



## ALPINE CITY COUNCIL AMENDED AGENDA

**NOTICE** is hereby given that the **CITY COUNCIL** of Alpine City, Utah, will hold a Public Meeting on **Tuesday, June 11, 2024, at 6:00 pm**, at 20 North Main Street which can be viewed on the **Alpine City YouTube Channel**. A direct link to the channel can be found on the home page of the Alpine City website: [alpinecity.org](http://alpinecity.org). Public comments will be accepted during the Public Comment portion of the meeting.

### **I. CALL MEETING TO ORDER**

- |                     |                            |
|---------------------|----------------------------|
| <b>A. Roll Call</b> | <b>Mayor Carla Merrill</b> |
| <b>B. Prayer</b>    | <b>Kelli Law</b>           |
| <b>C. Pledge</b>    | <b>Jessica Smuin</b>       |

### **II. CONSENT CALENDAR**

- A. Approve Minutes from May 28<sup>th</sup> City Council Meeting**
- B. Final Payment – Burgess Park Trail Project, SMM Excavation: \$17,289.15**
- C. ONYX Seal Coat Proposal – Morgan Pavement: \$56,800.00**
- D. HA5 Mineral Bond Seal Coat Proposal – Holbrook Asphalt: \$102,912.48**
- E. Approval for FY2024 Budget Year Equipment from Stotz Equipment**
  - 1. 2024 John Deere Z960M ZTrack Mower: \$14,250.90**
  - 2. 2024 John Deere Q820M Mower: \$10,427.08**

### **III. PUBLIC COMMENT**

### **IV. REPORTS AND PRESENTATIONS**

- A. Seven Summits Report – Dage Roskelley**
- B. Fraud Risk Assessment**

### **V. ACTION/ DISCUSSION ITEMS**

- A. Annexation for Fitzgerald Property**
- B. Ordinance 2024-18: Code Amendment to 3.09.060 – Exceptions to Rear Yard Setback Requirements**
- C. Ordinance 2024-19: Code Amendment for Home Occupation Approval**
- D. Resolution R2024-20: Adopting the Certified Tax Rate for 2024**

### **VI. STAFF REPORTS**

### **VII. COUNCIL COMMUNICATION**

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

Mayor Carla Merrill  
June 10th, 2024

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS. If you need a special accommodation to participate, please call the City Recorder's Office at (801) 756-6347 x 3.

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

## ALPINE CITY COUNCIL MEETING

May 28, 2024

Mayor Carla Merrill called the meeting to order at 6:02 pm.

### I. CALL MEETING TO ORDER

#### A. Roll Call

Mayor Carla Merrill

The following were present at the anchor location, which constituted a quorum: Brent Rummler, Jessica Smuin, Kelli Law, Chrissy Hannemann, Jason Thelin.

Staff: Shane Sorensen, Ryan Robinson, Chief Brian Patten, Chief Brian Gwilliam, Steve Doxey, and DeAnn Parry

Others: Cadie E. Burton, Jen Wadsworth, Wally Western, Whitey Anson, Heidi Smith, Rachel Johnson, Samantha & Jeffrey McClellan, Brittany Willison, Dawn Bingham, Wesley Funk, Mart Withers, Stan Church, Frank Guercio, and Bethany Sorensen

#### B. Prayer

Jessica Smuin

#### C. Pledge

Kelli Law

### II. CONSENT CALENDAR

#### A. Approve Minutes from May 14<sup>th</sup> City Council Meeting

#### B. Final Payment – Lambert Park BST Connector Project - SMM Excavation: \$96,966.28

#### C. Payment for New Hook Lift Truck (cab and chassis only) - Premier Truck Group: \$125,349.00

#### D. Resolution R2024-19: Appointment of Carla Merrill to the School District Creation Board

The City Council held a meeting on April 29, 2024, and approved an interlocal agreement to begin the process for the creation of a school district among the cities of Lehi, Cedar Hills, Highland, Alpine, American Fork, and Draper. Section 2.4 of the agreement reads as follows:

*“The Parties shall create a joint board with representation from each Party having equal voting power. All decisions regarding the acquiring, holding, and disposing of real and personal property in furtherance of this Agreement shall be made pursuant to a vote of the joint board.”*

As required by the interlocal agreement, the City Council needs to appoint a representative to serve on this board.

#### STAFF RECOMMENDATION:

City staff recommend that Mayor Carla Merrill be appointed to serve as the city’s School District Creation Board representative.

**Motion:** Jessica Smuin moved to approve the Consent Calendar as proposed. Brent Rummler seconded the motion. There were 5 yes votes and 0 no votes, as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Brent Rummler		
Jessica Smuin		
Kelli Law		
Chrissy Hannemann		
Jason Thelin		

### III. PUBLIC COMMENT

No public comments were offered.

### IV. REPORTS AND PRESENTATIONS

#### A. Pickleball Report – Whitey Anson - 484 Westfield Road

Whitey Anson spoke about the city pickleball and tennis courts and presented some specific requests. The Mayor and council discussed the details.

**Damage to Courts** - When people ride skateboards or scooters on the courts it tears up the surface. The courts at Creekside Park (only two years old), are in worse shape than the courts at Burgess Park. The pickleball players try to help maintain the courts, wash them, blow off debris, etc., but they cannot be

there all the time to minimize the damage. Resurfacing and painting a court costs around \$6,500. We need security cameras, but we also need larger signs that prohibit scooters, bikes, and skateboards on the courts. Highland City has good signs.

Mayor Carla Merrill asked Mr. Anson to take photos of the Highland City signs and send them to Heidi Smith for reference. The mayor would like to get new signs installed soon, especially with the warmer weather.

Police Chief Brian Gwilliam explained that if the city posts signs that include the ordinance, it is easier for the police to enforce those requirements. Police can give a warning or issue a citation if necessary. Residents can call in to report unauthorized use at the courts.

**Lighting** - The Burgess pickleball courts have lights but they are not adequate. The current poles are usable, but new lighting heads would be \$3,000-\$5,000 each. The Creekside courts do not have lights yet. Good lighting would make the courts safer and allow for longer periods of play. The pickleball group raises about \$3-5,000 each year through donations, and tournaments bring in about \$5,000 each. Whitey would like some of that money to be used for new lighting.

Mayor Carla Merrill said the city spent so much money on the new courts at Creekside and for resurfacing and painting the courts at Burgess, that new lighting needs to be paid for mostly, if not all, by donations and tournaments. The mayor's understanding from previous discussions with Mr. Anson was that lighting was the first priority, and that the extra tournament held last spring was to help raise money more quickly. If sufficient donations are received, the city can expedite the installation of lighting.

**Flex Courts** – Mr. Anson would like more flex courts painted on the tennis courts, and heavy-duty rollaway nets and protective tarps purchased for those courts. He would like to have this in place pickleball tournament in August for Alpine Days.

Mayor Carla Merrill said that the city allows courts to be taped to provide more playing areas for the tournament, but that standard practice is to have two permanent flex courts per tennis court. Four flex courts require too many lines, and it gets confusing.

The council clarified that the funds for new lighting are not in this year's budget.

**Level of Usage** – Since Highland City opened eight new courts it has relieved some of the crowding on our courts. We do not have specific numbers on the level of court usage in Alpine.

Mayor Carla Merrill said that the Alpine Days pickleball tournament is run well and has a great reputation. She appreciates what the pickleball group is doing. As the funds are raised, the city can address the lighting upgrades.

## **B. Friends of the Alpine City Library Report**

Jen Wadsworth - 188 Parkway West

Cadie Burton, Heritage Arts Foundation, 450 S. Alpine Highway

The Friends of the Alpine City Library (FACL) is proposing a public/private partnership (P3) agreement to create a library. The Olsen home north of the Relic Hall is owned by the city and has a tenant living there with life estate. FACL would like to have an agreement in place so that when the property becomes available, the plan could move forward.

The home would likely need to be demolished down to the foundation, and an extension built on the east side to accommodate the library. Plans call for a picket fence with access gates, and a walking path to connect the library with the community center planned in the remodeled fire station to the east.

The group proposes that the city donate the land, and FACL will do the fund raising, construction, and recruit volunteer librarians. A joint committee would be created so that both groups have a voice during construction and beyond. A beautification committee would work on creating the landscaping, so as not to add a big project to the city Public Works staff.

The FACL wants to be transparent and keep the residents informed through reports at City Council and/or updates in the Newslane. After the library is constructed, FACL anticipate that it would become the city's responsibility at some point.

Cadie Burton represents the Heritage Arts Foundation and the Alpine Art Center. Cadie explained a proposal for a Historic Alpine City Square with a sculpture garden. Dennis Smith has wanted to establish a space like this in Alpine since he went to college years ago, and it would bring his legacy back to Alpine.

The proposal is for green space in the Center Street city block to be made into a garden that includes approximately 25 sculptures, walking paths, and benches. The city is not asked to fund the project. Donors will be sought for the sculptures and benches, and naming policies would be spelled out in the P3 agreement. Fundraising is anticipated to take 8-12 months after City Council approval.

Cadie referenced the recent survey results from Alpine residents, where Trails and Open Spaces were high on the list of important issues. This space could become a peaceful area that is different from a typical city park, and bringing art to the public improves emotional health and enhances quality of life.

Council members asked about the following details:

Readiness of sculptures - Some are already cast, some molds are ready to cast, and some are still in clay form.

A Single-Artist display – Dennis Smith is a world-famous artist from Alpine and this has been a long-time dream for him. Cadie feels that the Dennis Smith legacy is an important one for Alpine.

Some hesitation was expressed about naming a garden after an artist without a significant donation from the artist himself.

Physical layout – The sidewalks provide convenient access for families to view the sculptures. The landscaping, sculptures, and benches are all part of the plan. Perpetual care would be addressed in a P3 agreement.

## V. ACTION/ DISCUSSION ITEMS

### A. Approval for Reconstruction of Non-Conforming Building – 360 N. Main Street

Ryan Robinson explained that Wayne and Rosanna Patterson currently own the property located at 360 N. Main Street. The home is a split-level duplex with dwellings on the top and bottom floors. The top-floor tenants enter through the front door, and the bottom tenants enter through a door around the back of the house.

This lot is currently zoned TR-10,000 which does not allow more than one residential dwelling unit per 10,000-square-foot lot. Because this home was built in 1975 when a duplex was allowed in this zoning, it is considered a legal non-conforming use. This means it was legal when it was built but because of a change in zoning or code, it does not meet the standards of the current code.

The applicants would like to remove the existing structure and replace it with an updated duplex. A site plan has been submitted as part of the application, and as Presented, meets the required setbacks. A more thorough review of the site plan will also be made by City Staff if approved.

*Alpine Development Code 3.22.070 Extension (Enlargement) and Reconstruction of Non-Conforming Buildings; Conditions* provides regulations by which legal non-conforming buildings can be changed after approval by the City Council and a recommendation by the Planning Commission. During the review, the code requires the following findings to be made:

1. The proposed enlargement or extension will not significantly alter the character of the building or use or its impact upon the area.
2. The building or use, if extended, will not have the effect of diminishing the value of the property or the quality of the living environment of adjacent properties.
3. The proposed enlargement will not significantly increase the number of vehicles or pedestrians or result in the establishment or increase of a safety hazard to the area.

4. The proposed enlargement will not result in the establishment of a condition incompatible with the neighborhood area and the stated objective of the zone in which it is located.

The Council may attach such conditions to its approval as are necessary to adequately protect the property and uses in the surrounding territory and the intent of the zone, including but not limited to, the providing of off-street parking, access ways, landscaping features, and additional setback of structures.

The Planning Commission reviewed this item as part of their May 21<sup>st</sup> meeting. The primary focus of the discussion was to determine if the applicant met the four findings referenced above. It was also clarified that this is only possible because of the legal non-conforming status of the current duplex. No home that does not already exist with a legal non-conforming status could follow this same process. This review is also a case-by-case application and would not set a precedent for future requests. The following motion was made:

*MOTION: Planning Commission member John MacKay moved to recommend approval of the reconstruction of the non-conforming duplex located at 360 N Main Street, finding that it meets all of the requirements. Troy Slade seconded the motion. There were 7 Ayes and 0 Nays. The motion passed.*

**ALPINE CITY CODE:**

- Alpine Development Code 3.22.070 Extension (Enlargement) and Reconstruction of Non-Conforming Buildings; Conditions

**GENERAL PLAN:**

(Town Residential – 10,000 square foot minimum lot size) shall include the area generally located within the originally settled town center of Alpine that is considered appropriate for higher density residential development.

**PUBLIC NOTICE:**

A public hearing is not required by the State or City Code for this item.

**STAFF RECOMMENDATION:**

If the City Council, after reviewing the findings mentioned previously, finds this application can meet those findings, approval could be granted. The City is not required to approve this application as the requirement is that the Council, after review by the Planning Commission, *may* issue an approval after the various standards are met. The proposed plan meets the setback requirements.

The City Council discussed the following:

There is some preference to maintain the single-family home appearance, but there is no ordinance to require such. We should not be more stringent with this application because it is a duplex than if it were a single-family home.

Alpine City is required by the state to facilitate Moderate Income Housing (MIH). This upgrade of this duplex could be a good example of quality multi-family housing in a TR-10,000 zone and would be a benefit to the city. Alpine currently has 13 duplexes in the city. To meet the MIH mandate, we want to encourage owners to continue renting these homes as duplexes.

This duplex was legal when it was built, with separate meters for gas, electricity, water, and separate addresses for each unit. Accessory apartments are different and use the same meters as the home. The new duplex will be larger and include 3 bedrooms, 2-car garages, and other amenities necessary for the current market.

