



ALPINE CITY PLANNING COMMISSION MEETING

NOTICE is hereby given that the **PLANNING COMMISSION** of Alpine City, Utah will hold a **Public Meeting** on **Tuesday, June 15, 2021 at 7:00 pm at City Hall, 20 North Main Street, Alpine, Utah.**

The public may attend the meeting in person or view 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

I. GENERAL BUSINESS

- A. Welcome and Roll Call: Jane Griener
- B. Prayer/Opening Comments: Troy Slade
- C. Pledge of Allegiance: Sylvia Christiansen

II. PUBLIC COMMENT

Any person wishing to comment on any item not on the agenda may address the Planning Commission. Comments may be submitted to admin@alpinecity.org by 5:00 PM the day of the meeting or given in person at the meeting.

III. ACTION ITEMS

A. Conditional Use – Farmers Market 195 East 200 North

The Planning Commission will review the proposed use and decide if it should be approved.

B. Setback Exception – Brookside Meadows PRD Lot 9

The Planning Commission will review the proposed exception and make a recommendation to the City Council.

C. Public Hearing – Ordinance 2021-15 Storm Water Pond Easement

The Planning Commission will hold a public hearing, review the proposed ordinance, and make a recommendation to the City Council.

IV. COMMUNICATIONS

V. APPROVAL OF PLANNING COMMISSION MINUTES: June 1, 2021

ADJOURN

Chair Jane Griener
June 11, 2021

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

CERTIFICATION OF POSTING. The undersigned duly appointed recorder does hereby certify that the above agenda notice was posted at Alpine City Hall, 20 North Main, Alpine, UT. It was also sent by e-mail to The Daily Herald located in Provo, UT a local newspaper circulated in Alpine, UT. This agenda is also available on the City's web site at www.alpinecity.org and on the Utah Public Meeting Notices website at www.utah.gov/pmn/index.html.

PUBLIC MEETING AND PUBLIC HEARING ETIQUETTE

Please remember all public meetings and public hearings are now recorded.

- All comments **must** be recognized by the Chairperson and addressed through the microphone.
- When speaking to the Planning Commission, please stand, speak slowly and clearly into the microphone, and state your name and address for the recorded record.
- Be respectful to others and refrain from disruptions during the meeting. Please refrain from conversation with others in the audience as the microphones are very sensitive and can pick up whispers in the back of the room.
- Keep comments constructive and not disruptive.
- Avoid verbal approval or dissatisfaction of the ongoing discussion (i.e., booing or applauding).
- Exhibits (photos, petitions, etc.) given to the City become the property of the City.
- Please silence all cellular phones, beepers, pagers or other noise making devices.
- Be considerate of others who wish to speak by limiting your comments to a reasonable length, and avoiding repetition of what has already been said. Individuals may be limited to two minutes and group representatives may be limited to five minutes.
- Refrain from congregating near the doors or in the lobby area outside the council room to talk as it can be very noisy and disruptive. If you must carry on conversation in this area, please be as quiet as possible. (The doors must remain open during a public meeting/hearing.)

Public Hearing vs. Public Meeting

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

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

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Conditional Use – Farmers Market 195 East 200 North

FOR CONSIDERATION ON: 15 June 2021

PETITIONER: Paula Nielson, Owner of Balance Studio

ACTION REQUESTED BY PETITIONER: Approve an outdoor farmers market for the second and forth Saturdays of July and August 2021

BACKGROUND INFORMATION:

Seasonal sales of produce or other goods may be permitted as a conditional use in the Business Commercial Zone upon approval of the Planning Commission. If approved, a business license from Alpine City is required (see Article 3.07.030.8 & 3.23.030).

Applicant is proposing to host a farmer's market at the Balance Studio property located at 195 East 200 North. The event would be held on the second and fourth Saturdays of July and August 2021 from 8:00 AM to 2:00 PM. It is anticipated that between 5 to 10 vendors would participate with booths located in the parking lot. Parking is proposed on street and residents would be encouraged to walk to the event. Items to be sold would include fresh produce, jams, honey, handmade items, and other food vendors. Restrooms would be available at Balance Studio. Also, Balance Studio has general liability insurance which would cover the event. It is anticipated attendance would be approximately 50-60 people at any given time.

Impact on neighborhood, streets, clean-up, and suitability of the site should be considered in the decision to approve the conditional use for the proposed event.

STAFF RECOMMENDATION:

Approve the proposed event.

SAMPLE MOTION TO APPROVE WITH CONDITIONS:

I move that the farmers market at Balance Studio be approved with the following condition(s):

- A business license be obtained.
- ***Insert Finding***

SAMPLE MOTION TO DENY:

I move that the farmers market at Balance Studio be denied for the following reason(s):

- ***Insert Finding***

3.07.030 Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Ordinance and after approval has been given by the designated reviewing agencies (Approval of other agencies or levels of government may be required.):

1. Planned Commercial Developments Projects which are designed, approved, constructed and maintained in accordance with the provisions of DCA 3.10.
2. Commercial Condominium Projects subject to the applicable provisions of law relating thereto.
3. Schools, churches, hospitals (human care), nursing homes and other similar quasi-public buildings subject to approval by the Planning Commission.
4. Civic Buildings. (Ord. 95-10, 4/25/9)
5. Restaurants, provided that any such facility providing drive-up window service shall also include an area for inside service to patrons in an amount not less than fifty (50%) of the total floor area of the structure. In addition, the following shall apply to restaurants. (Ord. 97-05, 5/27/97)
 - a. A traffic analysis shall be provided as part of the conditional use application.
 - b. The drive-up window and driveway shall be unobtrusive and be screened from the street by berming and landscaping.
 - c. Odors and noise shall be controlled as to not have an adverse impact on any nearby residential structures.
 - d. Restaurants must comply with provisions of the sign ordinance.
 - e. Restaurants must comply with the landscaping and design provisions in the B-C zone.
 - f. Any drive-through window must be located on the side of the restaurant building which does not abut a public street and must be screened from the street side with berming and landscaping.
 - g. Any drive-through window must have a stacking lane which will accommodate at least six cars off of the public street.
6. Single family dwellings (conventional construction) when proposed for placement on a lot not in a recorded subdivision, subject to compliance with the applicable conditions within the zone and approval of a site plan by the Planning Commission.
7. Seasonal sales such as produce or Christmas trees provided a business license is obtained from Alpine City.
8. Sexually-oriented businesses are a conditional use in the Business Commercial (BC) zone and are subject to the provisions of this chapter, including (Ord. 2010-07, 5/11/10):
 - a. No sexually-oriented business shall be located within:
 - i. One thousand (1,000) feet of a school, day care facility, public park, library, and religious institution;
 - ii. Four hundred (400) feet of any residential use (no matter which zoning district) or residential zoning boundary;
 - iii. One thousand (1,000) feet of a liquor store; and
 - iv. One thousand (1,000) feet of any other sexually-oriented business.

3.23 Conditional Uses

3.23.010 Purpose

3.23.020 Permit Required

3.23.030 Conditional Use Standards Of Review

3.23.040 Permit Revocation

3.23.050 Building Permit

3.23.060 Time Limit

3.23.070 Review Conditions And Criteria For Certain Conditional Uses

3.23.010 Purpose

The conditional use permit is intended to allow the use of certain lands and structures which may be acceptable under special conditions and in specific locations within a zone, but unacceptable under general conditions or in other locations. Such uses are described as conditional uses and require conditional use permits.

(Amended by Ordinance 2005-21 on 12/20/05)

3.23.020 Permit Required

A conditional use permit shall be required for those uses listed as conditional uses following or elsewhere in the zoning ordinance. A conditional use permit may be revoked upon failure to comply with conditions precedent to the original approval of the permit.

(Amended by Ordinance 2005-21 on 12/20/05)

3.23.030 Conditional Use Standards Of Review

Alpine City may permit a conditional use in any zone in which the particular use is designated as a conditional use in the use regulations of this ordinance.

The City shall not issue a conditional use permit unless the City Administrator or his designee, in the case of an administrative conditional use, or the Planning Commission, for all other conditional uses, concludes that the application fully mitigates all identified adverse impacts and complies with the following general standards applicable to all conditionals uses, as well as the specific standards for the use.

1. **General Review Criteria.** An applicant for conditional use in the zone must demonstrate:
 - a. The application complies with all applicable provisions of this Chapter, state and federal law;
 - b. The structures associated with the use are compatible with surrounding structures in terms of use, scale, mass and circulation;
 - c. The use is not detrimental to the public health, safety and welfare;
 - d. The use is consistent with Alpine City General Plan as amended;
 - e. Traffic conditions are not adversely affected by the proposed use;
 - f. There is sufficient utility capacity;
 - g. There is sufficient emergency vehicle access;
 - h. The location and design of off-street parking as well as compliance with off-street parking

standards;

- i. A plan for fencing, screening and landscaping to separate the use from adjoining uses and mitigate the potential for conflict in uses;
- j. Exterior lighting that complies with the lighting standards of the zone;
- k. Within and adjoining the site, impacts on the aquifer, slope retention, and flood potential have been fully mitigated and is appropriate to the topography of the site.

2. **Specific Review Criteria for Certain Conditional Uses.** In addition to the foregoing, the Planning Commission or the City Administrator/designee must evaluate the applicant's compliance with each of the listed criteria under the specific use when considering whether to approve, deny or conditionally approve an application for conditional uses.

(Amended by Ordinance 2005-21 on 12/20/05)

3.23.040 Permit Revocation

1. The City Council may revoke the conditional use permit of any person upon a finding that the holder of the permit has failed to comply with any of the conditions imposed at the time the permit was issued. The City Council shall send notice of revocation to the permit holder and the permit holder shall immediately cease any use of the property which was based on the conditional use permit.
2. If the City revokes any permit under this section, the permit holder shall have the right to appeal the revocation of the permit. The holder must file the appeal with the City Recorder within fifteen (15) days of the notice that the City has revoked the conditional use permit.
3. Upon receipt of the appeal, the City Council shall set a hearing on the appeal at its next regularly scheduled meeting which is more than fifteen (15) days after the time the City Recorder received the appeal. The City shall supply the permit holder of the time, date and place of the hearing at least fifteen (15) days before the hearing. At the hearing, the permit holder shall have the right to be heard on the revocation.

(Amended by Ordinance 2005-21 on 12/20/05)

3.23.050 Building Permit

Following issuance of a conditional use permit, the Building Inspector may approve an application for a building permit and shall insure that development is undertaken and completed in compliance with said permits and conditions pertaining thereto.

