosted at Alpine City Hall, 20 North Main, Alpine, Utah. The public may participate in the meeting via the **Alpine City YouTube Channel**. A direct link to the channel can be found on the home page of the Alpine City website: alpinecity.org Public Comments may be submitted to admin@alpinecity.org by 5:00 pm the day of the meeting.

I. CALL MEETING TO ORDER

- A. Roll Call Mayor Troy Stout
- B. Prayer: Jason Thelin

II. CONSENT CALENDAR

- A. Approve City Council minutes of July 14, 2020
- B. Approval of 2020 Overlay Bid (results and award recommendation will be available at the meeting)

III. PUBLIC COMMENT

IV. REPORTS AND PRESENTATIONS

- A. Update from Planning Commission: General Plan and Land Use Regulations – Gateway Roads and Streets

V. ACTION/DISCUSSION ITEMS

- A. Public Hearing – Ordinance 2020-15: Boundary Line Adjustment with Highland City
- B. Plat Amendment Heritage Hills Plat G: The purpose of this plat amendment is to improve the trail system in the Heritage Hill development.
- C. Ordinance 2020-04: Business–Commercial Setbacks
- D. Discussion: Limitations on size of lots and structures within the City

VI. STAFF REPORTS

VII. COUNCIL COMMUNICATION

- III. EXECUTIVE SESSION: Discuss litigation, property acquisition, or the professional character, conduct or competency of personnel.

Mayor Troy Stout
July 23, 2020

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS. If you need a special accommodation to participate, please call the City Recorder's Office at (801) 756-6347 x 4.
CERTIFICATE OF POSTING. The undersigned duly appointed recorder does hereby certify that the above agenda notice was on the bulletin board located inside City Hall at 20 North Main and 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 our 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/City Council, 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 CITY COUNCIL ELECTRONIC MEETING
Tuesday, July 14, 2020 at 7:00 pm

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:00 pm by Mayor Troy Stout.

A. Roll Call: The following were present and constituted a quorum.

Mayor Troy Stout

Council Members: Lon Lott, Greg Gordon, Jason Thelin, and Jessica Smuin

Excused Council Member: Carla Merrill

Staff: Shane Sorensen, Bonnie Cooper, Austin Roy, David Church, Chief Brian Gwilliam, and Chief Reed Thompson

Others: Millhaven Homes

B. Prayer: Greg Gordon

II. CONSENT CALENDAR

Council Member Greg Gordon asked Shane Sorensen, City Administrator, when the Pioneer Road Project would be complete as the completion date was to be June 30, 2020. Shane Sorensen said the paving happened today and some driveway approaches still needed to be completed; however, it should be soon.

Mayor Troy Stout reminded the City Council that the Lambert Park south entrance paving project would help with drainage, and that cars would only be allowed on the pavement and in parking areas. Shane Sorensen said he would get the signed contract to the company tomorrow, and the City would know by Wednesday when that project will begin.

Motion: Lon Lott moved to approve the Consent Calendar with the following changes to the minutes of June 23, 2020, with spelling and grammar corrections sent in by Lon Lott and Greg Gordon prior to the meeting along with content corrections by Jason Thelin as follows: page 5 line 46, page 5 line 50, page 6 line 9 & 10, and Page 6 lines 13 & 14. Greg Gordon seconded the motion. The 4 Ayes and 0 Nays were recorded below. The motion passed unanimously.

Ayes

Nays

Jason Thelin
 Jessica Smuin
 Lon Lott
 Greg Gordon

III. PUBLIC COMMENTS

There were no public comments.

IV. REPORTS AND PRESENTATIONS

A. Financial Report

Shane Sorensen said this fiscal year was winding down. The City would begin their audit in August. Greg Ogden, State Auditor, would be at City Hall for a day and a half. The City would need to adjust its budget at the end of the year because of Pioneer Road not getting finished during the current fiscal year.

V. ACTION/DISCUSSION ITEMS

A. Resolution No. R2020-09: Intent to amend the General Plan and Land Use Ordinances as they pertain to gateway connecting roads into and out of Alpine City

Shane Sorensen introduced the City's intentions to begin the process of amending its General Plan and applicable land use ordinances, as they pertained to gateway connecting roads in and out of Alpine City. Approval of this resolution would include a provision that the City would not accept any new land use applications for the next 180 days requiring new street connections to outside of the City where they did not already exist. This would give citizens prior notice of any applications that came into the City. This Resolution would only apply to newly proposed streets. Staff recommended that Resolution No. R2020-09 be approved.

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2 David Church, City Attorney, explained the State/City Code side of the Resolution put the public on notice that Alpine
3 was undergoing a process which excluded people from rushing in with applications until this process was finished for
4 180 days. The 180 days would start as of today's date. The law gave the City 180 days to finish the process of
5 amending the General Plan.
6

7 Council Member Greg Gordon asked if this would strengthen the City's legal posture on Summit Point. David Church
8 responded no, pending applications would not be affected by this; it would only apply to new applications. This was
9 an official start to the project of amending the General Plan.
10

11 Council Member Lon Lott asked if other cities would be noticed on this item. David Church said Austin Roy had
12 already sent out notices to other cities. Council Member Lon Lott asked if Alpine had to be done with the process
13 within the 180 days. David Church replied no, but any applications accepted during that time would be considered
14 under the current ordinance.
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16 Council Member Jason Thelin asked if this would affect Action Item B on tonight's agenda with the boundary line
17 adjustment between Highland City and Alpine City. David Church said it would not affect an application in already
18 in progress. Shane Sorensen said he would explain why the next resolution would be better served in Highland City.
19 David Church reiterated that this item only affected new applications.
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21 Mayor Troy Stout stressed the high priority to complete these tasks within the 180-day timeframe. He asked if it
22 would be viable under the law for some City Council Members and Staff to have workstations in order to expedite
23 this process. David Church said this item would need to go to the Planning Commission first for their
24 recommendations and public hearing process. Council Member Jason Thelin asked why it must go back and forth
25 between the Planning Commission and City Council. David Church said the Planning Commission only made
26 recommendation to the City Council. There was further discussion on the matter.
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28 **Motion:** Jason Thelin moved to approve Resolution No. R2020-09. Lon Lott seconded the motion.
29 The 4 Ayes and 0 Nays are recorded below. The motion passed unanimously.

<u>Ayes</u>	<u>Nays</u>
Jason Thelin	
Jessica Smuin	
Lon Lott	
Greg Gordon	

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36 **B. Resolution No. R2020-10: Intent to approve boundary adjustment with Highland City for the Beck**
37 **Tree Farm property**
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39 Austin Roy, City Planner, explained that this resolution initiated the process of adjusting the municipal boundary
40 between Alpine City and Highland City. The Beck tree farm was currently located partially in Alpine City and
41 partially in Highland City. The landowner would like to develop the land and in order to do so they would like all of
42 the property to be in one City or the other, with Highland City being the more natural fit for streets, utilities, etc. The
43 Resolution declared intent, outlined timeframes for noticing, publication, and written protests. Staff recommended
44 that Resolution R2020-10 be approved. There would be a three-week protest period for this boundary adjustment.
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46 Shane Sorensen said this property would be similar to the adjacent neighborhoods in lot size. The subdivision would
47 have 10 lots on 10.2 acres. Highland City's ordinances were different than Alpine's. Council Member Greg Gordon
48 asked if Highland City was planning on connecting Evergreen Way, to which Austin Roy said that was their intent.
49 Council Member Lon Lott said each lot would be approximately .89 acres. Council Member Greg Gordon asked if
50 Highland City had any ability to have a thru road. Austin Roy said once it belonged to Highland City it was Highland
51 City's road. Shane Sorensen said the purpose of combining the boundary was for utilities and road maintenance. The
52 subdivision would be better served by Highland City.
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54 **Motion:** Jessica Smuin moved to approve Resolution No. R2020-10. Jason Thelin seconded the motion.
55 The 4 Ayes and 0 Nays are recorded below. The motion passed unanimously.

<u>Ayes</u>	<u>Nays</u>
Jason Thelin	
Jessica Smuin	
Lon Lott	
Greg Gordon	

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62 **C. Ordinance No. 2020-13: Amendment to retaining wall ordinance regarding irrigation**

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2 Austin Roy explained that Alpine's current ordinance required vegetation on the tiers. The City wanted drip irrigation
3 and the responsible party to install and maintain that system in the future. This issue became more complex in
4 situations where tiers were on open space and private property. The amended ordinance would mean the developer
5 would be responsible for installing the drip system and they would need to maintain it. Public open space would be
6 the responsibility of the City. The Planning Commission held a public hearing for this item and no comments were
7 received. The Planning Commission recommended that the Development Code require plantings on terraced retaining
8 walls. Among the requirements was that the plants/shrubs shall be watered via drip irrigation installation and
9 operation. Staff recommended approving Ordinance No. 2020-13.

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11 Mayor Troy Stout asked if cities figured out how many locations Alpine would be over and at what cost. Austin Roy
12 replied this had come about because of the Brookside Meadows subdivision, as part of it was on public open space.
13 Usually an HOA would take care of this, but Brookside Meadows did not have an HOA. The City wanted to clarify
14 this ordinance for the future.