The current pencil drawing is not sufficient for the council to approve the request. The applicant will also need to submit a detailed site plan showing existing and proposed structures on the site and in the vicinity, existing lot boundaries, roads, driveways, parking areas, utilities, and other significant features on the site and in immediate vicinity. A review of setbacks and elevation is part of the staff review process.

**Motion:** Kelli Law moved to table the Reconstruction of the Non-conforming duplex located at 360 N. Main Street until the site plan, as described in the Alpine Development Code 3.22.070 Extension (Enlargement) and Reconstruction of Non-Conforming Buildings; Conditions, and a rendering is

presented to City Council. Jason Thelin seconded the motion. There were 2 yes votes and 3 no votes as recorded below. The motion failed.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Kelli Law	Brent Rummler	
Jason Thelin	Jessica Smuin	
	Chrissy Hannemann	

**Motion:** Jessica Smuin moved to table Reconstruction of the Non-conforming duplex located at 360 N. Main Street to allow the applicant to bring setbacks, height of structure, utility locations, and an elevation rendering that continues to mimic a single-family home. There was no second. The motion failed.

**Motion:** Chrissy Hannemann moved to approve the Reconstruction of the Non-conforming duplex located at 360 N. Main Street with the following conditions: that staff will enforce the official language of the ordinance, and a preference but not requirement towards the appearance of a single-family home, as it currently exists, based upon following findings:

1. The proposed enlargement or extension will not significantly alter the character of the building or use or its impact upon the area.
2. The building or use, if extended, will not have the effect of diminishing the value of the property or the quality of the living environment of adjacent properties.
3. The proposed enlargement will not significantly increase the number of vehicles or pedestrians or result in the establishment or increase of a safety hazard to the area.
4. The proposed enlargement will not result in the establishment of a condition incompatible with the neighborhood area and the stated objective of the zone in which it is located.

The motion was seconded by Brent Rummler.

After discussion by the council, Chrissy Hannemann rescinded her motion so that the existing ordinance could be followed.

**Motion:** Brent Rummler moved to table the Reconstruction of the Non-conforming duplex located at 360 N. Main Street to give the applicant an opportunity to comply with the four findings and three conditions in Alpine Development Code 3.22.070, as discussed. Kelli Law seconded the motion. There were 5 yes votes and 0 no votes, as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Brent Rummler		
Jessica Smuin		
Kelli Law		
Chrissy Hannemann		
Jason Thelin		

#### **B. Ordinance 2024-17: Code Amendment to Chapter 3.20 School Standards**

Ryan Robinson explained that the purpose of this code amendment is to provide another opportunity for traffic calming to be required regarding schools. The recommended changes are best practices as used by neighboring cities as well as the American Association of State Highway and Transportation Officials (AASHTO) guidelines.

Alpine City Code 3.20 along with State and Federal regulations set the standards for schools within Alpine City. This proposed amendment adds language to the current code that if a school has a maximum average daily trip count of two-hundred and fifty (250) or more, a secondary means of ingress and egress would be required as approved by the City Engineer.

This item also adds the requirement that no point of ingress and/or egress shall be located within 300 feet of another point of ingress and or/egress along the same public street. Language would also be added that this requirement could be waived by the City Council after review by the Planning Commission if the applicant can show they would not be negatively impacting safety or traffic flow in the area.

The Planning Commission reviewed this proposal during their last meeting. The discussion focused primarily on the fact that this requirement would only apply to new schools, and if any existing school altered their building in a way that required a building permit. The following motion was made:

*MOTION: Planning Commission member Jeff Davis moved to recommend approval of the proposed code amendments to Chapter 3.20 of the Alpine Development Code regarding standards for ingress and egress for schools with the following change: 200 to 300 feet refers to distance from other ingress/egress. Troy Slade seconded the motion. There were 7 Ayes and 0 Nays. The motion passed.*

**ALPINE CITY CODE:**

- Alpine Development Code 3.20 Standards for Schools

**GENERAL PLAN:**

- Transportation & Traffic Circulation

**PUBLIC NOTICE:**

A public hearing occurred during the May 21<sup>st</sup> Planning Commission meeting.

**STAFF RECOMMENDATION:**

Approval of the proposed changes.

Attorney Steve Doxey explained that there is language in the existing ordinance as well as the proposed ordinance that needs refinement. One important addition will be: "Subject to the approval of the City Engineer."

**Motion:** Kelli Law moved to approve Ordinance 2024-17: Code Amendment to Chapter 3.20 School Standards, with minor edits and subject to review by the city attorney. Chrissy Hannemann seconded the motion. There were 5 yes votes and 0 no votes, as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Brent Rummler		
Jessica Smuin		
Kelli Law		
Chrissy Hannemann		
Jason Thelin		

**C. Resolution R2024-18: Cemetery Lot Sale Policy**

Shane Sorensen explained that the city completed the north cemetery expansion project last fall. The new cemetery software is now operating smoothly and the layout for the expansion area has been mapped. The council has discussed some potential policies in the past, and staff have provided the following recommendations:

1. The sale of cemetery plots will be limited to those who own or rent property within the City limits and receive a City utility bill.
2. Cemetery plots can be purchased by those who meet the requirements outlined in item 1, with a limitation of three (3) plots per household.
3. Due to topography, Plats H, I, J and K will be limited to flat headstones. No above ground headstones will be allowed in these plats.
4. Other previous cemetery policies will remain in effect.

There is a very small section of existing headstones called plat A-17 that fell within the new expansion area. Item 3 regarding flat headstones would not apply to this plat.

**STAFF RECOMMENDATION:**

Adopt Resolution R2024-18 with cemetery policies as outlined above.

**Motion:** Brent Rummler moved to approve Resolution R2024-18: Cemetery Lot Sale Policy as proposed. Chrissy Hannemann seconded the motion. There were 5 yes votes and 0 no votes, as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Brent Rummler		

Jessica Smuin  
Kelli Law  
Chrissy Hannemann  
Jason Thelin

## VI. STAFF REPORTS

Police Chief Brian Gwilliam reported success with the cameras that were approved last year. They have helped find a hit-and-run driver, and juveniles who were tearing up the new cemetery sod were also identified.

Council members asked about public education on reporting suspicious activities, and about efforts to engage youth in the elementary schools with police officers.

Chief Gwilliam agrees with the suggestion that, "If you see something, say something." If it doesn't look right, call the police. The Chief also explained that if a situation is in progress, like skateboarders on the pickleball courts, call the police. If it is an issue like illegal signs, fences, etc., it is appropriate to call the city Code Compliance officer.

The Chief said that they are teaching the N.O.V.A. program (Nurturing youth to seek out positive Opportunities, internalize good Values, and to accept Accountability for their choices in life) in the schools. This is similar to the DARE program from years past. This allows officers to interact with children to build relationships that will hopefully continue through the upper grades, and help them avoid vandalism and other illegal activities. This program has already yielded positive results.

The council brought up the situation where juveniles have been found guilty of vandalism and a judge has ordered restitution, but not all of them have complied.

Chief Gwilliam explained that after a judgement has been made, further issues would need to be resolved through the court system.

Shane Sorensen expressed appreciation to the police department for vandalism cases they have solved in the past.

Fire Chief Brian Patten had nothing to report.

Ryan Robinson reported that required training for the Planning Commission on annexation will be held on June 4, presented by Jordan Cullimore, Lead Attorney/Director Office of the Property Rights Ombudsman. Cedar Hills and Highland have been included. The council is also invited to attend or watch the training.

A public hearing on the Public Facilities Zone was held in the Planning Commission meeting last week. They are still working on the issue. Ryan invited council members to call him with questions.

Attorney Steve Doxey had nothing to report.

Shane Sorensen said that Parks Supervisor, Cal Christensen, obtained flowers for the Main Street planters today.

Shane thanked Cody Smith for his quick response in solving the air conditioning problem during the council meeting tonight, and reminded the council that Cody Smith and his wife Shelly chair the Alpine Days rodeo each year.

Shane asked the council for their feedback on changes to city open space. A material change is defined by our ordinance as a change to a park's essential defining characteristics, roadways, or parking lots. Questions were raised two weeks ago about a decision to re-route a section of a trail in Three Falls. Shane asked if the council wants to address both material and administrative changes, or to leave the ordinance as it now stands.

The council discussed the following:

- New trails (like Judy's Trail) should be approved by the Planning Commission and the City Council. The council should vote on legislative matters and material changes to open space.
- Expenditures above \$15,000 (as stated in the Procurement Code) would also come to City Council.



- Some decisions are administrative, like posting signs or installing a drinking fountain, can be approved by the Trails Committee. Re-routing of trails, especially if there is no cost to the city, may be completed with staff or Trails Committee approval.
- For donations and in-kind work, the city will provide a letter for tax purposes if requested by individuals. The city does not advise on the value of possible tax deductions.
- Staff will do their best to bring potentially controversial decisions about administrative issues in city open space and other matters to the City Council.

Shane thanked Kelli Law for bringing a youth group to clean up the 100 South property. The project was very beneficial to the city.

Heidi Smith reported that with the Trucks & Tunes events on Tuesdays, some bands are cancelling because they can go elsewhere and get paid. Often, they would just like to have their travel expenses covered. Heidi asked if the council would discuss having even a small budget for community-based events like this, so she knows what she has to work with.

## VII. COUNCIL COMMUNICATION

Kelli Law would like the council to establish a policy for memorial plaques on benches in our parks, like the benches in Creekside Park.

Shane Sorensen clarified that the benches in Creekside Park went through the council approval process during the park construction.

Kelli also thanked the Alpine Youth Council for the awesome Memorial Day program. Feedback from the council is that the flag holes along Main Street are clogged with debris and need to be cleaned out, hopefully before June 14, which is Flag Day.

Mayor Carla Merrill said that new holes need to be drilled in areas with new sidewalks as well.

Jessica Smuin reported that children can serve on the Junior Poppy Patrol now. They participate in activities, recite a pledge, and receive a pin. The public is doing pretty well complying with the guidelines to protect the poppies.

Chrissy Hannemann would like to discuss the Code of Conduct with Steve Doxey so the council can have a better understanding of proper conduct.

Jason Thelin had nothing to report.

Brent Rummeler said that the Memorial Day program was awesome.

Mayor Carla Merrill offered a special thanks to Aline resident, Lynn Higgins, who coordinated the Memorial Day program. It was amazing and beautiful to see how well our parks department had prepared the cemetery. The Youth Council placed flags on all the veterans' graves, and it meant a great deal to the veterans and families who were in attendance.

Mayor Merrill said that the poppy program is going well, and expressed appreciation to the volunteers who are showing up to help. The new barriers are a big improvement over the rock borders we had last year, and most people are amenable to staying within the guidelines. The mayor mentioned that there have been several rattlesnakes seen at the gardens this season. Rattlesnakes are a protected species, so we need to be aware of that.

Mayor Carla Merrill thanked Chief Brian Gwilliam for sending volunteer police officers to the gardens. Their presence helps increase cooperation among the visitors.

**Motion:** Jessica Smuin moved to go into an Executive Session to discuss real property in the conference room at City Hall, and to adjourn the meeting at the end of that session. Jason Thelin seconded the motion. There were 5 yes votes and 0 no votes, as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Brent Rummler		
Jessica Smuin		
Kelli Law		
Chrissy Hannemann		
Jason Thelin		

The public meeting closed at 8:46 pm

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

The Executive Session closed at 9:53 p.m.

DRAFT


**PAYMENT REQUEST NO. 4 (FINAL)**

Name of Contractor:	SMM Ex.		
Name of Owner:	Alpine City		
Date of Completion:	Amount of Contract:	Dates of Estimate:	
Original: 30-Jun-24	Original: \$352,395.79	From: 1-Dec-23	
Revised: N/A	Revised: \$362,807.79	To: 1-Jun-24	
<b>Description of Job:</b>	<b>Burgess Trail Rehab</b>		
	Original Contract Amount		
Amount	This Period	Total To Date	
Amount Earned	\$17,289.15	\$345,783.03	
Previous Payments		\$328,493.88	
Amount Due	<b>\$17,289.15</b>	\$17,289.15	
Days Remaining	0 of 242	Percent Time Used:	100%
Estimated Percentage of Job Completed 100.0%			
Contractor's Construction Progress IS on schedule and complete			

I hereby certify that I have carefully inspected the work and as a result of my inspection and to the best of my knowledge and belief, the quantities shown in this estimate are correct and have not been on previous estimates and the work has been performed in accordance with the Contract Documents

Recommended by: Alpine City Engineering Dept.

Date: 7-Jun-24

  
Shane L. Sorensen, P.E.  
Public Works Director

Accepted by: SMM Ex.

Date: \_\_\_\_\_

\_\_\_\_\_  
SMM Ex.

Approved By: Alpine City

Date: \_\_\_\_\_

\_\_\_\_\_  
Carla Merrill  
Mayor

Project Owner: Alpine City  
 Project: Burgess Trail Rehab  
 Contractor: SMM Ex.