(Amended by Ordinance 2005-21 on 12/20/05)

3.23.060 Time Limit

1. A conditional use permit for temporary uses may be issued for a maximum period of six (6) months, with renewals at the direction of the Planning Commission for not more than three (3) successive periods thereafter.
2. Action authorized by a conditional use permit must commence within one (1) year of the time the permit was issued. If the permit holder has not commenced action under the permit within this time, the permit shall expire and the holder must apply for a new permit. The Planning Commission may grant an extension for good cause shown. Only one extension may be granted and the maximum extension shall be six (6) months. In order to obtain an extension, the permit

holder must apply for an extension in writing before the expiration of the original permit. The application must be submitted to the City Recorder and the application must describe the cause for requesting the extension.

(Amended by Ordinance 2005-21 on 12/20/05)

3.23.070 Review Conditions And Criteria For Certain Conditional Uses

1. **Accessory Apartments** (Amended by Ord. 95-04, 02/28/95; 2004-13, 09/28/04; 2009-12, 07/14/09). An accessory apartment shall be considered a subordinate dwelling unit within and part of a principle dwelling and which has its own cooking, sleeping, and sanitation facilities. Accessory apartments may be permitted as a conditional use, upon approval of the City Planner and Building Official. Approval shall be subject to the following:
 - a. Accessory apartments are listed as a conditional use within the zone.
 - b. Accessory apartments shall be permitted only in owner-occupied single-unit detached dwellings.
 - i. Owner occupancy shall not be required when the owner has submitted a temporary absence application prior to beginning the temporary absence and meets the following criteria:
 - (1) The owner has a bona fide, temporary absence of three (3) years or less for activities such as temporary job assignments, sabbaticals, military service, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or
 - (2) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility.
 - (3) Owner occupancy shall have the meaning set forth in Article 3.01.110, Alpine City Development Code.
 - (4) The owner has resided in the residence for at least one (1) year prior to beginning the temporary absence.
 - c. A maximum of one (1) accessory apartment shall be permitted in each owner occupied single-unit detached dwelling.
 - d. Accessory apartments shall be permitted only in a basement, above an attached garage, or on the main floor limiting it to twenty-five percent (25%) of the main floor.
 - e. A single-unit detached dwelling with an accessory apartment shall provide not less than four (4) off-street parking spaces. Parking spaces may include garage and driveway space. At least one (1) space shall be designated for the accessory apartment.
 - f. The accessory apartment shall contain no less than 300 square feet of living area and shall comply with all size and access specifications of the International Residential and Building Codes.
 - g. Accessory apartments shall have at least one (1) separate entrance from the main dwelling accessible from outside. The entrance shall be located on the side or rear of the main dwelling.
 - h. A single-unit detached dwelling containing an accessory apartment shall have not more than one (1) meter for each water, gas and electric utility service, and the meter shall be in the name of the owner.

- i. All construction and remodeling to accommodate the accessory apartment shall be in accordance with the International Residential and Building Codes in effect at the time of construction or remodeling.
- j. Any person constructing or causing the construction of a residence that has an accessory apartment or any person remodeling or causing the remodeling of a residence for an accessory apartment, or any person desiring to provide an accessory apartment within a single-unit detached dwelling, shall obtain an Accessory Apartment Permit from the Building Department. Such permit shall be in addition to any building permits that may be necessary.

2. **Guest Houses** (Ord. 94-06, 5/24/94). Guest houses may be permitted as a conditional use, upon approval of the City Council and subject to compliance with the following:

- a. Guest Houses are listed as a conditional use within the zone.
- b. The lot or parcel upon which the guesthouse is proposed to be placed shall have a lot area of not less than five (5) acres.
- c. The guesthouse shall be located not less than 30 ft. to the rear of the primary dwelling and not closer than twelve (12) ft. to any side or rear property line.
- d. The water and sewer service shall be the same as for the principle dwelling.
- e. The hookup fees for a single-unit dwelling with a guest house shall be one and one-half (1 and 1/2) times the rate for a single family dwelling.
- f. The guesthouse shall be an integral part of the site plan for the principle dwelling and attendant lot area. Vehicular access to the guest house shall be over the same driveway as for the primary dwelling.
- g. Prior to approval, a site plan showing the proposed location of the guesthouse and provision for utilities, vehicular access and other standards and conditions shall be submitted and approved by the Planning Commission.
- h. Any person desiring to construct a guest house shall convey to the City water rights in the amount of 1/2 acre foot.

3. **Home Occupations** (Ord. 95-04, 2/28/95. Amended Ord. 08-18, 12/16/08; Ord. 2009- 14, 9/22/09; Ord. 2010-07, 5/11/10; Ord. 2010-11, 10/12/10; Ord. 2013-04, 3/12/13; Ord. 2014-06, 3/25/14; Ord. 2016-23, 11/09/16). Home occupations may be permitted as a conditional use, upon review of Staff and approval by the City Planner. If the City Planner determines that the home occupation may create significant impacts, approval from the Planning Commission may be required. All home occupations will be subject to compliance with the following:

- a. Terms and Conditions.
 - i. Home occupations are listed as a conditional use in the zone.
 - ii. The home occupation is conducted entirely within the livable area of a dwelling or attached garage. Business outdoor activities such as swimming lessons, tennis lessons, horseback riding lessons or other similar activities as determined by the Planning Commission may be considered as a home occupation.
 - iii. The business activity of the Home Occupation carried out on the premises shall be conducted only by members of the residing family, except that not more than one person, not a member of the residing family, may be engaged in the conduct of the home occupation if such person is utilized in the capacity of a support function.
 - iv. The home occupation does not involve the use of any accessory buildings or yard

space for storage outside of the dwelling or attached garage.

- v. The home occupation shall contain no facilities for the display of goods. Any sale of goods and services shall constitute a clearly incidental part of the operation of the home occupation.
 - vi. No commercial vehicles shall be stored at the premises except one delivery truck which does not exceed 12,000 gvw rated capacity.
 - vii. The home occupation is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the building from that of a dwelling.
 - viii. Home occupation signs shall be limited to one (1) identification nameplate, not larger in area than two (2) square feet fastened to the home, and one (1) sign, not larger in area than one (1) square foot, fastened to the side of the mailbox structure at or below the level of the mail box. No off-site advertising signs shall be permitted.
 - ix. The home occupation shall not occupy an area not more than the equivalent of twenty-five percent (25%) of the livable area of the dwelling or 1000 square feet, whichever is less. The livable area does not include the garage.
 - x. The home occupation shall obtain a business license from the City.
 - xi. The activities of the home occupation shall not involve the use of hazardous materials or chemicals in amounts that will increase the hazard of fire or explosion. Activities of the home occupation shall not decrease safety to the structure or occupants of the dwelling or adjacent dwellings.
 - xii. The operation of the home occupation shall not produce any noise, smoke, glare, light, fumes, dust, electronic interference or similar condition which is discernible outside the dwelling.
 - xiii. The physical appearance, traffic, and other activities in connection with the home occupation will not be contrary to the intent of the zone in which the home occupation is located and, in the opinion of the Planning Commission, the activities of the home occupation will not depreciate surrounding property values or the quality of the area for residential purposes as determined by the Planning Commission.
 - xiv. A sexually-oriented business shall not be a home occupation.
 - xv. An automotive repair business shall not be a home occupation.
 - xvi. If the home occupation will have customers/clients coming to the home as part of the business, an inspection(s) of the business portion of the home is required to determine compliance with zoning, building, and life safety requirements. When no customers/clients will be coming to the home as part of the business, the applicant shall be required to submit the home business self fire inspection form.
- b. Commission May Attach Conditions. In order to achieve the objectives of this Code and to protect the health, safety and quality of life in the community the Planning Commission or City Planner may attach conditions to the granting of a home occupation consistent with the standards hereinabove stated.
- c. Continuing Obligation - Business License Required. All home occupations shall be operated in compliance with the conditions herein above set forth and any conditions which may be attached as part of the approval. Upon approval of a home occupation the applicant shall be eligible to acquire a business license to operate. Issuance of the

Business License shall be conditioned upon continued performance of the conditions of approval and said license shall be refused or revoked upon failure of the owner and/or operator to maintain or operate the home occupation in accordance therewith.

The approval shall be valid for the remainder of the year in which it is first granted. Thereafter the approval will be extended for successive one year periods, commencing on January 1 of the calendar year, or such other date as the Council or City Planner may from time to time establish as the effective date for business licenses, provided (1) that the home occupation remains substantially the same as initially approved and (2) that the home occupation has remained active as evidenced by the acquisition of a valid business license for the previous year.

4. **Produce Stands** (Ord 96-05, 4/10/96). Incidental Produce stands may be permitted as a conditional use, upon approval by the Planning Commission and subject to compliance with the following:

- a. Intent. The Intent and purpose of this Part is to allow the operation of incidental produce stands which supply the local market with needed food and farm products produced on the premises.
- b. Terms and Conditions.
 - i. Incidental Produce Stands are listed as a conditional use in the zone.
 - ii. Only plants, animals, or parts thereof which are products of the subject lot shall be offered for sale.
 - iii. The Produce stand shall provide sufficient off-street parking space to safely accommodate the anticipated level of patrons. The required off-street parking shall be in addition to the spaces required to meet the parking requirements of the primary use.
 - iv. Each produce stand shall be entitled to one sign. Said sign shall have not more than thirty-two (32) sq. ft. of sign area and shall advertise only products of the lot. The sign shall not extend into the road right-of-way.
 - v. An annual business license to operate the produce stand shall be obtained from the City.
 - vi. The application shall include a detailed site plan showing the location of all dwellings and other buildings on the site and also all facilities and areas intended for use in the production, processing, storage and sales of the products intended to be offered for sale on the premises.

(Ord. 94-06, 5/24/94; Amended by Ord. 2004-13, 9/28/04)
(Amended by Ordinance 2005-21 on 12/20/05)

HISTORY

Amended by Ord. [2020-08](#) on 4/28/2020

Amended by Ord. [2021-11](#) on 5/11/2021

For the purposes of this section, distance shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which the sexually-oriented business is located, and:

- (1) The closest property line of any school, day care facility, public park, library, and religious institution;
- (2) The nearest property line of any residential use or residential zone;
- (3) The nearest property line of any liquor store; and
- (4) The closest exterior wall of another sexually-oriented business.

