



ALPINE CITY PLANNING COMMISSION MEETING

NOTICE is hereby given that the **PLANNING COMMISSION** of Alpine City, Utah, will hold a **Public Meeting** on **Tuesday, August 4th, 2026 at 6:00 p.m. at City Hall, 20 North Main Street, Alpine, Utah.**

The public may attend the meeting in person or view it via the Alpine City YouTube Channel. A direct link to the channel can be found on the homepage of the Alpine City website, alpineut.gov.

I. GENERAL BUSINESS

- A. Welcome and Roll Call: Alan MacDonald
- B. Prayer/Opening Comments: By Invitation
- C. Pledge of Allegiance: By Invitation

II. REPORTS AND PRESENTATIONS

None

III. ACTION/DISCUSSION ITEMS:

- A. **Discussion Item:** Review of proposed detached ADU code language
- B. **Action Item:** Public Hearing - Proposed text amendments to Alpine Development Code

IV. COMMUNICATIONS

V. APPROVAL OF PLANNING COMMISSION MINUTES: July 7th, 2026

ADJOURN

Chair Alan MacDonald
July 31st, 2026

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.

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Detached Accessory Dwelling Unit (ADU) Code Discussion

FOR CONSIDERATION ON: August 4, 2026

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Review proposed detached ADU code language and provide any suggestions for improvement

BACKGROUND INFORMATION:

Because of the approval of Senate Bill 284, by October 1, 2026 Alpine City is required to have a detached accessory dwelling unit (ADU) code adopted to meet new State requirements. To make steps toward this, Staff has put together a first attempt at detached ADU code language for the Planning Commission to review and make suggestions on. Once comfortable, this language will be sent forward to the City Council for formal adoption into the Alpine Development Code.

STAFF RECOMMENDATION:

Staff requests that the Planning Commission give input into the Detached ADU code adoption process and provide suggestions for improvement. This is not an action item and will come back to the Planning Commission for formal recommendation at a future meeting.

Attachments

Exhibit A – Detached ADU State Requirements for Municipalities

Exhibit B – Proposed Detached ADU code

Exhibit A

Detached ADU State Requirements for Municipalities

Utah Code § 10-21-304 (Effective 10/01/26) Detached Accessory Dwelling Units

(1) Requirement to allow detached ADUs

(1)(a)

A specified municipality shall adopt a land use regulation that permits a detached accessory dwelling unit on any lot or parcel that is **11,000 square feet or larger** and contains a single-family dwelling, if the single-family dwelling is a permitted use on the lot or parcel.

(1)(b)

This section does not prohibit a municipality from adopting a land use regulation that permits a detached accessory dwelling unit on a lot or parcel that is **smaller than 11,000 square feet**.

(2) Required standards

A land use regulation described in Subsection (1) shall:

(2)(a)

Require that a detached accessory dwelling unit comply with all applicable:

- building codes
- health codes
- fire codes

(2)(b)

Include a process for the owner of a legally constructed accessory structure to convert the accessory structure to a detached accessory dwelling unit, subject to applicable:

- **(2)(b)(i)** dwelling and accessory structure setback requirements
 - **(2)(b)(ii)** building, health, and fire codes
-

(3) Limitations on municipal restrictions

A land use regulation described in Subsection (1) may not:

(3)(a)

Require a conditional use permit for a detached accessory dwelling unit if the proposed detached accessory dwelling unit is located in a primarily residential zone.

(3)(b)

Require more than:

- **two on-site parking spaces** assigned to a detached accessory dwelling unit that is **650 square feet or larger**

(3)(c)

Require more than:

- **one on-site parking space** assigned to a detached accessory dwelling unit that is **smaller than 650 square feet**

(3)(d)

Include design standards for a detached accessory dwelling unit that conflict with Section 10-20-618.

(4) Permitted local regulations

A land use regulation described in Subsection (1) may:

(4)(a) Require the detached ADU to:

- **(4)(a)(i)** conform to applicable land use regulations governing:
 - structure size
 - dimension
 - height
 - maximum lot coverage
- **(4)(a)(ii)** conform to setback requirements, which may consider:
 - proximity to property lines and other structures
 - easements
 - window orientation
 - massing
 - other design elements
- **(4)(a)(iii)** be designed consistent with the design of the single-family dwelling

(4)(b) Prohibit a detached ADU from being:

- **(4)(b)(i)** larger in size than the single-family dwelling on the same lot or parcel
- **(4)(b)(ii)** located within a public utility easement or other recorded easement
- **(4)(b)(iii)** located in a front-yard area
- **(4)(b)(iv)** rented for less than **90 consecutive days**

(4)(c)

Require the property owner to reside in either:

- the detached single-family dwelling, or
- the detached accessory dwelling unit

on the same lot or parcel.

(4)(d)

If a detached garage is converted to a detached ADU:

- any required parking spaces that were in the garage must be replaced on-site.
-

(4)(e)

Prohibit more than one accessory dwelling unit on a lot or parcel.

(4)(f) Prohibit a detached ADU if:

- **(4)(f)(i)** it will not have adequate access to required utility services that are project improvements, including:
 - sanitary sewer
 - culinary water
 - electrical
 - storm water
 - **(4)(f)(ii)** the utility system improvement it must connect to does not have sufficient capacity, including:
 - sanitary sewer
 - culinary water
 - electrical
 - storm water
-

(5) Limitations / exceptions

This section does not supersede:

(5)(a)

A land use regulation that regulates a detached accessory building that is not a detached accessory dwelling unit.

(5)(b)

Prohibitions or restrictions in a development agreement signed on or before **May 6, 2026**.

(5)(c)

A land use regulation or administrative action that:

- **(5)(c)(i)** is not prohibited by law
- **(5)(c)(ii)** relates to a detached accessory dwelling unit

Exhibit B

Proposed Detached ADU Code

3.1.110 Definitions

DETACHED ACCESSORY DWELLING UNIT - an accessory dwelling unit that is not attached to or within a primary detached single-family dwelling and located on the same lot or parcel as the primary detached single-family dwelling.

3.14 Accessory Dwelling Units

3.14.010 Accessory Dwelling Units

3.14.020 Internal Accessory Dwelling Units

3.14.030 Detached Accessory Dwelling Units

3.14.0~~2~~40 Non-Residential Accessory Structures

HISTORY

Amended by Ord. 2023-24 on 10/10/2023

3.14.010 Accessory Dwelling Units

Accessory Dwelling Units (Amended by Ord. 95-04, 02/28/95; 2004-13, 09/28/04; 2009-12, 07/14/09). An accessory dwelling unit shall be considered a subordinate dwelling unit within and part of a principal dwelling and which has its own cooking, sleeping, and sanitation facilities. ~~Internal accessory dwelling units may be permitted use subject to the following:~~

3.14.020 Internal Accessory Dwelling Units

Internal accessory dwelling units may be a permitted use subject to the following:

1. Accessory dwelling units are listed as a permitted use within the zone.
2. Internal Accessory dwelling units shall be permitted only in owner-occupied single-unit detached dwellings.
 1. 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.
2. A maximum of one (1) accessory dwelling unit shall be permitted in each owner-occupied single-unit detached dwelling. If a property already has a detached accessory dwelling unit, no internal accessory dwelling unit will be allowed.
 3. A single-unit detached dwelling with an accessory dwelling unit 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 dwelling unit.
 4. The accessory dwelling unit shall comply with all size and access specifications of the International Residential and Building Codes.
 5. Accessory dwelling unit 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.
 6. A single-unit detached dwelling containing an accessory dwelling unit 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.
 7. All construction and remodeling to accommodate the accessory dwelling unit shall be in accordance with the International Residential and Building Codes in effect at the time of construction or remodeling.
 8. Any person constructing or causing the construction of a residence that has an accessory dwelling unit or any person remodeling or causing the remodeling of a residence for an accessory dwelling unit, or any person desiring to provide an accessory dwelling unit within a single-unit detached dwelling, shall obtain an accessory dwelling unit Permit from the Building Department. Such permits shall be in addition to any building permits that may be necessary.

HISTORY

Adopted by Ord. [2023-24](#) on 10/10/2023

3.14.030 Detached Accessory Dwelling Units

Detached accessory dwelling units may be a permitted use subject to the following:

1. Accessory dwelling units are listed as a permitted use within the zone.
2. Detached accessory dwelling units shall be permitted only on lots greater than eleven thousand square feet and only in owner-occupied single-unit detached dwellings.

1. 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.

2. A maximum of one (1) accessory dwelling unit shall be permitted in each owner-occupied single-unit detached dwelling. If a property already has an internal accessory dwelling unit, no detached accessory dwelling unit will be allowed.
3. The detached accessory dwelling unit shall provide at least one (1) on-site parking space in addition to the parking spaces required for a single-family dwelling.
4. The detached accessory dwelling unit shall have a living space of no more than 1,200 sq ft in size
5. The detached accessory dwelling unit shall meet the same setbacks as those required for accessory buildings in the zone in which it is located.
6. The detached accessory dwelling unit shall be built with materials and design that match those of the main dwelling.
7. The accessory dwelling unit shall comply with all size and access specifications of the International Residential and Building Codes.
8. The detached accessory dwelling unit shall connect to the same meter as the main dwelling for each water, gas and electric utility service, and the meter shall be in the name of the owner. If there is not sufficient capacity for the accessory dwelling unit on the meter, it is prohibited.

9. All construction and remodeling to accommodate the detached accessory dwelling unit shall be in accordance with the International Residential and Building Codes in effect at the time of construction or remodeling.

10. Any person constructing or causing the construction of a detached accessory dwelling unit or any person remodeling or causing the remodeling of a detached accessory dwelling unit shall obtain an Accessory Dwelling Unit Permit from the Building Department. Such permits shall be in addition to any building permits that may be necessary.

3.14.0240 Non-Residential Accessory Structures

Non-Residential Accessory Structures The following applies to non-residential accessory structures:

1. Definition. As used in this section, "non-residential accessory structure" means any detached accessory structure that is not designed or used as a dwelling, dwelling unit, or otherwise for overnight accommodations. Examples of non-residential accessory structures include detached garages, shops, barns, and pool houses. b. Non-residential accessory Structure Agreement. As a condition of receiving a building permit for an accessory structure, the applicant will be required to enter into a non-residential accessory structure agreement in a form provided by the city. Such agreement will be recordable and will contain acknowledgments and agreements not to use the accessory structure as a dwelling, dwelling unit, or Accessory apartment, or otherwise for overnight accommodations.

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Public Hearing – Amendments to the Development Code

FOR CONSIDERATION ON: August 4, 2026

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Receive public comments and recommend approval of amendments to the ordinance

BACKGROUND INFORMATION:

Staff have reviewed the Development Code and have recommended changes for different parts of the ordinance. Details are described in Exhibit A below.

STAFF RECOMMENDATION:

Receive public comment and review and, upon finding the text amendments to be satisfactory and beneficial, recommend approval of amendments to the Development Code.

Attachments

Exhibit A – Redlined Version of updated Development Code

Exhibit B -- Clean Version of updated Development Code

Motion to Approve:

I move to recommend approval to the City Council of the proposed text amendments to the Development Code as presented.

Motion to Approve with Conditions:

I move to recommend approval to the City Council of the proposed text amendments to the Development Code as presented, subject to the following conditions/changes:

*Insert Proposed Conditions/Changes

Motion to Table:

I move to table the proposed text amendments to the Development Code as presented to a future meeting in order to allow additional time for revisions and/or additional information, including:

*Insert additional information needed.

Motion to Deny:

I move to recommend denial of the proposed text amendments to the Development Code as presented based on the following findings:

*Insert findings

Exhibit A

Redlined Version of Updated Development Code

DCA §3.01.060 Building Permits

Construction, alteration, repair, or removal of any building or structure or any part thereof, as provided or as restricted in this ordinance shall not be commenced except upon issuance of a building permit by the Building Inspector. The Building Inspector shall verify proper zoning.

