



ALPINE CITY COUNCIL AMENDED AGENDA

NOTICE is hereby given that the **CITY COUNCIL** of Alpine City, Utah will hold a Public Meeting on **Tuesday, September 27, at 6:00 pm**, 20 North Main Street and can be viewed on the **Alpine City YouTube Channel**. A direct link to the channel can be found on the home page of the Alpine City website: alpinecity.org Public Comments will be accepted during the Public Comment portion of the meeting.

I. CALL MEETING TO ORDER

- | | |
|---------------------|----------------------------|
| A. Roll Call | Mayor Carla Merrill |
| B. Prayer: | Greg Gordon |
| C. Pledge: | By Invitation |

II. WORK SESSION

III. CONSENT CALENDAR

- A. Approve City Council minutes of August 23, 2022**

IV. PUBLIC COMMENT

V. REPORTS AND PRESENTATIONS

- A. Recognition for Donations to the Alpine Trails Foundation**

VI. ACTION/ DISCUSSION ITEMS

- A. Beck Pines Plat E – 617 W Campfire Cir / 675 W Westfield Rd - Boundary Line Adjustment**
- B. Ordinance 2022-26: Public Notice Required for Setback Reduction Requests**
- C. Ordinance 2022-27: Trail Master Plan Amendment – Addition of Beginner Flow Trails in Lambert Park**
- D. Ordinance 2022-28: Modification of the Moderate Income Housing Element of the General Plan**

VII. STAFF REPORTS

VIII. COUNCIL COMMUNICATION

- IV. EXECUTIVE SESSION:** Discuss litigation, property acquisition, or the professional character, conduct or competency of personnel.

Mayor Carla Merrill
September 26, 2022

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS. If you need a special accommodation to participate, please call the City Recorder's Office at (801) 756-6347 x 4.

CERTIFICATE OF POSTING. The undersigned duly appointed recorder does hereby certify that the above agenda notice was on the bulletin board located inside City Hall at 20 North Main Alpine, UT. This agenda is also available on our website at alpinecity.org and on the Utah Public Meeting Notices website at www.utah.gov/pmn/index.html



PUBLIC MEETING AND PUBLIC HEARING ETIQUETTE

Please remember all public meetings and public hearings are now recorded.

- All comments **must** be recognized by the Chairperson and addressed through the microphone.
- When speaking to the Planning Commission/City Council, please stand, speak slowly and clearly into the microphone, and state your name and address for the recorded record.
- Be respectful to others and refrain from disruptions during the meeting. Please refrain from conversation with others in the audience as the microphones are very sensitive and can pick up whispers in the back of the room.
- Keep comments constructive and not disruptive.
- Avoid verbal approval or dissatisfaction of the ongoing discussion (i.e., booing or applauding).
- Exhibits (photos, petitions, etc.) given to the City become the property of the City.
- Please silence all cellular phones, beepers, pagers, or other noise making devices.
- Be considerate of others who wish to speak by limiting your comments to a reasonable length and avoiding repetition of what has already been said. Individuals may be limited to two minutes and group representatives may be limited to five minutes.
- Refrain from congregating near the doors or in the lobby area outside the council room to talk as it can be very noisy and disruptive. If you must carry on conversation in this area, please be as quiet as possible. (The doors must remain open during a public meeting/hearing.)

Public Hearing vs. Public Meeting

If the meeting is a **public hearing**, the public may participate during that time and may present opinions and evidence for the issue for which the hearing is being held. In a public hearing there may be some restrictions on participation such as time limits.

Anyone can observe a **public meeting**, but there is no right to speak or be heard there - the public participates in presenting opinions and evidence at the pleasure of the body conducting the meeting.

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ALPINE CITY COUNCIL
Tuesday, September 13, 2022

I. CALL MEETING TO ORDER

Mayor Carla Merrill called the meeting to order at 6:04 pm

A. Roll Call: The following were present and constituted a quorum: Lon Lott, Jessica Smuin, Kelli Law, Greg Gordon, Jason Thelin

B. Prayer: Kelli Law

C. Pledge: Jason Thelin

Staff: Shane Sorensen, Heidi Jackman, Chief Brian Gwilliam, Chief Brian Patten, Steve Doxey, William Livingston, Bonnie Cooper

Others: Derek Roundy, Will Jones, Stephanie Cotton-Betteridge & daughters, Robert Chatfield, Andrew Young, Amanda Collins, Alan Gillman, and Jane Griener along with Fred Philpot joined via zoom

II. WORK SESSION

A. Moderate Income Housing

City Administrator Shane Sorensen said the Planning Commission is looking for direction from the council on how best to promote moderate income housing based on state guidelines. Alpine has a deadline of October 1st. This will go to Planning Commission on September 13th and come back to City Council for approval on September 27th. Alpine City Administrator intern William Livingston said staff had come up with policies and implantation of the Moderate Income Housing portion of Alpine City's General Plan. Mayor Carla Merrill asked who on city staff would be tracking the ADU's. Shane Sorensen said when he hires a new city administrator assistant, they will be the ones tracking the ADU's. William Livingston presented the following three policies, goals, and implementation:

1 Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.

Goal: Allow accessory apartments within owner-occupied dwellings throughout the city.

Key tasks: Identify regulations related to accessory dwelling units (ADUs).

Implementation plan: The City will permit internal accessory dwelling unit in all zones of the city. Internal accessory dwelling units will be required to be registered with the city for tracking purposes.

2 Preserve existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund.

Goal: Preserve existing moderate-income housing.

Key tasks: Reach out to property owners of MIH and establish relationships. Identify and draft a landlord incentive program.

Implementation plan: The City will register and track existing and new moderate income housing. The city will provide specific incentives to landlords and track incentives over time.

3 Reduce, waive, or eliminate impact fees related to moderate income housing

Goal: Reduce financial stressors/barriers related to moderate income housing units.

Key tasks: Identify impact fees that can be reduced or waived. Identify funds that can be used to reduce impact fees for moderate income housing.

Implementation plan: Starting in 2023 city staff will prepare a recommendation to the city council for reducing impact fees related to moderate-income housing. The council will review city staff recommendations for reducing impact fees and consider the reductions for adoption. The city will track, as a benchmark, the impact reduction in impact fees will have on helping to create moderate-income housing in Alpine.

William Livingston said as city staff are working on coming up with a way to subsidize and incentives ADU's as in policy number two. City Council member Lon Lott questioned the first policy does the word "or" with detached accessory dwellings commit the city to having something in our ordinance that says that. Mayor Carla Merrill said the city selected policy number one from the states menu because of the word "or" says. The city is going to emphasize

how we are going to implement policy number one by focusing internally with a permit. Lon Lott asked in item two needs to be a budgeted item that the city has designated a certain amount. Mayor Carla Merrill said it will be in the budget. There were a lot of the states menu items that Alpine does not qualify for. We selected item that would not have a significant impact on the city's budget. Staff will be tracking this to identify the incentives. Right now, the city is saying we will commit to figuring out during the next year for the following years budget. In number three it does not give a percentage or base amount we will be able to determine what is fair. Shane Sorensen suggested on number two with the implementation plan we mention something about this will be delayed until 2023. Lon Lott said the city has an October 1st deadline that shows we have updated the plan. The city will have to update the amount yearly. Mayor

Mayor Carla Merrill talked about implementing a new Moderate Income housing process. Alpine City Attorney Steve Doxey suggested to have a few time frames added to the implementation process. That is what the state wants to see. Shane Sorensen said in reading from the state requirements it says an implementation plan sets out a clear course of achievability and measurable actions taken within a certain time frame but also be flexible. City Council member Greg Gordon asked if the city was eliminating senior housing element from the Moderate Income housing part of Alpine's General Plan. Mayor Carla Merrill said that is correct, the state had taken senior housing out of the Moderate Income housing as a policy option. Greg Gordon asked if there was a section of housing that allows for higher density or cluster housing. Mayor Carla Merrill said the wording for higher density or cluster housing items would have been problematic for the city. City Council member Jessica Smuin asked if there was any language around rezoning commercial areas to mixed use. Mayor Carla Merrill answered no, many of the items had to do with the transportation element which the city does not offer UTA busing. Nor can we require developers to set aside 10% to Moderate Income housing. Greg Gordon said there could be a potential issue with policy number three, funds that can be used to reduce impact fees for Moderate Income housing. He asked if housing ultimately for Moderate Income. The city can remove impact fee but that does not necessarily make the housing affordable. Mayor Carla Merrill said we can plan for Moderate Income housing, but it is up to the developers to build Moderate Income housing. We cannot force the developers to build affordable housing. The city can reduce the impact fees. We force the developers to do affordable housing. As long as the city support the policies that is all that has to be done on the city part. Shane Sorensen said there is a list of menu items on House Bill 462.

(link to HB462 <https://le.utah.gov/~2022/bills/static/HB0462.html>).

Council was all in favor of the three policies suggested. Mayor Carla Merrill said by having the policies for the Moderate Income housing this will allow the city to have our class C roads road funds. Shane Sorensen said the city receives about 400K a year in class C road funds this next year. He had a meeting with Utah League of Cities and Towns (ULCT) because there has been a lot of discussion on Moderate Income housing by the legislature.

Mayor Carla Merrill instructed staff to take council members input to the next Planning Commission meeting.

B. CUWCD Water Conservation Program

Shane Sorensen said Central Utah Water Conservancy District (CUWCD) is committed to efficiently using water, a limited and finite resources, and investing in water conservation to meet goals for wise, practical, and restrained water use. The Water Efficiency Program was developed to meet these goals. The program identifies, evaluates, and implements water efficiency measures, and provides a funding mechanism to implement approved projects. These projects serve a variety of purposes with the common purpose of improving efficiency of water use and conserving water. Selection of a project will depend on a variety of factors, including the estimated volume of water conserved through implementation of the proposed efficiency measures, the value of the conserved water, the ability to exchange or transfer conserved water to CUWCD, and funding availability. They have the rebate programs that make it so that we need to adopt these standards such as flip your strip. They have given out a lot of rebates.

As of fiscal year 2021, the district has committed \$1,000,000 for the Water Efficiency Program. Applicants should include all costs related to the project and not limit what is included based on current CUWCD budget.

Future projects will be prioritized based on the following criteria (0-5 point scale):

- - Quantity of the water conserved
- - Environmental enhancement
- - Total cost per quantity of water conserved
- - Public interest
- - Educational Value

Additional points will be awarded to projects based on the following criteria (0-15 point scale):

- - Conserved water dedicated to CUWCD for instream flows or other purposes
- - Project provides a direct benefit, or is of importance to CUWCD

Additional points will be awarded to projects based on the following criteria (0-20 point scale):

- - Volume of water for conjunctive management of surface and groundwater resources
- - Volume of conserved water which can be counted and applied directly to the contractual obligations of CUWCD under the Utah Lake System (ULS) project repayment project

Priority in both ranking and funding recommendations will be given to projects determined by CUWCD to be critical to the future success of CUWCD. CUWCD requires a minimum of 50% of the implementation cost be provided by the applicant as their cost share. CUWCD funding will be determined by staff and is subject to available funds and project timeline.

Utah's Landscape incentive programs are currently available on a limited basis to municipalities within our service area. To allow time for cities to make the necessary changes to their municipal codes, our rebate programs will continue to be offered to residents within our service area through 2022. However, starting January 1st, 2023, they will only be available to cities that have adopted the provided standards and have provided the district with the adopted language.

Water Efficiency Standards

1. Purpose

The purpose of these Water Efficiency Standards is to conserve the public's water resources by establishing water conservation standards for indoor plumbing fixtures and outdoor landscaping.

2. Applicability

The following standards shall be required for all developer/contractor installed residential, commercial, institutional, and industrial construction, as applicable. The Outdoor Landscaping Standards shall also be required for new landscaping construction installed by homeowners.

3. Indoor Fixture Requirements

It is recommended and encouraged, but not mandated, that all new and future construction and future additions, remodels, or refurbishments install plumbing fixtures that have the WaterSense label, including: lavatory faucets, shower heads, sink faucets, water closets (tank and flushometer-valve toilets), and urinals, to the extent Utah law allows municipalities or local districts to require these fixtures.

4. Outdoor Landscaping Standards

All new and rehabilitated landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects within the front and side yards, and homeowner provided landscape improvements within the front and side yards of single and two-family dwellings shall comply with the landscaping standards below:

Definitions

A. Activity Zones: Portions of the landscape designed for recreation or function, such as storage areas, fire pits, vegetable gardens, and playgrounds.

B. Active Recreation Areas: Areas of the landscape dedicated to active play where lawn may be used as the playing surface (ex. sports fields and play areas).

C. Central Open Shape: An unobstructed area that functions as the focal point of Localscapes and is designed in a shape that is geometric in nature.