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16 Council Member Lon Lott stated that in the past, the City Council did not want Alpine to be responsible for all the
17 maintenance. Mayor Troy Stout said the City would require an HOA to take care of irrigation issues. Council Member
18 Lon Lott said he was not opposed to any of the private open space; however, for this particular case they wanted to
19 have only private trails. Shane Sorensen said typically where this would come into play was when the retaining wall
20 would be a cut back away from the street or a road would be going in. He did not anticipate it happening a lot. He
21 said right now, the only example he had was the Brookside Meadows subdivision. Council Member Jason Thelin
22 agreed with Council Member Lon Lott and said this opened the door to something in the future and he did not
23 necessarily want that for Alpine City. Council Member Greg Gordon asked how hard the drip lines were to maintain.
24 Council Member Lon Lott said the City had service projects, one being Star Hill, and the City had lost trees because
25 of the dip system that was moving from public open space to private open space. Shane Sorensen said having retaining
26 walls with a lot of water was not ideal so having vegetation would help with drainage. Mayor Troy Stout discussed
27 additional verbiage in the Ordinance. Council Member Jessica Smuin reviewed the original ordinance and asked when
28 it was written. She also asked if the Council could separate out just retaining walls, and what the responsibilities of
29 the developer would be. Austin Roy said this ordinance was created as a result of Summit Point, so the City would
30 not have massive wall.

31
32 Council Member Jason Thelin said the City should require developers to have HOAs. He noted that he had a drip
33 system at his own home, and it was hard to maintain. He thought this would be an undue burden on our City Staff.
34 Shane Sorenson said it was a maintenance nightmare, but Brookside Meadows development had already been
35 approved. The developer could put in an HOA but sometimes they went defunct and disbanded later if there was not
36 good organization. Council Member Lon Lott said the City should require drought tolerant plants, but the City did
37 not want to limit a person from putting in decorative flowers. Council Member Greg Gordon suggested removing
38 green verbiage from the ordinance stating that Alpine City was responsible after the warranty period expired.

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40 Council Member Lon Lott said this needed to be spelled out in the ordinance. Shane Sorensen said if the retaining
41 wall were in the right-of-way or easement, the City would take care of it. Council Member Jason Thelin agreed with
42 Council Member Greg Gordon about changing the verbiage in the ordinance. Council Member Lon Lott and Council
43 Member Greg Gordon addressed concerns under this verbiage. Mayor Troy Stout asked what cities had done to
44 enforce an ongoing need for an HOA to take care of these issues. David Church explained the City had limited
45 authority on park strips. However, per State Code, where there was not an owner like on Canyon Crest, the cities
46 were maintaining it.

47
48 Council Member Lon Lott said it was important for the City to take care of them, provided there would only be a few
49 of them to maintain. David Church said the City wanted to control the water anyway. Council Member Lon Lott
50 asked if the developer would pay for the water connection, to which Shane Sorensen said yes. Council Member Lon
51 Lott said the City did not want to lose that revenue if it were in the City's right-of-way, adding that he would hate to
52 maintain a wall that was 500 feet. Council Member Jessica Smuin said the Council could add something about rights-
53 of-way in the verbiage of the ordinance. Council Member Jason Thelin talked about pressurized irrigation and asked
54 whose name/names it would be in. David Church said The Ridge at Alpine, for example, had changed names as it
55 depended on ownership. Council Member Jason Thelin said a year from now he did not want residents to come back
56 and say the City was responsible for the drip system. Mayor Troy Stout suggested the Council send the ordinance
57 back to have the verbiage changed.

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59 **Motion:** Jason Thelin moved to approve Ordinance No. 2020-13. Greg Gordon seconded the motion.
60 **Substituted Motion:** Jason Thelin moved to push back Ordinance No 2020-13 to the Planning
61 Commission to review the following:

- 62 1) Take Alpine City out of the responsibility of maintaining this property in the future;

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- 2) There needs to be an owner of public and private open space, and that owner also needs to be responsible for water revenues and costs associated with using pressurized irrigation;
- 3) Continuing with the idea of a drip irrigation system to minimize erosion, and emphasizing, where possible, the use of drought resistant vegetation to minimize future watering needs.
- Lon Lott seconded the substitute motion. The 4 Ayes and 0 Nays are recorded below. The motion passed unanimously.

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<u>Ayes</u>	<u>Nays</u>
Jason Thelin	
Jessica Smuin	
Lon Lott	
Greg Gordon	

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D. Ordinance No. 2020-14: Amendment to planter strip requirements for developments

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Mayor Troy Stout asked about where to find the Tree Guide. Austin Roy noted it was on the City's home page at www.alpinecity.org. Austin Roy explained the Planning Commission held a public hearing for this item and no comments were received. The Planning Commission recommended the Development Code be updated to reference the City's new Tree Guide with regard to what types of plants were permitted in park strips. The old language used to refer to an approved list kept by staff; however, the City now had a newly adopted Tree Guide specifically for this purpose. Staff recommended approving Ordinance No 2020-14.

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Motion: Lon Lott moved to approve Ordinance No. 2020-14 with the following: insert in item 4 that street trees should be 50 feet and the corner lot should comply with our sight triangle and Alpine City Street Tree Guide. Jessica Smuin seconded the motion. The 4 Ayes and 0 Nays are recorded below. The motion passed unanimously.

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<u>Ayes</u>	<u>Nays</u>
Jason Thelin	
Jessica Smuin	
Lon Lott	
Greg Gordon	

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E. Resolution No. R2020-11: Appoint new member to North Utah County Aquifer Council (NUCAC)

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Shane Sorensen explained Resolution No R2020-11 was looking to the future of the potential for taking winter water that would normally flow to Utah Lake and letting it go into the debris basin at the mouth of American Fork Canyon. He noted that this was very porous as water flowed down, as it could be pumped out of the ground later through wells. They had asked that member cities pass the proposed resolution to finalize NUCAC. Jed Muhlestein had been attending these meetings for the last three years and Shane Sorensen attended before that.

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Mayor Troy Stout appointed Jed Muhlestein, Alpine City Engineer as the NUCAC Representative, and Shane L. Sorensen Alpine City Administrator, as the alternate representative member to NUCAC.

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Motion: Lon Lott moved to approve Resolution No. R2020, appointment of Jed Muhlestein as NUCAC Representative and Shane L. Sorensen as Alternate Representative member. Greg Gordon seconded the motion. The 4 Ayes and 0 Nays are recorded below. The motion passed unanimously.

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<u>Ayes</u>	<u>Nays</u>
Jason Thelin	
Jessica Smuin	
Lon Lott	
Greg Gordon	

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V. STAFF REPORTS

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Chief Brian Gwilliam reported that the Lehi Police Department got into a pursuit of a vehicle with two suspects. The vehicle crashed in Highland City. One suspect was apprehended and the other stole another vehicle. That vehicle crashed on Main Street in Alpine. The suspect ran through the neighborhood and a pursuit ensued for three hours. He was apprehended in rough shape and one of the neighbors reported having seen him hiding in their yard. The following Monday, we had a large card from the resident in that area and a donation to the police department. Mayor Troy Stout grabbed the police force cold bottled waters and this gesture was greatly appreciated. Mayor Troy Stout commended the Police Department.

1 David Church said when the pandemic crisis started, the Governor passed an executive order indicating that the
 2 requirements for an anchor location for public meetings be suspended. The legislature had since passed a new law,
 3 and it now specifically stated that the only way the requirements for an anchor location got suspended for an electronic
 4 meeting was if the chair of the body made a determination in writing that an anchor location was not in the best interest
 5 of the public, and subsequently identified the reasons as to why an anchor location was not in the best interest of the
 6 public. The amendment also said that the determination could not last more than 30 days. If Alpine continued to hold
 7 electronic meetings, every 30 days a determination would need to be made by the Mayor and read as part of the public
 8 record. There was subsequent discussion on the matter the City's options pertaining to this matter.

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 10 Austin Roy said he had two items to discuss:

- 11
- 12 1) The municipal grant was back on. The City had used \$5000 for the trails and in the past the deadline had
- 13 been extended. Mayor Troy Stout said this was great news, suggesting that some of these funds could be
- 14 used to repair some of the bridges in Lambert Park.
- 15 2) The Executive Session zoom meeting link would be emailed to Council Members following this meeting.

16
 17 Shane Sorensen inquired about the volleyball nets and whether the Council thought they could put them back up now
 18 that the Governor Herbert indicated that most of the State was in yellow due to COVID-19. Mayor Troy Stout replied
 19 yes. Shane Sorensen subsequently asked about the fireworks show for Alpine Days. Mayor Troy Stout asked if the
 20 fireworks could be pushed back, suggesting they be used as a sendoff before school started again in the fall. He also
 21 said he was not in a hurry to have public gatherings, as there were several families in Alpine that were battling with
 22 COVID-19. Council Member Greg Gordon asked if the Council considered two locations, to which Shane Sorensen
 23 said he had mentioned this to Chief Reed Thompson. Mayor Troy Stout said he had heard of other cities that had
 24 large groups and they put big chalked circles in the lawn to keep families socially distanced from each other. Council
 25 Member Jason Thelin said he would prefer to cancel the fireworks for this year and do a big one next year or save the
 26 show for vaccination day.