9. Home occupations, subject to the provisions of DCA 3.23.070 Part 3.

10. Accessory apartments, subject to the provisions of DCA 3.23.070 Part 1.

11. Mechanical Automotive Repair Shops

- a. Odors and noise shall be controlled as to not have an unreasonable adverse impact on nearby structures and/or property.
- b. There shall be no more than 5 automobile bays.
- c. No automobiles shall be stored on the property for more than 14 days.
- d. Mechanical automotive repair shops shall comply with the regulations of the applicable entities including but not limited to the State of Utah, Timpanogos Service District, Lone Peak Fire Marshal, and Environmental Protection Agency.
- e. Mechanical automotive repair shops must abut directly upon and have access to Main Street (south of southern property line of the property located at 30 South Main Street) or Canyon Crest Road within the Business Commercial zone.
- f. Mechanical auto repair shops shall comply with the off-street parking requirements excepting there shall be no more than 3 parking spaces provided per bay.
- g. Mechanical automotive repair shops shall conform to the provisions of the Gateway/Historic Zone (DCA 3.11).

12. Dog Kennels/Boarding Facilities

- a. Odors and noise shall be controlled as to not have an unreasonable adverse impact on nearby structures and/or property.
- b. Dogs shall be kept primarily indoors, with the exception of short periods of time for the dogs to exercise, relieve themselves, go on walks, etc.
- c. Shall have no more than twenty (20) individual dog kennel runs, with total dogs not to exceed 1.2 times the number of kennel runs.
- d. No more than one dog shall share a kennel run without the owner's permission.
- e. Facility shall be sound proofed, and include an indoor dog run.
- f. Shall comply with City off-street parking requirements.
- g. Shall provide daily disposal of all animal feces and wastes.
- h. Shall conform to the provisions of the Gateway/Historic Zone (DCA 3.11).

- i. There shall be adequate and effective means of control of insects and rodents at all times, such control shall be carefully monitored.
- j. Operator shall bear full responsibility for recapturing and controlling any escaped animal.
- k. Must have an active DVM relationship to immediately treat a sick or injured animal requiring medical attention.
- l. Facility shall be located not less than one hundred fifty (150) feet from the nearest neighboring dwelling structure.

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

HISTORY

Amended by Ord. [2018-01](#) on 2/27/2018

Amended by Ord. [2019-13](#) on 6/11/2019

Amended by Ord. [2020-02](#) on 4/14/2020

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Setback Exception – Brookside Meadows PRD Lot 9

FOR CONSIDERATION ON: 15 June 2021

PETITIONER: Jeff Dong with Bloks LLC

ACTION REQUESTED BY PETITIONER: Approve the proposed setback exception.

BACKGROUND INFORMATION:

An exception is being requested for the setbacks for Lot 9 of the Brookside Meadows PRD. Specifically, the petitioner is seeking an exception for the side setback on the north side of the lot. Article 3.01.110 of the Alpine City Development Code defines a Side Yard as:

“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).”

Brookside Meadows is a Planned Residential Development (PRD), and as such, the City Council may grant exceptions for setbacks following a recommendation from Planning Commission and

“...upon a finding that such exception is appropriate for the proper development of the lot and that the exception will not result in the establishment of a hazardous condition” (3.09.060.4.d).

The lot borders open space to the north, meaning a reduced setback would not directly impact a neighboring resident. The open space to the north of the lot is not part of the Brookside Meadows Subdivision but it is land that was dedicated as part of another PRD. Also, the proposed exception would not result in the establishment of a hazardous condition.

STAFF RECOMMENDATION:

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

SAMPLE MOTION TO APPROVE:

I move to recommend that an exception be granted and that a 7-foot north side setback be approved for Lot 9 of the Brookside Meadows PRD as requested by the applicant.

SAMPLE MOTION TO TABLE/DENY:

I move to table/deny the setback exception based on the following:

- ***Insert Finding***

RE: Circuit Residence - Site Plan and Main Floor Plan

Jeff Dong <jd@buildwithbloks.com>

Fri 6/11/2021 7:01 AM

To: Austin Roy <aroy@alpinecity.org>; Marla Fox <mfox@alpinecity.org>; Jed Muhlestein <jed@alpinecity.org>**Cc:** Josh Hayes <jh@buildwithbloks.com>; Jeff Dong <jd@buildwithbloks.com>; Mike Carlton <mcarlton@wildingengineering.com>; Christopher Thompson <visionsrealitydesign@gmail.com>

Austin,

Statement-

Due to the elevation of the lot restrictions for the left side garage entrance, we request a variance of 5 feet in the side setbacks. On the right side of the house is planned open space that will not have another house on it. If we allow the house to be able to shift to the right the 5 feet, we can help make a safer driveway approach and allow the house dimensions to be better situated. Thank you.

Cheers, Jeff

Jeff Dong | Managing Partner

Bloks LLC | Salt Lake City · Vancouver · DC

1557 W. Innovation Way

5th Floor Lehi, UT 84043

Mobile | 301.653.3923

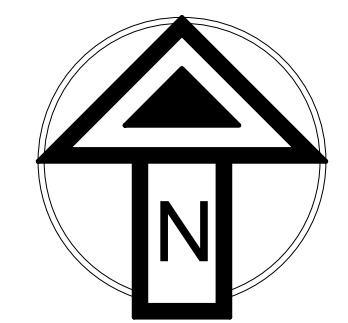
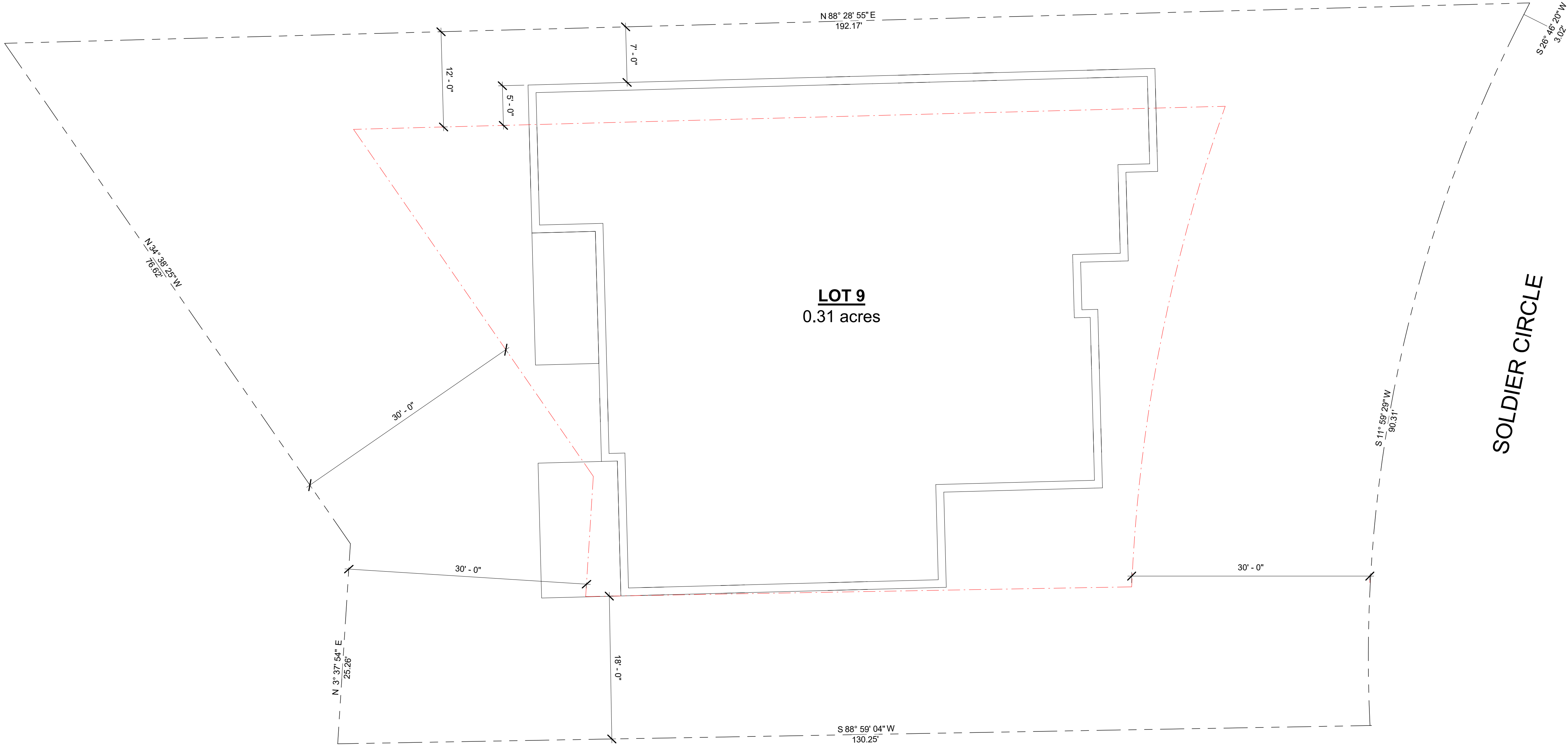
Email | jd@buildwithbloks.comWeb | www.buildwithbloks.com**NOTICE**

This message contains confidential information and is intended only for the named individual(s) above. If you are not a named individual, you are prohibited from copying, disclosing, distributing, or using this information. The sender does not waive any of its rights, privileges or other protections with respect to this information. Please notify the sender immediately if you received this message in error, delete the e-mail as well as any attachments, and destroy all hard copies.

Information contained in this message should not be construed as a recommendation, offer or solicitation to buy or sell any security or related financial product. This message is for informational purposes only and is not an official confirmation of any transaction. Nothing in this e-mail constitutes investment advice.

From: Austin Roy <aroy@alpinecity.org>**Sent:** Thursday, June 10, 2021 1:37 PM**To:** Jeff Dong <jd@buildwithbloks.com>; Marla Fox <mfox@alpinecity.org>; Jed Muhlestein <jed@alpinecity.org>**Cc:** Josh Hayes <jh@buildwithbloks.com>; Mike Carlton <mcarlton@wildingengineering.com>; Christopher Thompson <visionsrealitydesign@gmail.com>**Subject:** Re: Circuit Residence - Site Plan and Main Floor Plan

1 SITE PLAN
Scale 1/8" = 1'-0"



REVISIONS		
NO.	DATE	DESCRIPTION



The concepts and ideas expressed in these drawings are the sole property of Vision's Reality Design LLC. No portion shall be copied or reproduced without express written permission.

