



ALPINE CITY COUNCIL MEETING AGENDA

NOTICE is hereby given that the **CITY COUNCIL** of Alpine City, Utah will hold a meeting on **Tuesday, January 12, 2016 at 7:00 pm** at Alpine City Hall, 20 North Main, Alpine, Utah as follows:

I. CALL MEETING TO ORDER*

- A. Roll Call:** Mayor Don Watkins
- B. Prayer:** Roger Bennett
- C. Pledge of Allegiance:** By Invitation

II. SWEARING IN OF NEW COUNCIL MEMBERS: Ramon Beck, Kimberly Bryant, Lon Lott

III. PUBLIC COMMENT: The public may comment on items that are not on the agenda.

IV. CONSENT CALENDAR

- A. Minutes of the October 27, 2015 City Council Meeting**
- B. Minutes of the November 17, 2015 City Council Meeting**
- C. Minutes of the December 16, 2015 City Council Meeting**
- D. City Council and Planning Commission meeting schedule for Calendar Year 2016**

V. REPORTS AND PRESENTATIONS

VI. ACTION/DISCUSSION ITEMS:

- A. Independent Audit Report – Greg Ogden, CPA:** Greg Ogden will present the audit report for Alpine City.
- B. Acceptance of the Independent Audit Report:** The City Council will consider accepting the independent audit report.
- C. Deer in Alpine Discussion:** The City Council will begin a process for determining a strategy for dealing with the deer population in the City.
- D. Planning Commission Member Appointments – Jason Thelin and Jane Griener:** The City Council will vote to give their consent to the appointment of Jason Thelin and Jane Griener to the Planning Commission.
- E. Heritage Hills Trail System.** The City Council will vote on a new trail configuration for the Heritage Hills subdivision.
- F. Heritage Hills Plat C Bond Release.** This to be approved pending a decision on Item E.
- G. Resolution No. R2016-01- Support for Murdock Canal Connector Road.** The City Council will vote to support Highland City in requesting approval and funding for the Murdock Canal connector road.
- H. Fort Creek Riverbottom PRD Determination.** The City Council will vote on the Fort Creek Riverbottom subdivision will be a PRD or a regular subdivision.
- I. Ordinance No. 2016-01 DRC Ordinance Amendment.** The City Council will vote to eliminate the DRC as a statutory entity.
- J. Council Member Assignments.** The City Council will approve the Mayor's assignments for City Council members.
- K. FY 2016-2017 Budget Development Process and Discussion.** Rich Nelson and Alice Winberg will introduce the budget process for the next fiscal year and begin a discussion on budget priorities.
- L. Open and Closed Session Training – David Church.**

VII. STAFF REPORTS

VIII. COUNCIL COMMUNICATION

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

ADJOURN

***Council Members may participate electronically by phone.**

Don Watkins, Mayor
January 8, 2016

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) 756-6241.

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 and sent by e-mail to The Daily Herald located in Provo, UT, a local newspaper circulated in Alpine, UT. This agenda is also available on our web site at www.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, 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 v. 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.

1
2 Lon Lott asked Shane Sorensen if there would be a problem with the fire marshal if the connection to Elkridge Lane
3 was not built until the second phase since staff recommended the connection. Will Jones noted that the preliminary
4 plan showed a secondary access through Alpine Cove which would meet the need for a secondary fire access.
5

6 Mayor Watkins said he would recommend construction of the connection to Elkridge Lane when half the lots were
7 built. He asked Lon Lott if he could live with those requirements on the roads so they could get a vote. Councilman
8 Lott indicated he could accept that.
9

10 David Church summarized the revised motion. He reminded the Council that according to the Alpine City's
11 ordinance they had to have a secondary access road after 20 lots, plus it was in the urban wildland interface area
12 which required a second access road. He said the difference between this motion and the County's proposed
13 development agreement was that the County would allow a minimum lot size of 20,000 square feet with an average
14 lot size of three-quarters of an acre. The Motion required a minimum lot size of three-quarters of an acre to comprise
15 no more than 20% of the lots. The County designated a maximum of 70 lots. The Motion designated a maximum of
16 53 lots. The County would require the developer to build their own water system, and the only improvements the
17 County was requiring on Grove Drive was to improve the 90-degree bend. The County was requiring the Elkridge
18 Lane connection.
19

20 Mayo Watkins said to keep in mind that proposed Development Agreement from the County was only a draft, and
21 called for a vote on the motion which David Church had summarized.
22

23 Will Jones recused himself from the vote.
24

25 **MOTION:** Lon Lott moved to approve Resolution No. R2015-18 with the following changes:
26

- 27 • Paragraph a would remain the same as written with a zoning of CR-40.
- 28 • Paragraph b would state that subdivisions in the annexed area would be processed as PRDs to allow
29 flexibility of lot size with a maximum density of 53 lots in the area of annexation ~~with a potential of six~~
30 ~~more lots in the area already in Alpine city limits for a total of 59 lots.~~ The minimum lot size would be
31 three-quarters of an acre which would represent no more than 20% of the lots.
- 32 • Paragraph c would be revised to read "All of the City's existing hillsides, slope, and hazard regulations
33 contained in the City's current development code would be complied with."
- 34 • Paragraph d would be the same as the original resolution which was that the property owners ^{would} agree, at
35 their cost, to bring Grove Drive up to City standards (30 feet of pavement, curb and gutter on both sides,
36 sidewalk on one side) from the intersection of Alpine Boulevard to the proposed new development
37 including the improvements to the 90 degree bend.
- 38 • Paragraph e would be the same as the original resolution which was that the property owners ^{would} agree to
39 provide a second access from the proposed development to the City that connected with Elkridge Lane, and
40 this would be no later than when first 20 lots were built.
- 41 • Delete the second "d" paragraph which stated that the development would not be provided with secondary
42 water.
- 43 • Paragraph f. The property owners at their sole costs and expense would build the culinary and secondary
44 water infrastructure necessary to serve their development as currently recommended for that area by the
45 City's culinary and secondary water master plan.
- 46 • Paragraph g would remain as written in the original resolution.
47

48 Kimberly Bryant seconded. Ayes: 3 Nays: 0. Lon Lott, Kimberly Bryant, Troy Stout voted aye. Roger Bennett was
49 not present at the time of the motion. Motion passed.
50

51 Kimberly Bryant said she hoped that they showed flexibility. She felt she had come so much farther than where they
52 started.
53

54 **B. Larry Hilton Condominium Conversion Request:** Jason Bond said that Larry Hilton had received
55 approval for a commercial building at 341 S. Main Street which was lot B of the Alpine Olde Towne Centre Planned

RESOLUTION NO. R2015-18

A RESOLUTION OF THE GOVERNING BODY OF ALPINE CITY INDICATING ITS POSITION REGARDING THE ANNEXATION OF CERTAIN PROPERTY INTO ALPINE CITY

WHEREAS, Alpine City has received an annexation petition from property owners in Utah County seeking to be annexed into the City for development purposes which annexation is known as the Oberee annexation request; and

WHEREAS, Alpine City has normally required a development agreement prior to annexing any large parcel into the City when the City knows that the annexation is being done for development purposes; and

WHEREAS, both Utah County and the property owners of the Oberee property proposed for annexation desire to know on what terms Alpine City would be willing to annex the Oberee property into the City; and

WHEREAS, Alpine City and the property owners within the Oberee annexation area have not yet negotiated a development agreement for the proposed property and therefore the annexation ordinance required to complete the annexation has not yet been voted on by the City Council; and

WHEREAS, The Alpine City Council desires to formally adopt the minimum terms it would accept in a development agreement if it were to annex the property into the City.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF ALPINE CITY AS FOLLOWS:

1. The City does hereby express its willingness to annex the property known as the Oberee Annexation into the City for residential development in the City if the property owners will accept the following terms and conditions:

a. All the annexed property will be zoned by the City as CR-40,000 which is the City's one lot per acre (40,000 square feet) zone.

b. All subdivisions applications in the annexed area known generally as the Oberee property and the Grant property will be processed as planned residential developments (PRDs) with an agreement from the property owners that there be no more than a total of 53 lots in the annexed Oberee and Grant properties, which lots must have a minimum lot size of 30,000 square feet with no more than 20% of the 53 lots at the minimum size.

c. All of the City's existing hillside, slope, and hazard regulations contained in the City's current development code would be complied with.

d. The property owners of the Oberee and Grant properties would agree to provide to the City at the property owner's costs, improvements to Grove Drive to bring the road up to current City standards (30 feet of pavement, curb and gutter on both sides, sidewalk on

one side) from the intersection of Alpine Boulevard to the proposed new development including the improvements to the now 90 degree bend.

e. That the Oberee and Grant property owners agree to provide the new development on their properties a second access from the proposed development to the City that connects with Elk Ridge Lane when the development exceeds 20 lots.

f. That the property owners at their sole costs and expense build the culinary and secondary water infrastructure necessary to serve their developments as currently recommended for that area by the City's culinary and secondary water master plans.

g. That all other normal requirements of subdivisions in the City be complied with such as the provision of water rights; the payment of all fees and the building of all infrastructure to current City specifications and standards without exception, variance or financial offset from the City.

2. Upon receipt from the owners of the Oberee Annexation property of a formal agreement that contains the above minimum terms and conditions the City will complete the annexation of the property into the City.

PASSED and DATED THIS 27th DAY OF October 2015.

Attest:


City Recorder

Signed:


Mayor



ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 North Main, Alpine, UT
October 27, 2015

I. CALL MEETING TO ORDER. The meeting was called to order at 7:04 pm by Mayor Don Watkins.

A. Roll Call: The following were present and constituted a quorum:

Mayor Don Watkins

Council Members: Troy Stout, Will Jones, Roger Bennett, Kimberly Bryant, Lon Lott

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jason Bond

Others: Steve Cospers – Planning Commission Chairman, Marianna Richardson, Jane Griener, Carla Merrill, Ramon Beck, Paul Kroff, County Commissioner Larry Ellertson, County Commissioner Bill Lee, Alex Johnson, Loraine Lott, Micah Davies, Tom Watkins, Sheldon Wimmer, Brandon Gerber, Jake Hasleton, Tanner Esplin, Hawken Kerr, Jon Kerr, Tom Freeman, Brenden Parker, Julie Zurcher, Dane Tenney, Tanner Toulson, Mike Russon, Rebecca Spencer, Craig Skidmore, Ethan West, Landon Nunce, Wilson Wyatt.

Mayor Watkins invited a member from each Boy Scout troop to introduce themselves and say what troop they were from. Brenden Park said he was with Troop 1101. Jake Hasleton said he was from Alpine 10th ward. Ethan Parker said he was with the Webelos from the Alpine Cove ward.

B. Prayer: Kimberly Bryant

C. Pledge of Allegiance: Larry Ellerton

II. PUBLIC COMMENT: Ethan West said the Lego League was a team of people who were engineering Lego robots for missions and other things. Other boys from the Lego League also spoke and showed graphs and charts they had made to demonstrate their research. Landon Nunce said they had surveyed 150 households in Alpine and about 77 percent of them said they threw away glass in their garbage. Glass was bad for the environment. Wilson Wyatt said that 75 percent of the people they talked to in Alpine said they would use glass recycling if it was available. Pleasant Grove was the only town in Utah County that had glass recycling.

The boys said they had a solution. They could locate a glass recycling bin in Alpine. It would cost \$300 a year but the City would save money because it would keep glass out of the landfill and by reducing the weight, it would reduce the tipping fees. It would be a good thing for Alpine City and the environment. Since the City already had a contract with ACE, they could have a bin that ACE would pick up every six weeks. Another option would be to work with Cedar Hills and Highland City on it and split the cost.

Mayor Watkins thanked them for their presentation and said it was outstanding. He asked that this be added as a future agenda item and said staff would do some additional research and talk to ACE. Then invited them to come back.

III. CONSENT CALENDAR

A. Approve the minutes of October 13, 2015.

MOTION: Will Jones moved to approve the Consent Calendar. Lon Lott seconded. Ayes: 5 Nays: 0. Will Jones, Lon Lott, Kimberly Bryant, Roger Bennett, Troy Stout voted aye. Motion passed.

IV. REPORTS AND PRESENTATIONS:

A. Mayor Watkins Survey Results: Mayor Watkins asked that, out of respect for the County Commissioners who were present for a particular agenda item, that this be postponed to the end of the meeting.

V. ACTION AND DISCUSSION ITEMS:

1 **A. Box Elder South Annexation Public Hearing.** Rich Nelson said this item had been canceled because
 2 a majority of landowner delivered a protest letter to the City. The developers would not be able to record the
 3 development until December so they planned to wait until January and restart the annexation process.

4
 5 **B. Oberee (Zolman) Annexation:** Mayor Watkins said a meeting had been held by the County
 6 Commission earlier that day to discuss the Oberee annexation. Some members of the Alpine City Council had
 7 attended the meeting. For those Council Members who had not attended the meeting, he asked the County
 8 Commissioners to briefly review what was discussed. Since David Church had received the information from the
 9 County, he asked him to also comment.

10
 11 Larry Ellerton said Mr. Church had received a draft of a possible development agreements between the County and
 12 the landowners of the Zolman and Grant properties if they were developed in the County.

13
 14 David Church said that the County would require a development agreement with the landowners of the Zolman and
 15 Grant properties if it was developed in the County. He had asked the County to share the draft of their agreement so
 16 they could compare it to what the City might require if it was developed in the City. It was only a draft but reflected
 17 what the County staff would be recommending if it went forward. Regarding density and use restrictions, he said the
 18 Oberee part of the property was located in the TR-5 zone but they would be limited to 60 building lots for single
 19 family dwellings with a average lot size of three-quarters of an acre and not less than 20,000 square feet. Standard
 20 improvements required of any development would be done at the developer's cost with the addition that road
 21 improvements would comply with or exceed the standards of Utah County and Alpine City. At completion they
 22 would require a through road connecting Elkridge Lane to Grove Drive. Water and sewer facilities would be built to
 23 Utah State and County standards at the expense of the developer. Traditional curb, gutter, and sidewalk would be
 24 meet Utah County and Alpine City standards, and other improvements as required by Utah County ordinances. The
 25 County would assess an annual fire and emergency medical service fee which would be paid to the entity that
 26 provided the services. Mr. Church said the development agreement on the Grant property was almost identical
 27 except it was limited to ten lots so there would be a maximum of 70 lots with no lot smaller than a half-acre.

28
 29 Commissioner Bill Lee thanked the City Council for their work and added that he knew more about what was going
 30 on in Alpine than any other city in Utah County. He said he wished to clarify that the proposed development
 31 agreement was a working document in which they could end up with different outcomes. He hoped they could work
 32 through the process smiling, and applauded the opportunity to work through the process with Alpine City. A portion
 33 of the ground was developable and they needed to consider its best use, find way to work together, compromise,
 34 and come to an agreement between city and county which also provided future homeowners with a sense of
 35 community.

36
 37 Commissioner Ellertson said the County did desire to work together with cities in these situations and come to an
 38 agreement. He recognized that it was a situation that the City had worked on. He didn't want to get locked into
 39 specifics but wanted to look at a broader overview which would allow all parties to feel good about it. It was the
 40 County's genuine desire to work with Alpine City and demonstrate a genuine interest in respecting the private
 41 property rights of the landowners. He asked that as they went through their agenda, the Council try to find
 42 something that would allow some leeway. He said the County generally preferred to not have developments in the
 43 County but if an applicant did come to them, they tried to respect private property rights.

44
 45 Mayor Watkins invited Paul Kroff to comment. Mr. Kroff said the property owner was not able to be present that
 46 evening but they were interested in the discussion. He said he'd had a chance to review the staff report.

47 48 Density and Lot Size

49
 50 Troy Stout asked if Mr. Kroff wanted the City to handle it in a manner that was consistent with the county and
 51 surrounding developments. There were some half-acre lots in the area but the reality was that the vast majority of
 52 the lots were one-acre lots. The lots which were less than an acre were part of a PRD. Mr. Stout said that in the
 53 absence of a PRD, he would like to see lots that were at least an acre.

54
 55 Commissioner Ellertson said that in terms of lot size, it was their interest to push toward one-acre lots sizes. That
 56 was part of the flexibility they were talking about. Lot sizes may not be the same throughout the development. A

1 portion of the development would border on half-acre lots. If they wanted it to be similar to surrounding
 2 developments it was reasonable that there be half-acre lots next to other half-acre lots. He said they would like to see
 3 the City work that out. If there was some flexibility, it may bring resolution of the issue. If they locked horns on a
 4 given issue, it could create some challenges.

5
 6 Troy Stout said that the first proposal showed 60 lots. The City proposed 31 lots, then it was changed to 44 lots. He
 7 felt the City had demonstrated the ability to work toward an end. He said there were areas that bordered half-acre
 8 lots but it was his understanding that they were not required to match a border.

9
 10 Shane Sorensen reviewed the map of the Obereee annexation site and the surrounding properties. Three Falls had an
 11 average lot size of 2.5 acres with open space. It was located in a the critical environment (CE-5) zone. Heritage Hills
 12 had an average lot size of 0.6 acres and was a PRD. There were some adjoining lots that were not in subdivisions
 13 that had lots sizes of 2.2 acres and 1.6 acres. Alpine Cove which was in the county had an average lot size of 1.2
 14 acres. Box Elder was a non PRD and had an average lot size of 1.1 acres. Heritage Hills, which had 0.6 acre lots
 15 included at least 25 percent open space. Box Elder South was not shown because the map was created using GIS and
 16 it wasn't shown on it yet, but the lots size in Box Elder South were about a half acre. Mayor Watkins clarified that if
 17 the Heritage Hills wasn't a PRD, the lots sizes would be bigger than 0.6 acres.

18
 19 Commissioner Lee said that when he put a jigsaw puzzle together, the pieces were not always equal in size. In
 20 looking at the map, the pieces were not equal. He reiterated what Commissioner Ellertson had said about flexibility.
 21 One-acre lots may work in some areas but not in others. There was one place where there were half-acre lots with a
 22 hill behind it. There would be some give and take.

23
 24 Will Jones commented that the roads weren't always straight and you couldn't assume that one-acre lots would fit
 25 everywhere. Troy Stout said he was not a surveyor but he'd been on the property. He felt that anything with a slope
 26 would need a larger lot. In a flat area that was wide open the objective could be to have more regularly sized lots.

27
 28 Commissioner Ellertson said they were not proposing that everything would be a half-acre lot. They were saying
 29 that no lots would be less than a half acre. The lot sizes would vary. There would still be pretty good sized lots.

30
 31 Lon Lott said he understood about dimension and spacing. If they were so strict with the parameters that they
 32 couldn't move some lots down from the higher area, they ran the risk of having them develop something on the
 33 hillsides that didn't need to be developed.

34
 35 Troy Stout said that if they had been able to establish hard and fast guidelines of one acre or throughout town, why
 36 could they not do that here? Why were they departing from that? It was almost an effort to reduce the latitude the
 37 City had to create the kind of city they wanted. If they wanted a widespread, open community, theoretically the lots
 38 got bigger the farther you moved out and higher up the slopes. It was very common in other areas. Why were they
 39 moving away from that?

40
 41 Roger Bennett said he was not opposed to a CR-40 zoning, but felt they should have some flexibility to allow for
 42 bigger or smaller lots. Mayor Watkins asked if the City wanted open space. Mr. Bennett said he didn't think they
 43 needed the open space but there could be some acre and half-acre lots. he felt there should be a variety because some
 44 people liked acre lots and some liked half-acre.

45
 46 Mayor Watkins asked how many lots there could be in the annexation area if it wasn't a PRD. Shane Sorensen said
 47 they could get 53 lots based on a CR-40 zoning without the density bonus of a PRD.

48
 49 Mayor Watkins asked if they had allowed developers to change the lots size up till now. David Church said that if it
 50 was zoned CR-40 and the developer applied for a PRD, he could adjust lots sizes down to a half-acre. The City had
 51 allowed density bonuses in exchange for open space but there was no requirement that there be open space or a
 52 density bonus. The development could have a density of 53 lots with no open space but the lot sizes could vary.

53
 54 Will Jones asked how many acres were part of the annexation that weren't shown on the map. He wondered what the
 55 result would be if they used all the ground in the slope analysis. The annexation included three other properties. He
 56 asked how many total acres were included in the slope analysis.

Shane Sorensen said they could do an analysis on any part of the ground. Some ground was already in the city. The Grants had a big piece of property in the annexation. The conservation easement was 68 acres.

Regarding the land in the conservation easement, Will Jones said he thought it should have been included in the slope analysis because it was part of the development. Troy Stout said he thought it wasn't included because it was not buildable. Roger Bennett said he thought it should be included but they weren't asking for a density bonus for it.

Kimberly Bryant and Troy Stout discussed being flexible and said they felt they were being flexible. They had originally set the limit on the number of lots at 31 and now they were looking at more than that. Will Jones said that when the first development came in for the same piece of ground in 2007, it showed over 80 lots. He did not think they were following their policy in that respect and they were not being flexible. Troy Stout said that at the training the previous week he understood that the intentions of previous councils were not binding on future councils. Since 2007 there had been fires on the hillsides and resulting mudflows. He said they needed to be mindful of previous councils but they also needed to be mindful of changing conditions. Will Jones said the council had a chance to change things after the fire and flood but they didn't and the conditions for development on that ground was still on the books.

David Church reviewed what happened with the previous annexation request for the same piece of property. It was known as the Pack or Alpine Canyon Estates annexation. It was a long process and the City required certain improvements including the improvements on Grove Drive and a secondary access. Significant upgrades would be needed to comply with Alpine City's water master plan. The annexation was approved it but then there was a downturn in the economy and the developers chose not to proceed on annexation and development. He said the two issues that might be different on this second annexation request was secondary water and the level of improvements necessary to upgrade Grove Drive.

Secondary Water

Will Jones said that as he reviewed the proposed resolution, he didn't see anything about providing pressurized irrigation. David Church said he had drafted the resolution for Mayor Watkins and he was recommending that the annexed area not be served with secondary water.

Roger Bennett said that area was already served with Alpine Irrigation Company water and they were entitled to it on the lower portion whether they were in the county or in the city. David Church said the City's contract with Alpine Irrigation Company required them to provide secondary water for the areas served by the irrigation company. It may not be necessary to serve the whole development. Shane Sorensen said the agreement stated that they would serve everything in the city if it could be served plus everything served by the Alpine Irrigation Company.

Lon Lott said there would be a benefit to the City if the development connected to the secondary irrigation system because there would need to be a booster pump which would benefit the upper zone in the City. It should not be discounted because it was something that needed to occur. Troy Stout asked if it would deplete the supply to the lower homes?

Shane Sorensen said staff was already proposing changes to the booster pump in Fort Creek, which pump water into the high zone. It hadn't always been an issues but during years when there was a drought and no snow pack, it impacted the higher zone. It would be replaced with culinary water. It required more power to pump water into the higher zone.

Troy Stout asked how that would affect the budget. Shane Sorensen said they had budgeted \$200,000 for it but they hadn't hit that mark this year. Regarding the pressure, Mr. Sorensen said they had 40 psi static pressure in the reservoir when it was full and there was no pressure on the system. When people were using the water, its wasn't unusual to see a swing of 20 psi. No one was happy when it dropped to 10 psi

Mayor Watkins said a lot of the area under discussion hadn't been irrigated. Roger Bennett said the irrigation company had no objection to serving areas with pressurized irrigation that had not been previously served.

Will Jones said that one way or another if it was culinary or secondary, if it got to the point where they had to pump, they had to pump. One of the things that happened with development that they tended to discount was that improvements in a new development would bring quality to the City's existing system. One of the things they were requiring was a 12 inch line which would help the City's system. The developer would be paying to improve the City system which helped everyone. Troy Stout asked why they needed a 12 inch line.

Shane Sorensen said they had a water model that showed the current service area plus projected new growth. By inputting the needed values they could go through a process to determine what size pipe was need to best serve the city and maintain the pressure.

Elkridge Lane

Mayor Watkins said the Planning Commission recommended that there be access to Elkridge Lane within two years of development. It was not an issue of whether or not it went it, but when.

Roger Bennett said that Grove Drive needed to be completely approved in the first phase or the connection to Elkridge Lane needed to built. If they built the connection to Elkridge Lane in the first phase, they could improve just their portion of Grove Drive. The connection to Elkridge Lane should have to go in regardless.

Troy Stout said would prefer to see Elkridge go in first. It was a key part of making the areas connect. He said he'd never been adamant that there be a big improvement on Grove Drive. It would be a good thing to have it if they could get it, but he liked country roads. If they were going to pack it full of people, it would not be country anymore. Kimberly Bryant said she agreed with that.

Lon Lott said he had always been in favor of providing a safe way in and out. The 90-degree corner was one of the things that needed to be taken care of. Grove Drive was an important part of safety. They needed to be able to have room for two cars to pass while people were walking along Grove Drive. Improving Grove Drive would be an off-site improvement for the development and he understood the cost of improving it, and impact on citizens along Grove Drive. People from Alpine Cove came down that way as well. He said he sat on the Mountainland Association of Governments (MAG) committee and he thought there was a way to access funds to put toward the improvement of Grove Drive. If they presented a project to MAG, they could get some help to take care of it. The developer should build the connection to Elkridge Lane, then pay their proportionate share of improving Grove Drive, and the City could get some other funds to finish it.

Will Jones asked Shane Sorensen if Grove Drive was on the Impact Fee Study. He said it was not. Will Jones suggested they add it so they would have an impact fee. He said that on the last three properties developed on Grove Drive, the City had required a proportionate share of the cost of improving Grove Drive and kept it in a secure fund.

Kimberly Bryant said she liked the staff recommendation on the roads and wondered why some Council members didn't want to follow it.

Paul Kroff said he wanted to clarify the recommendation from the Planning Commission meeting of May 5, 2015. They recommended 60 lots but did not include a recommendation that a connection to Elkridge Lane go through. Jason Bond said he looked it up and didn't see anything in the motion about it, but it was discussed.

Steve Cosper said he was in favor of a connection to Elkridge Lane but it was not included in the motion. Jane Griener said she did not recall the motion by they did discuss the need for safety and the need for Elkridge Lane to go through.

David Church said that if the development was approved in the City, the ordinances required two accesses if there were more than 20 lots. Since it was in the Urban Wildland Interface Zone, they needed two accesses regardless of the number of lots.

David Fotheringham said he remembered there was a lot of discussion about the road but they had tried to keep the motion simple. Steve Cosper said the fire chief had recommended the second access.

Mayor Watkins said they had discussed density and water and road access and he was hopeful that they could have a motion so the County would know where they are at.

Roger Bennett made a motion, but prior to the vote, there was a lengthy discussion about the motion.

Regarding exceptions in paragraph c, David Church explained the subdivision ordinance did provide for exceptions. He had included the requirement that there be no exceptions because he thought what they wanted was certainty. If it was annexed, they wouldn't want to be dealing with requests for exceptions. Roger Bennett said he wanted to delete the part of the sentence that said there could be no exceptions because he felt like it was tying their hands.

Regarding offsite improvements, Troy Stout questioned the need for a 12 inch line. David Church explained that if the developer only needed an 8 inch line to serve his development, and the City needed a 12 inch line to benefit the City, the developer paid for the line and the City paid for the upsize. There was further discussion about the different scenarios for different sized lines.

David Church summarized the motion Roger Bennett had made, which was followed by more discussion.

- Paragraph a remained the same.
- Paragraph b stated that if the development was processed as a PRD, it would not receive a density bonus but it would have flexibility on lot size and some of the lots could be 20,000 square feet, but the number of lots would be frozen under the CR-40,000 zone.
- Paragraph c would just say that ordinances would be complied with and delete the wording about exceptions and variance.
- Paragraph d would be state that the property owners would either provide the fully completed Grove Drive in the first phase and the connection to Elkrige Lane in the second phase or they would provide the connection to Elkrige Lane in the first phase plus their proportional improvements to Grove Drive.
- Strike the second paragraph d.
- Paragraph f would be changed to require the developer to build the necessary infrastructure for both culinary water and secondary water for the development according to the City's master plans.
- The last paragraph would remain the same.