Date: 7-Jun-24

Original Contract Amount: \$352,395.79  
 Revised Contract Amount: \$362,807.79

Item	Description	Quantity	Units	Unit Price	Amount	Payest #1 Quantity this Month	Earnings this Month	Payest #2 Quantity this Month	Earnings this Month	Payest #3 Quantity this Month	Earnings this Month	Payest #4 (Final) Quantity this Month	Earnings this Month	Quantity to Date	Total Billing Earnings to Date	Percent Complete
<b>BID SCHEDULE</b>																
1	Mobilization (not to exceed 5%)	1	LS	\$ 15,000.00	\$ 15,000.00	0.70	\$10,500.00	0.30	\$4,500.00		\$0.00		\$0.00	1	\$15,000.00	100.0%
2	Clear & Grub	56,103	SF	\$ 1.58	\$ 88,642.74	56,103	\$88,642.74		\$0.00		\$0.00		\$0.00	56,103	\$88,642.74	100.0%
3	Tree Removal (8" trunk diameter or larger)	3	EA	\$ 1,800.00	\$ 5,400.00	4	\$7,200.00		\$0.00		\$0.00		\$0.00	4	\$7,200.00	133.3%
4	Relocate Fence	1	LS	\$ 4,000.00	\$ 4,000.00		\$0.00		\$0.00	1	\$4,000.00		\$0.00	1	\$4,000.00	100.0%
5	Engineered Fill Material	25	CY	\$ 80.00	\$ 2,000.00	25	\$2,000.00		\$0.00		\$0.00		\$0.00	25	\$2,000.00	100.0%
6	Place 6" Roadbase, 8' wide	32,471	SF	\$ 1.82	\$ 59,097.22	24,394	\$44,397.22	8,077	\$14,700.00		\$0.00		\$0.00	32,471	\$59,097.22	100.0%
7	Place 3" Asphalt, 8' wide	32,471	SF	\$ 2.81	\$ 91,243.51		\$0.00	32,471	\$91,243.51		\$0.00		\$0.00	32,471	\$91,243.51	100.0%
8	ADA Handicap Ramp	13	EA	\$ 3,900.00	\$ 50,700.00		\$0.00	9	\$35,100.00		\$0.00		\$0.00	9	\$35,100.00	69.2%
9	Landscape Repair (topioli as req'd, sod, sprinklers, 3' wide, each side of trail)	20,632	SF	\$ 1.76	\$ 36,312.32	2,063	\$3,631.32	18,566	\$29,049.68	231	\$406.56		\$0.00	18,800	\$33,087.56	91.1%
<b>Total Bid/Contract</b>					\$352,395.79											
<b>Partial Payment Sub-Total</b>							\$156,371.28		\$174,593.19		\$4,406.56		\$ -		\$335,771.03	
<b>Change Orders</b>																
1	Rock Retaining Wall	1	LS	\$ 1,270.00	\$ 1,270.00	1	\$1,270.00		\$ -	1	\$ -		\$0.00	1	\$1,270.00	100.0%
2	Concrete Flatwork	1	LS	\$ 9,142.00	\$ 9,142.00						\$9,142.00			1	\$9,142.00	100.0%
<b>Change Order Sub-Total</b>					\$10,412.00		\$1,270.00		\$0.00		\$9,142.00				\$10,412.00	
<b>Total Revised</b>					\$362,807.79		\$167,641.28		\$174,593.19		\$13,548.56				\$346,783.03	
<b>5% Retainage</b>							\$7,882.06		\$8,729.66		\$677.43				\$17,289.15	
<b>Add Retainage</b>															\$17,289.15	
<b>Total</b>					\$362,807.79		\$149,759.22		\$165,863.53		\$12,871.13				\$346,783.03	

**Morgan Pavement**  
 Remit to: PO Box 190  
 Clearfield, UT 84089  
 625 S. Main Street  
 Clearfield, UT 84015



Phone: (801) 544-5947  
 Fax: (801) 416-8061  
 MorganPavement.com

Mastic Asphalt Treatment-Excavation & Grading-Asphalt Paving-Patching-Sealcoat-Slurry-Crackseal-Striping-Consulting

<b>To:</b>	ALPINE CITY	<b>Contact:</b>	SHANE SORENSEN
<b>Address:</b>	20 N MAIN ALPINE, UT 84004	<b>Phone:</b>	
<b>Project Name:</b>	2024 Alpine City Onyx	<b>Fax:</b>	
<b>Project Location:</b>	Oak Ridge Drive, Alpine, UT	<b>Bid Number:</b>	
		<b>Bid Date:</b>	6/4/2024

Line #	Item Description	Estimated Quantity	Unit	Total Price
	<b><u>ONYX Frictional Mastic Seal</u></b>	1.00	LS	\$56,800.00
	· Clean Entire Surface Free Of Dirt And Debris			
	· Apply 2 Coats Of ONYX Frictional Mastic Sealant For A Combined Coverage Of 0.30 Gal/SY			

**Total Bid Price: \$56,800.00**

**Notes:**

- **Pay Terms: 50% due at signing of contract and prior to scheduling, remaining 50 % due and payable on day of work completion.**  
**Initial \_\_\_\_\_**
- Any deviation from these specifications and/or terms shall be by written mutual agreement. Payment for extra work and allowances for omission shall be fixed in advance in writing on demand by either party. No verbal agreement or understanding shall be binding
- Temperature is a factor in the ability to apply certain asphalt products and obtain adhesion. In order for warranty to apply, temperatures must fall within certain parameters for that specific scope of work. Please call to verify the temperature parameters of the proposed work.
- Please turn off all sprinklers and remove obstructions( i.e. dumpsters or cars) from work site prior to performance of work. Morgan Pavement will not be held liable for areas that are wet or blocked on the day that the crews arrive. If it is necessary to return to touch up areas so affected, there will be additional charges.
- Morgan Pavement assumes no risk or liability of undisclosed or unforeseen conditions of the project site, including but not limited to hazardous waste, unstable or saturated subgrade, underground utilities, water table issues.
- Exclusions unless noted on scope of work: Bonds, fees, permits, material or compaction testing, traffic control and/or barricades, prime coat, soil sterilant, subgrade stabilization, concrete, sawcutting, earthwork, engineering, survey, construction staking, third party billing fees
- Morgan Pavement will not guarantee drainage on grades with 1% or less slope or on overlays.
- Both Parties agree that Morgan Pavement is not liable for any damage of underground piping, wiring, conduit which are not visible to crews on the property that could not be located by utility locator service. ( i.e. blue stakes)
- Price is valid for 30 days from date of proposal
- Due to the volatility of the oil industry, this bid may fluctuate with oil prices. Therefore this may adjust with any increase in oil/material prices.
- Morgan Pavement reserves the right to use a sub-contractor on any scope of work.

**Payment Terms:**

Payment is due at completion of project without any retention being withheld, Invoices are subject to 2% interest per month beginning 30 days following the due date. In the event it becomes necessary for Morgan Pavement to file suit to collect any money due, hereunder or for breach thereof, the owner agrees to pay in addition to the amount due, all costs of enforcement including reasonable attorney fees. In the event of dispute between Morgan Pavement and Buyer, the parties agree to arbitration through the American Arbitration Association.

<b>ACCEPTED:</b> The above prices, specifications and conditions are satisfactory and are hereby accepted.  <b>Buyer:</b> _____ <b>Signature:</b> _____ <b>Date of Acceptance:</b> _____	<b>CONFIRMED:</b> <b>Morgan Pavement</b>  <b>Authorized Signature:</b> _____ <b>Estimator:</b> Kasen Garrett (385) 368-6213 kgarrett@morganpavement.com
---	--



Project Location	Proposal #	Date Issued	PO/LD #
City of Alpine Multiple Locations - See Maps 100 W Alpine UT 84004	HAU950010	6/4/2024	

Terms
Due Upon Completion

Adviser Information
Aaron Eppley P: 435-703-0023   E: aaron@holbrookasphalt.com

Description
Alpine HA5 24

Bill To
City of Alpine Attn: Shane Sorenson 20 North Main Street Alpine UT 84004

Item	Quantity	UM	Rate	Amount
------	----------	----	------	--------

**See Map**

<b>HA5</b>	311,856	SqFt	0.33	102,912.48
------------	---------	------	------	------------

Clean & prepare surface using high pressure air & wire bristle brooms. Install "HA5" High Density Mineral Bond advanced performance pavement preservation treatment. No guarantee surface treatments will adhere to areas saturated with motor oil. HA5 meets demands of High Density Mineral Bond Specification established by agency engineers.

**Note**

- (1) Traffic control will require 24-hour road closures. If additional closures or methods are required, additional traffic control costs will be added.
- (2) Taxes are not included in this proposal. If required by jurisdiction, those costs will be added to the project invoices.
- (3) Standard cleaning is included in the unit price. Items NOT considered to be standard cleaning includes heavy dirt, mud, construction or landscaping debris, and foreign material on the pavement surface. All non-standard cleaning requirements must be completed and approved by a Holbrook Asphalt representative prior to the start of project. If required, additional/heavy cleaning will be invoiced at \$1,750 per crew per day.

<b>Total</b>	<b>\$102,912.48</b>
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Please sign for proposal acceptance: **Do not sign this page, see final page for signing**





Date	Number
6/4/2024	HAUB15385

## Terms and Conditions

**TERMS AND CONDITIONS:** Any proposals returned to Holbrook Asphalt Company ("Contractor") more than 14 days after the proposal is submitted to the Client is subject to revision, updated pricing, or may be voided by Contractor. Engineering, tests, permits, inspection fees and bonding fees are not included in price unless stated otherwise. Pricing based on no more than area and depth dimensions listed. Upon construction, if it is determined that concrete or asphalt area or depth is greater than the estimation, client agrees to pricing adjustment as a result of project overrun. Client specifically represents and warrants that either the Client is the owner of the premises where the work is to be performed, or, in the alternative, Client has authority from the owner of the premises authorizing the Work to be performed on the said premises.

**GENERAL EXCLUSIONS:** Contractor is not liable for any ADA compliance, if needed, Client should consult with an ADA compliance professional prior to specific project approval. Contractor not responsible for claims related to pavement markings or lack thereof during or following project work.

Contractor will not be responsible for its product failure if said failure is directly or indirectly caused by "Existing Surface Conditions," as defined below, and any written or implied warranty will become void. Existing Surface Conditions are defined as: water drainage issues or delamination or failure of existing paint, asphalt, surface sealer, wearing course or any other material that is in a failing or in an unstable state. If any portion of the project area has Existing Surface Conditions not caused or created by Contractor that impact Contractor's HA5 product or any other product Contractor applies to project area, the warranty is void. Client is responsible for having entry gates open on day of work. Any damage to gates, sensors or loop sensors above or below asphalt are responsibility of Client. Any hot-applied sealants will not be exactly level with pavement surface as material settles to fill voids. There may also be excess material on pavement surface. Regarding asphalt, concrete and excavation work: Contractor is not responsible for subgrade scarification, re-compaction or concrete damage due to removal of asphalt. Contractor is not responsible for existing condition of subgrade, drainage in areas of less than 1% grade, adjustments of utilities, manholes and valve covers. Contractor is not responsible for any damage to underground utilities and cost to repair the same.

**PAYMENT TERMS:** Payment is due upon completion of work (Completion by line item 'Progress Billing' and/or completion of project core). Payment is due upon Client receipt of invoice. Client understands and agrees that it will be billed for towing as incurred and will be due on receipt. If the Client has a discrepancy with the Contractor regarding the contracted work, a retention of 5% of invoice up to a maximum of \$750.00 may be retained by Client up to 45 days. Client agrees that it may be billed as each line item is completed and each item may become their own respective invoice and due upon receipt of the same. Contractor reserves the right to charge up to 50% of Proposal Total if client cancels project within 25 days of scheduled project commencement. Upon request, post-project walk-throughs may be scheduled to review concerns.

Client agrees that interest accrues on all past-due amounts at 24% per annum from invoice date, until paid in full; and may be billed collection fees of up to 40% and all fees incurred by collection efforts. Total Proposal price includes one mobilization unless stated otherwise. Additional mobilizations may be billed up to \$3,500 per additional mobilization. This agreement provides Client written Notice of Right to Lien. Pricing does not include bonding or prevailing wage/Davis Bacon Certification, unless stated otherwise. By signing this proposal (contract), Client agrees that Contractor may not be held liable for delays, conditions, or Acts of God beyond their control, which situations may delay or cause cancelation partially or entirely on any project. Delays include project demand and material supply.

**INSURANCE:** These insurance limits are listed by Contractor to inform Client of such. Any premiums above the following to be paid by Client. This disclosure overrules any other contract language wherein Contractor agrees to differing limits. Certificates available upon request.

**GENERAL LIABILITY:** \$1m (inc.), \$2m (agg.) **AUTO:** \$1m **UMBRELLA:** \$2m (inc.), \$2m (agg.) **PERSONAL INJ:** \$1m **WORKERS COMP:** \$1m

**ADDITIONAL HA5 WARRANTY LIMITATIONS AND EXCLUSIONS:** No claim will be honored unless Holbrook Asphalt has been notified in writing and is given the opportunity to inspect the claimed failure. Surface treatments applied previous to HA5 being installed are not covered under this warranty. (For example, if a previously applied preservation treatment is peeling or delaminating from the pavement surface—even if the surface was cleaned and prepped prior to HA5 being installed on top of it—this warranty does not cover HA5 in these circumstances.) Any attempt to repair the surface prior to Holbrook Asphalt's inspection will render this warranty invalid. Areas where HA5 was installed over pavements with motor oil, brake fluid, hydraulic fluid, or other substances that disturb the adhesion of HA5 and that lead to delamination are not covered under warranty. This warranty does not cover structural defects in the asphalt (e.g. base failure or damage caused by faulty construction and or design), cracks, exposure to fuel, oil, or other chemicals determined to be harmful to the HA5 treatment, areas exposed to frequent sprinkler water run-off, or standing and/or ponding water, damage caused by heavy truck or equipment traffic, damage caused by equipment inflicting excessive stress or scraping to the pavement surface, damage caused by landscaping installation, or damage caused by earthquakes or other acts of God. Mechanical disturbances by snowplow chatter, studded tires, etc. are excluded from warranty. This warranty is not valid for areas located in elevations above 6500 feet. A valid Warranty Certificate must be signed with a copy returned to Holbrook Asphalt within 60 days of the HA5 installation for the warranty to be valid and executable.