CIRCUIT RESIDENCE
435 N. SOLDIER CIRCLE
ALPINE, UTAH 84004



BLOKS LLC
CIRCUIT RESIDENCE
SITE PLAN

PROJ. NUMBER	042
DATE	MAY 19, 2021
DRAWN BY	CLT
CHECKED BY	CLT
A-002	
SCALE	1/8" = 1'-0"



The concepts and ideas expressed in these drawings are the sole property of Vision's Reality Design LLC. No portion shall be copied or reproduced without express written permission.

CIRCUIT RESIDENCE
435 N. SOLDIER CIRCLE
ALPINE, UTAH 84004



GENERAL CONTRACTOR
BLOKS LLC

BLOKS LLC

CIRCUIT
RESIDENCE

MAIN FLOOR
PLAN

PROJ. NUMBER 042

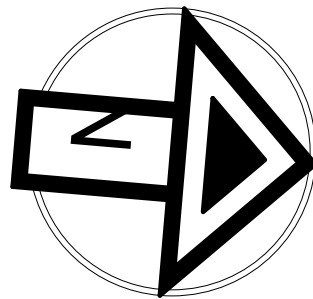
DATE MAY 19, 2021

DRAWN BY CLT

CHECKED BY CLT

A-101

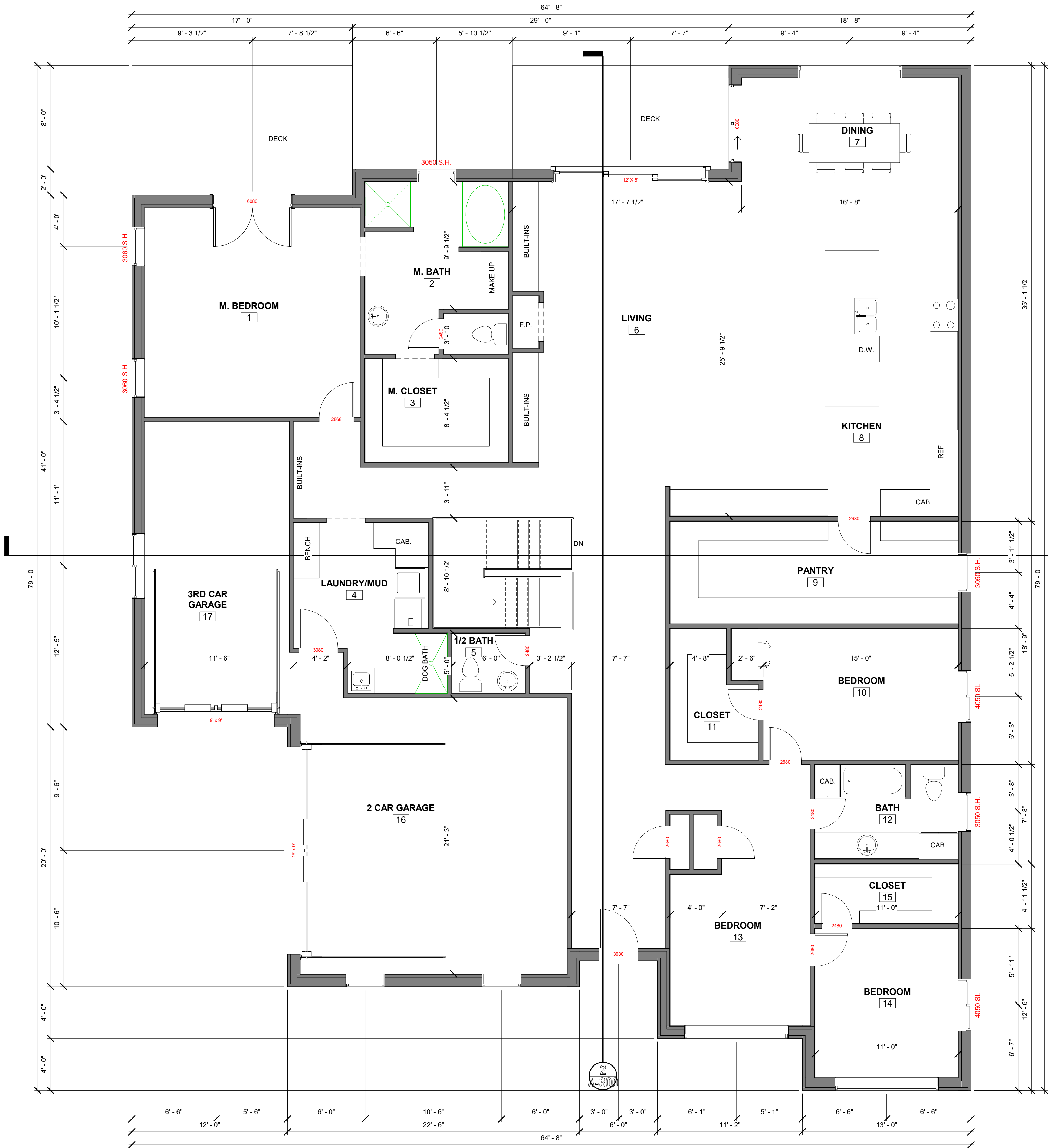
SCALE 1/4" = 1'-0"



REVISIONS

NO.	DATE	DESCRIPTION

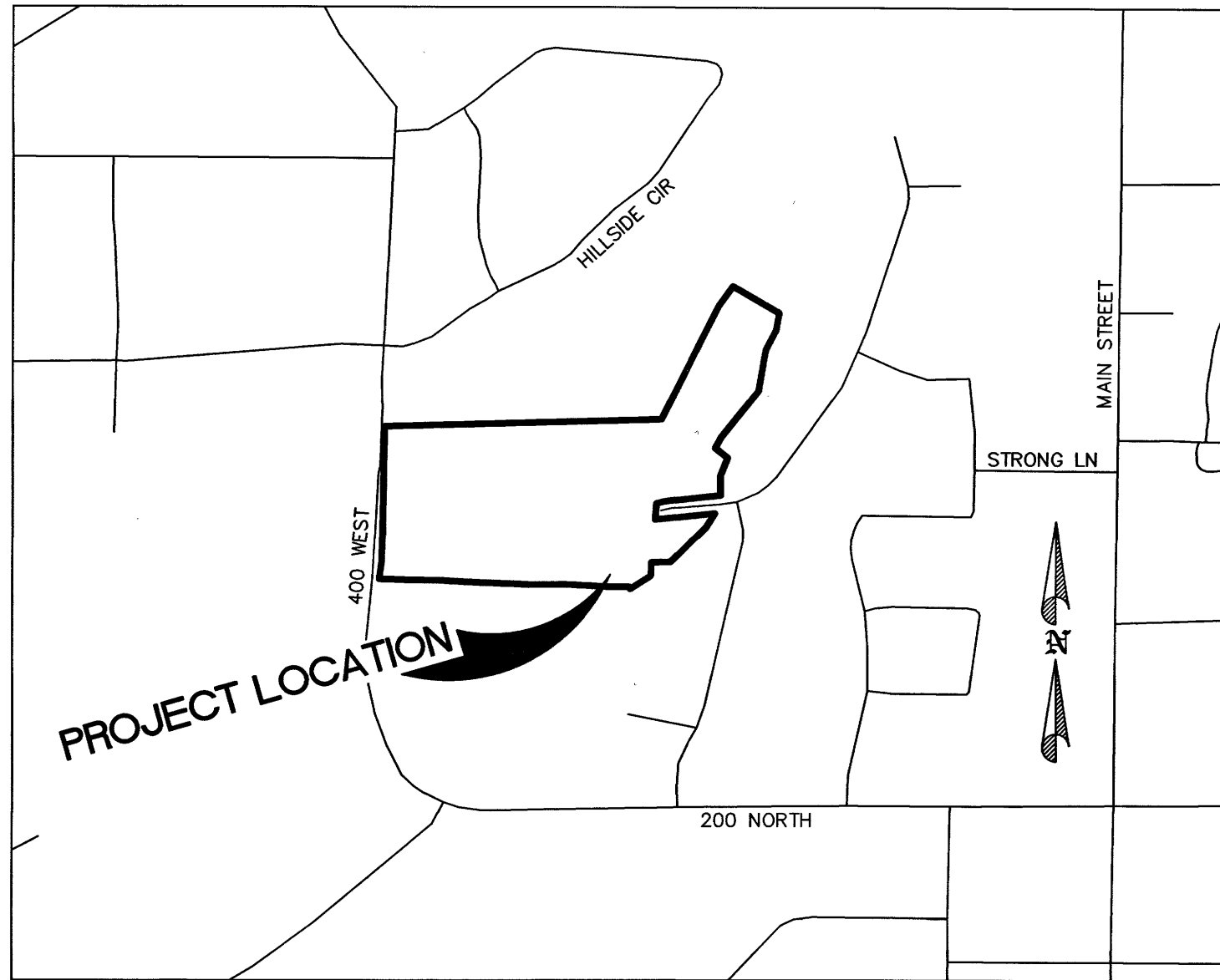
SQUARE FOOTAGE
MAIN FLOOR = 3291 S.F.
GARAGE = 794 S.F.



1 MAIN FLOOR
Scale 1/4" = 1'-0"

BROOKSIDE MEADOWS P.R.D.