D. Gathering Areas: Portions of the landscape that are dedicated to congregating, such as patios, gazebos, decks, and other seating areas.

E. Hardscape: Durable landscape materials, such as concrete, wood, pavers, stone, or compacted inorganic mulch.

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

G. Localscapes®: A landscaping approach designed to create locally adapted and sustainable landscapes through a basic 5-step approach (central open shape, gathering areas, activity zones, connecting pathways, and planting beds).

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

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

J. Paths: Designed routes between landscape areas and features.

K. Planting Bed: Areas of the landscape that consist of plants, such as trees, ornamental grasses, shrubs, perennials, and other regionally appropriate plants.

L. Total Landscaped Area: Improved areas of the property that incorporate 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.

5. Landscaping Requirements A. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers shall be used except in lawn areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.

B. Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and planting beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.

C. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.

D. At least 3-4 inches of mulch, permeable to air and water, shall be used in planting beds to control weeds and improve the appearance of the landscaping.

E. At maturity, landscapes are recommended to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.

F. Lawn shall not be installed in park strips, paths, on slopes greater than 25% or 4:1 grade, or be less than 8 feet wide at its narrowest point. To the extent reasonably practicable, lawn shall be free from obstructions (trees, signs, posts, valve boxes, etc.).

G. In residential landscapes, the landscaping shall adhere to the following Locascapes requirements: i. If size permits, the landscaped areas of the front yard and back yard shall include a designed central open shape created by using lawn, hardscape, groundcover, gravel, or mulch.

ii. Gathering areas shall be constructed of hardscape and placed outside of the central open shape. In a landscape without lawn, gathering areas may function as the central open shape.

iii. Activity zones shall be located outside of the central open shape and shall be surfaced with materials other than lawn.

iv. Paths shall be made with materials that do not include lawn, such as hardscape, mulch, or other groundcover.

v. Lawn areas shall not exceed the greater of 250 square feet, or 35% of the total landscaped area.

vi. 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 section F, are exempt from the 8 feet minimum width lawn area requirement.

H. In commercial, industrial, institutional, and multi-family development common area landscapes, lawn areas shall not exceed 20% of the total landscaped area, outside of active recreation areas.

I. Certain special purpose landscape areas (e.g., stormwater management areas, etc.) may receive exceptions from the slope limitations and other elements of the landscaping requirements (see Paragraph F, above). Applications to receive exceptions are to be considered on a case-by-case basis.

J. 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.

Shane Sorensen said he knows that the division of water resources along with the legislature and governor have goals for water reduction throughout the state. This is why staff has brought this item to the work session to get the councils thoughts. City Council member Jason Thelin asked if the city knew how many Alpine residents applied to the rebates. Jason Thelin said if only a 1000 residents have applied for this program how many of them are from Alpine. He is concerned how we can force resident to do what the CUWCD is asking. He said this sounds very restrictive. Mayor Carla Merrill agreed, but said we are only talking about new development.

Lon Lott said residents can purchase a \$75 controller to slow the flow. The flip the strip (parking strip) program would be a greater value because it is done on a square foot deal. He suggested the city have standards on park strips. Residents would then know which plants work best to conserve water. The city has a tree planting guide; we could do something similar for drought resistant plants. Greg Gordon said the Salt Lake City has a law that the residents must have grass in their park strips. Jason Thelin and Greg Gordon both said that they would not want to move forward on this. Greg Gordon voiced concern with item 5 a – that says that the residents can only use a spray sprinkler in the lawn area. He thinks that is a little limiting.

Mayor Carla Merrill asked Lon Lott as a landscaper would the CUWCD plan be possible to do in Alpine and how would the city get the message out. Lon Lott said it is possible, but the city could have a lot of residents and developer does not comply. Not everyone cares if they have to pay more for water or getting a rebate. Shane Sorensen suggested have the information available to the public and h at the point of them getting their building permit. He does not see any inspection process in effect. Mayor Carla Merrill asked how are we going to get this message out to the residents. Shane Sorensen suggested have open houses to give out information about the way. they can help with the water efficiency program. The state does not want to see just rocks but plants too.

Mayor Carla Merrill asked if we have to follow the items from the state verbatim. Shane Sorensen said it is all or nothing.

Lon Lott said this says that lawn shall be free from obstructions, tree, signs, post, and valve boxes. He said he puts most valve boxes into residents' lawns and not the flowerbeds because of tree roots. He said because of the number of differing lot sizes he would rather see a restriction of water, in specific areas or size of lots. He would rather see the city put an ordinance into effect instead of going with the state's suggestions. Jason Thelin agreed that we should come up with an ordinance. We had to shut off the water to the splash pad at Creekside Park because of issues with the culinary water being low. He just would not be interested in this plan because it is so broad.

Steve Doxey said he just went through this same plan with another municipality in Davis County. Davis County worked with Weber Basin Water Conservancy District and ended up negotiating with the district. He thinks we can do the same with Central Utah. CUWCD is looking for improvement. Some of these standards we could adapt to our community. We could present an ordinance. An example of an item that Davis County ultimately did not require was the landscaped area restrictions to apply to the entire lot but only the front and side yards. Mayor Carla Merrill asked council to email any ideas they had to modify the current plan to Shane Sorensen. She would like our residents to have the option to apply for the rebates.

Mayor Carla Merrill asked if the city had applied for any of the rebates. Shane Sorensen said the city would like to put a weather track system in at Creekside Park. He said it would be an investment for the future, but we would get substantial rebates by putting the system in.

Jason Thelin said the city has until January 1st, 2023, to put something in place. Mayor Carla Merrill said this would be the first phase, we want to convert the sprinkling system to be automatic. Lon Lott shared an example of small area across from the park strip where a utility box is. He said there are ways to be more efficient. He mentioned park strips are a big waste of water.

C. Produce Stands

Shane Sorensen said Derek Roundy is the manager of the fruit stand along Alpine Highway. There are some requirements in the conditional uses for incidental produce stands that are fairly restrictive. Under section four of the ordinance, it says:

4. **Produce Stands** (Ord 96-05, 4/10/96). Incidental Produce stands may be permitted as a conditional use, upon approval by the Planning Commission and subject to compliance with the following:

- a. Intent. The Intent and purpose of this Part is to allow the operation of incidental produce stands which supply the local market with needed food and farm products produced on the premises.

Shane Sorensen said in 2019 the fruit stand started selling peach shakes. They do not have a cow on the premises. So, the ice cream comes from elsewhere. People seem to enjoy the additional items that the fruit stand brings in.

Shane Sorensen said the city said the fruit stand would need to come in and get a conditional use permit. The last time the city made any changes to the ordinance was in 2005. Ordinance 2005-21 says produce stands may be permitted as a conditional use, upon approval by Planning Commission and subject to compliance with intent, terms, and conditions. He was using the current fruit stand as an example, but we need to look at this city wide. This fruit stand has a goal to have as much produce as possible to come for the property. Staff was requested feedback from council how they would want to regulate produce stands in the future. If the city has issue with the fruit stand, then he suggests we need look at the code and possibly change the code. He said staff had been concerned with the location due to the design of off-street parking, as well as compliance with off-street parking. The example of fruit stand that is located on the busiest street in Alpine. The fruit stand does currently have parking behind their building. There happen to be a lot of signage on both sides of the street which is against our ordinance. The city has asked them to remove the signage, which they complied with. They said they would put up signage telling patron should park other than on the sides of the road. In the city's current sign ordinance, we do allow temporary signage with approval for maybe two to three times a year. This would allow for someone to do promotional signage.

Shane Sorensen said in the future they need a business license and show building layout with parking. Conditional use permits are only to be used for six months with three extensions and then they need to reapply. He explained that the fruit stand had complied with all of these items.

Shane Sorensen said the current property owner where the fruit stand is located, they will be removing the homes behind the fruit stand and ultimately remove the cold storage building. They will build an improved building further back which would allow for additional parking on the premises. This is in a residential zone under a conditional use permit. If the community and council support having this fruit stand then we should probably look over the details in current ordinance. That way the ordinance would apply to other fruit stands.

Greg Gordon asked for clarification on what the property owner had in mind. Shane Sorensen said the property owner has a plan for parking and two new homes behind the fruit stand. The current refrigeration building would be torn down and a new building with the refrigeration would be built further back. The new building would allow for a better parking situation. The property owners will access their homes from Bateman Lane. Greg Gordon feels like this location is kind of different from the rest of the city because it is near other commercial areas and on a busy road.

Shane Sorensen said there was a proposal to rezone this location to a commercial zone ultimately is never happened. The council went over the current city zoning map. City Council member Kelli Law asked what the history is behind this area across the street from the fruit stand that is currently for sale. Shane Sorensen explained that the five acres for sale next to the recently sold Bangerter property is half residential and half commercial.

Mayor Carla Merrill said what she wants to have the council to consider amending the ordinance. Jason Thelin said that adding business commercial areas would be a beneficial for the city. He said we need to be very careful about allowing parking on the street. He suggested red striping the curb. He suggested having the speed limit lowered in the area before getting to the roundabout. He would also be in favor of modifying the conditional use to allow the fruit stand to open longer. Mayor Carla Merrill said in the current conditional use ordinance only allow someone a permit for three years in a row.

Greg Gordon said he is in favor of modifying the ordinance. Kelli Law said he is not in support of changing the ordinance. He is in favor of extending the business commercial zone. Mayor Carla Merrill said she liked Kelli Law's

idea but in the long run the property owners could decide in twenty year to make a residential development with their property.

Jessica Smuin said she didn't necessarily think that just because we open this area up to commercial should be an either-or situation. She said she has been looking at Midway and they have created a lot of legislative avenues to protect and preserve the rural community. Mayor Carla Merrill said unless we change the city ordinance it is an either-or situation. Kellie Law commented that the fruit stand is a commercial operation. Jessica Smuin said our residents are asking us to come up with ideas to be more creative in the way to receive taxes. Mayor Carla Merrill asked Derek Rowley if Alpine is receiving taxes or where the business is registered in Santaquin. Derek Rowley said Alpine receive the sales tax. Jessica Smuin would like to have Planning Commission explore all the options because this is a commercial endeavor, the city should consider extending the commercial zone. Maybe not the whole property but just the frontage space. Greg Gordon said the city does not have the commercial zone be structure the way it is currently.

Lon Lott said he like what has been said but thinks this particular stand is only open July to October. The fruit said would be considered a conditional use business. He voiced concern that extending the commercial zone would be opening the city up to more commercial business than the city would want. He suggested having the Planning Commission look at both aspects of keeping the current zone or make a change.

Kelli Law said if the city is changing the ordinance for fruit stands then the city should consider that other residents will start to sell things that are not made on their properties. Lon Lott pointed out that a resident would still need to come in for a permit. We would need to change the permit process. Shane Sorensen said the permit could be limited to just produce. Jason Thelin said he thinks the fruit stand has really added to our community. He thinks the council should look at removing the section of the ordinance that says the items sold at the fruit stand needs to be grown on the property. This is a working farm and is a unique business in Alpine. Other than the parking issue the farm he is in approval of change the ordinance and zone.

Kelli Law likes the idea of seeing the fruit stand be opened year-round. The residents have asked up to find ways to bring businesses in for sales tax revenue. Lon Lott suggested to making that park of the conditional use permit. Jessica Smuin suggested the fruit stand property could be used all year round. If the farm is putting new building, they could sale items year-round. She gave a suggestion of selling pies for Thanksgiving and Christmas. The city needs to be forward thinking. Lon Lott said the city also needs to respect the landowners' rights they may have a different vision of how they want to use their property.

III. CONSENT CALENDAR

- A. Approve City Council Truth in Taxation Meeting and Regular Meeting minutes of August 23, 2022
- B. Bond Release No. 1 – Fort Creek Landing: \$522,824.96
- C. Partial Payment No. 1 – Waterline Project – Cody Ekker Construction: \$316,107.75
- D. Approval of Cemetery Expansion Project Pay Request No. 3 - \$118,964.96
- E. Approval of Cemetery Expansion Project Change Order 2 - \$107,707.00
- F. Approval of Cemetery Expansion Project Paving- Eckles Paving: \$27,061.44
- G. Approval of Healey Well Building SCADA Improvements – APCO, INC.: \$12,533
- H. Approval of Installation of WeatherTrak System at Creekside Park – Mountain Water & Irrigation LLC/Sprinkler Supply: \$73,900.91
- I. Approval of Contract for 300 North Well – Widdison Turbine Service: \$24,500

Shane Sorensen said he wanted to move action item C to the Consent Calendar. He explained on May 24, 2022, the City Council adopted resolution R2022-23 to allow the city to participate in the CDBG program. We were recently notified that some amendments were needed to the agreement to continue CDBG efforts and in order to maintain compliance with HUD requirements. The changes are outlined in the attached agreement. Gave a little more info.... Which we included in the original

Motion: Lon Lott motioned to add action item C: Resolution No. R2022-36: Amendments to Agreement for Participation in the CDBG Program. Greg Gordon seconded the motion. No vote taken.