Pre-mature wear of HA5 during the five-year period is defined as anything less than 70% residual inter-aggregate coverage of HA5 to the asphalt binder of the treated surface. If premature failure of HA5 is deemed by Holbrook Asphalt or an approved third-party expert within the five year period, reinstallation will take place at no charge or at the reduced rate identified on the Warranty Certificate for the project. Contractor reserves the right appoint the third-party expert should there be a dispute regarding the premature failure between the Client and Contractor. Client and Contractor agree to be bound by and abide by the decision of the third party expert regarding whether a premature failure has occurred.

I have read and agree with these terms and conditions. I elect to proceed with the signed option below.

**HAU950010 - Alpine HA5 24** (Sign to accept this proposal)

Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_ Contractor \_\_\_\_\_



**ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):**

Deere & Company  
2000 John Deere Run  
Cary, NC 27513  
FED ID: 36-2382580  
UEID: FNSWEDARMK53

**ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:**

Stotz Equipment  
14750 South Pony Express Rd  
Bluffdale, UT 84065  
801-966-4231  
xx9969@stotzeq.com

**Quote Summary**

**Prepared For:**

ALPINE CITY  
20 N MAIN ST  
ALPINE, UT 84004  
Business: 801-756-6347  
CAL@ALPINECITY.ORG

**Delivering Dealer:**

**Stotz Equipment**  
Zimmerman Russell  
14750 South Pony Express Rd  
Bluffdale, UT 84065  
Phone: 801-966-4231  
rzimmerman@stotzeq.com

Customer agrees to read Operator's Manual before operation of equipment.

**Quote ID:** 30875993  
**Created On:** 02 May 2024  
**Last Modified On:** 02 May 2024  
**Expiration Date:** 01 June 2024

**Equipment Summary**

	Selling Price	Qty	Extended
2023 JOHN DEERE Z950M ZTrak - 1TC950MFCPT120264	\$ 13,425.78 X	1 =	\$ 13,425.78
<b>Contract:</b> UT Grounds Maintenance Equip MA2184 (PG 3A CG 22)			
<b>Price Effective Date:</b>			

2024 JOHN DEERE Z960M ZTrak - 1TC960MGTRR130106	\$ 14,250.90 X	1 =	\$ 14,250.90
<b>Contract:</b> UT Grounds Maintenance Equip MA2184 (PG 3A CG 22)			
<b>Price Effective Date:</b>			

**Equipment Total**

~~\$ 27,676.68~~

\* Includes Fees and Non-contract items

**Quote Summary**

Equipment Total	\$ 27,676.68
Trade In	
SubTotal	\$ 27,676.68
Est. Service	\$ 0.00
Agreement Tax	
Total	\$ 27,676.68
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 27,676.68

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_

Confidential



**ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):**

Deere & Company  
2000 John Deere Run  
Cary, NC 27513  
FED ID: 36-2382580  
UEID: FNSWEDARMK53

**ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:**

Stotz Equipment  
14750 South Pony Express Rd  
Bluffdale, UT 84065  
801-966-4231  
xx9969@stotzeq.com

**Quote Summary****Prepared For:**

ALPINE CITY  
20 N MAIN ST  
ALPINE, UT 84004  
Business: 801-756-6347  
CAL@ALPINECITY.ORG

**Delivering Dealer:**

**Stotz Equipment**  
Zimmerman Russell  
14750 South Pony Express Rd  
Bluffdale, UT 84065  
Phone: 801-966-4231  
rzimmerman@stotzeq.com

Customer agrees to read Operator's Manual before operation of equipment.

**Quote ID:** 30787625  
**Created On:** 19 April 2024  
**Last Modified On:** 19 April 2024  
**Expiration Date:** 18 May 2024

**Equipment Summary**

**Selling Price Qty Extended**

JOHN DEERE Q820M Commercial \$ 10,197.88 X 1 = \$ 10,197.88  
QuikTrak M Series

**Contract:** UT Grounds Maintenance Equip MA2184 (PG 3A CG 22)

**Price Effective Date:** April 18, 2024

JOHN DEERE Q820M Commercial \$ 10,427.08 X 1 = \$ 10,427.08  
QuikTrak M Series

**Contract:** UT Grounds Maintenance Equip MA2184 (PG 3A CG 22)

**Price Effective Date:** April 18, 2024

JOHN DEERE Q820M Commercial \$ 10,656.28 X 1 = \$ 10,656.28  
QuikTrak M Series

**Contract:** UT Grounds Maintenance Equip MA2184 (PG 3A CG 22)

**Price Effective Date:** April 18, 2024

**Equipment Total** ~~\$ 31,281.24~~

\* Includes Fees and Non-contract items

**Quote Summary**

Equipment Total \$ 31,281.24

Trade In

SubTotal **\$ 31,281.24**

Est. Service \$ 0.00

Agreement Tax

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_

Confidential

# **ALPINE CITY COUNCIL AGENDA**

**SUBJECT: Annexation Petition**

**FOR CONSIDERATION ON: June 11<sup>th</sup>, 2024**

**PETITIONER: Ken Fitzgerald**

**ACTION REQUESTED BY PETITIONER: Acceptance of Annexation Petition for Further Consideration.**

**Review Type: Legislative**

## **BACKGROUND INFORMATION:**

Ken Fitzgerald, the owner of parcel #s 11:052:0015, 11:049:0008, and 11:052:0040 has submitted an annexation petition to be incorporated into Alpine City. The total combined size of the parcels is 19.86 acres, that is requested to be annexed into the city. A total of 20.06 acres will be included in this development with .20 of an acre already within city limits. The applicant is requesting a zoning designation of CR-40,000 which matches the surrounding areas in the city. A concept plan has been submitted as part of the petition which shows 11 lots with a minimum square footage of 40,000 square feet and 5.45 acres of open space along the east portion of the development. The intent is to develop this property into a residential subdivision along with a separate development to the north to connect to provide an ingress and egress for both properties.

The agenda item is for the Council to decide if they would like to accept this petition which requires it to then be reviewed by the Planning Commission during a public hearing for a recommendation before coming to the City Council again for a final decision. If approved by the City Council after a recommendation by the Planning Commission, the applicant will be required to also go through the subdivision review process for this subdivision. The Council can also decide to deny the petition rejecting the option to annex at this time.

The Council originally reviewed this petition during the November 28<sup>th</sup>, 2023, City Council meeting. The applicant was seeking feedback from the city to gauge interest regarding a potential annexation. The Council at that time emphasized the importance of preserving existing and future trails through the property as well as open space along the eastern border of the city.

This is a legislative decision, and the council can decide to accept or deny the petition based on the vision outlined in the General Plan and current policies of the city. At the recommendation of the City Attorney, the applicants are also working with staff on a pre-annexation agreement solidifying what is expected of both sides during this process.

## **CITY CODE:**

[Alpine Development Code Chapter 5 Annexations](#)

## **NOTICING:**

A public hearing will be held during future meetings after the required notice requirements have been met.

**STAFF RECOMMENDATION:**

Because this is a legislative decision the standards for approval or denial are that the proposed application should be compatible with the standards found in the general plan as well as the current city code and policies. A decision for approval or denial should be based on those criteria.

**SAMPLE MOTION TO APPROVE:**

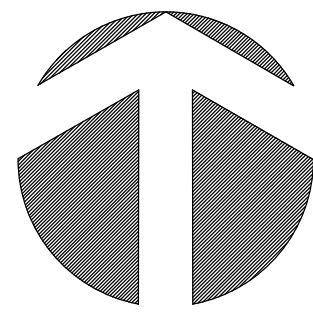
I move to accept the petition to annex parcels 11:052:0015, 11:049:0008, and 11:052:0040 and to send the application to the Planning Commission for further review.

**SAMPLE MOTION TO TABLE/DENY:**

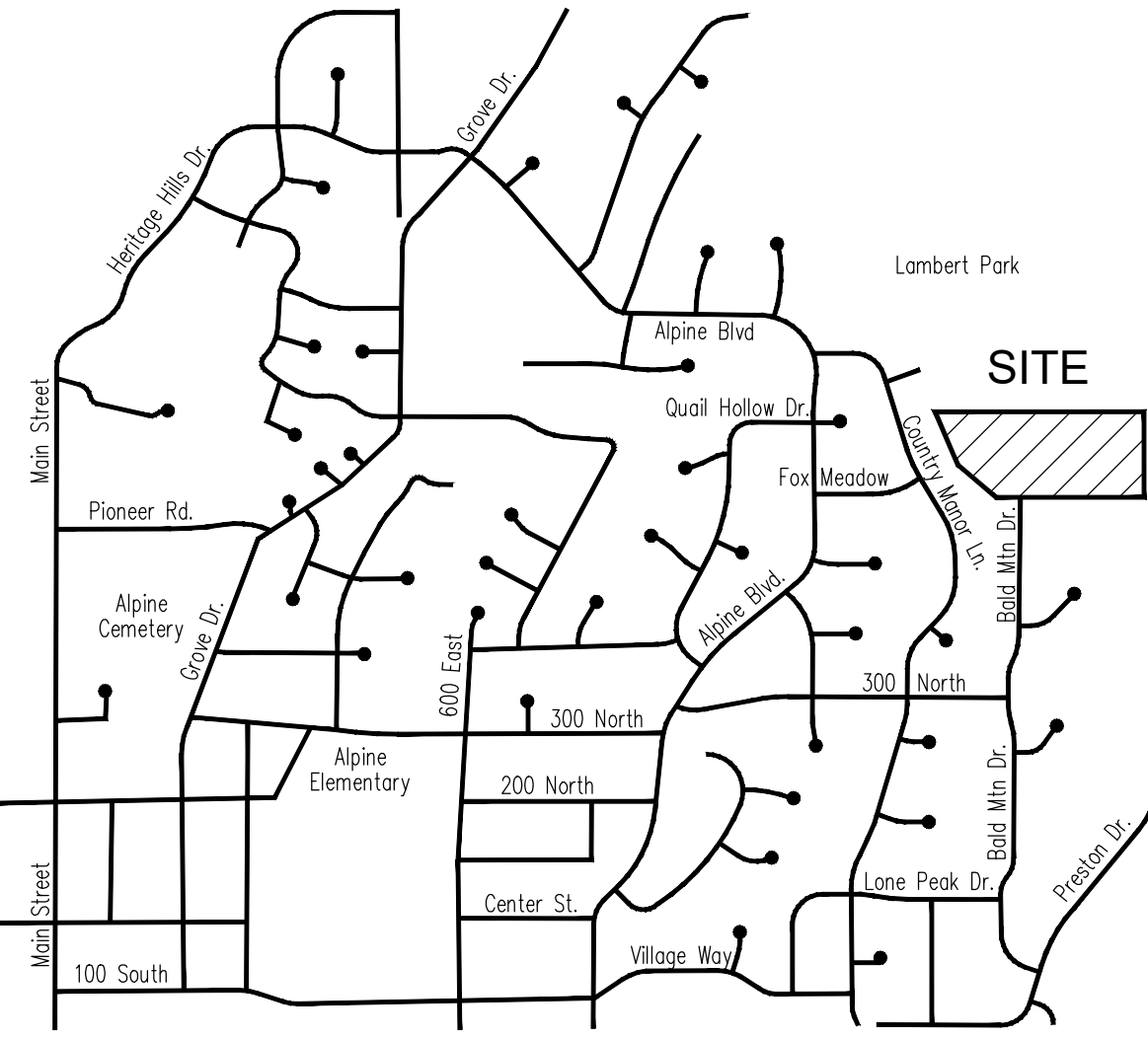
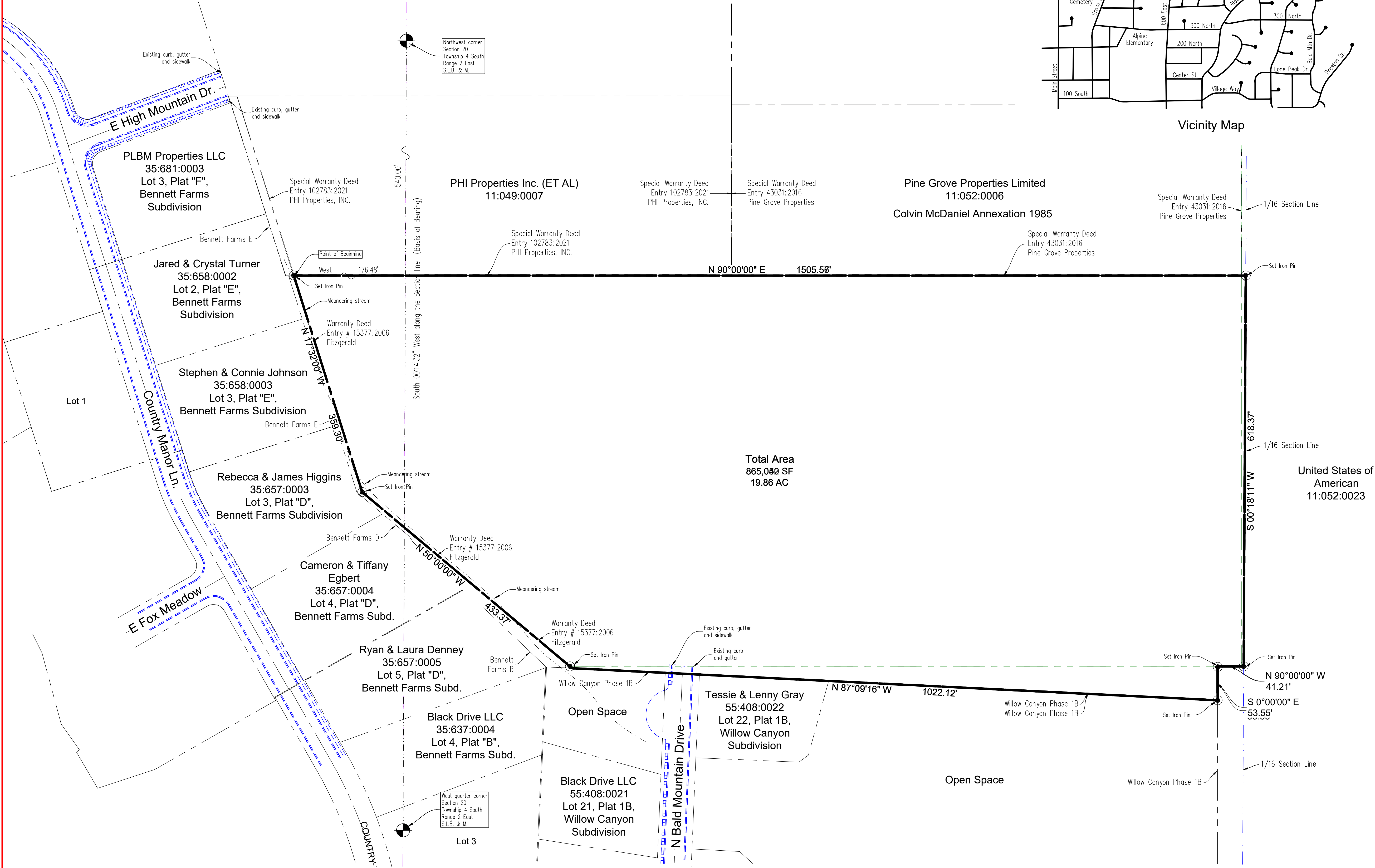
I move to deny the application to annex parcels 11:052:0015, 11:049:0008, and 11:052:0040 based on the following:

**\*\*insert finding\*\***





NORTH  
1" = 80'



Vicinity Map

### Surveyor's Certificate

I, ROGER D. DUDLEY, do hereby certify that I am a Professional Land Surveyor and that I hold a license, Certificate No. 147089, in accordance with the Professional Engineers and Land Surveyors Licensing Act found in Title 58, Chapter 22 of the Utah Code. I further certify that I have made a Survey of the Boundary Line Adjustment shown on this plot and described below and the same has been correctly surveyed and this plot is true and correct.

SURVEYOR'S SEAL

Roger D. Dudley - Professional Land Surveyor

Date

### Boundary Description

Commencing at a point located South 00°14'32" West along the Section line 540.00 feet and West 176.48 feet from the Northwest corner of Section 20, Township 4 South, Range 2 East, Salt Lake Base and Meridian; thence East partially along the Colvin McDaniel Annexation 1505.57 feet to the 1/16 Section line; thence South 00°18'11" West along said 1/16 Section line 618.37 feet; thence West 41.21 feet; thence South 53.55 feet; thence North 87°09'16" West along Phase 1B; Willow Canyon Subdivision 1022.12 feet; thence along Plats "D" and "E", Bennett Farms Subdivision the following 2 courses: North 50°00'00" West 433.37 feet; North 17°32'00" West 358.30 feet to the point of beginning.

AREA=865,052 sq. ft. or 19.86 acres

Basis of Bearing is South 00°14'32" West along the Section line from the Northwest to the West quarter corner of Section 20.

### Orem City Acceptance

Approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, as a Municipal Boundary Adjustment Plat.

\_\_\_\_ (Signature)

\_\_\_\_ (Printed Name)

\_\_\_\_ (Title)

Attest: \_\_\_\_\_

RECORDER

RECORDER'S SEAL

### Provo City Acceptance

Approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, as a Municipal Boundary Adjustment Plat.

\_\_\_\_ (Signature)

\_\_\_\_ (Printed Name)

\_\_\_\_ (Title)

Attest: \_\_\_\_\_

RECORDER

RECORDER'S SEAL

### Acceptance by the County Surveyor

This Plat has been reviewed by the County Surveyor and is hereby certified as a Final Local Entity Plat, pursuant to Utah Code Annotated 17-23-20 Amended.

County Surveyor

Date

COUNTY SURVEYOR'S SEAL

### MUNICIPAL BOUNDARY ADJUSTMENT PLAT

## FITZGERALD ANNEXATION

### COMMON BOUNDARY ADJUSTMENT

Alpine City, \_\_\_\_\_ Utah County, Utah  
Scale: 1" = 80 Feet

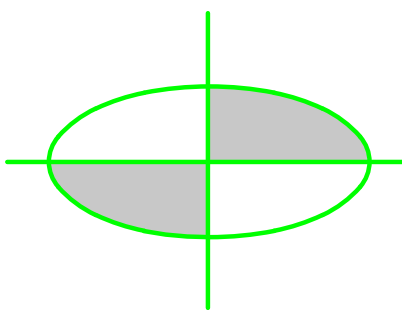
Recorded # \_\_\_\_\_  
State of Utah, County of Utah, Recorded and Filed at the request of:

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_

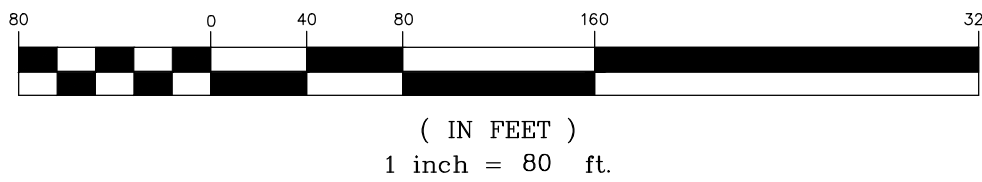
\$ \_\_\_\_\_  
FEE \_\_\_\_\_ UTAH COUNTY RECORDER

Prepared by:

Dudley and Associates, Inc.  
353 East 1200 South  
Orem, Utah 84058  
office 801-224-1252  
fax 801-224-1264



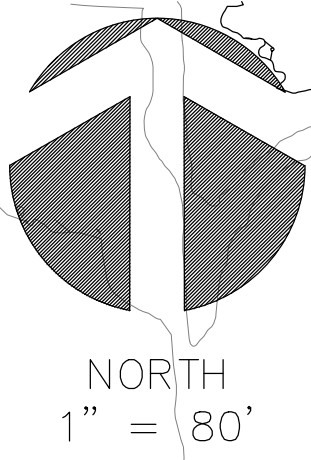
GRAPHIC SCALE



Date of Preparation

August 10, 2023





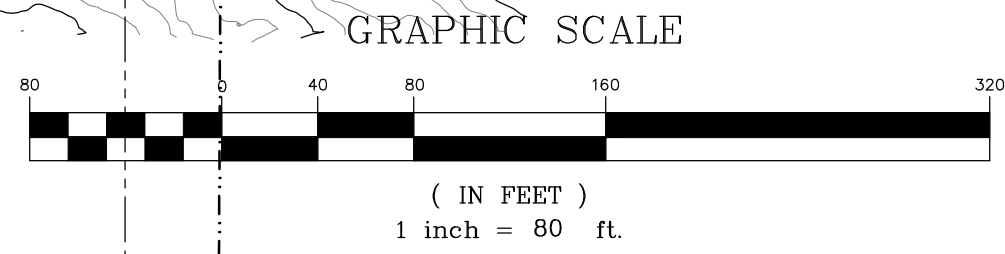


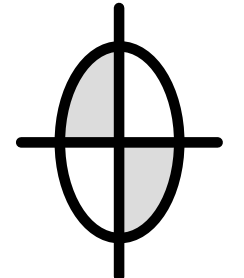
**Know what's below.**  
**Call 811 before you dig.**

**BLUE STAKES OF UTAH**  
UTILITY NOTIFICATION CENTER, INC.  
[www.bluestakes.org](http://www.bluestakes.org)  
1-800-662-4111

CAUTION!!! Notice to contractors

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





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

ALPINE SHADOWS

# Conceptual Plan

Utah  
Alpine

Revisions

Date	5-31-2023
Scale	1" = 80'
By	TD
Tracing No.	L - 14819

Sheet No.
C -





## Annexation Application

20 North Main Alpine, UT 84004 • 801-756-6347 (Phone) • 801-756-1189 (Fax) • [www.alpinecity.org](http://www.alpinecity.org)

### Contact Information

Applicant / Sponsor Ken Fitzgerald Date November 6, 2023

Address 7208 Meadow Lake Ave City Dallas State TX Zip 75214

Phone 801-369-2788 Fax \_\_\_\_\_ Email kenmfitz@gmail.com

### Project Information

Annexation Name Fitzgerald Annexation Current Use \_\_\_\_\_

Project Address \_\_\_\_\_ Proposed Zoning CR-40000

Annexation Size (in acres) 19.86 Inside Policy Declaration Boundaries? \_\_\_\_\_

### Source of Water Rights

Irrigation Stock \_\_\_\_\_ # of Shares \_\_\_\_\_ Company \_\_\_\_\_

Other Water Rights \_\_\_\_\_ # of Shares \_\_\_\_\_ Company \_\_\_\_\_

Other Acceptable Contribution \_\_\_\_\_

### Owners of Petitions

1. Name Ken Fitzgerald Signature Ken Fitzgerald Date November 6, 2023

2. Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

3. Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

4. Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

5. Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

### Annexation Petition Requirements

Total Annexation Property (in acres) 19.86 Total Annexation Property (in acres) 19.86

Percentage of Annexation Area Signers 100% Percentage of Assessed Value of Signers 100%

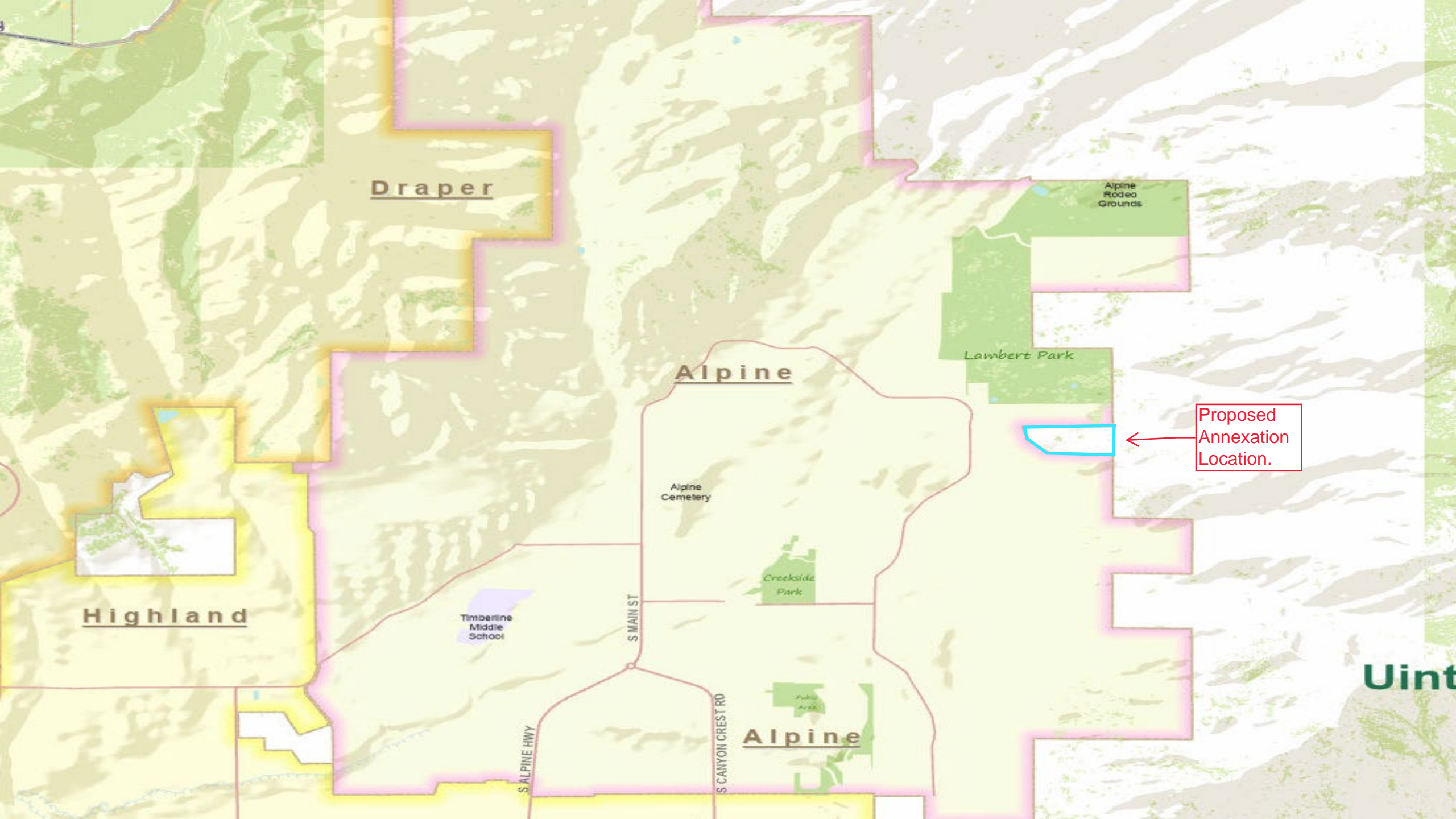
Assessed Value of all Real Property 2,638,000 Assessed Value of Signatory Properties 2,638,000

#### FOR CITY USE ONLY

**Annexation Fee** Date Fee Paid / Payment Type \_\_\_\_\_ Receipt # \_\_\_\_\_

(Application Fee \$800 + Plat Review Fee \$200 + Actual Cost of Annexation Study)





Draper

Alpine

Highland

Alpine Rodeo Grounds

Lambert Park

Proposed Annexation Location.

