

**ALPINE CITY  
ORDINANCE 2023-27**

**AN ORDINANCE AMENDING CHAPTERS 3.02.020-.030 3.03.020-.030 3.04.020-.030  
3.05.020-.030 3.06.020 OF THE ALPINE DEVELOPMENT CODE PERTAINING TO  
ACCESSORY DWELLING UNITS AND THEIR DESIGNATED USES.**

**WHEREAS**, the Alpine City Planning Commission has reviewed proposed amendments to Sections 3.02.020-.030 3.03.020-.030 3.04.020-.030 3.05.020-.030 3.06.020 of the Alpine Development Code and held a public hearing on November 7th, 2023, pertaining to the proposed amendments;

**WHEREAS**, on November 7th, 2023, the Planning Commission made a favorable recommendation of the proposed amendments to Sections 3.02.020-.030 3.03.020-.030 3.04.020-.030 3.05.020-.030 3.06.020 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 Sections 3.02.020-.030 3.03.020-.030 3.04.020-.030 3.05.020-.030 3.06.020 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** “3.02 Town Residential Zone (TR - 10,000)” of the Alpine City Development Code is hereby *amended* as follows:

**AMENDMENT**

3.02 Town Residential Zone (TR - 10,000)

**SECTION 2:**        **AMENDMENT** “3.02.020 Permitted Uses” of the Alpine City Development Code is hereby *amended* as follows:

**AMENDMENT**

3.02.020 Permitted Uses

The following uses of land shall be permitted upon compliance with the applicable standards and conditions set forth in this ordinance.

1. Single-unit detached dwellings when located on a lot in a recorded subdivision and subject to compliance with the applicable conditions within the zone.
2. Customary residential accessory structures which are an integral part of and incidental to an approved dwelling.
3. Customary household pets.
4. Public park and recreational open spaces and appurtenant structures;
5. Agriculture, including the raising of row crops, grains and fruits.
6. The keeping and raising of animals and fowl, subject to the provisions of DCA 3.21.090 of Supplementary Regulations.
7. Accessory Dwelling Unit subject to the applicable provisions of DCA 3.14.

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

**SECTION 3:            AMENDMENT** “3.02.030 Conditional Uses” of the Alpine City Development Code is hereby *amended* as follows:

#### AMENDMENT

##### 3.02.030 Conditional Uses

The following buildings, structures and uses of land may be allowed upon compliance with the standards and conditions set forth in this ordinance and after approval has been given by the designated review body.

1. 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.
2. Cemeteries;
3. Child care nurseries and group day-care centers;
4. Civic buildings;
5. Subdivision projects, subject to compliance with the applicable requirements of the subdivision ordinance.
6. Water, sewer and utility transmission lines and facilities required as an incidental part of development within the zone, and subject to the approval of a site plan by the Planning Commission.
7. Motor vehicle roads and rights-of-way subject to compliance with City standards for design and construction for such uses, and upon approval of site plan by the Planning Commission.
8. Home occupations, subject to the provisions of DCA 3.23.070 Part 3.
9. Schools, churches, hospitals (human care) and similar quasi public buildings subject to

- the approval of site plan by the Planning Commission.
10. Incidental Produce Stands, subject to the provisions of DCA 3.23.070 Part 4. (Ord. 96-05, 4/10/96)
  11. Shooting Galleries, subject to the applicable provisions of MCA 9.17 .

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

**SECTION 4:** AMENDMENT “3.03.020 Permitted Uses” of the Alpine City Development Code is hereby *amended* as follows:

#### AMENDMENT

##### 3.03.020 Permitted Uses

The following uses of land shall be permitted upon compliance with the applicable standards and conditions set forth in this ordinance.

1. Single-unit detached dwellings when located on a lot in a recorded subdivision and subject to compliance with the applicable conditions within the zone.
2. Agriculture, including the raising of row crops, grains and fruits.
3. The keeping and raising of animals and fowl, subject to the provisions of DCA 3.21.090.
4. Buildings and other structures for the storage and keeping of agricultural products and machinery.
5. Public park and recreation developments and appurtenant structures.
6. Customary residential accessory structures which are an integral part of and incidental to an approved dwelling.
7. Customary household pets.
8. Accessory Dwelling Unit subject to the applicable provisions of DCA 3.14.

