

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
May 26, 2026**

Approved 06.09.2026

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Jordan called the Planning Commission Meeting to order at 6:00 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:

Chairman Phil Jordan
Vice-Chair Tori Broughton
Commissioner Darek Slagowski
Commissioner Josh Knight
Commissioner Robert Wilson
Commissioner Greg Royall
Commissioner Robert McKinley
Commissioner Kristina Goodnough

Planning Commission Absent:

Commissioner Dave Richards

Staff Present:

Community Development Director Tony Kohler
Planning Office Admin Meshelle Kijanen
City Engineer Ross Hansen

Staff Participating Remotely:

N/A

Also Present:

Jared Jones, Natalie Jones, Brent Burnham, Tanya Elander, Mitch Butler, Kim Butler, Carol Bates, Cannon Taylor, Seth Plaizier

Also Attending Remotely:

Grace Doerfler

III. Pledge of Allegiance: By Invitation

Commissioner McKinley led the recitation of the Pledge of Allegiance.

IV. Prayer/Thought by Invitation ()

Commissioner Richards offered a prayer and then left the meeting due to a Conflict of Interest with the Agenda Item.

V. Recuse for Conflict of Interest

Commissioner Richards recused himself.

2. Consent Agenda: N/A

3. Action Items:

I. Rezone of Heber City's Hospital Well from R-1 and R-3 Residential to Institutional & Public Facility Zone (IPFZ)

Community Development Director Tony Kohler explained the Staff Report. Please refer to the Staff Report, PowerPoint and Video for additional information, through this link: <https://hebercityut.portal.civicclerk.com/event/488/overview>

Mr. Kohler began, Tonight is scheduled to be a decision on a recommendation by the Planning Commission on the proposed Heber City Hospital Well site. Mr. Kohler recommended approval of the Zone Change from R1, R3 to the Institutional and Public Facility Zone (IPFZ), conditional upon the City Council not allowing a cell tower at this location and then suggesting the cell tower be placed in the cemetery. Mr. Kohler explained an alternate to the formal recommendation, would be to deny the Zone Change and decide what is the best strategy for the city.

Mr. Kohler mentioned that he had spoken with the applicant, Atlas Group, and they had proposed an amendment to their contract with the City that places the new location in the cemetery. Additionally, the tower would be a tree instead of a monopole and would be taller to meet the needs of the future. The cemetery is in the Residential Agricultural Zone (RAZ). Atlas would want to rezone to IPFZ and then make a text amendment to allow an 80-foot tower instead of 60-foot because the IPFZ only allowed 60-feet. The other option would be a text amendment only to allow an 80-foot tower in the RAZ.

Mr. Kohler explained the uses of the zones. Max height for R3 is 40 feet. In the current zone, the tower could be 35 feet with only one supplier and one carrier. If the Zone Change was allowed in the current zone to the IPFZ the tower could be 65 feet.

Commissioner Slagowski commented on not rezoning the current parcel, because ten years from now a 65-foot tower could be placed there anyway as it would be permitted with the zone change. Commissioner McKinley agreed and added in the future, if someone wants to make a use that is not permitted in this zone again, we would want there to be a Public Hearing available, so people can come in and voice their feelings and opinions about the requested use. Vice-Chair Broughton suggested making cell towers a conditional use. Mr. Kohler responded, making cell towers a conditional use will slow the process down and allow the public to be aware that the Planning Commission will be considering a conditional use for a tower. Additionally if the cell tower will be moved to the cemetery, Atlas will be requesting a height increase so we could change the zone to IPFZ and make the tower a conditional use permitting the higher tower.

Commissioner Slagowski agreed with Mr. Kohler and stated that would allow us to rezone with the risk. Chairman Jordan agreed as well.

Commissioner Royall asked if both locations were considered from the last meeting, the cemetery

and the Red Ledges location. As a potential 80-foot tower in the cemetery would still create a lot of push back. Mr. Kohler responded that he would not pursue the Red Ledges option after the public outcry from the last meeting.

Commissioner McKinley commented that he thought Atlas was going to put together a cell tower master plan for the City and bring that forward this week. Mr. Kohler responded that it would be very easy to make a map showing cell towers one mile apart. Mr Kohler stated he would provide that map to the Planning Commission at a later time.

Commissioners discussed the conditions of a cell tower could be they could not be located within one mile of another tower and the Commissioner could deviate if they needed to with a conditional use. Commissioner Slagowski mentioned part of the reason this particular site was within a mile was because it was the only place they could find to place a tower.

The Commissioners discussed the current site and stated it was 1.1 acres and, other than a cell tower, there would most likely never be another use for that location. Vice Chair Broughton stated she would like to change the zone to IPFZ now so it matches the current use. The parcel is now being used as a Public Facility, but the zone was just never changed to IPF. Discussion continued about the pros and cons of rezoning to IPFZ. Mr. Kohler summarized that if the zone is changed to IPFZ now, then the zone could be used for any use permitted in that zone without notifying the neighbors with a Public Hearing type of noticing. If we do not change the zone to IPFZ now and a use is suggested not in the current zone then a Public Hearing would be held and the neighbors could be aware and voice their concerns.

Commissioner Slagowski mentioned doing the rezone of this parcel after the cell tower was in the cemetery and after cell towers were a conditional use. In the meantime, make cell towers a conditional use for the current zone on this parcel.

Commissioner Wilson, Royall, and Knight agreed with Commissioner Slagowski. Commissioner McKinley recommended sending a negative recommendation to the City Council for the rezone. Vice Chair Broughton stated she wanted to rezone the parcel now for transparency to the public. Commissioner Knight mentioned he has already received backlash regarding placing the tower in the cemetery.

Chairman Jordan stated he would like to open up the meeting to the individuals who had come to the meeting and had some opinions to share.

Kim Butler: I just have a little input on the zoning. It shows in the IPF zone that wells are permitted. If there can be other zoning, such as the DWSP zone, which would be for public waters. My suggestion would be if you zoned just the well properties to a different zone, other than a residential zone where it really does not belong or the IPF zone, which it also does not belong. If you could make a DWSP zone, because that affects your drinking water. For example, there is a hundred feet within that area of the drinking water and it depends on how quick that water gets to that point. I would suggest maybe looking at adding a different zone just for the well properties themselves. And then coming up with uses for well properties, you know, because it is kind of a protected area. For instance, you would not want diesel fuel in that zone because if there was an accident with diesel fuel, and it seeps into the ground, you don't want that in our water. There are some other

concerns regarding that, but that is all I have to add. Thank you so much.

Chairman Jordan asked Mr. Kohler to respond to the comment. Mr. Kohler stated that not many people know about the drinking water source protection plans that the state asks entities to implement providing water. Nor would you want a parking lot where it may be dumping poisons into your well. Vice Chair Broughton asked if this was institutional because of the hospital that use to be in that location. Mr. Kohler responded, the institutional and public facility zone came about with the county's fairgrounds, and it is a fairly recent addition to the zoning ordinance.

Seth Plazier: I like the discussion around not changing the zone right now just because of the ease. Some of the permitted uses in the future I did not consider were solar and wind farms. I would not like to see a potential windmill. I don't think it is windy enough for the money, but I think anytime you plan put a tall structure, even if it is a 45-foot building, we all own homes, all of us in this room in an R1 zone, even though everything that is adjacent to it is in R-3. Therefore, we have different uses. Also, I am going to encourage you while you are talking about policies regarding cell towers. I don't think any of us in this room really know how they work. I don't think limiting ourselves just to one mile, allowing the buffer that I think is helpful. I would argue how many people in this room even know where the TV repeater is in the valley and if you don't, that's probably a good thing. But if there is a solution, it's on Wilson Peak. Is there a solution that we can find where we can hide these, or does it have to be a tall structure in the middle of our valley? And if we do, people are going to complain about the cemetery also. If you shift it a little farther to the west, I don't think the City owns any property around Smiths, but it was down there that I believe you are putting in residential, but you already have the advantage of all those tall power lines. So the visual sight lines are already broken up and everything else in the middle of homes that people get so upset about, so I'm just saying, we need to better understand where we can place these cell towers. Because of some of the other uses that are allowed with a zone change, I don't think a lot of us would care about the zone change. A lot of the neighbors around us actually use a lot of storage, so a permitted use on your zone change could be trailer storage. Anyway, I don't know if I've gone over my three minutes, but those are just some thoughts. Thanks

Brent Burham: I heard in a number of comments about considering the impact on us as neighbors to the well side and you know what it would do to us as far as you know close to being right retirees and and you know things like that equity in our home I really appreciate when I you know hear Dave Richards prayer about really looking out for the citizens I feel like the Planning Commission has listened to our concerns and I want to thank you for that because sometimes I get a little disillusioned by processes right and all that and I just have to say speaking personally to rezone this right now I know for us what creates more anxiety because it expands the possibilities you know that can go into that side and then we're worried about what just pops in there right you know where a rezoning might happen down the road then it will go through the same due process and everyone gets a voice and to me that's a Thank you.

Eve Christensen: I'd love to have a performing arts center there or a wildlife area, but- That's why I asked about how much acreage is there. Disclosure that's why I asked about how much acres Can't fit it can't fit on one end like we don't know what telecommunications facilities will look like in the future We don't know what a public building means Whereas the r3 zone obviously is something where we're much more open to Just the character of our neighborhood would obviously be

strongly affected. I also want to say I'm a structural engineer I had a job for like six months straight where I just designed cell phone tower structures And there are an infinite variety of ways to put cell phone hardware on things. Just everywhere. They're on churches, the sides of schools. People offer their buildings so that they can get the revenue from the cell phone companies. Obviously, you've seen the ones that look like trees. There's flagpoles that are fatter than normal. Church steeples everywhere are plastered in these things. Anyway, so I just want to just let's kind of expand the creativity in what's possible by maintaining the character of our neighborhoods, but also I'm obviously not a Luddite. I do think that the future is here, the future is coming, we need to plan for it. So I do recognize that and that we can't all avoid having these things in our backyard, but we can be more creative. Thank you

Jared Jones: Looking at this site and understanding what utilities that are already underground on that site, such as main sewer lines and a small retention pond, There is also an irrigation system for the old hospital that the county accesses, plus all the water lines for the well. If you rezone that for a future cell tower, that is the only thing that can go there. You can not build a building or a hotel as there is not enough room. There is only enough room for a 50 by 50 plot for a tower. There is the retention pond next door, so that is why I would suggest not rezoning, because that would be the only thing that can go there. I did reach out to Atlas when we first got the letters and I gave them two private property owners. They wanted the tower on their property because they were looking at the income. The property was east of our location by quite a bit, but away from the Chick Cafe tower. I don't know why Atlas did not look more into the private sector, but that was one of my suggestions to them. I want to learn more about conditional use. If it is rezoned and we do a conditional use. Does that only allow it to be there for 50 years, and then it is torn down? Vice Chair Broughton stated, It would have to meet certain conditions set by the Planning Commission, and under those conditions they would make public comment again, so that is what we were talking about. If we changed the zone now, with a conditional use for the cell phone towers, then a public comment would be triggered, and the conditions would be different depending on the objective. For example, for cell phones, obviously, the conditions would be different than a dog boarding facility. But making it a conditional use triggers extra steps, and the applicant would not be able to place a cell phone tower without telling anybody. And it would not put a time frame on how long it could be there.

Chairman Jordan commented, Commissioners, we have had discussion and we have had some public input. I think we might be ready for a motion.

Motion: Commissioner Slagowski moved to forward a negative recommendation to the City Council to rezone Heber City's Hospital Well from R-1 and R-3 Residential to Institutional & Public Facility Zone (IPFZ) and to ask Staff to look into making cell towers a conditional use for all zones. Commissioner McKinley made the second.

Discussion: Vice Chair Broughton agreed that the Planning Commission should not mention the cemetery specifically, and we should be open for them to explore all the other choices.

Voting Yes: Commissioner Slagowski, Commissioner Knight, Chairman Jordan, Commissioner Wilson, Commissioner Royall, Commissioner McKinley, Vice Chair Broughton. **Voting No:** None. The Motion Passed 7-0.

4. **Work Meeting: N/A**

5. **Administrative Items:**

I. City Council Communication Item

Mr. Kohler summarized the City Council Communication Item. Please access the minutes, audio/video for the May 19, 2026 City Council Meeting through this link:

<https://hebercityut.portal.civicclerk.com/event/423/overview>

Or you may listen to Mr. Kohler's summary of the May 19, 2026, City Council meeting here:

<https://hebercityut.portal.civicclerk.com/event/488/media>

6. **Adjournment:**

Motion: Commissioner Knight moved to Adjournment:. Commissioner Royall made the second.

Discussion:N/A

Voting Yes: Commissioner Slagowski, Commissioner Knight, Chairman Jordan, Commissioner Wilson, Commissioner Royall, Commissioner McKinley and Vice Chair Broughton. **Voting No:** None. The Motion Passed 7-0.

Meshelle Kijanen
Meshelle Kijanen, Administrative Assistant