LOCATED IN THE NORTH HALF OF SECTION 24,
TOWNSHIP 4 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN,
CITY OF ALPINE, UTAH COUNTY, UTAH



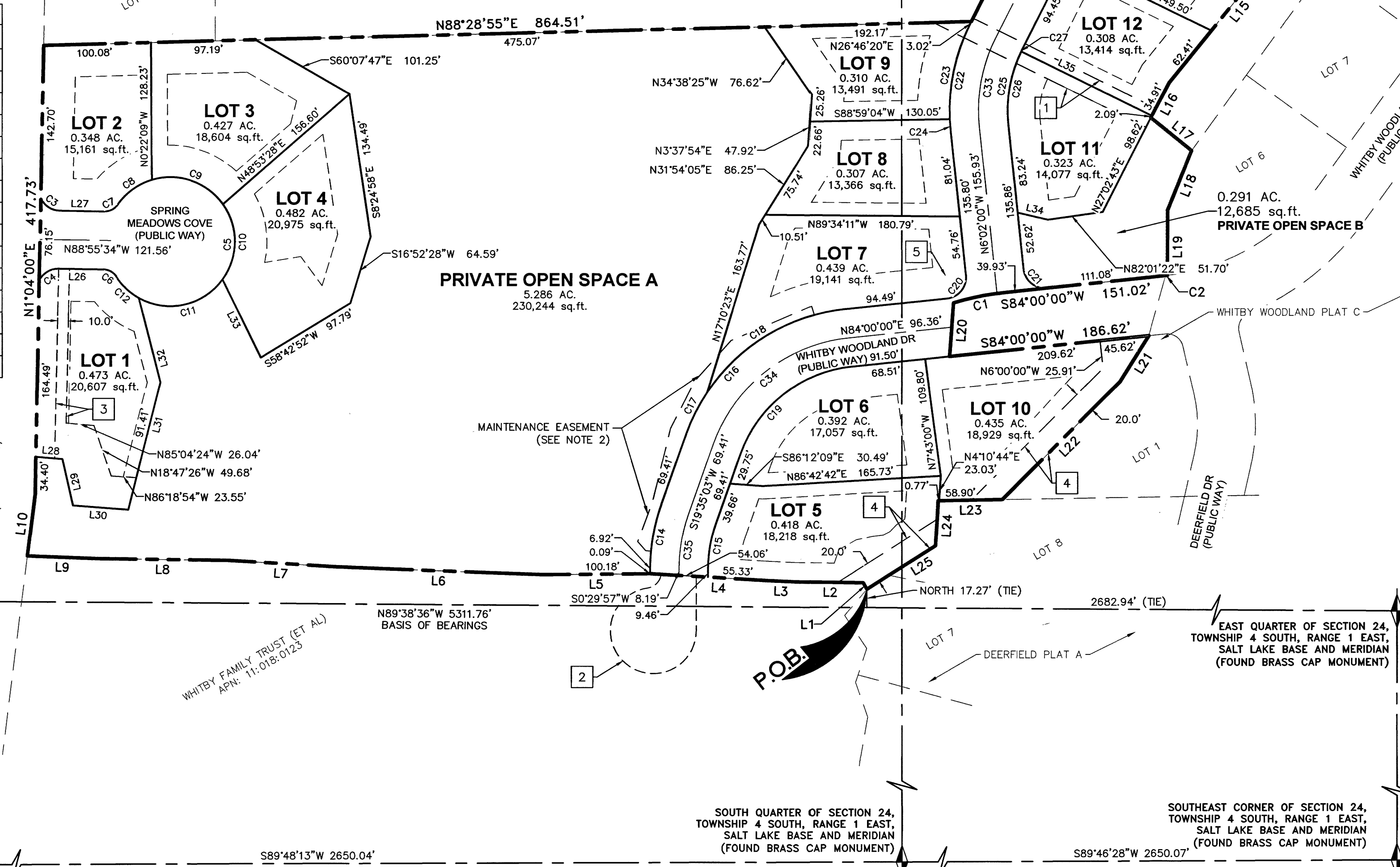
VICINITY MAP
SCALE: 1" = 500'
ALPINE, UTAH

- 20' WIDE DRAINAGE EASEMENT (12' ON LOT 11 AND 8' ON LOT 12)
- 80' DIAMETER TEMPORARY TURN-AROUND EASEMENT ENTRY: 135.5497, 140.29
- DRAINAGE AND RETENTION EASEMENT
- WESTFIELD DITCH EASEMENT
- NO LANDSCAPING OR OTHER OBSTRUCTION IS ALLOWED TALLER THAN 1 FOOT IN THE SIGHT TRIANGLE ON LOT 7

LEGEND

- STREET CENTERLINE
- BOUNDARY LINE
- EASEMENT LINE
- SETRBACK LINE
- SECTION CORNER AND LINE

Parcel Line Table	Parcel Line Table
Line # Length Direction	Line # Length Direction
L1 6.91' N30°16'09"W	L21 50.78' S32°00'00"W
L2 61.10' N89°15'56"W	L22 155.00' S45°00'00"W
L3 27.89' N87°26'36"W	L23 59.67' S89°00'44"W
L4 109.48' N86°48'27"W	L24 41.92' S03°23'29"W
L5 100.18' S89°28'07"W	L25 75.64' S57°26'29"W
L6 193.36' N87°50'37"W	L26 41.99' S88°55'21"E
L7 100.37' N86°42'12"W	L27 41.12' N88°55'06"W
L8 120.91' N89°08'14"W	L28 24.91' N85°04'24"W
L9 65.93' N87°48'00"W	L29 44.17' N12°47'27"W
L10 58.16' N07°04'00"E	L30 51.77' N85°31'14"W
L11 74.92' N36°03'20"E	L31 122.17' S14°10'22"W
L12 52.88' S10°00'00"W	L32 81.27' S14°22'53"E
L13 69.81' S27°39'52"W	L33 80.87' N26°06'26"W
L14 130.00' S10°00'00"W	L34 28.86' S77°02'00"E
L15 187.00' S39°00'00"W	L35 135.73' S63°48'47"E
L16 37.00' S27°40'00"W	
L17 48.84' S51°16'59"E	
L18 60.16' S22°00'00"W	
L19 60.52' S00°00'00"E	
L20 50.18' S04°12'04"W	



NOTES:

- THE DEVELOPER IS TO INSTALL THE RETAINING WALLS, LANDSCAPING AND DRIP IRRIGATION SYSTEM IN THE OPEN SPACE AREAS. THE DEVELOPER IS TO MAINTAIN THE LANDSCAPING FOR ONE YEAR THROUGH THE WARRANTY PERIOD. AFTER THE WARRANTY PERIOD AND THE PLANTS ARE ESTABLISHED THE CITY WILL TAKE OVER MAINTENANCE OF THE LANDSCAPING AROUND THE RETAINING WALLS.
- A PUBLIC UTILITY EASEMENT EXISTING ON LOT 7 AND THE PRIVATE OPEN SPACE FOR THE MAINTENANCE AND OPERATION OF THE RETAINING WALLS AND ASSOCIATED LANDSCAPING, FENCES, AND OTHER APPLICABLE CITY INFRASTRUCTURE.
- ALL OF OPEN SPACE A AND OPEN SPACE B IS A PUBLIC UTILITY, PRIVATE DETENTION, AND PRIVATE DRAINAGE EASEMENT.
- ALL LOTS SHALL BE SUBJECT TO PUBLIC UTILITY EASEMENTS AS FOLLOWS:
10 FEET ON FRONT AND REAR
5 FEET ON SIDE LOT LINES OF SUBDIVISION
- THE SETBACK ADJACENT TO THE SLOPES SHALL BE THE MORE RESTRICTIVE OF EITHER THE READ SETBACK SPECIFIED ON THIS PLAT OR THE SETBACK FROM THE SLOPE AS SPECIFIED IN THE SOILS REPORT REPORT PREPARED BY WILDING ENGINEERING DATED 4-30-2019 & 9-10-2019. THIS NOTE AFFECTS LOTS 1, 3, 4, 5-10, AND 15.
- CUT SLOPES ON THE LOTS TO BE GRADED BACK AND RETAINING WALLS TO BE USED AS NECESSARY TO CREATE BUILDABLE PADS.
- OPEN SPACES AS SHOWN ON THIS PLAT ARE UNDEVELOPABLE.

Parcel Address Table	Parcel Address Table
Lot # Address	Lot # Address
1 394 W SPRING MEADOWS COVE or 376 N 400 W	11 428 N SOLDIER CIRCLE
2 387 W SPRING MEADOWS COVE or 424 N 400 W	12 446 N SOLDIER CIRCLE
3 365 W SPRING MEADOWS COVE	13 468 N SOLDIER CIRCLE
4 352 W SPRING MEADOWS COVE	14 490 N SOLDIER CIRCLE
5 354 N WHITBY WOODLANDS DRIVE	15 496 N SOLDIER CIRCLE
6 372 N WHITBY WOODLANDS DRIVE	PRIVATE OPEN SPACE A 363 N WHITBY WOODLANDS DRIVE
7 401 N SOLDIER CIRCLE or 389 N WHITBY WOODLANDS DRIVE	PRIVATE OPEN SPACE B 397 N WHITBY WOODLANDS DRIVE
8 421 N SOLDIER CIRCLE	
9 435 N SOLDIER CIRCLE	
10 394 N WHITBY WOODLANDS DRIVE	

Parcel Address Table	Parcel Address Table
Lot # Address	Lot # Address
1 394 W SPRING MEADOWS COVE or 376 N 400 W	11 428 N SOLDIER CIRCLE
2 387 W SPRING MEADOWS COVE or 424 N 400 W	12 446 N SOLDIER CIRCLE
3 365 W SPRING MEADOWS COVE	13 468 N SOLDIER CIRCLE
4 352 W SPRING MEADOWS COVE	14 490 N SOLDIER CIRCLE
5 354 N WHITBY WOODLANDS DRIVE	15 496 N SOLDIER CIRCLE
6 372 N WHITBY WOODLANDS DRIVE	PRIVATE OPEN SPACE A 363 N WHITBY WOODLANDS DRIVE
7 401 N SOLDIER CIRCLE or 389 N WHITBY WOODLANDS DRIVE	PRIVATE OPEN SPACE B 397 N WHITBY WOODLANDS DRIVE
8 421 N SOLDIER CIRCLE	
9 435 N SOLDIER CIRCLE	
10 394 N WHITBY WOODLANDS DRIVE	

Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
C1	48.46'	254.00'	10°55'54"	S78°32'03"W	48.39'
C2	1.76'	200.00'	0°30'10"	N83°44'27"E	1.76'
C3	22.59'	19.93'	64°57'55"	S57°43'58"E	21.40'
C4	21.71'	19.83'	62°42'06"	S58°43'02"W	20.64'
C5	305.66'	60.00'	291°53'18"	N01°04'00"E	67.20'
C6	14.65'	15.00'	55°56'39"	N60°57'37"W	14.07'
C7	14.65'	15.00'	55°56'39"	N63°05'40"E	14.07'
C8	39.91'	60.00'	38°06'51"	S54°10'46"W	39.18'
C9	74.59'	60.00'	71°13'56"	N71°08'50"W	69.88'
C10	74.81'	60.00'	71°26'17"	N00°11'16"E	70.06'
C11	87.34'	60.00'	83°24'01"	N77°36'25"E	79.83'
C12	29.01'	60.00'	27°42'14"	S46°50'28"E	28.73'
C14	58.96'	177.00'	19°05'06"	S10°02'29"W	58.69'
C15	40.97'	123.00'	19°05'06"	S10°02'30"W	40.78'
C16	199.00'	177.00'	64°24'57"	S51°47'31"W	188.68'
C17	43.75'	177.00'	14°09'44"	S26°39'55"W	43.64'
C18	155.25'	177.00'	50°15'13"	S58°52'23"W	150.32'
C19	138.29'	123.00'	64°24'57"	S51°47'31"W	131.12'
C20	31.43'	20.00'	90°02'00"	N38°59'00"E	28.29'
C21	31.40'	20.00'	89°58'00"	S51°01'00"E	28.28'
C22	101.34'	177.00'	32°48'20"	S10°22'10"W	99.97'
C23	91.32'	177.00'	29°33'42"	S11°59'29"W	90.31'
C24	10.02'	177.00'	3°14'38"	S04°24'41"E	10.02'
C25	70.43'	123.00'	32°48'20"	S10°22'10"W	69.47'
C26	69.49'	123.00'	32°22'15"	S10°09'08"W	68.57'
C27	0.93'	123.00'	0°26'05"	S26°33'18"W	0.93'
C28	272.19'	60.00'	259°55'17"	N23°16'02"W	91.98'
C29	113.64'	60.00'	108°31'06"	S81°01'54"W	97.40'
C30	62.25'	60.00'	59°26'46"	N14°59'09"W	59.50'
C31	96.30'	60.00'	91°57'23"	N60°42'55"E	86.29'
C32	27.90'	20.00'	79°55'18"	S66°43'58"W	25.69'
C33	85.88'	150.00'	32°48'20"	S10°22'10"W	84.72'
C34	168.64'	150.00'	64°24'57"	S51°47'31"W	159.90'
C35	49.96'	150.00'	19°05'06"	S10°02'30"W	49.73'

SURVEYOR'S CERTIFICATE

I, KAGAN M. DIXON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 9061091 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. 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, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS:

BROOKSIDE MEADOWS P.R.D.

AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE, WIDTH, AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

BOUNDARY DESCRIPTION

A TRACT OF LAND BEING SITUATE IN THE NORTH HALF OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, HAVING A BASIS OF BEARINGS OF NORTH 89°38'36" WEST BETWEEN THE EAST QUARTER AND THE WEST QUARTER OF SAID SECTION 24, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 89°38'36" WEST ALONG THE QUARTER SECTION LINE A DISTANCE OF 2882.94 FEET AND NORTH 17°27' FEET FROM THE EAST QUARTER OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF LOT 7, PLAT A, DEERFIELD SUBDIVISION, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP FILING NO. 10153, AND RUNNING THENCE NORTH 301°09' WEST 6.91 FEET; THENCE NORTH 89°58'58" WEST 61.10 FEET; THENCE NORTH 87°26'36" WEST 27.89 FEET; THENCE NORTH 109.48 FEET; THENCE SOUTH 89°28'07" WEST 100.18 FEET; THENCE NORTH 87°50'37" WEST 193.36 FEET; THENCE NORTH 86°42'12" WEST 100.37 FEET; THENCE NORTH 89°08'14" WEST 120.91 FEET; THENCE NORTH 87°48'00" WEST 65.93 FEET TO THE EAST RIGHT-OF-WAY LINE OF 400 WEST STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES, 1) NORTH 07°04'00" EAST 58.16 FEET, 2) NORTH 01°04'00" EAST 417.73 FEET TO THE SOUTHWEST CORNER OF MOUNTAINVILLE HEIGHTS PUD, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP FILING NO. 2498; THENCE ALONG SAID PLAT THE FOLLOWING THREE (3) COURSES, 1) NORTH 88°28'55" EAST 86.45 FEET, 2) NORTH 26°46'20" EAST 395.43 FEET, 3) NORTH 36°03'20" EAST 74.92 FEET TO THE WESTERLY CORNER OF PARCEL 101C, PLAT C, WHITBY WOODLANDS PRD, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP FILING NO. 11809; THENCE ALONG SAID PLAT THE FOLLOWING TEN (10) COURSES, 1) SOUTH 60°00'00" EAST 166.36 FEET, 2) SOUTH 10°00'00" WEST 52.88 FEET, 3) SOUTH 27°39'52" WEST 69.81 FEET, 4) SOUTH 10°00'00" WEST 130.00 FEET, 5) SOUTH 39°00'00" WEST 187.00 FEET, 6) SOUTH 27°40'00" WEST 37.00 FEET, 7) SOUTH 51°16'59" EAST 48.84 FEET, 8) SOUTH 22°00'00" WEST 60.16 FEET, 9) SOUTH 60.52 FEET TO THE POINT OF A NON-TANGENT 200.00 FOOT RADIUS CURVE TO THE RIGHT, 10) ALONG SAID CURVE A DISTANCE OF 1.76 FEET THROUGH A CENTRAL ANGLE OF 0°30'10" (CHORD BEARS SOUTH 83°44'27" WEST 1.76 FEET) TO THE NORTHEAST CORNER OF THAT CERTAIN WARRANTY DEED RECORDED ON AUGUST 11, 2005, AS ENTRY 88437/2005, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER, AND RUNNING THENCE ALONG SAID WARRANTY DEED THE FOLLOWING THREE (3) COURSES, 1) SOUTH 84°00'00" WEST 151.02 FEET TO THE POINT OF A 254.00 FOOT RADIUS CURVE TO THE LEFT, 2) ALONG SAID CURVE A DISTANCE OF 48.46 FEET THROUGH A CENTRAL ANGLE OF 10°55'54" (CHORD BEARS SOUTH 78°32'03" WEST 48.39 FEET), 3) SOUTH 04°12'04" WEST 50.18 FEET, THENCE NORTH 84°00'00" EAST 186.62 FEET TO THE WEST LINE OF SAID PLAT C, WHITBY WOODLANDS PRD; THENCE ALONG SAID WEST LINE THE FOLLOWING TWO (2) COURSES, 1) SOUTH 32°00'00" WEST 50.78 FEET, 2) SOUTH 45°00'00" WEST 155.00 FEET TO THE NORTH LINE OF SAID PLAT A, DEERFIELD SUBDIVISION; THENCE ALONG SAID SUBDIVISION THE FOLLOWING THREE (3) COURSES, 1) SOUTH 89°00'44" WEST 59.67 FEET, 2) SOUTH 03°23'29" WEST 41.92 FEET, 3) SOUTH 57°26'29" WEST 75.64 FEET TO THE POINT OF BEGINNING.

CONTAINS 15 LOTS, 576,669 SQUARE FEET, OR 13.238 ACRES, MORE OR LESS.

OWNERS' DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PARCELS, AND STREETS, TOGETHER WITH EASEMENTS AND RIGHTS-OF-WAY, TO BE HEREAFTER KNOWN AS:

BROOKSIDE MEADOWS P.R.D.

AND DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC AND CITY ALL PARCELS, LOTS, STREETS, EASEMENTS, RIGHTS-OF-WAY, AND PUBLIC AMENITIES SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC OR CITY USE. THE OWNER(S) VOLUNTARILY DEED, CONFIRM, CONFIRM, AND SAVE HARMLESS THE CITY AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCE ON A DEDICATED STREET WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE, AND OPERATION OF THE STREET. THE OWNER(S) AND ALL AGENTS, SUCCESSORS, AND ASSIGNS VOLUNTARILY DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY FROM ANY CLAIM ARISING FROM THE OWNER'S CREATION OF THIS SUBDIVISION, THE ALTERATION OF THE GROUND SURFACE, VEGETATION, DRAINAGE, OR SURFACE OR SUB-SURFACE WATER FLOWS WITHIN THIS SUBDIVISION, AND THE DEVELOPMENT AND ACTIVITY WITHIN THIS SUBDIVISION BY THE OWNERS AND ALL AGENTS, SUCCESSORS, AND ASSIGNS. FURTHERMORE, PURSUANT TO UTAH CODE 10-9A-604(D), THE OWNER HEREBY CONVEYS ALL OPEN SPACE, AS INDICATED HEREON, TO THE BROOKSIDE MEADOWS HOA, INC., A UTAH NONPROFIT CORPORATION, WITH A REGISTERED ADDRESS OF 6944 WEST 9720 NORTH, HIGHLAND, UTAH 84003.

IN WITNESS WHEREOF I HAVE SET FORTH MY HAND THIS 11th DAY OF SEPTEMBER, A.D. 2020.

DAVID O. GIFFORD, MANAGING MEMBER
ALPINE RIDGE ESTATES, LLC
DAVID GIFFORD, MANAGING MEMBER
ALPINE RIDGE ESTATES 2, LLC

ALPINE CITY
SHANE L. SORENSEN, City Administrator
PRINTED NAME, TITLE

ENT 143856/2020 Mod # 1727
JEFFERY SMITH
UTAH COUNTY RECORDER
2020 Sep 21 11:53 am FEE \$4.00 BY H
RECORDED FOR ALPINE CITY CORPORATION

APPROVAL BY LEGISLATIVE BODY

THE CITY COUNCIL OF THE CITY OF ALPINE, COUNTY OF UTAH, APPROVES THIS SUBDIVISION SUBMISSION AND THE CONDITIONS AND STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR THE PUBLIC PURPOSE OF THE PERPETUAL USE OF THE PUBLIC.

THIS 15th DAY OF September, A.D. 2020.

Troy Stout - Mayor

ENGINEER
CITY RECORDER (SEE SEAL BELOW)

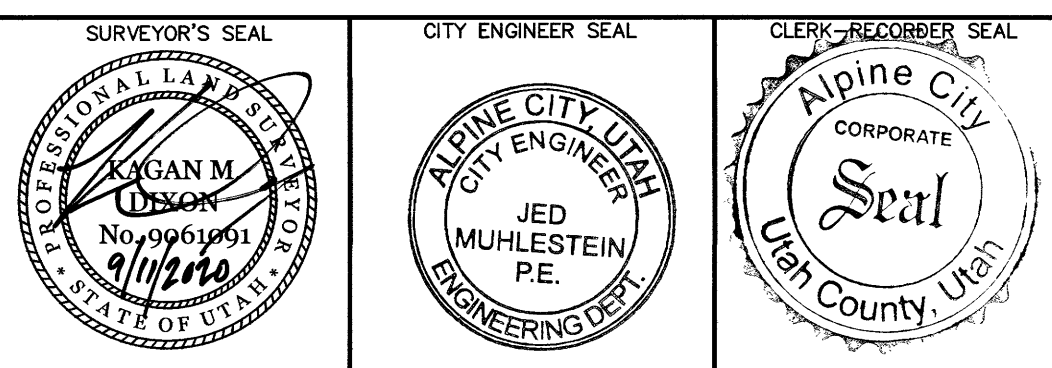
PLANNING COMMISSION APPROVAL

APPROVED THIS 14th DAY OF SEPTEMBER, A.D. 2020, BY THE ALPINE CITY PLANNING COMMISSION.

