

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
Amended Agenda

October 1, 2024

4:30 p.m. Work Meeting
6:00 p.m. Regular Meeting

TIME AND ORDER OF ITEMS ARE APPROXIMATE AND MAY BE CHANGED AS TIME PERMITS

I. WORK MEETING - 4:30 P.M.

1. Utah Department of Transportation (UDOT) Environmental Impact Statement (EIS) Study update for the Heber Valley Corridor (Wyatt Woolley, Craig Hancock - UDOT) - *30 min*
2. River View Incorporation (Jeremy Cook, City Attorney) - *15 min*
3. Temporary Zoning Ordinance regulating Short Term Rentals (Tony Kohler, Community Development Director, Jeremy Cook, City Attorney) - *45 min*

II. BREAK - 10 MIN

III. REGULAR MEETING - 6:00 P.M.

1. Call to Order
2. Pledge of Allegiance (Mike Johnston, Council Member)
3. Prayer/Thought by Invitation (Aaron Cheatwood, Council Member)

IV. CONFLICT OF INTEREST DISCLOSURE:

V. AWARDS, RECOGNITION, and PROCLAMATIONS:

1. Mayor's Award Nominations
2. Proclamation to designate October as Domestic Violence Awareness Month in Heber City

VI. CONSENT AGENDA:

1. Approval of September 17, 2024, City Council Meeting Minutes (Trina Cooke, City Recorder)
2. Mayoral Nomination for Parks, Open Space, Trails, and Trees (POSTT) Committee - Max Stirling (Heidi Franco, Mayor)

VII. ACTION ITEM|PUBLIC HEARINGS: (Public Comment and Possible Council Action)

1. Public Hearing for Resort-Crossings (aka Harvest Village) Annexation, located at the

intersection of Highway 40 and Highway 32 (Tony Kohler, Community Development Director) -

2. Public Hearing for Ordinance 2024-22, approving proposed MTech Annexation and MDA, for property located at approximately 950 West Midway Lane (Denna Woodbury, Planning Consultant) -
3. Public Hearing to receive input from the public with respect to (a) the issuance of the Series 2024B Irrigation Revenue Bonds and (b) any potential economic impact that the project to be financed with the proceeds of the Series 2024B Bonds may have on the private sector (Marcus Keller)
4. Public Hearing to receive input from the public with respect to (a) the issuance of the Series 2024 Sewer Revenue Bonds and (b) any potential economic impact that the project to be financed with the proceeds of the Series 2024 Bonds may have on the private sector (Marcus Keller)

VIII. PUBLIC COMMENTS: (3 min per person/20 min max)

IX. ACTION ITEMS: (Council can discuss; table; continue; or approve items)

1. Peace House Annual Report and Funding Request (Kendra Wyckoff, Executive Director; Emma Zevallos, Director of Prevention and Education) - *10 min*
2. Red Rock Annexation Petition (Jamie Baron, Planning Manager) - *10 min*
3. Ordinance 2024-23 Adopting a Temporary Zoning Regulation for Short Term Rentals (Tony Kohler, Community Development Director, Jeremy Cook, City Attorney) - *30 min*
4. Branding for Pedestrian Pathway, Bandshell, and Festival Street (Ryan Bunnell) - *30 min*
5. Monthly Development Report (Jamie Baron, Planning Manager) - *10 min*

X. COMMUNICATION:

XI. ADJOURNMENT:

Ordinance 2006-05 allows Heber City Council Members to participate in meetings via telecommunications media.

In accordance with the Americans with Disabilities Act, those needing special accommodations during this meeting or who are non-English speaking should contact Trina Cooke at the Heber City Offices 435.657.7886 at least eight hours prior to the meeting.

Posted on September 26, 2024, in the Heber City Municipal Building located at 75 North Main, the Heber City Website at www.heberut.gov, and on the Utah Public Notice Website at <http://pmn.utah.gov>. Notice provided to the Wasatch Wave.

September 5, 2024

SEP 05 24 AM 11:00
RCVD MC

The Office of the Utah Lieutenant Governor, Diedre Henderson
350 North State Street, Suite 220
Salt Lake City, Utah 84114-2325

RE: River View Request for Feasibility Study

Lt. Governor Henderson,

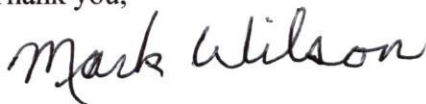
We formally and respectfully request that The Office of the Lieutenant Governor commission a study to determine the feasibility of incorporating the area of River View, Utah as a municipality. We, the undersigned, (Contact Sponsor, Co-Sponsors and the Signers of the attached Feasibility Petition) represent that we are real property owners within the boundaries of the unincorporated area in Wasatch County, Utah which is described in the attached boundary map and legal description.

Please find included in this request packet the following, in accordance with the requirements of Utah Code 10-2a-202:

- 1) Exhibit 1 – Feasibility Petition. Signatures of owners in the area of River View that:
 - a. are located within the area proposed to be incorporated; and
 - b. cover at least 10% of the total private land area within the area; and
 - c. are equal in value to at least 7% of the value of all private real property within the area; and
 - d. include the typed or printed name and current residence address of each owner signing the request.
- 2) Exhibit 2 – A designation of up to five signers of the request as sponsors, one of whom is designated as the contact sponsor, with the mailing address and telephone number of each.
- 3) Exhibit 3 – Legal Description of the contiguous area proposed to be incorporated as a municipality.
- 4) Exhibit 4 - A map or plat, prepared by a licensed surveyor, showing the same legal description of the boundaries of the proposed municipality.
- 5) Exhibit 5 – A copy of the Utah Population Committee's written determination per Utah Code 10-2a-202(2)(d).

Please let us know if you have any questions.

Thank you,



Mark Wilson (Contact Sponsor)
2595 River Road
Midway, UT 84049
markwilsonshelby@gmail.com
801-358-2640

Exhibit 1

River View

Exhibit 1 – Signatures of Owners of Private Real Property within the

Area

Printed Name	Signature	Current Residence Address
Mark Wilson	Mark Wilson	2595 River Road Midway, Utah 84049
Jorgene Wilson	Jorgene Wilson	2595 River Road Midway, Utah 84049
TOOD BEAGLEY	TOOD BEAGLEY	1995 RIVER RD MIDWAY UT 84049
Jenaca Beagley	Jenaca Beagley	1995 River RD Midway, UT 84049
Barbara Wilson	Barbara Wilson	2000 N River RD Midway Utah 84049
Jared Wilson	Jared Wilson	1980 RIVER RD MIDWAY UT 84049
Rebecca Wilson	Rebecca Wilson	1980 River Rd Midway, UT 84049
Kurt Wilson	Kurt Wilson	1970 River Rd Midway UT 84049
Brooke Wilson	Brooke Wilson	1970 River Road Midway, UT 84049
GEORGE HOLMES	George Holmes	155 SOUTH 2100 EAST HEBER, UT 84032
Ed Clyde	Ed Clyde	1765 S Hwy 40 Heber City, Utah 84032

River View

Exhibit 1 – Signatures of Owners of Private Real Property within the [Area]

Printed Name	Signature	Current Residence Address
Thomas Brandner	Thomas Brandner	4050 N. Highway 40
Betty Brandner	Betty Brandner	4050 N. Hwy 40
Steven L North	[Signature]	1566 N Hwy 40 Hobart, UT
Laural H. North	Laural H North	1543 N. Hwy 40 Hob, UT.
Tamara North	Tamara North	1566 N Hwy 40 Hobart

River View

Exhibit 1 – Signatures of Owners of Private Real Property within the _____ Area

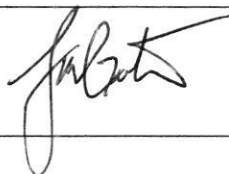
Printed Name	Signature	Current Residence Address
LAREN GERTSCH		1221 N. Canyon View Midway, UT 84049

Exhibit 2

Contact Sponsor

Mark Wilson
2595 River Road
Midway, UT 84049
markwilsonshelby@gmail.com
801-358-2640

Co-Sponsors

Ed Clyde
1765 S HWY 40
Heber City, UT 84032
435-671-0972

George Holmes
155 S 2100 E
Heber City, UT 84032
435-503-0465

Laren Gertsch
1221 Canyon View Rd
Midway UT 84049-6608
801-541-8222

Steve North
1566 N HWY 40
Heber City, UT 84032
435-503-0983

Thomas Brandner
4050 N HIGHWAY 40
Heber City, UT 84032
435-671-2685

Exhibit 3

River View Town Description

Beginning at a point being South 131.136 feet and East 903.555 feet from the 2005 Wasatch County Brass Cap Monument for Northwest Corner of Section 6, Township 4 South, Range 5 East, Salt Lake Base and Meridian (Basis of Bearings is the NAD83 Utah Central Zone Bearings);

Thence North 89° 24' 40" West 2722.439 feet; Thence North 89° 13' 55" West 314.720 feet; Thence North 89° 08' 24" West 397.012 feet; Thence North 89° 49' 52" West 329.090 feet; Thence North 89° 06' 42" West 329.178 feet; Thence South 88° 57' 23" West 74.720 feet; Thence South 89° 51' 38" West 51.030 feet; Thence North 86° 40' 37" West 47.750 feet; Thence South 88° 43' 48" West 15.900 feet; Thence South 88° 42' 33" West 38.840 feet; Thence North 88° 45' 17" West 143.940 feet; Thence North 89° 27' 26" West 139.200 feet; Thence North 86° 38' 48" West 72.920 feet; Thence North 84° 35' 29" West 50.990 feet; Thence North 89° 12' 05" West 16.490 feet; Thence South 56° 45' 18" West 7.999 feet; Thence North 82° 42' 10" West 39.570 feet; Thence North 89° 12' 05" West 105.390 feet; Thence 483.578 feet along the arc of 1300.000-foot radius curve to Right thru a central angle of 21°18'47" (Chord bears North 75° 55' 05" West 480.795); Thence North 06° 10' 00" East 419.489 feet; Thence North 39° 56' 22" West 257.500 feet; Thence North 13° 02' 20" East 510.864 feet; Thence North 35° 20' 46" East 182.970 feet; Thence North 05° 42' 03" East 404.940 feet; Thence North 01° 31' 54" West 458.260 feet; Thence North 22° 28' 17" West 333.260 feet; Thence North 45° 42' 59" East 221.710 feet; Thence North 19° 47' 59" East 76.080 feet; Thence North 65° 25' 16" East 83.760 feet; Thence North 38° 55' 02" East 36.170 feet; Thence North 01° 41' 02" West 141.570 feet; Thence North 77° 25' 41" East 24.490 feet; Thence North 23° 58' 40" East 79.560 feet; Thence North 11° 33' 45" West 258.710 feet; Thence North 31° 04' 23" West 178.790 feet; Thence North 00° 34' 43" East 655.410 feet; Thence North 11° 57' 24" West 196.360 feet; Thence North 19° 22' 21" East 106.360 feet; Thence North 00° 00' 00" East 678.825 feet; Thence North 89° 36' 09" East 479.982 feet; Thence North 00° 36' 27" East 997.065 feet; Thence North 89° 22' 10" West 1.747 feet; Thence North 00° 15' 33" East 685.570 feet; Thence South 89° 12' 00" East 223.675 feet; Thence North 04° 46' 32" East 301.431 feet; Thence North 05° 35' 45" West 484.680 feet; Thence North 01° 10' 12" East 495.800 feet; Thence North 17° 32' 10" East 724.290 feet; Thence North 40° 02' 52" East 824.850 feet; Thence North 42° 45' 38" East 75.220 feet; Thence North 30° 15' 14" East 418.400 feet; Thence North 68° 13' 29" East 185.530 feet; Thence North 02° 32' 43" East 208.537 feet; Thence North 89° 22' 57" East 245.838 feet; Thence North 50° 24' 21" East 553.963 feet; Thence North 00° 48' 00" East 311.652 feet; Thence South 89° 22' 57" West 2020.828 feet; Thence North 26° 11' 45" East 358.938 feet; Thence North 33° 39' 12" East 352.693 feet; Thence North 85° 39' 31" West 198.500 feet; Thence North 86° 36' 17" West 65.100 feet; Thence North 85° 14' 17" West 295.400 feet; Thence North 87° 14' 10" West 32.721 feet; Thence 34.167 feet along the arc of a 540.000-foot radius curve to the Left thru a central angle of 3°37'31" (Chord bears North 23° 26' 10" East 34.161 feet); Thence North 21° 37' 30" East 819.447 feet; Thence South 89° 48' 57" West 437.231 feet; Thence North 00° 11' 03" West 1203.180 feet; Thence North 89° 24' 02" East 1323.560 feet; Thence North 00° 06' 27" West 2651.271 feet; Thence North 89° 00' 51" East 1325.818 feet; Thence South 00° 02' 52" East 262.238 feet; Thence South 00° 02' 16" West 309.671 feet; Thence South 00° 04' 17" East 1233.745 feet; Thence North 27° 51' 09" East 1276.694 feet; Thence North 41° 29' 13" East 398.400 feet; Thence North 65° 30' 50" East 515.961 feet; Thence North 02° 00' 58" West 187.477 feet; Thence South 89° 16' 50" East 697.236 feet; Thence North 01° 09' 45" East

205.252 feet; Thence North 89° 59' 42" West 86.833 feet; Thence North 11° 23' 47" West 125.970 feet; Thence South 84° 24' 41" East 7.810 feet; Thence North 88° 04' 09" East 124.600 feet; Thence North 01° 31' 45" East 92.650 feet; Thence North 26° 22' 04" East 42.870 feet; Thence North 43° 06' 00" East 55.340 feet; Thence North 18° 27' 55" East 102.030 feet; Thence North 30° 08' 13" East 150.990 feet; Thence North 58° 52' 05" West 107.500 feet; Thence North 08° 44' 09" East 81.779 feet; Thence North 89° 33' 24" East 48.866 feet; Thence North 08° 04' 56" West 60.772 feet; Thence North 01° 43' 09" East 32.140 feet; Thence North 15° 49' 39" East 47.140 feet; Thence North 24° 42' 48" East 60.010 feet; Thence North 33° 41' 32" East 32.100 feet; Thence North 28° 06' 52" East 31.320 feet; Thence North 33° 54' 03" East 74.610 feet; Thence North 30° 41' 31" East 128.710 feet; Thence North 07° 20' 52" East 442.270 feet; Thence North 10° 47' 34" West 75.040 feet; Thence North 00° 45' 09" West 38.550 feet; Thence North 27° 55' 51" East 95.150 feet; Thence South 87° 32' 28" West 57.810 feet; Thence South 82° 22' 34" West 27.550 feet; Thence 294.220 feet along the arc of a 571.250-foot radius curve to the Left thru a central angle of 29°30'36" (Chord bears South 64° 26' 32" West 290.979 feet); Thence South 47° 00' 33" West 43.320 feet; Thence South 41° 10' 23" West 48.920 feet; Thence South 36° 13' 22" West 103.710 feet; Thence South 35° 18' 12" West 464.826 feet; Thence North 54° 41' 48" West 79.978 feet; Thence North 01° 17' 11" West 202.000 feet; Thence North 89° 58' 11" West 192.000 feet; Thence North 29° 39' 11" West 245.200 feet; Thence North 00° 01' 49" East 217.900 feet; Thence South 89° 58' 11" East 833.999 feet; Thence North 02° 18' 36" East 712.161 feet; Thence North 00° 00' 00" East 164.585 feet; Thence South 89° 51' 53" East 417.070 feet; Thence North 00° 00' 00" East 178.353 feet; Thence North 22° 02' 42" East 167.162 feet; Thence North 00° 00' 00" East 325.538 feet; Thence North 06° 30' 01" West 219.225 feet; Thence North 13° 51' 11" East 190.715 feet; Thence North 21° 50' 08" East 149.110 feet; Thence North 15° 13' 50" West 489.435 feet; Thence North 48° 45' 31" East 525.320 feet; Thence North 19° 42' 25" East 133.691 feet; Thence North 45° 22' 55" East 92.159 feet; Thence North 68° 48' 01" East 72.931 feet; Thence North 26° 52' 48" East 213.283 feet; Thence North 01° 16' 08" East 32.389 feet; Thence North 88° 43' 47" West 144.149 feet; Thence North 01° 16' 13" East 824.450 feet; Thence North 57° 42' 22" West 407.657 feet; Thence 200.165 feet along the arc of a 110.789-foot radius curve to the Right thru a central angle of 103°31'03" (Chord bears North 12° 18' 32" West 174.030 feet); Thence North 39° 26' 59" East 325.429 feet; Thence North 12° 56' 56" West 411.297 feet; Thence North 11° 46' 41" West 210.195 feet; Thence North 18° 26' 16" East 82.341 feet; Thence North 00° 00' 00" East 178.357 feet; Thence North 67° 43' 02" West 26.870 feet; Thence North 22° 16' 58" East 34.000 feet; Thence North 83° 35' 34" East 362.475 feet; Thence 667.937 feet along the arc of a 5616.780-foot radius curve to the Left thru a central angle of 6°48'49" (Chord bears South 9° 48' 50" East 667.543 feet); Thence South 13° 14' 43" East 960.447 feet; Thence South 13° 14' 18" East 1666.846 feet; Thence South 62° 38' 08" East 139.623 feet; Thence South 00° 01' 51" West 1757.236 feet; Thence South 00° 31' 15" East 267.147 feet; Thence South 23° 00' 00" East 66.268 feet; Thence South 41° 37' 08" East 232.410 feet; Thence South 23° 58' 34" East 235.910 feet; Thence South 89° 51' 56" West 33.000 feet; Thence South 24° 18' 30" East 547.600 feet; Thence South 34° 42' 53" East 80.260 feet; Thence South 11° 45' 35" East 80.840 feet; Thence South 05° 40' 26" East 127.970 feet; Thence South 00° 44' 07" East 273.070 feet; Thence South 89° 59' 48" West 424.820 feet; Thence South 23° 28' 17" East 116.860 feet; Thence South 27° 59' 59" East 285.040 feet; Thence South 19° 58' 08" East 251.110 feet; Thence South 20° 08' 33" East 225.402 feet; Thence North 69° 51' 27" East 148.867 feet; Thence North 84° 58' 45" East 170.913 feet; Thence South 18° 07' 15" East 129.353 feet; Thence South 31° 02' 43" East

110.000 feet; Thence South 47° 32' 43" East 110.000 feet; Thence South 25° 52' 43" East
 132.000 feet; Thence South 61° 52' 43" East 120.00 feet; Thence South 31° 52' 43" East
 130.000 feet; Thence South 83° 17' 21" East 111.000 feet; Thence South 27° 28' 55" East
 120.990 feet; Thence South 70° 00' 17" West 398.580 feet; Thence South 24° 49' 23" East
 150.130 feet; Thence North 68° 42' 08" East 24.240 feet; Thence South 18° 56' 20" East
 154.680 feet; Thence South 63° 59' 57" West 67.850 feet; Thence South 32° 00' 30" East
 615.350 feet; Thence South 32° 01' 37" East 1099.619 feet; Thence South 31° 57' 57" East
 655.860 feet; Thence South 57° 57' 59" West 150.000 feet; Thence South 32° 02' 01" East
 1822.523 feet; Thence North 89° 58' 25" East 176.030 feet; Thence South 31° 50' 57" East
 744.123 feet; Thence 1829.847 feet along the arc of a 2914.900-foot radius curve to the Right
 thru a central angle of 35°58'04" (Chord bears South 16° 07' 31" East 1799.949 feet); Thence
 South 01° 51' 18" West 1340.630 feet; Thence 489.803 feet along the arc of a 6950.494-foot
 radius curve to the Right thru a central angle of 4°02'16" (Chord bears South 3° 52' 25" West
 489.702 feet); Thence North 88° 05' 40" East 304.855 feet; Thence South 00° 22' 22" West
 99.128 feet; Thence South 88° 21' 36" West 163.599 feet; Thence South 00° 38' 56" East
 133.470 feet; Thence North 89° 26' 11" West 167.548 feet; Thence 301.110 feet along the arc of
 a 6925.600-foot radius curve to the Right thru a central angle of 2°29'28" (Chord bears South 8°
 59' 35" West 301.087 feet); Thence South 10° 16' 52" West 1857.432 feet; Thence 654.507 feet
 along the arc of a 5804.430-foot radius curve to the Right thru a central angle of 6°27'38"
 (Chord bears South 13° 21' 19" West 654.160 feet); Thence South 16° 35' 08" West 109.066
 feet; Thence North 77° 35' 10" West 528.784 feet; Thence North 88° 55' 08" West 357.833 feet;
 Thence North 89° 13' 24" West 967.136 feet; Thence South 00° 42' 19" West 666.696 feet;
 Thence North 89° 19' 35" West 661.370 feet; Thence North 00° 40' 25" East 46.130 feet; Thence
 North 89° 19' 35" West 704.580 feet; Thence South 00° 25' 01" West 375.763 feet; Thence North
 89° 12' 00" West 985.453 feet; Thence South 00° 48' 00" West 982.238 feet; Thence South 75°
 47' 43" West 1081.858 feet; Thence South 00° 04' 22" West 633.350 feet; Thence South 00° 28'
 12" West 998.480 feet; Thence South 00° 27' 39" West 509.910 feet to the Point of Beginning.

Contains 3299.900 Acres or 143,743,655 Square Feet, more or less.

Exhibit 4

WASATCH COUNTY, UTAH

[illegible]

Exhibit 5

Memorandum

September 4, 2024

To: Jordan Schwanke, Entities Specialist, Office of the Lieutenant Governor
From: Eric Albers, Public Policy Analyst, Kem C. Gardner Policy Institute
CC: Mallory Bateman, Director of Demographic Research, Kem C. Gardner Policy Institute
Subject: River View Incorporation Feasibility Review

Introduction

This review follows the incorporation request from River View and determines whether River View meets the population, density, and contiguity requirements for incorporation as a town (defined in Utah Code 10-2a-201.5).

The Utah Population Committee (UPC) analysis indicates that River View meets the incorporation requirements.

Table 1: Initial Feasibility Requirements for River View Incorporation

Criteria	Meets Criteria?	Requirement by Statute	River View Details
Population	Yes	To incorporate as a town, the population must be at least 100.	July 1, 2023 Population Estimate: 116
Population Density	Yes	Density must be seven people per square mile or higher	July 1, 2023 Population Density Estimate: 22.5 persons per square mile
Contiguity	Yes	Area is contiguous, does not have a strip of land connecting geographically separate areas	The proposed boundary covers a contiguous area.

Population data source: U.S. Census Bureau, 2020 Census

Note: Requirements are summarized; Full statutory requirements are delineated in Utah Code 10-2a-201.5.

Methodology

Housing Unit Method

The UPC uses the housing unit method of estimation to determine the population of places seeking to incorporate. The first step approximates the 2020 Census population by aggregating the total population of Census blocks within the proposed boundary (see Geographic Notes for more information). From this starting population, annual growth is assumed to be tied to growth in new housing units. Building permit data are sourced from the Construction Monitor Database then geocoded and filtered down to those within the incorporation boundary. Single-family housing units are assumed to be completed and occupied six months after permitting. Each newly constructed housing unit is multiplied by persons per occupied housing unit at the tract level to determine household population growth.

Geographic Notes

Calculating the 2020 Census population for any new community requires aggregation of the population of Census blocks that fall within the boundary. The population of blocks that fall partially within the boundary are adjusted by the ratio of the number of housing units in that block that fall within the proposed boundary to the total number of housing units in the block.



Heber City Council Staff Report

MEETING DATE: 10/1/2024
SUBJECT: Temporary Zoning Ordinance regulating Short Term Rentals
RESPONSIBLE: Tony Kohler, Jeremy Cook
DEPARTMENT: Planning
STRATEGIC RELEVANCE: Community Development

SUMMARY

Reference staff report filed under Action Item #2 regarding Short Term Rentals and including Ordinance 2024-23.

Ordinance 2024-23 includes the adoption of a temporary zoning regulation for short-term rentals (STRs), addressing many of the nuisance issues such as number of occupants, noise, parties and number of parked vehicles. If adopted, the City will have 6 months to complete the adoption of a permanent ordinance. The process will involve the review of the Planning Commission with a public hearing, and final consideration by the City Council.

RECOMMENDATION

Staff recommends approval of Ordinance 2024-23 adopting a temporary 6-month regulation for short-term rentals. The ordinance has been placed on the work agenda for discussion and the regular agenda for adoption. If Council identifies changes in the work meeting, these can be incorporated into an amended ordinance for adoption in the regular meeting.

BACKGROUND

The proposed ordinance includes changes summarized as follows.

1. Creates specific fines for violation that are enforceable against renters and owners
 2. Creates restrictions after 10 p.m. (9 p.m. on weekdays) to help with noise and parties
 3. Limits total number of people to 16 at any time.
 4. Requires posting of Potential Fine and Penalties brochure.
 5. Changes parking to allow up to 3 cars either in driveway or on public street.
 6. Removes distinction between home rental and vacation rental since it seemed to create confusion.
 7. Adopts the regulations into the City's Zoning Ordinance.
-

DISCUSSION

Recently, Councilman Johnston and Phillips expressed concern about the short-term rental ordinance. Mr. Johnston has expressed the current short-term rental ordinance does not adequately protect neighborhoods from nuisance issues, and Mr. Phillips has expressed concern short-term rentals have an impact on affordable housing for the City. Mr. Phillips has suggested the City might want to consider prohibiting short-term rentals and only permit room rentals. From there, the City could consider giving an amortized time (such as 2 to 5 years) for short-term rental owners to cease using their property as a short-term rental.

Neighbors of STRs express that these uses have too many vehicles parked, too many occupants, noise and partying. Neighbors are frustrated that provisions of the current STR ordinance cannot be enforced. Other neighborhoods have expressed concern that homes built as part of the Self-Help affordable housing program have started to be replaced by short-term rentals.

The Police Department indicates the ordinance needs to be updated, as the ordinance sets standards for licensing instead of standards for compliance, making it challenging to enforce. Additionally, the ordinance regulates the number of lodgers and the number of parked cars for lodges, but does not address the number of visitors and the number of visitor vehicles. Staff provides the observation that the new ordinance will need to be strictly enforced and minimize the use of warnings by Code Enforcement to be effective. The upcoming Olympics will likely place short-term rental demand into hyper-drive and the City will continue to see increasing numbers of short-term rentals. Finally, there are several different types of websites that advertise short-term rentals besides Air BNB, and if the City is serious about enforcement, it should invest in new software to identify under-the-radar short-term rentals for enforcement.

STR operators have expressed hope that the City can update the STR ordinance to permit more occupants for larger homes.

Staff recently met with the Police Department, Code Enforcement and the City Attorney to discuss potential alternatives. The result is the attached red-line/strike-out amendment to the current code, intended to remedy the above issues. Staff also recommends the ordinance be added to the Zoning Ordinance, as it contains land use regulations that are more appropriate to place in the Zoning Ordinance instead of the Business Licensing Ordinance. Land Use Regulations in the Zoning Ordinance require review by the Planning Commission and a public hearing; as such, it will take at least a couple of months to return back to Council with a recommendation by the Planning Commission.

FISCAL IMPACT

None.

CONCLUSION

Adoption of Ordinance 2024-23 gives the City immediate ability to start enforcing new provisions aimed at protecting the quality of life in residential neighborhoods.

ALTERNATIVES

1. Approve as proposed
 2. Approve as amended. The City could outright prohibit STRs and only permit room rentals, giving STR owners an amortized time (such as 2 to 5 years) to discontinue the use of their properties as an STR.
 3. Continue
 4. Deny
-

POTENTIAL MOTIONS

Alternative 1 - Approval - Staff Recommended Option

I move to **approve** the **item** as presented, with the findings and conditions as presented in the conclusion above.

Alternative 2 - Approve as Amended

I move to **approve** the **item** as amended, as follows.

Alternative 3 - Continue

I move to **continue** the **item** to another meeting on , with direction to the applicant and/or Staff on information and / or changes needed to render a decision, as follows:

Alternative 4 - Denial

I move to **deny** the **item** with the following findings.

ACCOUNTABILITY

Department: Planning
Staff member: Tony Kohler, Community Development Director
Jeremy Cook, City Attorney

EXHIBITS

1. Current Code
2. Ordinance 2024-23 STR Regulations - 4858-9275-5690 - 1
3. Short Term Rental Code JRC DRAFT - 4861-3805-5139 - 1
4. Short Term Rental Code Changes REDLINE - 4881-5204-3235 - 1
5. Short-term Rental Required Notice Final - 4876-6410-3142 - 1

Current Code

5.26 Short Term Rentals

[5.26.010 Purpose](#)

[5.26.020 Definitions](#)

[5.26.030 Licenses Required](#)

[5.26.040 Application Form](#)

[5.26.050 Maintenance Of Registry](#)

[5.26.060 Non-Transferability](#)

[5.26.070 No Property Rights Conferred](#)

[5.26.080 Denial, Suspension Or Revocation](#)

5.26 Short Term Rentals 5.26.010 Purpose 5.26.020 Definitions 5.26.030 License Required
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HISTORY

Approved by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.010 Purpose

The purpose of this chapter is to provide a fair process for the licensing and administration of Short Term Rental Licenses in Heber City.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.020 Definitions

For the purposes of this Chapter, the following definitions shall apply:

- A. Lodger means any person who, individually or as part of a group, reserves and resides in a Short-term Rental.
- B. Owner Occupied means a dwelling in which the property owner, whether an individual, couple, or principle of an LLC or Trust, as listed on the County records, currently and permanently resides for no less than 6 months of the year.
- C. Short Term Rental means Short-term Rental. The rental of any single family residential dwelling, or any portion thereof, for a period of less than 30 days to a single entity or person.
- D. Room Rental means the short-term rental of a portion of a single residential dwelling that is owner occupied.
- E. Home Rental means the short-term rental of an entire dwelling that is owner occupied.
- F. Vacation Rental means the short-term rental of an entire dwelling that is not owner occupied.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.030 Licenses Required

It is unlawful to engage in a Short Term Rental business without first receiving a Business License from the City. All Short Term Rental Licenses shall comply with the following:

- A. Rental owners shall be onsite or be managed by a rental manager located within 10 miles of the rental property. Contact information for said rental managers shall be on file with the City and the Heber City Police Department.

B. Rentals are subject to passing an inspection by the following:

1. Wasatch County Health Department 2. Wasatch County Fire District

C. Heber City and its departments maintain the right to inspect any Short-Term Rental for the purpose of determining compliance with State, Local, Health, and Safety codes, upon the City's request.

D. Modifications to buildings that include, but are not limited to, remodels, basement finishes, pools, and accessory buildings, require a building permit.

E. Exterior signs associated with rentals are prohibited.

F. The following shall be posted inside the dwelling:

1. Heber City Business License 2. Fire and Health Department certifications 3. Rental Manager Contact information 4. Occupancy limit 5. Parking plan 6. Summary of Quiet Hours and Noise Restrictions as outlined in Section 9.22.020.

G. Commercial activities are prohibited.

H. Recreational Vehicles, Campers, or other travel trailers are prohibited.

I. Tents or other temporary structures intended sleeping are prohibited.

J. Room Rental. Room Rentals are permitted in any single family detached residential dwelling so long as the following provisions have been met.

1. Room Rentals are limited to no more than one reservation at a single time. 2. Room Rentals are limited to no more than two bedrooms in the dwelling. 3. Property owners shall be present during the hours of 10 PM – 7 AM for the entirety of the reservation period. 4. Lodgers shall be limited to no more than one vehicle. 5. Lodgers shall not park on the street. All cars shall be located in a garage, driveway, or permitted parking area. 6. Owner Occupied Accessory Apartments are considered a Room Rental and shall comply with these provisions. Occupancy of the apartment is as permitted in Section 18.108.110.

K. Home Rental. Home Rentals are permitted in any single family detached residential dwelling so long as the follow provisions have been met.

1. The entire dwelling shall be rented with a single reservation. Occupancy shall not exceed that of a Family as defined in Section 18.08.200, or 8 individuals, whichever is more. 2. Lodgers shall not park on the street. All cars shall be located in a garage, driveway, or permitted parking area. 3. Lodgers shall be limited to no more than 4 cars, based upon off street parking availability.

L. Vacation Rental. Vacation Rentals are permitted in any single family detached residential dwelling so long as the following provisions have been met.

1. The entire dwelling shall be rented with a single reservation. Occupancy shall be limited to 1 lodger per 200 square feet, not to exceed 12 lodgers. 2. Lodgers shall not park on the street. Garages shall be clear and available to patrons for parking. All cars shall be located in a garage, driveway, or permitted parking area. 3. Lodgers shall be limited to no more than 4 cars, based upon off street parking availability. 4. The following shall be posted on the exterior of the property:

a. Property Manager name, phone number, address, and email address b. Business License number

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

Amended by Ord. [2022-01](#) on 2/1/2022

5.26.040 Application Form

The Licensing Officer shall provide a standard Application Form for Short Term Rental Licenses. Each Application Form shall require the following information, documentation, and fee:

A. Review of Written Disclosures. An affirmation that the Applicant has received and reviewed the disclosure information required by this Chapter.

B. Contact Information. 1. Applicant's name, telephone number, home address, mailing address, and email address. 2. Applicant's business name, telephone number, business address, mailing address, and email address.

C. Proof of Identity. An in-person verification by the Licensing Officer of the Applicant's true identity by use of any of the following which bear a photograph of said Applicant: 1. A valid driver's license issued by any State; 2. A valid passport issued by the United States; 3. A valid identification card issued by any State; and 4. A valid identification issued by a branch of the United States military. Upon verification of identity, the original identification submitted to establish Proof of Identity shall be returned to the Applicant.

D. Rental Manager Information

1. Manager name 2. Managing company name 3. Manager contact address, phone number, and email

E. Proof of Registration with Department of Commerce. The Applicant shall provide proof that either the Applicant, or the Responsible Person or Entity, has registered with the Utah State Department of Commerce. F. Properties list. A list of all Short-Term Rental properties owned and/or operated by the business, including address and parcel id number.

F. Site and Floor Plans. A site plan and floorplan including the following shall be required for each property listed under the license. 1. Layout of property 2. Designated parking areas. 3. Floor plan of building with area in square feet that will be used for short-term rentals.

G. Fee. The Applicant shall pay such fees as determined applicable by the City, which shall not exceed the reasonable cost of processing the application and issuing the Certificate and/or Identification Badge. Refer to the Consolidated Fee Schedule for current fees.

H. Execution of Application. The Applicant shall execute the Application Form, stating upon oath or affirmation, under penalty of perjury, that based on the present knowledge and belief of the Applicant, the information provided is complete, truthful and accurate.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

Amended by Ord. [2023-45](#) on 12/19/2023

5.26.050 Maintenance Of Registry

All Short Term Rentals shall maintain a register of lodgers and individual bookings. This register shall be available to the City or Police Department upon written request.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.060 Non-Transferability

Short Term Rental Licenses are non-transferable between property owners or business owners. Upon the change of business or property ownership, a new license will be required.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.070 No Property Rights Conferred

Short Term Rental Licenses shall not be construed as providing property right or vested interests and entitlements in continued operation of a Short Term Rental. Short Term Rental Licenses are revocable licenses which expire annually. Short Term Rental Licenses shall not run with the land.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.080 Denial, Suspension Or Revocation

A. Denial. The City shall deny a Short Term Rental application for the following reasons: 1. The application is not complete or does not comply with the requirements of this chapter. 2. The property is in violation of provisions of this chapter or any other Title, Chapter, or Section of the Heber City Municipal Code. 3. The applicant has any licenses that are currently suspended or revoked.

B. Suspension or Revocation. The City may either suspend or revoke a Short Term Rental License when any of the reasons warranting the denial of an application occurs. The process for suspension and revocation are as follows: 1. Suspension. Short Term Rental Licenses will be suspended upon the second instance of violation of this chapter, or any other Title, Chapter, or Section of the Heber City Municipal Code, or failure to resolve any violation within the required time period. Suspensions shall be a minimum of 3 months or until the violation is resolved, whichever is greater, but not to exceed 6 months. 2. Revocation. Short Term Rental Licenses will be revoked upon the third instance of violation of this chapter or any other Title, Chapter, or Section of the Heber City Municipal Code, or upon failure to resolve any violation during the suspension period, notwithstanding the number of instances of the violation. Revoked Short Term Rental Licenses will become null and void and require a new application. Applicant's with a revoked license may not apply for a new business license for a period of 6 months following the revocation of their license or until the violation has been resolved, whichever is greater.

C. Notice of Denial, Suspension, or Revocation. Upon determination of the Licensing Officer to deny an Applicant's Completed Application, suspend a current Short Term Rental License, or revoke a current Short Term Rental License, the City shall cause written notice to be sent to the Applicant or Registered Manager by the method indicated in the Completed Application. The Notice shall specify the grounds for the denial, suspension, or revocation, and the documentation or information the City relied on to make the decision.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

ORDINANCE 2024-23

AN ORDINANCE ENACTING A TEMPORARY LAND USE REGULATION FOR SHORT TERM RENTALS

WHEREAS, Section 10-9a-504 of the Utah Code permits a municipality, without prior consideration of or recommendation from the municipality's planning commission, to enact an ordinance establishing a temporary land use regulations for any part of a municipality if the legislative body makes a finding of a compelling, countervailing public interest.

WHEREAS, Heber City routinely receives complaints related to short term rental including excessive noise, parking violations and other issues.

WHEREAS, Heber City has determined that the current regulations related to short term rentals so not adequately address many of the issues or provide for adequate remedies for the Heber City Police Department and Heber City Code Enforcement to address health, safety and welfare issues related short term rentals.

WHEREAS, Heber City through the City Council has determined that a compelling, countervailing public interest exists in enacting this temporary land use ordinance related to short term rentals; and

WHEREAS, the City Council of Heber City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of Heber City to enact this Temporary Land Use Ordinance as set forth below.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Heber City, Utah, as follows:

SECTION 1. Finding of Compelling Countervailing Public Interest. Pursuant to Section 10-9a-504 of the Utah Code, the City Council finds that due to the significant number of complaints received by the City related to short term rentals, and the disproportionate amount of time and resources required by law enforcement to address issues related to short term rentals, a compelling and countervailing public interest exists to adopt temporary land use regulations changes to the City's regulations related to short term rentals.

SECTION 2. Adoption. Heber City hereby adopts the changes to Chapter 5.26 of the Heber City Municipal Code as set forth in Exhibit A as a temporary land use regulation.

SECTION 3. Duration. This Ordinance shall become effective as set forth below and shall remain in effect for one-hundred eighty (180) days from the effective date unless Heber City modifies the land use regulation or permanently adopts the changes to Chapter 5.26 of the Heber City Municipal Code.

This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED and ORDERED TO BE PUBLISHED BY THE HEBER CITY COUNCIL this _____ day of _____ 2024.

AYE	NAY	ABSENT	ABSTAIN
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Aaron Cheatwood

Michael Johnston

Sid Ostergaard

Scott Phillips

Yvonne Barney

APPROVED:

Mayor Heidi Franco

ATTEST:

Date:

RECORDER

Exhibit A

Exhibit A

5.26	Short Term Rentals
5.26.010	Purpose
5.26.020	Definitions
5.26.030	Licenses Required
5.26.035	Rental Conditions and Regulations
5.26.040	Application Form
5.26.050	Maintenance Of Registry
5.26.060	Non-Transferability
5.26.070	No Property Rights Conferred
5.26.080	Denial, Suspension Or Revocation
5.26.085	Violations and Penalties

5.26.010 Purpose

The purpose of this chapter is to provide a process for the licensing and administration of short term rental licenses in Heber City and to establish rules and regulations related to properties licensed as a short term rental.

5.26.020 Definitions

For the purposes of this Chapter, the following definitions shall apply:

- A. "Lodger" means any person who, individually or as part of a group, reserves and resides in a short term rental..
- B. "Short Term Rental" means the rental of any residential dwelling, or any portion thereof, for a period of less than 30 days.
- C. "Room Rental" means the short term rental of a portion of a single residential dwelling that is owner occupied.
- D. "Home Rental" means the short term rental of an entire dwelling.

5.26.030 Licenses Required

Short term rentals shall only be permitted in individually owned single family residences. It is unlawful to engage in a short term rental business without first receiving a business license from Heber City for the short term rental.

5.26.035 Rental Conditions and Regulations

All short term rental licensees shall comply with the following:

- A. An individual owner of the property or a rental manager shall be located within 20 miles of the rental property. Contact information for the individual owner and rental manager shall be on file with the City Business Licensing Department and the Heber City Police Department.

B. Rentals are subject to passing an inspection by the following:

1. Wasatch County Health Department
2. Wasatch County Fire District

C. Heber City and its departments maintain the right to inspect any short term rental for the purpose of determining compliance with state, local, health, and safety codes, and compliance with this Chapter 5.26.

D. Exterior signs associated with rentals are prohibited.

E. The following shall be posted in a conspicuous place inside the dwelling:

1. Heber City Notice of Potential Fines and Criminal Penalties.
2. Contact information for the homeowner or rental manager.
3. Overnight occupancy limit.

F. The following conduct is prohibited in short term rentals between the hours of 9:00 p.m. and 6:00 a.m. on Sunday, Monday, Tuesday, Wednesday and Thursday, and between the hours of 10:00 p.m. and 6:00 a.m. on Friday and Saturday:

1. The gathering of more than 3 people on any deck, patio or other outdoor area.
2. Consuming alcoholic beverages, smoking or vaping on any deck, patio or other outdoor area that is visible from any neighboring property.
3. Playing music (live or recorded) that can be heard outside of the residence.
4. Any yelling, swearing or other excessive noise that can be heard outside of the residence.
5. Use of an outdoor hot tub, outdoor pool, or outdoor sauna.

G. Recreational vehicles, campers, or other travel trailers associated with the short term rental are not allowed to be parked on any public street or allowed to be occupied during the short term rental.

H. Tents or other temporary structures intended for sleeping are prohibited.

I. No commercial filming or commercial events are allowed at a short term rental.

I. Room Rental. Room Rentals are subject to the following additional regulations:

1. Room Rentals are limited to no more than one reservation at a single time.
2. Room Rentals are limited to no more than two bedrooms in the dwelling.
3. Property owners shall be present during the hours of 10 p.m. – 7 a.m. for the entirety of the reservation period.
4. Lodgers shall be limited to no more than two vehicles.

J. Home Rental. Home Rentals are subject to the following additional regulations:

1. The entire dwelling shall be rented with a single reservation.

2. The overnight occupancy shall be limited to 1 lodger per 200 square feet of livable area, not to exceed 16 lodgers.
3. The total number of people present on the property at any time shall not exceed 16 individuals.
4. Lodgers shall be limited to no more than 3 vehicles parked in the driveway or on a public street.
5. Any accessory dwelling unit that is occupied shall be included in the total number of lodgers or total number of vehicles.

5.26.040 Application Form

The Licensing Officer shall provide a standard Application Form for Short Term Rental Licenses. Each Application Form shall require the following information, documentation, and fee:

A. Review of Written Disclosures. An affirmation that the Applicant has received and reviewed the disclosure information required by this Chapter.

B. Contact Information.

1. The name, telephone number, home address, mailing address, and email address of an individual who is the designated person on the application.

2. The business name, telephone number, business address, mailing address, and email address of the applicant, if applicable.

C. Proof of Identity. An in-person verification by the Licensing Officer of the Applicant's identity by use of any of the following which bear a photograph of said Applicant:

1. A valid driver's license issued by any State;
2. A valid passport issued by the United States;
3. A valid identification card issued by any State; and
4. A valid identification issued by a branch of the United States military.

Upon verification of identity, the original identification submitted to establish Proof of Identity shall be returned to the Applicant.

D. Rental Manager Information

1. Manager name
2. Managing company name
3. Manager contact address, phone number, and email

E. Proof of Registration with Department of Commerce. The Applicant shall provide proof that either the Applicant, or the Responsible Person or Entity, has registered with the Utah State Department of Commerce.

F. Properties list. A list of all Short-Term Rental properties owned and/or operated by the business, including address and parcel identification number.

G. Site and Floor Plans. A site plan and floorplan including the following shall be required for each property listed under the license.

1. Layout of property
2. Designated parking areas.
3. Floor plan of building with area in square feet that will be used for short-term rentals.

H. Fee. The Applicant shall pay such fees as determined applicable by the City. Refer to the Consolidated Fee Schedule for current fees.

I. Execution of Application. The Applicant shall execute the Application Form, stating upon oath or affirmation, under penalty of perjury, that based on the present knowledge and belief of the Applicant, the information provided is complete, truthful and accurate.

5.26.050 Maintenance Of Registry

All Short Term Rentals shall maintain a register of lodgers and individual bookings. This register shall be available to the City or Police Department upon written request.

5.26.060 Non-Transferability

Short Term Rental Licenses are non-transferable between property owners or business owners. Upon the change of business or property ownership, a new license will be required.

5.26.070 No Property Rights Conferred

Short term rental licenses shall not be construed as providing property right or vested interests and entitlements in continued operation of a short term rental. Short term rental licenses are revocable licenses which expire annually. Short term rental licenses shall not run with the land.

5.26.080 Denial, Suspension Or Revocation

A. Denial. The City shall deny a Short Term Rental application for the following reasons:

1. The application is not complete or does not comply with the requirements of this chapter.
2. The property is in violation of provisions of this Chapter or any other section of the Heber City Municipal Code.
3. The applicant has any licenses that are currently suspended or revoked.

B. Suspension or Revocation. In addition to any fines and penalties, the City may either suspend or revoke a Short Term Rental License. The process for suspension and revocation are as follows:

1. Suspension. Short Term Rental Licenses may be suspended upon the second instance of violation of this Chapter, or any other Title, Chapter, or Section of the Heber City Municipal Code within any twelve-month period. Suspensions shall be for a period of 3 months or until the violation is resolved, whichever is greater.
2. Revocation. Short Term Rental Licenses may be revoked if the property is utilized as a short term rental during a suspension period, or upon the third instance of violation of this Chapter or any other Title, Chapter, or Section of the Heber City Municipal Code during a twelve month period. Revoked Short Term

Rental Licenses will become null and void and require a new application. Applicants with a revoked license may not apply for a new business license for a period of 12 months following the revocation of their license or until the violation has been resolved, whichever is greater.

C. Notice of Denial, Suspension, or Revocation. Upon determination of the Licensing Officer to deny an Applicant's Completed Application, suspend a current Short Term Rental License, or revoke a current Short Term Rental License, the City shall cause written notice to be sent to the Applicant or Registered Manager at the address provided in the application. The Notice shall specify the grounds for the denial, suspension, or revocation, and the documentation or information the City relied on to make the decision.

5.26.085 Violations And Penalties

Without limiting any other penalties or remedies available under this code or other applicable law, the following penalties shall apply to violation of this chapter:

A. Operation of a property in the city for short term rental purposes without a short-term rental business license shall be a violation of this title punishable as a Class "C" misdemeanor and a fine up to \$750 as provided in Utah Code Title 76, Chapter 3, as amended. Each day that any violation continues after notification by Heber City that such violation exists shall be considered a separate offense for purposes of the applicable penalties and remedies.

B For noncompliance with this chapter of a licensed short term rental property, the issuing officer may issue a written citation to the property owner and any person violating any provision of this chapter, specifying the violation and the penalty to be imposed for such violation. Except as otherwise provided in this chapter, the penalty for violation of this chapter shall be as follows:

1. The first violation within any 12 month period shall be punishable as an infraction with a fine not exceeding \$500;
2. The second violation within any 12 month period shall be punishable as a Class "C" misdemeanor with a fine not exceeding \$750;
3. Each subsequent violation within any 12 month period shall be punishable as a Class "B" misdemeanor with a fine not exceeding \$1,000.

5.26 Short Term Rentals

5.26.010	Purpose
5.26.020	Definitions
5.26.030	Licenses Required
<u>5.26.035</u>	<u>Rental Conditions and Regulations</u>
5.26.040	Application Form
5.26.050	Maintenance Of Registry
5.26.060	Non-Transferability
5.26.070	No Property Rights Conferred
5.26.080	Denial, Suspension Or Revocation

5.26.085 Violations and Penalties

5.26.010 Purpose

The purpose of this chapter is to provide a ~~fair~~ process for the licensing and administration of ~~Short Term Rental Licenses~~short term rental licenses in Heber City and to establish rules and regulations related to properties licensed as a short term rental.

5.26.020 Definitions

For the purposes of this Chapter, the following definitions shall apply:

A. "Lodger" means any person who, individually or as part of a group, reserves and resides in a ~~Short-short~~ term ~~Rental.rental..~~

B. ~~Owner Occupied means a dwelling in which the property owner, whether an individual, couple, or principle of an LLC or Trust, as listed on the County records, currently and permanently resides for no less than 6 months of the year.~~

~~C.~~ "Short Term Rental" means ~~Short-term Rental. The~~ rental of any ~~single family~~ residential dwelling, or any portion thereof, for a period of less than 30 days ~~to a single entity or person.~~

~~D.~~ "Room Rental" means the short-term rental of a portion of a single residential dwelling that is owner occupied.

~~E.~~ "Home Rental" means the short-term rental of an entire dwelling ~~that is owner occupied.~~

~~F.~~ Vacation Rental means the short-term rental of an entire dwelling that is not owner occupied.

5.26.030 Licenses Required

Short term rentals shall only be permitted in individually owned single family residences. It is unlawful to engage in a ~~Short Term Rental~~short term rental business without first receiving a ~~Business License~~business license from Heber City for the City. ~~short term rental.~~

5.26.035 Rental Conditions and Regulations

All ~~Short Term Rental Licensees~~short term rental licensees shall comply with the following:

A. ~~Rental owners shall be onsite~~An individual owner of the property or ~~be managed by a rental manager~~shall be located within ~~10~~20 miles of the rental property. Contact information for ~~said the individual owner and~~rental managersmanager shall be on file with the City Business Licensing Department and the Heber City Police Department.

B. Rentals are subject to passing an inspection by the following:

1. Wasatch County Health Department
- ~~2. Wasatch County Fire District~~
2. Wasatch County Fire District

C. Heber City and its departments maintain the right to inspect any ~~Short-Term Rental~~short term rental for the purpose of determining compliance with ~~State, Local, Health~~state, local, health, and ~~Safety~~safety codes, ~~upon the City's request.~~

~~D. Modifications to buildings that include, but are not limited to, remodels, basement finishes, pools, and accessory buildings, require a building permit~~compliance with this Chapter 5.26.

~~E~~

~~D.~~D. Exterior signs associated with rentals are prohibited.

~~F~~

~~E.~~E. The following shall be posted in a conspicuous place inside the dwelling:

1. Heber City ~~Business License~~

~~2. Fire Notice of Potential Fines and Health Department certifications~~Criminal Penalties.

~~3. Rental Manager~~2. Contact information for the homeowner or rental manager.

- ~~4. Occupancy~~3. Overnight occupancy limit.

~~F. 5. Parking plan~~

~~6. Summary of Quiet Hours and Noise Restrictions as outlined in Section 9.22.020.~~

~~G. Commercial activities are prohibited. The following conduct is prohibited in short term rentals between the hours of 9:00 p.m. and 6:00 a.m. on Sunday, Monday, Tuesday, Wednesday and Thursday, and between the hours of 10:00 p.m. and 6:00 a.m. on Friday and Saturday:~~

~~1. The gathering of more than 3 people on any deck, patio or other outdoor area.~~

~~2. Consuming alcoholic beverages, smoking or vaping on any deck, patio or other outdoor area that is visible from any neighboring property.~~

~~3. Playing music (live or recorded) that can be heard outside of the residence.~~

~~4. Any yelling, swearing or other excessive noise that can be heard outside of the residence.~~

5. Use of an outdoor hot tub, outdoor pool, or outdoor sauna.

G.

~~H. Recreational Vehicles, Campers~~ vehicles, campers, or other travel trailers are prohibited. associated with the short term rental are not allowed to be parked on any public street or allowed to be occupied during the short term rental.

H. I. Tents or other temporary structures intended for sleeping are prohibited.

J

I. No commercial filming or commercial events are allowed at a short term rental.

I. Room Rental. Room Rentals are permitted in any single family detached residential dwelling so long as the following provisions have been met. subject to the following additional regulations:

1. Room Rentals are limited to no more than one reservation at a single time.

2. Room Rentals are limited to no more than two bedrooms in the dwelling.

3. Property owners shall be present during the hours of 10 ~~PM~~p.m. – 7 ~~AM~~a.m. for the entirety of the reservation period.

4. Lodgers shall be limited to no more than ~~one vehicle~~two vehicles.

~~5. Lodgers shall not park on the street. All cars shall be located in a garage, driveway, or permitted parking area.~~

~~6. Owner Occupied Accessory Apartments are considered a Room Rental and shall comply with these provisions. Occupancy of the apartment is as permitted in Section 18.108.110.~~

K

J. Home Rental. Home Rentals are permitted in any single family detached residential dwelling so long as the follow provisions have been met. subject to the following additional regulations:

1. The entire dwelling shall be rented with a single reservation. ~~Occupancy shall not exceed that of a Family as defined in Section 18.08.200, or 8 individuals, whichever is more.~~

~~2. Lodgers shall not park on the street. All cars shall be located in a garage, driveway, or permitted parking area.~~

~~3. Lodgers shall be limited to no more than 4 cars, based upon off street parking availability.~~

L. Vacation Rental. Vacation Rentals are permitted in any single family detached residential dwelling so long as the following provisions have been met.

1.2. ~~The entire dwelling shall be rented with a single reservation.~~ Occupancy~~overnight occupancy~~ shall be limited to 1 lodger per 200 square feet of livable area, not to exceed ~~12~~16 lodgers.

~~2. Lodgers shall not park on the street. Garages shall be clear and available to patrons for parking. All cars shall be located in a garage, driveway, or permitted parking area.~~

3.3. The total number of people present on the property at any time shall not exceed 16 individuals.

4. Lodgers shall be limited to no more than 4 cars, based upon off street parking availability. 3 vehicles parked in the driveway or on a public street.

4. The following 5. Any accessory dwelling unit that is occupied shall be posted on/included in the exterior of the property:

a. Property Manager name, phone, total number, address, and email address

b. Business License of lodgers or total number of vehicles.

5.26.040 Application Form

The Licensing Officer shall provide a standard Application Form for Short Term Rental Licenses. Each Application Form shall require the following information, documentation, and fee:

A. Review of Written Disclosures. An affirmation that the Applicant has received and reviewed the disclosure information required by this Chapter.

B. Contact Information. 1. Applicant's name, telephone number, home address, mailing address, and email address. 2. Applicant's business name, telephone number, business address, mailing address, and email address.

1. The name, telephone number, home address, mailing address, and email address of an individual who is the designated person on the application.

2. The business name, telephone number, business address, mailing address, and email address of the applicant, if applicable.

C. Proof of Identity. An in-person verification by the Licensing Officer of the Applicant's ~~true~~ identity by use of any of the following which bear a photograph of said Applicant:

1. A valid driver's license issued by any State;
2. A valid passport issued by the United States;
3. A valid identification card issued by any State; and
4. A valid identification issued by a branch of the United States military.

Upon verification of identity, the original identification submitted to establish Proof of Identity shall be returned to the Applicant.

D. Rental Manager Information

1. Manager name
2. Managing company name
3. Manager contact address, phone number, and email

E. Proof of Registration with Department of Commerce. The Applicant shall provide proof that either the Applicant, or the Responsible Person or Entity, has registered with the Utah State Department of Commerce.

F. Properties list. A list of all Short-Term Rental properties owned and/or operated by the business, including address and parcel ~~id~~ identification number.

FG. Site and Floor Plans. A site plan and floorplan including the following shall be required for each property listed under the license. 1. Layout of property 2. Designated

~~parking areas. 3. Floor plan of building with area in square feet that will be used for short-term rentals.~~

1. Layout of property

2. Designated parking areas.

3. Floor plan of building with area in square feet that will be used for short-term rentals.~~G~~

~~H.~~ H. Fee. The Applicant shall pay such fees as determined applicable by the City, ~~which shall not exceed the reasonable cost of processing the application and issuing the Certificate and/or Identification Badge.~~ Refer to the Consolidated Fee Schedule for current fees.

~~H.I.~~ I. Execution of Application. The Applicant shall execute the Application Form, stating upon oath or affirmation, under penalty of perjury, that based on the present knowledge and belief of the Applicant, the information provided is complete, truthful and accurate.

5.26.050 Maintenance Of Registry

All Short Term Rentals shall maintain a register of lodgers and individual bookings. This register shall be available to the City or Police Department upon written request.

5.26.060 Non-Transferability

Short Term Rental Licenses are non-transferable between property owners or business owners. Upon the change of business or property ownership, a new license will be required.

5.26.070 No Property Rights Conferred

Short ~~Term Rental Licenses~~term rental licenses shall not be construed as providing property right or vested interests and entitlements in continued operation of a short term rental. Short ~~Term Rental. Short Term Rental Licenses~~term rental licenses are revocable licenses which expire annually. Short ~~Term Rental Licenses~~term rental licenses shall not run with the land.

5.26.080 Denial, Suspension Or Revocation

A. Denial. The City shall deny a Short Term Rental application for the following reasons:

1. The application is not complete or does not comply with the requirements of this chapter.

2. The property is in violation of provisions of this ~~chapter~~Chapter or any other ~~Title, Chapter, or Section~~section of the Heber City Municipal Code.

3. The applicant has any licenses that are currently suspended or revoked.

B. Suspension or Revocation. ~~The~~In addition to any fines and penalties, the City may either suspend or revoke a Short Term ~~Renal~~Rental License ~~when any of the reasons~~

~~warranting the denial of an application occurs.~~ The process for suspension and revocation are as follows:

1. Suspension. Short Term Rental Licenses ~~will~~may be suspended upon the second instance of violation of this ~~chapter~~Chapter, or any other Title, Chapter, or Section of the Heber City Municipal Code, ~~or failure to resolve any violation within the required time~~any twelve-month period. Suspensions shall be ~~for~~a minimum period of 3 months or until the violation is resolved, whichever is greater, ~~but not to exceed 6 months.~~

2. Revocation. Short Term Rental Licenses ~~will~~may be revoked ~~if the property is utilized as a short term rental during a suspension period, or~~upon the third instance of violation of this chapter or any other Title, Chapter, or Section of the Heber City Municipal Code, ~~or upon failure to resolve any violation during the suspension period, notwithstanding the number of instances of the violation during a twelve month period.~~ Revoked Short Term Rental Licenses will become null and void and require a new application. ~~Applicant's~~Applicants with a revoked license may not apply for a new business license for a period of ~~6~~12 months following the revocation of their license or until the violation has been resolved, whichever is greater.

C. Notice of Denial, Suspension, or Revocation. Upon determination of the Licensing Officer to deny an Applicant's Completed Application, suspend a current Short Term Rental License, or revoke a current Short Term Rental License, the City shall cause written notice to be sent to the Applicant or Registered Manager ~~by~~at the ~~method indicated~~address provided in the ~~Completed Application~~application. The Notice shall specify the grounds for the denial, suspension, or revocation, and the documentation or information the City relied on to make the decision.

5.26.085 Violations And Penalties

Without limiting any other penalties or remedies available under this code or other applicable law, the following penalties shall apply to violation of this chapter:

A. Operation of a property in the city for short term rental purposes without a short-term rental business license shall be a violation of this title punishable as a Class "C" misdemeanor and a fine up to \$750 as provided in Utah Code Title 76, Chapter 3, as amended. Each day that any violation continues after notification by Heber City that such violation exists shall be considered a separate offense for purposes of the applicable penalties and remedies.

B. For noncompliance with this chapter of a licensed short term rental property, the issuing officer may issue a written citation to the property owner and any person violating any provision of this chapter, specifying the violation and the penalty to be imposed for such violation. Except as otherwise provided in this chapter, the penalty for violation of this chapter shall be as follows:

1. The first violation within any 12 month period shall be punishable as an infraction with a fine not exceeding \$500;

2. The second violation within any 12 month period shall be punishable as a Class "C" misdemeanor with a fine not exceeding \$750;

3. Each subsequent violation within any 12 month period shall be punishable as a Class "B" misdemeanor with a fine not exceeding \$1,000.



NOTICE OF POTENTIAL FINES AND CRIMINAL PENALTIES

This property is a registered short term rental property in Heber City. According to Heber City Code, the following conduct is **prohibited** in short term rentals between the hours of 9:00 p.m. and 6:00 a.m. on Sunday, Monday, Tuesday, Wednesday and Thursday, and between the hours of 10:00 p.m. and 6:00 a.m. on Friday and Saturday:

1. The gathering of more than 3 people on any deck, patio or other outdoor area.
2. Consuming alcoholic beverages, smoking or vaping on any deck, patio or other outdoor area that is visible from any neighboring property.
3. Playing music (live or recorded) that can be heard outside of a building or structure.
4. Any yelling, swearing or other excessive noise that can be heard outside of a building or structure.
5. Use of an outdoor hot tub, outdoor pool, or outdoor sauna.

The total overnight occupancy limit for this property is _____ people.

It is also prohibited to have more than sixteen (16) total people on the property at any time, or to have more than three (3) vehicles associated with the short-term rental parked in the driveway or on any public street.

Please be aware that the Heber City Police Department aggressively enforces these regulations, and each person (including a renter or guest) who violates the regulations will receive a criminal citation and a fine of \$500.00. Please also be aware that Heber City Police Department has authority to enter onto the property to conduct inspections and Heber City Police Department will issue citations for illegal drugs, underage drinking or other criminal violations.

If you have any questions, please contact the Heber City Police Department at 435-654-3040.

Property Owner or Manager Contact Information:

Name: _____

Phone Number: _____

Trina Cooke

From: Russell Funk
Sent: Thursday, September 19, 2024 1:53 PM
To: Heidi Franco
Cc: Cherie Ashe; Trina Cooke
Subject: Mayor's Award Nomination

Mayor,

I'd like to nominate the following employees for a Mayor's Award (Hopefully at the November 1st City Council Meeting) for their integral work in the implementation of our new Cityworks system.

Shiona Howard
Desiree Muheim
Candace Bufton
Meshelle Kijanen
Jamie Baron

This team has put in countless hours documenting processes, coordinating with our consultants, setting up the system, testing the software, coordinating trainings, and much much more to help implement Cityworks for Heber City. All of this was done in response to input from our customers in an effort to streamline our processes and make it easier to work with the City.

I hope this is something you will consider.
Please let me know.

Thanks,

Russ



Russell Funk
City Engineer - P.E.

Heber City
75 N Main Street, Heber City, UT 84032
Phone: 435-654-0757
Email: rfunk@Heberut.gov

PRIVACY NOTICE:

This e-mail, including attachments, may include privileged, confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION 2024

Whereas, domestic violence remains a pervasive issue across Heber City, Wasatch County, Utah, the United States, and the world with implications for personal and community health; and

Whereas, domestic violence does not discriminate, touching all communities regardless of age, race, disability, gender identity, or socioeconomic status; and

Whereas, in Utah, 1 in 3 women and 1 in 5 men are physically abused by an intimate partner; and

Whereas, in Utah, 42% of adult homicides are domestic violence-related; and

Whereas, in FY 24 Peace House had a 94% increase in individuals from Wasatch County seeking support and services; and

Whereas, Peace House, provided 149 citizens of Heber City life-saving and life-changing services including emergency shelter, transitional housing, legal advocacy, case management, clinical counseling, healthcare and child advocacy services; and

Whereas, research shows that by creating communities where people are connected, supportive, and care for one another, there are fewer incidents of domestic violence; and

Whereas, every day in Heber City individuals and organizations play a part in supporting people impacted by domestic violence, by providing services including therapeutic, legal, educational, housing, advocacy, and medical services; and

NOW, Therefore Be It Resolved that Heber City Mayor Heidi Franco on behalf of all residents of Heber City do hereby proclaim October 2024 as Domestic Violence Awareness Month.

We invite the community to act by acknowledging the various community resources and activities that help shed light on this insidious epidemic that many of our friends, families, and community members experience.

We ask that you **“Be the Light”** in dark times for those individuals by highlighting their strength, hope and resiliency. Together, we can make a difference and **“Spark Change”** in Heber City and Wasatch County.

Heber City Mayor

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
September 17, 2024

DRAFT Minutes

4:00 p.m. Work Meeting
6:00 p.m. Regular Meeting

I. WORK MEETING - 4:00 P.M.

Mayor Franco called the meeting to order at 4:01 p.m. and welcomed everyone present.

City Council Present: Mayor Heidi Franco
Council Member Yvonne Barney - arrived at 4:05 p.m.
Council Member Aaron Cheatwood - online
Council Member Mike Johnston
Council Member Sid Ostergaard
Council Member Scott Phillips

Staff Present: City Manager Matt Brower
Community Development Director Tony Kohler
Planning Manager Jamie Baron
City Engineer Russ Funk
City Attorney Jeremy Cook
City Recorder Trina Cooke
Chief of Police Parker Sever
Finance Manager Sara Nagel
Officer Josh Weisher
Officer Travis Price
Public Works Director Matthew Kennard
Parks and Cemetery Director Mark Rounds
Public Works Office Manager Candace Buffton
Public Works Admin Missy Luke

Staff Participating Remotely: Public Works Director Matthew Kennard, City Engineer Russ Funk, Community Development Director Tony Kohler, IT Director Anthon Beales, Human Resources Manager Cherie Ashe, Public Works Foreman Chris Pederson, Engineering Technician Desiree Muheim, Planning Manager Jamie Baron, Planner Jacob Roberts, Engineer Kyle Turnbow, Engineer Ross Hansen, Finance Manager Sara Nagel, Accounting Technician Wendy Anderson, and Deputy City Recorder Robin Bond.

Also Present: Cal Johnson, Greg Whitehead, Beau Thompson, Oscar Covarrubias, Tracy Stratton, Chad Staheli, Kendall Crittenden, Craig and Holly Cedarstrom, Joe Kim, Brian Balls, Grace Doerfler KPCW, Ryan Bunnell, M. Crosby, Sham Lune, Linda Middleton, Tori Broughton, Amanda Johan, and others who did not sign in or whose handwriting was illegible.

Also Attending Remotely: (names are shown as signed-in online) Mike Bradshaw, Andrew, Bingo, BM, Cw, Grace Doerfler KPCW, Joseph, S, Shorty5, Sunny, and Mesia Swan.

1. Wasatch Highlands (SITLA & Christensen Lands) and the Heber City Annexation Policy Plan (Tony Kohler, Community Development Director) - *45 min*

Community Development Director Tony Kohler shared map images of the proposed annexation and the current border of Heber City's Annexation Policy Plan. The City would need to amend the border of the Annexation Policy Plan in order to consider the proposed annexation.

Greg Whitehead and Tracy Stratton provided the background of the SITLA land located in Wasatch County. The group had approached the Christensen family to join efforts to petition Heber City with the request to annex their land as well. Beau Thompson, representing the Christensen family property, stated that the land had been used by his family for grazing sheep for multiple generations. Mr. Whitehead explained their intention to preserve as much open space as possible, dedicating approximately 50% of the project's land as open space that would be accessible to the public. The group pointed out the potential revenue for the City to be generated by impact fees if the City were to approve the annexation. Mr. Whitehead and Mr. Stratton further described their vision for the land and noted it would be a 30-40 year project. Discussion with Council followed.

Mayor Franco expressed concerns with the plan's ability to provide affordable housing, the ability to process its own sewage, and limited accessibility. Mr. Stratton shared the project's intention to construct additional access roads, showing the location on the map. Council majority expressed support to continue discussions for consideration of annexing the area. Mr. Kohler felt it would be appropriate for the petitioning group to meet with the Fire District, Heber Light and Power, and the Special Service District, then return to a future Council Meeting to share the results of said discussions.

2. Crossings-Resort Annexation (Tony Kohler, Community Development Director) - *15 min*

Community Development Director Tony Kohler shared that the applicants and City representatives had met with UDOT (Utah Department of Transportation) regarding the bypass EIS (Environmental Impact Statement) study.

City Council Members Scott Phillips and Sid Ostergaard had attended the meeting with UDOT and expressed alleviation of certain concerns regarding the possibility of the proposed annexation delaying the completion of UDOT's bypass EIS study.

Mayor Franco asked the record to show that the Conservation Easement in the North Fields dedicated by Wasatch County had not stopped the EIS study.

Council Member Ostergaard noted he had moved into the Valley in 1998 and the bypass had long been considered far before then. He emphasized the importance of getting the large trucks and semis off Heber City's Main Street. Council Member Cheatwood asked why UDOT was not at the City Council Meeting to share the information in a public forum and asked that UDOT representation come to a future City Council Meeting. Mayor Franco agreed and felt that if UDOT were to impose eminent domain for a portion of the property to build the bypass, the project should not be allowed to retain the same density based on compensation provided by UDOT for land.

Justin Keyes, recalled the County's Conservation Easement discussion with UDOT. He wished to clarify that the conversation with UDOT had been productive and felt it would be effective for the Crossing's representatives to continue to hold conversations with the City and with UDOT.

Council Member Johnston felt the proposed location was critical for Heber City and suggested a public hearing be scheduled to receive public comment in order to incorporate feedback from the public into the Council's decision-making process. Council discussion continued.

County Council Member Kendall Crittenden shared that a petition for a municipal incorporation entitled River View, Utah, had been filed with the Lt. Governor's office. The proposed land area for River View would affect the annexation area being discussed.

3. Potential Development Agreement for Karl Malone Polaris Addition (Jamie Baron, Planning Manager) - 15 min

Planning Manager Jamie Baron shared the request from Karl Malone Polaris for a development agreement to build an addition to the front of the shop. The code allowed for a maximum 40-foot setback from Main Street and the proposed improvements would remain 160-feet from Main Street. Mr. Baron outlined the concerns the City had with the proposal.

David Hicks, representing the Karl Malone dealership, shared the group's desire to rebuild and update the existing building. They described the inability of the delivery trucks to turn around if required to meet the 40-foot setback. They were asking to be allowed the 160-foot setback.

Council Member Johnston expressed support for working with the applicant and suggested staff negotiate the replacement of the chain-link fencing in the development agreement. Council Members Phillips and Ostergaard agreed. Council Member Cheatwood felt, on the record, that if Karl Malone were to absorb the nail salon and insurance building along Main Street in the future, he would not be tolerant of non-conformance. Council discussion regarding additional improvements that could be negotiated continued. Consensus of Council majority was to proceed with the proposed development agreement negotiations.

4. Branding for Pedestrian Pathway, Bandshell, and Festival Street (Ryan Bunnell) - 30 min

Discussion for this agenda item was held during the General Business agenda line item.

