

**ALPINE CITY
ORDINANCE 2023-06
AN ORDINANCE ADOPTING ARTICLE 3.13 OF THE
ALPINE CITY DEVELOPMENT CODE PERTAINING TO WATER CONSERVATION
STANDARDS.**

WHEREAS, The Planning Commission held a public hearing on February 7th, 2023, regarding proposed adoption of Article 3.13 and amendments to Articles 3.07.0808, 3.09.040, 3.10.050, 3.11.040, 3.16.090, 3.19.070, 3.23.030, 3.27.050, 4.07.100 of the Alpine City Development Code;

and

WHEREAS, on February 7th, 2023, the Planning Commission recommended approval of proposed Article 3.13 and amendments to Articles 3.07.0808, 3.09.040, 3.10.050, 3.11.040, 3.16.090, 3.19.070, 3.23.030, 3.27.050, 4.07.100 of the Alpine City Development Code;

and

WHEREAS, on February 28th, 2023, the Alpine City Council has deemed it in the best interest of Alpine City to adopt Article 3.13 and amendments to Articles 3.07.0808, 3.09.040, 3.10.050, 3.11.040, 3.16.090, 3.19.070, 3.23.030, 3.27.050, 4.07.100 of the Alpine City Development Code;

and

WHEREAS, the Alpine City Planning Commission has reviewed the proposed adoption of Article 3.13 and amendments to Articles 3.07.0808, 3.09.040, 3.10.050, 3.11.040, 3.16.090, 3.19.070, 3.23.030, 3.27.050, 4.07.100 of the Alpine City Development Code, held a public hearing,

and has forwarded a recommendation to the City Council; and

WHEREAS, the Alpine City Council has reviewed the proposed adoption of Article 3.13 and amendments to Articles 3.07.0808, 3.09.040, 3.10.050, 3.11.040, 3.16.090, 3.19.070, 3.23.030, 3.27.050, 4.07.100 of the Alpine City Development Code.

NOW THEREFORE, be it ordained by the Council of the Alpine City, in the State of Utah, as follows: The adoption of Article 3.13 and amendments to Articles 3.07.0808, 3.09.040, 3.10.050, 3.11.040, 3.16.090, 3.19.070, 3.23.030, 3.27.050, 4.07.100 of the Alpine City Development Code will supersede previous sections of the Alpine City Development Code as previously adopted.

SECTION 1: ADOPTION “3.13 Landscaping Standards and Requirements” of the Alpine City Development Code is hereby *adopted* as follows:

3.13

3.13 Landscaping Standards and Requirements

3.13.010 Purpose

The purpose of these Water Efficiency Standards is to conserve the public’s water resources by establishing water conservation standards for outdoor landscaping and indoor plumbing fixtures by promoting the health, safety, and general welfare of the public by enhancing the aesthetic quality of residential and commercial areas while promoting water-efficient landscaping.

3.13.020 Applicability

1. The following standards shall at a minimum be required for all new and rehabilitated developer/contractor installed residential, commercial, institutional, and industrial construction, as applicable.
2. These outdoor standards are not intended to conflict with other landscaping requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may conflict with Utah law, such conflicting requirements shall not apply.

3.13.030 Outdoor Landscaping Standards. All new landscaping for public agency projects, private development projects, developer-installed landscaping in planned residential/commercial development residential projects within the front and side yards shall comply with the landscaping standards below:

3.13.040 Definitions

Front Yard: The area extending the full frontage of the lot, the depth of which extends from the back of curb (or front property line if there is no curb) to the nearest point of the main building or front yard setback if no main building exists.

Lawn: Ground that is covered with grass or turf that is regularly mowed.

Mulch: Any material such as rock, bark, compost, wood chips or other materials left loose and applied to the soil.

Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.

Paths: Designed routes between landscape areas and features.

Side Yard: The area extending the full depth (front to back) of the main building between the main building and side yard property line(s).

Total Landscaped Area: Improved areas of the property that incorporates all the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

3.13.050 Landscaping Requirements

1. Lawn shall not be less than 8 feet wide at its narrowest point.
2. Lawn shall not exceed 35% of the Total Landscaped Area.
 - a. Small residential lots, which have no back yards, which the total landscaped area is less than 250 square feet, and which the front yard dimensions cannot accommodate the minimum 8 feet wide lawn area requirement of the landscaping requirements in this section, are exempt from the 8 feet minimum width lawn area requirement and maximum of 35% lawn requirement
3. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade. For park strips, see Xeriscape standards set forth in section 3.13.070.
4. In commercial, industrial, institutional, and planned residential/commercial development common area landscapes, lawn areas shall not exceed 20% of the total landscaped area, outside of Active Recreation Areas.
5. Landscaping within the sight triangle (see ADC 3.25.050) shall not be taller than three (3) feet.
6. Trees are not allowed in the sight triangle.

