



HIGHLAND CITY

HIGHLAND CITY COUNCIL AGENDA

TUESDAY, APRIL 21, 2026

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

VIRTUAL PARTICIPATION



YouTube Live: <http://bit.ly/HC-youtube>



Email comments prior to meeting: council@highlandut.gov

6:00 PM REGULAR SESSION

Call to Order: Mayor Brittney P. Bills

Invocation: Council Member Ron Campbell

Pledge of Allegiance: Council Member Doug Cortney

Respect Statement: Mayor Brittney P. Bills

1. UNSCHEDULED PUBLIC APPEARANCES

Anyone may share information with the City Council. If your comments require a response, staff or an Elected Official will contact you. Please limit your comments to three minutes per person. Please state your name.

2. PRESENTATIONS

Items in this section are formal presentations by invited organizations or individuals. If further discussion is needed, it will be brought to the City Council on a future agenda.

a. Youth Council Report - Easter Egg Hunt

Christian Moore and Maya Myres, members of the Youth Council along with Brooke Boyd, Civic Events Coordinator, will report to the City Council on the Easter Egg Hunt.

b. Central Utah Water - Gravel Pit & Aquifer Recharge

Bruce Ward, Kirk Beecher, and Derek Bruton from Central Utah Water will provide an update to the City Council on the status of the Gravel Pit & Aquifer Recharge west of the public works facility along Timpanogos Highway.

c. New Employee Introduction

Erin Wells, City Administrator, will present new employees to the City Council.

3. CONSENT ITEMS

Items on the consent agenda are of a routine nature. They are intended to be acted upon in one motion. Items on the consent agenda may be pulled for separate consideration.

a. Approval of Meeting Minutes *General City Management*

Stephannie Cottle, City Recorder

March 24, 2026

b. Ratification of Large Purchases *General City Management*

Erin Wells, City Administrator

The City Council will consider ratifying large purchases made in March 2026.

- c. **ACTION: Fire Station Driveway Change Order** *General City Management*
Chris Trusty, City Engineer/Public Works Director
The City Council will consider a change order for Concrete Concrete in the amount of \$12,106.50 for the fire station parking lot.

4. ACTION ITEMS

Items in this section are to be acted upon individually by the City Council. A report will be given on these items.

- a. **ORDINANCE: Business License and Home Occupation Standards Update - Allowing Daycares and In-Home Instruction in PDs** *Development Code Update (Legislative)*
Municipal Code Update (Legislative)
City Staff
The City Council will hold a public hearing to consider proposed amendments regarding business license and home occupations standards, including daycares and in-home instruction.
- b. **PUBLIC HEARING/ORDINANCE: Text Amendment - Rounding of Density Calculations in R-1-40** *Development Code Update (Legislative)*
Rob Patterson, City Attorney/Planning & Zoning Administrator
The City Council will hold a public hearing to consider amendments to the R-1-40 zone density calculation proposed by Ty Ricks.
- c. **ACTION: Highland Alpine Chamber of Commerce Memorandum of Understanding** *General City Management*
Erin Wells, City Administrator
The City Council will consider approving the proposed Memorandum of Understanding (MOU) between Highland City and the Highland Alpine Chamber of Commerce (Chamber).
- d. **ACTION: Solicitor License Appeal - Ludwig** *General City Management*
Rob Patterson, City Attorney/Planning & Zoning Administrator
The City Council, as the appeal body, will consider an appeal by Scott Ludwig of City staff's denial of his application for a solicitor's license.
- e. **ACTION: Lone Peak Public Safety District Fiscal Year 2026-2027 Tentative Budget** *General City Management*
Erin Wells, City Administrator
The City Council will consider approval of the Lone Peak Public Safety District Fiscal Year 2026-2027 Tentative Budget that was adopted by the Lone Peak Public Safety District Board on April 1, 2026 and Alpine City on April 15, 2026.

5. DISCUSSION ITEMS

Items in this section are for discussion, and include supplementary information in the packet. No final action will be taken.

- a. **Cemetery Perpetual Care Fund** *General City Management*
Jay Baughman, Assistant City Administrator/Community Development Director
Stephannie Cottle, City Recorder
The City Council will discuss options for cemetery plot fees in order to ensure the long-term viability of the Cemetery Perpetual Care fund, as well as options for plot buybacks and plot transfers.

6. COMMUNICATION ITEMS

Items in this section are for notification and update. No final action will be taken.

- a. **Potential Text Amendment - Requiring Development to Bury Power Lines**

Liz Rice, Council Member

b. Central Utah 911 Update

Doug Cortney, Council Member

c. Potential UDOT Construction of Timpanogos Highway Trail

Chris Trusty, City Engineer/Public Works Director

d. Pressurized Irrigation Water & City Property Watering Update

Chris Trusty, City Engineer/Public Works Director

e. Community Development Update (Current Projects**)**

Jay Baughman, Assistant City Administrator/Community Development Director

Rob Patterson, City Attorney/Planning & Zoning Administrator

7. CLOSED MEETING

The City Council may recess to convene in a closed meeting to discuss items, as provided by Utah Code Annotated §52-4-205.

ADJOURNMENT

In accordance with Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at (801) 772-4505 at least three days in advance of the meeting.

ELECTRONIC PARTICIPATION

Members of the City Council may participate electronically during this meeting.

CERTIFICATE OF POSTING

I, Stephannie Cottle, the duly appointed City Recorder, certify that the foregoing agenda was posted at the principal office of the public body, on the Utah State website (<http://pmn.utah.gov>), and on Highland City's website (www.highlandut.gov).

Please note the order of agenda items are subject to change in order to accommodate the needs of the City Council, staff and the public.

Posted and dated this agenda on the 16th day of April 2026.

Stephannie Cottle, CMC |UCC, City Recorder

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.



HIGHLAND CITY

HIGHLAND CITY COUNCIL MINUTES

Tuesday, March 24, 2026

Waiting Formal Approval

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

6:00 PM REGULAR SESSION

Call to Order: Mayor Brittney P. Bills

Invocation: Mayor Brittney P. Bills

Pledge of Allegiance: Council Member Liz Rice

Respect Statement: Mayor Brittney P. Bills

The meeting was called to order by Mayor Brittney P. Bills as a regular session at 6:03 pm. The meeting agenda was posted on the Utah State Public Meeting Website at least 24 hours prior to the meeting. The prayer was offered by Mayor Brittney P. Bills and those in attendance were led in the Pledge of Allegiance by Council Member Liz Rice. The Respect Statement was read by Mayor Brittney P. Bills.

PRESIDING: Mayor Brittney P. Bills

COUNCIL MEMBERS:

Ron Campbell	Present
Doug Cortney	Present
Liz Rice	Present
Kim Rodela	Present
Scott L. Smith	Present

CITY STAFF PRESENT: City Administrator Erin Wells, Assistant City Administrator/Community Development Director Jay Baughman, City Attorney/Planning & Zoning Administrator Rob Patterson, City Recorder Stephannie Cottle, City Engineer/Public Works Director Chris Trusty, Human Resources Generalist Jess Andra

OTHERS PRESENT: Jon Hart, Taylor Cutler, Alexandra Gruenewald, Heidi Conover, Angee Tanner, Britney Schultz, Brent Murdock, Lori Murdock, Kristin Richey, Sherry Kramer, Eileen H. Miller, Jerilene Pace Symmes, Liam Thrailkill

1. UNSCHEDULED PUBLIC APPEARANCES

Anyone may share information with the City Council. If your comments require a response, staff or an Elected Official will contact you. Please limit your comments to three minutes per person. Please state your name.

Eileen H. Miller, from the Utah Valley Home Builders Association, announced that Highland has seven homes participating in this year's Parade of Homes, running from June 4-20. This represents a significant increase from last year when Highland had no participating homes. Ms. Miller noted the most expensive home in the show is

valued at \$40 million. She also emphasized that builders have been instructed to obtain resident permission before placing signs on private property to comply with Highland's zoning requirements.

Taylor Cutler thanked Council Member Rice for visiting the Canal Boulevard and 6180 West intersection and acknowledged progress on paint and potential pedestrian studies. Ms. Cutler continued advocating for a flashing pedestrian walk sign or stop sign at this location, emphasizing ongoing safety concerns.

Heidi Conover, expressed concerns about her 12-year-old son who crosses Canal Boulevard at 6180 West ten times per week for school. She noted increased traffic over the years and requested a flashing pedestrian crossing or stop sign to improve safety for school children and neighborhood residents.

Alexandra Gruenewald addressed the 6180 West intersection safety issues, stating her intention was not to be a frequent speaker but emphasizing the intersection's dangerous conditions. She noted that while other east-west connectors (10400 North and 9600 North) have been discussed previously in council meetings, Canal Boulevard receives the most attention in meeting records. Ms. Gruenewald described personal experiences with near-misses while crossing with children and expressed concerns about liability costs versus improvement costs. She highlighted that while improvements are planned for other roads in the general plan, no improvements are specifically designated for the Canal Boulevard intersection.

Angee Tanner spoke on behalf of the Cottages on the Green HOA, a 40-year-old community zoned for no fencing. She described significant traffic noise increases since Canal Boulevard opened and questioned how the city plans to compensate older neighborhoods affected by new development. Ms. Tanner noted that only three unfenced properties remain along Canal Boulevard north to Timpanogos Highway, all built before 1985. She requested consideration for upgrading antiquated areas as new development occurs, noting that 18 of 24 HOA residents are on fixed incomes. A quote for 508 feet of barrier fencing was \$60,000, which is financially challenging for the community.

Britney Schultz also addressed the Canal Boulevard and 6180 West intersection, requesting safety measures such as a stop sign or flashing lights to help children cross safely. She noted that her 8 and 10-year-old children should be able to cross independently but currently require adult supervision due to safety concerns.

2. PRESENTATIONS

Items in this section are formal presentations by invited organizations or individuals. If further discussion is needed, it will be brought to the City Council on a future agenda.

a. New Employee Introduction

Erin Well, City Administrator, will present new employees to the City Council.

City Administrator Wells introduced Ryan Selee, the city's new staff engineer who joined after nearly two years of recruitment efforts. Ryan brings both municipal and private engineering experience and has already begun work on Canal Boulevard pedestrian counts as one of his initial assignments.

3. CONSENT ITEMS

Items on the consent agenda are of a routine nature. They are intended to be acted upon in one motion.

Items on the consent agenda may be pulled for separate consideration.

a. Approval of Meeting Minutes *General City Management*

Stephannie Cottle, City Recorder

March 3, 2026

b. Large Purchase Ratification *General City Management*

Erin Wells, City Administrator

The Council will consider the request to ratify large purchases for February 2026.

Brittney Bills asked for 3C be postponed to later in the meeting when the Planning Commission appointee is able to attend.

Council Member Ron Campbell MOVED to approve consent item 3a and 3b.

Council Member Liz Rice *SECONDED* the motion.

The vote was recorded as follows:

Council Member Ron Campbell	Yes
Council Member Doug Cortney	Yes
Council Member Liz Rice	Yes
Council Member Kim Rodela	Yes
Council Member Scott L. Smith	Yes

The motion carried 5:0

4. ACTION ITEMS

Items in this section are to be acted upon individually by the City Council. A report will be given on these items.

- a. **ACTION: Plat Amendment: Highland Heights Lots 18 & 19 Land Use (Administrative)**
Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will consider a request from Brent Murdock to approve a plat amendment adjusting the lot line between his and his neighbor's properties.

City Attorney/Planning & Zoning Administrator Patterson presented a minor lot line adjustment between two lots in the Dry Creek area, just south of 11800 North. The request involves shifting approximately 1,000 square feet from one lot to another to align with landscaping patterns established over the past 20 years. Both property owners have agreed to the adjustment, and staff recommends approval subject to obtaining final utility company approvals and recording required deeds with the county.

Council Member Cortney praised the collaborative approach between neighbors and proposed an amendment to finding number 5 to better reflect compliance with development code requirements.

Council Member Liz Rice *MOVED* that City Council accept the findings and *APPROVE* the proposed subdivision plat amendment subject to the one (1) stipulation recommended by Doug Cortney, and not by staff.

There was some discussion regarding the implications of the motion and Council Member Rice offered an alternate motion.

Council Member Liz Rice *MOVED* that City Council accept the amended 4A-1 findings and *APPROVE* the proposed subdivision plat amendment subject to the one (1) following stipulation recommended by staff.

- 1. Prior to recording the plat, the applicant obtain all utility company approvals for adjusting the PUEs and record a deed transferring the property moved from lot 19 to lot 18.

Council Member Scott L. Smith *SECONDED* the motion.

The vote was recorded as follows:

Council Member Ron Campbell	Yes
Council Member Doug Cortney	Yes

Council Member Liz Rice Yes
Council Member Kim Rodela Yes
Council Member Scott L. Smith Yes

The motion carried 5:0

b. RESOLUTION: Fling Fees Update *General City Management*

Jay Baughman, Assistant City Administrator/Community Development Director

The City Council will consider a request to approve an increase to the fees related to the Highland Fling summer celebration.

Assistant City Administrator/Community Development Director Baughman presented a proposal for a 10% fee increase for Highland Fling events, with Council Member Cortney suggesting rounding to nearest dollar amounts to simplify on-site transactions. Mr. Baughman noted that fixed costs have increased 9-25% over the past three years, making the increase necessary for the event's financial sustainability.

Council members expressed concerns about potential impacts on participation, particularly regarding sponsorship fees given last year's lack of a promotional booklet. Several members worried that fee increases might discourage business participation and community engagement. Specific concerns were raised about youth fees and sponsorship levels.

After extensive discussion about balancing fiscal responsibility with community accessibility, Council Member Campbell proposed modifications to the increase proposal, focusing on maintaining affordability and fostering participation among community members. He suggested raising fees to the rounded amounts as outlined, but with exceptions for certain categories to remain at current levels. Specifically, the modifications included maintaining existing fees for disc golf youth participants, pickleball registration for players under 17, sponsorship fees, and art show entries for both adult and youth categories. These exceptions aimed to support youth involvement in community events and to address concerns about sponsorship participation, considering last year's feedback regarding the lack of a promotional booklet. Council Member Cortney supported this motion, acknowledging the importance of a balanced approach that addresses fiscal needs while ensuring accessibility and community engagement. Council Member Rice noted potential collaboration opportunities with the Chamber of Commerce for Fling event support.

Council Member Ron Campbell MOVED that City Council raise the fees as outlined in the attachment, with the exception of disc golf for youth, pickleball for registration players under 17, the art show for both adult and youth, and sponsorships remaining the same. All increased fees will use the rounded amount.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

Council Member Ron Campbell Yes
Council Member Doug Cortney Yes
Council Member Liz Rice No
Council Member Kim Rodela Yes
Council Member Scott L. Smith Yes

The motion carried 4:1

5. EXPEDITED ITEMS

Items in this section are to be acted upon individually by the City Council. These items have previously

been discussed by the Council. No report will be given.

a. RESOLUTION: Highland Boulevard Roundabout MAG Grant Memorandum of Understanding *General City Management City Staff*

The City Council will consider approving a Memorandum of Understanding (MOU) with Mountainland Association of Governments related to improvements along Highland Boulevard.

City Engineer/Public Works Director Trusty explained the Memorandum of Understanding with Mountainland Association of Governments for Highland Boulevard improvements, including roundabout construction and median installations. The agreement provides \$1 million in funding, with potential excess funds available for other street projects such as detour road maintenance or 10100 North improvements in the Ridgeview area.

Council Member Smith asked about using excess funds for traffic calming measures, which Mr. Trusty stated that the excess is eligible for road projects.

Council Member Scott L. Smith MOVED that the City Council approve the Memorandum of Understanding and resolution between Mountainland Association of Governments and Highland City for the funding of improvements along Highland Boulevard, which includes the roundabout and medians, as discussed.

Council Member Liz Rice SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Liz Rice</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

6. DISCUSSION ITEMS

Items in this section are for discussion, and include supplementary information in the packet. No final action will be taken.

a. Potential Personnel Policy Change - Automatic Retirement Contribution Amounts for Employees *General City Management*

Jess Andra, Human Resources Generalist

The City Council will consider a possible adjustment to city personnel policies regarding retirement contributions for staff.

Human Resources Generalist Jess Andra presented options for changing from an "opt-in" to "opt-out" retirement contribution system for employees. Currently, the city provides a 2.2% base contribution plus up to 4% matching for employee 401k/457 contributions, serving as a substitute for Social Security. Eight of 34 employees currently do not participate in the full 4% match. Research suggests 90% of people stick with default settings, potentially improving employee retirement security through automatic enrollment with opt-out provisions. However, Council Members expressed concerns about fiscal impacts on taxpayers and the importance of employee choice.

Council Member Smith emphasized the need to balance employee benefits with taxpayer considerations, while Council Member Campbell argued that automatic enrollment would benefit employees long-term, comparing it to military GI Bill programs.

After discussion, the Council decided not to move forward with changing to an opt-out system, preferring to

maintain the current opt-in approach while clarifying existing policies. City Administrator Wells indicated that Administration is working on comprehensive updates to the City's personnel policy manual and this matter may be discussed again at the time those updates are presented to the Council.

Mayor Bills requested that the Community Development Update be provided after the Open Space and Orphan Parcel Sale Application.

b. Open Space & Orphan Parcel Sale Application *General City Management*
Jay Baughman, Assistant City Administrator/Community Development Director

The City Council will discuss the Open Space & Orphan Parcel Sale Application and give feedback to staff.

Mr. Baughman presented a draft application process for residents seeking to purchase city-owned orphan parcels adjacent to their properties. The administrative tool would help staff evaluate requests against established criteria before bringing them to the council for final decisions.

Council Members discussed the appropriateness of including questions about property encroachment, with mixed opinions on whether this should result in penalty pricing or simply acknowledgment of existing conditions. Some members expressed concern about penalizing residents who have maintained City property due to lack of city maintenance, while others supported documenting encroachment history.

Council Member Cortney suggested adding language clarifying that prices are set by council and including application dates for pricing consistency.

The Council generally supported the application approach while declining to add the encroachment penalty provisions at this time.

COMMUNICATION ITEM

g. Community Development Update ([Current Projects List](#))

Jay Baughman, Assistant City Administrator/Community Development Director
Rob Patterson, City Attorney/Planning & Zoning Administrator

City Attorney/Planning & Zoning Administrator Patterson and Assistant City Administrator/Community Development Director Baughman discussed complexities surrounding accessory structures and setback requirements in Highland. After a recent case involving a resident who constructed a pergola violating setback rules, the Council considered amending the zoning code to better accommodate open space neighborhood realities.

Proposed Solutions:

Option 1: Redefine setbacks for decks and covered patios to be treated as accessory structures, with a minimum 10-foot distance from property lines. Staff expressed support for making this change, as it would potentially aid several residents facing similar challenges without causing major visual or neighborhood impact.

Options 2 and 3: Consider broader revisions, such as changing rear lot setbacks in open space zones or altering accessory structure setbacks. However, these solutions might encourage larger home extensions and have more significant urban impact. Therefore, these options were not favored as much compared to Option 1.

The Council generally expressed agreement with Option 1 as the most straightforward solution to current issues, enabling homeowners to obtain necessary permits more easily without contravening City regulations.