II. BREAK - 15 MIN

III. REGULAR MEETING - 6:00 P.M.

1. Call to Order

Mayor Heidi Franco called the meeting to order at 6:13 p.m. and welcomed everyone present.

2. Pledge of Allegiance (Yvonne Barney, Council Member)

Council Member Barney led the recitation of the Pledge of Allegiance.

3. Prayer/Thought by Invitation (Mike Johnston, Council Member)

Council Member Johnston shared a thought from his mother: "You'll never be happier than you are grateful." He expressed gratitude for the Council and City Staff.

IV. AWARDS, RECOGNITION, and PROCLAMATIONS:

1. Mayor's Award

Mayor Franco read the nominations of Missy Luke and Candace Bufton as included in the meeting materials and presented them both with a City Coin token. She called on previous award recipients Robin Bond and Mark Rounds to present them each with a token as well.

V. CONFLICT OF INTEREST DISCLOSURE:

Council Member Sid Ostergaard wished to disclose previous business dealings with DR Horton but noted he was not currently conducting any business with them and he did not have a conflict.

VI. CONSENT AGENDA:

Motion: Council Member Barney moved to approve the Consent Agenda to approve the Meeting Minutes from September 3, 2024, and August 20, 2024; Resolution 2024-17 clarifying the street name for 920 East; and the Mayor's nomination to the POSTT (Parks, Open Space, Trails, and Trees) committee. **Second:** Council Member Ostergaard made the second. **Voting Yes:** Council Members Phillips, Ostergaard, Cheatwood, Barney, and Johnston. **Voting No:** None. The **Motion Passed Unanimously, 5-0.**

1. Approval of August 20, 2024, City Council Meeting Minutes and September 3, 2024, City Council Meeting Minutes (Trina Cooke, City Recorder)
2. Resolution 2024-17 Clarifying the street name for 920 East (Russ Funk, City Engineer)
3. Mayoral Nomination to POSTT Committee (Heidi Franco, Mayor)

VII. PUBLIC COMMENTS: (3 min per person/20 min max)

Linda Middleton expressed thankfulness for the City newsletter and the Mayor's Minute published in the Wasatch Wave. She expressed appreciation for the Planning Department and City Staff. She felt that the City could easily get out of balance with future planning and current issues for existing residents trying to maintain their way of life. When she voted she looked for catch-words such as "attainable", and "balanced", and "representation for the residents". She noted that no one proposed putting the bypass through one of the six golf courses, through Soldier Hollow, or the State Park, but it was a regular occurrence for residents between her house and the Provo River. She felt it was far more valuable to preserve the North Fields than any of those areas. She felt the residents of Heber City were bearing the burden of another freeway going through her house and the Provo River. She felt the residents were facing extremes of weather, development, and proposals to host the world. She wanted to not hear it said that the residents of Heber wanted to buy Main Street and build another highway between the new high school and Midway that would be a bisection of the Valley. She asked the Council to work together with Midway to consider the idea of not destroying the Valley. She lived on the border of Heber City and Wasatch County and it was a mess all the time. She asked the Council to not burden the future and to not let the State take over. She stated we lived in Heber Heaven and it was a paradise. She wanted someone else to bear the burden of transporting hazardous materials through their city.

Mayor Franco shared that Mrs. Middleton had donated a flag listing all the names of the victims from Nine-Eleven and the City intended to have it framed to hang in the City Council Chambers.

Council Member Barney read an email from Jill Watson as attached to the end of these meeting minutes. City Engineer Russ Funk responded to the email and said the proposed back-road route to access Natural Grocers was through private lands and the landowners had declined to entertain the proposed access. Council discussion followed.

VIII. GENERAL BUSINESS ITEMS:

1. Branding for Pedestrian Pathway, Bandshell, and Festival Street (Ryan Bunnell) - *30 min*

Public Information Officer (PIO) Ryan Bunnell provided a presentation regarding the proposed City branding as included in the attached meeting materials. The purpose was to reinforce the City's existing brand, to further define the brand, and to propose names for the new downtown elements soon to be introduced. Mr. Bunnell reiterated the City's slogan was the "Heart of the Wasatch Back". Council discussed ideas for the downtown architectural guidelines, infill in the central neighborhoods, and how to incentivize the preservation of buildings with historic charm.

Mr. Bunnell felt that if there was a definition of standards, it would strengthen the brand. He proposed the City alleyway be named C Street for the City's namesake Heber C. Kimball. He proposed renaming the Heber City Park as the C Street Plaza. Changing the park to a plaza would permit potential future restaurants to obtain liquor licenses, whereas, State Code prohibited the sale of alcohol within a certain distance of a park. He provided additional possibilities for the proposed plaza.

Motion: Council Member Johnston moved to skip forward to the Highlands item **Second:** Council Member Ostergaard made the second. **Voting Yes:** Council Members Ostergaard, Cheatwood, Barney, and Johnston. **Voting No:** None. Council Member Phillips had stepped out of the room. The **Motion Passed 4-0.**

2. Update on Code Enforcement Issues in the City and Public Safety Issues for the Month (Parker Sever, Chief of Police, Travis Price, Code Enforcement Officer) - *15 min*

Chief of Police Parker Sever, Sergeant Josh Weisher, and Code Enforcement Officer Travis Price presented the information surrounding the successes and challenges for Code Enforcement as included in the attached meeting materials. Officer Price asked for red curbing where appropriate, to indicate and deter illegal parking. Parking continued to be a large problem within the City. The Officers discussed with Council the difficulty of trying to enforce short-term rental codes. Chief Sever indicated that once the code was updated, the Police Department would hold a training to ensure consistency in enforcement throughout the department. Water theft was an issue with construction sites. Discussion continued regarding the challenges faced by code enforcement, enforcement methods, and possible solutions.

Chief Sever provided the public safety overview and shared the high percentage of positive feedback the Police Officers were receiving via the public survey sent to residents that had local police interactions.

IX. ACTION ITEMS: (Council can discuss; table; continue; or approve items)

1. Highlands Residential Subdivision Preliminary, located at the Intersection of US-40 and Commons Boulevard (Denna Woodbury, Planning Consultant) - 30 min

Planning Consultant Denna Woodbury reviewed the information as included in the attached Staff Report and meeting materials. Highlands representative Curtis Leavitt further detailed the development plans. Council proceeded to discuss the development plan for clarification of the roads plan, design, trails and amenities, and density. Mayor Franco asked if the canal trail would be done in phase one. The development representative confirmed the trails would be done in phase one.

Motion: Council Member Johnston moved to grant preliminary subdivision approval for the flats presented for the Highlands residential project as presented with the following findings listed in the Staff Report: the application was consistent with the Municipal Zoning Code; The application was consistent with the General Plan; The proposed Site Plan shall comply with City ordinances, Federal and State Law, as applicable to the site where the conditional use was located. And the Conditions: All requirements of the City Engineer shall be met; and all other Code Requirements shall be met. **Second:** Council Member Phillips made the second. **Voting Yes:** Council Members Phillips, Ostergaard, Cheatwood, Barney, and Johnston. **Voting No:** None. **The Motion Passed Unanimously, 5-0.**

The meeting returned to agenda item two on the General Business Items section.

X. COMMUNICATION:

City Manager Matt Brower shared the following communication items:

- He thanked Code Enforcement for their efforts and recognized the significant improvement since the department had been formed.
- He thanked Tori Broughton and Mia Yue for the bike check they had provided at the Heber Market on Main during the 2024 summer season, and commended its success.
- He reminded Council of the CRA (Community Reinvestment Agency) discussion to be held during the Wasatch County School Board meeting on September 24, 2024, at 5:00 p.m.

- He asked Council to respond to Trina's email regarding the October 4, 2024, field trip.

Mayor Franco shared the following communication items:

- She reminded everyone of the upcoming event to celebrate the 125th anniversary for the Heber Valley Railroad train.
- She said the County Council was interested in acquiring letters of support for the Heber Valley Special Service District (HVSSD) who was seeking an agricultural protection area designation and Heber Light and Power that was seeking an industrial protection designation. The purpose was to protect the entities from nuisance lawsuits. She was seeking Council's approval to write a letter of support. Council discussion followed and was divided regarding whether or not to support the letters sought for protective zones. Council wished to receive more information before agreeing to write a letter of support from the City.

XI. ADJOURNMENT:

Motion: Council Member Phillips moved to adjourn. **Second:** Council Member Ostergaard made the second. The meeting adjourned at 9:52 p.m.

Trina Cooke, City Recorder

VII. PUBLIC COMMENTS: (3 min per person/20 min max)

From: Jill Watson <[REDACTED]>

Sent: Tuesday, September 17, 2024 12:29:06 PM

To: Yvonne Barney <ybarney@heberut.gov>

Subject: (EXTERNAL) Safety / Traffic Issue for consideration / meeting 9.17.24

Caution: This is an EXTERNAL email. Please take care when clicking links or opening attachments. When in doubt, contact your IT Department

Hi Yvonne,

I met you at the Freedom Rally over at the Heber Airport last weekend.

I am submitting this as a concern for safety do to the increased traffic issues we are facing here in Heber City.

1) Please find they attached file with aerial view of the traffic issue I am addressing.

2) It concerns the properties of the Sinclair Gas Station / Hu , the lot being built on adjacent and just north of the Hub and the back end parking lot of the Natural Grocers.

3) I have highlighted in RED a suggested pathway that would help greatly relive the traffic safety issue on the Main Street.

4) My suggestion is if you all can approach and have those three properties keep a path open to drive between their properties,
It would be a simple and inexpensive solution to help relieve some of the burden on the Main Street traffic entrance. Timely before the property being developed closes up those fences.

5) When you slow down on main street to turn into Natural Grocers;

- A) There entrance is so narrow, you have to wait on the side road for other cars to exit first and you have massive trucks and traffic passing you by Potential someone will get hit. Very slim margin.
- B) When you exit, it's nearly impossible anymore due to all the increased traffic, to turn left

6) SOLUTION : A simple solution would be to require the three properties to leave a pass through on the backend of all three properties parking lot areas (as I have highlighted in RED per attachment). That way people can enter and exit on that side of 1200 South as

well. With all the new developments down that road, this issue will only get worse.

I don't why the Sinclair or Hub would mind as they have all kinds of traffic there already.

Appreciate you and your colleges consideration of this safety traffic request as soon as possible before they fence it all up and insure greater expense.

Kind regards,



Concerned Citizen

Jill Watson
Heber City Utah



HEBER CITY COUNCIL STAFF REPORT

MEETING DATE: 10/1/24

SUBJECT: Mayor's Nomination for POSTT Committee



RESPONSIBLE: Mayor Heidi Franco

STRATEGIC RELEVANCE: Necessary Administrative Item

RECOMMENDATION

Mayor is nominating Max Stirling as a new POSTT Committee Member.

CONCLUSION

Recommend approval.

Information:

Name	Max Stirling
Email Address	maxstirling@gmail.com
Address	367 Waterside Road
City	Heber City
State	UT
Zip Code	84032
Background/Experience/Qualifications	Avid mountain biker, hiker, skier, and lay down in the grass and contemplator. I have been involved with getting youth outside to learn the benefits of outdoor recreation as a Boy Scouts of America leader for 10 years, High School Mountain

Bike Team ride coach for 6 years (and counting) and simply taking youth out for adventures. I have a masters degree in medicine and work as a Physician Associate at the Heber Valley Clinic and have researched the advantages of having public spaces and opportunities for recreation and their impacts on community health.

Why I want to serve on the POST Committee

I am a healthcare professional who is passionate about the benefits that open space and recreation can provide to our community. I frequently direct patients to areas where they can get outside and improve their mental and physical health and I would like to be a part of helping preserve and enhance what we have in this beautiful area. I believe there is so much potential for amazing parks and trails to showcase our history, natural beauty, and community. We need to develop parks that are welcoming to multiple user groups and inspiring to those who use them. I would love to be an advocate for these things in our valley. Thank you.

Electronic Signature Agreement

I agree.

Electronic Signature

Max Stirling



Heber City Council Staff Report

MEETING DATE: 10/1/2024

SUBJECT: Public Hearing for Resort-Crossings (aka Harvest Village) Annexation, located at the intersection of Highway 40 and Highway 32

RESPONSIBLE: Tony Kohler

DEPARTMENT: Planning

STRATEGIC RELEVANCE: Community Development

SUMMARY

The North Village Crossings Annexation has been in process since 2020. The City held a public hearing on November 16, 2020. Given the amount of time that has elapsed since then, Council requested another public hearing to be held on October 1, 2024.

Policy questions include:

- What comments does the public have regarding the North Village Crossings Annexation?

RECOMMENDATION

Staff recommends holding the public hearing, and awaiting further Council discussion on the annexation and development agreements until the next Council meetings, October 15 and November 5, 2024.

BACKGROUND

Recently, Council has been discussing the proposed annexation in relation to the highway bypass. Since the initial annexation request occurred in 2020, a new developer is considering purchasing the Resort property and changing the layout, densities, uses, height, etc. of the proposed development. The Crossings development is still owned and being developed by the same developer since 2020, and the development has been modified somewhat from what was originally proposed. The Crossings has been proceeding with development approvals in Wasatch County, and is nearing Preliminary Plat Approval with the County.

DISCUSSION

The annexation involves 3 petitioning properties: Crossings, Resort (aka Harvest Village), and Heiner. Several other property owners are being brought in with the annexation and these property owners were invited to comment at the public hearing.

FISCAL IMPACT

N/A

CONCLUSION

N/A

ALTERNATIVES

N/A

POTENTIAL MOTIONS

N/A

ACCOUNTABILITY

Department: Planning
Staff member: Tony Kohler, Community Development Director

EXHIBITS

1. 2. Official Surveyed Map
2. Crossings Annexation Photo
3. Crossings Annexation Petitioners
4. Crossings Annexation
5. Existing Homes
6. Bypass Options
7. Harvest Village Mktg Deck (City Council).1
8. Harvest Village Site Plan - Figures (1)
9. North Village Crossing prelim COMBINE 6-2-24

HEBER CITY ANNEXATION
(NORTH VILLAGE DEVELOPMENT)

LOCATED IN SECTION 18 & THE NORTHEAST QUARTER CORNER OF SECTION 19,
TOWNSHIP 3 SOUTH, RANGE 5 EAST,
SALT LAKE BASE AND MERIDIAN

SURVEYORS CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owners, I have made a survey of the parcel of land shown on this plat to be annexed to Heber City, Wasatch County, Utah.

ANNEXATION DESCRIPTION

All of Parcels:
00-0020-4584, 00-0007-7664, 00-0007-7458, 00-0007-7623, 00-0007-7730 : North Village Development
00-0021-0847: Questar Gas
00-0007-7508: Brandner Trust
00-0007-7565: Stm North Village LLC
00-0020-9098: Probst Lot 1
00-0020-9099: Probst Lot 2
00-0007-7748: Kren
00-0020-2993, 00-0020-2992: Anderson
00-0007-7706: Knapp
00-0020-2995, 00-0020-2994, 00-0020-2991, 00-0020-2990, 00-0020-0978: Wasatch Crest
00-0007-7466, 0-0021-2614, 00-0021-2617, 00-0021-1555, 00-021-1558, 00-021-1559

BOUNDARY DESCRIPTION

A parcel of land located in Section 18 & the Northeast Quarter Corner of Section 19, Township 3 South, Range 5 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point that is North 87°05'52" West 2619.44 feet and North 186.28 feet from the SouthEast Corner of Section 18, Township 3 South, Range 5 East, Salt Lake Base and Meridian; and running thence North 20°10'27" West 777.86 feet; thence East 3.00 feet; thence North 19°59'47" West 29.53 feet; thence South 89°18'16" West 508.60 feet; thence South 89°57'53" West 185.35 feet; thence South 89°19'16" West 734.23 feet; thence South 89°33'11" West 776.14 feet; thence North 04°56'20" West 92.58 feet; thence North 18°14'15" East 78.00 feet; thence North 50°01'05" East 71.10 feet; thence North 17°05'43" East 89.90 feet; thence North 31°02'10" East 139.90 feet; thence North 07°53'45" East 642.10 feet; thence North 14°47'08" East 66.39 feet; thence North 29°14'12" East 78.25 feet; thence North 03°31'00" East 82.00 feet; thence North 26°11'00" East 141.00 feet; thence North 05°47'00" West 49.00 feet; thence North 20°30'00" East 150.00 feet; thence North 32°01'47" West 70.44 feet; thence North 10°00'00" East 300.00 feet; thence South 89°49'41" East 1428.06 feet; thence North 01°34'17" East 643.74 feet; thence North 15°23'38" East 542.87 feet; thence South 89°42'19" East 380.82 feet; thence South 11°10'07" East 194.68 feet; thence South 46°40'07" East 166.19 feet; thence South 18°49'05" West 762.04 feet; thence South 10°40'07" East 177.88 feet; thence South 42°10'05" East 160.49 feet; thence South 40°54'29" East 334.76 feet; thence South 12°20'30" West 206.91 feet; thence South 10°24'30" East 343.54 feet; thence South 26°24'30" East 447.97 feet; thence South 40°54'30" East 500.67 feet; thence South 89°54'30" East 66.86 feet; thence South 04°01'58" West 76.69 feet; thence South 75°06'07" East 108.61 feet to a point on a non tangent curve to the left having a radius of 172.16 feet, of which the radius point bears North 14°53'58" East; thence along the arc of said curve 163.91 feet through a central angle of 54°33'02"; thence North 50°20'46" East 181.57 feet; thence North 55°15'00" East 70.35 feet; thence South 52°30'00" East 112.00 feet; thence South 03°00'00" East 152.25 feet; thence South 30°02'47" East 157.18 feet; thence North 43°30'00" East 7.27 feet; thence South 47°23'54" East 53.07 feet; thence South 49°48'59" East 125.72 feet to a point on a non tangent curve to the right having a radius of 193.90 feet, of which the radius point bears South 37°53'27" West; thence along the arc of said curve 67.39 feet through a central angle of 19°54'46"; thence South 19°44'47" East 35.54 feet; thence South 35°12'08" West 716.95 feet; thence North 27°27'52" West 28.98 feet; thence South 36°14'19" West 150.96 feet; thence South 28°30'00" West 381.74 feet; thence North 36°46'30" West 852.82 feet; thence South 63°43'50" West 286.90 feet; thence South 80°26'02" West 15.11 feet; thence South 84°58'47" West 161.72 feet to the point of beginning.

Description contains 160.63 acres.

NOTES

1. Basis of Bearing for this survey is between the section monuments as shown on this plat.
2. The above boundary description describes the overall boundary line surrounding the following parcels. While some of these parcels boundaries have been established by multiple records of survey on file at the Wasatch County Surveyor's office, the boundary described above is only intended to represent all of these parcels combined together to be annexed into Heber City and should not be considered the result of a record of survey for all.

DRAFT
FOR
REVIEW

4/29/20

HEBER CITY ENGINEER

APPROVED AS TO FORM THIS _____

DAY OF _____, 2020

BY _____
HEBER CITY ENGINEER

HEBER CITY MAYOR

APPROVED AS TO FORM THIS _____

DAY OF _____, 2020

BY _____
HEBER CITY MAYOR

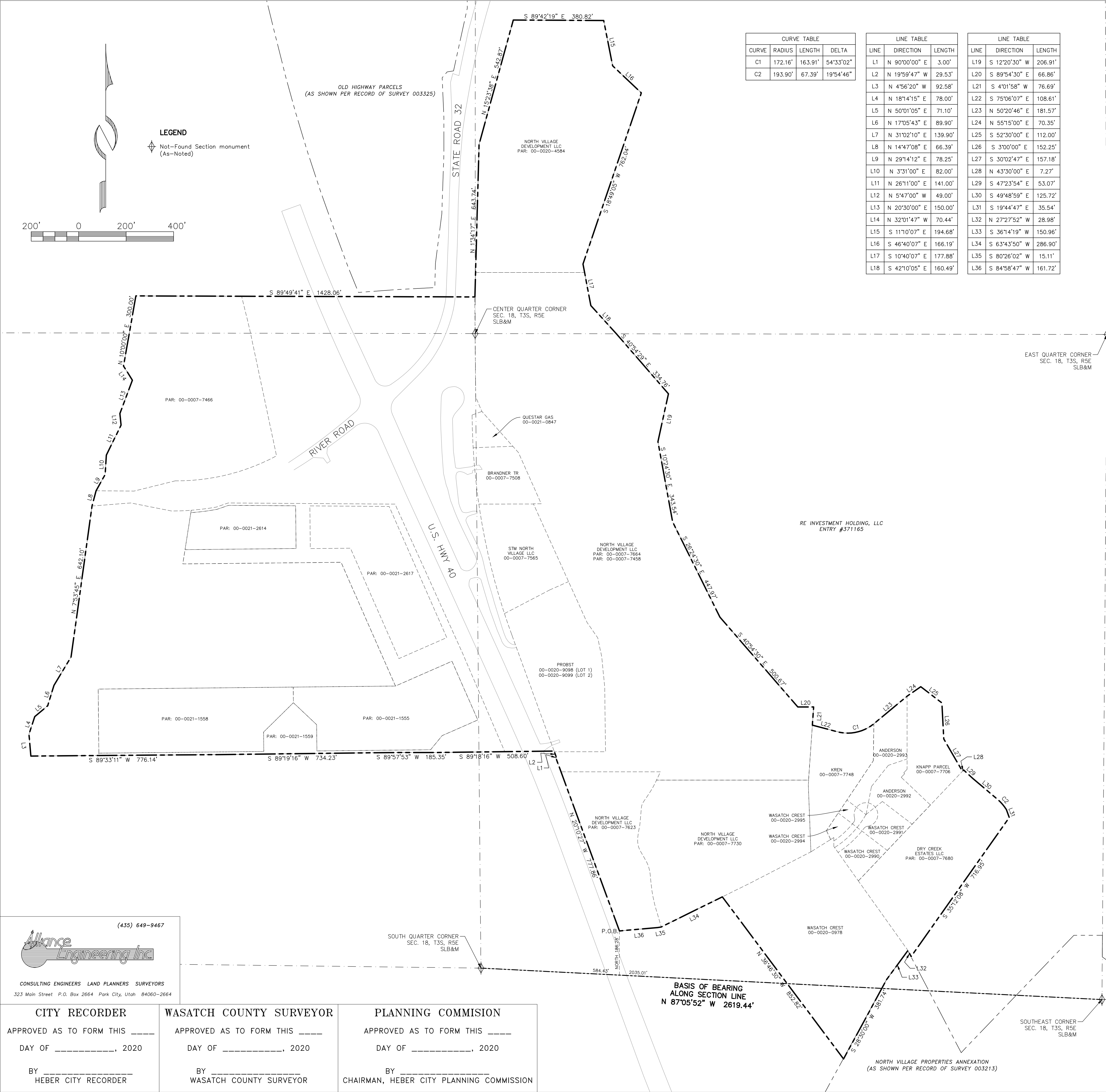
RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF _____

DATE _____ TIME _____

ENTRY NO. _____ FEE _____ RECORDER _____



CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	172.16'	163.91'	54°33'02"
C2	193.90'	67.39'	19°54'46"

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 90°00'00" E	3.00'
L2	N 19°59'47" W	29.53'
L3	N 4°56'20" W	92.58'
L4	N 18°14'15" E	78.00'
L5	N 50°01'05" E	71.10'
L6	N 17°05'43" E	89.90'
L7	N 31°02'10" E	139.90'
L8	N 14°47'08" E	66.39'
L9	N 29°14'12" E	78.25'
L10	N 3°31'00" E	82.00'
L11	N 26°11'00" E	141.00'
L12	N 5°47'00" W	49.00'
L13	N 20°30'00" E	150.00'
L14	N 32°01'47" W	70.44'
L15	S 11°10'07" E	194.68'
L16	S 46°40'07" E	166.19'
L17	S 10°40'07" E	177.88'
L18	S 42°10'05" E	160.49'

LINE TABLE		
LINE	DIRECTION	LENGTH
L19	S 12°20'30" W	206.91'
L20	S 89°54'30" E	66.86'
L21	S 4°01'58" W	76.69'
L22	S 75°06'07" E	108.61'
L23	N 50°20'46" E	181.57'
L24	N 55°15'00" E	70.35'
L25	S 52°30'00" E	112.00'
L26	S 3°00'00" E	152.25'
L27	S 30°02'47" E	157.18'
L28	N 43°30'00" E	7.27'
L29	S 47°23'54" E	53.07'
L30	S 49°48'59" E	125.72'
L31	S 19°44'47" E	35.54'
L32	N 27°27'52" W	28.98'
L33	S 36°14'19" W	150.96'
L34	S 63°43'50" W	286.90'
L35	S 80°26'02" W	15.11'
L36	S 84°58'47" W	161.72'



(435) 649-9467
Alliance Engineering Inc.
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

CITY RECORDER

APPROVED AS TO FORM THIS _____

DAY OF _____, 2020

BY _____
HEBER CITY RECORDER

WASATCH COUNTY SURVEYOR

APPROVED AS TO FORM THIS _____

DAY OF _____, 2020

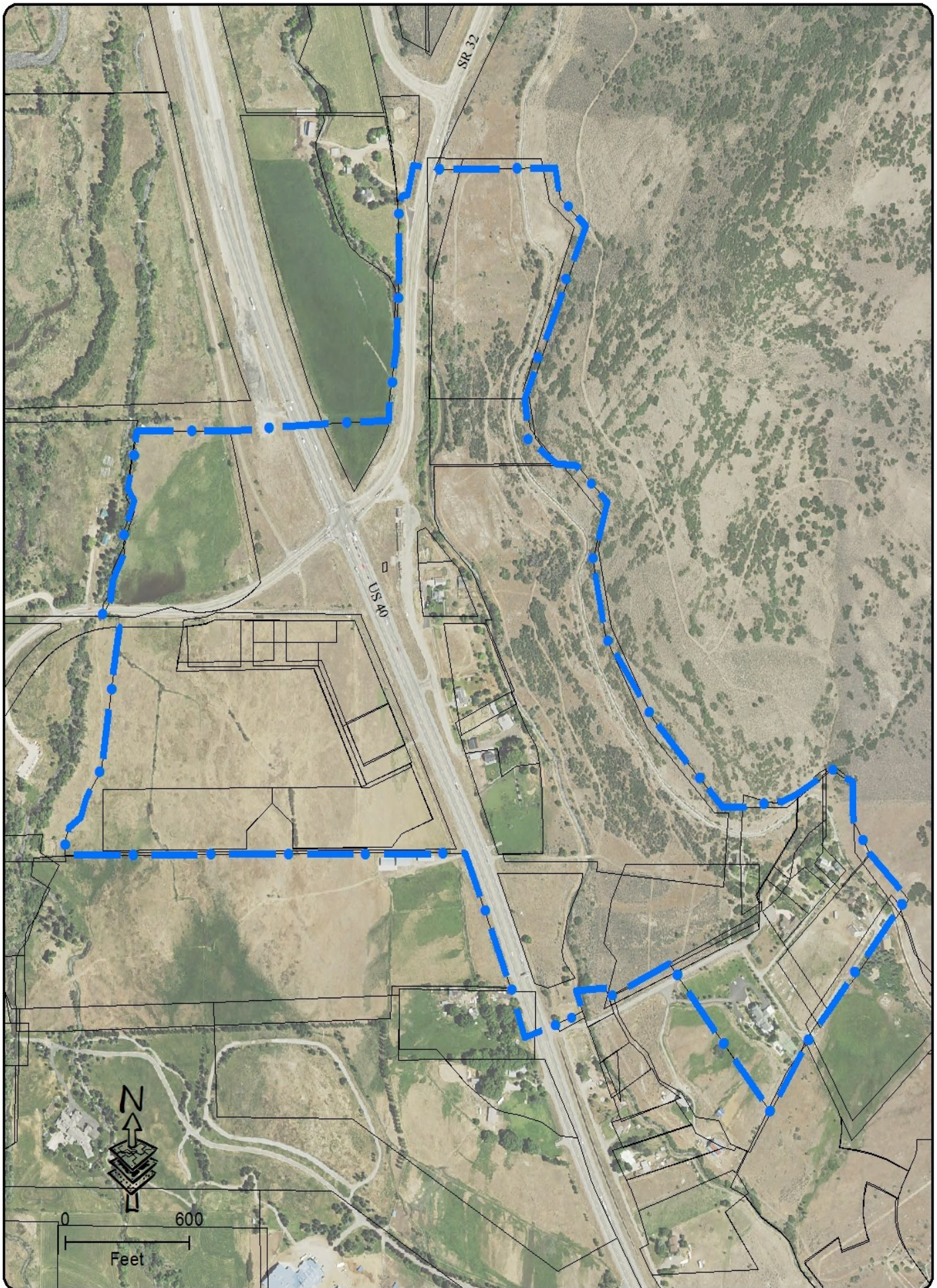
BY _____
WASATCH COUNTY SURVEYOR

PLANNING COMMISSION

APPROVED AS TO FORM THIS _____

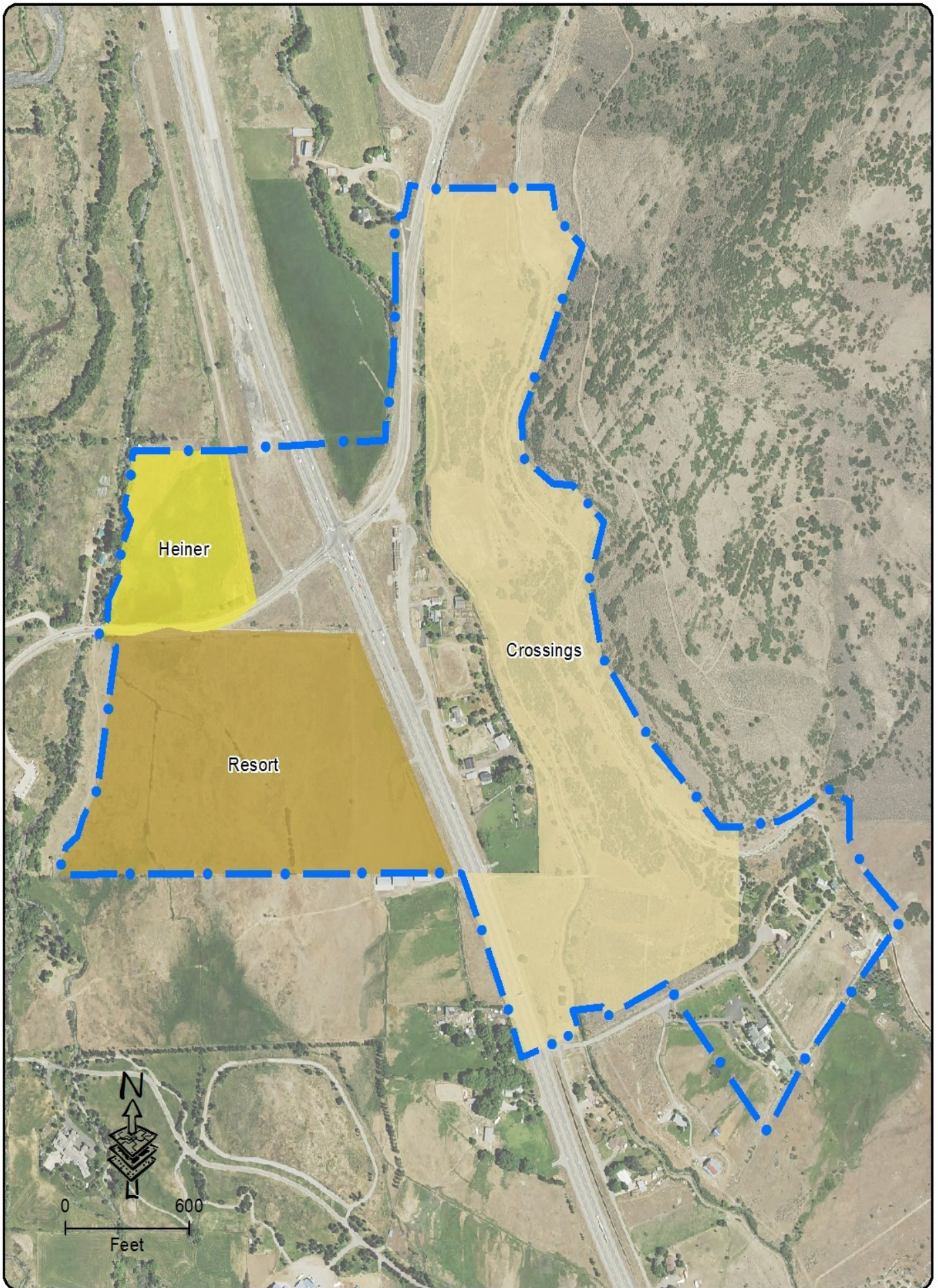
DAY OF _____, 2020

BY _____
CHAIRMAN, HEBER CITY PLANNING COMMISSION



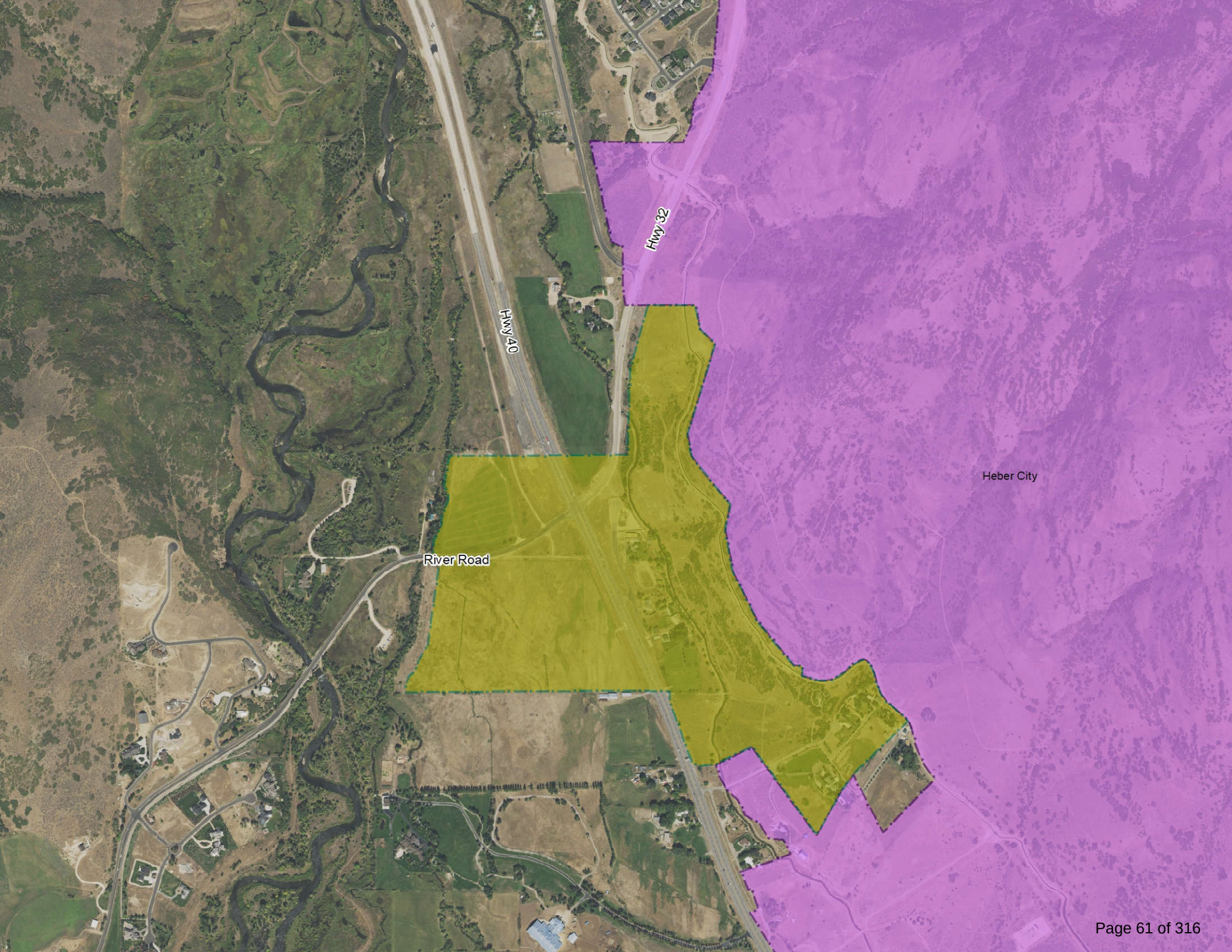
Crossings Annexation

November 2020



Crossings Annexation Petitioners

September 17, 2020

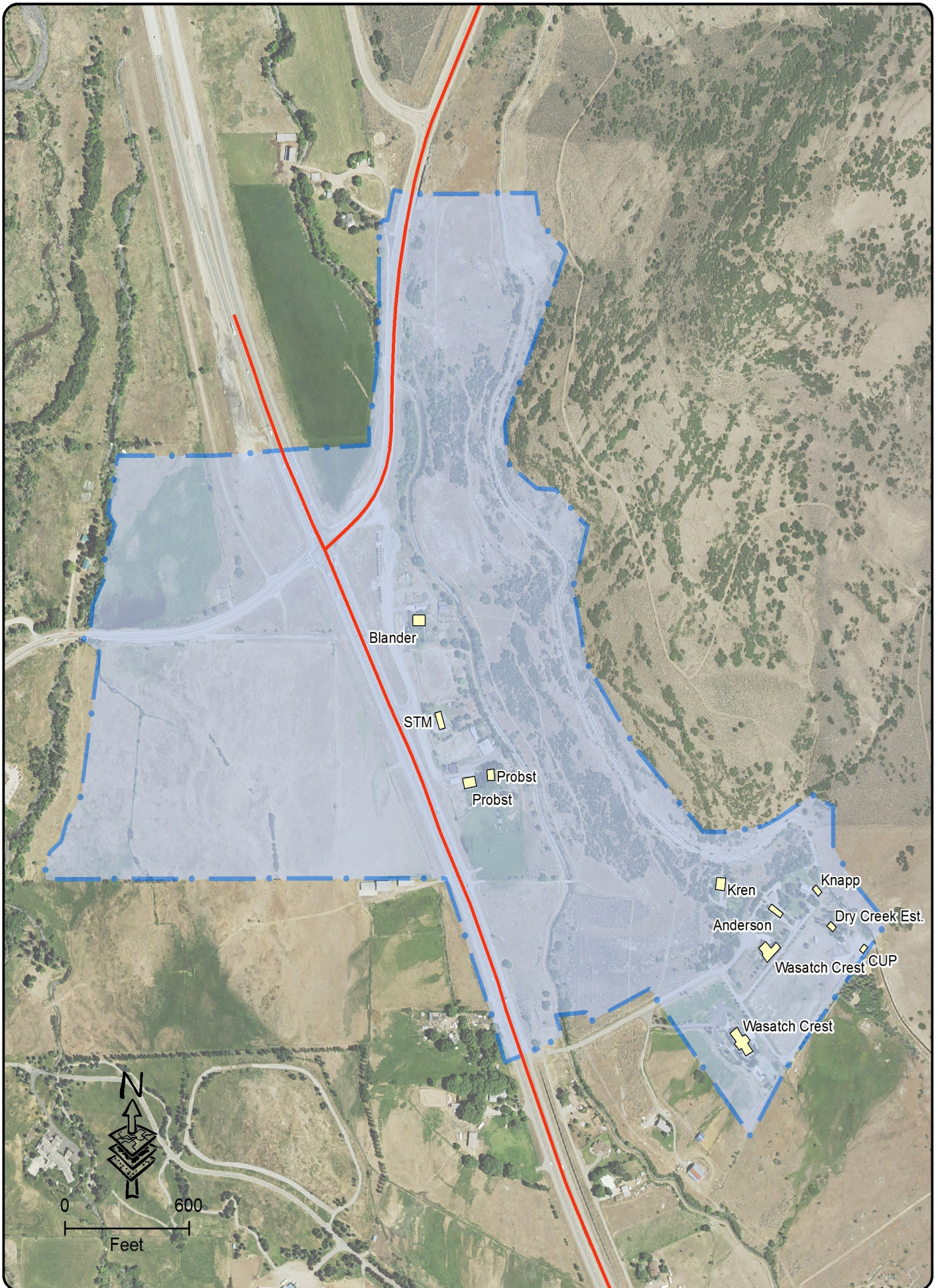


Hwy 32

Hwy 40

River Road

Heber City



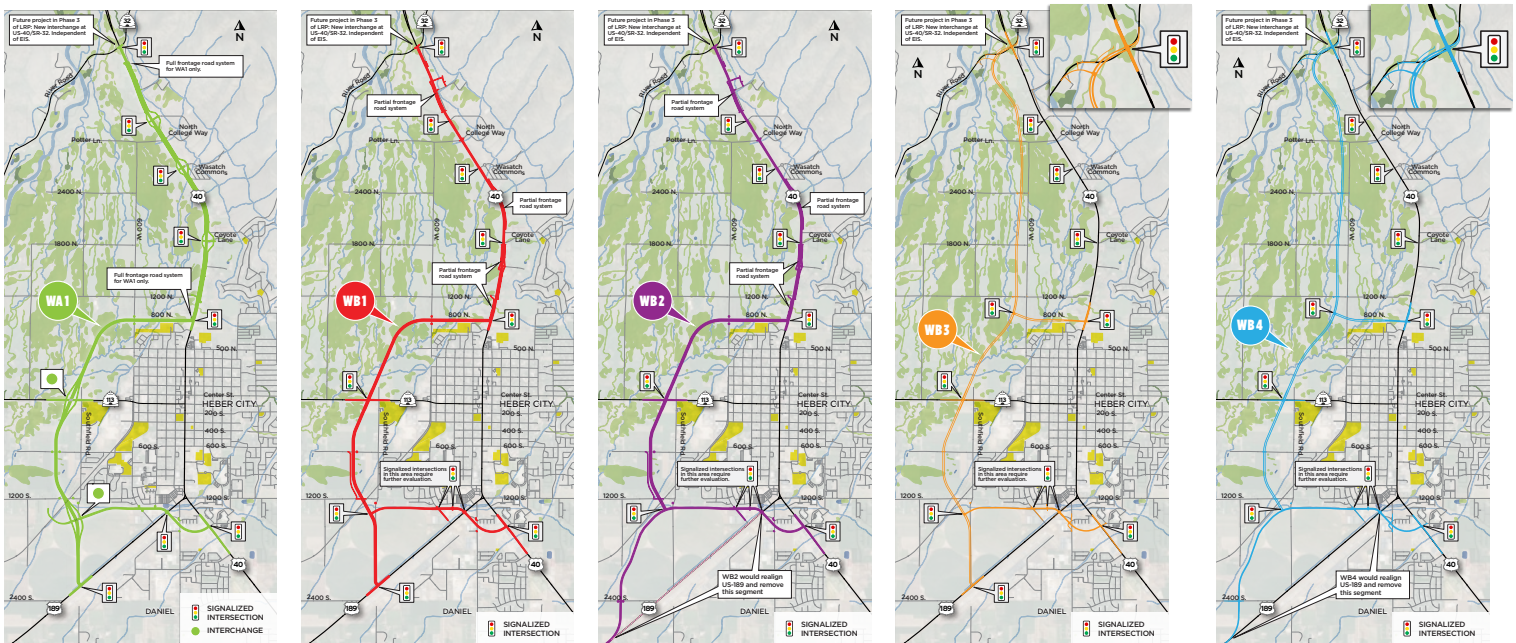
Existing Homes
September 17, 2020

FINAL ALTERNATIVES DEVELOPMENT AND SCREENING REPORT SUMMARY

DRAFT ALTERNATIVES SCREENING REPORT SUMMARY

The Utah Department of Transportation (UDOT) published the Draft Alternatives Development and Screening Report on June 7, 2022. The report detailed how the study team evaluated the 17 preliminary alternatives initially presented to the public and six new alternatives suggested by the public during the comment period held during Oct. 2021 in a three-level screening process. Preliminary screening focused on technical feasibility, Level 1 screening focused on the purpose and need of the project, and Level 2 screening focused on initial impacts to key resources. Based on an evaluation of 23 alternatives, five alternatives on the west side passed the screening process and will be carried forward for detailed evaluation in the Draft EIS.

A public comment period was held from June 7 to July 22, 2022 to receive input on the range of alternatives, the criteria used to screen alternatives as they relate to the project's purpose and key environmental resources, and the initial impact analysis to advise the screening process.



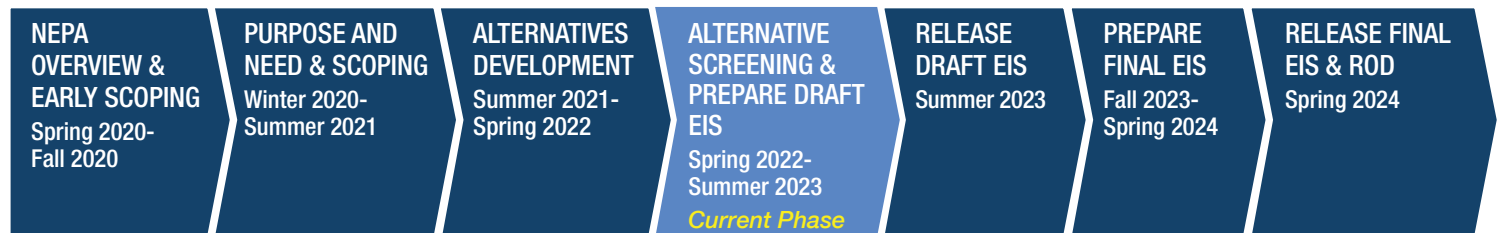
REVISED LEVEL 2 SCREENING RESULTS

ALTERNATIVE	Level 1 Screening							Level 2 Screening				
	Local Mobility PM peak hour operations (5-6pm) on Heber City Main Street				 Meets Heber City Vision Impacts to downtown valued places/ historic buildings	Regional Mobility Traffic operations between SR-32 and US-189		 Residences and Businesses (#) Potential full acquisitions	Section 4(f)		 Aquatic Resources (Acres impacted) Canals, ditches perennial streams, wetlands	 Cost (millions) High level project cost estimate
	 Intersections with LOS F Five intersections on US-40 in downtown Heber City	 Southbound Segments with LOS F	 Southbound Queue Length at 500 North (feet)	 Local Travel Time on US-40 SR-32 to US-189/US-40 intersection (m:s)		 Regional Travel Time on Bypass SR-32 to US-189/ 3000 South (m:s)	 Conflict Points Intersections, cross streets, driveways		 Historic Buildings (#) Potential adverse effects	 Provo River Restoration Project (acres of PRRP land impacted)		
US-40 Existing Conditions (2019)	0	2	375	8:20	No	10:40 <i>(on US-40)</i>	144	-	-	-	-	-
US-40 No-Action (2050)	3	2	13,100	17:40	No	19:05 <i>(on US-40)</i>	152-157	-	-	-	-	-
West Bypass Limited-Access Grade-Separated (WA1) <i>Freeway with North US-40 (WA1)</i>	0	1	1,600	11:05	Yes	9:10	16	18	8	0	12.4	\$244.9M
West Bypass Parkway At-Grade (WB1) <i>Highway with North US-40 (WB1)</i>	0	1	1,500	11:00	Yes	10:25	26-35	17	8	0	8.9	\$178.6M
West Bypass Parkway At-Grade with Realigned US-189 (WB2) <i>Highway with North US-40 and Realigned US-189 (WB2)</i>	0	0	400	9:30	Yes	10:05	27-36	18	8	0	8.9	\$184.0M
West Bypass Parkway At-Grade with Northern Extension (WB3) <i>Highway to SR-32 (WB3)</i>	0	0	375	8:55	Yes	8:10	12	8	2	2.4	39.3	\$204.5M
West Bypass Parkway At-Grade with Northern Extension and Realigned US-189 (WB4) <i>Highway to SR-32 and Realigned US-189 (WB4)</i>	0	1	400	8:55	Yes	7:45	12	9	2	2.4	39.3	\$209.4M

WHAT NOTABLE REVISIONS WERE MADE BETWEEN THE DRAFT AND FINAL SCREENING REPORT?

Level 2 Screening Data	Draft Screening Report	Final Screening Report
Wetlands delineation	Relied on National Wetlands Inventory (NWI) data north of 1200 North	- Aquatic Resource delineation completed in the summer and fall of 2022 to encompass all alternatives that passed Level 1 screening - Delineation shows more wetlands impacts than NWI data for all alternatives - Alignment shifts for Alternatives WB3 and WB4 to minimize wetlands impacts - Update wetlands impacts for all alternatives in Level 2 screening
Historic buildings survey	Relied on desktop research of available data from agency databases, historical topographic maps and aerial photographs, and online archival sources	- Reconnaissance-level historic structures inventory conducted in 2022 for alternatives that passed through Level 1 screening - Updated Section 4(f) historic building impacts in Level 2 screening
Provo River Restoration Project (PRRP)	PRRP not identified as a Section 4(f) resource	Determination that PRRP should be considered a Section 4(f) wildlife refuge and included in Level 2 screening

EIS PROCESS & TIMELINE



ONGOING STAKEHOLDER ENGAGEMENT

- | | | | | | | |
|--|---|--|--|--|--|---|
| <ul style="list-style-type: none"> Virtual public meeting 30-day public comment period | <ul style="list-style-type: none"> File Notice of Intent to begin NEPA process 45-day public comment period | <ul style="list-style-type: none"> Develop alternative concepts 30-day public comment period | <ul style="list-style-type: none"> 45-day public comment period | <ul style="list-style-type: none"> Public hearing 45-day public comment period | <ul style="list-style-type: none"> Respond to public comments on DEIS Revise EIS | <ul style="list-style-type: none"> Public engagement |
|--|---|--|--|--|--|---|

Last revised 1/16/2023

MONTHLY COORDINATION WITH LOCAL GOVERNMENT AND REGULAR STAKEHOLDER WORKING GROUP MEETINGS

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being or have been carried-out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.



HARVEST

— VILLAGE —

MEET ÅNGSTROM

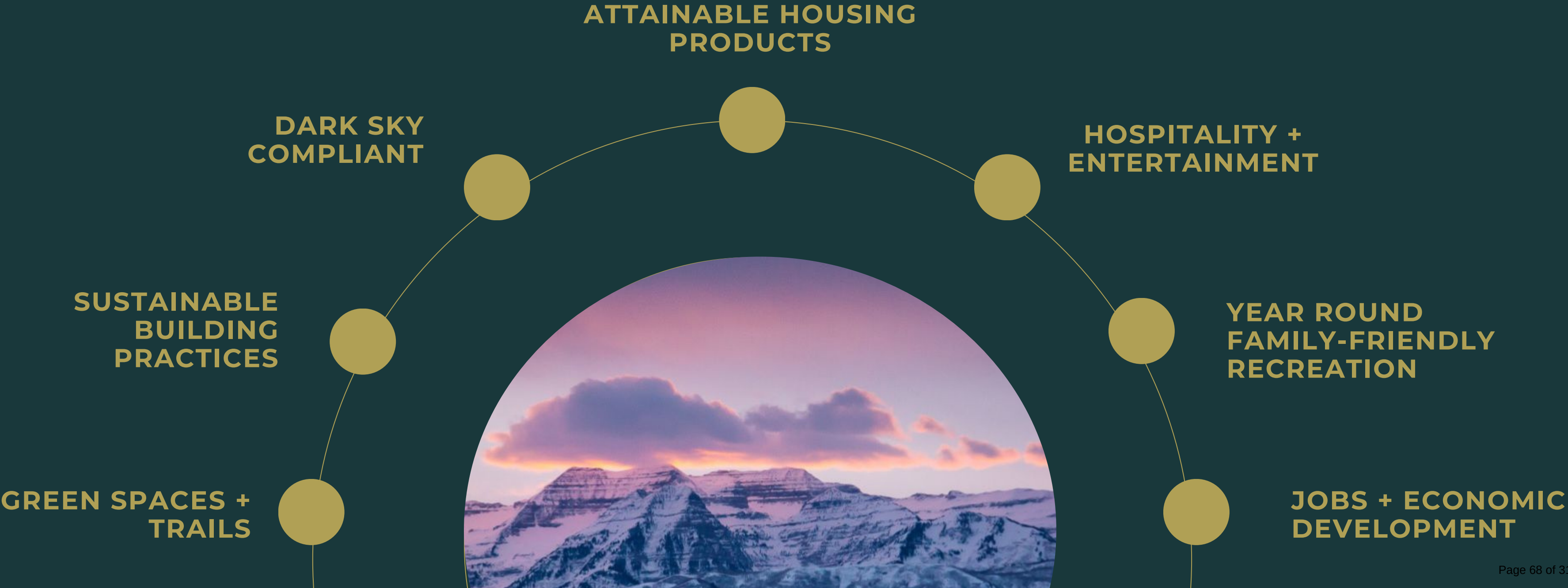
Ångstrom is a local real estate development firm. We believe conscious development is found when listening to stakeholders, honoring heritage and thoughtfully constructing a place of purpose.

We present Harvest Village as a **'destination within a destination'** - a place where people young and old come to live, work, stay and experience. A modern village anchored by an architecturally stunning sled hill, ribbon ice skating rink and ample entertainment.

Heber City deserves a developer that respects the North Fields as cherished land but also has the vision to craft a destination worthy of local pride and tourist interest.

THE ETHOS & ENERGY OF HARVEST VILLAGE

A community centered village that welcomes locals, and guests, into Heber Valley with an enclave for year-round activities and entertainment. Harvest Village pays homage to its agriculture history while ensuring this new hub is dark sky compliant, sustainable, full of abundant green space and a place for families to share lifelong memories...and amazing views.





HARVEST VILLAGE

	UNITS	ERU	SQ FT
[H] HOTEL	86	33	77,600
[B] [M] CONDO	62	36	90,900
[T] TOWNHOME	140	132	287,960
[I] INCLUSIONARY	205	TBD	125,550
[R] [B] COMMERCIAL		45	105,800

ADDITIONAL SITE DETAILS

- * Green Space: 11.1 acres
- * Plaza: 3.9 acres
- * Water Feature: 0.54 acres
- * Perimeter Trail: 1 mile
- * Parking: 669 spots

Total Site Area: +/- 38.8 acres





THE ETHOS & ENERGY OF HARVEST VILLAGE



WORKFORCE

We need attainable housing for those that service our community. This demographic wants denser housing with walkable dining and entertainment.

The creation of ‘energy’ around Harvest Village is supported by merging young (or young at heart) individuals into one community.

Ironically, these members of our community are also underserved and needing of housing/retail product(s) that meet their varying requirements.

It is our vision that Heber City, and Harvest Village, can become the epicenter of activity/entertainment for tourists, families and local workforce.



YOUNG FAMILIES + EMPTY NESTERS

Families are priced out of housing that felt attainable 3-4 years ago. They also want ancillary recreation where all members of a family can enjoy their time and create memories.



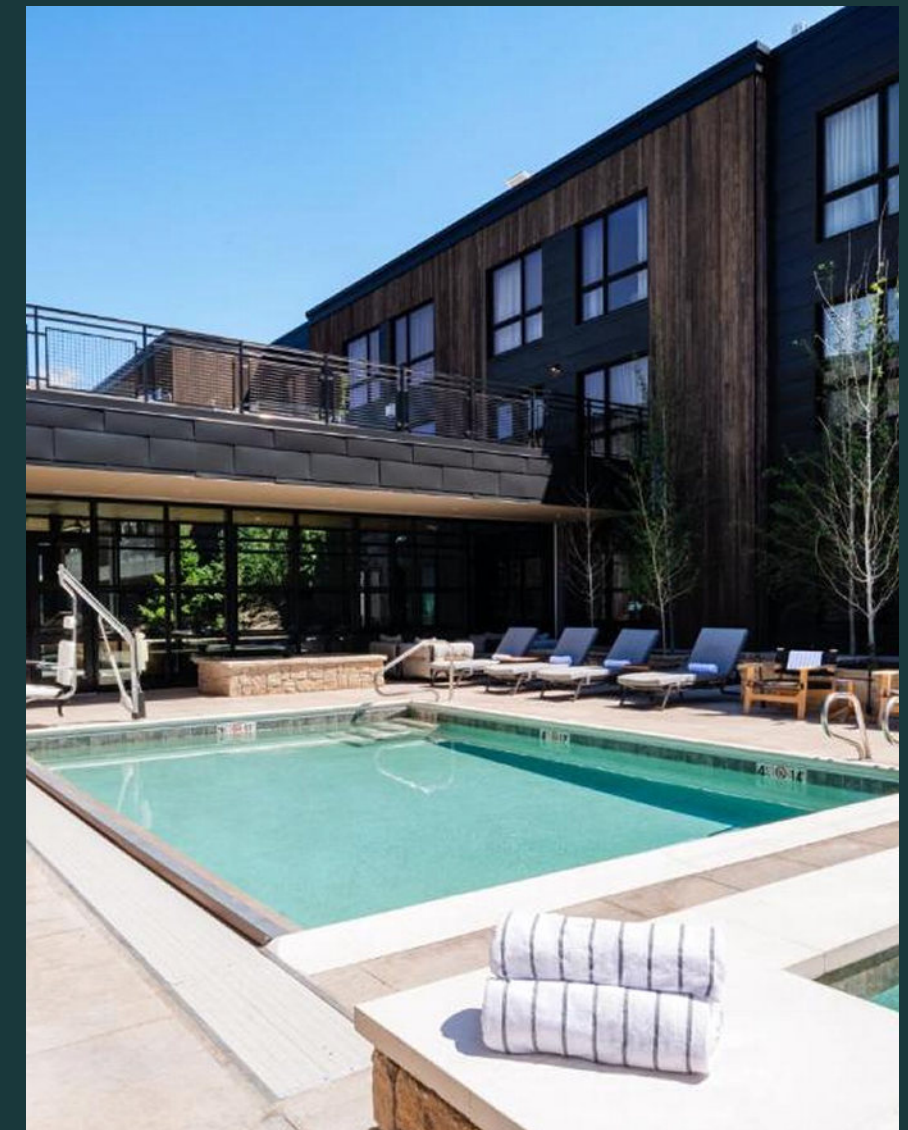
SMART TOURISTS

Travelers want a 4* hotel product that is priced appropriately with varying accommodations. These tourists require established recreation and welcome new entertainment options.

HOTEL

Harvest Village's hotel is the centerpiece of the plaza. We aim to garner international travel interest with warm hospitality, recreation and great dining options. The rooftop restaurant and Southern facing rooms benefit from exquisite views of Mt Timpanogos and the surrounding area.

- 86 Hotel rooms (kings + queen/queen)
- 4* Mountain modern
- Food & beverage offerings:
 - Rooftop farm-to-table restaurant
 - Ground floor coffee + bar
- Sled hill
- Pool, gym and amenities
- Condo/townhomes can be rented via hotel sales channels



INCLUSIONARY HOUSING

Harvest Village's workforce housing serves a much needed group of individuals along the Wasatch Back. Residents can walk to work and easily access other regional job sites.

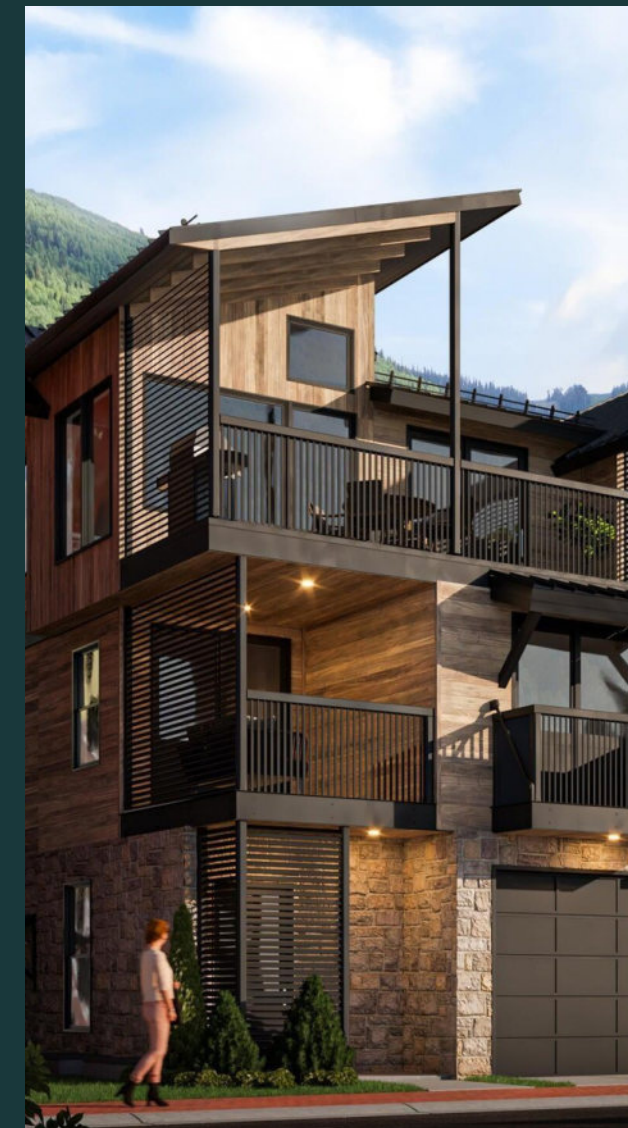
- ~ 205 housing units
- Mountain modern
- Studios to 2 Bedrooms
- Surface parking
- Housing restricted to area median incomes (AMI)
- Priority housing: 1st - Harvest Village staff
2nd - Heber City employees + teachers
3rd - Wasatch Back workforce



TOWNHOMES

Harvest Village's townhomes create modern density in Wasatch County. A perfect housing product for both primary and secondary residences.

- 140 Townhomes (1500 - 2400 sq ft)
- Mountain modern
- Two car garages
- Clubhouse (gym, pool and workspace)
- Lock and leave
- Townhome product can be rented via hotel sales channels



CONDOMINIUMS

Harvest Village's condos connect to the hotel for expanded accommodations and shared amenities.

- 62 condo units
- Mountain modern
- 2 and 3 bedrooms
- Lock and leave
- Shared amenities with hotel
- Condominium product can be rented via hotel sales channels



RETAIL + COMMERCIAL

Harvest Village's retail creates an eco-system where people can park once and access plenty of options throughout the day. We aim to create a new destination for local retailers to expand their businesses.

- 105,800 sq ft of commercial
- Family friendly dining + 'eatertainment'
- Restaurants
- Brewery
- Ice Cream shop
- Coffee shop
- Smoothie shop
- Local outfitter (rentals, clothing and fishing)
- Kids daycare
- Class A office space



OPEN SPACES + ACTIVITIES

Harvest Village's open spaces and recreation are the centerpiece of the village. Approximately 40% of the property is open air and dedicated to recreation.

- 39' tall sled hill
- Ribbon ice skating rink + ice bumper cars
- Rock climbing gym
- Harvest Village ponds + fly fishing
- Stage for outdoor concerts and movies
- Kids playscape and splashpad
- Trails for walking/biking
- Community garden
- 5min to Deer Valley
 - High Valley Transit stop
 - Private shuttle to Deer Valley
- EV charging station
- 11+ acres of green space



COMMUNITY BENEFITS



DAILY ACTIVITIES

Locals and tourists will have access to a calendar of daily activities and seasonal markets.



LOCAL DISCOUNTS

Wasatch County and Heber City residents receive a discount on all activities within the plaza.

SATURDAY

TIME	SCHEDULE OF ACTIVITIES
8:00a	Yoga on the Hill
10:00a - 2:00p	Farmers Market
3:00p	Fly fishing class
4:00p - 7:00p	Apres Sled
8:00p	Movies on the Hill

SUNDAY

TIME	SCHEDULE OF ACTIVITIES
8:00a	Boot Camp on the Hill
11:00a	Kids crafts in the plaza
3:00p	Ice skating lessons
4:00p - 7:00p	Apres Sled

YOU ARE INVITED TO

APRÈS
SLED

A FAMILY FRIENDLY APRÈS
DAILY FROM 4P - 7P

THE ALTERNATIVE



ATTRIBUTES OF NORTH VILLAGE RESORT

- Maximum density: 370 ERU
- Minimal green space
- A Vegas style waterpark that is only available to resort guests
- Void of workforce/inclusionary housing
- Underground parking that can impact the water table

Note: The North Village Resort has a MDA in place with Wasatch County with ~ 17 more years of vested rights

WHY HARVEST VILLAGE?