3.13.060 Plan Submission. Commercial site plans shall submit a landscaping plan with the following requirements:

1. The location and type of landscaped areas,
2. An area calculation table showing the size and percentage of landscaping and impervious surface areas,
3. A list of existing and proposed landscape materials/plants,

4. The location of walls, fences, and other screening and buffering devices,
5. The location and design of a pressurized irrigation system.
6. Landscape and/or sprinkler plans shall be prepared by a Landscape Architect licensed to practice in the State of Utah.
7. The City may waive this requirement for commercial projects less than one (1) acre in size.

3.13.070 Xeriscape Standards

The following are the minimum standards for xeriscaping any parkstrip or other landscape area located within a public right-of-way:

1. If trees are planted in the parkstrip, they shall be of type Class 1, as identified in the Alpine City Tree Guide, and shall not be spaced closer than appropriate for the species. Class 1 trees are appropriate trees to be planted in parkstrips. Example: The Japanese Lilac tree is listed as a Class 1 tree in the Alpine City Tree Guide. The mature spread of a Japanese Lilac Tree is twenty (20) feet. Japanese Lilac trees should not be spaced closer than twenty (20) feet apart. Likewise, the Eastern Redbud is also listed as a Class 1 tree, showing a mature spread of thirty (30) feet. Eastern Redbud trees should not be spaced closer than thirty (30) feet apart. This applies to park strips only, other areas within a public right-of-way must be reviewed and approved on a case-by-case basis by the City Planner and City Engineer.
2. At least fifty percent (50%) of the required landscape area shall be in live vegetation at maturity.
3. Live vegetation shall be distributed throughout the landscape area, and shall not be clustered or segregated.
4. Mulch is permitted (see definition, 3.13.040). Lawn clippings are not permitted.
5. Decorative rock material shall be a minimum of one (1) inch aggregate, and shall not exceed the height of the sidewalk nor the top back of curb. Such material shall be at least three (3) inches deep and shall be placed completely on top of a weed fabric barrier that allows the permeation of water.
6. Any area of xeriscape shall be improved with a drip irrigation system or similar permanent irrigation system that covers the entire area.
7. Any individual, corporation, or other entity that xeriscapes an area within a public right-of-way shall be responsible for any damage caused by rocks or other materials that migrate onto a sidewalk, street, storm drain, or other public facility, regardless of how such migration occurs.

3.13.080 Tree Guide. Included as part of this ordinance is the Alpine City Tree Guide. Trees planted within city limits shall adhere to the guidelines therein.

3.13.090 Enforcement, Penalties for Violations. The City Planner or his/her designee is authorized to enforce all provisions of this chapter.

By including landscaping plan requirements, many of sections of code need to reference this section, see proposed changes below:

3.07.080 Special Provisions

8. **Landscaping Required.** As a means of mitigating safety hazards or adverse visual impacts all areas of the site not devoted to buildings or off street parking shall be landscaped. The landscaped area shall be not less than twenty (20) percent of the total area of the site. In addition to all other plan elements, a landscaping plan shall be submitted in conformance with DCA 3.13.

3.09.040 Open Space

1. A detailed landscaping plan, conforming to the requirements set forth in DCA 3.13, showing the proposed landscape treatment of all portions of the project proposed to be developed as, useable, common open space, shall be submitted as part of the submittal documents.

3.10.050 Design Requirements

5. **Landscaping.** Not less than twenty (20) percent of the area contained in the site shall be landscaped, part of which shall include a landscaped strip at least ten (10) feet wide around the outside perimeter of the site. All territory located within a SLO Sensitive Lands Overlay Zone shall be included in the open space area. A landscaping plan shall be submitted per DCA 3.13.

3.11.040 Site Plan Process

3. **Planning Commission**
 - a. The applicant shall submit the following to the City Planner at least fourteen (14) days before the scheduled Planning Commission meeting:
 - i. the site plan application;
 - ii. pay the associated fee(s) in accordance with the current fee schedule (payable to Alpine City);
 - iii. four (4) D size (22" x 34") copies of the site plan;
 - iv. ten (10) 11" x 17" copies of the site plan drawn to scale;
 - v. building elevations including building height;
 - vi. a landscape plan in conformance with DCA 3.13; and

3.16.090 Maintenance And Improvements To Public Lands

- 1c. When permission is given to private parties to improve public lands with landscaping, these same parties will be required to maintain these improvements, unless otherwise

specified. When approved the following general guidelines apply to all designations except natural (conservation) areas:

- i. Landscaping shall conform to the standards set forth in DCA 3.13;
- ii. All sprinkling piping and heads are to be located entirely on private property. Drip irrigation pipes may go into the easements and would be the preferred watering method. Water may spray on planted landscaping but shall not spray on the trail.
- iii. Shrubs may be planted within the trail easement but must be no more than 2 feet high and be kept pruned back from the trail edge.
- iv. Non-invasive groundcovers may be planted in the trail easement but shall be kept off the trail. Low and slow-growing junipers, cotoneaster, vincas and grasses are examples of acceptable plants.
- v. All trees are to be planted outside the trail corridor.
- vi. When written permission is granted for donated trees to be planted on public lands, they must be placed randomly, rather than parallel to private property lines, as such placement gives the visual effect of increasing the private area and effectually decreasing the public open space.