Amended Motion: Lon Lott motioned to add action item C: Resolution No. R2022-36: Amendments to Agreement for Participation in the CDBG Program, with the new changes made by the city attorney. Greg Gordon seconded the motion. There were 5 yes votes, 0 no votes and 0 excused as recorded below. The motion passed unanimously.

Yes

No

Excused

Lon Lott
 Jessica Smuin
 Kelli Law
 Greg Gordon
 Jason Thelin

Motion: Lon Lott approved the consent calendar with the edited to the minutes of August 23, 2022, made by Lon Lott Jason Thelin and Greg Gordon, including action item C: Resolution No. R2022-36: Amendments to Agreement for Participation in the CDBG Program. Jessica Smuin seconded the motion. There were 5 yes votes, 0 no votes and 0 excused as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Lon Lott		
Jessica Smuin		
Kelli Law		
Greg Gordon		
Jason Thelin		

IV. PUBLIC COMMENT

Amanda Collins
1593 Rosanna Lane

Amanda Collins said she had been in contact with the mayor but would like to get the cooperation form the whole city council. She has lived in Box Elder neighborhood for several years. They have had a bus stop right at the intersection that is crossing that dry bridge. It is where there is a three-way intersection with only one stop sign. The Alpine School District has decided that the bus stop was no longer safe, so they took it away. That bus stop has been moved a mile and a half away. So, what happens is the students have to walk down Grove Drive which has no sidewalks. Grove Drive also has no shoulder. The students also have to cross an intersection. She said she has been working with the district to create a safer bus stop. The district has agreed to put the bus stop at a safer location with one condition. The bus stop would be at the intersection of Box Elder Drive and Lambert Park. The one conditions would be if the city would agree to pave a turnaround spot for the bus there. Then the district would allow a bus stop which would be at a safe walking distance. This option would be the safest for the students. If the city already has plan to redo that section of road, we could add just a little e bit extra pavement to allow the bus to turn around.

Jason Thelin asked if the area was approved by Alpine School District. *Ms. Collins said she has worked with Alpine School District transportation representatives Derek Farnsworth along with Eric Woodhouse who said a new bus stop could be done.*

Mayor Carla Merrill gave some history behind Ms. Collins concerns. The district said the bus stop was illegal because the bus had to make a five-point turn. At that point the bus stop was moved. The grade of the road would need to be change to 6%. The current grade in the area is at 12%. Jessica Smuin asked if this is something that the school district pays for. She asked how much this would cost the Alpine School District the change to the road and add the bus stop. *Ms. Collins said the change to the road would be at the city's expense.* Mayor Carla Merrill said she had met with Alpine City engineer Jed Muhlestein, where going over the maps the bus stop would not work in the area Ms. Collins wants it. The bus stop is 1 ½ miles away from the students' homes which is within the bus stop area. Speaking with the bus driver there a total of four students he picks up daily, with an additional two that do not ride the bus. Jason Thelin asked if it would be possible for the city to allow the bus to turnabout at the bowery. Mayor Carla Merrill When she spoke with the Mr. Farnsworth at the district and he found out that the grade would not permit it that was all they needed to know. Shane Sorensen suggested Ms. Collins share her information with the city. The council could put in on another night's meeting agenda. Mayor Carla Merrill said she didn't think the temporary fix idea presented would be worth 150K to the city based on want needed to be done. When she had discussed this with council member Lon Lott, he had questioned why the city would be involved when it seemed like a Alpine School District issue. Lon Lott said it would not

Andrew Young
998 E750 S

Andrew Young said he had questions on the truth in taxation meeting on August 23rd. Is there a procedure to get the recent property tax increase on a ballot measure.

Steve Doxey, suggest he get with an attorney and then get with Bonnie Cooper the city recorder on how to get the measure on the ballot.

Andrew Young said he had concerns with the connection road in the Healey Heights and High bench area. He asked in the city had an update on the connection road. Mr. Young suggested adding the road to the city plan to but just have it be for emergency vehicles.

Mayor Carla Merrill explained why the road needs to go through. It is a safety measure not only for the residents of the subdivision but for all residents of Alpine. Jason Thelin said the city had residents from Canyon Crest turn in a referendum to stop the expansion of that road. One of the reasons why council didn't grow through the ordinance was because this specific connection road. The expansion of Canyon Crest would not be necessary because of that.

Dereck Roundy

671 South Alpine Highway

Derek Rowley said he and the property owner Paul Gu understand the parking issues. He said Paul Gu wanted to let the council know they would be willing to work with city on coming up with a solution.

V. REPORTS AND PRESENTATIONS

A. Financial Report

Shane Sorensen went over the financial report. We started our audit today and will present on October 12th. One question that came up at the last meeting was about the restrictive funds. The state does not like city to use other funds for projects. The projects need to come out of their specific fund. He said the external auditor Doug said if Alpine took money from one account to pay for something that should have come out of another account, it would signal that Alpine is charging the residents too much.

B. Critical Incident Response – Chief Gwilliam

Rescheduled until next City Council meeting.

C. Food Trucks

Jessica Smuin said with the huge success of the food trucks this past summer with an estimated 2,700+ meals served. The food truck said they expected around 200 people a night. Alpine had over 385 people per night. They listed the top five most popular food trucks. Everyone was great to work with. City Recorder Bonnie Cooper mentioned that residents enjoy the food truck so much that they were requesting to do it all summer. Jessica Smuin said this shows the community want to support things like this. She suggested having other actives to have community involvement. She suggested having some kind of activity weekly such as around Pioneer Day the city could host a square dance. She said she would be open to council members ideas. She said she would like to prepare a summer schedule for the council's approval. Jessica Smuin asked if the council wanted to continue have the food trucks on Tuesday nights. Jason Thelin said he was concerned at first not have the food trucks on Monday nights, but feels like Tuesday nights were a success. Mayor Carla Merrill loved the music and how the community supported the last night.

VI. ACTION/ DISCUSSION ITEMS

A. Public Hearing: Pressurized Irrigation (PI) Rates

Shane Sorensen explained that city staff has been working with Fred Philpot from Lewis, Young, Robertson and Burningham to develop a model for the pressurized irrigation rates. Since the inception of the pressurized irrigation system in 2002, users have been billed based on the square footage of their lot. This billing method was chosen since individual meters were not installed on the system and there was no way to determine actual usage. Meters were installed on the system between 2018 and 2019 putting the city ahead. Since a bill was passed in the 2022 Legislative Session requiring all entities serving pressurized irrigation water to install meters.

Having actual usage data from 2020 and 2021 was key to developing a rate model. The rate model is complicated because of the various rate schedules that were agreed upon with the Alpine Irrigation Company in April of 2000. The agreement was that all of the surface water from the Alpine Irrigation Company would be used in the system, but shareholders in the company would be given a reduced rate. This would be for the two groups of users, residential shareholders, and agricultural users. The third group of users, which represents the majority of billed accounts, is the residential non-shareholders.

Fred Philpot said as we developed the rate model, we established a base rate that would be billed monthly with an allowable quantity of water that is recommended by the State to maintain landscaping. For usage above the

allowable rate, a user would be charged on a tiered rate structure. There is a separate billing rate structure for shareholders. Future capital projects are outlined in the Pressurized Irrigation Master Plan. This is also anticipated in the rate structure.

Fred Philpot has made two presentations to the City Council earlier. The City Council previously agreed to hold a public hearing on the rate structure. The hearing is scheduled for this meeting.

Fred Philpot said the key policies of have financial objectives are revenue sufficiency, cash reserves and debt service coverage ratio. He recommended that the city review the rates every two to five years. Structural modifications are in relationship to the lot size, usage, customer type, peak vs. off peak usage, impervious areas and a tiering rate. The tier rate is evaluated on base rate and consumption. All this information went into the structural rates for each customer/resident. The rates are more dependent on usage but also include inflation increase. The scenario that have been suggested are first not rate change and not structural change. The second scenario would be a rate increase and a structural change. He said without a rate increase the city will go into the negative. By changing the rates, it will help the city cover the cost. The base rate will be \$40, that is where the rates begin and will increase approximately 4%. There were no changes to the shareholder rates. The city can build the fund balance and cover their debt. Comparisons were done with different size lots, some residents will see an increase and others will see a decrease in their bill.

Mayor Carla Merrill opened the meeting for residents to make a public comments during the public hearing.

No public comments were made.

B. Approval of Pressurized Irrigation (PI) Rates

Mayor Carla Merrill asked council members if they had any questions or wanted to make any input. Greg Gordon asked if the inflation rate is tied to actual inflation and if there is a plan. Shane Sorensen said right now we have the rate at 4% going down to 3%. Fred Philpot said right now the rates are actually 5% going down to 4%. Shareholders rate will be slightly lower. He said it is really a revenue sufficiency rate typically due to actual inflation rates. CPI rate are somewhere around 3-3 1/2%. Greg Gordon asked what does it do to the revenue model if residents reduce their water usage. Fred Philpot said they took into consideration with a 5% decrease if usage down. If the city sees an increase, you can evaluate the yearly increases.

Greg Gordon asked if the 64% was a state average for irrigable or an Alpine average. Fred Philpot said it came from a study we put together. We used local data in order to come up with the new rate structure. Greg Gordon asked if percentage varies by what zone you are in and if that information would be a useful factor to apply. Fred Philpot said that would be the complex vs equity but could be a consideration. Shane Sorensen said when Jed Muhlestein did this analysis, and we could share it with the council.

Jason Thelin asked about what the base rate was for the first year on an acre lot. Fred Philpot said the base rate is \$40 an acre. For a smaller lot it would be less. There is a fixed rate for all residents. The variable would be requiring residents who use more water will have to pay. Jason Thelin asked if customers/residents use more water is there a penalty and what would motivate our residents to use less water. Greg Gordon said the usage rate structure has accelerator that when you go past the base rate and a discount if you use less water. Mayor Carla Merrill said the rate base is scaled with different tiers. Fred Philpot said the base rate and usage rate scale are relative to lot size. There are six different tier rate based on the state average standard. Greg Gordon said if a resident use is under 75% of the base rate that would be at quite a discount.

Jason Thelin said if a resident is using the same allotted usage for an acre vs a one and half acre should not be any progressive increases as long as they are comparative and using 100% of their allotted use. The rate structure attached should be similar. Greg Gordon said he believes the larger lot has a larger scale for the usage rate. Lon Lott said it's using more water than the half acre, but it is not priced out any different than the half acre per gallon water with the structure rate. Staying within that specific tier and rate structure. Shane Sorensen said the city has some lots that go all the way up to the ridge of the mountain. Those residents do not water all the areas of their lot. Lon Lott said occasionally what has happened in the past if a person who had a two-acre lot that was watering only one acre there may have been an adjustment to the amount of base rate that they have. So, with this tier rate structure the resident will have to pay for all two acres based on the base rate. Shane Sorensen said the city would be able to change each residents' rates. We have limited the amount of some property owners to only water one acre of their property. Are we going to charge them a base rate on their entire property and is that stated in this? Shane Sorensen said if we know the area of additional acreage is not irrigated, we will plug in an effective lot size. Fred Philpot said once we finish the first year then we can see if this tier rate is working. Lon Lott said the usage rate is per square foot, and the price is .125 cents so for two acres you would be paying 25 cents per square foot. Fred Philpot clarified that the two-acre

lot would be allotted twice as much. The resident may not use that much water, they can still conserve and stay within tier one.

Shane Sorensen said another thing we have considered is a calculator that the resident could plug in and see their current usage. Jason Thelin asked how Lon Lott feels about this resolution being that Lon Lott's business is in landscaping. Lon Lott said his only concern was with the irrigation board thoughts are. Shane Sorensen said he has kept the board informed. He asked water board member and Alpine resident Alan Gilman what he thought about the PI rate change. Alan Gillman said he trust the city staff and would like to see how it goes. Lon Lott said he thinks this will work well for the city. Shane Sorensen said this is complicated, but the shareholder part is really not complicated. Essentially for the first year their fee would go up five cents per acre.

Greg Gordon asked for an update on the Heritage Hills well being necessary. Shane Sorensen said we will go over that at our next work session. Staff believe the well is necessary.

Mayor Carla Merrill closed the public hearing.