Mr. Patterson also sought Council input on whether plat amendments should continue to be brought before the

Council or handled administratively by staff. The Council was divided on the issue: Council Members Smith and Rice favored continuing to involve the Council in plat amendment decisions due to the importance of ensuring awareness and maintaining oversight on land use matters. Conversely, Council Members Rodela and Campbell supported delegating these decisions to staff, emphasizing efficiency and trusting staff judgment on non-controversial amendments. Council Member Cortney expressed support for administrative approval but recognized the need for an "escape valve" to refer complex cases to the Council. Council Member Rice emphasized the importance of involving the Council in plat amendment decisions to prevent any potential surprises for the Council Members and maintain transparency. She expressed concerns about the instances where Council Members might be approached by residents questioning a decision on plat amendments that were not publicly discussed or brought to the Council's attention. She stated that being aware and involved in such decisions empowers the Council Members to respond knowledgeably to resident inquiries, ensuring they are not caught off guard.

7. COMMUNICATION ITEMS

Items in this section are for notification and update. No final action will be taken.

a. **Traffic Calming Toolbox - East West Collector Road Rankings**

Chris Trusty, City Engineer/Public Works Director

Mr. Trusty presented a comprehensive traffic analysis of east-west corridors using the city's traffic calming toolbox scoring system. The analysis considered factors including 85th percentile speeds, traffic volumes, accident history, roadway context, and proximity to schools and active transportation facilities. Key findings showed 11800 North and Canal Boulevard East tied for highest priority scores of 100, followed by 10400 North (87), 9600 North (70), Canal Boulevard West (60), Canal Boulevard Mid (45), and 11200 North (35). For the highest-priority 11800 North corridor, staff recommended chicanes at the school crossing with rapid flashing beacons. For Canal Boulevard at 6180 West, painted bulb-outs were proposed as an alternative to concrete installations, offering faster implementation and better visibility while avoiding winter maintenance issues.

Mr. Trusty addressed four-way stop sign requests, noting that traffic calming guidelines discourage stop signs for speed reduction and that the intersection does not meet Manual on Uniform Traffic Control Devices (MUTCD) warrant requirements for four-way stops based on current traffic and pedestrian volumes.

Regarding Canal Boulevard naming consistency, staff noted confusion between "Madison Avenue" and "Canal Boulevard" designations and sought Council direction on standardizing the name throughout the corridor. Council members generally supported the proposed chicanes for 11800 North and painted bulb-outs for Canal Boulevard, while expressing continued concern about the 6180 West intersection safety issues. There was mixed opinion on street name standardization, with some preferring to survey affected residents before making changes.

CONSENT ITEM

b. **Planning Commission Appointment** *General City Management*

Brittney Bills, Mayor

The City Council will consider the Mayor's request to ratify the appointment of Steve Scharmman and Liam Thrailkill as Alternates on the Planning Commission.

The Council revisited this item when appointee Liam Thrailkill arrived. Mr. Thrailkill introduced himself and indicated that he is currently working for Holland and Hart law firm in government affairs, with previous experience at the Utah League of Cities and Towns. He served on the General Plan Advisory Committee and supports maintaining Highland's existing zoning patterns.

Council members praised his qualifications and experience. Council Member Smith emphasized the importance of Planning Commission attendance and participation, noting the body's significant authority in land use decisions.

Council Member Kim Rodela *MOVED* that the City Council ratify the Mayor’s appointment of Steve Scharmann and Liam Thrailhill as Alternate Commissioners on the Planning Commission to serve for one year terms.

Council Member Ron Campbell *SECONDED* the motion.

The vote was recorded as follows:

Council Member Ron Campbell	Yes
Council Member Doug Cortney	Yes
Council Member Liz Rice	Yes
Council Member Kim Rodela	Yes
Council Member Scott L. Smith	Yes

The motion carried 5:0

b. Parks and Open Space Watering Plans 2026

Chris Trusty, City Engineer/Public Works Director

Mr. Trusty presented information concerning drought conditions, with current snowpack at 58% and water supply forecast at 65% of normal. American Fork Irrigation Watermaster Ernie Johns indicated this could be the driest year in 30 years without significant precipitation in coming weeks.

Staff outlined three watering options: (1) start irrigation April 15 with voluntary conservation, (2) irrigate only playable fields and ball fields starting in May, or (3) no watering until May. Each option carries risks regarding brown areas, over-watering compensation, and long-term turf recovery.

Council Members strongly favored Option 1, citing concerns that delayed watering leads to over-watering when irrigation begins and potential use of culinary water for emergency watering. Council Member Campbell emphasized the urgent need for resident education about water conservation, suggesting voluntary reduction to two days per week.

Discussion included implementing comprehensive conservation education, promoting smart irrigation systems, and potentially expanding conservation messaging to include indoor water use reductions.

c. Potential Text Amendment - Requiring Development to Bury Power Lines

Liz Rice, Council Member

This item will be discussed at a later meeting.

d. Emergency Preparedness

Liz Rice, Council Member

Council Member Rice encouraged community participation in the April 16 Great Shake Out drill and promoted various emergency preparedness resources including NFPA backpack emergency kits, Be Ready Utah website, senior-specific preparedness information, and wildfire preparedness for pets.

e. Central Utah 911 Update

Doug Cortney, Council Member

This item will be discussed at a later meeting.

f. Fire Station Driveway Update

Chris Trusty, City Engineer/Public Works Director

City Engineer/Public Works Director Trusty reported change orders totaling approximately \$30,000 beyond the original \$244,000 project budget due to construction complications. Issues included sidewalk repairs, utility relocations, and discovery of failed roof drainage systems that had compromised the parking lot foundation. Staff recommended proper remediation including geo-grid installation and improved drainage to prevent future problems.

The project also required relocation of the dumpster pad due to neighbor concerns. Staff is pursuing reimbursement from Rocky Mountain Power for delays caused by their slow response to utility relocations.

8. CLOSED MEETING

The City Council may recess to convene in a closed meeting to discuss items, as provided by Utah Code Annotated §52-4-205.

At 9:21 pm Council Member Scott L. Smith MOVED that the City Council recess the regular meeting to convene in a closed meeting in the Executive Conference Room to discuss deployment of security personnel, devices, or systems, and pending or reasonably imminent litigation, as provided by Utah Code Annotated §52-4-205.

Council Member Liz Rice SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Liz Rice</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

Council Member Doug Cortney MOVED to adjourn the CLOSED MEETING and Council Member Scott L. Smith SECONDED the motion. All voted in favor and the motion passed unanimously.

The CLOSED MEETING adjourned at 10:42 pm.

ADJOURNMENT

Council Member Scott L. Smith MOVED to adjourn the regular meeting and Council Member Liz Rice SECONDED the motion. All voted in favor and the motion passed unanimously.

The meeting adjourned at 10:43 pm.

I, Stephannie B. Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on March 24, 2026. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie B. Cottle, CMC, UCC
City Recorder

Highland City Large Purchases Tracking (\$25,000+)

Fiscal Year: 2025-2026

Month: March 2026

Date	Vendor	Check #	GL Account	Amount	Description
3/10/2026	Lone Peak Public Safety District	38307	10-54-31, 10-57-11, 10-57-31	\$ 519,939.74	March 2026 Public Safety Assessments
3/10/2026	Timpanogos Special Service District	38320	52-40-42	\$ 150,388.79	Feb 2026 Sewer Treatment User Fees
3/10/2026	WM Corporate Services, Inc	38325	10-73-50	\$ 85,860.47	Solid Waste Hauling Contract
3/17/2026	Timpanogos Special Service District	38359	52-2132	\$ 40,319.28	Feb 2026 TSSD Impact Fees
3/24/2026	Servpro of Utah County	38392	10-43-34	\$ 38,572.62	Library Fire Damage Repair*

*The City did receive a reimbursement from our insurance company for the damage repair, minus our deductible.



CITY COUNCIL AGENDA REPORT

ITEM #3c

DATE: April 21, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Chris Trusty, City Engineer/Public Works Director
SPONSORED BY: City Staff
SUBJECT: Fire Station Driveway Change Order
TYPE: General City Management

PURPOSE:

The City Council will consider a change order for Concrete Concrete in the amount of \$12,106.50 for the fire station parking lot.

STAFF RECOMMENDATION:

Staff recommends approval of a change order in the amount of \$12,106.50.

PRIOR COUNCIL DIRECTION:

On February 18, 2025, Council approved a bid award to Concrete Concrete for the fire station parking lot replacement in the amount of \$244,620.20 which included a 10% contingency of \$22,238.20. The total cost increases ultimately amounted to \$34,344.70, which is \$12,106.50 above the included contingency.

On March 24, 2026, staff communicated to Council that it was looking like it may be a possibility that the contingency amount would be exceeded, but details were forthcoming. Council gave staff verbal approval to proceed.

BACKGROUND:

Below is a summary of all the change orders to date for the fire station.

1. Additional costs for delayed start to project = \$10,077.50
2. Additional concrete and sidewalk removal/replacement = \$5,426.20
3. Dumpster relocation and bollards = \$2,000
4. Soft spot repair due to broken roof drain = \$8,605
5. Repair broken roof drain = \$5,961 (they ended up having to remove and replace 53' of the curb and gutter up against the building in order to fix the roof drain)
6. Additional cost to use a 4" thick block instead of an 8" block for the dumpster enclosure. The 4" block is the only one they could find that matches the existing fire station color = \$800
7. Additional weed barrier under the con-ex gravel pad = \$425
8. Additional grading north of con-ex gravel pad = \$1,050. The drawings don't specifically call out that this area needs to be graded. They currently have it graded flat for the con-ex pad and have

left a 2' tall vertical soil wall. This additional cost is to slope grade this to the north to where it catches existing ground.

The total of all these change orders is now \$34,344.70

City Staff are still negotiating with Rocky Mountain Power to have them pay the \$10,077.50 delay costs as the project was stalled for quite some time due to their not processing our application to move their power box. If staff is able to recoup those costs, the cost increase over contingency would be diminished to \$2,029.

FISCAL IMPACT:

Funding for this expense is included GL 42-40-65 in the Building Capital Fund. The funding gap would come from fund balance in the Building Capital Fund, unless otherwise directed by Council.

MOTION:

I move that City Council approve a change order in the amount of \$12,106.50 for the fire station driveway project.

ATTACHMENTS:



CITY COUNCIL AGENDA REPORT

ITEM #4a

DATE: April 21, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Rob Patterson, City Attorney/Planning & Zoning Administrator
SPONSORED BY: City Staff
SUBJECT: Business License and Home Occupation Standards Update - Allowing Daycares and In-Home Instruction in PDs
TYPE: Development Code Update (Legislative)
Municipal Code Update (Legislative)

PURPOSE:

The City Council will hold a public hearing to consider proposed amendments regarding business license and home occupations standards, including daycares and in-home instruction.

STAFF RECOMMENDATION:

Staff recommends adoption of the amendments that modernize business license procedures and provide clarity and consistency to business licenses and home occupation regulations. As to whether smaller lots in certain open space subdivisions or planned developments should be permitted to operate home occupation daycares and in-home instruction, staff does not have a specific recommendation other than maintaining consistency between all zones and developments. Staff believes the recommendation of the Planning Commission is a good way to accomplish this.

PRIOR COUNCIL DIRECTION:

During several meetings in 2022, the City Council considered whether to amend the City's home occupation regulations to facilitate daycare, preschools, and other similar in-home instruction (swim lessons, piano lessons, etc.) that operate within a residential property. The Council considered numerous options and potential regulations, including regulating the number of students, requiring distancing between uses, whether to allow non-resident employees, and imposing regulations based on number of students. Ultimately, the Council adopted regulations that allowed the daycare/in-home instruction uses within the City's residential zones, allowing non-resident employees, with no limit on the number of students. The allowed daycare/in-home instruction uses were specifically not extended to the City's planned development areas (Ridgeview, Town Center, Skye Estates, 10700, Wild Rose), though some of those planned developments nevertheless ended up being permitted to have the uses because the governing planned development agreement incorporates uses allowed in the City's residential zones.

On September 2, 2025, the Council discussed whether to readdress the City's regulations regarding home occupation daycares and in-home instruction, as they are permitted in typical residential zones, including open space subdivisions, but prohibited in some similarly sized properties within some Planned Developments. The Council indicated support for revising the home occupation standards to ensure they were applied equitably across similarly sized residential properties.

BACKGROUND:

Based on the Council's direction, staff worked on a text amendment to the development code allowing and regulating home occupation daycares and in-home instruction. As staff reviewed these regulations, staff noted that there were inconsistencies in the City's home occupation standards, home occupation daycare and in-home instruction standards, and business license standards. The City's business license standards in particular have not been substantially revised since 1995. Accordingly, staff has proposed numerous amendments to both the municipal code and development code to resolve these inconsistencies, ensure the code reflects the City's current practices, and provide clearer application, denial, revocation, and appeal procedures. The proposed amendments are summarized below:

Municipal Code (general business license and home occupation license procedures)

1. Clarified definitions
2. Removed redundant or extraneous language
3. Made the business license official (BLO), designated by the city administrator, responsible to receive and process applications, not the city recorder. Currently, this person is Candice Linford, City Treasurer.
4. Specifically authorize the BLO to require other City departments and government entities (county health, fire department, state licensing) review and approve a business or home occupation license prior to issuance
5. Specifically allow for temporary business licenses, which can be issued in extenuating circumstances when a limited-term business license is necessary
6. Specifically allow conditions of approval to be imposed on a business/home occupation license
7. Clarified those who are exempt from obtaining a business license
 - a. Occasional businesses run by minors (state law)
 - b. Sellers of ag products raised and sold on seller's property (current exception)
 - c. Home occupations (get home occupation license instead)
 - d. Solicitors (get solicitation license instead)
 - e. Businesses that do not have a place of business in Highland, such as deliveries, online sales, contractors, mobile businesses that comply with state law. This is a new regulation, but is current practice. We don't require contractors or delivery crews coming into Highland to get a business license.
8. Updated renewal and delinquency process to allow for voluntary termination, state that if a license is not timely renewed, the matter is referred to city attorney for action, but not necessarily prosecution. Other timing stays same (on or before June 1 - renewal statement, Aug 1 - penalty fee added, Aug 15 - final notice).
9. Clarified business license classifications. Removed class IV (home occupation) and V (contractor) business licenses, as those are handled elsewhere or not at all
10. BLO approves licenses (not recorder/mayor/city admin/zoning admin)
11. Mayor and BLO sign licenses (not recorder)
12. Allow both criminal and civil remedies
13. Changed denial and revocation process. Previously, only the Council could deny an application or revoke a license. Now, the BLO can deny or revoke upon notice to licensee, but the notice must provide the appeal process. Appeals are heard by the City Council. This is practically how the City has been operating, but this clarifies the process.
14. Updated temporary sales/temporary use regulations to point to development code and require separate business license
15. Added section regarding mobile businesses/food trucks in accordance with state law. As part of this, mobile businesses can only operate in zones that allow the type of business of the mobile business, unless the City authorizes in writing a mobile business to operate on City property

(e.g., Fling)

16. Revised home occupations license procedures

- a. Removed all use regulations from municipal code and put all in development code
- b. Removed review and approval process regulations from development code and put all in municipal code
- c. Moved the 300' mailed notice requirement to municipal code and gave some clarity on how to handle objections
- d. Require home occupations that have outside employees/clients to comply with business license regulations for hours of operation, posting of license
- e. Same denial, revocation, and appeal process as business licenses, except that, for home occupation licenses that are not timely renewed, rather than imposing penalty fines and forwarding to the city attorney for action, the home occupation license is closed and deemed voluntarily terminated. Because the city generally does not charge application or renewal fees for home occupations, there is no real penalty by terminating non-renewed home occupations, as the applicant can easily re-apply. It does not seem necessary for staff to spend time tracking down non-renewed home occupations to see whether the business is still operating and needs a license (and it is practically impossible to do so anyway in most cases).

18. Made commercial vehicle parking consistent between municipal code and development code. Allowed to have one commercial vehicle visibly parked, but all others must be garaged or screened from view. Employee parking must comply with home occupation parking plan.

Development Code - Home Occupation standards

1. Development Code on home occupations generally:
 - a. Clarify the definition of a home occupation to include any commercial activity by the resident on a property that (1) is not a separate use identified in code (e.g., museums) and (2) is not just an employee doing work for an employer (remote work). This will ensure it is clear that any commercial activity on a property by a resident must meet home occupation standards.
 - b. Removed specific uses for daycares and in-home instruction in R-1-40, R-1-20, and R-1-30 zones, instead address the generally applicable home occupation code
 - c. Clarified how 25% use of property works with multiple dwelling units (25% of each DU)
 - d. Added clearer standards for when a home occupation generates unusual/excessive traffic and therefore is not permitted. These act as "safe-harbors," where compliance with these does not 100% guarantee that the home occupation meets code, but they do provide clear guidelines of when a home occupation is too much.
 - i. Doubles the normal trip generation of the home
 - ii. Requires traffic and parking that cannot be accommodated on-site or within half-street frontage of property
 - iii. Involves medium- or heavy-duty deliveries or shipments
 - iv. Require traffic and parking for a home occupation to comply with city parking and clearance regulations
 - e. Coordinated commercial vehicle parking between municipal code and development code (allowed 1 commercial vehicle, all rest must be out of sight)
2. Development Code on daycares/in-home instructions
 - a. Made regulations part of general home occupation code, rather than zone-specific
 - b. Resolved inconsistencies between home occupation use regulations and daycare/in-home instruction practicalities (allowed to employ non-residents, use yard, accessory buildings,

- and generate traffic)
- c. Clarified what should be submitted as part of traffic flow and parking plan - number of employees, number of students/clients, time of arrival and departure, site plan showing parking areas, hydrants, traffic control, adjacent intersections, crossings, and driveways
 - d. Specify that home occupation daycares and in-home instruction are allowed on any residential lot over 8,000 SF (over ¼ acre) with at least 80 feet of frontage in residential zones, including Ridgeview, Skye Estates, and Wild Rose

Because open space and other neighborhoods with similar density are permitted to have daycares and in-home instruction, it seems to make sense to allow similarly sized lots in planned developments to be permitted to have daycares and in-home instruction. For reference and comparison, below are charts showing lot sizes and frontages in different open space subdivisions (R-1-40) and planned developments

Open Space	Beacon Hill	Canterbury	Mtn Ridge
Lot Size	11,000-24,000 SF most > 11,000 SF	9,000-22,000 SF majority > 11,000 SF	14,000-23,000 SF
Frontage	80'-135', most > 100' cul-de-sacs 60'	80'-135', most < 100' cul-de-sacs 50'	110'-130' cul-de-sacs 50'

Open Space	View Pointe	Wimbleton	Windsor/Apple Blossom
Lot Size	9,000-12,000 SF majority < 11,000 SF	12,000-20,000 SF majority > 13,000 SF	9,500-20,000 SF ~ half > 11,000 SF
Frontage	80'-135', most < 100' cul-de-sacs 50'	100'-130', most < 115', cul-de-sacs 65'	80'-110', most < 100' cul-de-sacs 40'-60'

PDs	Skye Estates	SE - Stirling Pointe	Wild Rose
Allow DC/IHI?	Yes	Yes	Yes
Lot Size	8,000 SF min, most 10,000-15,000 SF	Condominium, 1,600 SF min	8,000 SF min, most 10,000-13,000 SF
Frontage	70' min, most ~80'	~40' per unit	80' min

PDs	Ridgeview - Estate	Ridgeview - Cottage	Ridgeview - Carriage
Allow DC/IHI?	No	No	No
Lot Size	7000 SF min, most 9000- 12,000 SF, ave 10,000	3,500 SF min, most ~3,800 SF	~2,400 SF
Frontage	60' min, most 80'-90'	40' min, most ~43'	30' min

PLANNING COMMISSION ACTION

The Planning Commission considered the development code amendments at a public hearing on March 31, 2026. There were no comments received. The Planning Commission did not consider the municipal

code amendments, as those are not land use regulations reviewed by the Commission.