David Church said the big changes were that the development could be a PRD to allow flexibility on lot size, but there would be no density bonus and the number of lots would be capped. The road obligation changed to state that if the developer completed the connection to Elkrige Lane in the first phase, they would only need to improve Grove Drive at the 90-degree turn plus their proportional share of the remaining improvements.

Kimberly Bryant said she felt really strongly about requiring them to fully improve Grove Drive since they had increased the density.

Shane Sorensen said he felt Grove Drive needed to be fully improved but he didn't think 100% of the burden on Grove Drive was caused by this development. Other developments used the road.

Mayor Watkins said he felt that improving Grove Drive was critical. Connecting to Elkrige Lane was just part of the subdivision.

Troy Stout said that without the subdivision there was no need for Elkrige. With the subdivision there was. Will Jones said the connection would benefit everyone. There was further discussion about the roads. Kimberly Bryant said she wanted to see Grove Drive fully improved because that was a staff recommendation. Troy Stout asked about the fire chief's recommendation. Shane Sorensen said fire chief said there needed to be a second access.

Roger Bennett said he agreed that Grove Drive needed to be fully improved, but he didn't think the developers of the Obere annexation needed carry the whole cost of improving Grove Drive.

David Church said the question was, what was fair? One thing they needed to consider was that by annexing, the developer benefited by connecting to the City's water system. If he developed in the county, he would have

significant costs for the water system. If he developed in the county, they would not require him to improve all of Grove Drive. The Council also needed to consider that other subdivisions including Alpine Cove and Box Elder dumped onto Grove Drive. If he developed in the county, he would get 70 lots. If he developed according to Roger Bennett's motion and the slope analysis, he would get closer to 55 lots.

Will Jones said the developer would still have costs to connect to the City's water system. David Church said the last time the City drilled a well, it cost a million dollars to drill and another million to equip the well.

There was a discussion about calculating density and whether or not the hillsides would be included in the slope analysis, and speculation about how the Grant property would affect the density if included or developed separately. There was discussion about having building lots on the hillsides.

David Church said the reason the PRD Ordinance was adopted was to keep estate lots off the hillsides. Roger Bennett said he would like to see the hillsides preserved. There were questions about how the lots might be laid out under the proposed zoning. Shane Sorensen said it was up to the developer's engineer to determine how to make the lots work. He clarified that according to Roger Bennett's motion, if it was developed as a PRD, the lots sizes could go down to 20,000 square feet.

Lon Lott asked if they meant they would be clustering the lots. Roger Bennett said that if they did a PRD they could do that. Councilman Lott asked if the number of proposed lots included the ground already in city limits. David Church said that the development agreement would include only the Zolman and Grant properties.

Will Jones said he would not be voting on the motion.

MOTION: Roger Bennett moved to adopt Resolution No. R2015-18 with the following changes:

- Paragraph a: Remain as written.
- Paragraph b: All subdivisions in the annexed area will be processed as subdivisions and will not have a density bonus if it is a PRD.
- Paragraph c: Strike the last part of the sentence "without exceptions or variances."
- Paragraph d: In the first phase, the property owners agree to build at their cost the full improvements to Grove Drive to bring the road up to current City standards (30 feet of pavement, curb and gutter on both sides, sidewalk on one side) from the intersection of Alpine Boulevard to the proposed new development including the improvements to the 90-degree bend, and build the connection to Elkridge Lane in the second phase; OR the property owners agree to build the connection to Elkridge Lane in the first phase and build their proportional share of the improvements to Grove Drive.
- Paragraph e: Strike paragraph e because it was combined with d.
- Strike the second paragraph d on the second page because the City would be required to provide secondary water.
- Paragraph f: That the property owners at their sole costs and expense build the culinary water and secondary water infrastructure necessary to serve their development as currently recommended for that area by the City's culinary water master plan and the secondary water master plan.
- Paragraph g: Remain as written.

Troy Stout seconded. Ayes: 2 Nays: 2 Roger Bennett and Lon Lot voted aye. Kimberly Bryant and Troy Stout voted nay. Will Jones abstained. Mayor Watkins voted to break the tie and voted nay. Motion failed.

Mayor Watkins asked if there was another motion.

Troy Stout asked Paul Kroff how many half-acre lots there would be. Mr. Kroff said he didn't know. David Church said there was no way they could imagine how the lots would lay out at that point. That was why the County offered parameters giving the maximum and minimum number of lots, and an average lot size. He suggested the City

Council focus on that and let the engineers work it out. The resolution the mayor had him draw up did the same thing with different parameters.

Paul Kroff said he'd met with the county earlier that morning and had his engineer a design a plan based on a minimum lot size of one-acre in the annexable area. It would yield 42 lots, but that did not include roads or retention so that number would go down since the road comprised 30 percent of the subdivision.

Kimberly Bryant said she would make a simple motion that did not guarantee him a certain number of lots regardless of roads, etc.

Kimberly Bryant made a motion at this point and Troy Stout seconded it but no vote was taken at that time. There was more discussion, then the Council took a five-minute break. The motion was voted on after the break.

Prior to the vote David Church summarized the motion stating that is was the same as the original resolution except for taking out the exception language and deleting the paragraph stating that the development would not be served by secondary water, and amending the paragraph on water to state that the developer would build the infrastructure for both secondary and culinary water according to Alpine City's master plan.

MOTION: Kimberly Bryant moved to adopt Resolution No. R2015-18 with the following changes.

- Paragraph a stayed the same as the original resolution. It would be zoned CR-40.
- Paragraph b said it would not be processed as a PRD and the lots size would not be less than 40,000 square feet.
- Paragraph c stayed the same except for the last phrase on exceptions and variances.
- Paragraph d stayed the same.
- Paragraph e stayed the same.
- Paragraph "d" on the next page would be deleted.
- Paragraph f would state that the property owners build the necessary culinary and secondary infrastructure according to the City's master plan.
- Paragraph g would remain the same.

Troy Stout seconded. Ayes: 2 Nays: 1. Troy Stout and Kimberly Bryant voted aye. Lon Lot voted nay. Roger Bennett was not present at the time of the vote. Motion failed.

Will Jones asked what they were accomplishing with the resolution. Were they telling Mr. Kroff they were annexing his ground?

David Church said that the resolution merely set forth what terms in the development agreement the City would agree to. If the petitioners signed an annexation agreement according to the terms of the resolution, the City would annex their ground. The County had indicated to Mr. Kroff and to Alpine City what their minimum terms would be. Some time ago Paul Kroff submitted what his terms would be. The issue the Council needed to resolve that evening was what they wanted to have in the development agreement. Mr. Church said it sounded like there were two main issues. One was how Grove Drive would be treated. The other was the number of lots. The County had said what number of lots they would approve and they said that Grove Drive would need to be improved to the bend in the road.

Kimberly Bryant said that according to Roger Bennett's motion, the number of lots would be closer to 60 lots. Her motion would make the number of lots closer to 40.

Lon Lott said that if the developer couldn't agree with Alpine's terms because of the profitability, there may be a way to address the offsite improvement costs by going to MAG and getting funds to do a portion of Grove Drive, and still work on a lower density.

Kimberly Bryant and Troy Stout said it was not their responsibility to make sure the developer made money on his development. The property was purchased on speculation.

Shane Sorensen said that it was possible to get money from MAG for Grove Drive, but they really focused on roads of regional significance.

At 9:27 pm Mayor Watkins suggested they take a five minute break.

At 9:35 pm the City Council returned to the meeting.

Troy Stout said he would like amend Kimberly Bryant's motion which had not been voted on to temporarily exclude item C and D until they had more information on the costs of Grove Drive and Elkridge. Kimberly Bryant said she was fine with that.

MOTION: Troy Stout moved to amend Kimberly Byrant's motion to temporarily table items C and D until the next meeting when they had better figures on street improvements on Grove Drive and Elkridge. Kimberly seconded.

David Church said they would still not have good figures at the next meeting. All they would have would be the engineer's estimates.

Lon Lott said he would like to discuss the Troy Stout's motion. He was concerned about postponing a decision for two weeks since the County Commissioners had asked for direct advice to get this worked out.

David Church said he was concerned because if they adopted the resolution but tabled parts of it, they weren't adopting anything. They needed to either table the resolution or make a motion on it.

Rich Nelson pointed out that whatever motion was made, they needed at least three Council Members to be in agreement or it would not pass because Will Jones had recused himself and Roger Bennett was returned from the break.

Commissioner Ellertson said that based on recent experience, when someone was not where they should be, it meant they were in trouble. Several people left the meeting to see if they could find Roger Bennett. It was suggested that Mr. Bennett was okay.

Commissioner Ellertson said that they had talked about considering some flexibility but at some point the County was going to make a decision.

Mayor Watkins said he thought they had been flexible. They were at a one-acre zoning which was the most they would ever allow up there.

There was more discussion about flexibility and density and lot size.

Commissioner Bill Lee said that one of their attorneys came to them and told them that they sat in a position to make a decision, but once the decision was made, they had to live with it. Now was the time to carve things out. He said the City now sat in a position of power. The parameters the County had set were not set in stone.

David Church said that as a City they had lots of flexibility because it was an annexation. But one thing they were forgetting was that the landowner had to agree with the City's requirements. The County had indicated their parameters to the landowner for him to develop in the county. The Council needed to decide what they would require, and the landowner would decide what he wanted to do.

Mayor Watkins said his concern was that the developer would find frustration with the Council and go back to the County and the County could rezone the ground, which would give the developer added leverage to come back to the City. His recommendation was the Council should decide but he asked that they not do something better than they would do for their own citizens.

Kimberly Bryant pointed out that since Roger Bennett had not come back, it was uncertain if they could pass anything.

David Church said he believed that Roger Bennett left the meeting as a parliamentary procedure to make sure the minority did not prevail. It appeared that three of the five Council members would give Mr. Obere more density than the Mayor and two Council members would. Mr. Bennett was using the same rules that had prevented one Council member from voting.

Mayor Watkins said they had an amendment to Kimberly Bryant's motion. It would take a positive vote of the entire Council to accept the motion to amend.

Troy Stout withdrew his motion. He said he didn't want to complicate Kimberly Bryant's motion which was made much earlier in the meeting.

Will Jones recused himself from the vote. A vote was taken on Kimberly Bryant's motion and the motion failed.

Lon Lott said he would like to go back to Roger Bennett's motion with some amendments, which he listed:

- Paragraph a would stay the same, which was to zone the property as CR-40,000.
- Paragraph b would allow the developable area to be processed with the flexibility of a PRD to allow larger lot higher up and small lots lower down. There would be 53 lots in the area of annexation with the potential of six more lots in the areas already in Alpine City for a total of 59 lots.

A lengthy discussion followed with input from the mayor and council members about the minimum lot size and improvements to Grove Drive and the construction of a connection to Elkridge Lane.

Troy Stout said he still had a problem with the half-acre lots. He had pledged to have low density on the hillsides. He would prefer to see lots with a minimum size of three-quarter acres and they should make up no more than 20% of the lots. He said he would be more likely to vote yes if the minimum lot size was three-quarters of an acre and they represented no more than 20% of the lots.

Mayor Watkins said it was his wish was that the Council send the message to the County representing what the City would do. It didn't mean Mr. Kroff could not come back and negotiate. But without something, the County had more reason to rezone the property.

David Church summarized Lon Lott's motion saying it was the same as Roger Bennett's motion except that the number of lots in the annexed area would be 53 lots and there would be a minimum lot size of three-quarters of an acre and they would represent no more than 20% of the lots.

Mayor Watkins asked what Roger Bennett's motion said about Grove Drive. David Church said he'd said that if Elkridge Lane was built first, then the improvements to Grove Drive would be the developer's proportional share. If he didn't build the connection to Elkridge Lane first, they he would have to fully improve Grove Drive.

Kimberly Bryant asked Lon Lott why he didn't want to follow staff recommendation on the roads.

Lon Lott said he didn't think he was going against staff reports because he still wanted Grove Drive improved, but the developer would pay their proportional share.

Mayor Watkins said he wanted to be on record that he wanted Grove Drive fully improved.

Will Jones asked how the other properties in the annexation would be treated. David Church said they would need to apply and go through the process.

Kimberly Bryant said she would like to see Grove Drive improved first of all because it affected all of the citizens, and then have Elkridge Lane come in on phase two.

Mayor Watkins agreed that Grove Drive should be fully improved first of all. He felt it would be more palatable for the neighbors if it was improved first.

Lon Lott asked Shane Sorensen if there would be a problem with the fire marshal if the connection to Elkridge Lane was not built until the second phase since staff recommended the connection. Will Jones noted that the preliminary plan showed a secondary access through Alpine Cove which would meet the need for a secondary fire access.

Mayor Watkins said he would recommend construction of the connection to Elkridge Lane when half the lots were built. He asked Lon Lott if he could live with those requirements on the roads so they could get a vote. Councilman Lott indicated he could accept that.

David Church summarized the revised motion. He reminded the Council that according to the Alpine City's ordinance they had to have a secondary access road after 20 lots, plus it was in the urban wildland interface area which required a second access road. He said the difference between this motion and the County's proposed development agreement was that the County would allow a minimum lot size of 20,000 square feet with an average lot size of three-quarters of an acre. The Motion required a minimum lot size of three-quarters of an acre to comprise no more than 20% of the lots. The County designated a maximum of 70 lots. The Motion designated a maximum of 53 lots. The County would require the developer to build their own water system, and the only improvements the County was requiring on Grove Drive was to improve the 90-degree bend. The County was requiring the Elkridge Lane connection.

Mayo Watkins said to keep in mind that proposed Development Agreement from the County was only a draft, and called for a vote on the motion which David Church had summarized.

Will Jones recused himself from the vote.

MOTION: Lon Lott moved to approve Resolution No. R2015-18 with the following changes:

- Paragraph a would remain the same as written with a zoning of CR-40.
- Paragraph b would state that subdivisions in the annexed area would be processed as PRDs to allow flexibility of lot size with a maximum density of 53 lots in the area of annexation with a potential of six more lots in the area already in Alpine city limits for a total of 59 lots. The minimum lot size would be three-quarters of an acre which would represent no more than 20% of the lots.
- Paragraph c would be revised to read "All of the City's existing hillsides, slope, and hazard regulations contained in the City's current development code would be complied with."
- Paragraph d would be the same as the original resolution which was that the property owners agreed, at their cost, to bring Grove Drive up to City standards (30 feet of pavement, curb and gutter on both sides, sidewalk on one side) from the intersection of Alpine Boulevard to the proposed new development including the improvements to the 90 degree bend.
- Paragraph e would be the same as the original resolution which was that the property owners agreed to provide a second access from the proposed development to the City that connected with Elkridge Lane, and this would be no later than when first 20 lots were built.
- Delete the second "d" paragraph which stated that the development would not be provided with secondary water.
- Paragraph f. The property owners at their sole costs and expense would build the culinary and secondary water infrastructure necessary to serve their development as currently recommended for that area by the City's culinary and secondary water master plan.
- Paragraph g would remain as written in the original resolution.

Kimberly Bryant seconded. Ayes: 3 Nays: 0. Lon Lott, Kimberly Bryant, Troy Stout voted aye. Roger Bennett was not present at the time of the motion. Motion passed.

Kimberly Bryant said she hoped that they showed flexibility. She felt she had come so much farther than where they started.

B. Larry Hilton Condominium Conversion Request: Jason Bond said that Larry Hilton had received approval for a commercial building at 341 S. Main Street which was lot B of the Alpine Olde Towne Centre Planned

Commercial Development. Before Mr. Hilton started construction, he wanted to convert the building into two separate condominiums. Alpine City's Development Code, Chapter 6, laid out the requirements for the conversion of a building to condominiums. The Planning Commission had reviewed the request and recommended approval subject to David Church reviewing the Declaration of Condominium Covenants, Conditions, Restrictions, and Management as proposed.

MOTION: Will Jones moved to approve Larry Hilton's request to create condominiums in the commercial building located at 341 S. Main Street subject to David Church reviewing and approving the agreement. Kimberly Bryant seconded. Ayes:4 Nays: 0. Will Jones, Kimberly Bryant, Lon Lott, Troy Stout voted aye. Roger Bennett was not present at the time of the motion. Motion passed.

D. Approval of Poll Workers for Voting Station. Rich Nelson said the although Alpine City was voting by mail, they would have a Voting Station at Alpine City Hall on November 3rd where people could drop off their ballots or vote provisionally if they did not receive a ballot in the mail. It was proposed that Lynn Higgins and Linda Higgins be approved as poll workers.

MOTION: Will Jones moved to approve Lynn and Linda Higgins as poll workers for the voting station at City Hall on November 3, 2015. Kimberly Bryant seconded. Ayes: 3 Nays: 0. Will Jones, Kimberly Bryant, Lon Lott voted aye. Roger Bennett was not present at the time of the motion. Motion passed.

Mayor Watkins said they had postponed the 2015 Survey Results to the end of the meeting, but since it was late, he recommended that it be reviewed at the next meeting.

VI. STAFF REPORTS

Rich Nelson reported on the following:

- The available dates for the Christmas party were December 16th or 17th. The Council indicated they would like it on Wednesday, December 16th.
- November 7th would be the official opening of the emergency phone at Tibble Fork.
- The Christmas lights would be going down Main Street.
- City Hall hours would be changing from 7:30 am to 5:30 pm to make a 9 hour day, and on every other Friday, half the staff would take Friday off.

Shane Sorensen said the proposal from Loughlin Water Associates on the new well had come in too late to be on the agenda but they wanted to begin work on it as soon as possible. It would be about \$9500. The Council indicated informal approval. It would be on the next agenda for formal approval.

VII. COUNCIL COMMUNICATION

Mayor Watkins asked staff to display the rendering for the proposed storage shop on 300 North. He said he had emailed a copy of it to the neighbors and they liked it.

Will Jones thanked Judi Pickell for the great job she did on the Trick or Treating at the local businesses. There was an amazing turnout.

Troy Stout told Will Jones that the letter he'd sent out to the community was a cheap shot. People thought it was an official letter from the City Council because it was addressed from the City Hall. Will Jones said he had not put the return address on it. Canyon Copy had addressed it when he handed them the letter. He said the letter clearly stated that it was from him and not the rest of the Council.

VIII. EXECUTIVE SESSION: None held.

MOTION: Will Jones moved to adjourn. Kimberly Bryant seconded. Ayes: 3 Nays: 0. Will Jones, Kimberly Bryant, Lon Lott voted aye. Motion passed.

The meeting was adjourned at 10:35 pm.

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DRAFT

ALPINE CITY COUNCIL MEETING and PUBLIC HEARING
Alpine City Hall, 20 North Main, Alpine, UT
November 17, 2015

I. CALL MEETING TO ORDER The meeting was called to order at 7:09 pm by Mayor pro tem Troy Stout. The following were present and constituted a quorum:

A. Roll Call: Troy Stout

Mayor Don Watkins arrived later in the meeting.

Council Members: Troy Stout- Mayor pro tem, Will Jones, Roger Bennett, Kimberly Bryant, Lon Lott
 Staff: Fire Chief – Brad Freeman, Steve Cosper – Planning Commission Chairman, Shane Sorensen - City Engineer, Jason Bond - City Planner, Charmayne Warnock - City Recorder. Rich Nelson, the City Administrator and David Church, the City Attorney were excused.

Others: Nathan Taylor, Isaac Lyman, Jayson, Webb, Cody Pierson, Zander Quiring, Grey Jenkins, Mitch Merrifield, Ross Beck, Paul Bennett, Marianna Richardson, Ramon Beck, Paul Kroff, Jane Griener, Dana Beck, Annalisa Beck, Clive Walters, Jewel Walters, Alyson Rummmler, Braden Rummmler, Dakota Hawks

B. Prayer: Lon Lott

C. Pledge of Allegiance: Isaac Lyman

Troy Stout said he wished to acknowledge the suffering of allies across the sea in France and elsewhere following attacks by ISIS (Islamic State in Iraq). He also thanked the Alpine Youth Council for honoring the local First Responders with a banquet to thank the firefighters/EMS and police department for the service they provided. He said he was grateful and honored to work with the caliber of people that served in that capacity.

He also welcomed the candidates who had run for City Council - Jane Griener, Marianna Richardson, and Ramon Beck. Ramon Beck had been elected to the seat currently held by Will Jones. Troy Stout thanked Will Jones for his service on the Council. Incumbents Kimberly Bryant and Lon Lott had been reelected to the Council.

II. PUBLIC COMMENT

Nathan Taylor from Troop 1108 said he had completed his Eagle project which was to renovate the pavilion in Burgess Park by the tennis courts. He had put up hardiboard siding and painted it. There were twenty people who helped with the service project. Shane Sorensen said the Cal Christensen who was the head of the parks department said it was one of the better projects he'd seen in the park.

Fire Chief Brad Freeman said he had two issues. First, after years of fighting to get a phone up at Tibble Fork, they were installing the phone system. It would save a lot of lives. They had been trying for ten years to get a phone up there but after Ashley Cox lost her life up there, it moved a lot faster. They got donations to complete \$50,000 worth of projects which included hiking up to a peak by Timpanogos to install a repeater station. They had been able to fly in Ashley Cox's parents from Colorado Springs and her friends for the dedication. He said there had been others, like Ashley Cox, who lost their lives because they couldn't get help in time. He said having a phone up there would greatly reduce the response time for emergencies. He appreciated the support of the Alpine City Council and other cities, and the legislators who lived in Alpine that helped push it through. He said they were also able to install a camera in the Tibble Fork area to provide a live shot so they could evaluate the situation. In addition they were able to find a rock to use as a monument for Miss Cox. Everything came into place and it worked out very well.

Will Jones said he had spent a couple of hours with the developers of Heritage Hills working on the trail plan for the development. In doing so, it became apparent that some of the trails were in places where they just wouldn't work. He reviewed and recommended another alignment that would be more practical. He suggested that the trail take off from the culdesac and go up to the ridge. It would eventually connect to the trails in Three Falls when the connecting trails were developed.

III. CONSENT CALENDAR

A. Approve the minutes of October 27, 2015

B. Approval of the well-siting contract with Loughlin Water Associates.

Lon Lott said he had some questions on the minutes pertaining to the resolution on the Obere Annexation. It appeared to him that the motion on the resolution did not match the resolution that was signed. In talking with Charmayne Warnock about it, she suggested they table approval of the minutes until David Church and Rich Nelson were present.

MOTION: Will Jones moved to table approval of the minutes of October 27, 2015 until the next meeting in January. Troy Stout seconded. Ayes: 5 Nays: 0. Will Jones, Troy Stout, Roger Bennett, Lon Lott, Kimberly Bryant voted aye. Motion passed.

MOTION: Will Jones moved to approve the contract with Loughlin Water Associates to assess the groundwater development of two potential well sites for the secondary water supply. Roger Bennett seconded. Ayes: 5 Nays: 0. Will Jones, Roger Bennett, Troy Stout, Kimberly Bryant, Lon Lott voted aye. Motion passed.

IV. REPORTS AND PRESENTATIONS

A. Mayor Watkins 2015 Survey Results: Troy Stout recommended they table the presentation on the survey results until Mayor Watkins was present.

V. ACTION/DISCUSSION ITEMS

A. Canvass the 2015 Municipal Election: City Recorder Charmayne Warnock presented the final results for the 2015 Municipal Election which were:

The following information is taken from the returns of the Municipal Election held November 3, 2015 at Alpine City, Utah	Alpine City Election Returns 2015 Official Results								
	Precinct AL01	Precinct AL02	Precinct AL03	Precinct AL04	Precinct AL05	Precinct AL06	Total	Percent ballots sent	Percent Ballots cast
Total # of Registered Voters	814	995	1116	1224	835	980	5964		
# of Ballots Cast	493	460	479	553	401	472	2858		47.92%
Name of Candidate									
Carla Merrill	202	164	208	207	152	148	1081	14.75%	37.83%
*Lon Lott	255	235	206	391	219	353	1659	22.64%	58.05%
Marianna Richardson	180	153	141	128	120	88	810	11.05%	28.32%
Jane Griener	185	179	168	83	134	90	839	11.45%	29.36%
*Ramon P. Beck	283	288	241	390	249	340	1791	24.44%	62.26%
*Kimberly Arnold Bryant	156	194	270	177	189	162	1148	15.67%	40.17%
# of Provisional ballots	45	48	23	37	21	36	210		
# of Absentee ballots	56	37	62	88	61	53	357		
County Sales Tax Proposition									
FOR	212	206	190	194	168	213	1183	43.22%	
AGAINST	258	238	269	334	219	236	1554	56.78%	
*Candidates that were elected									
VOTER TURNOUT	47.92%								

MOTION: Will Jones moved to approve the Canvass of the 2015 Municipal Election and certify the results. Roger Bennett seconded. Ayes: 5 Nays: 0. Will Jones, Roger Bennett, Troy Stout, Kimberly Bryant, Lon Lott. Motion passed.

1 Troy Stout suggested they skip to Item D on the Verizon tower collocation and wait until Mayor Watkins was
 2 present to discussion item B on updating the General Plan.
 3

4 **D. Verizon Wireless collocation on cell tower in Lambert Park:** Jason Bond said that Verizon Wireless
 5 was proposing to collocate their antennae on an existing cell tower in Lambert Park. The request had been reviewed
 6 and recommended by the Planning Commission with several conditions. They recommended that the cabinets be
 7 painted the same color as the tower and that the City Council hold a public hearing. The City Council had already
 8 approved the lease agreement with Verizon for the site of their base equipment. This proposal would add antennae to
 9 the tower. Dakota Hawks was a representative of Verizon and was present to answer questions.
 10

11 Dakota Hawks explained that there would be a metal canopy over the equipment that was called a solar shield. Its
 12 purpose was to lower the heat on the equipment. It would stand ten feet above the fence line. He said they were fine
 13 with painting it the same color as the other equipment. He said there was also an ice shield, which was lower.
 14

15 Members of the Council were concerned about the size of the area that would be disturbed and the height of the
 16 metal canopy. Troy Stout said he was concerned about the profile it would create on the hilltop. There was a
 17 discussion about what could be done to set the equipment lower in the ground so the canopy didn't intrude into the
 18 sightline so much. Will Jones suggested they excavate a little deeper so they could recess it into the ground.
 19

20 Lon Lott said that where it was just a roof with no walls, it would be less noticeable in a horizon view. If someone
 21 was above it and looking down, they would see it.
 22

23 There was also a discussion about landscaping around the tower. Jason Bond said the problem was there was no
 24 water up there to irrigate landscaping. Lon Lott said that even native vegetation needed to be watered during the
 25 initial growth.
 26

27 Will Jones wanted to know what they would do with the material when the site was graded. He suggested they use it
 28 to fill some low places in other parts of Lambert Park.
 29

30 **PUBLIC HEARING**

31
 32 Troy Stout opened the public hearing to receive comment on the proposed collocation. There were no comments and
 33 the hearing was closed.
 34

35 **MOTION:** Will Jones moved to approve the Verizon Wireless Collocation of the antennas on the existing tower in
 36 Lambert Park with the following conditions:
 37

- 38 1. The cabinetry would be painted the same color (brown) as the tower.
- 39 2. The canopy would dropped as low as possible from existing grade.
- 40 3. The material graded from the site would be used to fill other areas in Lambert Park.
 41

42 Roger Bennett seconded. Ayes: 4 Nays: 1. Will Jones, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Troy
 43 Stout voted nay. He said he liked the additional revenue to the City and as a Verizon customer appreciated the
 44 improved service it would provide, but he would prefer a smaller footprint. Motion passed.
 45

46 Mayor Don Watkins took his seat at 8:16 pm.
 47

48 Mayor Watkins said he would like to discuss Item E which was the pressurized irrigation report, then move back to
 49 Item B on the General Plan.
 50

51 **E. 2015 Pressurized Irrigation Report:** Shane Sorensen had prepared graphs showing the annual usage
 52 of pressurized irrigation water for the last six years. He said that in 2015 they had the lowest usage they'd had in six
 53 years. Water usage had begun to go down since 2013 when the City implemented watering restrictions. He said the
 54 reason it had dropped so much in 2015 was because they had an extremely wet May and lots of people didn't irrigate
 55 at all. Although the summer was hot and dry, they had periodic rain events like the one during Alpine Days which
 56 also decreased the usage. Some people left their water off for 7 to 10 days. The City left it off in the park.