DIRECTOR-SECRETARY CHAIRMAN, PLANNING COMMISSION

BROOKSIDE MEADOWS P.R.D.

LOCATED IN THE NORTH HALF OF SECTION 24,
TOWNSHIP 4 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN,
CITY OF ALPINE, UTAH COUNTY, UTAH



LLC ACKNOWLEDGEMENT

STATE OF UTAH

COUNTY OF Utah

ON THIS 11th DAY OF SEPTEMBER, A.D. 2020, PERSONALLY APPEARED BEFORE ME DAVID O. GIFFORD, WHO BEING DULY SWORN OF AFFIRMED, DID SAY THAT HE IS THE MANAGING MEMBER OF ALPINE RIDGE ESTATES, LLC, AND THAT THE WITHIN OWNER'S DEDICATION WAS SIGNED BY HIM ON BEHALF OF SAID LLC BY AUTHORITY OF ITS BYLAWS, OR BOARD OF DIRECTORS, AND THAT SAID CORPORATION EXECUTED THE SAME.

SIGNATURE

COMMISSION NUMBER

PRINTED NAME, A NOTARY PUBLIC COMMISSIONED IN UTAH

EXPIRATION DATE

LLC ACKNOWLEDGEMENT

STATE OF UTAH

COUNTY OF Utah

ON THIS 11th DAY OF SEPTEMBER, A.D. 2020, PERSONALLY APPEARED BEFORE ME DAVID GIFFORD, WHO BEING DULY SWORN OF AFFIRMED, DID SAY THAT HE IS THE MANAGING MEMBER OF ALPINE RIDGE ESTATES 2, LLC, AND THAT THE WITHIN OWNER'S DEDICATION WAS SIGNED BY HIM ON BEHALF OF SAID LLC BY AUTHORITY OF ITS BYLAWS, OR BOARD OF DIRECTORS, AND THAT SAID CORPORATION EXECUTED THE SAME.

SIGNATURE

COMMISSION NUMBER

PRINTED NAME, A NOTARY PUBLIC COMMISSIONED IN UTAH

EXPIRATION DATE

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH

COUNTY OF Utah

ON THIS 15th DAY OF September, A.D. 2020, PERSONALLY APPEARED BEFORE ME

Shane L. Sorenson, WHO BEING DULY SWORN OF AFFIRMED, DID SAY THAT (S)HE IS THE

City Administrator OF ALPINE CITY, AND THAT THE WITHIN OWNER'S DEDICATION WAS SIGNED BY

HIM/HER ON BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS, OR BOARD OF DIRECTORS, AND THAT SAID CORPORATION EXECUTED THE SAME.

THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC - STATE OF UTAH
My Commission Expires May 21, 2024
COMMISSION NUMBER 712160

APPROVED AS TO FORM

APPROVED TO FORM THIS 14th DAY OF September, A.D. 2020.

CITY ATTORNEY

EXPIRATION DATE

COMMISSION NUMBER

EXPIRATION DATE

COMMISSION NUMBER

EXPIRATION DATE

COMMISSION NUMBER

EXPIRATION DATE

COMMISSION NUMBER

EXPIRATION DATE

COMMISSION NUMBER

EXPIRATION DATE

3.09.060 Dwelling Clusters; Lot Size; Buildable Area; Setback

1. All lots shall be located within a designated Dwelling Cluster. A project may contain more than one Dwelling Cluster. Each cluster shall contain not less than three (3) separate lots (except for developments having fewer than 3 lots for the entire development). Where a project contains land located within and outside the Sensitive Lands Overlay Zone, Dwelling Clusters will be located outside of the Sensitive Lands Overlay Zone, to the maximum extent possible. No portion of lots within a PRD shall be located on lands which are required to be designated as open space.
2. (Ord. 97-23: 9/24/97) The size of each individual lot shall conform to the following:

Minimum Lot Size

Zone District	Minimum Lot Size
CR-20,000	10,000 square feet
CR-40,000	20,000 square feet
CE-5	20,000 square feet
CE-50	N/A

3. (Ord 97-02, 2/25/97). Each individual lot shall contain at least one Designated Buildable Area of not less than five-thousand (5,000) square feet. All dwellings and other habitable structures and accessory buildings shall be located within the Designated Buildable Area.
 - a. Each Designated Buildable Area shall conform to the criteria for qualification as a "buildable area" as defined in this ordinance. Except that the Planning Commission may approve or require the placement of the Designated Buildable Area in a location within the lot which does not conform to one or more of the criteria for buildable area, upon a finding that the proposed Designated Buildable Area:
 - i. will more adequately accommodate subsequent development of the lot,
 - ii. will not constitute a potential hazard to life or property, and
 - iii. will serve to diminish the negative impact of subsequent development upon the lot or community (i.e. extraordinary construction of driveway access, mitigate visual intrusion of structure on ridge line).
 - b. The location of each Designated Buildable Area shall be designated upon the preliminary plan and shall also be identified and described on the final recorded plat, together with a notation to the effect that all main and accessory buildings shall be located within the Designated Buildable Area. Where a Designated Buildable Area is shown on a lot, the boundary of said area shall constitute the Designated Setback envelope applicable to the lot. Where an entire lot area qualifies as a Buildable Area no designation on the final plat shall be required.
 - c. Except as permitted pursuant to Part 3,a, any portion of a lot which has been graded to produce a percent of slope to qualify under the Buildable Area criteria shall be excluded from consideration as part of the Designated Buildable Area.
 - d. The Designated Buildable Area may be amended by the City Planner and City Engineer

as long as the minimum setback requirements of the underlying zone are met. (Ord. 2004-13, 9/28/04)

4. Each dwelling in the project shall be setback from the property line in accordance with the setback lines as shown on the approved plat (Designated Setback Envelope). The Designated Setback Envelope shall be established in accordance with the following (setbacks are measured from the property line to the nearest foundation):
 - a. Front Yard. The minimum front yard setback shall be thirty (30) feet.
 - b. Side Yard - Corner Lots. On corner lots, the side that faces onto a public street shall be not less than thirty (30) feet.
 - c. Side Yard – Interior Lots. The minimum side yard setbacks for interior lots shall be an aggregate of thirty (30) feet with no less than twelve (12) feet on a side.
 - d. Rear Yard. The minimum rear yard setback shall be thirty (30) feet.

Subject to the prior recommendation of the Planning Commission, the City Council may approve an exception to the Designated Setback Envelope standards above for one or more lots within a PRD project, upon a finding that such exception is appropriate for the proper development of the lot and that the exception will not result in the establishment of a hazardous condition.

Where no designated building envelope is provided, the setbacks shall be the same as the minimum requirements within the underlying zone.

5. The maximum height of any dwelling or other main building shall be thirty-four (34) feet, as determined in accordance with the provisions of DCA 3.21.080, (Ord. 96-15, 12/18/96) except in the CE-50 zone the height shall not exceed 25 feet. (See DCA 3.06.070 Part 1)

(Ord. No. 95-04, 2/28/95; Amended Ord. No. 95-28, 11/28/95; Ord No. 2001-10, 4/10/01; Ord. No. 2004-13, 9/28/04; Ord. No. 2011-04, 01/11/11; Ord. No. 2012-10, 12/11/12; Ord. No. 2014-14, 09/09/14; Ord. No. 2015-11, 07/28/15)

HISTORY

Amended by Ord. [2019-02](#) on 4/23/2019

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Public Hearing – Ordinance 2021-15 Storm Water Pond Easement

FOR CONSIDERATION ON: 15 June 2021

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Approve the proposed amendment to the Development Code.

BACKGROUND INFORMATION:

With the development of the Alpine West Meadows Subdivision staff have noticed that every lot with a storm water pond easement has had issues with placing a home on the lot and driveway access design difficulties. The lots with storm water pond easements have less lot area to work with and as a result design issues are common. Staff would recommend that storm water pond easements located on a lot do not count towards the lot area, in the same way that flood plain areas currently do not count towards the minimum area of a lot.

STAFF RECOMMENDATION:

Approve the amendments as proposed.

SAMPLE MOTION TO APPROVE:

I move to recommend that Ordinance 2021-15 be adopted as proposed.

SAMPLE MOTION TO TABLE/DENY:

I move to table/deny Ordinance 2021-15 based on the following:

- ***Insert Finding***

**ALPINE CITY
ORDINANCE 2021-15**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 3.03.040 AND 3.04.040 OF
THE ALPINE CITY DEVELOPMENT CODE PERTAINING TO LOT AREA OUTSIDE OF
STORM WATER POND EASEMENTS.**

WHEREAS, The Planning Commission held a public hearing on June 15, 2021, regarding proposed amendments to Article 3.03.040 and 3.04.040 of the Development Code; and

WHEREAS, on June 22, 2021, the Alpine City Council has deemed it in the best interest of Alpine City to amend the Development Code; 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 the Alpine City, in the State of Utah, as follows: The amendments to Article 3.03.040 and 3.04.040 will supersede Article 3.03.040 and 3.04.040 as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: **AMENDMENT** “3.03.040 Density, Lot Area And Width Requirements - Single Family Dwellings” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.03.040 Density, Lot Area And Width Requirements - Single Family Dwellings

1. The minimum area and width requirements of a zoning lot shall be determined upon the average slope of the lot and shall conform to the following schedule:

Average Slope of Lot*	Minimum Area (in square feet)	Minimum Width (at min. front setback)
0-9.9%	20,000 (.46 ac)	110 ft.
10-14.9%	30,000 (.68 ac)	110 ft.
15-19.9%	40,000 (.92 ac)	110 ft.
20-24.9%	60,000 (1.37 ac)	110 ft.
25%+	Not Buildable	Not Buildable

*Average Slope of Lot shall be determined in accordance with the provisions of ADC Section 3.01.110 "Average Slope of Lot."

2. The City Council may, with a recommendation from the Planning Commission and with input from the applicant, modify lot lines to reduce angles, corners, and odd configurations when:
 - a. A concept plan has been provided which meets the criteria set forth in this Section Part 1.
 - b. The modified concept plan does not have any more or less lots than were shown in the concept plan;
 - c. The modified concept plan does not contain any lots which have less than 110 feet of frontage or 20,000 square feet in total area;
 - d. The lots within the modified concept plan each contain a minimum of 20,000 square feet of area outside the mapped 100-year flood plain areas and storm water pond easement areas.