3.17.100 Trail Improvements And Maintenance

1. Maintenance and Improvements to Public Trails by Private Individuals/Groups.

The City recognizes the benefit of private participation in caring for these lands. Therefore, individual citizens and citizen groups shall be allowed and encouraged to improve and maintain trails. However, these improvements shall be governed by guidelines incorporated in this ordinance, which includes specific rules for each designation.

- a. All requests for improvements and long-term maintenance of City-owned property by citizens shall be presented in writing to the Planning Commission. These requests shall include a written or drawn landscape design which conforms to the requirements set forth in DCA 3.13. Approval of such requests will be granted based on adherence to general and designation guidelines, compliance with City ordinances and a visit to the site. If approved, the request will be kept on file for further reference.

3.18.070 Overlay Zone Development Standards And Regulations

The following development standards and regulations shall apply to all developments within the Senior Housing Overlay Zone.

9. **Landscaping.** Adequate landscaping shall be designed in conformance with DCA 3.13. Not less than 30% of the project shall be landscaped for the use and benefit of the residents. Land proposed to be used for parking, pedestrian walkways, and driveways shall not be included in meeting this landscaping requirement. A complete landscaping plan, in conformance with DCA 3.13, shall be provided at the

time of preliminary review of the project showing a minimum of (2) trees with a caliper of 2 inches and (10) one-gallon shrubs per dwelling unit.

3.19.070 Overlay Zone Development Standards And Regulations

The following development standards and regulations shall apply to all developments within the Assisted Living and Nursing Care Overlay Zone.

6. **Landscaping.** Adequate landscaping shall be designed in conformance with DCA 3.13. Not less than 30% of the project shall be landscaped for the use and benefit of the residents. Land proposed to be used for parking, pedestrian walkways, and driveways shall not be included in meeting this landscaping requirement.

3.23.030 Conditional Use Standards Of Review

Alpine City may permit a conditional use in any zone in which the particular use is designated as a conditional use in the use regulations of this ordinance.

The City shall not issue a conditional use permit unless the City Administrator or his designee, in the case of an administrative conditional use, or the Planning Commission, for all other conditional uses, concludes that the application fully mitigates all identified adverse impacts and complies with the following general standards applicable to all conditionals uses, as well as the specific standards for the use.

1. **General Review Criteria.** An applicant for conditional use in the zone must demonstrate:
 - i. A plan for fencing, screening and landscaping (in conformance with DCA 3.13) to separate the use from adjoining uses and mitigate the potential for conflict in uses;

3.27.050 Additional Requirements

4. **Landscaping.** A landscaping plan, in conformance with DCA 3.13, shall be submitted to the Planning Commission who will make a recommendation to the City Council who will approve the landscape plan.

4.07.100 Sidewalks, Curbs And Gutters

3. **Planter Strip Requirements:** (Amended by Ord. 2004-13, 9/28/04)
 - a. **Double Frontage Lot Landscaping Requirements.** The park strip or planter area in the City right-of-way on all rear lot frontages shall be fully landscaped by the developer or property owner. Full landscape shall be described as follows and shall conform to the requirements set forth in DCA 3.13:

- i. Xeriscape and street trees with required irrigation; or
 - ii. Colored, stamped decorative concrete and street trees with required irrigation;
 - iii. Irrigation standards to follow the most current adopted version of the Alpine City Construction Standards and Details;
 - iv. Street trees shall be planted at least every 50 ft. Street trees shall be selected from the Alpine City Tree Guide.
- b. Single Frontage Lot Landscaping Requirements. Planter strips in the city right-of-way shall be landscaped in conformance with DCA 3.13 and maintained by the property owner. If street trees are desired, the trees shall be selected from the Alpine City Tree Guide.

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

2/28/2023

	AYE	NAY	ABSENT	ABSTAIN
Gregory Gordon	_____	_____✓_____	_____	_____
Jason Thelin	_____✓_____	_____	_____	_____
Jessica Smuin	_____✓_____	_____	_____	_____
Lon Lott	_____✓_____	_____	_____	_____
Kelli Law	_____	_____✓_____	_____	_____

Presiding Officer

Attest



 Carla Merrill, Mayor, Alpine City



 Bonnie Cooper, City Recorder, Alpine City