Motion: Jason Thelin moved to approve the rate structures outline in the Pressurized irrigation rate study prepared by Lewis, Young, Robinson and Burningham. Lon Lott seconded the motion. There were 5 yes votes, 0 no votes and 0 excused as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Lon Lott		
Jessica Smuin		
Kelli Law		
Greg Gordon		
Jason Thelin		

Shane Sorensen said in implementing this rate change we work with Cassell, and we feel like we have everything on the billing end figured out we bring a modified fee schedule back to have council approve. Mayor Carla Merrill asked what the timeline will be to implement the rates. Shane Sorensen it will take a few months. Lon Lott suggested putting the information on the rate change in the newsletter and social media so the resident are aware of the change this coming spring.

C. Resolution No. R2022-36: Amendments to Agreement for Participation in the CDBG Program

Item moved to the Consent Calendar.

VII. STAFF REPORTS

Shane Sorensen

Shane Sorensen said

VIII. COUNCIL COMMUNICATION

Jessica Smuin

Jessica Smuin said she had applied for a grant for Moyle Park. The city is hoping to use the grant for drinking fountain to go in at Moyle Park.

Greg Gordon

Greg Gordon said he had three items. First item was new sign that were put up by the schools. The principals made a comment that she had never seen a city move this fast on signage it usually takes years. Second item was about the 9/11 service project. The project he worked on had 40-60 people had shown up. Third item was if all the council and staff were aware of what had taken place in Eagle Mountain. Eagle Mountain had a fraud issue with wire transfers. Eagle Mountain thought they were speaking with a contractor, but it was not. The wire transfer to the "Construction Company" was for over a million dollars and now they do not know where the money is.

Mayor Carla Merrill

Mayor Carla Merrill said she had been asked by the daughters of the American revolution of the constitutions to Sign a proclamation to declare this week as Constitution Week beginning on September 17th to the 23rd.

Mayor Carla Merrill asked the council how they felt about putting pickleball shadow lines on the tennis court at Creekside Park. Residents will be able to play tennis or pickleball. The city received a \$1200 donation to go towards

the shadow lines. The lines will be in light blue. Kelli Law said he did not think it was a good idea not involving the public on making a decision on the tennis and pickleball courts. He reminded the council about how much public participation the city had received regarding the courts. It feels as though we are going behind the public's back in making this decision. He said he would not be in favor of putting the shadow lines in without holding a public meeting and getting community feedback. The rest of the council were in favor of putting the shadow lines on one of the tennis courts in Creekside Park. The reason this is being brought this before the council is because the work already going on it would be convenient. She said she had gone by Discovery Park in Pleasant Grove, at that park there used to be eight tennis courts. They now have 12 pickleball courts and only two tennis courts.

Mayor Carla Merrill spoke about the service project that were performed throughout the city in honor of 9/11. There were 150 residents plus staff that showed up. Three projects were completed. Shane Sorensen commented on how good Peterson Park looked after the service project. Lon Lott said he wanted to express his gratitude for everything the mayor has been doing. He appreciates everyone on the council for their efforts.

IV. EXECUTIVE SESSION:

None held

Motion: Lon Lott moved to adjourn. Kelli Law seconded the motion. There were 5 yes votes, 0 no votes and 0 excused as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Lon Lott		
Jessica Smuin		
Kelli Law		
Greg Gordon		
Jason Thelin		

Adjourned at 8:48 pm

ALPINE CITY COUNCIL AGENDA

SUBJECT: Beck Pines Plat E – Boundary Line Adjustment (617 W. Campfire Circle/675 W. Westfield Road)

FOR CONSIDERATION ON: 27 September 2022

PETITIONER: Dan Vore with Killowen Construction

ACTION REQUESTED BY PETITIONER: Recommend approval of creation of double fronted lot

BACKGROUND INFORMATION:

The proposed boundary line adjustment, Beck Pines Plat E, consists of 1 lot on 1.18 acres. The development is in the CR-20,000 zone and located at approximately 617 W Campfire Cir / 675 W Westfield Rd. Applicant is seeking approval of the boundary line adjustment (BLA). One resident owns two adjacent lots and wishes to combine them into one via BLA. Normally BLA's can be approved on a Staff level so long as there is no change of use or zone but in this case, the proposed BLA will create a double fronted lot. D.C. 4.07.030.4 states:

“Street Frontage. All residential lots in BLAs shall front on a public street, or on a private street recommended by the Planning Commission and approved by the City Council. Double frontage lots are prohibited unless recommended by the Planning Commission and approved by the City Council.”

Double fronted lots have been approved in the past and typically have a “No Access” restriction on one of the frontages. The Planning Commission reviewed this application August 16th and requested more information. At that time, the owner desired to have an access on Westfield Road. The owner has eliminated that access and is bringing the item for review. Additionally, the owner has received approval from the irrigation company to pipe the portion of Westfield ditch which this property covers.

This item was reviewed by the Planning Commission September 20th and received a positive recommendation for approval.

STAFF RECOMMENDATION:

Review and discuss the proposal and make a motion.

SAMPLE MOTION TO APPROVE

I move to approve the proposed boundary line adjustment with the following conditions:

- “No Access” be labeled on the plat on the Westfield Rd frontage;
- The owner addresses the redlines on the plat;
- The owner provides a bond for modification of city infrastructure.

SAMPLE MOTION TO DENY/TABLE

I move to deny/table the proposed boundary line adjustment based on the following:

****INSERT FINDING****



**ALPINE CITY
STAFF REPORT**
September 15, 2022

To: Alpine City Planning Commission

From: Staff

Prepared By: Jed Muhlestein, City Engineer
Engineering & Public Works Department

Re: BECK PINES PLAT E – Boundary Line Adjustment

Applicant: Dan Vore with Killowen Construction
Project Location: 617 W Campfire Cir / 675 W Westfield Rd
Zoning: CR-20,000 Zone
Acreage: Approximately 1.18 Acres
Lot Number & Size: Combines two existing lots into one, 1.18 total acres
Request: Recommend approval of creation of double frontage lot

SUMMARY

The proposed boundary line adjustment, Beck Pines Plat E, consists of 1 lot on 1.18 acres. The development is in the CR-20,000 zone and located at approximately 617 W Campfire Cir / 675 W Westfield Rd. Applicant is seeking approval of the boundary line adjustment (BLA).

BACKGROUND

One resident owns two adjacent lots and wishes to combine them into one via BLA. Normally BLA's can be approved on a Staff level but in this case, the proposed BLA will create a double fronted lot. D.C. 4.07.030.4 states:

***“Street Frontage.** All residential lots in BLAs shall front on a public street, or on a private street recommended by the Planning Commission and approved by the City Council. Double frontage lots are prohibited unless recommended by the Planning Commission and approved by the City Council.”*

Double fronted lots have been approved in the past and typically have a “No Access” restriction on one of the frontages. It is recommended a “No Access” label be placed on the plat on the frontage of Westfield Rd.

ANALYSIS

Lot Width and Area

The proposed lot meets the area and width requirements of the CR-20,000 zone lots, see table below:

3.03.040 Density, Lot Area And Width Requirements - Single Family Dwellings

1. The minimum area and width requirements of a zoning lot shall be determined upon the average slope of the lot and the following schedule:

Average Slope of Lot*	Minimum Area (in square feet)	Minimum Width (at min. front setback)
0-9.9%	20,000 (.46 ac)	110 ft.
10-14.9%	30,000 (.68 ac)	110 ft.
15-19.9%	40,000 (.92 ac)	110 ft.
20-24.9%	60,000 (1.37 ac)	110 ft.
25%+	Not Buildable	Not Buildable

Buildable Area

The proposed lot consists of two existing lots of record with minimal slope, both of which have/had homes built on them. The buildable area will be limited to the setbacks of the zone and outside utility easements.

Use

The owner is proposing that the lot be used for single-unit detached dwellings, which is consistent with the permitted uses of the CR-20,000 zone.

Sensitive Lands (Wildland Urban Interface)

The property is not located in areas identified on the City hazard maps, therefore no geologic hazard reports are required.

Trails

The City has no planned trails through this area.

General Plan

Proposed BLA is compatible with the City's General Plan.

Streets

All frontage improvements and dedicated right of way currently exist.

Utilities

All utilities currently exist. **Existing pressurized irrigation and culinary laterals for the westfield home (the house has been removed) are required to be removed and capped at the main lines in Westfield Rd.**

Westfield Ditch runs through the property. Per D.C. 4.07.090, open ditches are required to be piped and approval from Alpine Irrigation Company is required. Plans to pipe the ditch have been provided and approved by the irrigation company.

Other

The owner would be required to provide a bond for the modification of any City infrastructure, such as the removal of existing laterals.

There are redlines on the plat to be corrected.

Noticing

Notice has been properly issued in the manner outlined in City and State Code (none required on this project)

STAFF RECOMMENDATION

Review staff report and findings and make a recommendation to City Council to either approve or deny the proposed BLA. Findings are outlined below.

Findings for a Positive Motion:

- A. Frontage and size requirements align with code for the zone.

Findings for Negative Motion:

- A. INSERT FINDING

MODEL MOTIONS

SAMPLE MOTION TO APPROVE

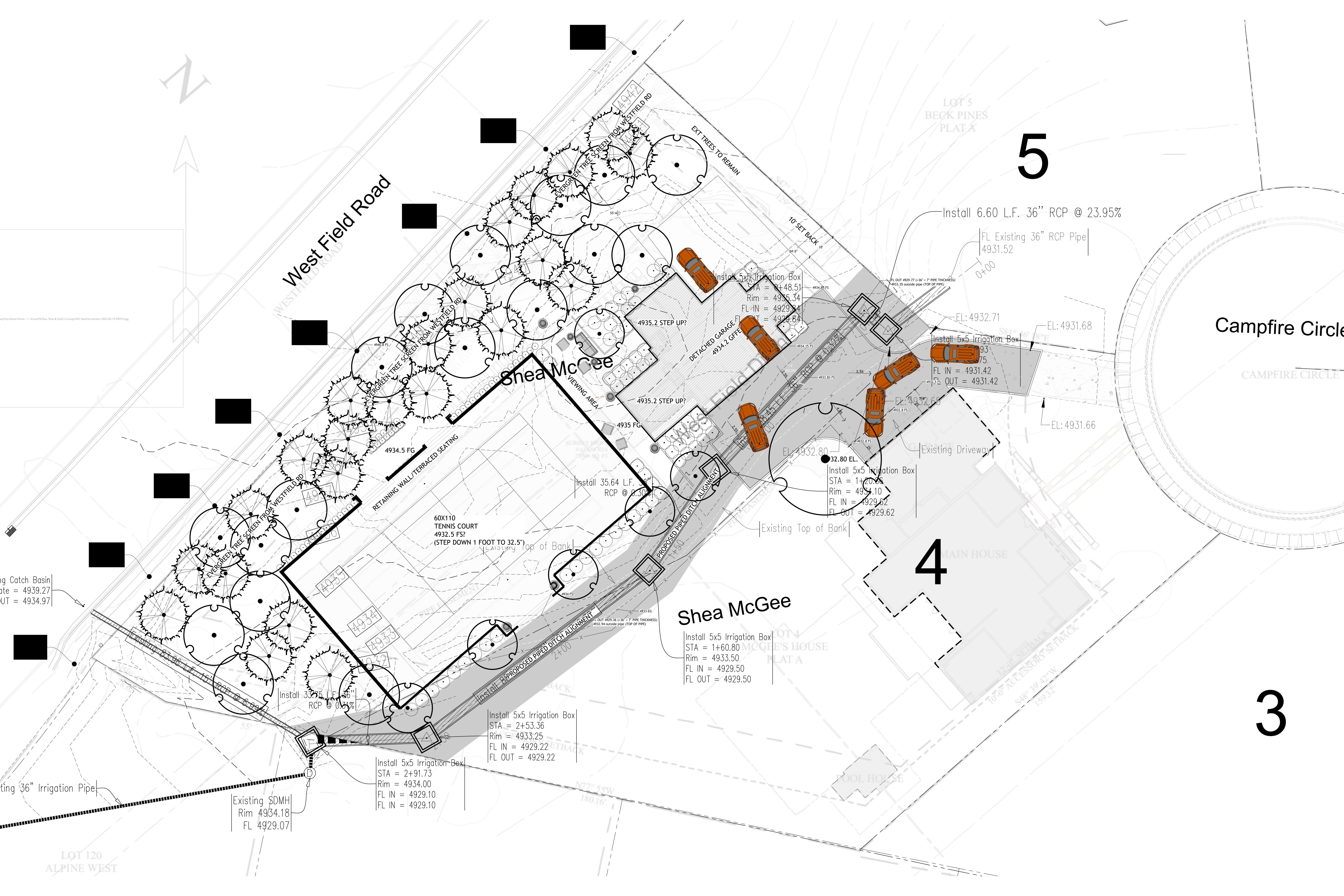
I motion to recommend approval of the proposed BLA with the following conditions:

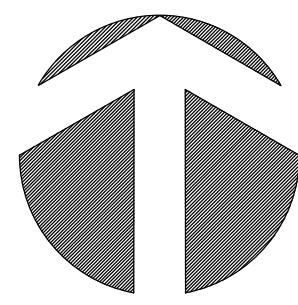
- “No Access” be labeled on the plat on the Westfield Rd frontage;
- The owner addresses the redlines on the plat;
- The owner provides a bond for modification of city infrastructure.

