

**ALPINE CITY
ORDINANCE 2024-08**

**AN ORDINANCE AMENDING SECTION 3.01.110 AND 4.03 OF THE ALPINE
DEVELOPMENT CODE AMENDING DEFINITIONS FOR ZONING AND
SUBDIVISIONS.**

WHEREAS, the Alpine City Planning Commission has reviewed proposed amendments to section 3.01.110 and 4.03 of the Alpine Development Code and held a public hearing on February 20th, 2024, pertaining to the proposed amendments;

WHEREAS, on February 20th, ,2024, the Planning Commission made a favorable recommendation of the proposed amendments to sections 3.01.110 and 4.03 of the Alpine Development Code;

WHEREAS, the Alpine City Council has reviewed the proposed amendments and deems it in the best interest of the health, safety, and welfare of Alpine City and its residents to amend section 3.01.110 and 4.03 of the Alpine Development Code

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

SECTION 1: **AMENDMENT** “3.01.110 Definitions” of the Alpine City Development Code is hereby *amended* as follows:

AMENDMENT

3.01.110 Definitions

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

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

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

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

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

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

BLOCK. The land surrounded by streets or other rights-of-way, other than an alley, or land which is designated as a block or any recorded subdivision plat

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

1. The area contains no territory having a natural slope of twenty (20) percent or greater;
2. The area contains no territory which is located in any identified flood plain or within any recognized inundation zone, mud flow zone or zone of deformation, or lands subject to earth slippage, landslide or rockfall;
3. The engineering properties of the soil provide adequate structural support for the intended use;
4. The area does not possess any other recognized natural condition, which renders it unsafe for building purposes;
5. The area is within the building setback envelope as determined in accordance with the setback provisions of the zone; and
6. The area is readily capable of vehicular access from the adjacent public street over a driveway having a slope of not more than twelve (12) percent with no cut or fill greater than five feet as measured at the finished grade of the centerline alignment.

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

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

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

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

CONDOMINIUM. The ownership of a single unit in a multi-unit project together with an undivided interest in common in the common areas and facilities of the property as provided by state law.

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

CROSSWALK or WALKWAY or PEDESTRIAN WAY. A right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind; a crosswalk or walkway or pedestrian-way may be located within or without a street right-of-way, at grade, or grade- separated from vehicular traffic.

DESIGNATED BUILDABLE AREA. A lot or portion thereof possessing all of the following physical characteristics: (Added by Ord. 2004-13, 9/28/05)

1. The area contains no territory having a natural slope of twenty (20) percent or greater;
2. The area contains no territory which is located in any identified flood plain or within any recognized inundation zone, mud flow zone or zone of deformation, or lands subject to earth slippage, landslide or rockfall;
3. The engineering properties of the soil provide adequate structural support for the intended use;
4. The area does not possess any other recognized natural condition, which renders it unsafe for building purposes;
5. The area is within the building setback envelope as determined in accordance with the setback provisions of the zone; and
6. The area is readily capable of vehicular access from the adjacent public street over a driveway having a slope of not more than twelve (12) percent with no cut or fill greater than five feet as measured at the finished grade of the centerline alignment .

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

DRIVEWAY. A private roadway, the use of which is limited to persons residing, employed, or otherwise using or visiting the lot on which the roadway is located.

DWELLING. Any building or portion thereof designed or used exclusively as the more or less permanent residence or sleeping place of one of more persons or families.

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

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

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

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

EASEMENT. That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner(s) of said properties. The easement may be for use on, under, or above said lot or lots.

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

ENVIROMNETAL IMPACT STUDY. A study which is described by means of written narrative as well as maps, a geographical area in terms of existing: (1) slope, (2) soils, (3) water courses, (4) water table, (5) flood hazard areas, (6) geologic hazards, (7) vegetative types, (8) wildlife, (9) wildlife habitat, and (10) available urban services, i.e., electricity, gas, roads, schools, culinary water, sewage facilities, police and fire protection, (11) air quality and movement, (12) noise, (13) aesthetics and cultural, (14) land use, (15) open space and trails, (16) recreational facilities. The study recommends measures which, if undertaken, will mitigate or obviate acts resulting from development of the proposed subdivision, and discusses the benefits to be gained from such subdivision. The study also evaluates the potential area-wide economic impact of the subdivision on both private and public economic sectors and the potential impact on school systems.

ESSENTIAL FACILITIES. Utilities, sanitary and public safety facilities provided by a public utility or other governmental agency for overhead or surface or underground services, excluding any building, electrical substation, or transmission line of fifty (50) KV or greater capacity, except by conditional use permit.