- Ångstrom has read Heber City Envision 2050 and created a proposal that conforms to the North Village Overlay Zone and greater development principles
- With Deer Valley's expansion, along with various projects (ie Sorenson, Mayflower, etc.), there is a need for a recreational hub and to keep traffic North
- Harvest Village is the front door to the valley
- Preservation of ~ 6 acres of the North Fields to improve site lines (donated to Heber City or placed in a conservation easement)
- Heber City should be central to the 2034 Winter Olympics. Harvest Village becomes a major host for activities, housing and activations.
- Steer tax revenue to Heber City
- Commitment to protect Rock Creek and native wildlife by keeping all storm water on site.
- Synergistic with development of Heber City Downtown
- Heber City benefits from Harvest Village's global marketing



THANK YOU



All rendering/pictures are shown for illustrative purposes only



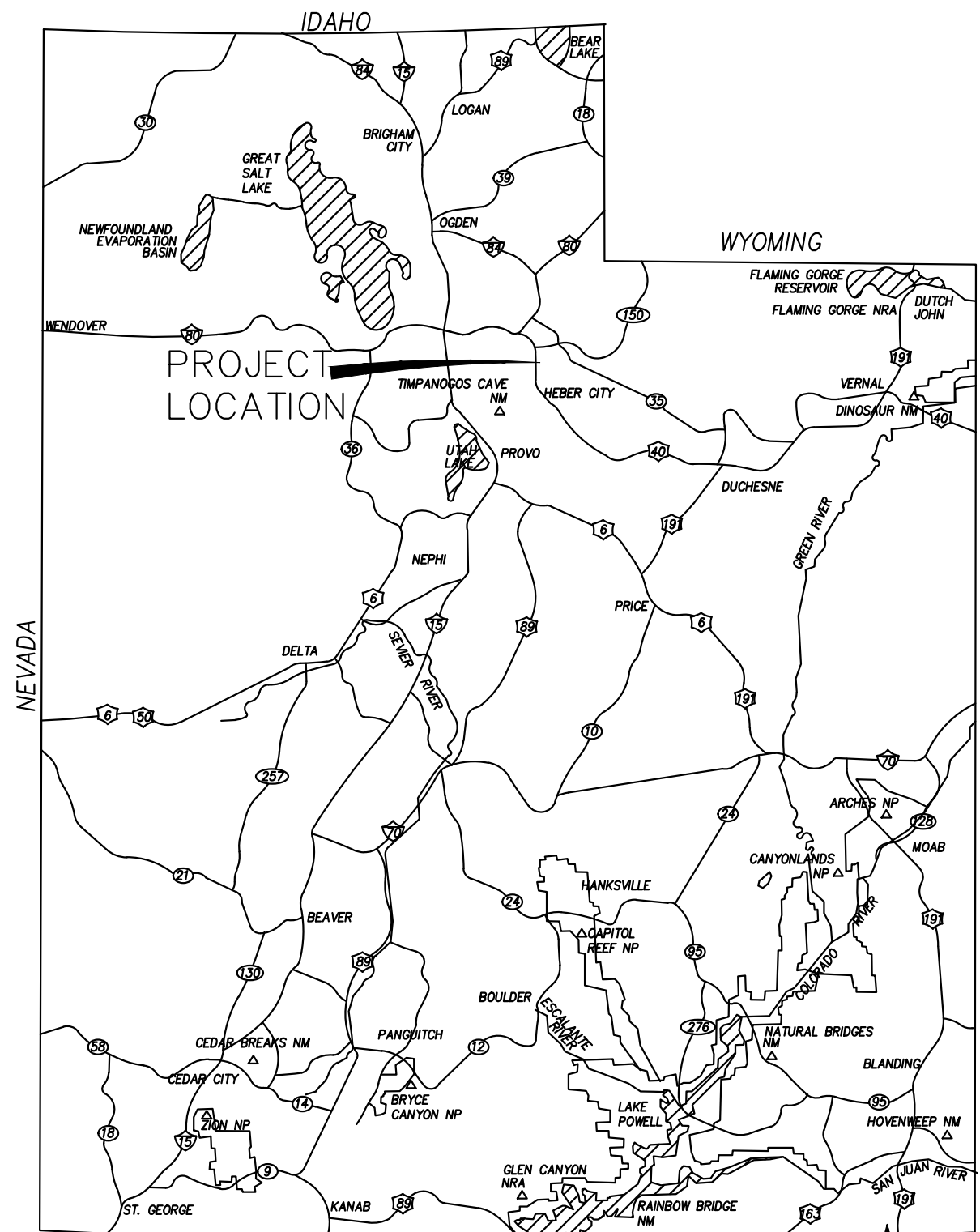
	UNITS	SQ FT	ERU FACTOR	ERU	# OF FLOORS	NOTES
HOTEL						
- (H) Hotel Rooms (< 500 SF)	86	50,400.00	0.25	21.50	5	Kings & Queen/Queen on levels 2-4
- (H) Hotel Retail / Commercial / Office		16,400.00	0.86	7.05	5	First floor lobby, coffee, back office, tix box office & retail
- (H) Hotel F&B / Meeting Space		10,800.00	0.86	4.64	5	Rooftop restaurant & venue
	86	77,600.00		33.20		
CONDO						
- (B) Two Bedroom (1,250 SF gross / 1,000 SF net)	22	23,100.00	0.50	11.00	4	3 floors on top of garage
- (B) Three Bedroom (1,875 SF gross / 1,500 SF net)	14	29,800.00	0.75	10.16	4	3 floors on top of garage
- (B) Condo / Hotel Amenities		29,700.00			4	Pool, gym and spa located on second floor (total SF that is not in the B block)
- (M1) Two Bedroom (1,250 SF gross / 1,000 SF net)	18	16,500.00	0.50	9.00	2	2 floors on top of M1 commercial
- (M1) Three Bedroom (1,875 SF gross / 1,500 SF net)	8	21,500.00	0.75	6.20	2	2 floors on top of M1 commercial
	62	120,600.00		36.36		
TOWNHOMES						
- (T) Two Bedroom (1,200-1,599 SF)	40	63,960.00	0.75	30.00	2	T1-T20 blocks
- (T) Three Bedroom (1,600 SF)	100	220,000.00	1.00	100.00	3	T1-T20 blocks
- Townhome Clubhouse		4,000.00	0.86	1.72	1	Pool, gym and workspace
	140	287,960.00		131.72		
INCLUSIONARY / WORKFORCE						
- (I) Studio (588 SF gross / 470 SF net)	60	28,200.00	0.25	15.00	3	I1, I2, I3 & I4 blocks
- (I) One Bedroom (788 SF gross / 630 SF net)	115	72,450.00	0.33	37.95	3	I1, I2, I3 & I4 blocks
- (I) Two Bedroom (1,038 SF gross / 830 SF net)	30	24,900.00	0.50	15.00	3	I1, I2, I3 & I4 blocks
	205	125,550.00		67.95		
RETAIL / COMMERCIAL / OFFICE						
- Standalone Retail Blocks		17,300.00	0.86	7.44	1	R1, R2, R3 & R4 blocks (all one story except R4 contemplated as rock climbing gym)
- (M1) Commercial + Condo		19,500.00	0.86	8.39	3	M1 first floor retail space
- (M2) All Commercial		34,500.00	0.86	14.84	3	Three floors of commercial
- (M3) All Commercial		34,500.00	0.86	14.84	3	Three floors of commercial
		105,800.00		45.49		
AMENITIES						
- Sled Hill		22,000.00			4	Plaza / 39ft high
- Ice Skating Ribbon		12,000.00			0	Plaza / Temp structure
- Open Plaza Space		185,000.00			0	Includes paved, landscape, ice rink, sled hill and firepit areas (does not include buildings)
- Ponds		23,715.00			0	Located w/in Townhomes
- Surface Parking	524	183,168.00			0	Throughout site
- Covered Parking	145	45,095.00			1	Bottom of B block
- Walking / Biking Trails		35,500.00			0	Perimeter trail only (will add interior trails later)
- Roads		196,060.00			0	Throughout site
- Green Space		125,000.00				Throughout townhome and around various buildings
- Hwy 40 Buffer Area		250,000.00			0	Dedicated space
	669	1,077,538.00				
TOTALS						
	493	1,795,048.00		314.72		
				246.77		<-- ERU if workforce housing is not included

SITE DEVELOPMENT CONSTRUCTION PLANS

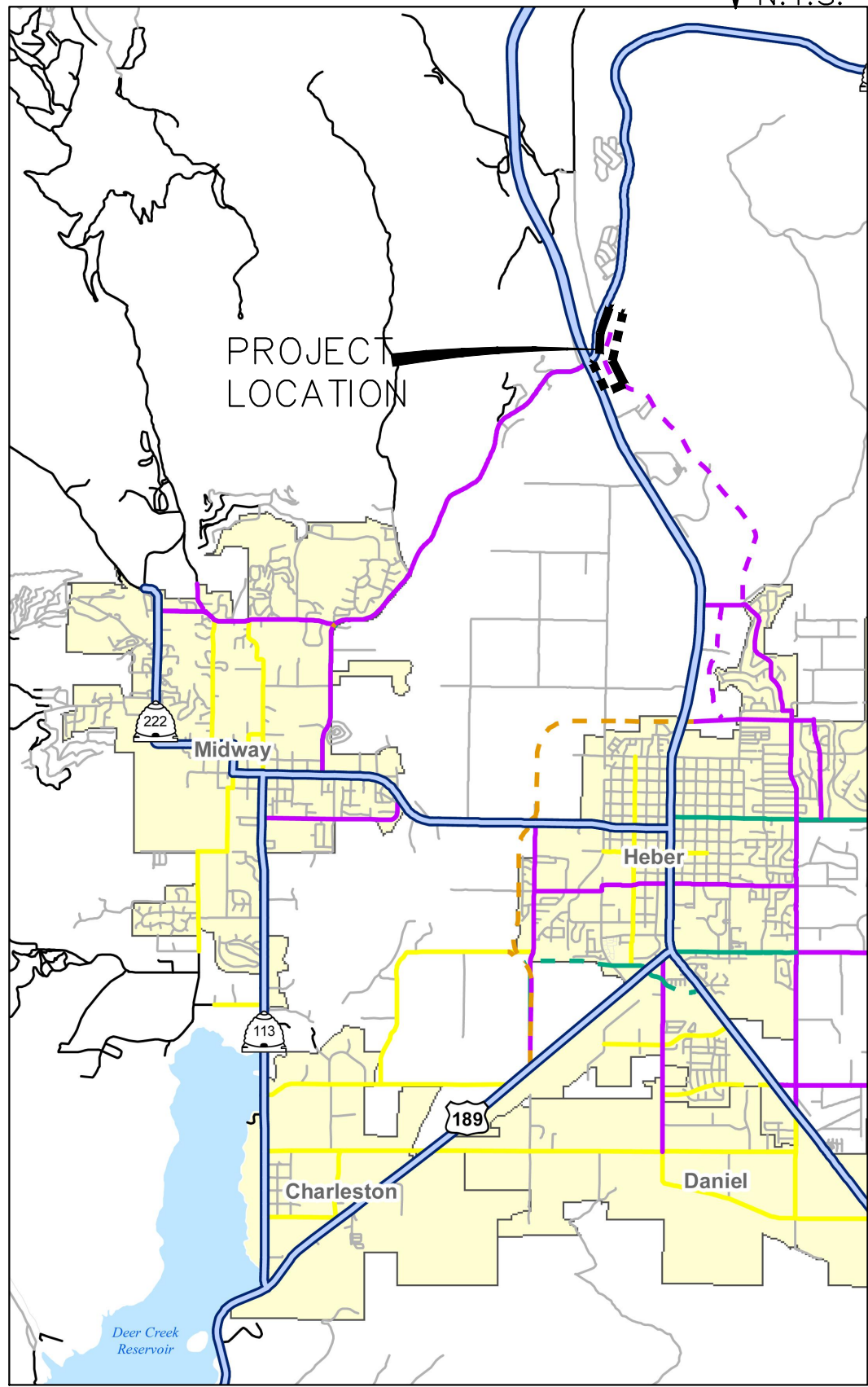
NORTH VILLAGE CROSSINGS

LOCATION
SOUTH QUARTER OF SECTION 18
TOWNSHIP 3 SOUTH, RANGE 5 EAST
SALT LAKE BASE AND MERIDIAN

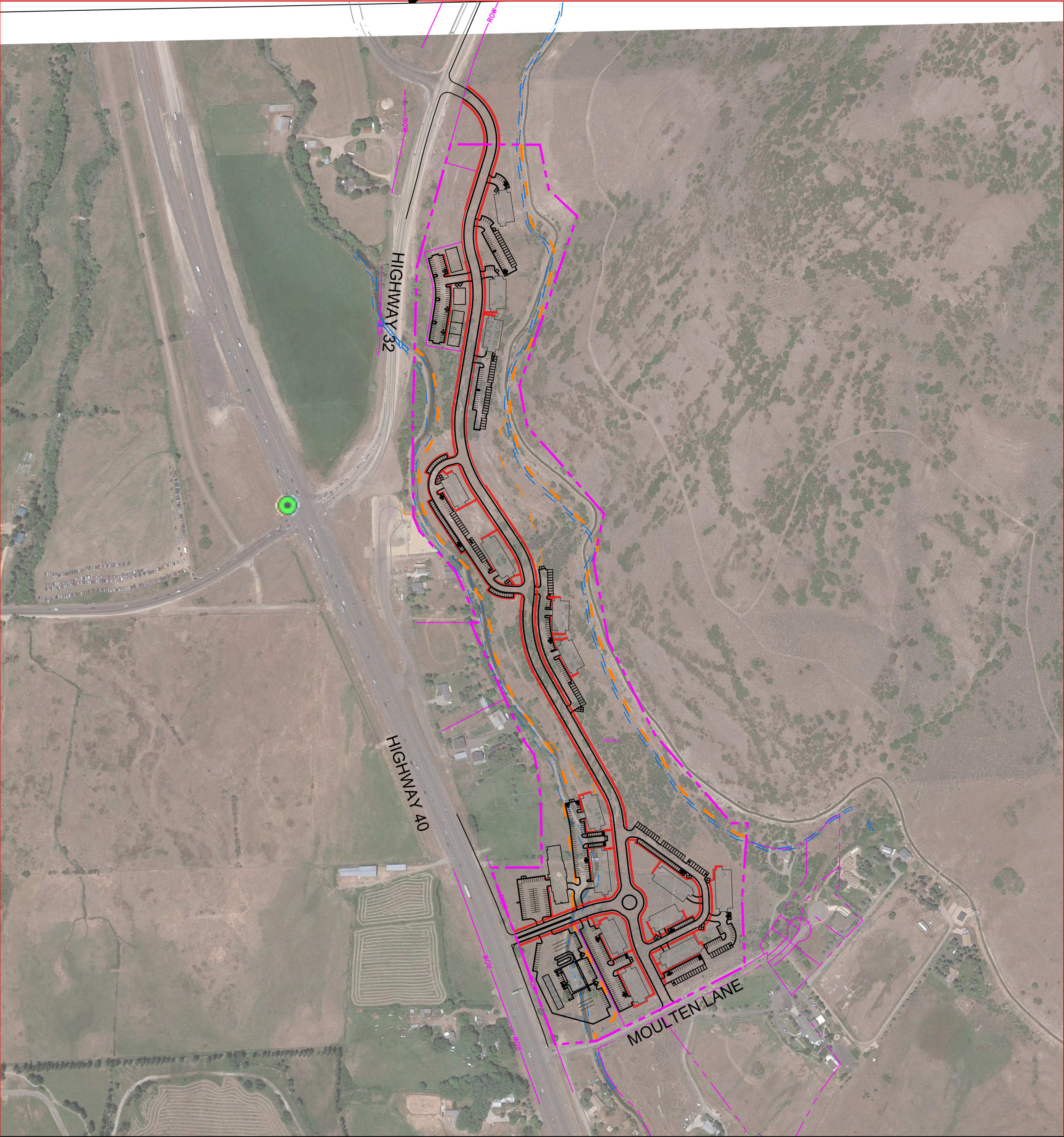
PRELIMINARY PLAN May 31, 2024



VICINITY MAP



VICINITY MAP
N.T.S.

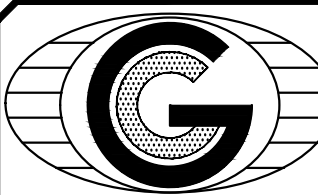


REVISIONS

#	DESCRIPTION	DATE	SHEETS AFFECTED

INDEX OF SHEETS

1	TITLE SHEET
1A	PROJECT NOTES
2	OVERALL SITE PLAN
3	EXISTING CONDITIONS/DEMOLITION PLAN/GEOTEC
4	RETAINING WALL PLAN
5	PHYSICAL CONSTRAINTS ANALYSIS
6	PHASING PLAN
7A-7C	SNOW STORAGE PLAN
8	CONNECTIVITY/TRAIL PLAN
UDOT	UDOT TIE IN PLAN
SS1	LIGHTING, PAINT, AND SIGNAGE
DRAIN	DRAINAGE BASINS
G1-G8	GRADING AND DRAINAGE SHEET
U1	CULINARY AND IRRIGATION WATER UTILITY PLAN
U2	SANITARY SEWER UTILITY PLAN
U3	STORM WATER UTILITY PLAN
U4	IRRIGATION PLAN
U5	DRY UTILITY PLAN
U6	CANAL PLAN
PP1-PP24	PLAN AND PROFILE SHEETS
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ER1-ER2	EROSION CONTROL DETAILS
D1	STREET DETAILS
D2	SANITARY SEWER DETAILS
D3	CULINARY WATER DETAILS
D4	WATER AND STORM DRAIN DETAILS



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CIVIL ENGINEERING • CONSULTING • LAND PLANNING
CONSTRUCTION MANAGEMENT



SHEET NO. 1

PROJECT ADDRESS
HIGHWAY 40 AND HIGHWAY 32

* SUBDIVISION ORDINANCE
NORTH VILLAGE CROSSINGS PROJECT IS BEING
PROCESSED AS A LARGE SCALE, PLANNED DEVELOPMENT
IN THE NORTH VILLAGE ZONE AS A PRELIMINARY SUBDIVISION PLAT.

LAND USAGE

MIXED USE

OVERALL AREA=56.36 AC
OPEN SPACE=36.07 AC
WETLANDS=0 AC
PROPOSED

404 UNITS STACKED FLATS
GAS STATION
32 GAS STATION PARKING
120 ROOM HOTEL
5 COMMERCIAL UNITS
xxx AC LANDSCAPE AREA
xxx AC. HARD SURFACE
7.014 LF TRAILS

PLAN NOTES

- REGIONAL CONTEXT MAPS BASED ON THE FOLLOWING SOURCES:
 - USGS QUAD SHEET MAPS, 2000 SCALE,
 - BOP JORDANELLE TAKE MAPS, 2000 SCALE,
 - UDOT HIGHWAY CONSTRUCTION DRAWINGS, 100 SCALE,
 - HEBER CITY PROPERTY MAPS, 400 SCALE,
 - HEBER CITY TOPOGRAPHIC INFORMATION – GIS INFORMATION: 100' CONTOURS GENERATED AT 40' INTERVALS,
 - JORDANELLE STATE PARK CONSTRUCTION DRAWINGS, 200 SCALE,
 - WAYFLOWER DEVELOPMENT PLANS,
 - HANSEN, ALLEN AND LUCE DIGITAL FILE INFORMATION, NO SCALE,
 - PEPG ENGINEERING, L.L.C.'S PRIVATE ENGINEERING FILES, SCALES VARY,
 - DEER VALLEY TRAIL MAP,
 - JORDANELLE STATE PARK MASTER PLAN,
 - MISCELLANEOUS OTHER MAPS, FILES, AND RECORDS.

• SOURCE OF TOPOGRAPHY:

TOPOGRAPHY FROM PEPG SURVEYING ALTA

• BASIS OF ELEVATIONS:

BENCHMARK: ELEVATION: 6663.33
DESCRIPTION: W 1/4 OF SECT. 6, T2S, R5E
FOUND MONUMENT BRASS MON.

• SLOPE ANALYSIS:

THE FOLLOWING IS A SUMMARY OF THE SLOPE ANALYSIS
PREPARED FOR THE SUBJECT PROPERTIES: SEE PLATS
FOR SLOPE AREA.

• INDIVIDUAL LOT DRAINAGE:

DUE TO MANY POSSIBILITIES OF THE INDIVIDUAL LOTS BY
FUTURE BUILDERS, THE DRAINAGE AROUND THE FUTURE
BUILDINGS IS SUBJECT TO A INDIVIDUAL LOT STORM WATER
DRAINAGE PLAN (PREPARED BY THE FUTURE LOT DEVELOPER)
PER HEBER CITY STANDARDS. THE LOTS WILL BE CURRENTLY
GRADED TO DRAIN WITH OVERLAND FLOW ACROSS THE LOTS.
ROUTING THE STORM WATER AROUND THE BUILDINGS IS
REQUIRED BY THE INDIVIDUAL LOT BUILDER.

• SOIL/GEOLOGY:

AN ENGINEERING GEOLOGY AND SOIL ENGINEERING REPORT
HAS BEEN PREPARED FOR THE SUBJECT PROPERTY
"PRELIMINARY GEOTECHNICAL REPORT" PREPARED BY
IGES ENGINEERING DATED 9-21-2007.

• EXISTING AND PROPOSED ZONES:

PRESIDENTLY ZONED: NORTH VILLAGE

• RESTRICTED USE - OPEN SPACE

AREAS ARE SUBJECT TO HEBER CITY
CONSIDERATIONS, REVIEW, AND APPROVAL.

• PROPERTY LINE:

INFORMATION FOR NORTH VILLAGE PROJECT TAKEN FORM AN ALTA
SURVEY, PREVIOUS RECORDED PLATS, AND DEEDS OF RECORD .

• DRAINAGE PLANS:

PRELIMINARY HYDROLOGY, HYDRAULICS AND WATER QUALITY
PREPARED ACCORDING TO THE FOLLOWING CRITERIA: PEAK
STORM WATER RUNOFF IN THE DEVELOPMENT "AFTER" CONDITION
SHALL BE NO GREATER THEN PEAK STORM WATER RUNOFF IN
THE "BEFORE" PROJECT CONDITION. NO BUILDINGS WILL BE
ALLOWED WITHIN 100 YEAR FLOOD PLAINS.

• PROJECT SEWER MAINS:

ARE TO BE CONNECTED TO JORDANELLE SPECIAL
SERVICE DISTRICT. SEWER FACILITIES ARE PRESENTLY
BEING CONSTRUCTED TO THE PROJECT.

• UTILITIES:

OVERHEAD AND UNDERGROUND POWER – ROCKY MOUNTAIN
POWER AND LIGHT
TELEPHONE:
UNDERGROUND TELEPHONE – CENTURY LINK.
NATURAL GAS:
QUESTAR
GARBAGE COLLECTION:
PRIVATE CONTRACTOR OR HEBER CITY
SOLID WASTE DISPOSAL DISTRICT.

• STREET PLAN AND PROFILES:

ALL PRIVATE STREET AND PARKING LOTS CONSTRUCTION
TO BE PER HEBER CITY TYPICAL ROAD SECTIONS.
STRUCTURAL PAVEMENT SECTION SHALL BE CONSTRUCTED
PER ABOVE REFERENCED SOIL REPORT.

• DRIVEWAY MAINTENANCE:

PUD DRIVEWAYS AND PARKING LOTS TO BE PRIVATE
AND TO MAINTAINED BY HOMEOWNERS
ASSOCIATION. SINGLE FAMILY DRIVEWAYS ARE TO BE
MAINTAINED BY INDIVIDUAL LOT OWNERS INVOLVED.

• SECONDARY EMERGENCY ACCESS:

ACCESS TO IROQUOIS PHASE 6 TO HIGHWAY 248

• SLOPE:

SLOPES AREAS AS SHOWN ON THE SITE PLANS AND THE PLATS.

• FEMA ZONE

NOT WITHIN FEMA FLOOD PLAIN. PROJECT IS DOWN STREAM OF
EXISTING CANAL.

JSSD CONSTRUCTION NOTES

1. All work to be done in conformity to HEBER CITY
standards and specification and as directed by the
Jordanelle Special Service District engineer or his
representatives.

2. All sewer and water system construction shall be in
accordance with Jordanelle Special Service District
standards and specifications. Contractor to obtain
current standards from the Jordanelle Special Service
District.

3. Contractor shall contact blue stakes prior to
beginning construction, to facilitate the location and
identification of existing underground utilities.

4. Contractor responsible for protection of all utilities
shown or not shown.

5. Contractor shall be responsible to obtain and pay for
necessary permits.

6. Contractors shall attend all pre-construction
conferences.

7. Contractor shall be responsible for all public safety
and OSHA standards.

8. Contractor shall field verify locations and invert
elevations of all existing sewer facilities and other
utilities prior to building or staking any new sewer lines.

9. Location and installation of gas, power, telephone,
and cable lines to be done in accordance with HEBER
CITY standards.

10. All culinary water lines shall be ductile iron rated
PC350 minimum. The pipe shall be standard coal tar
coated on the outside and shall be lined on the inside
cement mortar lining conforming to ANSO A21.4
(AWWA C104).

11. Minimum depth for culinary waterlines from the
final grade to the top of the pipe is 7 feet, unless
otherwise noted on the plan and profile sheets.

12. Minimum spacing between waterlines and sewer
lines is 10 feet horizontally or 18 inches vertically (in
times of crossing the waterline shall be above the sewer
line). All other utilities shall be spaced a minimum
distance of 12 inches from the waterline.

13. All ductile iron valves, hydrants, and buried fittings
shall be wrapped with 8 mil thick polyethylene film tube
or sheet. The film shall be held in place by and
approved adhesive tape, equal to scotchrap no. 50. All
fittings and valves requiring wrapping shall be wrapped
prior to placing concrete thrust blocking. All valves are
to be flanged to the adjacent fittings.

14. Sanitary sewer laterals shall extend into each lot 10'
and be marked with a rebar post with the top 12"
painted green.

15. Culinary water laterals shall extend into each lot 10'
and be marked with a 2" galvanized pipe with the top
12" painted blue.

16. Contractor to verify as build sewer laterals for
building FF design. Existing sewer lateral to govern.

MISC CONSTRUCTION NOTES

THE CONTRACTOR SHALL CAREFULLY READ ALL OF THE NOTES AND SPECIFICATIONS, THE
CONTRACTOR SHALL BE SATISFIED AS TO THEIR TRUE MEANING AND INTENT AND SHALL BE
RESPONSIBLE FOR COMPLYING WITH EACH.
GENERAL NOTES:

1) ALL IMPROVEMENTS SHALL BE CONSTRUCTED IN STRICT ACCORDANCE WITH THE FOLLOWING:
HEBER CITY STANDARD SPECIFICATIONS, UNLESS OTHERWISE STATED. JSSD SEWER DISTRICT STANDARD
SPECIFICATIONS, LATEST EDITION, AND ALL AMENDMENTS THERETO TO DATE, AND THE UTAH PUBLIC
WORKS GENERAL CONDITIONS AND STANDARD SPECIFICATIONS FOR CONSTRUCTION IN ITS LATEST EDITION
(UPW), THE M.U.T.C.D. MANUAL FOR STRIPING AND LAND DISTURBANCE, AND THE MANUAL FOR EROSION
CONTROL, WHERE APPLICABLE.

2) PRIOR TO PERFORMING ANY WORK, THE CONTRACTOR SHALL CONTACT HEBER CITY FOR
A PRE-CONSTRUCTION CONFERENCE.

3) IT IS INTENDED THAT THESE PLANS AND SPECIFICATIONS REQUIRE ALL LABOR AND
MATERIALS NECESSARY AND PROPER FOR THE WORK CONTEMPLATED AND THAT THE WORK
BE COMPLETED IN ACCORDANCE WITH THEIR TRUE INTENT AND PURPOSE. THE
CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY REGARDING ANY DISCREPANCIES
OR AMBIGUITIES WHICH MAY EXIST IN THE PLANS OR SPECIFICATIONS. THE ENGINEER'S
INTERPRETATION THEREOF SHALL BE CONCLUSIVE.

4) WHERE THE PLANS OR SPECIFICATIONS DESCRIBE PORTIONS OF THE WORK IN
GENERAL TERMS BUT NOT IN COMPLETE DETAIL, IT IS UNDERSTOOD THAT ONLY THE BEST
GENERAL PRACTICE IS TO BE PREVAL AND THAT ONLY MATERIALS AND WORKMANSHIP OF THE
FIRST QUALITY ARE TO BE USED.

5) THE CONTRACTOR SHALL BE SKILLED AND REGULARLY ENGAGED IN THE GENERAL
CLASS AND TYPE OF WORK CALLED FOR IN THE PROJECT PLANS AND SPECIFICATIONS.
THEREFORE, THE OWNER IS RELYING UPON THE EXPERIENCE AND EXPERTISE OF THE
CONTRACTOR, IT SHALL BE EXPECTED THAT PRICES PROVIDED WITHIN THE CONTRACT
DOCUMENTS SHALL INCLUDE ALL LABOR AND MATERIALS NECESSARY AND PROPER FOR THE
WORK CONTEMPLATED AND THAT THE WORK BE COMPLETED IN ACCORDANCE WITH THEIR
TRUE INTENT AND PURPOSE. THE CONTRACTOR SHALL BE COMPETENT, KNOWLEDGEABLE AND
HAVE SPECIAL SKILLS ON THE NATURE, EXTENT AND INHERENT CONDITIONS OF THE
WORK TO BE PERFORMED. CONTRACTOR SHALL ALSO ACKNOWLEDGE THAT THERE ARE
CERTAIN PECULIAR AND INHERENT CONDITIONS EXISTENT IN THE CONSTRUCTION OF THE
PARTICULAR FACILITIES, WHICH MAY CREATE, DURING THE CONSTRUCTION PROGRAM,
UNUSUAL OR PECULIAR UNSAFE CONDITIONS HAZARDOUS TO PERSONS, PROPERTY,
AND THE ENVIRONMENT. CONTRACTOR SHALL BE AWARE OF SUCH PECULIAR RISKS AND
HAVE THE SKILL AND EXPERIENCE TO FORESEE AND TO ADOPT PROTECTIVE MEASURES
TO ADEQUATELY AND SAFELY PERFORM THE CONSTRUCTION WORK WITH RESPECT TO SUCH
HAZARDS.

6) THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL LICENSES REQUIRED FOR
THE CONSTRUCTION AND COMPLETION OF THE PROJECT, AND SHALL PERFORM ALL
WORK IN ACCORDANCE WITH THE REQUIREMENTS AND CONDITIONS OF ALL PERMITS AND
APPROVALS APPLICABLE TO THIS PROJECT. THE CONTRACTOR SHALL ENSURE THAT
THE NECESSARY RIGHTS-OF-WAY, EASEMENTS, AND/OR PERMITS ARE SECURED PRIOR TO
CONSTRUCTION.

7) CONTRACTOR SHALL OBTAIN AN ENCROACHMENT PERMIT WHERE APPLICABLE FOR
ANY WORK DONE WITHIN RIGHTS-OF-WAY OR EASEMENTS FROM HEBER CITY AND UDOT.
CONTRACTOR SHALL NOTIFY CITY, CITY, AND/OR STATE, 24 HOURS IN ADVANCE OF
COMMENCING THE WORK, OR AS REQUIRED BY SAID PERMITS.

8) THE CONTRACTOR SHALL, AT THE TIME OF BIDDING, AND THROUGHOUT THE PERIOD OF
THE CONTRACT, BE LICENSED IN THE STATE OF UTAH AND SHALL BE BONDABLE FOR
AN AMOUNT EQUAL TO OR GREATER THAN THE AMOUNT AND TO DO THE TYPE OF WORK
CONTEMPLATED IN THE PLANS AND SPECIFICATIONS. CONTRACTOR SHALL BE SKILLED AND
REGULARLY ENGAGED IN THE GENERAL CLASS AND TYPE OF WORK CALLED FOR IN THE PLANS
AND SPECIFICATIONS.

9) CONTRACTOR SHALL INSPECT THE SITE OF THE WORK PRIOR TO BIDDING TO SATISFY
THEMSELVES BY PERSONAL EXAMINATION OR BY SUCH OTHER MEANS AS THEY MAY PREFER,
OF THE LOCATION OF THE PROPOSED WORK, AND OF THE ACTUAL CONDITIONS OF AND AT
THE SITE OF THE WORK.

IF, DURING THE COURSE OF THEIR EXAMINATION, A BIDDER FINDS FACTS OR
CONDITIONS WHICH APPEAR TO THEM TO BE IN CONFLICT WITH THE LETTER OR SPIRIT
OF THE PROJECT PLANS AND SPECIFICATIONS, THEY SHALL CONTACT THE
ENGINEER FOR ADDITIONAL INFORMATION AND EXPLANATION BEFORE SUBMITTING
THEIR BID.

SUBMISSION OF A BID BY THE CONTRACTOR SHALL CONSTITUTE ACKNOWLEDGMENT
THAT, IF AWARDED THE CONTRACT, THEY HAVE RELIED ON AND ARE RELYING ON
THEIR OWN EXAMINATION OF (1) THE SITE OF THE WORK, (2) ACCESS TO THE SITE, AND
(3) ALL OTHER DATA AND MATTERS REQUISITE TO THE FULFILLMENT OF THE WORK
AND ON THEIR OWN KNOWLEDGE OF EXISTING FACILITIES ON AND IN THE VICINITY OF
THE SITE OF THE WORK TO BE CONSTRUCTED UNDER THIS CONTRACT.

THE INFORMATION PROVIDED BY THE OWNER OR THE ENGINEER IS NOT INTENDED TO
BE A SUBSTITUTE FOR, OR A SUPPLEMENT TO, THE NECESSARY VERIFICATION
BY THE CONTRACTOR TO THE EXTENT SUCH INDEPENDENT INVESTIGATION OF SITE
CONDITIONS IS DEEMED NECESSARY OR DESIRABLE BY THE CONTRACTOR.
CONTRACTOR SHALL ACKNOWLEDGE THAT THEY HAVE NOT RELIED SOLELY
UPON OWNER OR ENGINEER FURNISHED INFORMATION REGARDING SITE
CONDITIONS IN PREPARING AND SUBMITTING THEIR BID.

10) THE CONTRACTOR SHALL PROVIDE ALL LIGHTS, BARRICADES, SIGNS, FLAGMEN OR
OTHER DEVICES NECESSARY FOR PUBLIC SAFETY.

11) THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE ALL WATER, POWER, SANITARY
FACILITIES AND TELEPHONE SERVICES AS REQUIRED FOR THE CONTRACTORS USE DURING CONSTRUCTION.

12) THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY FIELD CHANGES MADE
WITHOUT PRIOR WRITTEN AUTHORIZATION FROM THE OWNER AND/OR ENGINEER.

13) THE CONTRACTOR SHALL EXERCISE DUE CAUTION AND SHALL CAREFULLY PRESERVE
BENCH MARKS, CONTROL POINTS, REFERENCE POINTS AND ALL SURVEY STAKES, AND SHALL
BEAR ALL EXPENSES FOR REPLACEMENT AND/OR ERRORS CAUSED BY THEIR UNNECESSARY
LOSS OR DISTURBANCE.

14) THE CONTRACTOR AGREES THAT:

- THEY SHALL BE RESPONSIBLE TO CLEAN THE JOB SITE AT THE END OF EACH
PHASE OF WORK.
- THEY SHALL BE RESPONSIBLE TO REMOVE AND DISPOSE OF ALL TRASH, SCRAP
AND UNUSED MATERIAL AT THEIR OWN EXPENSE IN A TIMELY MANNER.
- THEY SHALL BE RESPONSIBLE TO MAINTAIN THE SITE IN A NEAT, SAFE AND
ORDERLY MANNER AT ALL TIMES.
- THEY SHALL BE RESPONSIBLE TO KEEP MATERIALS, EQUIPMENT, AND TRASH OUT
OF THE WAY OF OTHER CONTRACTORS SO AS NOT TO DELAY THE JOB. FAILURE
TO DO SO WILL RESULT IN A DEDUCTION FOR THE COST OF CLEAN UP FROM
THE FINAL PAYMENT.
- THEY SHALL BE RESPONSIBLE FOR THEIR OWN SAFETY, TRAFFIC CONTROL,
PERMITS, RETESTING AND REINSPECTIONS AT THEIR OWN EXPENSE.
- UNLESS OTHERWISE NOTED ALL EXCESS SOILS AND MATERIALS SHALL BECOME
THE PROPERTY OF THE CONTRACTOR AND SHALL BE LAWFULLY DISPOSED OF OFF SITE
AT THE CONTRACTOR'S EXPENSE.

15) THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR
JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT,
INCLUDING SAFETY AND PROPERTY. UTAH STATUTE REQUIREMENT SHALL APPLY
CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. THE CONTRACTOR SHALL
DEFEND, INDEMNIFY AND HOLD THE OWNER AND ENGINEER HARMLESS FROM ANY AND ALL
LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS
PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE
OWNER OR THE ENGINEER.

16) DUST TO BE CONTROLLED 24 HOURS PER DAY, 7 DAYS PER WEEK, AS CONDITIONS
DICTATE, WITH A WATER TRUCK.

MISC CONSTRUCTION NOTES

17) CONSTRUCTION STAKING FOR LIMITS OF DISTURBANCE INCLUDING CONSTRUCTION
AND SILT FENCES, GRADINGS, CURB, GUTTER, SIDEWALK, SANITARY SEWER, STORM DRAIN,
WATER, AND ELECTROLES MAY BE DONE BY AWARDED SURVEYOR. THE CONTRACTOR SHALL
NOTIFY THE ENGINEER FORTY-EIGHT (48) HOURS IN ADVANCE OF THE NEED FOR STAKING, ANY
STAKING REQUESTED BY THE CONTRACTOR OR THEIR SUBCONTRACTORS THAT IS ABOVE AND
BEYOND STANDARD STAKING NEEDS, WILL BE SUBJECT TO AN EXTRA WORK BACK CHARGE TO THE
CONTRACTOR.

18) FOR ALL WORK WITHIN PUBLIC RIGHTS-OF-WAY OR EASEMENTS, THE CONTRACTOR
SHALL PRESERVE THE INTEGRITY AND LOCATION OF ANY AND ALL PUBLIC UTILITIES AND
PROVIDE THE NECESSARY CONSTRUCTION TRAFFIC CONTROL. CONTRACTOR SHALL,
THROUGH THE ENCROACHMENT PERMIT PROCESS, VERIFY WITH THE NECESSARY REGULATORY
AGENCIES THE NEED FOR ANY TRAFFIC ROUTING PLAN. IF A PLAN IS REQUIRED, CONTRACTOR
SHALL PROVIDE A PLAN AND RECEIVE PROPER APPROVALS PRIOR TO BEGINNING CONSTRUCTION.

19) THE CONTRACTOR SHALL BE RESPONSIBLE FOR ADEQUATELY SCHEDULING
INSPECTION AND TESTING OF ALL FACILITIES CONSTRUCTED UNDER THIS CONTRACT. ALL
TESTING SHALL CONFORM TO THE REGULATORY AGENCY'S STANDARD SPECIFICATIONS. ALL
TESTING AND INSPECTION SHALL BE PAID FOR BY THE OWNER; ALL RE-TESTING AND/OR
RE-INSPECTION SHALL BE PAID FOR BY THE CONTRACTOR.

20) IF EXISTING IMPROVEMENTS NEED TO BE DISTURBED AND/OR REMOVED FOR THE
PROPER PLACEMENT OF IMPROVEMENTS TO BE CONSTRUCTED BY THESE PLANS, THE
CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING EXISTING IMPROVEMENTS FROM
DAMAGE. COST OF REPLACING OR REPAIRING EXISTING IMPROVEMENTS SHALL BE INCLUDED IN THE
UNIT PRICE BID FOR ITEMS REQUIRING REMOVAL AND/OR REPLACEMENT OF EXISTING
IMPROVEMENTS. THERE WILL BE NO EXTRA COST DUE THE CONTRACTOR FOR REPLACING OR
REPAIRING EXISTING IMPROVEMENTS.

21) WHENEVER EXISTING FACILITIES ARE REMOVED, DAMAGED, BROKEN, OR CUT IN THE
INSTALLATION OF THE WORK COVERED BY THESE PLANS OR SPECIFICATIONS, SAID
FACILITIES SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE, AFTER PROPER
BACKFILLING AND/OR CONSTRUCTION, WITH MATERIALS EQUAL TO OR BETTER THAN THE
MATERIALS USED IN THE ORIGINAL EXISTING FACILITIES. THE FINISHED PRODUCT SHALL BE
SUBJECT TO THE APPROVAL OF THE OWNER, THE ENGINEER, AND THE RESPECTIVE
REGULATORY AGENCY.

22) THE CONTRACTOR SHALL MAINTAIN A NEATLY MARKED SET OF FULL-SIZE AS-BUILT
RECORD DRAWINGS SHOWING THE FINAL LOCATION AND LAYOUT OF ALL MECHANICAL,
ELECTRICAL AND INSTRUMENTATION EQUIPMENT, PIPING AND CONDUITS, STRUCTURES AND
OTHER FACILITIES. THE AS-BUILTS OF THE ELECTRICAL SYSTEM SHALL INCLUDE THE STREET
LIGHT LAYOUT PLAN SHOWING LOCATION OF LIGHTS, CONDUITS, CONDUCTORS, POINTS OF
CONNECTIONS TO SERVICES, PULLBOXES, AND WIRE SIZES. AS-BUILT RECORD DRAWINGS
SHALL REFLECT CHANGE ORDERS, ACCOMMODATIONS, AND ADJUSTMENTS TO ALL
IMPROVEMENTS CONSTRUCTED. WHERE NECESSARY, SUPPLEMENTAL DRAWINGS SHALL BE
PREPARED AND SUBMITTED BY THE CONTRACTOR PRIOR TO ACCEPTANCE OF THE PROJECT.
THE CONTRACTOR SHALL DELIVER TO THE ENGINEER, ONE SET OF NEATLY MARKED
AS-BUILT RECORD DRAWINGS SHOWING THE INFORMATION REQUIRED ABOVE. AS-BUILT
RECORD DRAWINGS SHALL BE REVIEWED AND THE COMPLETE AS-BUILT RECORD DRAWING SET
SHALL BE CURRENT WITH ALL CHANGES AND DEVIATIONS REDLINED AS A PRECONDITION
TO FINAL PROGRESS PAYMENT APPROVAL AND/OR FINAL ACCEPTANCE.

23) WORK IN EASEMENTS AND/OR RIGHTS-OF-WAY IS SUBJECT TO THE APPROVAL AND
ACCEPTANCE OF THE REGULATORY AGENCY RESPONSIBLE FOR OPERATION AND/OR
MAINTENANCE OF SAID EASEMENTS AND/OR RIGHTS-OF-WAY.

24) BENCHMARK: ELEVATION: 6663.33

DESCRIPTION: W 1/4 OF SECT. 6, T2S, R5E
FOUND MONUMENT BRASS MON.

CLEARING AND GRADING NOTES:

1) CONTRACTOR SHALL PERFORM EARTHWORK IN ACCORDANCE WITH HEBER CITY
STANDARD SPECIFICATIONS, AND THE RECOMMENDED EARTHWORK SPECIFICATIONS FOUND
IN THE LATEST REPORT OF GEOTECHNICAL INVESTIGATION.

2) THE EXISTING TOPOGRAPHY SHOWN ON THESE PLANS IS BASED ON A TOPO SURVEY SUPPLIED BY
THE OWNER.

3) THE OWNER SHALL PROVIDE A TEMPORARY EROSION CONTROL PLAN AND OBTAIN ALL
PERMITS REQUIRED BY HEBER CITY CITY, AND THE STATE OF UTAH FOR TEMPORARY EROSION
CONTROL. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE TO PROVIDE ALL TEMPORARY
EROSION CONTROL AND MAINTENANCE, AND SHALL PROVIDE EROSION AND SEDIMENT CONTROL
FORMS TO THE CITY. FOR ADDITIONAL EROSION CONTROL INFORMATION, SEE "EROSION
CONTROL/VEGETATION PLAN" SHEETS AND REPORTS.

4) SUBSOIL INVESTIGATIONS HAVE BEEN CONDUCTED AT THE SITE OF THE WORK.
COPIES OF THE SOILS REPORT MAY BE OBTAINED AT THE OFFICE OF WILDLING ENGR.
SOIL INVESTIGATIONS WERE CONDUCTED FOR DESIGN PURPOSES ONLY, AND THE DATA
SHOWN IN THE REPORTS ARE FOR SUBSURFACE CONDITIONS FOUND AT THE TIME OF THE
INVESTIGATION. THE OWNER AND ENGINEER DISCLAIM RESPONSIBILITY FOR THE
INTERPRETATION BY THE CONTRACTOR OF DATA, SUCH AS PROJECTION OR
EXTRAPOLATION, FROM THE TEST HOLES TO OTHER LOCATIONS ON THE SITE OF THE WORK.
SOIL BEARING VALUES AND PROFILES, SOIL STABILITY AND THE PRESENCE, LEVEL, AND
EXTENT OF UNDERGROUND WATER FOR SUBSURFACE CONDITIONS DURING CONSTRUCTION
OPERATIONS.

DEWATERING NOTES:

1) THE CONTRACTOR SHALL FURNISH, INSTALL, OPERATE AND MAINTAIN ALL
MACHINERY, APPLIANCES, AND EQUIPMENT TO MAINTAIN ALL EXCAVATIONS FREE FROM
WATER DURING CONSTRUCTION. THE CONTRACTOR SHALL DISPOSE OF THE WATER SO AS
NOT TO CAUSE DAMAGE TO PUBLIC OR PRIVATE PROPERTY, OR TO CAUSE A NUISANCE OR
MENACE TO THE PUBLIC OR VIOLATE THE LAW. THE DEWATERING SYSTEM SHALL BE
INSTALLED AND OPERATED SO THAT THE GROUND WATER LEVEL OUTSIDE THE EXCAVATION IS
NOT REDUCED TO THE EXTENT WHICH WOULD CAUSE DAMAGE OR ENDANGER ADJACENT
STRUCTURES OR PROPERTY. ALL COST FOR DEWATERING SHALL BE INCLUDED IN THE UNIT
PRICE BID FOR ALL PIPE CONSTRUCTION. THE STATIC WATER LEVEL SHALL BE DRAIN DOWN A
MINIMUM OF 1 FOOT BELOW THE BOTTOM OF EXCAVATIONS TO MAINTAIN THE
UNDISTURBED STATE OF NATURAL SOILS AND ALLOW THE PLACEMENT OF ANY FILL TO THE
SPECIFIED DENSITY. THE CONTRACTOR SHALL HAVE ON HAND, PUMPING EQUIPMENT AND
MACHINERY IN GOOD WORKING CONDITION FOR EMERGENCIES AND SHALL HAVE WORKMEN
AVAILABLE FOR ITS OPERATION. DEWATERING SYSTEMS SHALL OPERATE CONTINUOUSLY
UNTIL BACKFILL HAS BEEN COMPLETED TO 1 FOOT ABOVE THE NORMAL STATIC
GROUNDWATER LEVEL.

2) THE CONTRACTOR SHALL CONTROL SURFACE WATER TO PREVENT ENTRY INTO
EXCAVATIONS, AT EACH EXCAVATION, A SUFFICIENT NUMBER OF TEMPORARY OBSERVATION
WELLS TO CONTINUOUSLY CHECK THE GROUNDWATER LEVEL SHALL BE PROVIDED.

3) PUMPS SHALL BE AT THE LOW POINT OF EXCAVATION. EXCAVATION SHALL BE GRADED
TO DRAIN TO THE PUMPS.

4) THE CONTROL OF GROUNDWATER SHALL BE SUCH THAT SOFTENING OF THE BOTTOM OF
EXCAVATIONS, OR FORMATION OF "QUICK" CONDITIONS OR "BOILS", DOES NOT OCCUR.

DEWATERING SYSTEMS SHALL BE DESIGNED AND OPERATED SO AS TO PREVENT REMOVAL
OF THE NATURAL SOILS. THE RELEASE OF GROUNDWATER AT ITS STATIC LEVEL SHALL BE
PERFORMED IN SUCH A MANNER AS TO MAINTAIN THE UNDISTURBED STATE OF NATURAL
FOUNDATIONS SOILS, PREVENT DISTURBANCE OF COMPACTED BACKFILL, AND PREVENT
FLOTATION OR MOVEMENT OF STRUCTURES, PIPELINES AND SEWERS. IF A UPDES
(UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM) PERMIT IS REQUIRED FOR
DISPOSAL OF WATER FROM CONSTRUCTION DEWATERING ACTIVITIES, IT SHALL BE OBTAINED
BY THE CONTRACTOR PRIOR TO ANY DEWATERING ACTIVITIES.

MISC CONSTRUCTION NOTES

UNDERGROUND UTILITIES:

1) THE INFORMATION SHOWN ON THE PLANS WITH REGARD TO THE EXISTING UTILITIES
AND/OR IMPROVEMENTS WAS DERIVED FROM FIELD INVESTIGATIONS AND/OR RECORD
INFORMATION. THE ENGINEER DOES NOT GUARANTEE THESE LOCATIONS TO BE EITHER
TRUE OR EXACT. PRIOR TO CONSTRUCTION, IT SHALL BE THE CONTRACTOR'S SOLE
RESPONSIBILITY TO VERIFY ALL EXISTING IMPROVEMENTS AND TO EXPOSE ALL EXISTING
UNDERGROUND UTILITIES RELATED TO THE PROJECT, INCLUDING BUT NOT LIMITED TO
SEWER, STORM DRAIN, WATER, IRRIGATION, GAS, ELECTRICAL, ETC. AND SHALL NOTIFY THE
ENGINEER FORTY-EIGHT (48) HOURS IN ADVANCE OF EXPOSING THE UTILITIES, SO THAT THE
EXACT LOCATION AND ELEVATION CAN BE VERIFIED AND DOCUMENTED. THE COST ASSOCIATED
TO PERFORM THIS WORK SHALL BE INCLUDED IN EITHER THE LUMP SUM CLEARING COST OR IN THE
VARIOUS ITEMS OF WORK. IF LOCATION AND/OR ELEVATION DIFFERS FROM THAT SHOWN ON THE DESIGN
PLANS, PROVISIONS TO ACCOMMODATE NEW LOCATION/ELEVATION MUST BE MADE PRIOR TO
CONSTRUCTION.

2) PRIOR TO COMMENCING ANY WORK, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO
HAVE EACH UTILITY COMPANY LOCATE, IN THE FIELD, THEIR MAIN AND SERVICE LINES. THE
CONTRACTOR SHALL NOTIFY BLUE STAKES AT 1-800-662-4111 48 HOURS IN ADVANCE OF
PERFORMING ANY EXCAVATION WORK. THE CONTRACTOR SHALL RECORD THE BLUE STAKES
ORDER NUMBER AND FURNISH ORDER NUMBER TO OWNER AND ENGINEER PRIOR TO ANY
EXCAVATION. IT WILL THE CONTRACTOR SOLE RESPONSIBILITY TO DIRECTLY CONTACT ANY
OTHER UTILITY COMPANES THAT ARE NOT MEMBERS OF BLUE STAKES. IT SHALL BE THE CONTRACTOR'S
SOLE RESPONSIBILITY TO PROTECT ALL EXISTING UTILITIES SO THAT NO DAMAGE RESULTS TO
THEM DURING THE PERFORMANCE OF THIS CONTRACT. ANY REPAIRS NECESSARY TO
DAMAGED UTILITIES SHALL BE PAID FOR BY THE CONTRACTOR. THE CONTRACTOR SHALL BE
REQUIRED TO COOPERATE WITH OTHER CONTRACTORS AND UTILITY COMPANIES INSTALLING NEW
STRUCTURES, UTILITIES AND SERVICE TO THE PROJECT.

3) THE CONTRACTOR SHALL PROVIDE ALL SHORING, BRACING, SLOPING OR OTHER
PROVISIONS NECESSARY TO PROTECT WORKMEN FOR ALL AREAS TO BE EXCAVATED TO A
DEPTH OF 4' OR MORE. FOR EXCAVATIONS 4 FEET OR MORE IN DEPTH, THE
CONTRACTOR SHALL COMPLY WITH INDUSTRIAL COMMISSION OF UTAH SAFETY ORDERS
SECTION 68 – EXCAVATIONS, AND SECTION 69 – TRENCHES, ALONG WITH ANY LOCAL
CODES OR ORDINANCES. ANY EXCAVATION GREATER THAN 10 FEET IN DEPTH REQUIRES A
TRENCH BOX.

4) PRIOR TO OPENING AN EXCAVATION, CONTRACTOR SHALL ENDEAVOR TO DETERMINE
WHETHER UNDERGROUND INSTALLATIONS, I.E. SEWER, WATER, FUEL, ELECTRIC LINES, ETC.,
WILL BE ENCOUNTERED AND IF SO, WHERE SUCH UNDERGROUND INSTALLATIONS ARE
LOCATED. WHEN THE EXCAVATION APPROACHES THE APPROXIMATE LOCATION OF SUCH AN
INSTALLATION, THE EXACT LOCATION SHALL BE DETERMINED BY CAREFUL PROBING OR HAND
DIGGING; AND, WHEN IT IS UNCOVERED, ADEQUATE PROTECTION SHALL BE PROVIDED FOR THE
EXISTING INSTALLATION. ALL KNOWN OWNERS OF UNDERGROUND FACILITIES IN THE AREA
CONCERNED SHALL BE ADVISED OF PROPOSED WORK AT LEAST 48 HOURS PRIOR TO THE START
OF ACTUAL EXCAVATION.

5) IN CASES OF HIGH GROUNDWATER, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO
USE RUBBER GASKET JOINTS ON ALL PRE CAST PIPES. THE COST FOR RUBBER GASKET JOINTS
SHALL BE INCLUDED IN THE UNIT PRICES OF PIPE.

6) THE CONTRACTOR SHALL PROVIDE CLAY DAMS IN UTILITY TRENCHES TO PREVENT
CHANNELING OF SUBSURFACE WATER, DURING AND AFTER CONSTRUCTION.
CONSTRUCT CLAY DAMS AT THE TOP OF GRADE BREAKS AND AT THE FOLLOWING INTERVALS: *
TRENCHES WITH SLOPES < 10% = DAMS AT 500' INTERVALS * TRENCHES WITH SLOPES > 10% =
DAMS AT 100' INTERVALS

7) IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO INSTALL PIPE OF ADEQUATE
CLASSIFICATION WITH SUFFICIENT BEDDING TO MEET ALL REQUIREMENTS AND
RECOMMENDATIONS OF HEBER CITY FOR H-20 LOAD REQUIREMENTS.

8) ALL CONSTRUCTION AND MATERIALS FOR THE SEWER MAIN AND LATERALS MUST COMPLY
WITH THE JSSD DISTRICT. THE UNIT COST OF THE SEWER LATERAL INCLUDES CONNECTION TO THE
SEWER MAIN.

9) ALL EXISTING WATER VALVES TO BE OPERATED UNDER THE DIRECTION OF JSSD PUBLIC
WORKS DEPARTMENT PERSONNEL ONLY.

10) WATER LINES SHALL BE A MINIMUM OF 10' HORIZONTALLY FROM SEWER MAINS. CROSSINGS
SHALL MEET STATE HEALTH STANDARDS. CONTRACTOR RESPONSIBLE FOR ALL NECESSARY
FITTINGS AND THRUST BLOCKS.

11) THE CONTRACTOR SHALL NOTIFY ENGINEER AT LEAST 48 HOURS PRIOR TO BACKFILLING
OF ANY PIPE WHICH STUBS TO A FUTURE PHASE OF CONSTRUCTION FOR INVERT VERIFICATION.
TOLERANCE SHALL BE IN ACCORDANCE WITH THE REGULATORY AGENCY STANDARD
SPECIFICATIONS.

12) ALL UNDERGROUND UTILITIES SHALL BE IN PLACE PRIOR TO INSTALLATION OF CURB,
GUTTER AND STREET PAVING.

SURFACE IMPROVEMENTS:

1) SUB GRADE PREPARATION: EARTHWORK FOR ROADWAY SECTIONS SHOULD BE
CONDUCTED PER THE LATEST GEOTEC REPORT. ONCE ROADWAY EXCAVATION STARTS, THE SUB
GRADE SHOULD BE SCARIFIED AND RECOMPACTED AT THE PROPER MOISTURE CONTENT TO 96
PERCENT RELATIVE DENSITY (STANDARD PROCTOR ASTM D-1557). THE NATIVE SUB GRADE
SHOULD BE FIRME AND NON-YIELDING PRIOR TO SUB BASE PLACEMENT. EVERY EFFORT
SHOULD BE MADE TO AVOID EXPOSING NATIVE SUB-GRADES TO EXCESS MOISTURE.

2) ALL MANHOLE RIMS, VALVES AND MONUMENT BOXES, ETC. SHALL BE ADJUSTED TO FINISH
GRADE AFTER STREET PAVING, UNLESS OTHERWISE NOTED. IN PAVED AREAS, PROVIDE A 1 FOOT
BY 1/2 FOOT CONCRETE COLLAR. SET CONCRETE COLLAR 3/8 INCH LOWER THAN FINISH GRADE
AT OUTER EDGE. PROVIDE CONCRETE COLLAR FOR ALL VALVES AND MONUMENTS PER HEBER CITY
STANDARD SPECIFICATIONS. COST FOR THIS WORK SHALL BE INCLUDED IN THE UNIT PRICES FOR
SAID FACILITIES.

3) PAYMENT FOR PAVEMENT WILL BE MADE ONLY FOR AREAS SHOWN ON THE PLANS.
REPLACEMENT OF PAVEMENT WHICH IS BROKEN OR CUT DURING THE INSTALLATION OF THE WORK
COVERED BY THESE SPECIFICATIONS, AND WHICH LIES OUTSIDE OF SAID AREAS, SHALL BE
INCLUDED IN THE CONTRACTOR'S UNIT PRICE FOR PAVEMENT, AND NO ADDITIONAL PAYMENT SHALL
BE MADE FOR SUCH WORK.

4) INSTALLATION OF STREET LIGHTS SHALL BE IN ACCORDANCE WITH HEBER CITY
DEVELOPMENT GUIDELINES.

5) PRIOR TO FINAL ACCEPTANCE OF THE IMPROVEMENTS BUILT TO THESE PLANS AND
SPECIFICATIONS THE CONTRACTOR SHALL BE RESPONSIBLE TO COORDINATE WITH THE OWNER,
CITY OF HEBER CITY, AND UTAH POWER TO HAVE THE ELECTRICAL SYSTEM AND ALL STREET
LIGHTS ENERGIZED.

6) THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL STRIPING
AND/OR PAVEMENT MARKINGS NECESSARY TO THE EXISTING STRIPING INTO FUTURE
STRIPING. METHOD OF REMOVAL SHALL BE BY GRINDING OR SANDBLASTING.

7) STRIPING AND PAVEMENT MARKINGS SHALL BE IN CONFORMANCE WITH UPW
SECTIONS 01570 AND 02580.

DESIGN TEAM AND CONTACT LIST
OWNER/ DEVELOPER/CLIENT

MARK 25, L.L.C.
7026 S 900 E
MIDVALE, UT 84047
TELEPHONE 801-301-3007
ATTN: RICH WOLPER

WATER QUALITY, SURFACE AND
HYDROLOGY:

GATEWAY CONSULTING, Inc.
PO Box 951005
SOUTH JORDAN, UT 84095
TELEPHONE 801-694-5848
FAX 801-432-7050

LAND PLANNING:

PRELIM PLAT

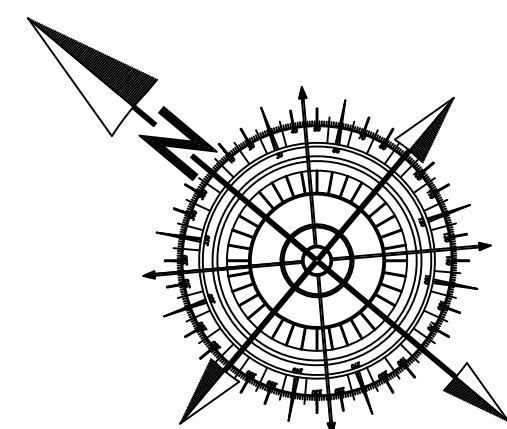
PHASE 1

SURVEYOR LOGO HERE

P.O. BOX 951005 SOUTH JORDAN, UT 84095
PH: (801) 694-5848

WASATCH COUNTY RECORDER

COUNTY RECORDER



120 0 120 240

SCALE IN FEET
1"=120' (24" x 36" SIZE ONLY)

SHEET NO

2

3

- — — — — PHASE BOUNDARY LINE
 — — — — — SECTION LINE
 — — — — — CENTER LINE
 - - - - - 10.0' P.U.E. LINE
 ● REBAR AND CAP TO BE SET
 EXISTING UDOT MONUMENT

NORTH VILLAGE CROSSINGS
PHASE 1
HEBER CITY

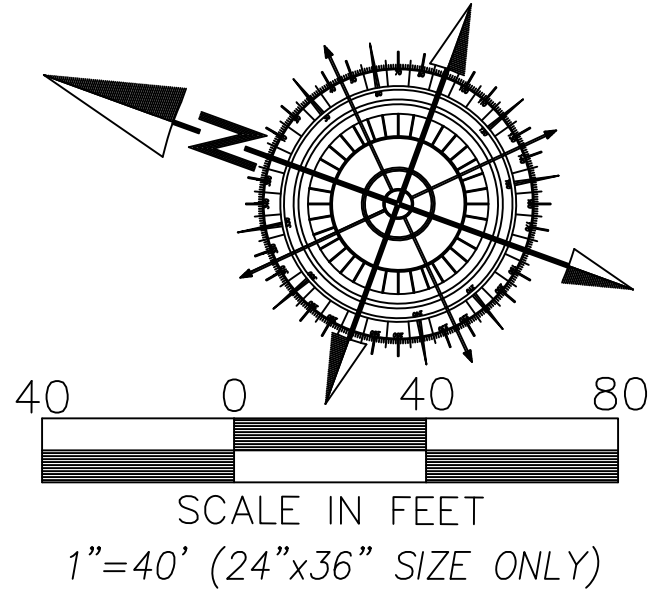
LOCATED IN THE EAST HALF OF SECTION 18,
TOWNSHIP 3 SOUTH, RANGE 5 EAST,
SALT LAKE BASE AND MERIDIAN.

PRELIM PLAT

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	101.24'	384.00'	100.95'	N19°10'29"W	15°06'21"
C2	92.28'	350.00'	92.01'	S19°10'29"E	15°06'21"
C5	32.71'	37.00'	31.66'	N36°57'05"W	50°39'34"
C6	17.31'	75.00'	17.27'	N55°40'05"W	13°13'35"
C7	32.71'	37.00'	31.66'	N74°23'04"W	50°39'34"
C8	79.43'	396.00'	79.30'	S74°32'22"W	11°29'33"
C9	86.25'	430.00'	86.11'	S74°32'22"W	11°29'33"
C10	93.07'	464.00'	92.91'	S74°32'22"W	11°29'33"
C11	32.71'	37.00'	31.66'	S54°57'22"W	50°39'34"
C12	12.81'	75.00'	12.80'	S34°31'16"W	9°47'22"
C13	31.75'	37.00'	30.78'	S14°50'04"W	49°09'47"
C14	32.72'	1000.00'	32.72'	N10°41'04"W	1°52'29"
C15	36.66'	1000.00'	36.66'	N10°34'17"W	2°06'02"
C18	62.80'	672.07'	62.78'	S8°00'27"E	5°21'13"
C19	60.72'	1000.00'	60.71'	N8°00'27"W	3°28'44"
C20	56.34'	1000.00'	56.33'	N7°54'26"W	3°13'41"
C23	122.84'	301.00'	121.99'	N17°57'34"W	23°22'58"
C24	136.72'	335.00'	135.77'	N17°57'34"W	23°22'58"

- LEGEND**

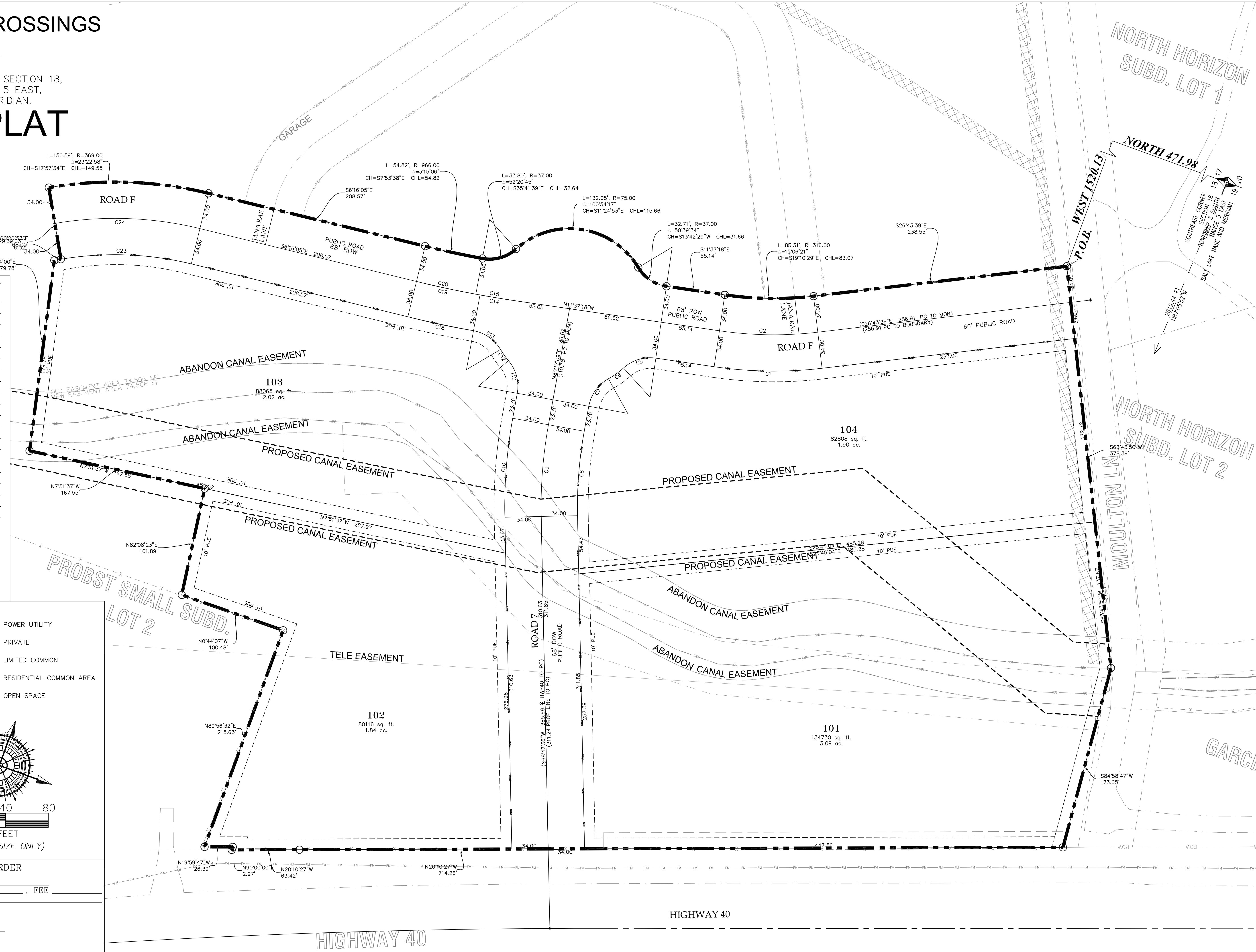
 - PHASE BOUNDARY LINE
 - SECTION LINE
 - CENTER LINE
 - P.U.E. LINE
 - REBAR AND CAP
 - STREET MONUMENT
 - FIRE HYDRANT
 - POWER UTILITY
 - PRIVATE
 - LIMITED COMMON
 - RESIDENTIAL COMMON AREA
 - OPEN SPACE

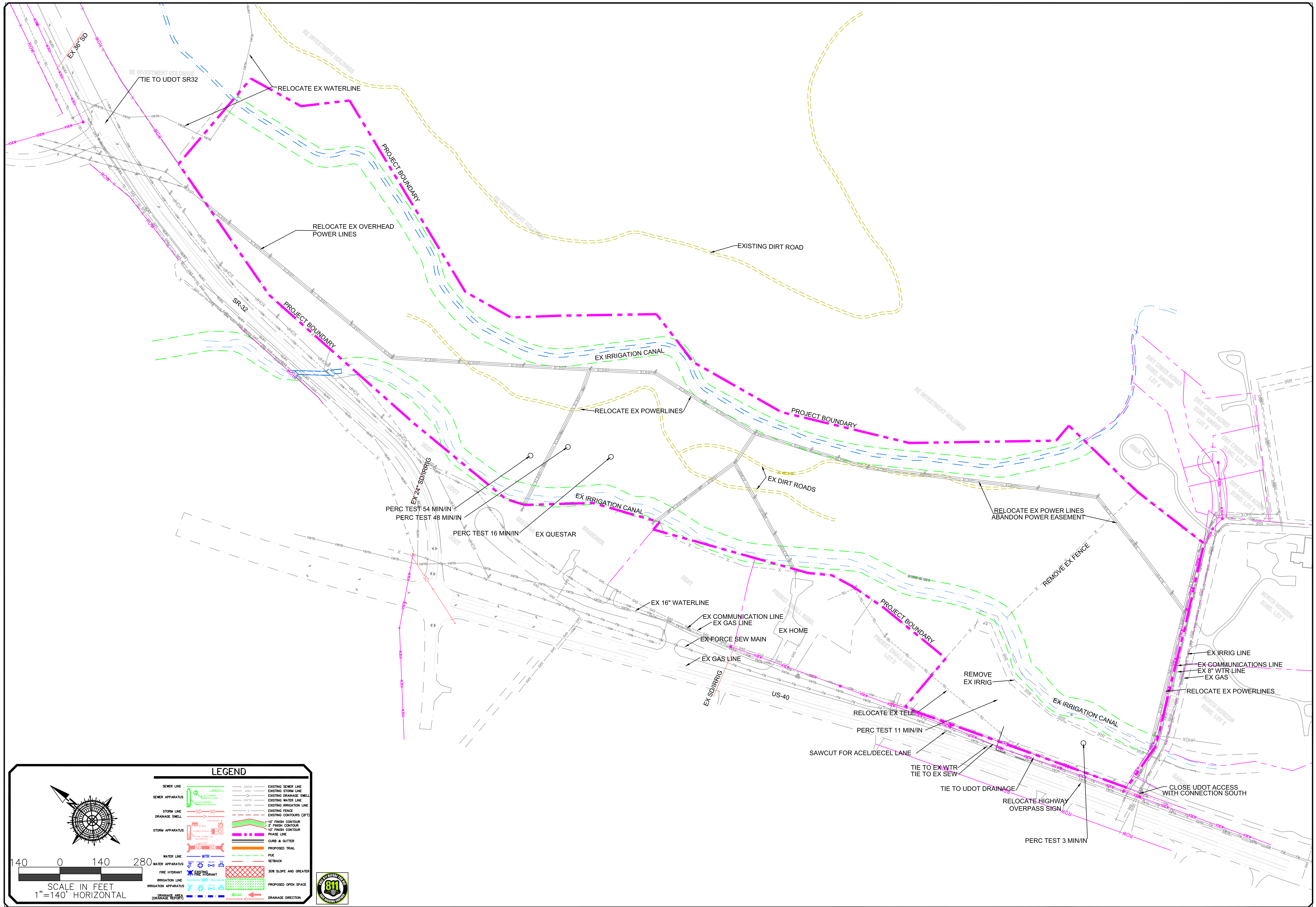


SHEET NO
3
3

WASATCH COUNTY RECORDER
NO. BOOK PAGE DATE
STATE OF UTAH, COUNTY OF WASATCH, TIME, FEE
RECORDED AND FILED AT THE REQUEST OF

COUNTY RECORDER





NO.	DESCRIPTION	DATE	APP'D

ORIG. DATE:	6-1-16
SURVEY BY:	GPW
DRAWN BY:	GPW
DESIGNED BY:	GPW
CHECKED BY:	GPW
SCALE:	1"=140'



GATEWAY CONSULTING, Inc
P.O. BOX 951005 SOUTH JORDAN, UT 84095
PH: (801) 694-5848
paul@gatewayconsultingllc.com

CIVIL ENGINEERING * CONSULTING * LAND PLANNING
CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS

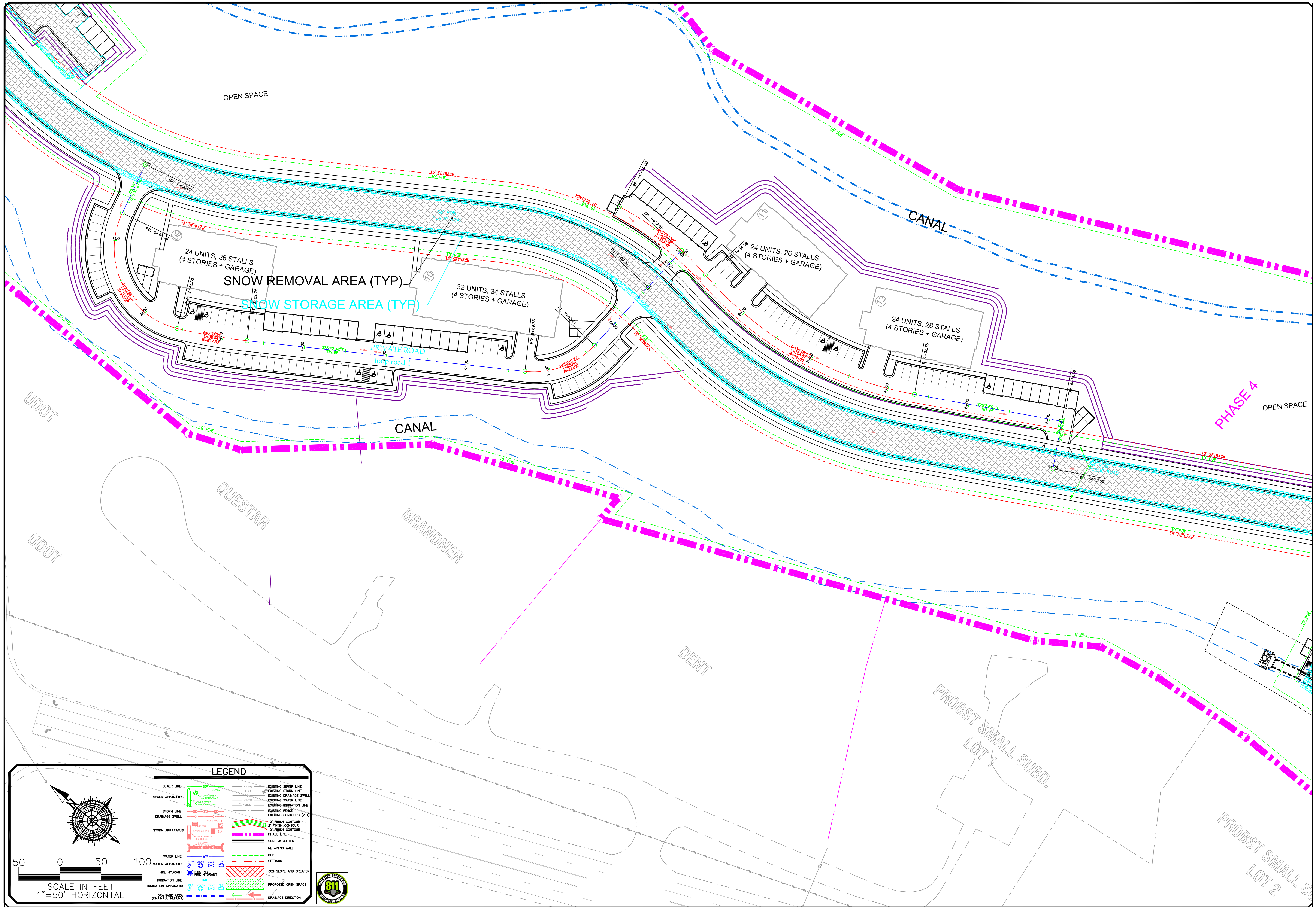
EXISTING SITE PLAN
GEOTEC AND DEMO PLAN

5-31-2024

HEBER CITY



SHEET NO. **3**



LEGEND

SEWER LINE	EXISTING SEWER LINE
SEWER APPARATUS	EXISTING STORM LINE
STORM LINE	EXISTING DRAINAGE SWELL
DRAINAGE SWELL	EXISTING WATER LINE
STORM APPARATUS	EXISTING IRRIGATION LINE
WATER LINE	EXISTING FENCE
WATER APPARATUS	EXISTING CONTOURS (2FT)
FIRE HYDRANT	10' FINISH CONTOUR
IRRIGATION APPARATUS	2' FINISH CONTOUR
DRAINAGE APPARATUS	10' FINISH CONTOUR
	PHASE LINE
	CURE & OUTER
	RETAINING WALL
	PUE
	SETBACK
	30% SLOPE AND GREATER
	PROPOSED OPEN SPACE
	DRAINAGE DIRECTION