Shane Sorensen said another reason the water usage was less in 2015 was because there was at least one large farm (Bennett Farms) that wasn't irrigated in 2015 because it had been developed as a subdivision. In addition the City was trying to educate people about water conservation but it wasn't as effective as enforcement of the restrictions.

Pumping costs were up because they had to pump water from the wells to put into the secondary water system. They had significantly less water from Fort Creek and Dry Creek and the springs in 2015.

Troy Stout asked how the increased cost for power affected the budget. Shane Sorensen said the budget for pressurized irrigation straddled two years because the budget changed in June and July. They had budgeted \$200,000 for the past two years and hadn't gone over it. He didn't expect they would unless they had a really strange April, May and June in 2016.

Jane Griener said she had attended the Jordan Water District meeting and they said the month when there was the most waste was September and that was the month to educate the cities. They also talked about the slow-the-flow program in the schools but it hadn't seem to affect the usage. However, it may help the water users of the next generation.

Shane Sorensen said Greg Kmetzch had taken over the responsibility of the operating the water system when Jay Healey retired and he was doing a great job. It was a lot of pressure 24/7 to worry about the water.

B. Discussion on the updating the General Plan: Will Jones said that when they were discussing rezoning an area, it was important to evaluate several issues. First, they needed to consider how a zone change would affect the culinary water and the secondary (pressurized irrigation) water supply. Increasing density would result in more homes and increase culinary water usage but the small lots would use less secondary water than larger lots. Second, they needed to consider whether they could provide sewer service to an area. Third, they needed to consider traffic patterns on one-acre lots versus half-acre lots. Plus there were other benefits that needed to be considered such as tax dollars and fees from the growth.

Lon Lott said the master plan took into consideration demographics and the effect of growth or lack of growth on schools and churches. If there was only an aging population with no young families, there may not be enough students to fill the elementary schools. They also needed to consider the business commercial aspect of things. The plan designated a senior housing overlay zone in the current business commercial zone. He'd heard there were people wanting more senior housing for older people who wanted to stay in Alpine.

Troy Stout said he felt it was relevant to look at what the citizens of Alpine wanted. Most of them said they liked the general feeling of openness. Did they need to facilitate that with larger lots? A lot of people preferred the quiet bedroom community. Did they want to widen roads to four lanes to accommodate the additional traffic generated by higher density?

The remaining undeveloped properties in Alpine were identified. The largest areas were the properties owned by Dana Beck and others along Westfield Road, and the Bangerter property along Alpine Highway. Other areas were 13 acres on 300 North owned by Clive Walters. Mr. Walters said the 300 North property was currently zoned for half-acre lots. Chatfields owned about 20 acres on Hog Hollow Road. The Pearce property by the equestrian center. was another undeveloped area.

Mayor Watkins said it had been a long time since they had updated the Master Plan and hoped they would take a serious look at those areas and find out what the citizens wanted. He said he would prefer to update the plan all at once rather than piecemeal. They needed a comprehensive plan. It was difficult to have individual situations come in because it was hard to be objective when they knew the people.

Lon Lott asked what the process would be if they already had a request to rezone property on Westfield Road before the Master Plan was updated. Mayor Watkins said he was advised when he came into office that the best thing to do was to update the Master Plan first. Get feedback from the citizens and look at the infrastructure. The process would start with the Planning Commission. Landowners would have a say in the process.

Will Jones said they should talk about the infrastructure in relationship to the Beck property. That would be easy because it was objective. The difficult part was on the subjective issues.

Steve Cosper said that when Jannicke Brewer was the chairman, the Planning Commission discussed updating the General Plan. They felt it should be tweaked, but not overhauled. He said that Jason Bond was educated as a planner and they should take advantage of that. The update wouldn't happen in one session. He suggested they break it up into categories and work on each part until they had a comprehensive recommendation for the City Council. He suggested that he and Jason Bond formulate something for them to work on at each meeting.

Dana Beck said he had been working on a rezoning for six or seven months. The City held a couple of public hearings. Staff had reviewed different items. He said he would like it if the Planning Commission involved the property owners. The last time the zoning in Alpine changed, none of the landowners were involved.

Steve Cosper said he would appreciate the landowners attending the meetings. He was open to input and arguments.

C. Glass Recycling Bin Discussion: This item was postponed because no information had been submitted.

REPORTS AND PRESENTATIONS

Mayor Watkins 2015 Survey Results: Jason Bond reviewed the results of the 2015 survey of the Alpine residents. He said approximately 730 surveys were returned. Over half of the returned surveys came from the northeast (28%) and southeast (29%) sides of town. The percentages of the survey that came from other areas were the southwest (11%), downtown (15%), and the northwest (17%). Troy Stout commented that the population was denser in the areas where they got the most response. There were more open areas on the southwest and northwest.

The reason respondents gave for choosing to live Alpine were: the mountains (27%), it was a family centered community (26%), small town/rural environment (24%), private and quiet (14%), location (7%), schools (2%).

Fifty percent of the population favored taking measures to reduce the deer population. The percentage opposed was 29% and 21% were undecided.

Regarding residential growth in Alpine, 49% were opposed to it and 35% favored residential growth. 16% were undecided. For those who favored growth or were undecided, 43% favored growth in the form of single family homes, 19% favored more senior living, 18% favored single family homes with an attached apartment, 9% favored condos or townhomes, 8% favored single family homes with a detached apartment, 3% favored apartments.

For commercial growth, 45% opposed it, 44% favored it, 11% were undecided. If there was going to be commercial growth, 38% of the respondents preferred to see dining, 20% wanted a grocery store, 18% favored boutiques, 12% favored entertainment, 9% wanted to see a hardware store, 3% listed other types of commercial development.

Residents were asked if there were circumstances where they would support a zone change to allow a higher concentration of homes in a certain area. 72% said no, 19% said yes, 9% were undecided.

They were asked if unincorporated land was developed, would they prefer it to be annexed into Alpine City or remain under the jurisdiction of Utah County. 60% said it should be annexed. 22% said it should remain in the County, and 18% were undecided. When asked specifically about the Box Elder South subdivision, 50% said it should be annexed into Alpine City, 25% said it should not, and 25% said they were undecided.

Regarding current animal rights in Alpine, 87% said they were acceptable, 9% said there were not acceptable, 4% said they were undecided.

The residents were asked if they favored or opposed trails in residential areas of Alpine City. 84% said they favored trails, 10% said they were opposed, 6% said they were undecided.

Citizens were asked to rank what issues were most important to consider when planning future growth. The #1 issue was hillsides and open space, #2 was the rural lifestyle, #3 was traffic, #4 was parks and recreation, #5 was the tax base, #6 was noise pollution, #7 was preserving agriculture, #8 was animal rights, #9 was affordable housing.

Jason Bond said many of the respondents wrote comments on the various questions which were available to the Council to read if they were interested. He noted that some of the comments seemed contrary to the answers they chose on the survey.

Mayor Watkins said the Council would be dealing with the deer issue in the upcoming year.

VI. COUNCIL COMMUNICATION

Mayor Watkins reported that he had attended the CUP meeting on water and learned that Utah was in the best shape of any state in the west. The bad news was that in order to sustain economic growth in Utah, there were two major projects that needed to be built. One was on the Bear River and the other was providing water to Southern Utah from the Colorado River. Both would be expensive. On a local level, he said it was a foregone conclusion that they would be looking at metering pressurized irrigation water. They also needed to update the City's infrastructure, which would be a major cost. Water would only become more expensive and more valuable.

Mayor Watkins also reported that Highland City had funds from Mountainlands Association of Governments to build a connecting road from 4800 West to the Alpine Highway. They were considering where it should be located. There was ground by the Developmental Center that would accommodate a road. However, the property was owned by the state and in a trust, and it was uncertain if they could put a road there. Highland City wanted to make presentations to local councils and get their support to approach the state government about putting a road there instead of creating more congestion by the high school.

Troy Stout said the Lone Peak football team had a really good game. In relation to City issues, he said the approval of the minutes of October 27, 2015 was tabled because there was a question about whether or not the minutes reflected the same information that was in the resolution on the Oberee Annexation. He said that when those minutes came back for approval, the vote should be limited to those who were on the Council at that time.

Kimberly Bryant asked for clarification of what the issue was. She said Carla Merrill had come in the next day and read what was printed it up and she thought it was the way they voted.

Lon Lott said he went into Rich Nelson's office and looked at the resolution. Rich Nelson had asked him if that was what he thought was said, and he thought it was, although the meeting was kind of blur and he hadn't been able to listen to the audio. Then Rich Nelson called him later that day and said Mayor Watkins had called and said he did not remember it the same way. Mr. Lott said his question was whether or not the minutes should reflect what as in the resolution.

Mayor Watkins said he had called David Church who said they had listened to the recording and he wrote the resolution based on that.

Kimberly Bryant said the meeting had been confusing. Roger Bennett had left and there was a lot of discussion. She said her question for Lon Lott was if he was trying to change the resolution because she had heard him say he could live with the changes that were made to his motion.

Mayor Watkins agreed that he'd heard Lon Lott say he could live with the changes, but if it wasn't what he thought he said then he would have a hard time approving the minutes.

Charmayne Warnock suggested they compare a copy of the signed resolution with the minutes and determine what was different.

Will Jones said that this was his last night on the Council and he had a long list of items he wanted to bring up.

1 1. A covered bridge on Main Street. He said he would like to revive the idea of covering the bridge on
 2 Main Street and have a "Welcome to Alpine" sign with lighting. He had an architect that would donate his time and
 3 he had a structural engineer that would review it. They would stamp the asphalt for a paver effect.

4 2. Alpine Entry sign. They still needed to get the Alpine entry sign up. He had contacted the owner of the
 5 land who would donate the right-of-way back for the sign back to Rachel McTeer Park. He had also checked with
 6 the water conservation group.

7 3. Moyle Park. Mr. Jones said he would like to remain on the Moyle Park Committee as a citizen. They
 8 would need a chairman from the City Council.

9 4. Amphitheater. He would like to see the amphitheater built in the park before Alpine Days.

10 5. Trails. He would like to see the Council continue with the Dry Creek Trail which Jason Bond had
 11 started, and make sure that it happened by appropriating funds for it and put it in the budget. They would have
 12 National Trail Day again the upcoming year. He would like to stay on trail committee because they had a lot of trails
 13 to build, especially in Fort Canyon.

14 6. Public Safety District. He said they had some of the best guys in the state in the public safety department
 15 but they were not accountants or HR people. He said they should be trained to handle human relation situations and
 16 how to come up with a budget. The Council needed to help make management and leadership training possible, and
 17 help them find funding sources for their budget.

18 7. Alpine Days. Appoint a Councilman over Alpine Days. Melanie Ewing would be chairing it and she was
 19 amazing.

20 8. Property tax revenue. Will Jones said that for the past 31 years he had paid taxes on Three Falls at an
 21 average of \$25,000 a year for undeveloped ground. It brought \$867,353 into the tax coffers of Utah County for
 22 schools, etc. Alpine got a portion of that. Three Falls was now approved and recorded which meant he would be
 23 paying \$800,000 in taxes. Besides additional tax revenue from the Three Falls project, Alpine City would receive
 24 double the amount of open space and trails they had, plus the City would receive two million dollars in fees. He said
 25 that the development actually served the city and felt that when the developer and the city worked as a partnership it
 26 served both of them.

27 9. Commercial development. A single family home that was about the same square footage as his office
 28 building would pay \$3,440 in taxes. His office building with the same square footage would pay \$10,800. They
 29 needed to think about what businesses brought to the city. Businesses didn't use a much water, they didn't use the
 30 parks or generate as much traffic as a home. There was a group that was trying to promote commercial growth in
 31 Alpine and he felt the City should get behind that group.

32 9. Procedure. In reference to the discussion on the Oberee annexation and other issues the City Council
 33 discussed, he said it was critical that speakers be recognized by the mayor before speaking, and when they amended
 34 a motion, make sure it was clear.

35 10. Annexations. There were only two areas that might possibly be annexed where the zoning or density
 36 was not already decided. Box Elder South was zoned by the county. Pine Grove was zoned by the county. The
 37 Oberee annexation was in the process. The two areas left outside the Alpine City limits were the Melby property and
 38 the Fitzgerald property. He said the Council needed to figure out what they wanted to do with those areas. Although
 39 the Melby property could not be annexed without Alpine Cove because it would create an island.

40 11. Ordinances. Mr. Jones said they needed to believe in the City's ordinance. They were more restrictive
 41 than anywhere on the Wasatch front. It was when they wandered away from the ordinances that they got in trouble.

42 12. Alpine Cove. If the Cove was annexed they could create a special improvement district to handle their
 43 own water. The road were put in 30 years ago. If the county wanted to repave them then maybe they could consider
 44 annexation.

45 13. Survey. Mr. Jones said the City had a survey every two years and it was called voting. There were four
 46 times as many citizens who voted as responded to the survey. 47% was a good voter turnout. Some of the issues
 47 mentioned in the campaign flyers that went out were the same issues in the survey. Kimberly Bryant said she felt
 48 most people in Alpine voted for the person and not for their stand on issues. Troy Stout said he didn't think they
 49 should ignore the survey and trust the candidates or visa versa. They both needed to be considered.

50 14. Planning Commission. Will Jones said that when the last person was appointed to the Planning
 51 Commission, the Mayor promised the next one would represent the southwest quadrant. He said that when Brent
 52 Bateman trained the Planning Commission, he stated that the role of the Commission was to be non political. They
 53 needed people on the Planning Commission that the people trusted. Mayor Watkins disagreed that he'd promised
 54 that the next appointment would come from the southwest quadrant.

1 15. Water conservation. They would probably never get 100% of the people to conserve water but they still
2 needed to encourage people to conserve. Even when the City started metering pressurized water there would still be
3 people with money who used excess water.

4 16. Traffic. He said he had spent the last few week observing traffic by the charter school. There were
5 some simple things they could implement to help the problem. They could ask the school to not allow people to park
6 west of Main Street. The crossing guard was stopping traffic to let the children cross to and from the school to the
7 west side of Main Street and traffic would be stopped all the way to the roundabout. He suggested they consider
8 creating a route where traffic could go out through the basketball court and through the McGilvery property out to
9 100 South where they would turn right and head out of town from that direction.

10 11 **VII. STAFF REPORTS**

12
13 Jason Bond said the City Council had previously approved the April Cooper office building but since that time the
14 owners came in with some revised plans that showed an elevator shaft to the third floor which changed the roofline.
15 He showed a rendering to the City Council of the revised plan. The Council indicated they did not have a problem
16 with the elevator shaft.

17 18 **VIII. EXECUTIVE SESSION:** None held.

19
20 **MOTION:** Kimberly Bryant moved to adjourn. Will Jones seconded. Ayes: 5 Nays: 0. Kimberly Bryant, Lon Lott,
21 Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

22
23 The meeting was adjourned at 10:23 pm.
24

ALPINE CITY COUNCIL MEETING
Alpine Art Center, 450 S. Alpine Highway, Alpine, UT
December 16, 2015

The meeting/Christmas dinner started at 7:00 pm.

Mayor Don Watkins and the following City Council members were present: Troy Stout, Roger Bennett, Will Jones, Kimberly Bryant, Lon Lott.

Also present was newly elected member of the City Council Ramon Beck, along with members of the Planning Commission, Alpine City staff, and guests.

The prayer was offered by Troy Stout.

No motions were made.

The dinner ended at approximately 8:30 pm.



2016 ANNUAL MEETING SCHEDULE

FOR

ALPINE CITY, UTAH

PLANNING COMMISSION MEETINGS for the 2016 calendar year are scheduled on the 1st and 3rd Tuesday of each month as follows unless otherwise indicated:

January 5	May 3	September 6
January 19	May 17	September 20
February 2	June 7	October 4
February 16	June 21	October 18
March 1	July 5	November 1
March 15	July 19	November 15
April 5	August 2	December 6
April 19	August 16	

CITY COUNCIL MEETINGS for the 2016 calendar year are scheduled on the 2nd and 4th Tuesday of each month as follows unless otherwise indicated:

January 12	May 10	September 13
January 26	May 24	September 27
February 9	June 14	October 11
February 23	June 28	October 25
March 8	July 12	November 8
March 22	July 26	November 22
April 12	August 9	December 13
April 26	August 23	

All Planning Commission and City Council meetings will begin at 7:00 pm unless otherwise posted. Meetings are held at Alpine City Hall, 20 North Main, Alpine, Utah 84004.

Charmayne G. Warnock
City Recorder

THE PUBLIC IS INVITED TO ATTEND ALL PUBLIC CITY MEETINGS. If you need a special accommodation to participate in the meeting, please call the City Recorder's Office at 801-756-6347 ext. 113.

CERTIFICATION OF POSTING. The undersigned duly appointed recorder does hereby certify that the above agenda notice was posted in three public places within Alpine City limits. These public places being a bulletin board located inside City Hall at 20 North Main and located in the lobby of the Bank of American Fork, Alpine Branch, 133 S. Main, Alpine, UT; and the bulletin board located at The Junction, 400 S. Main, Alpine, UT. The above agenda notice was sent by e-mail to The Daily Herald located in Orem, UT and local newspapers circulated in Alpine, UT. This agenda is also available on the City's web site at www.alpinecity.org and on the Utah Public Meeting Notices website at www.utah.gov/pmn/index.html.

ALPINE CITY COUNCIL AGENDA

SUBJECT: Independent Audit Report

FOR CONSIDERATION ON: January 12, 2016

PETITIONER: Greg Ogden, CPA

ACTION REQUESTED BY PETITIONER: Receipt and Acceptance of the City's Independent Auditor's Reports

INFORMATION: State law requires that each year every city has to have an independent auditor audit the City's governmental activities, the business-type activities, each major fund and the aggregate remaining fund information (City's basic financial statements) and report their findings to the City's governing board (City Council). A copy of the auditor's report is attached and a hard copy will be given to each Council member. Please note: the attached copy includes both the basic financial statements and the management letter in one file. The management letter is near the end of the attachment (page 81).

RECOMMENDED ACTION: *That the City Council acknowledges receipt and acceptance of the City's Independent Auditor's Reports.*

ALPINE CITY COUNCIL AGENDA

SUBJECT: Deer in Alpine Discussion

FOR CONSIDERATION ON: January 12, 2016

PETITIONER: Mayor Don Watkins

ACTION REQUESTED BY PETITIONER: That the Council begin discussion on how the City should handle the deer over population issue in the City.

INFORMATION: The Mayor's survey indicated that the residents of Alpine consider deer a major problem in the City. A majority of the residents want the deer eradicated in a manner similar to how Highland City handles the deer problem. A significant minority of the residents want the problem to be handled either on a catch and release somewhere else basis or to just leave things as they are.

Attached are the following:

- 1. A copy of the email from DWR regarding deer in city issues.**
- 2. A copy of the State law on how a city can handle this problem.**
- 3. A copy of an email from Highland City on what they are doing.**
- 4. A copy of the Highland City Urban Deer Control plan**
- 5. A copy of the Centerville City Urban Deer Control plan**
- 6. A copy of the Bountiful City Catch and Relocate brochure**

RECOMMENDED ACTION: The Council will hear from DWR on what they can and can't do and instruct staff to prepare additional information in preparation to the Council deciding how to handle this issue.

Charmayne Warnock

From: John Fairchild [johnfairchild@utah.gov]
Sent: Tuesday, December 01, 2015 4:58 PM
To: Rich Nelson
Cc: Covy Jones; Gray, Steve; Bill Bates; Josee Seamons
Subject: Urban Deer Control Administrative Rule
Attachments: R657-65 Urban Deer Control.pdf

Richard,

Here's a copy of the rule that gives eligibility requirements cities must meet prior to receiving a certificate of registration (approval from DWR) to prepare an urban deer control plan. Division personnel will be available to help city employees prepare a plan, but as long as it meets the standards presented in the rule, there is no formal approval of the plan by the Division.

The plan prepared by the city will address lethal removal only. If the city wants to include a non-lethal component (trapping and translocation), that will require a separate agreement between DWR and Alpine City and implementation will be subject to scheduling limitations based on the number of cities that choose non-lethal removal as an option.

We will have a DWR representative at your meeting on January 12th.

Thanks for the invitation,

John

--

John Fairchild
Regional Supervisor
Utah Division of Wildlife Resources
801-885-8140

R657. Natural Resources, Wildlife Resources.

R657-65. Urban Deer Control

R657-65-1. Authority and Purpose.

(1) This rule is promulgated under authority of Sections 23-14-3, 23-14-18, and 23-14-19.

(2) The purpose of this rule is to enable a city to design and administer a control plan for the lethal or non-lethal removal of resident deer damaging private property or threatening public safety within the city.

R657-65-2. Definitions.

(1) Terms used in this rule are defined in Section 23-13-2. (2) In addition:

(a) "Deer" means wild deer (*Odocoileus hemionus* or *Odocoileus virginianus*) living in nature and does not include privately owned, captive deer.

(b) "Division" means the Utah Division of Wildlife Resources.

(c) "City" means an incorporated municipality with greater than 1,000 residents.

(d) "Resident deer" means a deer that lives within city boundaries year-around.

(e) "Urban deer control plan" means a document designed, created, and administered by a city that establishes the protocols and methodologies it will pursue to control and mitigate private property damage or public safety threats caused by deer within its incorporated boundaries.

R657-65-3. Authorization to Create and Administer an Urban Deer Control Plan.

(1) A city with a resident deer population that is significantly damaging private property or threatening public safety within its boundaries may request the Division for a certificate of registration ("COR") to design, create, and administer an urban deer control plan.

(2) The Division may issue an urban deer control plan COR to a city, provided:

(a) the application is filed by a city;

(b) resident deer are collectively causing significant damage to private property or threatening public safety within the city's incorporated boundaries;

(c) it has enacted an ordinance prohibiting the feeding of deer, elk, and moose;

(d) it has general liability insurance in the amount of \$1,000,000.00 or more that covers liability claims that may arise from designing, creating, and administering an urban deer control plan;

(e) it agrees, without waiving immunity or any other limitation or provision in the Utah Governmental Immunity Act, Utah Code §§ 63G-7-101 through 63G-7-904, to hold harmless and indemnify the Division against any claims or damages arising from its deer removal activities undertaken pursuant to the urban deer control plan COR, except for any allocated share of fault and damages attributable to the Division's actual involvement in deer removal activities on the ground; and

(f) it submits with its application the estimated population of resident deer in the city and the final target population number it seeks to achieve through deer removal.

R657-65-4. COR Authorities and Limitations.

(1) An urban deer control plan COR issued to a city will:

(a) specify for each year of the COR term:

(i) the seasonal time period when deer may be removed;

- (ii) the total number of deer that may be removed; and
- (iii) the number of deer by gender that may be removed: and
- (b) authorize it to design, create, and administer an urban deer control plan consistent with the season and number limitations imposed in the COR and the following authorities and limitations.

(2) The COR authorizes the city to:

- (a) prescribe and employ lethal methods of take to control deer, provided the methods are otherwise in compliance with state and federal law;

- (b) utilize baiting to facilitate safe and effective deer removal activities;

- (c) select and supervise individuals to perform specified deer removal activities, provided the city:

- (i) issues to each individual authorized to remove deer a written authorization and tag that:

- (A) is on a form prescribed by the Division;

- (B) is signed by the city manager and recipient;

- (C) identifies the recipient's name, address, date of birth, gender, height, weight, and eye color;

- (D) describes the locations, time periods, methods of take, and related activities authorized by the city; and

- (E) includes a detachable tag consistent with the requirements in Section 23-20-30;

- (d) allow a single individual to take more than one deer;

- (e) permit spotlighting to facilitate non-lethal deer removal or carcass recovery efforts; and

- (f) remove deer consistent with the annual buck and doe take prescriptions and season limitations set forth in the COR.

(3) The city will:

- (a) require individuals authorized to lethally remove deer to:

- (i) tag the carcass consistent with Section 23-20-30; and

- (ii) comply with all federal, state, and local laws pertaining to the possession, use, and discharge of a dangerous weapon; and

- (b) take measures to ensure that:

- (i) deer carcasses are salvaged consistent with Section 23-20-8 (Waste of Wildlife) and disposed of as provided by law;

- (ii) viscera is removed from the kill site and disposed of as provided by law;

- (iii) antlers of lethally removed deer are promptly surrendered to the Division and not retained by the city or the person that takes the animal: and

- (iv) submit an annual report to the Division by March 1 on lethal removal activities, including the following information for each permit issued:

- (A) name of shooter/permit holder;

- (B) sex of the animal;

- (C) date of harvest; and

- (D) disposition of carcass, ie, retained by hunter, donated, etc.

(4) The city will not:

- (a)(i) capture a deer for release outside municipal boundaries without a written capture and relocation plan prepared in coordination with and approved by the Division;

- (ii) capture or relocate a deer in violation of the approved capture and relocation plan; or

- (iii) allow an employee, officer, agent, licensee, or contractor who has not been

certified and approved according to the written capture and relocation plan to capture or release a deer.

(b) sell or barter a deer carcass or otherwise use it for pecuniary gain without prior written approval from the Division;

(c) collect a fee or compensation from a person or entity it authorizes to remove deer from its incorporated boundaries, unless the fee or compensation is:

(i) \$50 or less;

(ii) used exclusively to recoup the actual costs incurred by the city in:

(A) selecting and qualifying the person; or

(B) butchering and processing lethally removed deer for donation; and

(iii) approved by the Division in writing;

(d) undertake or authorize deer removal activities outside:

(i) incorporated city boundaries or any unincorporated areas approved by the Division and the county; or

(ii) the the season time frame prescribed in the COR;

(e) remove more deer, collectively or by gender, than authorized in the COR; or

(f) authorize the discharge of firearms or archery equipment for deer removal;

(i) between one half hour after official sunset and one half hour before official sunrise; or

(ii) in violation of federal, state, or local laws.

R657-65-5. Urban Deer Control Plan.

(1) Upon receipt of an urban deer control plan COR, the city must prepare an urban deer control plan consistent with this Subsection and the COR prior to undertaking any deer removal activities.

(2) The urban deer control plan will address and prescribe, at a minimum, the:

(a) lethal methods of take that may be used to remove deer and the conditions under which each may be employed;

(b) conditions and restrictions under which baiting and spotlighting may be used to facilitate deer removal;

(c) persons eligible to perform deer removal activities and the requirements imposed on them;

(d) locations and time periods where specified types of deer removal activities may be employed or authorized;

(e) requirements for tagging deer carcasses;

(f) protocols for carcass removal and disposal;

(g) procedures for promptly returning to the Division all antlers of lethally removed deer;

(h) procedures for obtaining Division input and approval on live capture and relocation projects; and

(i) the estimated population of resident deer in the city and the final target population number the city seeks to achieve through deer removal.

(3) All aspects of the plan must be consistent with the authorizations and limitations imposed in this rule and the COR.

(4) If the city desires to capture and relocate resident deer, it must petition the Division to include a capture and relocation component in its urban deer control plan.