SAMPLE MOTION TO DENY/TABLE

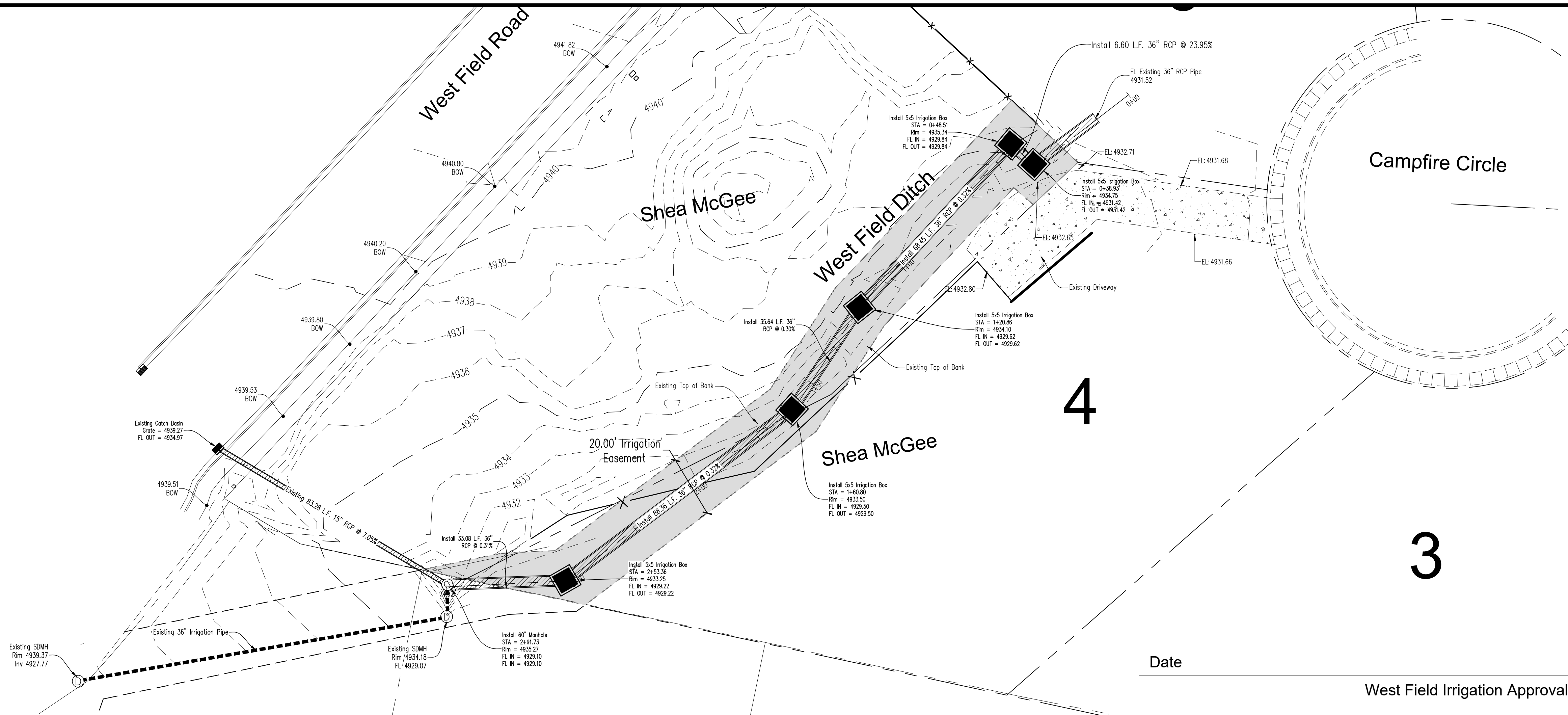
I motion to recommend that the proposed BLA be denied/tabled based on the following:

****INSERT FINDING****



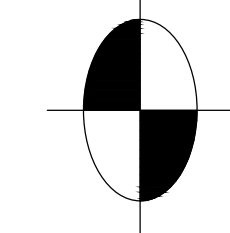


1" = 20'



Date _____

West Field Irrigation Approval



DUDLEY AND ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
353 EAST 1200 SOUTH, OREM, UTAH
801-224-1252

Utah

Shea McGee

Irrigation Plan

Alpine City

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

CAUTION!!! Notice to contractors

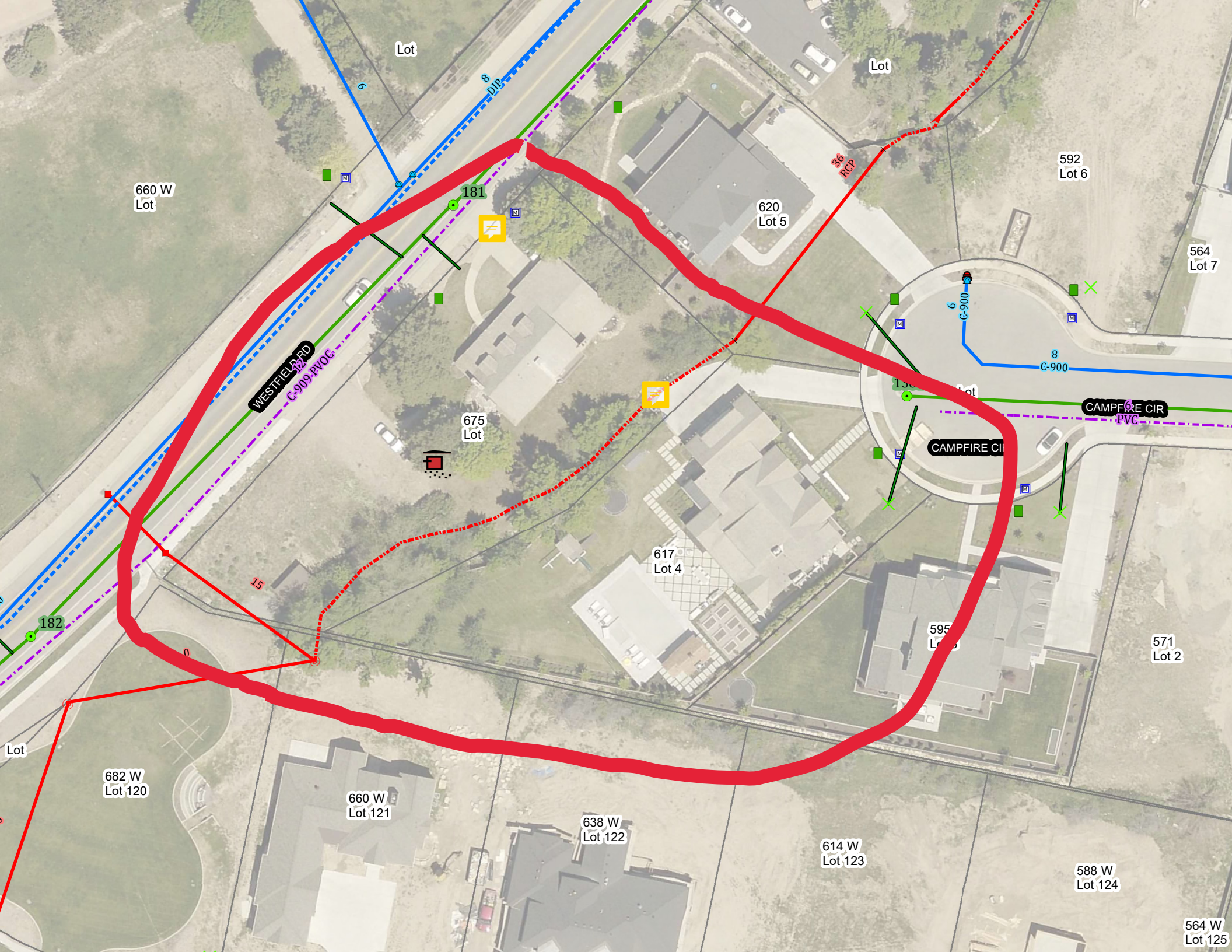
The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. The information is not to be considered exact or complete. The Contractor must notify the utility location center at least 48 hours prior to any excavation to request the exact location of the utilities in the field. It shall be the responsibility of the Contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plan.



Revisions
9-2-2022

Date
6-22-2022
Scale
1"=20'
By
BHT
Tracing No.
L - 6120

Sheet No.
P - 1



ALPINE CITY COUNCIL AGENDA

SUBJECT: Ordinance 2022-26: Public Notice Required for Setback Reductions Requests

FOR CONSIDERATION ON: 27 September 2022

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Review and recommend approval of Ordinance 2022-26

BACKGROUND INFORMATION:

In Planned Residential Developments the City Council, upon recommendation of the Planning Commission, can approve different setbacks for a development/lot. Until recently, this had not been done. With recent setback modification requests, it has come to our attention that requiring a public notice prior to adjusting setbacks would be a good thing. The current ordinance does not require public noticing for a setback request. The proposal is to require public noticing for such requests. This item was reviewed by the Planning Commission 9/20/22 and received a positive recommendation for approval.

STAFF RECOMMENDATION:

Review and approve Ordinance 2022-26.

SAMPLE MOTION TO APPROVE:

I move to approve Ordinance 2022-26 as proposed.

SAMPLE MOTION TO APPROVE WITH CONDITIONS:

I move to approve Ordinance 2022-26 with following conditions:

- ***Insert Finding***

SAMPLE MOTION TO TABLE/DENY:

I move to table/deny Ordinance 2022-26 with following conditions:

- ***Insert Finding***

**ALPINE CITY
ORDINANCE 2022-26**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 3.09.060 OF THE
ALPINE CITY DEVELOPMENT CODE PERTAINING TO PUBLIC NOTICING
FOR SETBACK MODIFICATIONS**

WHEREAS, The Planning Commission held a public hearing on September 20, 2022, regarding proposed amendments to Article 3.09.060 of the Alpine City Development Code; and

WHEREAS, on September 20, 2022, the Planning Commission recommended approval of proposed amendments to Article 3.09.060 of the Alpine City Development Code; and

WHEREAS, on September 27, 2022, the Alpine City Council has deemed it in the best interest of Alpine City to amend Article 3.09.060 of the Alpine City Development Code; and

WHEREAS, the Alpine City Planning Commission has reviewed the proposed amendments to Article 3.09.060 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 amendments to Article 3.09.060 of the Alpine City Development Code:

NOW THEREFORE, be it ordained by the Council of Alpine City, in the State of Utah, as follows: The amendments to Article 3.09.060 of the Alpine City Development Code will supersede Article 3.09.060 of the Alpine City Development Code as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: **AMENDMENT** “3.09.060 Dwelling Clusters; Lot Size; Buildable Area; Setback” of the Alpine City Development Code is hereby *amended* as follows:

AMENDMENT

3.09.060 Dwelling Clusters; Lot Size; Buildable Area; Setback

1. All lots shall be located within a designated Dwelling Cluster. A project may contain more than one Dwelling Cluster. Each cluster shall contain not less than three (3) separate lots (except for developments having fewer than 3 lots for the entire development). Where a project contains land located within and outside the Sensitive Lands Overlay Zone, Dwelling Clusters will be located outside of the Sensitive Lands

Overlay Zone, to the maximum extent possible. No portion of lots within a PRD shall be located on lands which are required to be designated as open space.

2. (Ord. 97-23: 9/24/97) The size of each individual lot shall conform to the following:

Minimum Lot Size

Zone District	Minimum Lot Size
CR-20,000	10,000 square feet*
CR-40,000	20,000 square feet*
CE-5	20,000 square feet*
CE-50	N/A

* Each zoning lot shall contain a minimum area outside the mapped 100 year flood plain areas and any storm water detention or retention basins that is equal to the minimum lot size.