50 0 50 100
SCALE IN FEET
1"=50' HORIZONTAL



NO.	DESCRIPTION	DATE	APP'D

ORIG. DATE:	8-5-14
SURVEY BY:	GPW
DRAWN BY:	GPW
DESIGNED BY:	GPW
CHECKED BY:	GPW
SCALE:	1"=140'

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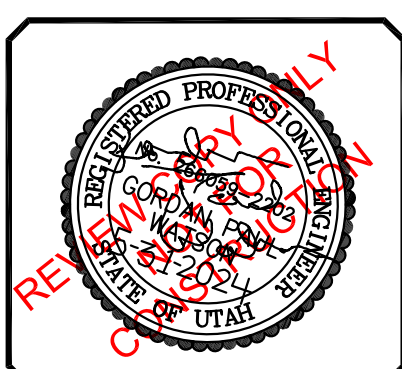
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NORTH VILLAGE CROSSINGS

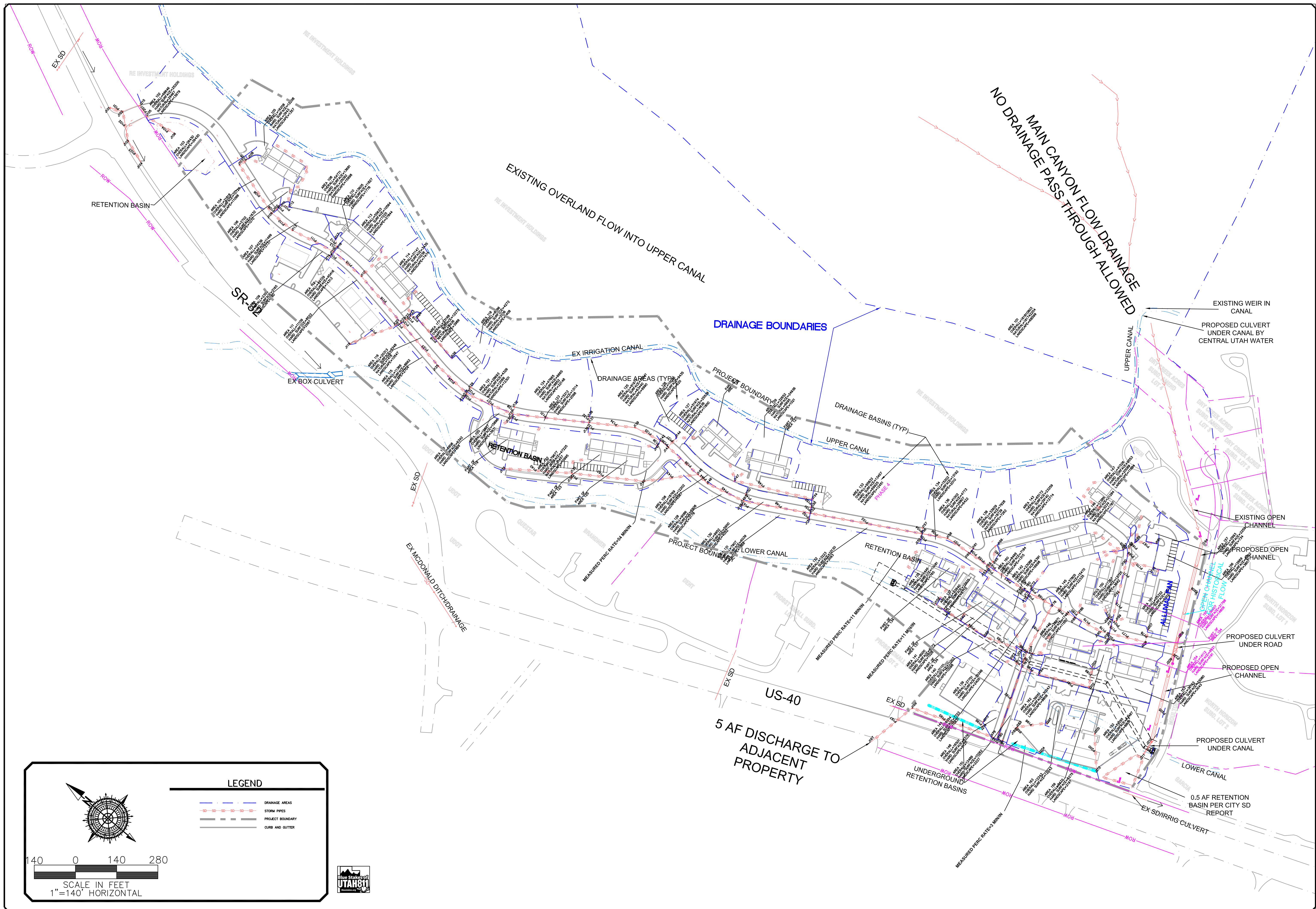
SNOW STORAGE PLAN

5-31-24

HEBER CITY



SHEET NO. 7B

[illegible]

ORIG. DATE:	6-1-16
SURVEY BY:	
DRAWN BY :	GPW
DESIGNED BY :	GPW
CHECKED BY :	GPW
SCALE :	1"=140'

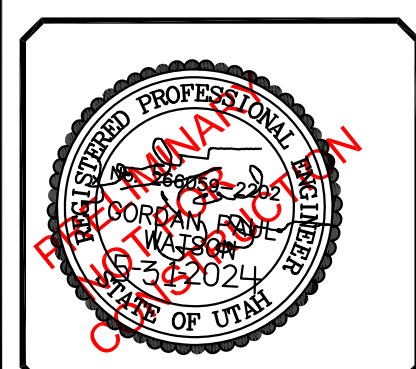


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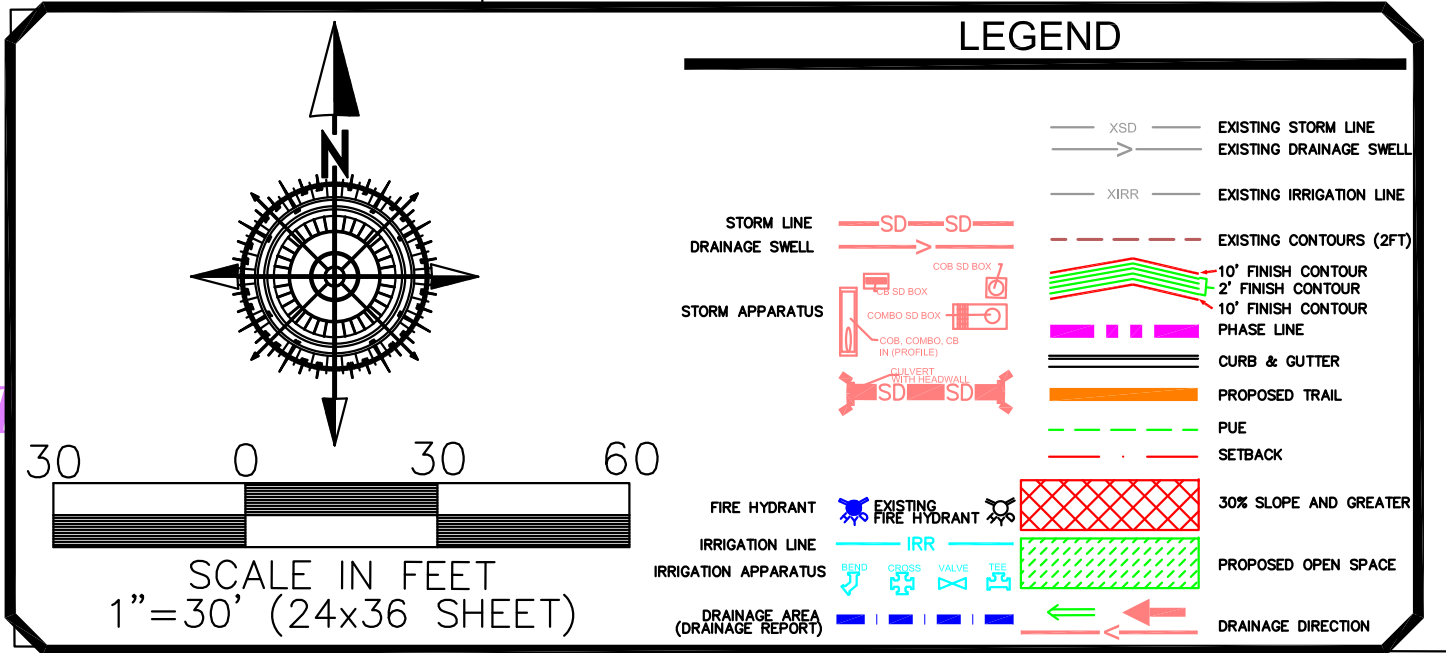
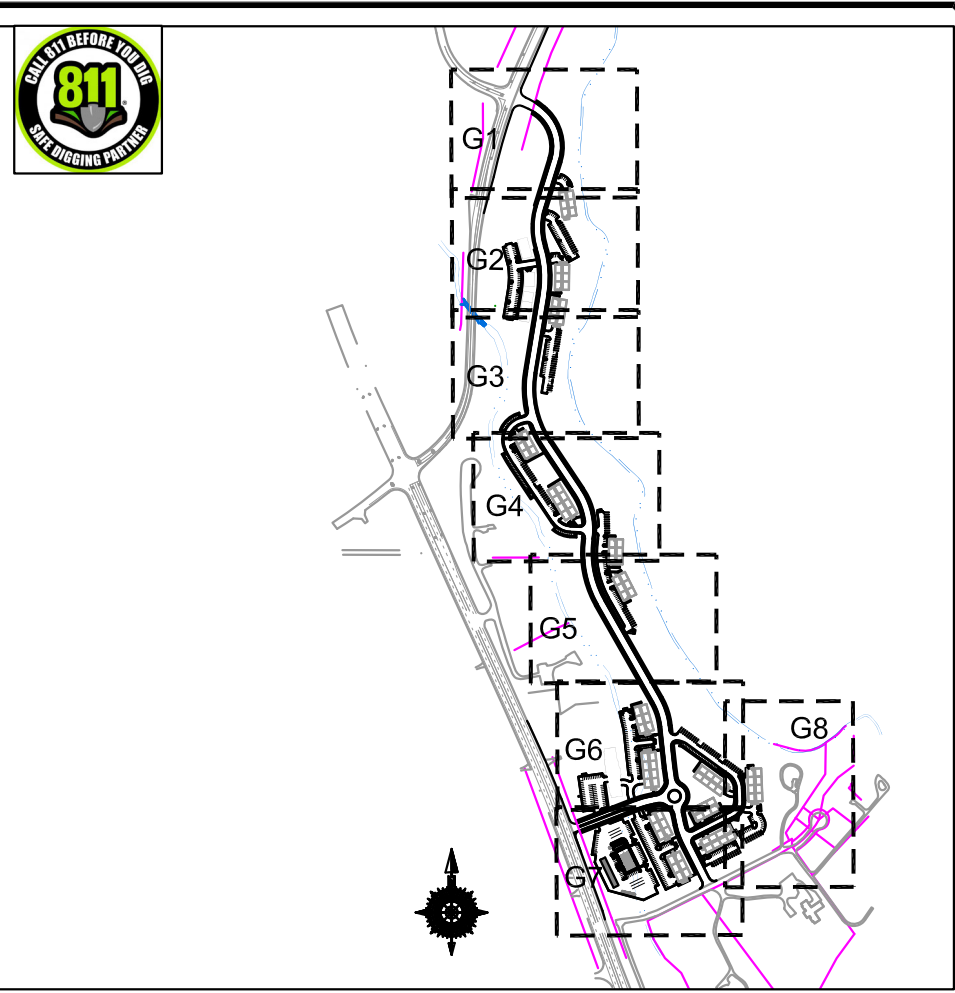
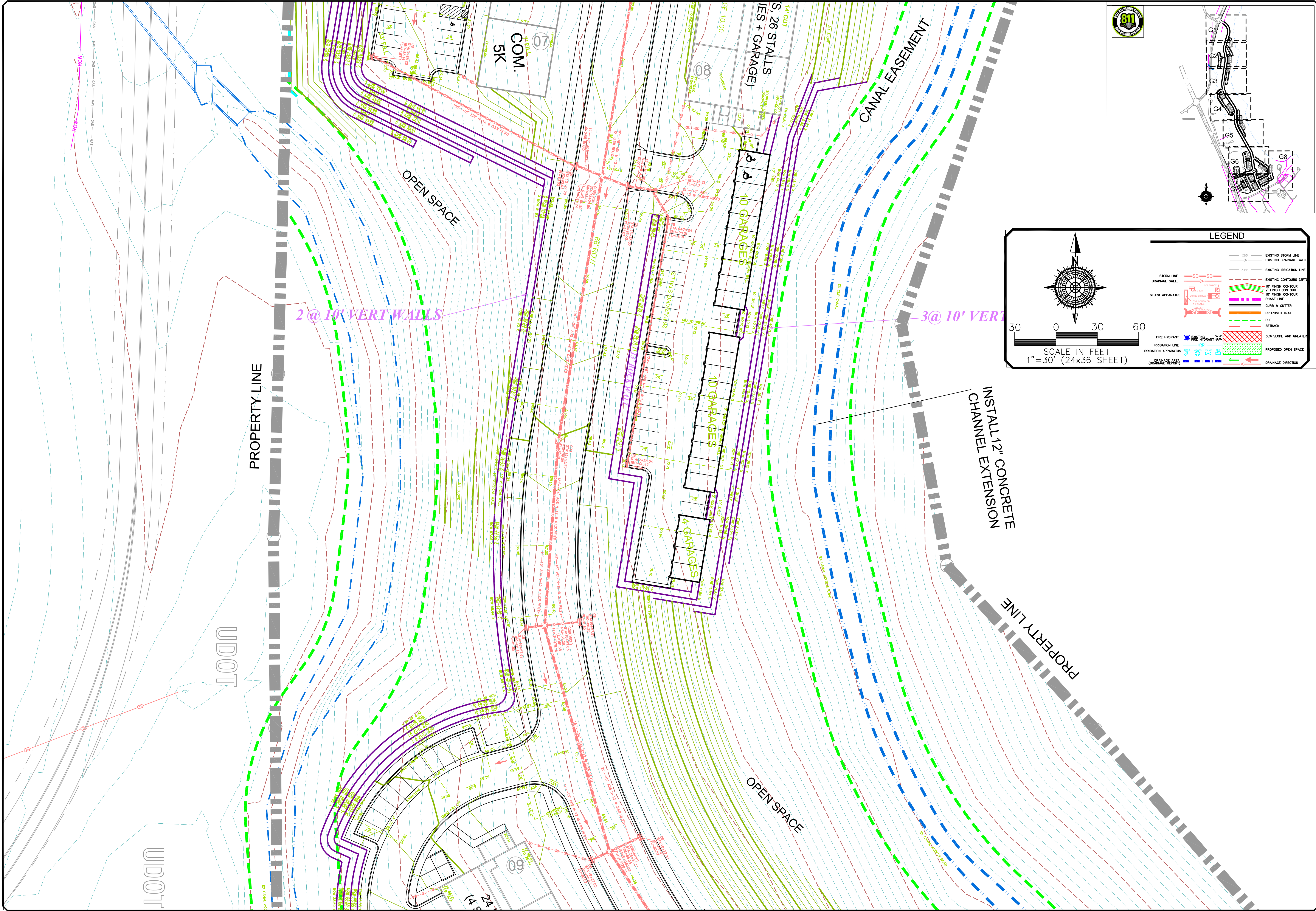
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CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS
DRAINAGE BASINS
5-31-2024

HEBER
CITY



SHEET NO. DRAIN



NO.	DESCRIPTION	DATE	APP'D

ORIG. DATE:	6-1-16
SURVEY BY:	GPW
DRAWN BY:	GPW
DESIGNED BY:	GPW
CHECKED BY:	GPW
SCALE:	1"=30'

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CIVIL ENGINEERING * CONSULTING * LAND PLANNING

CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS

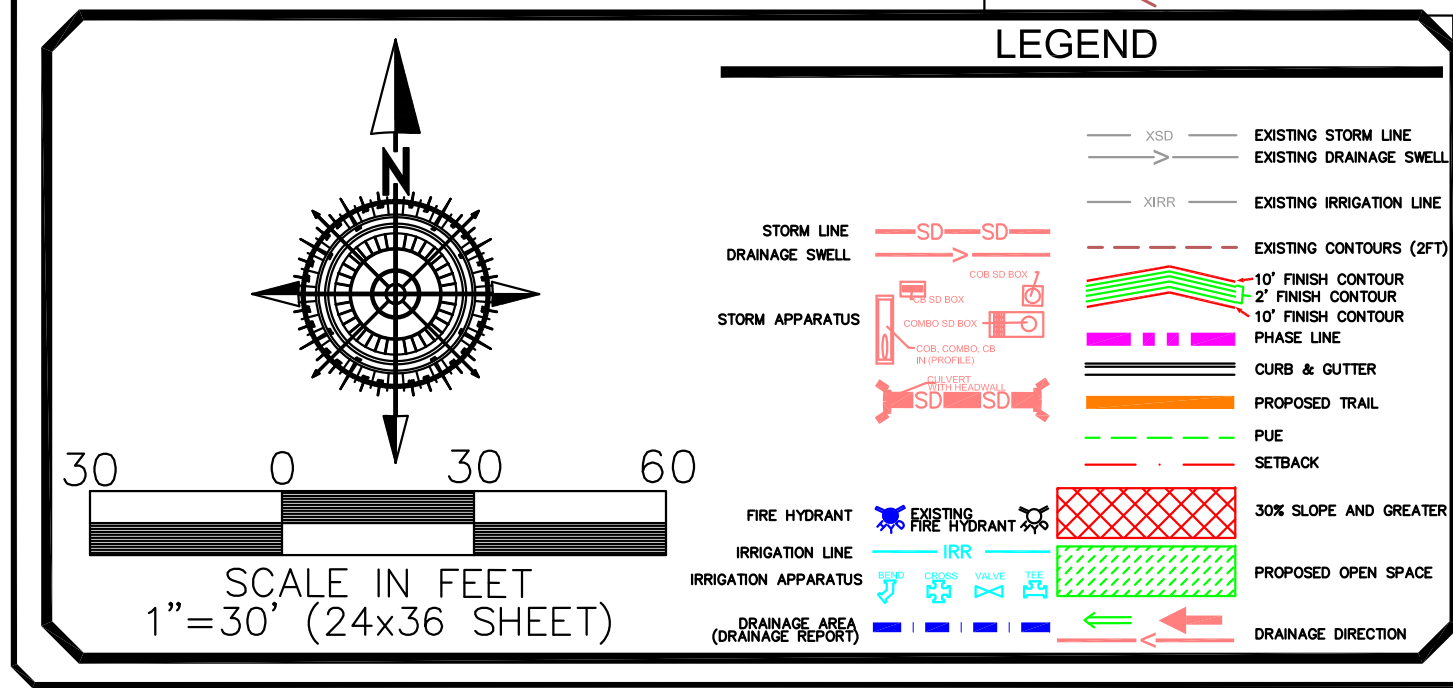
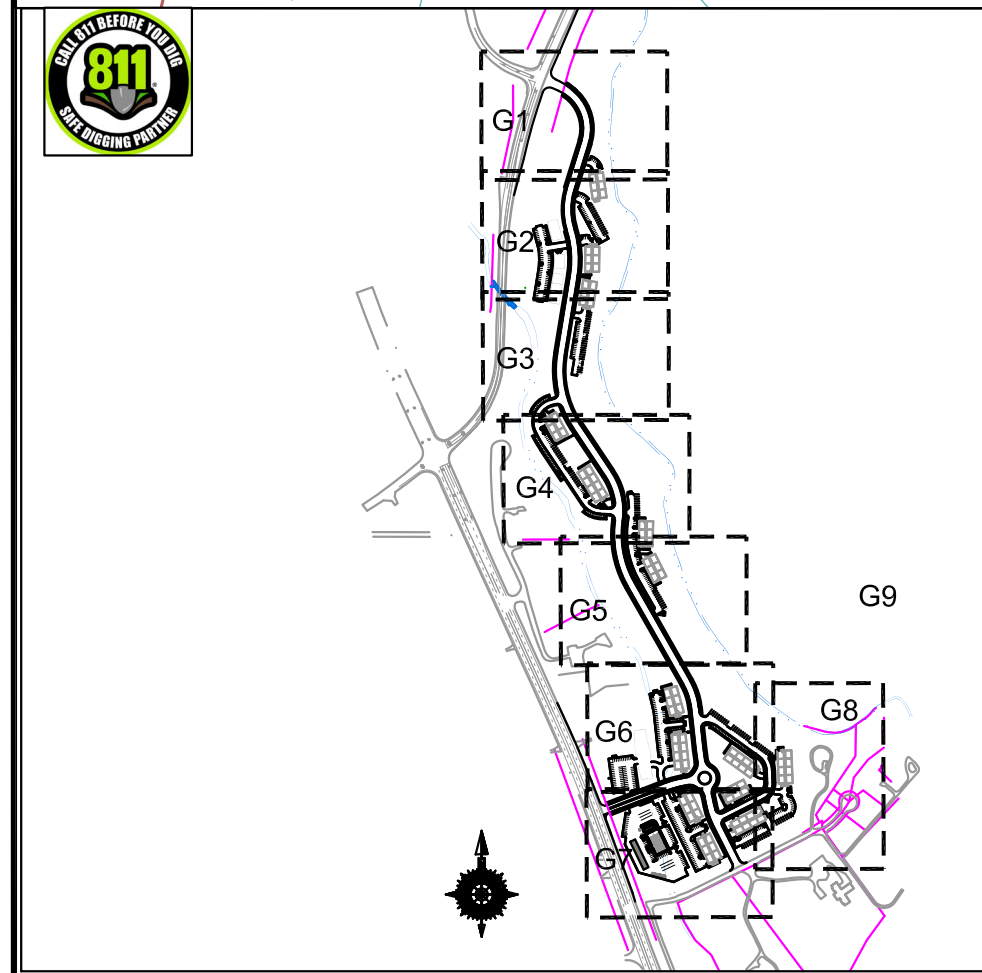
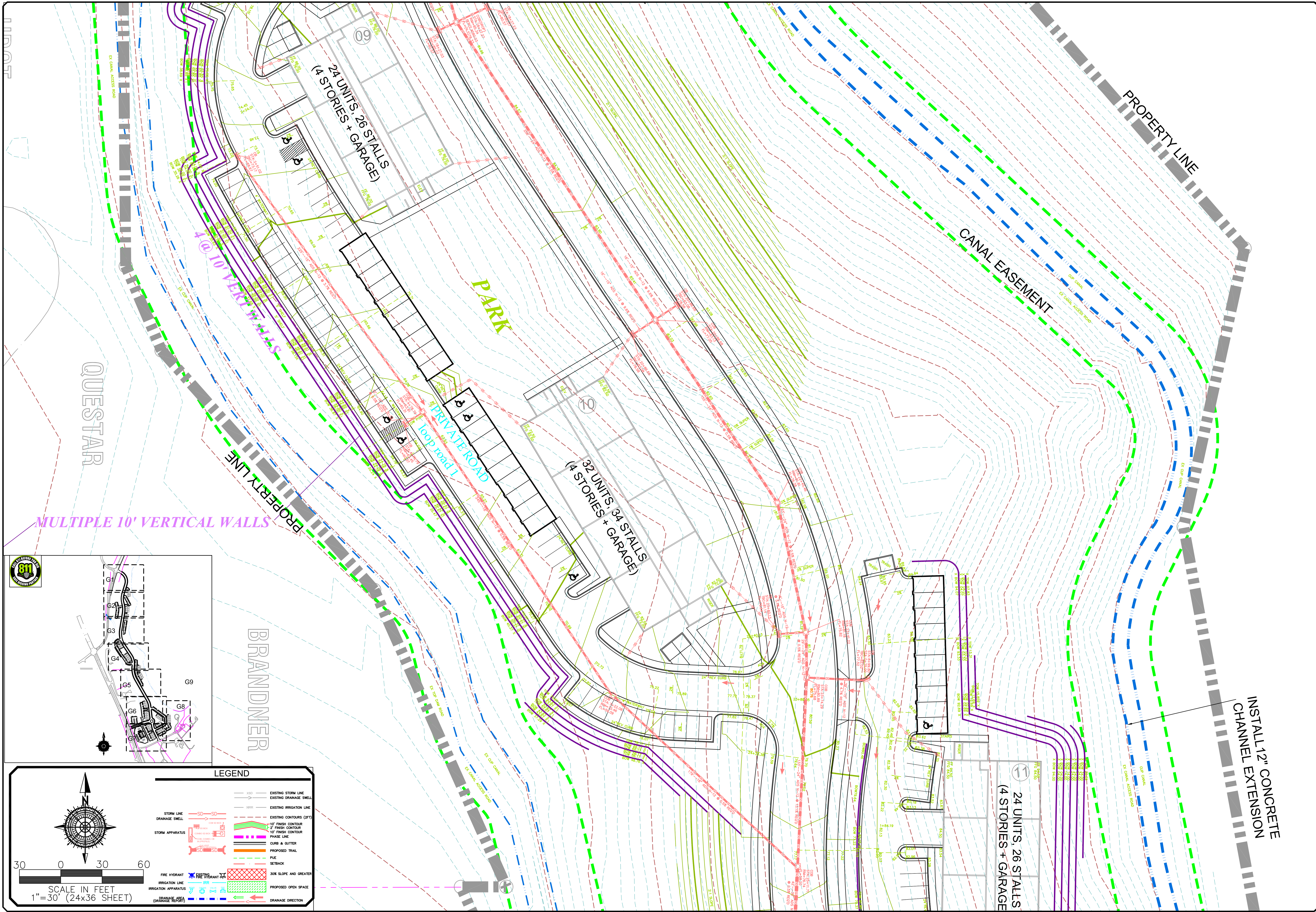
GRADING SHEET 1"=30"

5-31-2024

HEBER CITY



SHEET NO. **G3**



NO.	DESCRIPTION	DATE	APP'D

ORIG. DATE:	6-1-16
SURVEY BY:	GPW
DRAWN BY:	GPW
DESIGNED BY:	GPW
CHECKED BY:	GPW
SCALE:	1"=30'



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CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS

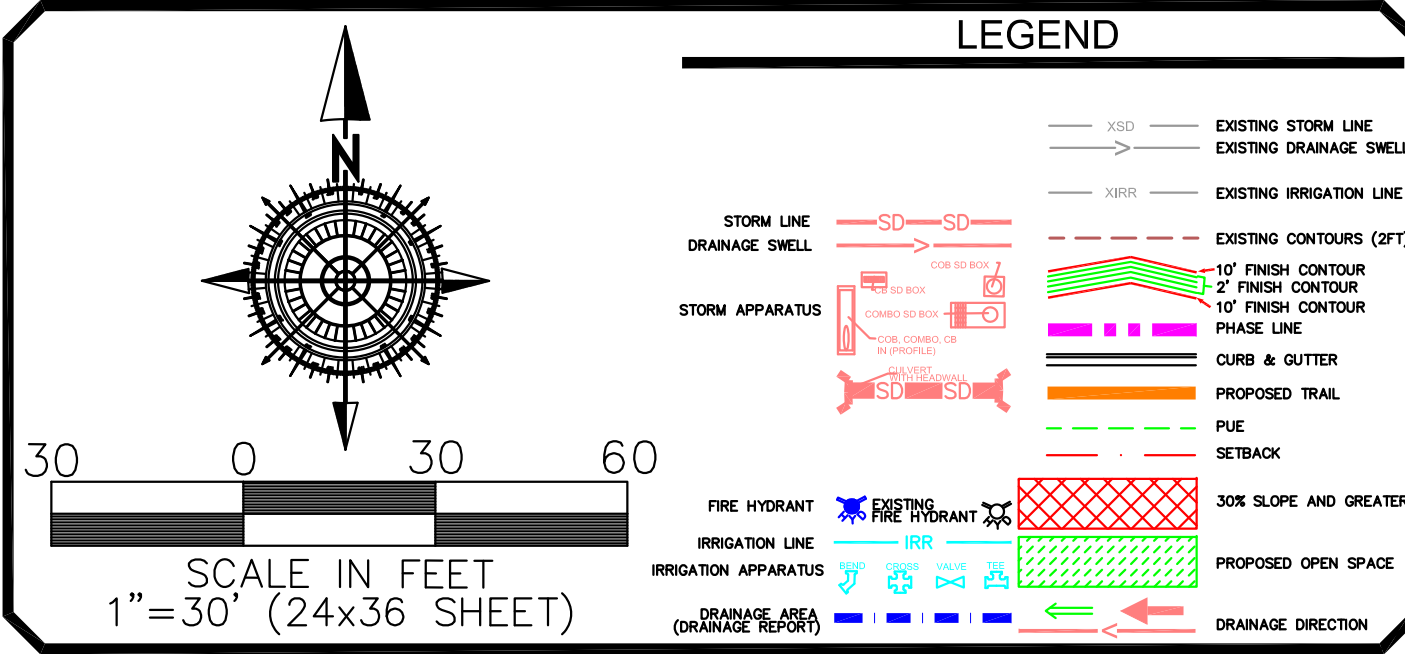
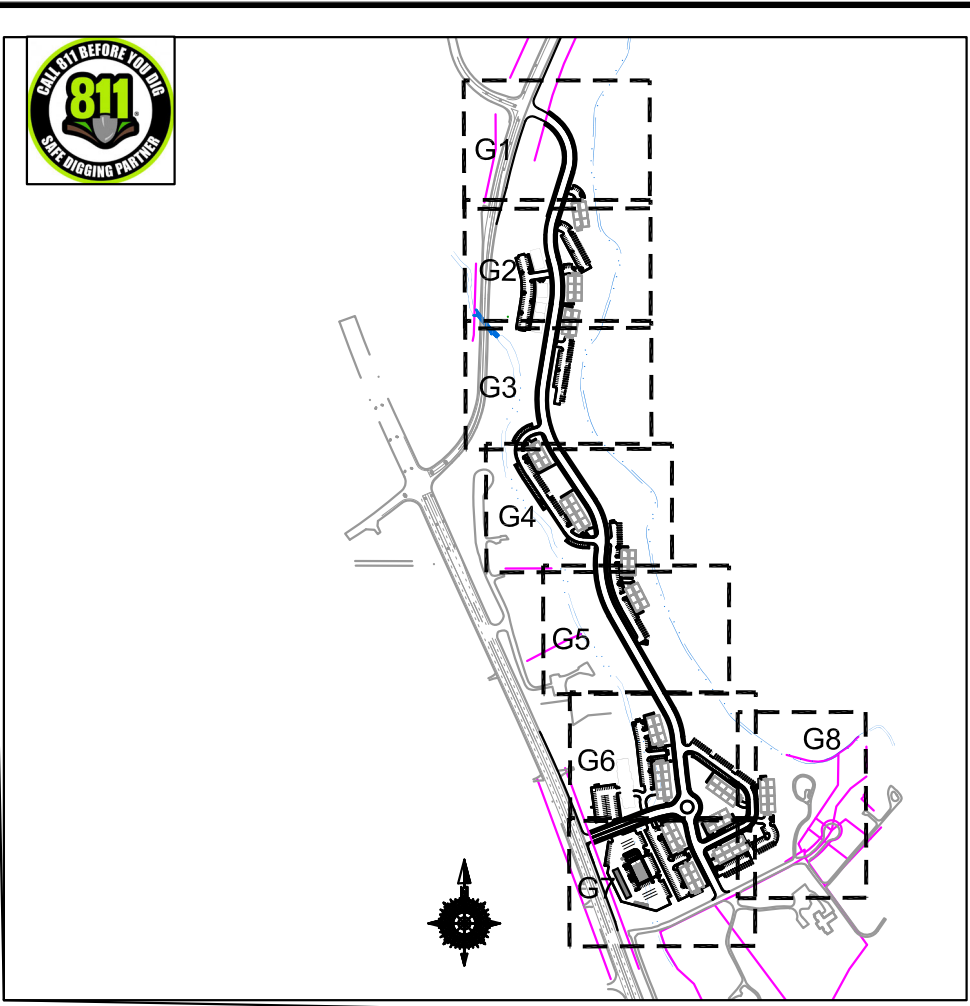
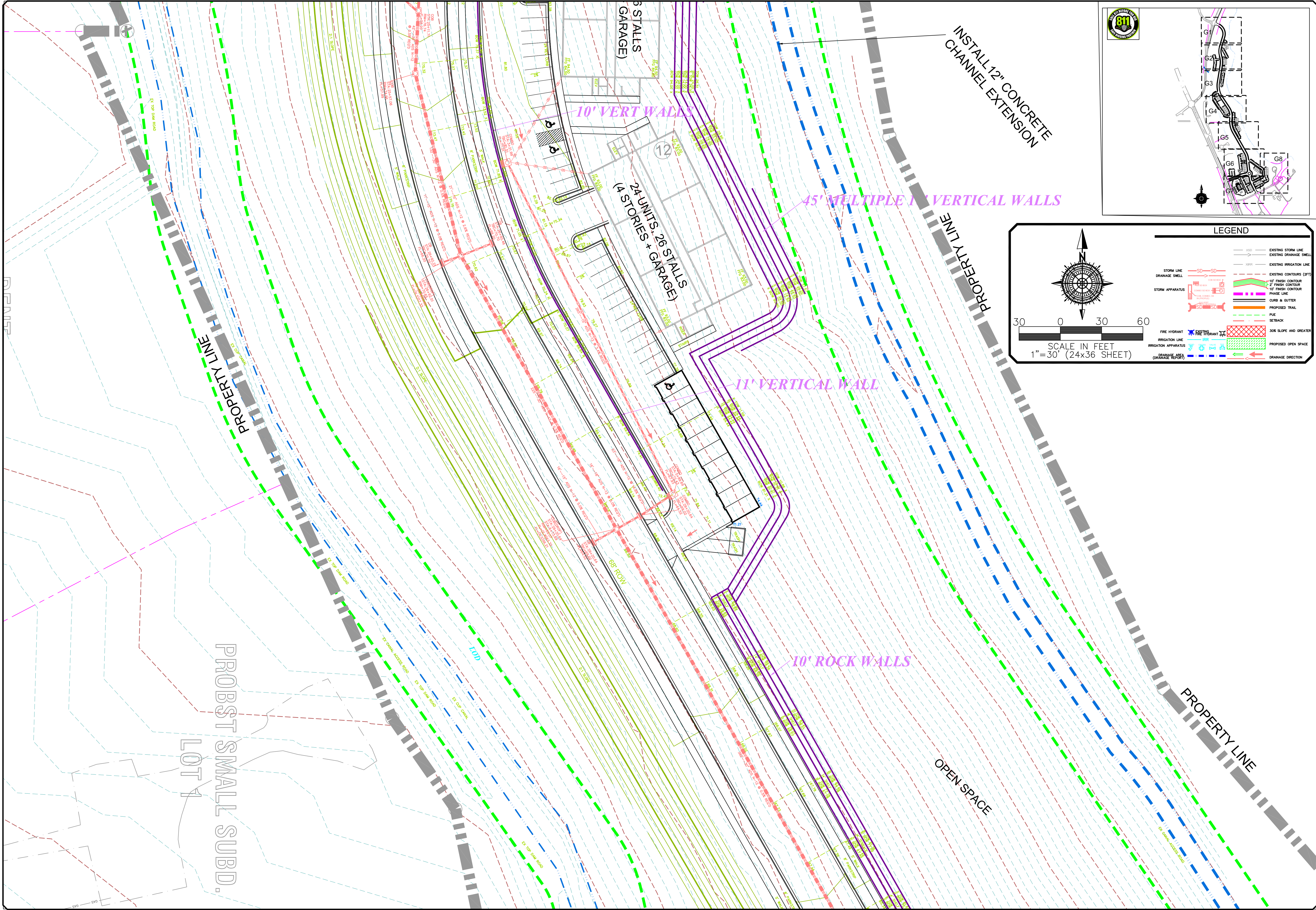
GRADING SHEET 1"=30"

5-31-2024

HEBER CITY

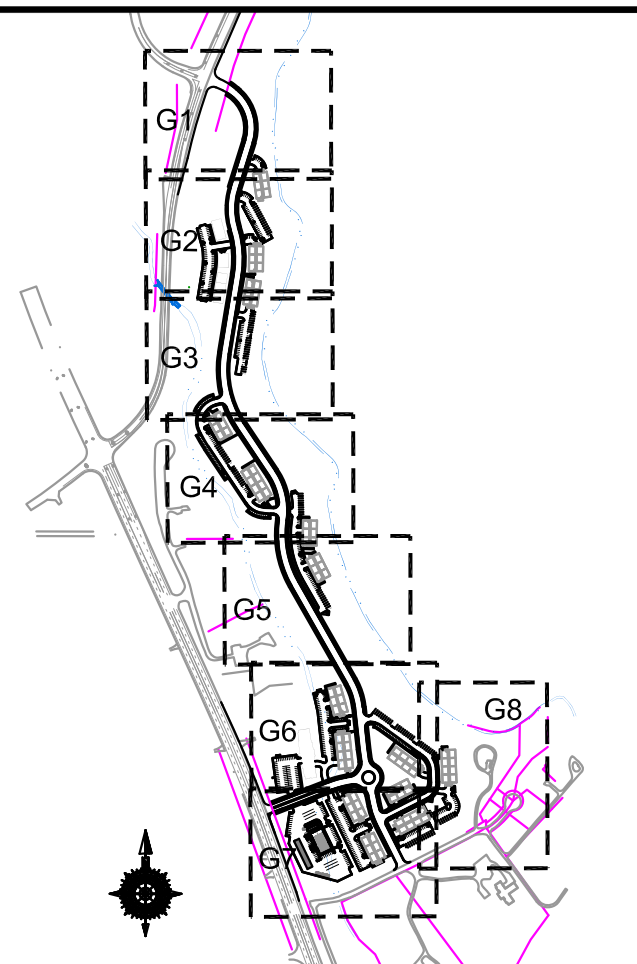


SHEET NO. G4



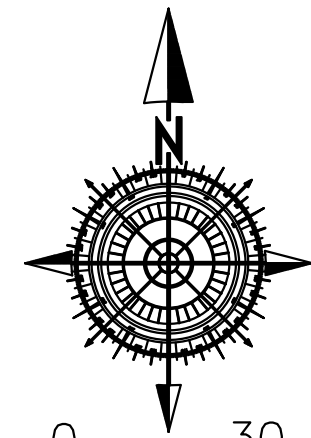
NORTH VILLAGE CROSSINGS		HEBER CITY		SHEET NO. G5	
GRADING SHEET 1" = 30"		5-31-2024		G5	
GATEWAY CONSULTING, Inc.		P.O. BOX 951005 SOUTH JORDAN, UT 84095		PH: (801) 694-5848	
paul@gatewayconsultingllc.com		DESIGNED BY : GPH		CHECKED BY : GPH	
CIVIL ENGINEERING * CONSULTING * LAND PLANNING		CONSTRUCTION MANAGEMENT		SCALE : 1" = 30'	
ORIG. DATE:		SURVEY BY:		DRAWN BY :	
NO.		DESCRIPTION		DATE	
APP'D					





LEGEND

- EXISTING STORM LINE
- EXISTING DRAINAGE SHELL
- EXISTING IRRIGATION LINE
- EXISTING CONTOURS (2 FT)
- 10' FINISH CONTOUR
- 10' FINISH CONTOUR
- PHASE LINE
- CURB & GUTTER
- PROPOSED TRAIL
- PUE
- SETBACK
- 30% SLOPE AND GREATER
- PROPOSED OPEN SPACE
- DRAINAGE DIRECTION



SCALE IN FEET
1"=30' (24x36 SHEET)

PROPERTY LINE

8' ROCK WALL

2 LEVELS PARKING
FT GARAGE 28.00

HOTEL
123 ROOMS

24 UNITS, 26 STALLS
(4 STORIES + GARAGE)

32 UNITS, 34 STALLS
(4 STORIES + GARAGE)

24 UNITS, 26 STALLS
(4 STORIES + GARAGE)

32 UNITS, 34 STALLS
(4 STORIES + GARAGE)

INSTALL 12" CONCRETE CHANNEL EXTENSION

CANAL EASEMENT

MULTIPLE 10' ROCK WALLS

OPEN SPACE

ROAD 6

PRIVATE ROAD
JANA-RAE LANE

PRIVATE ROAD

NORTH VILLAGE CROSSINGS

GRADING SHEET 1"=30"

5-31-2024

HEBER CITY



SHEET NO. G6

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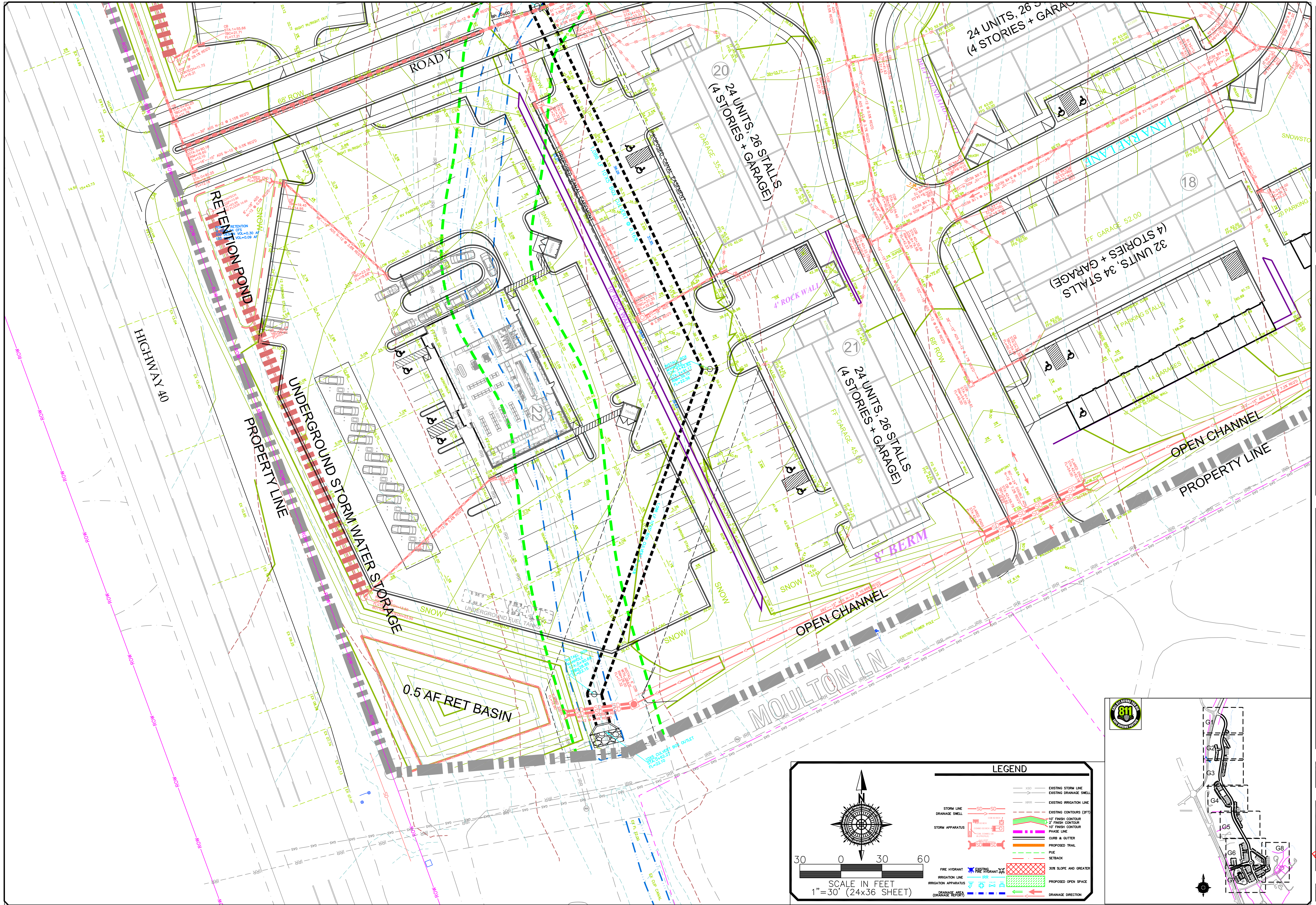
PH: (801) 694-5848

paul@gatewayconsultingllc.com

CIVIL ENGINEERING * CONSULTING * LAND PLANNING
CONSTRUCTION MANAGEMENT

ORIG. DATE:	6-1-16
SURVEY BY:	GPW
DRAWN BY:	GPW
DESIGNED BY:	GPW
CHECKED BY:	GPW
SCALE:	1"=30'

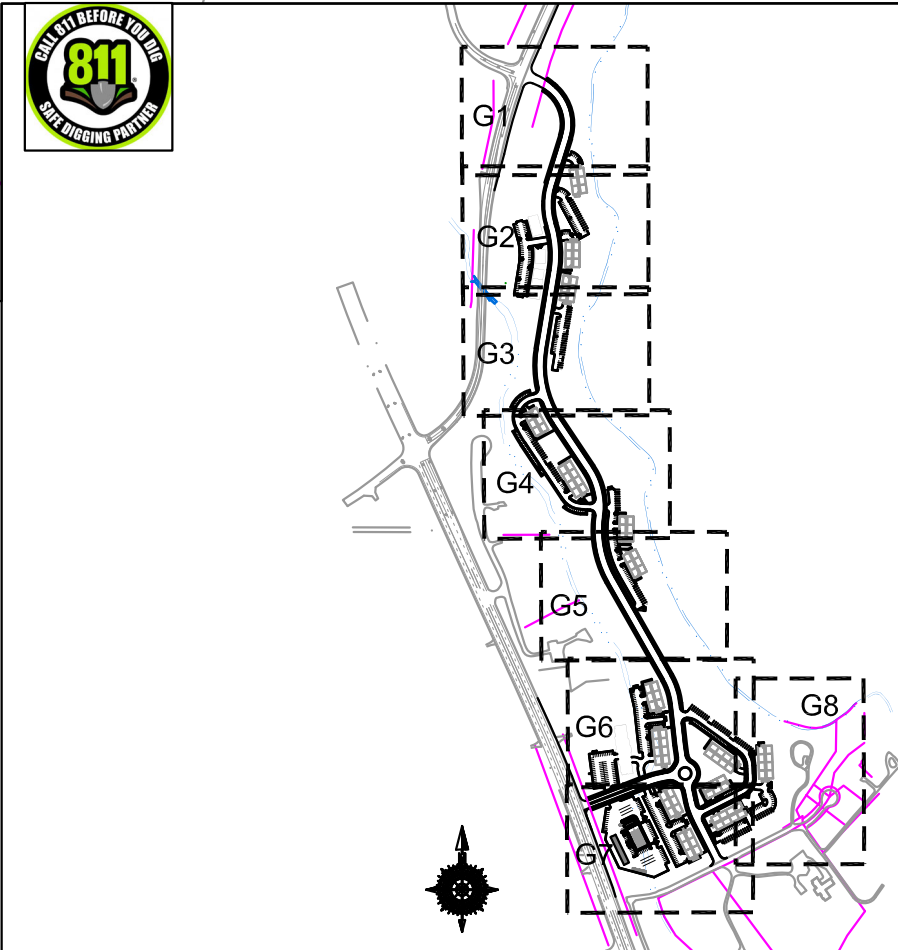
NO.	DESCRIPTION	DATE	APP'D



30 0 30 60
SCALE IN FEET
1"=30' (24x36 SHEET)

LEGEND

EXISTING STORM LINE	SD
EXISTING DRAINAGE SWELL	SD
STORM APPARATUS	SD
EXISTING CONTOURS (FT)	SD
10' FINISH CONTOUR	SD
2' FINISH CONTOUR	SD
15' FINISH CONTOUR	SD
CLUB & GUTTER	SD
PROPOSED TRAIL	SD
PUE	SD
SETBACK	SD
30% SLOPE AND GREATER	SD
PROPOSED OPEN SPACE	SD
DRAINAGE DIRECTION	SD



GATEWAY CONSULTING, Inc
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CONSTRUCTION MANAGEMENT

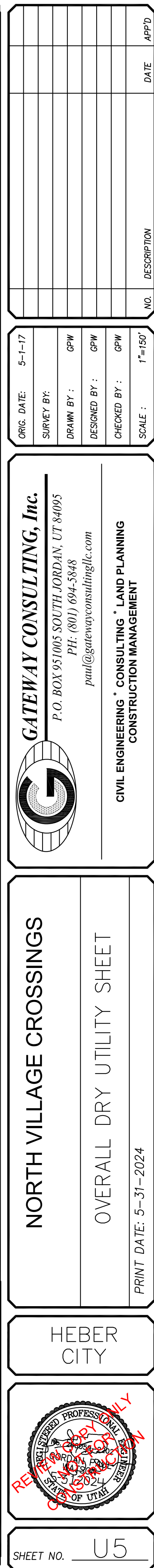
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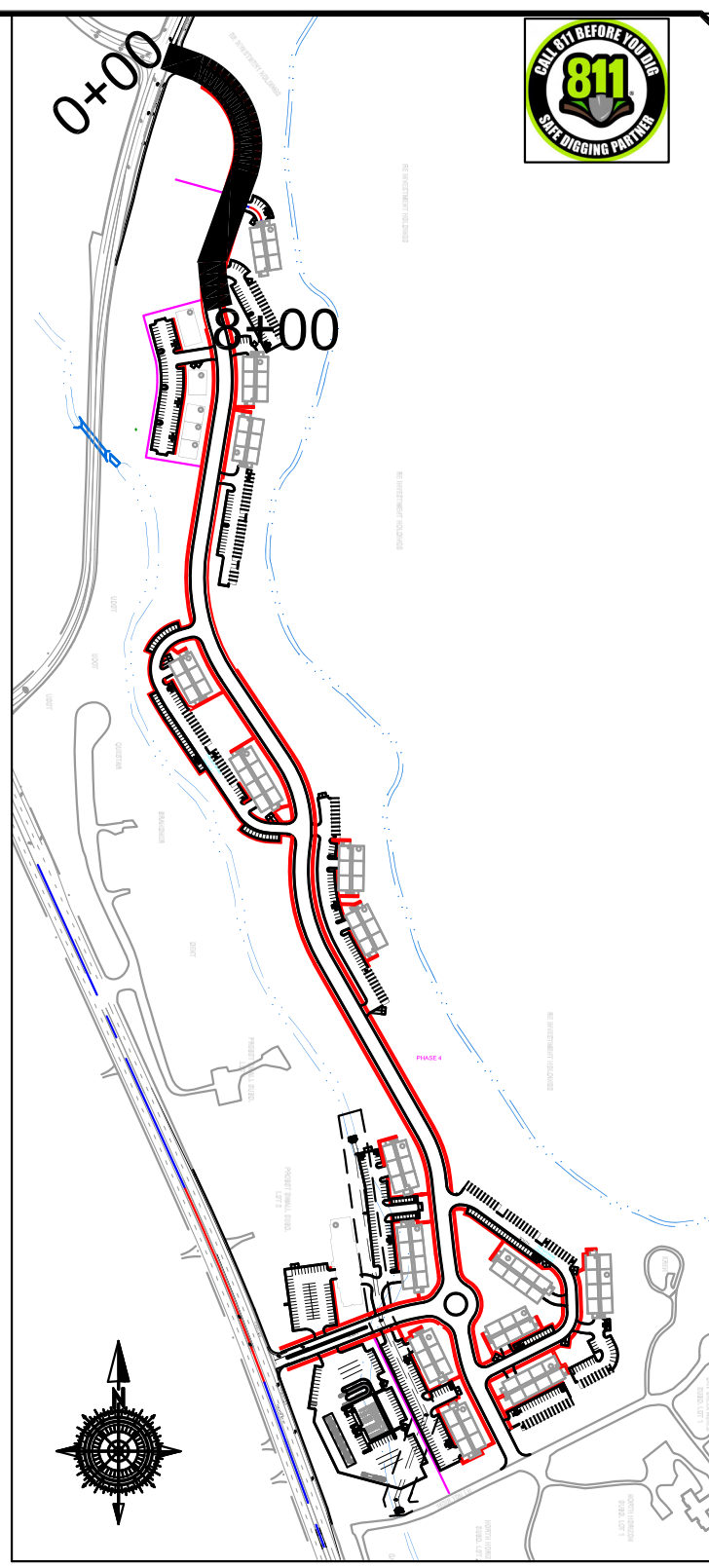
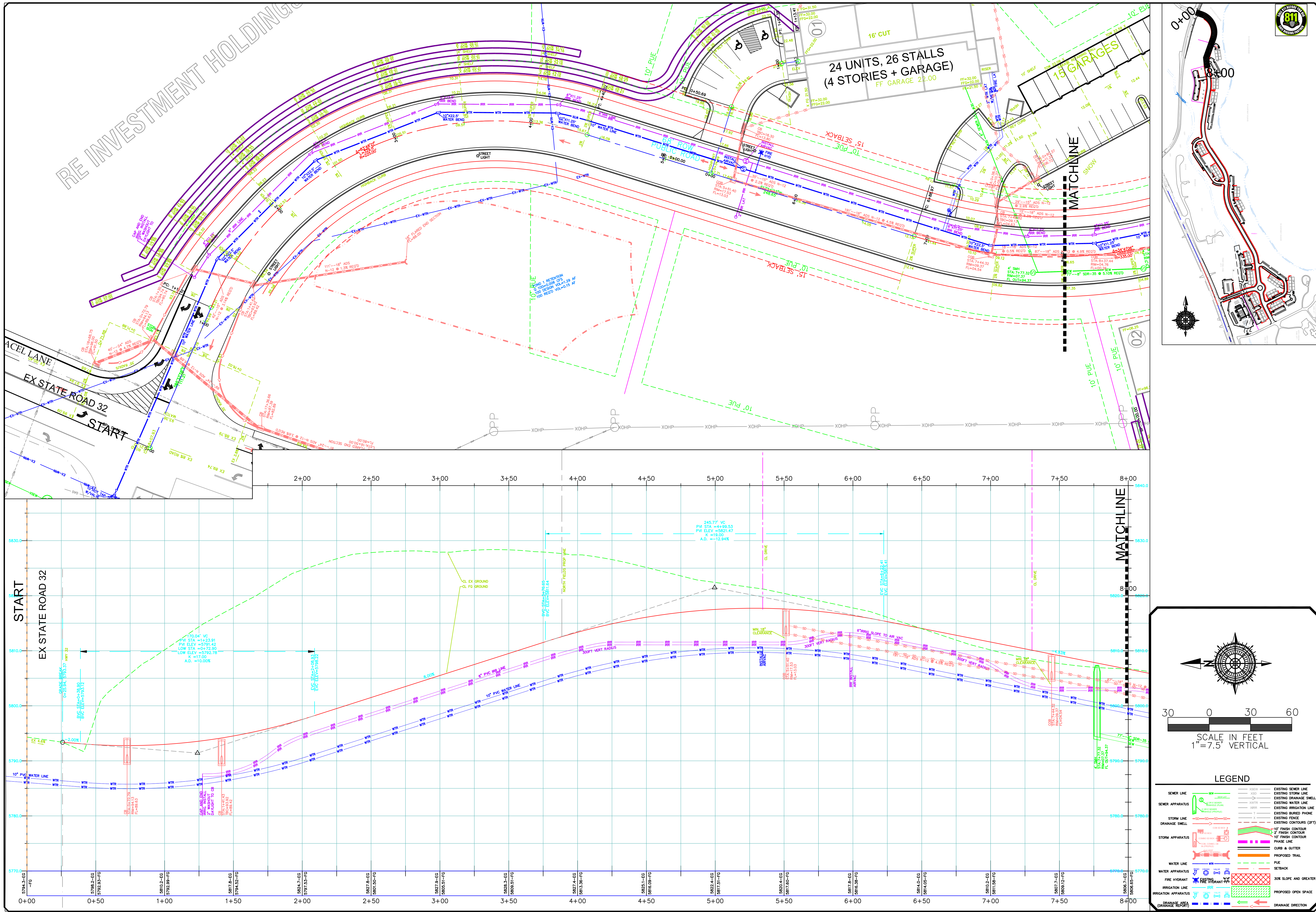
NORTH VILLAGE CROSSINGS
GRADING SHEET 1"=30"
5-31-2024

HEBER CITY

SHEET NO. **G7**







811

REINVESTMENT HOLDINGS

24 UNITS, 26 STALLS
(4 STORIES + GARAGE)
FF GARAGE 22.00

15 GARAGES

MATCHLINE

0+00

8+00

ORIG. DATE: 6-1-16

SURVEY BY: GPM

DRAWN BY: GPM

DESIGNED BY: GPM

CHECKED BY: GPM

SCALE: 1"=30'

GATEWAY CONSULTING, Inc.

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PH: (801) 694-5848

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CIVIL ENGINEERING * CONSULTING * LAND PLANNING

CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS

PLAN AND PROFILE
MAIN COLLECTOR
STA: 0+00 TO 8+00

5-31-2024

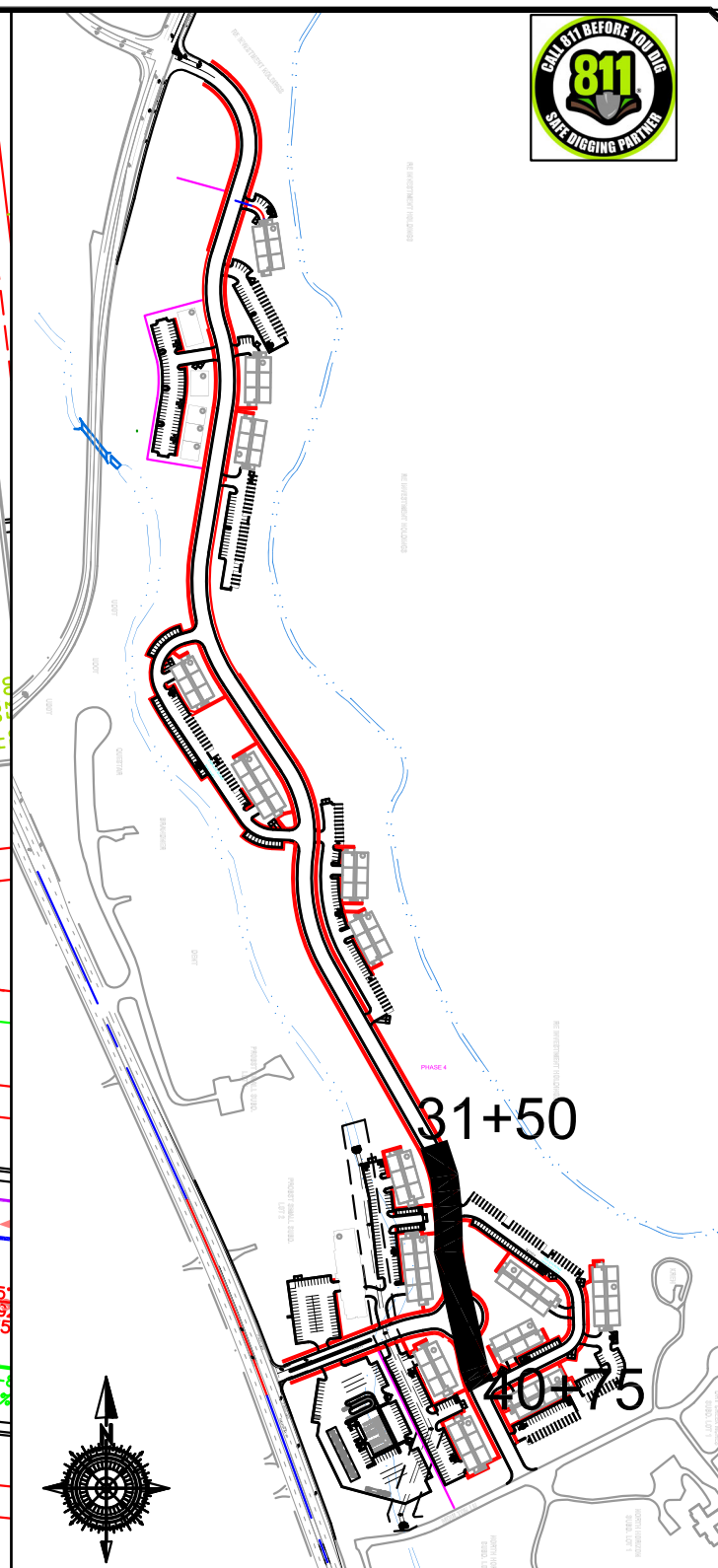
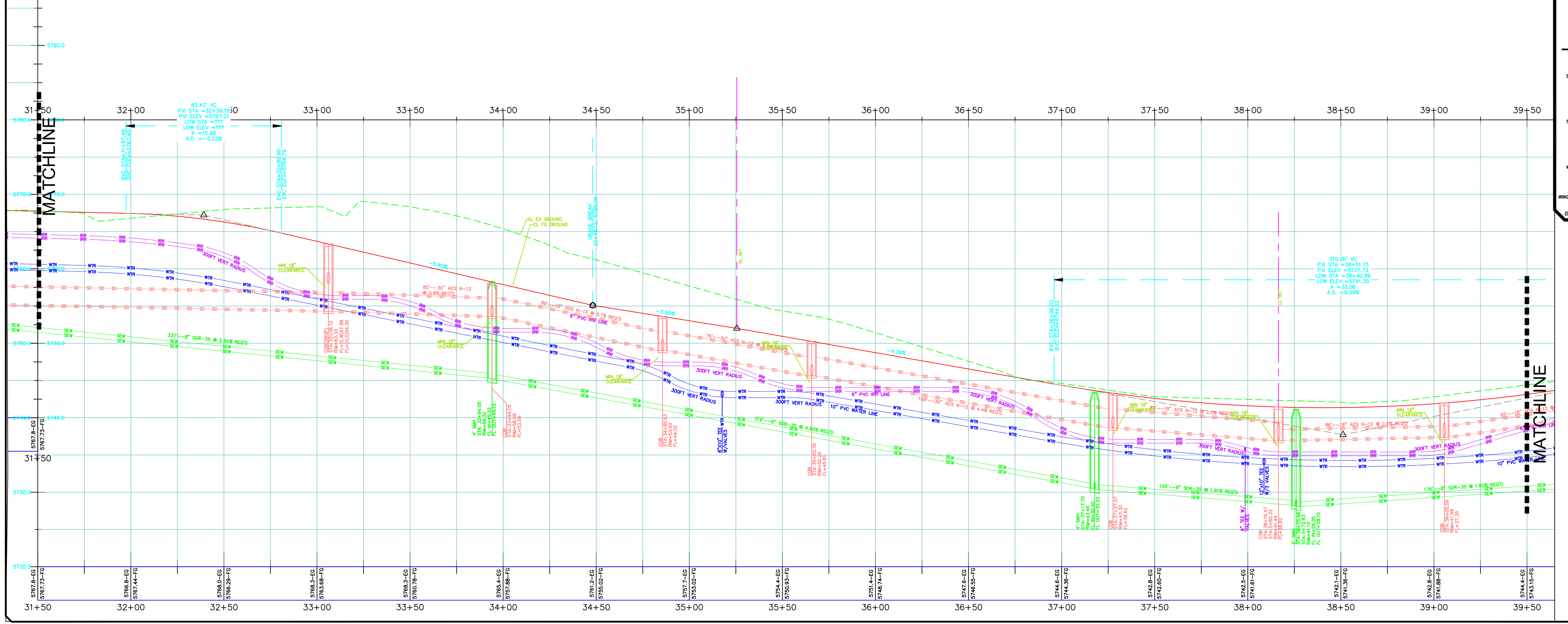
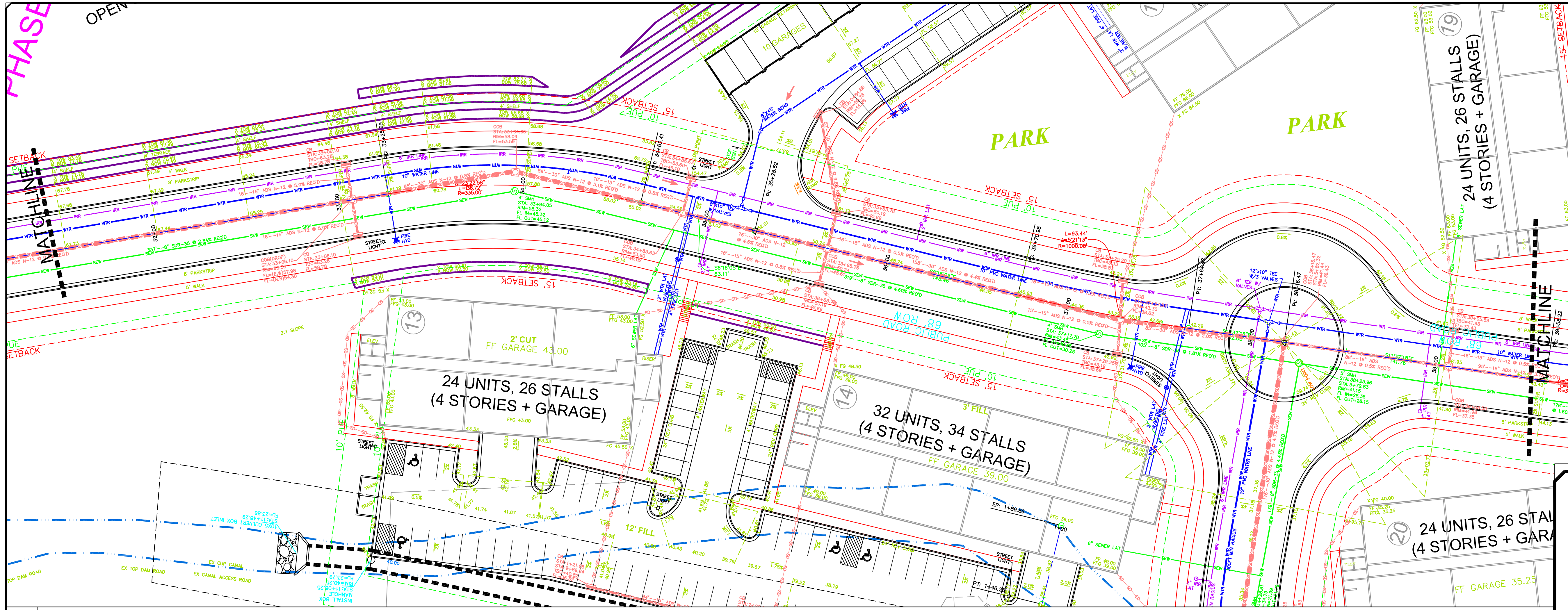
HEBER CITY

PP1

SHEET NO.

PP1

Page 116 of 316



LEGEND	
SEWER LINE	EXISTING SEWER LINE
SEWER APPARATUS	EXISTING DRAINAGE SHELL
STORM LINE	EXISTING WATER LINE
STORM APPARATUS	EXISTING IRRIGATION LINE
WATER LINE	EXISTING BURIED PHONE
FIRE HYDRANT	EXISTING FENCE
IRRIGATION APPARATUS	EXISTING CONTOURS (OPT)
	10' FINISH CONTOUR
	2' FINISH CONTOUR
	PROPOSED TRAIL
	SETBACK
	30% SLOPE AND GREATER
	PROPOSED OPEN SPACE
	DRAINAGE DIRECTION

811

UTAH

ORIG. DATE: 6-1-16

SURVEY BY: GPM

DRAWN BY: GPM

DESIGNED BY: GPM

CHECKED BY: GPM

SCALE: 1"=30'

NO.