(a) The Division shall have sole discretion to authorize or prohibit capture and relocation as part of an urban deer control plan.

(5)(a) The city will solicit and consider input in the formulation and development of the urban deer control plan from:

(i) the Division;

(ii) the public;

- (iii) interested businesses and organizations; and
- (iv) local, state, and federal governments.
- (b) The Division may provide technical assistance to the city in preparing the urban deer control plan.
- (c) After formulating a draft plan, the city will hold a public meeting to take and consider input on the draft before finalizing or implementing it.
- (6) The city will assume full responsibility for:
 - (a) all costs associated with designing, establishing, implementing, and operating the urban deer control plan and all its associated activities; and
 - (b) for the acts and omissions of its officers, employees, agents, contractors, and licensees in designing, preparing, and implementing its urban deer control plan and undertaking the activities authorized thereunder.

R657-65-6. COR Term, Termination, Renewal, and Amendment.

- (1) An urban deer control plan COR issued under this rule will remain valid for three years from the date of issuance .
- (2)(a) The Division and the city shall each have the right to unilaterally terminate an urban deer control plan COR with or without cause upon 7 days advance written notice to the other.
- (b) Upon termination or expiration of the COR, the city and its officers, employees, agents, contractors, and licensees must cease all deer removal activities formally authorized by the COR.
- (3) Upon application by a city, the Division may renew an urban deer control plan COR for an additional three year term, provided:
 - (a) the city complies with the conditions in R657-65-3(2); and
 - (b) the application for renewal is presented at a public meeting for comment and approved by the city council.
- (4) A urban deer control plan may be amended upon mutual written agreement of the city and Division, provided the amendment is consistent with the authorizations and limitations in this rule.

R657-65-7. Violations.

Pursuant to Section 23-19-9, the Division may suspend, restrict, or deny an urban deer control plan COR for any intentional, knowing, or reckless violation of the Wildlife Code, this rule, or the terms of the COR.

KEY: wildlife

Date of Enactment or Last Substantive Amendment: August 7, 2015

Notice of Continuation: none/new rule

Authorizing, and Implemented or Interpreted Law: 23-14-3; 23-14-18; 23-14-19

Charmayne Warnock

From: Jody Bates [Jody@highlandcity.org]
Sent: Tuesday, December 01, 2015 5:23 PM
To: Rich Nelson
Subject: RE: Urban Deer Control Administrative Rule
Attachments: Deer Control Plan 2015.docx

Rich,

Due to the fact that we started the program as a pilot and have continued the maintenance after that 2 year pilot, we do not have to meet the requirement of relocating any deer. We are and will continue to lethally remove the deer in our area.

Any questions, just let me know.

Good Luck

From: Rich Nelson [<mailto:rnelson@alpinecity.org>]
Sent: Tuesday, December 01, 2015 5:19 PM
To: Don Watkins <dwatkins@alpinecity.org>
Cc: Ramon Beck <Ramon.Beck@bankaf.com>; Lon Lott <llott@alpinecity.org>; Roger Bennett <rbennett@alpinecity.org>; Troy Stout <tstout@alpinecity.org>; Kimberly Bryant (alpinecity252@gmail.com) <alpinecity252@gmail.com>; Will Jones <wjones@alpinecity.org>; johnfairchild@utah.gov; David Church <DChurch@xmission.com>; Jody Bates <Jody@highlandcity.org>
Subject: FW: Urban Deer Control Administrative Rule

Mayor Watkins,

I spoke with John Fairchild, DWR Regional Supervisor. Possibly John and, for sure, others from DWR will be in attendance at the January 12th City Council meeting to discuss what Alpine can do to address our urban deer control issues. Attached is a copy of the Urban Deer Control State rule. The first step will be to read the rule. That way when DWR comes to the Council it will be more of a question and answer type of presentation.

I will ask Jody for a copy of Highland's approved plan. When I get that I will circulate it to the Council.

Sincerely,

Rich Nelson
Alpine City Administrator
20 North Main Street
Alpine City, UT 84004
rnelson@alpinecity.org
801-756-6347 x105 (w)
801-404-7850 (c)

From: John Fairchild [<mailto:johnfairchild@utah.gov>]
Sent: Tuesday, December 01, 2015 4:58 PM
To: Rich Nelson <rnelson@alpinecity.org>
Cc: Covy Jones <cdjones@utah.gov>; Gray, Steve <stevegray@utah.gov>; Bill Bates <billbates@utah.gov>; Josee Seamons <jseamons@utah.gov>
Subject: Urban Deer Control Administrative Rule

HIGHLAND CITY URBAN DEER CONTROL PLAN

Introduction

Human encroachment into natural environments traditionally reserved for wildlife continues to create human–wildlife problems with little end in sight. Urban sprawl, housing developments and new roads and highways destroy more and more acres of animal habitat each year. Wild area losses are alarming. Utah is not immune from this problem.

The adaptability of mule deer to human encroachment is surprising to many residents of new subdivisions. Deer not only accept their new human neighbors but have flourished in an environment never before believed possible. Deer feeding in backyards, flower gardens, parks, and playgrounds and along suburban byways are now a fairly common occurrence. Any little thicket or woodlot can hold mule deer year-round.

Many new suburbanites don't know how to address the backyard deer situation. They see deer, at first, as beautiful animals indicative of the wild and natural state of the region in which we live. They are correct in this assessment. But, as the number of deer increases the problems they cause increase, as well. Deer often consume expensive ornamental plants, vegetable gardens, flowers and shrubs. Small trees are killed by antler rubs made by bucks. Deer/vehicle accidents cause thousands of dollars of damage and raise the potential for serious injury to drivers and passengers. It doesn't take long for suburbanites to identify deer as "a problem."

Left to breed and populate an urban area, mule deer can quickly become a problem as many municipalities in America have found out the hard way. Since the discharge of firearms and other projectile-firing devices has been banned within most suburban communities for safety reasons, deer populations will grow, unchecked. One breeding pair of deer could lead to 40 deer in seven years!

Many forward-looking city councils have come to accept the use of trained veteran bowhunters to maintain deer herds. Bowhunting has an impeccable record of safety, is an efficient and proven method of killing big game and is quiet and unobtrusive – the perfect solution to urban deer problems.

Highland City has asked a group of certified bowhunters to remove certain problem deer from within the Highland City limits. The goal of this program is to safely, quietly and efficiently remove these deer. In doing so, all bowhunters must comply with DWR's rule for urban deer control and the Highland City COR.

Purpose of Plan

Human encroachment into traditional wildlife habitat by urban sprawl and housing subdivisions has created problems mule deer within Highland City. Couple that with the ability of deer to adapt to their new neighbors and to multiply unchecked and really big problems like health concerns, property damage, ecological damage, and deer/vehicle accidents occur. Highland City has determined that new management controls are needed.

History has shown that the bowhunting option for removal of urban deer is more effective than trapping and relocating deer, birth control of deer, special fencing, deer repellents, firearms hunting and using sharpshooters. These other methods have been found to be impractical, prohibitively expensive, unpopular and limited in application. Properly implemented bowhunting is the key to success.

Bowhunting is a safe and efficient method of managing the growing numbers of urban deer. The long-term survival of this program, however, depends upon each urban bowhunting specialist acting responsibly. Each hunter must play by the rules and always maintain the highest level of conduct while hunting. He/she must show respect for private landowners and their property. Hunters must maintain impeccable landowner relations if the program is to work.

Goals

- Improve safety on major roads and highways
- Significantly reduce deer numbers within city limits
- Promote safe and cost effective deer removal, as a public service to the local community
- Reduce property damage caused by urban deer

Deer Removal Methods

Lethal removal using archery equipment is the only method recommended by Highland City to remove deer during the 2015-2017 program season.

Bowhunter Selection Process

Highland City has asked Brian Cook from Humphries Archery in American Fork, Utah, to serve as the Program Coordinator. Bowhunters who want to participate in the program should contact Highland City to be placed on a list. As Program Coordinator, Mr. Cook will select a limited group of experienced bowhunters to participate in the program. Prior to being certified as an “urban bowhunting specialist,” each hunter selected by Mr. Cook must demonstrate that they understand the applicable rules and pass a shooting proficiency test. Once that is completed, the Program Coordinator will certify the hunter as an urban bowhunting specialist.

Bowhunter Participation Requirements

Each urban bowhunting specialist that is selected and qualified to participate in this program must:

1. Always put your best foot forward in appearance and conduct, and always be considerate of others.
2. Never drink alcohol or use drugs before or while hunting.
3. Only hunt in areas pre-approved by the Program Coordinator and Highland City.
4. Make sure no other bowhunter is already scheduled to hunt the area you are planning to hunt.

5. Respect landowners and their land. Obtain prior-written approval to hunt on private land. Assume that landowners are concerned about the deer, your bow and arrows being safe, parking problems, neighborhood relations.
6. Know state, county and city hunting regulations and abide by them. Be familiar with the requirements and obligations of the Highland Urban Deer Control Plan.
7. Before hunting, know where you can take a safe shot and where you may not.
8. Be certified as an urban bowhunting specialist and have a valid written authorization and urban deer control permit issued by Highland City.
9. Only hunt from a designated blind/stand. Always wear a certified safety harness when hunting from a stand. Only high downward angling shots are allowed for maximum effectiveness and safety, and guaranteed arrow recovery.
10. Install your stand to provide shots that will be 40 yards distance or less.
11. In order to achieve close shots, baiting is permitted.
12. Take only responsible shots at deer that are relaxed and not on alert. Don't shoot unless you're certain that your arrow will strike the vitals and produce a quick and ethical kill.
13. Razor sharp broad heads are mandatory.
14. Only hunt with arrows that have a unique fletching and crest pattern that have been pre-approved by the Program Coordinator.
15. Retrieve all arrows and arrow parts shot at deer.
16. Once the deer is struck, do not trail it until you're sure it's down for good. It is your responsibility to ensure that no animal will travel very far after being hit.
17. Do not trespass on neighboring land to retrieve a deer without permission. Contact the Program Coordinator prior to seeking permission to initiate "retrieval trespass only". The local conservation officer and/or police may be of assistance when retrieval trespass cannot be obtained.
18. Deer hit or killed but not retrieved must be reported to the Program Coordinator and Highland City.
19. Properly tag the deer immediately upon recovery. Promptly notify the Program Coordinator of all kills and submit the Deer Control Harvest Survey to Highland City for their records.
20. Avoid confrontations with neighbors and others.
21. Keep a low profile. You will be under the microscope, so be as inconspicuous as possible. When walking to and from your hunting area, try to minimize the appearance that you are hunting.
22. All evidence of the deer must be removed from the property. Field dress the deer at another permissible site.
23. Be discreet when removing a deer from the property. You may wish to cover the deer with a plastic tarp while it's being removed. Most people don't like seeing a dead animal so keep it out of sight as much as possible. You may wish to use an alternate, less conspicuous, route when removing a deer. Think about removal before your hunt.
24. Stay on your assigned property during the hunt and when accessing the hunting area. Do not take shortcuts across ground where you don't have permission to trespass.
25. Don't invite friends to hunt with you. Certification is for you and you only.
26. Avoid confrontations, no matter the circumstances. Utah has a hunter harassment law that protects you while engaged in legal hunting pursuits but it is best not to argue with

an antagonist. You may wish to report harassment to local authorities if confrontations continue.

27. The object of the program is to help control deer numbers inside the Highland City limits. Bowhunters can only accomplish this goal by shooting deer. If a buck is inadvertently harvested, the antlers must be surrendered to the Highland City for temporary storage until DWR can collect them.
28. The hunter is allowed to keep the animal if desired. Donations of venison are also encouraged. If the hunter does not desire to keep or donate the animal, then the hunter will take the animal to a game processor as designated by Highland City.

Bowhunters who are selected and qualified to participate in this program play a vital role in solving the problem of managing the ever-growing urban deer population. They must, however, maintain safe, ethical hunting practices and be fully responsible for their actions if they're to be recognized as the best option for controlling urban deer. Mistakes and/or irresponsible behavior could jeopardize the program.

Hunter Identification Process

Cards will be issued by Highland City, to all certified bowhunting specialists.

Conditions and Restrictions for Baiting and Spotlighting

Bowhunters may use bait to facilitate safe and effective deer removal activities at their shooting locations. They may use a flashlight while walking to and from their stand/area in low light to distinguish themselves from intruders. The casting of a light across the landscape to detect deer is illegal. Highland City will authorize spotlighting to facilitate carcass recovery efforts.

Hunting Locations and Time Periods

Hunting locations have been identified by Highland City – See attached map

Bowhunters will be allowed to remove deer from ½-hour before sunrise to ½-hour after sunset, unless stated otherwise on the urban deer control permit.

The 2015-2017 season for the urban deer control hunt will follow the DWR Proclamation for opening dates for general archery season and continue through December 31st of each year.

Written Authorization and Permitting Process

All certified bowhunting specialists must receive a written authorization and an urban deer control permit from Highland City prior to participating in deer removal activities (see attached copies of the written authorization and permit/tag). Upon being successful, the bowhunter must notch the tag to indicate the sex, month and date of kill, detach the tag from the permit and attach it to the carcass. The tag must remain attached to the carcass for processing. Also, the

bowhunter must fill out and return the Deer Control Harvest Survey portion of the permit to Highland City.

URBAN DEER CONTROL PLAN

COR#

DWR Contact: Chad Wilson

City: Centerville City

City Contact Information:

Main Contact: Bruce Cox

Secondary Contact: Michael Higgins

Address for Correspondence: 250 N Main, Centerville UT 84014

Summary of Justification for Action:

The presence of deer within Centerville City has increased significantly over the last decade. While the deer are a beautiful presence of nature, they have also become a danger to human safety, as well as their own, when entering roads, public property and private property. Likewise, the feeding habits of the deer population have become a destructive nuisance on private and public property, creating a problem for landscaping, gardening, and recreational space within our community.

Over the last year the City has been receiving and collecting public comment via email, in person comments as well as written complaints. A public hearing in the September 15th city council meeting as well as an open house that was held on September 8th invited additional public comment. To date, a total of 64 different residents have commented in writing. These comments are on file for review upon request at the City Recorder's office. Addresses of the residents with urban deer problems were located and marked on a city map that is also available for public review.

Over 90 percent of the citizen input has been highly in favor of implementing an urban deer control plan.

Estimated urban deer population size before action: 100

Population objective after action: 0 to 25

URBAN DEER CONTROL PLAN

Management Actions

Persons Eligible to Take Deer:

Must meet all qualifications required by the City in order to obtain tags that allow for the lethal removal of urban deer. Centerville City residents who volunteer will be given preference over non-resident volunteers. Centerville City Police Department will oversee the euthanizing of urban deer and determine which individuals qualify to participate.

Volunteers will be selected from organizations such as the Mule Deer Foundation and Dedicated Hunter Program. Volunteers will need to have successfully completed Hunters Safety and pass a criminal background check and be approved by the City Police Department before participating in this plan.

Locations and Time Periods of Deer Removal Activities:

Locations must be approved by the City Police Department, DWR and Property Owners. Property Owners must submit to the city a "Property enrollment for deer removal release and hold harmless agreement" prior to any plan action of deer control. Deer removal may only take place at a time that has been approved by the City Police Department, the Property Owner and the DWR. Time periods that optimize the removal of urban deer and minimize the removal of mountain deer will be selected.

If approved in December 2015, this plan may begin implementation and go for 30 days in order to give some relief for the coming growing season. This plan would then postpone any activity until August of 2016 when lethal removal could then be reemployed. As a condition of City Council approval, the City Council suggested the plan be revisited in 2016 to consider adding archery and/or relocation options to the plan if and when these options are authorized by the DWR.

Legal Methods of Take:

All deer removal activities shall comply with the the City's Urban Deer Removal Plan and applicable provisions of the Urban Deer Control regulations as adopted by the Utah Division of Wildlife Resources and set forth in Utah Administrative Code R657-65, as amended.

The city will:

- (a) Require individuals authorized to lethally remove deer to:
 - (i) Tag the carcass consistent with Section 23-20-30; and
 - (ii) Comply with all federal, state, and local laws pertaining to the possession, use, and discharge of a dangerous weapon; and
- (b) Take measures to ensure that:
 - (i) An annual report is submitted to the Division by March 1 on lethal removal activities, including the following information for each permit issued:
 - (A) Name of shooter/permit holder;
 - (B) Sex of the animal;

URBAN DEER CONTROL PLAN

- (C) Date of harvest; and
- (D) Disposition of carcass

The city will not:

- (a) Allow an employee, officer, agent, licensee, or contractor who has not been approved according to the written Urban Deer Control Plan to take a deer.
- (b) Sell or barter a deer carcass or otherwise use it for pecuniary gain without prior written approval from the Division;
- (c) Collect a fee or compensation from a person or entity it authorizes to remove deer from its incorporated boundaries, unless the fee or compensation is:
 - (i) \$50 or less;
 - (ii) Used exclusively to recoup the actual costs incurred by the city in:
 - (A) Selecting and qualifying the person; or
 - (B) Approved by the Division in writing
- (d) Undertake or authorize deer removal activities outside:
 - (i) Incorporated city boundaries or any unincorporated areas approved by the Division and the county; or
 - (ii) The season time frame prescribed in the COR;
- (e) Remove more deer, collectively or by gender, than authorized in the COR; or
- (f) Authorize the discharge of firearms or archery equipment for deer removal:
 - (i) Between one half hour after official sunset and one half hour before official sunrise; or
 - (ii) In violation of federal, state, or local laws.

Methods for Lethal Removal of Urban Deer:

Baiting, trapping and euthanizing will be the primary method of take for this plan. Use of bolt gun, .22 firearms or frangible round shotgun will be the primary weapons used for euthanizing deer in locations or situations that are determined to be safe by the City Police Department.

Carcass Removal and Disposal:

Deer carcasses are salvaged consistent with Section 23-20-8 (Waste of Wildlife) and disposed of as provided by law; (Deer remains can be taken to the Davis County Landfill.)

- (a) Viscera is removed from the kill site and disposed of as provided by law;
- (b) Antlers of lethally removed deer are promptly surrendered to the Division and not retained by the city or the person that takes the animal

Date of Public Meeting Considering this Plan:

The City Council held a public hearing on November 17, 2015 in the regular City Council Meeting and thereafter approved this Urban Deer Control Plan by unanimous 5-0 vote.

Approval Signatures:

City Mayor

City Recorder

Program Overview

Bountiful City is working with the Utah Division of Wildlife Resources (DWR) to implement a pilot program to catch and relocate mule deer.

The program catches deer on select properties within City limits, then transports and relocates deer to a farther and safer location from Bountiful City limits.

This pilot program will determine both the viability of deer removal within Bountiful and the cost effectiveness of the effort.

Partners & Resources

Utah Division of Wildlife Resources

1594 W North Temple, Suite 2110

P.O. Box 146301

Salt Lake City, UT 84114

Phone: 801-538-4700

Email: DWRcomment@utah.gov

Web: wildlife.utah.gov/learn-more/mule-deer.html

Western Association of Fish & Wildlife Agencies: Mule Deer Working Group

555 N. Greasewood Rd.

Tucson, Arizona 85745

Phone: (520) 388-4448

Email: jheffelfinger@azgfd.gov

Web: www.muledeerworkinggroup.com

Mule Deer Foundation

1939 South 4130 West, Ste. H

Salt Lake City, UT 84104

Phone: 1-888-375-DEER (3337)

Web: www.muledeer.org



Bountiful City Hall

790 South 100 East

Bountiful, Utah 84010

801-298-6140

www.bountifulutah.gov

BOUNTIFUL
City of Beautiful Homes & Gardens

MULE DEER



CATCH & RELOCATE PROGRAM

Program Progress

The goal of the catch and relocate program is to catch a minimum of 200 deer by the spring of 2015.

Regular updates about the progress of the program is available on the Bountiful City website at:

www.bountifulutah.gov/DeerPlan.aspx



Catching Deer

The deer traps are simple and humane. The design is similar to a large dog kennel, with a metal-barred frame and netting that surrounds the top and sides.

Food, such as apples, are placed in the traps to attract the deer. Once a deer steps into the trap, a latch is released, which drops the netting to the entrance.



During daytime hours, the traps are set open to allow deer to move in and out freely. In the evenings, DWR employees set the traps to catch the deer. Doing so allows the deer to become comfortable with the traps during daytime hours and keeps deer more calm in the trap during the nighttime hours.

Participation

This program is strictly “catch and relocate.” Hunting within city limits is illegal.

The catch and relocate program is not on private property without the permission of landowners. Property owners with more than a half-acre lot may contact the City and be considered to participate by signing a release form.

After a release form is signed and submitted to Bountiful City, DWR reviews the various available properties and determine where to set up traps, based on migration patterns and other factors.

Submission of a release form does not guarantee the use of all available properties during the program. While the City welcomes those who would like to participate, there are currently more properties than traps available. DWR will contact property owners based upon the factors mentioned above.

ALPINE CITY COUNCIL AGENDA

SUBJECT: Planning Commissioner Appointment and Reappointment

FOR CONSIDERATION ON: 12 January 2016

PETITIONER: Mayor

**ACTION REQUESTED BY PETITIONER: Reappoint members to the
Planning Commission**

APPLICABLE STATUTE OR ORDINANCE:

PETITION IN COMPLIANCE WITH ORDINANCE: Yes

BACKGROUND INFORMATION:

Two Planning Commissioner's (Jane Griener and Jason Thelin) terms will expire in January of 2016. Reappointing these members and/or appointment of new members to a four year term needs to happen. Planning Commission members are appointed by the Mayor with the advice and consent of the City Council. Mayor Watkins suggested that both Jane Griener and Jason Thelin be reappointed.

RECOMMENDED ACTION:

Reappoint Jane Griener and Jason Thelin to serve another term (4 years) on the Planning Commission.

ALPINE CITY COUNCIL AGENDA

SUBJECT: Heritage Hills Plat C Trails

FOR CONSIDERATION ON: 12 January 2016

PETITIONER: City Council

ACTION REQUESTED BY PETITIONER: Review the Heritage Hills Trails

PETITION IN COMPLIANCE WITH ORDINANCE: Yes

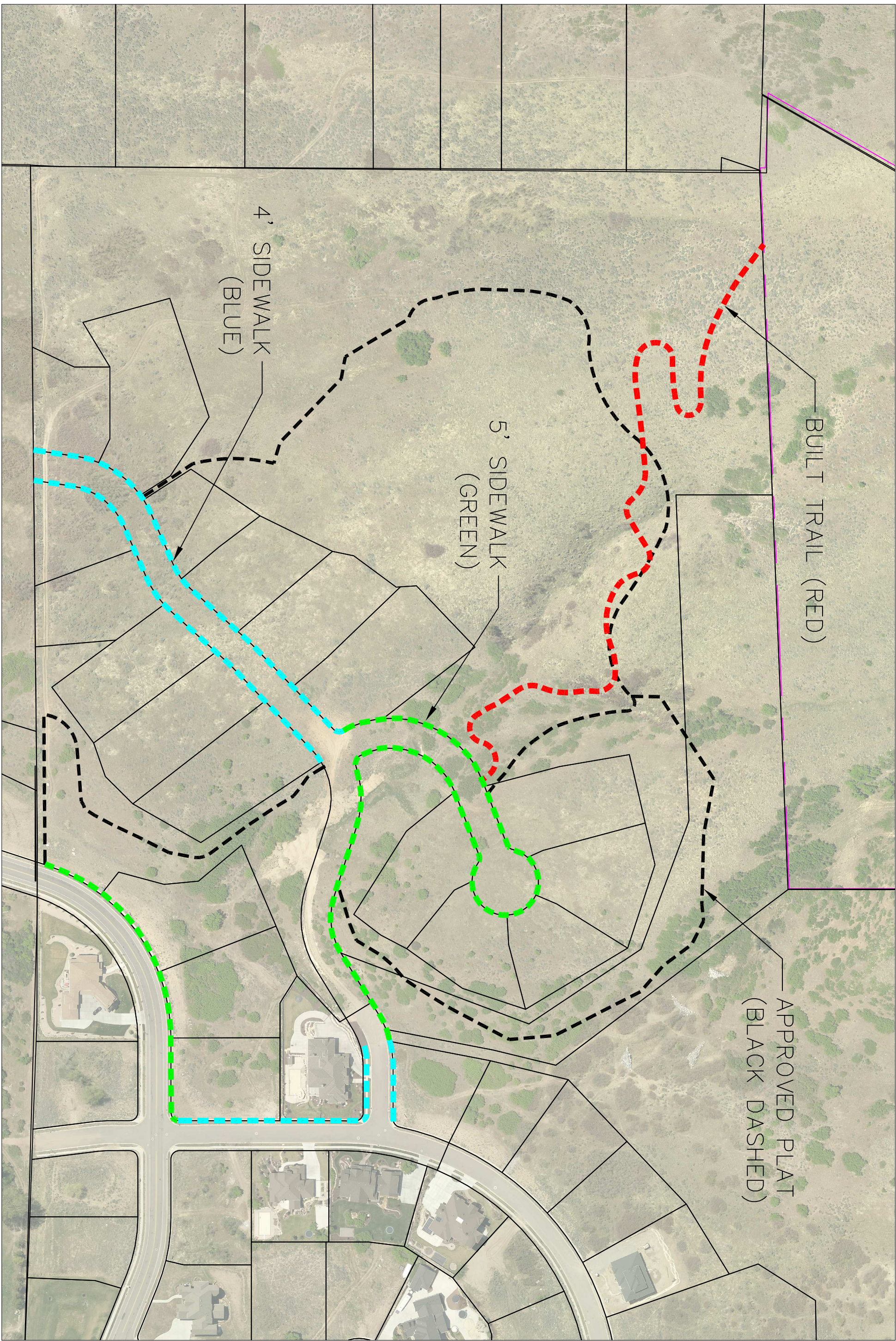
BACKGROUND INFORMATION:

The Heritage Hills Plat C Subdivision is complete and is requesting that the bond be released. Prior to releasing the bond the council needs to determine whether or not what was built for the trail system is acceptable as it differs from what was approved. The attached maps shows a comparison of what was approved and what has been built.

Will Jones and staff members have looked closely at the area and have determined that some of the proposed trails may not be feasible to build due to the steep grade or are unnecessary/intrusive. Will Jones has expressed that the trail that has been constructed is a great trail but one that was expensive to build. The trail on the west side that loops around and connects with Deer Crest Lane would still be built but would be built by volunteers. His thoughts are to have this trail be used only by cyclists while the recently constructed trail be used only by hikers, equestrian, etc. The point at which these two trails intersect would continue north for all appropriate uses and would be signed to distinguish the two trails.

RECOMMENDED ACTION:

Review the approved trails as it relates to the newly constructed trail and determine whether or not this is acceptable for the bond to be released.



BUILT TRAIL (RED)

APPROVED PLAT
(BLACK DASHED)

5' SIDEWALK
(GREEN)

4' SIDEWALK
(BLUE)

REMARKS

1.

Heritage Hills Approved vs Built
Trail System

Plan View

Engineering File
Number:

-

Drawing: -

Sheet: 1 of 1

ALPINE CITY COUNCIL AGENDA

SUBJECT: Heritage Hills Plat C Bond Release

FOR CONSIDERATION ON: January 7, 2016

PETITIONEER: Downing Aiken

ACTION REQUESTED BY PETITIONER: Approval of bond release.

APPLICABLE STATUTE OR ORDINANCE: N/A

PETITION IN COMPLIANCE WITH ORDINANCE: N/A

INFORMATION:

This agenda item is to approve a bond release following the discussion of the trails in the Heritage Hills Plat C subdivision. The bond release form will be prepared following the outcome of the trail discussion for this development. The applicant is asking for approval to release funds for construction completed within the development. The official bond release form, with an amount approved by the City Council will be placed on the January 26 City Council meeting for ratification.