EXPOSED FACE OF RETAINING WALL. The part of a retaining wall that is above ground and visible. An exposed face of a retaining wall shall be considered visible from the nearest public right of way when the alignment of the wall is within 60 degrees of parallel to the nearest public right of way.

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

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

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

FINAL PLAT. A subdivision map prepared in accordance with the provisions of this Ordinance, which is designed to be placed on record in the office of the County Recorder.

FIRE PROTECTION. Such water supply, water lines, fire hydrants, and other protective devices as may be required in accordance with the provisions of this Ordinance.

FLOOD HAZARD. A hazard to land or improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.

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

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

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

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

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

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

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

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

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

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

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

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

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

IMPERVIOUS MATERIAL. Matter that is impenetrable as by moisture.

IMPROVEMENT. Work, objects, devices, facilities, or utilities required to be constructed or installed in a subdivision. Such improvements may include, but are not limited to, street construction to required standards water facilities, sewer facilities, sidewalks, curbs and gutters, drainage facilities, street trees, street signs, street lights, traffic control or safety devices, fire hydrants, and such other facilities or construction required by the Subdivision Ordinance, Subdivision Regulations, or by the Planning Commission and/or City Council for the necessary proper development of the proposed subdivision.

LAND, AGRICULTURAL. Land whose primary use is determined to be agricultural in the Land Use Element of the Alpine City General Plan, or which is included in an agricultural district in the Alpine Zoning Ordinance.

LAND, COMMERCIAL. Land whose optimum use is determined to be commercial in the Land Use Element of the Alpine City General Plan, or which is included in a commercial district in the Alpine Zoning Ordinance.

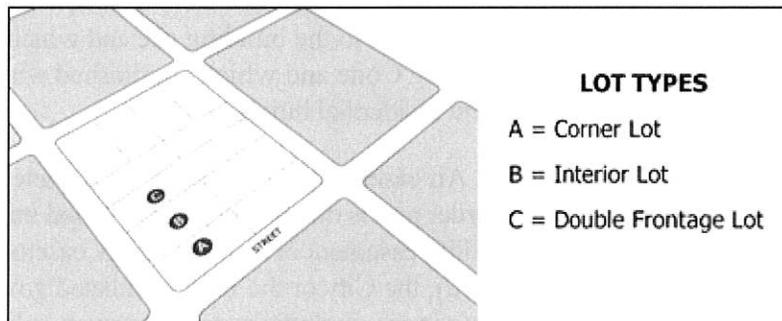
LAND, INDUSTRIAL. Land whose optimum use is determined to be industrial in the Land Use Element of the Alpine City General Plan, or which is included in an industrial or manufacturing district in the Alpine Zoning Ordinance.

LAND USE ELEMENT of the GENERAL PLAN. A coordinated plan which has been prepared and adopted for the purpose of guiding development of land use.

LIGHT TRESPASS. Light from an artificial source which can be measured on a neighboring property, and subject to the foregoing, the maximum allowed vertical illuminance at any point on the plane of the property line is 0.1 foot-candles.

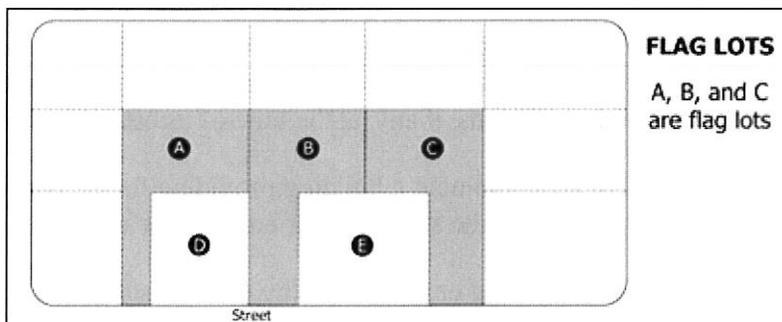
LOT. A tract of land regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the Office of the County Recorder.

LOT, CORNER. A lot abutting upon two (2) or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.



LOT, DOUBLE FRONTAGE. A lot where the front and rear lot lines both front on a street. See figure provided for “LOT, CORNER”.

LOT, FLAG. A lot of irregular configuration in which an access strip (a strip of land of a width less than the required lot width) connects the main body of the lot to the street frontage.



LOT, INTERIOR. A lot other than a corner lot. See figure provided for “LOT, CORNER”.

LOT LINE ADJUSTMENT. A relocation of a lot line boundary between adjoining lots or between a lot and adjoining parcels in accordance with §10-9a-608 of Utah State Code (as amended) whether or not the lots are located in the same subdivision and with the consent of the owners of record. Lot line adjustment does not mean a new boundary line that creates an additional lot or constitutes a subdivision. Lot line adjustment does not include a boundary line adjustment made by the Utah Department of Transportation (UDOT).

