

**ALPINE CITY
ORDINANCE 2025-10**

**AN ORDINANCE AMENDING SECTION 3.02.050, 3.03.050, 3.04.050, 3.05.050, AND 3.06.04 OF THE
ALPINE DEVELOPMENT CODE**

WHEREAS, the Planning Commission held a duly noticed public hearing on July 1st, 2025, and reviewed the proposed amendment, and made a recommendation to the City Council; and

WHEREAS, the City Council reviewed the proposed amendments and determined that the proposed amendments to Sections 3.02.050, 3.03.050, 3.04.050, 3.05.050, and 3.06.040 of the Alpine Development Code are in the best interest of the public health, safety, and welfare; and

WHEREAS, the amendments to this chapter regulations have been carefully crafted to balance the needs of various stakeholders.

WHEREAS, the City Council finds that the proposed amendments are consistent with the City's General Plan

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

SECTION 1: AMENDMENT "3.02.050 Setback Requirements (See Appendix For Drawing)" of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.02.050 Setback Requirements (See Appendix For Drawing)

1. Dwellings and Other Main Buildings

- a. Front Yard. The minimum front yard for all main dwelling structures shall be thirty (30) feet (measured from the front property line).
- b. Side Yard Interior Lots. All dwellings shall be situated on the lot to allow for a side yard on each side of the main building the aggregate widths of which shall be at least twenty-two (22) feet. Neither side yard shall be less than ten (10) feet wide.
- c. Side Yard Corner Lots. On corner lots, the front and side yard requirements shall be the same as above, except that the side set back from the street for all buildings shall not be less than thirty (30) feet.
- d. Rear Yard Interior Lots. All main dwelling structures shall be set back from the rear property line a distance not less than twenty (20) feet.
- e. Rear Yard Corner Lots. All main dwelling structures shall be set back from the rear property line a distance of twenty (20) feet.

- 2. Customary Residential Accessory Structures.** All Customary Residential Accessory Structures (henceforth referred to as Accessory Structures) shall be located in accordance with the setbacks and regulations outlined below. Accessory Structures that also meet the classification of Accessory Building shall require a building permit. Swimming pools have separate location requirements (see item b).

(Amended by Ord. No. 2006-14, 9/12/06; Ord. No. 2010-03, 8/24/10)

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.

- 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 no less than ten (10) feet from the rear lot line and five (5) 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 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) 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.

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.

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. 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. 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, adjacent to the single separate facility, to the highest point of the structure and shall not exceed ten (10) feet.

- b. **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.

(Ord. 2015-02, 02/10/15)

SECTION 2:**AMENDMENT** “3.03.050 Setback Requirements (See Appendix For Drawing)” of the Alpine City Development Code is hereby *amended* as follows:

AMENDMENT

3.03.050 Setback Requirements (See Appendix For Drawing)

1. **Dwellings and other Main Buildings.** All dwellings and other main buildings shall be setback from the lot boundary lines as follows:
 - a. Front Yard. The minimum front yard for all main dwelling structures shall be thirty (30) feet (measured from the front property line).

- b. Side Yard - Interior Lots. For single-unit detached dwellings, main buildings shall be situated on the lot to allow for a side yard on each side of the main building the aggregate width of which shall be at least thirty (30) feet. Neither side yard shall be less than twelve (12) feet.
 - c. Side Yard - Corner Lots. On corner lots, the front, rear and side yard requirements shall be the same as above, except that the set back on any side that faces onto a public street shall be not less than thirty (30) feet.
 - d. Rear Yard - Interior Lots. All main dwelling structures shall be set back from the rear property line a distance of not less than thirty (30) feet.
 - e. Rear Yard - Corner Lots. Rear yard set back for dwellings on corner lots shall be the same as that required for interior lots.
2. **Customary Residential Accessory Structures.** All Customary Residential Accessory Structures (henceforth referred to as Accessory Structures) shall be located in accordance with the setbacks and regulations outlined below. Accessory Structures that also meet the classification of Accessory Building shall require a building permit. Swimming pools have separate location requirements (see item b).
(Amended by Ord. No. 2006-14, 9/12/06; Ord. No. 2010-03, 8/24/10)
- 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.
 - 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 that abuts a street except that a two (2) foot minimum side yard 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 building 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 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) 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.
- 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. 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. 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. Front Setback: Swimming pools and related facilities shall be set back not less than forty (40) feet from the front property line.
 - v. The height of any pool-related facility shall be measured from the average natural grade, 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.

- d. **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.

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

SECTION 3: AMENDMENT “3.04.050 Setback Requirements (See Appendix For Drawing)” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.04.050 Setback Requirements (See Appendix For Drawing)

1. **Dwellings and other Main Buildings** (Ord. 97-02, 2/25/97). All dwellings and other main buildings shall be setback from the lot boundary lines as follows:
 - a. **Front Yard.** The minimum front yard for all main dwelling structures shall be thirty (30) feet (measured from the front property line).
 - b. **Side Yard - Interior Lots.** For single-unit detached dwellings, main buildings shall be

situated on the lot to allow for a side yard on each side of the main building the aggregate width of which shall be at least thirty (30) feet. Neither side yard shall be less than twelve (12) feet.