<p>RECOMMENDATION: The City Council approve a bond release for the Heritage Hills Plat C subdivision.</p>
--

ALPINE CITY COUNCIL AGENDA

SUBJECT: Murdock Canal Connector Road Support Resolution

FOR CONSIDERATION ON: January 12, 2016

PETITIONER: Rich Nelson, City Administrator

ACTION REQUESTED BY PETITIONER: Approval of resolution of support.

INFORMATION: Highland City is requesting that the City Council adopt a resolution supporting the Harvey Boulevard Alignment for the Murdoch Connector. This is help deal with the traffic issues surrounding Timp View High School. The proposed resolution and additional information is attached.

RECOMMENDED ACTION: *Approval of the Murdock Canal Connector Road Support Resolution.*

DATE: December 1, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Nathan Crane, City Administrator/Community Development Director.

SUBJECT: RESOLUTION – SUPPORT OF THE HARVEY BOULEVARD ALIGNMENT FOR THE MURDOCH CONNECTOR

STAFF RECOMMENDATION: Adopt a resolution supporting the Harvey Boulevard Alignment for the Murdoch Connector

BACKGROUND: Councilmember Robert Shelton from American Fork is requesting that the City Council adopt a resolution supporting the Harvey Boulevard Alignment for the Murdoch Connector. Mr. Shelton is also requesting a similar resolution from Utah County Cedar Hills, American Fork, and Pleasant Grove.

FISCAL IMPACT: Unknown

ATTACHMENTS: Resolution No. R2016-01

Charmayne Warnock

From: Don Watkins
Sent: Tuesday, November 24, 2015 12:27 PM
To: Roger Bennett; Kimberly Bryant; Troy Stout; Will Jones; Lon Lott; ramon.beck@bankaf.com
Cc: Rich Nelson; Shane Sorensen; Jason Bond; Jane Griener; Judy Pickell; stestevsrengineers.com>; David Fotheringham; Bryce Higbee
Subject: Fwd: Highland Road Project

Heres attachment

Good Moring Mayor Watkins!

I wanted to shoot you an update from the meeting that was held last week. I appreciate you taking time to listen to the issue. Last Thursday there was a meeting held on this road project at the Governor's office. Those present were Mike Mower (Governor's office), Ann Williamson (Executive Director of Human Services), Lana Stohl (Deputy Director of Human Services), Larry Ellertson (Utah County Commissioner), Mayor Mark Thompson (Highland City), Nathan Crane (Highland City Administrator), Guy Thompson (Developmental Center Director), John Dougall (State Auditor) and myself.

The meeting lasted about an hour and a half. I think it was great to get everyone in the same room and talk about the concerns and get questions answered. Here is what I took away from the meeting. There was a master plan that was passed a few years ago by the Legislature. I have included a copy of one of the pages from that plan. It appears that one road in the plan needs to be adjusted and shifted a bit to the south to allow it to connect to the right of way that Highland city has prepared though eminent domain about 6 years ago. It is a small adjustment that would allow the road to connect to Highland city roads and provide an needed East West connector in the community. The State benefits because the road project is being paid for with out state funds and that would provide more money to go back into the coffers for the center to be used with its residents.

The whole road would be at most 3 lanes through the developmental center property, one lane each direction with a turn lane. When it goes West from the center property and down the hill, it would transition into a two lane road with a median. The right of way through that area would not allow for a turn lane, nor would a turn lane be needed. The speed is anticipated to be between 30-35 MPH. Highland City deems it to be classified as a collector road.

During the meeting, Highland City brought up another concern that they have. Right now Lone Peak has about 1,200 students that drive to and from school each day. Those that live on the west side of American Fork River, take Timpanougus Highway to and from school. Highland City is proposing that a road be built around the Development Center property to the North and down the West side and connect into this East West collector road we are talking about above. This would require a small bit of land from the state to get the road to line up just right. This would allow about 30-40% of the students to come from the West and not add to the congestion at the traffic light by Lone Peak. This would also give students a direct access route around the center property. This will be a huge benefit to the center when it develops this property because they will not have school kids cutting through their development trying to get a shorter path home.

I have included some very amateur drawings on my part to try and illustrate what is being talked about. Highland City and the County are working on more detailed maps with specifics. It was determined in this meeting that the proper course of action would be to present the plan changes to the Developmental Center's Governing Board. If they approve, then it would need to go to the Legislature and Governor for approval. We are expected to present to the Governing Board on December 17th at 10 AM and one of the conference rooms at the Developmental Center and the city and county will provide exact maps at that point in time.

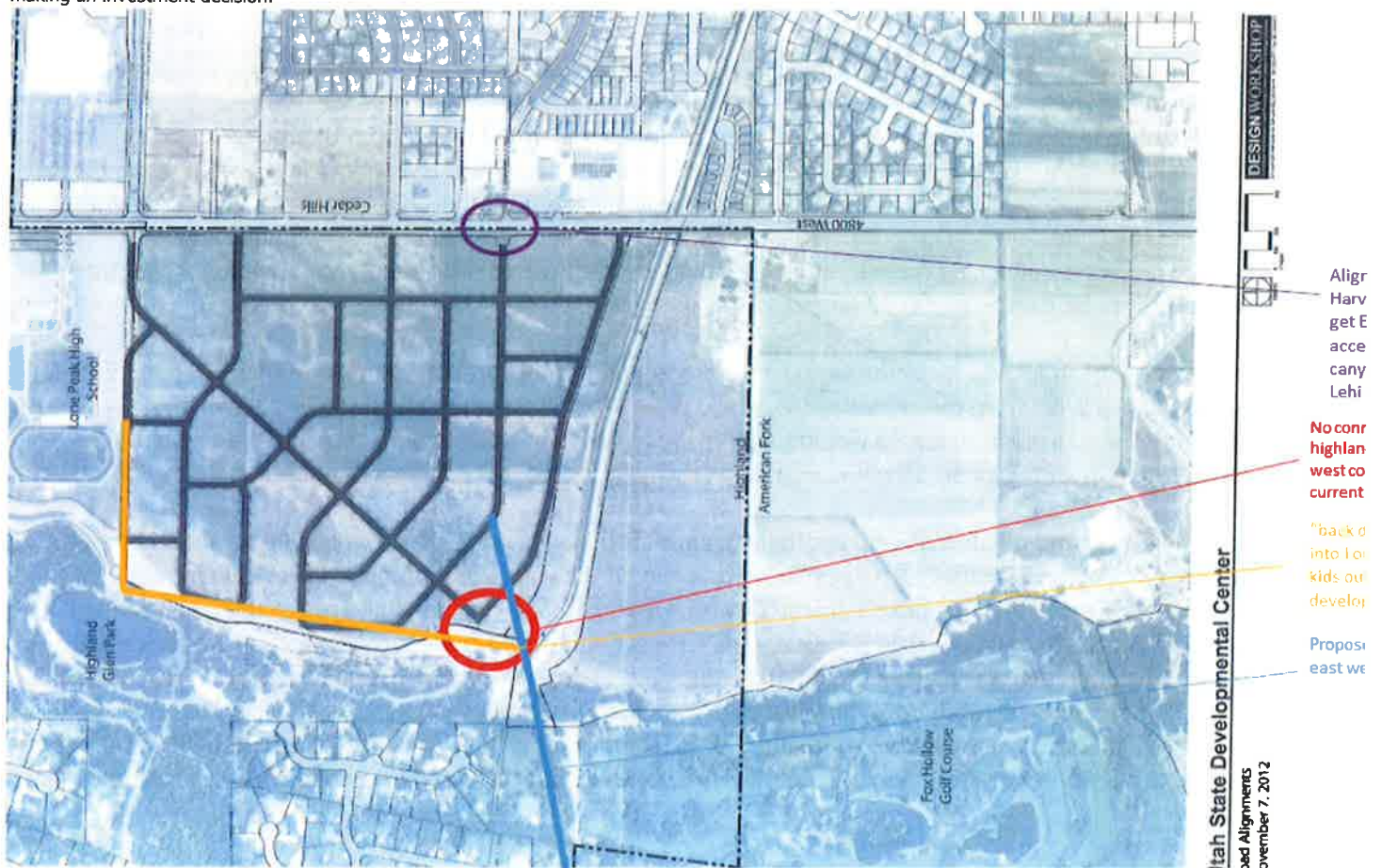
We feel that it would be best to get the resolutions passed by the various cities in their first meetings in January. Please let me know if you have any questions or concerns.

Thanks for your support!

Rob Shelton
AF City Council
801-830-4386

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RESOLUTION NO. R2016-01

**A RESOLUTION OF ALPINE, UTAH FOR SUPPORT FOR THE UTAH STATE
DEVELOPMENTAL CENTER AND THE MURDOCH CONNECTOR**

WHEREAS, the Utah State Developmental Center is recognized as a significant resource to the North Utah County community and Highland City; and

WHEREAS, the community and the professional staff of the developmental center have had an exceptional working relationship in striving to meet the mission of the center; and

WHEREAS, the critical need for the East/West transportation corridor known as the Murdoch Connector has grown significantly in the recent past by virtue of development and population growth; and

WHEREAS, the city recognizes the Murdoch Connector project needs to balance the needs of the center and the transportation needs of the community; and

WHEREAS, the Murdoch Connector project will provide a critical transportation corridor on the North end of Utah County to help with congestion relief of many neighboring roads that are at capacity, community connectivity and most importantly allow better response times of emergency personal in the region; and

WHEREAS, the Murdoch Connector project will benefit the future development of the surrounding properties, providing a direct benefit for the center and its residents.

NOW, THEREFORE Be it resolved that on this _____ day of **January, 2016** that the Alpine City Council supports the Utah County alignment of the Murdoch Connector as attached and seeks the support of any board, committee, government entity and elected official in supporting such alignment that both the center and the community can benefit from the project.

ALPINE CITY, UTAH

Mayor Don Watkins

ATTEST:

Charmayne Warnock, City Recorder

COUNCILMEMBER	YES	NO
Ramon Beck	<input type="checkbox"/>	<input type="checkbox"/>
Roger Bennett	<input type="checkbox"/>	<input type="checkbox"/>
Kimberly Bryant	<input type="checkbox"/>	<input type="checkbox"/>
Lon Lott	<input type="checkbox"/>	<input type="checkbox"/>
Troy Stout	<input type="checkbox"/>	<input type="checkbox"/>

ALPINE CITY COUNCIL AGENDA

SUBJECT: Fort Creek Riverbottom Concept Plan

FOR CONSIDERATION ON: 12 January 2016

PETITIONER: Quayle Dutson

ACTION REQUESTED BY PETITIONER: Approve the Subdivision to be a
Planned Residential Development
(PRD)

APPLICABLE STATUTE OR ORDINANCE: Article 3.9 (PRD)
Article 4.6 (Major Subdivision)

PETITION IN COMPLIANCE WITH ORDINANCE: Yes

BACKGROUND INFORMATION:

The proposed Fort Creek Riverbottom Subdivision is located north of Whitby Woodlands Drive and West of Main Street. The proposed subdivision consists of 9 lots ranging from 17,900 s.f. to 39,200 s.f. on a site that is 8.63 acres. The site is located in the CR-20,000 zone. The development is proposed to include 2.16 acres of private open space. The applicant is requesting that the subdivision be developed as a Planned Residential Development (PRD).

In the fall of 2013, the Planning Commission and City Council reviewed a previous concept plan and it was determined that the subdivision should be developed as a PRD. The process for this development didn't go any further at that time.

PLANNING COMMISSION MOTION:

Judi Pickell moved to recommend to the City Council, that the proposed Fort Creek Riverbottom subdivision be developed as a PRD with the finding that private open space and access to the stream will be a benefit to the City.

Jane Griener seconded the motion. The motion was unanimous with 7 Ayes and 0 Nays. Bryce Higbee, Jason Thelin, David Fotheringham, Steve Cosper, Jane Griener, Steve Swanson and Judi Pickell all voted Aye.



Date: December 21, 2015

By: Jed Muhlestein, P.E. 
Assistant City Engineer

Subject: ENGINEER'S REVIEW
Fort Creek Riverbottom PRD Subdivision Concept Review
9 lots on 8.63 acres

Background

The proposed Fort Creek Riverbottom Subdivision is located north of Whitby Woodlands Drive and West of Main Street. The proposed subdivision consists of 9 lots ranging from 17,900 s.f. to 39,200 s.f. on a site that is 8.63 acres. The site is located in the CR-20,000 zone. The development is proposed to include 2.16 acres of private open space. The applicant is requesting that the subdivision be developed as a Planned Residential Development (PRD).

In the fall of 2013, the Planning Commission and City Council reviewed a previous concept plan and it was determined that the subdivision should be developed as a PRD. The process for this development didn't go any further at that time.

PRD Requirements

From an engineering stand point we are in favor of the concept plan as shown. The plan is consistent with the Open Space ordinance which requires flood plains to be left as open space. The developments south of this location were also developed as PRD's and included the flood plain areas in open space.

Engineering has completed a slope analysis that results in a base density of 9 lots. The plan shows a little over 25% of the property as private open space, but is not showing more lots than the base density. At the concept level the property lines are not typically finalized. Once a lot layout is finalized, the developer can perform a detailed analysis of the slopes to guarantee that all lots meet the slope ordinance.

Utilities in general

A detailed utility plan is not required at concept. Having said that, some general observations are mentioned:

Sewer System. There is an existing 8-inch sewer line in Whitby Woodlands Drive that could be extended to serve the development. Sewer laterals would be required for each lot.

Culinary Water System. The subdivision is well below the 5350 foot elevation, which is the highest elevation the existing water system can serve and still provide a minimum 40 psi required by ordinance. There is currently an 8-inch water line in Whitby Woodlands Drive and a 6-inch line in Main Street. Connection to these lines would be required and is proposed. This would result in a “looped” water system which would be beneficial to the area. Based on previous analysis, 8-inch water lines would be required throughout the subdivision. The Fire Chief will need to approve the location of the proposed fire hydrants as the plan moves forward. 1-inch water laterals will need to be constructed for each lot.

Pressurized Irrigation System. There is currently a 10-inch pressurized irrigation line in Main Street and a 6-inch line in Whitby Woodlands Drive. Connection at each of these locations would be required and is proposed. As proposed, the plan would create a “looped” system similar to the culinary system. Previous calculations, as shown on the pressurized water system model, require a minimum 6-inch pressurized irrigation main with 1-inch laterals to each lot.

Storm Water Drainage System. The storm drain system could be designed to outfall to Fort Creek through a controlled outlet/detention basin. A box culvert is proposed as a bridge to cross Fort Creek.

The concept plan proposes to deed 775 North to Alpine City with a 16-foot wide gravel access. The deeding of this area will open up the possibility for a much needed storm drain system from Main Street to Fort Creek. There is currently no piped storm drain system in Main Street at this location. This proposal would provide a great opportunity for the City to take advantage of the access for a storm drain project at some future point.

General Subdivision Remarks

A portion of Westfield Ditch runs through this property. As shown on the proposed plan, and required by ordinance, this portion of the ditch will be piped through the property. The proposal to pipe the ditch takes a different alignment of the existing ditch to accommodate building pads. We do not see any issues with the proposed alignment of the ditch as shown but the Developer will need to have that looked at and commented on in a geotechnical report. The ditch is currently in bad condition and non-functional. In addition to that, access to repair the ditch is very difficult. This proposal to re-align and pipe this portion of the ditch would be beneficial.

Section 3.12 of the City’s development codes outlines the requirements for areas considered as sensitive land. The applicability of this ordinance to lands is based on hazard maps that have been adopted by the City showing the location and extent of potential hazards with the City and

other factors. Upon reviewing the hazard maps, it appears that there are two issues that need to be addressed. First, half of the property falls within the Geologic Hazards Overlay Zone. The potential hazards identified on this property are fault, debris flow, rock fall and slide hazards.

Environmental studies will be required that show the lots are not in danger or what needs to be done to mitigate the potential hazards. We recommend that the documents be kept on file and disclosed to potential lot buyers.

The FEMA Flood Plain runs through the property. The developer has previously submitted and received approval for Letters of Map Amendment to the Flood Plain. Section 3.1.11 of the development code outlines the requirements for when property falls within this area. The issues outlined in this section of the code appear to be addressed, mainly showing all flood plain areas in open space, not within a lot.

Engineering recommends approval of the concept plan



Date: December 21, 2015

By: Jason Bond
City Planner

**Subject: Planning and Zoning Review
Fort Creek Riverbottom Concept Plan (Quayle Dutson)
Approximately 700 North 100 West – 9 lots on 8.63 acres**

Background

The proposed Fort Creek Riverbottom Subdivision is located north of Whitby Woodlands Drive and West of Main Street. The proposed subdivision consists of 9 lots ranging from 17,900 s.f. to 39,200 s.f. on a site that is 8.63 acres. The site is located in the CR-20,000 zone. The development is proposed to include 2.16 acres of private open space. The applicant is requesting that the subdivision be developed as a Planned Residential Development (PRD).

In the fall of 2013, the Planning Commission and City Council reviewed a previous concept plan and it was determined that the subdivision should be developed as a PRD. The process for this development didn't go any further at that time.

General Remarks

The current parcel that is proposed to be subdivided includes a small area of land that is at the northern end of the subdivision. Because it is within the same parcel, this area needs to be included in the subdivision. It appears that the intent of the applicant is to utilize the street frontage of the smaller area and combine it with another larger parcel to the north. This would be acceptable but a boundary line adjustment would need to happen before the subdivision is approved to keep the larger parcel out of the Fort Creek Riverbottom Subdivision.

It is proposed that Whitby Woodlands Drive be extended and stubbed at the edge of the property near Fort Creek with an 80' diameter temporary turnaround. A concrete box culvert is proposed to be installed within Fort Creek and a 16' wide gravel emergency access would extend east from the temporary turnaround to Main Street. The adjacent property is also owned by the applicant but is a separate parcel in the TR-10,000 zone and is planned to be developed in the future. A secondary access is not required because this area is not located within the Urban/Wildland Interface Overlay. This emergency access would be above and beyond what the ordinance requires.

The applicant proposes to designate the open space as private open space. The Planning and Zoning Department is in support of this open space being private. There are no plans for public trails in the area and it doesn't appear that there would be a need for a connection for public trails in the future. There appears to be no need for public open space in this area.

Other than the small area at the northern end of the subdivision that needs to be addressed, the Planning and Zoning Department sees no issues with the proposed concept plan provided the City determines that this subdivision be developed as a PRD and the engineering department verifies the PRD calculations.

RECOMMENDATION

The Planning and Zoning Department recommends approval of the proposed Fort Creek Riverbottom concept plan provided the following items are addressed:

- **The Planning Commission make a recommendation and the City Council make a determination on whether or not this subdivision should be a Planned Residential Development (PRD).**
- **The small area at the northern end of the subdivision be included in the subdivision plans or a boundary line adjustment happen prior to the preliminary plan of the subdivision to exclude that area.**

Draft Concept Plan For PRD Consideration Fort Creek Riverbottom

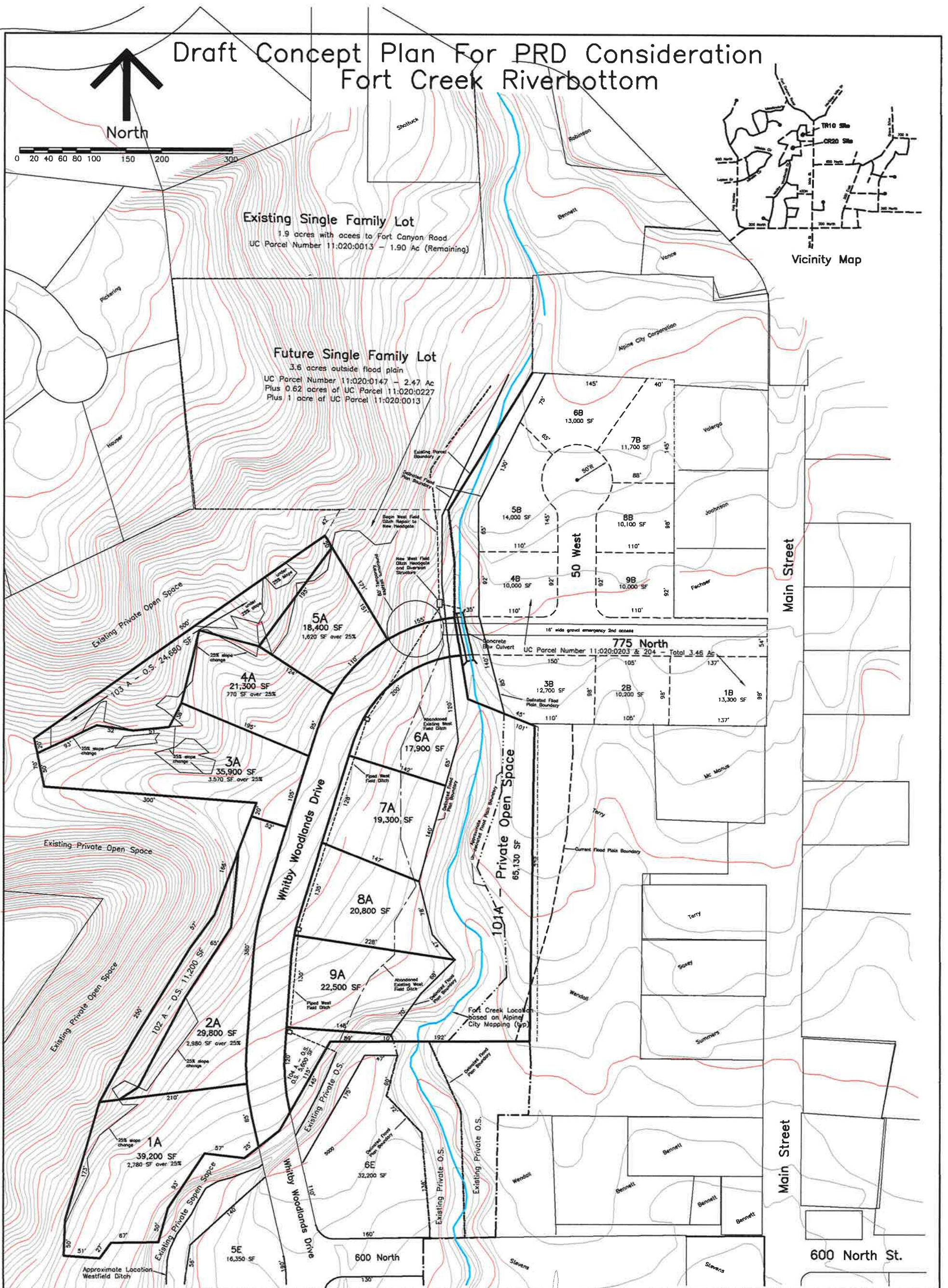


Existing Single Family Lot

1.9 acres with access to Fort Canyon Road
UC Parcel Number 11:020:0013 - 1.90 Ac (Remaining)

Future Single Family Lot

3.6 acres outside flood plain
UC Parcel Number 11:020:0147 - 2.47 Ac
Plus 0.62 acres of UC Parcel 11:020:0227
Plus 1 acre of UC Parcel 11:020:0013



General Notes

- There is 8.63 acres of UC Parcel 11:020:0227 in the CR20 Zone for PRD Consideration. The other property as shown is for future development concept in the existing zones of CR 20 and TR10.
- The proposed PRD development is proposing 9 lots. Slope analysis base density is 10 lots. Private Open Space is being proposed with total area of 83,990 SF at 28% of the PRD project area.
- Fort Creek flood plain has been delineated except for the adjacent to the Wendell and Terry properties. All the Whitby and Stevens property has had flood plain designation.
- The PRD Project would build the box a culvert in Fort Creek and dead 775 North Street to Alpine City for future street and to be used emergency access for the PRD.
- The West Field Ditch will be piped by the street as shown. The existing ditch will be replaced with new headgate diversion with over flow to Fort Creek just north of the box culvert.
- The Soils in the area classified by the Soil Conservation Service. This property has 3 soils types that cover the of the proposed development.
CaC - Clevery series consists of deep, well drained, gravelly soils on alluvial fans and alluvial slopes.
Soil is rapidly permeable and runoff is slow with moderate erosion hazard.
Soil area found on Lots 1B-9B, 9A-12A, 101A, 101B, 102B
LaD (found on Lots 1A-9A) is the Layton loamy fine sand. These soils are deep and well drained sandy loam. These soils were formed by in wind worked, sandy, mixed lake sediments derived mainly from weathered sandstone and quartzite.
HNG - HNG field complex of silt loam & loamy sand. Found on surface slopes of 30 to 60%. Soil is well drained and moderately permeable. Runoff is rapid with very severe erosion hazard.
Soil is found mostly on portions of Lot 102A and upper portions of Lot 1A and 9A.
- Alpine City has existing culinary water, sewer and pressure irrigation services. The culinary water and PI will be looped to Main Street. This will provide good water circulation to the area.
- Storm water will be conveyed to Fort Creek with piping from an detention area.
- Streets will slope from 1 to 5 percent grade.
- The City has had hillside hazard studies done which includes a portion of the proposed development. The developer will provide any professional studies or evaluations requested to mitigate concerns.
- The street layout for this project complies with the Alpine City Street Master Plan.

Draft Concept Plan for PRD Consideration
8.63 Acres of UC Parcel 11:020:0227 - Lots 1A-9A
Fort Creek Riverbottom

Alpine,

Utah

Engineer:

K. Edward Gifford
6163 W. 9600 N.
Highland, Utah 84003
Phone 801-592-4150

Owner:

Quayle & Shari Dutton
967 Fort Canyon Road
Alpine, Utah 84004
Phone 801-532-4500

Date: 12-16-2015

Scale: as drawn

RECEIVED DEC 17 2015

ALPINE CITY COUNCIL AGENDA

SUBJECT: Ordinance No. 2016-01 Eliminating Development Review Committee

FOR CONSIDERATION ON: 12 January 2016

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Adoption of Ord. No. 2016-01

APPLICABLE STATUTE OR ORDINANCE: Article 2.4 and anywhere else in the Development Code that references the DRC

PETITION IN COMPLIANCE WITH ORDINANCE: Yes

BACKGROUND INFORMATION:

It is proposed that the Development Review Committee (DRC) be eliminated from the Alpine City Development Code. With an understanding that an official committee created by ordinance would need to post agendas and keep minutes, staff feels that it is in the best interest of the City to amend the ordinance to give the authority and responsibilities of the DRC as written in the code to individual staff members. The DRC consisted of the City Administrator, City Engineer and City Planner. These three staff members were responsible for the DRC's decisions and recommendations and will continue to be over what the DRC was once responsible for. The proposed amendments include Article 2.4 (DRC) and anywhere else in the Development Code that references the DRC.

PLANNING COMMISSION MOTION:

Bryce Higbee moved to recommend to the City Council to adopt the ordinance which would eliminate the Development Review Committee (DRC) and any references to it anywhere else in the Development Code. The DRC's land use authority will be deferred to individual staff members depending on the subject matter with the following condition:

1. Reviewed by the City Attorney before it goes to the City Council

Steve Swanson seconded the motion. The motion was unanimous with 6 Ayes and 0 Nays. Bryce Higbee, David Fotheringham, Steve Cosper, Jane Griener, Steve Swanson and Judi Pickell all voted Aye.