MAJOR STREET PLAN. The most recently adopted "Alpine City Transportation Master Plan Map" which shows existing public streets and which has been officially adopted by the Planning Commission and City Council as the Major Street Plan

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

MUNICIPAL UTILITY EASEMENT. An easement that is created or depicted on a plat recorded in the Office of the County Recorder and is described as a municipal utility easement granted for public use; is not a protected utility easement or a public utility easement as defined in §54-3-27 of Utah State Code (as amended); the City or the City's affiliated governmental entity uses and occupies to provide a utility service, including sanitary sewer, culinary water, electrical, stormwater, or communications or data lines; is used or occupied with the consent of the City in accordance with an authorized franchise or other agreement; is used or occupied by a specified public utility in accordance with an authorized franchise or other agreement and is located in a utility easement granted for public use, or is described in §10-9a-529 of Utah State Code (as amended) by a specified public utility.

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

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

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

OFF-SITE. Of or pertaining to land, area or facilities not located within the boundaries of a final plat of a subdivision.

ON-SITE. Of or pertaining to land, area or facilities located within the boundaries of a final plat of a subdivision.

OUTDOOR LIGHTING. External lighting on a building or a property and any other artificial illumination of a property.

OUTDOOR RECREATION AREAS. Areas of a property used for recreation purposes, including but not limited to: soccer fields, sports courts, swimming pools, tennis courts, pickleball courts, basketball courts, sports fields, arenas, and other areas of recreation.

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

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

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

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

PARCEL. Any real property that is not a lot. **PARCEL BOUNDARY ADJUSTMENT.** A recorded agreement between owners of adjoining parcels adjusting the mutual boundary, either by deed or by a boundary line agreement in accordance with §10-9a-524 of Utah State Code (as amended), if no additional parcel is created and none of the property identified in the agreement is a lot or the adjustment is to the boundaries of a single person's parcels. Parcel boundary adjustment does not mean an adjustment of a parcel boundary line that creates an additional parcel or constitutes a subdivision. Parcel boundary adjustment does not include a boundary line adjustment made by UDOT. **PERMANENT MONUMENT.** Any structure of concrete, masonry and/or metal permanently placed on or in the ground, including those expressly placed for surveying reference, which meets the requirements of the local jurisdiction for permanent monuments.

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

PLAT. An instrument subdividing property into lots as depicted on a map or other graphic representation of land that a licensed professional land surveyor makes and prepares in accordance with §10-9a-603 or §57-8-13 of Utah State Code (as amended). **POTENTIAL GEOLOGIC HAZARD AREA.** An area that is designated by a Utah Geological Survey map, county geologist map, or other relevant map or report as needing further study to determine the area's potential for geologic hazard; or has not been studied by the Utah Geological Survey or a county geologist but presents the potential of geologic hazard because the area has characteristics similar to those of a designated geologic hazard area. May be referred to in this title as "sensitive lands".

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

PRODUCE STANDS. Any temporary or permanent structure, used for the sale of agricultural products, that is sited on the lot on which the majority of products being offered for sale have been grown. The agriculture products offered for sale must be primarily fresh whole fruits and or vegetables. Certain animal products may also be sold as part of the produce stand, these are limited to fresh eggs, raw milk, fresh cheese, fresh yogurt, raw honey, bees wax, honeycomb, butter, sour cream, and beef jerky.

PUBLIC HEARING. A hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing. **PUBLIC MEETING.** A meeting that is required to be open to the public under the Open and Public Meetings Act, §52-4 of Utah State Code (as amended).

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

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

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

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

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

SUBDIVIDER. Any person, firm, corporation, partnership or association who causes land to be divided into two or more parcels of land for himself or others. **SUBDIVISION.** Any land that is divided, subdivided, or proposed to be divided into two (2) or more lots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on the installment plan or upon any and all other plans, terms and conditions. The term "Subdivision includes:

1. The division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
2. Except as provided below, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

Subdivision does not include:

1. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
2. A boundary line agreement recorded with the Office of the County Recorder between owners of adjoining parcels adjusting the mutual boundary in accordance with §10-9a-524 of Utah State Code (as amended) if no new parcel is created;
3. A recorded document, executed by the owner of record revising the legal descriptions of multiple parcels into the one (1) legal description encompassing all such parcels or joining a lot to parcel;
4. A boundary line agreement between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with §10-9a-524 and §10-9a-608 of Utah State Code (as amended) if no new dwelling lot or housing unit will result from the adjustment and the adjustment will not violate any applicable land use ordinance;
5. A bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division is in anticipation of future land use approvals on the parcel or parcels does not confer any land use approvals, and has not been approved by the land use authority;
6. A parcel boundary adjustment;
7. A lot line adjustment;
8. A road, street, or highway dedication plat;
9. A deed or easement for a road, street, or highway purpose; or
10. Any other division of land authorized by law.