3. (Ord 97-02, 2/25/97). Each individual lot shall contain at least one Designated Buildable Area of not less than five-thousand (5,000) square feet. All dwellings and other habitable structures and accessory buildings shall be located within the Designated Buildable Area.
- Each Designated Buildable Area shall conform to the criteria for qualification as a "buildable area" as defined in this ordinance. Except that the Planning Commission may approve or require the placement of the Designated Buildable Area in a location within the lot which does not conform to one or more of the criteria for buildable area, upon a finding that the proposed Designated Buildable Area:
 - will more adequately accommodate subsequent development of the lot,
 - will not constitute a potential hazard to life or property, and
 - will serve to diminish the negative impact of subsequent development upon the lot or community (i.e. extraordinary construction of driveway access, mitigate visual intrusion of structure on ridge line).
 - The location of each Designated Buildable Area shall be designated upon the preliminary plan and shall also be identified and described on the final recorded plat, together with a notation to the effect that all main and accessory buildings shall be located within the Designated Buildable Area. Where a Designated Buildable Area is shown on a lot, the boundary of said area shall constitute the Designated Setback envelope applicable to the lot. Where an entire lot area qualifies as a Buildable Area no designation on the final plat shall be required.
 - Except as permitted pursuant to Part 3,a, any portion of a lot which has been graded to produce a percent of slope to qualify under the Buildable Area criteria shall be excluded from consideration as part of the Designated

Buildable Area.

- d. The Designated Buildable Area may be amended by the City Planner and City Engineer as long as the minimum setback requirements of the underlying zone are met. (Ord. 2004-13, 9/28/04)
- 4. Each dwelling in the project shall be setback from the property line in accordance with the setback lines as shown on the approved plat (Designated Setback Envelope). The Designated Setback Envelope shall be established in accordance with the following (setbacks are measured from the property line to the nearest foundation):
 - a. Front Yard. The minimum front yard setback shall be thirty (30) feet.
 - b. Side Yard - Corner Lots. On corner lots, the side that faces onto a public street shall be not less than thirty (30) feet.
 - c. Side Yard – Interior Lots. The minimum side yard setbacks for interior lots shall be an aggregate of thirty (30) feet with no less than twelve (12) feet on a side.
 - d. Rear Yard. The minimum rear yard setback shall be thirty (30) feet.

Subject to the ~~prior~~ recommendation of the Planning Commission, the City Council may approve an exception to the Designated Setback Envelope standards above for one or more lots within a PRD project, upon a finding that such exception is appropriate for the proper development of the lot and that the exception will not result in the establishment of a hazardous condition.

Public noticing requirements per section 2.04 shall be followed.

Where no designated building envelope is provided, the setbacks shall be the same as the minimum requirements within the underlying zone.

- 5. The maximum height of any dwelling or other main building shall be thirty-four (34) feet, as determined in accordance with the provisions of DCA 3.21.080, (Ord. 96-15, 12/18/96) except in the CE-50 zone the height shall not exceed 25 feet. (See DCA 3.06.070 Part 1)

(Ord. No. 95-04, 2/28/95; Amended Ord. No. 95-28, 11/28/95; Ord No. 2001-10, 4/10/01; Ord. No. 2004-13, 9/28/04; Ord. No. 2011-04, 01/11/11; Ord. No. 2012-10, 12/11/12; Ord. No. 2014-14, 09/09/14; Ord. No. 2015-11, 07/28/15)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

_____.

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

Presiding Officer

Attest

Carla Merrill, Mayor, Alpine City

Bonnie Cooper, City Recorder Alpine
City

**ALPINE CITY
ORDINANCE 2022-26**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 3.09.060 OF THE
ALPINE CITY DEVELOPMENT CODE PERTAINING TO PUBLIC NOTICING
FOR SETBACK MODIFICATIONS**

WHEREAS, The Planning Commission held a public hearing on September 20, 2022, regarding proposed amendments to Article 3.09.060 of the Alpine City Development Code; and

WHEREAS, on September 20, 2022, the Planning Commission recommended approval of proposed amendments to Article 3.09.060 of the Alpine City Development Code; and

WHEREAS, on September 27, 2022, the Alpine City Council has deemed it in the best interest of Alpine City to amend Article 3.09.060 of the Alpine City Development Code; and

WHEREAS, the Alpine City Planning Commission has reviewed the proposed amendments to Article 3.09.060 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 amendments to Article 3.09.060 of the Alpine City Development Code:

NOW THEREFORE, be it ordained by the Council of Alpine City, in the State of Utah, as follows: The amendments to Article 3.09.060 of the Alpine City Development Code will supersede Article 3.09.060 of the Alpine City Development Code as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: **AMENDMENT** “3.09.060 Dwelling Clusters; Lot Size; Buildable Area; Setback” of the Alpine City Development Code is hereby *amended* as follows:

AMENDMENT

3.09.060 Dwelling Clusters; Lot Size; Buildable Area; Setback

1. All lots shall be located within a designated Dwelling Cluster. A project may contain more than one Dwelling Cluster. Each cluster shall contain not less than three (3) separate lots (except for developments having fewer than 3 lots for the entire development). Where a project contains land located within and outside the Sensitive Lands Overlay Zone, Dwelling Clusters will be located outside of the Sensitive Lands

Overlay Zone, to the maximum extent possible. No portion of lots within a PRD shall be located on lands which are required to be designated as open space.

2. (Ord. 97-23: 9/24/97) The size of each individual lot shall conform to the following:

Minimum Lot Size

Zone District	Minimum Lot Size
CR-20,000	10,000 square feet*
CR-40,000	20,000 square feet*
CE-5	20,000 square feet*
CE-50	N/A

* Each zoning lot shall contain a minimum area outside the mapped 100 year flood plain areas and any storm water detention or retention basins that is equal to the minimum lot size.

3. (Ord 97-02, 2/25/97). Each individual lot shall contain at least one Designated Buildable Area of not less than five-thousand (5,000) square feet. All dwellings and other habitable structures and accessory buildings shall be located within the Designated Buildable Area.
- Each Designated Buildable Area shall conform to the criteria for qualification as a "buildable area" as defined in this ordinance. Except that the Planning Commission may approve or require the placement of the Designated Buildable Area in a location within the lot which does not conform to one or more of the criteria for buildable area, upon a finding that the proposed Designated Buildable Area:
 - will more adequately accommodate subsequent development of the lot,
 - will not constitute a potential hazard to life or property, and
 - will serve to diminish the negative impact of subsequent development upon the lot or community (i.e. extraordinary construction of driveway access, mitigate visual intrusion of structure on ridge line).
 - The location of each Designated Buildable Area shall be designated upon the preliminary plan and shall also be identified and described on the final recorded plat, together with a notation to the effect that all main and accessory buildings shall be located within the Designated Buildable Area. Where a Designated Buildable Area is shown on a lot, the boundary of said area shall constitute the Designated Setback envelope applicable to the lot. Where an entire lot area qualifies as a Buildable Area no designation on the final plat shall be required.
 - Except as permitted pursuant to Part 3,a, any portion of a lot which has been

graded to produce a percent of slope to qualify under the Buildable Area criteria shall be excluded from consideration as part of the Designated Buildable Area.

- d. The Designated Buildable Area may be amended by the City Planner and City Engineer as long as the minimum setback requirements of the underlying zone are met. (Ord. 2004-13, 9/28/04)
4. Each dwelling in the project shall be setback from the property line in accordance with the setback lines as shown on the approved plat (Designated Setback Envelope). The Designated Setback Envelope shall be established in accordance with the following (setbacks are measured from the property line to the nearest foundation):
- a. Front Yard. The minimum front yard setback shall be thirty (30) feet.
 - b. Side Yard - Corner Lots. On corner lots, the side that faces onto a public street shall be not less than thirty (30) feet.
 - c. Side Yard – Interior Lots. The minimum side yard setbacks for interior lots shall be an aggregate of thirty (30) feet with no less than twelve (12) feet on a side.
 - d. Rear Yard. The minimum rear yard setback shall be thirty (30) feet.

Subject to the recommendation of the Planning Commission, the City Council may approve an exception to the Designated Setback Envelope standards above for one or more lots within a PRD project, upon a finding that such exception is appropriate for the proper development of the lot and that the exception will not result in the establishment of a hazardous condition. Public noticing requirements per section 2.04 shall be followed.

Where no designated building envelope is provided, the setbacks shall be the same as the minimum requirements within the underlying zone.

5. The maximum height of any dwelling or other main building shall be thirty-four (34) feet, as determined in accordance with the provisions of DCA 3.21.080, (Ord. 96-15, 12/18/96) except in the CE-50 zone the height shall not exceed 25 feet. (See DCA 3.06.070 Part 1)

(Ord. No. 95-04, 2/28/95; Amended Ord. No. 95-28, 11/28/95; Ord No. 2001-10, 4/10/01; Ord. No. 2004-13, 9/28/04; Ord. No. 2011-04, 01/11/11; Ord. No. 2012-10, 12/11/12; Ord. No. 2014-14, 09/09/14; Ord. No. 2015-11, 07/28/15)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

_____.

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

Presiding Officer

Attest

Carla Merrill, Mayor, Alpine City

Bonnie Cooper, City Recorder Alpine
City

ALPINE CITY COUNCIL AGENDA

SUBJECT: Ordinance 2022-27: Trail Master Plan Amendment – Addition of Beginner Flow Trails in Lambert Park

FOR CONSIDERATION ON: 27 September 2022

PETITIONER: Trail Committee

ACTION REQUESTED BY PETITIONER: Approve changes to the trail system in the south end of Lambert Park.

BACKGROUND INFORMATION:

The trail committee is proposing changes to the trail system in the south end of Lambert Park, the area just east of the lower parking lot. Earlier this year the City Council approved changes that altered many of the trails in this south-eastern area of the park. These new trails are almost complete. In recent weeks funds have been secured to build “beginner flow trails.” These proposed beginner flow trails are meant for smaller children and youth, something the park currently does not have. The proposed trails are shown in purple and light purple on the attached drawing. The proposed changes are primarily to improve sustainability of the trail system, create better trails for all users of the park, and to design trails in such a way to discourage shooting activity on forest land. These beginner flow trails would further that purpose. This item was reviewed and received a positive recommendation of approval from the Planning Commission 9/20/22.

STAFF RECOMMENDATION:

Review the material and make a motion.

SAMPLE MOTION TO APPROVE:

I move to approve the trail master plan update as proposed.

SAMPLE MOTION TO APPROVE WITH CONDITIONS:

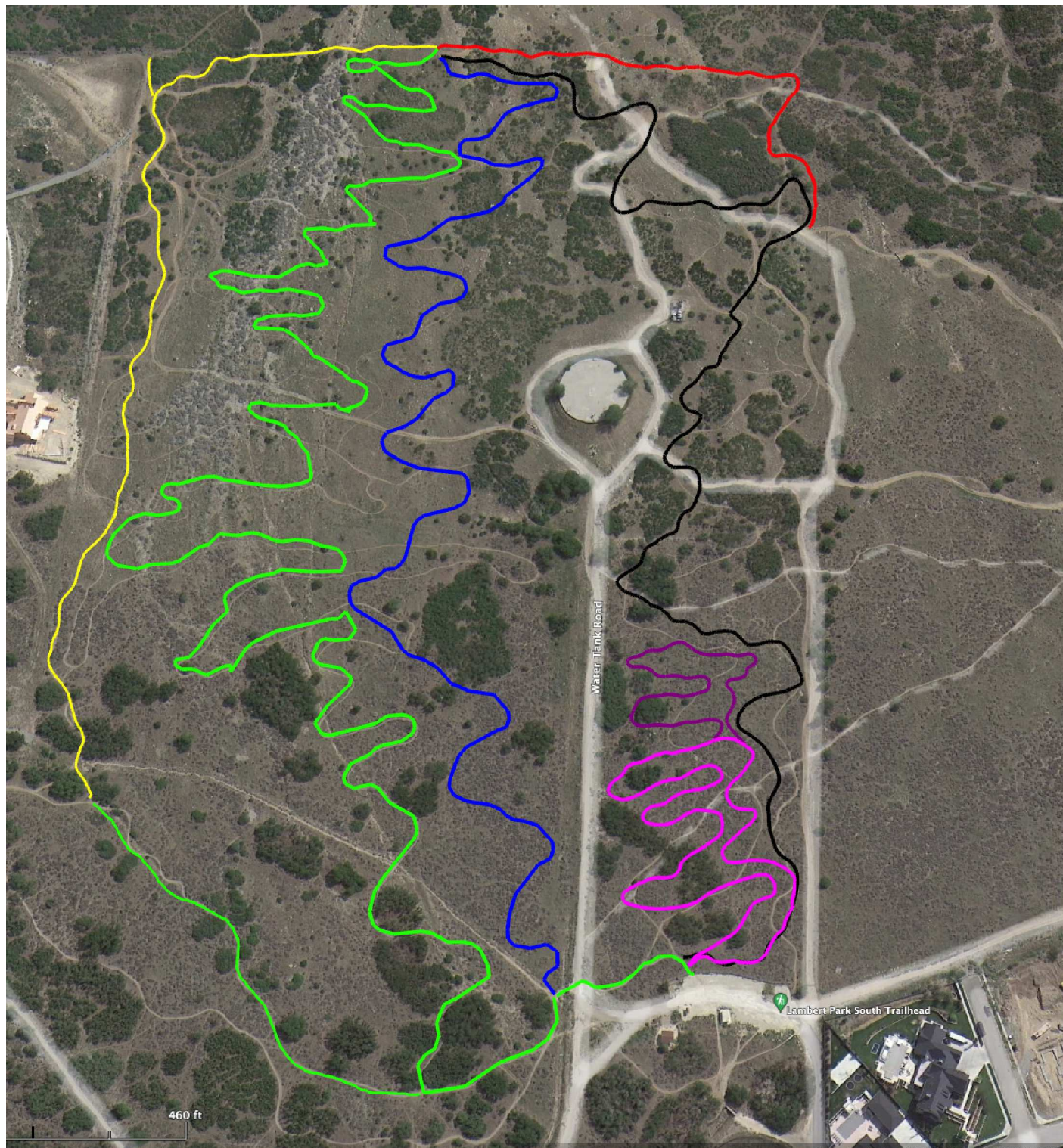
I move to approve the trail master plan update with following conditions:

- ***Insert Finding***

SAMPLE MOTION TO TABLE/DENY:

I move to table/deny the trail master plan update with following conditions:

- ***Insert Finding***



EXISTING APPROVED TRAILS

Yellow - Hiking Only
 Green - Multiuse, multie direction
 Blue - Blue Skill Level Flow Trail
 Black - Black Skill Level Flow Trail
 Red - Double Black Skill Level Jump Line

PROPOSED TRAILS

Purple/Light Purple - Youth Flow Trails



Map Legend

P

Trail Parking (existing)

P

Trail Parking (planned)

TH

Trail Head* (existing)

* Includes parking, restrooms, and access to trails

TH

Trail Head* (planned)

TRAILS

Alpine Hard Surface

Gravel Road

Alpine (existing)

Alpine (planned)

Forest (existing)

Private (existing)

Private (planned)

Lehi (existing)

Lehi (planned)

Draper (existing)

Draper (planned)

County (private)

County (planned)

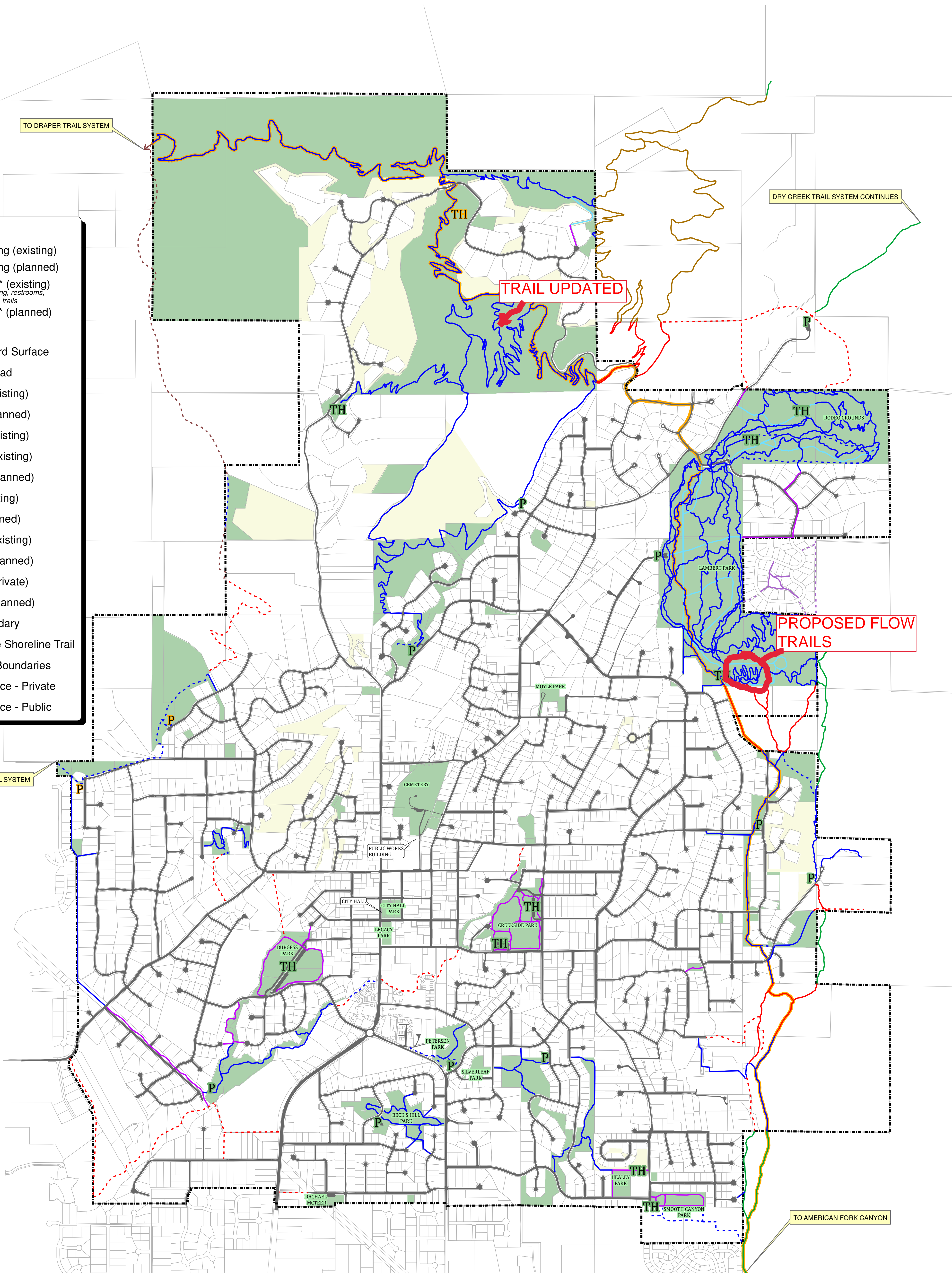
City Boundary

Bonneville Shoreline Trail

Property Boundaries

Open Space - Private

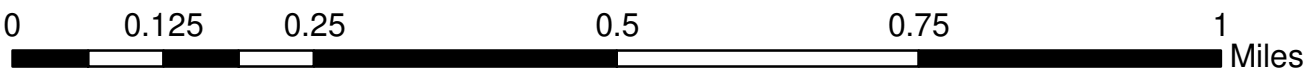
Open Space - Public



** ALL PLANNED TRAILS ARE SHOWN AS A POINT "A" TO "B" ALIGNMENT. AT TIME OF DEVELOPMENT PLANNED TRAILS WILL NEED TO BE ENGINEERED AND FLAGGED FOR APPROVAL **



Trail Master Plan



N

W

E

S

PROPOSED 9/20/2022

Map Legend

P

Trail Parking (existing)

P

Trail Parking (planned)

TH

Trail Head* (existing)

* Includes parking, restrooms, and access to trails

TH

Trail Head* (planned)

TRAILS

Alpine Hard Surface

Gravel Road

Alpine (existing)

Alpine (planned)

Forest (existing)

Private (existing)

Private (planned)

Lehi (existing)

Lehi (planned)

Draper (existing)

Draper (planned)

County (private)

County (planned)

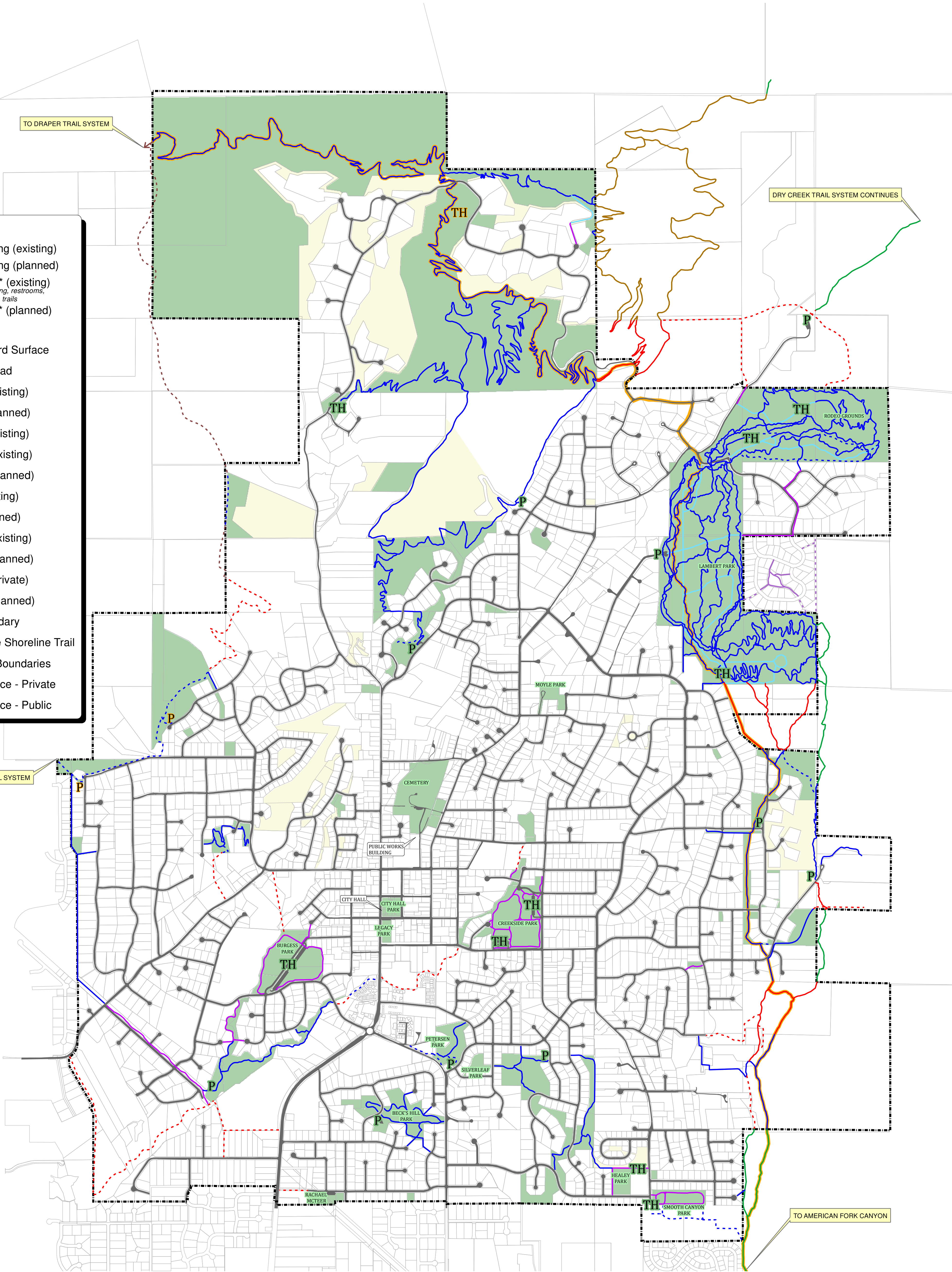
City Boundary

Bonneville Shoreline Trail

Property Boundaries

Open Space - Private

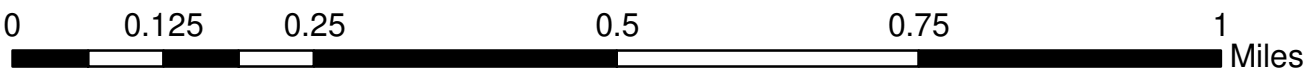
Open Space - Public



** ALL PLANNED TRAILS ARE SHOWN AS A POINT "A" TO "B" ALIGNMENT. AT TIME OF DEVELOPMENT PLANNED TRAILS WILL NEED TO BE ENGINEERED AND FLAGGED FOR APPROVAL **



Trail Master Plan



ALPINE CITY

ORDINANCE NO. 2022-27

**AN ORDINANCE ADOPTING AMENDMENTS TO THE
ALPINE CITY TRAIL MASTER PLAN**

WHEREAS, Alpine City (the “City”) has developed an extensive trail system within the corporate limits of the City; and

WHEREAS, the City has previously prepared and adopted a Trail Master Plan which describes the various trails, the types of trails and the intended use of the trails; and

WHEREAS, the City in previous fiscal years and in the present fiscal year budget appropriated funds for the creation, construction and maintenance of such trails; and

WHEREAS, staff has proposed amendments to the Trail Master Plan; and

WHEREAS, such proposals have been reviewed and considered by the Alpine Planning Commission who has forwarded a favorable recommendation on September 20, 2022, to the City Council for their adoption; and

WHEREAS, the city council has reviewed such proposals; and

WHEREAS, such proposed amendments have been available for public review and comments and are now acceptable for formal consideration.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ALPINE CITY, UTAH as follows:

That the Trail Master Plan be adopted with the amendments and additions as set forth in Exhibit A, attached hereto, and incorporated herein for all purposes.