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 28 Mayor Troy Stout said the City had a request proposal for a new City Attorney. Council Members could send their
 29 comments into him.

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 31 Shane Sorensen said last summer he and Chief Reed Thompson put together the requirement that all contractors that
 32 came into City Hall should have a water source while building in Alpine. He also reported that the City was ready to
 33 receive the CARES Act Funds. Once the appropriate documentation was signed, the funds would be received within
 34 a matter of days.

35 36 VI. COUNCIL COMMUNICATION

37
 38 Council Member Greg Gordon asked if the City could get a sign indicating that no fires were allowed in public open
 39 spaces. Shane Sorensen said he will follow up on that matter.

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 41 Lon Lott asked if Shane Sorensen could find money in the City budget to help clean up the corner near the Neeleman
 42 property with weed barrier and rock. Shane Sorensen said yes.

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 44 Mayor Troy Stout said there was another incident with the information/guard shack in Three Falls. Someone drove
 45 up and was stopped and told they were trespassing. The City may want to consider extracting the shack from Three
 46 Falls. Council Member Lon Lott had not seen anyone at the shack for a while, and he asked what time of day these
 47 incidences were occurring. Mayor Troy Stout said mainly in the evening. Council Member Jessica Smuin asked if
 48 Shane Sorensen was going to meet with the Three Falls HOA. Shane Sorensen said he would get that meeting set up.
 49 Council Member Greg Gordon said he heard from two residents that the shack gave the perceptions that people need
 50 to stop. Mayor Troy Stout said stopping people was illegal. After subsequent discussion, Mayor Troy Stout asked
 51 David Church to put together options as a City for the booth/shack at Three Falls.

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 53 **VIII. EXECUTIVE SESSION:** Discuss litigation, property acquisition, or the professional character, conduct or
 54 competency of personnel.

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 56 **Motion:** Lon Lott moved to Adjourn the open meeting to go into Executive Session to discuss litigation,
 57 property acquisition, or the professional character, conduct or competency of personnel. Jessica Smuin
 58 seconded the motion. The 4 Ayes and 0 Nays are recorded below. The motion passed unanimously.

59 Ayes

Nays

60 Jason Thelin

61 Jessica Smuin

62 Lon Lott

Greg Gordon

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The Council Adjourned the open meeting and went into Executive Session at 8:39 pm.

The Executive Session Adjourned at 9:16 pm.

DRAFT

ALPINE CITY COUNCIL AGENDA

SUBJECT: Public Hearing – Ordinance No. 2020-15: Boundary Line Adjustment with Highland City

FOR CONSIDERATION ON: 28 July 2020

PETITIONER: Millhaven Homes

ACTION REQUESTED BY PETITIONER: Adopt Ord. No. 2020-15

APPLICABLE STATUTE OR ORDINANCE: Utah Code Section 10-2-419

PETITION IN COMPLIANCE WITH ORDINANCE: Yes

BACKGROUND INFORMATION:

Millhaven Homes is seeking to purchase and develop the Beck Tree Farm, which resides partially in Highland City and partially in Alpine City. They have requested that the municipal boundary be adjusted to allow for the development to be in Highland City.

The required process to address this request is stated in section 10-2-419 of the Utah State Code and is as follows:

- 1 – Resolution by the Alpine City Council indicating the intent;
- 2 – A Public Hearing no less than 60 days after the resolution;
- 3 – Public notices posted once a week for three successive weeks in the newspaper and on the Utah public notice website, and
- 4 – An ordinance adopted by the Alpine City Council.

Alpine City staff has reviewed the site plan and sees no issues with the request.

RECOMMENDED ACTION:

Hold public hearing and adopt Ordinance No. 2020-15.

RESOLUTION NO. 2020-10

A RESOLUTION STATING ALPINE CITY'S INTENT TO ADJUST ITS COMMON BOUNDARIES WITH HIGHLAND CITY, AUTHORIZING A PUBLIC HEARING THEREON AND PROVIDING FOR NOTICE OF SAID HEARING.

WHEREAS, Utah Code Ann. 10-2-419 establishes a procedure for adjustment of the common boundaries between adjacent municipalities, and

WHEREAS, Alpine City shares certain common boundaries with Highland City, and

WHEREAS, Alpine City and Highland City each desire that certain property be transferred from one municipal jurisdiction to the other as outlined in the attached map, and

WHEREAS, Alpine City and Highland City desire to adjust certain municipal boundaries in order to honor the stated request of the property owner as provided by State law.

NOW THEREFORE, be it ordained by the Council of Alpine City, in the State of Utah, as follows:

1. This resolution is passed indicating that the City Council desires and intends to adjust the common municipal boundaries with Highland City in the locations set forth in Exhibit A.

2. The Alpine City Recorder is directed to publish notice of the proposed municipal boundary adjustment once a week for three successive weeks in a newspaper of general circulation within the City.

3. The notice shall state the date, time, and place of the public hearing, which is Tuesday, July 28, 2020 at 7:00 PM via City Hall and broadcast electronically to the City YouTube page.

4. The notice shall state that the City Council will adjust the boundaries unless, at or before the public hearing, written protests to the adjustment are filed by owners of the private real property that:

- A. is located within the area proposed for adjustment;
- B. covers at least 25% of the private land area within the area proposed for adjustment; and
- C. is equal in value to at least 15% of the value of all private real property within the area proposed for adjustment.

5. The area proposed for inclusion (annexation) within Alpine City will be automatically withdrawn from each local district providing fire protection, paramedic and emergency services.

6. The area proposed for inclusion (annexation) within Highland City will be automatically withdrawn from each local district providing fire protection, paramedic and emergency services.

7. The first publication of the notice shall be within 14 days of the City Council's adoption of this resolution.

8. The provision of this resolution shall take effect upon its passage and publication as required by law.

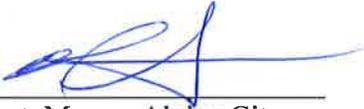
PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

July 14, 2020.

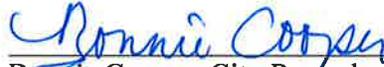
	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carla Merrill	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gregory Gordon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jason Thelin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jessica Smuin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Presiding Officer

Attest



Troy Stout, Mayor, Alpine City
City



Bonnie Cooper, City Recorder Alpine



ORDINANCE NO. 2020-15

**AN ORDINANCE ADJUSTING THE BOUNDARY LINE OF
HIGHLAND CITY AND ALPINE CITY.**

WHEREAS, on the 28th day of July, 2020 the City Council of Alpine, Utah held a public hearing according to the law, concerning a proposed boundary line adjustment with Highland city; and

WHEREAS, the owners of the properties involved have requested that Alpine City and Highland City adjust their common boundaries; and

WHEREAS, Highland City will also hold a public hearing and may approve an ordinance allowing the boundary line adjustment between itself and Alpine City:

NOW, THEREFORE, be it ordained by the City Council of Alpine City, Utah that:

1. The common boundary between Alpine City and Highland City is hereby adjusted as described in Exhibit A hereto.
2. The City Recorder shall take the steps necessary under Utah Code 10-2-425 to file with the office of the Utah County Recorder and the office of the Utah Lieutenant Governor the documentation necessary to effectuate this boundary change conditioned upon Highland City passing an ordinance effecting the identical boundary change.
3. This ordinance shall take effect upon Highland City passing an ordinance effecting the identical boundary change and the posting of this ordinance.

