



ALPINE CITY PLANNING COMMISSION MEETING

NOTICE is hereby given that the **PLANNING COMMISSION** of Alpine City, Utah will hold a **Regular Meeting** at **Alpine City Hall**, 20 North Main, Alpine, Utah on **Tuesday, December 6, 2011 at 7:00 pm** as follows:

I. GENERAL BUSINESS

- A. Welcome and Roll Call: Jannicke Brewer
- B. Prayer/Opening Comments: Todd Barney

II. PUBLIC COMMENT

Any person wishing to comment on any item not on the agenda may address the Planning Commission at this point by stepping to the microphone and giving his or her name and address for the record.

III. ACTION ITEMS

A. Conditional Use Permits for Home Occupations

Dream Maker Design – 751 S. East Mountain Circle – Laurie Hasson
Viv, LLC – 154 May Circle – Brooke Swenson

B. Digis

The Planning Commission will review a proposal from Digis to conceal its tower on Shepherd's Hill and make a recommendation to City Council.

C. Land Use Map

The Planning Commission will discuss updating the City's land use map.

D. Planning Commission 2012 Schedule

The Planning Commission will consider adopting its 2012 meeting schedule.

IV. COMMUNICATIONS

V. APPROVAL OF PLANNING COMMISSION MINUTES OF: October 4, 2011

ADJOURN

Chairman Jannicke Brewer
December 2, 2011

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

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

PUBLIC MEETING AND PUBLIC HEARING ETIQUETTE

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

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

Public Hearing v. Public Meeting

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

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



Home Occupation Business License Application
20 North Main St
Alpine City, UT 84004
(801) 756-6347

Please clearly print or type an answer to every question. Incomplete applications will not be accepted. Application submittal is required prior to opening. All applicable Federal and State numbers must be obtained before application and fee will be accepted. All business licenses expire December 31st of each year.

SECTION I: Business Information

Business Name: Dream Maker Design
Business Phone: 801-1023-2279
Business Address: 751 South East Mountain Circle, Alpine UT 84004
Mailing Address: h h
(Include City, State, and Zip)
Website: Dream-Maker-Design.com
Business Email: Laurie@Dream-Maker-Design.com

SECTION II: Owner/Manager Information

Business Owner: Laurie Hasson same as above
(Name) (Home Address)
Owner Phone: 801-1023-2279 Email Address: Laurie@Dream-Maker-Design.com

SECTION III: Federal and State Requirements

Federal and State numbers can be obtained by logging onto www.business.utah.gov/registration.html (OneStop Business Registration). The State Tax Commission office can be reached at 1(800) 662-4335. The Department of Commerce office can be reached at (801) 530-4849.

Ownership Type: ☐ Corporation ☐ Partnership ☒ Proprietorship ☐ LLC
Business Registration Number: 8131125-0151 State Sales Tax Number: n/a
Federal Tax ID Number: n/a Employer Withholding Number: n/a
State License Type (if any): n/a Number: _____ Expires: _____
Federal License Type (if any): n/a Number: _____ Expires: _____



SECTION IV: Business Description

Home Occupation: ☐ No ☒ Yes (If you answer yes to any of the following questions, please provide detailed information)

1. Approximately how many customers will visit the home per week? 0
2. Will there be any display or stock stored at the home? ☒ No ☐ Yes
3. Will there be an additional employee other than residing family? ☒ No ☐ Yes
4. Will hazardous materials or chemicals be used as part of the business or stored at the home? ☒ No ☐ Yes
5. Do you have adequate off street parking at your home for additional parking? ☐ No ☒ Yes

If no, how will you provide additional parking? _____

6. What area of your home will be used for your business? office

7. What is the square footage of that area? 25 ft

8. Will there be any remodeling? ☒ No ☐ Yes Permit No: _____

Describe your business in detail:

Interior and Exterior Residential Design. I go to the client's home to conduct business. At home, I'm simply using the computer and drafting table to work on designs. No clients will be coming to my home to conduct business.

I have answered the above questions honestly and agree to comply with the Home Occupation Business Regulations.

Laurie A. Hansen 10/21/11
Owner's Signature Date

Zoning Inspection signature (if applicable) Date

Fire Inspection signature (if applicable) Date

Building Inspection signature (if applicable) Date

License Fees: \$25.00 per year \$25.00 per each additional employee per year

For Office Use Only

Planning Commission Date: 12-6-11

City Council Meeting Date: W/A

Date Paid: 10-21-11 Amount Paid: \$ 25.00

Payment Method: check 5483 License Number Issued: _____
(reference #)



Home Occupation Business License Application
20 North Main St
Alpine City, UT 84004
(801) 756-6347

Please clearly print or type an answer to every question. Incomplete applications will not be accepted. Application submittal is required prior to opening. All applicable Federal and State numbers must be obtained before application and fee will be accepted. All business licenses expire December 31st of each year.

SECTION I: Business Information

Business Name: Viv, LLC
Business Phone: 801-674-6550
Business Address: 154 May Cir
Mailing Address: Alpine, UT 84004
(Include City, State, and Zip)
Website: _____
Business Email: brookeSwenson@yahoo.com

SECTION II: Owner/Manager Information

Business Owner: Brooke Swenson 154 May Cir Alpine, UT 84004
(Name) (Home Address)
Owner Phone: 801-674-6550 Email Address: brookeSwenson@yahoo.com

SECTION III: Federal and State Requirements

Federal and State numbers can be obtained by logging onto www.business.utah.gov/registration.html (OneStop Business Registration). The State Tax Commission office can be reached at 1(800) 662-4335. The Department of Commerce office can be reached at (801) 530-4849.

