

**ALPINE CITY
ORDINANCE 2025-18**

**AN ORDINANCE AMENDING SECTIONS 3.02.020, 3.02.030, 3.03.020, 3.03.030,
3.04.020, 3.04.030, 3.05.020, 3.07.020, 3.07.030, 3.08.020 OF THE ALPINE
DEVELOPMENT CODE.**

WHEREAS, the Planning Commission held a duly noticed public hearing on September 16th, 2025, and reviewed the proposed amendment, and made a recommendation to the City Council regarding the permitted and conditional uses of charter schools, microeducation schools, micro education entities, public schools and;

WHEREAS, the City Council reviewed the proposed amendments and determined that the proposed amendments to Sections 3.02.020, 3.02.030, 3.03.020, 3.03.030, 3.04.020, 3.04.030, 3.05.020, 3.07.020, 3.07.030, 3.08.020 of the Alpine Development Code are in the best interest of the public health, safety, and welfare; and

WHEREAS, the City Council finds that the proposed amendments are consistent with the City's General Plan, and policies of the city; and.

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

SECTION 1: **AMENDMENT** "3.02.020 Permitted Uses" of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

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.

8. Charter schools, home-based microschools, and micro-education, as required by Utah State Code §10-9a-305(7)(a), subject to DCA 3.20 and any additional requirements consistent with applicable provisions of State law.

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

SECTION 2: AMENDMENT “3.02.030 Conditional Uses” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

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 3.23.060 Part 2.
9. 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 3: **AMENDMENT** “3.03.020 Permitted Uses” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

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.
9. Charter schools, home-based microschools, and micro-education, as required by Utah State Code §10-9a-305(7)(a), subject to DCA 3.20 and any additional requirements consistent with applicable provisions of State law.

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

SECTION 4: **AMENDMENT** “3.03.030 Conditional Uses” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

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 3.23.060 Part 2.
 7. Guest Houses, subject to the applicable provisions of DCA 3.23.070 Part 1.
 8. Churches, hospitals (human care) and similar quasi-public buildings subject to approval of a site plan by the planning commission.
 9. Plant nurseries and tree farms, but not including retail sales of materials on site.
 10. Civic Buildings
 11. Incidental Produce Stands, subject to the provisions of DCA 3.23.070 Part 4. (Ord. 96-05, 4/10/96)
 12. Shooting Galleries, subject to the applicable provisions of MCA 9.17 .

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

SECTION 5: **AMENDMENT** “3.04.020 Permitted Uses” of the Alpine City Development Code is hereby *amended* as follows:

AMENDMENT

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.
 8. Charter schools, home-based microschools, and micro-education, as required by Utah State Code §10-9a-305(7)(a), subject to DCA 3.20 and any additional requirements consistent with applicable provisions of State law.

(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 6: **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 3.23.060 Part 2.
7. Guest Houses, subject to the applicable provisions of DCA 3.23.060 Part 1.
8. 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 7: **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.
5. Charter schools, home-based microschools, and micro-education, as required by Utah State Code §10-9a-305(7)(a), subject to DCA 3.20 and any additional requirements consistent with applicable provisions of State law.

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

SECTION 8: **AMENDMENT** “3.07.020 Permitted Uses” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.07.020 Permitted Uses

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

1. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building; also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment.
2. Office buildings and medical clinics.
3. Personal service establishments such as barber and beauty shops, shoe repair, laundries and similar establishments.
4. Automotive service establishments, including gasoline dispensing facilities, car washes, and parking.
5. Recreational enterprises including but not limited to recreation centers, motion picture theaters, athletic clubs.
6. Funeral homes.
7. Single-unit detached dwellings when located on a lot in a recorded subdivision and subject to compliance with the applicable conditions within the zone.
8. Residential structures, provided that said structure existed as a residence prior to the effective date of this Chapter. Also, customary residential accessory structures (i.e. swimming pools, detached garages, private greenhouses etc.) when appurtenant to and on the same lot as a residence.
9. Residential structures located within or on the same premises as a permitted or conditional commercial use. Both residential and commercial buildings will be considered main buildings and will be required to meet the main building setbacks when on the same premises.
10. Accessory uses and structures shall be permitted provided they are incidental to and do not substantially alter the character of the permitted principle use or structure. Such permitted accessory uses and structures include, but are not limited to, buildings such as garages, carports, equipment and supply storage buildings which are customarily used in conjunction with and incidental to a principle use or structure permitted in the B-C Zone.
11. Agriculture, including the raising of row crops, grains and fruits and the incidental pasturage of animals. See DCA 3.21.090.
12. Other uses which are determined by the Planning Commission to be similar to and compatible with the foregoing uses and in harmony with the intent of the zone.

13. 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.
14. 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.
15. Customary household pets.
16. The keeping and raising of animals and fowl, subject to the provisions of DCA 3.21.090.
17. Charter schools, home-based microschools, and micro-education, as required by Utah State Code §10-9a-305(7)(a), subject to DCA 3.20 and any additional requirements consistent with applicable provisions of State law.