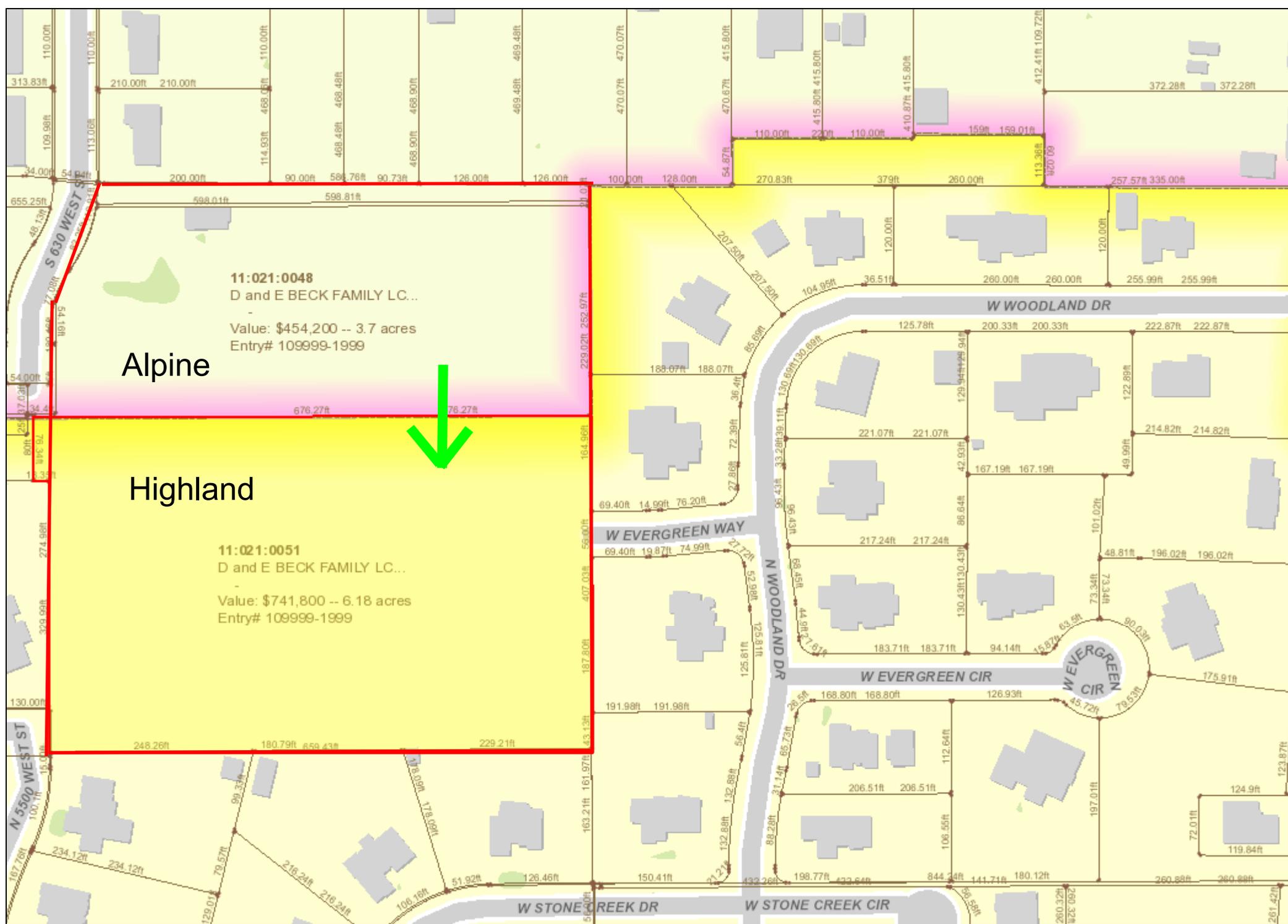
Passed and dated this 28th day of July 2020.

Troy Stout, Alpine City Mayor

ATTEST:

Bonnie Cooper, Recorder

BEGINNING AT A POINT WHICH IS NORTH 89°49'20" EAST 632.58 FEET ALONG THE SECTION LINE AND NORTH 1394.34 FEET FROM THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 00°00'43" WEST 3.70 FEET ALONG A BOUNDARY LINE AGREEMENT ENTRY NO. 77766:1995; THENCE EAST 27.43 FEET; THENCE NORTH 143.09 FEET; THENCE ALONG A STREET DEDICATION PLAT FOR 650 WEST THE FOLLOWING TWO (2) COURSES 1) NORTHEASTERLY 35.59 FEET ALONG THE ARC OF A 123.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 16°34'38", THE CHORD OF WHICH BEARS NORTH 28°16'18" EAST 35.46 FEET; 2) NORTHEASTERLY 111.29 FEET ALONG THE ARC OF A 177.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 36°01'28", THE CHORD OF WHICH BEARS NORTH 18°32'47" EAST 109.46 FEET TO A CHAIN LINK FENCE CORNER; THENCE SOUTH 89°43'02" EAST 210.00 FEET ALONG A CHAIN LINK FENCE LINE; THENCE SOUTH 89°22'10" EAST 386.56 FEET ALONG AN EIGHT FOOT (8') WIRE FENCE LINE TO A METAL FENCE POST; THENCE SOUTH 00°10'40" EAST 279.66 FEET ALONG THE WEST LINE OF HIGHLAND MEADOW ESTATES PLAT "A"; THENCE NORTH 89°43'59" WEST 676.45 FEET TO THE POINT OF BEGINNING.
CONTAINS 4.09 ACRES OR 178,180 SQ/FT



Utah County Parcel Map

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey

Date: 2/20/2020



ALPINE CITY COUNCIL AGENDA

SUBJECT: Plat Amendment – Heritage Hills Plat G

FOR CONSIDERATION ON: 28 July 2020

PETITIONER: Alpine City

ACTION REQUESTED BY PETITIONER: Approve the plat amendment

BACKGROUND INFORMATION:

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

Planning Commission has held a public hearing and made a recommendation to City Council:

***MOTION:** Troy Slade moved to recommend that Heritage Hills Plat G be approved as proposed. Ed Bush seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed unanimously.*

Ayes:

*Ed Bush
Ethan Allen
John MacKay
Jane Griener
Alan MacDonald
Troy Slade
Sylvia Christiansen*

Nays:

None

STAFF RECOMMENDATION:

Review and approve the proposed plat amendment.

SAMPLE MOTION TO APPROVE:

I motion to approve Heritage Hills Plat G as proposed.

SAMPLE MOTION TO APPROVE WITH CONDITIONS:

I motion to approve Heritage Hills Plat G be with the following conditions/changes:

- ***Insert Finding***

SAMPLE MOTION TO TABLE/DENY:

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

- ***Insert Finding***



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

To: Alpine City Planning Commission & City Council

From: Staff

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

Jed Muhlestein, City Engineer
Engineering & Public Works Department

Re: Heritage Hills Subdivision Plat Amendment

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

SUMMARY

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

BACKGROUND

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

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

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

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

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

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

THE PROPOSAL/REQUEST

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

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

STAFF RECOMMENDATION

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

Findings for a Positive Motion:

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

Findings for Negative Motion:

insert findings

MODEL MOTIONS

SAMPLE MOTION TO APPROVE

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

insert conditions, if any

SAMPLE MOTION TO DENY

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

insert findings

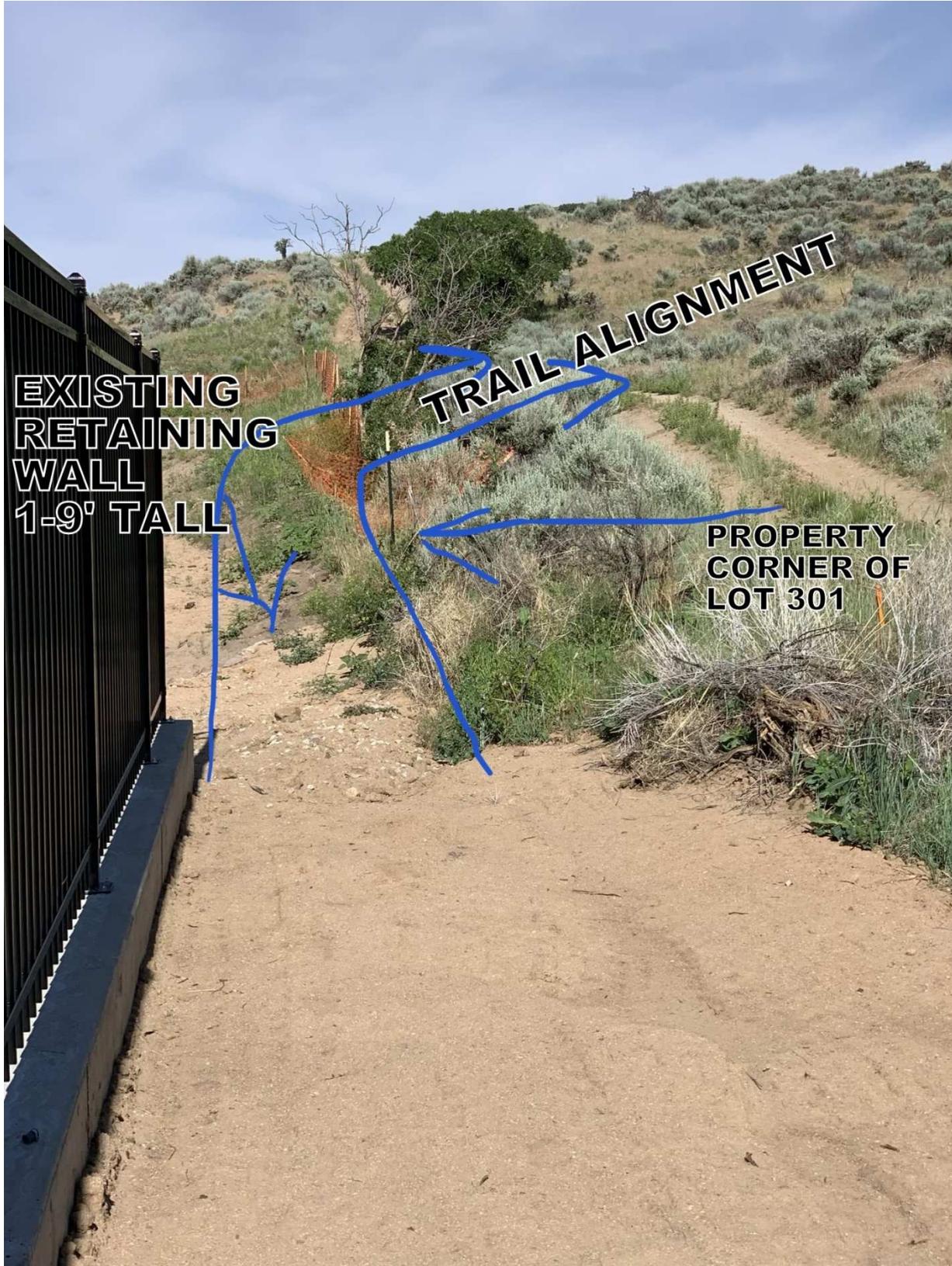
ATTACHED:

