

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
September 26, 2023

Approved 10.10.2023

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Gunn called the Planning Commission Meeting to order at 6:04 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:

Chairman Dennis Gunn
Vice-Chairman Dave Richards
Commissioner Phil Jordan
Commissioner Josh Knight
Commissioner Sid Ostergaard

Planning Commission Absent:

Commissioner Darek Slagowski
Commissioner Robert Wilson
Commissioner Oscar Covarrbias

Staff Present:

Planning Manager Jamie Baron
Planner Jacob Roberts
Planning Office Admin Meshelle Kijanen
Consultant Landmark Design Inc. (Aubrey Larsen)

Also Present: N/A

III. Pledge of Allegiance: Planning Commissioner Sid Ostergaard led the recitation of the Pledge of Allegiance.

IV. Recuse for Conflict of Interest N/A

2. Consent Agenda:

I. August 22, 2023 Minutes for Approval

Motion: Commissioner Knight moved to approve the items on the Consent Agenda. Commissioner Ostergaard made the second.

Discussion: N/A

Voting Yes: Commissioner Gunn, Planning Commission Vice-Chair Richards, Commissioner Knight, Commissioner Jordan, Commissioner Ostergaard. **Voting No:** None. The Motion Passed 5-0.

3. Action Items:

- I. Public Hearing for proposed Heber City Park Design Standards (Jamie Baron, Planner LDI)

Planner Larson went over the current draft of the Heber City Park Design Standards. She gave some history on the project, and recalled there had been a kickoff meeting in March of that year, she had presented to the City Council in April, and then she had given a presentation to the Parks, Trails, and Open Space Committee meeting in August. She reminded the Planning Commission that she had presented the proposed guidebook at their previous meeting, and explained her goal that evening was to hold a public hearing. She presented the overall goal of the park standards manual as the establishment of a coordinated and comprehensive park design and development framework for existing and future parks, and identified there were three components of the overall project, although specified she would focus that evening on the park standards manual draft.

Planner Larson opened the park standards manual document, and indicated there were seven sections to it and briefly overviewed them. She said the introduction established the need for consistent standards and identified the park's standard's guiding principles.

She stated the first section then delineated between fixed and non-fixed, or flexible standards, and explained the fixed standards would include things that were required in all parks, regardless of type or size. She elaborated things such as architectural features, special amenities, and historic or cultural features were examples of things that were flexible standards. She reported that the next part of the document discussed the Heber City image, and delved into the concept that parks should reflect the key characteristics of the specific district of the City that they were located in. Planner Larson also shared some maps which went over the Envision Heber plan as well as the land use map.

Planner Larson next discussed how section two went over the park type standards and level of service standards. She shared some of Heber City's main goals in regards to parks, and indicated what the minimum standards were for every park. She clarified this did not mean all parks should look the same; simply that they should all include certain features while retaining their own unique look and feel. She explained they had adapted a point system from Eagle Mountain in order to ensure all Heber City Parks met their standards.

Planner Baron explained the point system in greater detail. He first discussed Mill Road Estates Park, which was 1.27 acres and so according to the point system, they

would require 127 points from that park in order to meet their minimum standards. He explained the park did earn some points for the trees in the park, although they only had one amenity, a small playground. Planner Baron discussed the park was small, and would need some investment in order to meet their point requirement. He then looked at Eagle Park, which was 1.45 acres and featured a retention pond. He noted Eagle Park did have a sports field, although was not as large as was required, so they had only received some points for it. Planner Baron added it also had several trees, benches, and picnic tables, so it had close to enough amenities to meet their point requirement of 145. He elaborated they would require a couple more benches and possibly trash cans in order to fully meet the standard. He compared how many more amenities were at Eagle Park compared to Mill Road Estates Park, even though Eagle Park was older, and added City Staff was still doing research of all the parks in the City.

Chairman Gunn expressed he liked the point system; he thought it allowed for flexibility while still maintaining minimum standards for parks. Vice Chairman Richards asked if phasing was allowed, and pointed out Eagle Park had been able to develop and add amenities over time. Planner Baron explained the standards were the minimum needed in order to approve a park, and clarified the point requirement would need to be met at the time a park was dedicated.

Planner Larson continued, and noted they would keep refining the point system as they moved forward. She then overviewed the various park types, and noted there were different minimum amenities based on type and size. She indicated there was a table in the manual that explained which features and amenities would need to be included for a given type of park. She also noted the manual differentiated between softscape and hardscape, as well as listed the standards for park furnishings. Planner Larson noted lighting was a fixed standard, as was fencing, and showed the standards and specifications for fences. She highlighted the section on signs and discussed they were still looking for direction on signage, which would ultimately be a fixed standard, and said they still needed to determine what kind of style the signs should be and what kind of materials should be used. Planner Larson also went over ADA requirements, and clarified all parks would be ADA accessible, and inclusive to the greatest degree possible. She went over infrastructure and irrigation, and noted irrigation was a fixed standard, while green infrastructure was flexible.

Planning Administrator Kijanen explained the rules for public comments. Chairman Gunn opened the floor for public comments and invited the public to give feedback. There were no comments and so Chairman Gunn closed the public hearing.