ARTICLE 2.4 — ~~DEVELOPMENT REVIEW COMMITTEE (DRC) (Ord. No. 2000-23)~~
~~(Amended by Ord. No. 2004-13, 9/28/04; Ord. No. 2006-17, 11/14/06;~~
~~Ord. No. 2013-06, 7/9/13)~~

~~2.4.1 — Purpose of the DRC.~~ ~~The purpose of the Development Review Committee (DRC) is to assure that all proposed development within the City complies with the City Master Plan and with current City ordinances and resolutions. The DRC shall give advice that has no power to bind the City.~~

~~2.4.2 — Composition of the DRC.~~ ~~The DRC shall consist of four (4) members: The City Administrator, the City Planner, the City Engineer, and the Public Works Director. The Police Chief, the Fire Chief, the City Attorney, the Chief Building Official and any other individual the City Administrator deems necessary shall serve as advisors to the DRC. The City Administrator shall serve as chairperson of the DRC.~~

~~2.4.3 — Duties of the DRC.~~ ~~The DRC shall have the following duties and responsibilities:~~

~~2.4.3.1 —~~ ~~The DRC shall review the following items to determine if they comply with the City Master Plan and with current City ordinances and resolutions: —~~

- ~~1. Concept, preliminary and final subdivision plats~~
- ~~2. Site plans~~
- ~~3. PRDs, condominiums and condominium conversions~~
- ~~4. Any other proposed development of real property requiring Planning Commission review.~~

~~2.4.3.2 —~~ ~~The DRC may make recommendations regarding the following items:~~

- ~~1. Rezones~~
- ~~2. Annexations~~
- ~~3. Conditional Use Permits~~
- ~~4. Any development matter that is governed by a law that gives discretionary authority to determine compliance. —~~

~~2.4.3.3 —~~ ~~The DRC may establish procedures for the preparation of its agendas, the scheduling of meetings, and the conduct of meetings and field trips. The DRC shall respond to the applicant within fourteen (14) days of presentation of the application to the DRC.~~

~~2.4.4 — Appeals.~~ ~~In the event of an impasse between the DRC and the developer related to discretionary authority, each party may present its position directly to the Planning Commission.~~

3.1.6.4 Demolition of Homes. A demolition permit must be issued before any demolition takes place: (added by Ordinance 2004-13 on 9/28/04)

1. Demolition Permit must be reviewed by the ~~DRC~~ [City Engineer](#) and may be referred to the Planning Commission.

3.1.9.1 Amendments to the Zoning Ordinance

Amendments to the Zoning Ordinance may be initiated by the City Council, the Planning Commission, the ~~Development Review Committee (DRC)~~ [Staff](#), or by an owner of real property in the area included in the proposed amendment.

3.1.9.2 Amendments to the Zoning Map (Zone Change)

Amendments to the Zoning Map may be initiated by the City Council, the Planning Commission, the ~~Development Review Committee (DRC)~~ [Staff](#), or by an owner of real property in the area included in the proposed amendment.

Any application to change the boundary of a zone shall include an accurate map or other sufficient legal description of the area proposed for change. Applicants shall submit ten (10) copies of all required documentation to the City Planner at least fourteen (14) days prior to the public hearing.

Amendments to the Zoning Map (Zone Change):

1. Shall first be submitted to the ~~Development Review Committee (DRC)~~ [City Planner](#) for its review before an applicant may apply to the Planning Commission.
2. If the applicant chooses to apply to the Planning Commission for a proposed zone change, the applicant shall pay the associated fee and the ~~DRC~~ [City Recorder](#) shall set a public hearing for the Planning Commission on the proposed amendment to the zoning map, and shall provide appropriate notice for said public hearing. The public hearing shall be held before the Planning Commission may make a recommendation to the City Council. The Planning Commission may hold additional public hearings if deemed necessary or appropriate by the Planning Commission.

3.9.4 OPEN SPACE (Amended by Ord. No. 2005-02, 2/8/05; Ord. No. 2014-14, 9/9/14; Ord. No. 2015-05, 04/14/15)

3. Notwithstanding the minimum open space requirements set forth under Section 3.9.4 #1, the designated open space area shall include and contain all 100 year flood plain areas, defined floodways, all avalanche and rock fall hazard areas, all areas having a slope of twenty five (25) percent or greater, or any other area of known significant physical hazard for development.
 - A. An exception may be made with a recommendation by the Planning Commission to the City Council with the final determination to be made by the City Council that up to 5% of an individual lot may contain ground having a slope of more than 25% in the CR-20,000 and CR-40,000 zones as long as the lot can meet current ordinance.
 - B. An exception may be made that an individual lot may contain up to 15% of the lot having a slope of more than 25% in the CE-5 and CE-50 zone as long as the lot can meet current ordinance without the exception. The exception shall be recommended by the ~~Development Review Committee (DRC)~~ [City Engineer](#) to the Planning Commission, and a recommendation by the Planning Commission to the Alpine City Council with the final determination to be made by the City Council. (Ord. 2005-02, 2/8/05)

3.9.6 DWELLING CLUSTERS - LOT SIZE - BUILDABLE AREA – SETBACK

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.
 - E. The Designated Buildable Area may be amended by the ~~Development Review Committee (DRC)~~ [City Planner and City Engineer](#) as long as the minimum setback requirements of the underlying zone are met. (Ord. 2004-13, 9/28/04)

3.9.12 APPROVAL PROCEDURE - COMPLIANCE WITH RELATED REQUIREMENTS

3.9.12.1 Approval Procedure

1. The procedure to be followed in obtaining approval of a PRD, or any amendment thereto shall be the same as required for a subdivision. The Planning Commission shall hold a public hearing on the application prior to concept approval and after a recommendation from the ~~DRG~~ [City Planner and City Engineer](#).

ARTICLE 3.11 GATEWAY/HISTORIC ZONE (Ord. No. 2002-06, 07/09/2002; Amended by Ord. No. 2010-19, 11/09/10)

3.11.4 SITE PLAN PROCESS

- 3.11.3.1** During the review process, the ~~Development Review Committee (DRG)~~ [City Planner, City Engineer](#), the Planning Commission, and the City Council may request reasonable additional information from the applicant from time to time; and may ask other advisors to review the plan if, in the opinion of the City, it may contribute to a decision in the best interest of the City.

3.11.3.2 ~~Development Review Committee (DRG)~~ [City Planner and City Engineer](#)

1. The applicant shall meet with the ~~Development Review Committee (DRG)~~ [City Planner and City Engineer](#) to review the proposed site plan before submitting an application.
2. The applicant shall prepare a concept site plan, properly and accurately drawn to scale.
3. The ~~DRG~~ [City Planner and City Engineer](#) shall review the site plan to determine compliance with the Alpine City General Plan and applicable City ordinances.
4. When the ~~DRG~~ [City Planner and City Engineer](#) determines that the site plan is ready for Planning Commission review, the ~~DRG~~ [City Planner](#), in consultation with the Planning Commission Chairperson, shall establish a review date. The applicant may prepare a site plan that incorporates all changes recommended by ~~DRG~~ [City Planner and City Engineer](#).

3.11.3.3 Planning Commission

1. ~~Upon recommendation of the DRG,~~ The applicant shall submit the following to the City Planner at least fourteen (14) days before the scheduled Planning Commission meeting:

3.11.5 PLAN REQUIREMENTS

The site plan shall include the following items:

1. Address of the site plan
2. A vicinity map
3. The property boundaries of the proposed site plan and the names of all adjacent property owners
4. The location of all existing and proposed easements
5. Lot dimensions
6. Location and orientation of all structures on the lot
7. Setbacks of all structures on the lot
8. Location of garbage dumpster
9. Location of all existing and proposed utilities
10. Parking plan
11. Lighting plan
12. Other information which may allow the ~~DRG~~ [City Planner, City Engineer](#), Planning Commission, and City Council to evaluate the proposed site plan.

ARTICLE 3.12 SENSITIVE LAND ORDINANCE (Original Ordinance No. 2002-01. Amended by Ordinance 2005-03, 1/25/05)

3.12.3.2 If a development is exclusive of any other regulatory process but in a sensitive land area then the Sensitive Land Area Review may be processed by the ~~Development Review Committee~~ [City Engineer](#).

3.12.6.4 Required Geologic Hazard and Engineering Geology Reports

An engineering geology report may be required in Geologic Hazard areas that include a geologic hazards investigation and assessment prepared by a qualified engineering geologist upon the recommendation ~~DRG~~ [of the City Engineer](#) or at the request of the Planning Commission or City Council. The report shall be site-specific and shall identify all know or suspected geologic hazards, whether previously mapped or unmapped, that may affect the particular property. All reports will be prepared by a qualified geologist or engineer and all reports shall be signed and stamped by the preparer and include their qualifications. Reports are:

3.21.6.8 Fences Along Public Open Space and Trails. See Articles 3.16, Section 3.16.10.1 and Article 3.17 Section 3.17.10.3.1.

Fences or borders along property lines adjacent to a trail or open space must meet with the ~~DRG~~ [City Planner](#) and meet specific standards.

1. When the width of the open space or trail easement is less than 50 feet, bordering fences may not exceed eight (8) feet in height, and shall not obstruct visibility. (Open style fences such as rail fences, field fence, or chain link are preferable.)
2. When the width of the open space or trail easement is 50 feet or more, fence standards as specified elsewhere in this ordinance apply.
3. Fences and hedges must be completely within the boundaries of the private property.
4. Hedges or shrubs must be maintained to the same height requirements as fences.
5. The owner of the fence or hedge must maintain the side facing the open space.

3.21.6.9 Conditional Uses for Interior Fences. A conditional use permit may be approved by the ~~Development Review Committee (DRG)~~ [City Planner](#) for an interior fence over eight (8) feet in height for such things as sports courts, gardens and swimming pools. A conditionally approved interior fence shall not exceed twelve (12) feet in height and shall be an open style fence. (Ord. No. 2015-06, 05/26/15)

3.23.7.3 Home Occupations (Ord. 95-04, 2/28/95. Amended Ord. 08-18, 12/16/08; Ord. 2009-14, 9/22/09; Ord. 2010-07, 5/11/10; Ord. 2010-11, 10/12/10; Ord. 2013-04, 3/12/13; Ord. 2014-06, 3/25/14). Home occupations may be permitted as a conditional use, upon review of Staff and approval by the ~~DRG~~ [City Planner](#). If the ~~DRG~~ [City Planner](#) determines that the home occupation may create significant impacts, approval from the Planning

Commission may be required. All home occupations will be subject to compliance with the following:

2. Commission May Attach Conditions.

In order to achieve the objectives of this Code and to protect the health, safety and quality of life in the community the Planning Commission or ~~DRG~~ [City Planner](#) may attach conditions to the granting of a home occupation consistent with the standards hereinabove stated.

3. Continuing Obligation - Business License Required.

All home occupations shall be operated in compliance with the conditions herein above set forth and any conditions which may be attached as part of the approval. Upon approval of a home occupation the applicant shall be eligible to acquire a business license to operate. Issuance of the Business License shall be conditioned upon continued performance of the conditions of approval and said license shall be refused or revoked upon failure of the owner and/or operator to maintain or operate the home occupation in accordance therewith.

The approval shall be valid for the remainder of the year in which it is first granted. Thereafter the approval will be extended for successive one year periods, commencing on January 1 of the calendar year, or such other date as the Council or ~~DRG~~ [City Planner](#) may from time to time establish as the effective date for business licenses, provided (1) that the home occupation remains substantially the same as initially approved and (2) that the home occupation has remained active as evidenced by the acquisition of a valid business license for the previous year.

3.24.5 LOCATION OF REQUIRED OFF-STREET PARKING. All required off-street parking spaces shall be located on-site on the same lot as the use or building it serves, unless otherwise recommended by the ~~Development Review Committee (DRG)~~ [City Planner, City Engineer](#), the Planning Commission, and approved by the City Council.

3.30.3 REQUESTING REASONABLE ACCOMMODATION.

A. Requests for reasonable accommodations shall be in writing and provide the following information:

- (1) Name and address of the individual(s) requesting reasonable accommodation;
- (2) Name and address of the property owner(s);
- (3) Address of the property for which accommodation is requested;
- (4) Description of the requested accommodation and the regulation(s), policy or procedure for which accommodation is sought;
- (5) Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling; and

(6) All information necessary for the findings set forth in Sec.3.30.5

Requests for reasonable accommodations shall be submitted to the ~~Development Review Committee (DRG)~~ [City Administrator](#).

3.30.4 REVIEWING AUTHORITY.

- A. Requests for reasonable accommodations shall be reviewed using the criteria set forth in Sec. 3.30.5 below.
- B. The ~~DRG~~ [City Administrator](#) shall issue a written decision on a request for reasonable accommodation within thirty (30) days of the date of the application and may either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with the required findings set forth in Sec. 3.30.5 below.

3.30.6 WRITTEN DECISION ON THE REQUEST FOR REASONABLE ACCOMMODATION.

- A. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the reviewing authority's findings on the criteria set forth in Sec. 3.30.5. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below. The notice of decision shall be sent to the applicant by certified mail.
- B. The written decision of the ~~DRG~~ [City Administrator](#) shall be final unless an applicant timely appeals it to the Land Use Hearing Officer, as the Alpine City Appeal Authority.
- C. If the ~~DRG~~ [City Administrator](#) fails to render a written decision on the request for reasonable accommodation within the thirty (30) day time period allotted by Sec. 3.30.4(B), the request shall be deemed denied based upon the insufficiency of the applicant's information to satisfy the criteria set forth in Sec. 3.30.3.
- D. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

3.30.7 APPEALS.

- A. Within ten (10) days of the date of the ~~DRG~~ [City Administrator](#)'s written decision or expiration of the thirty (30) day time period allotted by Sec. 3.30.4(B), an applicant may appeal an adverse decision to the Alpine City Appeal Authority. Appeals from the adverse decision shall be made in writing.
- B. If an individual needs assistance in filing an appeal on an adverse decision, the City will provide assistance to ensure that the appeals process is accessible.
- C. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
- D. The review of all such appeals shall be based upon the record presented to the ~~DRG~~ [City Administrator](#).

ARTICLE 3.31

BOUNDARY LINE ADJUSTMENTS (Ord. No. 2011-02, 01/11/11)

- 3.31.1** During the review process, the ~~Development Review Committee (DRC)~~ City Planner, the City Engineer, the Planning Commission and the City Council may request reasonable additional information from the applicant(s) from time to time; and may ask other advisors to review the proposed application if, in the opinion of the City, it may contribute to a decision in the best interest of the City.
- 3.31.2** A boundary line adjustment may be approved by the ~~Development Review Committee (DRC)~~ City Planner and City Engineer unless the adjustment involves a change of use or change of zone of any of the property. If a change of use or change of zone is involved, the boundary line adjustment will require a recommendation from the ~~DRC~~ City Planner and City Engineer to the Planning Commission, a recommendation from the Planning Commission to the City Council, and a final approval by the City Council.
- 3.31.3 PROPERTY WITHIN A RECORDED SUBDIVISION.** If any property included in a proposed boundary line adjustment is located within a recorded subdivision, the boundary line adjustment must be done by plat amendment and will require the notification and approval of all applicable utilities. In addition to the provisions below, the plat amendment shall comply with Utah State Code.
1. The applicant(s) shall meet with the ~~DRC~~ City Planner and City Engineer to review the proposed boundary line adjustment prior to submitting an application.
 2. The applicant(s) shall have all of the property included surveyed by a surveyor licensed to do such work in the State of Utah and shall have a plat amendment prepared.
 3. If there is no change of use or change of zone for any of the property included, the ~~DRC~~ City Planner and City Engineer may approve the application.
 - a. The applicant(s) shall submit the following materials to the City Planner for DRC review:
 1. Three (3) D (22x34) size copies,
 2. Four (4) 11x17 copies,
 3. An electronic copy in a format specified by City Staff,
 4. A completed boundary line adjustment application, and
 5. Pay the associated fee in accordance with the current fee schedule.

The application will not be accepted unless all materials are completed and submitted and the fee is paid.
 - b. The ~~DRC~~ City Planner and City Engineer shall review the application for compliance with the Alpine City General Plan and all applicable City ordinances. If the ~~DRC~~ City Planner or City Engineer determines that the application complies with all applicable requirements, ~~the DRC they~~ shall approve the application. If the ~~DRC~~ City Planner or City Engineer determines that the proposed boundary line adjustment would violate local ordinances and regulations, no further review of the application shall be made. A new application shall be required to reinitiate the process.
 4. If there is a change of use or change of zone for any of the property included, the application must be reviewed by the Planning Commission and City Council.
 - a. When the ~~DRC~~ City Planner and City Engineer determines that the application is ready for Planning Commission review, the applicant(s) shall submit the following information

to the City Planner fourteen (14) days prior to a regularly scheduled Planning Commission meeting:

1. Four (4) D (22x34) size copies,
2. Ten (10) 11x17 copies,
3. An electronic copy in a format specified by City Staff,
4. A completed boundary line adjustment application, and
5. Pay the associated fee in accordance with the current fee schedule.

The application will not be accepted unless all materials are completed and submitted and the fee is paid.

- b. The application shall be reviewed by the Planning Commission for compliance with the Alpine City General Plan and all applicable City ordinances. If the Planning Commission determines that the proposed boundary line adjustment complies with all applicable requirements, it shall make a favorable recommendation to the City Council.

If the Planning Commission determines that the proposed boundary line adjustment would violate local ordinances and regulations, no further review of the proposed boundary line adjustment shall be made by the Planning Commission. A new application shall be required to reinitiate the boundary line adjustment process.

- c. The City Council shall review the application at a regularly scheduled meeting. If the City Council determines that the proposed boundary line adjustment complies with all applicable requirements, it shall approve the proposed boundary line adjustment.

3.31.4 PROPERTY OUTSIDE AN APPROVED, RECORDED SUBDIVISION. If all of the property included in a proposed boundary line adjustment is not located in an approved, recorded subdivision, boundary lines may be adjusted through the use of legal descriptions following the process outlined below.

1. The applicant(s) shall meet with the ~~DRC~~ [City Planner and City Engineer](#) to review the proposed boundary line adjustment prior to submitting an application.
2. The applicant(s) shall have all of the property included surveyed by a surveyor licensed to do such work in the State of Utah.
3. If there are any recorded easements located on any of the properties, the applicant(s) shall notify the appropriate entity and obtain their approval and submit documentation of approval to Alpine City.
4. If there is no change of use or change of zone for any of the property included, the ~~DRC~~ [City Planner and City Engineer](#) may approve the application.
 - a. The applicant(s) shall submit the following materials to the City Planner for ~~DRC~~ review:
 1. Five (5) copies of before and after legal descriptions of the properties;
 2. Five (5) copies drawn to scale showing the properties before and after the adjustment,
 3. An electronic copy in a format specified by staff,
 4. A completed boundary line adjustment application, and
 5. Pay the associated fee in accordance with the current fee schedule.

The application will not be accepted unless all materials are completed and submitted and fee is paid.

- b. The ~~DRG~~ City Planner and City Engineer shall review the application for compliance with the Alpine City General Plan and all applicable City ordinances. If the ~~DRG~~ City Planner or City Engineer determines that the application complies with all applicable requirements, ~~the DRG~~ they shall approve the application. If the ~~DRG~~ City Planner or City Engineer determines that the proposed boundary line adjustment would violate local ordinances and regulations, no further review of the application shall be made. A new application shall be required to reinitiate the process.
- 5. If there is a change of use or change of zone for any of the property included, the application must be reviewed by the Planning Commission and City Council.
 - a. When the ~~DRG~~ City Planner and City Engineer determines that the proposed boundary line adjustment is ready for Planning Commission review, the applicant shall submit the following to the City Planner fourteen (14) days prior to a regularly scheduled Planning Commission meeting:
 - 1. Fifteen (15) copies of before and after legal descriptions of the properties,
 - 2. Fifteen (15) copies drawn to scale showing the properties before and after the adjustment,
 - 3. An electronic copy in a format specific by City Staff,
 - 4. A completed boundary line adjustment application, and
 - 5. Pay the associated fee in accordance with the current fee schedule.

The application will not be accepted unless all materials are completed and submitted and fee is paid.

- b. The application shall be reviewed by the Planning Commission for compliance with the Alpine City General Plan and all applicable City ordinances. If the Planning Commission determines that the proposed boundary line adjustment complies with all applicable requirements, it shall make a favorable recommendation to the City Council.

If the Planning Commission determines that that proposed boundary line adjustment would violate local ordinances and regulations, no further review of the proposed boundary line adjustment shall be made by the Planning Commission. A new application shall be required to reinitiate the boundary line adjustment process.

- c. The City Council shall review the application at a regularly scheduled meeting. If the City Council determines that the proposed boundary line adjustment complies with all applicable requirements, it shall approve the proposed boundary line adjustment.

3.31.5 EXPIRATION. All Planning Commission recommendations shall be null/void 180 calendar days after a recommendation is given. If the boundary line adjustment is not recorded, all final approvals, whether granted by the ~~DRG~~ City Planner and City Engineer or City Council, shall be null/void 180 calendar days after final approval is granted.

The applicant(s) may request a reinstatement within fourteen (14) days of any expiration. The voided/null boundary line adjustment may be submitted to the ~~Development Review Committee~~ City Planner for reinstatement. If there are no changes to the voided/null boundary line adjustment and there have been no changes in ordinances that would affect the boundary line adjustment, the ~~DRG~~ City Planner may approve the reinstatement of the boundary line adjustment. If there are any changes in the boundary line adjustment or any changes in ordinances that would affect the boundary line adjustment, the voided/null boundary line adjustment may be submitted for reinstatement with a recommendation from the Planning Commission and approval by the City Council, but will be subject to all applicable ordinances at the time of reinstatement.

A current reinstatement fee will be charged in accordance with the current fee schedule for each reinstatement. The plat must be recorded within 180 days after the reinstatement approval or the approval shall be null and void. No further extensions/reinstatements will be approved. A new application shall be required to reinitiate the boundary line process.

ARTICLE 3.32 RETAINING WALLS (Ord. No. 2015-07, 06/09/15)

3.32.2 EXCEPTIONS FROM ARTICLE 3.32. The City Council may grant an exception from these standards. Prior to the City Council considering the exception, the ~~DRC~~ City Engineer shall submit a written recommendation to the Planning Commission. The recommended exception shall be based on generally accepted ~~planning and~~ engineering practices. The Planning Commission shall review the recommendation and advise the City Council as to whether or not the exception should or should not be granted.

4.1.2 EXCEPTIONS FROM DESIGN AND IMPROVEMENT STANDARDS (Amended by Ord. No. 2001-14 and Ord. 2004-13, 9/28/04)

When in the opinion of the ~~Development Review Committee (DRC)~~ City Planner and City Engineer, the best interest of the City would not be served by the literal enforcement of the design or improvement standards in this ordinance, the City Council may grant an exception from these standards.

Prior to the City Council considering the exception, the ~~DRC~~ City Planner and City Engineer shall submit a written recommendation to the Planning Commission. The recommended exception shall be based on generally accepted planning and engineering. The recommended exception may not vary the zone, use or lot size of the development. The Planning Commission shall review the recommendation and advise the City Council as to whether or not the exception should or should not be granted.

4.5.3.1 ~~DEVELOPMENT REVIEW COMMITTEE (DRC)~~ CITY PLANNER AND CITY ENGINEER

1. The subdivider of a minor subdivision shall meet with the ~~Development Review Committee (DRC)~~ City Planner and City Engineer to review the proposed subdivision before submitting an application.
2. The subdivider shall prepare a preliminary plan showing the land to be subdivided, properly and accurately drawn to scale that complies with the drawing requirements in Section 4.6.3.3. The plan shall be certified as to accuracy by a licensed land surveyor licensed to do such work in the State of Utah.
3. The subdivider shall submit three (3) D size (22" x 34") copies of the plan to the City Planner to be reviewed by the ~~DRC~~ City Planner and City Engineer. The subdivider shall also submit an electronic copy of the plan in a compatible format as specified by City Staff.
4. The ~~DRC~~ City Planner and City Engineer shall review the plan to determine compliance with the Alpine City General Plan and all applicable City ordinances. The City Planner

shall notify the subdivider of the review findings, including questionable design or engineering feasibility, inadequacy of submittals, non-compliance with local regulations, and the need for other information which may assist in the evaluation of the proposed subdivision.

5. When the ~~DRG~~ [City Planner and City Engineer](#) determines that the plan is ready for Planning Commission review, the ~~DRG~~ [City Planner](#), in consultation with the Planning Commission Chairperson, shall establish a review date. The subdivider may prepare a final plan that incorporates all changes recommended by the ~~DRG~~ [City Planner and City Engineer](#).

4.5.3.2 PLANNING COMMISSION

1. Upon recommendation of the ~~DRG~~ [City Engineer](#), the subdivider shall submit the following to the City Planner at least fourteen (14) days before the scheduled Planning Commission meeting:

4.5.8 REINSTATEMENT OF THE FINAL PLAT (Ord. 2004-13, 9/28/04; Ord. 2008-07, 5/27/08)

The voided/null Final Plat may be submitted to the ~~Development Review Committee (DRG)~~ [City Planner](#) for reinstatement. If there are no changes to the voided/null final plat and there have been no changes in ordinances that would affect the voided/null final plat, the ~~DRG~~ [City Planner](#) may approve the reinstatement of the final plat. If there are any changes on the final plat or any changes in ordinances that would affect the plat, the voided/null final plat may be submitted for reinstatement with a recommendation from the Planning Commission and approval by the City Council, but will be subject to all applicable ordinances at the time of reinstatement, and a current reinstatement fee will be charged in accordance with Alpine City's current fee schedule. The final plat must be recorded within 180 days after the reinstatement approval or the approval shall be null and void.

4.6.1.1 PLAN REQUIREMENTS

The subdivider shall submit a concept plan to the Planning Commission prior to the submission of a preliminary plan. The concept plan shall enable the subdivider and the Planning Commission to review the proposed subdivision for general scope and conditions, which might affect said subdivision. The concept plan shall consist of a simple layout of existing and proposed streets, trails, lots, major buildings, planned residential developments, utilities, drainage channels, ditches and waterways.

The plan shall include the following items:

1. The scale on the concept plan should not be less than 1 inch to 200 feet (1" = 200'). Math scale may change as required on the 11"x17" copy.
2. The proposed name of the subdivision.
3. The address of the subdivision.
4. A vicinity plan showing significant natural and man-made features on the site and within one half (2) mile of any portion of it.
5. The property boundaries of the proposed subdivision, the names of adjacent property owners; topographic contours at no greater intervals than two feet, and north arrow. If the topography is steep, five-foot contour intervals shall be used.
6. A proposed lot and street and trail layout, indicating general scaled dimensions of lots to

- the nearest foot.
7. The acreage of the entire tract proposed for the subdivision and number of lots.
 8. The location of waterways, ditches and easements.
 9. Soil profiles for the tract proposed for subdivision where there are geologic hazards known to the subdivider or Alpine City.
 10. Source of water rights to be conveyed to the City.
 11. Other information, which may allow the ~~DRC~~ [City Planner, City Engineer](#) and the Planning Commission to evaluate the proposed subdivision.

4.6.1.2 REVIEW PROCEDURES

During the concept plan review process, the ~~Development Review Committee (DRC)~~ [City Planner, City Engineer](#) and the Planning Commission may request reasonable additional information from the subdivider from time to time; and may ask other advisors to review the plan if, in the opinion of the City, it may contribute to a decision in the best interest of the City.

After submittal of the required application materials, no excavation nor alteration of the terrain within a proposed subdivision may be undertaken prior to written approval by the City Council of the final plat. Excavation or alteration of the land prior to approval of the final plat may be cause for disapproval of the proposed subdivision.