SUBDIVISION AMENDMENT. An amendment to a recorded subdivision in accordance with §10-9a-608 of Utah State Code (as amended) that vacates all or a portion of the subdivision; alters the outside boundary of the subdivision; changes the number of lots within the subdivision; alters a public right-of-way, a public easement, or public infrastructure within the subdivision; or alters a common area or other common amenity within the subdivision. Subdivision amendment does not include a lot line adjustment between a single lot of an adjoining lot or parcel that alters the outside boundary of the subdivision. **SUBDIVISION IMPROVEMENT PLANS.** The civil engineering plans, grading and landscaping plans, drawings, details, specifications, and other technical or engineered plans or designs associated with required infrastructure, City controlled utilities, and public landscaping required for a subdivision. **SUBDIVISION REQUIREMENTS.** Those requirements that are adopted by the City and applicable County or State entities for the necessary and proper development of a proposed subdivision. Includes all applicable zoning regulations, governing laws, land use regulations, applicable land use decisions, ordinances, standards, designs and specifications. **SUSPECT SOIL.** Soil that has a high susceptibility for volumetric change, typically clay-rich, having more than a three percent (3%) swell potential, bedrock units with high shrink or swell susceptibility, or gypsiferous silt and clay, gypsum, or bedrock units containing abundant gypsum commonly associated with dissolution and collapse features. **VICINITY MAP (Location Map).** A map or drawing showing where a subdivision, or proposed subdivision is located.

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

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

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

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

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

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

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

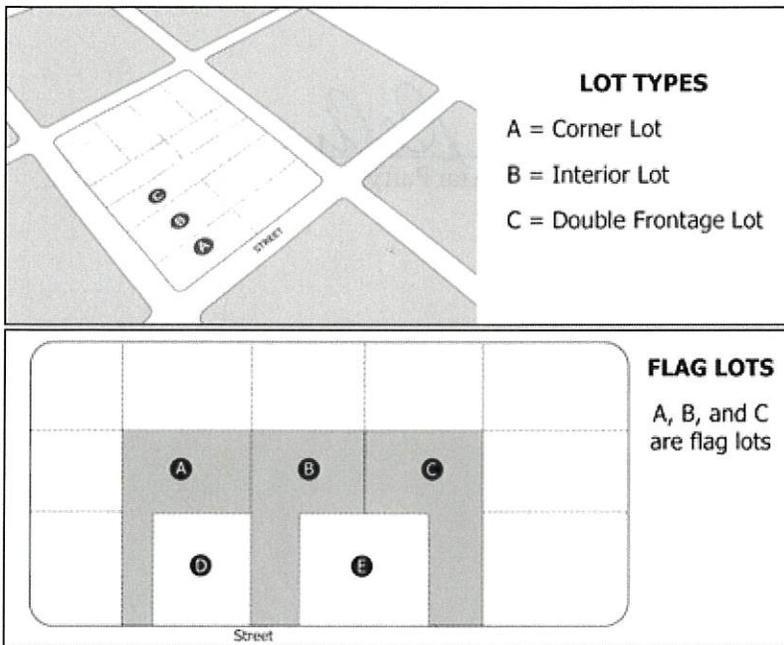
(Amended by Ord. 2004-14 on 9/28/04; Ord. 2009-16, 10/13/09; Ord. 20011-06, 03/08/11; Ord. 2011-12, 10/25/11; Ord. 2014-11, 6/24/14; Ord. 2015-02, 02/10/15; Ord. 2015-07, 05/26/15)

SECTION 2: AMENDMENT "4.03.010 Definitions" of the Alpine City Development Code is hereby *amended* as follows:

AMENDMENT

4.03.010 Definitions

For Definitions refer to Alpine Development Code 3.01.110



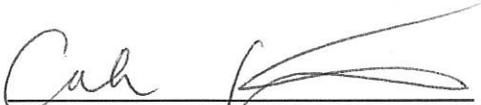
PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

March 12, 2024.

| | AYE | NAY | ABSENT | ABSTAIN |
|-------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Chrissy Hannemann | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jason Thelin | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jessica Smuin | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Brent Rummeler | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Kelli Law | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Presiding Officer

Attest



Carla Merrill, Mayor, Alpine City



DeAnn Parry, City Recorder, Alpine
City