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

**SECTION 5:** AMENDMENT “3.03.030 Conditional Uses” of the Alpine City Development Code is hereby *amended* as follows:

#### AMENDMENT

##### 3.03.030 Conditional Uses

The following buildings, structures and uses of land may be allowed upon compliance with the standards and conditions set forth in this ordinance and after approval has been given by the designated review body. Additionally, no development will be allowed where any part of the zoning lot is above an elevation of 5350 feet mean sea level except as noted in DCA 3.12.

1. 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.
2. Subdivisions projects, subject to compliance with the applicable requirements of the subdivision ordinance, except that: (a) where any portion of the area included within the subdivision shall lie within the territory designated within the Sensitive Lands Overlay Zone (SLO zone) or (b) as the City may designate, the subdivision shall be developed only under the provisions of DCA 3.09 relating to Planned Residential Developments.
3. Planned Residential Developments (PRD), subject to compliance with the provisions of DCA 3.09.
4. Water, sewer and utility transmission lines and facilities required as an incidental part of development within the zone, and subject to the approval of a site plan by the planning commission.
5. Motor vehicle roads and rights-of-way subject to compliance with City standards for design and construction for such uses and upon approval of a site plan by the Planning Commission.
6. Home Occupations, subject to the provisions of DCA 3.23.070 Part 3.
- 7.
8. Guest Houses, subject to the applicable provisions of DCA 3.23.070 Part 2.
9. Schools, churches, hospitals (human care) and similar quasi-public buildings subject to approval of a site plan by the planning commission.
10. Plant nurseries and tree farms, but not including retail sales of materials on site.
11. Civic Buildings
12. Incidental Produce Stands, subject to the provisions of DCA 3.23.070 Part 4. (Ord. 96-05, 4/10/96)
13. Shooting Galleries, subject to the applicable provisions of MCA 9.17 .

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

**SECTION 6:**            **AMENDMENT** “3.04.020 Permitted Uses” of the Alpine City Development Code is hereby *amended* as follows:

#### A M E N D M E N T

3.04.020 Permitted Uses

The following uses of land shall be permitted upon compliance with the applicable standards and conditions set forth in this ordinance.

1. Single-unit detached dwellings when located on a lot in a recorded subdivision and subject to compliance with the applicable conditions within the zone.
2. Agriculture including the raising of row crops, grains and fruits.
3. The raising, care and keeping of livestock and fowl for family food or recreation subject to the provisions of DCA 3.21.090 of Supplementary Regulations.
4. Public park and recreation developments.
5. Customary residential accessory structures which are an integral part of and incidental to an approved dwelling.
6. Customary household pets.
7. Accessory Dwelling Unit subject to the applicable provisions of DCA 3.14.

(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 7:**        **AMENDMENT** “3.04.030 Conditional Uses” of the Alpine City Development Code is hereby *amended* as follows:

#### AMENDMENT

##### 3.04.030 Conditional Uses

The following buildings, structures and uses of land may be allowed upon compliance with the standards and conditions set forth in this ordinance and after approval has been given by the designated review body. However, no development will be allowed where any part of the zoning lot is above an elevation of 5350 feet mean sea level except as noted in DCA 3.12.

1. 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.
2. Subdivisions projects, subject to compliance with the applicable requirements of the subdivision ordinance, except that:
  - a. where any portion of the area included within the subdivision shall lie within the territory designated within the Sensitive Lands Overlay Zone (SLO zone) or
  - b. as the City may designate, the subdivision shall be developed only under the provisions of DCA 3.09 Code relating to Planned Residential Developments.
3. Planned Residential Developments (PRD), subject to compliance with the provisions of DCA 3.09.
4. Water, sewer and utility transmission lines and facilities required as an incidental part

of development within the zone, and subject to the approval of a site plan by the planning commission.