(Ord. 95-24, 11/14/95; Ord. 2014-11, 6/24/14)

SECTION 2: AMENDMENT "3.04.040 Density, Lot Area And Width Requirements - Single Family Dwellings" of the Alpine City Development Code is hereby *amended* as follows:

AMENDMENT

3.04.040 Density, Lot Area And Width Requirements - Single Family Dwellings

1. The minimum area and width requirements of a zoning lot shall be determined upon the average slope of the lot and shall conform to the following schedule:

Average Slope of Lot*	Minimum Area (in square feet)	Minimum Width (at min. front setback)
0-9.9%	40,000 (.92 ac)	110 ft.
10-14.9%	60,000 (1.36 ac)	150 ft.
15-19.9%	80,000 (1.84 ac)	200 ft.
20-24.9%	120,000 (2.76 ac)	250 ft.
25%+	Not Buildable	Not Buildable

*Average Slope of Lot shall be determined in accordance with the provisions of ADC 3.01.110 "Average Slope of Lot."

2. The City Council may, with a recommendation from the Planning Commission and with input from the applicant, modify lot lines to reduce angles, corners, and odd configurations when:
 - a. A concept plan has been provided which meets the criteria set forth in Part 1 of this Section;
 - b. The modified concept plan does not have any more or less lots than were shown in the concept plan;
 - c. The modified concept plan does not contain any lots which have less than 110 feet of

- frontage or 40,000 square feet in total area;
- d. The lots within the modified concept plan each contain a minimum of 40,000 square feet of area outside the mapped 100-year flood plain areas and storm water pond easement areas.

(CR-1 Created by Ord. 91-01, 4/9/91 and amended by Ord. 95-04, 2/3/95; Ord. 2014-11, 6/24/14)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

_____.

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

Presiding Officer

Attest

Troy Stout, Mayor, Alpine City

Bonnie Cooper, City Recorder Alpine City

**ALPINE CITY
ORDINANCE 2021-15**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 3.03.040 AND 3.04.040 OF
THE ALPINE CITY DEVELOPMENT CODE PERTAINING TO LOT AREA OUTSIDE OF
STORM WATER POND EASEMENTS.**

WHEREAS, The Planning Commission held a public hearing on June 15, 2021, regarding proposed amendments to Article 3.03.040 and 3.04.040 of the Development Code; and

WHEREAS, on June 22, 2021, the Alpine City Council has deemed it in the best interest of Alpine City to amend the Development Code; 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 the Alpine City, in the State of Utah, as follows: The amendments to Article 3.03.040 and 3.04.040 will supersede Article 3.03.040 and 3.04.040 as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: **AMENDMENT** “3.03.040 Density, Lot Area And Width Requirements - Single Family Dwellings” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.03.040 Density, Lot Area And Width Requirements - Single Family Dwellings

1. The minimum area and width requirements of a zoning lot shall be determined upon the average slope of the lot and shall conform to the following schedule:

Average Slope of Lot*	Minimum Area (in square feet)	Minimum Width (at min. front setback)
0-9.9%	20,000 (.46 ac)	110 ft.
10-14.9%	30,000 (.68 ac)	110 ft.
15-19.9%	40,000 (.92 ac)	110 ft.
20-24.9%	60,000 (1.37 ac)	110 ft.
25%+	Not Buildable	Not Buildable

*Average Slope of Lot shall be determined in accordance with the provisions of ADC Section 3.01.110 "Average Slope of Lot."

2. The City Council may, with a recommendation from the Planning Commission and with input from the applicant, modify lot lines to reduce angles, corners, and odd configurations when:
 - a. A concept plan has been provided which meets the criteria set forth in this Section Part 1.
 - b. The modified concept plan does not have any more or less lots than were shown in the concept plan;
 - c. The modified concept plan does not contain any lots which have less than 110 feet of frontage or 20,000 square feet in total area;
 - d. The lots within the modified concept plan each contain a minimum of 20,000 square feet of area outside the mapped 100-year flood plain areas and storm water pond easement areas.

(Ord. 95-24, 11/14/95; Ord. 2014-11, 6/24/14)

SECTION 2: **AMENDMENT** "3.04.040 Density, Lot Area And Width Requirements - Single Family Dwellings" of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.04.040 Density, Lot Area And Width Requirements - Single Family Dwellings

1. The minimum area and width requirements of a zoning lot shall be determined upon the average slope of the lot and shall conform to the following schedule:

Average Slope of Lot*	Minimum Area (in square feet)	Minimum Width (at min. front setback)
0-9.9%	40,000 (.92 ac)	110 ft.
10-14.9%	60,000 (1.36 ac)	150 ft.
15-19.9%	80,000 (1.84 ac)	200 ft.
20-24.9%	120,000 (2.76 ac)	250 ft.
25%+	Not Buildable	Not Buildable

*Average Slope of Lot shall be determined in accordance with the provisions of ADC 3.01.110 "Average Slope of Lot."

2. The City Council may, with a recommendation from the Planning Commission and with input from the applicant, modify lot lines to reduce angles, corners, and odd configurations when:
 - a. A concept plan has been provided which meets the criteria set forth in Part 1 of this Section;
 - b. The modified concept plan does not have any more or less lots than were shown in the concept plan;
 - c. The modified concept plan does not contain any lots which have less than 110 feet of

- frontage or 40,000 square feet in total area;
- d. The lots within the modified concept plan each contain a minimum of 40,000 square feet of area outside the mapped 100-year flood plain areas and storm water pond easement areas.

(CR-1 Created by Ord. 91-01, 4/9/91 and amended by Ord. 95-04, 2/3/95; Ord. 2014-11, 6/24/14)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

_____.

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

Presiding Officer

Attest

Troy Stout, Mayor, Alpine City

Bonnie Cooper, City Recorder Alpine City

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Planning Commission Minutes June 1, 2021

FOR CONSIDERATION ON: 15 June 2021

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Approve Minutes

BACKGROUND INFORMATION:

Minutes from the June 1, 2021 Planning Commission Meeting.

STAFF RECOMMENDATION:

Review and approve the Planning Commission Minutes.

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, UT
June 1, 2021

I. GENERAL BUSINESS

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

Chairwoman: Jane Griener

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

Excused:

Staff: Austin Roy, Jed Muhlestein, Marla Fox

B. Prayer/Opening Comments: Ethan Allen

C. Pledge of Allegiance: Troy Slade

II. PUBLIC COMMENT

There were no public comments.

III. ACTION ITEMS

A. Preliminary & Final Plat – Cherrypoint Subdivision

City Planner Austin Roy explained that the Cherrypoint Subdivision consists of 2 lots on 6.121 acres. The development is located at approximately 1528 N Grove Drive, and in the CR 40,000 zone. The plans are consistent with the previously approved concept plan. The applicant is seeking approval of both the preliminary plans and the final plat.

The property on which the Cherrypoint subdivision is proposed is currently one large lot with a single-family home on it. The property has been owned by Pete Christensen for many years and was just recently sold to Josh James, who is now seeking to subdivide the lot.

On April 20, 2021, the Planning Commission reviewed and unanimously approved the concept plan. The applicant is now seeking approval of the preliminary plans for the entire development, and final plat for “Plat A”, which is one lot, being the first phase of development. The final plat for “Plat B”, and its associated improvements would come forward at a later future date.

Austin Roy said tonight we are looking at the lot location and the street location. This will be a single-family home so nothing out of the ordinary. He said the city is working with Josh James on an agreement to iron out details on approving the road.

Jed Muhlestein said the goal is to get a new home for the applicant. The concern is the proposed development needs improved frontage. If the City wants to improve Grove Drive, a dedication of right-of-way would need to be given by the developer.

Jed Muhlestein said sewer and water already exists in the street. There will be a small dedication of right-of-way from the developer to widen the road to 54 feet to meet the ordinance. The developer would be required to provide funds for future sidewalk, curb, and gutter improvements prior to recording the plot.

MOTION: Commission Member Sylvia Christiansen moved to approve the Cherrypoint Subdivision preliminary plans and recommend that the Cherrypoint Subdivision Final Plat be approved with conditions:

1. The City Council reviews and approves the Development Agreement as proposed by Staff.
2. The Developer provide funds for the improvements of curb, gutter, and sidewalk along the frontage of Lot 1 prior to recording the plat.

John MacKay seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

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

Nays:

None

B. Public Hearing – Ordinance 2021-10 Sign Content

Austin Roy said on May 4, 2021, the Planning Commission held a public hearing for Ordinance 2021-10, an amendment to the Development Code regarding the regulation sign content. Following the public hearing, and after some discussion the Planning Commission decided to table this item to a future meeting. Staff have since made updates to the draft of the proposed ordinance and the item is now ready for another review.

Current City code regulates signs based on the content of the sign. Utah Code permits cities to regulate signs based on type (physical type of sign) and location, but cities cannot regulate the content of signs. For example, a city may regulate temporary signs and what types of properties they are permitted on, but the city cannot discriminate temporary signs based on their content. So, if one temporary sign were a political sign and another was for a private soccer league and yet another was for window cleaning, all would be allowed if temporary signs are permitted in that area. However, if temporary signs were not allowed in that area, then none of the above examples could be permitted.

Staff recommends updating the Sign Ordinance to be consistent with State requirements.

The Planning Commission reviewed the proposed ordinance and made verbiage and punctuation corrections.

Austin Roy said Staff has had conversations with the City Attorney and we feel good about what we've come up with.

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

MOTION: Commission Member John MacKay moved to recommend that Ordinance 2021-10 be approved with changes noted.

Ethan Allen seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

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

Nays:

None

IV. COMMUNICATIONS

Austin Roy said if any Planning Commission members were interested in running for City Council or the Mayor, come pick up a packet from the City Recorder and turn it in this week.

Sylvia Christiansen wanted to know what the process is to get homeowners to cut down their weeds. Austin Roy said you can report it to the City Code Enforcer, and he will contact the homeowner to take care of the issue. If they don't, they will be fined and if it is not taken care of, the city may cut the weeds if needed.

Ed Bush said the fences in Lambert Park are in disrepair. Austin Roy said in the past we've had scouts help repair the fences.

Jane Griener said Sylvia Christiansen may be moving before her term is up, so if anyone knew someone who would like to serve, let her know.

V. APPROVAL OF PLANNING COMMISSION MINUTES: May 18, 2021

MOTION: Ed Bush moved to approve the minutes for May 18, 2021, as written.

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

Ayes:

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

Nays:

None

MOTION: John Mackay moved to adjourn the meeting.

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

1
2
3
4
5
6
7
8
9
10
11

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

The meeting was adjourned at 7:35 p.m.

Nays:
None