1. **Occupancy Permit.** Land, buildings or premises in any zone shall hereafter be used only for a purpose permitted in such a zone and in accordance with the appropriate regulations. A permit of occupancy shall be issued by the Zoning Administrator to the effect that the use, building or premises conform to provisions of this and all related ordinances, regulations and requirements prior to occupancy, for any building erected, enlarged or altered structurally for the occupancy or use of any land. Such a permit is needed whenever use or character of any building or land is to be changed.
2. **Inspection.** The Zoning Administrator or Building Inspector is authorized to inspect or to have inspected all buildings and structures during the course of their construction, modification, or repair, and to inspect land uses to determine compliance with the provisions of this ordinance. The Zoning Administrator or any authorized employee of the City shall exercise the right to enter any building for the purpose of determining the use, or to enter premises for the purpose of determining compliance with this ordinance, provided that such right of entry is to be used only at reasonable hours. In no case shall entry be made to any occupied building in the absence of an owner or tenant thereof without written permission of an owner, or written order of a court of competent jurisdiction.
3. **Site Plan Required.** A detailed site plan, drawn to scale shall be filed with the Building Inspector as part of any application for a building permit. The site plan shall show where pertinent:
 - a. Scale and north arrow;
 - b. Lot lines and their dimensions including existing boundary monuments;
 - c. Adjacent streets, roads, rights-of-way and easements;
 - d. Location of all existing structures on subject property
 - e. Irrigation and/or drainage easements
 - f. If not in an approved subdivision, an indication of the average slope of the lot based upon application of the formula provided in DCA 3.01.100 Part 4.

~~g.~~

~~h.g.~~ Motor vehicle access, including individual parking stalls, circulation patterns, curb, gutter, and sidewalk location

~~h.h.~~ Necessary explanatory notes;

~~h.i.~~ Name, address and telephone number of builder and owner; and,

~~h.j.~~ The above, and any other information that may be requested by the Zoning Administrator or Building Inspector.

~~h.k.~~ Show Setbacks and building height.

~~h.l.~~ Attach a copy of the drainage plan and comply with the overall subdivision drainage plan.

4. **Demolition of Homes.** A demolition permit must be issued before any demolition takes place: (added by Ordinance 2004-13 on 9/28/04)

- a. Demolition Permit must be reviewed by the City Engineer and may be referred to the Planning Commission.
- b. All Utilities must be notified prior to the demolition.
- c. Must comply with site plan requirements.
- d. Notify and comply with the Utah Division of Air Quality.

3.07-A.050 Site Design

4. Accessory Structures

a. General Requirements: All customary residential accessory structures (Accessory Structures) shall comply with the following setbacks and regulations. Accessory Buildings require a building permit.

i. Setbacks:

1. From Main Building: Minimum five (5) feet. If attached or within twelve (12) feet, the structure shall be considered part of the main building.
2. Side Setback – Corner Lot (Street Abutting): Minimum forty (40) feet from the side lot line abutting a street, except that a two (2) foot minimum may be allowed under specified conditions and with a fence.
3. Front Setback: Minimum forty (40) feet from the front property line.

4. Side and Rear Setback – Interior Lots: Minimum ten (10) feet rear and five (5) feet side, with a possible reduction to two (2) feet if all of the following are met:
 5. Structure is more than twelve (12) feet from a dwelling;
 6. No openings on the side facing the lot line;
 7. No roof drainage onto adjacent lots;
 8. Constructed of non-combustive or fire-resistive materials;
 9. Not within a recorded easement unless allowed by easement holder;
 10. Movable within twenty-four (24) hours if within an easement;
 11. Not taller than twelve feet six inches (12'6");
 12. Not more than 200 sq. ft. in size if an Accessory Building;
 - ii. The City Council may grant setback exceptions adjacent to non-residential properties.
 - iii. Height of Accessory Structures:
 1. Maximum twenty (20) feet to the ridge line.
 2. For each additional one (1) foot in height above twenty (20) feet, increase side and rear setbacks by two (2) feet.
 3. Absolute maximum height shall not exceed thirty (30) feet.
 4. Chimneys, flag poles, antennas, and similar non-occupancy structures may exceed these limits by up to fifteen (15) feet.
- b. Swimming Pools and Related Facilities
- i. A building permit is required.
 - i. No pools or related facilities may be located within a recorded easement.
 - ii. Setbacks:
 - A. Side – Corner Lot (Street Abutting): Minimum ten (10) feet.
 - B. Side/Rear – Interior Lots: Minimum ten (10) feet.
 - C. Front: Minimum forty (40) feet.

- D. Height: Maximum ten (10) feet from average natural grade.
- E. Exceptions to height or placement may be granted by City Council if the facility is attached to a dwelling and meets dwelling setbacks.

c. Sports Courts

- i. Sports courts shall not be permitted in a recorded easement.
- ii. Setbacks:
 - i. Front: Minimum forty (40) feet.
 - ii. Side – Corner Lot (Street Abutting): Minimum ten (10) feet.
 - iii. Side/Rear – Interior Lots: Minimum ten (10) feet.
 - iv. Exception for Irregular Lots: The Planning Commission may allow reduced setbacks where the lot has three sides, subject to:
 - A. Court no closer than ten (10) feet to a street-abutting property line;
 - B. No encroachment into easements;
 - C. Minimum thirty (30) feet from any dwelling on adjacent property;
 - D. Privacy fence required to obscure court from street view.

~~iii. Access Requirement Each lot shall abut and have direct access to a City-maintained or City-accepted street. The minimum frontage shall be the required lot width of the zone, except that cul-de-sac or curve lots may reduce frontage to sixty (60) feet if the width at the front setback meets the zone's minimum.~~

d. Utility Requirements

- i. Culinary Water: All occupied structures shall connect to the City's water system, with at least 40 psi pressure as determined by the City Engineer.
- ii. Sewer: All occupied structures shall connect to the City sewer system unless an alternate system is approved under MCA §14.04.010.

5. Access Requirement. Each lot shall abut and have direct access to a City-maintained or City-accepted street. The minimum frontage shall be the required lot width of the zone, except that cul-de-sac or curve lots may reduce frontage to sixty (60) feet if the width at the front setback meets the zone's minimum.

DCA §3.23.060 Review Conditions And Criteria For Certain Conditional Uses

2. 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 allowed as a conditional use, upon approval by the designated land use authority. 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.
- xvii. The City Planner or designee shall serve as the designated land use authority for home occupation applications meeting the following criteria:
 - (1) The home occupation, as proposed, complies with all requirements for the home occupation as listed in this section.
 - (2) The home occupation will be conducted entirely within the dwelling or attached garage.
 - (3) ~~No customers or clients will visit the property in connection with the home occupation.~~ Only a limited number of customers or clients may visit the property in connection with the home occupation, provided such visits take place during regular business hours, remain incidental to the residential character of the dwelling, and do not

create impacts beyond those normally associated with residential use.

(4) No employees other than the residing family members will be involved in the home occupation.

(5) No hazardous materials will be used or stored on the property.

The City Planner or designee may approve, approve with conditions, deny, or decline to consider the home occupation application in accordance with standards provided in this subsection. If the City Planner or designee declines to consider the application, the applicant may seek approval from the Planning Commission. applicant may appeal all other decisions as provided in DCA 2.03

- b. 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 as the designated land use authority may attach conditions to the granting of a home occupation consistent with the standards in this section 2.03.060.2 .
- 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, provided that (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.

3.23.070 Approval Process

Home occupations subject to the provisions of DCA 3.23.060 Part 2.	Planning Commission	TR-10,000 CR-20,000 CR_40,000 CE-5 CE-50 B-C
Home occupations subject to the provisions of DCA 3.23.060 Part 2 <u>and that meet the five criteria in DCA 3.23.060 Part 2 Number xvii.</u>	City Staff	TR-10,000 CR-20,000 CR_40,000 CE-5 CE-50 B-C

4.06.030 Final Plat

1. SUBMISSION REQUIREMENTS. The following shall be submitted to the Zoning Administrator by the subdivider or their authorized representative:
 - a. A completed final plat application, including final plan checklist, and payment of applicable fees;
 - b. Final plat and final subdivision improvement plans (construction drawings) including:
 - i. One (1) electronic copy in a compatible form as specified by City Staff;
 - ii. One (1) D size twenty four inches by thirty six inches (24" x 36") and one (1) eleven inch by seventeen inch (11" x 17") paper copies drawn to scale;
 - iii. NOTE: One (1) mylar copy of the Final Plat delineated in permanent ink shall be submitted to the City upon the request of the Zoning Administrator for recordation purposes, until then submission of the required paper copies of the final plat shall be sufficient for review purposes; and
 - iv. Certificate for clear title. An affidavit (certificate for clear title) that the applicant is the owner, the equitable owner, or authorized by the owner in writing to make an application for the land proposed to be subdivided shall be provided.
 - v. Title report. Prior to the recordation of the final plat, the applicant shall submit a current title report for review. The current title

report shall disclose all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat. The title report shall set forth the names of all property owners included in the final plat and shall include a list of all mortgages, judgements, liens, easements, contracts and agreements of record in the County which shall affect the property covered by such plats. If the opinion of title discloses such encumbrances, then at the option of the City Attorney, the holders or owners of such mortgages, judgements, liens, easements, contracts, or agreements shall be required to join in and approve the application before the plat shall be acted upon by the Land Use Authority.

- vi. Articles of incorporation/bylaws. When a proposed subdivision contains land that are reserved in private ownership for community use, including common areas, the applicant shall submit with the final plat, the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas and any access easements which may be required. ~~vii. A revised narrative or summary statement describing any changes made from the previous narratives or summary statements submitted during the preliminary plan.~~

vii. A revised narrative or summary statement describing any changes made from the previous narratives or summary statements submitted during the preliminary plan.

- viii. Narrative. A revised narrative or summary statement describing any changes made from the previous narratives or summary statements submitted during the preliminary plan.

- viv. All other materials required by this chapter.

4.10.010 Improvement Requirements

The Land Use Authority shall not approve a final plat until the subdivider provides a performance bond approved by the City Administrator to guarantee that improvements will be installed as shown on the final plat and construction drawings and to guarantee and warrant all improvements for a one-year period commencing upon the final inspection of said improvements by the City. Said performance bond shall be for an amount not less than ONE HUNDRED AND TEN PERCENT (110%) of the estimated cost of said work and improvements, as determined by the City Administrator and City Engineer. The purpose of the bond is to ~~insure~~ensure construction of the required improvements within one year from the date of final approval, without cost to the City, and to guarantee and warrant all improvements for a one-year period commencing upon the final inspection of said improvements by the City. Said required improvements shall include:

4.05.040 Required Conditions And Improvements

The following requirements shall be imposed as a condition of approval of a minor subdivision:

1. No more than (3) three parcels shall be created in the minor subdivision.
2. New or extended street dedications shall not be allowed. Minor right-of-way dedications on existing streets are permissible.
3. The area to be subdivided should be immediately adjacent to existing streets and utilities and shall not involve the extension of any such streets or utilities.
4. The minor subdivision shall not contain any sensitive lands.
5. The minor subdivision shall conform to the general character of the surrounding area.
6. Lots created shall not adversely affect the remainder of the parcel or adjoining property and shall conform to the applicable provisions of the City's Zoning
7. Any remainder of the parcel must be capable of further subdivision.
8. Utility easements shall be dedicated.
9. Any further lot splits would be processed under the major subdivision process.
10. Derelict parcels shall not be created.
11. The minor subdivision plat~~Plat~~ shall comply with the drawing requirements of DCA 4.06.030 Part 3 (Final Plat).
12. A development agreement may be executed between the City and the Developer outlining the conditions of approval of the subdivision. The development agreement may include, but is not limited to, the following requirements:
 1. a. any special conditions,
 2. b. trails, landscape issues,
 3. or off-site

improvements.