Staff's initial proposal to the Planning Commission was to allow home occupation daycares and in-home instruction on residential lots of at least 11,000 square feet (approximately quarter-acre lots) with frontages of 90 feet or more. Staff also proposed alternative regulations for the residential lots allowed to have daycares and in-home instruction that were more or less strict. The Planning Commission discussed the options and concluded that, due to the clearer guidelines and requirements for the required parking and traffic circulation plan, the Planning Commission was not concerned with allowing home occupation daycares and in-home instruction on smaller lots, because staff could review the proposed plan and limit daycares/IHI that did not have adequate parking/drop-off areas.

Accordingly, the Planning Commission unanimously recommended that the City Council adopt the proposed amendments to the development code as recommended by staff, with the change to allow home occupation daycares and in-home instruction on lots of at least 8,000 square feet with at least 80 feet of frontage. This is the language that is being presented to the City Council with this report.

STAFF REVIEW

Staff has prepared these amendments to update licensing procedures to match current practices, address some missing regulations (mobile businesses), and resolve internal inconsistency in regulations for home occupations, including daycares and in-home instruction. Staff therefore recommends adoption of the amendments as part of the ongoing code clean-up efforts. Two ordinances are included with this report: one for all municipal code amendments, and one for all development code amendments.

Notice of the public hearing on the Development Code amendments was published April 9. No comments were received.

FISCAL IMPACT:

No anticipated fiscal impact.

MOTION:

I move that City Council adopt the ordinance amending the municipal code regarding business license and home occupation regulations and adopt the ordinance amending the development code regarding home occupations, daycares, and in-home instruction.

[Council may adopt additional or different amendments to either code]

ATTACHMENTS:

1. Ordinance - Development Code Home Occupations (As Rec by PC)
2. Ordinance - Municipal Code Business License Regulations

AN ORDINANCE AMENDING HIGHLAND CITY DEVELOPMENT CODE RELATED TO HOME OCCUPATIONS, DAYCARES, AND IN-HOME INSTRUCTION

WHEREAS, Highland City is authorized to enact land use regulations that govern the use and development of property in accordance with State law;

WHEREAS, Highland City is authorized to license and regulate businesses within Highland in accordance with State law, including Utah Code Ann. § 10-1-203;

WHEREAS, Highland City desires to clarify and update its regulations regarding home occupations, including daycares, preschools, and other in-home instruction businesses operated as home occupations;

WHEREAS, a duly noticed public hearing was held by the Planning Commission regarding the proposed amendments on March 31, 2026, after which hearing the Commission recommended adoption of certain amendments;

WHEREAS, the Highland City Council provided notice of and conducted a public hearing regarding the proposed amendments and to review the recommendation of the Planning Commission on April 21, 2026;

WHEREAS, the Highland City Council finds that the proposed amendments further the public welfare and are in the interest of the public.

NOW THEREFORE, BE IT ORDAINED by the Highland City Council as follows:

SECTION 1. The Highland Development Code is amended as shown in Exhibit A, attached hereto.

SECTION 2. The City Recorder, under the supervision of the City Administrator and City Attorney, may make non-substantive corrections to any portion of this ordinance and to the City codes referenced herein for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.

SECTION 3. All ordinances and parts and provisions thereof in conflict with this ordinance are repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect immediately upon its adoption and publication, in accordance with law.

ADOPTED AND PASSED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH, this 21st day of April, 2026.

Brittney P. Bills
Mayor

ATTESTED:

Stephannie B. Cottle
City Recorder

Exhibit A

Amendments to Development Code

3-4102 Permitted Uses [R-1-40]

The following buildings, structures, and uses of land shall be permitted in the R-1-40 Zone upon compliance with requirements set forth in this Code:

...

16. Home Occupations ~~please refer~~pursuant to Article 6, Section 3-614, Supplementary Regulations

~~17. Daycares accessory to a single family dwelling.~~

~~a. All Home Occupation regulations found in Article 6 Supplementary Regulations are required, except that employed caregivers associated with the Daycare are not required to be bona fide residents of the home.~~

~~1. One (1) off street parking space is required for each employed caregiver that does not live in the home.~~

~~b. All daycares must receive applicable licensing from the Utah Department of Health and Human Services. A copy of this license must be submitted to the City.~~

~~c. All daycares must provide a traffic flow and parking plan to be approved by City staff.~~

~~18. In-home instruction (includes preschools) accessory to a single family dwelling.~~

~~a. All Home occupation regulations in Article 6 Supplementary Regulations are required, except that employed teachers or instructors associated with the in-home instruction are not required to be bona fide residents of the home.~~

~~1. One (1) off street parking space is required for each employed teacher or instructor that does not live in the home.~~

~~b. All in-home instruction must provide a traffic flow and parking plan to be approved by City Staff.~~

~~c. A background check is required for teachers or instructors of preschools.~~

3-4202 Permitted Uses [R-1-20]

The following buildings, structures, and uses of land shall be permitted in the R-1-20 Zone upon compliance with requirements set forth in this Code:

...

14. Home Occupations ~~please refer~~pursuant to Article 6, Section 3-614, Supplementary Regulations.

~~15. Daycares, preschools, or in-home instruction; please refer to Section 3-4102(17) and Section 3-4102(18) in this code.~~

~~16-15.~~ 15. Model Homes, Please refer to Article 6 Supplementary Regulations Section 3-617 Model Homes.

3-4252 Permitted Uses [R-1-30]

The following buildings, structures, and uses of land shall be permitted in the R-1-30 Zone upon compliance with requirements set forth in this Code:

...

11. Home Occupations ~~please refer pursuant~~ to Article 6, Section 3-614, Supplementary Regulations
12. Accessory Dwelling Units for residential property; please refer to Article 6, Section 3-624, Supplementary Regulations in this Code.
13. Public buildings and grounds, including maintenance buildings, storage yards, storage structures, and repair shops.
14. Public parks and open space including appurtenances primarily associated with a public park as follows: playground equipment, pavilions, restrooms, temporary restrooms, benches, tables, outdoor athletic courts, outdoor athletic fields, outdoor sand pits, permanent barbeque pits/stands, and permanent accessory buildings associated with the maintenance of those grounds (if smaller than 1800 square feet (footprint), two (2) stories maximum), concessions (if associated with a sport park and attached to a restroom facility), and temporary facilities associated with temporary City held events.
- ~~15. Daycares, preschools, or in-home instruction; please refer to Section 3-4102(17) and Section 3-4102(18) in this Code.~~
- ~~16.~~15. Model Homes. Please refer to Article 6 Supplementary Regulations Section 3-617 Model Homes.

3-614 Home Occupations

1. The terms and definitions provided in Chapters 5.04 and 5.08 of the Municipal Code are incorporated herein.
2. A home occupation license shall be obtained for all home occupations according to the procedures and standards set forth herein and in Chapter 5.08 of the Municipal Code before a person may engage in business on a residential property.
3. The acts of employees rendering services to employers, conducted entirely within a dwelling unit or accessory structure with no external evidence or impact from such acts, are permitted in all residential properties and do not require a home occupation license. A home occupation license may be obtained by the resident if desired.
- ~~1. Any person desiring a home occupation permit, as provided in this Section, shall file an application with the City Treasurer. For preschools, daycares, or in-home instruction requirements, refer to permitted uses and associated regulations in the applicable residential zone.~~
4. Home occupations shall be permitted in any residential dwelling unit subject to the regulations, standards, and restrictions set forth herein and in Chapter 5.08 of the Municipal Code.
- ~~2.5. All h~~Home occupations, shall be permitted only subject to and ~~shall at all times in~~ compliance with the following conditions:
 - ~~a. Home occupations shall be permitted in any residential unit.~~
 - a. Only bona fide residents of the residential property shall be employed by, operate, or otherwise carry on the home occupation.
 - b. Except as specifically authorized herein, Tthe home occupation shall be conducted entirely within the main dwelling, including an attached garage and shall not involve the use of any accessory building or yard space for storage or business activity.
 - ~~b.c.~~ Except as specifically authorized herein, the home occupation shall not display nor create outside the building any external evidence of the operation of the home occupation, including signs.
 - ~~e.d.~~ The home occupation shall be clearly incidental and secondary to the use of the ~~dwelling property~~ for dwelling purposes and shall not change the character or appearance of the building from that of a dwelling.

- d.e. _____ The total area devoted to the home occupation shall not exceed 25% of the dwelling unit, including an attached garage. If there are multiple dwelling units within a property that are occupied by different families, the home occupation shall not exceed 25% of the portion of the structure containing the dwelling unit occupied by the licensee.
- e.f. The home occupation shall be registered with and licensed by the business license division of the Ccity and with all applicable state government agencies or entities and shall comply with governing law. ~~A separate license must be obtained for each branch establishment, or separate place of business, in which the business, trade, calling, profession or occupation is carried on, and for each separate kind of business, trade, calling, profession or occupation and each license shall authorize that business, trade, calling, profession or occupation described in such license, and only at the location or place of business which is indicated thereby.~~
- f.g. Entrance from the outside to the area of the dwelling used for the home occupation shall be the same entrance(s) normally used by the residing family, except when otherwise required by governing law ~~the Utah State Department of Health or other state agency.~~
- h. ~~The physical appearance of the dwelling, amount of traffic and parking, and other activities generated by the home occupation shall not be contrary to the intent of the zone in which the home occupation is located.~~
- i. The home occupation shall not generate pedestrian or vehicular traffic that is unusual for or in excess of that customarily associated with the zone in which the use is located. There is a presumption that a home occupation generates excessive vehicular traffic and is therefore not permitted if any of the circumstances described below are true. These circumstances are not exhaustive of the circumstances that may warrant denial or revocation of a home occupation license due to unusual or excessive traffic.
- i. The home occupation generates additional vehicular traffic in an amount at least equal to the average daily trips generated for the residential use alone;
 - ii. The home occupation generates traffic or a need for parking, including temporary parking or drop-off areas, that cannot be safely accommodated within the residential property and the

available parking area on the half-street portion of the adjacent right-of-way(s) fronting on the residential property; or

i.iii. The home occupation involves regular deliveries or shipments by medium- or heavy-duty trucks.

j. The home occupation shall not generate vehicular traffic or parking that violates city parking and traffic regulations or is contrary to or obstructs traffic control devices, including traffic or parking that obstructs adjacent driveways, the flow of traffic on the right-of-way, or fire hydrant clearance and sight triangle areas.

g.k. The home occupation ~~shall~~, and the structure in which it is conducted shall, comply with all fire, building, plumbing, electrical, and health codes.

l. The home occupation shall not be associated with nor produce odor, fumes, dust, light, glare, color, design, materials, construction, lighting, sounds, noises, vibrations, including interference with radio or television reception, that may be discernible beyond the premises, or which disturb the peace and quiet of the neighborhood.

h.m. The home occupation shall not cause a demand for municipal or utility services or community facilities in excess of those usually and customarily provided for residential uses.

i.n. Except as authorized by Chapter 10.09 of the Municipal Code, All maintenance or service vehicles and equipment, or any vehicle bearing any advertising related to the home occupation shall be garaged or stored entirely within ~~the a~~ building or structure, or entirely behind a building or structure~~the dwelling~~, out of view of the street.

~~Home occupations may be permitted for residents that also contain basement apartments if determined by the City Administrator not to create undue burden upon residents of the immediate area.~~

6. Daycares and In-Home Instruction. A daycare or in-home instruction business may be operated as a home occupation in accordance with the following regulations, standards, and restrictions:

a. Daycare and in-home instruction home occupations may only be operated on residential properties of at least 8,000 square feet and that have a minimum of 80 feet of frontage on a street.

- b. Except as expressly set forth in this subsection (5), daycare and in-home instruction home occupations shall comply with all regulations, standards, and restrictions applicable to home occupations.
- c. Daycare and in-home instruction home occupations may employ individuals who are not residents of the residential property to assist, operate, or otherwise carry on the home occupation.
- d. One (1) off street parking space is required for each employee of the home occupation who does not reside at the residential property.
- e. A traffic flow and parking plan must be submitted by the applicant with the home occupation license application to ensure that the vehicular traffic and parking generated by the home occupation will be adequately managed in accordance with city standards, and that the detrimental effects of the traffic and parking on adjacent properties and city utility and street systems has been substantially mitigated. The traffic flow and parking plan shall contain at least the following information:
 - i. Anticipated number of non-resident employees;
 - ii. Anticipated time of arrival and departure of non-resident employees;
 - iii. Anticipated number of clients, students, or other non-employee individuals visiting the residential property for the home occupation;
 - iv. Anticipated times of drop-off and pick-up of clients, students, or other non-employee individuals visiting the residential property for the home occupation.
 - v. A site map showing fire hydrants, adjacent driveways, trails, crosswalks, and intersections, existing traffic control devices, available on- and -off-site parking areas to be used by the home occupation, and proposed traffic circulation and flow to, from, and on the residential property.
- f. Subject to city approval of the traffic flow and parking plan, daycare and in-home instruction home occupations may generate pedestrian or vehicular traffic in excess of that customarily associated with the zone in which the use is located in accordance with the approved traffic flow and parking plan.

- g. Daycare and in-home instruction home occupations may use accessory buildings and yard space on the residential property.
 - h. Daycares must receive applicable licensing from the Utah Department of Health and Human Services. A copy of this license must be submitted to the city with the home business license application.
 - i. For preschools operated as in-home instruction, a background check is required for all teachers and instructors.
 - j. The regulations set forth in this section do not apply to daycares or educational businesses that are not operated as a home occupation.
- ~~3. Any permit issued pursuant to this Section may be revoked by the Zoning Administrator for failure of the holder of the permit to comply with the foregoing conditions. The Zoning Administrator shall likewise refuse to grant a renewal of such a permit for failure of the holder to comply with the foregoing conditions.~~
- ~~4. The revocation or refusal to grant or renew a permit may be appealed to the Appeal Authority. Likewise, any aggrieved party may appeal to the Appeal Authority from the Zoning Administrator's decision to grant a renewal of such a permit.~~
- ~~5. All home occupation permits issued pursuant to this Section shall be valid for a period of one year. The license year shall commence on July 1 and expire on June 30 of each year. Thereafter, all home occupation permits shall be issued and renewed only in accordance with this Section, except as such use may be a nonconforming use which is allowed to continue by Section 3-201.~~
- ~~6. The City Council shall by resolution or ordinance fix the amount of license fees and the terms and conditions thereof, copies of which shall be available for public inspection at the office of the city Zoning Administrator.~~
- ~~7. All applications for the issuance of a home occupation permit shall be accompanied by an application fee in such amount as may be specified by the City's standard fee schedule established from time to time by resolution of the City Council. Such fee shall be in addition to any business license fee which may be required by other provisions of this Code. If the combined offsite impact of the home occupation and the primary residential use alone, a fee in such amount as may be specified by the City's standard fee schedule may be required.~~

8. ~~The applicant shall be required to notify by letter all residents within a three hundred foot 300' radius of the property lines of their request for a home occupation license if customers visit the home. The applicant shall provide a legible vicinity map indicating the exact location of their property and each property within 1/4 mile (1,320 feet). The map shall include the address of the subject property.~~
9. ~~The Zoning Administrator may, upon application, grant a home occupation license which shall state the home occupation permitted, the conditions attached thereto, and any time limitations imposed thereon. The license shall not be issued unless the Zoning Administrator finds the applicant is in compliance with each one of the conditions listed in City Codes and State Law, and that the applicant has agreed in writing to comply with all said conditions. All certificates of license shall be signed by the City Administrator and attested to by the Zoning Administrator.~~

10-102 Definitions

The following words, as used in this Title, shall have the meaning ascribed to them:

...

19. Daycare. The care and supervision of children, other than children related to the adult resident(s) of a residential property, which care and supervision is in place of care ordinarily provided by a parent in the parent's home, for less than 24 hours a day, and for direct or indirect compensation.

...

39. Home Occupation. Any activity, profession, service, trade, or other enterprise that is:

a. ~~use~~ Conducted entirely within a property that is zoned under applicable land use regulations to be used primarily for residential uses and that contains at least one dwelling unit;

b. Carried on by the resident of the property for the purpose of gain or economic profit;

c. Not otherwise enumerated as an allowed use, conditional use, or prohibited use for the zone in which the property is located; and

~~a.d. _____ Not an employee rendering services to an employer, if such acts are conducted entirely within a dwelling unit or accessory structure with no external evidence or impact from such acts. building and carried on by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. A business license does not automatically grant the privilege of conducting a business in a residential dwelling unit.~~

...

41. In-home Instruction. The provision of classes, lessons, training, practice, and other organized instruction in fields such as, but not limited to, dance, music, art, swimming, fitness, health, school subjects, or other similar subjects, offered within a residence-residential property to people, including children, who do not live at the residence. Includes in-home preschools.

**AN ORDINANCE AMENDING REGULATIONS RELATED TO BUSINESS LICENSES
AND HOME OCCUPATION LICENSES**

WHEREAS, Highland City is authorized to license and regulate businesses within Highland in accordance with State law, including Utah Code Ann. § 10-1-203;

WHEREAS, Highland City has previously adopted regulations and procedures regarding the licensing of businesses and home occupations within Highland;

WHEREAS, Highland City desires to amend its business license and home occupation regulations to provide clearer application, approval, denial, revocation, termination, and appeal procedures, resolve inconsistencies between ordinances, and maintain best practices in the processing of business and home occupation licenses;

WHEREAS, the Highland City Council finds that the proposed amendments further the public welfare and are in the interest of the public.

NOW THEREFORE, BE IT ORDAINED by the Highland City Council as follows:

SECTION 1. The Highland Municipal Code is amended as shown in Exhibit A, attached hereto.

SECTION 2. The City Recorder, under the supervision of the City Administrator and City Attorney, may make non-substantive corrections to any portion of this ordinance and to the City codes referenced herein for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.

SECTION 3. All ordinances and parts and provisions thereof in conflict with this ordinance are repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect immediately upon its adoption and publication, in accordance with law.

ADOPTED AND PASSED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH,
this 21st day of April, 2026.

