

**ALPINE CITY
ORDINANCE 2024.01**

**AN ORDINANCE AMENDING SECTIONS 3.02.080, 3.03.070, 3.04.070, 3.05.070,
3.06.060, 3.07.070, 3.12.070, AND 4.07.160 OF THE ALPINE CITY DEVELOPMENT
CODE REGARDING SEWERS**

WHEREAS, the Alpine City Council recognizes the need for updates to the existing regulations governing sewers in 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 3.02.080, 3.03.070, 3.04.070, 3.05.070, 3.06.060, 3.07.070, 3.12.070, AND 4.07.160 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** “3.02.080 Utility Requirements” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.02.080 Utility Requirements

1. **Culinary Water.** All dwellings and other structures to be used for human occupancy shall be served by the City’s water system. The system serving the dwelling shall be capable of providing water to the dwelling of a volume sufficient for both culinary and fire fighting purposes and at a pressure of not less than 40 p.s.i. as determined by the City Engineer.
2. **Domestic Sewage Disposal.** All dwellings and other structures that generate sewage shall be connected to and served by the city sewer system, unless a different system is allowed by the city council under Section 14.04.010 of the Municipal Code of Alpine City (“MCA”), as amended.

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

SECTION 2: **AMENDMENT** “3.03.070 Utility Requirements” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.03.070 Utility Requirements

1. **Culinary Water.** All dwellings and other structures to be used for human occupancy shall be served by the City's water system. The system serving the dwelling shall be capable of providing water to the dwelling at a volume sufficient for both culinary and fire fighting purposes and at a pressure of not less than forty (40) psi as determined by the City Engineer.
2. **Domestic Sewage Disposal.** All dwellings and other structures that generate sewage shall be connected to and served by the city sewer system, unless a different system is allowed by the city council under Section 14.04.010 of the Municipal Code of Alpine City ("MCA"), as amended.

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

SECTION 3: **AMENDMENT** "3.04.070 Utility Requirements" of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.04.070 Utility Requirements

1. **Culinary Water.** All dwellings and other structures to be used for human occupancy shall be served by the City's water system. The system serving the dwelling shall be capable of providing water to the dwelling at a volume sufficient for both culinary and fire fighting purposes and at a pressure of not less than forty (40) psi as determined by the City Engineer.
2. **Domestic Sewage Disposal.** All dwellings and other structures that generate sewage shall be connected to and served by the city sewer system, unless a different system is allowed by the city council under Section 14.04.010 of the Municipal Code of Alpine City ("MCA"), as amended.

(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** "3.05.070 Utility Requirements" of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.05.070 Utility Requirements

1. **Culinary Water.** All dwellings and other structures to be used for human occupancy shall be served by the City's water system. The system serving the dwelling shall be capable of providing water to the dwelling at a volume sufficient for both culinary and fire fighting purposes and at a pressure of not less than forty (40) psi as determined by the City Engineer.
2. **Domestic Sewage Disposal.** All dwellings and other structures that generate sewage shall be connected to and served by the city sewer system, unless a different system is allowed by the city council under Section 14.04.010 of the Municipal Code of Alpine City ("MCA"), as amended.

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

SECTION 5: AMENDMENT "3.06.060 Utility Requirements" of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.06.060 Utility Requirements

1. **Culinary Water.** All dwellings and other structures to be used for human occupancy shall be served by the City's water system. The system serving the dwelling shall be capable of providing water to the dwelling at a volume sufficient for both culinary and fire fighting purposes and at a pressure of not less than forty (40) psi as determined by the City Engineer.
2. **Domestic Sewage Disposal.** All dwellings and other structures that generate sewage shall be connected to and served by the city sewer system, unless a different system is allowed by the city council under Section 14.04.010 of the Municipal Code of Alpine City ("MCA"), as amended.

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

SECTION 6: AMENDMENT "3.07.070 Utility Requirements" of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.07.070 Utility Requirements

1. **Culinary Water.** All dwellings and other structures to be used for human occupancy shall be served by the City's water system. The system serving the dwelling shall be

capable of providing water to the dwelling at a volume sufficient for both culinary and fire fighting purposes and at a pressure of not less than forty (40) psi as determined by the City Engineer.

2. **Domestic Sewage Disposal.** All dwellings and other structures that generate sewage shall be connected to and served by the city sewer system, unless a different system is allowed by the city council under Section 14.04.010 of the Municipal Code of Alpine City (“MCA”), as amended.

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

SECTION 7: AMENDMENT “3.12.090 Hillside Protection Overlay” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.12.090 Hillside Protection Overlay

1. **INTENT AND PURPOSE.** The purpose of the Hillside Protection Overlay Zone is to promote health, safety and the general public welfare of the residents of the City, by establishing standards for development of certain hillsides located in the City to minimize soil and slope instability, erosion, and to preserve the character of the hillsides.

The Hillside Protection Overlay shall comply with DCA 4.05.040 Parts 4-9, limits to development of the Land Use Element of the Alpine City General Plan as adopted by the Alpine City Council on July 28, 1997 as follows:

Development will not be permitted where any part of the zoning lot is above an elevation of 5350 feet Mean Sea Level except it is demonstrated that such development or structure complies with the following conditions in addition to all other conditions defined in the underlying zone, and additions or conditions as recommended by the Planning Commission and approved by the City Council.