Alpine Cemetery

Creekside Park

Timberline Middle School

S MAIN ST

S ALPINE HWY

S CANYON CREST RD

Alpine

Uinta



# ANNEXATION PROCESS

APPLICANT SUBMITS PETITION FOR  
ANNEXATION

(OPTIONAL)  
PLANNING COMMISSION REVIEWS  
PETITION

CITY COUNCIL CONSIDERS  
ANNEXATION PETITION

CITY REVIEWS APPLICATION TO  
DETERMINE IF IT COMPLIES WITH  
STATE LAW

PROTEST PERIOD: AFFECTED  
ENTITIES CAN VOICE OPPOSITION

DENIED  
APPROVED

MAIL WRITTEN NOTICE TO PETITION  
SPONSOR AND COUNTY CLERK

MAIL WRITTEN NOTICE TO PETITION  
SPONSOR, CITY COUNCIL, AND  
COUNTY CLERK

DENIED  
APPROVED

CITY COUNCIL CONSIDERS  
APPLICATION. APPROVES THROUGH  
ORDINANCE

ANNEXATION REVIEWED &  
CERTIFIED BY LT. GOVERNOR'S  
OFFICE

ANNEXATION PLAT IS RECORDED  
WITH THE COUNTY RECORDER.  
ANNEXATION PROCESS IS  
COMPLETE

*While these steps are required for annexation in Utah's  
State Code, individual communities may conduct  
additional community outreach.*

*All perspectives and opinions should be treated fairly  
and taken into account as leaders make the final  
determination on an annexation petition.*

## ALPINE CITY COUNCIL AGENDA

**SUBJECT:** Code Amendment 3.09.060 - Exceptions to Rear Yard Setback Requirements

**FOR CONSIDERATION ON:** June 11, 2024

**PETITIONER:** Trent & Teresa Spafford

**ACTION REQUESTED BY PETITIONER:** Approve the Proposed Code Amendment.

**REVIEW TYPE:** Legislative

### **BACKGROUND INFORMATION:**

Trent and Teresa Spafford are requesting an amendment to Alpine City Development Code 3.09.060 for Planned Residential Development (PRD) subdivisions. This amendment would allow the Planning Commission to recommend to the City Council that an exception be made to the rear yard setback of a home located in a designated PRD subdivision that abuts open space. This exception would need to be requested by the applicant for an individual lot. The proposed amendment includes certain standards that must be met before an exception can be granted:

- Only an uncovered deck would be allowed to encroach into the setback.
- The rear yard must be adjacent to non-residential property (designated open space).
- No part of the structure attached to the home will encroach into any designated easements without approval from the designated entities.

Previously, this section of the code included language allowing exceptions to setbacks in PRD subdivisions. The requirement for an exception was that the request “*was appropriate for the proper development of the lot and that the exception will not result in the establishment of a hazardous condition.*” However, during the February 28, 2023, City Council meeting, this language was removed. It was found that many requests were made to fit larger homes rather than to accommodate open space.

The Planning Commission held a public hearing and reviewed this proposal during their June 4th meeting. The discussion focused on why the exception was originally removed and whether the city wanted to allow such exceptions again. They discussed the proposed standards and recommended explicitly allowing uncovered decks to apply for an exception. Staff has added a definition of an uncovered deck to clarify what is permitted and included a reference to State Code, which allows decks under 32 square feet in size to not count against a setback (Utah State Code 10-9a-540).

This request would apply to any lot currently or to be in a designated PRD subdivision. This is not an individual exception for a specific lot. If approved, the applicant will need to seek approval from the Planning Commission and City Council for the exception to be granted.

### **ALPINE CITY CODE:**

- Alpine Development Code 3.09.060

### **GENERAL PLAN:**

*Promote and preserve both natural and developed open spaces around the city, with a preference for public open spaces. The city prefers this be done through Planned Residential Developments (PRD) or by the public purchase of land. (Alpine City General Plan Goal 1, Policy 1.1)*

**PUBLIC NOTICE:**

The requirements for a public hearing, as outlined by the Utah State Code and the Alpine City Code, have been met. A public hearing was held by the Planning Commission as part of the review process.

**STAFF RECOMMENDATION:**

Because this is a legislative decision, the standards for approval or denial are that the proposed code amendment should be compatible with the standards in the general plan as well as current city code and policies. A decision should be made by the City Council for approval or denial based on these criteria.

**SAMPLE MOTION TO APPROVE:**

I move to approve O2024-18 the proposed code amendment to allow an exception to rear yard setback requirements in a PRD-designated subdivision if the proposed standards can be met after a recommendation by the Planning Commission and Approval by the City Council.

**SAMPLE MOTION TO APPROVE WITH CONDITIONS:**

I move to approve O2024-18 the proposed code amendment to allow an exception to rear yard setback requirements in a PRD-designated subdivision if the proposed standards can be met after a recommendation by the Planning Commission and Approval by the City Council.  
with the following conditions/changes:

- \*\*insert additional findings\*\*

**SAMPLE MOTION TO TABLE/DENY:**

I move that the proposed code amendment to allow an exception to rear yard setback requirements in a PRD-designated subdivision if the proposed standards can be met after a recommendation by the Planning Commission and Approval by the City Council be tabled/denied based on the following:

- \*\*insert finding\*\*

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

**A M E N D M E N T**

**3.09.060 Dwelling Clusters; Lot Size; Buildable Area; Setback**

1. All lots shall be located within a designated Dwelling Cluster. A project may contain more than one Dwelling Cluster. Each cluster shall contain not less than three (3) separate lots (except for developments having fewer than 3 lots for the entire development). Where a project contains land located within and outside the Sensitive Lands Overlay Zone, Dwelling Clusters will be located outside of the Sensitive Lands Overlay Zone, to the maximum extent possible. No portion of lots within a PRD shall be located on lands which are required to be designated as open space.
2. (Ord. 97-23: 9/24/97) The size of each individual lot shall conform to the following:

**Minimum Lot Size**

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

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

3. (Ord 97-02, 2/25/97). Each individual lot shall contain at least one Designated Buildable Area of not less than five-thousand (5,000) square feet. All dwellings and other habitable structures and accessory buildings shall be located within the Designated Buildable Area.
  - a. Each Designated Buildable Area shall conform to the criteria for qualification as a "buildable area" as defined in this ordinance. Except that the Planning Commission may approve or require the placement of the Designated Buildable Area in a location within the lot which does not conform to one or more of the criteria for buildable area, upon a finding that the proposed Designated Buildable Area:
    - i. will more adequately accommodate subsequent development of the lot,

- ii. will not constitute a potential hazard to life or property, and
    - iii. will serve to diminish the negative impact of subsequent development upon the lot or community (i.e. extraordinary construction of driveway access, mitigate visual intrusion of structure on ridge line).
  - b. The location of each Designated Buildable Area shall be designated upon the preliminary plan and shall also be identified and described on the final recorded plat, together with a notation to the effect that all main and accessory buildings shall be located within the Designated Buildable Area. Where a Designated Buildable Area is shown on a lot, the boundary of said area shall constitute the Designated Setback envelope applicable to the lot. Where an entire lot area qualifies as a Buildable Area no designation on the final plat shall be required.
  - c. Except as permitted pursuant to Part 3,a, any portion of a lot which has been graded to produce a percent of slope to qualify under the Buildable Area criteria shall be excluded from consideration as part of the Designated Buildable Area.
  - d. The Designated Buildable Area may be amended by the City Planner and City Engineer as long as the minimum setback requirements of the underlying zone are met. (Ord. 2004-13, 9/28/04)
4. Each dwelling in the project shall be setback from the property line in accordance with the setback lines as shown on the approved plat (Designated Setback Envelope). The Designated Setback Envelope shall be established in accordance with the following (setbacks are measured from the property line to the nearest foundation):
- a. Front Yard. The minimum front yard setback shall be thirty (30) feet.
  - b. Side Yard - Corner Lots. On corner lots, the side that faces onto a public street shall be not less than thirty (30) feet.
  - c. Side Yard – Interior Lots. The minimum side yard setbacks for interior lots shall be an aggregate of thirty (30) feet with no less than twelve (12) feet on a side.
  - d. Rear Yard. The minimum rear yard setback shall be thirty (30) feet. Upon the recommendation of the Planning Commission, the City Council may approve an exception to the Designated Rear Yard Setback Envelope standards for any individual lot within a PRD subdivision, if the following requirements are met:
    - i. Any encroachment into the designated rear yard setback may only consist of uncovered decks or platforms, attached to a building, that is constructed above the ground level and is open to the sky, without any roof or overhead covering.
    - ii. The rear yard must be adjacent to non-residential property.
    - iii. No part of the structure attached to the home shall encroach into any designated easements without first obtaining written approval from the easement holder.
    - iv. This subsection is subject to the provisions of Utah Code Ann. § 10-9a-540, which shall govern in case of any conflict with this subsection.
5. The maximum height of any dwelling or other main building shall be thirty-four (34)

feet, as determined in accordance with the provisions of DCA 3.21.080, (Ord. 96-15, 12/18/96) except in the CE-50 zone the height shall not exceed 25 feet. (See DCA 3.06.070 Part 1)

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

**ALPINE CITY  
ORDINANCE 2024-18**

**AN ORDINANCE AMENDING SECTION 3.09.060 OF THE ALPINE  
DEVELOPMENT CODE ALLOWING EXCEPTIONS TO THE REAR YARD  
SETBACK IN PRD DESIGNATED SUBDIVISIONS.**

**WHEREAS**, the Alpine City Planning Commission has reviewed proposed amendments to sections 3.09.060 of the Alpine Development Code and held a public hearing on June 4th, 2024, pertaining to the proposed amendments;

**WHEREAS**, on June 4th, 2024, the Planning Commission made a favorable recommendation of the proposed amendments to the section 3.09.060 of the Alpine Development Code;

**WHEREAS**, the Alpine City Council has reviewed the proposed amendments and deems it in the best interest of the health, safety, and welfare of Alpine City and its residents to amend section 3.09.060 of the Alpine Development Code.

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

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

**A M E N D M E N T**

**3.09.060 Dwelling Clusters; Lot Size; Buildable Area; Setback**

1. All lots shall be located within a designated Dwelling Cluster. A project may contain more than one Dwelling Cluster. Each cluster shall contain not less than three (3) separate lots (except for developments having fewer than 3 lots for the entire development). Where a project contains land located within and outside the Sensitive Lands Overlay Zone, Dwelling Clusters will be located outside of the Sensitive Lands Overlay Zone, to the maximum extent possible. No portion of lots within a PRD shall be located on lands which are required to be designated as open space.
2. (Ord. 97-23: 9/24/97) The size of each individual lot shall conform to the following:

**Minimum Lot Size**

\_\_\_\_\_

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

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

3. (Ord 97-02, 2/25/97). Each individual lot shall contain at least one Designated Buildable Area of not less than five-thousand (5,000) square feet. All dwellings and other habitable structures and accessory buildings shall be located within the Designated Buildable Area.
  - a. Each Designated Buildable Area shall conform to the criteria for qualification as a "buildable area" as defined in this ordinance. Except that the Planning Commission may approve or require the placement of the Designated Buildable Area in a location within the lot which does not conform to one or more of the criteria for buildable area, upon a finding that the proposed Designated Buildable Area:
    - i. will more adequately accommodate subsequent development of the lot,
    - ii. will not constitute a potential hazard to life or property, and
    - iii. will serve to diminish the negative impact of subsequent development upon the lot or community (i.e. extraordinary construction of driveway access, mitigate visual intrusion of structure on ridge line).
  - b. The location of each Designated Buildable Area shall be designated upon the preliminary plan and shall also be identified and described on the final recorded plat, together with a notation to the effect that all main and accessory buildings shall be located within the Designated Buildable Area. Where a Designated Buildable Area is shown on a lot, the boundary of said area shall constitute the Designated Setback envelope applicable to the lot. Where an entire lot area qualifies as a Buildable Area no designation on the final plat shall be required.
  - c. Except as permitted pursuant to Part 3,a, any portion of a lot which has been graded to produce a percent of slope to qualify under the Buildable Area criteria shall be excluded from consideration as part of the Designated Buildable Area.
  - d. The Designated Buildable Area may be amended by the City Planner and City Engineer as long as the minimum setback requirements of the underlying zone are met. (Ord. 2004-13, 9/28/04)