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

(Amended by Ord. No. 2007-05, 5/8/07; Ord. No. 2011-07, 5/10/11; Ord. No. 2013-12, 07/23/13; Ord. No. 2017-07, 05/23/17)

HISTORY

Amended by Ord. [2024.02](#) on 1/23/2024

4.06.020 Preliminary Design Plan (Preliminary Plat)

PRELIMINARY PLAT REQUIREMENTS. The accuracy of location of alignments, boundaries, and monuments shall be certified by a registered land surveyor licensed to do such work in the State of Utah. A workman-like execution of the preliminary plans shall be made in every detail. A poorly-drawn or illegible preliminary plans shall be sufficient cause for rejection. The following data shall be submitted as part of the preliminary plan submission:

- a. Located at the top and center of the preliminary plat, the proposed name of the subdivision which shall be distinct from any other plat already recorded with the County Recorder's Office;
- b. A layout of the proposed subdivision, at a scale of no more than one inch equals one hundred feet (1" = 100'), or as recommended by the Zoning Administrator and/or City Engineer.
- c. The boundaries, course, dimensions, and total acreage of all of the parcels of ground divided, by their boundaries, course, and extent, whether the applicant proposes that any parcel of ground is intended to be used as a street or for any other public purpose.
- d. The lot or unit reference, block or building reference, street or site address, the street name or coordinate address, acreage or square footage for all parcels, units, or lots, and length and width of the blocks and lots intended for sale.
- e. Every existing or proposed right-of-way and easement grant or record for underground utility facilities.
- f. A title block, placed on the lower right-hand corner of the plat showing:
 1. Name and address of the owner of record and the name and address of the licensed surveyor responsible for preparing the preliminary plat.
 2. Date and preparation of the preliminary subdivision plat, and all revision dates.
- g. Signature blocks for the dated signatures of the Planning Commission Chair, Mayor, City Engineer, City Attorney, and required private or public utility/service providers.
- h. North arrow, graphic and written scale, and basis of bearings used.
- i. A vicinity map of the site at a minimum scale of one inch equals one thousand feet (1" = 1,000') or as recommended by the Zoning Administrator and/or City Engineer showing the perimeter outline of the proposed subdivision, accesses, abutting subdivision outlines and names, names of adjacent property owners, and adjacent streets within two (2) miles of the proposed subdivision.
- j. Traverse map of the monumented (see DCA 4.06.030 Part-5~~6~~) perimeter of the proposed subdivision. The traverse shall have an error of closure of not greater

than one part in 30,000. Survey tie into a legal corner or other permanent marker established by the County Surveyor is required.

- k. The location of any common space or public open space areas including the location of all property to be set aside for public or private reservation, with the designation of the purpose of those set aside, and conditions, if any of the dedication or reservation. Location, function, ownership and manner of maintenance of common open space not otherwise reserved or dedicated for public use (in compliance with the City's Open Space Zone).

3.02.070 Access Requirements

Each lot shall abut upon and have direct access to an existing City-maintained street or a street, which has been formally accepted by action of the City Council. The distance of said abutting side shall be not less than the minimum lot width requirement of the zone except that the length of said abutting side may be reduced to not less than sixty (60) feet when the lot abuts upon a cul-de-sac or sharp curve and the side lot lines radiate in such a manner ~~than that~~ the width of the lot, measured between the side lot lines at the minimum front setback line, will meet or exceed the minimum width requirements of the zone. (Ord. 2015-02, 02/10/15)

3.01.110 Definitions

MINOR SUBDIVISION. A subdivision development of three (3) or fewer lots which meet the requirements of DCA §4.05.

3.10.010 Intent

The intent of these provisions shall be:

1. To facilitate the development of the various commercial and related activities permitted pursuant to Part 2 when situated in a harmonious, integrated, safe and convenient environment, and
2. To establish guidelines pertaining to the design, approval, construction and maintenance of such projects.

(Ord. 95-22, 8/22/95)

4.08.040 Commencement Of Construction

Site improvement or grading of a proposed subdivision site prior to Final Plat approval ~~by the City Council~~ is prohibited.

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

HISTORY

Amended by Ord. 2018-06 on 9/11/2018

3.01.110 Definitions

ACCESSORY 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, not including fences; and 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.

3.02.050 Setback Requirements (See Appendix for Drawing)

2. Customary Residential Accessory Structures.

a. Accessory Structures.

- i. Setback from Main Building. Accessory Structures shall be set back not less than five (5) feet from the main building.
Additionally, Accessory Buildings which are located twelve (12) feet or closer to a main building and are attached to the main building by a common roof or wall shall be considered as part of the main building and shall meet the same setbacks as the main building. Accessory Buildings which are more than twelve (12) feet away from the main building, whether attached or not, are not considered part of the main building and are considered detached.
- ii. Side Setback - Corner Lot, Side Abutting a Street. Accessory Structures shall be set back not less than forty (40) feet from the side lot line which abuts on a street. except that a two (2) foot minimum side setback may be allowed if the conditions outlined in section iv 1-8 can be met. A fence will also be required along the side yard property abutting a street as a condition for decreased side yard setbacks on a corner lot.
- iii. Front Setback. Accessory Structures shall be set back not less than forty (40) feet from the front property line.
- iv. Side and Rear Setback - Interior Lot Line. Accessory Structures shall be set back not less than fifteen (15) feet from the rear lot line and ten (10) feet from the side lot line, except that a two (2) foot minimum rear or side setback shall be required when all the following conditions are met:
 - (1) The Accessory Structure is located more than twelve (12) feet from an existing dwelling on the same or adjacent lot;
 - (2) If the Accessory Structure is an Accessory Building, it shall contain no openings on the side contiguous to the lot line;
 - (3) No drainage from the roof will be discharged onto an adjacent lot;
 - (4) The Accessory Structure shall be constructed of non-combustive materials or have fire resistive walls rated at one (1) hour or more;
 - (5) The Accessory Structure will not be placed on land designated as a recorded easement, such as a utility or trail easement , unless the owner(s) of said easement agree(s) to allow the encroachment.
Documentation of the agreement shall be provided to the City;
 - (A) When utilities are present in an Accessory Structure, the building shall not be permanently attached to the ground and

can be moved or relocated within 24 hours. Fines shall be issued for buildings that cannot be moved within 24 hours.

(B) The owner acknowledges that they bear all costs of moving the Accessory Structure, including damage to the property, in the event an easement needs to be accessed.

- (6) The Accessory Structure will not be taller than twelve (12) feet six (6) inches to the top of the roof line;
- (7) If the Accessory Structure is an Accessory Building, it will not exceed 200 square feet in size;
- (8) The City Council may grant additional exceptions to the above conditions if the Accessory Structure will be located adjacent to a non-residential property; and
- (9) No minimum rear or side setback shall be required if the building will not be taller than ten (10) feet to the top of the roof line.

b. Swimming Pools & Related Facilities. Notwithstanding any provision of this code to the contrary, the following regulations apply to all swimming pools and related facilities. All such facilities require a building permit and shall be located in accordance with the setbacks outlined below. Swimming pools and related facilities are not permitted within a recorded easement. Related facilities include, but are not limited to, pool equipment, ~~storage structures,~~ and enhancements such as slides, jump structures, water features, and diving boards. In terms of this section, pool houses and storage structures are not considered related facilities and are evaluated based on the accessory structure requirements of the underlying zone.

Setbacks for swimming pools shall be measured from the pool wall to the property line. Setbacks for related facilities shall be measured from the edge or perimeter of the structure to the property line.

- i. Side Setback – Corner Lot (Street Abutting): Swimming pools and related facilities shall be set back not less than ten (10) feet from the side lot line that abuts a street.
- ii. Side and Rear Setback – Interior Lot Line: Swimming pools and related facilities shall be set back not less than ten (10) feet from any interior side or rear lot line.
- iii. Front Setback: Swimming pools and related facilities shall be set back not less than forty (40) feet from the front property line.

The height of any pool-related facility shall be measured from the average natural grade, as established by a survey, adjacent to the single separate facility, to the highest point of the structure and shall not exceed ten (10) feet. Exceptions to the height requirement may

be granted by the City Council if the pool facility is attached to a main dwelling and the provided setbacks for the dwelling are met.

b.c. Sports Courts. All sports courts shall be located in accordance with the setbacks outlined below. Sports courts shall not be permitted in a recorded easement. Setbacks are measured from the nearest edge of the court to the property line.

- i. Front Setback. Sports courts shall be set back not less than forty (40) feet from the front property line.
- ii. Side Setback – Corner Lot, Side Abutting a Street. Sports courts shall be set back not less than ten (10) feet from the side lot line which abuts on a street.
- iii. Side and Rear Setback - Interior Lot Line. Sports courts shall be set back not less than ten (10) feet from the side or rear lot line.
- iv. The Planning Commission may grant an exception to the front yard or side yard setback to locate a sports court on a lot with three sides where the longest side abuts a street, subject to the following requirements.
 - (1) The sports will be no closer than ten feet (10') to the property line abutting the street;
 - (2) No part of the court shall be located in any designated easement.
 - (3) The sports court may not be located closer than thirty feet (30') from any dwelling on adjacent neighboring property.
 - (4) A privacy fence shall be installed so that the sports court (excluding light poles) is not visible from the street, subject to any clear view requirements as determined by the city engineer.

3.03.050 Setback Requirements (See Appendix for Drawing)

2. Customary Residential Accessory Structures.

a. Accessory Structures.

- i. Setback from Main Building. Accessory Structures shall be set back not less than five (5) feet from the main building.
Additionally, Accessory Buildings which are located twelve (12) feet or closer to a main building and are attached to the main building by a common roof or wall shall be considered as part of the main building and shall meet the same setbacks as the main building. Accessory Buildings which are more than twelve (12) feet away from the main building, whether attached or not, are not considered part of the main building and are considered detached.
- ii. Side Setback - Corner Lot, Side Abutting a Street. Accessory Structures shall be set back not less than forty (40) feet from the side lot line which abuts on a street. except that a two (2) foot minimum side setback may be allowed if the conditions outlined in section iv 1-8 can be met. A fence will also be required along the side yard property

abutting a street as a condition for decreased side yard setbacks on a corner lot.

- iii. Front Setback. Accessory Structures shall be set back not less than forty (40) feet from the front property line.
- iv. Side and Rear Setback - Interior Lot Line. Accessory Structures shall be set back not less than fifteen (15) feet from the rear lot line and ten (10) feet from the side lot line, except that a two (2) foot minimum rear or side setback shall be required when all the following conditions are met:
 - (1) The Accessory Structure is located more than twelve (12) feet from an existing dwelling on the same or adjacent lot;
 - (2) If the Accessory Structure is an Accessory Building, it shall contain no openings on the side contiguous to the lot line;
 - (3) No drainage from the roof will be discharged onto an adjacent lot;
 - (4) The Accessory Structure shall be constructed of non-combustive materials or have fire resistive walls rated at one (1) hour or more;
 - (5) The Accessory Structure will not be placed on land designated as a recorded easement, such as a utility or trail easement, unless the owner(s) of said easement agree(s) to allow the encroachment. Documentation of the agreement shall be provided to the City;
 - (A) When utilities are present in an Accessory Structure, the building shall not be permanently attached to the ground and can be moved or relocated within 24 hours. Fines shall be issued for buildings that cannot be moved within 24 hours.
 - (B) The owner acknowledges that they bear all costs of moving the Accessory Structure, including damage to the property, in the event an easement needs to be accessed.
 - (6) The Accessory Structure will not be taller than twelve (12) feet six (6) inches to the top of the roof line;
 - (7) If the Accessory Structure is an Accessory Building, it will not exceed 200 square feet in size;
 - (8) The City Council may grant additional exceptions to the above conditions if the Accessory Structure will be located adjacent to a non-residential property; and

- (9) No minimum rear or side setback shall be required if the building will not be taller than ten (10) feet to the top of the roof line.

b. Swimming Pools & Related Facilities. Notwithstanding any provision of this code to the contrary, the following regulations apply to all swimming pools and related facilities. All such facilities require a building permit and shall be located in accordance with the setbacks outlined below. Swimming pools and related facilities are not permitted within a recorded easement. Related facilities include, but are not limited to, pool equipment, ~~storage structures~~, and enhancements such as slides, jump structures, water features, and diving boards. In terms of this section, pool houses and storage structures are not considered related facilities and are evaluated based on the accessory structure requirements of the underlying zone.

~~2.~~ Setbacks for swimming pools shall be measured from the pool wall to the property line. Setbacks for related facilities shall be measured from the edge or perimeter of the structure to the property line.

~~2.~~ i. Side Setback – Corner Lot (Street Abutting): Swimming pools and related facilities shall be set back not less than ten (10) feet from the side lot line that abuts a street.

~~3.~~ ii. Side and Rear Setback – Interior Lot Line: Swimming pools and related facilities shall be set back not less than ten (10) feet from any interior side or rear lot line.

~~•~~ iii. Front Setback: Swimming pools and related facilities shall be set back not less than forty (40) feet from the front property line.

~~4.~~ The height of any pool-related facility shall be measured from the average natural grade, as established by a survey, adjacent to the single separate facility, to the highest point of the structure and shall not exceed ten (10) feet. Exceptions to the height requirement may be granted by the City Council if the pool facility is attached to a main dwelling and the provided setbacks for the dwelling are met.

~~e.~~

~~d.c.~~ **Sports Courts.** All sports courts shall be located in accordance with the setbacks outlined below. Sports courts shall not be permitted in a recorded easement. Setbacks are measured from the nearest edge of the court to the property line.