2. **PROVISIONS.** The provisions herein are designed to accomplish the following:
 - a. Encourage the location, design and development of building sites to provide maximum safety, and human enjoyment while adapting the development to the natural terrain;
 - b. Provide for safe circulation of vehicular and pedestrian traffic to public and private areas minimizing the scarring and erosion effects of cutting, filling and grading related to hillside construction;
 - c. Prohibit activities and uses, which would result in degradation of fragile soils

and steep slopes.

- d. Encourage preservation of open space to preserve the natural terrain.
- e. Minimize flooding by protecting streams, drainage channels, absorption areas and flood plains from substantial alteration of the natural functions.

3. **OVERLAY ZONE - SCOPE - CONFLICT RESOLUTION.** The Hillside Protection Zone shall be an overlay zone of the zone classifications set out in the Alpine Zoning Ordinance. Any permitted use in a district overlaid by the Hillside Protection Zone is a conditional use. Conditional uses authorized in districts overlaid by the Hillside Protection Zone remain conditional uses. In case of conflict between the provisions of the existing zoning classification, building code, subdivision ordinance and/or other City ordinance and the Hillside Protection Overlay Zone, the most restrictive provision shall apply. Nothing contained herein shall be construed to expand a use, make less restrictive a use, or allow a use which is not otherwise permitted in the zoning district overlaid by the Hillside Protection Zone.

4. **SPECIFIC REQUIREMENTS**

- a. **Viewscape Protection.** Structure will not exceed 25' in height from lowest elevation of finished or natural grade, whichever is most restrictive, to the top of the structure nor will it be placed on any ridge line or protrude against the skyline when viewed from any major roadway in Alpine classified as collector or greater in intensity. Hillside developments will be designed to minimize visual impact and will make maximum use of hollows and draws. (See attachment A to this section for acceptable examples.) A landscaping plan designed to minimize the visual impact of any hillside structure or development shall be provided. All buildings constructed will make maximum use of neutral colors and non-reflective glass for structures. An exterior materials plan will be provided designating types of exterior materials and colors. (See attachment A for examples.)
- b. **Outdoor Lighting Regulations.** Outdoor lighting must be so organized and constructed so as to minimize the view of such lights more than 300' away.

All street and all outdoor lighting plans must be reviewed and a recommendation given by the Planning Commission and approved by the City Council.

- c. **City Services**
 - i. **Culinary water** - Development above 5350 ft. will provide all additional infrastructure required to provide adequate water and pressure. This includes piping, valves, pumps and storage tanks of appropriate size as determined by the City Engineer. The development shall provide both on-site and off-site improvements. The development shall also pay the cost of pumping water to the development.
 - ii. **Waste disposal** -Notwithstanding any provision of MCA 14.04.010 to

the contrary, development will provide infrastructure to connect any structure that will generate sewage to the city sewer system, regardless of the distance from the structure to the existing system. Such infrastructure will be sized in accordance with the Alpine City Standard Specifications and Details Engineer.

- iii. Storm drainage - Development will provide infrastructure to connect to the Alpine City drainage complex or provide other drainage satisfactory to the City Engineer and the Planning Commission.
- d. Safety. All habitable structures above 5350 feet shall meet the requirements of the Wildland Urban Interface, Flooding, and Geologic Hazard overlays contained in this, Hazard Ordinance chapter. In addition the following requirements for Recharge and Groundwater Areas and Erosion shall be met.
 - i. Recharge Areas and Groundwater: The developer shall demonstrate that the proposed development will not have an adverse effect on groundwater recharge areas and local groundwater conditions.
 - ii. Erosion: No structure shall be located so as to cause an increase in erosion.
- e. Design Standards
 - i. Development shall not be allowed within fifty (50) feet of slopes in excess of forty (40) percent, areas subject to landsliding, or other high-hazard geologic areas as determined by a soils report and/or geology report produced pursuant to the requirements of item H-5 documentation.
 - ii. Grading of the lot or parcel which is related to creation of the primary building site or construction of the structure shall not extend closer than twenty (20) feet from the lot or parcel boundary lines, nor more than (30) feet horizontally, in front, to the rear or to the side of the proposed structure unless a lesser distance is approved by the City Council upon recommendation of Planning Commission upon a showing by the developer that a lesser distance will not be contrary to the purposes of this section.
 - iii. Building sites for accessory buildings or structures such as tennis courts, swimming pools, outbuildings etc. shall be approved by the City Council upon recommendation of the Planning Commission and follow the requirement of this Section H.
- f. Documentation
 - i. Plans and reports required. The following reports and plans are to be provided by the applicant. The Planning Commission may waive any reports and plans it determines are not necessary to determine whether the development meets the requirements of this section.
 - ii. Soils report. The soils report shall be prepared by a qualified soils engineer, and must contain at least the following information:

- (1) Slope analysis;
- (2) An estimate of the normal highest elevation to the seasonal high-water table;
- (3) The location and size of swamps, springs and seeps, which shall be shown on the site plan, and the reasons for the occurrences of these underground water sources. An analysis of the vegetative cover or other surface information may be used by show the presence of underground water;
- (4) A unified soil classification for the major horizons or layers of soil profile, or of the zone of the footing foundation;
- (5) Appropriate accepted soils engineering tests to determine bearing capacity, settlement potential, and shrink/swell potential of the site soils;
- (6) Potential frost action, based on the depth to the water and the Unified Soil Classification;
- (7) An analysis of the soil suitabilities, constraints and proposed methods of mitigating such constraints in implementing the proposed development;
- (8) An analysis of the propensity of the area to have hazards that may or may not be included in the geologic hazard maps such as landslides, rock fall, surface fault rupture, or debris flow;
- (9) A written statement by the person or firm preparing the soils report, identifying the means proposed to minimize hazard to life, property, adverse effects on the safety, use or stability of a public right-of-way or drainage channel, and adverse impact on the natural environment. This statement shall be reviewed by the Planning Commission and approved by the City Engineer.

g. Geologic Report. A geologic report shall be prepared by a licensed and qualified engineering geologist and contain:

- i. Conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and recommendations covering the adequacy of sites to be developed;
- ii. A written statement by the person or firm preparing the geologic report identifying the means proposed to minimize hazard to life or property, adverse effects on safety, use or stability of a public right-of-way or drainage channel, and adverse impact on the natural environment.

This statement shall be reviewed by the Planning Commission and approved by the City Engineer.

h. Grading and Drainage Plan. A grading and drainage plan shall be prepared by

- ix. A plan for the prevention and control of erosion during the course of construction approved by the City Engineer.
- i. Fire Protection Report. A fire protection report including but not limited to identification of potential fire hazards, mitigation measures approved by the Alpine/Highland Public Safety District Fire Chief, access for fire protection equipment, and existing and proposed fire flow capacity. The fire protection report shall address, as appropriate, the State Forester's Wildlife Hazards and Residential Development Identification Classification and Regulation Report. This report must be accepted and approved by the Alpine/Highland Public Safety District Fire Chief and the City Engineer.
- j. Vegetation Plan. The vegetation plan and report shall be prepared by a person or firm qualified by training and experience to have expert knowledge of the subject and shall include at least the following:
 - i. A survey of existing trees, large shrubs, and ground covers
 - ii. A plan of the proposed revegetation of the site, detailing existing vegetation to be preserved, new vegetation to be planted, and any modifications to existing vegetation
 - iii. A plan for the preservation of existing vegetation during construction activity
 - iv. A vegetation maintenance program, including initial and continuing maintenance necessary
 - v. A written statement by the person or firm preparing the vegetation plan and report, identifying any vegetation problems, and further stating an opinion as to the ability of the proposed plan to mitigate or eliminate such problems as to prevent hazard to life or property; adverse effects on the safety, use and stability of a public way or drainage channel; and adverse impact on the natural environment.

This statement must be accepted and approved by the City engineer.
- k. Other Report and Plans. Other reports and plans as deemed necessary by the Planning Commission. The Planning Commission may require second source verification.

(Original Ordinance No. 98-10. Incorporated into the Sensitive Land Ordinance by Ordinance No. 2005-03, 1/25/05)

SECTION 8: **AMENDMENT** “4.07.160 Sanitary Sewage Disposal; General Requirements” of the Alpine City Development Code is hereby *amended* as follows:

AMENDMENT

4.07.160 Sanitary Sewage Disposal; General Requirements

Sanitary Sewerage System Required. The subdivider shall provide, or have provided, a piped sanitary sewer system to the property line of every lot in the subdivision. The sewer system shall meet the minimum standards and requirements of the Local Health Officer, the State Division of Environmental Health, Alpine City Standard Specifications and Details, and this Ordinance. All sewer lines shall be located in the street and on the south or west sides of the street, unless approved otherwise by the City Engineer. In the event that a sewer line is constructed outside the street, a twenty (20) foot wide easement for the sewer line shall be provided and shown on the plat. Construction of an access road within the twenty (20) foot easement is required. Access roads must be a minimum width of twelve (12) feet and be constructed of an all-weather surface capable of bearing 70,000 pounds. Access road grades shall be in accordance with DCA 4.07.090.2 unless approved otherwise by the City Engineer.

(Ord. 98-19 amending Ord. 78-03)
 (Amended by Ord. 2014-12, 7/08/14; Ord. 2016-03, 02/23/16)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

January 9, 2024.

	AYE	NAY	ABSENT	ABSTAIN
Chrissy Hannemann	<u>✓</u>	_____	_____	_____
Jason Thelin	_____	_____	<u>✓</u>	_____
Jessica Smuin	<u>✓</u>	_____	_____	_____
Brent Rummeler	<u>✓</u>	_____	_____	_____
Kelli Law	<u>✓</u>	_____	_____	_____

Presiding Officer

Attest


 Carla Merrill, Mayor, Alpine City


 DeAnn Parry, City Recorder, Alpine City