DESCRIPTION

DATE

APP'D

GATEWAY CONSULTING, Inc

P.O. BOX 951005 SOUTH JORDAN, UT 84095

PH: (801) 694-5848

paul@gatewayconsultingllc.com

CIVIL ENGINEERING * CONSULTING * LAND PLANNING

CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS

PLAN AND PROFILE

MAIN COLLECTOR

5-31-2024 STA: 31+50 TO 39+50

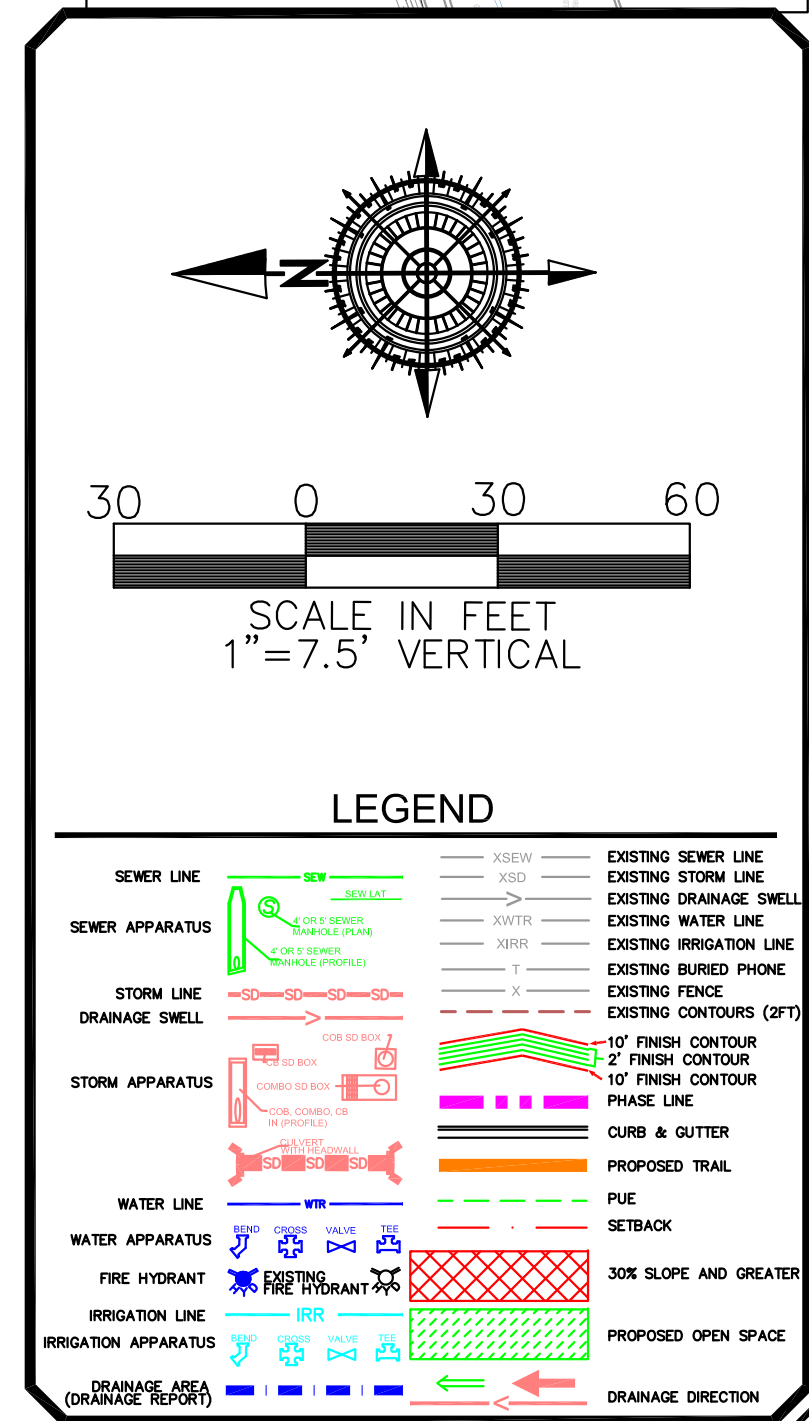
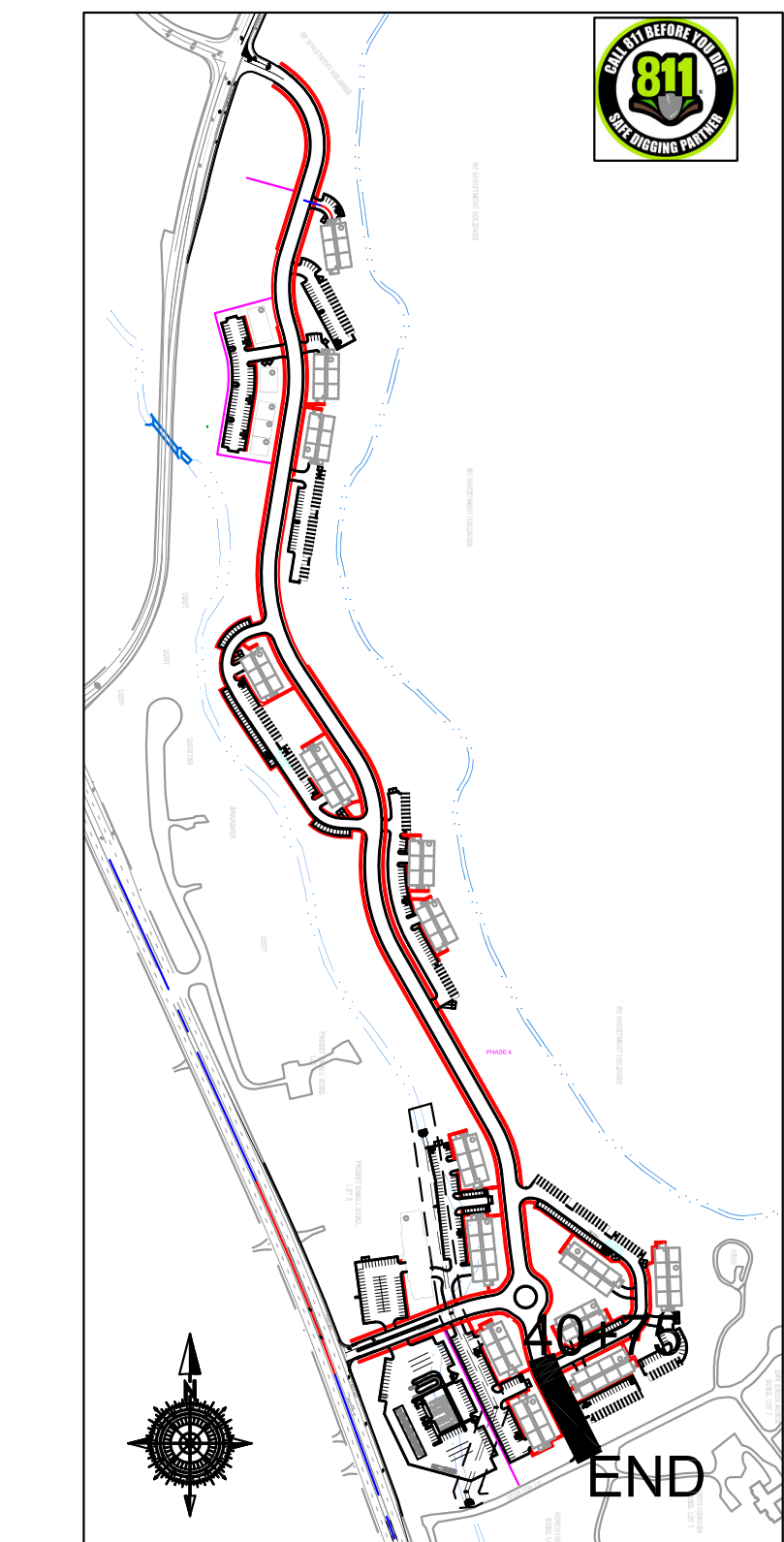
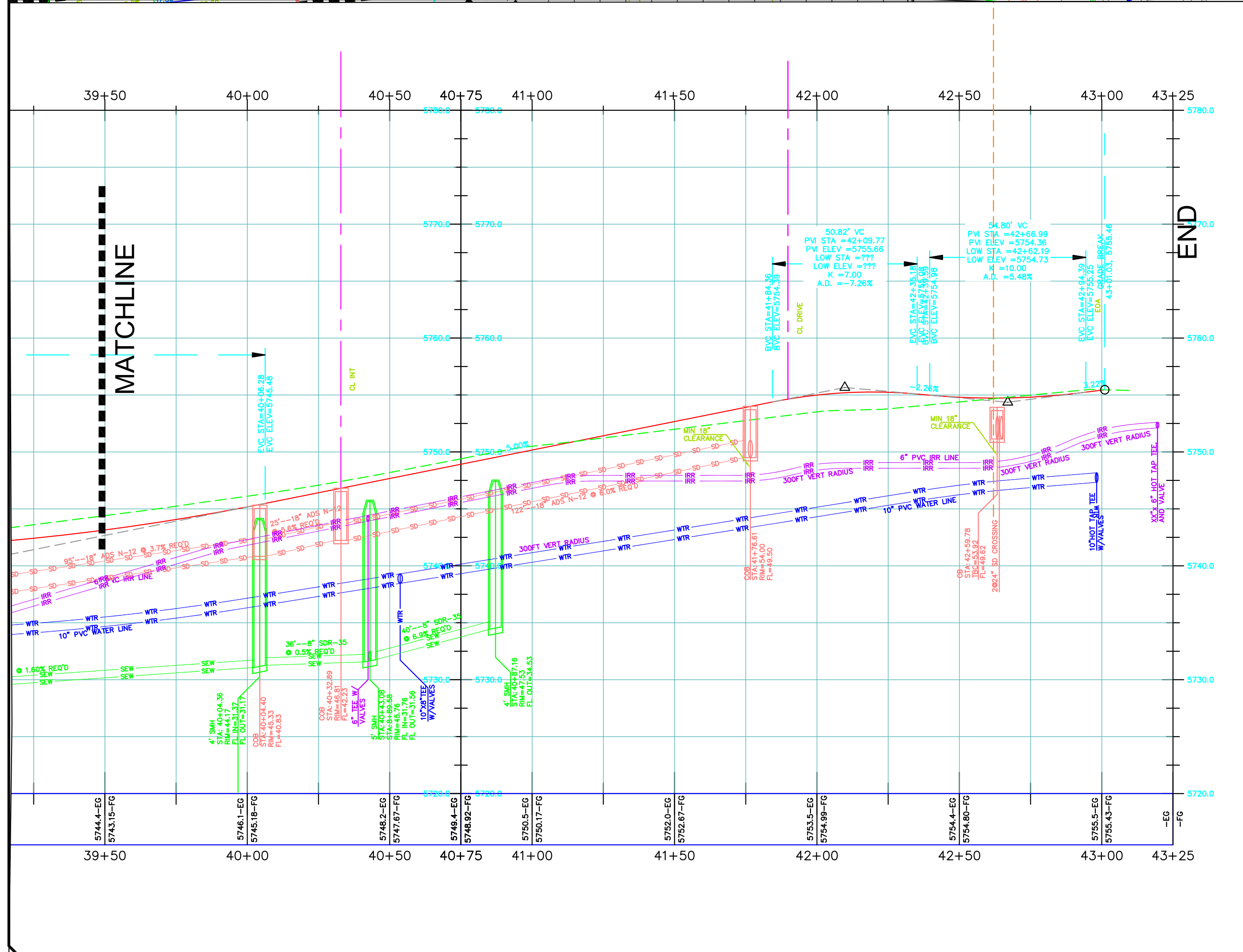
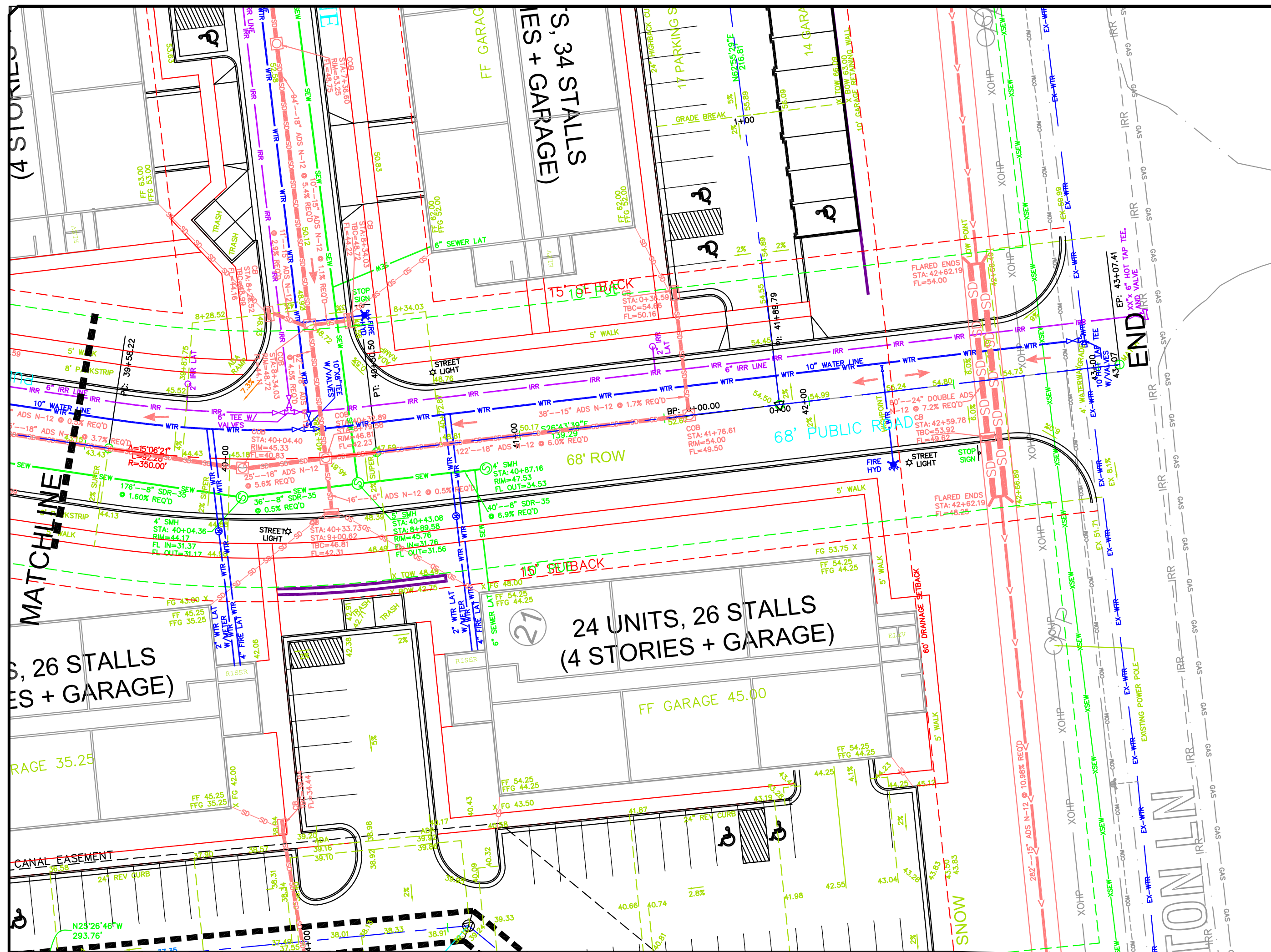
HEBER CITY

REGISTERED PROFESSIONAL ENGINEER

STATE OF UTAH

PP5

Page 120 of 316

[illegible]

ORIG. DATE:	6-1-16
SURVEY BY:	
DRAWN BY :	GPW
DESIGNED BY :	GPW
CHECKED BY :	GPW
SCALE :	1"=30'

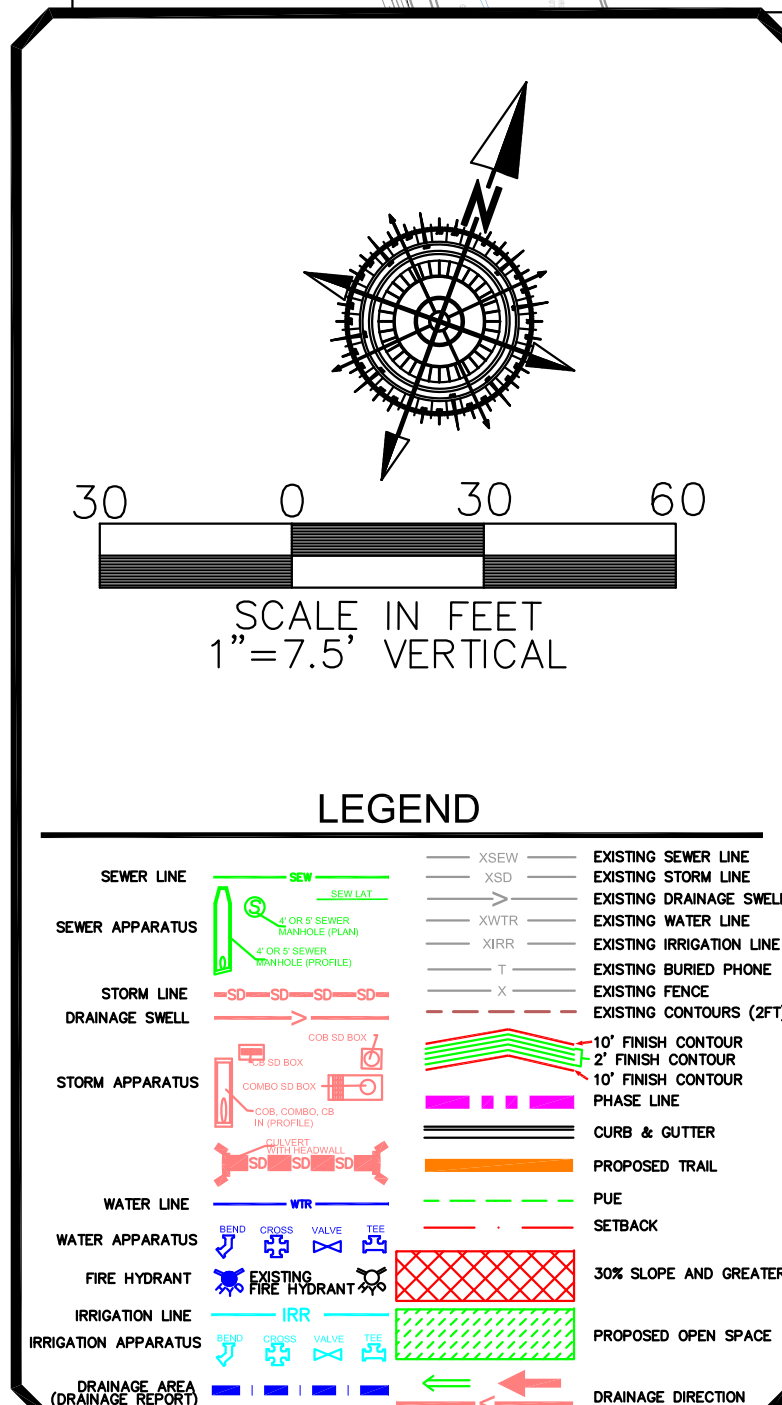
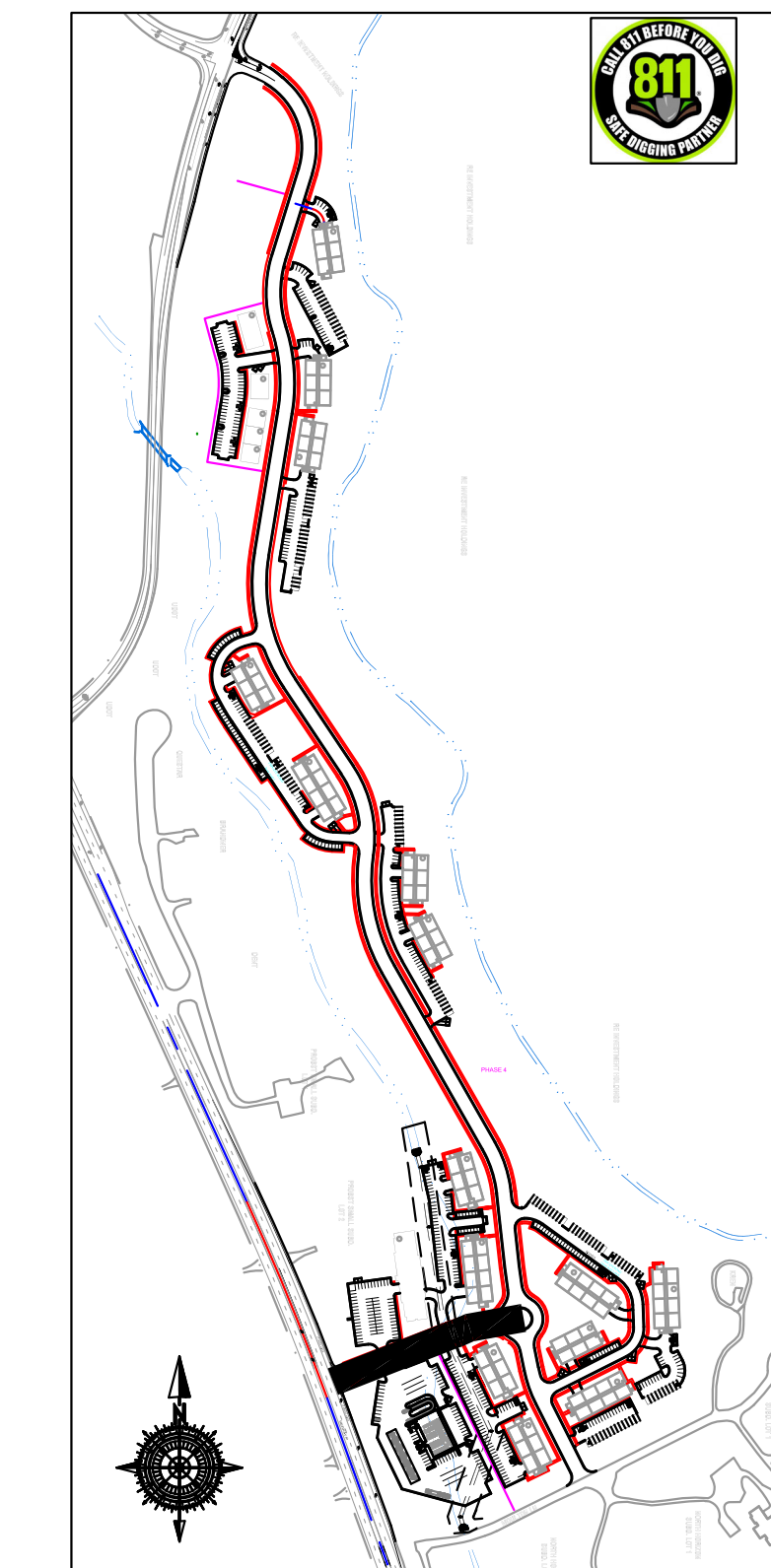
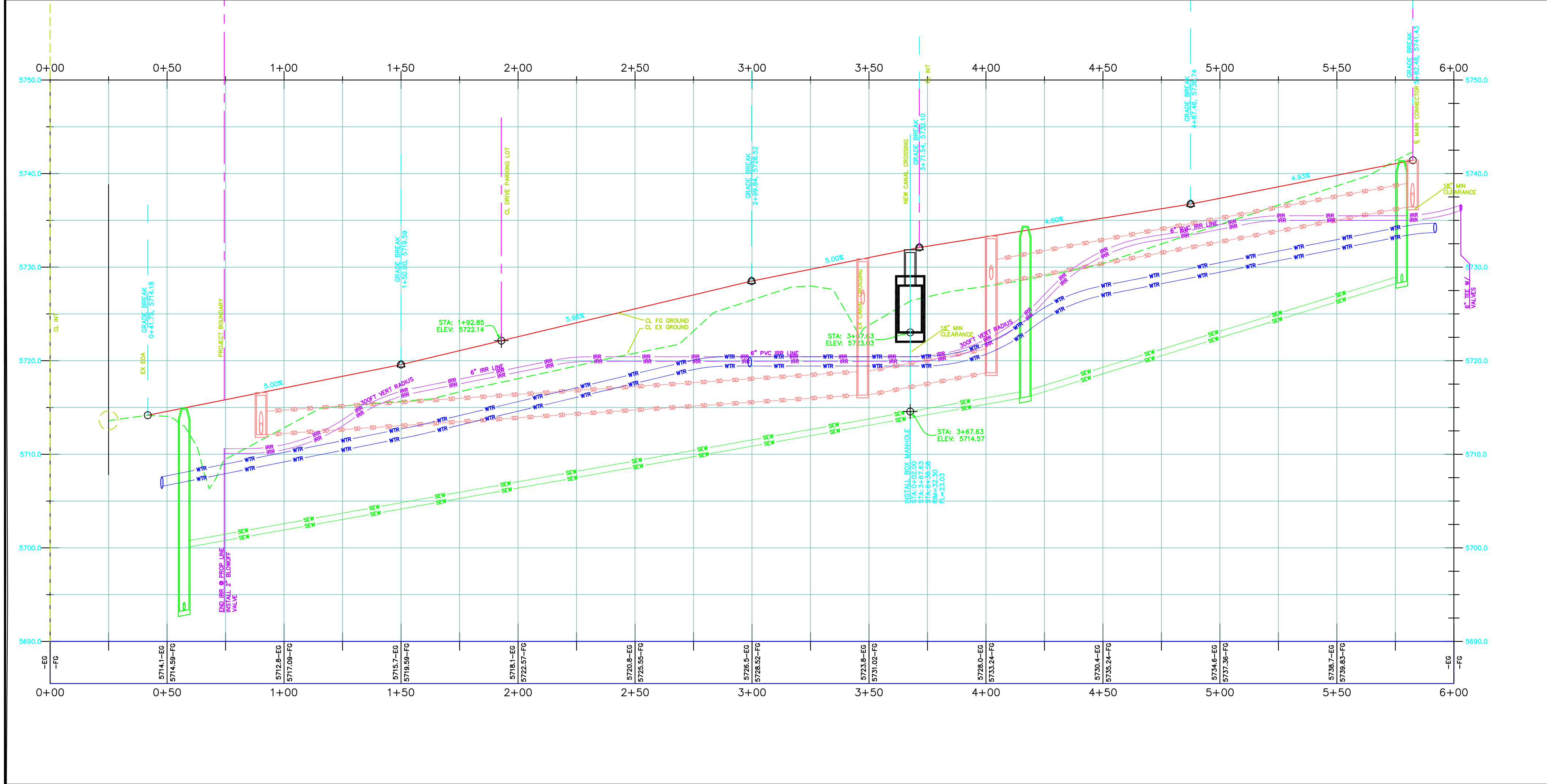
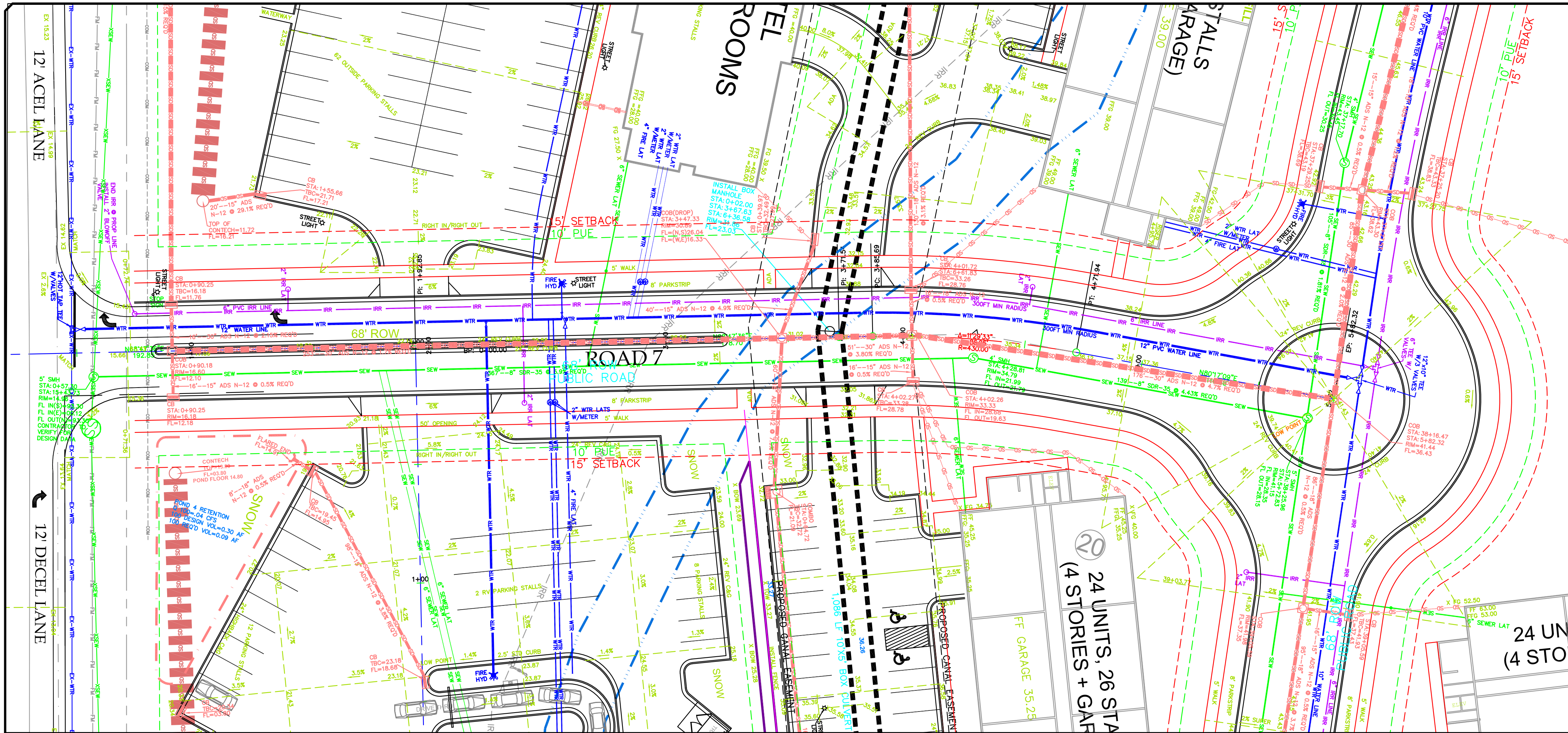
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CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS

HEBER CITY

SHEET NO. PP6



NO.	DESCRIPTION	DATE	APP'D

ORIG. DATE:	6-1-16
SURVEY BY:	GPW
DRAWN BY:	GPW
DESIGNED BY:	GPW
CHECKED BY:	GPW
SCALE:	1"=30'

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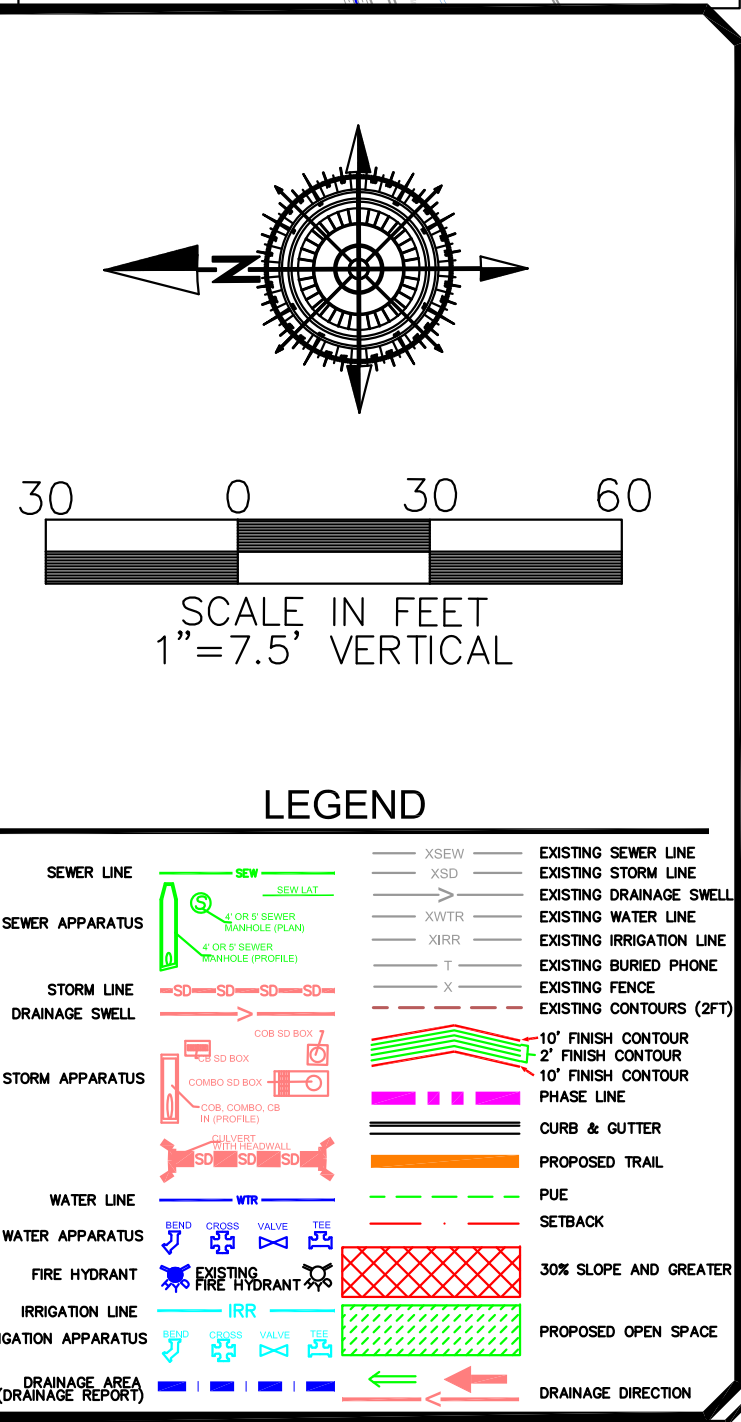
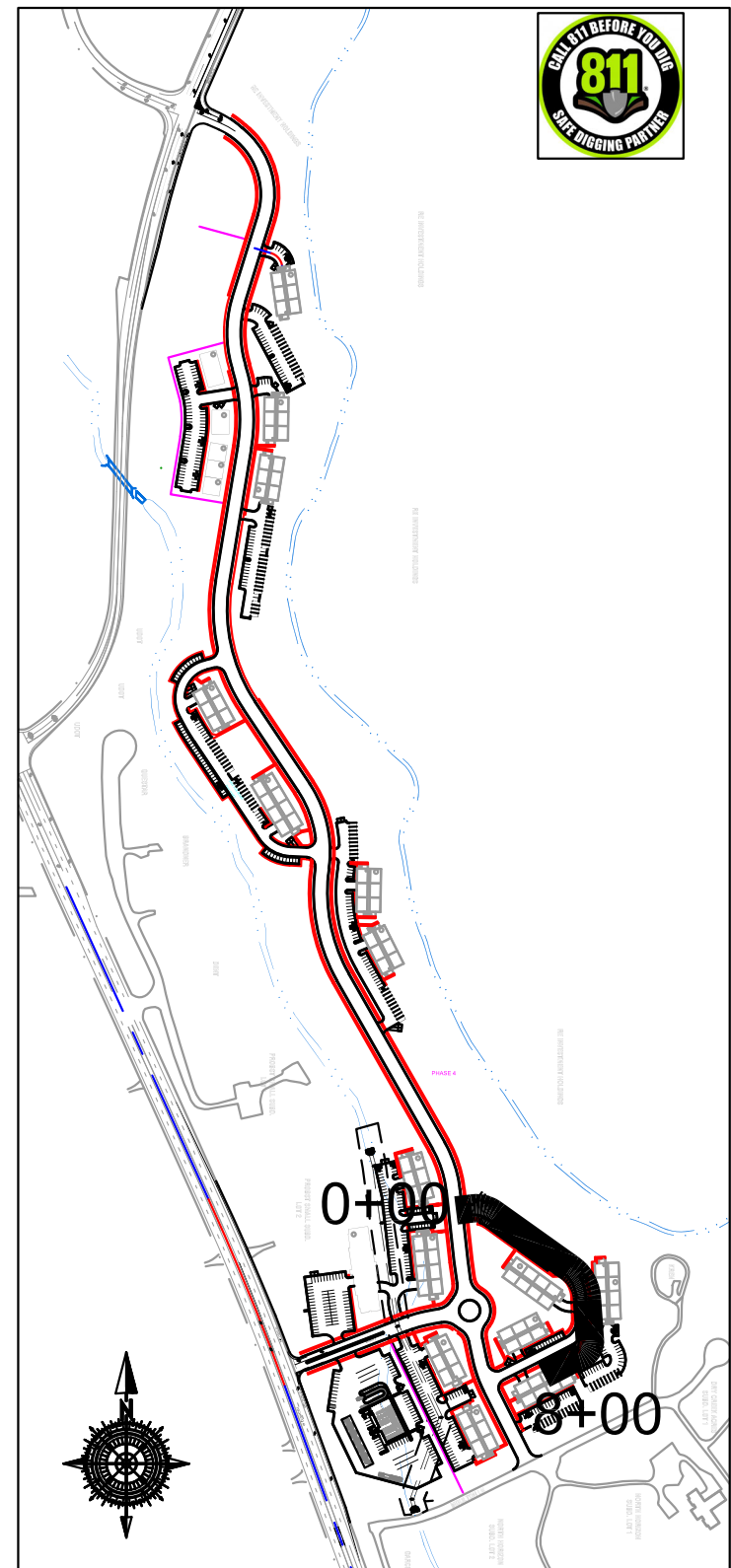
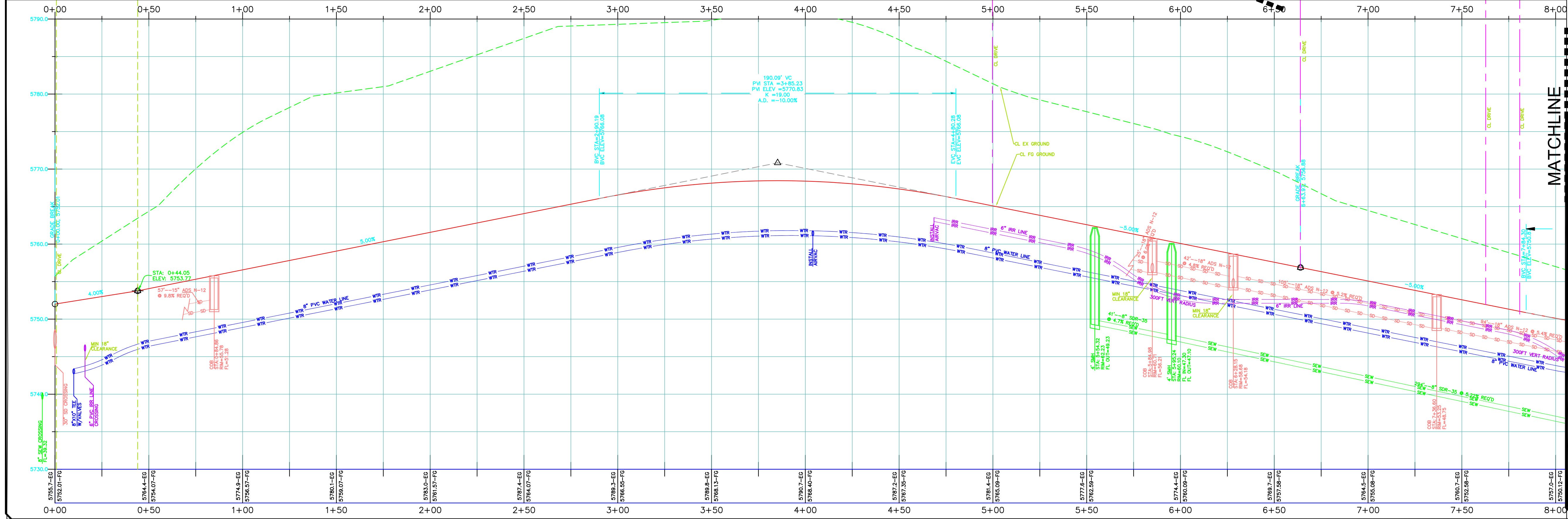
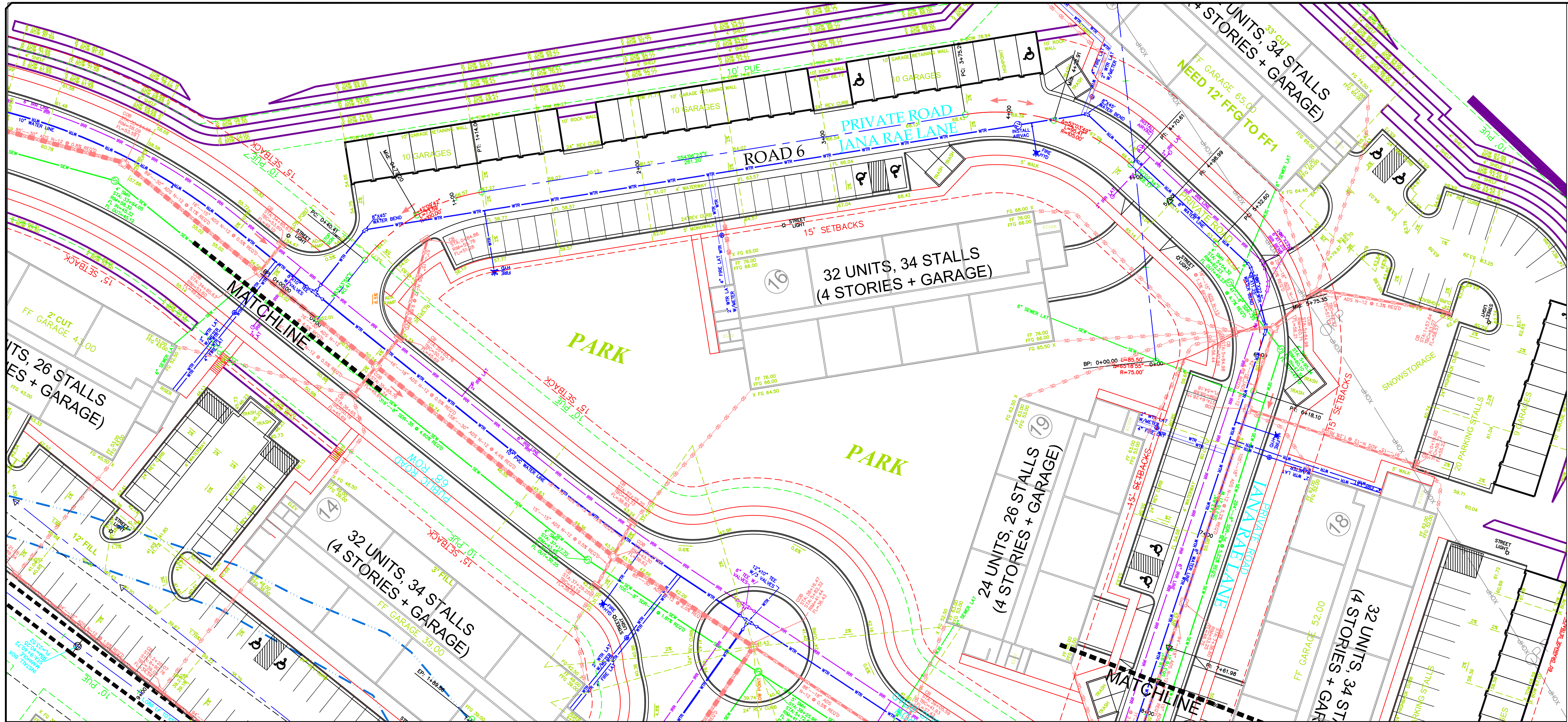
CIVIL ENGINEERING * CONSULTING * LAND PLANNING
CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS
PLAN AND PROFILE
ROAD 7 STA: 0+00 TO END
5-31-2024

HEBER CITY

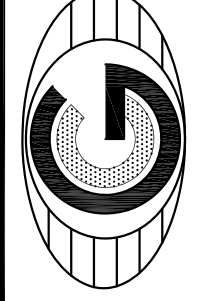
PP8

SHEET NO.



NO.	DESCRIPTION	DATE	APP'D

ORIG. DATE: 6-1-16	
SURVEY BY: GPM	
DRAWN BY: GPM	
DESIGNED BY: GPM	
CHECKED BY: GPM	
SCALE: 1"=30'	



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CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS

PLAN AND PROFILE
ROAD 6 STA: 0+00 TO 8+00

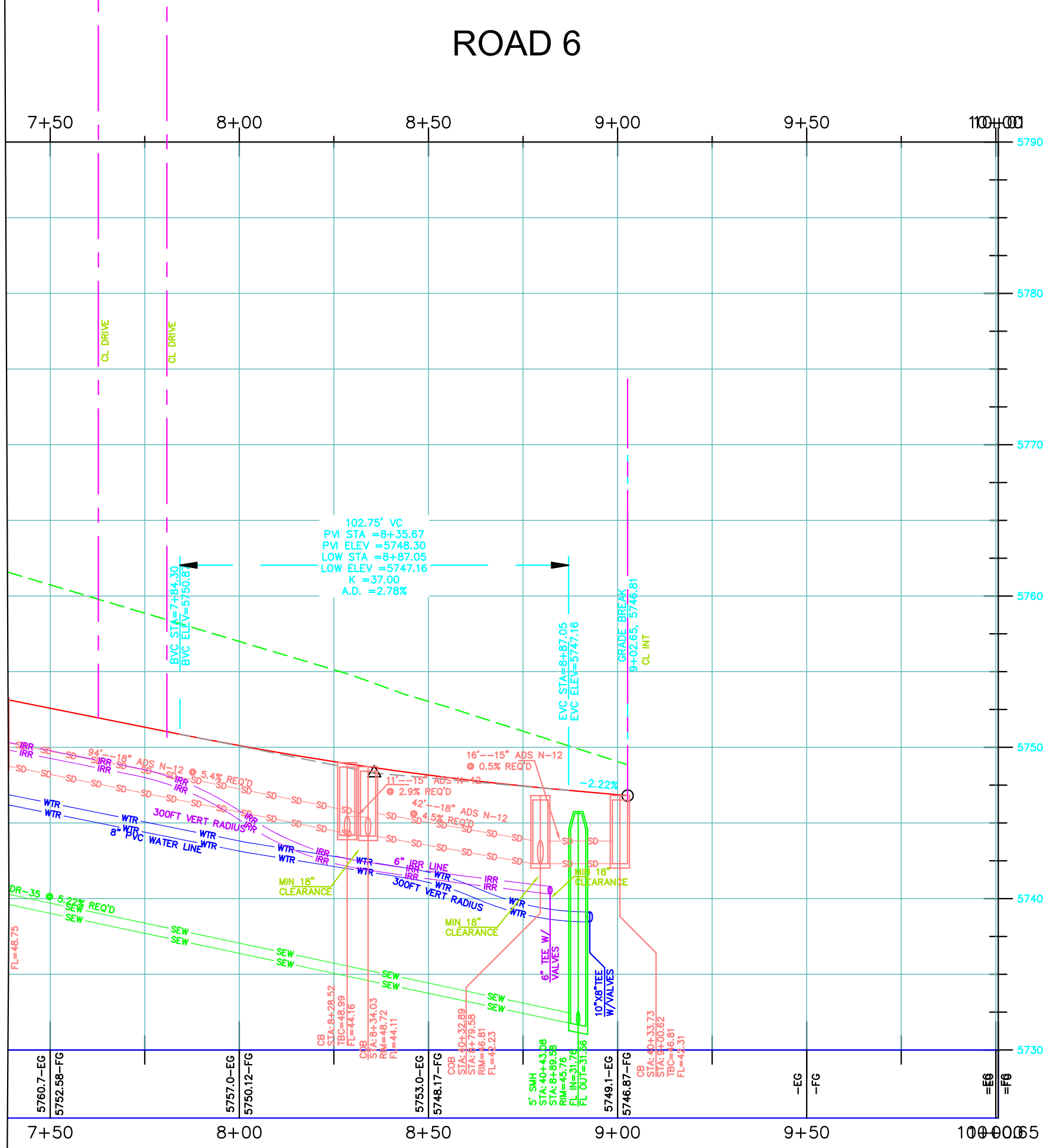
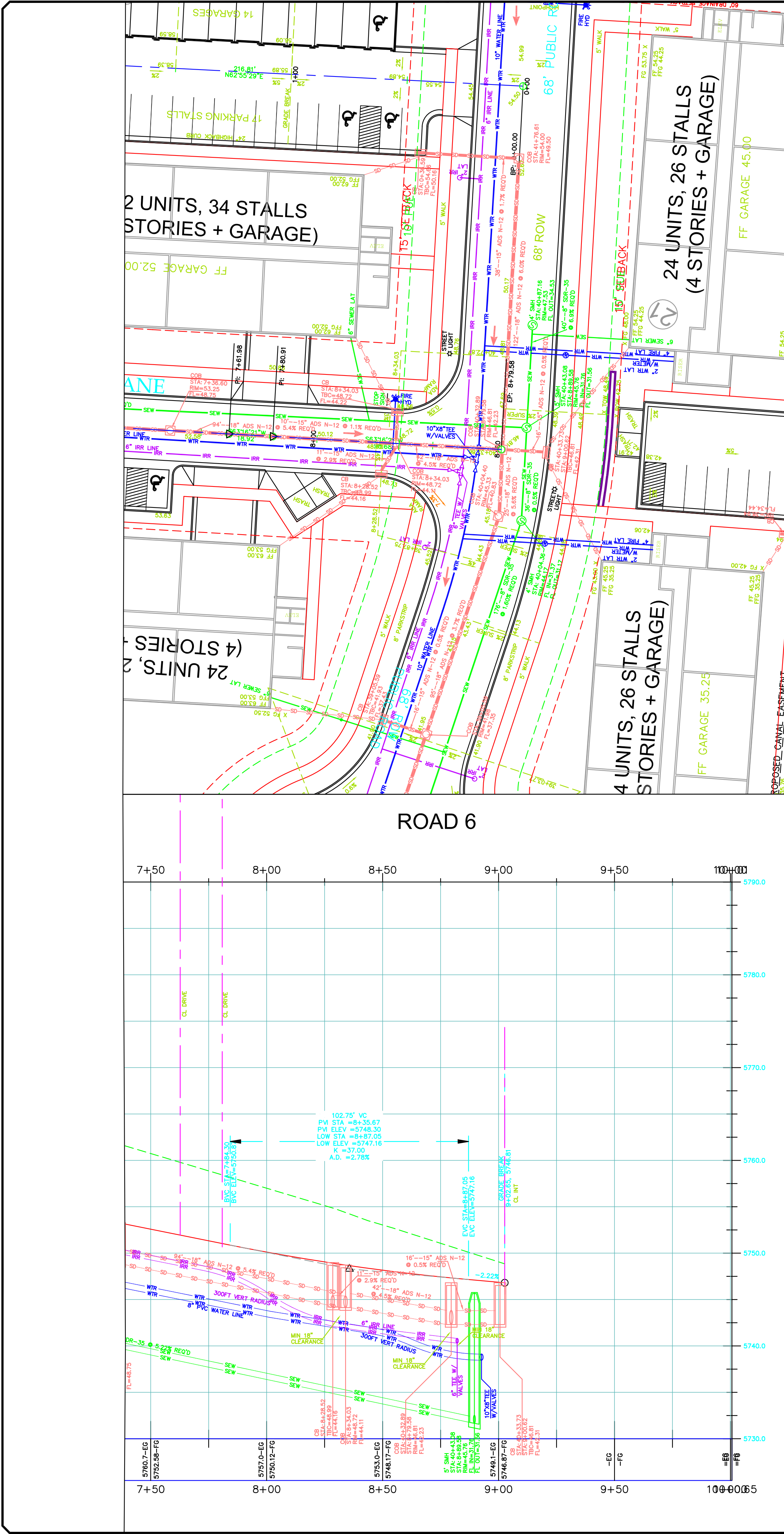
5-31-2024

HEBER CITY



PP9

SHEET NO.



LEGEND

SEWER LINE	EXISTING SEWER LINE
SEWER APPARATUS	EXISTING STORM LINE
STORM LINE	EXISTING DRAINAGE SHEL
STORM APPARATUS	EXISTING WATER LINE
STORM & GUTTER	EXISTING IRRIGATION LINE
WATER LINE	EXISTING BURIED PHONE
WATER APPARATUS	EXISTING FENCE
FIRE HYDRANT	EXISTING CONTOURS (PT)
IRRIGATION LINE	10' FINISH CONTOUR
IRRIGATION APPARATUS	2' FINISH CONTOUR
DRAINAGE AREA (DRAINAGE REPORT)	10' FINISH CONTOUR
	PHASE LINE
	CURB & GUTTER
	PROPOSED TRAIL
	PUE
	SETBACK
	30% SLOPE AND GREATER
	PROPOSED OPEN SPACE
	DRAINAGE DIRECTION

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paul@gatewayconsultingllc.com

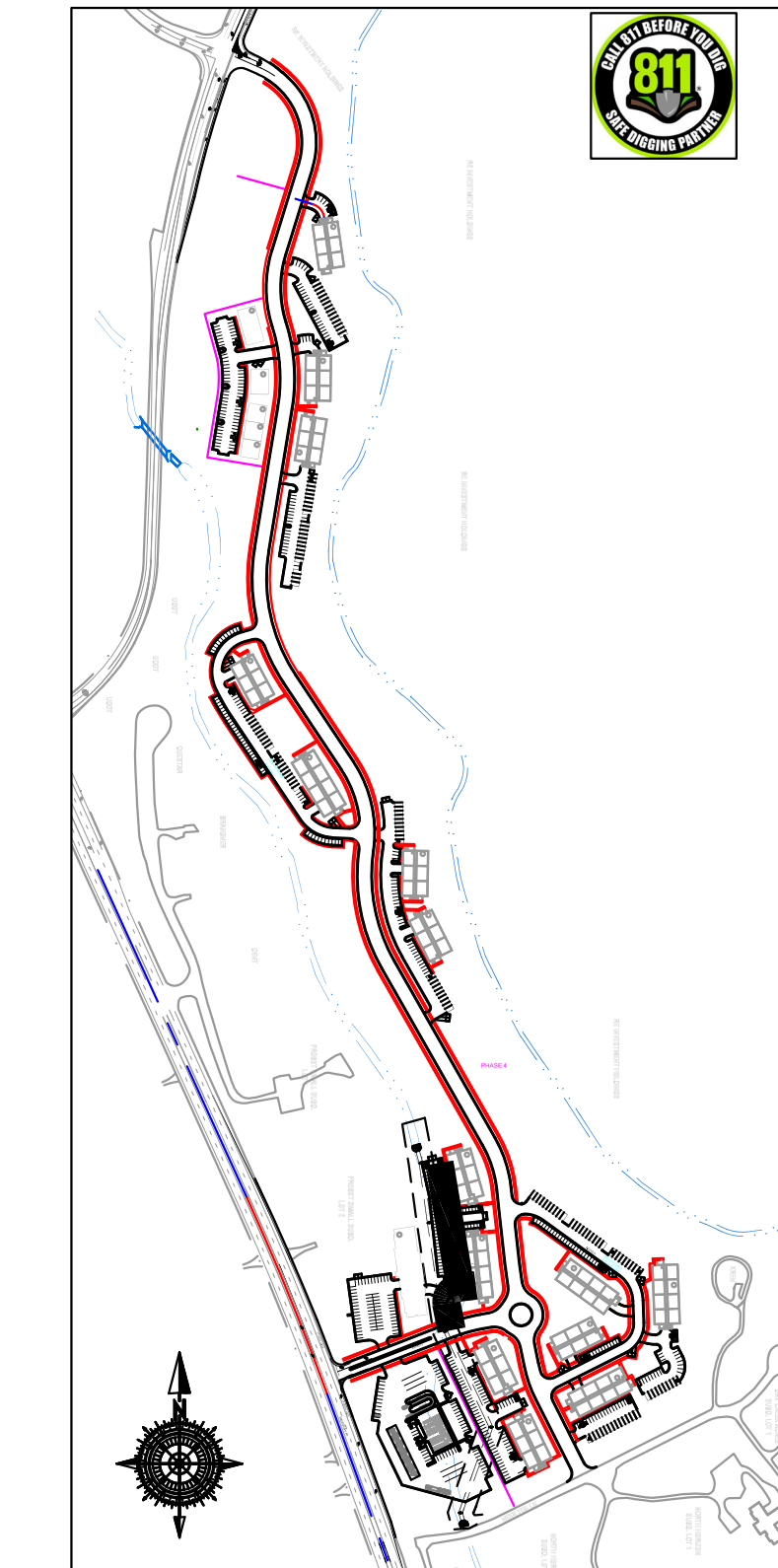
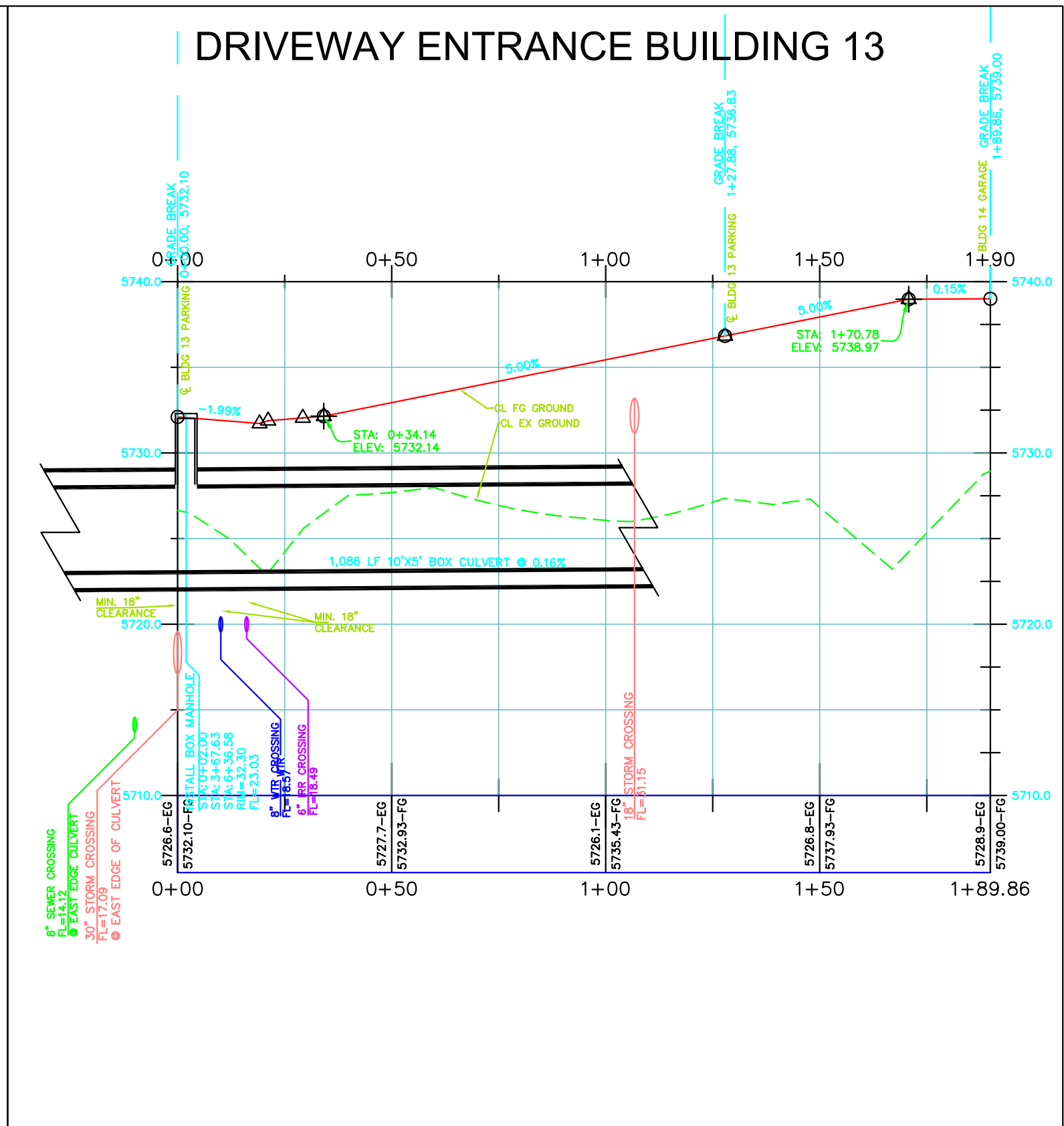
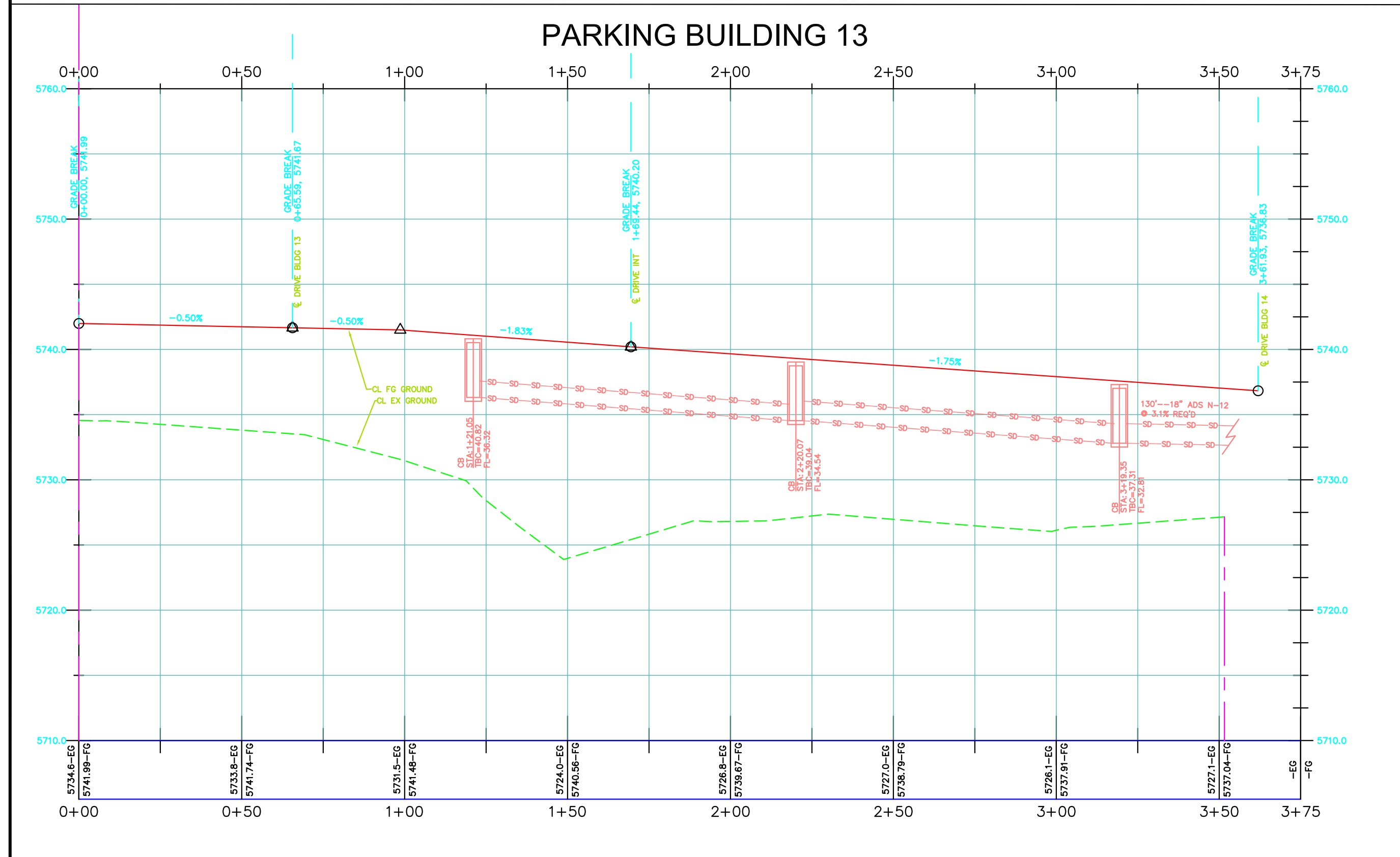
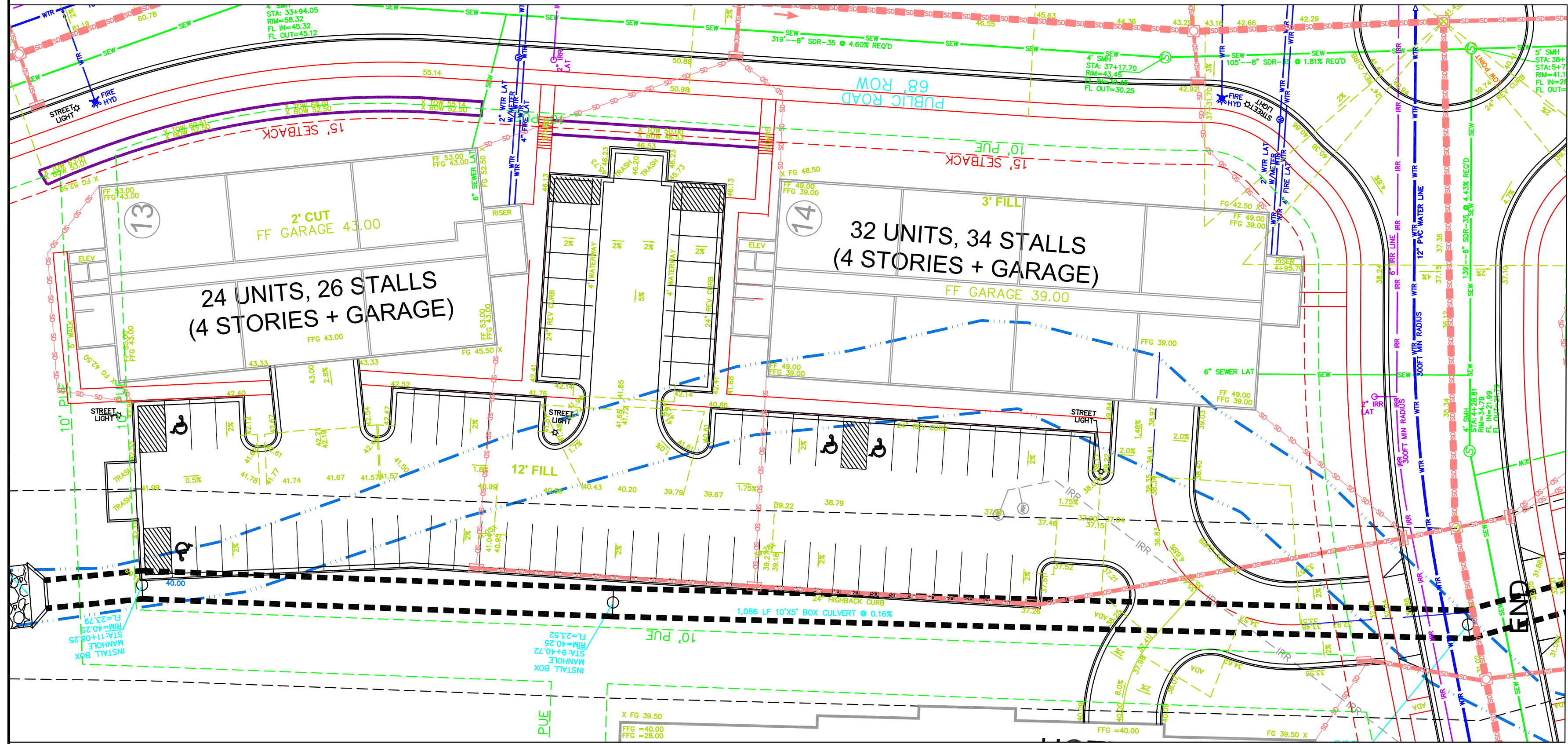
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CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS
PLAN AND PROFILE
ROAD 6 STA: 8+00 TO END

HEBER CITY

PP10

ORIG. DATE: 6-1-16	NO.	DESCRIPTION	DATE	APP'D
SURVEY BY:				
DRAWN BY: GPW				
DESIGNED BY: GPW				
CHECKED BY: GPW				
SCALE: 1"=30'				



SCALE IN FEET
1"=7.5' VERTICAL

LEGEND

SEWER LINE	EXISTING SEWER LINE
SEWER APPARATUS	EXISTING STORM LINE
STORM LINE	EXISTING DRAINAGE SWELL
STORM APPARATUS	EXISTING WATER LINE
WATER LINE	EXISTING IRRIGATION LINE
WATER APPARATUS	EXISTING BURIED PHONE
FIRE HYDRANT	EXISTING FENCE
IRRIGATION LINE	EXISTING CONTOURS (PT)
DRAINAGE AREA	10' FINISH CONTOUR
	2' FINISH CONTOUR
	10' FINISH CONTOUR
	CURB & GUTTER
	PROPOSED TRAIL
	PUE
	SETBACK
	30% SLOPE AND GREATER
	PROPOSED OPEN SPACE
	DRAINAGE DIRECTION

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CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS
PLAN AND PROFILE
BUILDING PARKING 13
DRIVEWAY PARKING 13

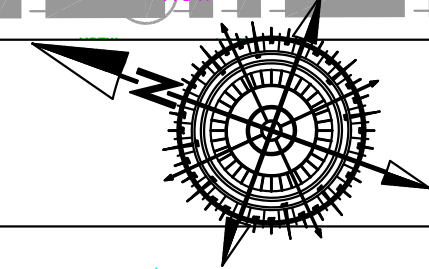
HEBER CITY

5-31-2024

SHEET NO. **PP13**

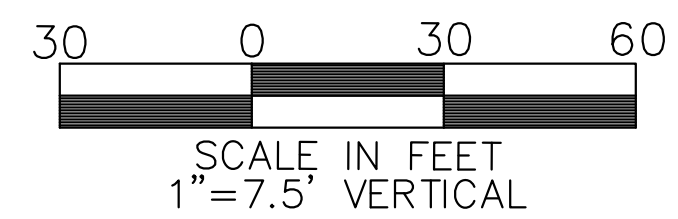
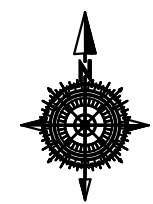
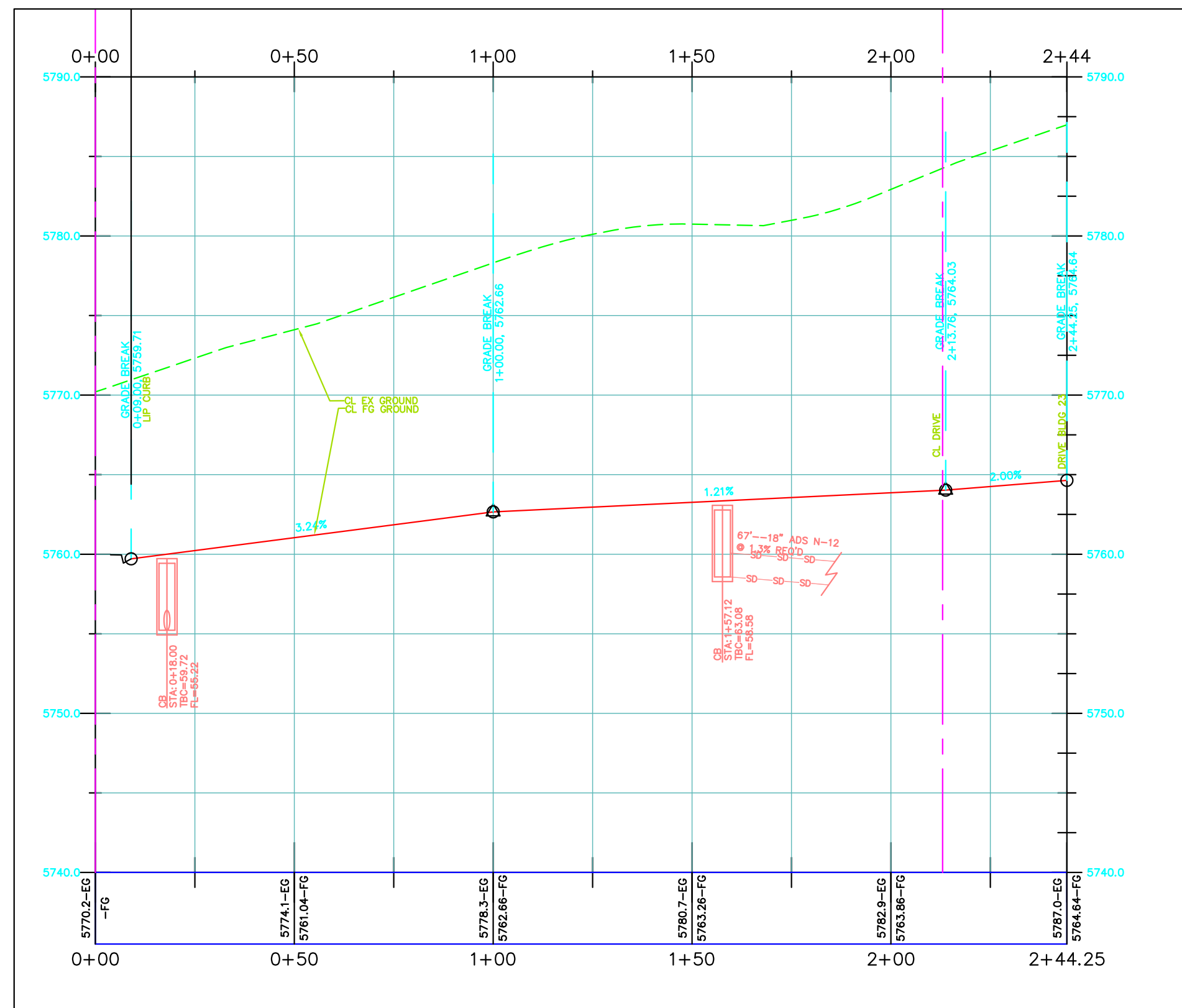
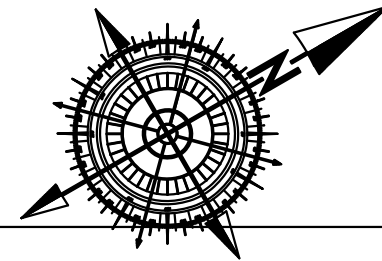
ORIG. DATE:	6-1-16
SURVEY BY:	GPW
DRAWN BY:	GPW
DESIGNED BY:	GPW
CHECKED BY:	GPW
SCALE:	1"=30'

NO.	DESCRIPTION	DATE	APP'D



The diagram illustrates a road construction project with the following features:

- Axes:** The horizontal axis shows stationing from 0+00 to 2+21.09. The vertical axis shows elevations from 5700.0 to 5740.0 feet.
- Ground Profiles:**
 - CL EX GROUND:** Existing centerline ground profile shown as a solid red line.
 - CL FD GROUND:** Proposed centerline finished ground profile shown as a dashed green line.
- Proposed Roadway:** Indicated by a yellow rectangle between stations 1+50 and 1+60.
- Slopes:** A -2.00% slope is indicated for the existing ground near station 0+50.
- Right-of-Way (ROW):** Shown as a blue line starting at station 2+00.
- Crossings:**
 - E-PIPE LINE CROSSING:** Located at station 2+00.
 - NV-HIGHWAY CROSSING:** Located at station 2+21.09.
- Other Annotations:**
 - G.O.A.D. BENCH MARK:** Located at station 0+00 and 2+00.
 - PROPOSED ROADWAY:** Labeled in red text near the yellow rectangle.
 - EXISTING ROADWAY:** Labeled in red text near the yellow rectangle.
 - PROPOSED ROADWAY:** Labeled in red text near the yellow rectangle.
 - PROPOSED ROADWAY:** Labeled in red text near the yellow rectangle.