4. Each dwelling in the project shall be setback from the property line in accordance with the setback lines as shown on the approved plat (Designated Setback Envelope). The Designated Setback Envelope shall be established in accordance with the following (setbacks are measured from the property line to the nearest foundation):
  - a. Front Yard. The minimum front yard setback shall be thirty (30) feet.
  - b. Side Yard - Corner Lots. On corner lots, the side that faces onto a public street shall be not less than thirty (30) feet.
  - c. Side Yard – Interior Lots. The minimum side yard setbacks for interior lots shall be an aggregate of thirty (30) feet with no less than twelve (12) feet on a side.
  - d. Rear Yard. The minimum rear yard setback shall be thirty (30) feet. Upon the recommendation of the Planning Commission, the City Council may approve an exception to the Designated Rear Yard Setback Envelope standards for any individual lot within a PRD subdivision, if the following requirements are met:
    - i. Any encroachment into the designated rear yard setback may only consist of uncovered decks or platforms, attached to a building, that is constructed above the ground level and is open to the sky, without any roof or overhead covering.
    - ii. The rear yard must be adjacent to non-residential property.
    - iii. No part of the structure attached to the home shall encroach into any designated easements without first obtaining written approval from the easement entitiesholder
  - e. This subsection is subject to the provisions of Utah Code Ann. § 10-9a-540, which shall govern in case of any conflict with this subsection.
5. The maximum height of any dwelling or other main building shall be thirty-four (34) feet, as determined in accordance with the provisions of DCA 3.21.080, (Ord. 96-15, 12/18/96) except in the CE-50 zone the height shall not exceed 25 feet. (See DCA 3.06.070 Part 1)

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

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Chrissy Hannemann	_____	_____	_____	_____
Jason Thelin	_____	_____	_____	_____
Jessica Smuin	_____	_____	_____	_____
Brent Rummler	_____	_____	_____	_____
Kelli Law	_____	_____	_____	_____

Presiding Officer

Attest

\_\_\_\_\_  
Carla Merrill, Mayor, Alpine City

\_\_\_\_\_  
DeAnn Parry, City Recorder, Alpine  
City



11:03



3D

MATISSE LN

MATISSE LN

Fort Creek

49°

AQI 28

Search Maps





# **ALPINE CITY COUNCIL AGENDA**

**SUBJECT: Code Amendment Home Occupation Approval**

**FOR CONSIDERATION ON: June 11<sup>th</sup>, 2024**

**PETITIONER: City Staff**

**ACTION REQUESTED BY PETITIONER: Approve The Proposed Code Amendment**

**REVIEW TYPE: Legislative**

## **BACKGROUND INFORMATION:**

There has been a recent increase in applications for home occupation permits. Currently, the Planning Commission acts as the approving body for all home occupation permits. Many of these applications are essentially for home offices with no visitors, no additional employees, or any significant indication of a business operating at the location. Staff is recommending adding language to allow staff to approve a home occupation permit if the following criteria are met:

- The applicant must meet all the listed requirements and criteria for the home occupation under section 3.23.060.
- The home occupation is conducted entirely within an enclosed building on the property.
- No clients will come to the property.
- There will be no additional employees who do not reside at the home.
- No display of goods or products at the home.
- No hazardous materials or chemicals will be used or stored at the home.
- City Staff may send any home occupation permit to the Planning Commission for approval, even if these standards are met.

As part of the June 4th Planning Commission meeting, a public hearing was held to review this item. The proposed standards were discussed, and a motion to approve the proposal was made.

## **ALPINE CITY CODE:**

- Alpine Development Code 3.23.060 #2

## **GENERAL PLAN:**

N/A

## **PUBLIC NOTICE:**

The requirements for a public hearing, as outlined by the Utah State Code and the Alpine City Code, have been met. A public hearing was held by the Planning Commission as part of the review process.

## **STAFF RECOMMENDATION:**

Because this is a legislative decision, the standards for approval or denial are that the proposed code amendment should be compatible with the standards found in the general plan as well as current city code and policies. The City Council should make a decision for approval or denial based on these criteria.

**SAMPLE MOTION TO APPROVE:**

I move to approve O2024-19 the proposed amendments to Alpine Development Code 3.23.060 allowing staff to act as the designated land use authority for home occupations if the proposed standards can be met.

**SAMPLE MOTION TO APPROVE WITH CONDITIONS:**

I move to approve O2024-19 the proposed amendments to Alpine Development Code 3.23.060 allowing staff to act as the designated land use authority for home occupations if the proposed standards can be met with the following conditions/changes:

**\*\*insert additional findings\*\***

**SAMPLE MOTION TO TABLE/DENY:**

I move the proposed O2024-19 amendments to Alpine Development Code 3.23.060 allowing staff to act as the designated land use authority for home occupations if the proposed standards can be met be tabled/denied based on the following:

**\*\*insert finding\*\***

**SECTION 1:            AMENDMENT** “3.23.060 Review Conditions And Criteria For Certain Conditional Uses” of the Alpine City Development Code is hereby *amended* as follows:

## AMENDMENT

### 3.23.060 Review Conditions And Criteria For Certain Conditional Uses

1. **Guest Houses** (Ord. 94-06, 5/24/94). Guest houses may be allowed as a conditional use, upon approval of the designated land use authority and subject to compliance with the following:
  - a. Guest Houses are listed as a conditional use within the zone.
  - b. The lot or parcel upon which the guesthouse is proposed to be placed shall have a lot area of not less than five (5) acres.
  - c. The guesthouse shall be located not less than 30 ft. to the rear of the primary dwelling and not closer than twelve (12) ft. to any side or rear property line.
  - d. The water and sewer service shall be the same as for the principal dwelling.
  - e. The hookup fees for a single-unit dwelling with a guest house shall be one and one- half (1 and 1/2) times the rate for a single family dwelling.
  - f. The guesthouse shall be an integral part of the site plan for the principle dwelling and attendant lot area. Vehicular access to the guest house shall be over the same driveway as for the primary dwelling, unless a secondary driveway can be accessed from another public right of way.
  - g. Prior to approval, a site plan showing the proposed location of the guesthouse and provision for utilities, vehicular access and other standards and conditions shall be submitted and approved by the Planning Commission.
  - h. Any person desiring to construct a guest house shall convey to the City water rights in the amount of 1/2 acre foot.
2. **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; Ord. 2016-23, 11/09/16). Home occupations may be allowed as a conditional use, upon approval by the designated land use authority. All home occupations will be subject to compliance with the following:
  - a. Terms and Conditions.
    - i. Home occupations are listed as a conditional use in the zone.
    - ii. The home occupation is conducted entirely within the livable area of a dwelling or attached garage. Business outdoor activities such as swimming lessons, tennis lessons, horseback riding lessons or other similar activities as determined by the Planning Commission may be considered as a home occupation.
    - iii. The business activity of the Home Occupation carried out on the premises shall be conducted only by members of the residing family, except that not more than one person, not a member of the residing

- family, may be engaged in the conduct of the home occupation if such person is utilized in the capacity of a support function.
- iv. The home occupation does not involve the use of any accessory buildings or yard space for storage outside of the dwelling or attached garage.
  - v. The home occupation shall contain no facilities for the display of goods. Any sale of goods and services shall constitute a clearly incidental part of the operation of the home occupation.
  - vi. No commercial vehicles shall be stored at the premises except one delivery truck which does not exceed 12,000 gvw rated capacity.
  - vii. The home occupation is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the building from that of a dwelling.
  - viii. Home occupation signs shall be limited to one (1) identification nameplate, not larger in area than two (2) square feet fastened to the home, and one (1) sign, not larger in area than one (1) square foot, fastened to the side of the mailbox structure at or below the level of the mail box. No off-site advertising signs shall be permitted.
  - ix. The home occupation shall not occupy an area not more than the equivalent of twenty-five percent (25%) of the livable area of the dwelling or 1000 square feet, whichever is less. The livable area does not include the garage.
  - x. The home occupation shall obtain a business license from the City.
  - xi. The activities of the home occupation shall not involve the use of hazardous materials or chemicals in amounts that will increase the hazard of fire or explosion. Activities of the home occupation shall not decrease safety to the structure or occupants of the dwelling or adjacent dwellings.
  - xii. The operation of the home occupation shall not produce any noise, smoke, glare, light, fumes, dust, electronic interference or similar condition which is discernible outside the dwelling.
  - xiii. The physical appearance, traffic, and other activities in connection with the home occupation will not be contrary to the intent of the zone in which the home occupation is located and, in the opinion of the Planning Commission, the activities of the home occupation will not depreciate surrounding property values or the quality of the area for residential purposes as determined by the Planning Commission.
  - xiv. A sexually-oriented business shall not be a home occupation.
  - xv. An automotive repair business shall not be a home occupation.
  - xvi. If the home occupation will have customers/clients coming to the home as part of the business, an inspection(s) of the business portion of the home is required to determine compliance with zoning, building, and life safety requirements. When no customers/clients will be coming to the home as part of the business, the applicant shall be required to submit the home business self fire inspection form.



xvii. The City Planner or designee shall serve as the designated land use authority for home occupation applications meeting the following criteria:

- (1) The application as proposed complies with all requirements and criteria for the home occupation as listed in this section.
- (2) The home occupation must be conducted entirely within the dwelling or attached garage on the property
- (3) No customers or clients will visit the designated location in connection to the home occupation.
- (4) No additional employees, other than the residing family will be involved in the home occupation.
- (5) No hazardous materials or chemicals will be used or stored on the property.
- ~~(6)~~ ThThe City Planner or designee may approve, approve with conditions, deny, or decline to consider the home occupation application in accordance with standards provided in this section. If the City Planner or designee declines to consider the application, the applicant may seek approval from the Planning Commission. An applicant may appeal all other decisions as provided in DCA 2.03.

b. ~~Commission Conditions. May Attach Conditions. I~~n 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 as the designated land use authority may attach conditions to the granting of a home occupation consistent with the standards in this section 2.03.060.2 hereinabove-stated.

c. 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 ~~B~~business ~~L~~icense 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~~ 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 that (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. **Produce Stands** (Ord 96-05, 4/10/96). Incidental Produce Stands may be allowed as a conditional use, upon approval by the designated land use authority and subject to

compliance with the following:

- a. Intent. The Intent and purpose of this Part is to allow the operation of incidental produce stands which supply the local market with needed food and farm products produced primarily on the premises.
  - b. Terms and Conditions.
    - i. Incidental Produce Stands are listed as a conditional use in the zone.
    - ii. The property includes a minimum of five (5) acres.
    - iii. Products offered for sale should be consistent with the definition of Produce Stands; see DC 3.01.110.
    - iv. The Produce stand shall provide sufficient off-street parking space to safely accommodate the anticipated level of patrons and employees. The required off-street parking shall be in addition to the spaces required to meet the parking requirements of the primary use.
    - v. Each produce stand shall be entitled to one sign. Said sign shall have not more than thirty-two (32) sq. ft. of sign area and shall advertise only products of the lot. The sign shall not extend into the road right-of-way. Additional signage may be approved for parking and other items not related to advertisement.
    - vi. An annual business license to operate the produce stand shall be obtained from the City.
    - vii. The application shall include a detailed site plan showing the location of all dwellings and other buildings on the site and also all facilities and areas intended for use in the production, processing, storage and sales of the products intended to be offered for sale on the premises.
4. **Shooting Ranges** : Shooting Ranges may be permitted as a conditional use. All shooting ranges will be subject to compliance with Alpine City Code 9.17-Shooting Ranges and the following standards:
- a. All shooting ranges shall be located in a facility completely underground by a minimum of 10 inches from ceiling of the shooting range to the ground level, with walls and ceiling of steel, concrete or other material sufficiently thick to prevent any bullet or arrow from piercing it, and so arranged that there will be no danger from ricocheting or deflected pieces of bullet and have internal baffling installed so that the ammunition discharged will be completely contained within the shooting range.
  - b. Indoor shooting ranges shall be constructed and insulated in such a manner that prevents sound from the discharge of firearms within the facility to exceed a maximum limit of sixty-five (65) dBA at the property line.
  - c. Targets shall be placed before a backstop of steel or other material sufficiently thick to prevent any bullet or arrow from piercing it, and so arranged that there will be no danger from ricocheting or deflected pieces of bullet or arrow.
  - d. All shooting ranges shall comply with all applicable laws, rules and regulations regarding lead contamination.
  - e. Hours of operation shall be from 7:00 A.M. to 10:00 P.M. unless sound levels from the shooting range at the property line are forty (40) dBA or less. If forty (40) dBA or less sound levels are met, there shall be no limitation on hours of

- operation.
- f. A site plan shall be approved by the Lone Peak Chief of Police.
  - g. All portions of the range shall be set back at a minimum of 12' from the nearest property line.
  - h. The minimum lot size shall be 20,000 square feet.

(Ord. 94-06, 5/24/94; Amended by Ord. 2004-13, 9/28/04)  
(Amended by Ordinance 2005-21 on 12/20/05)

**ALPINE CITY  
ORDINANCE 2024-19**

**AN ORDINANCE AMENDING SECTION 3.23.060 OF THE ALPINE  
DEVELOPMENT CODE ALLOWING STAFF TO ACT AS DESIGNATED LAND  
USE AUTHORITY FOR HOME OCCUPATIONS WHEN CERTAIN CONDITIONS  
ARE MET.**

**WHEREAS**, the Alpine City Planning Commission has reviewed proposed amendments to sections 3.23.060 of the Alpine Development Code and held a public hearing on June 4th, 2024, pertaining to the proposed amendments;

**WHEREAS**, on June 4th, 2024, the Planning Commission made a favorable recommendation of the proposed amendments to the section 3.23.060 of the Alpine Development Code;

**WHEREAS**, the Alpine City Council has reviewed the proposed amendments and deems it in the best interest of the health, safety, and welfare of Alpine City and its residents to amend section 3.23.060 of the Alpine Development Code.