Brittney P. Bills
Mayor

ATTESTED:

Stephannie B. Cottle
City Recorder

Exhibit A

Amendments to Municipal Code

Chapter 5.04 BUSINESS LICENSES

5.04.010 Intent

5.04.020 Definitions

5.04.030 License Required

5.04.040 Application For License

5.04.050 ~~Time Of Payment~~Application and License Fees

5.04.060 Separate License

5.04.070 Review Procedure and Certificate Of Licensee

5.04.080 Display

5.04.090 ~~Nontransferability~~License Not Transferable

5.04.100 Refunds

5.04.110 Exemptions From Business License Requirements

5.04.120 Renewal And Delinquency Procedure

5.04.130 ~~Renewal And Delinquency Procedure~~Business License Classification

~~5.04.140 Method Of Establishing The Amount Of License Fees~~

5.04.145 ~~Civil Action Not Barred By Criminal Proceedings~~Remedies Not Exclusive

5.04.156 ~~Denial, Termination, and~~ Revocation Of License

5.04.160 Appeals

5.04.170 Hours Of Operation

5.04.180 Exemption From Hours Of Operation Restrictions

5.04.190 Outdoor Retail Sales

5.04.200 Application And Licensing For Temporary Outdoor Retail Sales

5.04.210 Mobile Businesses

5.04.010 Intent

The intent of licensing businesses under this chapter is regulatory in all cases where the city is authorized by statute to regulate any business; and in all other cases it is for the purpose of raising revenue for the city.

5.04.020 Definitions

~~A. The word "shall" is mandatory, "may" is permissive.~~

~~B. Specific Terms Defined.~~

As used in this Chapter:

A. "Business" means any activity, profession, service, trade, or other enterprise carried on for the purpose of gain or economic profit, except that the acts of employees rendering services to employers are not included in this definition.

B. "Business license official" means the individual designated by the city administrator to review and approve business licenses, or their duly authorized designee.

C. "City" means the municipality of the City of Highland, Utah.

~~D.C.~~ "Employee" means a person working for another for hire or pay compensation, including any salesperson, agent, employee, or independent contractor, called wage paid for time actually put in and accounted for as much and specifically excluding and all sorts of relationships where any item is furnished other than labor.

~~E.D.~~ "Employer" means a person or business firm who hires or employs an individual person in the operation of the employer's business for compensation, including any salesperson, agent, employee, or independent contractor and pays a wage for said labor. In the event the pay includes any item but labor, then the relationship is specifically excluded from the employee-employer relationship.

~~F.E.~~ "Engaging in business" means and includes all activities engaged in or caused to be engaged in with the object of gain or economic profit, and shall include but not be limited to, engaging in selling of tangible property, either at retail or wholesale, engaging in the manufacture of tangible property, rendering of personal services for others, engaging in a trade or profession, selling of the same for retail or wholesale, and shall cover any dealing, contracting, trade or barter, or and offering of an entertainment or a place of accommodation to the public, for consideration or for which a charge is made or fee is collected.

F. "Governing law" means any code, law, ordinance, regulation, rule, standard, or specification that governs or regulates the construction, development, use, or occupancy of buildings, structures, and land, the use of or connection to public or private utilities and streets, or the operation or engaging in a business, profession, service, trade, or home occupation.

G. "Engaging in a profession" specifically means and includes but shall not be limited to all persons and business firms that claim to offer a special knowledge on a personal basis for profit.

H. "Engaging in service" specifically means and includes but shall not be limited to all persons and business firms who perform a special operation for profit, but normally recognized as a business, trade or profession.

~~"Engaging in trade" specifically means and includes but shall not be limited to all persons and business firms that engage in a mechanical, or other form of operation for profit and shall include but not be limited to all individuals and business firms required to be licensed by the Utah State Department of Business Regulation who practice their trade in the city.~~

~~I.—~~

~~J. "Gross revenue" means all revenue derived from the trade, business, commerce or sales of tangible personal property or services, or both, without deduction or exclusion for the cost of goods and properties sold or the expense of carrying on any business, trade, profession, craft or occupation.~~

~~K. "Gross sales" means the amount of all sales of property or goods, including the amount of any manufacturer's or importer's excise tax included in the sales price, even though the manufacturer or importer is also the wholesaler or retailer thereof and whether or not the amount of such tax is stated as a separate charge. There shall be excluded from gross sales:~~

- ~~1. The amount of any federal tax, except excise tax imposed upon or with respect to retail or wholesale sales, whether imposed upon the retailer, wholesaler, jobber or upon a consumer and regardless of whether or not the amount of federal tax is stated to customers as a separate charge;~~
- ~~2. The amount of net Utah State Sales Tax;~~
- ~~3. If the total amount of gross sales includes sales returns, discounts or allowances, the total of these should be excluded from the gross sales figure. Such as auto trade-in, etc.;~~
- ~~4. Wholesalers, whose sales originate and terminate totally outside of Highland, should deduct such sales from their total gross sales figures;~~
- ~~5. Real estate offices should base their gross sales on the total sales commissions of their offices.~~

~~G. "License year" shall means a 12-month period commencing on July 1st and expiring on the following June 30th of each year.~~

~~L.H. "Place of business" means the location maintained or operated by the licensee from which business activity is conducted or transacted. A business may have multiple places of business.~~

5.04.030 License Required

A. Except as provided in Section 5.04.110, it is unlawful for any person, ~~firm or corporation holding himself or itself out to the public as maintaining, carrying on or to~~ engaging in ~~any business, trade, service or profession~~ within the ~~limits of the~~ city without having first procured a business license from the city.

A.B. Any person, ~~firm or corporation~~ who shall fail to procure ~~such a~~ business license or comply with governing law applicable to such license or business~~such provisions~~, either by an act of omission or commission, shall be deemed guilty of a misdemeanor. Each day during on or which a violation occurs or continues shall constitute a separate offense, and shall be punished by a fine in an amount not to exceed two hundred ninety-nine dollars or by imprisonment for a term not to exceed six months, or ~~by both such fine and imprisonment.~~

B.C. It shall be the responsibility of a person engaging in business within the city to voluntarily apply for, renew, and maintain in full force and effect a valid business license at all times the person engages in business within the city.

5.04.040 Application For License

A. An Application for a business license shall be made in writing to the ~~recorder~~business license official.

A.B. ~~The~~ An application for a business license shall include such information as required by the business license official to ensure compliance with governing law, including will show:

1. The name and contact information of the person desiring a license;
2. ~~The kind of license desired, stating~~ A description of the business and business activities to be conducted or transacted, calling, trade or profession to be performed, practiced, or carried on;
3. The class of license desired, ~~if such licenses are divided into classes;~~
4. Documentation of necessary state, federal, and local government approvals, such as professional licenses, entity and sales tax registration and reporting, and fire and health inspections and approvals.

4.5. The place of business~~where the business, calling, trade or profession is to be carried on, giving the street number, if such~~

~~business, calling trade or profession is to be carried on in any building or enclosure; and~~

~~5-6. The period of time for which the business license is desired to be issued valid, if other than a license year.;~~

~~The city recorder shall forward each business license application to the zoning administrator for review. The zoning administrator will consider the application and consult with the building inspector and fire department (if applicable in the opinion of the zoning administrator) and forward his/her recommendations to the city administrator or the mayor. The city administrator or mayor will approve or disapprove the application as provided in Section 5.04.070 of this chapter. Any applicant not satisfied with the decision of the city administrator or mayor may appeal within thirty days to the city council for their review.~~

5.04.050 Time Of Payment Application and License Fees

~~All Applicants for a business license shall pay all application and licenses fees as specified and adopted the consolidated fee schedule prior to issuance of the business license shall be paid in advance in legal currency of the United States, at the general city offices.~~

5.04.060 Separate License

~~A. A separate business license must be obtained for each branch establishment, or separate place of business or branch, in which the business, trade, calling, profession or occupation is carried conducted or transacted on, and for each separate kind of business, trade, calling, profession or occupation.~~

~~A.B. _____, and e) Each business license shall authorize the party obtaining it to carry on, pursue or conduct only that business, trade, calling, profession or occupation described in such license, and only at the location or place of business which is indicated there onby.~~

5.04.070 Review Procedure and Certificate Of Licensee

~~A. The business license official mayor and/or city administrator may, upon application, grant approve a business license and issue a business license certificate if the licensee and business license comply with governing law.~~

~~B. which shall state the occupation permitted, the conditions attached thereto, and any time limitations imposed thereon. The A business license shall not be approved nor a certificate of license issued unless the applicant complies is in compliance with all application requirements, the business complies with~~

~~governing law, and the applicant pays all applicable fees each one of the conditions listed in city ordinance and state law, and that the applicant has agreed in writing to comply with all said conditions.~~

C. Other Approvals:

1. Prior to issuing a business license, the business license official shall, as necessary, refer the application to or require the applicant to contact other city departments or government entities with jurisdiction for review and approval as to compliance with governing law.
2. Except as provided herein or by governing law, if a separate approval, certificate, inspection, license, or permit is required to be issued by another city department or another government entity, such separate approval, certificate, inspection, license, or permit shall be applied for, approved, and issued prior to the issuance of a business license.
3. If a separate approval, certificate, inspection, license, or permit required by another city department or another government entity cannot be obtained by the applicant without prior issuance of a city business license, or if extenuating circumstances as determined by the business license official prohibit the applicant from timely obtaining the separate approval, certificate, inspection, license, or permit, the business license official may issue a temporary business license conditioned on the applicant obtaining the separate approval, certificate, inspection, license, or permit within such time as the business license official shall specify, in addition to any other condition that the business license official may impose to ensure compliance with governing law. If the separate approval, certificate, inspection, license, or permit is not obtained in the time specified by the business license official, including any extensions thereof that the business license official may grant for good cause, the temporary business license shall expire, and the applicant shall be prohibited from engaging in business until a business license is obtained in compliance with this chapter.

D. The business license official may impose conditions of approval on a business license to ensure compliance with the requirements of this Chapter or other governing law.

A.E. All certificates of license shall be signed by the mayor and ~~attested by the city recorder under the seal of the city~~ business license official and shall contain the following information:

1. The name of the person to whom such certificate has been issued;
2. ~~The amount paid to the city recorder~~ The business licensed;

3. A description of the business activities to be conducted or transacted;

3.4. ~~The kind of license and the class of such the license if such licenses are divided into classes;~~

4.5. ~~The term of the business license, including with the commencing date of issuance and the date of its expiration; and~~

6. ~~The place where such of business, calling, trade or profession is to be carried on.~~

B.F. ~~The term of a business license shall not exceed a license year, and business licenses shall expire at the end of each license year, unless the business license official imposes a shorter term or the business license is sooner revoked or terminated.~~

C. ~~The granting of a business license does not automatically grant a home occupation license. An application for a home occupation must be requested separately but, may be processed concurrently with the business license application.~~

5.04.080 Display

A. Every certificate of license issued under this chapter shall be posted by the licensee in a conspicuous place upon the wall of the building, room, or office of said place of business so that the same may be easily seen.

B. When ~~such a business certificate of~~ license has expired or has been revoked or terminated, ~~it the certificate of license~~ shall be removed by the licensee from such place in which it has been posted. ~~and n~~ No certificate of license ~~which that~~ is not in force and effect shall ~~be permitted to remain posted upon the wall or any part of any room~~ within the place of business.

A.C. If the licensee's business is such that a certificate of license cannot be displayed due to the transient or mobile nature of said business, then the licensee shall carry the license on ~~his their~~ person ready to be displayed upon request by an authorized officer during all such time or times while the licensee is engaged in ~~or pursuing~~ the business for which ~~a the~~ license ~~was~~ granted.

B.D. A violation of any provision of this section is punishable as an infraction.

5.04.090 Nontransferability License Not Transferable

A business license granted or issued under this chapter shall not be in any manner assignable or transferable. It shall not be deemed to authorize any person other than therein named to do business or to authorize any other business, calling, trade or profession than is therein named.

5.04.100 Refunds

Except as provided herein, application and license fees shall not be refunded for any reason, including denial of an application or the expiration, revocation, or termination of a business license. A refund, except as herein specially provided, shall not be made on any license may be issued in accordance with the provisions of this chapter, unless if the conducting, managing or carrying on of ~~such the~~ business ~~as provided in such license~~ shall become unlawful, either by act of the city council or by act of some other legislative body having jurisdiction ~~therein~~, or when payments have been made erroneously ~~made~~ by the licensee or applicant.

5.04.110 Exemptions From Business License Requirements

The following shall not be required to obtain a Highland City business license:

- A. Any business that is operated only occasionally and by an individual who is under 19 years old. home occupation which grosses less than two thousand dollars annually is exempt from the provisions imposed by this chapter.
- B. Sellers of Agricultural products, as defined by Title 4, Utah Code Ann. as amended, if such agricultural products are grown, raised, and harvested solely on property within the city that is owned or controlled by the seller and such sales are transacted on property owned or controlled by the seller which is located in Highland City shall be exempt from all the requirements imposed by this chapter.
- C. Home occupations, provided that home occupations shall obtain a home occupation license pursuant to Chapter 5.08.
- D. A business that does not have a place of business within the city, that has a valid business license issued by the jurisdiction in which the business has a place of business, and whose business activities within the city are limited to:
 - 1. Delivery or installation of goods;
 - 2. Individuals engaged in the construction trades licensed as contractors under governing law;
 - 3. Sales of tangible property or provision of services to persons within the city solely through internet services;

- 4. In-person provision of personal services to an individual at the individual's residence;
- 5. Engaging in a mobile business that complies with Section 5.04.210;
- 1.6. Solicitation by individuals licensed as solicitors pursuant to Chapter 5.16.

5.04.120 Renewal And Delinquency Procedure

- A. Each licensee that continues to engage in business within the city shall apply to renew their business license prior to the expiration of their current business license.
- B. On or before June 1st of each year, the business license official city recorder shall send a business license renewal statement to each current licensee within the city, which statement shall provide the process and fees for renewing the business license be for the ensuing license year based upon the nature of the business, consolidated fee schedule, and other pertinent factors.
- A.C. Business license renewal applications and fees remaining pending due and unpaid as of August 1st of each year shall be subject to have added thereto a penalty fee in the amount as provided in the consolidated fee schedule.
- D. On or after August 15th of each year, a final notice shall be sent to all licensees whose business license renewal and annual license fees remains pending due and unpaid stating that unless the renewal application is completed and all outstanding fees paid within two weeks of the date of the final notice, together with any accrued penalties as provided by the consolidated fee schedule, by September 1st, legal action will be initiated by the matter will be referred to the city attorney for prosecution orf an other appropriate action for based on engaging in business without a valid business license.
- B.E. If a licensee voluntarily terminates their business license, renewal is not required, and no renewal fee or penalty shall be charged.

5.04.130 ~~Renewal And Delinquency Procedure~~ Business License Classification

Business licenses are classified as followsClasses:-

- A. Class I. General Business. Any business license except a Class II or, III, or IV business license. Includes restaurants with Type A or Type B alcohol

~~business licenses pursuant to Chapter 5.12. The fee(s) shall be set annually by the city council as a part of the consolidated fee schedule.~~

B. Class II. Private clubs with liquor licenses.

C. Class III. Manufacturing, milling, mining, fabrication, mineral and gravel extraction including processing of raw material and other businesses of similar nature.

~~1. Class IV. Home Occupations.~~

~~2. Class V. Building contractors doing business in the city.~~

~~D. Fees. The fees and penalties for all business licenses shall be provided in the consolidated fee schedule.~~

5.04.140 Method Of Establishing The Amount Of License Fees

~~The city council shall by resolution or ordinance fix the amount of license fees and the terms and conditions thereof as a part of the consolidated fee schedule, copies of which shall be available for public inspection at the office of the city recorder.~~

5.04.1450 Remedies Not Exclusive Civil Action Not Barred By Criminal Proceedings

~~A. The issuance of a citation, initiation of prosecution, or conviction and punishment of any person for transacting engaging in any business, trade, calling, profession or occupation without a license, shall not excuse or exempt such person from the payment of any license fee due or unpaid at the time of such conviction nor prevent or waive any other remedy or proceeding available at law or equity., and n~~

~~A.B. The initiation of civil proceedings, obtaining a judgment or injunction, or other action by the city to enforce this Chapter through civil or equitable remedies ~~thing herein~~ shall not prevent or waive the city's right to a criminal prosecution for any violation of the provisions of this eChapter.~~

5.04.1560 Denial, Termination, and Revocation Of License

~~A license issued under the provisions of this chapter shall not be revoked, nor any application for license under the provisions of this chapter be denied, except after the city council holds a public hearing on the matter. The licensee or applicant shall be given a fourteen day written notice of the public hearing before the city council by U.S. mail sent to the licensee's or applicant's address as shown on the application for license.~~

A. An application for a business license shall be denied by the business license official or designee if the application does not conform to the requirements of this Chapter or other governing law. The business license official shall provide written notice of the denial to the applicant, which notice shall explain the basis of the denial and the opportunity, process, and deadline to appeal the denial.

B. Business licenses may be voluntarily terminated by the licensee at any time upon written notice to the business license official.

C. If a licensee ceases all business activities and no longer engages in business within the city, the business license shall be deemed voluntarily terminated by the licensee. A business license terminated in this manner shall not be considered a revocation.

D. Business licenses may be revoked by the business license official if the licensee violates or fails to comply with the conditions of approval of the business license or other governing law.

1. Prior to revocation of a business license, the business license official shall provide written notice to the licensee. Such notice shall explain the basis for potential revocation and the evidence therefor. The notice shall provide the licensee a reasonable time of not less than fourteen (14) calendar days from the date the notice was sent to respond.

2. After expiration of the time to respond and consideration of the licensee's response, if any, the business license official may revoke the business license if the business license official determines that the licensee has violated or failed to comply with the conditions of approval of the business license or other governing law. The business license official shall provide written notice of the revocation to the licensee, which notice shall explain the basis of the revocation and the opportunity, process, and deadline to appeal the revocation.

3. In lieu of revocation, the business license official may impose additional conditions of approval on the business license to ensure compliance with governing law.

A.E. If at any time a business license under the provisions of this chapter expires or is denied, terminated, or revoked, it shall thereafter be unlawful for any person to ~~open, operate, maintain, manage or conduct~~ engage in any business, ~~trade, profession or calling for the transaction or carrying on of~~ for which a business license is required at the premises where the business license ~~expired or~~ is revoked or terminated, or the application for license denied, until a new business license shall be approved in accordance with this Chapter by the city council.

5.04.160 Appeals

- A. Conditions of approval imposed on a business license and the denial or revocation of a business license may be appealed by the applicant or licensee to the city council by the applicant or licensee filing a written appeal with the business license official and paying applicable fees within thirty (30) calendar days of the approval, denial, or revocation.
- B. If a timely appeal is not filed, the decision of the business license official shall be final and may not thereafter be challenged.
- C. An appeal shall specify the decision appealed, the alleged error made in connection with the decision being appealed, and the reasons the appellant claims the decision to be in error, including every theory of relief that can be presented in district court. The appellant has the burden of proving the decision appealed is incorrect.
- D. The city council shall hold a hearing on the appeal, at which hearing the licensee or applicant shall be given an opportunity to be heard and to present evidence. The licensee or applicant shall be given a fourteen-day written notice of the hearing by mail sent to the licensee's or applicant's address as shown on the application.
- E. The city council shall issue a written decision within a reasonable time after the public hearing with its decision, findings, and conclusions. The city council may affirm, modify, or overturn the decision of the business license official and may impose additional or different conditions on approval.
- F. The filing of an appeal stays the revocation of the business license until the city council issues a decision.
- G. Upon issuance of a final decision denying or revoking a business license, it shall thereafter be unlawful for any person to engage in any business for which a business license is required at the premises where the business license is revoked, or the application for license denied, until a new business license shall be approved in accordance with this Chapter.