Commissioner Ostergaard referenced the Landscape Standard specifications and asked how the caliper of a tree was defined. He specifically indicated section 3.5, which stated it should be measured 12 inches above grade, although he thought the standard was four feet above grade. Planner Baron replied he was unsure of what the standard was, and Planner Larson said she would consult with an expert to find out what the correct standard was. Commissioner Ostergaard commented that overall, he loved this standard as he felt it was important to protect their trees from development.

Motion: Vice Chairman Richards moved to forward a positive recommendation of the Heber City Park Design Standards to the City Council with the three findings as outlined, as well as clarification about Commissioner Ostergaard's question about tree caliper measurement. Commissioner Knight seconded and the motion passed unanimously.

Discussion:

Voting Yes: Chairman Gunn, Vice-Chair Richards, Commissioner Knight, Commissioner Ostergaard, Commissioner Jordon. **Voting No:** None. The Motion Passed 5-0. Planner

4. Work Meeting: N/A

5. Administrative Items:

I. Planning Commission Training

Planner Baron explained some of the things the Planning Commission had already completed, including the Legislative update and the [Open and Public Meetings training](#), counted towards their required hours towards training. He stated the Planning Commission could select some pre-recorded videos created by the Land Use Academy of Utah for them to watch together, which would count towards their training requirement, and listed some options. He clarified they needed to reach four hours in total, so the plan was to do about half an hour that evening.

The links to all the videos were referenced and provided to the Planning Commissioners.

Commissioner Knight requested to watch "Top 10 Things Every Planning Commissioner Needs to Know," and the Commission watched it together. Chairman Gunn commented that he liked that video since all the presenters had previously served on a Planning Commission and as such, knew exactly what the experience was like.

The Commissioners next watched "Definitions: Land Use Authority," after which Planner Baron clarified that there had been a significant change at the State Legislature in the past year, and in fact the legislative body, which in the case of Heber City was the City Council, could not be the land use authority for anything that was administrative. He said it used to be the case that if no one was appointed for an administrative issue, jurisdiction reverted to the legislative body, although this was no longer the case. Planner Baron elaborated that the Planning Commission would be the land use authority for preliminary plats and site plans, and were a recommending body for all legislative matters that pertained to planning and land use. He added that City Staff was the legislative authority for things such as final plats, plat amendments, and other similar small items.

The Planning Commission next watched “200+ Years of Sage Advice from Utah’s outgoing Municipal Leaders” as a body, which featured commentary from several people who had previously served on a Planning Commission or City Council. The Commissioners then watched “What Hat Do You Wear? How To Make Informed Decisions on Land Use Issues.” Prior to the video, Planner Baron commented that he imagined this explained what the role of the Planning Commission was; if they were a legislative or administrative arm of the City. After the video, Planner Baron explained that although the Planning Commission was not a legislative authority, they did legislative work whenever there was a public hearing or they made a recommendation on legislative items for approval. He stated everything else that they did was administrative. Planner Baron summarized that the Planning Commission did help to make laws, even if they were not the final authority. Chairman Gunn commented the video had been helpful in laying out the different levels of government. Planner Baron agreed and noted it was difficult to “juggle different hats,” in regards to having both administrative and legislative tasks, so it was helpful to have the separation.

Planner Baron discussed the Ethics Code that all planners had to read in order to become AICP certified, and clarified it was distinct from the Ethics Code the Planning Commissioners had to read in order to become a Commissioner. Planner Baron noted this code was fairly exhaustive, and more involved than the Commissioners needed for their purposes.

A link to the [revised November 2021 American Institute of Certified Planners \(AICP\) Code of Ethics and Professional Conduct](#) was provided to the Planning Commissioners.

Planner Baron attempted to go through the City bylaws, although experienced technical difficulties and was unable to do so. Instead, Planner Baron spoke briefly about Envion Heber. He reported Envision Heber had been adopted by the City Council, so they were ready to move onto Phase III, which was the prioritization of strategic Code amendments. He invited the Planning Commission to attend the upcoming City Council work meeting on October third, in which the Councilmembers would discuss Phase III. Planner Baron said after that, they aimed to hold some open houses.

Commissioner Ostergaard asked if there were any updates for the planned modifications to the Ideal Theater. Planner Baron said the applicant had ultimately decided not to purchase the property, and it was now under contract with another person who had different plans for the theater. Planner Baron expressed he was under the impression the new owner intended to keep it a theater, and so would likely not need to come before the Planning Commission unless there was a significant change of use. He added they also might need to come before the Planning Commission if there was any issue with parking, since it was downtown and there was limited parking.

The Commissioners spoke about another project which had not seen any recent developments, and Commissioner Ostergaard suggested that since interest rates were currently so high it might be difficult for many projects to be completed. Commissioner Knight commented that since election year was next year, many people were in a

holding pattern with the expectation that interest rates would decrease next year.

Planning Administrator Kijanen shared a short training video of Civic Clerk, a meeting management software which the City had recently begun to use. With that video, the Planning Commission reached an hour of training and decided to adjourn for the evening.

Commissioner Jordan motioned to adjourn and Commissioner Knight seconded. The motion was approved unanimously.

6. Adjournment:

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

Discussion:

Voting Yes: Planning Commission Vice-Chair Richards, Commissioner Knight, Commissioner Gunn, Commissioner Jordan, Commissioner Ostergaard. **Voting No:** None. The Motion Passed 5-0.

Meshelle Kijanen
Meshelle Kijanen, Administrative Assistant