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

**SECTION 1:**        **AMENDMENT** “3.23.060 Review Conditions And Criteria For Certain Conditional Uses” of the Alpine City Development Code is hereby *amended* as follows:

**A M E N D M E N T**

**3.23.060 Review Conditions And Criteria For Certain Conditional Uses**

1. **Guest Houses** (Ord. 94-06, 5/24/94). Guest houses may be allowed as a conditional use, upon approval of the designated land use authority and subject to compliance with the following:
  - a. Guest Houses are listed as a conditional use within the zone.
  - b. The lot or parcel upon which the guesthouse is proposed to be placed shall have a lot area of not less than five (5) acres.
  - c. The guesthouse shall be located not less than 30 ft. to the rear of the primary dwelling and not closer than twelve (12) ft. to any side or rear property line.
  - d. The water and sewer service shall be the same as for the principal dwelling.
  - e. The hookup fees for a single-unit dwelling with a guest house shall be one and one- half (1 and 1/2) times the rate for a single family dwelling.
  - f. The guesthouse shall be an integral part of the site plan for the principle

dwelling and attendant lot area. Vehicular access to the guest house shall be over the same driveway as for the primary dwelling, unless a secondary driveway can be accessed from another public right of way.

- g. Prior to approval, a site plan showing the proposed location of the guesthouse and provision for utilities, vehicular access and other standards and conditions shall be submitted and approved by the Planning Commission.
- h. Any person desiring to construct a guest house shall convey to the City water rights in the amount of 1/2 acre foot.

2. **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; Ord. 2016-23, 11/09/16). Home occupations may be allowed as a conditional use, upon approval by the designated land use authority. All home occupations will be subject to compliance with the following:

a. Terms and Conditions.

- i. Home occupations are listed as a conditional use in the zone.
- ii. The home occupation is conducted entirely within the livable area of a dwelling or attached garage. Business outdoor activities such as swimming lessons, tennis lessons, horseback riding lessons or other similar activities as determined by the Planning Commission may be considered as a home occupation.
- iii. The business activity of the Home Occupation carried out on the premises shall be conducted only by members of the residing family, except that not more than one person, not a member of the residing family, may be engaged in the conduct of the home occupation if such person is utilized in the capacity of a support function.
- iv. The home occupation does not involve the use of any accessory buildings or yard space for storage outside of the dwelling or attached garage.
- v. The home occupation shall contain no facilities for the display of goods. Any sale of goods and services shall constitute a clearly incidental part of the operation of the home occupation.
- vi. No commercial vehicles shall be stored at the premises except one delivery truck which does not exceed 12,000 gvw rated capacity.
- vii. The home occupation is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the building from that of a dwelling.
- viii. Home occupation signs shall be limited to one (1) identification nameplate, not larger in area than two (2) square feet fastened to the home, and one (1) sign, not larger in area than one (1) square foot, fastened to the side of the mailbox structure at or below the level of the mail box. No off-site advertising signs shall be permitted.
- ix. The home occupation shall not occupy an area not more than the equivalent of twenty-five percent (25%) of the livable area of the

dwelling or 1000 square feet, whichever is less. The livable area does not include the garage.

- x. The home occupation shall obtain a business license from the City.
- xi. The activities of the home occupation shall not involve the use of hazardous materials or chemicals in amounts that will increase the hazard of fire or explosion. Activities of the home occupation shall not decrease safety to the structure or occupants of the dwelling or adjacent dwellings.
- xii. The operation of the home occupation shall not produce any noise, smoke, glare, light, fumes, dust, electronic interference or similar condition which is discernible outside the dwelling.
- xiii. The physical appearance, traffic, and other activities in connection with the home occupation will not be contrary to the intent of the zone in which the home occupation is located and, in the opinion of the Planning Commission, the activities of the home occupation will not depreciate surrounding property values or the quality of the area for residential purposes as determined by the Planning Commission.
- xiv. A sexually-oriented business shall not be a home occupation.
- xv. An automotive repair business shall not be a home occupation.
- xvi. If the home occupation will have customers/clients coming to the home as part of the business, an inspection(s) of the business portion of the home is required to determine compliance with zoning, building, and life safety requirements. When no customers/clients will be coming to the home as part of the business, the applicant shall be required to submit the home business self fire inspection form.
- xvii. The City Planner or designee shall serve as the designated land use authority for home occupation applications meeting the following criteria:
  - (1) The application as proposed complies with all requirements and criteria for the home occupation as listed in this section.
  - (2) The home occupation must be conducted entirely within the dwelling or garage attached enclosed building on the property
  - (3) No customers or clients will visit designated location in connection to the home occupation.
  - (4) No additional employees, other than the residing family will be involved in the home occupation.
  - (5) No hazardous materials or chemicals will be used or stored on the property. The City Planner or designee may approve, approve with conditions, deny, or decline to consider the home occupation application in accordance with standards provided in this section. If the City Planner or designee declines to consider the application, the applicant may then seek approval from the Planning Commission. An applicant

may appeal all other decisions as provided in DCA 2.03.

- b. 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 as the designated land use authority may attach conditions to the granting of a home occupation consistent with the standards in this section 2.03.060.2 .
- c. 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, provided that (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. **Produce Stands** (Ord 96-05, 4/10/96). Incidental Produce Stands may be allowed as a conditional use, upon approval by the designated land use authority and subject to compliance with the following:

- a. Intent. The Intent and purpose of this Part is to allow the operation of incidental produce stands which supply the local market with needed food and farm products produced primarily on the premises.
- b. Terms and Conditions.
  - i. Incidental Produce Stands are listed as a conditional use in the zone.
  - ii. The property includes a minimum of five (5) acres.
  - iii. Products offered for sale should be consistent with the definition of Produce Stands; see DC 3.01.110.
  - iv. The Produce stand shall provide sufficient off-street parking space to safely accommodate the anticipated level of patrons and employees. The required off-street parking shall be in addition to the spaces required to meet the parking requirements of the primary use.
  - v. Each produce stand shall be entitled to one sign. Said sign shall have not more than thirty-two (32) sq. ft. of sign area and shall advertise only products of the lot. The sign shall not extend into the road right-of-way. Additional signage may be approved for parking and other items not related to advertisement.
  - vi. An annual business license to operate the produce stand shall be

obtained from the City.

- vii. The application shall include a detailed site plan showing the location of all dwellings and other buildings on the site and also all facilities and areas intended for use in the production, processing, storage and sales of the products intended to be offered for sale on the premises.

**4. Shooting Ranges :** Shooting Ranges may be permitted as a conditional use. All shooting ranges will be subject to compliance with Alpine City Code 9.17-Shooting Ranges and the following standards:

- a. All shooting ranges shall be located in a facility completely underground by a minimum of 10 inches from ceiling of the shooting range to the ground level, with walls and ceiling of steel, concrete or other material sufficiently thick to prevent any bullet or arrow from piercing it, and so arranged that there will be no danger from ricocheting or deflected pieces of bullet and have internal baffling installed so that the ammunition discharged will be completely contained within the shooting range.
- b. Indoor shooting ranges shall be constructed and insulated in such a manner that prevents sound from the discharge of firearms within the facility to exceed a maximum limit of sixty-five (65) dBA at the property line.
- c. Targets shall be placed before a backstop of steel or other material sufficiently thick to prevent any bullet or arrow from piercing it, and so arranged that there will be no danger from ricocheting or deflected pieces of bullet or arrow.
- d. All shooting ranges shall comply with all applicable laws, rules and regulations regarding lead contamination.
- e. Hours of operation shall be from 7:00 A.M. to 10:00 P.M. unless sound levels from the shooting range at the property line are forty (40) dBA or less. If forty (40) dBA or less sound levels are met, there shall be no limitation on hours of operation.
- f. A site plan shall be approved by the Lone Peak Chief of Police.
- g. All portions of the range shall be set back at a minimum of 12' from the nearest property line.
- h. The minimum lot size shall be 20,000 square feet.

(Ord. 94-06, 5/24/94; Amended by Ord. 2004-13, 9/28/04)  
(Amended by Ordinance 2005-21 on 12/20/05)



PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

\_\_\_\_\_.

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

Presiding Officer

Attest

\_\_\_\_\_  
Carla Merrill, Mayor, Alpine City

\_\_\_\_\_  
DeAnn Parry, City Recorder, Alpine  
City

## **ALPINE CITY COUNCIL AGENDA**

**SUBJECT: Resolution R2024-20 – Adopting the Certified Tax Rate for 2024**

**FOR CONSIDERATION ON: 11 June 2024**

**PETITIONER: Staff**

**ACTION REQUESTED BY PETITIONER: Adopt the certified tax rate for 2024**

### **BACKGROUND INFORMATION:**

The City is required to adopt the certified tax rate (or an adjusted rate) each year. The Utah State Tax Commission publishes the rate that will maintain the same property tax for the City, in addition to new growth. The City is required to adopt a tax rate by June 22. In order to meet our deadline, we are amending the City Council agenda to include the certified tax rate on the June 11 City Council meeting. The certified tax rate for 2024 is 0.001277 which will provide property tax revenue in the amount of \$2,659,542. This provides an increase in property revenue of approximately \$57,434 due to new growth. The tax rate for last year was 0.001281.

### **STAFF RECOMMENDATION:**

Approve Resolution R2024-20 adopting the 2024 certified tax rate at 0.001277.

### **SAMPLE MOTION TO APPROVE:**

I move to approve Resolution R2024-20 adopting the 2024 certified tax rate at 0.001277.



CERTIFIED TAX RATES

Welcome Ssorensen  
My Account  
Help  
Logout

View   Data Entry   Reports   Forms   Administration

Tax Year 2024   County 25\_UTAH   Entity 3010\_ALPINE CITY   Accounting Cycle: Fiscal Year

Tax Rate Summary (693) CTY

Preliminary Data

Data Entry (Auditor)	Auditor's Certified Rate Approved	Data Entry (Entity)	Proposed Rates Entity Approved	Proposed Rates County Approved	Proposed Rates USTC Approved *OK to Print*	Final Tax Rates USTC Approved	Rates Finalized
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Save   Approve

Proposed Tax Rate Value: \$ 2,082,648,429  
Budgeted Revenue / Proposed Tax Rate Value = Proposed Tax Rate

(1) Budget Code	(2) Budget Name	(3) Election Date	(4) Voted Rate Limit	(5) Utah Annotated Code	(6) Maximum By Law	(7) Calculated Certified Tax Rate	(8) Auditor's Certified Tax Rate	(9) Auditor's Certified Rate Revenue	(10) Proposed Tax Rate	(11) Budgeted Revenue	(12) Final Tax Rate	(13) Final Budgeted Revenue
10	General Operations			§10-6-133	.007	0.001277	0.001277	2,659,542				
	Total Tax Rate					0.001277	0.001277	2,659,542	0.000000		0.000000	

NOTES:

**ALPINE CITY**

**RESOLUTION NO. R2024-20**

**A RESOLUTION DETERMINING THE RATE OF TAX FOR THE 2024/2025 TAX YEAR AND  
LEVYING TAXES UPON ALL REAL AND PERSONAL PROPERTY WITHIN ALPINE CITY, UTAH**

**WHEREAS**, the Municipal Council of Alpine City must adopt the certified tax rate in conjunction with the adoption of the fiscal budget on an annual basis; and

**WHEREAS**, the requisite public notices and hearings have been published and conducted; and

**WHEREAS**, the certified tax rate must be established on or before the 22<sup>nd</sup> day of June of each year.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of Alpine City, Utah as follows:

**SECTION I  
TAX RATE AND LEVY**

A. For the purpose of defraying the necessary and proper expenses of Alpine City and for maintaining the government thereof, it is hereby determined that the rate of the general property tax to be levied against all real and personal property within Alpine City made taxable by law for the Fiscal Year 2024/2025 is hereby set at 0.001277 for the General Fund for a total levy of \$2,659,542 at which does not exceed the certified rate determined by the Utah County Auditor's Office.

B. There is hereby levied upon all real and personal property within Alpine City made taxable by law in the Fiscal Year 2024/2025, for the fiscal year of Alpine City ending June 30, 2025, the tax rate set forth above, on the taxable value of said property, to provide revenue for Alpine City General Fund for general City purposes.

C. As required by law, the rate hereinabove determined and levied, along with all statements and information required by law, shall be reported to the Utah County Auditor, State of Utah, and the Utah State Tax Commission.

D. It is understood that the Utah County Auditor may re-submit a reissued certified tax rate because of administrative error which may require the re-adoption of the certified tax rate. Such is the intent of the Council.

**SECTION II  
SEVERABILITY**

If any provision of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**SECTION III  
EFFECTIVE DATE**

This Resolution shall take effect immediately upon posting, as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.

**ADOPTED** by the City Council of Alpine City, Utah this 11th day of June, 2024.

**ALPINE CITY COUNCIL**

By: \_\_\_\_\_  
Carla Merrill, Mayor

[SEAL]

**VOTING:**

Jason Thelin	Yea ___	Nay ___	Absent ___
Jessica Smuin	Yea ___	Nay ___	Absent ___
Kelli Law	Yea ___	Nay ___	Absent ___
Chrissy Hannemann	Yea ___	Nay ___	Absent ___
Brent Rummler	Yea ___	Nay ___	Absent ___

**ATTEST:**

\_\_\_\_\_  
DeAnn Parry, City Recorder

**DEPOSITED** in the office of the City Recorder this 11th day of June, 2024.

**RECORDED** this 11th day of June, 2024.