5. Motor vehicle roads and rights-of-way subject to compliance with City standards for design and construction for such uses and upon approval of a site plan by the planning commission.
6. Home Occupations, subject to the provisions of DCA 3.23.070 Part 3.
7. Guest Houses, subject to the applicable provisions of DCA 3.23.060 Part 2.
8. Schools, Churches, Hospitals (Human Care) and similar quasi public buildings..
9. Incidental Produce Stands, subject to the provisions of DCA 3.23.060 Part 4. (Ord 96-05, 4/10/96)
10. Buildings and other structures for the storage and keeping of agricultural products and machinery.
11. Plant nurseries and tree farms, but not doing retail sale of materials on site.
12. Civic Buildings.
13. Shooting Galleries, subject to the applicable provisions of MCA 9.17

(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 8:**        **AMENDMENT** “3.05.030 Conditional Uses” of the Alpine City Development Code is hereby *amended* as follows:

#### AMENDMENT

##### 3.05.030 Conditional Uses

The following buildings, structures, and uses of land may be allowed upon compliance with the provisions of this ordinance and after approval shall have been given from the designated review agency. However, no development will be allowed where any part of the zoning lot is above an elevation of 5350 feet mean sea level except as noted in DCA 3.12.

1. Single family dwellings (Conventional construction) when proposed for placement on a lot of record existing at the time of the territory is placed into the CE-5 Zone, or a lot within a Planned Residential Development, in either case, subject to compliance with the applicable conditions within the zone and approval of a site plan by the Planning Commission.
2. Planned Residential Developments (PRD), subject to compliance with the provisions of DCA 3.09.
3. Water, sewer and utility transmission lines and facilities required as an incidental part of development within the zone, and subject to the approval of a site plan by the Planning Commission.
4. Motor vehicle roads and rights-of-way subject to compliance with City standards for

design and construction for such uses and upon approval of a site plan by the Planning Commission.

5. Home Occupations, subject to the provisions of DCA 3.23.070 Part 3.
6. Guest Houses, subject to the applicable provisions of DCA 3.23.070 Part 2.
7. Park and recreation enterprises when owned and operated by a public agency.
8. Plant nurseries and tree farms, but not including retail sales of materials on site.
9. Incidental Produce Stands, subject to the provisions of DCA 3.23.070 Part 4. (Ord 96-05, 4/10/96)
10. Shooting Galleries, subject to the applicable provisions of MCA 9.17 .

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

**SECTION 9:** AMENDMENT “3.05.020 Permitted Uses” of the Alpine City Development Code is hereby *amended* as follows:

#### AMENDMENT

##### 3.05.020 Permitted Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the conditions set forth in this Ordinance.

1. The keeping and raising of animals and fowl for family food production or enjoyment, subject to conditions for such use as set forth in DCA 3.21.090 of Supplementary Regulations.
2. Agriculture, including the raising of row crops, grains and fruits.
3. Customary household pets.
4. Accessory Dwelling Unit subject to the applicable provisions of DCA 3.14.

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

**SECTION 10:** AMENDMENT “3.06.020 Conditional Uses” of the Alpine City Development Code is hereby *amended* as follows:

#### AMENDMENT

##### 3.06.020 Conditional Uses

The following buildings, structures, and uses of land may be allowed upon compliance with the provisions of this ordinance and after approval shall have been given from the designated review agency.

1. Single family dwellings (Conventional construction) when proposed for placement on a lot of record existing at the time the territory is placed into the CE-50 Zone, or a lot within a Planned Residential Development, in either case, subject to compliance with the applicable conditions within the zone and approval of a site plan by the Planning Commission.
2. Planned Residential Developments (PRD), subject to compliance with the provisions of DCA 3.09.
3. Water, sewer and utility transmission lines and facilities required as an incidental part of development within the zone, and subject to the approval of a site plan by the Planning Commission.
4. Motor vehicle roads and rights-of-way subject to compliance with City standards for design and construction for such uses and upon approval of a site plan by the Planning Commission.
5. Home Occupations, subject to the provisions of DCA 3.23.070 Part 3.
6. Accessory Dwelling Unit subject to the applicable provisions of DCA 3.14.
7. Public and private park and recreation enterprises when approved by City Council.
8. Agricultural uses and animal rights as set forth in DCA 3.21.090 of the Supplementary Regulations .
9. Customary household pets.
10. Shooting Galleries, subject to the applicable provisions of MCA 9.17.

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

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

11/14/2023

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
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>
Lon Lott	<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

  
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Bonnie Cooper, City Recorder, Alpine City