4.6.1.2.1 ~~DEVELOPMENT REVIEW COMMITTEE (DRC)~~ [CITY PLANNER AND CITY ENGINEER](#)

1. The subdivider shall meet with the ~~DRC~~ [City Planner and City Engineer](#) to discuss the proposed subdivision before submitting an application or any plans.
2. The subdivider shall prepare and submit four (4) D size (22" x 34") copies of the concept plan to the City Planner to be reviewed by the ~~DRC~~ [City Planner and City Engineer](#). The subdivider shall also submit an electronic copy of the plan in a compatible format as specified by City Staff.
3. The ~~DRC~~ [City Planner and City Engineer](#) shall review the concept plan to determine compliance with the Alpine City General Plan and all applicable City ordinances. The City Planner shall notify the subdivider of the review findings, including questionable design or engineering feasibility, inadequacy of submittals, non-compliance with the local regulations, and the need for other information which may assist in the evaluation the proposed subdivision.
4. When the ~~DRC~~ [City Planner and City Engineer](#) determines that the concept plan is ready for Planning Commission review, the ~~DRC~~ [City Planner](#), in consultation with the Chairperson of the Planning Commission, will establish a date for a public hearing and initial presentation and review of the concept plan. In case of an impasse between the ~~DRC~~ [City Planner/City Engineer](#) and the developer, the developer may appeal to the Planning Commission.

4.6.1.2.2 PLANNING COMMISSION

1. Upon recommendation of the ~~DRC~~ [City Planner and City Engineer](#), the subdivider shall prepare and submit the following required documentation to the City Planner at least fourteen (14) days prior to the scheduled public hearing and ten (10) days prior to a regularly scheduled Planning Commission meeting for a resubmission:
 - a. a completed Concept Plan Checklist and Application;
 - b. a list of all property owners within 500 feet of the boundaries of the proposed development, and envelopes that have been stamped and addressed to all the

- property owners named on the list;
- c. five (5) D size (22" x 34") copies of the plan (including any revisions recommended by the ~~DRC~~ [City Planner and City Engineer](#) in its initial review),
- d. ten (10) 11" x 17" copies drawn to scale, and
- e. an electronic copy in a compatible format, as specified by City Staff.

4.6.2.2 DRAWING REQUIREMENTS

28. Location of each lot's Buildable Area in a PRD, irregular lots or any other lots as requested by the ~~DRC~~ [City Planner, City Engineer](#) or Planning Commission. The designated buildable area should not be less than five thousand (5,000) sq. ft. except in the TR-10,000 zone, and shall be shown on the preliminary and final plat together with a notation to the effect that all main and accessory buildings shall be located within the Designated Buildable Area. (Amended by Ord. 2004-13, 9/28/04)

- (1) The Designated Buildable Area may be amended by the ~~DRC~~ [City Planner and City Engineer](#) as long as the minimum setback requirements of the underlying zone are met.

4.6.3.3 DRAWING REQUIREMENTS

13. Buildable areas when required by the ~~DRC~~ [City Planner, City Engineer](#) or Planning Commission, shall be noted with all dimensions. The Designated Buildable Area should be not less than five thousand (5,000) sq. ft. All dwellings and other habitable structures and accessory building shall be located within the Designated Buildable Area. (Amended by Ord. 2004-13, 9/28/04)

4.6.3.13 REINSTATEMENT OF FINAL PLAT (Amended by Ord. 2004-13, 9/28/04; Ord. 2008-07, 5/27/08)

The voided/null Final Plat may be submitted to the ~~Development Review Committee (DRC)~~ [City Planner](#) for reinstatement. If there are no changes to the voided/null final plat and there have been no changes in ordinances that would affect the voided/null final plat, the ~~DRC~~ [City Planner](#) may approve the reinstatement of the final plat. If there are any changes on the final plat or any changes in ordinances that would affect the plat, the voided/null final plat may be submitted for reinstatement with a recommendation from the Planning Commission and approval by the City Council, but will be subject to all applicable ordinances at the time of reinstatement and a current reinstatement fee will be charged in accordance with current fee schedule. The final plat must be recorded within 180 days after the reinstatement approval or the approval shall be null and void.

4.7.4 STREETS AND STREET REQUIREMENTS

12. Centerline of Intersecting Streets. The centerline of two subordinate streets meeting a through street from opposite sides shall extend as a continuous line, or the centerline shall be offset at least one hundred fifty (150') feet. An exception may be given to the off-set requirement of up to 15 feet as recommended by the ~~DRG~~ [City Engineer](#) and Planning Commission and approved by the City Council. (Amended by Ord. 2004-13, 9/28/04)
13. Curved Streets Preferred. In the design of subdivisions, curving streets shall be preferred to straight streets or rigid ninety degree grid systems.
14. Frontage on Arterial Streets. Driveways or other vehicular accesses to an individual lot that open onto any public street designated by the official City Street Plan as an arterial street may be used as an access if it is recommended by the ~~DRG~~ [City Engineer](#) and Planning Commission and approved by the City Council. Turn-arounds, hammerhead or side-entry driveways must be incorporated to ensure that vehicles will not back out on arterial streets. (Amended by Ord. 2004-13, 9/28/04)

4.7.10 SIDEWALKS, CURBS AND GUTTERS (Amended by Ord. 2014-12, 7/08/14)

Sidewalks, curbs, planter strips and gutters may be required on both sides of all streets to be dedicated to the public. Sidewalks, curbs, planter strips and gutters may be required by the Planning Commission and City Council on existing streets bordering the new subdivision lots.

General: The Developer of the project shall only be responsible for the cost of system improvements that are roughly proportionate and reasonably related to the service demands and needs of such development activity.

- 4.7.10.1 Exception.** On occasion, there may be circumstances in which an exception from the curb, gutter and sidewalk requirements may be warranted. An applicant should meet with the ~~DRG (Development Review Committee)~~ [City Engineer](#) to discuss the circumstances.

4.7.18 STORM DRAINAGE AND FLOOD PLAINS

2. Design. The drainage and flood plain systems shall be designed to:
 - (1) Permit the unimpeded flow of natural water courses.
 - (2) Ensure adequate drainage of all low points.
 - (3) Ensure applications of the following regulations regarding development in designated flood plains:
 - a. Construction of buildings shall not be permitted in a designated flood way with a return frequency more often than a 100-year storm.
 - b. Building construction may occur in that portion of the designated flood way where the return frequency is between a 100-year and a maximum probable storm provided all usable floor space is constructed above the designated maximum probable flood level.

- c. Where flood way velocities are generally determined to be under five feet (5') per second and maximum flood depth will not exceed three feet (3'), such uses as cultivated agriculture, nurseries, parks and recreation facilities and accessory parking may be permitted.
- d. Any use of land is prohibited where flooding would create a public health hazard or problem. This includes shallow wells, uncased deep wells, sanitary land fills, septic tank and on-lot sewage disposal systems, water treatment plants, and also sewage disposal systems not completely protected from inundation.
- e. Any contemplated flood plain encroachment or channeling shall be thoroughly analyzed and its effect on stream flow determined before such encroachment is undertaken. Any construction, dumping, and filling operations in a designated flood way constitutes an encroachment and must be approved by the Planning Commission, before accomplishment.
- f. Existing lots that contain land in the floodplain area shall contain a minimum area outside the floodplain corresponding to the underlying zone. For example, a lot in the TR-10,000 zone must have at least 10,000 sq. ft of land which is an elevation at least two feet above the elevation of the 100-Year Recurrence Interval Flood. CR-20,000 lots in a floodplain must have at least 20,000 sq. ft. of land that is two feet above the 100-Year Recurrence Interval Flood. A CR-40,000 lot in a floodplain must have at least 40,000 sq. ft. of land that is two feet above the 100-Year Recurrence Interval Flood. Whenever 100-Year Recurrence Interval Flood data is not available, the required area as described above will be five feet above the elevation of the maximum flood of record. (Ord. 2004-13, 9/28/04)

(4) Insure that lots are adequately drained into the city storm drain system as required by the ~~Development Review Committee (DRC)~~ [City Engineer](#). (Ord. 2004-13, 9/28/04)

- 4. Detention and Retention Basins. Detention basins shall be designed to accommodate a 50-year storm. Retention basins shall be designed to accommodate a 100-year storm. The basins shall be designed to drain at a controlled rate, not to exceed 0.2 CFS per developed acre. Detention/retention basins shall be graded to a 4:1 slope and seeded and sprinkles shall be installed upon recommendation of the ~~Development Review Committee (DRC)~~ [City Engineer](#) and the Planning Commission to the City Council. (Ord. 2002-14)

4.7.23.3 Type of Water Rights Acceptable For Conveyance. Water rights proposed for conveyance to the City shall be of a type which allow for municipal use within the City, or, if not, the water rights must be of the type which can be amended to provide for municipal use in accordance with the procedures of Utah's change application statute, Utah Code Ann. ' 73-3-3. The developer shall make application to the State Engineer and shall pay all costs associated with the application. The water rights may include one or a combination of the following as recommended by the ~~Development Review Committee (DRC)~~ [City Engineer](#) to the Planning Commission, and a recommendation by the Planning Commission to the Alpine City Council with the final determination to be made by the City Council.

ARTICLE 4.12 INFRASTRUCTURE PROTECTION BOND (Ord 97-04, 4/8/97; Amended by Ord. 2004-13, 9/29/04; Ord. 2008-03, 4/8/08; Ord. 2008-14, 8/26/08)

AN ORDINANCE REQUIRING AN INFRASTRUCTURE BOND AND ESTABLISHING A PROCEDURE FOR HOLDING, FORFEITING AND APPEALING DECISIONS REGARDING THE BOND.

- 4.12.1 Applicability of Ordinance.** This ordinance shall govern the provisions, nature, use and disposition of an Infrastructure Protection Bond or Guarantee of Performance which are hereby required to be posted with or deposited for the benefit of the City for all building permits unless otherwise exempted by the ~~Development Review Committee~~ [City Engineer](#).

ARTICLE 4.14 SITE PLAN TO COMPLY (Ord. No. 92-03 Amended by Ord. No. 2004-13, 9/28/04; Ord. No. 2013-11, 7/23/13)

AN ORDINANCE PROVIDING FOR COMPLIANCE WITH ARTICLE 4.7, ARTICLE 4.8 and ARTICLE 4.10 OF THE ALPINE CITY SUBDIVISION ORDINANCE AND THE ALPINE CITY CONSTRUCTION STANDARDS FOR BUILDING PERMIT APPLICATION FOR SINGLE FAMILY RESIDENTIAL DWELLINGS OR COMMERCIAL STRUCTURES NOT LOCATED IN AN APPROVED SUBDIVISION.

4.14.1 Site Plan Approval Process

- ~~1. The applicant shall submit the Site Plan Application and three (3) D size (22" x 34") to the City Planner to be reviewed by the DRC along with an electronic copy in a compatible format as specified by City Staff. The DRC and Alpine City Building Inspector shall review the application and plan to determine whether the proposed construction or alteration conforms to the building codes and ordinances of this municipality.~~
2. ~~Upon recommendation of the DRC,~~ The applicant shall submit the following to the City Planner at least fourteen (14) days before the scheduled Planning Commission meeting:
 - a. the Site Plan Checklist and Application;
 - b. three (3) D size (22" x 34") copies of the final plan,
 - c. ten (10) 11" x 17" copies of the plan drawn to scale, and
 - d. an electronic copy of the plan in a compatible format as specified by City Staff.

The applicant shall pay the associated fee(s) as set forth in the Alpine City Consolidated Fee Schedule. The fee(s) shall be paid to the City Recorder, payable to Alpine City.

The plans will not be presented to the Planning Commission until the application is complete, including submitting all required information and paying all fees. The application must be complete and accepted in writing by the City Planner. [The City Planner and City Engineer shall review the application and plan to determine whether the proposed construction or alteration conforms to the ordinances of this municipality](#)

3. A building permit application and plan for a residential single family dwelling or commercial structure which is not located in an approved subdivision shall:
 - a. Conform to Article 4.7, Article 4.8 and Article 4.10 (Subdivision Design and Financial Standards including Water Right Requirements) of the Alpine City Subdivision Ordinance. If it is a commercial site plan, it also conforms to any additional requirements that are applicable to the site plan in Article 3.7 (Business/Commercial District) of the Alpine City Development Code;
 - b. Be reviewed by the ~~DRC~~ [City Planner, City Engineer](#) and approved by the Planning Commission for compliance with the foregoing provisions prior to issuance of the permit;

ORDINANCE NO. 2016-01

AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 2.4, SECTION 3.1.6.4, SECTION 3.1.9, SECTION 3.9.4, SECTION 3.9.6, SECTION 3.9.12, ARTICLE 3.11, SECTION 3.12.3.2, SECTION 3.12.6.4, SECTION 3.21.6, PARAGRAPH 3.23.7.3, SECTION 3.24.5, ARTICLE 3.30, ARTICLE 3.31, SECTION 3.32.2, SECTION 4.1.2, SECTION 4.5.3, SECTION 4.5.8, ARTICLE 4.6, SECTION 4.7.4, SECTION 4.7.10, SECTION 4.7.18, SECTION 4.7.23, ARTICLE 4.12 AND ARTICLE 4.14 OF THE ALPINE CITY DEVELOPMENT CODE RELATING TO THE ELIMINATION OF THE DEVELOPMENT REVIEW COMMITTEE (DRC) FROM THE DEVELOPMENT CODE.

WHEREAS, The City Council of Alpine, Utah has deemed it in the best interest of Alpine City to amend the ordinance to eliminate the Development Review Committee (DRC) and defer the responsibilities of the DRC to specific staff members; and

WHEREAS, the Alpine City Planning Commission has reviewed the proposed Amendments to the 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 the Development Code:

NOW, THEREFORE, BE IT ORDAINED BY THE ALPINE CITY COUNCIL THAT:

The amendments to Article 2.4, Section 3.1.6.4, Section 3.1.9, Section 3.9.4, Section 3.9.6, Section 3.9.12, Article 3.11, Section 3.12.3.2, Section 3.12.6.4, Section 3.21.6, Paragraph 3.23.7.3, Section 3.24.5, Article 3.30, Article 3.31, Section 3.32.2, Section 4.1.2, Section 4.5.3, Section 4.5.8, Article 4.6, Section 4.7.4, Section 4.7.10, Section 4.7.18, Section 4.7.23, Article 4.12 and Article 4.14 contained in the attached document will supersede Article 2.4, Section 3.1.6.4, Section 3.1.9, Section 3.9.4, Section 3.9.6, Section 3.9.12, Article 3.11, Section 3.12.3.2, Section 3.12.6.4, Section 3.21.6, Paragraph 3.23.7.3, Section 3.24.5, Article 3.30, Article 3.31, Section 3.32.2, Section 4.1.2, Section 4.5.3, Section 4.5.8, Article 4.6, Section 4.7.4, Section 4.7.10, Section 4.7.18, Section 4.7.23, Article 4.12 and Article 4.14 as previously adopted.

This Ordinance shall take effect upon posting.

Passed and dated this 12th day of January, 2016.

Don Watkins, Mayor

ATTEST:

Charmayne G. Warnock, Recorder

3.1.6.4 Demolition of Homes. A demolition permit must be issued before any demolition takes place: (added by Ordinance 2004-13 on 9/28/04)

1. Demolition Permit must be reviewed by the City Engineer and may be referred to the Planning Commission.

3.1.9.1 Amendments to the Zoning Ordinance

Amendments to the Zoning Ordinance may be initiated by the City Council, the Planning Commission, the Staff, or by an owner of real property in the area included in the proposed amendment.

3.1.9.2 Amendments to the Zoning Map (Zone Change)

Amendments to the Zoning Map may be initiated by the City Council, the Planning Commission, the Staff, or by an owner of real property in the area included in the proposed amendment.

Any application to change the boundary of a zone shall include an accurate map or other sufficient legal description of the area proposed for change. Applicants shall submit ten (10) copies of all required documentation to the City Planner at least fourteen (14) days prior to the public hearing.

Amendments to the Zoning Map (Zone Change):

1. Shall first be submitted to the City Planner for its review before an applicant may apply to the Planning Commission.
2. If the applicant chooses to apply to the Planning Commission for a proposed zone change, the applicant shall pay the associated fee and the City Recorder shall set a public hearing for the Planning Commission on the proposed amendment to the zoning map, and shall provide appropriate notice for said public hearing. The public hearing shall be held before the Planning Commission may make a recommendation to the City Council. The Planning Commission may hold additional public hearings if deemed necessary or appropriate by the Planning Commission.

3.9.4 OPEN SPACE (Amended by Ord. No. 2005-02, 2/8/05; Ord. No. 2014-14, 9/9/14; Ord. No. 2015-05, 04/14/15)

3. Notwithstanding the minimum open space requirements set forth under Section 3.9.4 #1, the designated open space area shall include and contain all 100 year flood plain areas, defined floodways, all avalanche and rock fall hazard areas, all areas having a slope of twenty five (25) percent or greater, or any other area of known significant physical hazard for development.
 - A. An exception may be made with a recommendation by the Planning Commission to the City Council with the final determination to be made by the City Council that up to 5% of an individual lot may contain ground having a slope of more than 25% in the CR-20,000 and CR-40,000 zones as long as the lot can meet current ordinance.
 - B. An exception may be made that an individual lot may contain up to 15% of the lot having

a slope of more than 25% in the CE-5 and CE-50 zone as long as the lot can meet current ordinance without the exception. The exception shall be recommended by the City Engineer to the Planning Commission, and a recommendation by the Planning Commission to the Alpine City Council with the final determination to be made by the City Council. (Ord. 2005-02, 2/8/05)

3.9.6 DWELLING CLUSTERS - LOT SIZE - BUILDABLE AREA – SETBACK

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.
- E. 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)

3.9.12 APPROVAL PROCEDURE - COMPLIANCE WITH RELATED REQUIREMENTS

3.9.12.1 Approval Procedure

1. The procedure to be followed in obtaining approval of a PRD, or any amendment thereto shall be the same as required for a subdivision. The Planning Commission shall hold a public hearing on the application prior to concept approval and after a recommendation from the City Planner and City Engineer.

ARTICLE 3.11 GATEWAY/HISTORIC ZONE (Ord. No. 2002-06, 07/09/2002; Amended by Ord.

No. 2010-19, 11/09/10)

3.11.4 SITE PLAN PROCESS

- 3.11.3.1 During the review process, the City Planner, City Engineer, the Planning Commission, and the City Council may request reasonable additional information from the applicant from time to time; and may ask other advisors to review the plan if, in the opinion of the City, it may contribute to a decision in the best interest of the City.

3.11.3.2 City Planner and City Engineer

1. The applicant shall meet with the City Planner and City Engineer to review the proposed site plan before submitting an application.
2. The applicant shall prepare a concept site plan, properly and accurately drawn to scale.
3. The City Planner and City Engineer shall review the site plan to determine compliance with the Alpine City General Plan and applicable City ordinances.
4. When the City Planner and City Engineer determines that the site plan is ready for Planning Commission review, the City Planner, in consultation with the Planning Commission Chairperson, shall establish a review date. The applicant may prepare a site plan that incorporates all changes recommended by City Planner and City Engineer.

3.11.3.3 Planning Commission

1. The applicant shall submit the following to the City Planner at least fourteen (14) days before the scheduled Planning Commission meeting:

3.11.5 PLAN REQUIREMENTS

The site plan shall include the following items:

1. Address of the site plan
2. A vicinity map
3. The property boundaries of the proposed site plan and the names of all adjacent property owners
4. The location of all existing and proposed easements
5. Lot dimensions
6. Location and orientation of all structures on the lot
7. Setbacks of all structures on the lot
8. Location of garbage dumpster
9. Location of all existing and proposed utilities
10. Parking plan
11. Lighting plan
12. Other information which may allow the City Planner, City Engineer, Planning Commission, and City Council to evaluate the proposed site plan.

ARTICLE 3.12 SENSITIVE LAND ORDINANCE (Original Ordinance No. 2002-01. Amended by Ordinance 2005-03, 1/25/05)

- 3.12.3.2** If a development is exclusive of any other regulatory process but in a sensitive land area then the Sensitive Land Area Review may be processed by the City Engineer.

3.12.6.4 Required Geologic Hazard and Engineering Geology Reports

An engineering geology report may be required in Geologic Hazard areas that include a geologic hazards investigation and assessment prepared by a qualified engineering geologist upon the recommendation of the City Engineer or at the request of the Planning Commission or City Council. The report shall be site-specific and shall identify all known or suspected geologic hazards, whether previously mapped or unmapped, that may affect the particular property. All reports will be prepared by a qualified geologist or engineer and all reports shall be signed and stamped by the preparer and include their qualifications. Reports are:

3.21.6.8 Fences Along Public Open Space and Trails. See Articles 3.16, Section 3.16.10.1 and Article 3.17 Section 3.17.10.3.1.

Fences or borders along property lines adjacent to a trail or open space must meet with the City Planner and meet specific standards.

1. When the width of the open space or trail easement is less than 50 feet, bordering fences may not exceed eight (8) feet in height, and shall not obstruct visibility. (Open style fences such as rail fences, field fence, or chain link are preferable.)
2. When the width of the open space or trail easement is 50 feet or more, fence standards as specified elsewhere in this ordinance apply.
3. Fences and hedges must be completely within the boundaries of the private property.
4. Hedges or shrubs must be maintained to the same height requirements as fences.
5. The owner of the fence or hedge must maintain the side facing the open space.

3.21.6.9 Conditional Uses for Interior Fences. A conditional use permit may be approved by the City Planner for an interior fence over eight (8) feet in height for such things as sports courts, gardens and swimming pools. A conditionally approved interior fence shall not exceed twelve (12) feet in height and shall be an open style fence. (Ord. No. 2015-06, 05/26/15)

3.23.7.3 Home Occupations (Ord. 95-04, 2/28/95. Amended Ord. 08-18, 12/16/08; Ord. 2009-14, 9/22/09; Ord. 2010-07, 5/11/10; Ord. 2010-11, 10/12/10; Ord. 2013-04, 3/12/13; Ord. 2014-06, 3/25/14). Home occupations may be permitted as a conditional use, upon review of Staff and approval by the City Planner. If the City Planner determines that the home occupation may create significant impacts, approval from the Planning Commission may be required. All home occupations will be subject to compliance with the following:

2. Commission May Attach Conditions.

In order to achieve the objectives of this Code and to protect the health, safety and quality of life in the community the Planning Commission or City Planner may attach conditions to the granting of a home occupation consistent with the standards hereinabove stated.

3. Continuing Obligation - Business License Required.

All home occupations shall be operated in compliance with the conditions herein above set forth and any conditions which may be attached as part of the approval. Upon approval of a home occupation the applicant shall be eligible to acquire a business license to operate. Issuance of the Business License shall be conditioned upon continued performance of the conditions of approval and said license shall be refused or revoked upon failure of the owner and/or operator to maintain or operate the home occupation in accordance therewith.

The approval shall be valid for the remainder of the year in which it is first granted. Thereafter the approval will be extended for successive one year periods, commencing on January 1 of the calendar year, or such other date as the Council or City Planner may from time to time establish as the effective date for business licenses, provided (1) that the home occupation remains substantially the same as initially approved and (2) that the home occupation has remained active as evidenced by the acquisition of a valid business license for the previous year.

3.24.5 LOCATION OF REQUIRED OFF-STREET PARKING. All required off-street parking spaces shall be located on-site on the same lot as the use or building it serves, unless otherwise recommended by the City Planner, City Engineer, the Planning Commission, and approved by the City Council.

3.30.3 REQUESTING REASONABLE ACCOMMODATION.

- A. Requests for reasonable accommodations shall be in writing and provide the following information:
- (1) Name and address of the individual(s) requesting reasonable accommodation;
 - (2) Name and address of the property owner(s);
 - (3) Address of the property for which accommodation is requested;
 - (4) Description of the requested accommodation and the regulation(s), policy or procedure for which accommodation is sought;
 - (5) Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling; and
 - (6) All information necessary for the findings set forth in Sec.3.30.5

Requests for reasonable accommodations shall be submitted to the City Administrator.

3.30.4 REVIEWING AUTHORITY.

- A. Requests for reasonable accommodations shall be reviewed using the criteria set forth in Sec. 3.30.5 below.
- B. The City Administrator shall issue a written decision on a request for reasonable accommodation within thirty (30) days of the date of the application and may either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with the required findings set forth in Sec. 3.30.5 below.

3.30.6 WRITTEN DECISION ON THE REQUEST FOR REASONABLE ACCOMMODATION.

- A. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the reviewing authority's findings on the criteria set forth in Sec. 3.30.5. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below. The notice of decision shall be sent to the applicant by certified mail.
- B. The written decision of the City Administrator shall be final unless an applicant timely appeals it to the Land Use Hearing Officer, as the Alpine City Appeal Authority.
- C. If the City Administrator fails to render a written decision on the request for reasonable accommodation within the thirty (30) day time period allotted by Sec. 3.30.4(B), the request shall be deemed denied based upon the insufficiency of the applicant's information to satisfy the criteria set forth in Sec. 3.30.3.
- D. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

3.30.7 APPEALS.

- A. Within ten (10) days of the date of the City Administrator's written decision or expiration of the

thirty (30) day time period allotted by Sec. 3.30.4(B), an applicant may appeal an adverse decision to the Alpine City Appeal Authority. Appeals from the adverse decision shall be made in writing.

- B. If an individual needs assistance in filing an appeal on an adverse decision, the City will provide assistance to ensure that the appeals process is accessible.
- C. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
- D. The review of all such appeals shall be based upon the record presented to the City Administrator.

ARTICLE 3.31 BOUNDARY LINE ADJUSTMENTS (Ord. No. 2011-02, 01/11/11)

3.31.1 During the review process, the City Planner, the City Engineer, the Planning Commission and the City Council may request reasonable additional information from the applicant(s) from time to time; and may ask other advisors to review the proposed application if, in the opinion of the City, it may contribute to a decision in the best interest of the City.

3.31.2 A boundary line adjustment may be approved by the City Planner and City Engineer unless the adjustment involves a change of use or change of zone of any of the property. If a change of use or change of zone is involved, the boundary line adjustment will require a recommendation from the City Planner and City Engineer to the Planning Commission, a recommendation from the Planning Commission to the City Council, and a final approval by the City Council.

3.31.3 PROPERTY WITHIN A RECORDED SUBDIVISION. If any property included in a proposed boundary line adjustment is located within a recorded subdivision, the boundary line adjustment must be done by plat amendment and will require the notification and approval of all applicable utilities. In addition to the provisions below, the plat amendment shall comply with Utah State Code.

- 1. The applicant(s) shall meet with the City Planner and City Engineer to review the proposed boundary line adjustment prior to submitting an application.
- 2. The applicant(s) shall have all of the property included surveyed by a surveyor licensed to do such work in the State of Utah and shall have a plat amendment prepared.
- 3. If there is no change of use or change of zone for any of the property included, the City Planner and City Engineer may approve the application.
 - a. The applicant(s) shall submit the following materials to the City Planner for DRC review:
 - 1. Three (3) D (22x34) size copies,
 - 2. Four (4) 11x17 copies,
 - 3. An electronic copy in a format specified by City Staff,
 - 4. A completed boundary line adjustment application, and
 - 5. Pay the associated fee in accordance with the current fee schedule.

The application will not be accepted unless all materials are completed and submitted and the fee is paid.

- b. The City Planner and City Engineer shall review the application for compliance with the Alpine City General Plan and all applicable City ordinances. If the City Planner or

City Engineer determines that the application complies with all applicable requirements, they shall approve the application. If the City Planner or City Engineer determines that the proposed boundary line adjustment would violate local ordinances and regulations, no further review of the application shall be made. A new application shall be required to reinitiate the process.

4. If there is a change of use or change of zone for any of the property included, the application must be reviewed by the Planning Commission and City Council.
 - a. When the City Planner and City Engineer determines that the application is ready for Planning Commission review, the applicant(s) shall submit the following information to the City Planner fourteen (14) days prior to a regularly scheduled Planning Commission meeting:
 1. Four (4) D (22x34) size copies,
 2. Ten (10) 11x17 copies,
 3. An electronic copy in a format specified by City Staff,
 4. A completed boundary line adjustment application, and
 5. Pay the associated fee in accordance with the current fee schedule.