LEGEND

SEWER LINE		SEWER	EXISTING SEWER LINE
SEWER APPARATUS		WELL	EXISTING STORM LINE
		WORTH	EXISTING DRAINAGE SHEL
		WORTH	EXISTING WATER LINE
		WORTH	EXISTING DIRECTION LINE
		WORTH	EXISTING BURIED PHONE
STORM LINE		STORM	EXISTING DRAINAGE SHEL
DRAINAGE SHEL		STORM	EXISTING DRAINAGE SHEL
		STORM	EXISTING DRAINAGE SHEL
STORM APPARATUS		STORM	EXISTING DRAINAGE SHEL
		STORM	EXISTING DRAINAGE SHEL
WATER LINE		WATER	EXISTING DRAINAGE SHEL
WATER APPARATUS		WATER	EXISTING DRAINAGE SHEL
		WATER	EXISTING DRAINAGE SHEL
FIRE HYDRANT		FIRE HYDRANT	EXISTING DRAINAGE SHEL
IRRIGATION LINE		IRRIGATION	EXISTING DRAINAGE SHEL
		IRRIGATION	EXISTING DRAINAGE SHEL
IRRIGATION APPARATUS		IRRIGATION	EXISTING DRAINAGE SHEL
		IRRIGATION	EXISTING DRAINAGE SHEL
DRAINAGE REPORT		DRAINAGE REPORT	EXISTING DRAINAGE SHEL

[illegible]

ORIG. DATE:	6-1-16
SURVEY BY:	
DRAWN BY :	GPW
DESIGNED BY :	GPW
CHECKED BY :	GPW
SCALE :	1"=30'

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paul@gatewayconsultingllc.com

CIVIL ENGINEERING * CONSULTING * LAND PLANNING
CONSTRUCTION MANAGEMENT

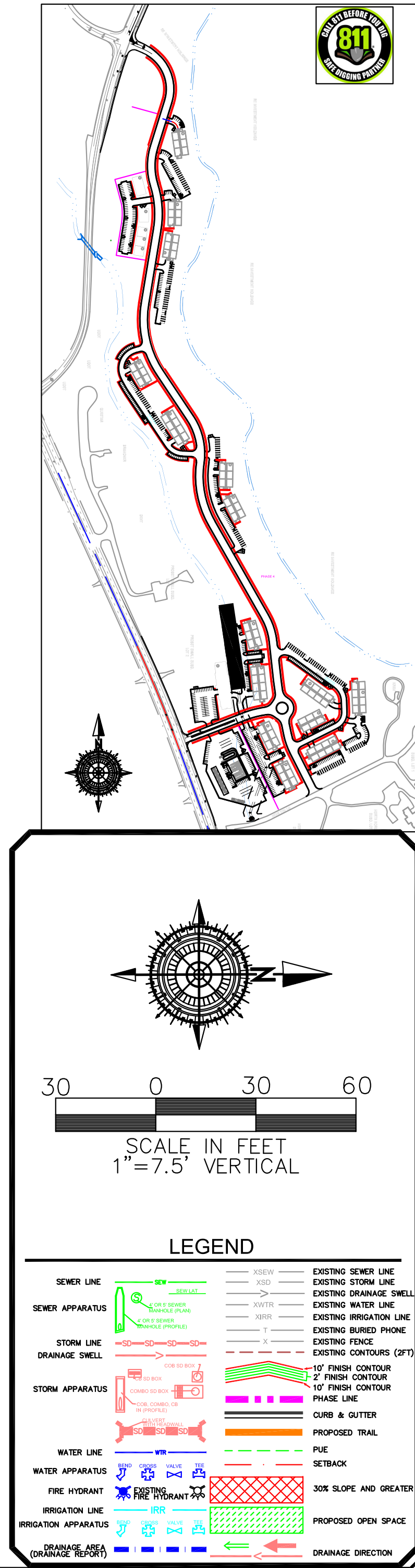
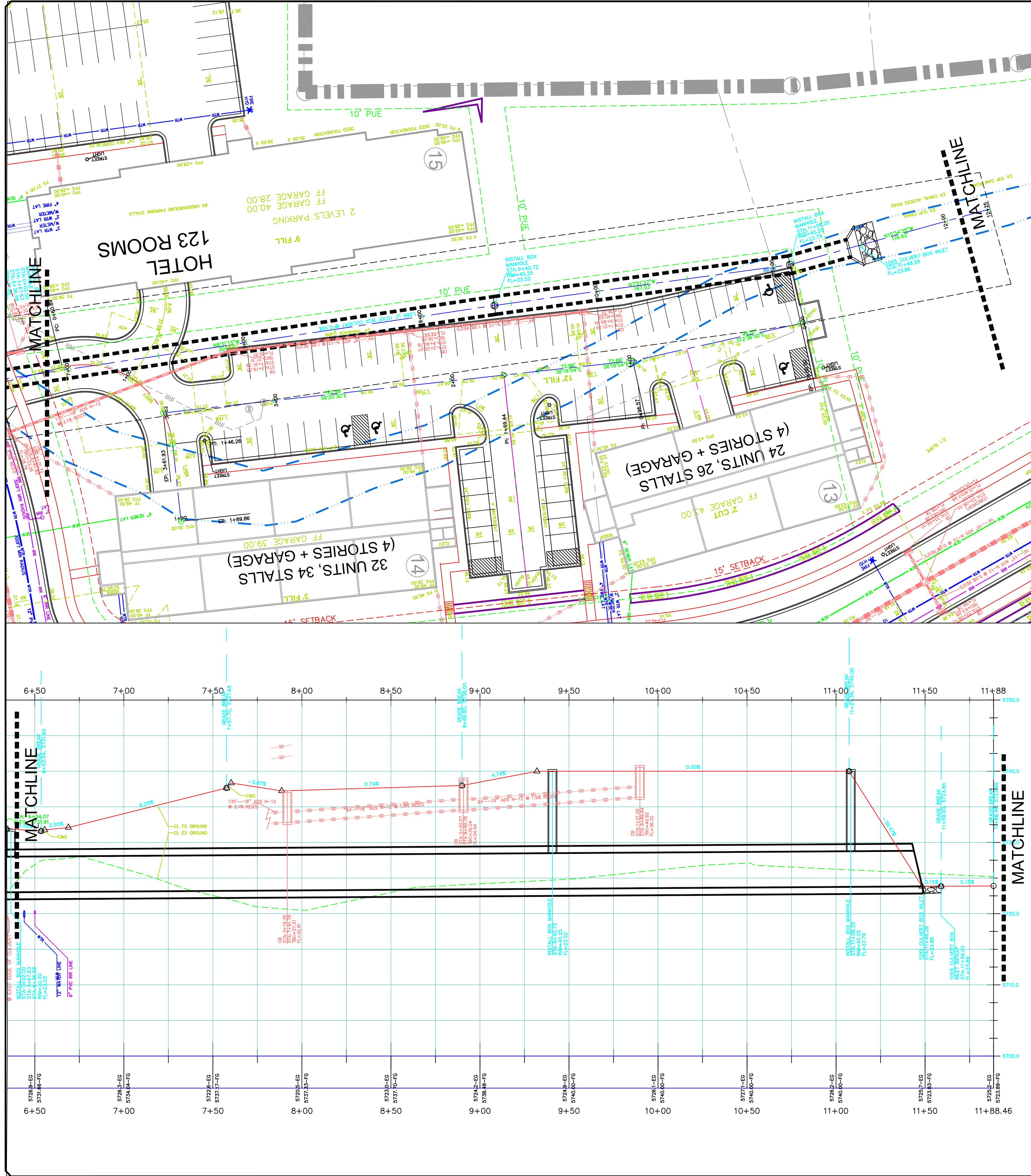
NORTH VILLAGE CROSSINGS

5-31-2024

HEBER
CITY



SHEET NO. PP14



811

UTAH

UTAH

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811

UTAH

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G

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CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS

PLAN AND PROFILE

BOX CULVERT STA: 7+00 TO 11+00

5-31-2024

HEBER CITY

SEAL OF THE CITY OF UTAH

SHEET NO. PP16

ORIG. DATE: 6-1-16

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DRAWN BY: GPH

DESIGNED BY: GPH

CHECKED BY: GPH

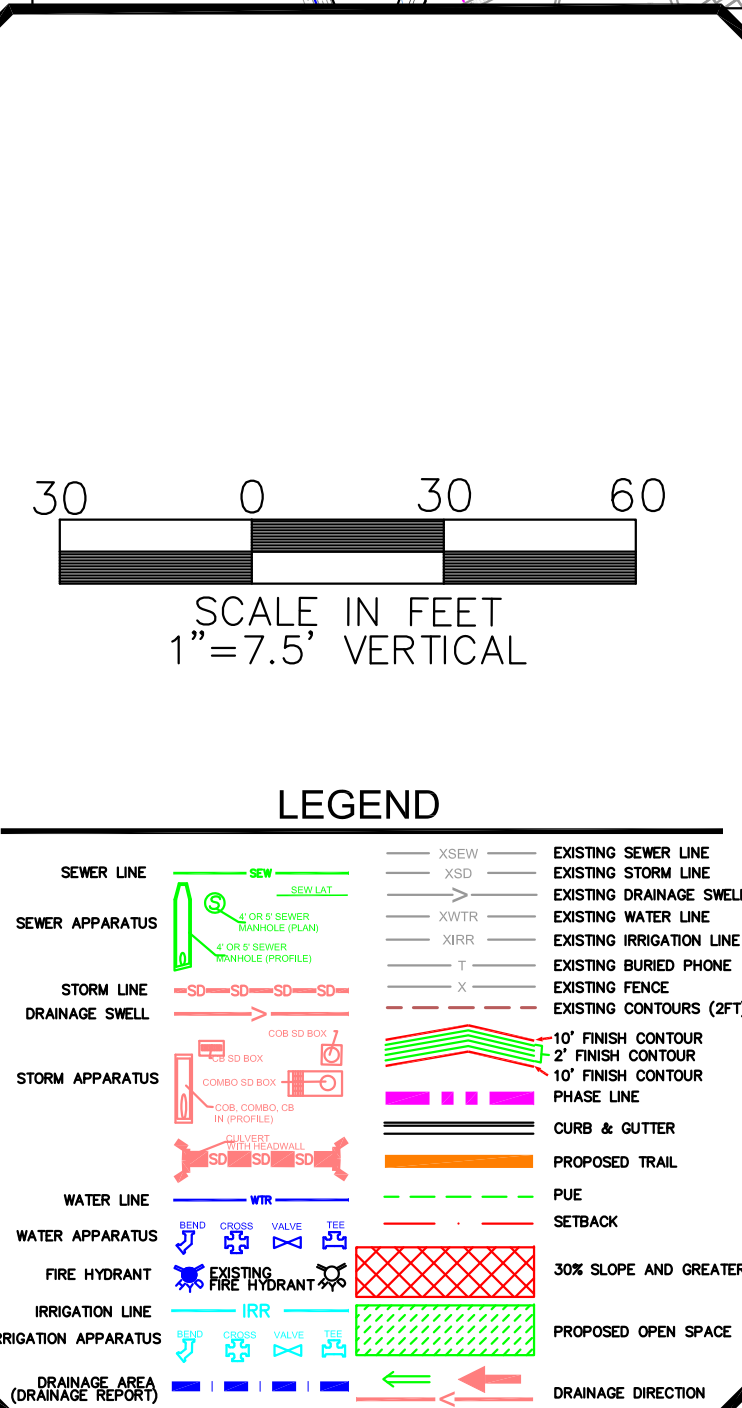
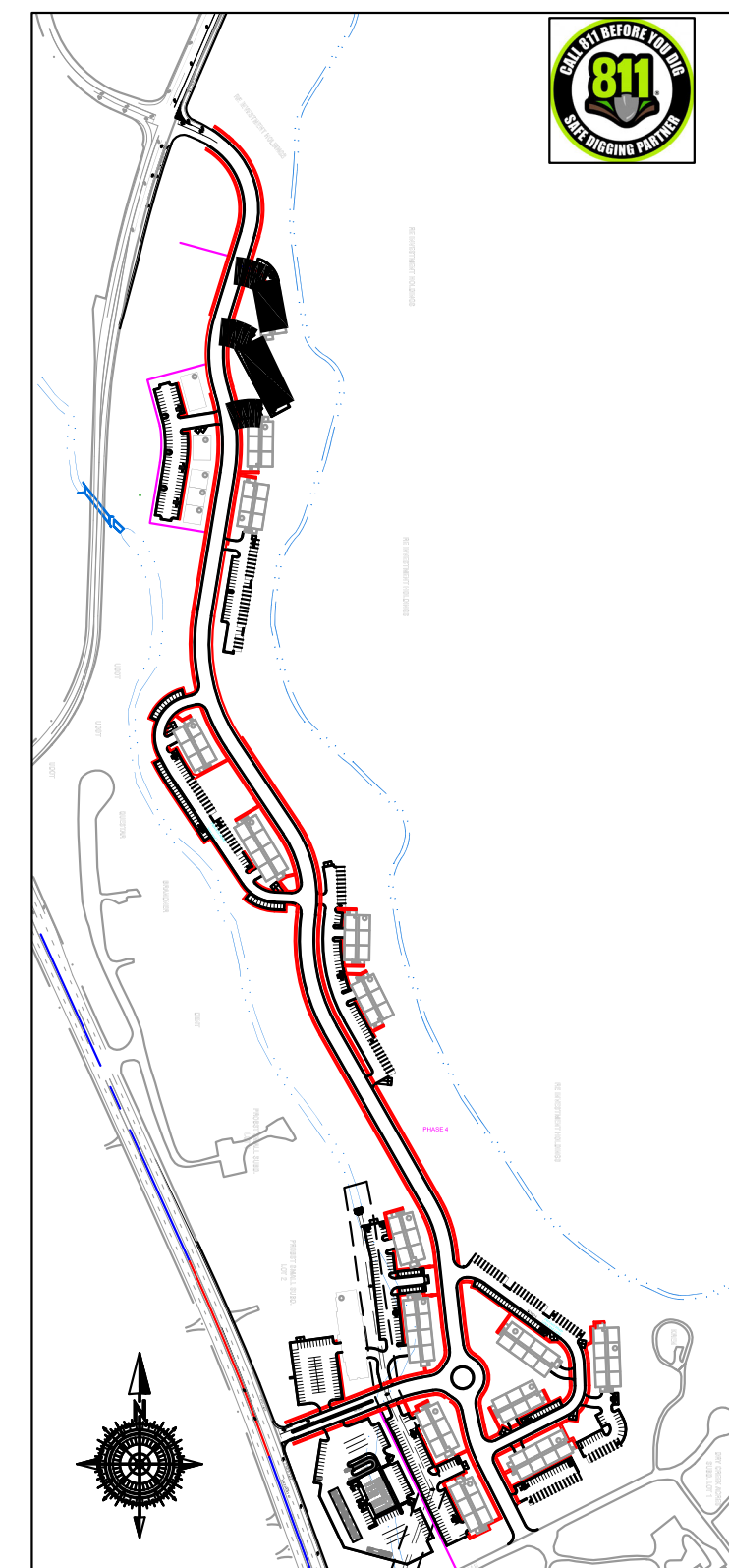
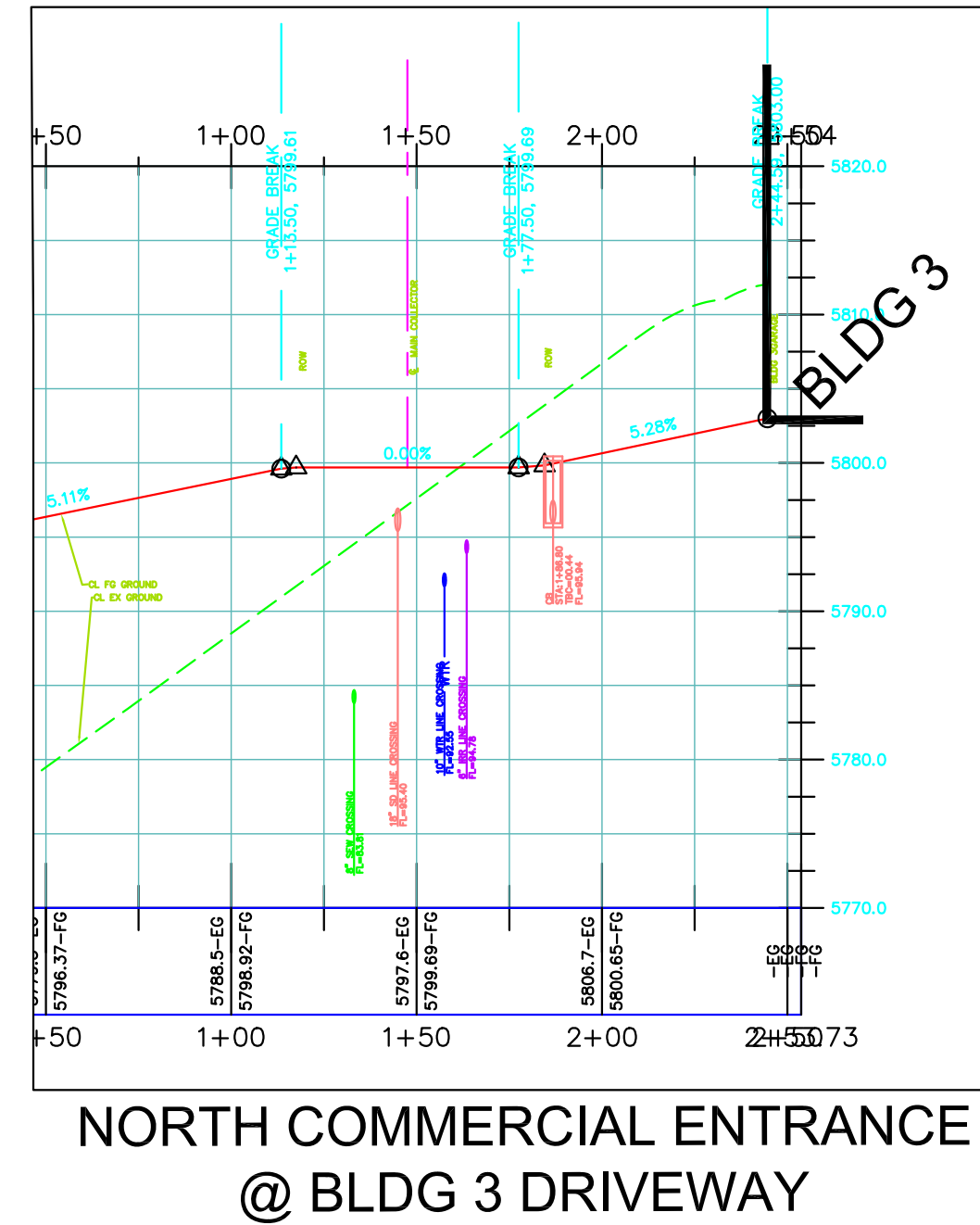
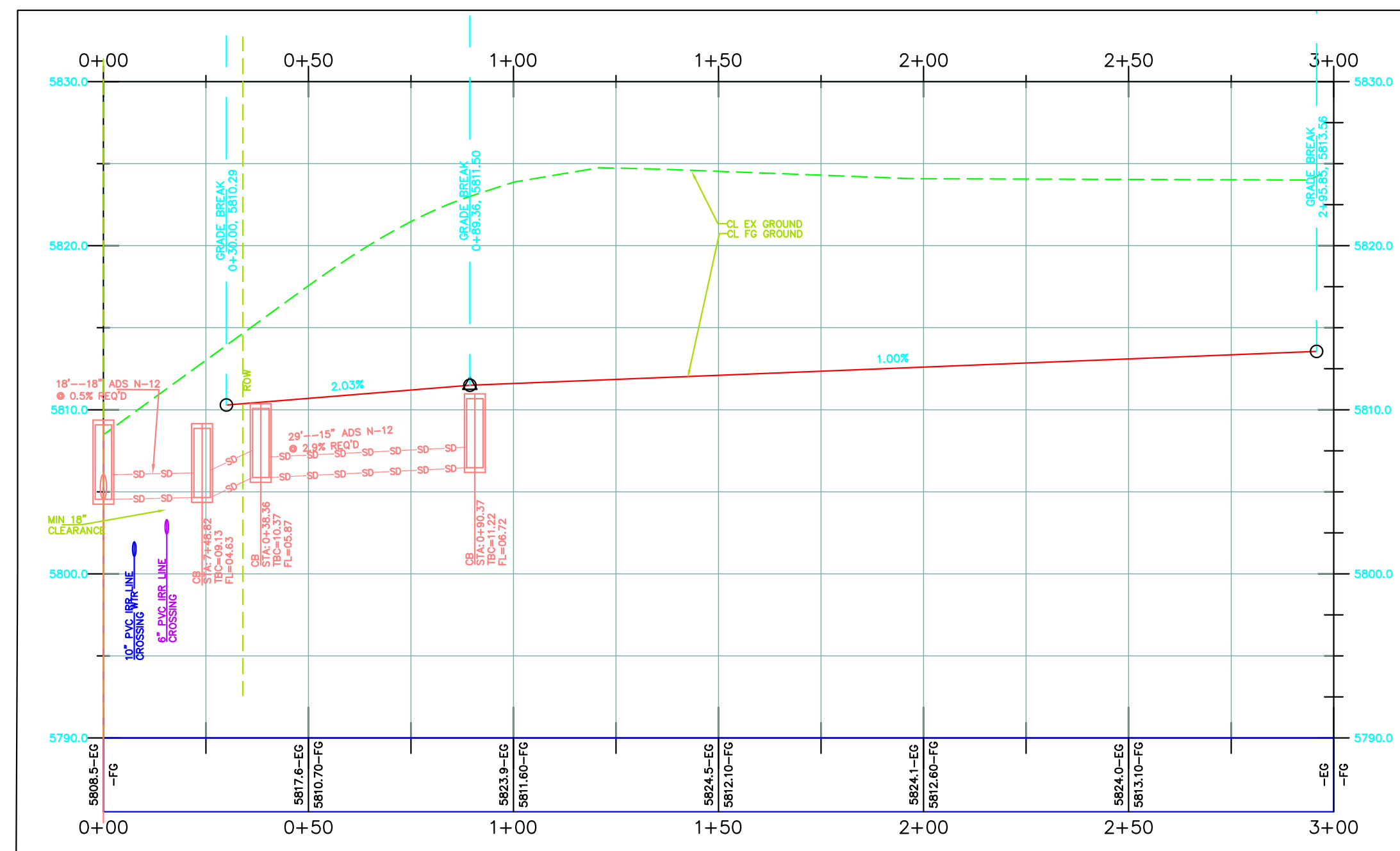
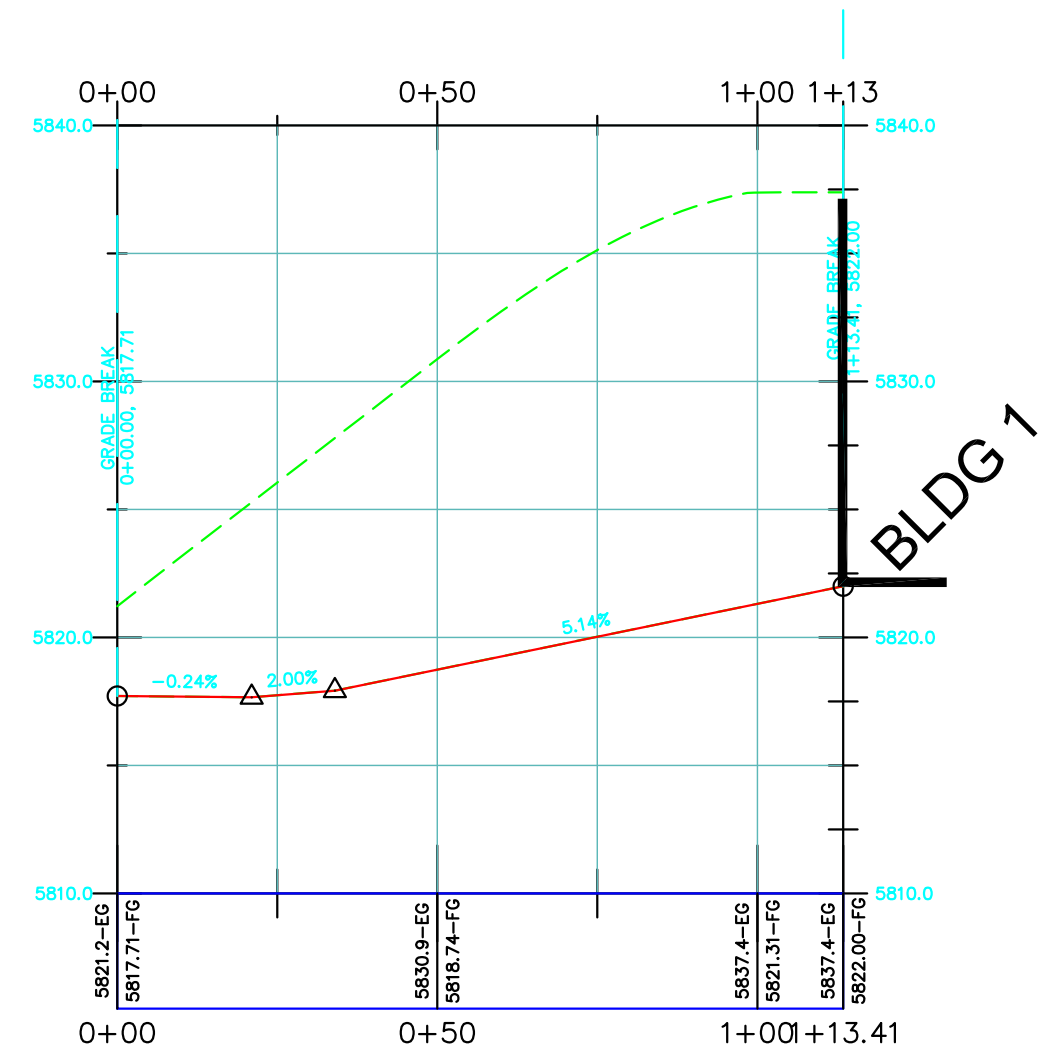
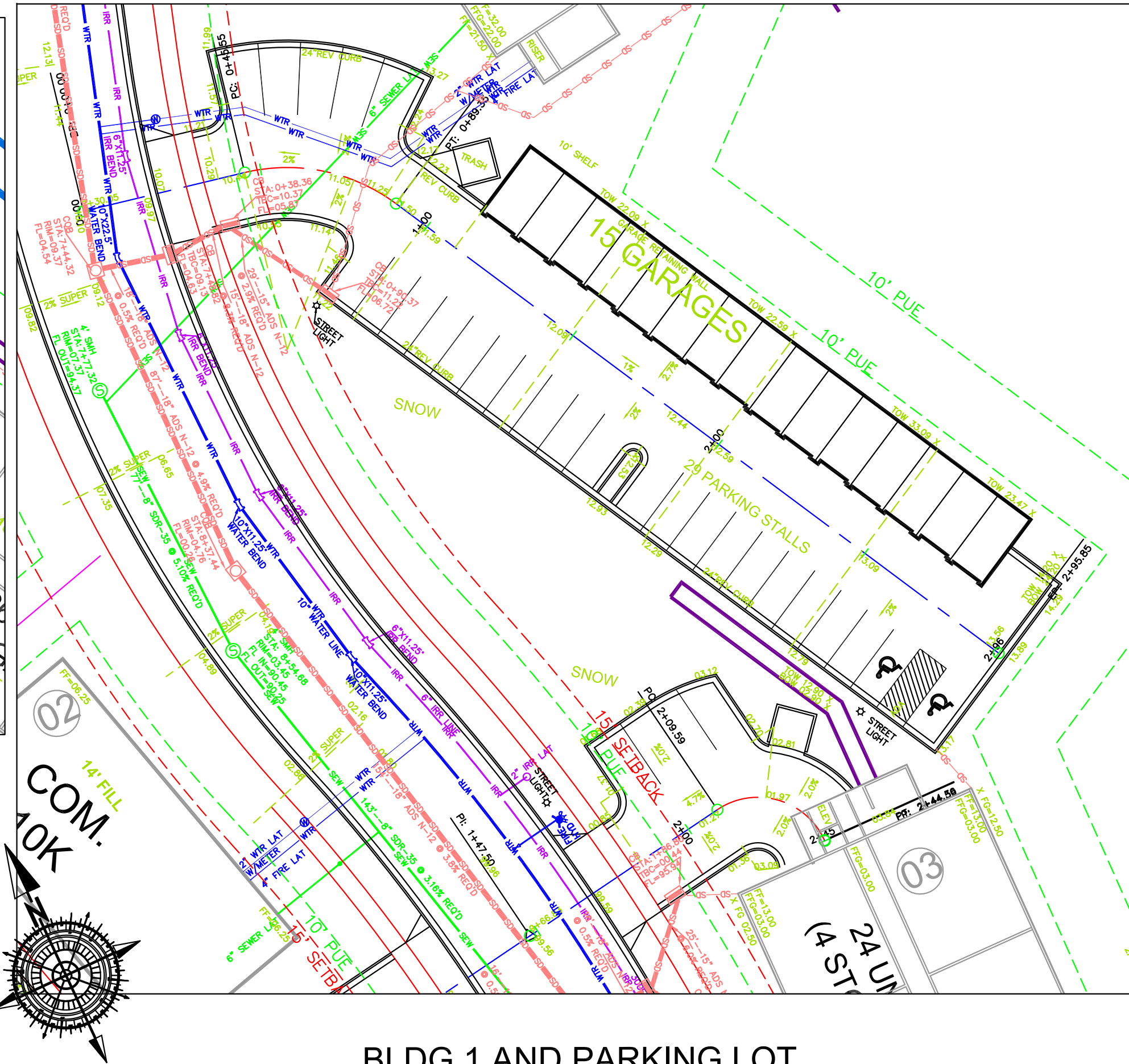
SCALE: 1"=30'

NO. DESCRIPTION

DATE

APP'D

Page 131 of 316

[illegible]

ORIG. DATE:	6-1-16
SURVEY BY:	
DRAWN BY :	GPW
DESIGNED BY :	GPW
CHECKED BY :	GPW
SCALE :	1"=30'

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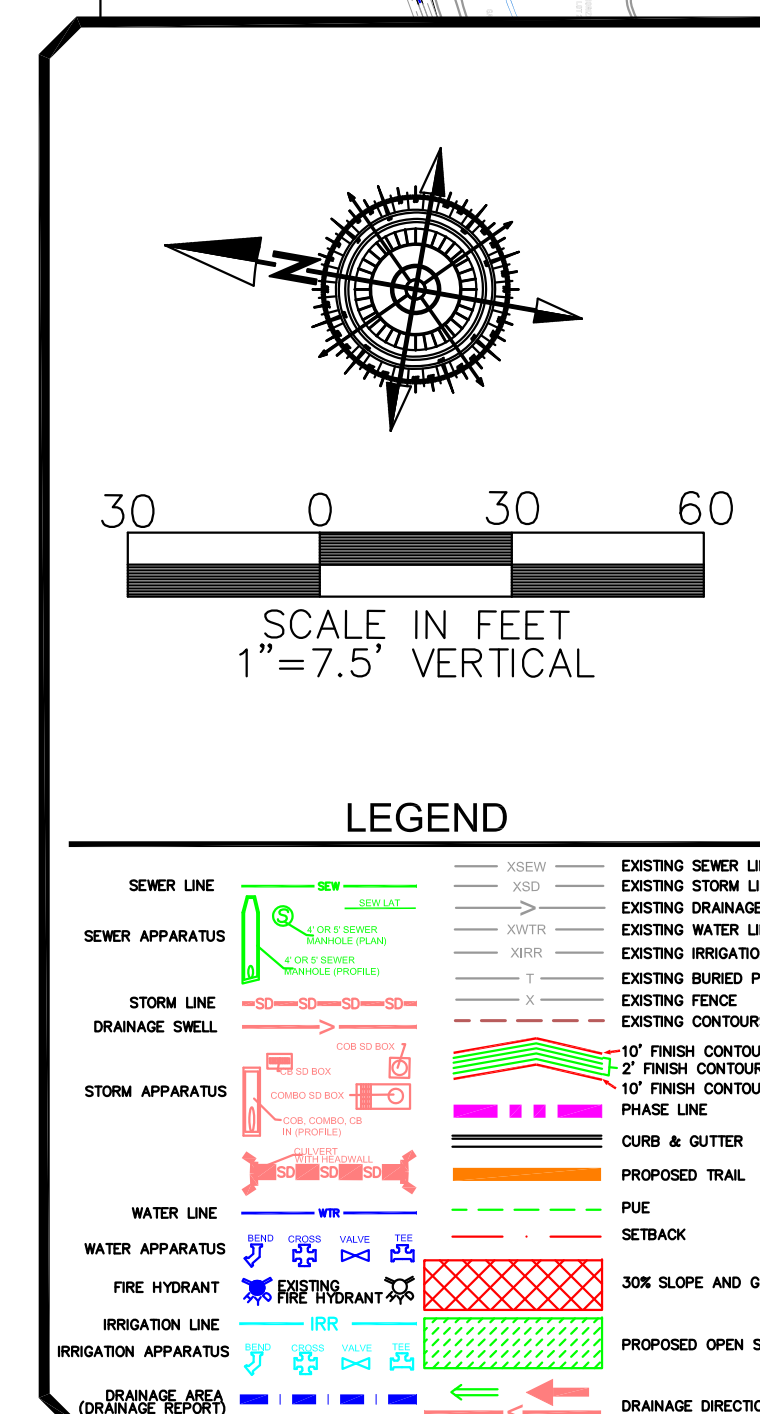
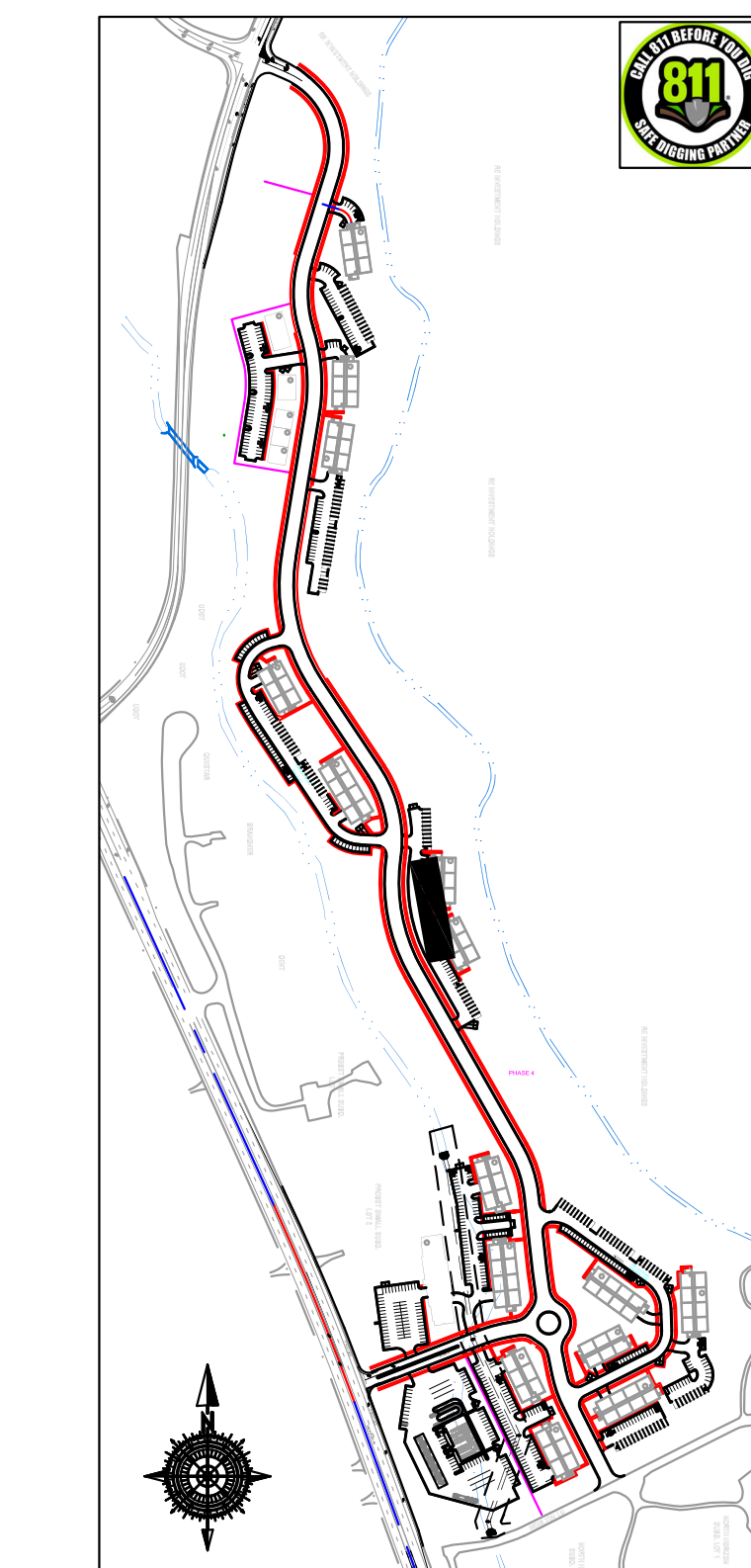
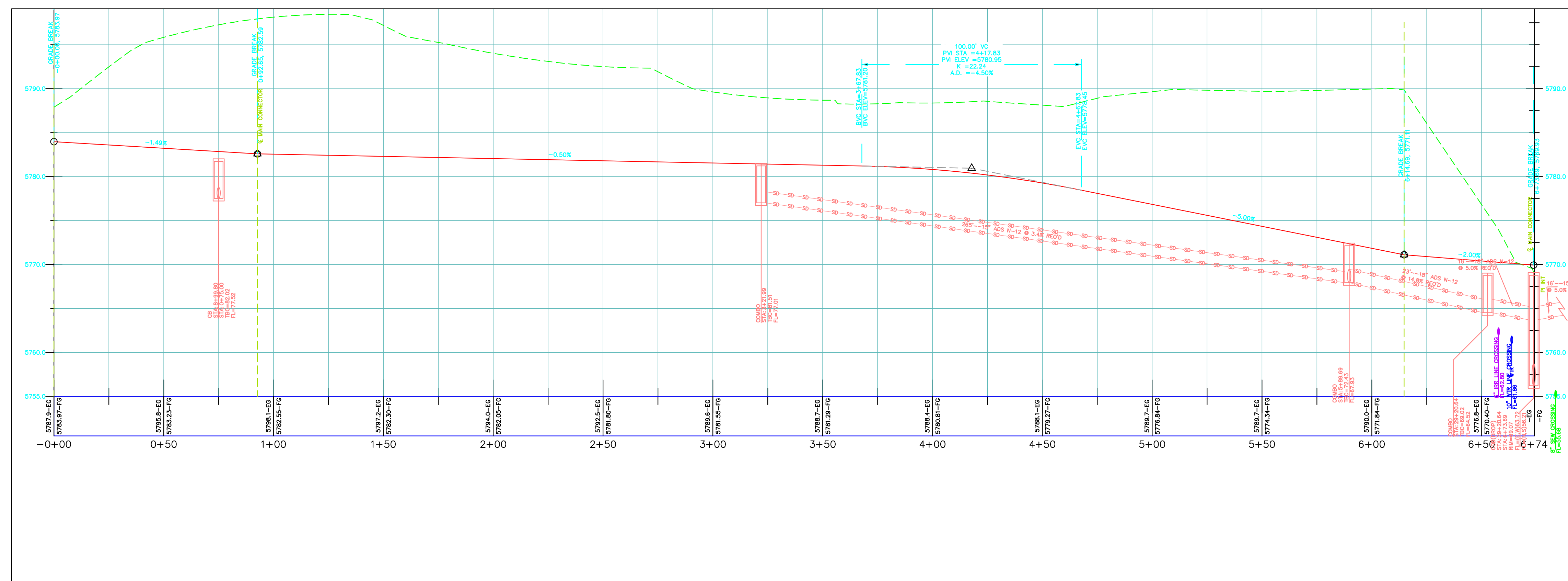
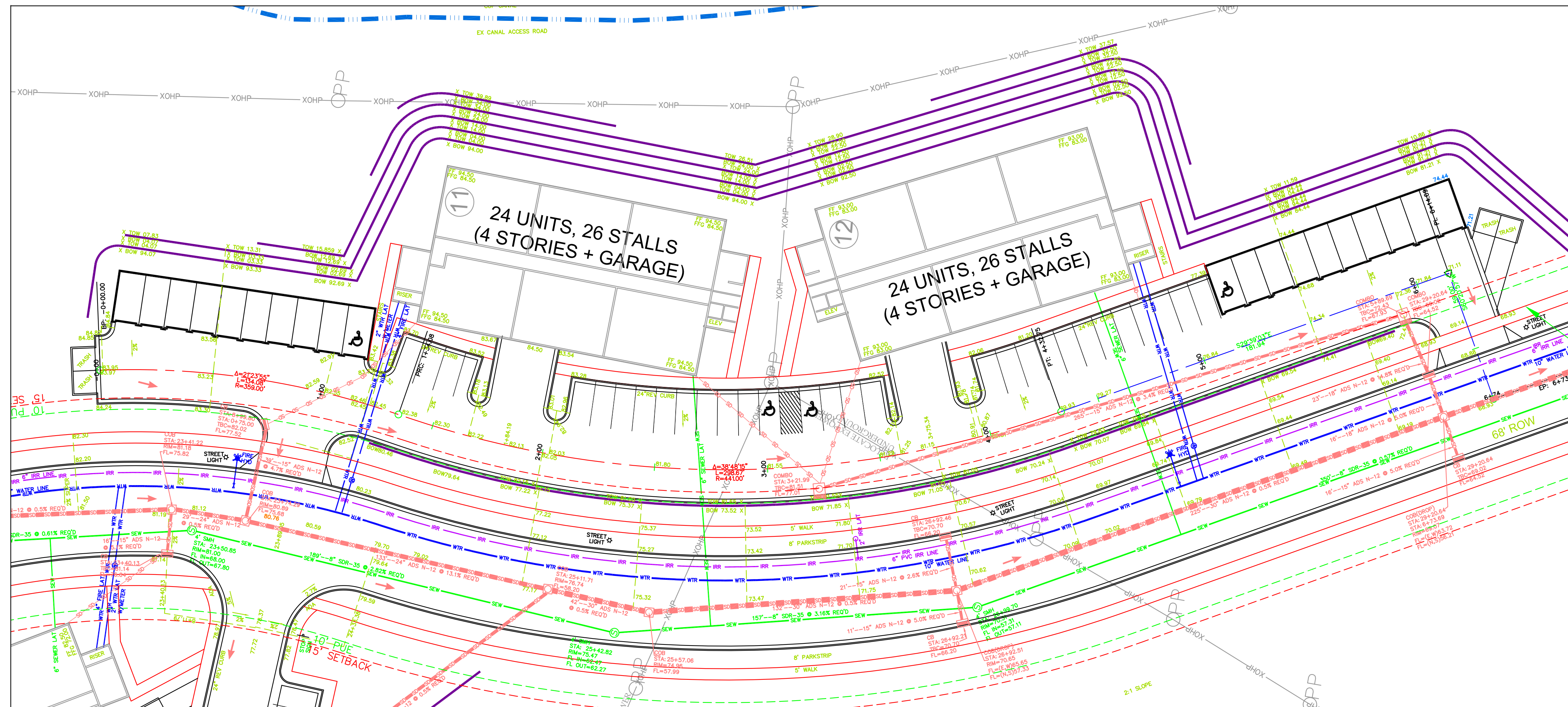
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PH: (801) 594-5848
paul@gatewayconsultingllc.com

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CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS PLAN AND PROFILE BLDG 1 AND 3 PARKING AND DRIVEWAYS	5-31-2024

HEBER
CITY

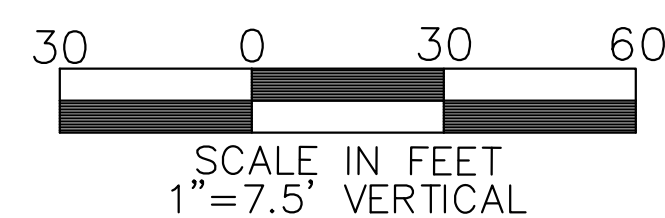
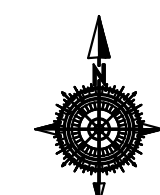
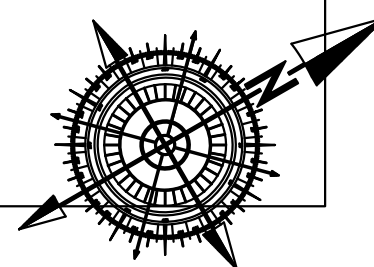
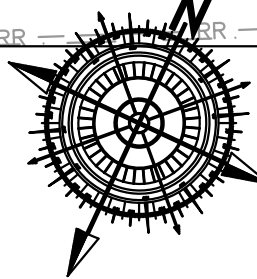
SHEET NO. PP17

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CIVIL ENGINEERING * CONSULTING * LAND PLANNING
CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS
PLAN AND PROFILE BLDG 11, 12 PARKING
5-31-2024

[illegible]

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PH: (801) 694-5848
paul@gatewayconsultingllc.com

CIVIL ENGINEERING * CONSULTING * LAND PLANNING
CONSTRUCTION MANAGEMENT

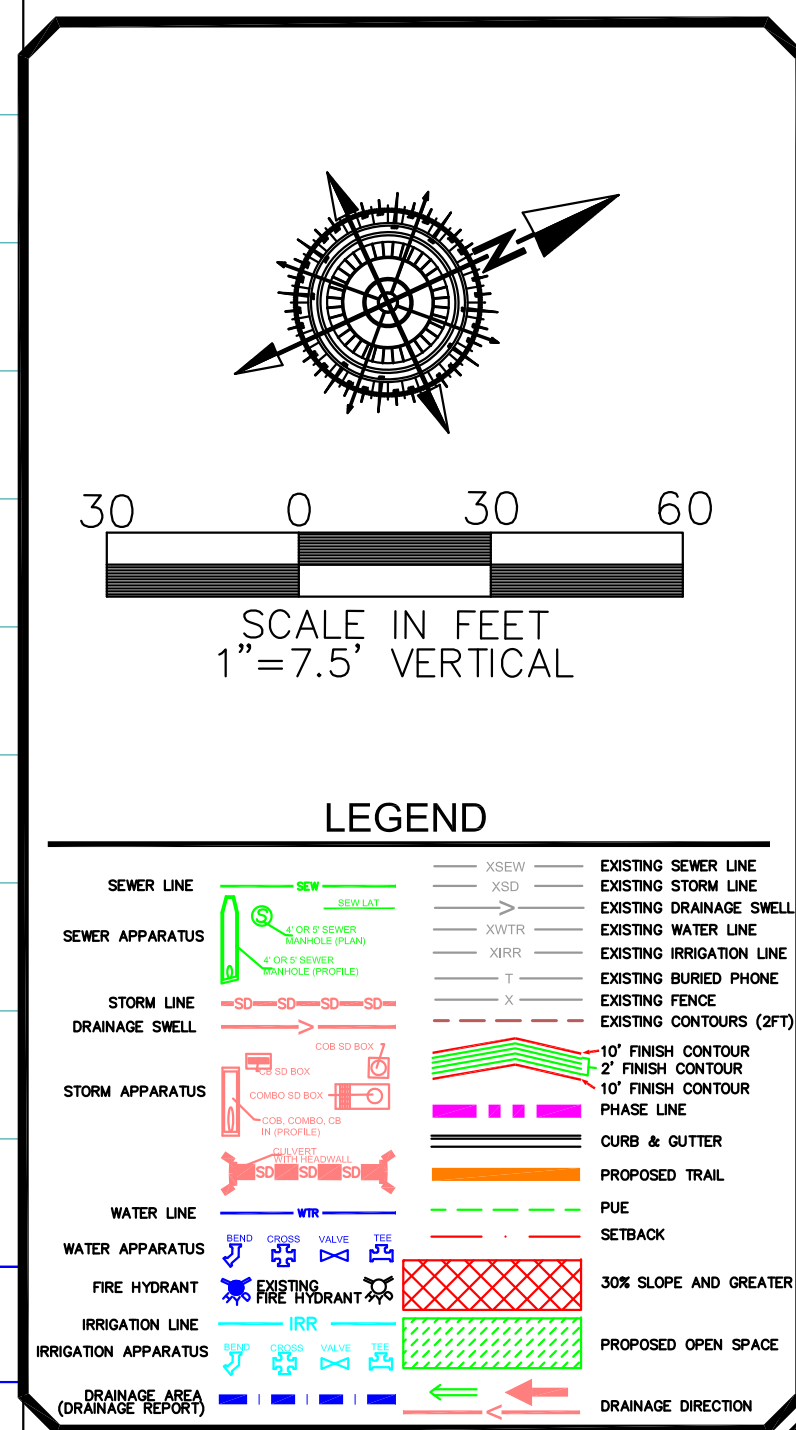
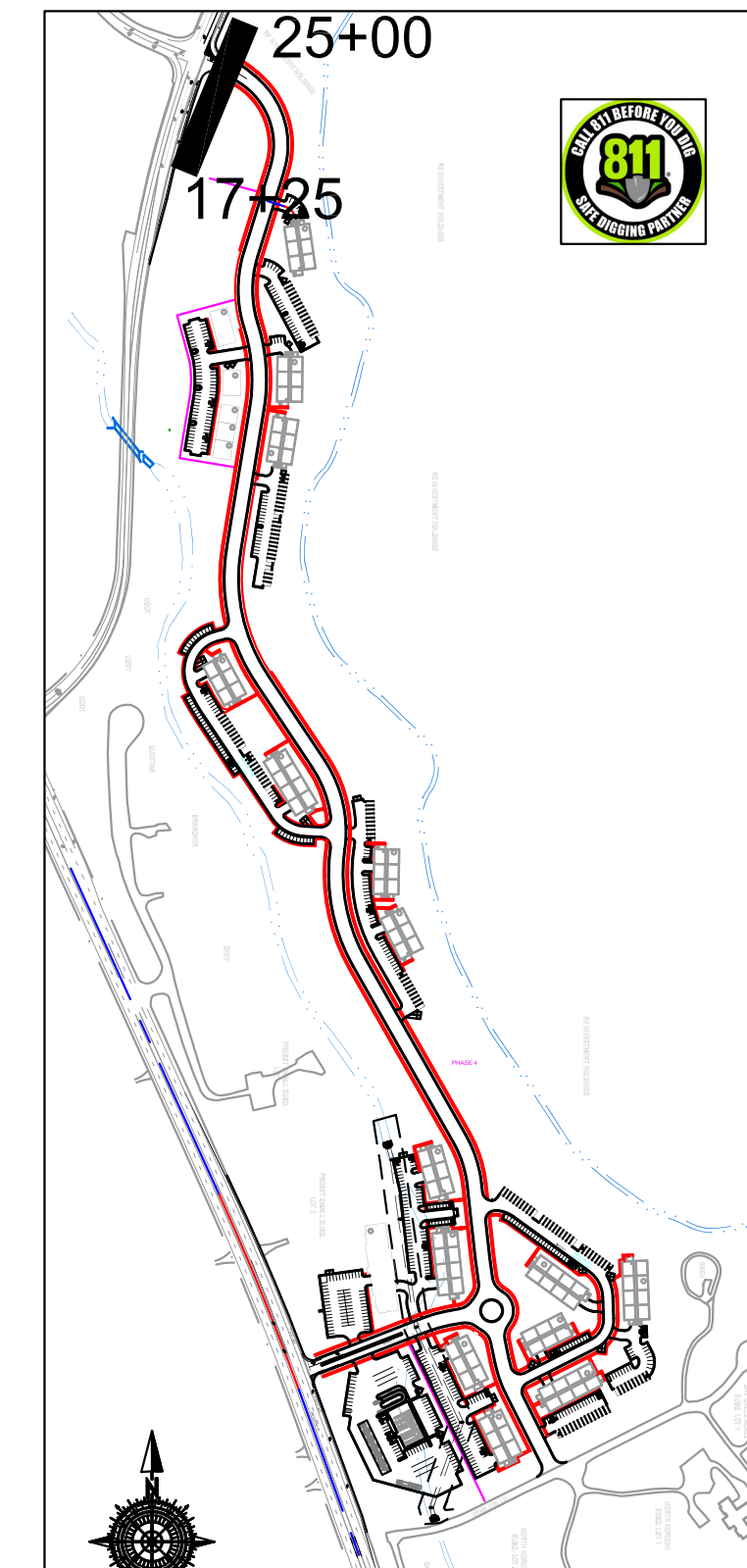
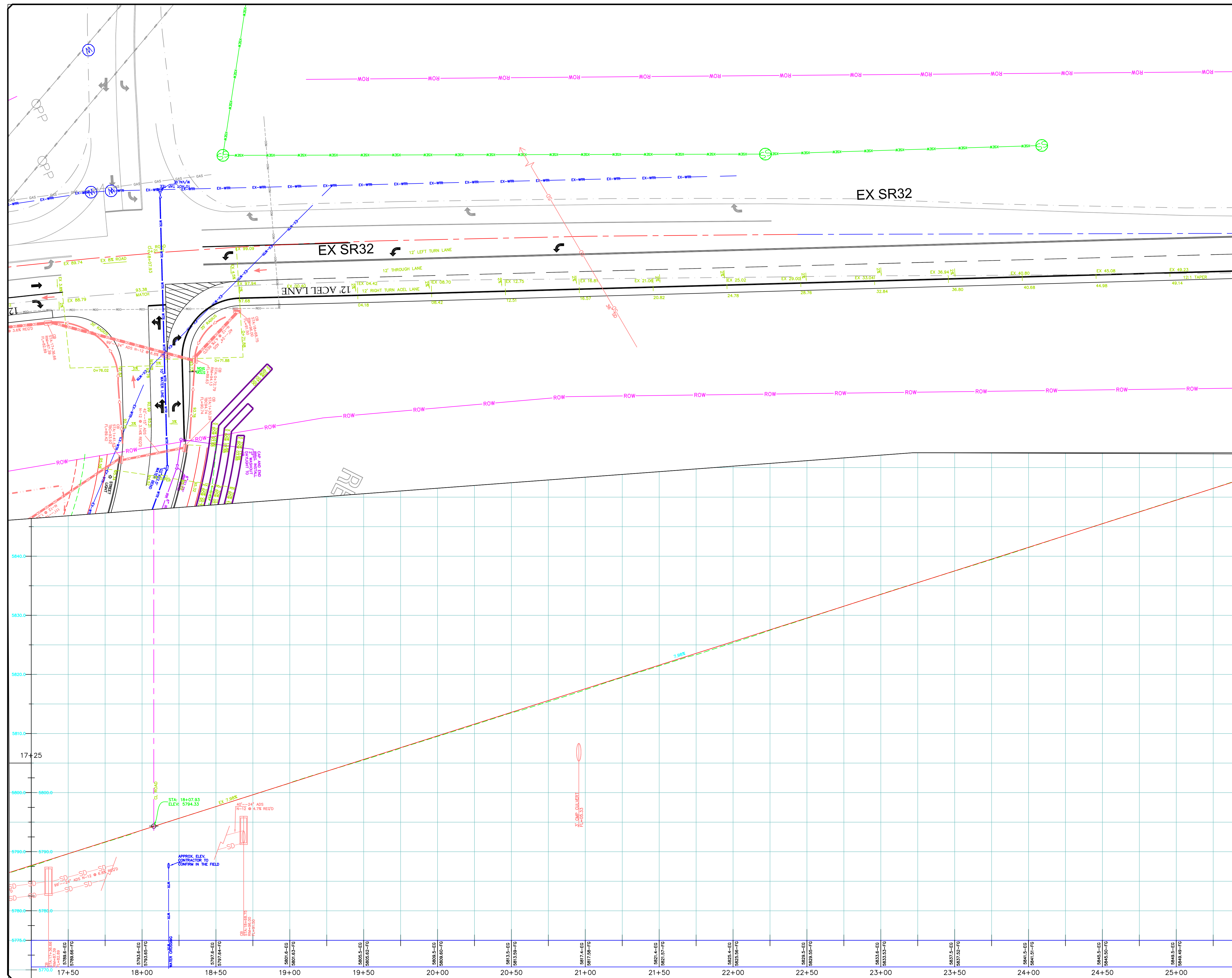
NORTH VILLAGE CROSSINGS	
PLAN AND PROFILE	
BLDG 18 PARKING	
BLDG 17 PARKING	

HEBER
CITY



SHEET NO. PP20

[illegible]

[illegible]

ORIG. DATE:	6-1-16
SURVEY BY:	
DRAWN BY :	GPW
DESIGNED BY :	GPW
CHECKED BY :	GPW
SCALE :	1"=30'

GATEWAY CONSULTING, Inc.

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 PH: (801) 694-5848
 paul@gatewayconsultingllc.com

**CIVIL ENGINEERING * CONSULTING * LAND PLANNING
 CONSTRUCTION MANAGEMENT**

NORTH VILLAGE CROSSINGS

PLAN AND PROFILE

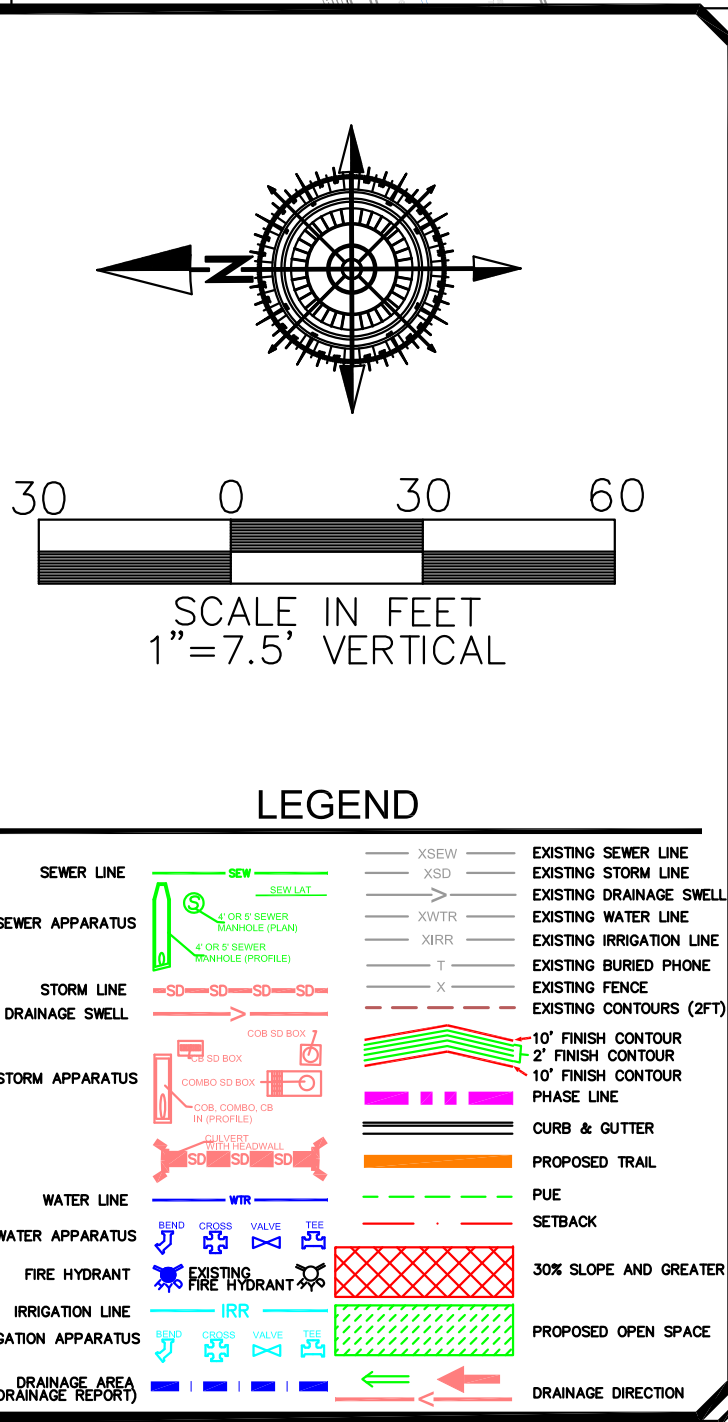
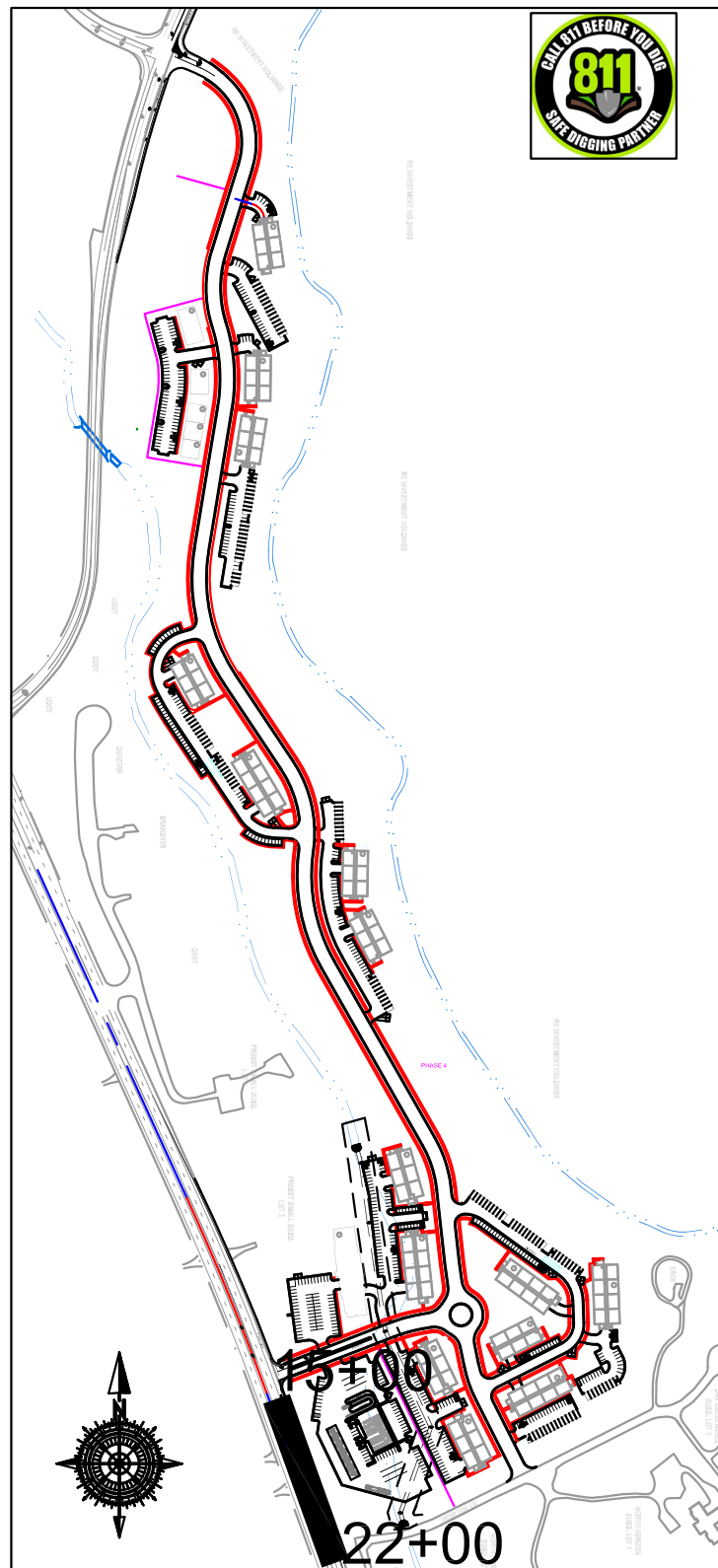
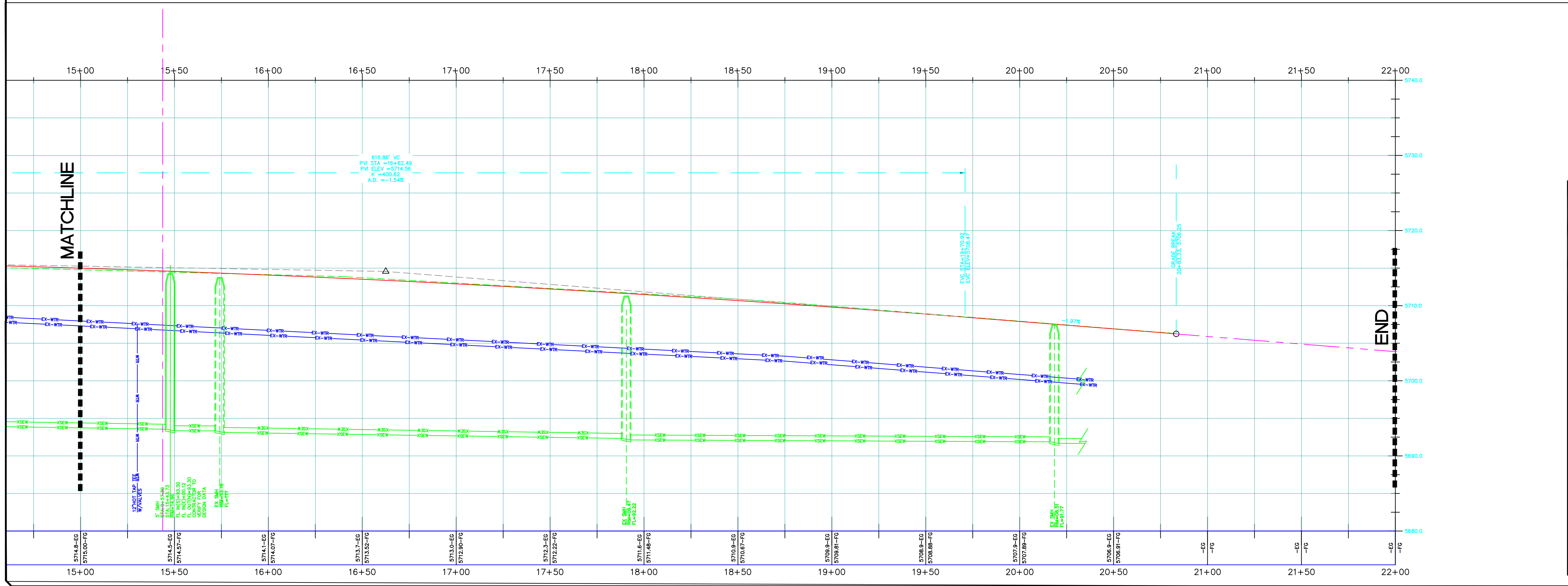
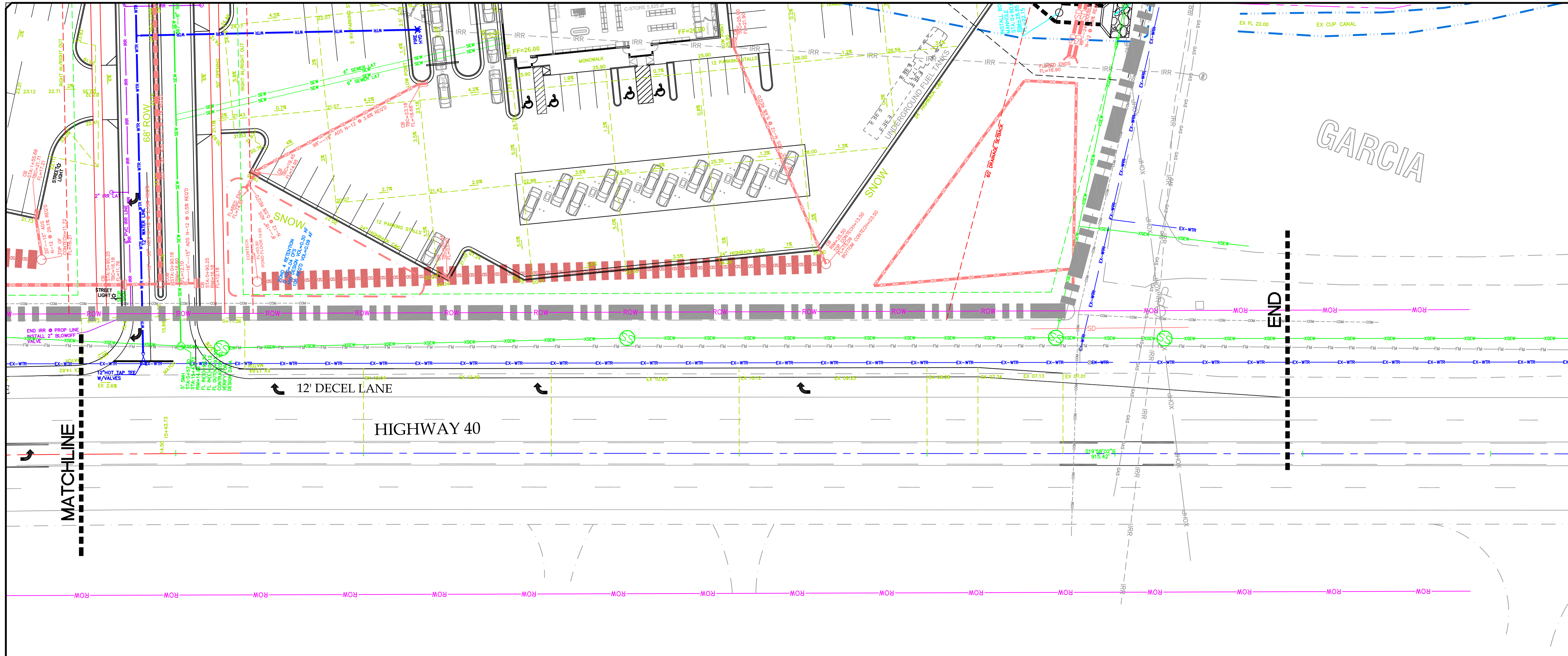
HIGHWAY 32 STA: 17+00 TO 25+00

5-31-2024

HEBER
CITY



SHEET NO. PP22



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CONSTRUCTION MANAGEMENT	
NORTH VILLAGE CROSSINGS	
PLAN AND PROFILE	
HIGHWAY 40 STA: 16+00 TO 21+00	
5-31-2024	
HEBER CITY	
SHEET NO. PP24	
DATE	
NO.	
DESCRIPTION	
APP'D	
SCALE: 1"=30'	
CHECKED BY: GPM	
DESIGNED BY: GPM	
DRAWN BY: GPM	
SURVEY BY: GPM	
ORIG. DATE: 6-1-16	

GENERAL EROSION CONTROL NOTES:
1. AT ALL TIMES DURING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR PREVENTING AND CONTROLLING EROSION DUE TO WIND AND RUNOFF, THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR MAINTAINING EROSION CONTROL FACILITIES SHOWN.