5.04.170 Hours Of Operation

Except as provided ~~below~~ by Section 5.04.180, the hours of operation for all ~~Highland City~~ businesses licensed by the city shall be limited to Monday through Saturday during the hours of six a.m. until twelve a.m. (midnight).

5.04.180 Exemption From Hours Of Operation Restrictions

The following businesses shall be exempted ~~from~~ theis hours of operation requirement of Section 5.04.170:

- A. Holders of Class II business licenses (private clubs with liquor licenses);
 ~~Holders of Class IV business licenses (home occupations);~~
- B. Businesses whose primary product is motor fuels (gas stations);
- C. Assisted living facilities, mortuary/funeral homes, hospitals/health care clinics/urgent care clinics, and skilled nursing facilities.

5.04.190 Outdoor Retail Sales

No product shall be stored, displayed, or offered for sale on the outside of any building, including but not limited to salt bags, firewood, landscaping bark, nursery plants, fireworks, and Christmas trees except at ~~merchant association~~ special sidewalk sales approved in advance by the city or temporary outdoor retail sales events as outlined-permitted herein and in the Development Code. Any approved outdoor storage, display, or offer for sale shall not obstruct or interfere with accessible routes or safe pedestrian and vehicular access.

5.04.200 Application And Licensing For Temporary Outdoor Retail Sales

- A. Temporary outdoor retail sales shall be licensed by a temporary use permit. An Application for licensing of temporary outdoor retail sales shall be made in writing to the ~~recorder~~business license official.
- B. Except as specifically provided herein, the review, approval, revocation, termination, and appeal procedures applicable to business licenses under this Chapter shall apply to temporary use permits.
- A.C. The application for a temporary use permit shall include such information as required by the business license official to ensure compliance with governing law, including Section 3-623 of the Development Code, including will show:

1. The name of the person or entity desiring ~~a license~~the permit;
2. The type of temporary sales to be offered;
3. The temporary location where business is to be carried on;
4. The period of time for which the ~~license-permit~~ is desired to be issued;
5. Valid authorization for use of the property from the legal property owner;

6. A valid Utah State Sales Tax Identification Number.

B.D. The business license official may license a temporary outdoor retail sale and issue a temporary use permit if the licensee and permit comply with governing law.

E. A temporary use permit shall be signed by the mayor and business license official and shall contain the following information:

1. The name of the person to whom such permit has been issued;
2. The temporary use licensed;
3. A description of the business activities to be conducted or transacted with the temporary use;
4. The term of the permit, including date of issuance and date of expiration; and
5. The place of business.

C.F. The approval of a business license does not automatically approve a temporary use permit, and approval of a temporary use permit does not automatically approve a business license. An application for a temporary outdoor retail sales license and an application for a business license must each be applied for separately, but the applications may be processed concurrently.

G. A temporary use permit is automatically revoked effective with the termination, expiration, or revocation of the associated business license.

~~The city recorder shall forward each business license application to the community development department for review. The community development designee will consider the application and consult with the building inspector and fire department (if applicable in the opinion of the community development designee) and forward a recommendation to the city administrator or the mayor. The city administrator or the mayor will approve or disapprove the application as provided in Section 5.04.070 of this chapter. Any applicant not satisfied with the decision of the city administrator or mayor may appeal within thirty days to the city council for their review and decision.~~

5.04.210 Mobile Businesses

A. For purposes of this section, the city adopts and incorporates the definitions and regulations of Title 11, Chapter 56, Utah Code Ann., as amended.

B. A mobile business is exempt from obtaining a business license from the city if:

1. The mobile business holds a current business license in good standing from another political subdivision in the state;
2. The mobile business has a current health department permit from a local health department within the state, if the nature of the mobile business requires that the mobile business have a health department permit to operate;
3. The mobile business has evidence of passing a fire safety inspection conducted by another political subdivision within the state within the same calendar year the mobile business operates within the city, if the nature of the mobile business requires that the mobile business pass a fire safety inspection to operate; and
4. The mobile business keeps a copy of its business license, health department permit if applicable, and evidence of passing a fire safety inspection if applicable in each mobile business that is in operation and engaging in transactions in the city.

C. If the mobile business is not exempt from obtaining a business license from the city, the mobile business shall obtain a business license from the city prior to engaging in business in the city.

D. If the mobile business is a food truck business that operates one or more ice cream trucks, in order to obtain and maintain a city business license, the mobile business shall submit to or offer evidence of an annual criminal background check for each employee that operates or will operate an ice cream truck within the city.

E. Mobile businesses shall:

1. Operate only in zoning districts that permit the type of business use of the mobile business, provided that a mobile business may, regardless of zoning district, operate on city-owned property, including parks, parking lots, and rights-of-way, pursuant to the city's written authorization;
2. Obtain event permits or mass gathering permits when required by governing law;
3. Provide a site plan for the operation of the mobile business if the mobile business operates in the same location for more than 10 hours per week; and

4. Comply with all building and fire code requirements in locating and operating a mobile business.

A.F. Mobile businesses are not permitted to be located or operate on or within city property, including parks, parking lots, and rights-of-way, without the city's written authorization.

Chapter 5.08 HOME OCCUPATION LICENSES

- 5.08.010 Definitions
- 5.08.020 Home Occupation License Required
- 5.08.030 Application For Home Occupation License
- 5.08.040 Review Procedure and Certificate of License
- 5.08.050 Conditions
- 5.08.060 Responsibility For Obtaining License
- 5.08.070 ~~Reserved~~License Not Transferable
- 5.08.080 Fees
- ~~5.08.090 Method Of Changing Fees~~
- ~~5.08.100-090 Refunds~~
- 5.08.100 Denial, Termination, and Revocation
- 5.08.110 Appeals

5.08.010 Definitions

As used in this chapter:

- A. The terms and definitions provided in Section 5.04.020 are incorporated herein.
- B. "Home occupation" means shall have the same definition as provided in Section 10-102 of the Development Code any use conducted entirely within a building and carried on by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. A business license does not automatically grant the privilege of conducting a business in a residential dwelling unit.
- A.C. "Residential property" means a property zoned under applicable land use regulations to be used primarily for residential uses and contains at least one dwelling unit.

5.08.020 Home Occupation License Required

- A. To assure compliance with provisions of this title and Chapter 5.04 and to protect the character of residential neighborhoods in the city, a home occupation license shall be obtained for all home occupations according to the procedures and standards set forth in this title and Chapter 5.04 from the office of the city recorder before a dwelling unit in a residential or an agricultural zone may be used for these business purposes person may engage in business on a residential property.

B. No person may engage in a business that is not licensed as a home occupation within a residential property, unless such business is specifically authorized by applicable land use regulations and a business license obtained therefor.

C. A separate business license is not required for a business that is licensed as a home occupation.

D. Any person who fails to obtain a home occupation license for a home occupation, either by an act of omission or commission, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be liable to punishment by a fine in an amount not to exceed two hundred ninety-nine dollars or by imprisonment for a term not to exceed six months, or by both such fine and imprisonment.

~~A. A home occupation license is required in addition to a business license.~~

5.08.030 Application For Home Occupation License

A. Application for a home occupation license shall be made in writing to the city recorder/business license official. All licenses shall be paid in advance in legal currency of the United States.

B. An application for a home occupation shall include such information as required by the business license official to ensure compliance with governing law, including:

1. The name and contact information of the person desiring a license;

2. A description of the home occupation and business activities to be conducted or transacted;

3. Documentation of necessary state, federal, and local government approvals, such as professional licenses, entity and sales tax registration and reporting, and fire and health inspections and approvals.

4. Documentation that the applicant is a bona fide resident of the residential property.

5. The residential property that will be the place of business; and

6. The period of time for which the license is desired to be issued, if other than a license year.

C. The business license official may require additional or new documentation of residency in connection with a renewal of or change in the home occupation or a change in occupancy of the residential property.

D. If a home occupation involves non-resident employees, customers, clients, students, or other individuals visiting the residential property for the home occupation, the applicant shall be required to notify by mail all residents within a three-hundred-foot (300') radius of the applicant's property prior to issuance of the home occupation license.

1. The applicant shall provide pre-stamped and pre-addressed envelopes to the business license official.

2. The business license official shall mail the notice and shall provide a reasonable time after mailing the notice to receive comments regarding the proposed home occupation.

1.3. The business license official shall consider any comment received in determining whether the proposed home occupation complies with all requirements of governing law.

5.08.040 Procedures and Certificate of License

A. The business license official ~~mayor and/or city administrator~~ may, upon application, ~~grant~~ approve a home occupation and issue a home occupation license certificate if the licensee and license comply with governing law.

B. The license shall not be issued unless the applicant complies with all application requirements, the home occupation complies with all requirements of governing law, and the applicant pays all applicable fees.

C. Other Approvals:

1. Prior to issuing a home occupation license, the business license official shall, as necessary, refer the application to or require the applicant to contact other city departments or government entities with jurisdiction for review and approval as to compliance with governing law.

2. Except as provided herein or by governing law, if a separate approval, certificate, inspection, license, or permit is required to be issued by another city department or another government entity, such separate approval, certificate, inspection, license, or permit shall be applied for, approved, and issued prior to the issuance of a home occupation license.

3. If a separate approval, certificate, inspection, license, or permit required by another city department or another government entity cannot be obtained by the applicant without prior issuance of a home occupation license, or if extenuating circumstances as determined by the business license official prohibit the applicant from timely

obtaining the separate approval, certificate, inspection, license, or permit, the business license official may issue a temporary home occupation license conditioned on the applicant obtaining the separate approval, certificate, inspection, license, or permit within such time as the business license official shall specify, in addition to any other condition that the business license official may impose to ensure compliance with governing law. If the separate approval, certificate, inspection, license, or permit is not obtained in the time specified by the business license official, including any extensions thereof that the business license official may grant for good cause, the temporary home occupation shall expire, and the applicant shall be prohibited from engaging in business until a home occupation license is obtained in compliance with this chapter.

D. A home occupation license certificate ~~which shall~~ contain the following information:

1. The name of the person or business licensed;
2. ~~state the~~ The home occupation permitted;
3. A description of the business activities to be conducted or transacted;
4. ~~the e~~Conditions of approval attached thereto; ~~and any~~
5. The term of the license, including date of issuance and date of expiration ~~time limitations imposed thereon;~~ and
6. The place of business.

E. ~~The license shall not be issued unless the applicant is in compliance with each one of the conditions listed in city ordinance and state law, and that the applicant has agreed in writing to comply with all said conditions. All certificates of license shall be signed by the mayor and business license official attested by the city recorder under the seal of the city.~~

A.F. The license year, term, expiration, renewal, delinquency, revocation, termination, and appeal procedures applicable to business licenses under Article 5, Chapter 4 of this Code shall apply to home occupation licenses, provided that, if a home occupation license expires and is not renewed by August 1, the home occupation license shall instead be deemed voluntarily terminated by the licensee, no fee or penalty shall be charged to the licensee, and no further action shall be taken by the city. A license terminated in this manner shall not be considered a revocation.

5.08.050 Conditions

A. As a prerequisite to the issuance of a home occupation license, as a condition of approval of the license, and as a continuing obligation of the licensee, the home occupation shall comply with governing law, including the requirements for home occupations under Section 3-614 of the Development Code., conditions must be observed at all times by the licensee and the licensee shall comply with the following:

B. Home occupations that have non-resident employees, customers, clients, students, or other individuals visit the residential property for the home occupation shall be subject to the following provisions:

1. Section 5.04.080, regarding display of license;

2. Section 5.04.170, regarding hours of operation.

A.C. The business license official may impose additional conditions of approval on a home occupation license to ensure compliance with the requirements of this chapter or other governing law.

~~A. Only bona fide residents of the premises, as defined by the city zoning ordinance, shall be employed by the licensee.~~

~~B. The home occupation shall not physically change the dwelling to the extent that it would alter the residential character or appearance of the dwelling or neighborhood.~~

~~C. The home occupation shall be conducted wholly within a structure on the premises and shall not exceed twenty five percent of the total main floor area of the residential structure; nor in the alternative, more than fifty percent of the total floor area of any attached garage wherein the license activity is conducted. The home occupation shall not involve the use of any accessory building or yard space for storage, nor shall any activities be conducted outside the building.~~

~~D. The home occupation shall not display nor create outside the building any external evidence of the operation of the home occupation.~~

~~E. No display of any kind shall be visible from the exterior of the premises.~~

~~F. All maintenance or service vehicles and equipment, or any vehicle bearing any advertising related to the home occupation or any other similar vehicle shall be garaged or stored entirely within a building or structure, or entirely behind the dwelling, out of view of the street.~~

- ~~G. The home occupation shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the zone in which the use is located.~~
- ~~H. There shall be complete conformity with fire, building, plumbing, electrical and health codes and to all state and city laws and ordinances.~~
- ~~I. The home occupation shall not cause a demand for municipal or utility services or community facilities in excess of those usually and customarily provided for residential uses.~~
- ~~J. The home occupation shall not be associated with, or produce odor, fumes, light, glare, color, design, materials, construction, lighting, sounds, noises, or vibrations or other nuisances including radio and television reception that may be discernable beyond the premises or unreasonably disturb the peace and quiet of the neighborhood.~~
- ~~K. Any special condition established by the city council and made of record in the home occupation license, as they deem necessary to carry out the intent of this section shall be met.~~
- ~~L. All home occupation licenses shall expire annually on June 30th, and may be renewed annually provided there have been no reported violations, complaints, or detrimental characteristics which may, in the opinion of the city council or city zoning administrator, require termination of such occupation.~~
- ~~M. Daycares, preschools, and in-home instruction are subject to additional regulations under the Highland City Development Code.~~

5.08.060 Responsibility For Obtaining License

It shall be the responsibility of a person engaging in home occupation within the city to voluntarily apply for, renew, and maintain in full force and effect a valid home occupation license ~~and a valid business license~~ from ~~Highland the C~~city at all times the person engages in the home occupation.

5.08.070 Reserved Licenses Not Transferable

A home occupation license shall not be assignable or transferable. A home occupation license shall authorize only the person named therein to engage in the home occupation at the residential property. A home occupation license does not authorize any other person, including a successor-in-interest to the residential property, to engage in business at the residential property. A home occupation license does not authorize any other business than is described therein.

5.08.080 Application and License Fees

~~An applicant for a home occupation license shall pay all application and license fees as specified and adopted in the consolidated fee schedule shall be due and payable upon prior to issuance of the home occupation license except as provided herein.~~

- ~~1. In the event the characteristic or nature of the business requires an inspection by the fire department and/or the building inspection department, an additional twenty-five-dollar fee will be assessed to cover the costs incurred.~~

5.08.090 Method Of Changing Fees

~~The city council shall by resolution or ordinance fix the amount of home occupation license fees and the terms and conditions thereof, copies of which shall be available for public inspection at the office of the city recorder.~~

5.08.100-090 Refunds

~~Except as provided herein, application and license fees shall not be refunded for any reason, including denial of an application or the expiration, revocation, or termination of a home occupation license. A refund may be issued if, except as herein specially provided, shall not be made on any license issued in accordance with the provisions of this chapter, unless the conducting, managing, or carrying on of the such home occupation as provided in such license shall become unlawful, either by act of the city council or by act of some other legislative body having jurisdiction therein, or when payments have been made erroneously by the licensee or applicant.~~

5.08.100 Denial, Termination, and Revocation

- ~~A. An application for a home occupation license shall be denied by the business license official or designee if the application does not conform to the requirements of this chapter or other governing law. The business license official shall provide written notice of the denial to the applicant, which notice shall explain the basis of the denial and the opportunity, process, and deadline to appeal the denial.~~
- ~~B. Home occupation licenses may be voluntarily terminated by the licensee at any time upon written notice to the business license official.~~
- ~~C. If a licensee ceases all business activities and no longer engages in business within the city, the home occupation license shall be deemed voluntarily terminated by the licensee. A home occupation license terminated in this manner shall not be considered a revocation.~~

~~D. Home occupation licenses issued under the provisions of this chapter may be revoked by action of the business license official city council, upon recommendation of the city zoning administrator, because of if the licensee violates or failsure upon the part of the licensee to comply with the conditions of approval and requirements under which said of the home occupation license is granted or other governing law according to the procedures set forth in Article 5, Chapter 4 of this Code. because of illegal activities thereunder.~~

~~E. If at any time a home occupation license expires or is denied, terminated, or revoked, it shall thereafter be unlawful for any person to engage in any business for which a license is required at the residential property where the license expired or was revoked or terminated, or the application for license denied, until a new license shall be approved in accordance with this Chapter.~~

5.08.110 Appeals

~~A. Conditions of approval imposed on a home occupation license and the denial or revocation of a home occupation license may be appealed by the applicant or licensee to A license issued under the provisions of this chapter shall not be revoked, nor any application for license under the provisions of this chapter be denied, except after the city council by the applicant or licensee according to the procedures set forth in Article 5, Chapter 4 of this Code.~~

~~B. If a timely appeal is not filed, the decision of the business license official shall be final and may not thereafter be challenged.~~

~~C. holds a public hearing on the matter. The licensee or applicant shall be given a fourteen day written notice of the public hearing before the city council by U.S. mail sent to the licensee's or applicant's address as shown on the application for license. The filing of an appeal stays the revocation of the home occupation license until the city council issues a decision.~~

~~A.D. Upon issuance of a final decision denying or revoking a home occupation license, it shall thereafter be unlawful for any person to engage in any business for which a license is required at the residential property where the license is revoked, or the application for license denied, until a new license shall be approved in accordance with this Chapter.~~

~~Notwithstanding the foregoing, a home occupation license is automatically revoked effective with the expiration or revocation of all business licenses issued for use at the same premises.~~

10.09.060 Home Occupations

A. A duly licensed home occupation may park one commercial vehicle on the residential property pursuant to Section 10.09.303, provided that no more than one commercial vehicle is visibly parked at the residential property at any time. All other commercial vehicles associated with the home occupation must shall comply with the regulations pertaining to home occupations ordinance and the home occupation license permit.

A.B. Notwithstanding any other provision of this Chapter, Employees of a resident with an approved home occupation license may park their vehicles on the associated residential property in compliance with the approved traffic flow and parking plans shall not park commercial vehicles on the resident's lot.



CITY COUNCIL AGENDA REPORT

ITEM #4b

DATE: April 21, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Rob Patterson, City Attorney/Planning & Zoning Administrator
SPONSORED BY: Ty Ricks
SUBJECT: Text Amendment - Rounding of Density Calculations in R-1-40
TYPE: Development Code Update (Legislative)

PURPOSE:

The City Council will hold a public hearing to consider amendments to the R-1-40 zone density calculation proposed by Ty Ricks.

STAFF RECOMMENDATION:

Staff recommends that the City Council consider the proposed amendments, hold a public hearing, hear from the applicant, and determine whether to approve or reject the proposed amendments.

PRIOR COUNCIL DIRECTION:

No specific prior review of this request. In 2022, the City Council changed the R-1-40 rounding regulations from allowing fractional lots to be rounded to the closest whole number (up or down) to requiring fractional lots always be rounded down.

BACKGROUND:

Mr. Ricks is the future developer of a property that is slightly more than 5 acres located off of 6800 West near Wimbleton. The property is zoned R-1-40. Under the R-1-40 standards, the total allowed density is calculated by dividing the total square footage of the property being developed by 40,000. For the property at issue, this results in allowing 5.44 lots. The R-1-40 standards then require this number be rounded down to the nearest whole number. So Mr. Ricks may only subdivide the property into 5 lots. Attached is a proposed site plan submitted by Mr. Ricks showing the proposed subdivision for 5 lots.