- c. Side Yard - Corner Lots. On corner lots, the front, rear and side yard requirements shall be the same as above, except that the set back on any side that faces onto a public street shall be not less than thirty (30) feet.
- d. Rear Yard - Interior Lots. All main dwelling structures shall be set back from the rear property line a distance of not less than thirty (30) feet.
- e. Rear Yard - Corner Lots. Rear yard set back for dwellings on corner lots shall be the same as that required for interior lots.

2. **Customary Residential Accessory Structures.** All Customary Residential Accessory Structures (henceforth referred to as Accessory Structures) shall be located in accordance with the setbacks and regulations outlined below. Accessory Structures that also meet the classification of Accessory Building shall require a building permit. Swimming pools have separate location requirements (see item b). (Amended by Ord. 2006-14, 9/12/06; Ord. No. 2010-03, 8/24/10)

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.
- 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.
- 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. 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. 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. 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, 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.

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

SECTION 4:**AMENDMENT** “3.05.050 Setback Requirements (See Appendix For Drawing)” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.05.050 Setback Requirements (See Appendix For Drawing)

Same as required within the CR-40,000 Country Residential Zone or as set forth on the final plat of the Planned Residential development, as applicable.

1. **Dwellings and other Main Buildings** (Ord. 97-02, 2/25/97). All dwellings and other main buildings shall be setback from the lot boundary lines as follows:
 - a. Front Yard. The minimum front yard for all main dwelling structures shall be thirty (30) feet (measured from the front property line).
 - b. Side Yard - Interior Lots. For single-unit detached dwellings, main buildings shall be situated on the lot to allow for a side yard on each side of the main building the aggregate width of which shall be at least thirty (30) feet. Neither side yard shall be less than twelve (12) feet.
 - c. Side Yard - Corner Lots. On corner lots, the front, rear and side yard requirements shall be the same as above, except that the set back on any side that faces onto a public street shall be not less than thirty (30) feet.
 - d. Rear Yard - Interior Lots. All main dwelling structures shall be set back from the rear property line a distance of not less than thirty (30) feet.
 - e. Rear Yard - Corner Lots. Rear yard set back for dwellings on corner lots shall be the same as that required for interior lots.
2. **Customary Residential Accessory Structures.** All Customary Residential Accessory Structures (henceforth referred to as Accessory Structures) shall be located in accordance with the setbacks and regulations outlined below. Accessory Structures that also meet the classification of Accessory Building shall require a building permit. Swimming pools have separate location requirements (see item b). (Amended by Ord. 2006-14, 9/12/06; Ord. No. 2010-03, 8/24/10)
 - 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.
 - 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 not be set back 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) 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.
- 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. 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. 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. 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, 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.

(Ord. 95-28, 11/28/95)

SECTION 5: AMENDMENT “3.06.040 Setback Requirements (See Appendix For Drawing)” of the Alpine City Development Code is hereby *amended* as follows:

AMENDMENT

3.06.040 Setback Requirements (See Appendix For Drawing)

1. **Dwellings and other Main Buildings** (Ord. 97-02, 2/25/97). All dwellings and other main buildings shall be setback from the lot boundary lines as follows:
 - a. Front Yard. The minimum front yard for all main dwelling structures shall be thirty (30) feet (measured from the front property line).
 - b. Side Yard - Interior Lots. For single-unit detached dwellings, main buildings shall be situated on the lot to allow for a side yard on each side of the main building the aggregate width of which shall be at least thirty (30) feet. Neither side yard shall be less than twelve (12) feet.
 - c. Side Yard - Corner Lots. On corner lots, the front, rear and side yard requirements shall be the same as above, except that the set back on any side that faces onto a public street shall be not less than thirty (30) feet.
 - d. Rear Yard - Interior Lots. All main dwelling structures shall be set back from the rear property line a distance of not less than thirty (30) feet.
 - e. Rear Yard - Corner Lots. Rear yard set back for dwellings on corner lots shall be the same as that required for interior lots.
2. **Customary Residential Accessory Structures.** (Amended by Ord. 2006-14, 9/12/06; Ord. No. 2010-03, 8/24/10). All Customary Residential Accessory Structures (henceforth referred to as Accessory Structures) shall be located in accordance with the setbacks and regulations outlined below. Accessory Structures that also meet the classification of Accessory Building shall require a building permit. Swimming pools have separate location requirements (see item b).
 - 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.
 - 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 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.

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. Side Setback – Corner Lot (Street Abutting):
Swimming pools and related pool facilities shall be set back not less than ten (10) feet from the side lot line that abuts a street.
- iii. 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. Front Setback: Swimming pools and related facilities shall be set back not less than forty (40) feet from the front property line.
- v. height of any pool-related facility shall be measured from the average natural grade, 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.

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

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

August 26, 2025.

	AYE	NAY	ABSENT	ABSTAIN
Chrissy Hannemann	✓	_____	_____	_____
Jason Thelin	✓	_____	_____	_____
Jessica Smuin	✓	_____	_____	_____
Brent Rummler	✓	_____	_____	_____
Kelli Law	✓	_____	_____	_____



Presiding Officer

Attest

Carla Merrill
Carla Merrill, Mayor, Alpine City

DeAnn Parry
DeAnn Parry, City Recorder, Alpine City