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

PHOTOS OF CURRENTLY RECORDED TRAIL LOCATION (NOT BUILT)



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

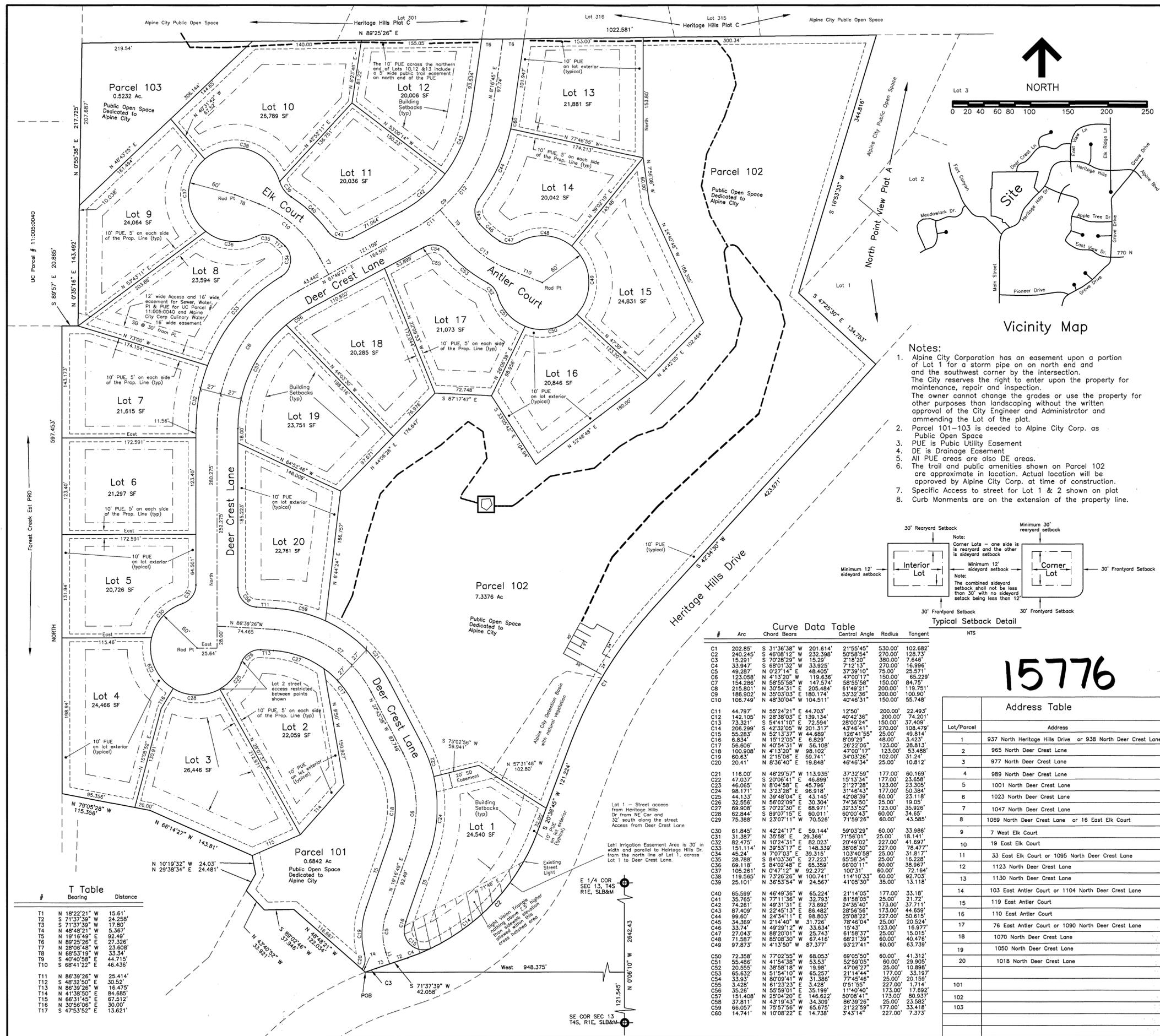


West side of Lot 12. T-Post is SW corner of Lot 301. Trail would have to wrap around that post prior to entering the Heritage Hills open space area. Grading issues exist.



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

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



Surveyor's Certificate

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

Boundary Description:

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

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

Owner's Dedication

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

Willis James mgr
 willis.james
Alpine North Point LLC
 Alpine North Point LLC

Acknowledgement

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

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

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

Acceptance by Legislative Body

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

Sheldon Okemmer
 Mayor

Approved *Jed Malhotra*
 Engineer
 (See Seal Below)

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

Planning Commission Approval

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

Director-Secretary
 Director-Secretary

Chairman, Planning Commission
 Chairman, Planning Commission

Approval as to Form

Approved as to Form this 1st Day of Nov, A.D. 2017

City Attorney
 City Attorney

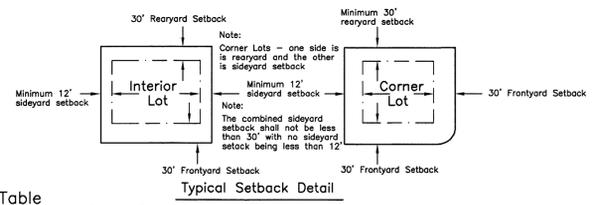
Plat "B"

North Point View

SUBDIVISION
 SCALE 1" = 60'

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



Curve Data Table

#	Arc	Chord Bears	Central Angle	Radius	Tangent	
C1	202.85'	S 31°36'38" W 201.614'	21°55'45"	530.00'	102.682'	
C2	240.245'	S 46°08'12" W 232.398'	40°24'36"	270.00'	128.73'	
C3	15.291'	S 70°28'29" W 15.29'	2°18'20"	380.00'	7.646'	
C4	33.947'	S 68°01'32" W 33.925'	7°12'13"	270.00'	16.996'	
C5	49.287'	N 0°27'14" E 48.405'	37°39'10"	75.00'	37.3910'	
C6	123.058'	N 4°13'20" W 119.636'	47°00'17"	150.00'	65.229'	
C7	154.288'	N 58°55'30" W 147.574'	58°55'38"	150.00'	84.75'	
C8	215.801'	N 30°54'31" E 205.484'	60°49'21"	200.00'	119.751'	
C9	188.902'	N 35°03'03" E 180.174'	53°32'36"	200.00'	100.90'	
C10	108.749'	N 48°30'04" W 104.511'	40°46'31"	150.00'	55.748'	
C11	44.797'	N 52°24'21" E 44.703'	12°50'	200.00'	22.493'	
C12	142.105'	S 28°38'03" E 139.134'	40°24'36"	200.00'	74.201'	
C13	73.321'	S 54°41'10" E 72.594'	28°00'24"	150.00'	37.408'	
C14	206.299'	S 42°32'05" W 201.317'	43°46'41"	270.00'	108.479'	
C15	58.283'	N 52°13'37" W 44.889'	12°51'58"	25.00'	49.814'	
C16	6.834'	N 15°12'05" E 6.829'	80°29'29"	48.00'	3.423'	
C17	56.608'	N 40°54'31" W 56.108'	22°20'06"	123.00'	28.813'	
C18	100.908'	N 4°13'20" W 98.102'	47°00'17"	123.00'	53.488'	
C19	60.63'	N 2°15'06" E 59.741'	34°03'26"	102.00'	31.24'	
C20	20.41'	N 8°36'40" E 19.848'	46°46'34"	25.00'	10.812'	
C21	116.00'	N 46°29'57" W 113.935'	37°32'59"	177.00'	60.169'	
C22	47.037'	S 20°06'41" E 46.899'	15°13'34"	177.00'	23.858'	
C23	46.055'	N 8°04'58" E 45.796'	21°27'28"	123.00'	23.305'	
C24	98.171'	N 3°23'28" E 96.918'	31°46'43"	177.00'	50.384'	
C25	44.133'	N 39°48'04" E 43.145'	42°08'39"	60.00'	23.118'	
C26	32.556'	N 56°02'09" E 30.304'	74°36'50"	25.00'	19.05'	
C27	69.908'	S 70°22'30" E 68.971'	32°33'52"	123.00'	35.926'	
C28	62.844'	N 89°07'15" E 60.011'	60°00'11"	60.00'	60.000'	
C29	75.388'	N 2°50'71" W 70.526'	71°59'26"	60.00'	43.585'	
C30	61.845'	N 42°24'17" E 59.144'	59°03'29"	60.00'	33.986'	
C31	31.387'	N 35°58" E 29.366'	71°56'01"	25.00'	18.141'	
C32	48.475'	N 10°24'31" E 48.023'	20°49'02"	227.00'	41.697'	
C33	151.114'	N 148.339'	38°08'50"	227.00'	78.477'	
C34	45.24'	N 70°07'03" E 39.315'	103°40'58"	200.00'	31.817'	
C35	28.788'	N 84°03'36" E 27.223'	65°56'34"	25.00'	16.228'	
C36	89.118'	N 82°02'48" E 86.359'	68°00'11"	60.00'	36.967'	
C37	105.281'	N 0°47'12" W 92.272'	100°31'	60.00'	72.164'	
C38	119.565'	N 73°25'26" W 100.741'	15°10'33"	60.00'	92.703'	
C39	25.101'	N 36°55'4" W 24.567'	41°05'30"	35.00'	13.118'	
C40	65.599'	N 48°49'36" W 65.224'	21°14'05"	177.00'	33.18'	
C41	35.765'	N 77°11'36" W 32.793'	81°58'05"	25.00'	21.72'	
C42	74.261'	N 49°31'31" E 73.692'	24°35'40"	173.00'	37.711'	
C43	87.409'	N 22°45'13" E 86.483'	28°56'56"	173.00'	44.859'	
C44	99.60'	N 24°34'11" E 98.803'	25°08'22"	227.00'	50.615'	
C45	34.369'	N 21°44'40" W 31.726'	78°46'04"	25.00'	20.524'	
C46	35.74'	N 82°29'15" W 33.634'	15°13'	16.971'	16.971'	
C47	27.043'	N 88°20'11" W 25.743'	61°58'37"	25.00'	15.015'	
C48	71.587'	N 85°08'30" W 67.416'	88°21'39"	60.00'	40.476'	
C49	97.833'	N 4°13'50" W 87.377'	93°27'41"	60.00'	63.759'	
C50	72.358'	N 77°02'55" W 68.053'	69°05'50"	60.00'	41.312'	
C51	58.486'	N 61°54'38" W 55.833'	52°59'05"	60.00'	29.905'	
C52	20.555'	N 38°58'18" W 19.98'	47°06'27"	25.00'	10.898'	
C53	65.632'	N 15°10'10" W 65.257'	17°10'00"	173.00'	35.197'	
C54	33.833'	N 80°09'41" W 31.388'	71°45'46"	25.00'	20.159'	
C55	3.428'	N 61°23'23" E 3.428'	0°51'55"	227.00'	1.714'	
C56	35.28'	N 82°29'15" W 33.634'	15°13'	11°40'40"	173.00'	79.692'
C57	151.408'	N 25°04'20" E 146.622'	50°08'41"	173.00'	80.937'	
C58	37.811'	N 43°19'43" W 34.309'	86°39'26"	25.00'	23.582'	
C59	68.037'	N 10°08'22" E 64.738'	21°22'59"	197.00'	33.418'	
C60	14.741'	N 10°08'22" E 14.738'	5°43'14"	227.00'	7.373'	