- i. Front Setback. Sports courts shall be set back not less than forty (40) feet from the front property line.
- ii. Side Setback – Corner Lot, Side Abutting a Street. Sports courts shall be set back not less than ten (10) feet from the side lot line which abuts on a street.
- iii. Side and Rear Setback - Interior Lot Line. Sports courts shall be set back not less than ten (10) feet from the side or rear lot line.
- iv. The Planning Commission may grant an exception to the front yard or side yard setback to locate a sports court on a lot with three sides where the longest side abuts a street, subject to the following requirements.

- (1) The sports will be no closer than ten feet (10') to the property line abutting the street;

- (2) No part of the court shall be located in any designated easement.
- (3) The sports court may not be located closer than thirty feet (30') from any dwelling on adjacent neighboring property.
- (4) A privacy fence shall be installed so that the sports court (excluding light poles) is not visible from the street, subject to any clear view requirements as determined by the city engineer.

3.04.050 Setback Requirements (See Appendix for Drawing)

2. Customary Residential Accessory Structures.

a. Accessory Structures.

- i. Setback from Main Building. Accessory Structures shall be set back not less than five (5) feet from the main building.
Additionally, Accessory Buildings which are located twelve (12) feet or closer to a main building and are attached to the main building by a common roof or wall shall be considered as part of the main building and shall meet the same setbacks as the main building. Accessory Buildings which are more than twelve (12) feet away from the main building, whether attached or not, are not considered part of the main building and are considered detached.
- ii. Side Setback - Corner Lot, Side Abutting a Street. Accessory Structures shall be set back not less than forty (40) feet from the side lot line which abuts on a street. except that a two (2) foot minimum side setback may be allowed if the conditions outlined in section iv 1-8 can be met. A fence will also be required along the side yard property abutting a street as a condition for decreased side yard setbacks on a corner lot.
- iii. Front Setback. Accessory Structures shall be set back not less than forty (40) feet from the front property line.
- iv. Side and Rear Setback - Interior Lot Line. Accessory Structures shall be set back not less than fifteen (15) feet from the rear lot line and ten (10) feet from the side lot line, except that a two (2) foot minimum rear or side setback shall be required when all the following conditions are met:
 - (1) The Accessory Structure is located more than twelve (12) feet from an existing dwelling on the same or adjacent lot;
 - (2) If the Accessory Structure is an Accessory Building, it shall contain no openings on the side contiguous to the lot line;
 - (3) No drainage from the roof will be discharged onto an adjacent lot;
 - (4) The Accessory Structure shall be constructed of non-combustive materials or have fire resistive walls rated at one (1) hour or more;

- (5) The Accessory Structure will not be placed on land designated as a recorded easement, such as a utility or trail easement, unless the owner(s) of said easement agree(s) to allow the encroachment. Documentation of the agreement shall be provided to the City;
 - (A) When utilities are present in an Accessory Structure, the building shall not be permanently attached to the ground and can be moved or relocated within 24 hours. Fines shall be issued for buildings that cannot be moved within 24 hours.
 - (B) The owner acknowledges that they bear all costs of moving the Accessory Structure, including damage to the property, in the event an easement needs to be accessed.
- (6) The Accessory Structure will not be taller than twelve (12) feet six (6) inches to the top of the roof line;
- (7) If the Accessory Structure is an Accessory Building, it will not exceed 200 square feet in size;
- (8) The City Council may grant additional exceptions to the above conditions if the Accessory Structure will be located adjacent to a non-residential property; and
- (9) No minimum rear or side setback shall be required if the building will not be taller than ten (10) feet to the top of the roof line.

b. Swimming Pools & Related Facilities. Notwithstanding any provision of this code to the contrary, the following regulations apply to all swimming pools and related facilities. All such facilities require a building permit and shall be located in accordance with the setbacks outlined below. Swimming pools and related facilities are not permitted within a recorded easement. Related facilities include, but are not limited to, pool equipment, ~~storage structures,~~ and enhancements such as slides, jump structures, water features, and diving boards. In terms of this section, pool houses and storage structures are not considered related facilities and are evaluated based on the accessory structure requirements of the underlying zone.

- ~~iv.~~ Setbacks for swimming pools shall be measured from the pool wall to the property line. Setbacks for related facilities shall be measured from the edge or perimeter of the structure to the property line.
- i. Side Setback – Corner Lot (Street Abutting): Swimming pools and related facilities shall be set back not less than ten (10) feet from the side lot line that abuts a street.

- ii. Side and Rear Setback – Interior Lot Line: Swimming pools and related facilities shall be set back not less than ten (10) feet from any interior side or rear lot line.
- iii. Front Setback: Swimming pools and related facilities shall be set back not less than forty (40) feet from the front property line.

~~3.~~ ~~v.~~ The height of any pool-related facility shall be measured from the average natural grade, as established by a survey, adjacent to the single separate facility, to the highest point of the structure and shall not exceed ten (10) feet. Exceptions to the height requirement may be granted by the City Council if the pool facility is attached to a main dwelling and the provided setbacks for the dwelling are met.

c. **Sports Courts.** All sports courts shall be located in accordance with the setbacks outlined below. Sports courts shall not be permitted in a recorded easement. Setbacks are measured from the nearest edge of the court to the property line.

- i. Front Setback. Sports courts shall be set back not less than forty (40) feet from the front property line.
- ii. Side Setback – Corner Lot, Side Abutting a Street. Sports courts shall be set back not less than ten (10) feet from the side lot line which abuts on a street.
- iii. Side and Rear Setback - Interior Lot Line. Sports courts shall be set back not less than ten (10) feet from the side or rear lot line.
- iv. The Planning Commission may grant an exception to the front yard or side yard setback to locate a sports court on a lot with three sides where the longest side abuts a street, subject to the following requirements.

- (1) The sports will be no closer than ten feet (10') to the property line abutting the street;
- (2) No part of the court shall be located in any designated easement.
- (3) The sports court may not be located closer than thirty feet (30') from any dwelling on adjacent neighboring property.
- (4) A privacy fence shall be installed so that the sports court (excluding light poles) is not visible from the street, subject to any clear view requirements as determined by the city engineer.

3.05.050 Setback Requirements (See Appendix for Drawing)

2. Customary Residential Accessory Structures.

a. Accessory Structures.

- i. Setback from Main Building. Accessory Structures shall be set back not less than five (5) feet from the main building.

Additionally, Accessory Buildings which are located twelve (12) feet or closer to a main building and are attached to the main building by a common roof or wall shall be considered as part of the main building and shall meet the same setbacks as the main building. Accessory Buildings which are more than twelve (12) feet away from the main building, whether attached or not, are not considered part of the main building and are considered detached.

- ii. Side Setback - Corner Lot, Side Abutting a Street. Accessory Structures shall be set back not less than forty (40) feet from the side lot line which abuts

on a street, except that a two (2) foot minimum side setback may be allowed if the conditions outlined in section iv 1-8 can be met. A fence will also be required along the side yard property abutting a street as a condition for decreased side yard setbacks on a corner lot.

iii. Front Setback. Accessory Structures shall be set back not less than forty (40) feet from the front property line.

iv. Side and Rear Setback - Interior Lot Line. Accessory Structures shall be set back not less than fifteen (15) feet from the rear lot line and ten (10) feet from the side lot line, except that a two (2) foot minimum rear or side setback shall be required when all the following conditions are met:

- (1) The Accessory Structure is located more than twelve (12) feet from an existing dwelling on the same or adjacent lot;
- (2) If the Accessory Structure is an Accessory Building, it shall contain no openings on the side contiguous to the lot line;
- (3) No drainage from the roof will be discharged onto an adjacent lot;
- (4) The Accessory Structure shall be constructed of non-combustive materials or have fire resistive walls rated at one (1) hour or more;
- (5) The Accessory Structure will not be placed on land designated as a recorded easement, such as a utility or trail easement, unless the owner(s) of said easement agree(s) to allow the encroachment. Documentation of the agreement shall be provided to the City;
 - (A) When utilities are present in an Accessory Structure, the building shall not be permanently attached to the ground and can be moved or relocated within 24 hours. Fines shall be issued for buildings that cannot be moved within 24 hours.
 - (B) The owner acknowledges that they bear all costs of moving the Accessory Structure, including damage to the property, in the event an easement needs to be accessed.
- (6) The Accessory Structure will not be taller than twelve (12) feet six (6) inches to the top of the roof line;
- (7) If the Accessory Structure is an Accessory Building, it will not exceed 200 square feet in size;
- (8) The City Council may grant additional exceptions to the above conditions if the Accessory Structure will be located adjacent to a non-residential property; and

- (9) No minimum rear or side setback shall be required if the building will not be taller than ten (10) feet to the top of the roof line.

b. Swimming Pools & Related Facilities. Notwithstanding any provision of this code to the contrary, the following regulations apply to all swimming pools and related facilities. All such facilities require a building permit and shall be located in accordance with the setbacks outlined below. Swimming pools and related facilities are not permitted within a recorded easement. Related facilities include, but are not limited to, pool equipment, ~~storage structures~~, and enhancements such as slides, jump structures, water features, and diving boards. In terms of this section, pool houses and storage structures are not considered related facilities and are evaluated based on the accessory structure requirements of the underlying zone.

~~i.~~ Setbacks for swimming pools shall be measured from the pool wall to the property line. Setbacks for related facilities shall be measured from the edge or perimeter of the structure to the property line.

~~ii.i.~~ Side Setback – Corner Lot (Street Abutting): Swimming pools and related facilities shall be set back not less than ten (10) feet from the side lot line that abuts a street.

~~iii.ii.~~ Side and Rear Setback – Interior Lot Line: Swimming pools and related facilities shall be set back not less than ten (10) feet from any interior side or rear lot line.

~~iv.iii.~~ Front Setback: Swimming pools and related facilities shall be set back not less than forty (40) feet from the front property line.

The height of any pool-related facility shall be measured from the average natural grade, as established by a survey, adjacent to the single separate facility, to the highest point of the structure and shall not exceed ten (10) feet. Exceptions to the height requirement may be granted by the City Council if the pool facility is attached to a main dwelling and the provided setbacks for the dwelling are met.

~~e.~~

3.06.040 Setback Requirements (See Appendix For Drawing)

2. Customary Residential Accessory Structures.

a. Accessory Structures.

- i. Setback from Main Building. Accessory Structures shall be set back not less than five (5) feet from the main building. Additionally, Accessory Buildings which are located twelve (12) feet or closer to a main building and are attached to the main building by a common roof or wall shall be considered as part of the main building and shall meet the same setbacks as the main building. Accessory Buildings which are more than twelve (12) feet away from the main building, whether attached or not, are not considered part of the main building and are considered detached.

- ii. Side Setback - Corner Lot, Side Abutting a Street. Accessory Structures shall be set back not less than forty (40) feet from the side lot line which abuts on a street.
- iii. Front Setback. Accessory Structures shall be set back not less than forty (40) feet from the front property line.
- iv. Side and Rear Setback - Interior Lot Line. Accessory Structures shall be set back not less than fifteen (15) feet from the rear lot line and ten (10) feet from the side lot line, except that a two (2) foot minimum rear or side setback shall be required when all the following conditions are met:
 - (1) The Accessory Structure is located more than twelve (12) feet from an existing dwelling on the same or adjacent lot;
 - (2) The Accessory Structure contains no openings on the side contiguous to the lot line;
 - (3) No drainage from the roof will be discharged onto an adjacent lot;
 - (4) The Accessory Structure shall be constructed of non-combustive materials or have fire resistive walls rated at one (1) hour or more;
 - (5) The Accessory Structure will not be placed on land designated as a recorded easement, such as a utility or trail easement, unless the owner(s) of said easement agree(s) to allow the encroachment. Documentation of the agreement shall be provided to the City;
 - (A) When utilities are present in an easement, the Accessory Structure shall not be permanently attached to the ground and can be moved or relocated within 24 hours. Fines shall be issued for buildings that cannot be moved within 24 hours.
 - (B) The owner acknowledges that they bear all costs of moving the Accessory Structure, including damage to the property, in the event an easement needs to be accessed.
 - (6) The Accessory Structure will not be taller than twelve (12) feet six (6) inches to the top of the roof line;

- (7) The Accessory Structure will not exceed 200 square feet in size;
- (8) The City Council may grant additional exceptions to the above conditions if the Accessory Structure will be located adjacent to a non-residential property; and
- (9) No minimum rear or side setback shall be required if the building will not be taller than ten (10) feet to the top of the roof line.