Ownership Type: ☐ Corporation ☐ Partnership ☐ Proprietorship ☒ LLC

Business Registration Number: 8058629-0160 State Sales Tax Number: 10008083-003-STC

Federal Tax ID Number: 45-2861123 Employer Withholding Number: C3-463106-0

State License Type (if any): _____ Number: _____ Expires: _____

Federal License Type (if any): _____ Number: _____ Expires: _____



SECTION IV: Business Description

Home Occupation: ☐ No ☒ Yes (If you answer yes to any of the following questions, please provide detailed information)

1. Approximately how many customers will visit the home per week? 0
2. Will there be any display or stock stored at the home? ☒ No ☐ Yes
3. Will there be an additional employee other than residing family? ☒ No ☐ Yes
4. Will hazardous materials or chemicals be used as part of the business or stored at the home? ☒ No ☐ Yes
5. Do you have adequate off street parking at your home for additional parking? ☐ No ☒ Yes

If no, how will you provide additional parking? _____

6. What area of your home will be used for your business? basement office
7. What is the square footage of that area? 500 ft²
8. Will there be any remodeling? ☒ No ☐ Yes Permit No: _____

Describe your business in detail:

Investment holding company. Oversees
investment in securities, collectibles, real estate &
other assets holdings.

I have answered the above questions honestly and agree to comply with the Home Occupation Business Regulations.

Brookelf 11/7/11
Owner's Signature Date

Zoning Inspection signature (if applicable) Date

Fire Inspection signature (if applicable) Date

Building Inspection signature (if applicable) Date

License Fees: \$25.00 per year \$25.00 per each additional employee per year

For Office Use Only

Planning Commission Date: 12.6.11

City Council Meeting Date: n/a

Date Paid: 11.7.11 Amount Paid: \$ 25.00

Payment Method: Visa * 6766 License Number Issued: 985
(reference #)

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: DIGIS – Proposed measures to meet definition of stealth design

FOR CONSIDERATION ON: 6 Dec 2011

PETITIONER: DIGIS

ACTION REQUESTED BY PETITIONER: Recommend approval of proposed measures to meet the definition of stealth design

APPLICABLE STATUTE OR ORDINANCE: Zoning, Telecommunications

PETITION IN COMPLIANCE WITH ORDINANCE:

BACKGROUND INFORMATION:

The Planning Commission and City Council approved a site plan for the Digis tower on Shepherd's Hill. Several neighbors felt the approval violated the City's Telecommunication Ordinance and appealed the decision to the Board of Adjustment. The Board held a hearing and ruled that the Planning Commission and City Council did not consider Section 2.2.1 of that ordinance and determined that the site was not an existing site and that the tower that was erected was a new tower and did not qualify as a stealth design. Digis went to the City Council to discuss the definition of stealth and proposed some ideas of what they were willing to do to meet that definition. Ultimately, they were instructed to come back to Planning Commission with a better site plan and rendering so it was clear what they were proposing.

Enclosed is a copy of the Telecommunications Ordinance as well as a proposal from Digis on what they propose to do to meet that definition. The Planning Commission needs to review and discuss this proposal and make a recommendation to City Council.

RECOMMENDED ACTION:

That the Planning Commission reviews the proposed measures and makes a recommendation to City Council.



DIGIS
782 South Auto Mall Drive,
American Fork, UT 84003
888-DIGIS-88

City of Alpine
20 N. Main St.
Alpine, UT 84004

RE: Shepherd's Hill

City of Alpine,

Among Digis' many projects, Digis has been engaged, as best as possible, to accomplish the different options that have either been presented or determined in order to best meet the needs of both the City, Digis, the property owner and its customers.

Digis' position has always been to approach the City openly and get the appropriate approvals and permits in order to carry on our business. Digis also realizes that the process can have its changes and hiccups as experienced by the circumstances this past summer. Nevertheless, in an effort to effectuate the best methods to accomplish this task and in accordance in that which the City has determined, Digis submits the following renderings, explanations, and proposals:





DIGIS
782 South Auto Mall Drive,
American Fork, UT 84003
888-DIGIS-88





DIGIS
782 South Auto Mall Drive,
American Fork, UT 84003
888-DIGIS-88

- Digis proposes to change/modify the tower designated as the ACME D tower.
 - Digis would be changing/modifying the tower to an ACME D tower, which would make it, in appearance, a solid more stealthy structure. Digis makes note that this is a mere rendering and can be modified and changed to the color best desired by the city.
- Digis proposes to plant 6 Austrian Pine Trees surrounding the structure and that match the surrounding landscape with the other Austrian Pines on Shepherd's Hill.
 - Digis would again make note that the pictures are mere renderings of the proposed layout of the trees and will be making the necessary budget adjustments to add larger trees than shown. The heights of these Austrian pines will come as close as operationally possible to the bottom of the dishes or respective antennas as per planting of the trees.
- Digis proposes to camouflage the antennas and dishes on the ACME D tower. Digis will camouflage these equipment pieces to the colors desired by the city.
- If possible for the structure and operations Digis may have the opportunity to "pulling in" closer some of the equipment that is placed on the ACME D tower.
 - However, to make note the opportunity to change or "pull in" some of the equipment may depend largely on the operational ability to do so.

Digis proposes these measures to further comply with that which the City has in its ordinances and has done, as best and reasonably possible, that which the City has thus far approved and asked that Digis can change or propose to further the compliance decisions found by the Board of Adjustments.

Although not in questions of compliance, in order to do its best due diligence for the situation, Digis has also done its best to look into different technologies that have been suggested by the original complaint, in order to possibly make more "Stealthy" this site. This is in reference to T-1 technology, this technology is a much different and older technology that relies on hard line copper wiring. The speeds are drastically slower and would require at least 20 copper hard lines to provide any semblance of that which the Radio Frequency system provides, further more it would be extremely cost prohibitive.

Digis recognizes and appreciates the concerns and processes of the City and its citizens. However, Digis uses different technology in its business practice and infrastructure works in order to do it's best to compete with other Internet and VoIP services providers in the area at cheaper and competitive rates to consumers. If further information or site plans are required Digis will do it's best to accommodate such requests as efficiently as possible. Digis again appreciates the process and the Cities willingness to continue operations to date.

Thank you.

ORDINANCE NO. 2006-06
WIRELESS TELECOMMUNICATIONS

1. GENERAL PROVISIONS

- 1.1. Title.** This Ordinance shall be known as the Wireless Telecommunications Ordinance.
- 1.2. Purpose & Intent.** The unique character, landscapes and scenic vistas of Alpine are among its most valuable assets. Preserving and promoting those assets are essential to the long-range social and economic well being of the City and its inhabitants. Protecting these assets requires sensitive placement and design of wireless communication facilities so that these facilities remain in scale and harmony with the existing character of the community.

- 1.2.1. To amend Ordinance No. 99-07 to accommodate new technology and develop regulations on the use and development of City property for new cell tower facilities.
- 1.2.2. To regulate personal wireless services antennas, with or without support structures, and related electronic equipment and equipment structures.
- 1.2.3. To provide for the orderly establishment of personal wireless services facilities in the City.
- 1.2.4. To minimize the number of antenna support structures by encouraging the co-location of multiple antennas on a single new or existing structure.
- 1.2.5. To establish siting, appearance and safety standards that will help mitigate the potential impacts related to the construction, use and maintenance of personal wireless communication facilities.
- 1.2.6. To comply with the Telecommunication Act of 1996 by establishing regulations that (1) do not prohibit or have the effect of prohibiting the provision of personal wireless services, (2) do not unreasonably discriminate among providers of functionally equivalent services, and (3) are not based on the environmental effects of radio frequency emissions to the extent that such facilities comply with the Federal Communications Commission's regulations concerning such emissions.

1.3 Findings.

- 1.3.1. Personal wireless services facilities (PWSF) are an integral part of the rapidly growing and evolving telecommunications industry, and present unique zoning challenges and concerns by the City.

- 1.3.2. The City needs to balance the interests and desires of the telecommunications industry and its customers to provide competitive and effective telecommunications systems in the City, against the sometimes-differing interests and desires of others concerning health, safety, welfare, and aesthetics, and orderly planning of the community.
- 1.3.3. The City has experienced an increased demand for personal wireless services facilities to be located in the City, and expects the increased demand to continue in the future.
- 1.3.4. It is in the best interests of the City to have quality personal wireless services available, which necessarily entails the erection of personal wireless services facilities in the City.
- 1.3.5. The unnecessary proliferation of personal wireless services facilities throughout the City creates a negative visual impact on the community.
- 1.3.6. The visual effects of personal wireless services facilities can be mitigated by fair standards regulating their siting, construction, maintenance and use.
- 1.3.7. A private property owner who leases space for a personal wireless services facility is the only one who receives compensation for the facility, even though numerous other property owners in the area are adversely affected by the location of the facility.
- 1.3.8. Chapter 69-3, Utah Code Annotated, grants cities the authority to create or acquire sites to accommodate the erection of telecommunications towers in order to promote the location of telecommunication towers in a manageable area and to protect the aesthetics and environment of the area. The law also allows the City to require the owner of any tower to accommodate the multiple use of the tower by other companies where feasible and to pay the City the fair market rental value for the use of any City-owned site.
- 1.3.9. Telecommunications towers located on government property with the lease payments being paid to Alpine City instead of individual property owners evenly distributes the income from the lease payments to all citizens of Alpine through increased government services thus indirectly compensating all of the citizens of Alpine for the impact all citizens experience. The Public Policy objectives to reduce the proliferation of telecommunications towers and to mitigate their impact can be best facilitated by locating telecommunications and antenna support structures on property owned, leased or used by Alpine City as a highest priority whenever feasible.
- 1.4. **Definitions.** The following words shall have the described meaning when used in this ordinance, unless a contrary meaning is apparent from the context of

the word.

- 1.4.1. Antenna. A transmitting or receiving device used in telecommunications that radiates or captures radio signals.
- 1.4.2. Antenna Support Structure. Any structure that can be used for the purpose of supporting an antenna(s).
- 1.4.3. City. The City of Alpine, Utah.
- 1.4.4. City-owned property. Real Property that is owned by the City.
- 1.4.5. Close to Tower Mount. Also known as slim mount, antennas on cell towers mounted very close to tower in order to appear less noticeable.
- 1.4.6. Co-location. The location of an antenna on an existing structure, tower or building that is already being used for personal wireless services facilities.
- 1.4.7. Monopole . A single, self-supporting, cylindrical pole, constructed without guy wires or ground anchors..
- 1.4.8. Personal Wireless Services. Commercial mobile telecommunications services, unlicensed wireless communications services, and common carrier wireless telecommunications exchange access services.
- 1.4.9. Personal Wireless Services Antenna. An antenna used in connection with the provision of personal wireless services.
- 1.4.10. Personal Wireless Services Facilities. (PWSF) Facilities for the provision of personal wireless services. Personal wireless services facilities include transmitters, antennas, structures supporting antennas, and electronic equipment that is typically installed in close proximity to a transmitter.
- 1.4.11. Private Property. Any real property not owned by the City, even if the property is owned by another public or government entity.
- 1.4.12. Stealth Design. Personal wireless services facilities which have been designed to be compatible with the natural setting and surrounding structures, and which camouflage or conceal the presence of antennas and/or towers
- 1.4.13. Tower. A freestanding structure that is used as a support structure for antenna.
- 1.4.14. Whip antenna. An antenna that is cylindrical in shape. Whip antennas can be directional or omnidirectional and vary in size depending on the frequency and gain for which they are designed.

- 1.5. Applicability.** This ordinance (the Wireless Telecommunications Ordinance) applies to both commercial and private low power radio services and facilities, such as "cellular" or PCS (personal communications system) communications and paging systems. This ordinance shall not apply to the following types of communications devices, although they may be regulated by other City ordinances and policies:
- 1.5.1. Amateur Radio. Any tower or antenna owned and operated by an amateur radio operator licensed by the Federal Communication Commission.
 - 1.5.2. Amateur T.V. Any tower or antenna owned and operated by an amateur T.V. operator licensed by the Federal Communication Commission.
 - 1.5.3. Satellite. Any device designed for over-the-air reception of television broadcast signals, multichannel multipoint distribution service or direct satellite service.
 - 1.5.4. Cable. Any cable television headend or hub towers and antennas used solely for cable television services.

2. LOCATION

- 2.1. Priority of Antenna Site Locations.** Personal wireless services antennas shall be located as unobtrusively as is reasonably possible. To accomplish this goal, the provider shall locate antennas on sites in the following order of priority:
- 2.1.1. 1st Designated City-Owned Property near Rodeo Grounds.
 - 2.1.2. 2nd Other City owned properties
 - 2.1.3. 3rd Shepherd's Hill.
- 2.2. Uses**
- 2.2.1. Permitted Uses. The following antenna locations are permitted uses, provided that the applicant complies with other applicable laws and regulations:
 - 2.2.1.1. Stealth Design (as defined by this ordinance) is preferred, however Monopole will be considered on a case by case location on designated City-owned property.
 - 2.2.1.2. Existing Structures on Shepherd's Hill may remain and new structures must be Stealth Design.
 - 2.2.2. Not Permitted Uses. The following antenna types and antenna locations are not permitted.

2.2.2.1. Lattice Towers and Guyed Towers. Lattice towers, guyed towers, and other non-stealth towers are not permitted in any location.

2.2.2.2. Roof mounted antennas are not permitted.

2.3. **Co-location Requirement.** Unless otherwise authorized by the approving authority for good cause shown, every new tower shall be designed and constructed to be of sufficient size and capacity to accommodate at least two additional wireless telecommunications providers on the structure in the future.

2.4. **Lease Agreement.** The City has no implied obligation to lease any particular parcel of City-owned property to an applicant. The City shall enter into a standard lease agreement with the applicant for any facility built on City property. The Mayor or designee is hereby authorized to execute the standard lease agreement on behalf of the City. The lease shall contain the condition that the approving authority must first approve the site plan before the lease can take effect, and that failure to obtain such approval renders the lease null and void.

3. PROCEDURE.

3.1. **Application Requirements.** Any person desiring to develop, construct or establish a personal wireless services facility in the City shall submit an application for site plan approval to the City. The City shall not consider the application until all required information has been included. The application shall include the following:

3.1.1. Fee. The applicable fee as set by the City fee schedule.

3.1.2. Site Plan. A site plan meeting the City's standard requirements for site plans.

3.1.3. Written Information. The following written information:

3.1.3.1. Maintenance. A description of the anticipated maintenance needs for the facility, including frequency of service, personnel needs, equipment needs, and traffic noise or safety impacts of such maintenance.

3.1.3.2. Service Area. A description of the service area for the antenna or tower and a statement as to whether the antenna or tower is needed for coverage or capacity.

3.1.3.3. Licenses and Permits. Copies of all licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location and operation of the antenna.

3.1.3.4. Radio Frequency Emissions. A written commitment to comply with applicable Federal Communications Commission radio frequency emission regulations.

3.1.3.5. Liaison. The name of a contact person who can respond to questions concerning the application and the proposed facility. Include name, address, telephone number, facsimile number and electronic mail address, if applicable.

3.2. Approval Process. The application and site plan shall be reviewed by the City pursuant to its standard site plan approval process. The City shall process all applications within a reasonable time and shall not unreasonably discriminate among providers of functionally equivalent services. Any decision to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

3.3. Building Permits.

3.3.1. General Requirements. No tower or antenna support structure shall be constructed until the applicant obtains a building permit from the City. No building permit shall be issued for any project for which a site plan or amended site plan is required, until the site plan or amended site plan has been approved by the appropriate authority. If the design or engineering of the antenna support structure is beyond the expertise of the Building official, the City may require third party review by an engineer selected by the City prior to the issuance of a building permit. The applicant shall pay an additional fee to cover the cost of the third party review.

3.3.2. Additional Requirements for New Towers. If the applicant is constructing a new tower, the applicant shall, if requested by the City, submit a written report from a qualified, structural engineer licensed in the State of Utah, documenting the following:

3.3.2.1. Height and design of the new tower, including technical, engineering, economic, and other pertinent factors governing selection of the proposed design.

3.3.2.2. Seismic load design and wind load design for the new tower.

3.3.2.3. Total anticipated capacity of the new tower, including number and types of antennas which can be accommodated.

3.3.2.4. Structural failure characteristics of the new tower and a demonstration that the site and setbacks are of adequate size to contain debris.

3.3.2.5. Soil investigation report, including structural calculations.

4. ANTENNA AND ANTENNA SUPPORT STRUCTURE REGULATIONS FOR NEW TOWERS IN THE CITY.

4.1. Standards for Antennas and Antenna Support Structures for New Towers.

Personal wireless services facilities are characterized by the type or location of the antenna structure. This ordinance contemplates two general types of new antenna structures in the City: stealth facilities or monopole. If a particular type of antenna structure is allowed by this ordinance as permitted, the minimum standards for that type of antenna are as follows:

4.1.1. Stealth Facilities.

4.1.1.1. Maximum Height. The height of a stealth design shall not exceed eighty feet (80').

4.1.1.2. Determination. Not every disguised or screened personal wireless services facility qualifies as a stealth facility. The City shall make an administrative decision as to whether or not a particular facility qualifies as a stealth design or a monopole. In making the decision, the City will determine whether any new stealth design or monopole as defined by this ordinance – meets the specifications outlined in the definition. The City will also determine if the antenna will be permitted on designated City-owned property.

5. SAFETY.

5.1. Regulation Compliance.

5.1.1. Compliance with FCC and FAA Regulations. All operators of personal wireless services facilities shall demonstrate compliance with applicable Federal Communication Commission (FCC) and Federal Aviation Administration (FAA) regulations, including FCC radio frequency regulations, at the time of application and periodically thereafter as requested by the City. Failure to comply with the applicable regulations shall be grounds for revoking a site plan.

5.1.2. Other Licenses and Permits. The operator of every personal wireless services facility shall submit copies of all licenses and permits required by other agencies and governments with the jurisdiction over the design, construction, location and operation of the facility to the City, shall maintain such licenses and permits in good standing, and shall provide evidence of renewal or extension thereof upon request by the City.

5.2. Protection Against Climbing. New towers shall be protected against unauthorized climbing by removing the climbing pegs from the lower 20 feet of the towers.

- 5.3. **Fencing.** New towers shall be fully enclosed by a minimum 6-foot tall fence or wall, as directed by the City, unless the City determines that a wall or fence is not needed or appropriate for a particular site due to conditions specific to the site.
- 5.4. **Security Lighting Requirements.** New towers shall comply with the FAA requirements for lighting. The City may also require security lighting for the site. If security lighting is used, the lighting impact on surrounding residential areas shall be minimized by using indirect lighting, where appropriate.
- 5.5. **Abandonment.** The City may require the removal of all antennas and towers if the facility has been inoperative or out of service for more than twelve (12) consecutive months.
- 5.5.1. Notice. Notice to remove shall be given in writing by personal service, or by certified mail addressed to the operator's last known address.
- 5.5.2. Violation. Failure to remove the antennas and towers after receiving written notice to remove is a violation of the terms of this Chapter. The City may initiate criminal and/or civil legal proceeding against any person, firm, entity or corporation, whether acting as principal, agent, property owner, lessee, lessor, tenant, landlord, employee, employer or otherwise, for failure to remove antennas and towers in accordance with this Chapter. The City may seek a civil injunction requiring the removal of any structures on the sites in accordance with this Chapter. Any lease agreement with the City may also stipulate failure to remove the antennas and towers after receiving written notice to do so pursuant to this Chapter will result in the antenna or tower being removed within 30 days at the owner's expense.
- 5.6. **Emergency.** The City shall have the authority to move or alter a personal wireless services facility in case of emergency. Before taking any such action, the City shall first notify the owner of the facility, if feasible.

6. SITE REQUIREMENTS.

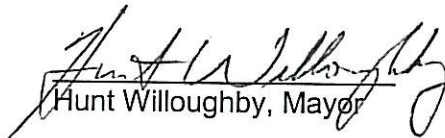
6.1. Regulations for Accessory Structures.

- 6.1.1. Storage Areas and Solid Waste Receptacles. No outside storage or solid waste receptacles shall be permitted on site.
- 6.1.2. Equipment Enclosures. All electronic and other related equipment and appurtenances necessary for the operation of any personal wireless services facility shall, whenever possible, be located within a lawfully pre-existing structure or completely below grade. When a new structure is required to house such equipment, the structure shall be harmonious with, and blend with, the natural features, buildings and structures surrounding such structure.

- 6.1.3. **Accessory Buildings.** Freestanding accessory buildings used with a personal wireless services facility shall not exceed 450 square feet and shall comply with the setback requirements for structures in the zone in which the facility is located.
- 6.2. **Parking.** The City may require a minimum of one (1) parking stall for sites containing a personal wireless services facility and/or accessory buildings, if there is insufficient parking available on the site.
- 6.3. **Maintenance Requirements.** All personal wireless services facilities shall be maintained in a safe, neat, and attractive manner.
- 6.4. **Landscaping.** A landscaping plan shall be submitted to the Planning Commission who will make a recommendation to the City Council who will approve the landscape plan.
- 6.5. **Site Restoration upon abandonment.** All sites shall be restored to the original configuration upon termination of the lease abandonment.
- 6.6 **Fencing:** The City will determine type of fencing used on wireless telecommunications sites on a case by case basis. In the case of the Rodeo Grounds the fencing shall match the existing fencing. Fencing will recommend by the Planning Commission and approved by the City Council.
- 6.7 **Color and material standards:** The City shall make an administrative decision as to the color. To the extent the Personal Wireless Service Facilities extend above the height of the vegetation immediately surrounding it, they shall be painted in a nonreflective light gray, light blue or other hue, which blends with the skyline and horizon or a brown to blend in with the surrounding hillside.
- 6.8 **Facility Lighting and Signage Standards:** Facility lighting shall be Designed so as to meet but not exceed minimum requirements for security, safety and/or FAA regulations. Lighting of antennas or support structures shall be prohibited unless required by the FAA and no other alternatives are available. In all instances, the lighting shall be designed so as to avoid glare and minimize illumination on adjacent properties. Lighting shall also comply with any applicable City Lighting standards.
- 6.9 **Facility Signs:** Signs shall be limited to those needed to identify the Numbers to contact in an emergency, public safety warnings, certifications or other required seals. These signs shall also comply with the requirements of the City's sign regulations.
- 6.10 All utility lines serving new cell towers shall be located underground.

This Ordinance shall take effect immediately upon posting. This Ordinance was passed this 25th day of April, 2006.

Alpine City Corporation


Hunt Willoughby, Mayor

ATTEST:


Janis H. Williams, City Recorder



ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Land Use Map

FOR CONSIDERATION ON: 6 Dec 2011

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Review updates to land use map

APPLICABLE STATUTE OR ORDINANCE: Zoning

PETITION IN COMPLIANCE WITH ORDINANCE: Yes

BACKGROUND INFORMATION:

The Planning Commission started working on this item quite awhile ago and it has been on the backburner for quite some time now. The purpose of this item is to update the City's land use map to make it current and make any needed corrections. The enclosed map shows existing uses within the city and proposed future uses within the city.

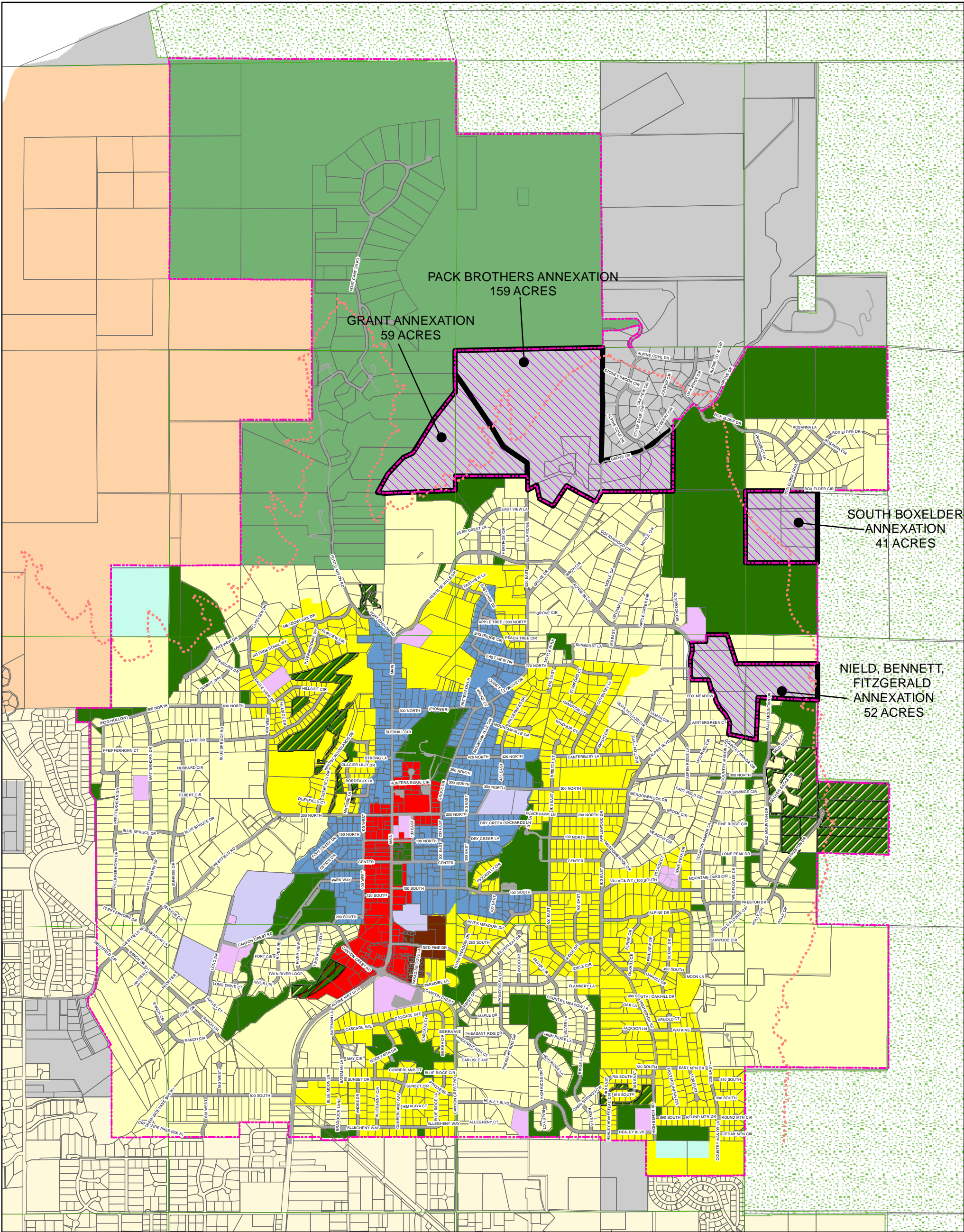
The City Attorney suggested that we not include any areas outside of the City on the land use map, but leave that to the annexation policy plan. Also, he indicated he would not show any specific privately owned parcel as a future public park/trail if possible, but only show the general location of future proposed parks/trails on a separate map without reference to specific parcels (e.g. the parks master plan map). This will help avoid any allegations that we are taking property without compensation and to avoid giving others who may be living or purchasing in the area of the propose park the impression that the City will absolutely be putting in a park or trail at a specific location.

Just a note – the densities shown on the map are related to the existing zones on the zoning map (High density = TR-10,000 zone, medium density = CR-20,000 zone, low density = CR-40,000 zone, and very low density = CE-5 zone).

RECOMMENDED ACTION:

That the Planning Commission reviews the enclosed map.

EXHIBIT B



Map Legend

- | | | |
|---------------------------|---------------------------|-----------------------------|
| Alpine City Boundary | General Plan Annex Areas | Business Commercial |
| Survey Section Lines | Proposed Open Space | Senior Housing Overlay Zone |
| 5,350' Contour Line | Forest Service Property | High Density (1/4 acre) |
| Draper | Public Open Space | Medium Density (1/2 acre) |
| Highland | Private Open Space | Low Density (1 acre) |
| Public Open Space | Unincorporated Properties | Very Low Density (5 acre) |
| Private Open Space | School Properties | |
| Unincorporated Properties | Church Properties | |
| School Properties | | |
| Church Properties | | |

ALPINE LAND USE PLAN

0 625 1,250 2,500 3,750 5,000

Printed:
NOV 2011



ALPINE PLANNING COMMISSION AGENDA

SUBJECT: 2012 Planning Commission Meeting Schedule

FOR CONSIDERATION ON: 6 Dec 2011

PETITIONER: N/A

ACTION REQUESTED BY PETITIONER: Set 2012 meeting schedule

APPLICABLE STATUTE OR ORDINANCE: Utah State Code

PETITION IN COMPLIANCE WITH ORDINANCE: Yes

BACKGROUND INFORMATION:

Enclosed is a meeting schedule for Planning Commission for 2012. It is proposed that Planning Commission continue meeting once a month. A couple of changes are proposed – that the Planning Commission meet the third Tuesday in January and July due to the first Tuesday of those months being very close to holidays.

RECOMMENDED ACTION:

That the Planning Commission approves the proposed 2012 meeting schedule.



2012 ANNUAL MEETING SCHEDULE

FOR

ALPINE CITY, UTAH

PLANNING COMMISSION MEETINGS for the 2011 calendar year are scheduled on the 1st Tuesday of each month as follows unless otherwise indicated:

January 17	May 1	September 4
February 7	June 5	October 2
March 6	July 17	November 6
April 3	August 7	December 4

CITY COUNCIL MEETINGS for the 2011 calendar year are scheduled on the 2nd and 4th Tuesdays of each month as follows unless otherwise indicated:

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

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

Charmayne G. Warnock
City Recorder

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

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

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, Utah
October 4, 2011

I. GENERAL BUSINESS

- A. Welcome and Roll Call:** The meeting was called to order at 7:03 pm by Chairman Jannicke Brewer. The following commission members were present and constituted a quorum.

Chairman: Jannicke Brewer

Commission Members Present: Steve Cospers, Tami Hamilton, Jason Thelin, Steve Swanson, Todd Barney

Commission Members Not Present: Bryce Higbee

Staff: Andrea Chapman

Others: Spencer King, Nathan Jones

- B. Prayer/Opening Comments:** Steve Swanson

II. PUBLIC COMMENT: None.

III. ACTION ITEMS

A. Conditional Use Permits for Home Occupations

Jinkys – 174 S. Holly Cir. – M. Deven Walus: The owner was not present at the meeting. This was a business that sold women's apparel at special event venues. According to the application, the home was only used for storage of products and bookkeeping.

Tami Hamilton said that people running this type of business usually let their neighbors and friends purchase from them in their home. The Planning Commission did not have a problem with that.

Body for Change, LLC – 717 E. 100 S. – Tanya Murphy: The owner was not present at the meeting. This business had physical locations in American Fork and Provo but used their home in Alpine for bookkeeping, some online personal training, and drop shipping products.

Seedstone – 740 E. Ridge Crest Ct. – Andy & Natalie Goddard: The owner was not present at the meeting. This business did business coaching to help others succeed in an Essential Oil Network Marketing business.

MOTION: Steve Cospers moved to grant conditional use permits for home occupations to M. Deven Walus dba Jinkys at 174 S. Holly Cir, Tanya Murphy dba Body for Change, LLC at 717 E. 100 S., and Andy & Natalie Goddard dba Seedstone at 740 E. Ridge Crest Ct. Tami Hamilton seconded. Ayes: 6. Nays: 0. Steve Cospers, Jason Thelin, Jannicke Brewer, Tami Hamilton, Steve Swanson, and Todd Barney voted aye. Motion passed unanimously.

B. Development Code – Hobby Bee Keeping:

1 Jannicke Brewer explained that the City Council wanted the beekeeping ordinance simplified.
2 Jannicke Brewer said that Mayor Willoughby did not necessarily think that we needed an
3 ordinance regulating beekeeping. Jannicke Brewer said that the city attorney, David Church, said
4 that an ordinance was good to have so that staff would have an affirmative answer when someone
5 called inquiring about it.

6
7 Steve Cospers thought the ordinance was fine the way the Planning Commission recommended it
8 to City Council and felt that it did not discourage anyone from having bees but set some common
9 sense rules.

10
11 Steve Cospers agreed with David Church that an ordinance would be good to have. Steve Cospers
12 said that the ordinance came right out of Salt Lake City and he did not think it could be simplified
13 any further.

14
15 Jannicke Brewer recalled that Kent Hastings just wanted the ordinance to state that beekeeping
16 was allowed and nothing more.

17
18 Tami Hamilton said that some people did not have common sense and/or did not know all of the
19 ins and outs of everything when they got into a hobby so she thought it would be good for the staff
20 to have something to regulate it by.

21
22 Jannicke Brewer suggested saying that beehives were allowed and not putting a number on it or
23 using the word "hobby". Jannicke Brewer quoted ordinance 3.21.9 saying "Animal and fowl
24 allowed in the City of Alpine shall be used only for family food production or the enjoyment and
25 convenience of the owner..." Tami Hamilton said that she felt that was open for a lot of
26 interpretation.

27
28 Steve Cospers felt that most hobby beekeepers would be well under what the suggested regulations
29 were.

30
31 Steve Swanson thought that they may be over regulating and wondered if it was really necessary
32 for bees.

33
34 Jannicke Brewer read Section 10B that said "...it shall be unlawful for any person to maintain an
35 apiary or to keep any hive on any property in a manner that threatens public health or safety, or
36 creates a nuisance." Steve Swanson said that section was too broad and could be left to
37 interpretation because anyone could consider the bees next door a nuisance.

38
39 Steve Swanson said that item 10 C that regulated the number of hives on a lot made sense to him
40 because there should be some limitations.

41
42 The Planning Commission agreed that item B was too ambiguous and should be taken out and
43 item D was a state requirement that should be left in the ordinance.

44
45 Jason Thelin suggested removing item H.

46
47 **MOTION:** Jason Thelin moved that the Planning Commission recommend to City Council
48 approval of the proposed amendments to Section 3.21.9 number 10 (Hobby Beekeeping),
49 removing item B (Certain Unlawful Conduct) and item H (Beekeeping Equipment). Steve Cospers

1 seconded. Ayes: 6. Nays: 0. Jason Thelin, Steve Cosper, Jannicke Brewer, Tami Hamilton, Steve
2 Swanson, and Todd Barney voted aye. Motion passed unanimously.
3

4 **IV. COMMUNICATIONS**

5

6 Jannicke Brewer said that the city administrator, Rich Nelson, emailed DIGIS and gave them a timetable to
7 come in because it had been too long. Jannicke Brewer said that DIGIS agreed to come in for the next Planning
8 Commission meeting. Jannicke Brewer told the Planning Commission members to make sure to read what the
9 ordinance said about stealth design because that would be the main issue.
10

11 Jason Thelin mentioned that someone was building in the subdivision on the corner of Canyon Crest and Healey
12 Blvd and said that the monument sign was still up even though they were told to remove it. Jannicke Brewer
13 said she would check into it.
14

15 Todd Barney wondered if the subdivision needed to be finished with the fencing and everything before building
16 permits could be issued. Jannicke Brewer said she would check on it because the street and infrastructure was
17 complete.
18

19 Jason Thelin asked about the minor and major subdivision issues that they had been discussing. Jannicke
20 Brewer said that it would be on the agenda at the next Planning Commission meeting.
21

22 **V. APPROVAL OF MINUTES**

23

24 **MOTION:** Todd Barney moved to approve the Planning Commission minutes of August 2, 2011 and adjourn.
25 Steve Swanson seconded. Ayes: 6. Nays: 0. Steve Cosper, Jason Thelin, Jannicke Brewer, Tami Hamilton,
26 Steve Swanson, and Todd Barney voted aye. Motion passed unanimously.
27

28 **THE MEETING ADJOURNED AT 7:33 pm.**
29