PASSED AND APPROVED this 27th day of September, 2022.

ALPINE CITY COUNCIL

By: _____
Carla Merrill, Mayor

[SEAL]

VOTING:

Jessica Smuin	Yea	___	Nay	___
Lon Lott	Yea	___	Nay	___
Kelli Law	Yea	___	Nay	___
Jason Thelin	Yea	___	Nay	___
Greg Gordon	Yea	___	Nay	___

ATTEST:

Bonnie Cooper
City Recorder

DEPOSITED in the office of the City Recorder this 27th day of September, 2022.

RECORDED this 27th day of September, 2022.

ALPINE CITY COUNCIL AGENDA

SUBJECT: Ordinance 2022-28: Modification of the Moderate Income Housing Element of the General Plan

FOR CONSIDERATION ON: 27 September 2022

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Review and discuss the Moderate Income Housing Element of the General Plan.

BACKGROUND INFORMATION:

In the 2022 legislative session, House Bill 462 passed and with it new requirements for Moderate Income Housing throughout the state. Based on these new requirements Alpine City needs to update the Moderate Income Housing Element of the General Plan. The update should include amendments to any of the strategies that may have changed due to HB462 and include a new “Implementation Plan” as part of the General Plan or Moderate Income Housing Element. Also, each municipality is required to submit a Moderate Income Housing Report Form by **October 1, 2022**.

Per 2019 Senate Bill 34, Alpine City implemented three strategies as part of the Moderate Income Housing Element of the General Plan.

E. Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones.

K. Preserve existing moderate income housing.

X. Any other program or strategy implemented by the municipality to address the housing needs of residents of the county/municipality who earn less than 80% of the area median income.

In 2022, House Bill 462 amended those requirements as follows:

*E. Create or allow for, and reduce regulations related to, **internal or detached** accessory dwelling units in residential zones.*

L. Reduce, waive, or eliminate impact fees related to moderate income housing

*~~L~~K. Preserve existing **and new** moderate income housing **and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund.***

*~~X~~X. Demonstrate implementation of any other program or strategy **implemented by the municipality** to address the housing needs of residents of the county/municipality who*

earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing.

Alpine City needs to consider these new changes and create a new implementation plan. A new implementation plan was discussed during a work session of the September 13, 2022 City Council meeting. The City Council felt the plan was the direction the City wanted to move towards and would fit the legal requirements. This plan is now being sent through the approval process for review and recommendation, which must be approved prior to October 1, 2022. The plan was reviewed by the Planning Commission September 20th and received a positive recommendation of approval.

STAFF RECOMMENDATION:

Review and discuss the Moderate Income Housing Element of the General Plan.

SAMPLE MOTION TO APPROVE:

I move to adopt the Moderate Income Housing Element of the General Plan as proposed.

SAMPLE MOTION TO APPROVE WITH CHANGES:

I move to adopt the Moderate Income Housing Element of the General Plan with the following changes:

- ***Insert Finding***



	2009 American Community Survey	2017 American Community Survey	Annual Growth Rate (Slope)	2024 Projection	Difference between 2017 and 2024
Median HOUSEHOLD income (ACS Table B19019)	\$0	\$67,042	\$4,950	\$108,972	\$ 41,930

Source 1: U.S. Census Bureau. Table B19019: Median household income that past 12 months by household size. American

GOAL

Promote moderate income housing that meets the needs of those desiring to live in Alpine.

POLICIES

- 1.1 Allow accessory apartments within owner-occupied dwellings throughout the City
- 1.2 Allow senior housing units to be built in more dense clusters to reduce costs of living.
- 1.3 Preserve existing moderate income housing.
- 1.4 Provide a mortgage assistance program for employees of the municipality or of an employer that provides contracted services to the municipality.

2019



	2009 American Community Survey	2017 American Community Survey	Annual Growth Rate (Slope)	2024 Projection	Difference between 2017 and 2024
Median HOUSEHOLD income (ACS Table B19019)	\$0	\$67,042	\$4,950	\$108,972	\$ 41,930

Source 1: U.S. Census Bureau. Table B19019: Median household income that past 12 months by household size. American

GOAL

Promote moderate income housing based on State guidelines.

POLICIES

- 1.1 Allow accessory apartments within owner-occupied dwellings throughout the City
- 1.2 Allow senior housing units to be built in more dense clusters in the Senior Housing Overlay to reduce the cost of living.
- 1.3 Preserve existing moderate income housing.

2020

MODERATE INCOME HOUSING



PURPOSE

The Moderate Income Housing Element is intended to accomplish the following:

- Comply with Utah State Code;
- Summarize Alpine City's population, income levels, and housing values;
- Discuss constraints and opportunities for the provision of moderate income housing; and
- Identify goals and policies to address Alpine City housing needs.

DEFINITION

Moderate income housing is defined by the state as *"housing occupied or reserved for occupancy by households with a gross household income equal to or less than eighty percent (80%) of the median income for households of the same size in the county in which the city is located"* (Utah Code 10-9a Part 1).

For the purposes of this element, this definition is further refined to include the following income categories:

- A. Moderate Income: 51% – 80% of the county median income
- B. Low Income: 31% - 50% of the county median income
- C. Very Low: 30% or less of the county median income

STATE LAW AND LOCAL PLANNING

Utah Municipal Code Chapter 10-9a-403-B-iii requires each city to: 1) provide an estimate of the need for the development of additional moderate income housing within the city, and 2) to provide a plan to provide a realistic opportunity to meet estimated needs for additional moderate income housing if long-term projections for land use and development occur.

State law requires each city to:

- Consider the Legislature's determination that cities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing;
- Meet the needs of people desiring to live there; and
- Allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life.

CURRENT AND FUTURE PROJECTIONS

POPULATION ESTIMATE

According to the U.S. Census Bureau, the population estimate for Alpine City in 2017 was 10,197 with a projected annual rate of growth of 117. Projected population for 2024 is 11,004.

	2009 American Community Survey	2017 American Community Survey	Annual Growth Rate (Slope)	2024 Projection	Difference between 2017 and 2024
Total Population: (ACS Table B01003)	9,651	10,197	117	11,004	807
Total Population in occupied housing units (ACS Table B25008)	9,651	10,197	117	11,004	807
Total Population in owner- occupied housing (ACS Table B25008)	8,695	8,780	63	9,014	234
Total Population in renter- occupied housing (ACS Table B25008)	956	1,417	54	1,990	573

Source 1: U.S. Census Bureau. Table B01003: Total population. American Community Survey.

Source 2: U.S. Census Bureau. Table B25008: Total population in occupied housing units by tenure. American Community Survey.

TOTAL HOUSEHOLD UNITS

Over the next 5 years the U.S. Census Bureau projects the ratio of renter-occupied structures to owner occupied structures to increase at approximately 40 units per year:

	2009 American Community Survey	2017 American Community Survey	Annual Growth Rate (Slope)	2024 Projection	Difference between 2017 and 2024
TOTAL HOUSING UNITS (ACS Table B25001)	2,499	2,770	40	3,098	328

Source 1: U.S. Census Bureau. Table B25001: Total housing units. American Community Survey.

Source 2: U.S. Census Bureau. Table B25032: Tenure by units in structure. American Community Survey.

EXISTING MODERATE INCOME HOUSING

Alpine City’s existing moderate income housing is a mix of twin homes, apartments, accessory apartments, duplexes, fourplexes, and cottages (senior housing). According to City records, as of November 2020, there are 270 moderate income housing units in Alpine.

HOUSEHOLD SIZE

Household size, unlike population, is projected to drop in the next 5 years. A possible indicator of an aging population.

	2009 American Community Survey	2017 American Community Survey	2024 Projection
Average Household Size (ACS Table B25010)	4.3	3.87	3.54

Source 1: U.S. Census Bureau. Table B25010: Average household size of occupied housing units by tenure. American Community Survey

ALPINE CITY MEDIAN HOUSHOLD INCOME

Median household income is projected to decrease over the next 5 years, which may be related to the projected decrease in household size.

	2009 American Community Survey	2017 American Community Survey	Annual Growth Rate (Slope)	2024 Projection	Difference between 2017 and 2024
Median household income (ACS Table B25119)	\$104,436	\$112,727	\$73	\$101,542	\$ (11,185)
Owner-occupied income (ACS Table B25119)	\$111,071	\$124,240	\$522	\$120,816	\$ (3,424)
Renter-occupied income (ACS Table B25119)	\$38,304	\$54,375	\$1,002	\$50,627	\$ (3,748)

Source 1: U.S. Census Bureau. Table B25119: Median household income that past 12 months by tenure. American Community Survey

UTAH COUNTY AREA MEDIAN INCOME

According to the U.S. Census Bureau American Community Survey, the Utah County area median income is projected to increase significantly over the next 5 years from \$67,042 in 2017 to \$108,972 in 2024, a difference of over \$41,000. If this projection is accurate, it would indicate that the median income gap between Alpine City and Utah County will close over the next 5 years.

	2009 American Community Survey	2017 American Community Survey	Annual Growth Rate (Slope)	2024 Projection	Difference between 2017 and 2024
Median HOUSEHOLD income (ACS Table B19019)	\$0	\$67,042	\$4,950	\$108,972	\$ 41,930

Source 1: U.S. Census Bureau. Table B19019: Median household income that past 12 months by household size. American Community Survey

GOAL

Promote moderate income housing based on State guidelines.

POLICIES AND IMPLEMENTATION

1 **Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.**

Goal: Allow accessory apartments within owner-occupied dwellings throughout the City.

Key tasks: Identify regulations related to accessory dwelling units (ADUs).

Implementation plan: The City will permit internal accessory dwelling unit in all zones of the City. Internal accessory dwelling units will be required to be registered with the City for tracking purposes. In 2023, the city will update their registry of accessory dwelling units for future study.

2 **Preserve existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund.**

Goal: Preserve existing moderate-income housing.

Key tasks: Reach out to property owners of MIH and establish relationships. Identify and draft a landlord incentive program.

Implementation plan: The City will register and track existing and new moderate-income housing. The City will provide specific incentives to landlords and track incentives over time. This landlord incentive program will be studied and detailed further, with expected completion by July 2023.

3 **Reduce, waive, or eliminate impact fees related to moderate income housing**

Goal: Reduce financial stressors/barriers related to moderate income housing units.

Key tasks: Identify impact fees that can be reduced or waived. Identify funds that can be used to reduce impact fees for moderate income housing.

Implementation plan: Starting in 2023 city staff will prepare a recommendation to the city council for reducing impact fees related to moderate-income housing. The council will review city staff recommendations for reducing impact fees and consider the reductions for adoption. The city will track, as a benchmark, the impact reduction in impact fees will have on helping to create moderate-income housing in Alpine.

ALPINE CITY

ORDINANCE NO. 2022-28

**AN ORDINANCE ADOPTING THE 2022 AMENDMENTS TO THE
ALPINE CITY LOW TO MODERATE HOUSING PLAN**

WHEREAS, the Utah State Legislature has adopted legislation which requires towns, cities and municipalities to develop moderate income housing plans; and

WHEREAS, Alpine City (the “City”) has previously prepared and adopted such a plan; and

WHEREAS, periodic updates are required to the moderate income housing plan; and

WHEREAS, staff has proposed amendments to the various menu options provided by the legislation; and

WHEREAS, such proposals have been reviewed and considered by the Alpine Planning Commission who has forwarded a favorable recommendation on September 20, 2022, to the City Council for their adoption; and

WHEREAS, the City Council has previously reviewed such proposals at a prior City Council meeting held on September 13, 2022; and

WHEREAS, such proposed amendments have received public comments and are now acceptable for formal consideration.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ALPINE CITY, UTAH as follows:

That the amendments and menu options set forth in Exhibit A, attached hereto, and incorporated herein for all purposes are adopted.

PASSED AND APPROVED this 27th day of September 2022.

ALPINE CITY COUNCIL

By: _____
Carla Merrill, Mayor

[SEAL]

VOTING:

Jessica Smuin	Yea	___	Nay	___
Lon Lott	Yea	___	Nay	___
Kelli Law	Yea	___	Nay	___
Jason Thelin	Yea	___	Nay	___
Greg Gordon	Yea	___	Nay	___

ATTEST:

Bonnie Cooper
City Recorder

DEPOSITED in the office of the City Recorder this 27th day of September, 2022.

RECORDED this 27th day of September, 2022.