

**ALPINE CITY
ORDINANCE 2022-22**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 3.21.060 OF THE
ALPINE CITY DEVELOPMENT CODE PERTAINING TO RETAINING WALL
SPACING FROM FENCES.**

WHEREAS, The Planning Commission held a public hearing on June 21, 2022, regarding proposed amendments to Article 3.21.060 of the Development Code; and

WHEREAS, on June 21, 2022, the Planning Commission recommended approval of proposed amendments to Article 3.21.060 of the Development Code; and

WHEREAS, on June 28, 2022, the Alpine City Council has deemed it in the best interest of Alpine City to amend the Development Code; and

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

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

NOW THEREFORE, be it ordained by the Council of the Alpine City, in the State of Utah, as follows: The amendments to Article 3.32.030 will supersede Article 3.32.030 as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: **AMENDMENT** “3.21.060 Fences, Walls And Hedges” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.21.060 Fences, Walls And Hedges

1. **Requirement.** All fences must be approved by the planning and zoning department and a building permit obtained. Fences shall be located on owner's property lines or within owner's property boundaries.
2. **Front Yard Fences.** Privacy fences, walls and hedges along the street frontage of a lot shall not exceed 3 feet in height when placed within 10 feet of the front property line. Open style fences shall not exceed 4 feet in height when placed within 10 feet of the front property line. Front yard fences may be eight (8) feet in height if they are placed at least 10 feet back from the front property line.
3. **Interior Side Yard Fences.** Fences alongside yards shall not exceed 3 feet in height for privacy fences and 4 feet in height for open style fences when they are within 10

feet of the front property line. Side yard fences may be eight (8) feet in height when they are located at least 10 feet back from the front property line.

4. **Rear Yard Fences.** A rear yard fence may be eight (8) feet in height.
5. **Corner Lot Fences within the Sight Triangle.** The sight triangle on corner lots shall not be obstructed. Privacy fences, walls, or hedges shall not exceed three (3) feet in height, and open-style fences shall not exceed four (4) feet in height, when located within the sight triangle on a corner lot. The sight triangle is defined as the area formed by connecting the corner of the property to points 35 feet back along each property line abutting the street.
6. **Corner Lot Fences outside the Sight Triangle.** Side yard fences abutting the street may be eight (8) feet in height when they are located at least 35 feet back from the front property line, outside the sight triangle. For interior side fence see DCA 3.21.060 Part 2.
7. **Fences on Retaining Walls.** Under no condition shall a fence and wall exceed nine (9) feet on the same plane. If a privacy fence that is on top of a retaining wall would exceed nine (9) feet, the fence shall be set back at least four (4) feet from the frontside of the retaining wall. Open style fences including but not limited to rail fences, field fences, or chain link fences are permitted to be on the same plane as a retaining wall.
8. **Agricultural Fences.** Fences on property where an identifiable commercial agricultural product is produced shall not exceed eight (8) feet in height, and shall be an open style fence.
9. **Fences Along Public Open Space and Trails.** See DCA 3.16, DCA 3.16.100 Part 1 and DCA 3.17 and DCA 3.17.100 Part 3,a.

Fences or borders along property lines adjacent to a trail or open space must meet with the City Planner and meet specific standards.

- a. When the width of the open space or trail easement is less than 50 feet, bordering fences may not exceed eight (8) feet in height, and shall not obstruct visibility. (Open style fences such as rail fences, field fence, or chain link are preferable.)
 - b. When the width of the open space or trail easement is 50 feet or more, fence standards as specified elsewhere in this ordinance apply.
 - c. Fences and hedges must be completely within the boundaries of the private property.
 - d. Hedges or shrubs must be maintained to the same height requirements as fences.
 - e. The owner of the fence or hedge must maintain the side facing the open space.
10. **Conditional Uses for Interior Fences.** A conditional use permit may be approved by the City Planner for an interior fence over eight (8) feet in height for such things as sports courts, gardens and swimming pools. A conditionally approved interior fence shall not exceed twelve (12) feet in height and shall be an open style fence. (Ord. No. 2015-06, 05/26/15)

(amended by Ord. No. 2005-02, 2/8/05; Ord. No. 2013-10, 7/9/13; Ord. No. 2015-06, 05/26/15; Ord. No. 2017-01, 01/10/17; Ord. No. 2017-13, 06/27/17)

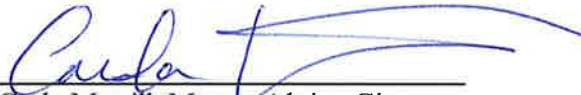
PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

06/28/22

	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Gregory Gordon	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Jason Thelin	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
Jessica Smuin	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Kelli Law	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest


Carla Merrill, Mayor, Alpine City


Bonnie Cooper, City Recorder Alpine
City