The application will not be accepted unless all materials are completed and submitted and the fee is paid.

- b. The application shall be reviewed by the Planning Commission for compliance with the Alpine City General Plan and all applicable City ordinances. If the Planning Commission determines that the proposed boundary line adjustment complies with all applicable requirements, it shall make a favorable recommendation to the City Council.

If the Planning Commission determines that the proposed boundary line adjustment would violate local ordinances and regulations, no further review of the proposed boundary line adjustment shall be made by the Planning Commission. A new application shall be required to reinitiate the boundary line adjustment process.

- c. The City Council shall review the application at a regularly scheduled meeting. If the City Council determines that the proposed boundary line adjustment complies with all applicable requirements, it shall approve the proposed boundary line adjustment.

3.31.4 PROPERTY OUTSIDE AN APPROVED, RECORDED SUBDIVISION. If all of the property included in a proposed boundary line adjustment is not located in an approved, recorded subdivision, boundary lines may be adjusted through the use of legal descriptions following the process outlined below.

1. The applicant(s) shall meet with the City Planner and City Engineer to review the proposed boundary line adjustment prior to submitting an application.
2. The applicant(s) shall have all of the property included surveyed by a surveyor licensed to do such work in the State of Utah.
3. If there are any recorded easements located on any of the properties, the applicant(s) shall notify the appropriate entity and obtain their approval and submit documentation of approval to Alpine City.

4. If there is no change of use or change of zone for any of the property included, the City Planner and City Engineer may approve the application.

- a. The applicant(s) shall submit the following materials to the City Planner for review:

1. Five (5) copies of before and after legal descriptions of the properties;
 2. Five (5) copies drawn to scale showing the properties before and after the adjustment,
 3. An electronic copy in a format specified by staff,
 4. A completed boundary line adjustment application, and
 5. Pay the associated fee in accordance with the current fee schedule.

The application will not be accepted unless all materials are completed and submitted and fee is paid.

- b. The City Planner and City Engineer shall review the application for compliance with the Alpine City General Plan and all applicable City ordinances. If the City Planner or City Engineer determines that the application complies with all applicable requirements, they shall approve the application. If the City Planner or City Engineer determines that the proposed boundary line adjustment would violate local ordinances and regulations, no further review of the application shall be made. A new application shall be required to reinitiate the process.

5. If there is a change of use or change of zone for any of the property included, the application must be reviewed by the Planning Commission and City Council.

- a. When the City Planner and City Engineer determines that the proposed boundary line adjustment is ready for Planning Commission review, the applicant shall submit the following to the City Planner fourteen (14) days prior to a regularly scheduled Planning Commission meeting:

1. Fifteen (15) copies of before and after legal descriptions of the properties,
 2. Fifteen (15) copies drawn to scale showing the properties before and after the adjustment,
 3. An electronic copy in a format specific by City Staff,
 4. A completed boundary line adjustment application, and
 5. Pay the associated fee in accordance with the current fee schedule.

The application will not be accepted unless all materials are completed and submitted and fee is paid.

- b. The application shall be reviewed by the Planning Commission for compliance with the Alpine City General Plan and all applicable City ordinances. If the Planning Commission determines that the proposed boundary line adjustment complies with all applicable requirements, it shall make a favorable recommendation to the City Council.

If the Planning Commission determines that that proposed boundary line adjustment would violate local ordinances and regulations, no further review of the proposed boundary line adjustment shall be made by the Planning Commission. A new application shall be required to reinitiate the boundary line adjustment process.

- c. The City Council shall review the application at a regularly scheduled meeting. If the City Council determines that the proposed boundary line adjustment complies with all applicable requirements, it shall approve the proposed boundary line adjustment.

3.31.5 EXPIRATION. All Planning Commission recommendations shall be null/void 180 calendar days after a recommendation is given. If the boundary line adjustment is not recorded, all final approvals, whether granted by the City Planner and City Engineer or City Council, shall be null/void 180 calendar days after final approval is granted.

The applicant(s) may request a reinstatement within fourteen (14) days of any expiration. The voided/null boundary line adjustment may be submitted to the City Planner for reinstatement. If there are no changes to the voided/null boundary line adjustment and there have been no changes in ordinances that would affect the boundary line adjustment, the City Planner may approve the reinstatement of the boundary line adjustment. If there are any changes in the boundary line adjustment or any changes in ordinances that would affect the boundary line adjustment, the voided/null boundary line adjustment may be submitted for reinstatement with a recommendation from the Planning Commission and approval by the City Council, but will be subject to all applicable ordinances at the time of reinstatement.

A current reinstatement fee will be charged in accordance with the current fee schedule for each reinstatement. The plat must be recorded within 180 days after the reinstatement approval or the approval shall be null and void. No further extensions/reinstatements will be approved. A new application shall be required to reinitiate the boundary line process.

ARTICLE 3.32 RETAINING WALLS (Ord. No. 2015-07, 06/09/15)

3.32.2 EXCEPTIONS FROM ARTICLE 3.32. The City Council may grant an exception from these standards. Prior to the City Council considering the exception, the City Engineer shall submit a written recommendation to the Planning Commission. The recommended exception shall be based on generally accepted engineering practices. The Planning Commission shall review the recommendation and advise the City Council as to whether or not the exception should or should not be granted.

4.1.2 EXCEPTIONS FROM DESIGN AND IMPROVEMENT STANDARDS (Amended by Ord. No. 2001-14 and Ord. 2004-13, 9/28/04)

When in the opinion of the City Planner and City Engineer, the best interest of the City would not be served by the literal enforcement of the design or improvement standards in this ordinance, the City Council may grant an exception from these standards.

Prior to the City Council considering the exception, the City Planner and City Engineer shall submit a written recommendation to the Planning Commission. The recommended exception shall be based on generally accepted planning and engineering. The recommended exception may not vary the zone, use or lot size of the development. The Planning Commission shall review the recommendation and advise the City Council as to whether or not the exception should or should not be granted.

4.5.3.1 CITY PLANNER AND CITY ENGINEER

1. The subdivider of a minor subdivision shall meet with the City Planner and City Engineer to review the proposed subdivision before submitting an application.

2. The subdivider shall prepare a preliminary plan showing the land to be subdivided, properly and accurately drawn to scale that complies with the drawing requirements in Section 4.6.3.3. The plan shall be certified as to accuracy by a licensed land surveyor licensed to do such work in the State of Utah.
3. The subdivider shall submit three (3) D size (22" x 34") copies of the plan to the City Planner to be reviewed by the City Planner and City Engineer. The subdivider shall also submit an electronic copy of the plan in a compatible format as specified by City Staff.
4. The City Planner and City Engineer shall review the plan to determine compliance with the Alpine City General Plan and all applicable City ordinances. The City Planner shall notify the subdivider of the review findings, including questionable design or engineering feasibility, inadequacy of submittals, non-compliance with local regulations, and the need for other information which may assist in the evaluation of the proposed subdivision.
5. When the City Planner and City Engineer determines that the plan is ready for Planning Commission review, the City Planner, in consultation with the Planning Commission Chairperson, shall establish a review date. The subdivider may prepare a final plan that incorporates all changes recommended by the City Planner and City Engineer.

4.5.3.2 PLANNING COMMISSION

1. Upon recommendation of the City Engineer, the subdivider shall submit the following to the City Planner at least fourteen (14) days before the scheduled Planning Commission meeting:

4.5.8 REINSTATEMENT OF THE FINAL PLAT (Ord. 2004-13, 9/28/04; Ord. 2008-07, 5/27/08)

The voided/null Final Plat may be submitted to the City Planner for reinstatement. If there are no changes to the voided/null final plat and there have been no changes in ordinances that would affect the voided/null final plat, the City Planner may approve the reinstatement of the final plat. If there are any changes on the final plat or any changes in ordinances that would affect the plat, the voided/null final plat may be submitted for reinstatement with a recommendation from the Planning Commission and approval by the City Council, but will be subject to all applicable ordinances at the time of reinstatement, and a current reinstatement fee will be charged in accordance with Alpine City's current fee schedule. The final plat must be recorded within 180 days after the reinstatement approval or the approval shall be null and void.

4.6.1.1 PLAN REQUIREMENTS

The subdivider shall submit a concept plan to the Planning Commission prior to the submission of a preliminary plan. The concept plan shall enable the subdivider and the Planning Commission to review the proposed subdivision for general scope and conditions, which might affect said subdivision. The concept plan shall consist of a simple layout of existing and proposed streets, trails, lots, major buildings, planned residential developments, utilities, drainage channels, ditches and waterways.

The plan shall include the following items:

1. The scale on the concept plan should not be less than 1 inch to 200 feet (1" = 200'). Math scale may change as required on the 11"x17" copy.
2. The proposed name of the subdivision.
3. The address of the subdivision.
4. A vicinity plan showing significant natural and man-made features on the site and within one half (2) mile of any portion of it.
5. The property boundaries of the proposed subdivision, the names of adjacent property owners; topographic contours at no greater intervals than two feet, and north arrow. If the topography is steep, five-foot contour intervals shall be used.
6. A proposed lot and street and trail layout, indicating general scaled dimensions of lots to the nearest foot.
7. The acreage of the entire tract proposed for the subdivision and number of lots.
8. The location of waterways, ditches and easements.
9. Soil profiles for the tract proposed for subdivision where there are geologic hazards known to the subdivider or Alpine City.
10. Source of water rights to be conveyed to the City.
11. Other information, which may allow the City Planner, City Engineer and the Planning Commission to evaluate the proposed subdivision.

4.6.1.2 REVIEW PROCEDURES

During the concept plan review process, the City Planner, City Engineer and the Planning Commission may request reasonable additional information from the subdivider from time to time; and may ask other advisors to review the plan if, in the opinion of the City, it may contribute to a decision in the best interest of the City.

After submittal of the required application materials, no excavation nor alteration of the terrain within a proposed subdivision may be undertaken prior to written approval by the City Council of the final plat. Excavation or alteration of the land prior to approval of the final plat may be cause for disapproval of the proposed subdivision.

4.6.1.2.1 CITY PLANNER AND CITY ENGINEER

1. The subdivider shall meet with the City Planner and City Engineer to discuss the proposed subdivision before submitting an application or any plans.
2. The subdivider shall prepare and submit four (4) D size (22" x 34") copies of the concept plan to the City Planner to be reviewed by the City Planner and City Engineer. The subdivider shall also submit an electronic copy of the plan in a compatible format as specified by City Staff.
3. The City Planner and City Engineer shall review the concept plan to determine compliance with the Alpine City General Plan and all applicable City ordinances. The City Planner shall notify the subdivider of the review findings, including questionable design or engineering feasibility, inadequacy of submittals, non-compliance with the local regulations, and the need for other information which may assist in the evaluation the proposed subdivision.
4. When the City Planner and City Engineer determines that the concept plan is ready for Planning Commission review, the City Planner, in consultation with the Chairperson of the Planning Commission, will establish a date for a public hearing and initial presentation and review of the concept plan. In case of an impasse

between the City Planner/City Engineer and the developer, the developer may appeal to the Planning Commission.

4.6.1.2.2 PLANNING COMMISSION

1. Upon recommendation of the City Planner and City Engineer, the subdivider shall prepare and submit the following required documentation to the City Planner at least fourteen (14) days prior to the scheduled public hearing and ten (10) days prior to a regularly scheduled Planning Commission meeting for a resubmission:
 - a. a completed Concept Plan Checklist and Application;
 - b. a list of all property owners within 500 feet of the boundaries of the proposed development, and envelopes that have been stamped and addressed to all the property owners named on the list;
 - c. five (5) D size (22" x 34") copies of the plan (including any revisions recommended by the City Planner and City Engineer in its initial review),
 - d. ten (10) 11" x 17" copies drawn to scale, and
 - e. an electronic copy in a compatible format, as specified by City Staff.

4.6.2.2 DRAWING REQUIREMENTS

28. Location of each lot's Buildable Area in a PRD, irregular lots or any other lots as requested by the City Planner, City Engineer or Planning Commission. The designated buildable area should not be less than five thousand (5,000) sq. ft. except in the TR-10,000 zone, and shall be shown on the preliminary and final plat together with a notation to the effect that all main and accessory buildings shall be located within the Designated Buildable Area. (Amended by Ord. 2004-13, 9/28/04)
- (1) 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.

4.6.3.3 DRAWING REQUIREMENTS

13. Buildable areas when required by the City Planner, City Engineer or Planning Commission, shall be noted with all dimensions. The Designated Buildable Area should be not less than five thousand (5,000) sq. ft. All dwellings and other habitable structures and accessory building shall be located within the Designated Buildable Area. (Amended by Ord. 2004-13, 9/28/04)

4.6.3.13 REINSTATEMENT OF FINAL PLAT (Amended by Ord. 2004-13, 9/28/04; Ord. 2008-07, 5/27/08)

The voided/null Final Plat may be submitted to the City Planner for reinstatement. If there

are no changes to the voided/null final plat and there have been no changes in ordinances that would affect the voided/null final plat, the City Planner may approve the reinstatement of the final plat. If there are any changes on the final plat or any changes in ordinances that would affect the plat, the voided/null final plat may be submitted for reinstatement with a recommendation from the Planning Commission and approval by the City Council, but will be subject to all applicable ordinances at the time of reinstatement and a current reinstatement fee will be charged in accordance with current fee schedule. The final plat must be recorded within 180 days after the reinstatement approval or the approval shall be null and void.

4.7.4 STREETS AND STREET REQUIREMENTS

12. Centerline of Intersecting Streets. The centerline of two subordinate streets meeting a through street from opposite sides shall extend as a continuous line, or the centerline shall be offset at least one hundred fifty (150') feet. An exception may be given to the off-set requirement of up to 15 feet as recommended by the City Engineer and Planning Commission and approved by the City Council. (Amended by Ord. 2004-13, 9/28/04)
13. Curved Streets Preferred. In the design of subdivisions, curving streets shall be preferred to straight streets or rigid ninety degree grid systems.
14. Frontage on Arterial Streets. Driveways or other vehicular accesses to an individual lot that open onto any public street designated by the official City Street Plan as an arterial street may be used as an access if it is recommended by the City Engineer and Planning Commission and approved by the City Council. Turn-arounds, hammerhead or side-entry driveways must be incorporated to ensure that vehicles will not back out on arterial streets. (Amended by Ord. 2004-13, 9/28/04)

4.7.10 SIDEWALKS, CURBS AND GUTTERS (Amended by Ord. 2014-12, 7/08/14)

Sidewalks, curbs, planter strips and gutters may be required on both sides of all streets to be dedicated to the public. Sidewalks, curbs, planter strips and gutters may be required by the Planning Commission and City Council on existing streets bordering the new subdivision lots.

General: The Developer of the project shall only be responsible for the cost of system improvements that are roughly proportionate and reasonably related to the service demands and needs of such development activity.

- 4.7.10.1 Exception.** On occasion, there may be circumstances in which an exception from the curb, gutter and sidewalk requirements may be warranted. An applicant should meet with the City Engineer to discuss the circumstances.

4.7.18 STORM DRAINAGE AND FLOOD PLAINS

2. Design. The drainage and flood plain systems shall be designed to:
 - (1) Permit the unimpeded flow of natural water courses.

- (2) Ensure adequate drainage of all low points.
- (3) Ensure applications of the following regulations regarding development in designated flood plains:
 - a. Construction of buildings shall not be permitted in a designated flood way with a return frequency more often than a 100-year storm.
 - b. Building construction may occur in that portion of the designated flood way where the return frequency is between a 100-year and a maximum probable storm provided all usable floor space is constructed above the designated maximum probable flood level.
 - c. Where flood way velocities are generally determined to be under five feet (5') per second and maximum flood depth will not exceed three feet (3'), such uses as cultivated agriculture, nurseries, parks and recreation facilities and accessory parking may be permitted.
 - d. Any use of land is prohibited where flooding would create a public health hazard or problem. This includes shallow wells, uncased deep wells, sanitary land fills, septic tank and on-lot sewage disposal systems, water treatment plants, and also sewage disposal systems not completely protected from inundation.
 - e. Any contemplated flood plain encroachment or channeling shall be thoroughly analyzed and its effect on stream flow determined before such encroachment is undertaken. Any construction, dumping, and filling operations in a designated flood way constitutes an encroachment and must be approved by the Planning Commission, before accomplishment.
 - f. Existing lots that contain land in the floodplain area shall contain a minimum area outside the floodplain corresponding to the underlying zone. For example, a lot in the TR-10,000 zone must have at least 10,000 sq. ft of land which is an elevation at least two feet above the elevation of the 100-Year Recurrence Interval Flood. CR-20,000 lots in a floodplain must have at least 20,000 sq. ft. of land that is two feet above the 100-Year Recurrence Interval Flood. A CR-40,000 lot in a floodplain must have at least 40,000 sq. ft. of land that is two feet above the 100-Year Recurrence Interval Flood. Whenever 100-Year Recurrence Interval Flood data is not available, the required area as described above will be five feet above the elevation of the maximum flood of record. (Ord. 2004-13, 9/28/04)
- (4) Insure that lots are adequately drained into the city storm drain system as required by the City Engineer. (Ord. 2004-13, 9/28/04)
- 4. Detention and Retention Basins. Detention basins shall be designed to accommodate a 50-year storm. Retention basins shall be designed to accommodate a 100-year storm. The basins shall be designed to drain at a controlled rate, not to exceed 0.2 CFS per developed acre. Detention/retention basins shall be graded to a 4:1 slope and seeded and sprinkles shall be installed upon recommendation of the City Engineer and the Planning Commission to the City Council. (Ord. 2002-14)
- 4.7.23.3 Type of Water Rights Acceptable For Conveyance.** Water rights proposed for conveyance to the City shall be of a type which allow for municipal use within the City, or, if not, the water rights must be of the type which can be amended to provide for municipal

use in accordance with the procedures of Utah's change application statute, Utah Code Ann. ' 73-3-3. The developer shall make application to the State Engineer and shall pay all costs associated with the application. The water rights may include one or a combination of the following as recommended by the City Engineer to the Planning Commission, and a recommendation by the Planning Commission to the Alpine City Council with the final determination to be made by the City Council.

ARTICLE 4.12 INFRASTRUCTURE PROTECTION BOND (Ord 97-04, 4/8/97; Amended by Ord. 2004-13, 9/29/04; Ord. 2008-03, 4/8/08; Ord. 2008-14, 8/26/08)

AN ORDINANCE REQUIRING AN INFRASTRUCTURE BOND AND ESTABLISHING A PROCEDURE FOR HOLDING, FORFEITING AND APPEALING DECISIONS REGARDING THE BOND.

- 4.12.1 Applicability of Ordinance.** This ordinance shall govern the provisions, nature, use and disposition of an Infrastructure Protection Bond or Guarantee of Performance which are hereby required to be posted with or deposited for the benefit of the City for all building permits unless otherwise exempted by the City Engineer.

ARTICLE 4.14 SITE PLAN TO COMPLY (Ord. No. 92-03 Amended by Ord. No. 2004-13, 9/28/04; Ord. No. 2013-11, 7/23/13)

AN ORDINANCE PROVIDING FOR COMPLIANCE WITH ARTICLE 4.7, ARTICLE 4.8 and ARTICLE 4.10 OF THE ALPINE CITY SUBDIVISION ORDINANCE AND THE ALPINE CITY CONSTRUCTION STANDARDS FOR BUILDING PERMIT APPLICATION FOR SINGLE FAMILY RESIDENTIAL DWELLINGS OR COMMERCIAL STRUCTURES NOT LOCATED IN AN APPROVED SUBDIVISION.

4.14.1 Site Plan Approval Process

1. The applicant shall submit the following to the City Planner at least fourteen (14) days before the scheduled Planning Commission meeting:
 - a. the Site Plan Checklist and Application;
 - b. three (3) D size (22" x 34") copies of the final plan,
 - c. ten (10) 11" x 17" copies of the plan drawn to scale, and
 - d. an electronic copy of the plan in a compatible format as specified by City Staff.

The applicant shall pay the associated fee(s) as set forth in the Alpine City Consolidated Fee Schedule. The fee(s) shall be paid to the City Recorder, payable to Alpine City.

The plans will not be presented to the Planning Commission until the application is complete, including submitting all required information and paying all fees. The application must be complete and accepted in writing by the City Planner. The City Planner and City Engineer shall review the application and plan to determine whether the proposed construction or alteration conforms to the ordinances of this municipality

3. A building permit application and plan for a residential single family dwelling or commercial

structure which is not located in an approved subdivision shall:

- a. Conform to Article 4.7, Article 4.8 and Article 4.10 (Subdivision Design and Financial Standards including Water Right Requirements) of the Alpine City Subdivision Ordinance. If it is a commercial site plan, it also conforms to any additional requirements that are applicable to the site plan in Article 3.7 (Business/Commercial District) of the Alpine City Development Code;
- b. Be reviewed by the City Planner, City Engineer and approved by the Planning Commission for compliance with the foregoing provisions prior to issuance of the permit;

ALPINE CITY COUNCIL AGENDA

SUBJECT: Council Member Assignments

FOR CONSIDERATION ON: January 12, 2016

PETITIONER: Mayor Don Watkins

ACTION REQUESTED BY PETITIONER: For Council approval.

INFORMATION: Each year the Mayor assigns members of the City Council to be responsible for various issues. Attached find the assignments for calendar year 2016.

RECOMMENDED ACTION: That the Council approve the assignments as listed on the attached Council Member Assignments sheet.

ALPINE CITY COUNCIL MEMBER ASSIGNMENTS

1/12/2016

Mayor Don Watkins recommends the following Alpine City Council member assignments for the 2016 calendar year:

Ramon Beck - Sports (Recreation); PSD Alternate; Eagle Scout projects

Troy Stout – Mayor Pro Tem; Trails

Kimberly Bryant – PSD representative; Youth Council; Alpine Days

Lon Lott – MAG representative; County government issues

Roger Bennett – Irrigation issues

ALPINE CITY COUNCIL AGENDA

SUBJECT: FY 2016-2017 Budget Development Process and Discussion

FOR CONSIDERATION ON: January 12, 2016

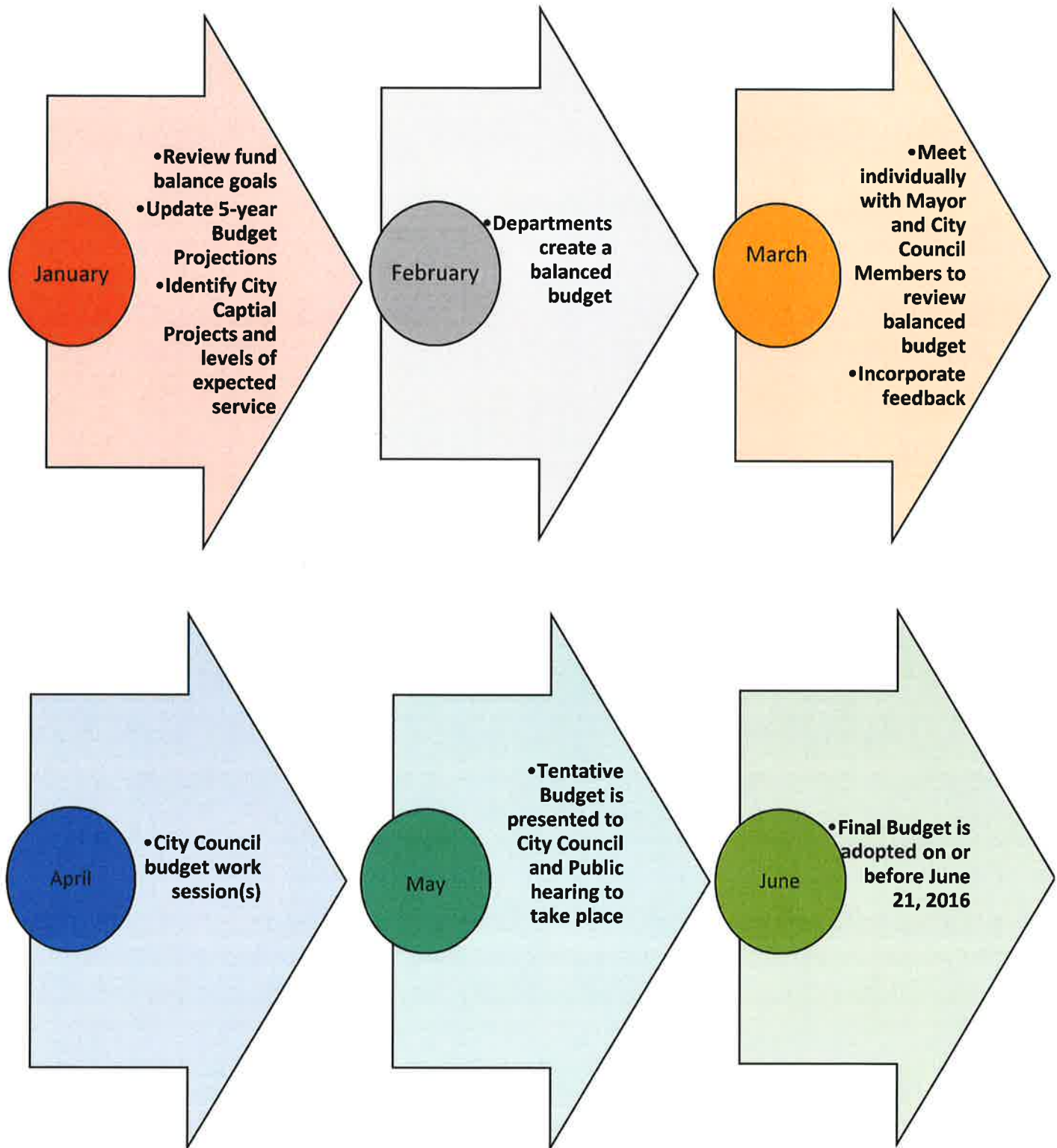
PETITIONER: Rich Nelson, City Administrator, and Alice Winberg, City Finance Director

ACTION REQUESTED BY PETITIONER: To review the budget development timeframe with the City Council, to suggest what staff believes are the pick budget and operational issues facing the City and to hear from the Council on what items they think should be added to the list or taken from the list.

INFORMATION: Attached is a copy of the budget development flow chart and the list of big projects for the City for FY 2016-2017.

RECOMMENDED ACTION: For Council discussion and direction.

Budget Development Process 2015-2016 Fiscal Year



Big Projects for 2016-2017 (Estimated Costs)

1. Basketball court at Burgess Park (\$50,000)
2. Staging area and Pickelball court (\$500,000)
3. Alpine village mixed use development plan (staff time)
4. Well (\$1,000,000)
5. Moyle Park house plastering and windows (\$30,000)
6. Fire Station remodel (\$100,000)
7. Dry Creek corridor trail (staff time)
8. General Plan update (staff time)
9. Long term stuff:
 - A. Bridge over Dry Creek (various funding sources)
 - B. Electronic read culinary meters (\$1,000,000)
 - C. Electronic read PI meters (\$1,000,000)
 - D. 300 N street expansion (still being estimated)
 - E. Sidewalk on Westfield Road (\$15,000)
 - F. Sidewalk on Canyon Crest Road (Harvey's old property) (still being estimated)
 - G. Cemetery expansion/600 N (still being estimated)
 - H. Soccer Park (location and cost still to be determined)
10. Water line replacement (\$100,000)
11. Amphitheater – Creekside Park (\$15,000)
12. Alpine Days budgeting process change (staff time)
13. Mountainville traffic (staff time)
14. Water study completion (staff time)
15. RC helicopter☺ (\$2,000)

Stuff still on the list for 2014-2015

1. City offices front door
2. Redo of the bell tower
3. DUP relic hall fix up
4. Small pilot project on water meters (culinary and PI)