3. THE CONTRACTOR IS RESPONSIBLE FOR KEEPING THE STREETS CLEAN AND FREE FROM DEBRIS FROM TRAFFIC FROM THE SITE.

5. ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE PAVED, SEEDED WITH NATIVE VEGETATION, OR LANDSCAPED. REFER TO LANDSCAPE PLANS FOR SEED MIX. AND PLANTING SPECIFICATIONS.

7. CONTRACTOR SHALL USE VEHICLE TRACKING CONTROL AT ALL LOCATIONS WHERE VEHICLES WILL ENTER OR EXIT THE SITE. CONTROL FACILITIES WILL BE MAINTAINED WHILE CONSTRUCTION IS IN PROGRESS, MOVED WHEN NECESSARY AND REMOVED WHEN THE SITE IS PAVED.

9. BLOWING DUST MUST BE CONTROLLED AT ALL TIMES. INSTALLATION OF A SILT SCREEN AND SITE WATERING SHALL BE USED TO CONTROL DUST, THE USE OF MOTOR OILS AND OTHER PETROLEUM BASED OR TOXIC LIQUIDS FOR DUST SUPPRESSION OPERATIONS IS ABSOLUTELY PROHIBITED.

11. ALL OFF-SITE CONSTRUCTION SHALL BE STABILIZED AT THE END OF EACH WORKING DAY. THIS INCLUDES BACKFILLING OF TRENCHES FOR UTILITY CONSTRUCTION AND PLACEMENT OF BITUMINOUS PAVING FOR ROAD CONSTRUCTION.

13. ALL UTILITY LINES SHALL BE CLEANED OF DIRT AND DEBRIS PRIOR TO BEING PUT IN TO SERVICE. DOWNGRADE LINES MUST BE PROTECTED FROM WASH-WATER DURING THE CLEANING TO AVOID CONTAMINATION AND COMPROMISING OUTFALL CLEANLINESS.

1. THE CUT SLOPES ARE PROGRAMMED AS SHOWN. TOPS OF 3:1 & 2:1 CUTS THAT OCCUR IN TOP SOIL WILL BE ROUNDED TO BLEND INTO NATURAL TERRAIN.

4. CONTRACTOR SHALL ABIDE BY EROSION CONTROL REQUIREMENTS AS SET FORTH HEREIN.

6. AFTER CLEARING AND GRUBBING OPERATIONS, TOPSOIL IS TO BE STOCKPILED IN AREAS TO BE DETERMINED IN FIELD BY THE ENGINEER, CONTRACTOR, CITY REVIEW ENGINEER AND CITY INSPECTOR. NO ORGANIC MATERIAL OR ROCK LARGER THAN 24" WILL BE PLACED IN ROADWAY FILLS. 12" MINUS IN TOP 1' OF ROADWAY.

8. ALL FILL SLOPES WILL BE GRADED AS SHOWN OR AS DETERMINED BY A GEOTECHNICAL ENGINEER. COMPACTION OF EMBANKMENT FILLS WILL BE CONSTRUCTED TO HEBER CITY ROADWAY STANDARDS. FILL AREAS SHALL BE CLEARED, GRUBBED, STRIPPED OF SOIL AND SCARIFIED PRIOR TO PLACEMENT OF SUITABLE EMBANKMENT MATERIAL.

9. ALL DISTURBED AREAS WILL BE REVEGETATED ACCORDING TO REVEGETATION / EROSION CONTROL NOTES WITH A GRASS MIXTURE AS FOLLOWS APPLIED AT A MINIMUM RATE OF 50 LBS. PLS (PURE LIVE SEED PER ACRE WITH MIX)

NATIVE GRASSES	
% Pure	Grass Type
20.00	Hard fescue
15.00	Pubescent wheat grass
15.00	Orchard grass (sod forming)
15.00	smooth brom grass
20.00	Stream bank wheat grass (sod forming)
15.00	Western wheat grass

TOPSOIL SHALL BE PLACED TO A DEPTH OF 6" ON ALL CUT AND FILL SLOPES 3:1 OR FLATTER. REVEGETATION AREAS WILL BE SEEDED AND MULCHED AS SOON AS POSSIBLE AFTER CONSTRUCTION COMPLETION.

10. SILT FENCING WILL BE HELD IN PLACE WITH 2 X 2 STAKES AND WILL BE PLACED ON THE DOWNHILL SIDES OF ALL DISTURBED AREAS AND AREAS USED FOR STOCKPILING AND TRENCHED INTO GROUND.

11. THE SILT FENCING SHALL BE INSTALLED BEFORE CLEARING AND GRUBBING AT THE TOE OF THE DISTURBED DOWNHILL SLOPE. NO GRUBBED AREA SHALL BE WITHOUT SILT FENCE PROTECTION FOR LONGER THAN 24 HOURS. THE SILT FENCE SHALL BE MONITORED AND REPLACED IF NECESSARY.

12. ALL SITE DRAINAGE SHALL BE ADEQUATELY PROVIDED FOR DURING CONSTRUCTION.

13. NATURAL VEGETATION WILL BE PRESERVED AND PROTECTED AS MUCH AS POSSIBLE AND VEGETATION REMOVAL WILL BE MINIMIZED.

14. DRAINAGE WAYS AND OUTLETS WILL BE PROTECTED FROM INCREASED FLOWS AND EROSION.

15. THE CONTRACTOR SHALL NOTIFY ALL OWNERS OF UTILITIES INCLUDING BUT NOT LIMITED TO WATER, SANITARY SEWER, TELEPHONE, ELECTRICAL, NATURAL GAS AND CABLE TELEVISION, OF THE PROPOSED CONSTRUCTION WITHIN THE UTILITIES AREA OF OPERATIONS. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH THE UTILITIES COMPANIES INVOLVED IN ACTIVITIES WITH THOSE OF THE UTILITY COMPANIES INVOLVED WITH FIELD LOCATION OF ALL EXISTING UTILITIES WITHIN THE AREA OF OPERATIONS. SHOULD THE CONTRACTOR EXPERIENCE A FAILURE BY THE UTILITY COMPANIES TO COMPLY WITH THEIR RESPONSIBILITY OF RELOCATING OR PROVIDING RECORDS, IF ANY, THE CONTRACTOR MAY BE NOTIFIED IN WRITING. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

16. THE CONTRACTOR SHALL FOLLOW AS APPLICABLE, UNLESS STANDARDS HAVE BEEN WAIVED OR MODIFIED:

- UNIFORM BUILDING CODE, 1997 EDITION, APPENDIX CHAPTER A33, EXCAVATING AND GRADING
- JORDANELLE SPECIAL SERVICES DISTRICT
- UNIFORM FIRE CODE
- HEBER CITY CODE

18. NATIVE MATERIAL CAN BE CRUSHED AND PROCESSED ON SITE FOR ROAD BASE MATERIAL.

19. TEMP. DEBRIS PILES WILL BE LOCATED EVERY 200' AS NEEDED.

20. ALL ROADWAYS, TRENCHES, DETENTION PONDS AND/OR EXCAVATIONS OF ANY KIND REQUIRING FILL MATERIAL WILL BE INSPECTED AND APPROVED BY THE OWNERS QUALITY CONTROL FIRM PRIOR TO THE PLACEMENT OF ANY FILL MATERIAL.

21. ALL FILL OR BACK FILL, WHETHER IMPORT OR NATIVE SOILS, WILL BE TESTED FOR DENSITY, MOISTURE AND BEARING AT REGULAR INTERVALS THROUGH THE COURSE OF THE FILL PLACEMENT. ALL FILLS WILL BE PLACED IN LIFTS AS PER THE PLANS AND HEBER CITY SPECIFICATIONS. CONTRACTOR IS RESPONSIBLE TO NOTIFY THE THE GEOTECH 24 HOURS IN ADVANCE OF SCHEDULED FILL PLACEMENT.

22. IN THE EVENT OF DISCREPANCIES BETWEEN BID DOCUMENTS AND EXISTING ONSITE CONDITIONS, CONTRACTOR WILL 1) IMMEDIATELY HALT WORK ACTIVITY AND NOTIFY DESIGN ENGINEER OF ANY SUCH DISCREPANCIES 2) UPON RESOLUTION OF DISCREPANCIES, CONTRACTOR WILL SUBMIT COST OF CHANGED CONDITION, IF ANY. 3) PROCEED WITH WORK AFTER RECEIPT OF WRITTEN NOTICE TO COMMENCE WORK.

23. CONTRACTOR WILL, PRIOR TO INSTALLATION PREPARE AND SUBMIT PRODUCT DATA AND DETAILS FOR MATERIAL USED IN CONJUNCTION WITH THIS PRODUCT IE. OVERFLOW STRUCTURES, DRAINAGE PIPE, FILTER FABRICS, EROSION BLANKETS, GROUT, GUARDRAILS, ROAD SIGNS, ETC.

24. CUT AND FILL SLOPES MATTING TO BE SEEDED AND TOPSOILED PRIOR TO PLACEMENT OF EROSION BLANKETS.

25. STAPLE PATTERNS ON EROSION MATS PER SUPPLIERS SPECS

EROSION CONTROL BLANKET - ALL REQUIRED GRADING AND SEEDING IN AREAS TO RECEIVE EROSION CONTROL BLANKET SHOULD BE COMPLETED AND APPROVED BEFORE PLACING THE PRODUCT. APPLY THE BLANKET WITHIN 24 HOURS AFTER SEEDING OR BEFORE PRECIPITATION FALLS. IF THE BLANKET IS NOT INSTALLED AND A PRECIPITATION EVENT OCCURS, CREATING SOIL EROSION, REPLACE ERODED MATERIAL, REWORK THE SOIL, AND RESEED BEFORE INSTALLING THE BLANKET. INSTALL THE EROSION CONTROL BLANKET OR CHANNEL LINER STRICTLY FOLLOWING MANUFACTURER'S SPECIFICATIONS. ALLOW THE BLANKET OR LINER TO LAY LOOSELY ON THE SOIL TO ACHIEVE MAXIMUM SOIL CONTACT. REMOVE ROOTS, BRANCHES, OR OTHER LOOSE OBJECTS THAT CAUSE THE BLANKET OR CHANNEL LINER TO "TENT". PLACE ROOTS AND BRANCHES ON AREAS ALREADY BLANKETED. DO NOT STRETCH THE BLANKET DURING INSTALLATION. STAPLE THE BLANKET OR LINER USING MANUFACTURER'S SPECIFICATIONS. STAPLE REQUIREMENTS VARY ACCORDING TO THE STEEPNESS AND LENGTH OF THE SLOPE. PLACE ADDITIONAL STAPLES IN AREAS SUCH AS: SWALES, BASE OF HUMPS, AGAINST ROCK OUTCROPS AND AS REQUIRED TO ACHIEVE MAXIMUM CONTACT BETWEEN THE BLANKET AND THE SOIL.

TOPSOIL – PLACE TOPSOIL JUST BEFORE SEEDING TO ELIMINATE COMPETITION FROM WEEDS, COORDINATE TOPSOIL PLACEMENT WITH THE SEEDING WINDOW.

SEEDING WINDOW – COMPLETE ALL GENERAL DISTURBED AREA SEEDING WITHIN THE APPROPRIATE SEEDING WINDOW. IF THE SEEDING IS NOT COMPLETED WITHIN THE GIVEN WINDOW, POSTPONE SEEDING UNTIL THE FOLLOWING YEAR. UNDER CERTAIN CONDITIONS, AN EXCEPTION TO THIS WINDOW MAY BE OBTAINED THROUGH THE REGION LANDSCAPE ARCHITECT. THE ENGINEER APPROVES EXCEPTIONS.

<u>ELEVATION</u>	<u>SEEDING WINDOW</u>
4000 TO 6000 FT	SEPT. 15 TO DEC. 1
ABOVE 6000 FT	SEPT. 1 TO NOV 15

GATEWAY CONSULTING, Inc.

 P.O. BOX 951005 SOUTH JORDAN, UT 84095
 PH: (801) 694-5348
 paul@gatewayconsultingllc.com

**CIVIL ENGINEERING * CONSULTING * LAND PLANNING
 CONSTRUCTION MANAGEMENT**

NORTH VILLAGE

CROSSINGS

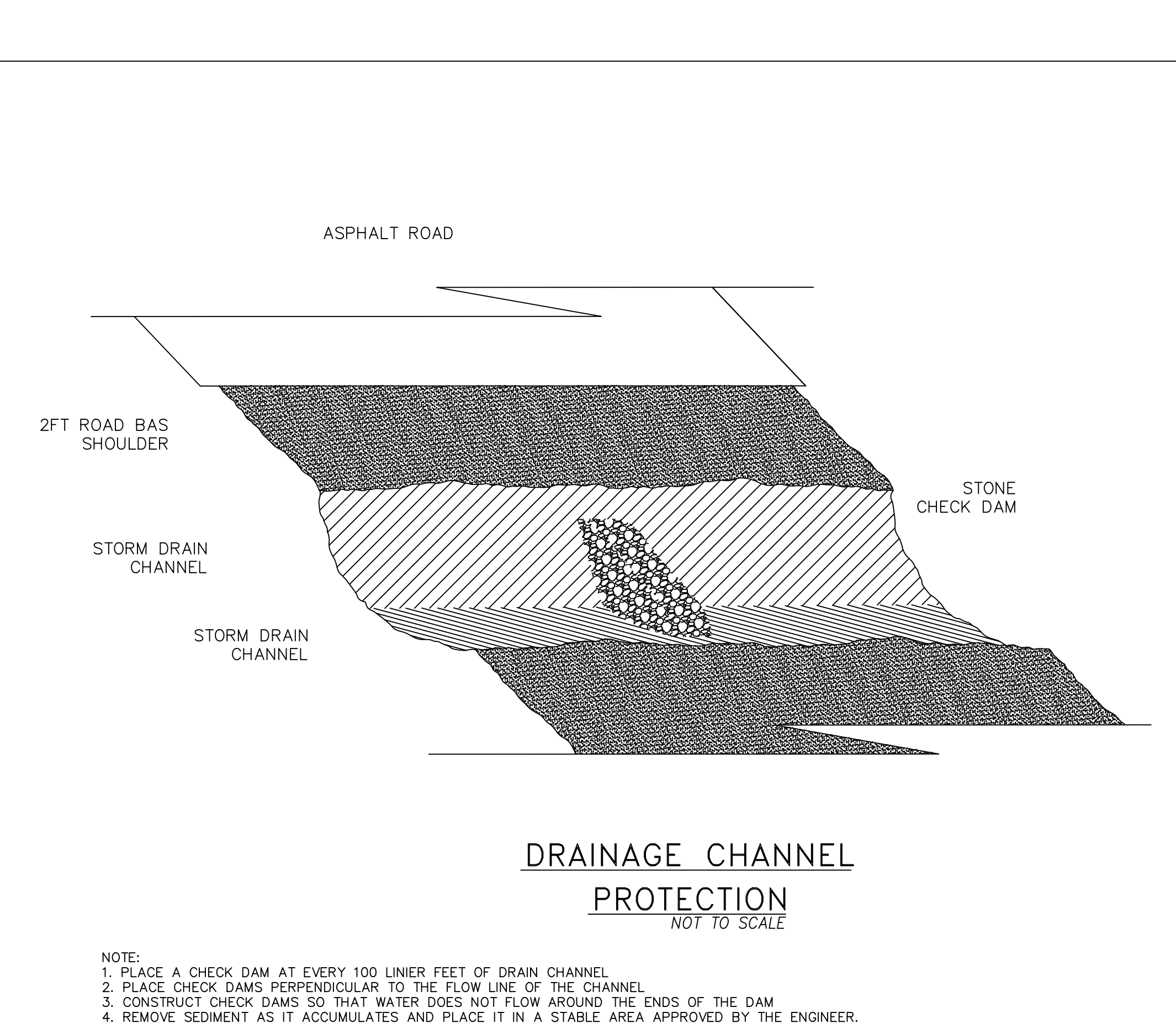
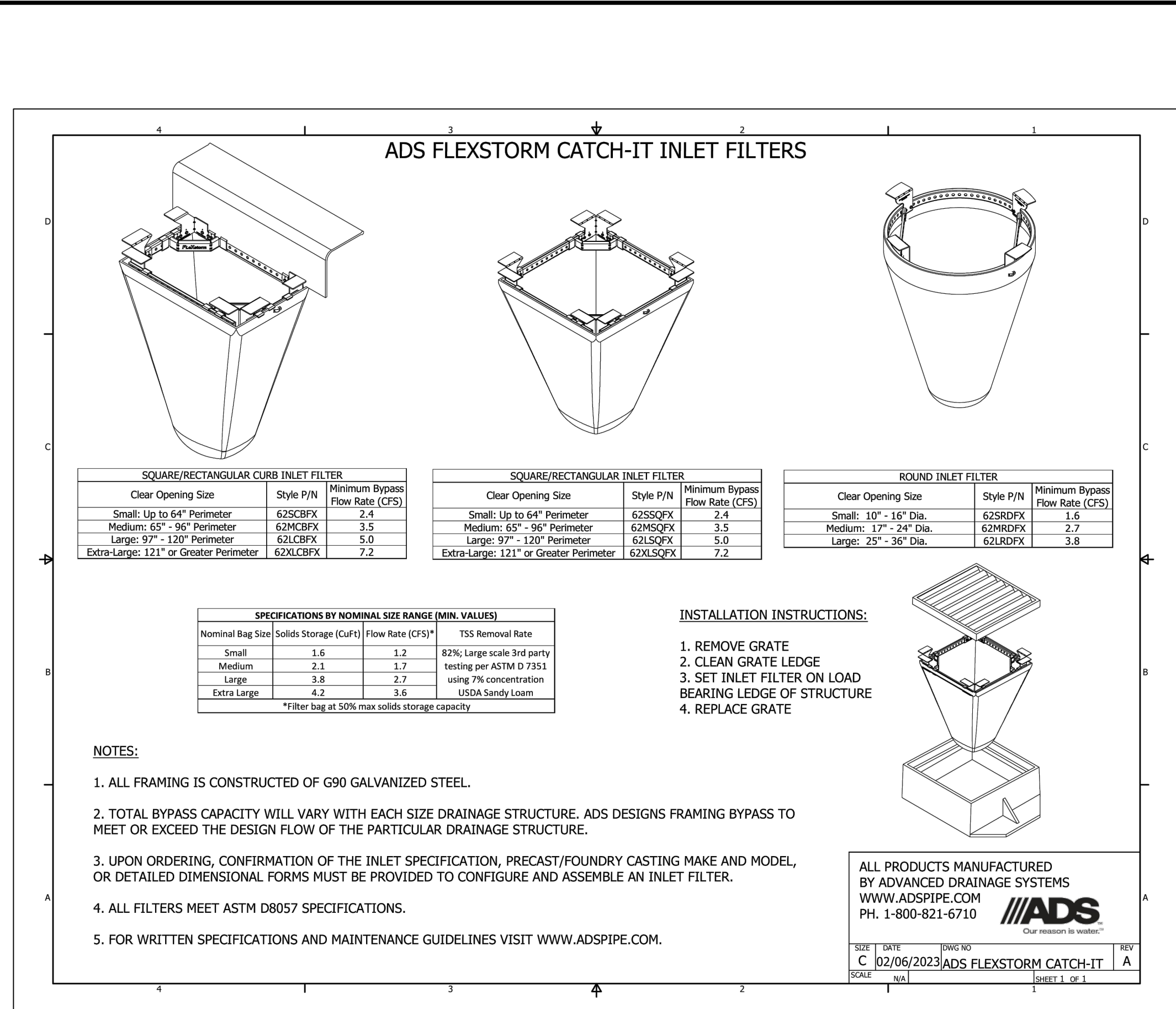
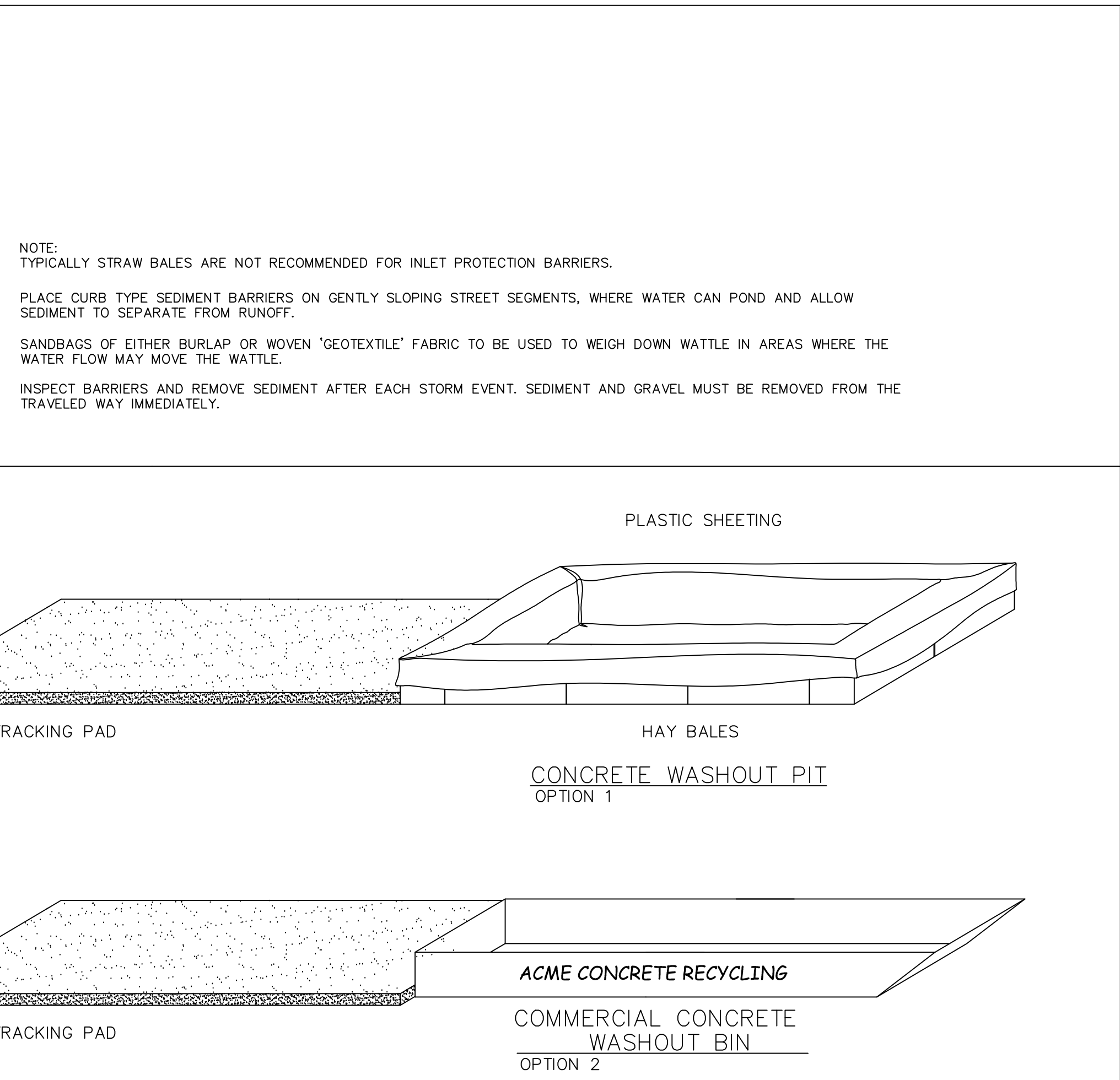
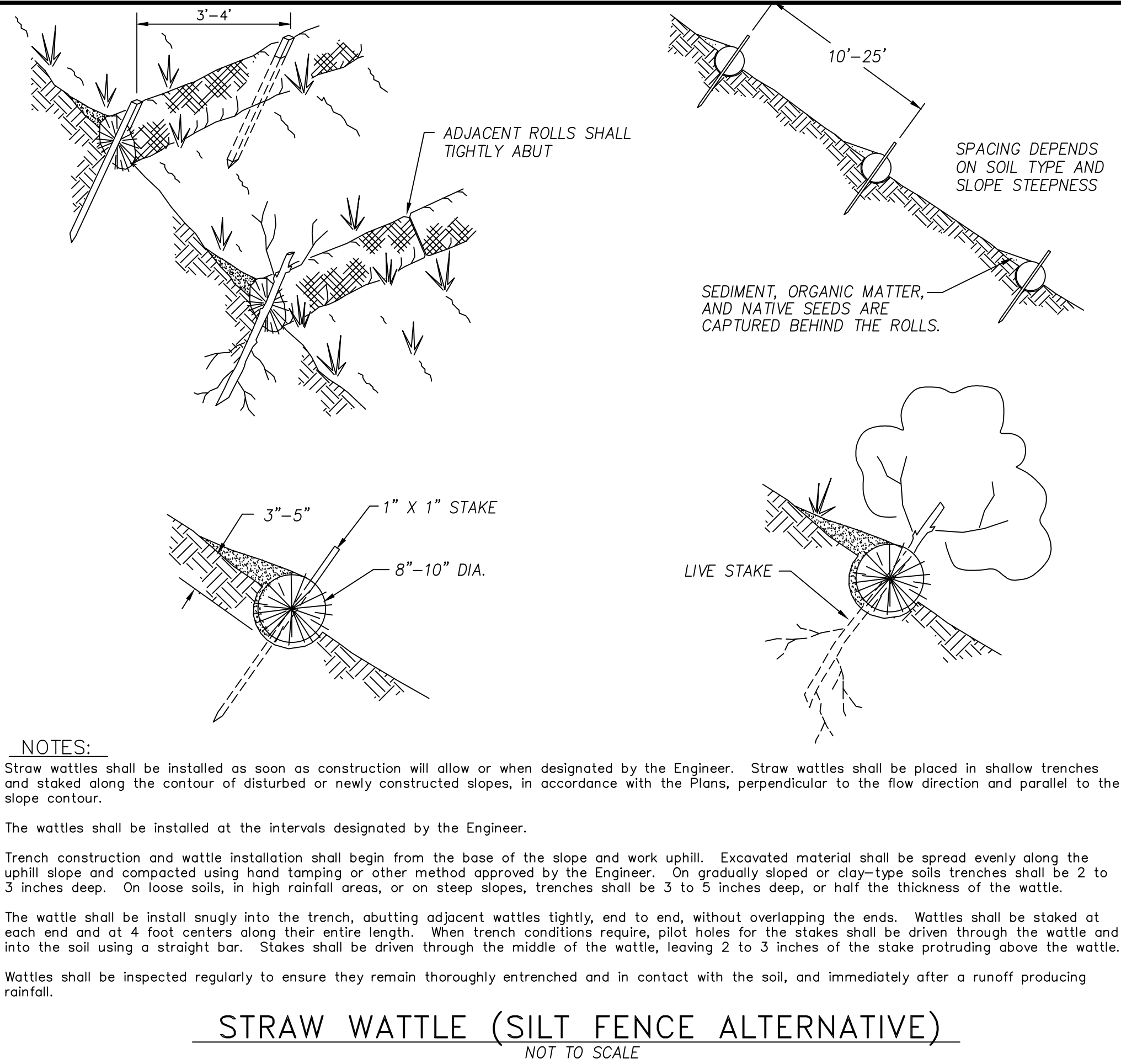
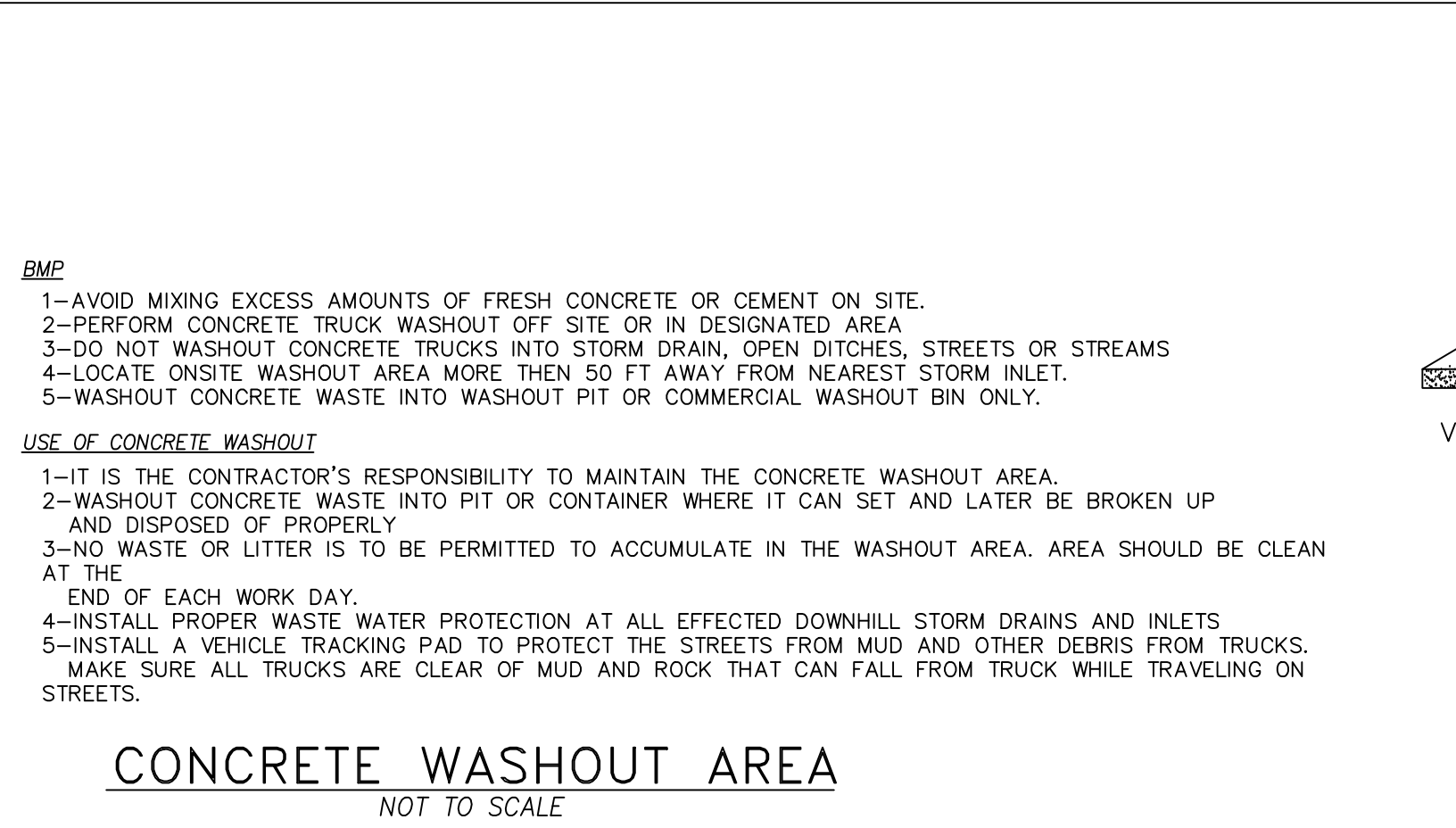
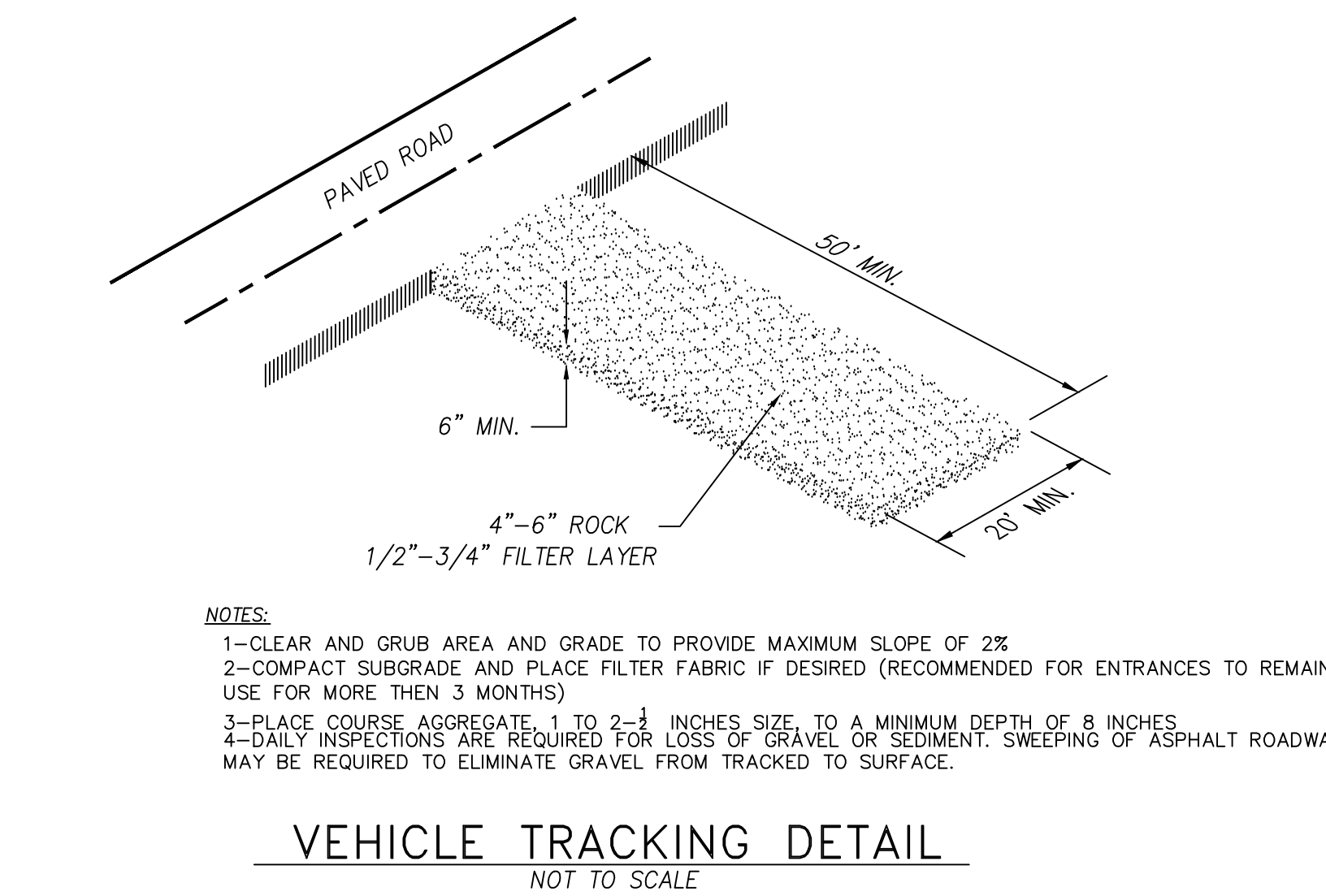
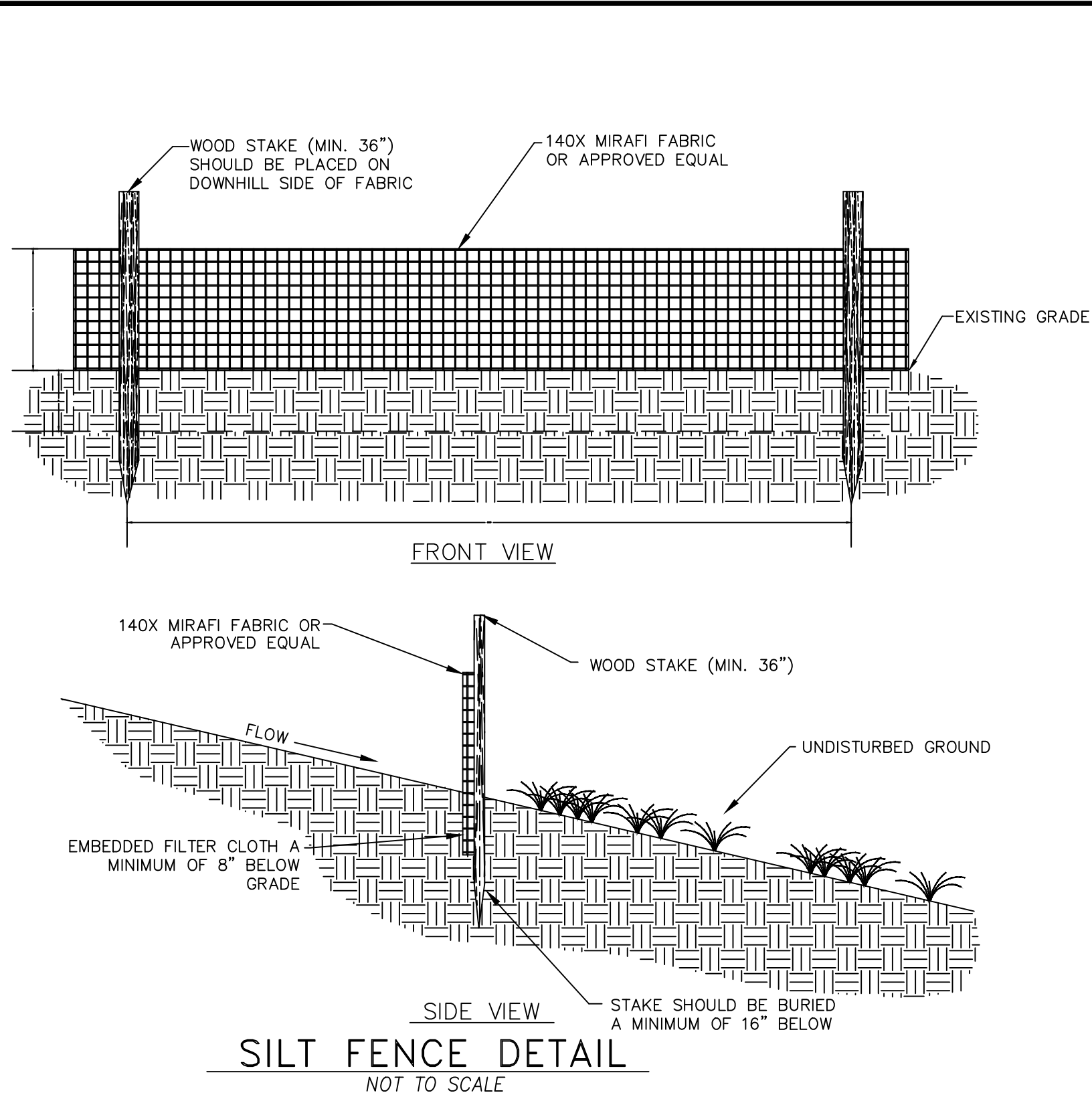
EROSION CONTROL DETAILS and NOTES

5-31-2024

HEBER
CITY



SHEET NO. ER-1



ORIG. DATE: 7-1-14

SURVEY BY: GPW

DRAWN BY: GPW

DESIGNED BY: GPW

CHECKED BY: GPW

SCALE: N/A

NO.

DESCRIPTION

DATE

APP'D

GATEWAY CONSULTING, Inc.
P.O. BOX 951005 SOUTH JORDAN, UT 84095
PH: (801) 694-5848
paul@gatewayconsultingllc.com

CIVIL ENGINEERING • CONSULTING • LAND PLANNING
CONSTRUCTION MANAGEMENT

NORTH VILLAGE CROSSINGS
EROSION CONTROL
DETAILS and NOTES

5-31-2024

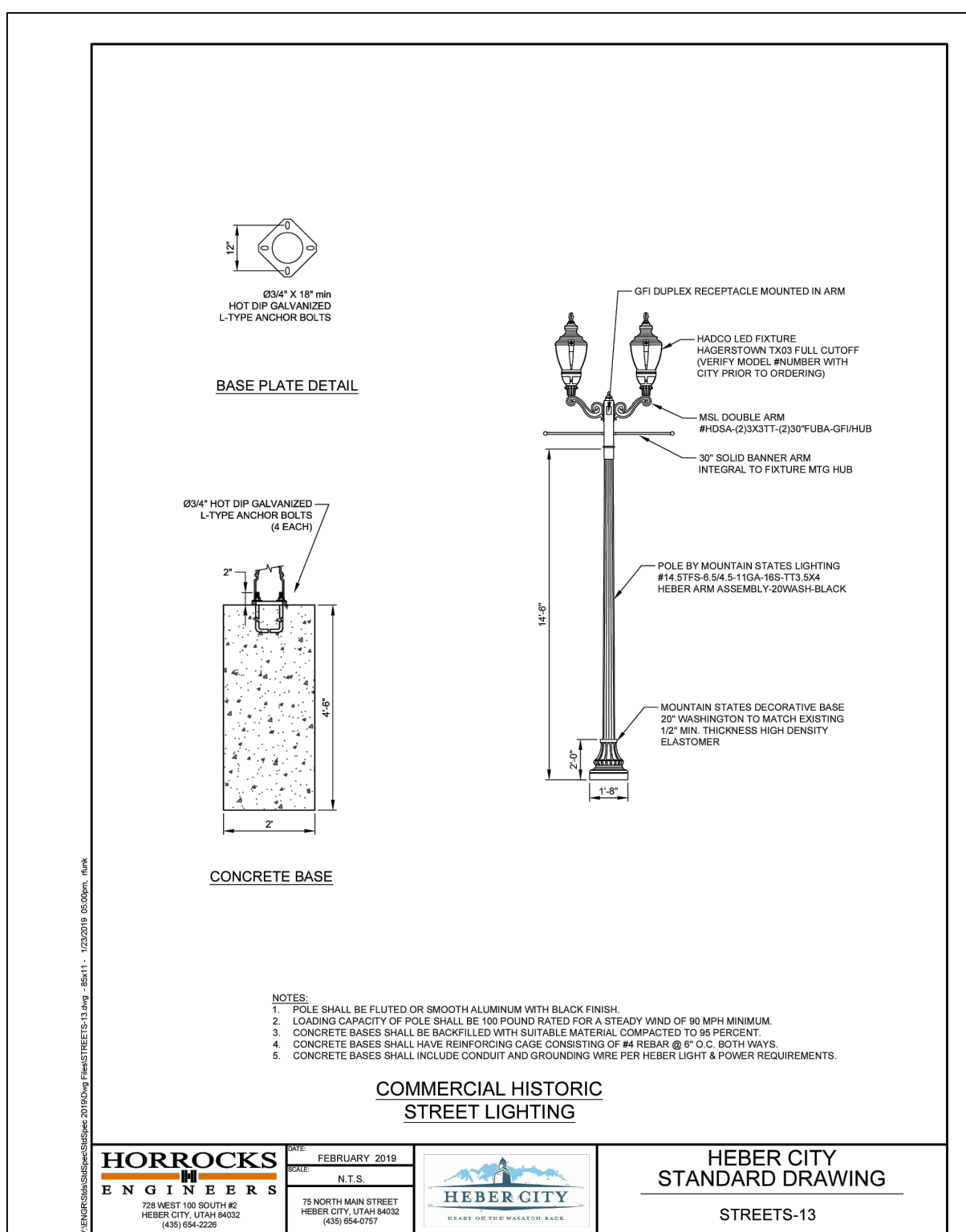
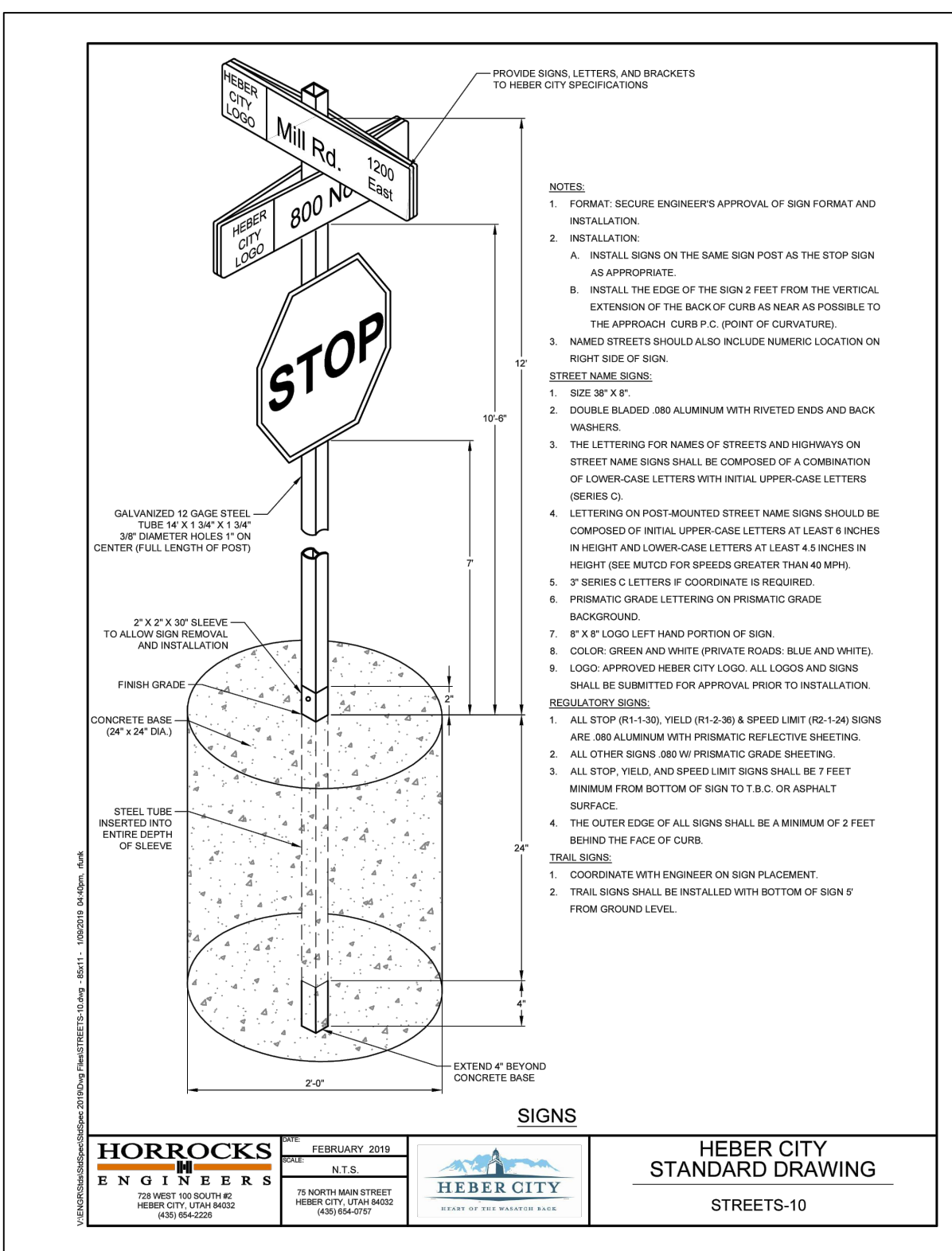
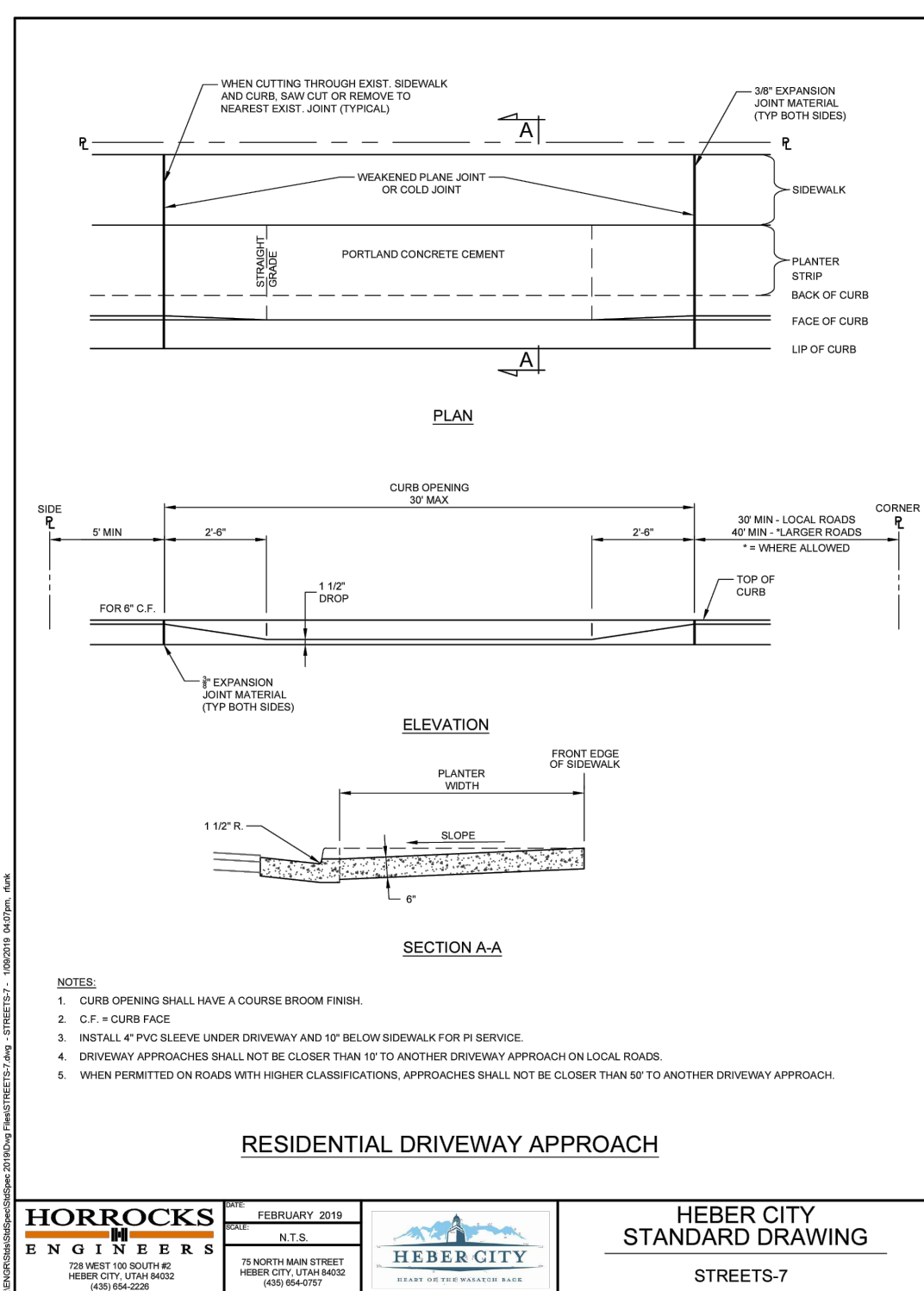
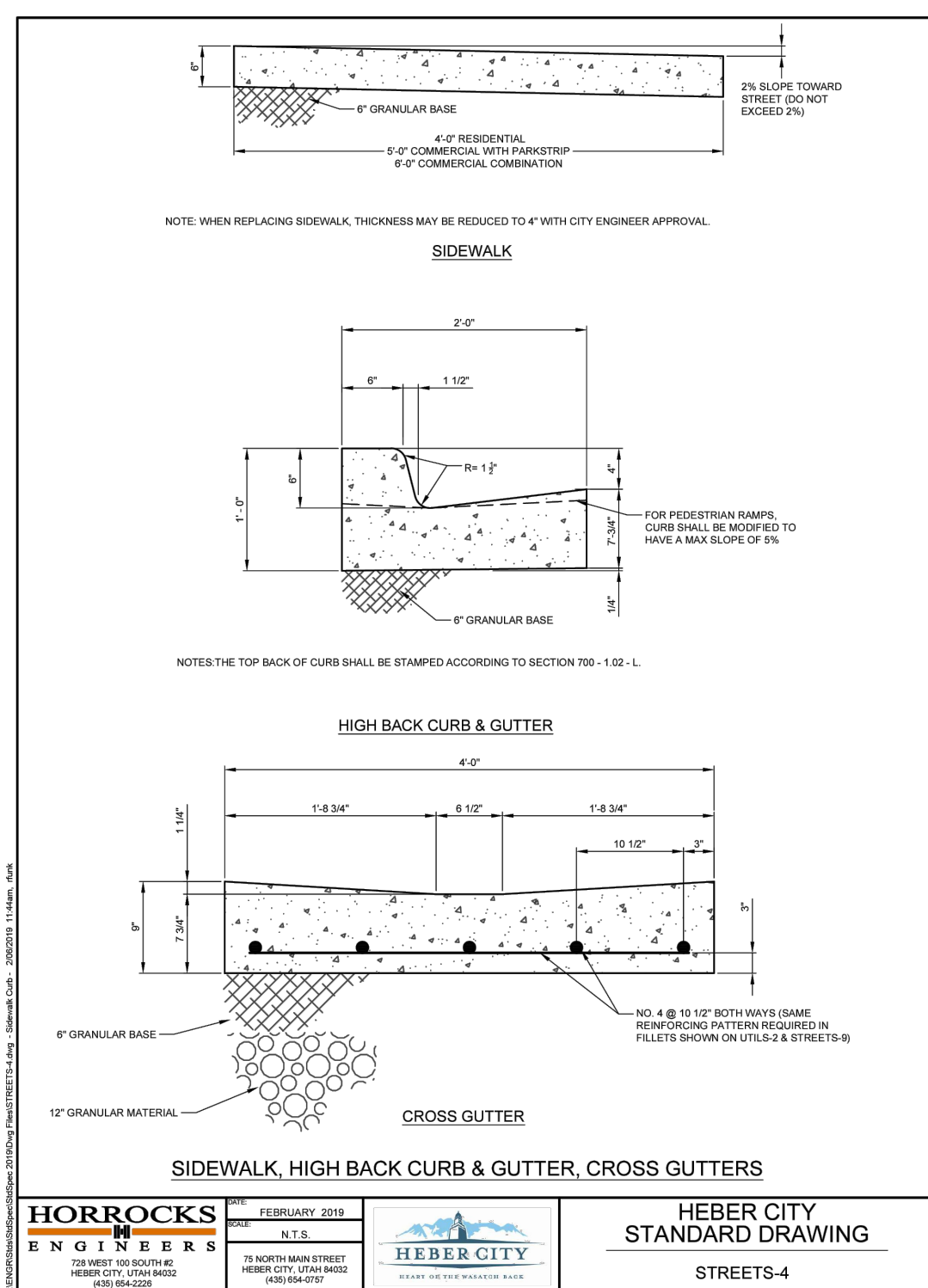
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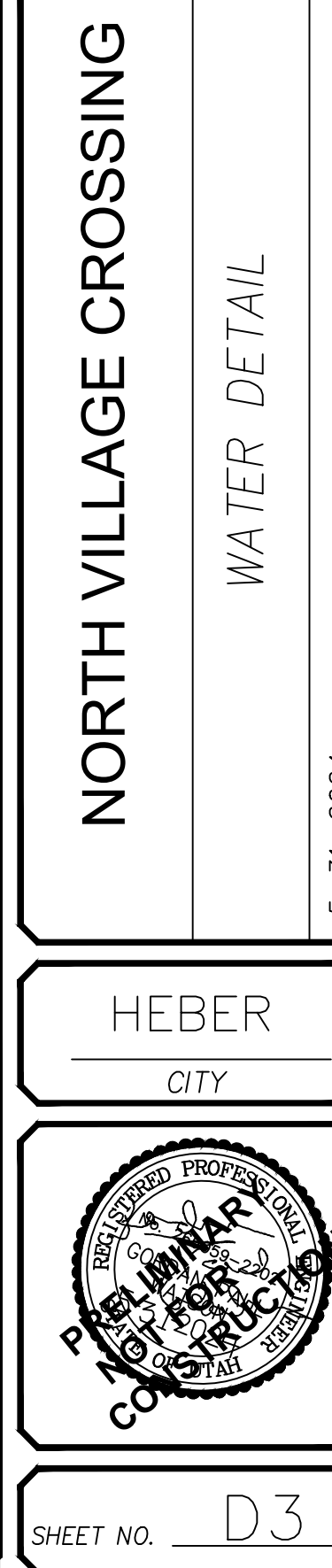
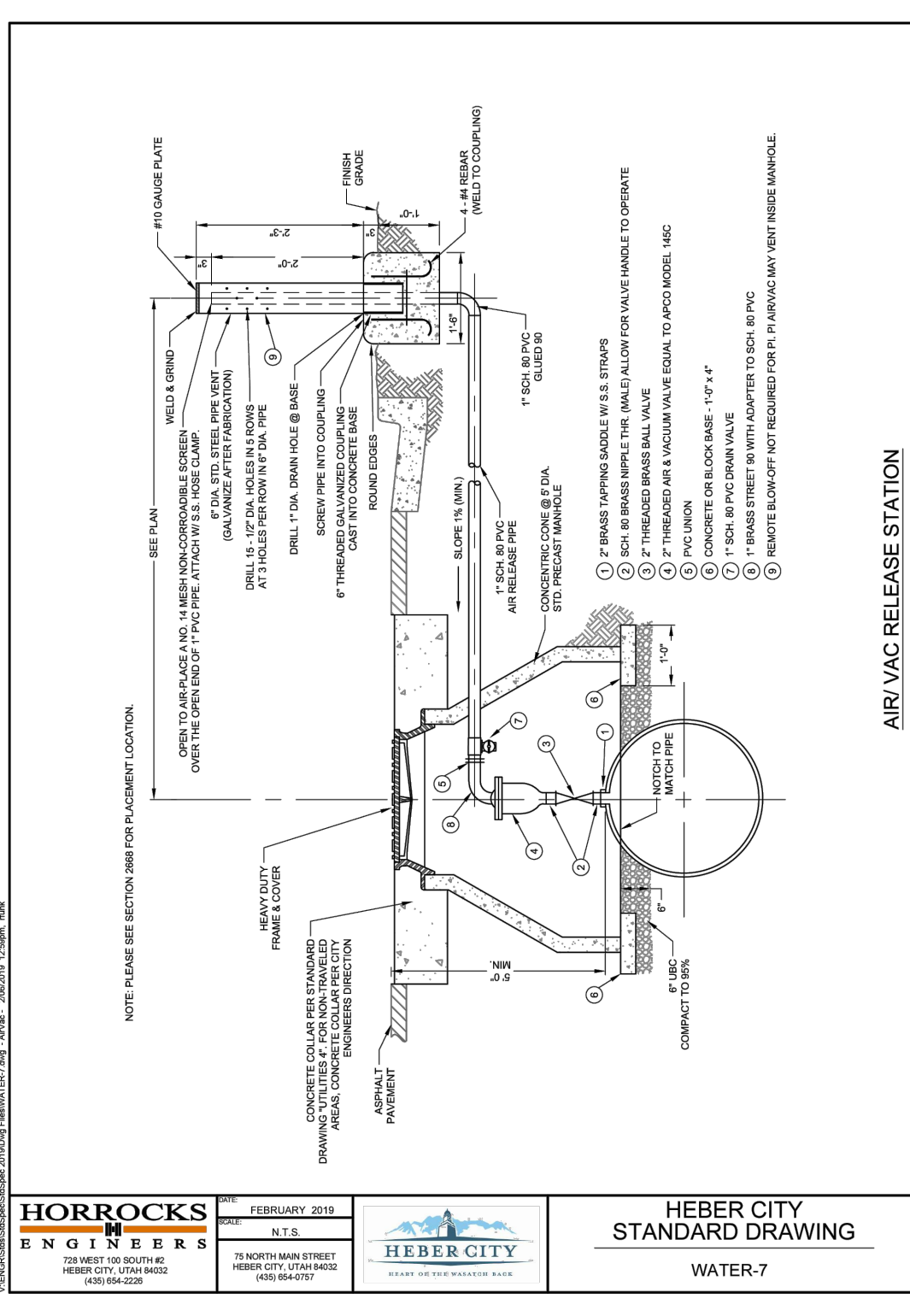
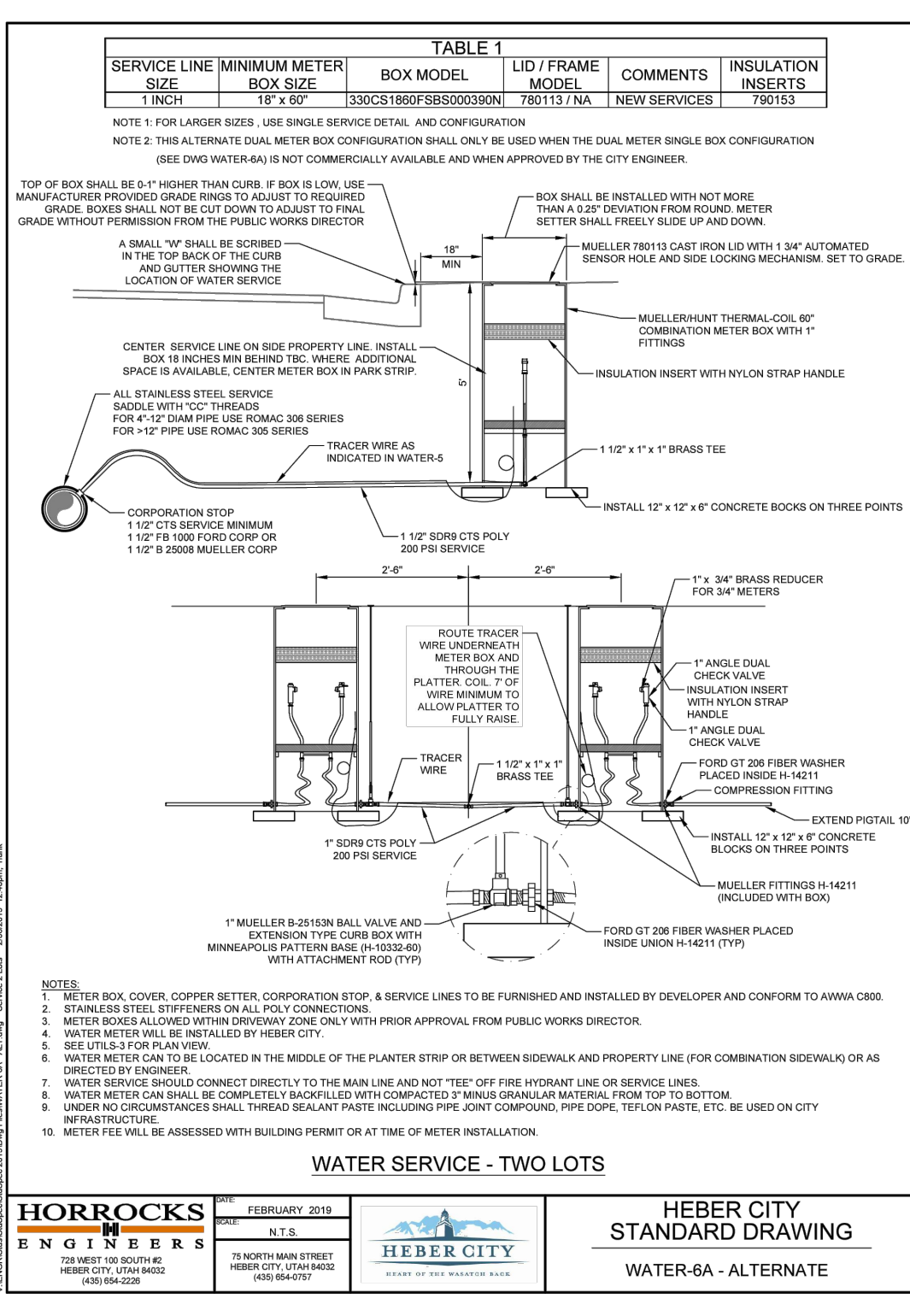
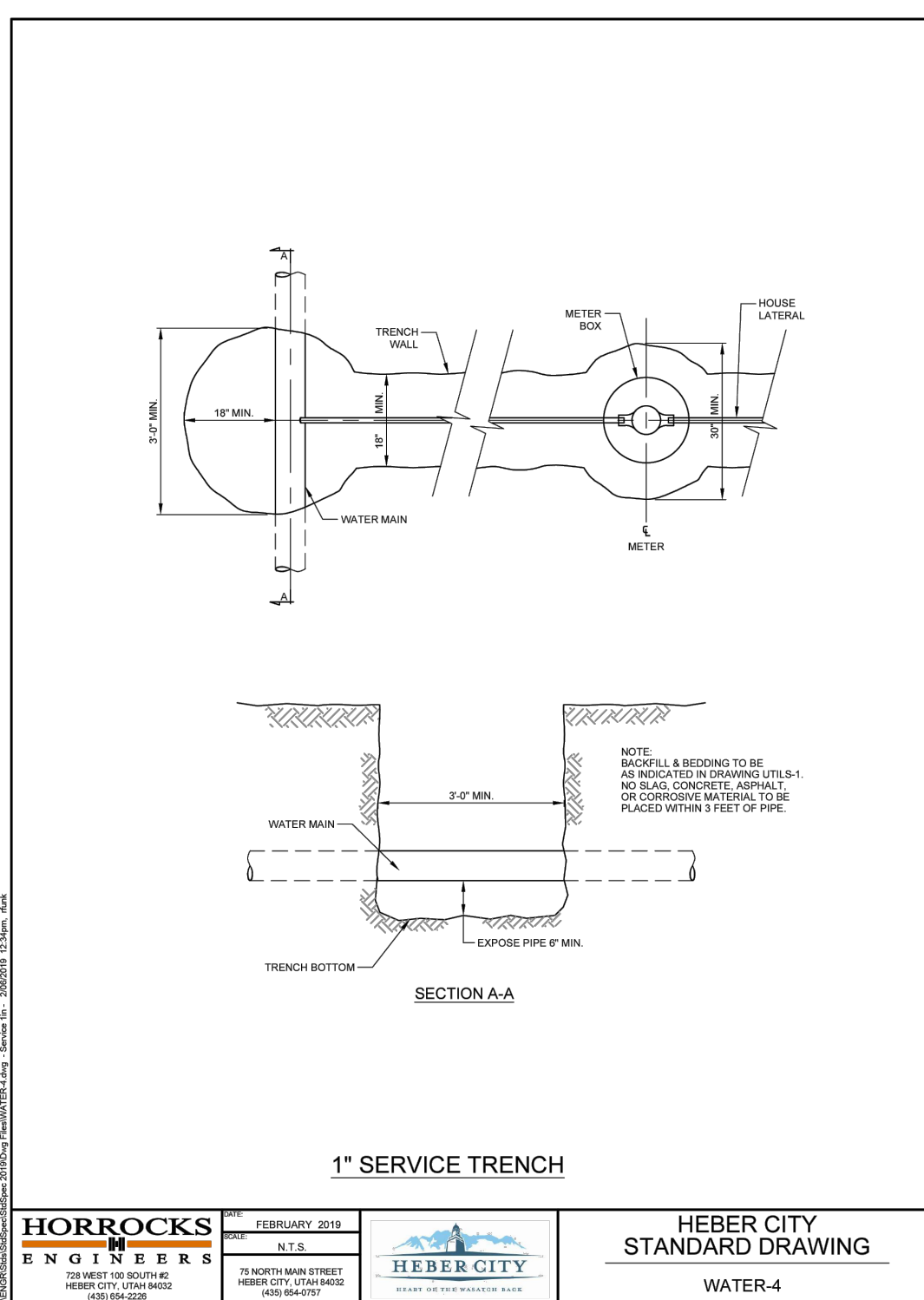
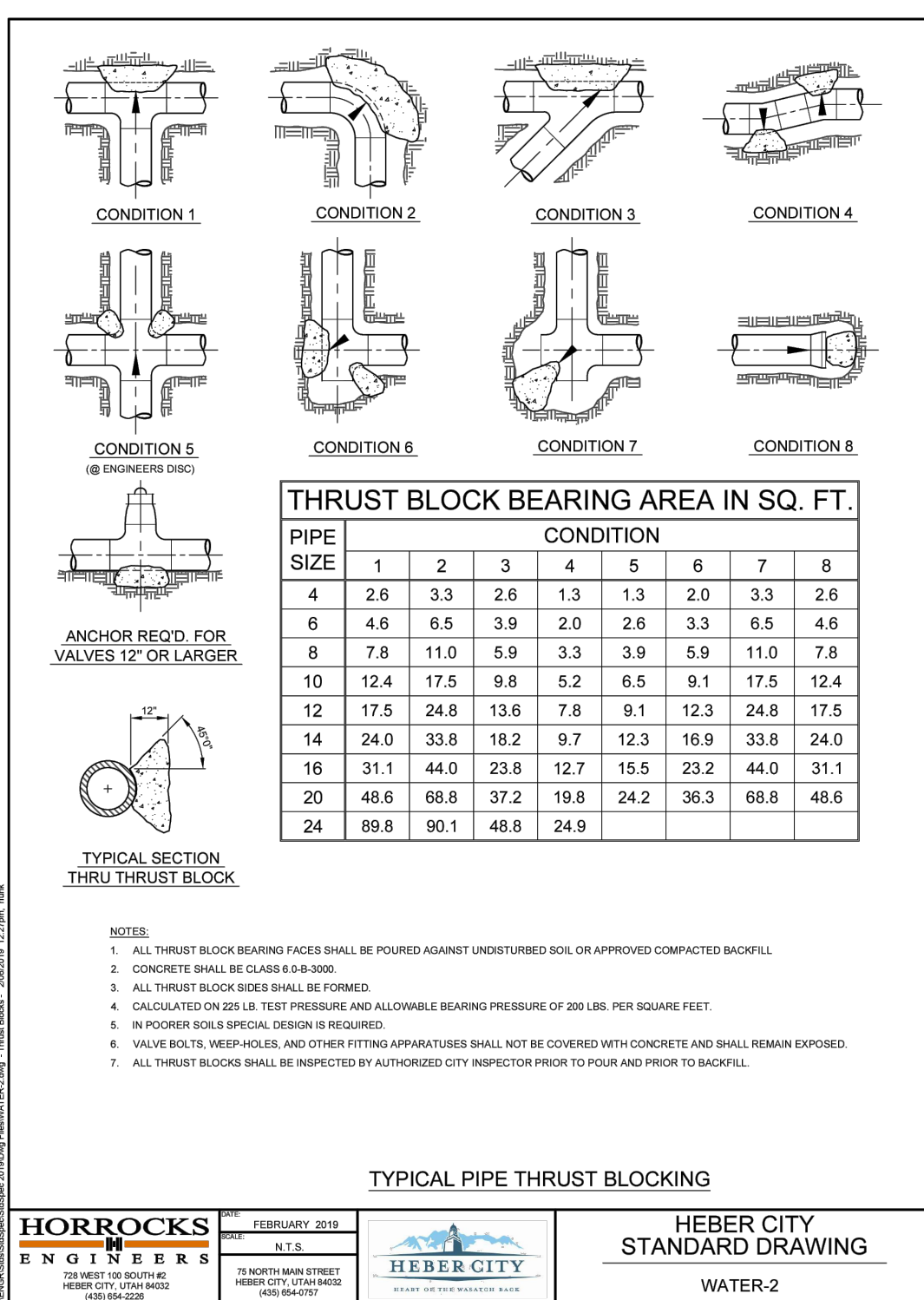
CITY