Mr. Ricks has applied to amend section 3-4103 to instead round fractional lots up to the nearest whole number. This would allow one additional lot in R-1-40 subdivisions. Lots would still need to meet frontage and size requirements. For the property at issue, it is possible to subdivide it into 6 lots that are each at least 30,000 square feet, if he were allowed to round up. In other words, rounding up allows an additional lot to be created, but each lot still would conform to all R-1-40 standards.

PLANNING COMMISSION ACTION

The Planning Commission considered the proposed amendments at a duly noticed public hearing held on March 31, 2026. No comments were received other than from the applicant, speaking in support of the proposed amendments. The Commission debated the merits of the change and its impact to the R-1-40 zone goals and intent. Some commissioners preferred to keep the code as-is, some expressed some support for changing the code back to rounding to the closest whole number, others saw little impact

from proposed change and thought the change would be helpful to facilitate the proposed development and other complicated/limited infill developments. Ultimately, the Commission voted 5-2 to reject the proposed amendments.

STAFF REVIEW

Staff has no position on whether to amend the rounding regulations for R-1-40 subdivisions. The density calculation regulations are policy matters that are best addressed by the Planning Commission and City Council. Staff does not have any concerns about applying the rounding rules as proposed by the applicant. Prior to 2022, code was somewhat contradictory, with one general section (3-613) directing the city to round down, while the specific R-1-40 regulation allowed rounding up or down to the nearest whole number. It appears both practices have been followed at different times. Always rounding up as proposed by the applicant would not be a significant change nor, in staff's opinion, materially change the feel of R-1-40 development because all lots would still need to meet minimum lot size and frontage requirements, and if there is not sufficient area for the additional lot, the extra lot would not be permitted regardless.

A concern was raised that allowing subdivisions to always round up would result in developers doing multiple small subdivisions in order to create extra lots by rounding up at each phase. This does not appear to staff to be a significant concern for two reasons. First, practically, even the minor subdivision process takes at least 3 months. Larger subdivisions are slower. There would be significant delay in processing multiple sequential subdivisions, which would cost time and money. Second, the existing R-1-40 zone directs that subdivision of property that has already been subdivided uses the original density calculation of the subdivision. Accordingly, no matter how many phases, staff would calculate density by looking at the original subdivision and rounding up once, rather than looking at each individual phase and rounding up multiple times. At most, a developer can obtain one additional lot.

Regardless, the determination of appropriate density is a decision for the Council, and staff is not for or against the proposal. Staff's position is only that there are some safeguards in place to prevent abuse of the rounding rule if the Council determines that always rounding up is the appropriate policy.

FISCAL IMPACT:

Adopting the amendments would have a minor impact on development and impact fee revenues (increasing due to a few additional lots seeking building permits) and a minor impact on city utility revenues (increasing revenues due to additional users, but also increasing expenses due to additional demand and use of city utilities). The exact impact of these changes is impossible to determine with certainty, but overall appears minor.

MOTION:

I move that the City Council [ADOPT or REJECT] the amendments to section 3-4103 as proposed by the applicant.

[Council may recommend different or additional amendments separate from what the applicant proposed]

ATTACHMENTS:

1. Ordinance - Development Code Rounding R-1-40
2. Concept Subdivision Plan - Current Rules (5 Lots)
3. Concept Subdivision Plan - Rounding Up (6 Lots)

AN ORDINANCE AMENDING HIGHLAND CITY DEVELOPMENT CODE RELATED TO ROUNDING FOR DENSITY CALCULATIONS IN R-1-40

WHEREAS, Highland City is authorized to enact land use regulations that govern the use and development of property in accordance with State law;

WHEREAS, Highland City has previously adopted regulations regarding the rounding standard to use in calculating the number of lots allowed to be created with a subdivision in the R-1-40 zoning district;

WHEREAS, Highland City desires to amend its regulations to always round up in calculating the allowable number lots;

WHEREAS, a duly noticed public hearing was held by the Planning Commission regarding the proposed amendments on March 31, 2026, after which hearing the Commission recommended against the adoption of amendments to the rounding standards;

WHEREAS, the Highland City Council provided notice of and conducted a public hearing regarding the proposed amendments and to review the recommendation of the Planning Commission on April 21, 2026;

WHEREAS, the Highland City Council finds that the proposed amendments further the public welfare and are in the interest of the public.

NOW THEREFORE, BE IT ORDAINED by the Highland City Council as follows:

SECTION 1. The Highland Development Code is amended as shown in Exhibit A, attached hereto.

SECTION 2. The City Recorder, under the supervision of the City Administrator and City Attorney, may make non-substantive corrections to any portion of this ordinance and to the City codes referenced herein for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.

SECTION 3. All ordinances and parts and provisions thereof in conflict with this ordinance are repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect immediately upon its adoption and publication, in accordance with law.

ADOPTED AND PASSED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH, this 21st day of April, 2026.

Brittney P. Bills

Mayor

ATTESTED:

Stephannie B. Cottle
City Recorder

Exhibit A

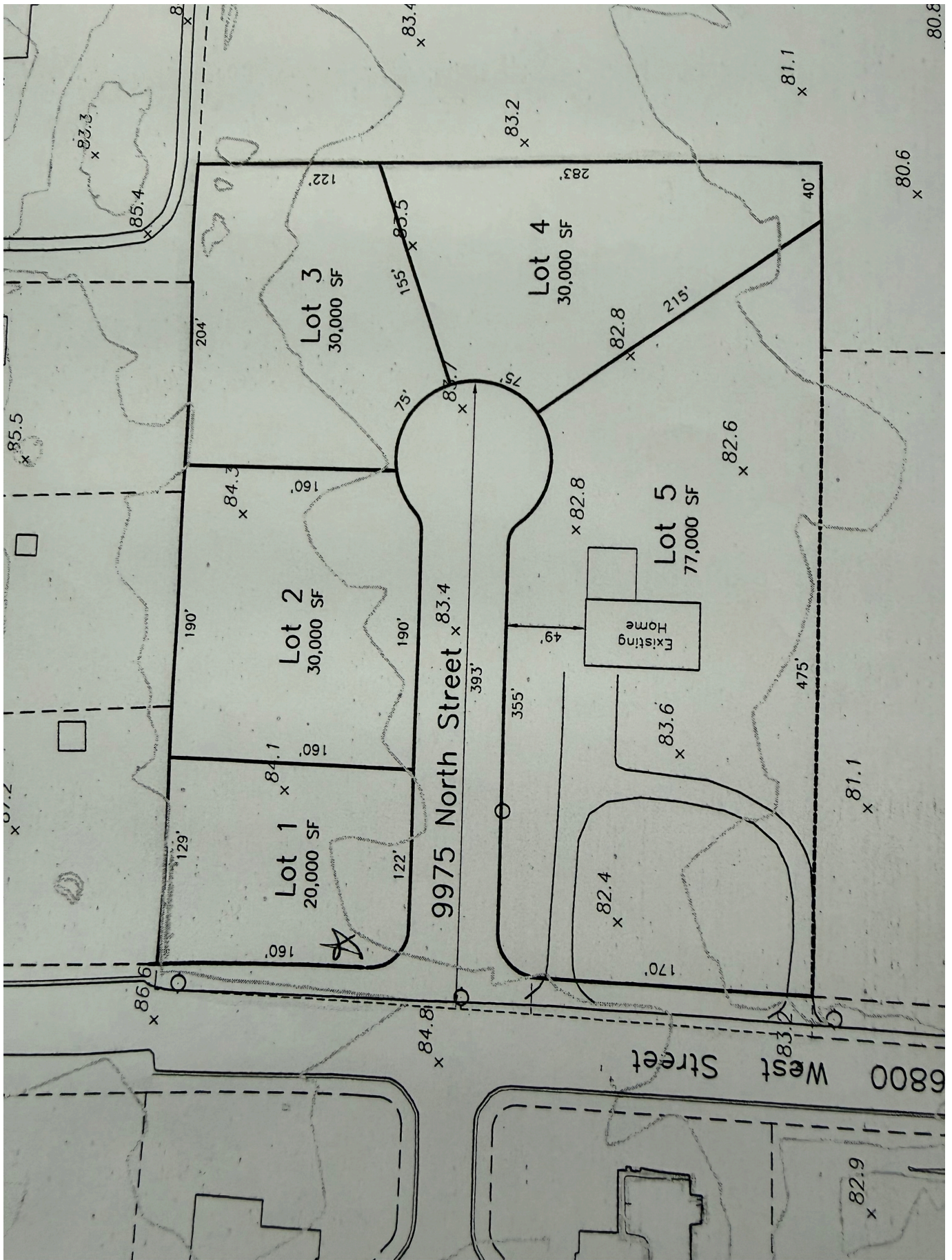
Amendments to Development Code

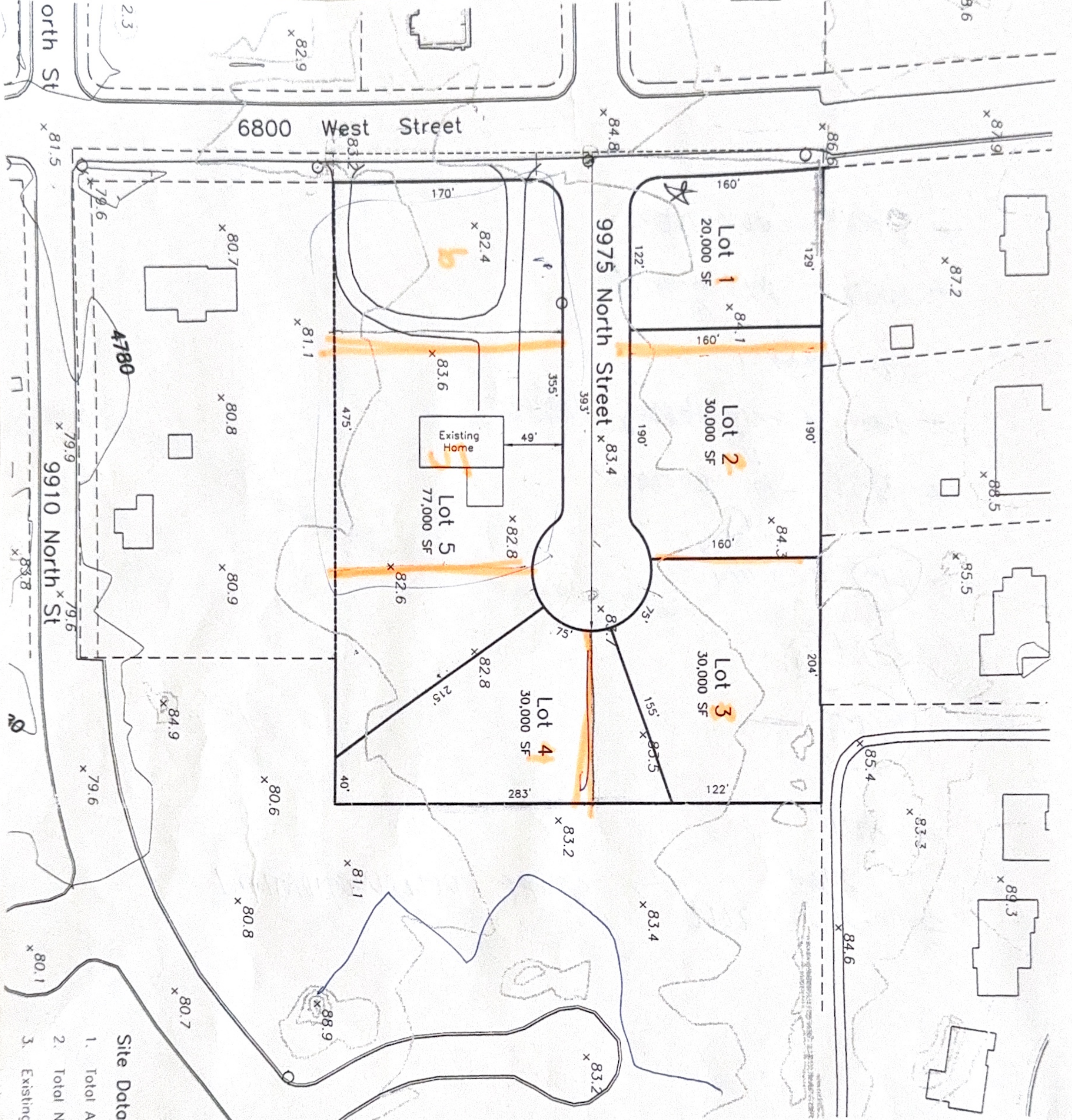
3-4103 Area And Width Requirements

1. The maximum number of lots to be permitted on a subdivided property is determined by dividing the total square footage, less any area used as an existing prescriptive easement or roadway, by 40,000 square feet. Churches and other public buildings and grounds shall not be used in calculating the number of allowable lots. Lots in the R-1-40 Zone may not be smaller than 20,000 square feet with not more than 25% of the lots being 30,000 square feet or less. In determining number of lots, a fractional number shall be rounded down-up to the nearest whole number. Area and width requirements of a building lot in the R-1-40 Zone shall be as follows:

Use	Minimum Lot Area	Minimum Width at Setback Line
One-family dwelling	20,000 Square Feet	130 feet

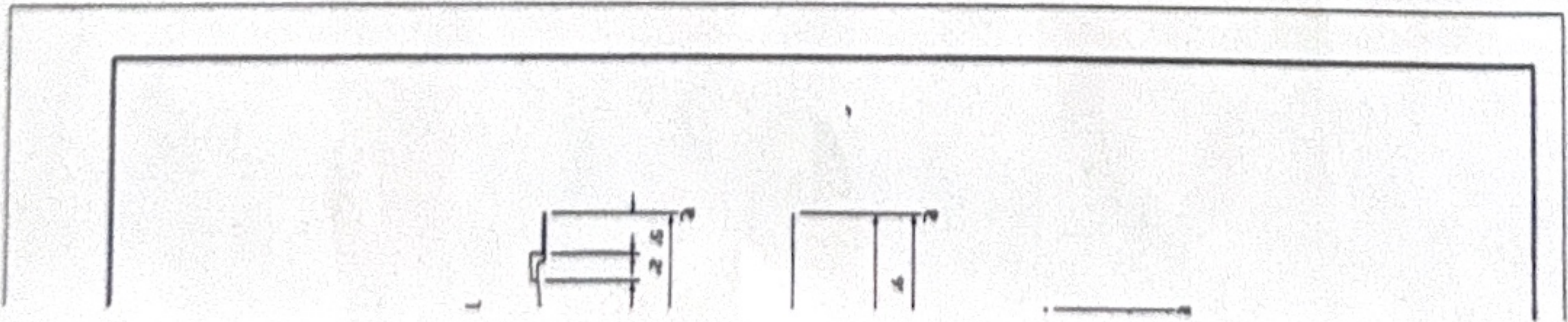
2. Subdividing an existing lot in a subdivision for the purposes of this section, the density requirement is calculated using the number of lots that would be have been permitted under the original plat of the subdivision. If a subdivision was platted with less than the maximum number of lots, an existing lot may be further subdivided if both lots meet all the requirements of the Development Code.





Site Data:

1. Total Area = 217,862 Square Feet = 5.00
2. Total Number of Lots is 5
3. Existing home of Richard Christiansen on





CITY COUNCIL AGENDA REPORT

ITEM #4c

DATE: April 21, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Erin Wells, City Administrator
SPONSORED BY: Rob Crawley
SUBJECT: Highland Alpine Chamber of Commerce Memorandum of Understanding
TYPE: General City Management

PURPOSE:

The City Council will consider approving the proposed Memorandum of Understanding (MOU) between Highland City and the Highland Alpine Chamber of Commerce (Chamber).

STAFF RECOMMENDATION:

Staff recommends that Council review the MOU and, if it meets their expectations, approve the agreement.

PRIOR COUNCIL DIRECTION:

On March 3, 2026, the City Council approved Highland City becoming a municipal trustee member of the Chamber conditioned upon agreement and execution of an MOU outlining expectations of each party.

BACKGROUND:

A proposed MOU between the City and the Chamber is attached. Staff has reviewed the MOU and made changes that the Chamber agreed to. This MOU gives additional detail regarding the City's and Chamber's commitments to each other.

FISCAL IMPACT:

Council approved joining the Chamber as a trustee member for \$2,500. This amount is budgeted in 10-41-63 (Economic Development) within the FY26 budget and is included in the FY27 draft tentative budget. Executing this MOU will not cause the City any additional expense.

MOTION:

I move that the City Council approve the Memorandum of Understanding between the Highland City and the Highland Alpine Chamber of Commerce.

ATTACHMENTS:

1. Proposed MOU

Memorandum of Understanding

Between Highland City and Highland Alpine Chamber of Commerce

Date: April 21, 2026

Purpose: The purpose of this Memorandum of Understanding (MOU) is to document the benefits and services to be offered between the Highland City (“City”) and Highland Alpine Chamber of Commerce (“Chamber”) (collectively the “Parties”) and to clarify roles, responsibilities, and objectives between the Parties, ensuring mutual understanding and cooperation.

The Parties agree to collaborate in good faith, share relevant information as allowed by law, and work toward the goals specified herein. This MOU is not legally binding but reflects the commitment of the Parties to uphold the principles discussed and move forward together.

The Parties share some common goals as follows:

- 1) Help businesses in our community thrive thereby increasing the tax base of the city.
- 2) Encourage “Shop Local” initiatives improving the profits for business owners and their employees.
- 3) Inform local residents of the businesses in the area, increasing their local options when choosing service providers.
- 4) Provide wholesome activities (such as the Highland Fling and the Chamber Grand Opening) encouraging neighbors to interact and improving the lives of residents.

What the Chamber of Commerce Provides to Highland City:

- 1) Builds goodwill between Highland City and local businesses.
- 2) Mentions Highland City as a “Trustee” member of the chamber of commerce on every flyer, publication and verbally at each event.
- 3) Publicly mentions attending city representatives at each event and thanks them for their support.
- 4) Provides a “Welcome Wagon”, which is a bag/tote of marketing materials, gift certificates, merchandise, etc., to the City from local businesses for the City to use to welcome new residents to the area, making them feel welcome and in the know as they move in.
- 5) Free admission for City officials and staff to all luncheons and events (unlimited seats)
- 6) One City-appointed board seat.

- 7) Support of the Highland Fling with increased support each year as the chamber resources grow.
- 8) Direct marketing to the Chamber business base for advertising opportunities with the city (Highland Fling and other events).
- 9) Sharing of benefits when Chamber receives or purchases memberships (such as golf passes or event seats).
- 10) Acts as an economic development resource for the city.
- 11) Fills a need when people outside of the city are looking for information about the city and its businesses.
- 12) Help businesses understand and comply with City business regulations.
- 13) Help the City understand the needs of local businesses.

What Highland City Provides to the Chamber of Commerce:

- 1) Provides financial support through a \$2,500 funds allocation as a Trustee member.
- 2) Adds credibility to the Chamber of Commerce.
- 3) Provides a monthly section in the city newsletter for the Chamber of Commerce, as space is available.
- 4) Offer new residents a “Welcome Wagon” package provided by the Highland Alpine Chamber of Commerce.
- 5) Provides information to the Chamber of Commerce regarding City business regulations to share with local businesses.