(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 9: AMENDMENT “3.07.030 Conditional Uses” of the Alpine City Development Code is hereby *amended* as follows:

AMENDMENT

3.07.030 Conditional Uses

The following buildings, structures and uses of land shall be allowed upon compliance with the requirements set forth in this Ordinance and after approval has been given by the designated reviewing agencies (Approval of other agencies or levels of government may be required.):

1. Planned Commercial Developments Projects which are designed, approved, constructed and maintained in accordance with the provisions of DCA 3.10.
2. Commercial Condominium Projects subject to the applicable provisions of law relating thereto.
3. Churches, hospitals (human care), nursing homes and other similar quasi-public buildings subject to the provisions of DCA 3.20.
4. Civic Buildings. (Ord. 95-10, 4/25/9)
5. Restaurants, provided that any such facility providing drive-up window service shall also include an area for inside service to patrons in an amount not less than fifty (50%) of the total floor area of the structure. In addition, the following shall apply to restaurants. (Ord. 97-05, 5/27/97)
 - a. A traffic analysis shall be provided as part of the conditional use application.
 - b. The drive-up window and driveway shall be unobtrusive and be screened

- from the street by berming and landscaping.
 - c. Odors and noise shall be controlled as to not have an adverse impact on any nearby residential structures.
 - d. Restaurants must comply with provisions of the sign ordinance.
 - e. Restaurants must comply with the landscaping and design provisions in the B-C zone.
 - f. Any drive-through window must be located on the side of the restaurant building which does not abut a public street and must be screened from the street side with berming and landscaping.
 - g. Any drive-through window must have a stacking lane which will accommodate at least six cars off of the public street.
6. 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.
 7. Seasonal sales such as produce or Christmas trees provided a business license is obtained from Alpine City.
 8. Sexually-oriented businesses are a conditional use in the Business Commercial (BC) zone and are subject to the provisions of this chapter, including (Ord. 2010-07, 5/11/10):
 - a. No sexually-oriented business shall be located within:
 - i. One thousand (1,000) feet of a school, day care facility, public park, library, and religious institution;
 - ii. Four hundred (400) feet of any residential use (no matter which zoning district) or residential zoning boundary;
 - iii. One thousand (1,000) feet of a liquor store; and
 - iv. One thousand (1,000) feet of any other sexually-oriented business.

For the purposes of this section, distance shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which the sexually-oriented business is located, and:

- (1) The closest property line of any school, day care facility, public park, library, and religious institution;
 - (2) The nearest property line of any residential use or residential zone;
 - (3) The nearest property line of any liquor store; and
 - (4) The closest exterior wall of another sexually-oriented business.
9. Home occupations, subject to the provisions of DCA 3.23.070 Part 3.
 10. Accessory apartments, subject to the provisions of DCA 3.14.
 11. Mechanical Automotive Repair Shops
 - a. Odors and noise shall be controlled as to not have an unreasonable adverse impact on nearby structures and/or property.

- b. There shall be no more than 5 automobile bays.
 - c. No automobiles shall be stored on the property for more than 14 days.
 - d. Mechanical automotive repair shops shall comply with the regulations of the applicable entities including but not limited to the State of Utah, Timpanogos Service District, Lone Peak Fire Marshal, and Environmental Protection Agency.
 - e. Mechanical automotive repair shops must abut directly upon and have access to Main Street (south of southern property line of the property located at 30 South Main Street) or Canyon Crest Road within the Business Commercial zone.
 - f. Mechanical auto repair shops shall comply with the off-street parking requirements excepting there shall be no more than six (6) parking spaces provided per bay. An additional 10 parking spaces may be allowed exclusively for employee use. No off-street parking spaces shall be located within fifteen (15) feet of the property line closest to Main Street.
 - g. Mechanical automotive repair shops shall conform to the provisions of the Gateway/Historic Zone (DCA 3.11).
12. Dog Kennels/Boarding Facilities
- a. Odors and noise shall be controlled as to not have an unreasonable adverse impact on nearby structures and/or property.
 - b. Dogs shall be kept primarily indoors, with the exception of short periods of time for the dogs to exercise, relieve themselves, go on walks, etc.
 - c. Shall have no more than twenty (20) individual dog kennel runs, with total dogs not to exceed 1.2 times the number of kennel runs.
 - d. No more than one dog shall share a kennel run without the owner's permission.
 - e. Facility shall be sound proofed, and include an indoor dog run.
 - f. Shall comply with City off-street parking requirements.
 - g. Shall provide daily disposal of all animal feces and wastes.
 - h. Shall conform to the provisions of the Gateway/Historic Zone (DCA 3.11).
 - i. There shall be adequate and effective means of control of insects and rodents at all times, such control shall be carefully monitored.
 - j. Operator shall bear full responsibility for recapturing and controlling any escaped animal.
 - k. Must have an active DVM relationship to immediately treat a sick or injured animal requiring medical attention.
 - l. Facility shall be located not less than one hundred fifty (150) feet from the nearest neighboring dwelling structure.

(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 10: **AMENDMENT** “3.08.020 Permitted Uses” of the Alpine City Development Code is hereby *amended* as follows:

A M E N D M E N T

3.08.020 Permitted Uses

The following uses are permitted in the P-F zone:

1. Public parks, open spaces, trails, or other city-related activities subject to Alpine Development Code 3.16 Open-Space.
2. Cemeteries
3. City-owned buildings and structures.
4. City-owned or city-initiated water detention and/or debris basins.
5. City-owned water well, water storage tank and all related equipment.
6. Conservation areas including, but not limited to, wilderness areas, watershed areas, wildlife refuges, and wetlands.
7. Agriculture, including the raising of row crops, grains, and fruits and the incidental pasturage of animals. See DCA 3.21.090.
8. Charter schools, home-based microschools, and micro-education, as required by Utah State Code §10-9a-305(7)(a), subject to DCA 3.20 and any additional requirements consistent with applicable provisions of State law.

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

September 23, 2025

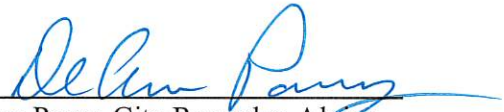
	AYE	NAY	ABSENT	ABSTAIN
Chrissy Hannemann	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Jason Thelin	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
Jessica Smuin	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Brent Rummeler	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Kelli Law	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Carla Merrill, Mayor, Alpine City



DeAnn Parry, City Recorder, Alpine
City