15776

Address Table

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

T Table

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

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

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

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

PLAT "F" HERITAGE HILLS ALPINE

BEING A VACATION OF LOTS 301, 302, 303, 304, 305, 315, 316, & 317, & PARCEL A, & B OF PLAT "C" HERITAGE HILLS ALPINE

MAY 2017
CURRENT ZONE: CR-40,000 (P.U.D.)

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

OWNER'S DEDICATION

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

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS DAY OF June 14, A.D. 2017.

Heritage Hills, Inc. Kellie L. Holmes
Walter D. Hill III, President
John Hill, President

INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }

ON THE 14 DAY OF June, A.D. 2017, PERSONALLY APPEARED BEFORE ME Kellie L. Holmes THE SIGNERS OF THE ABOVE INSTRUMENT, WHO DULY ACKNOWLEDGE TO ME THAT HE OR SHE EXECUTE THE SAME.

MY COMMISSION EXPIRES Apr 10, 2020 John Hill
COMMISSION # 688608 NOTARY PUBLIC (SEE SEAL)

CORPORATION ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }

ON THE 14 DAY OF June, A.D. 2017, PERSONALLY APPEARED BEFORE ME John Hill THE SIGNERS OF THE FOREGOING INSTRUMENT, WHO DULY ACKNOWLEDGE TO ME THAT SHE IS THE President (NAME OF OFFICE OF Heritage Hills, Inc. CORPORATION, AND IS AUTHORIZED TO EXECUTE THE FOREGOING AGREEMENT IN ITS BEHALF AND THAT HE OR SHE EXECUTED IT IN SUCH CAPACITY.

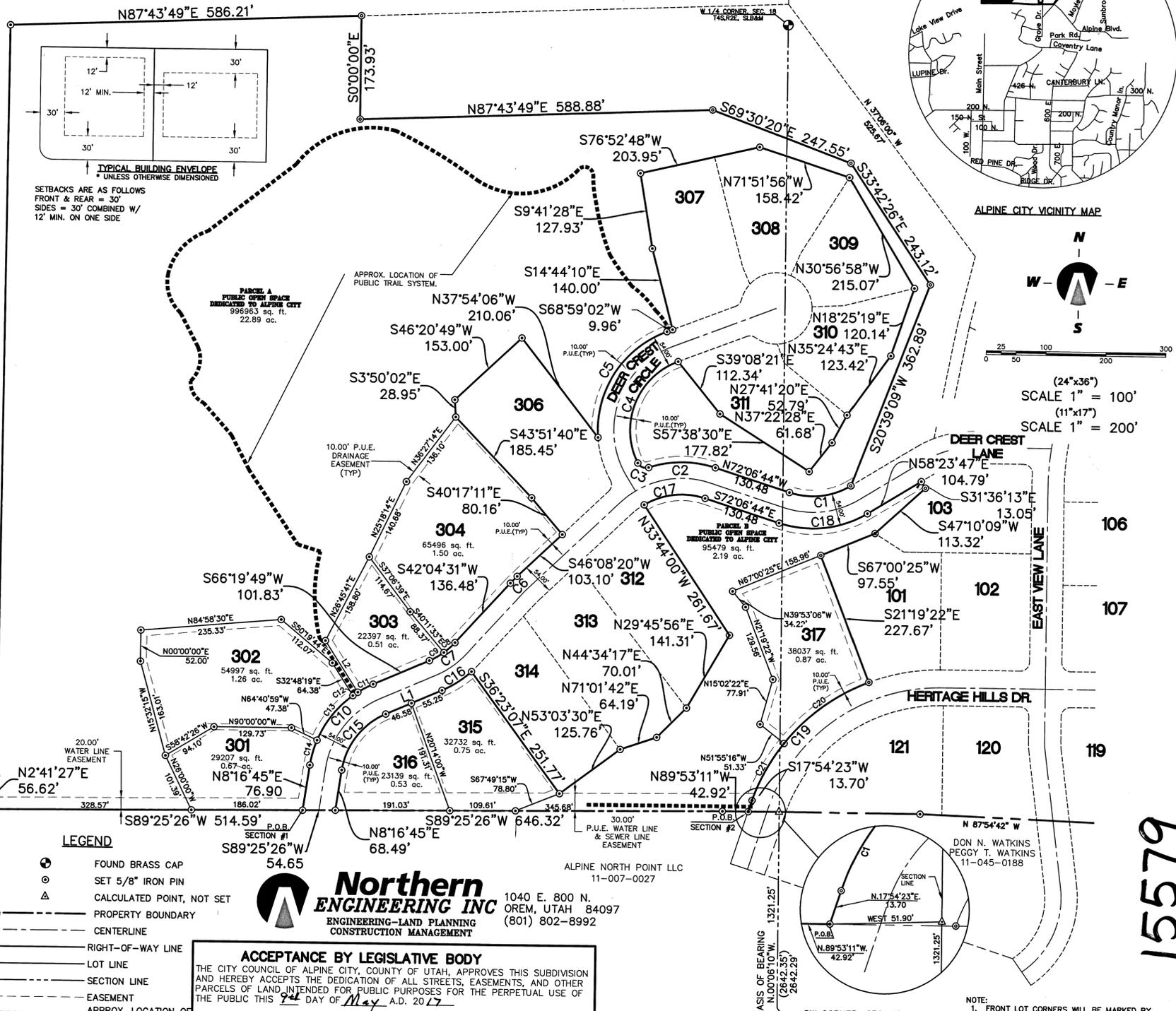
MY COMMISSION EXPIRES 5-15-18 John Hill
COMMISSION # 8676677 NOTARY PUBLIC (SEE SEAL)

CITY ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }

ON THIS 18 DAY OF June, A.D. 2017, PERSONALLY APPEARED BEFORE ME Sheldene D. Wynn WHO BEING BY ME SWORN, DID SAY THAT HE IS THE CITY ENGINEER OF ALPINE CITY, A MUNICIPAL CORPORATION, AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF THE CITY BY AUTHORITY OF ITS GOVERNING BODY AND SAID CITY ENGINEER ACKNOWLEDGE TO ME THAT THE CITY EXECUTED THE SAME. Mayor

MY COMMISSION EXPIRES 5-5-18 Sheldene D. Wynn
COMMISSION # 676677 NOTARY PUBLIC (SEE SEAL)



LEGEND

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

Northern ENGINEERING INC
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

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

ACCEPTANCE BY LEGISLATIVE BODY

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

Sheldene D. Wynn Mayor
John Hill City Engineer (SEE SEAL)
John Hill City Recorder (SEE SEAL)

APPROVAL AS TO FORM:

APPROVED AS TO FORM THIS 18 DAY OF June, A.D. 2017.

John Hill City Attorney

PLANNING COMMISSION APPROVAL

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

SURVEYOR'S CERTIFICATE

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

DATE 05-25-17
Kim Wayne Lundberg
KIM WAYNE LUNDEBERG, P.L.S.

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

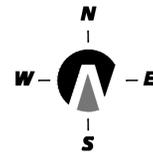
A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 1 EAST AND THE SOUTHWEST 1/4 OF SECTION 18 TOWNSHIP 4 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT A BRASS MONUMENT MARKING THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE N.00°06'10"W. ALONG THE SECTION LINE A DISTANCE OF 1321.25 FEET; THENCE WEST A DISTANCE OF 51.90 FEET; THENCE N.89°53'11"W. A DISTANCE OF 42.92 FEET; THENCE S.89°25'26"W. A DISTANCE OF 646.32 FEET; THENCE S.89°25'26"W. A DISTANCE OF 514.59 FEET; THENCE N.02°41'27"E. A DISTANCE OF 56.62 FEET; THENCE N.00°18'59"E. A DISTANCE OF 1259.95 FEET; THENCE N.87°43'49"E. A DISTANCE OF 588.88 FEET; THENCE S.00°00'00"E. A DISTANCE OF 173.93 FEET; THENCE N.87°43'49"E. A DISTANCE OF 588.88 FEET; THENCE S.69°30'20"E. A DISTANCE OF 247.55 FEET; THENCE S.33°42'26"E. A DISTANCE OF 243.12 FEET; THENCE S.20°39'09"W. A DISTANCE OF 362.89 FEET TO A POINT OF CURVATURE OF A 123.00-FOOT RADIUS ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 49°29'29" AND A CHORD THAT BEARS S.89°31'23"W. A DISTANCE OF 102.97 FEET; THENCE N.72°06'44"W. 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A DISTANCE OF 127.93 FEET; THENCE S.144°4'10"E. A DISTANCE OF 140.00 FEET; THENCE S.68°59'02"W. A DISTANCE OF 9.96 FEET TO A POINT OF CURVATURE OF A 177.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY A DISTANCE OF 227.35 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 73°35'39" AND A CHORD THAT BEARS S.32°11'12"E. A DISTANCE OF 212.04 FEET; THENCE N.37°54'06"W. A DISTANCE OF 210.06 FEET; THENCE S.39°21'21"E. A DISTANCE OF 153.00 FEET; THENCE S.46°20'49"W. A DISTANCE OF 103.10 FEET; THENCE S.46°08'20"W. A DISTANCE OF 103.10 FEET; THENCE N.29°45'56"E. A DISTANCE OF 141.31 FEET; THENCE N.44°34'17"E. A DISTANCE OF 70.01 FEET; THENCE N.71°01'42"E. A DISTANCE OF 64.19 FEET; THENCE N.53°03'30"E. A DISTANCE OF 125.76 FEET; THENCE N.71°01'42"E. A DISTANCE OF 77.91 FEET; THENCE N.15°02'22"E. A DISTANCE OF 77.91 FEET; THENCE N.51°55'16"W. A DISTANCE OF 51.33 FEET; THENCE N.89°53'11"W. A DISTANCE OF 42.92 FEET; THENCE N.87°43'49"E. 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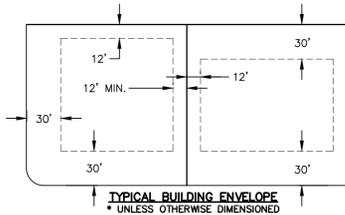
PROPOSED PLAT
(Heritage Alpine Hills G)

PLAT "G" HERITAGE HILLS ALPINE

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



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



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

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

ADDRESS TABLE	
LOT NO.	ADDRESS
301	72 E. DEER CREST LANE

LEGEND

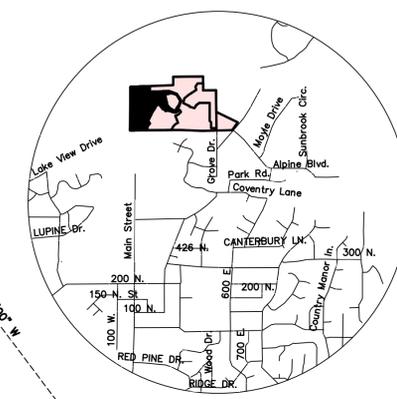
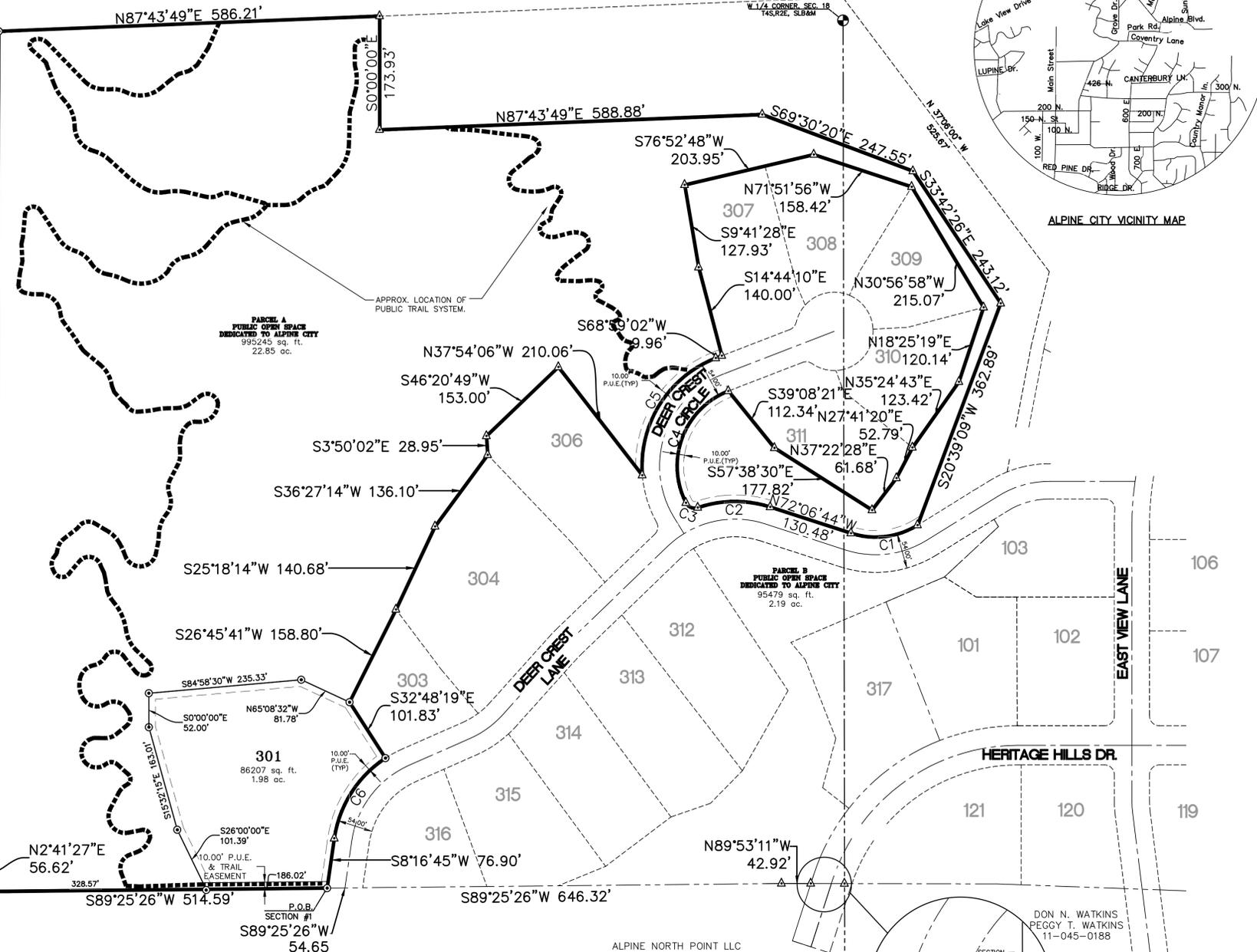
- ⊙ FOUND BRASS CAP
- ⊙ SET 5/8" IRON PIN
- △ CALCULATED POINT, NOT SET
- PROPERTY BOUNDARY
- CENTERLINE
- RIGHT-OF-WAY LINE
- LOT LINE
- SECTION LINE
- EASEMENT
- APPROX. LOCATION OF PUBLIC TRAIL SYSTEM RECORD DATA

INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF UTAH } s.s.
ON THE _____ DAY OF _____
A.D. 20____ PERSONALLY APPEARED BEFORE ME _____ THE
SIGNERS OF THE ABOVE INSTRUMENT, WHO DULY ACKNOWLEDGE TO
ME THAT HE OR SHE EXECUTE THE SAME.
MY COMMISSION EXPIRES _____
NOTARY PUBLIC (SEE SEAL)

CITY ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF UTAH } s.s.
ON THIS _____ DAY OF _____
A.D. 20____ PERSONALLY APPEARED BEFORE ME _____
WHO BEING BY ME SWORN, DID SAY THAT HE IS THE CITY ENGINEER OF
ALPINE CITY, A MUNICIPAL CORPORATION, AND THAT SAID INSTRUMENT
WAS SIGNED IN BEHALF OF THE CITY BY AUTHORITY OF ITS GOVERNING
BODY AND SAID CITY ENGINEER ACKNOWLEDGE TO ME THAT THE CITY
EXECUTED THE SAME.
MY COMMISSION EXPIRES _____
NOTARY PUBLIC (SEE SEAL)



ALPINE CITY VICINITY MAP

SURVEYOR'S CERTIFICATE

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



DATE _____ KENNETH E. BARNEY, P.L.S.

BOUNDARY DESCRIPTION

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

OWNER'S DEDICATION

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

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

ACCEPTANCE BY LEGISLATIVE BODY

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

APPROVED _____ ATTEST _____
CITY ENGINEER (SEE SEAL) CITY RECORDER (SEE SEAL)

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

ALPINE CITY _____ UTAH COUNTY, UTAH

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

APPROVAL AS TO FORM:
APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____.
CITY ATTORNEY _____

PLANNING COMMISSION APPROVAL
APPROVED THIS _____ DAY OF _____ A.D. 20____, BY THE CITY OF ALPINE PLANNING COMMISSION.

SURVEYOR'S SEAL NOTARY PUBLIC SEAL

CITY-COUNTY ENGINEER SEAL

CLERK-RECORDER SEAL

PLAT "G" HERITAGE HILLS ALPINE

ALPINE CITY COUNCIL AGENDA

SUBJECT: Ordinance 2020-04: Business Commercial Setbacks

FOR CONSIDERATION ON: 28 July 2020

PETITIONER: Staff

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

BACKGROUND INFORMATION:

On May 5, 2020, the Planning Commission recommended reduced setbacks in the Business/Commercial zone. The City Council subsequently reviewed the recommendation at the May 12, 2020 City Council meeting and asked that the item return to Planning Commission to address mixed use buildings and how setbacks should be applied. Planning Commission has since reviewed the item, made some changes, and is now making a recommendation to approve.

***MOTION:** Ethan Allen moved to recommend that Ordinance 2020-04 be approved as proposed.*

Troy Slade seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed unanimously.

Ayes:

Ed Bush

Ethan Allen

John MacKay

Jane Griener

Alan MacDonald

Troy Slade

Sylvia Christiansen

Nays:

None

STAFF RECOMMENDATION:

Review and approve the ordinance as proposed.

SAMPLE MOTION TO APPROVE:

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

SAMPLE MOTION TO APPROVE WITH CONDITIONS:

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

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

SAMPLE MOTION TO TABLE/DENY:

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

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

PRIMARY USE

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

**ALPINE CITY
ORDINANCE 2020-04**

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

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

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

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

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

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

A M E N D M E N T

3.07.050 Location Requirements

All buildings shall comply with the following setbacks:

1. Front setback shall be not less than ~~thirty~~ fifteen (3015) feet from the property line on all streets; except corner lots, where setbacks shall not be less than eighteen (18) feet from the property line on all streets. No portion of the setback area adjacent to a street shall be used for off-street parking.
2. In commercial developments adjacent to other commercial areas, the side yard and rear yard setbacks will be not less than ten (10) ~~20~~ feet unless recommended by the Planning Commission and approved by the City Council where circumstances justify.
3. Where a commercial zone abuts a residential zone, the side yard and rear yard setbacks will be not less than twenty (20) feet unless recommended by the Planning Commission and approved by the City Council where circumstances justify.
4. A lot occupied by a dwelling structure shall comply with the setback requirements set forth in the TR-10,000 zone (DCA 3.02.050 Part 1) unless recommended by the Planning Commission and approved by the City Council where circumstances justify.
5. Where a commercial use and dwelling unit occupy the same building (mixed use), the

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

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

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

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

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

AMENDMENT

3.01.110 Definitions

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

ACCESSORY BUILDING. A detached subordinate building, the use of which is appropriate, subordinate, and customarily incidental to that of the main building or to the main use of the land and which is located on the same lot or parcel of land with the main building or use.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

IMPERVIOUS MATERIAL. Matter that is impenetrable as by moisture.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STRUCTURE. Anything constructed, the use of which requires fixed location upon the ground, or attached to something having a fixed location upon the ground, and which creates an impervious material on or above the ground; definition includes "building."

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

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

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

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

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

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

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

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

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	_____	_____	_____	_____
Carla Merrill	_____	_____	_____	_____
Gregory Gordon	_____	_____	_____	_____
Jason Thelin	_____	_____	_____	_____
Jessica Smuin	_____	_____	_____	_____

Presiding Officer

Attest

Troy Stout, Mayor, Alpine City

Bonnie Cooper, City Recorder Alpine
City

**ALPINE CITY
ORDINANCE 2020-04**

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

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

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

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

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

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

A M E N D M E N T

3.07.050 Location Requirements

All buildings shall comply with the following setbacks:

1. Front setback shall be not less than fifteen (15) feet from the property line on all streets; except corner lots, where setbacks shall not be less than eighteen (18) feet from the property line on all streets. No portion of the setback area adjacent to a street shall be used for off-street parking.
2. In commercial developments adjacent to other commercial areas, the side yard and rear yard setbacks will be not less than ten (10) feet unless recommended by the Planning Commission and approved by the City Council where circumstances justify.
3. Where a commercial zone abuts a residential zone, the side yard and rear yard setbacks will be not less than twenty (20) feet unless recommended by the Planning Commission and approved by the City Council where circumstances justify.
4. A lot occupied by a dwelling structure shall comply with the setback requirements set forth in the TR-10,000 zone (DCA 3.02.050 Part 1) unless recommended by the Planning Commission and approved by the City Council where circumstances justify.
5. Where a commercial use and dwelling unit occupy the same building (mixed use), the

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

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

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

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

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

AMENDMENT

3.01.110 Definitions

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

ACCESSORY BUILDING. A detached subordinate building, the use of which is appropriate, subordinate, and customarily incidental to that of the main building or to the main use of the land and which is located on the same lot or parcel of land with the main building or use.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

IMPERVIOUS MATERIAL. Matter that is impenetrable as by moisture.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	_____	_____	_____	_____
Carla Merrill	_____	_____	_____	_____
Gregory Gordon	_____	_____	_____	_____
Jason Thelin	_____	_____	_____	_____
Jessica Smuin	_____	_____	_____	_____

Presiding Officer

Attest

Troy Stout, Mayor, Alpine City

Bonnie Cooper, City Recorder Alpine
City

ALPINE CITY COUNCIL AGENDA

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

FOR CONSIDERATION ON: 28 July 2020

PETITIONER: Mayor and City Council

ACTION REQUESTED BY PETITIONER: Review and discuss recommendation from Planning Commission.

BACKGROUND INFORMATION:

The Planning Commission has spent several meetings (June 2nd, June 16th, and July 21st) reviewing and discussing the need for additional limitations on size of lots, homes, accessory structures, and other buildings. Through the discussions the Planning Commission asked staff to provide examples of large lots, homes, and accessory structures throughout the City, as well as to see what other municipalities are doing with regards to this issue.

Planning Commission discussed the different examples around town and what kind of impact each had on its respective neighborhood.

Planning Commission then reviewed regulations from other municipalities. In the review it was found that a few cities (North Ogden, Salt Lake City, and Holladay) have some type of limitation on the size of homes on a single family lot, and one city (Salt Lake City) has a restriction on the maximum size of a lot. The Planning Commission had a back-and-forth conversation about the ordinances and how each would fit Alpine City.

Through further discussion a split emerged amongst the Planning Commission, where some felt that the City needs some type of new ordinance to restrict size of lots and structures, and others who felt that a property owners rights to do what they want with their land was more important and that the existing ordinance was sufficient. Ultimately, a motion was made to make a recommendation to City Council:

***MOTION:** John Mackay moved to recommend to the City Council to not create ordinances that limit lot or home sizes. Troy Slade seconded the motion. There were 4 Ayes and 3 Nays (recorded below). The motion passed.*

Ayes:

Ethan Allen
John MacKay
Jane Griener
Troy Slade

Nays:

Alan MacDonald
Ed Bush
Sylvia Christiansen

STAFF RECOMMENDATION:

Review Planning Commission recommendation and discuss need for limitation of lot, home, or accessory structure sizes.

LIMITATIONS ON LOT SIZE, HOUSE SIZE & ACCESSORY STRUCTURES

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

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

19.24.060 Accessory Buildings In Residential Zones

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

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

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

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

B. General Requirements:

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

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

Lot Size	Maximum Square Footage	Maximum Building Height (Feet)

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

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

1. Living space.
2. Hazardous chemical storage.

E. Supplemental Regulations:

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

HISTORY

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

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



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

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

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

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

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

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

E. Minimum Yard Requirements:

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

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

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

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

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

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

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

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

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

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

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

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

K. Standards For Attached Garages:

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