The Chamber of Commerce agrees to respect the following limitations:

- 1) The Chamber will not direct the use or allocation of City resources, including buildings, funds, or staff/volunteer time, though the Parties may agree to share resources and cooperate in activities and endeavors as mutually desired.
- 2) The Chamber will not hold itself out to any person or business as an official representative or agent of the City. The Chamber will not negotiate for, make promises on behalf of, or enter into agreements on behalf of the City.
- 3) The Chamber will communicate with City officials, staff, and volunteers according to City policies and procedures.

Highland Alpine Chamber of Commerce

Highland City

Rob Crawley/Chair

Brittney Bills – Highland City Mayor

Jo Lambert/Vice Chair



CITY COUNCIL AGENDA REPORT

ITEM #4d

DATE: April 21, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Rob Patterson, City Attorney/Planning & Zoning Administrator
SPONSORED BY: Scott Ludwig, Appellant
SUBJECT: Solicitor License Appeal - Ludwig
TYPE: General City Management

PURPOSE:

The City Council, as the appeal body, will consider an appeal by Scott Ludwig of City staff's denial of his application for a solicitor's license.

STAFF RECOMMENDATION:

For the reasons set forth herein and in the attached letter of denial, the City Attorney recommends that the appeal be denied.

PRIOR COUNCIL DIRECTION:

No prior review.

BACKGROUND:

On March 23, 2026, Highland City staff denied Mr. Scott Ludwig's application for a solicitor's license, due to staff's determination that Mr. Ludwig has a disqualifying status under Highland City Code. This appeal has been brought by Mr. Ludwig.

COUNCIL APPEAL PROCESS AND STANDARD OF REVIEW

The City Council, sitting in a quasi-judicial capacity, is tasked to "review, de novo, all written information submitted by the applicant or registered solicitor to the licensing officer, any additional information relied upon by the licensing officer as the basis for denial, suspension or revocation, and any additional information supplied by the city, applicant or registered solicitor." HMC 5.16.150. A "de novo" review means that the City Council is not bound by the previous decision made by staff, nor does the Council owe any deference to staff's decision. The Council must review the appeal, evidence, and information independently and reach its own decision.

Municipal Code 5.16.150(D) directs that the Council shall make a decision within fifteen calendar days of the appeal date. That section further provides:

1. The denial or suspension of the certificate shall be reversed by the appeals officer if upon review of the written appeal and information submitted, the appeals officer finds that the licensing officer made a material mistake of law or fact in denying or suspending the applicant or registered solicitor's certificate.

2. If the written appeal and information submitted indicates that the licensing officer properly denied or suspended the certificate of the applicant or registered solicitor, the denial or suspension of the certificate shall be affirmed and constitute a determination that the suspended certificate is revoked.

Accordingly, if the Council determines that staff interpreted or applied City Code incorrectly, or if staff erred as to the factual basis for disqualification, the Council must reverse staff's decision and direct the license be issued. But if the Council determines that staff correctly interpreted and applied City Code, and did not err as to the factual basis for disqualification, the Council must affirm staff's decision and uphold the denial.

CITY ATTORNEY ARGUMENT

Highland City has adopted regulations for door-to-door solicitation, found in [Chapter 5.16](#) of the Highland Municipal Code. These regulations require all solicitors to apply for and obtain a solicitor's license prior to engaging in solicitation. As part of the license application, applicants are required to provide a criminal background check and provide responses as to whether the applicant has a "disqualifying status." HMC 5.16.070(G)-(H), 5.16.080(E), (H).

"Disqualifying status" is defined in HMC 5.16.030 and includes certain criminal convictions, criminal penalties, and pending warrants and parole that disqualify the applicant from obtaining a solicitor's license. Some of these disqualifying statuses have a specific look-back period. For example, incarceration is a disqualifying status only if it was within the past five years. If someone was incarcerated six years ago, they would no longer have a disqualifying status.

Relevant to this appeal, the Municipal Code provides that it is a disqualifying status if "The applicant or registered solicitor has been criminally convicted of: (i) felony homicide, (ii) physically abusing, sexually abusing, or exploiting a minor, (iii) the sale or distribution of controlled substances, or (iv) sexual assault of any kind." HMC 5.16.030. Unlike some of the other disqualifying statuses, there is no look-back period for these convictions in the code. Accordingly, any conviction of these types of crimes, no matter how recent or old, is a disqualifying status that requires the City to deny the request for a solicitor's license.

Mr. Ludwig applied for a solicitor's license on March 23, 2026. [Exhibit A, Civic Review Application](#), p.1. With the application, he provided a criminal background check report from the Utah Bureau of Criminal Identification (BCI) and answered questions regarding whether he had any disqualifying statuses. Mr. Ludwig affirmatively answered, under penalty of perjury, that he has been criminally convicted of physically abusing, sexually abusing, or exploiting a minor. [Exhibit A, Civic Review Application](#), p.2. The BCI report Mr. Ludwig provided confirms that he was convicted in 2003 of "Attempted Enticing A Minor Over The Internet" pursuant to Utah Code § 76-4-401, which code at the time criminalized using or attempting to use a computer to "solicit, seduce, lure, or entice a minor or a person the defendant believes to be a minor to engage in any sexual activity which is a violation of state criminal law." [Exhibit B, BCI Report](#); [Exhibit C, Letter of Denial](#).

Staff believes that Mr. Ludwig's conviction for attempted enticing a minor over the internet is a criminal conviction of sexually abusing or exploiting a minor. This is a disqualifying status under City Code, regardless of when it occurred. Accordingly, Highland City staff denied the application. Specifically, the business license official denied the application, with an accompanying letter of explanation from the city attorney. [Exhibit C, Letter of Denial](#). Mr. Ludwig timely appealed the denial on April 6, 2026, which is ten business days from the date of denial. HMC 5.16.150. A copy of his appeal document is included with this memorandum.

CONCLUSION

The evidence is uncontroverted that Mr. Ludwig was convicted of a crime involving the sexual abuse or exploitation of a minor. An official BCI report and Mr. Ludwig's own affirmation attest to this. The City's Code is straightforward: any conviction of a crime involving sexual abuse or exploitation of a minor is a disqualifying status, no matter when the conviction occurred. There is no look-back period. Accordingly, I urge the City Council to affirm the denial of Mr. Ludwig's application for a solicitor's license.

FISCAL IMPACT:

N/A

MOTION:

Motion to Affirm: I move that the City Council affirm the decision of staff and uphold the denial of a solicitor's license to Mr. Ludwig, finding that Mr. Ludwig has a disqualifying status under Highland City Code, as outlined in the letter of denial.

Motion to Reverse: I move that City Council reverse the decision of staff and direct that staff issue a solicitor's license to Mr. Ludwig. [Council would need to specify the findings to support this decision]

ATTACHMENTS:

1. Ludwig - Appeal Letter

Re: Ludwig, Scott - Planning Appointments

From Ludwig, Scott <Scott.Ludwig@andersencorp.com>

Date Mon 4/6/2026 1:38 PM

To Rob Patterson <rpatterson@highlandut.gov>

Hi Rod!

I dont have access to word doc so i will just type out my formal appeal to you.

I feel as if my denial is being based on a felony charge that has happened recently.

This felony occurred more than 20 years ago, and I have not been in any legal trouble since. I have been an upstanding citizen in my community. I have raised 2 daughters. I have maintained gainful employment.

I was involved in a sting operation more than 20 years ago at a time i was struggling in life and vulnerable to allow myself to make terrible decisions. I never served any prison time and successfully completed my probation as fast as allowed by the law.

All im asking for is a chance to gain a solicitor permit to continue gainfully working. I feel that I am not a danger to anyone whatsoever.

Scott Ludwig

scotty_slc@rocketmail.com

Sent from my T-Mobile 4G LTE Device

Get [Outlook for Android](#)

From: Rob Patterson <rpatterson@highlandut.gov>

Sent: Wednesday, March 25, 2026 9:07:46 AM

To: Ludwig, Scott <Scott.Ludwig@andersencorp.com>

Subject: Ludwig, Scott - Planning Appointments

When: Wednesday, April 1, 2026 11:30 AM-12:00 PM.

Where: Highland City (5400 W Civic Center Dr Ste 1, Highland, UT 84003, United States)

You don't often get email from rpatterson@highlandut.gov. [Learn why this is important](#)

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This meeting was scheduled from the bookings page of Rob Patterson.

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CITY COUNCIL AGENDA REPORT

ITEM #4e

DATE: April 21, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Erin Wells, City Administrator
SPONSORED BY: City Staff
SUBJECT: Lone Peak Public Safety District Fiscal Year 2026-2027 Tentative Budget
TYPE: General City Management

PURPOSE:

The City Council will consider approval of the Lone Peak Public Safety District Fiscal Year 2026-2027 Tentative Budget that was adopted by the Lone Peak Public Safety District Board on April 1, 2026 and Alpine City on April 15, 2026.

STAFF RECOMMENDATION:

Staff recommends approval of the Lone Peak Public Safety District Fiscal Year 2026-2027 Tentative Budget.

PRIOR COUNCIL DIRECTION:

The Council previewed the Lone Peak Budget as a part of the City Budget Work Session on April 14, 2026.

BACKGROUND:

As a part of the interlocal agreement governing Lone Peak, if the Lone Peak Budget increase exceeds the average property tax revenue increase between the two cities, it is required to also come to the respective cities for their approval. This Council approval follows that process.

In their April 1, 2026, Board Meeting, the Lone Peak Public Safety District Board approved the Fiscal Year 2026-2027 Tentative Budget which includes assessments due from Highland City of \$282,375 for Administration, \$3,342,158 for Police, and \$2,689,615 for Fire/EMS. Below are some highlights from each Department. The full budget document is attached.

Administration

- Each City is responsible for its assessment increase from Central Utah 911.
- The Board has opted to hire an independent contract attorney, which is separate from both Highland and Alpine Cities, to represent Lone Peak.
- Each City will receive a payback of fund balance from Lone Peak related to the implementation of the new funding formula for the fire department.

Police

- The Board authorized a salary increase of 5% total. The salary increases also increases overtime, call pay, retirement, and FICA/Medicare.
- An additional Sergeant position has been added to this budget to help address some gaps the Department has with supervision.
- The Board set aside funding for an AI report writing software to help improve officer efficiency so more time could be dedicated to calls and patrol.

Fire

- The Fire Department is seeing increased revenue from additional calls as well as additional money from Utah County calls for service.
- The new funding formula goes into place this year, which actually results in a decrease in assessments to Highland for the Fire Department this year.
- Similar to police, the Board authorized a salary increase of 5% total. Again, the salary increases also increases overtime, call pay, retirement, and FICA/Medicare.

FISCAL IMPACT:

This Lone Peak Budget will have the following impact on the City Budget:

\$3,342,158 in the General Fund, account **10-54-31** (Police - Lone Peak Public Safety Dist.).

\$282,375 in the General Fund account **10-57-11** (Administration Expense).

\$2,689,615 in the General Fund account **10-57-31** (Fire/EMS - Lone Peak Public Safety Dist.)

MOTION:

I move that City Council approve the Lone Peak Public Safety District Fiscal Year 2026-2027 Tentative Budget that was adopted by the Lone Peak Public Safety District Board on April 1, 2026.

ATTACHMENTS:

1. LPPSD FY27 Tentative Budget Approved 4.1.26

Lone Peak Public Safety District

Fiscal Year 2026-2027 Approved Tentative Budget
1-Apr-26

GENERAL FUND SUMMARY 2027

	ACTUALS FY2023	ACTUALS FY2024	ACTUALS FY2025	ADOPTED BUDGET FY2026	PROPOSED BUDGET FY2027
BEGINNING FUND BALANCE:				\$ 3,567,383	\$ 3,567,383
REVENUES:					
Administration	\$ 314,914	\$ 528,754	\$ 517,961	\$ 454,473	\$ 908,919
Police	4,320,833	4,685,988	4,957,471	4,821,462	5,423,095
Fire & EMS	4,445,262	4,149,233	4,488,374	4,950,143	5,294,671
Wildland Deployment	-	401,828	650,339	35,000	35,000
TOTAL REVENUE	\$ 9,081,009	\$ 9,765,804	\$ 10,614,146	\$ 10,261,078	\$ 11,661,685
GENERAL FUND EXPENDITURES:					
Administration	\$ 190,345	\$ 360,511	\$ 389,038	\$ 454,473	\$ 908,919
Police	3,822,532	4,411,589	4,575,431	4,821,462	5,423,095
Fire & EMS	4,064,578	4,040,840	4,201,768	4,950,143	5,294,671
Wildland Deployment	-	321,352	519,756	35,000	35,000
TOTAL EXPENDITURES	\$ 8,077,456	\$ 9,134,292	\$ 9,685,991	\$ 10,261,078	\$ 11,661,685
OPERATING SURPLUS(DEFICIT)	\$ 1,003,553	\$ 631,512	\$ 928,154	\$ 0	\$ 0

**FUND 10
GENERAL FUND
ADMINISTRATION**

ACCT	DESCRIPTION	ACTUALS FY2023	ACTUALS FY2024	ACTUALS FY2025	MID-YEAR ACTUALS DEC 2025	ADOPTED BUDGET FY2026	PROPOSED BUDGET FY2027	CHANGE FY2026 TO FY2027	NOTES
REVENUES									
10-33-01	Alpine	93,759	134,604	125,328	60,528	121,057	139,716	18,659	
10-33-02	Highland	192,180	282,564	248,844	122,958	245,916	282,375	36,459	
10-33-15	Interest Earnings	28,731	108,451	129,110	47,706	87,500	87,500	-	
10-33-18	Miscellaneous Income	244	3,112	13,224	-	-	-	-	
10-33-20	FICA Refunds	-	23	1,456	-	-	-	-	
10-33-30	Budgeted Surplus	-	-	-	-	-	399,328	399,328	Fund balance refund to cities for fire formula transition
	TOTAL REVENUES	314,914	528,754	517,961	231,193	454,473	908,919	454,446	
EXPENDITURES									
10-43-10	Wages - Permanent Employees	36,632	165,230	170,634	90,258	171,800	191,100	19,300	Budget for 4% raise and 9% medical premium increase
10-43-33	Public Information	41	41	812	-	500	600	100	
10-43-40	Postage - Misc Supplies	694	195	-	443	500	500	-	
10-43-50	FICA Refund	-	-	-	-	-	-	-	
10-43-61	Legal Fees	3,263	750	1,913	40	4,000	21,000	17,000	New contract attorney. Budgeted for 10 hours per month.
10-43-62	Audit Fees	7,000	8,750	7,500	-	8,000	8,000	-	
10-43-79	Insurance	106	211	127	52	200	200	-	
10-43-80	Alpine Dispatch	42,795	57,182	67,845	34,423	88,079	95,030	6,951	Estimate increase from Dispatch
10-43-81	Highland Dispatch	89,775	125,066	132,941	67,855	177,144	188,911	11,767	Estimate increase from Dispatch
10-43-88	Board Expenses	33	22	33	175	2,250	2,250	-	
10-43-89	Employee Relations	2,875	-	-	-	-	-	-	
10-43-90	Miscellaneous Expense	7,132	3,064	7,234	2,353	2,000	2,000	-	
10-43-XX	Payout of Fund Balance to Cities	-	-	-	-	-	399,328	399,328	Fund balance refund to cities for fire formula transition
	TOTAL EXPENDITURES	190,345	360,511	389,038	195,600	454,473	908,919	454,446	
	Surplus (Deficit)	124,569	168,244	128,923	35,593	(0)	-		

**FUND 10
GENERAL FUND
POLICE**

ACCT	DESCRIPTION	ACTUALS FY2023	ACTUALS FY2024	ACTUALS FY2025	MID-YEAR ACTUALS DEC 2025	ADOPTED BUDGET FY2026	PROPOSED BUDGET FY2027	CHANGE FY2026 TO FY2027	NOTES
REVENUES									
10-35-01	Alpine	1,392,648	1,451,362	1,497,972	761,575	1,523,150	1,597,937	74,787	
10-35-02	Highland	2,689,059	2,857,308	3,080,145	1,588,156	3,176,312	3,342,158	165,846	
10-35-04	Alpine School District	93,400	98,890	101,305	9,785	85,000	95,000	10,000	Historical trend
10-35-09	Court Revenue	111	74	130	93			-	
10-35-10	Police Report Charges	4,721	4,819	11,356	6,142	4,500	10,000	5,500	Historical trend
10-35-11	Finger Printing	1,363	1,307	1,335	627	1,000	1,000	-	
10-35-12	Dog License Revenue	64	44	52	73			-	
10-35-13	Security Services	2,411	18,786	9,143	9,671	2,500	10,000	7,500	Historical trend
10-35-17	Credit Card Cash Back	1,446	1,342	1,487	305	1,000	1,000	-	
10-35-18	Miscellaneous Income	8,525	16,842	18,607	5,237	6,000	6,000	-	
10-35-19	K-9 Donations	-	-	-	2,655			-	
10-35-20	Grants	74,213	21,048	26,124	1,676	8,000	8,000	-	
10-35-25	Proceeds From Lease	-	211,403	190,792	-			-	
10-35-30	Budgeted Surplus	-	-	-	-		338,000	338,000	Purchase 4 vehicles, 2 motorcycles, & report software
10-35-40	Proceeds from Sale of Asset	52,874	2,765	19,024	3,563	14,000	14,000	-	
	TOTAL REVENUES	4,320,833	4,685,988	4,957,471	2,389,556	4,821,462	5,423,095	601,633	
EXPENDITURES									
10-45-10	Wages - Permanent Employees	1,824,960	1,970,901	1,979,089	1,032,679	2,165,206	2,280,332	115,126	5% market increase, 1 new supervisor position
10-45-11	Holiday Pay	11,191	8,369	10,906	1,585	-	-	-	
10-45-12	Overtime	119,787	118,318	102,619	85,583	103,750	108,938	5,188	Wage increase
10-45-13	Wages - Crossing Guards	66,877	31,303	53,361	29,321	85,000	85,000	-	
10-45-14	Wages - Part Time	(291)	4,930	32,153	20,446	39,600	41,580	1,980	Wage increase
10-45-16	Call Pay - Police	27,665	29,061	32,039	13,711	29,150	30,608	1,458	Wage increase
10-45-18	Specialty Pay	-	1,893	6,018	4,750	6,000	12,000	6,000	Addition of Therapy Dog
10-45-20	Medical Benefits	443,765	498,309	571,373	317,930	601,356	700,841	99,485	9% medical increase, 1 new supervisor FTE
10-45-21	Retirement	549,347	625,949	658,025	332,724	674,064	704,369	30,305	Wage increase, 1 new supervisor FTE
10-45-22	FICA/Medicare	30,733	30,444	34,733	17,014	34,208	36,936	2,728	Wage increase, 1 new supervisor FTE
10-45-23	401K	44,968	51,399	49,733	27,155	121,090	130,531	9,441	Wage increase, 1 new supervisor FTE