- b. ~~Swimming Pools & Related Facilities~~Swimming Pools and Related Facilities. Notwithstanding any provision of this code to the contrary, the following regulations apply to all swimming pools and related facilities. All such facilities require a building permit and shall be located in accordance with the setbacks outlined below. Swimming pools and related facilities are not permitted within a recorded easement. Related facilities include, but are not limited to, pool equipment, ~~storage structures,~~ and enhancements such as slides, jump structures, water features, and diving boards. In terms of this section, pool houses and storage structures are not considered related facilities and are evaluated based on the accessory structure requirements of the underlying zone.

~~(C)~~ Setbacks for swimming pools shall be measured from the pool wall to the property line. Setbacks for related facilities shall be measured from the edge or perimeter of the structure to the property line.

- i. Side Setback – Corner Lot (Street Abutting): Swimming pools and related ~~pools~~ facilities shall be set back not less than ten (10) feet from the side lot line that abuts a street.
- ii. Side and Rear Setback – Interior Lot Line: Swimming pools and related facilities shall be set back not less than ten (10) feet from any interior side or rear lot line.
- iii. Front Setback: Swimming pools and related facilities shall be set back not less than forty (40) feet from the front property line.

The height of any pool-related facility shall be measured from the average natural grade, as established by a survey, adjacent to the single separate facility, to the highest point of the structure and shall not exceed ten (10) feet. Exceptions to the height requirement may be granted by the City Council if the pool facility is attached to a main dwelling and the provided setbacks for the dwelling are met.

~~b.~~

(Ord. 98-23,11-24-98)





Exhibit B

Clean Version of Updated Development Code

DCA §3.01.060 Building Permits

Construction, alteration, repair, or removal of any building or structure or any part thereof, as provided or as restricted in this ordinance shall not be commenced except upon issuance of a building permit by the Building Inspector. The Building Inspector shall verify proper zoning.

5. **Occupancy Permit.** Land, buildings or premises in any zone shall hereafter be used only for a purpose permitted in such a zone and in accordance with the appropriate regulations. A permit of occupancy shall be issued by the Zoning Administrator to the effect that the use, building or premises conform to provisions of this and all related ordinances, regulations and requirements prior to occupancy, for any building erected, enlarged or altered structurally for the occupancy or use of any land. Such a permit is needed whenever use or character of any building or land is to be changed.
6. **Inspection.** The Zoning Administrator or Building Inspector is authorized to inspect or to have inspected all buildings and structures during the course of their construction, modification, or repair, and to inspect land uses to determine compliance with the provisions of this ordinance. The Zoning Administrator or any authorized employee of the City shall exercise the right to enter any building for the purpose of determining the use, or to enter premises for the purpose of determining compliance with this ordinance, provided that such right of entry is to be used only at reasonable hours. In no case shall entry be made to any occupied building in the absence of an owner or tenant thereof without written permission of an owner, or written order of a court of competent jurisdiction.
7. **Site Plan Required.** A detailed site plan, drawn to scale shall be filed with the Building Inspector as part of any application for a building permit. The site plan shall show where pertinent:
 - a. Scale and north arrow;
 - b. Lot Lines and their dimensions including existing boundary monuments;
 - c. Adjacent streets, roads, rights-of-way and easements;
 - d. Location of all existing structures on subject property
 - e. Irrigation and/or drainage easements;
 - f. If not in an approved subdivision, an indication of the average slope of the

lot based upon application of the formula provided in DCA 3.01.100 Part 4.

- g. Motor vehicle access, including individual parking stalls, circulation patterns, curb, gutter, and sidewalk location;
 - h. Necessary explanatory notes;
 - i. Name, address and telephone number of builder and owner; and,
 - j. The above, and any other information that may be requested by the Zoning Administrator or Building Inspector.
 - k. Show Setbacks and building height.
 - l. Attach a copy of the drainage plan and comply with the overall subdivision drainage plan.
8. **Demolition of Homes.** A demolition permit must be issued before any demolition takes place: (added by Ordinance 2004-13 on 9/28/04)
- a. Demolition Permit must be reviewed by the City Engineer and may be referred to the Planning Commission.
 - b. All Utilities must be notified prior to the demolition.
 - c. Must comply with site plan requirements.
 - d. Notify and comply with the Utah Division of Air Quality.

3.07-A.050 Site Design

- 5. Accessory Structures
- b. General Requirements: All customary residential accessory structures (Accessory Structures) shall comply with the following setbacks and regulations. Accessory Buildings require a building permit.
 - i. Setbacks:
 - 1. From Main Building: Minimum five (5) feet. If attached or within twelve (12) feet, the structure shall be considered part of the main building.
 - 2. Side Setback – Corner Lot (Street Abutting): Minimum forty (40) feet from the side lot line abutting a street, except that a two (2) foot minimum may be allowed under specified conditions and with a fence.

3. Front Setback: Minimum forty (40) feet from the front property line.
4. Side and Rear Setback – Interior Lots: Minimum ten (10) feet rear and five (5) feet side, with a possible reduction to two (2) feet if all of the following are met:
 5. Structure is more than twelve (12) feet from a dwelling;
 6. No openings on the side facing the lot line;
 7. No roof drainage onto adjacent lots;
 8. Constructed of non-combustive or fire-resistive materials;
 9. Not within a recorded easement unless allowed by easement holder;
 10. Movable within twenty-four (24) hours if within an easement;
 11. Not taller than twelve feet six inches (12'6");
 12. Not more than 200 sq. ft. in size if an Accessory Building;
- ii. The City Council may grant setback exceptions adjacent to non-residential properties.
- iii. Height of Accessory Structures:
 1. Maximum twenty (20) feet to the ridge line.
 2. For each additional one (1) foot in height above twenty (20) feet, increase side and rear setbacks by two (2) feet.
 3. Absolute maximum height shall not exceed thirty (30) feet.
 4. Chimneys, flag poles, antennas, and similar non-occupancy structures may exceed these limits by up to fifteen (15) feet.
- e. Swimming Pools and Related Facilities
 - i. A building permit is required.
 - i. No pools or related facilities may be located within a recorded easement.
 - ii. Setbacks:
 - A. Side – Corner Lot (Street Abutting): Minimum ten (10) feet.
 - B. Side/Rear – Interior Lots: Minimum ten (10) feet.

- C. Front: Minimum forty (40) feet.
- D. Height: Maximum ten (10) feet from average natural grade.
- E. Exceptions to height or placement may be granted by City Council if the facility is attached to a dwelling and meets dwelling setbacks.

f. Sports Courts

- i. Sports courts shall not be permitted in a recorded easement.
- ii. Setbacks:
 - i. Front: Minimum forty (40) feet.
 - ii. Side – Corner Lot (Street Abutting): Minimum ten (10) feet.
 - iii. Side/Rear – Interior Lots: Minimum ten (10) feet.
 - iv. Exception for Irregular Lots: The Planning Commission may allow reduced setbacks where the lot has three sides, subject to:
 - A. Court no closer than ten (10) feet to a street-abutting property line;
 - B. No encroachment into easements;
 - C. Minimum thirty (30) feet from any dwelling on adjacent property;
 - D. Privacy fence required to obscure court from street view.

g. Utility Requirements

- i. Culinary Water: All occupied structures shall connect to the City's water system, with at least 40 psi pressure as determined by the City Engineer.
- ii. Sewer: All occupied structures shall connect to the City sewer system unless an alternate system is approved under MCA §14.04.010.

5. Access Requirement. Each lot shall abut and have direct access to a City-maintained or City-accepted street. The minimum frontage shall be the required lot width of the zone, except that cul-de-sac or curve lots may reduce frontage to sixty (60) feet if the width at the front setback meets the zone's minimum.

- 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 allowed as a conditional use, upon approval by the designated land use authority. 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.
- xvii. The City Planner or designee shall serve as the designated land use authority for home occupation applications meeting the following criteria:
 - (1) The home occupation, as proposed, complies with all requirements for the home occupation as listed in this section.
 - (2) The home occupation will be conducted entirely within the dwelling or attached garage.
 - (3) Only a limited number of customers or clients may visit the property in connection with the home occupation, provided such visits take place during regular business hours, remain incidental to the residential character of the dwelling, and do not create impacts beyond those normally associated with residential use.

(4) No employees other than the residing family members will be involved in the home occupation.

(5) No hazardous materials will be used or stored on the property.

The City Planner or designee may approve, approve with conditions, deny, or decline to consider the home occupation application in accordance with standards provided in this subsection. If the City Planner or designee declines to consider the application, the applicant may seek approval from the Planning Commission. applicant may appeal all other decisions as provided in DCA 2.03

b. 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 as the designated land use authority may attach conditions to the granting of a home occupation consistent with the standards in this section 2.03.060.2 .

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, provided that (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.

3.23.070 Approval Process

Home occupations subject to the provisions of DCA 3.23.060 Part 2.

Home occupations subject to the provisions of DCA 3.23.060 Part 2 and that meet the five criteria in DC/ xvii.

4.06.030 Final Plat

4.2. SUBMISSION REQUIREMENTS. The following shall be submitted to the Zoning Administrator by the subdivider or their authorized representative:

- a. A completed final plat application, including final plan checklist, and payment of applicable fees;
- b. Final plat and final subdivision improvement plans (construction drawings) including:
 - i. One (1) electronic copy in a compatible form as specified by City Staff;
 - ii. One (1) D size twenty four inches by thirty six inches (24" x 36") and one (1) eleven inch by seventeen inch (11" x 17") paper copies drawn to scale;
 - iii. NOTE: One (1) mylar copy of the Final Plat delineated in permanent ink shall be submitted to the City upon the request of the Zoning Administrator for recordation purposes, until then submission of the required paper copies of the final plat shall be sufficient for review purposes; and
 - iv. Certificate for clear title. An affidavit (certificate for clear title) that the applicant is the owner, the equitable owner, or authorized by the owner in writing to make an application for the land proposed to be subdivided shall be provided.
 - v. Title report. Prior to the recordation of the final plat, the applicant shall submit a current title report for review. The current title report shall disclose all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat. The title report shall set forth the names of all property owners included in the final plat and shall include a list of all mortgages, judgements, liens, easements, contracts and agreements of record in the County which shall affect the property covered by such plats. If the opinion of title discloses such encumbrances, then at the option of the City Attorney, the holders or owners of such mortgages, judgements, liens, easements, contracts, or agreements shall be

required to join in and approve the application before the plat shall be acted upon by the Land Use Authority.

vi. Articles of incorporation/bylaws. When a proposed subdivision contains land that are reserved in private ownership for community use, including common areas, the applicant shall submit with the final plat, the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas and any access easements which may be required.

vii. A revised narrative or summary statement describing any changes made from the previous narratives or summary statements submitted during the preliminary plan.

viii. Narrative. A revised narrative or summary statement describing any changes made from the previous narratives or summary statements submitted during the preliminary plan.

viv. All other materials required by this chapter.

4.10.010 Improvement Requirements

The Land Use Authority shall not approve a final plat until the subdivider provides a performance bond approved by the City Administrator to guarantee that improvements will be installed as shown on the final plat and construction drawings and to guarantee and warrant all improvements for a one-year period commencing upon the final inspection of said improvements by the City. Said performance bond shall be for an amount not less than ONE HUNDRED AND TEN PERCENT (110%) of the estimated cost of said work and improvements, as determined by the City Administrator and City Engineer. The purpose of the bond is to ensure construction of the required improvements within one year from the date of final approval, without cost to the City, and to guarantee and warrant all improvements for a one-year period commencing upon the final inspection of said improvements by the City. Said required improvements shall include:

4.05.040 Required Conditions And Improvements

The following requirements shall be imposed as a condition of approval of a minor subdivision:

1. No more than (3) three parcels shall be created in the minor subdivision.
2. New or extended street dedications shall not be allowed. Minor right-of-way dedications on existing streets are permissible.
3. The area to be subdivided should be immediately adjacent to existing streets and utilities and shall not involve the extension of any such streets or utilities.
4. The minor subdivision shall not contain any sensitive lands.

