

**ALPINE CITY
ORDINANCE 2019-13**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 3.07.030 OF THE ALPINE
CITY DEVELOPMENT CODE PERTAINING TO CONDITIONAL USES IN THE
BUSINESS/COMMERCIAL ZONE.**

WHEREAS, The Alpine City Council has deemed it in the best interest of Alpine City to amend the Business/Commercial Zone Conditional Use Ordinance to allow Dog Kennels/Boarding Facilities ; and

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

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

NOW THEREFORE, be it ordained by the Council of Alpine City, in the State of Utah, as follows: The amendments to Article 3.07.030 contained in the attached document will supersede Article 3.07.030 as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: AMENDMENT "3.07.030 Conditional Uses" of the Alpine City
Municipal Code is hereby *amended* as follows:

A M E N D M E N T

3.07.030 Conditional Uses

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

1. Planned Commercial Developments Projects which are designed, approved, constructed and maintained in accordance with the provisions of DCA 3.10.
2. Commercial Condominium Projects subject to the applicable provisions of law relating thereto.
3. Hotels and motels.
4. Schools, churches, hospitals (human care), nursing homes and other similar quasi-public buildings subject to approval by the Planning Commission.
5. Civic Buildings. (Ord. 95-10, 4/25/9)
6. Restaurants, provided that any such facility providing drive-up window service shall also include an area for inside service to patrons in an amount not less than fifty (50%) of the

total floor area of the structure. In addition, the following shall apply to restaurants.
(Ord. 97-05, 5/27/97)

- a. A traffic analysis shall be provided as part of the conditional use application.
 - b. The drive-up window and driveway shall be unobtrusive and be screened from the street by berming and landscaping.
 - c. Odors and noise shall be controlled as to not have an adverse impact on any nearby residential structures.
 - d. Restaurants must comply with provisions of the sign ordinance.
 - e. Restaurants must comply with the landscaping and design provisions in the B-C zone.
 - f. Any drive-through window must be located on the side of the restaurant building which does not abut a public street and must be screened from the street side with berming and landscaping.
 - g. Any drive-through window must have a stacking lane which will accommodate at least six cars off of the public street.
7. Single family dwellings (conventional construction) when proposed for placement on a lot not in a recorded subdivision, subject to compliance with the applicable conditions within the zone and approval of a site plan by the Planning Commission.
 8. Seasonal sales such as produce or Christmas trees provided a business license is obtained from Alpine City.
 9. Sexually-oriented businesses are a conditional use in the Business Commercial (BC) zone and are subject to the provisions of this chapter, including (Ord. 2010-07, 5/11/10):
 - a. No sexually-oriented business shall be located within:
 - i. One thousand (1,000) feet of a school, day care facility, public park, library, and religious institution;
 - ii. Four hundred (400) feet of any residential use (no matter which zoning district) or residential zoning boundary;
 - iii. One thousand (1,000) feet of a liquor store; and
 - iv. One thousand (1,000) feet of any other sexually-oriented business.

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

- (1) The closest property line of any school, day care facility, public park, library, and religious institution;
 - (2) The nearest property line of any residential use or residential zone;
 - (3) The nearest property line of any liquor store; and
 - (4) The closest exterior wall of another sexually-oriented business.
10. Home occupations, subject to the provisions of DCA 3.23.070 Part 3.
 11. Accessory apartments, subject to the provisions of DCA 3.23.070 Part 1.
 12. Mechanical Automotive Repair Shops
 - a. Odors and noise shall be controlled as to not have an unreasonable adverse impact on nearby structures and/or property.

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

13. Dog Kennels/Boarding Facilities

- a. Odors and noise shall be controlled as to not have an unreasonable adverse impact on nearby structures and/or property.
- b. Dogs shall be kept primarily indoors, with the exception of short periods of time for the dogs to exercise/relieve, run themselves, go shall on bewalks, located etc indoors.
- c. Shall have no more than twenty (20) individual dog kennel runs, with total dogs not to exceed 1.2 times the number of kennel runs.
- d. No more than one dog shall share a kennel run without the owner's permission.
- e. Facility shall be sound proofed, and include an indoor dog run.
- f. Shall comply with City off-street parking requirements.
- g. Shall provide daily disposal of all animal feces and wastes.
- h. Shall conform to the provisions of the Gateway/Historic Zone (DCA 3.11).
- i. There shall be adequate and effective means of control of insects and rodents at all times, such control shall be carefully monitored.
- j. Operator shall bear full responsibility for recapturing and controlling any escaped animal.
- k. Must have an active DVM relationship to immediately treat a sick or injured animal requiring medical attention.
- l. Facility shall be located not less than 150 from the nearest neighboring dwelling structure.

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

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

June 11, 2019

	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	<u> </u>	<u>✓</u>	<u> </u>	<u> </u>
Kimberly Bryant	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Carla Merrill	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Ramon Beck	<u> </u>	<u>✓</u>	<u> </u>	<u> </u>
Jason Thelin	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer



Troy Stout, Mayor, Alpine City

Attest



Charmayne G. Warnock, City
Recorder Alpine City