**FUND 10
GENERAL FUND
POLICE**

ACCT	DESCRIPTION	ACTUALS FY2023	ACTUALS FY2024	ACTUALS FY2025	MID-YEAR ACTUALS DEC 2025	ADOPTED BUDGET FY2026	PROPOSED BUDGET FY2027	CHANGE FY2026 TO FY2027	NOTES
10-45-25	Uniform Expense	47,833	39,026	37,186	22,293	43,590	44,910	1,320	1 new supervisor FTE
10-45-31	Dues, Subscriptions, Ref Matls	4,353	1,412	2,857	1,348	1,750	1,750	-	
10-45-33	Public Education	10,656	1,938	3,795	504	4,000	4,000	-	
10-45-34	NOVA & School Lunch	1,953	1,267	2,127	980	2,200	2,200	-	
10-45-35	Grant Expense	6,827	19,655	16,253	11,929	8,000	8,000	-	
10-45-38	Travel Expense	9,789	9,433	9,239	5,530	9,500	9,500	-	
10-45-40	Postage, Printing, Misc Suppl	11,256	12,699	11,213	3,561	10,300	10,300	-	
10-45-50	K-9 Expenses	-	1,968	2,390	501	3,000	4,000	1,000	Addition of Therapy Dog
10-45-52	Utilities Expense	40,769	26,731	41,188	21,230	44,186	48,066	3,880	Increase in Google Suite, Mobile Phones/Data
10-45-57	Drug Screens	2,825	2,185	1,230	400	2,000	2,000	-	
10-45-58	Professional Services/Contract	131,575	107,942	122,930	118,668	139,612	164,974	25,362	Increase in PACE, Lexipol, Mental Health, Potential Report Software
10-45-59	Building Maintenance	7,159	23,261	28,925	1,145	22,000	24,936	2,936	New Service New Contract
10-45-61	Chief's Admin	8,756	11,416	9,786	4,082	9,000	9,000	-	
10-45-68	Training	20,445	14,982	19,709	6,913	19,000	19,825	825	1 new supervisor FTE
10-45-69	Rent	132,110	98,983	132,110	66,055	132,100	132,100	-	
10-45-71	Fuel	67,491	64,214	70,059	27,601	65,000	70,000	5,000	1 new supervisor FTE
10-45-72	Vehicle Repairs	-	500	-	-	-	-	-	
10-45-73	Vehicle Supplies/Maintenance	28,884	42,590	34,032	23,138	40,900	41,500	600	1 new supervisor FTE
10-45-74	Vehicle Lease	759	161,753	157,631	56,938	223,975	170,575	(53,400)	No lease in FY21 or FY26 (fund balance use)
10-45-76	Vehicle Replacement	-	220,960	173,461	168,598	-	318,000	318,000	4 vehicles (3 replacement, 1 new), 2 motorcycles
10-45-77	Equipment Replacement	66,549	56,575	57,244	40,365	64,975	82,375	17,400	1 new supervisor FTE
10-45-78	Capital	10,132	11,880	20,086	-	9,200	9,200	-	
10-45-79	Insurance	80,980	86,819	83,334	72,746	93,000	100,000	7,000	Increasing trend
10-45-80	Bankcard Fees	793	626	632	341	1,200	1,200	-	
10-45-89	Animal Control	1,857	3,958	1,415	-	4,000	4,000	-	
10-45-90	Police Supplies	9,780	17,940	6,550	3,059	9,550	9,550	-	
	TOTAL EXPENDITURES	3,822,532	4,411,589	4,575,431	2,540,822	4,821,462	5,423,095	601,633	
	Surplus (Deficit)	498,300	274,400	382,041	(151,266)	-	-		

**FUND 10
GENERAL FUND
FIRE & EMS**

ACCT	DESCRIPTION	ACTUALS FY2023	ACTUALS FY2024	ACTUALS FY2025	MID-YEAR ACTUALS DEC 2025	ADOPTED BUDGET FY2026	PROPOSED BUDGET FY2027	CHANGE FY2026 TO FY2027	NOTES
REVENUES									
10-37-01	Alpine	1,193,680	1,240,752	1,339,129	764,647	1,529,294	1,891,256	361,962	
10-37-02	Highland	2,058,415	2,173,752	2,405,818	1,408,524	2,817,049	2,689,615	(127,434)	
10-37-05	Utah County	23,409	26,436	78,001	45,714	75,000	85,000	10,000	
10-37-11	Charges for Services	504,815	510,642	588,679	345,185	500,000	600,000	100,000	
10-37-15	Burn Permits	-	-	-	-	-	-	-	
10-37-17	Credit Card Cash Back	1,728	2,181	2,087	870	1,000	1,000	-	
10-37-18	Miscellaneous Income	153	-	-	-	-	-	-	
10-37-20	Grants	132,421	195,394	74,359	-	4,800	4,800	-	
10-37-25	Proceeds From Lease	-	-	-	-	-	-	-	
10-37-30	Budgeted Surplus	-	-	-	-	23,000	23,000	-	Mental Health Grant Continuation
10-37-40	Proceeds from Sale of Asset	34,000	-	301	349,250	-	-	-	
10-37-41	Aid Provided to Other Agencies	496,641	77	-	1,154	-	-	-	
	TOTAL REVENUES	4,445,262	4,149,233	4,488,374	2,915,344	4,950,143	5,294,671	344,528	
EXPENDITURES									
10-47-10	Wages - Permanent Employees	1,552,642	1,599,683	1,854,100	1,048,842	2,228,863	2,278,349	49,486	3% merit, 2% market
10-47-11	Overtime Wages/Standby	144,046	181,281	244,535	148,873	182,347	202,350	20,003	Wage increase
10-47-14	Part Time Employees	339,451	317,429	306,671	181,903	363,504	444,740	81,236	Due to increased time off and effort to not use OT
10-47-13	Holiday Pay	32,059	45,417	46,806	65,700	88,295	68,985	(19,310)	Updated projections based on historical usage
10-47-18	Special Payouts	-	-	-	-	-	-	-	
10-47-20	Medical Benefits	409,401	424,685	493,986	290,253	533,266	621,651	88,385	9% medical premium increase
10-47-21	Retirement	343,444	377,414	444,137	230,429	571,713	594,730	23,017	Wage increase
10-47-22	FICA/Medicare	33,081	29,368	39,300	20,557	41,514	43,831	2,317	Wage increase
10-47-23	Wildland Deployment Wages	165,239	-	-	-	-	-	-	
10-47-25	Uniform Expense	19,866	23,033	18,618	9,039	21,566	21,566	-	
10-47-29	State Medicaid Fund	10,566	14,615	22,320	5,948	18,000	23,000	5,000	
10-47-31	Dues, Subscriptions, Ref Matls	1,088	1,218	1,882	971	3,332	3,332	-	
10-47-32	Equipment Repairs	-	665	21	1,422	5,500	5,500	-	
10-47-33	Public Education	663	2,171	2,408	376	2,500	2,500	-	

**FUND 10
GENERAL FUND
FIRE & EMS**

ACCT	DESCRIPTION	ACTUALS FY2023	ACTUALS FY2024	ACTUALS FY2025	MID-YEAR ACTUALS DEC 2025	ADOPTED BUDGET FY2026	PROPOSED BUDGET FY2027	CHANGE FY2026 TO FY2027	NOTES
10-47-34	Equipment Maintenance	8,223	12,030	5,049	1,790	13,000	13,000	-	
10-47-35	Station Supplies-Consumable	2,095	6,286	3,843	5,051	4,000	7,500	3,500	
10-47-37	Cell Phones & Devices	14,030	12,718	11,553	5,690	14,030	12,030	(2,000)	
10-47-39	IT Services & Computers	18,334	14,805	8,817	3,481	16,148	16,148	-	
10-47-40	Postage, Printing, Misc Suppl	4,020	4,913	3,991	2,322	4,500	5,000	500	
10-47-41	Employee Recognition	4,323	2,023	9,751	1,170	5,000	5,000	-	
10-47-42	Professional & Technical Serv	24,347	28,912	44,041	39,159	55,000	55,000	-	
10-47-43	Medical Equipment	7,869	317	3,519	-	6,500	6,500	-	
10-47-44	Protective Clothing	49,703	39,150	19,426	10,856	29,000	32,000	3,000	Increased cost of turnouts
10-47-45	Food & Beverage	5,305	4,804	3,873	3,525	5,000	6,000	1,000	
10-47-46	Grants	-	-	-	-	-	-	-	
10-47-48	Physicals	-	-	56	263	-	-	-	
10-47-49	Medical Supplies	30,479	39,428	47,111	26,411	42,000	52,000	10,000	Increased call volume and supply costs
10-47-50	Capital Projects	136,720	230,145	58,696	9,650	60,000	60,000	-	
10-47-52	Utilities	31,720	31,292	28,214	13,478	32,000	32,000	-	
10-47-58	Exp Aid Provided Oth. Agencies	54,386	-	-	-	-	-	-	
10-47-59	Building Maintenance	15,055	8,929	24,536	22,822	16,000	16,000	-	
10-47-60	Radio Service	1,200	620	(125)	-	-	-	-	
10-47-63	Billing and Collection	27,966	31,258	30,004	17,265	27,000	27,000	-	
10-47-68	Training	17,317	24,273	50,979	17,702	50,000	50,000	-	
10-47-69	Rent	126,860	104,886	126,860	53,801	126,860	126,860	-	
10-47-71	Fuel	37,893	37,157	29,038	17,145	38,000	38,000	-	
10-47-73	Vehicle Supplies/Maintenance	83,874	79,382	53,963	59,180	47,000	40,000	(7,000)	Decrease due to the new apparatus
10-47-74	Vehicle Lease	210,299	189,013	67,537	51,153	176,205	261,599	85,394	New Fire truck and Fire engine
10-47-76	Capital Expense	-	16	-	688,270	-	-	-	
10-47-78	Equipment	8,400	23,324	14,293	43,804	20,000	20,000	-	
10-47-79	Insurance	88,861	96,028	77,836	72,438	97,500	97,500	-	
10-47-90	Miscellaneous Expense	3,756	2,152	4,122	1,295	5,000	5,000	-	
10-47-91	Equipment Lease	-	-	-	-	-	-	-	
	TOTAL EXPENDITURES	4,064,578	4,040,840	4,201,768	3,172,034	4,950,143	5,294,671	344,528	
	Surplus (Deficit)	380,684	108,392	286,607	(256,690)	-	-		

FUND 10									
GENERAL FUND									
WILDLAND DEPLOYMENT									
ACCT	DESCRIPTION	ACTUALS FY2023	ACTUALS FY2024	ACTUALS FY2025	MID-YEAR ACTUALS DEC 2025	ADOPTED BUDGET FY2026	PROPOSED BUDGET FY2027	CHANGE FY2026 TO FY2027	NOTES
REVENUES									
10-38-41	Aid Provided to Other Agencies	-	401,828	650,339	185,364	35,000	35,000	-	
	TOTAL REVENUES	-	401,828	650,339	185,364	35,000	35,000	-	
EXPENDITURES									
10-48-10	Wildland Deployment Wages	-	188,121	325,699	118,096	35,000	35,000	-	
10-48-14	Wildland Deployment PT Wages	-	-	9,988	7,532	-	-	-	
10-48-20	Medical Benefits to Wildland	-	8,412	14,416	1,782	-	-	-	
10-48-21	Retirement to Wildland	-	5,016	8,203	3,451	-	-	-	
10-48-22	FICA/Medicare to Wildland	-	2,513	4,818	1,804	-	-	-	
10-48-58	Exp Aid Provided Oth. Agencies	-	117,290	156,633	21,739	-	-	-	
	TOTAL EXPENDITURES	-	321,352	519,756	154,404	35,000	35,000	-	
	Surplus (Deficit)	-	80,476	130,583	30,959	-	-		

FY2027 LPPSD City Assessments

Annual	Fire	Police	Admin	Total
Alpine	\$ 1,891,256	\$ 1,597,937	\$ 139,716	\$ 3,628,909
Highland	\$ 2,689,615	\$ 3,342,158	\$ 282,375	\$ 6,314,148
TOTAL	\$ 4,580,871	\$ 4,940,095	\$ 422,091	\$ 9,943,057

FY2026 Assessments (Prior Year)

Annual	Fire	Police	Admin	Total
Alpine	\$ 1,529,294	\$ 1,523,150	\$ 121,057	\$ 3,173,501
Highland	\$ 2,817,049	\$ 3,176,312	\$ 245,916	\$ 6,239,277
TOTAL	\$ 4,346,343	\$ 4,699,462	\$ 366,973	\$ 9,412,778

Change Over Prior Year

Annual	Fire	Police	Admin	Total
Alpine	\$361,962 (23.7%)	\$74,787 (4.9%)	\$18,659 (15.4%)	\$455,408 (14.4%)
Highland	-\$127,434 (-4.5%)	\$165,846 (5.2%)	\$36,459 (14.8%)	\$74,871 (1.2%)
TOTAL	\$234,528 (5.4%)	\$240,633 (5.1%)	\$55,118 (15%)	\$530,279 (5.6%)

Changes from 3/30/26 Tentative Version Option 2 to 4/1/26 Approved Tentative Budget

General Fund:

General Fund Revenues	<u>Previous Amount</u>	<u>Change</u>	<u>New Amount</u>
Budgeted Surplus - Potential Police Reporting Software	318,000	20,000	338,000
Total Revenues		<u><u>20,000</u></u>	
General Fund Expenditures	<u>Previous Amount</u>	<u>Change</u>	<u>New Amount</u>
Professional Services/Contract - Potential Police Reporting Software	144,974	20,000	164,974
Total Expenditures		<u><u>20,000</u></u>	
Total General Fund		<u><u>-</u></u>	



CITY COUNCIL AGENDA REPORT

ITEM #5a

DATE: April 21, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Jay Baughman, Assistant City Administrator/Community Development Director
Stephannie Cottle, City Recorder
SPONSORED BY: City Staff
SUBJECT: Cemetery Perpetual Care Fund
TYPE: General City Management

PURPOSE:

The City Council will discuss options for cemetery plot fees in order to ensure the long-term viability of the Cemetery Perpetual Care fund, as well as options for plot buybacks and plot transfers.

STAFF RECOMMENDATION:

Staff recommends raising fees for plot sales to the amount recommended by Zions Public Finance Inc. (ZPFI). Raising the fees to the recommended level will allow the cemetery fund to accumulate enough of a balance (corpus or endowment) for future operating needs.

Plot Sales: Staff recommends raising the price of resident plot sales to \$1,520* and non-resident plot sales to \$2,130*, with a 3.5% increase annually. This price aligns with other cities' cemetery plot prices and will allow the fund to accumulate the needed fund balance to make it self-sustaining by the time all plots are sold. Once all plots are sold, the cemetery's ability to generate operating revenue is severely curtailed. Staff also recommends rounding up to the nearest \$10 when calculating the plot price each year.

*Plot prices above have been rounded up to the nearest \$10.

Buybacks: Staff recommends keeping the current practice to buy back plots at the going rate or, if Council wishes to make a change, buy back plots at the rate they were originally purchased.

Transfers: Staff recommends allowing transfers to anyone, but charge the difference between the resident and non-resident rate, if transferring to a non-resident. (difference will be calculated based on current rates). Also, increase the transfer fee to \$100 per plot regardless of resident or non-resident status.

PRIOR COUNCIL DIRECTION:

On February 3, 2026, Aaron Sandborn of ZPFI presented the results of their study on the Cemetery Perpetual Care fund. The study presented three scenarios, all of which recommended raising plot sale fees at the cemetery in order to build the fund to the recommended \$26,200,000 needed to make the fund self-sustaining by 2075.

Most of the Council favored Scenario #2, which is for the cemetery fund to pay back both land and capital to the general fund. Staff's recommendations in this report are based on a plan to carry out that

desire.

BACKGROUND:

The City commissioned a study from ZPFI to look at the long-term viability of the Cemetery Perpetual Care Fund and determine what steps need to be taken to realize the goal of creating a self-sustaining perpetual care fund to maintain the cemetery once revenue from plot sales has ceased. The following is a recap of Scenario 2, which was the majority of Council's preference.

Repayment to GF	All Land and Capital
2027 Rate Increase	18.5%
Annual Increase Thereafter	3.5%
2027 Resident Rate	\$1,520*
2027 Non-resident Rate	\$2,130*

*Plot prices have been rounded up to the nearest \$10.

The remaining issues to be discussed are how to handle plot buybacks as well as transfers of plots.

Buybacks

Current practice for Highland City is to purchase plots back from residents at the going rate. This allows for an individual to potentially make a financial gain on their cemetery plots. However, the city will turn around and sell that plot for at least that same amount, if not more, in the future. Typically, families sell their plots back to the City because they are moving out of the area. Plot buybacks are relatively rare, with only a few families who have sold their plots back to the City.

Alpine City buys plots back at the going rate.

American Fork City has designated a portion of their plot sales as strictly perpetual care, so if an individual comes back in to sell back their plot, they will be refunded everything except the \$200 perpetual care portion.

Lehi City buys back plots in sets of 2 plots, and will pay \$500/plot, regardless of what the individual originally paid.

Option 1: Keep current practice and buy back plots at the going rate.

Option 2: Buy back plots at the rate they were originally purchased.

Option 3: Buy back plots at the going rate minus a determined amount for perpetual care.

Staff recommends Option 1 because it incentivizes families to sell back their plots that they don't need, giving us additional plots to use in the future. If council wishes to make a change, staff would recommend Option 2, buying back plots at the rate they were originally purchased.

Transfers

Current Highland City practice allows for transfers to occur only between family members. However, residents will purchase large numbers of plots at the resident rate and transfer them to non-resident family members in order to take advantage of the resident rate. It takes approximately one hour of staff time to meet with the family, complete the paperwork, update the records/software system, and issue a new certificate. The current transfer fee of \$25/plot does not sufficiently cover staff time, or the cost of preparing and mailing new certificate(s). Twenty-four (24) transfers have been completed so far in this fiscal year.

Alpine City allows transfers to anyone, and they charge a \$75 transfer fee/plot.

American Fork City allows transfers to anyone, and they charge a \$75 transfer fee/plot.

Pleasant Grove City has 2 transfer fees; \$50 transfer if within the family; \$500 if transferring to a non-resident.

Lehi City currently allows transfers and charges \$75; however, they are considering charging an additional \$300 for a transfer to non-residents, which is the difference between their resident and non-resident rate.

Staff does recognize the need to provide a mechanism for families to transfer their plots to allow for families to continue the ability to use the plots once the original plot owner is deceased. However, there are many instances where the resident rate benefit is being abused. The following options are for your consideration:

Option 1: Keep current practice and allow individuals to transfer only to family members. Transfer fee \$25

Option 2: Allow transfers to anyone but charge the difference between the resident and non-resident rate, if transferring to a non-resident. (Difference to be calculated using the current rates). Additionally, charge a \$100/plot transfer fee regardless of resident or non-resident status.

Staff recommends Option 2 because the cost would adequately cover staff time as well as deter abuse of the resident rate benefit. If Council desires, the City could make the charge for non-resident/resident transfers effective as of the date Council chooses. This would allow all the plots which were previously purchased to be transferred to family members with only the \$100 transfer fee.

FISCAL IMPACT:

Increasing plot sale rates 18.5%, and 3.5% annually thereafter will allow the perpetual care account to reach its goal of \$26,200,000 by 2075.

MOTION:

Not applicable. Staff will bring back action items at a later time, based on Council direction on these items.

ATTACHMENTS: