

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
January 9, 2024**

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Gunn called the Planning Commission Meeting to order at 6.05 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:

Chairman Dennis Gunn
Vice-Chairman Dave Richards
Commissioner Phil Jordan
Commissioner Darek Slagowski

Planning Commission Absent:

Commissioner Josh Knight

Staff Present:

Planning Manager Jamie Baron
Planning Office Admin Meshelle Kijanen

Also Present:

Mia Yue, Tori Broughton, Aaron
Gabrielson, Jen Gabrielson

Staff Participating Remotely:

City Planner Jacob Roberts

Also Attending Remotely:

Danny Hill, Dallin K

III. Pledge of Allegiance: By Invitation

Planning Commissioner Dave Richards led the recitation of the Pledge of Allegiance.

IV. Recuse for Conflict of Interest N/A

2. Consent Agenda:

I. November 14, 2023, and December 12, 2023, Minutes for Approval

Motion: Commissioner Jordan moved to approve the items on the Consent Agenda.
Commissioner Slagowski made the second.

Discussion: N/A

Voting Yes: Commissioner Gunn, Planning Commission Vice-Chair Richards, Commissioner Slagowski, Commissioner Jordan. **Voting No:** None. The Motion Passed 4-0.

3. Action Items:

I. Permitted Uses in the Business and Manufacturing Park (BMP) Zone

City Planner Jacob Roberts presented this item and explained the applicant wanted to add dog grooming as a permitted use in the business and manufacturing zone. Planner Roberts explained the intended use of the zone was for offices, medical facilities, research laboratories, and manufacturing, although he noted the zone was changing. He shared an updated list of approved uses and highlighted that the applicant only wanted to allow pet grooming, not outdoor kenneling or overnight boarding. Planner Roberts asked the Planning Commission for feedback as to if they should allow pet grooming as an approved use and indicated the applicant was present for questions.

The applicant identified himself as Eric Gabrielson and said he worked for Redmond, a company that owned many businesses within the BMP zone. He commented that there was a “hodge podge” of what kind of services were currently allowed in the zone, and he noted that “pet services” were allowed, although pet kenneling was only a conditional use. He summarized Redmond’s intent was to get clarity and broaden the scope of what was allowed within the zone. He shared a list of land uses that were proposed to be included within the zone, and also commented that within the zone right now there were several businesses operating that were not technically allowed. Mr. Gabrielson also discussed how the taxes within the BMP zone had increased by 300%, and said allowing this use would help alleviate their taxation burden.

Commissioner Richards acknowledged the Planning Commission had held many conversations about this zone, since they knew the uses of the zone were changing and many of the businesses there now were not a part of the zone’s original intent.

Commissioner Richards elaborated on the history of the zone and spoke about how it was transitioning, and recalled they had expanded the list of approved uses several years prior. Planner Baron recalled they had given a conditional use to a massage parlor, nail salon, and other similar businesses in the zone, although they wanted to try and move away from just approving things with conditional permits.

Commissioner Richards thought the new list of land uses was fairly comprehensive and asked Planner Baron if he thought they were missing anything. Planner Baron discussed they had tried to think far in the future, and noted there were already services going on in the zone that were technically not permitted. Planner Baron said they wanted the zone to seem nice, and said they did not want to allow things such as auto body shops. He also mentioned he did not think they wanted to allow tattoo shops, although he left that to the Planning Commission’s discretion. Chairman Gunn asked why tattoo shops might not be allowed, to which Planner Baron discussed the City had the ability to regulate use types for businesses to keep up the standards and image of

the City. Planner Baron said in the past that the Council had expressed that they wanted to have tattoo shops in industrial zones, rather than in the downtown area or more prominent parts of town.

Commissioner Richards asked about pawn shops and check cashing, since they were not on the list of uses. He thought they should use pawn shops, check cashing, and tattoo shops as conditional uses since he thought that gave the City greater control over what went into the area. Commissioner Richards added that he did not think they should allow sexual-oriented businesses at all, due to the proximity to schools.

Chairman Gunn voiced that he did not have an issue with tattoo shops and likened them to hair salons.

Commissioner Jordan asked about manufacturing and fabrication and asked if this was all indoor, to which Planner Baron replied that it was. Commissioner Jordan discussed that he preferred any light manufacturing to be indoors in order to preserve the feel and aesthetic of the zone. Commissioner Richards worried that some business owners were leaving Heber City due to restrictions on indoor manufacturing, and wondered where they should draw the line on regulations on manufacturing. Chairman Gunn agreed that he wanted to encourage small businesses in the City and did not want to be too restrictive. Commissioner Richards thought they should include outdoor manufacturing as a conditional use in order to not be too restrictive and to give them discretion.

Planner Baron explained the distinction between restricted, conditional, and approved uses, and he clarified that the Planning Commission needed to identify what uses were conditional if they wanted to approve something down the line. Planner Baron explained they would have to do a text amendment if they wanted to issue a conditional permit for something that was not listed on the conditional use list. Commissioner Richards said his main concern was that there were no sales on the list of land uses.

Chairman Gunn expressed concern about governmental oversight and worried they might drive away businesses. Commissioner Richards said their goal was to help business, not restrict it.

Planner Baron summarized that the Planning Commission wanted to make tattoo shops and pawn shops conditional uses and Chairman Gunn confirmed that was correct. Commissioner Richards said he did not anticipate this zone would be heavily utilized for automobile sales, but wondered if they wanted to permit vehicle services. Planner Baron said things like car repair would require a large parking lot, and so while they were not banning all sales, he pointed out that type of thing would require a lot of space and infrastructure that other kinds of stores would not need. Planner Baron pointed out that although hair salons and barber shops did sell some items, those sales did not require extra space. Commissioner Richards said he wanted to make sure they were leaving the door open for other types of businesses that might want to move into the zone. Mr. Gabrielson opined they could limit the zone to indoor sales only and Commissioner Richards expressed support of this idea. Planner Baron noted this was a neighborhood area, and so they only wanted to have retail sales that were only indoor and did not detract from the aesthetic of the area.

Planner Baron clarified that restaurants were allowed, although not bars or clubs. He doubted the Council would be in favor of allowing bars, given that it was a neighborhood area. He noted this process was also complicated by Utah DABC, although he noted that a restaurant could get a liquor license and sell alcohol as well as food.

Item was not an Action Item but was a Work Meeting Item (Discussion Only). Therefore, there was no motion considered.

4. Work Meeting:

5. Administrative Items:

Planner Baron said the Planning Commission needed to approve the meeting schedule for the upcoming year, and stated the scheduled meetings were mostly the same as they had been last year. He highlighted that the Staff had suggested canceling the meeting slated for Christmas Eve, the day before Pioneer Days, and the Tuesday before Thanksgiving. He asked the Planning Commission if they wanted to cancel these meetings now, or wait to see what the agenda looked like for those days. The Commissioners debated this and anticipated they would all still be in town on the Tuesday of Thanksgiving week, although acknowledged Staff may be traveling that time. Planner Baron noted it was better if they could cancel the meetings far ahead of time, so they did not schedule applicants to come speak on those days.

Commissioner Jordan made a motion to approve the Planning Commission meeting schedule as written, with the omission of the 23rd of July, 26th of November, and 24th of December. The motion was carried with a unanimous vote.

Planning Office Admin Kijanen shared the details of the upcoming City Council retreat and expressed that the Planning Commissioners had been invited. Planner Baron added that City Manager Matt Brower had made a point to invite the Planning Commissioners and urged them to attend. Commissioner Richards asked if there was an agenda, and Planning Office Admin Kijanen said she would get an agenda and send it to the Commissioners. Commissioner Richards said he would make time to attend, but expressed he likely did not have the time to attend the entire retreat. Commissioner Slagowski agreed he would like to know what the most productive times to attend were. Chairman Gunn seconded these comments and expressed appreciation for the invitation.

6. Adjournment:

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

Discussion: N/A

Voting Yes: Commissioner Gunn, Planning Commission Vice-Chair Richards, Commissioner Slagowski, Commissioner Jordan. **Voting No:** None. The Motion Passed 4-0.

Meshelle Kijanen
Meshelle Kijanen, Administrative Assistant