5. The minor subdivision shall conform to the general character of the surrounding area.
6. Lots created shall not adversely affect the remainder of the parcel or adjoining property and shall conform to the applicable provisions of the City's Zoning
7. Any remainder of the parcel must be capable of further subdivision.
8. Utility easements shall be dedicated.
9. Any further lot splits would be processed under the major subdivision process.
10. Derelict parcels shall not be created.
11. The minor subdivision plat shall comply with the drawing requirements of DCA 4.06.030 Part 3 (Final Plat).
12. A development agreement may be executed between the City and the Developer outlining the conditions of approval of the subdivision. The development agreement may include, but is not limited to, the following requirements:
 1. a. any special conditions,
 2. b. trails, landscape issues,
 3. or off-site improvements.

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

(Amended by Ord. No. 2007-05, 5/8/07; Ord. No. 2011-07, 5/10/11; Ord. No. 2013-12, 07/23/13; Ord. No. 2017-07, 05/23/17)

HISTORY

Amended by Ord. 2024.02 on 1/23/2024

4.06.020 Preliminary Design Plan (Preliminary Plat)

PRELIMINARY PLAT REQUIREMENTS. The accuracy of location of alignments, boundaries, and monuments shall be certified by a registered land surveyor licensed to do such work in the State of Utah. A workman-like execution of the preliminary plans shall be made in every detail. A poorly-drawn or illegible preliminary plans shall be sufficient cause for rejection. The following data shall be submitted as part of the preliminary plan submission:

- a. Located at the top and center of the preliminary plat, the proposed name of the subdivision which shall be distinct from any other plat already recorded with the County Recorder's Office;
- b. A layout of the proposed subdivision, at a scale of no more than one inch equals one hundred feet (1" = 100'), or as recommended by the Zoning Administrator and/or City Engineer.
- c. The boundaries, course, dimensions, and total acreage of all of the parcels of ground divided, by their boundaries, course, and extent, whether the applicant proposes that any parcel of ground is intended to be used as a street or for any other public purpose.

- d. The lot or unit reference, block or building reference, street or site address, the street name or coordinate address, acreage or square footage for all parcels, units, or lots, and length and width of the blocks and lots intended for sale.
- e. Every existing or proposed right-of-way and easement grant or record for underground utility facilities.
- f. A title block, placed on the lower right-hand corner of the plat showing:
 - 1. Name and address of the owner of record and the name and address of the licensed surveyor responsible for preparing the preliminary plat.
 - 2. Date and preparation of the preliminary subdivision plat, and all revision dates.
- g. Signature blocks for the dated signatures of the Planning Commission Chair, Mayor, City Engineer, City Attorney, and required private or public utility/service providers.
- h. North arrow, graphic and written scale, and basis of bearings used.
- i. A vicinity map of the site at a minimum scale of one inch equals one thousand feet (1" = 1,000') or as recommended by the Zoning Administrator and/or City Engineer showing the perimeter outline of the proposed subdivision, accesses, abutting subdivision outlines and names, names of adjacent property owners, and adjacent streets within two (2) miles of the proposed subdivision.
- j. Traverse map of the monumented (see DCA 4.06.030 Part-56) perimeter of the proposed subdivision. The traverse shall have an error of closure of not greater than one part in 30,000. Survey tie into a legal corner or other permanent marker established by the County Surveyor is required.
- k. The location of any common space or public open space areas including the location of all property to be set aside for public or private reservation, with the designation of the purpose of those set aside, and conditions, if any of the dedication or reservation. Location, function, ownership and manner of maintenance of common open space not otherwise reserved or dedicated for public use (in compliance with the City's Open Space Zone).

3.02.070 Access Requirements

Each lot shall abut upon and have direct access to an existing City-maintained street or a street, which has been formally accepted by action of the City Council. The distance of said abutting side shall be not less than the minimum lot width requirement of the zone except that the length of said abutting side may be reduced to not less than sixty (60) feet when the lot abuts upon a cul-de-sac or sharp curve and the side lot lines radiate in such a manner that the width of the lot, measured between the side lot lines at the minimum front setback line, will meet or exceed the minimum width requirements of the zone. (Ord. 2015-02, 02/10/15)

3.01.110 Definitions

MINOR SUBDIVISION. A subdivision development of three (3) or fewer lots which meet the requirements of DCA §4.05.

3.10.010 Intent

The intent of these provisions shall be:

- a. To facilitate the development of the various commercial and related activities permitted pursuant to Part 2 when situated in a harmonious, integrated, safe and convenient environment, and
- b. To establish guidelines pertaining to the design, approval, construction and maintenance of such projects.

(Ord. 95-22, 8/22/95)

4.08.040 Commencement Of Construction

Site improvement or grading of a proposed subdivision site prior to Final Plat approval is prohibited.

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

HISTORY

Amended by Ord. 2018-06 on 9/11/2018

3.01.110 Definitions

ACCESSORY 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, not including fences; and 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.

3.02.050 Setback Requirements (See Appendix for Drawing)

2. Customary Residential Accessory Structures.

a. Accessory Structures.

- v. Setback from Main Building. Accessory Structures shall be set back not less than five (5) feet from the main building.
Additionally, Accessory Buildings which are located twelve (12) feet or closer to a main building and are attached to the main building by a common roof or wall shall be considered as part of the main building and shall meet the same setbacks as the main building. Accessory Buildings which are more than twelve (12) feet away from the main building, whether attached or not, are not considered part of the main building and are considered detached, not including porte-cocheres.
- vi. Side Setback - Corner Lot, Side Abutting a Street. Accessory Structures shall be set back not less than forty (40) feet from the side lot line which abuts on a

street, except that a two (2) foot minimum side setback may be allowed if the conditions outlined in section iv 1-8 can be met. A fence will also be required along the side yard property abutting a street as a condition for decreased side yard setbacks on a corner lot.

vii. Front Setback. Accessory Structures shall be set back not less than forty (40) feet from the front property line.

viii. Side and Rear Setback - Interior Lot Line. Accessory Structures shall be set back not less than fifteen (15) feet from the rear lot line and ten (10) feet from the side lot line, except that a two (2) foot minimum rear or side setback shall be required when all the following conditions are met:

- (1) The Accessory Structure is located more than twelve (12) feet from an existing dwelling on the same or adjacent lot;
- (2) If the Accessory Structure is an Accessory Building, it shall contain no openings on the side contiguous to the lot line;
- (3) No drainage from the roof will be discharged onto an adjacent lot;
- (4) The Accessory Structure shall be constructed of non-combustive materials or have fire resistive walls rated at one (1) hour or more;
- (5) The Accessory Structure will not be placed on land designated as a recorded easement, such as a utility or trail easement, unless the owner(s) of said easement agree(s) to allow the encroachment. Documentation of the agreement shall be provided to the City;
 - (A) When utilities are present in an Accessory Structure, the building shall not be permanently attached to the ground and can be moved or relocated within 24 hours. Fines shall be issued for buildings that cannot be moved within 24 hours.
 - (B) The owner acknowledges that they bear all costs of moving the Accessory Structure, including damage to the property, in the event an easement needs to be accessed.
- (6) The Accessory Structure will not be taller than twelve (12) feet six (6) inches to the top of the roof line;
- (7) If the Accessory Structure is an Accessory Building, it will not exceed 200 square feet in size;
- (8) The City Council may grant additional exceptions to the above conditions if the Accessory Structure will be located adjacent to a non-residential property; and

- (9) No minimum rear or side setback shall be required if the building will not be taller than ten (10) feet to the top of the roof line.

b. Swimming Pools & Related Facilities. Notwithstanding any provision of this code to the contrary, the following regulations apply to all swimming pools and related facilities. All such facilities require a building permit and shall be located in accordance with the setbacks outlined below. Swimming pools and related facilities are not permitted within a recorded easement. Related facilities include, but are not limited to, pool equipment and enhancements such as slides, jump structures, water features, and diving boards. In terms of this section, pool houses and storage structures are not considered related facilities and are evaluated based on the accessory structure requirements of the underlying zone.

Setbacks for swimming pools shall be measured from the pool wall to the property line. Setbacks for related facilities shall be measured from the edge or perimeter of the structure to the property line.

- i. Side Setback – Corner Lot (Street Abutting): Swimming pools and related facilities shall be set back not less than ten (10) feet from the side lot line that abuts a street.
- ii. Side and Rear Setback – Interior Lot Line: Swimming pools and related facilities shall be set back not less than ten (10) feet from any interior side or rear lot line.
- iii. Front Setback: Swimming pools and related facilities shall be set back not less than forty (40) feet from the front property line.

The height of any pool-related facility shall be measured from the average natural grade, as established by a survey, adjacent to the single separate facility, to the highest point of the structure and shall not exceed ten (10) feet. Exceptions to the height requirement may be granted by the City Council if the pool facility is attached to a main dwelling and the provided setbacks for the dwelling are met.

c. Sports Courts. All sports courts shall be located in accordance with the setbacks outlined below. Sports courts shall not be permitted in a recorded easement. Setbacks are measured from the nearest edge of the court to the property line.

- v. Front Setback. Sports courts shall be set back not less than forty (40) feet from the front property line.
- vi. Side Setback – Corner Lot, Side Abutting a Street. Sports courts shall be set back not less than ten (10) feet from the side lot line which abuts on a street.
- vii. Side and Rear Setback - Interior Lot Line. Sports courts shall be set back not less than ten (10) feet from the side or rear lot line.
- viii. The Planning Commission may grant an exception to the front yard or side yard setback to locate a sports court on a lot with three sides where the longest side abuts a street, subject to the following requirements.

- (1) The sports will be no closer than ten feet (10') to the property line abutting the street;
- (2) No part of the court shall be located in any designated easement.
- (3) The sports court may not be located closer than thirty feet (30') from any dwelling on adjacent neighboring property.
- (4) A privacy fence shall be installed so that the sports court (excluding light poles) is not visible from the street, subject to any clear view requirements as determined by the city engineer.

3.03.050 Setback Requirements (See Appendix for Drawing)

2. Customary Residential Accessory Structures.

a. Accessory Structures.

- v. i. Setback from Main Building. Accessory Structures shall be set back not less than five (5) feet from the main building.
Additionally, Accessory Buildings which are located twelve (12) feet or closer to a main building and are attached to the main building by a common roof or wall shall be considered as part of the main building and shall meet the same setbacks as the main building. Accessory Buildings which are more than twelve (12) feet away from the main building, whether attached or not, are not considered part of the main building and are considered detached, not including porte-cocheres.
- vi. ii. Side Setback - Corner Lot, Side Abutting a Street. Accessory Structures shall be set back not less than forty (40) feet from the side lot line which abuts on a street. except that a two (2) foot minimum side setback may be allowed if the conditions outlined in section iv 1-8 can be met. A fence will also be required along the side yard property abutting a street as a condition for decreased side yard setbacks on a corner lot.
- vii. iii. Front Setback. Accessory Structures shall be set back not less than forty (40) feet from the front property line.
- viii. iv. Side and Rear Setback - Interior Lot Line. Accessory Structures shall be set back not less than fifteen (15) feet from the rear lot line and ten (10) feet from the side lot line, except that a two (2) foot minimum rear or side setback shall be required when all the following conditions are met:
 1. The Accessory Structure is located more than twelve (12) feet from an existing dwelling on the same or adjacent lot;

2. If the Accessory Structure is an Accessory Building, it shall contain no openings on the side contiguous to the lot line;
3. No drainage from the roof will be discharged onto an adjacent lot;
4. The Accessory Structure shall be constructed of non-combustive materials or have fire resistive walls rated at one (1) hour or more;
5. The Accessory Structure will not be placed on land designated as a recorded easement, such as a utility or trail easement, unless the owner(s) of said easement agree(s) to allow the encroachment. Documentation of the agreement shall be provided to the City;
 - A. When utilities are present in an Accessory Structure, the building shall not be permanently attached to the ground and can be moved or relocated within 24 hours. Fines shall be issued for buildings that cannot be moved within 24 hours.
 - B. The owner acknowledges that they bear all costs of moving the Accessory Structure, including damage to the property, in the event an easement needs to be accessed.
6. The Accessory Structure will not be taller than twelve (12) feet six (6) inches to the top of the roof line;
7. If the Accessory Structure is an Accessory Building, it will not exceed 200 square feet in size;
8. The City Council may grant additional exceptions to the above conditions if the Accessory Structure will be located adjacent to a non-residential property; and
9. No minimum rear or side setback shall be required if the building will not be taller than ten (10) feet to the top of the roof line.

b. Swimming Pools & Related Facilities. Notwithstanding any provision of this code to the contrary, the following regulations apply to all swimming pools and related facilities. All such facilities require a building permit and shall be located in accordance with the setbacks outlined below. Swimming pools and related facilities are not permitted within a recorded easement. Related facilities include, but are not limited to, pool equipment and enhancements such as slides, jump structures, water features, and diving boards. In terms

of this section, pool houses and storage structures are not considered related facilities and are evaluated based on the accessory structure requirements of the underlying zone.

Setbacks for swimming pools shall be measured from the pool wall to the property line. Setbacks for related facilities shall be measured from the edge or perimeter of the structure to the property line.

xviii. Side Setback – Corner Lot (Street Abutting): Swimming pools and related facilities shall be set back not less than ten (10) feet from the side lot line that abuts a street.

xix. Side and Rear Setback – Interior Lot Line: Swimming pools and related facilities shall be set back not less than ten (10) feet from any interior side or rear lot line.

iii. Front Setback: Swimming pools and related facilities shall be set back not less than forty (40) feet from the front property line.

The height of any pool-related facility shall be measured from the average natural grade, as established by a survey, adjacent to the single separate facility, to the highest point of the structure and shall not exceed ten (10) feet. Exceptions to the height requirement may be granted by the City Council if the pool facility is attached to a main dwelling and the provided setbacks for the dwelling are met.

c. Sports Courts. All sports courts shall be located in accordance with the setbacks outlined below. Sports courts shall not be permitted in a recorded easement. Setbacks are measured from the nearest edge of the court to the property line.

i. Front Setback. Sports courts shall be set back not less than forty (40) feet from the front property line.

v. Side Setback – Corner Lot, Side Abutting a Street. Sports courts shall be set back not less than ten (10) feet from the side lot line which abuts on a street.

vi. Side and Rear Setback - Interior Lot Line. Sports courts shall be set back not less than ten (10) feet from the side or rear lot line.

vii. The Planning Commission may grant an exception to the front yard or side yard setback to locate a sports court on a lot with three sides where the longest side abuts a street, subject to the following requirements.

(1) The sports will be no closer than ten feet (10') to the property line abutting the street;

(2) No part of the court shall be located in any designated easement.

(3) The sports court may not be located closer than thirty feet (30') from any dwelling on adjacent neighboring property.

(4) A privacy fence shall be installed so that the sports court (excluding light poles) is not visible from the street, subject to any clear view requirements as determined by the city engineer.

3.04.050 Setback Requirements (See Appendix for Drawing)

2. Customary Residential Accessory Structures.

a. Accessory Structures.

i. Setback from Main Building. Accessory Structures shall be set back not less than five (5) feet from the main building.

Additionally, Accessory Buildings which are located twelve (12) feet or closer to a main building and are attached to the main building by a common roof or wall shall be considered as part of the main building and shall meet the same setbacks as the main building. Accessory Buildings which are more than twelve (12) feet away from the main building, whether attached or not, are not considered part of the main building and are considered detached, not including porte-cocheres.

ii. Side Setback - Corner Lot, Side Abutting a Street. Accessory Structures shall be set back not less than forty (40) feet from the side lot line which abuts on a street. except that a two (2) foot minimum side setback may be allowed if the conditions outlined in section iv 1-8 can be met. A fence will also be required along the side yard property abutting a street as a condition for decreased side yard setbacks on a corner lot.

iii. Front Setback. Accessory Structures shall be set back not less than forty (40) feet from the front property line.

iv. Side and Rear Setback - Interior Lot Line. Accessory Structures shall be set back not less than fifteen (15) feet from the rear lot line and ten (10) feet from the side lot line, except that a two (2) foot minimum rear or side setback shall be required when all the following conditions are met:

1. The Accessory Structure is located more than twelve (12) feet from an existing dwelling on the same or adjacent lot;
2. If the Accessory Structure is an Accessory Building, it shall contain no openings on the side contiguous to the lot line;
3. No drainage from the roof will be discharged onto an adjacent lot;
4. The Accessory Structure shall be constructed of non-combustive materials or have fire resistive walls rated at one (1) hour or more;
5. The Accessory Structure will not be placed on land designated as a recorded easement, such as a utility or trail easement , unless the owner(s) of said easement agree(s) to allow the encroachment. Documentation of the agreement shall be provided to the City;

~~(A)~~(C) When utilities are present in an Accessory Structure, the building shall not be permanently

attached to the ground and can be moved or relocated within 24 hours. Fines shall be issued for buildings that cannot be moved within 24 hours.

~~(B)~~(D) The owner acknowledges that they bear all costs of moving the Accessory Structure, including damage to the property, in the event an easement needs to be accessed.

6. The Accessory Structure will not be taller than twelve (12) feet six (6) inches to the top of the roof line;
7. If the Accessory Structure is an Accessory Building, it will not exceed 200 square feet in size;
8. The City Council may grant additional exceptions to the above conditions if the Accessory Structure will be located adjacent to a non-residential property; and
9. No minimum rear or side setback shall be required if the building will not be taller than ten (10) feet to the top of the roof line.

b. Swimming Pools & Related Facilities. Notwithstanding any provision of this code to the contrary, the following regulations apply to all swimming pools and related facilities. All such facilities require a building permit and shall be located in accordance with the setbacks outlined below. Swimming pools and related facilities are not permitted within a recorded easement. Related facilities include, but are not limited to, pool equipment and enhancements such as slides, jump structures, water features, and diving boards. In terms of this section, pool houses and storage structures are not considered related facilities and are evaluated based on the accessory structure requirements of the underlying zone.

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- iii. Front Setback: Swimming pools and related facilities shall be set back not less than forty (40) feet from the front property line.

The height of any pool-related facility shall be measured from the average natural grade, as established by a survey, adjacent to the single separate facility, to the highest point of the structure and shall not exceed ten (10) feet. Exceptions to the

height requirement may be granted by the City Council if the pool facility is attached to a main dwelling and the provided setbacks for the dwelling are met.

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i. Front Setback. Sports courts shall be set back not less than forty (40) feet from the front property line.

ii. Side Setback – Corner Lot, Side Abutting a Street. Sports courts shall be set back not less than ten (10) feet from the side lot line which abuts on a street.

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2. Customary Residential Accessory Structures.

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Additionally, Accessory Buildings which are located twelve (12) feet or closer to a main building and are attached to the main building by a common roof or wall shall be considered as part of the main building and shall meet the same setbacks as the main building. Accessory Buildings which are more than twelve (12) feet away from the main building, whether attached or not, are not considered part of the main building and are considered detached, not including porte-cocheres.

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required along the side yard property abutting a street as a condition for decreased side yard setbacks on a corner lot.

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 - (3) No drainage from the roof will be discharged onto an adjacent lot;
 - (4) The Accessory Structure shall be constructed of non-combustive materials or have fire resistive walls rated at one (1) hour or more;
 - (5) The Accessory Structure will not be placed on land designated as a recorded easement, such as a utility or trail easement, unless the owner(s) of said easement agree(s) to allow the encroachment. Documentation of the agreement shall be provided to the City;
10. When utilities are present in an Accessory Structure, the building shall not be permanently attached to the ground and can be moved or relocated within 24 hours. Fines shall be issued for buildings that cannot be moved within 24 hours.
11. The owner acknowledges that they bear all costs of moving the Accessory Structure, including damage to the property, in the event an easement needs to be accessed.
- (6) The Accessory Structure will not be taller than twelve (12) feet six (6) inches to the top of the roof line;
 - (7) If the Accessory Structure is an Accessory Building, it will not exceed 200 square feet in size;
 - (8) The City Council may grant additional exceptions to the above conditions if the Accessory Structure will be located adjacent to a non-residential property; and
 - (9) No minimum rear or side setback shall be required if the building will not be taller than ten (10) feet to the top of the roof line.

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ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, UT
July 7, 2026

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 6:00 p.m. by Chair Alan Macdonald. The following were present and constituted a quorum:

Chair: Alan Macdonald

Commission Members: Michelle Schirmer, John MacKay, Troy Slade, Susan Whittenburg, Jeff Davis, Greg Butterfield

Excused:

Staff: Caden Lyon, Marla Fox, Jason Judd

Others: Trevor Sharp, Wes Funk

B. Prayer/Opening Comments: Michelle Schirmer

C. Pledge of Allegiance: Susan Whittenburg

II. REPORTS AND PRESENTATIONS

None

III. ACTION ITEMS

A. Action Item: Review of Five 12 Commercial Site Plan

Caden Lyon said The Five.12 Commercial Site Plan is proposed for the address of 170 S Main Street in Alpine and proposes a new commercial building. The building is to support their ongoing operational needs and provide more space for their non-profit ventures. Since the Planning Commission meeting on June 2nd, the applicant has updated their building design with the purpose of trying to meet the Historic/Gateway Design Guidelines.

Caden Lyon said what they do in this building is to help feed children that go home hungry on the weekend. They aid those students in need so kids are fed which is a great thing.

The applicant has provided a site plan that overall meets the code requirements for §3.06 Business Commercial Zone and §3.11 Gateway/Historic Zone. The building takes on an industrial look with dark brick and black metal trims and accents to complement the main material. The landscaping requirement of 20% coverage of the site is currently being met, any new building will be in compliance with that requirement. A few streetscape elements every thirty (30) feet would be needed along the sidewalks. There is a water tank proposed for the site which will have to be evaluated for compliance at a later date, and likely will require a building permit and might need to meet accessory structure setback standards. Since this needs further evaluation, it should be labeled as “future proposed water tank.”

Alan Macdonald said this is the first application asking for a water tower, so we don’t know exactly what the requirements are for that. He asked that the city give guidance on that. Caden Lyon said this should be labeled on the site plan as a future project and considered at a later date.

1 More details from the applicant:

We are pleased to warmly introduce the construction of a new warehouse addition and parking lot for the Five12 foundation. Five 12 is a non-profit organization geared to helping feed children. Elementary school students in the United States are going home from school on Friday and coming back to school hungry on Monday. Five12 provides weekend backpacks full of food for those students in need. This new warehouse will increase the foundation's capacity to reach more children.

2 Located at 168 S Main St. Alpine, UT 84004, a 6,000 sqft building addition and site parking improvements will be added to the lot that already includes the existing Five12 distribution warehouse. The proposed asphalt parking lot will have 88 regular parking stalls, 4 ADA stalls and an entrance from South Main Street, ensuring easy access to community members and volunteers. From a utilities perspective, a storm drain system and underground storm water holding chamber will be placed underneath the parking lot. A concrete pad for a proposed water tower will be located near that new South main entrance. Additionally, light poles staged throughout the lot will provide ample lighting.

The proposed landscape design was executed with existing trees in mind. The large canopy trees on the south and north property line are to be preserved and protected. The new additional parking for the office building has 4 proposed landscape islands with canopy trees to provide shade. A mixture of water-wise trees, shrubs, perennials, and ornamental grasses are provided in the proposed landscape beds. A large tan decorative river cobble is proposed to match the existing beds on the east entry near the existing building.

After final grading, the future building location along South Main Street will receive a native grass seed mix to stabilize the ground. Keeping water in mind, there are no suitable locations to introduce turf grass for recreation or leisure activities. Decorative rock, native grass, and waterwise planting are the main materials implemented.

3 We would like to thank the Planning Commission for taking the time to review our project. We look forward to working together in getting this project underway.

4 Staff recommends that the Planning Commission consider sending a positive recommendation to the City
5 Council for the proposed site plan for the new Five.12 commercial building at 170 S Main Street, with the
6 condition that the streetscaping requirements be met and that the proposed water tank be labeled as
7 "future proposed water tank" on the site plan.

8 Alan Macdonald asked what the streetscaping requirements would be. Caden Lyon showed the Historic
9 Design guidelines on streetscaping. It states:

- 10 1. Every thirty feet along the sidewalk needs to have some sort of streetscape feature.
11 Acceptable streetscape features, but are not limited to, the following: trees, planters, benches,
12 drinking fountains, decorative garbage canisters, outdoor clocks, bike racks, and water
13 features.

14 Caden Lyon said we would look for something like that along the sidewalk. He said this building is set
15 way back on the site so it's definitely more of a concern when a future building comes in. However, it is
16 part of the requirement, so we are including that now.

1 Alan Macdonald said at some point a building will front Main Street and that will come with a landscape
2 plan. What the applicant has proposed is to seed that area and on the north side there is some landscaping
3 and an area for a future proposed 13,000 square foot office building. Caden Lyon said the applicant is
4 calling the seed area a river rock mulch. He said it is up to the Commissioners to decide if the applicant
5 should meet the landscape requirement now. Obviously, no future is guaranteed, so you may not want to
6 skip it in case the other building doesn't go in in the future.

7 Caden Lyon showed an updated site plan showing the applicant meets the landscaping requirement even
8 after a future office building is approved there. He said you can see the green shows all the landscaping
9 area, as well as the landscape area we just had up.

10 Caden Lyon showed renderings of the proposed building with a lot of dark brick as the main material. He
11 said they are proposing to use different metals to compliment and accent the building. There are parapet
12 walls and the height of the structure is twenty-eight feet to the top of the parapet. He said there is a
13 variety of windows, metal detail for accent, and faux smokestacks for design.

14 Dallas Nelson, architect with DNA, INC., said he's been working on this with the owner, Nick Greer. He
15 said he's worked on other buildings with Nick Greer and said Mr. Greer loves the historic and very
16 interesting and unique projects. He said they are comfortable and confident that this is going to turn out
17 exceptional. We're trying to recreate some history right here on his site with this design and these ideas
18 overall.

19 Alan Macdonald asked if there is anything inaccurate on the rendering. Mr. Nelson said this is an AI
20 drawing, so it renders and romanticizes the building itself. He said the windows are a little bit different in
21 the rendering versus the formal elevations. The proportions are slightly different with the AI version
22 coming out at seventy-five feet in length when the building is actually one hundred feet in length. So, the
23 AI program didn't get things one hundred percent, but it captures the essence. He said concept, sketches
24 and renderings have always been close representations of what the final will be, but then the technical
25 drawings are very accurate and would represent final dimensions and lengths for comparison.

26 Dallas Nelson said if you look generally at this, you capture the flavor and you get the specifics from the
27 2D drawings. Alan Macdonald said it looks like you are using a reproduction period type of black lamps
28 and a canopy over the front door. Dallas Nelson said yes, there are a majority of the details captured in
29 this rendering. Alan Macdonald asked Mr. Nelson if he brought a brick sample with him. Mr. Nelson
30 said he did not, but this would be a more rustic type of darker red brick similar to the rendering.

31 Alan Macdonald said he sees a lot of architectural details around the windows, soldier course. Dallas
32 Nelson said the brick detailing was the difference maker in these buildings historically. The material was
33 pretty expensive, and the labor was pretty cheap, so they would add all kinds of details around windows
34 and cornices that made the projects beautiful, which is different now. He said for us now, the labor is
35 what's so expensive and the bricks are pretty cheap. He said they would like to use the brick in a way
36 that would feel accurate and bring some presence to the building and make it feel like it may have been
37 there for a hundred years.

38 Alan Macdonald asked what the black part was on the end of the building. Dallas Nelson said that is part
39 of the existing building and not part of the new addition. He said he just showed it on the rendering for

reference. He said it's been a challenge to try and blend the two different buildings together. He said what's currently on the existing building is a corrugated metal that looks pretty good. He said they haven't anticipated refinishing the existing building for the sake of cost to help the charity versus what they can do with the building itself.

Alan Macdonald asked if the portion of the building over the entryway that has the Five.12 logo that is the parapet, does it break up the roofline. Dallas Nelson said it will come out from the main volume of the building by three foot four inches which is a brick increment. It is also a couple of feet taller than the rest of the building. He said they have used that strategy to vary the roofline and bring interest to it and hopefully comply with the guidelines of the Historic District.

Michelle Schirmer asked if this was going to be compliant with the sign ordinance before we got too far along. Dallas Nelson said they would come back later to get a sign permit but wanted to show what the signage might look like on the rendering. He said he wasn't sure if it would just be painted or have some dimension to it. He said it would most likely be painted just for the historic context of it.

John MacKay said if you decide to have a lighted sign, pass on to your design people that projected light onto the building and the sign is okay. Lights inside the lettering projecting out is not okay, and shadow box lighting is okay. Alan Macdonald said the exterior lamps will shine right down on the building and be consistent with what's already shown on the building. Dallas Nelson said they will probably paint the lettering so it would feel like it was built and have some of the feeling of a time when they were driving model T's down Alpine Main Street.

John Mackay asked what the plan was for the water tank. Dallas Nelson said he hasn't been too involved with that, but it is just simple ideas at this point. He said if that is going to be the decision maker in getting the building approved, he said they would just put that into the future. Alan Macdonald said we want to know size, height, how it's classified, and the dimensions. Dallas Nelson said it is an idea and a place holder and would still need to be designed, he said he's never designed a water tank. John MacKay said his recommendation is that it is left off the plan and brought back at a later time once there is more information.

John MacKay asked about the interim streetscape plans. Dallas Nelson said that will fall under the landscape team who is with me here as well. He said a lot of that will be addressed by the next building. John MacKay said before we can approve this building, we need to know what will be done in the interim. Dallas Nelson said we need to have a standalone version.

Susan Whittenburg asked if Mr. Neson had any preliminary renderings for the next building, and he replied, no. He said this building will establish the style of what the next building will be. He said the buildings would not be twins, but more like cousins and they want to make sure that what they design now will work for the entire project.

Alan Macdonald said on the east side of this property along Main Street, and around the west side of Main Street next to the sidewalk, he heard there would be some type of rock or mulch or bark. Mr. Nelson said that was correct.

Brian Wilson, Focus Consulting landscape designer, said it is with every intent to meet the municipal code with the furnishings. You can see on the east side; there's two benches and the required mulch

1 would be placed there. He said it wouldn't be his recommendation at this time to add any sort of live plant
2 vegetation or material such as trees, or shrubs, because in the future as the secondary building does go in,
3 a lot of the site activity for demolition and masquerading would cause those things to be removed.

4 John MacKay asked if there was any expectation of when the second building would be built. Brian
5 Wilson said he didn't know at this time. He said it could be one year or five or ten years. John MacKay
6 said that's the issue because if it's five or ten years, we need to have something more substantial in the
7 landscape plan.

8 Alan Macdonald asked if there would be any water to the native grasses. Brian Wilson said any sprinkler
9 system would have to be torn up later. He said it is advisable to have a four-inch depth of the rock mulch
10 with a weed barrier at a minimum. It is advisable to have at least one year of temporary water for the
11 native grasses to get it established and to start growing and minimize weeds. He said after one growing
12 season if it germinates well, then it can usually establish and sustain itself with what mother nature allows
13 it.

14 Alan Macdonald asked if they would have water to the grasses for at least one year. Brian Wilson said
15 that would be the best plan. Alan Macdonald asked if it was in the plan and Brian Wilson said it was not.
16 Michelle Schirmer asked Mr. Wilson if he had been successful with the native grass seed. He said he had
17 multiple projects. He said they typically use it in a lot of retention and detention areas especially in Eagle
18 Mountain where we're trying to preserve water or there's no access to water. Alan Macdonald asked to
19 see a picture of what the plants look like. Brian Wilson said if you have driven through Daybreak, you
20 have seen the tall, beautiful tufts of grass that weep over and establish well next to other plant types.
21 Greg Butterfield thought this was the same plant that Nick Greer had planted out in front of his house as
22 part of a zero scape.

23 Greg Butterfield asked if the water tower was just for esthetics or would it be functional. Dallas Nelson
24 said it would be functional for emergency water storage. Alan Macdonald said if the water tank was
25 actually going to hold water, it would need to be engineered. Dallas Nelson said it would take a specialty
26 engineering company to design the structure of it and the actual water distribution. He said that would be
27 down the road and not part of this project.

28 Alan Macdonald showed some images of native grasses. Brian Wilson said they have had good luck with
29 wildflowers and said they tend to create a really beautiful mixture.

30 Greg Butterfield said there are eighty-five parking stalls. He asked how many full-time employees there
31 were and what time do they come. He said he is asking because we get a lot of complaints about parking
32 from the school across the street. He said congrats on what you are doing, we think it's a great cause. He
33 asked if there had been any thought relative to minimizing the ingress, egress and traffic because he
34 assumed the eighty-five employees don't live in Alpine. He asked if employees would be coming to work
35 at the same time as the school traffic because we have cars parked on the road and even in this parking
36 lot. He said Nick Greer put up a sign recently that says no parking. He said he was curious what the plan
37 for that was.

38 Alan Macdonald said when they came in and talked to us a few weeks ago, they said they have church
39 groups and volunteers that come in to do the work. He didn't think there were very many full-time

employees. There are delivery trucks that bring the food in and he thought a lot of the packaging was done in the evening by these groups and then the food is delivered to local schools for the kids to take home. He didn't think there was daily work.

Dallas Nelson said he went and worked at the facility on a Wednesday at 6:00 pm and it was one hour of frenetic work with about one hundred people in there and then everybody went home. A few people stay to load up these totes into trucks for the next day. He said it's really one day a week that it's intensive and for one hour a day for the most part. The idea is for kids to have food to take home over the weekend. He said the new parking lot would be shared. When the office building gets built, employees will park there during the day and in the evening after work, the volunteers will show up to work in the warehouse one day a week. Employees on the warehouse side are minimal and may not even be employees, they could be volunteers. He said there may be four to eight people.

Trevor Sharp, Silver Fox Construction, said he's worked at the facility with his brother-in-law, Nick Greer. He said on the nights that work is done youth groups come in carpools of five or six vehicles, do the work and then go home. The next morning, someone comes and picks up the totes and delivers them.

Michelle Schirmer said earlier in the Spring, they used this building as a community fundraising event with a street market with pop-ups and a concert. She asked if that was going to be a continual use going forward or was that just a one off. Dallas Nelson said he didn't know about that event but said it may be used on occasion for other purposes. He said this is going to be a twenty-foot-high warehouse so they can stack pallets of product. He said this is not going to be a reception center. The business has grown out of the original building and they need more room. The building will be primarily used for this business. He said they may have an event from time to time if it helps further the mission.

Alan Macdonald said that with brick being the main building material, the building complies with the Gateway Historic Design Guidelines. He said the parking and landscaping looked consistent. He said the biggest issue he sees if there is a motion of recommendation is to deal with the tower as a future matter and that the landscaping calls for some method of at least a year or so of watering to establish the native grass.

Jeff Davis asked if the city has any recourse if the landscaping gets out of control. Caden Lyon said the landscaping will follow whatever is approved and if it gets out of control then we do have recourse. Jeff Davis said he likes the water tower and said it would be cool. He said we would talk about emergency dumping of the water, where it would go, controls, and security keeping kids or people from climbing it.

Greg Butterfield said he is in favor of having the landscaping go in now because it could be ten years until the next building is built. He said he likes the grass, flowers, and benches.

Michelle Schirmer asked about the smokestacks and wanted to know if they were included in the height restrictions. Caden Lyon said they would be considered a chimney and not included in the height measurement.

MOTION: Planning Commissioner Greg Butterfield moved to recommend approval to the City Council the proposed sit plan for the new 512 commercial building located at 170 S Main Street with the following conditions.

1. Remove water tower as part of the approval process to be presented with specificity and details at a future date.
2. If the second building is not done within a three-year time frame, the landscape company landscape per the design that's proposed which is the space by the sidewalk that fronts the entire property.

Troy Slade seconded the motion. Discussion followed.

MOTION: Planning Commissioner John MacKay proposed an amendment to the second condition of the motion.

1. Strike the three-year time frame for establishing landscaping and require the entire building envelope be landscaped as proposed with native grasses and flowers with enough watering to establish vegetation for a one-year period.

Greg Butterfield accepted the amendment to the motion.

Susan Whittenburg seconded the motion. There were 7 Ayes and 0 Nays. The motion passed unanimously.

Ayes

Nays

Alan Macdonald
John MacKay
Jeff Davis
Michelle Schirmer
Susan Whittenburg
Troy Slade
Greg Butterfield

IV. COMMUNICATIONS

Caden Lyon said we will have some city code amendments coming some time soon.

V. APPROVAL OF PLANNING COMMISSION MINUTES: June 16, 2026

MOTION: Planning Commissioner Jeff Davis moved to approve the minutes for June 16, 2026, as written.

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

Ayes:

Nays:

Excused:

Michelle Schirmer
John MacKay
Troy Slade
Alan Macdonald
Susan Whittenburg
Jeff Davis
Greg Butterfield

MOTION: Planning Commission member Jeff Davis moved to adjourn the meeting.

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

Ayes:

Nays:

Excused:

Michelle Schirmer

John MacKay

Troy Slade

Alan Macdonald

Susan Whittenburg

Jeff Davis

Greg Butterfield

The meeting was adjourned at 6:58 p.m.