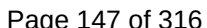
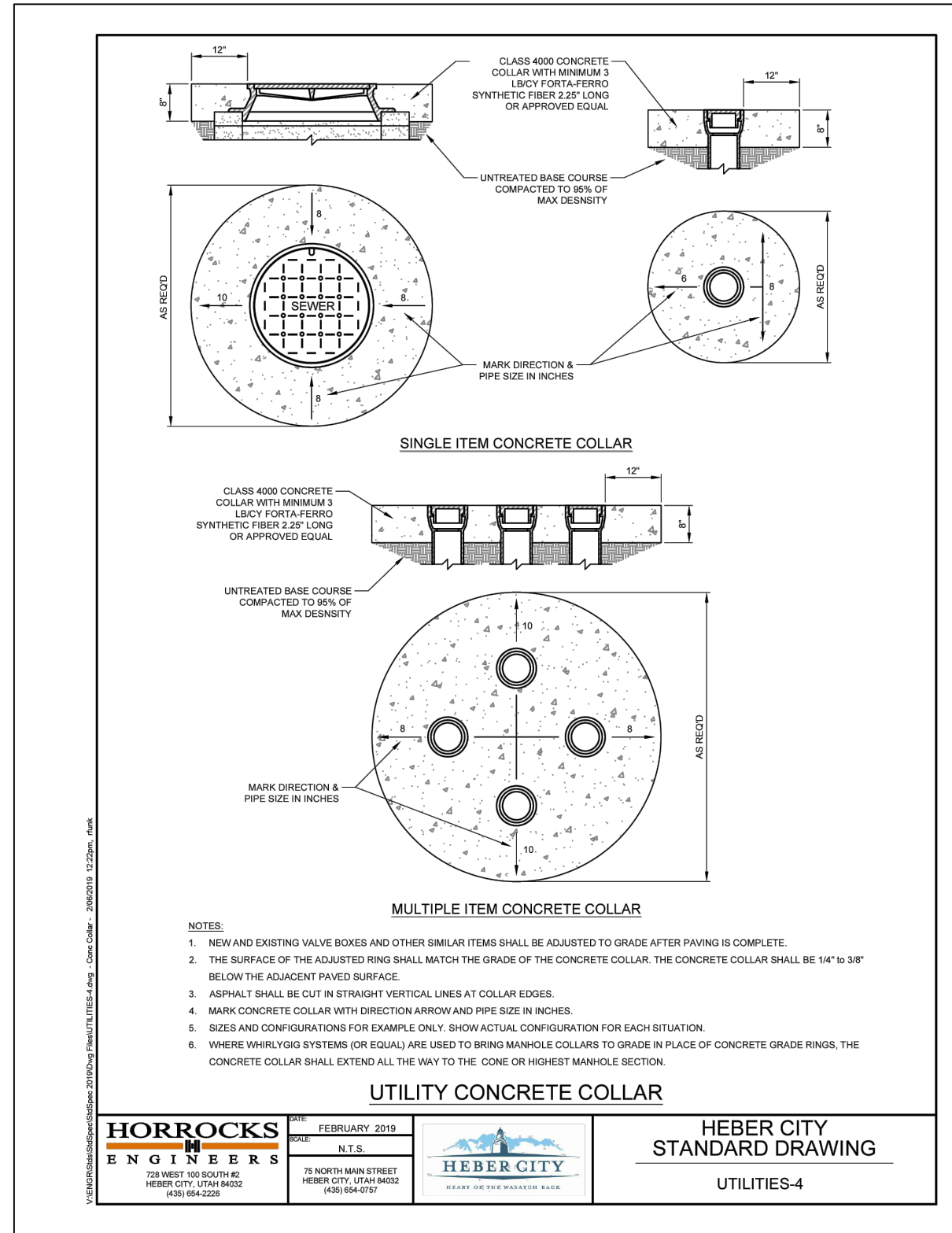
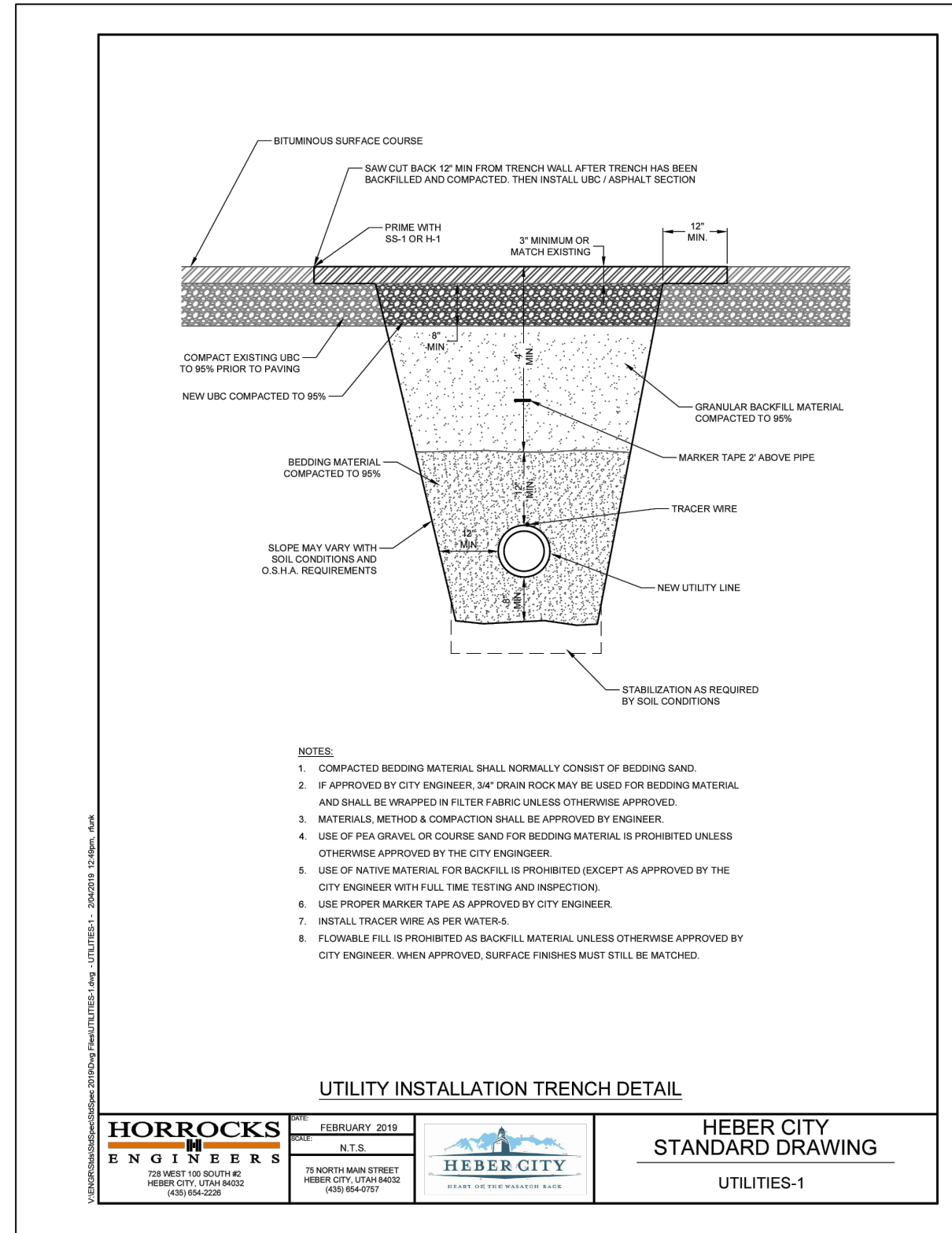
REGISTERED PROFESSIONAL ENGINEER
PAUL J. GATEWAY
No. 10000
State of Utah
Expires 12/31/2025

SHEET NO. **ER-2**

See HEBER CITY specifications for further information.









Heber City Council Staff Report

MEETING DATE: 10/1/2024

SUBJECT: Public Hearing for Ordinance 2024-22, approving proposed MTech Annexation and MDA, for property located at approximately 950 West Midway Lane

RESPONSIBLE: Denna Woodbury

DEPARTMENT: Planning

STRATEGIC RELEVANCE:

SUMMARY

Mountainland Technical College (MTECH) is going through the annexation process. The proposed project is located at 800 West 100 South and is adjacent to the new high school on 10.41 acres. This item is a Public Hearing on the annexation and MDA and is the next step in the process.

The Planning Commission approved a plan review for the MTECH Annexation on June 25, 2024. The City Council held a discussion on the MTECH plan review on August 6, 2024.

The policy questions include the following:

- What comments does the public have regarding annexation?
- Are changes necessary to the proposed development agreement?

RECOMMENDATION

Staff recommends that City Council hold a Public Hearing for the MTECH Annexation and MDA, in anticipation of the issue returning to Council at a future meeting for approval and adoption of an ordinance.

BACKGROUND

G.C. Garcia Inc. has reviewed the application for MTECH Annexation located at 800 West and 100South.

The City Council discussed this item at their August 6, 2024, meeting and directed staff to prepare a Master Development Agreement. The City Council discussed traffic, road infrastructure, and safety. The City Engineer provided additional information regarding the traffic signal.

The Planning Commission heard the item at their meeting held on 6/25/2024. The Planning Commissioners discussed the traffic that this project could generate. The applicant has submitted a Traffic Study. Engineering staff stated that the Traffic Study was sent to UDOT for their review as well. There was a discussion about a stop light going in at this location instead of a previously discussed roundabout. There was also discussion about the parking that is being provided and whether it was sufficient. The Planning Commission asked about alternatives for students to come to the school, such as shuttles and biking facilities. They asked about the busiest time at the school and the number of students at that time. The proposed project is located at 800 West 100 South and is adjacent to the new high school. It is located on 10.41 acres.

Staff has drafted a Master Development Agreement based on input from the Planning Commission, recent discussions with the City Council, and the Engineering Report.

DISCUSSION

Mountainland Technical College (MTECH) is going through the annexation process and the Public Hearing is the next step in the process. The MDA addresses items relating to the trails, sensitive lands, transportation, sewer storm water, and the Sage Brush Canal.

The proposed MTECH College campus will serve approximately 1,100 students, with 200–300 students on campus at one time. The campus will serve both high schools and adults. Their programs are typically a year or less to complete. The applicant stated in the Planning Commission meeting that it is the hope that evening classes will be added as the programs expand. This campus will replace the existing MTECH facilities. The conceptual landscape plan shows that the project will provide 200 parking stalls, and shows a future building expansion area of 1.3 acres. During the Planning Commission presentation, the applicant stated that the plans have changed a bit and that the project will provide 280 parking spaces. The project meets the code required landscaping. The landscape plan shows trees planted along the streets and roadways. The architecture is responsive to the rural surroundings and will incorporate sandstone and metal accents.

FISCAL IMPACT

None.

CONCLUSION

The MTECH annexation will be a benefit to the community. It is consistent with the City's annexation Policy Plan, the Municipal Code, and the City's General Plan, Envision Heber 2050.

ALTERNATIVES

N/A

POTENTIAL MOTIONS

N/A

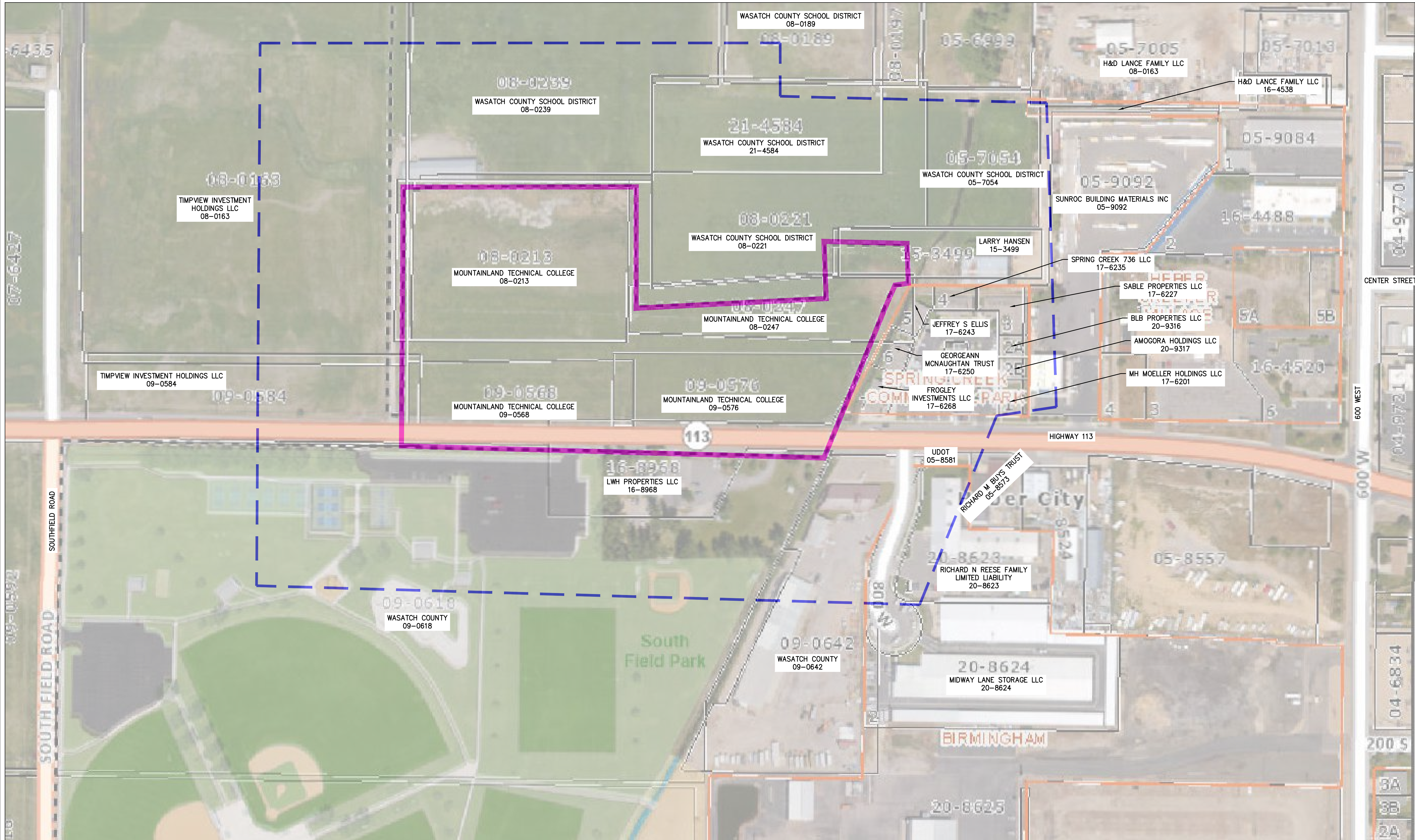
ACCOUNTABILITY

Department: Planning
Staff member: Denna Woodbury, Planning Consultant

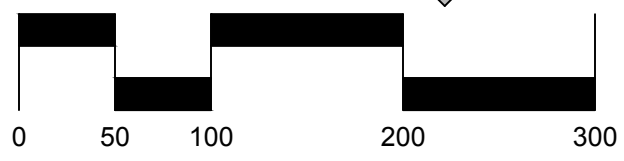
EXHIBITS

1. Mtech Map
2. 02_MTECH-CONCEPT-PLAN-with_LANDSCAPING-21-JUL-2023
3. Combined HS and MTech Site Plan
4. exterior renderings
5. 01_MTECH-ANNEXATION-PLAT-signed-by-Troy-Taylor-11-14-2023
6. Architectural elements
7. Ord 2024-22
8. MTECH MDA 9-18-24
9. MTech Public Hearing Notice

LEGEND
PROPOSED ANNEXATION BOUNDARY
300' NOTICING BOUNDARY



THIS DOCUMENT IS INCOMPLETE
AND IS RELEASED TEMPORARILY
FOR INTERIM REVIEW ONLY. IT IS
NOT INTENDED FOR CONSTRUCTION,
BIDDING, OR PERMIT PURPOSES.
PAUL D. BERG P.E.
SERIAL NO. 295595
DATE: 5 OCT 2023



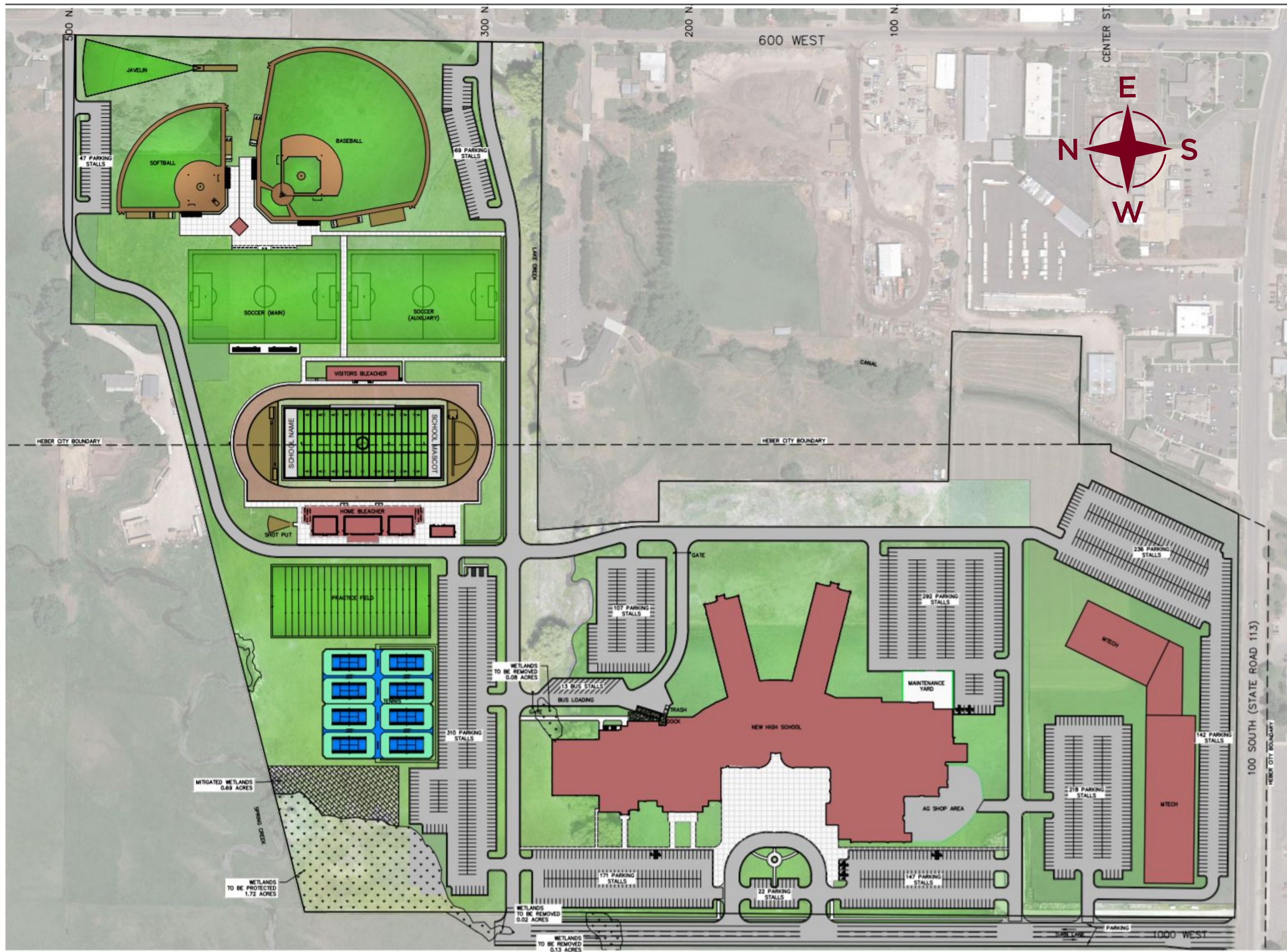
SCALE: 1"=100'

MOUNTAINLAND TECHNICAL
COLLEGE ANNEXATION

PROPERTIES WITHIN 300 FEET



DESIGN BY: PDB	DATE: 5 OCT 2023	SHEET
DRAWN BY: SW	REV:	1



PARKING	NEW SCHOOL	WHS
BUS	13	12
PARKING	1155	874
MTECH	596	---

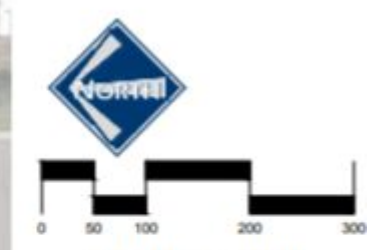
SPORTS FACILITIES NOTE:
THIS SCHOOL HAS THE SAME SPORTS FACILITIES AS THE CURRENT WASATCH HIGH SCHOOL EXCEPT THAT THIS PLAN HAS 8 TENNIS COURTS WHICH ALLOWS TO HOST LARGER TOURNAMENTS INSTEAD OF 6 COURTS.

MITIGATED WETLANDS
0.69 AC
(3X REMOVED WETLANDS)

WETLANDS PER REPORT
MAY 2020
0.23 AC (TO BE REMOVED)
1.72 AC (TO BE PRESERVED)

THIS DOCUMENT IS INCOMPLETE
AND IS RELEASED TEMPORARILY
FOR INTERIM REVIEW ONLY. IT IS
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BIDDING, OR PERMIT PURPOSES.

PAUL D. BERG P.E.
SERIAL NO. 295595
DATE: 25 JULY 2022



Wasatch County School District
NEW HIGH SCHOOL
NEW HIGH SCHOOL WITH MTEC
CONCEPT PLAN



DESIGN BY: PDB
DRAWN BY: DEJ
DATE: 25 JUL 2022
REV: 1

exterior renderings

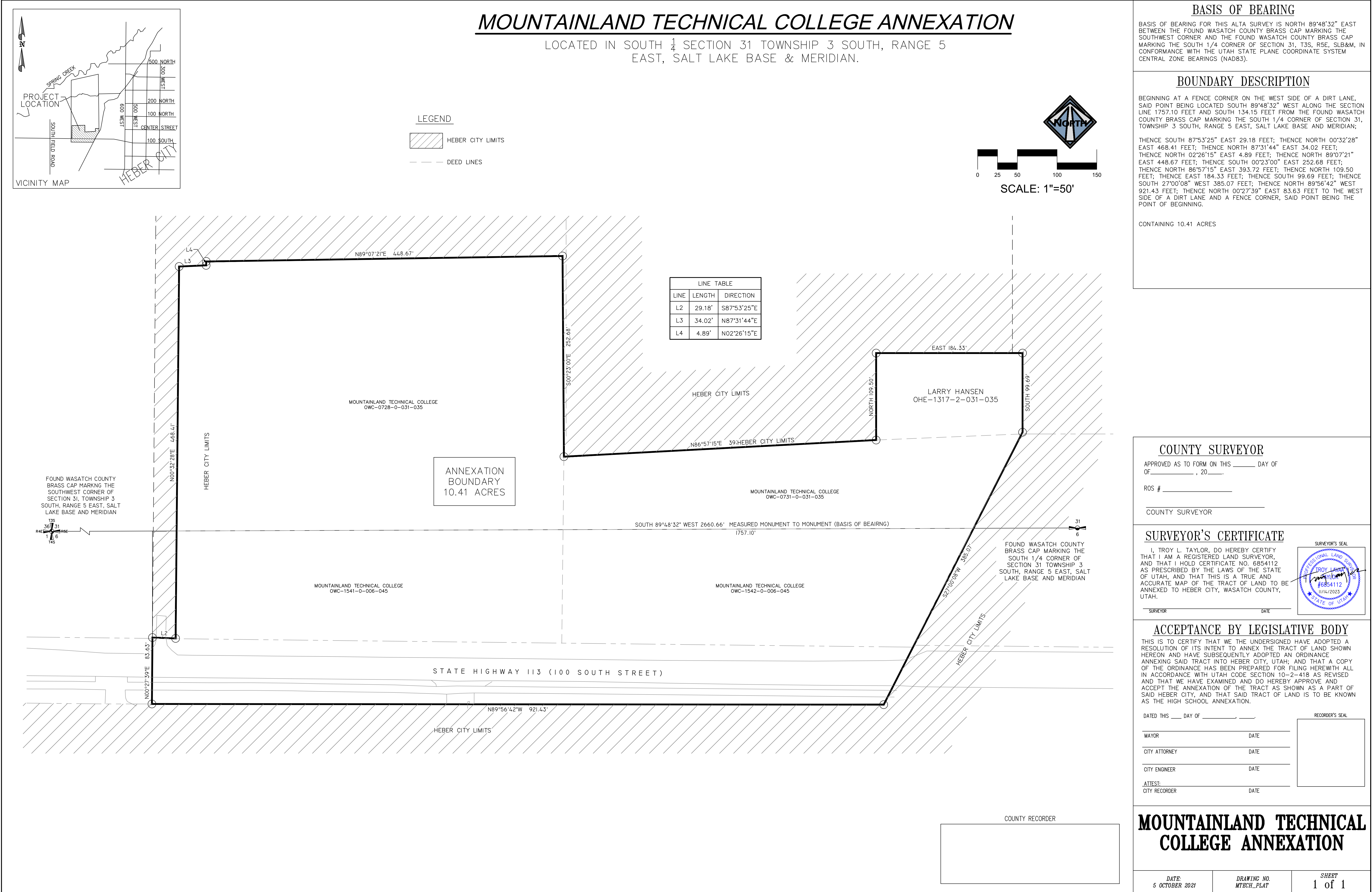


Figure 4.9.1 rendering from the planned roundabout

exterior renderings



Figure 4.10.1 rendering from the building main entry



3.3 architectural elements

OUR GOAL IS TO CREATE AN ARCHITECTURE THAT IS RESPONSIVE TO ITS RURAL SURROUNDINGS AND PROVIDES STUDENTS THE SKILLS TO WORK WITH EMERGING TECHNOLOGIES.



Figure 3.2.1 Exterior rendering of Phase I building from southeast.



PITCHED ROOF

Responsive not only to it's local context but also the winter climate at higher altitudes.



MINIMAL LANDSCAPING

Utilizing specific vegetation that helps with water conservation, works with the context and allows flexibility when designing public spaces.



TORREY BLUFF SANDSTONE

Used through out MTECH's Lehi Campus, this material brings texture and history to future proposals.



METAL PANEL

Durable and versatile, metal panel can bring a contemporary style to future proposal.

ORDINANCE NO. 2024-19

AN ORDINANCE APPROVING THE MOUNTAINLANDS ANNEXATION LOCATED AT APPROXIMATELY 890 WEST 100 SOUTH.

BE IT ORDAINED by the City Council of Heber City, Utah, Heber City Municipal Code, the Mountainlands Annexation is hereby approved.

This Ordinance shall take effect immediately upon approval, but not prior to the execution of the development agreement in Exhibit A.

PASSED, APPROVED and ORDERED TO BE PUBLISHED BY THE HEBER CITY COUNCIL this _____ day of _____ 2024.

	AYE	NAY	ABSENT	ABSTAIN
Yvonne Barney	_____	_____	_____	_____
Aaron Cheatwood	_____	_____	_____	_____
Michael Johnston	_____	_____	_____	_____
Sid Ostergaard	_____	_____	_____	_____
D. Scott Phillips	_____	_____	_____	_____

APPROVED:

Mayor Heidi Franco

ATTEST:

RECORDER

Date: _____

Exhibit A

When recorded return to:

Mountainlands Technical College
Attn: Kirt Michaelis
2301 Ashton Blvd.
Lehi, UT 84043

Heber City Corporation
Attn: J. Mark Smedley
75 North Main Street
Heber City, UT 84032

DEVELOPMENT AGREEMENT

(Mountainlands Technical College)

THIS AGREEMENT entered into this _____ day of _____, 2024, by and between Heber City, hereinafter referred to as “City”, and the undersigned as “Developer”, “Owner” or “Developer/Owner”. Developer and the City are, from time to time, hereinafter referred to individually as a “Party” and collectively as the “Parties.” Unless otherwise noted herein, this Agreement supersedes and replaces any previous development agreements entered into by and between the Developer and the City involving the same Property and is the entire, complete Agreement between the Parties.

RECITALS

WHEREAS, the Developer is the owner of approximately 10.41 acres of real property described in Exhibit A, located at 890 West 100 South (State Road 113), Heber City, Utah (the “Property”); and

WHEREAS, the Developer has submitted a site plan and conceptual elevations to the City for redevelopment of the site; and

WHEREAS, the City has adopted a new General Plan “Envision Heber 2050” that identifies infill and redevelopment in the downtown as a priority for the City; and

WHEREAS, the City and Developer are desirous to see redevelopment of the site in a manner consistent with the new General Plan and existing adjoining development; and

WHEREAS, the City, acting pursuant to its authority under Utah Code Ann. §10-9a-101, *et. seq.*, in compliance with the Heber City Land Use Code, and in furtherance of its land use policies, goals, objectives, ordinances and regulations, has made certain determinations with respect to the Property, and therefore has elected to approve and enter into this Agreement in order to advance the policies, goals and objectives of the City, and to promote the health, safety and general welfare of the public.

AGREEMENT

NOW, THEREFORE, in consideration of the promises, covenants and provisions set forth herein, the receipt and sufficiency of which consideration is hereby acknowledged, the Parties agree as follows:

1. **Zoning.** The property shall be used and developed consistent with the requirements of the A-2 Agriculture Zone.
2. **Sensitive Lands.** Development within the annexation shall preserve and protect sensitive lands as per Heber City Code, Chapter 18.66 Sensitive Lands. Developer will obtain any necessary permits from the US Army Corps of Engineers for impacts to wetlands.
3. **Transportation.** Property shall be developed consistent with the following:
 - a. **Highway Access.** Development will comply with requirements of the Utah Department of Transportation for access to and improvements along Highway 113, including obtaining permits to create an intersection on 1000 West with SR113.
 - b. **Traffic.** Developer shall complete a Traffic Impact Study (TIS) per City/UDOT Standards prior to development of the property. Development improvements will comply with and implement the recommendations of the Traffic Studies for the development, including:
 - i. 1000 West Street including an 8 ft trail on the east side is anticipated to be constructed by Wasatch School District with the new high school project. If not already in place as anticipated, MTech will construct these improvements along their property frontage including along SR 113.
 - ii. Participate in the construction of a traffic signal or other intersection improvements as permitted by UDOT.
 - iii. Add lanes on all legs of the intersection pursuant to the traffic study and UDOT requirements.
4. **Sewer.** An existing sewer line runs through the property along the existing Sagebrush Canal. The City intends on upsizing and replacing this sewer line in the future. A written easement for the sewer line shall be provided according to the City's standard easement language.
5. **Storm Water.** Development will comply with the requirements of the City's Storm Water Design Manual.
6. **Trails.** The City Parks and Trails Master Plan includes a 10' paved public trail along the Sagebrush Canal. Developer shall dedicate an easement for the trail and construct the trail through the property. Developer shall install other sidewalks and/or trails and connection within the campus. Prior to development, coordinate with staff on the location of the trail.
7. **Sagebrush Canal.** Developer shall obtain approval from the Sagebrush Canal Company for any development plans affecting the canal.
8. **Permitting.**

- a. Developer shall follow the City's standard commercial site plan approval process and ordinances.
 - b. Construction of any public infrastructure shall follow the City's standard construction policies and processes.
 - c. Construction of buildings and other private on-site infrastructure can be completed according to Utah State Code for school projects.
 - d. Developer shall pay all applicable Impact Fees according to proportionate impacts for the project.
9. **Landscaping.** All non-hard surfaced areas shall be landscaped consistent with industry standard/state-wide water conservation methods, such as Heber City's Landscaping Ordinance in Chapter 18.76 of Heber City Code.
10. **Lighting.** All lighting on the site shall be dark-sky complaint as per Chapter 18.78 of Heber City Code.
11. **Conditions of Approval:** The City shall not impose any further Conditions on Current Approvals other than those detailed in this Agreement, and on the Project Plats, unless agreed to in writing by the Parties. The Developer shall remain bound by all legally adopted Ordinances, Resolutions and policies of the City unless specifically agreed to otherwise herein.
12. **Acceptance of Improvements:** The City agrees to accept all Property improvements constructed by Developer, or Developer's contractors, subcontractors, agents or employees, provided that 1) the City's planning and engineering departments review and approve the plans for any Property improvements prior to construction; 2) Developer permits City planning and engineering representatives to inspect upon request any and all of said Property improvements during the course of construction; 3) the Property improvements are inspected by a licensed engineer who certifies that the Property improvements have been constructed in accordance with the approved plans and specifications; 4) Developer has warranted the Property improvements as required by the City planning and engineering departments; and 5) the Property improvements pass a final inspection by the City planning and engineering departments.
13. **Applicable Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of Utah. The rules, regulations, official policies, standards and specifications applicable to the development of the Property (the "Applicable Law") shall be in accordance with those set forth in this Agreement, and those rules, regulations, official policies, standards and specifications, including City Ordinances and Resolutions, in force and effect on the date the City Council granted preliminary approval to Developer for the Project. Developer expressly acknowledges and agrees that nothing in this Agreement shall be deemed to relieve Developer from the obligation to comply with all applicable requirements of the City necessary for approval and recordation of the subdivision plat, including the payment of fees and compliance with all other applicable ordinances, resolutions, regulations, policies and procedures of the City.

14. **Default.** Any failure by either Party to perform any term or provision of this Agreement, which failure continues uncured for a period of thirty (30) days following written notice of such failure from the other Party, unless such period is extended by written mutual agreement, shall constitute a default under this Agreement. Any notice given pursuant to the preceding sentence shall specify the nature of the alleged failure and, where appropriate, the manner in which said failure may be satisfactorily cured. If the nature of the alleged failure is such that it cannot reasonably be cured within such thirty (30) day time period, then the commencement of the cure within such time period, and the diligent prosecution to completion of the cure thereafter, shall be deemed to be a cure within such thirty (30) day period. Upon the occurrence of an uncured default under this Agreement, the non-defaulting Party may institute legal proceedings to enforce the terms of this Agreement or, in the event of a material default, terminate this Agreement. If the default is cured, then no default shall exist and the noticing Party shall take no further action.
15. **Termination.** If the City elects to consider terminating this Agreement due to a material default of the Developer, then the City shall give to the Developer a written notice of intent to terminate this Agreement and the matter shall be scheduled for consideration and review by the City Council at a duly noticed public meeting. The Developer shall have the right to offer written and oral evidence prior to or at the time of said public meeting. If the City Council determines that a material default has occurred and is continuing and elects to terminate this Agreement, the City Council shall send written notice of termination of this Agreement to the Developer by certified mail and this Agreement shall thereby be terminated thirty (30) days thereafter. In addition, the City may thereafter pursue any and all remedies at law or equity. By presenting evidence at such public meeting, the Developer does not waive any and all remedies available to the Developer at law or in equity.
16. **Remedies.** Either Party may institute an equitable action to cure, correct or remedy any default, enforce any covenant or agreement herein, enjoin any threatened or attempted violation thereof, enforce by specific performance the obligations and rights of the Parties hereto, or to obtain any remedies consistent with the foregoing and the purpose of this Agreement; provided, however, that no action for monetary damages may be maintained by either Party against the other Party for any act or failure to act relating to any subject covered by this Agreement (with the exception of actions secured by liens against real property), notwithstanding any other language contained elsewhere in this Agreement. With respect to any dispute arising out of, or relating in any way to, this Agreement or the Property, the Parties agree that: (a) this Agreement shall be governed by Utah law; (b) any claim be instituted and maintained only in the Fourth Judicial District, Wasatch County, State of Utah, to whose exclusive jurisdiction I hereby consent; (c) irrevocably WAIVE MY RIGHT TO A JURY TRIAL except as prohibited by law. In the event there is a Failure to Perform under this Agreement and it becomes reasonably necessary for any party to employ the services of an attorney in connection therewith (whether such attorney be in-house or outside counsel), either with or without litigation, on appeal or otherwise, the losing party to the controversy shall pay to the successful party reasonable attorney's fees incurred by such party and, in addition, such costs and expenses as are incurred in enforcing this Agreement.

17. **Entire Agreement.** This Agreement, including its Exhibits, contains the entire agreement between the parties, and no statement, promise or inducement made by either party hereto, or agent of either party hereto which is not contained in this written Agreement shall be valid or binding. All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of the City and of the Developer.
18. **Time is of the essence.** In case any party shall fail to perform the obligations on its part at the time fixed for the performance of such obligations by the terms of this Agreement, the other party or parties may pursue any and all remedies available in equity, at law, and/or pursuant to the terms of this Agreement.
19. **Term of Agreement.** The term of this Agreement shall commence on the Effective Date and continue for a period of five (5) years. Unless otherwise agreed between the City and the Developer, the Developer's vested interests and rights contained in this Agreement expire at the end of the Term, or upon termination of this Agreement. Upon termination of this Agreement, the obligations of the Parties to each other hereunder shall terminate, but none of the dedications, easements, deed restrictions, licenses, building permits, or certificates of occupancy granted prior to the expiration of the term or termination of this Agreement shall be rescinded or limited in any manner.
20. **No Third-Party Beneficiary Rights.** This Agreement is not intended to and shall not be construed to give any Third Party any interest or rights (including, without limitation, any third-party beneficiary rights) with respect to or in connection with any agreement or provision contained herein or contemplated hereby.
21. **Recording.** This Agreement shall be recorded with the Wasatch County Recorder as soon as reasonably practicable and no later than thirty (30) days after a binding vote of the City Council approving the Agreement. The City Recorder shall cause to be recorded, at the Developer's expense, a fully executed copy of this Agreement in the Official Records of the County of Wasatch no later than the date on which the first plat for the Project is recorded.
22. **Notices.** Any notice or communication required hereunder between the City and the Developer must be in writing and may be given either personally or by registered or certified mail, return receipt requested. If given by registered or certified mail, such notice or communication shall be deemed to have been given and received on the first to occur of (1) actual receipt by any of the addressees designated below as the Party to whom notices are to be sent, or (ii) five (5) days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United State mail. If personally delivered, a notice shall be deemed to have been given when delivered to the Party to whom it is addressed. Any Party may at any time, by giving ten (10) days written notice to the other Party, designate any other address to which notices or communications shall be given. Such notices or communications shall be given to the Parties at their addresses as set forth below:

The City:

Heber City Manager
75 N Main Street
Heber City, UT 84032

Developer

Mountainlands Technical College
Attn: Kirt Michaelis
2301 Ashton Blvd.
Lehi, UT 84043

23. **Insurance and Indemnification.** Developer shall defend and hold the City and its officers, employees and consultants harmless for any and all claims, liability and damages arising out of the negligent actions or inactions of such Developer, its agents or employees pursuant to this Agreement, unless caused by the City's gross negligence or willful misconduct.
24. **Bodily Injury and Property Damage Insurance.** Developer agrees to and shall indemnify and hold the City and its elected and appointed boards, officers, agents, employees, and consultants harmless from and against all liability, loss, damage, costs, or expenses (including reasonable attorneys' fees and court costs) rising from or as a result of the death of any person or any accident, injury, loss or damage to any person or property directly caused by any acts done or omissions of Developer or its agents, servants, employees or contractors in connection with this Agreement, except for willful misconduct or negligent acts or omissions of the City or its elected or appointed boards, officers, agents, employees or consultants.
25. **Binding Effect.** If Developer conveys any portion of the Property or buildings to one or more owners or sub-developers, the property so conveyed shall have the same rights, privileges, and shall be subject to the same limitations and rights of the City, applicable to such properties under this Agreement prior to such conveyance, without any required approval, review, or consent by the City, except as otherwise provided herein.
26. **No Waiver.** Failure of any Party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such Party to exercise at some future date any such right or any other right it may have.
27. **Severability.** If any provision of this Agreement is held by a court of competent jurisdiction to be invalid for any reason, the Parties consider and intend that this Agreement shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this Agreement shall remain in full force and affect.
28. **Other Necessary Acts.** Each Party shall execute and deliver to the other Party any further instruments and documents as may be reasonably necessary to carry out the objectives and

intent of this Agreement and to provide and secure to the other Party the full and complete enjoyment of its rights and privileges hereunder.

29. Covenants Running with the Land and Manner of Enforcement. The provisions of this Agreement shall constitute real covenants, contract and property rights and equitable servitudes, which shall run with all of the land subject to this Agreement. The burdens and benefits of this Agreement shall bind and inure to the benefit of each of the Parties, and to their respective successors, heirs, assigns and transferees. Notwithstanding anything in this Agreement to the contrary, the owners of the individual lot in the Project shall have no right to bring any action under this Agreement as a third-party beneficiary. The City may look to the Developer, its successors and/or assigns, or the lot owners for performance of the provisions of this Agreement relative to the portions of the Projects owned or controlled by such party. The City may, but is not required to, perform any obligation of the Developer that the Developer fails adequately to perform. Any cost incurred by the City to perform or secure performance of the provisions of this Agreement shall constitute a valid lien on the Project, including prorated portions to the individual lots or units in the Project.

30. Amendment. Unless otherwise stated in this Agreement, the Parties may amend this Agreement from time to time, in whole or in part, by mutual written consent. No amendment or modification to this Agreement shall require the consent or approval of any person or entity having any interest in the specific lot, or other portion of the Project. Each person or entity (other than the City and the Developer) that holds any beneficial, equitable, or other interests or encumbrances in all or any portion of the Property at any time hereby automatically, and without the need for any further documentation or consent, subjects and subordinates such interests and encumbrances to this Agreement and all amendments thereof that otherwise comply with this Section 32. Each such person or entity agrees to provide written evidence of that subjection and subordination within fifteen (15) days following a written request for the same from, and in a form reasonably satisfactory to, the City and/or the Developer.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year this agreement was first above written.

DATED this _____ day of _____, 2024.

HEBER CITY:

By: _____
Heidi Franco, Mayor

ATTEST:

Heber City Recorder

DEVELOPER/OWNER, MOUNTAINLANDS TECHNICAL COLLEGE

By: _____
Kirt Michaelis

STATE OF UTAH)
 : ss.
COUNTY OF WASATCH)

On this _____ day of _____, 2021, personally appeared before me the above named Owner, who duly acknowledged to me that he is the owner in fee and executed the same as such.

NOTARY PUBLIC

Legal Description

Parcel Numbers:

- 00-0008-0213
- 00-0008-0247
- 00-0009-0568
- 00-0009-0576

Serial Numbers:

- OWC-0728-0-031-035
- OWC-0731-0-031-035
- OWC-1541-0-006-045
- OWC-1542-0-006-045

BOUNDARY DESCRIPTION

BEGINNING AT A FENCE CORNER ON THE WEST SIDE OF A DIRT LANE, SAID POINT BEING LOCATED SOUTH 89°48'32" WEST ALONG THE SECTION LINE 1757.10 FEET AND SOUTH 134.15 FEET FROM THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTH 1/4 CORNER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE SOUTH 87°53'25" EAST 29.18 FEET; THENCE NORTH 00°32'28" EAST 468.41 FEET; THENCE NORTH 87°31'44" EAST 34.02 FEET; THENCE NORTH 02°26'15" EAST 4.89 FEET; THENCE NORTH 89°07'21" EAST 448.67 FEET; THENCE SOUTH 00°23'00" EAST 252.68 FEET; THENCE NORTH 86°57'15" EAST 393.72 FEET; THENCE NORTH 109.50 FEET; THENCE EAST 184.33 FEET; THENCE SOUTH 99.69 FEET; THENCE SOUTH 27°00'08" WEST 385.07 FEET; THENCE NORTH 89°56'42" WEST 921.43 FEET; THENCE NORTH 00°27'39" EAST 83.63 FEET TO THE WEST SIDE OF A DIRT LANE AND A FENCE CORNER, SAID POINT BEING THE POINT OF BEGINNING.

CONTAINING 10.41 ACRES

HEBER CITY COUNCIL
PUBLIC HEARING NOTICE
ANNEXATION

Notice is hereby given that the Heber City Council will hold a Public Hearing on October 1, 2024 at 6:00 p.m. to consider the adoption of Ordinance 2024-22 to approve the proposed Mountainland Technical College (MTech) Annexation. The proposed area of annexation consists of approximately 8.74 acres and is located at approximately 890 West 100 South (State Road 113) in Wasatch County. The Public Hearing will take place in the Heber City Office Building Council Chambers located at 75 North Main Street, Heber City, Utah 84032. Public comment is welcome and can be delivered in person, via the virtual link found on the City's website: <https://www.heberut.gov/256/Agendas-and-Minutes>, or emailed to CCPublic@heberut.gov.

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Notice is hereby given that the Heber City Council will hold a Public Hearing on October 1, 2024 at 6:00 p.m. to consider the adoption of Ordinance 2024-22 to approve the proposed Mountainland Technical College (MTech) Annexation. The proposed area of annexation consists of approximately 8.74 acres and is located at approximately 890 West 100 South (State Road 113) in Wasatch County. The Public Hearing will take place in the Heber City Office Building Council Chambers located at 75 North Main Street, Heber City, Utah 84032. Public comment is welcome and can be delivered in person, via the virtual link found on the City's website: <https://www.heberut.gov/256/Agendas-and-Minutes>, or emailed to CCPublic@heberut.gov.

Trina Cooke
Heber City Recorder

HEBER CITY COUNCIL
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Trina Cooke
Heber City Recorder



Heber City Council Staff Report

MEETING DATE: 10/1/2024

SUBJECT: Public Hearing to receive input from the public with respect to (a) the issuance of the Series 2024B Irrigation Revenue Bonds and (b) any potential economic impact that the project to be financed with the proceeds of the Series 2024B Bonds may have on the private sector

RESPONSIBLE: Marcus Keller

DEPARTMENT: Engineering

STRATEGIC RELEVANCE: Necessary Administrative Item

SUMMARY

Heber City is holding a public hearing for their irrigation bonds, not to exceed the following parameters:

Par Amount - \$2,000,000

Term – 32 years

Discount – 98%

Interest Rate – 6 %

The City met with the Community Impact Board “CIB” on September 5th and were not awarded supplemental funding. The City is now pursuing Board of Water Resources (“BWR”) financing with an application deadline on September 27th. If approved, the interest rate is anticipated to be a low interest loan but cannot be determined until the December meeting. Heber City staff is working with BWR to submit the application.

RECOMMENDATION

Staff would recommend moving forward with Public Hearing and Irrigation Revenue Bonds with the BWR.

BACKGROUND

On June 9th, 2022, Heber City issued \$4,327,000 of Irrigation Revenue Bonds to pay for the Irrigation infrastructure related to the Central Heber Project. Due to rising costs and inflation the City is requesting the City approve a parameters resolution to help finance the remaining portion of the project. The City will first explore subsidized state financing options but may need the flexibility to procure private funding if there isn't enough funding available at the September 2024, CIB meeting.

DISCUSSION

If the City is unable to acquire funding from the CIB, then it will explore private funding options or look to impact fees to pay for this portion of the project. At this time private funding in the market would be at an interest rate of approximately 4.00% - 4.50% and have a higher cost of issuance.

FISCAL IMPACT

Based on the Historical and Project Coverage the City is legally able to issue the bonds.

CONCLUSION

It is important the City finish their current plans for Phase 1, because any delays may have significant costs to construction pricing and bids.

ALTERNATIVES

The City still has the discretion to move forward or stop with the financing after the public hearing.

POTENTIAL MOTIONS

Alternative 1 - Approval - Staff Recommended Option

I move to **approve** the **item** as presented, with the findings and conditions as presented in the conclusion above.

Alternative 2 - Approve as Amended

I move to **approve** the **item** as amended, as follows.

Alternative 3 - Continue

I move to **continue** the **item** to another meeting on , with direction to the applicant and/or Staff on information and / or changes needed to render a decision, as follows:

Alternative 4 - Denial

I move to **deny** the **item** with the following findings.

ACCOUNTABILITY

Department: Engineering
Staff member: Russ Funk, City Engineer
Sara Nagel, Finance Manager

EXHIBITS

1. Notice of Public Hearing for Irrigation Bonds Series 2024B

NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the “Act”), that on September 3, 2024, the City Council (the “Council”) of Heber City, Utah (the “Issuer”), adopted a resolution (the “Resolution”) in which it authorized the issuance of the Issuer’s Irrigation Revenue Bonds, Series 2024B (the “Series 2024B Bonds”) (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Issuer) and called a public hearing to receive input from the public with respect to the issuance of the Series 2024B Bonds.

PURPOSE, TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Issuer shall hold a public hearing on October 1, 2024, at the hour of 6:00 p.m. at 75 North Main Street Heber, Utah. The purpose of the hearing is to receive input from the public with respect to (a) the issuance of the Series 2024B Bonds and (b) any potential economic impact that the project to be financed with the proceeds of the Series 2024B Bonds may have on the private sector. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING THE SERIES 2024B BONDS

The Series 2024B Bonds will be issued for the purpose of (a) financing all or a portion of improvements to the Issuer’s irrigation system (the “System”) and all related improvements (collectively, the “Project”), (b) funding any required debt service reserve fund, and (c) paying costs of issuance of the Series 2024B Bonds.

REVENUES TO BE PLEDGED

The Series 2024B Bonds are special limited obligations of the Issuer payable from the net revenues of the Issuer’s Irrigation system (the “System”).

PARAMETERS OF THE SERIES 2024B BONDS

The Issuer intends to issue the Series 2024B Bonds in the aggregate principal amount of not more than Two Million Dollars (\$2,000,000), to mature in not more than thirty-two (32) years from their date or dates, to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, and bearing interest at a rate or rates not to exceed six percent (6%) per annum. The Series 2024B Bonds are to be issued and sold by the Issuer pursuant to the Resolution, a Master Resolution and a Supplemental Master Resolution (together, the “Master Resolution”) which were before the Council and in substantially final forms at the time of the adoption of the Resolution and said Master Resolution is to be executed by the Council in such form and with such changes thereto as shall be approved by the Mayor or Mayor pro tem; provided that the principal amount, interest rate or rates, maturity, and discount of the Series 2024B Bonds will not exceed the maximums set forth above.

OUTSTANDING BONDS SECURED BY REVENUES

Other than the proposed Series 2024 Bonds, the Issuer currently has \$6,087,000 principal amount of bonds outstanding secured by the net revenues of the System.

OTHER OUTSTANDING BONDS OF THE ISSUER

Information regarding all of the Issuer’s outstanding bonds may be found in the Issuer’s audited financial report (the “Financial Report”) at: <https://reporting.auditor.utah.gov/searchreport/s/>. For additional information more recent than as of the date of the Financial Report please contact Matt Brower, City Manager at (435) 654-0757.

TOTAL ESTIMATED COST

Based on an estimate of the current interest rate and financing plan, the estimated total debt service cost of the Series 2024B Bonds, if held until maturity is \$2,439,196.

A copy of the Resolution and the form of the Master Resolution are on file in the office of the Heber City Recorder, 75 North Main Street, Heber, Utah, where they may be examined during regular business hours of the City Recorder from 7:30 a.m. to 6:00 p.m. Monday through Thursday for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the posting of this notice is provided by law during which (i) any person in interest shall have the right to contest the legality of the Resolution, the Master Resolution, or the Series 2024B Bonds, or any provision made for the security and payment of the Series 2024B Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality, or legality thereof for any cause whatsoever and (ii) registered voters within Heber City, Utah may sign a written petition requesting an election to authorize the issuance of the Series 2024B Bonds. If written petitions which have been signed by at least 20% of the registered voters of Heber City, Utah are filed with the Issuer during said 30-day period, the Issuer shall be required to hold an election to obtain voter authorization prior to the issuance of the Series 2024B Bonds. If fewer than 20% of the registered voters of Heber City, Utah file a written petition during said 30-day period, the Issuer may proceed to issue the Series 2024B Bonds without an election.

DATED this September 3, 2024.

/s/ Trina Cooke

City Recorder



Heber City Council Staff Report

MEETING DATE: 10/1/2024

SUBJECT: Public Hearing to receive input from the public with respect to (a) the issuance of the Series 2024 Sewer Revenue Bonds and (b) any potential economic impact that the project to be financed with the proceeds of the Series 2024 Bonds may have on the private sector

RESPONSIBLE: Marcus Keller

DEPARTMENT: Engineering

STRATEGIC RELEVANCE: Necessary Administrative Item

SUMMARY

Heber City is holding a public hearing for their sewer bonds, not to exceed the following parameters:

Par Amount - \$6,500,000

Term – 32 years

Discount – 98%

Interest Rate – 6 %

The City met with the Community Impact Board “CIB” on September 5th and received supplemental funding in the amount of \$5,900,000 at 3.50% over 30 years. Although these terms are greater than the original terms they received from the CIB in 2021, the rates/terms are still below market rates and are a good financing option for the City.

RECOMMENDATION

Staff would recommend moving forward with the Public Hearing and Sewer Revenue Bonds with the CIB.

BACKGROUND

In 2022 and 2023 Heber City issued \$8,553,000 and \$7,629,000 of Sewer Revenue Bonds to pay for the Sewer infrastructure related to the Central Heber Project. Due to rising costs and inflation the City is requesting the City approve a parameters resolution to help finance the remaining portion of the project. The City will first explore subsidized state financing options but may need the flexibility to procure private funding if there isn't enough funding available at the September 2024, CIB meeting.

DISCUSSION

If the City is unable to acquire funding from the CIB, then it will explore private funding options. At this time private funding in the market would be at an interest rate of approximately 4.00% - 4.50% and have a higher cost of issuance.

FISCAL IMPACT

Based on the Historical and Project Coverage the City is legally able to issue the bonds.

CONCLUSION

It is important the City finish their current plans for Phase 1, because any delays may have significant costs to construction pricing and bids.

ALTERNATIVES

1. Approve as proposed
2. Approve as amended
3. Continue
4. Deny

POTENTIAL MOTIONS

Alternative 1 - Approval - Staff Recommended Option

I move to **approve** the **item** as presented, with the findings and conditions as presented in the conclusion above.

Alternative 2 - Approve as Amended

I move to **approve** the **item** as amended, as follows.

Alternative 3 - Continue

I move to **continue** the **item** to another meeting on , with direction to the applicant and/or Staff on information and / or changes needed to render a decision, as follows:

Alternative 4 - Denial

I move to **deny** the **item** with the following findings.

ACCOUNTABILITY

Department: Engineering
Staff member: Marcus Keller
Russ Funk, City Engineer
Sara Nagel, Finance Manager

EXHIBITS

1. Public Hearing Notice for Sewer Rev Bonds Series 2024

NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the “Act”), that on September 3, 2024, the City Council (the “Council”) of Heber City, Utah (the “Issuer”), adopted a resolution (the “Resolution”) in which it authorized the issuance of the Issuer’s Sewer Revenue Bonds, Series 2024 (the “Series 2024 Bonds”) (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Issuer) and called a public hearing to receive input from the public with respect to the issuance of the Series 2024 Bonds.

PURPOSE, TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Issuer shall hold a public hearing on October 1, 2024, at the hour of 6:00 p.m. at 75 North Main Street Heber, Utah. The purpose of the hearing is to receive input from the public with respect to (a) the issuance of the Series 2024 Bonds and (b) any potential economic impact that the project to be financed with the proceeds of the Series 2024 Bonds may have on the private sector. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING THE SERIES 2024 BONDS

The Series 2024 Bonds will be issued for the purpose of (a) financing all or a portion of improvements to the Issuer’s sewer system (the “System”) and all related improvements (collectively, the “Project”), (b) funding any required debt service reserve fund, and (c) paying costs of issuance of the Series 2024 Bonds.

REVENUES TO BE PLEDGED

The Series 2024 Bonds are special limited obligations of the Issuer payable from the net revenues of the Issuer’s sewer system (the “System”).

PARAMETERS OF THE SERIES 2024 BONDS

The Issuer intends to issue the Series 2024 Bonds in the aggregate principal amount of not more than Six Million Five Hundred Thousand Dollars (\$6,500,000), to mature in not more than thirty-two (32) years from their date or dates, to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, and bearing interest at a rate or rates not to exceed six percent (6%) per annum. The Series 2024 Bonds are to be issued and sold by the Issuer pursuant to the Resolution, a Master Resolution and a Supplemental Master Resolution (together, the “Master Resolution”) which were before the Council and in substantially final forms at the time of the adoption of the Resolution and said Master Resolution is to be executed by the Council in such form and with such changes thereto as shall be approved by the Mayor or

Mayor pro tem; provided that the principal amount, interest rate or rates, maturity, and discount of the Series 2024 Bonds will not exceed the maximums set forth above.

OUTSTANDING BONDS SECURED BY REVENUES

Other than the proposed Series 2024 Bonds, the Issuer currently has \$15,723,000 principal amount of bonds outstanding secured by the net revenues of the System.

OTHER OUTSTANDING BONDS OF THE ISSUER

Information regarding all of the Issuer's outstanding bonds may be found in the Issuer's audited financial report (the "Financial Report") at: <https://reporting.auditor.utah.gov/searchreport/s/>. For additional information more recent than as of the date of the Financial Report please contact Matt Brower, City Manager at (435) 654-0757.

TOTAL ESTIMATED COST

Based on an estimate of the current interest rate and financing plan, the estimated total debt service cost of the Series 2024 Bonds, if held until maturity is \$9,339,726.

A copy of the Resolution and the form of the Master Resolution are on file in the office of the Heber City Recorder, 75 North Main Street, Heber, Utah, where they may be examined during regular business hours of the City Recorder from 7:30 a.m. to 6:00 p.m. Monday through Thursday for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the posting of this notice is provided by law during which (i) any person in interest shall have the right to contest the legality of the Resolution, the Master Resolution, or the Series 2024 Bonds, or any provision made for the security and payment of the Series 2024 Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality, or legality thereof for any cause whatsoever and (ii) registered voters within Heber City, Utah may sign a written petition requesting an election to authorize the issuance of the Series 2024 Bonds. If written petitions which have been signed by at least 20% of the registered voters of Heber City, Utah are filed with the Issuer during said 30-day period, the Issuer shall be required to hold an election to obtain voter authorization prior to the issuance of the Series 2024 Bonds. If fewer than 20% of the registered voters of Heber City, Utah file a written petition during said 30-day period, the Issuer may proceed to issue the Series 2024 Bonds without an election.

DATED this September 3, 2024.

/s/ Trina Cooke
City Recorder



KENDRA WYCKOFF EXECUTIVE DIRECTOR

kendra@peacehouse.org

435-658-4739 ext 101

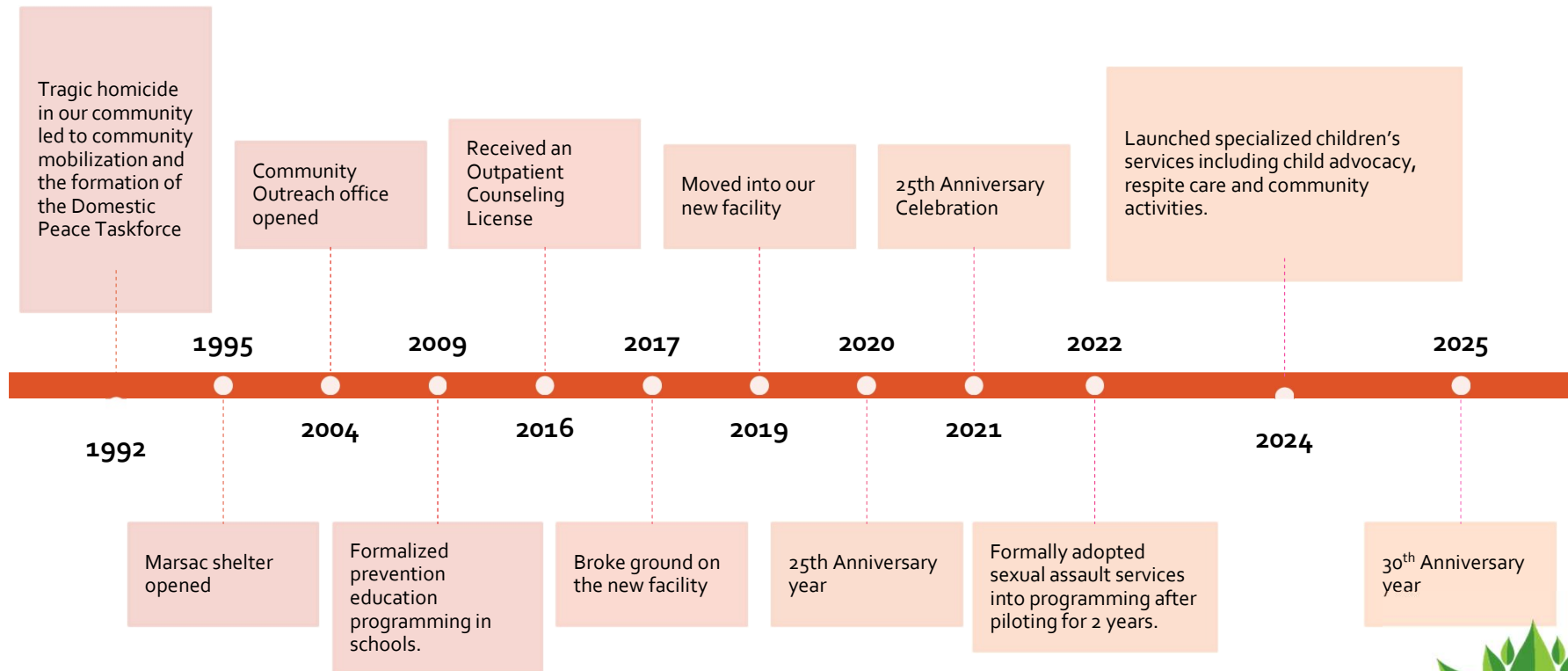


Mission and Vision

Peace House is dedicated to ending interpersonal violence and abuse and empowering survivors to heal and thrive by providing support services, safe housing, and prevention education.

We envision communities free from interpersonal violence and abuse.

History





Our Team

- 50 funded positions
 - ❑ Currently have 46 employees
- Volunteers
 - ❑ On average 200 volunteers a year, with 50 being regular volunteers assisting with everything from fundraising, and administrative to direct services
- 18 Board Members
 - ❑ 5 Committees

We Provide Services to:

- Peace House serves individuals and families who have or could experience family violence, domestic violence or abuse, sexual assault, stalking, and teen dating violence.
- Anyone affected including women, men, youth/children, and people who identify as non-binary.
- Voluntary and confidential
- Survivor-centric driven by individual needs and wants
- Trauma-informed services
- Bi-lingual Services (Spanish) available



Programs

- Emergency Shelter
- 24/7 HELPLINE
- Transitional Housing
- Housing Advocacy
- Clinical Counseling
- Case Management
- Outreach Advocacy
- Legal Advocacy
- Sexual Assault Victim Services including HRT
- Prevention Education and Awareness
- Children's Services







TRANSITIONAL HOUSING





HELPLINE

1-800-647-9161



HEBER CITY DATA July 2023-June 2024

149 clients provided services

- 117 Adults
- 32 Children



157 Helpline Calls from Heber City



31 total clients provided emergency shelter for **764** nights of safety last year

- 12 Adults
- 19 Children

EXAMPLE OF COST OF SERVICE

Emergency
Shelter



\$79.99 a day per person for
emergency shelter services



764 nights of services for 31 clients



Total costs for emergency shelter =
\$61,112.36



HEBER CITY PARTNERSHIP

- Lethality Assessment Protocol with the Heber City Police Department
 - Voluntary implementation under Chief Booth's administration in 2019.
 - Now, mandated by the state legislature effective on July 1 2023.

On average monthly, we receive 3-4 LAP calls from Heber City PD on our HELPLINE.

SURVIVOR FEEDBACK

92% of clients reported
overall program satisfaction
“I feel healthier emotionally
than I have in years.”

“My stay in the emergency
shelter was wonderful and I
am extremely grateful for all
the help and resources that
have been provided. This
place has been a miracle. ”

The background of the slide is a solid green color. Overlaid on this background are numerous question marks of varying sizes and opacities, creating a textured, layered effect. The word "QUESTIONS?" is centered in the middle of the slide in a large, white, sans-serif font. A thin white horizontal line is positioned directly beneath the word.

QUESTIONS?



2023/24 IMPACT REPORT

MISSION STATEMENT

Peace House is dedicated to ending interpersonal violence and abuse and empowering survivors to heal and thrive by providing support services, safe housing, and prevention education.

1,468

Individuals received support and resources from our helpline.

2,070

Total volunteer hours dedicated to supporting programs and services

4,223

Total sexual assault service hours provided by staff and volunteers

28,436

Students, teachers and community members were reached in Summit and Wasatch counties.



700 Round Valley Dr. #115
Park City UT 84060
Office (435)-658-4739
24/7 Helpline (800) 647-9161

PROGRAMS

Sexual Assault Recovery Services

Transitional Housing

Supportive Services

Emergency Shelter

OUTCOMES

- **10** Sexual assault victims received advocacy during medical care and forensic examinations.
- **124** Adult and youth survivors received our comprehensive sexual assault services.
- **35** Adults and children were able to access.
- **7,433** Nights in transitional housing.
- **296** Survivors received housing services.
- **548** Hours spent securing and maintaining safe permanent housing.
- **196** Adults and children were able to access.
- **1,361** Hours of personalized case management.
- **147** Survivors received legal advocacy.
- **621** Clinical therapy hours provided to children and adults.
- **185** Adults and children sought safety on our campus.
- **5,259** Nights of safety provided.

FUNDING SUMMARY

49%

Private
Donations

40%

Government Grants &
Contracts

11%

Private/Foundation
Grants

“Due to our increased collaboration with law enforcement and the use of the Lethality Assessment Protocol, more families with children are being referred to the emergency shelter for safe refuge due to the high danger in their homes. This year, we saw a 52% increase in children living in the Peace House emergency shelter.”

Kendra Wyckoff,
Executive Director





24 HOUR HELPLINE:
(800) 647-9161
P (435) 658-4739

September 24, 2024

Dear Mayor Franco and Esteemed Members of the Heber City Council,

We earnestly seek your support, not just as a financial contribution but as a steadfast partner in championing the health and safety of our community through essential victim services at the Peace House community campus.

Founded in response to domestic violence incidents in Park City, Peace House has blossomed into a vital nonprofit hub, tirelessly serving Wasatch and Summit Counties. In Utah, where interpersonal violence affects 1 in 3 women and 1 in 5 men—surpassing the national average—Heber City's support becomes a beacon of hope.

Our 42,000 sq. ft. community campus is a haven, providing immediate safety, shelter, nourishment, and comprehensive support services to families feeling abuse and seeking healing. Last year, 149 Heber City residents were assisted with lifesaving and life-changing programs including emergency shelter, housing, therapy, case management, the HELPLINE and legal advocacy.

We respectfully request a \$10,000 grant from Heber City to assist Peace House in providing 24/7 care and support for the most vulnerable in our community.

Together, our partnership transcends monetary contributions, fostering a community where families break the cycle of abuse, experience profound healing, and pave the way for future generations to thrive.

With gratitude,



Kendra Wyckoff
Executive Director

**PEACE HOUSE,
INC.**
700 Round Valley Dr
#115
Park City, UT 84060
peacehouse.org



Heber City Council Staff Report

MEETING DATE: 10/1/2024
SUBJECT: Red Rock Annexation Petition
RESPONSIBLE: Jamie Baron
DEPARTMENT: Planning
STRATEGIC RELEVANCE: Community and Economic Development

SUMMARY

Red Rock Holdings is requesting to Annex 31 acres of Industrial land into the City. The property is occupied by Delta Stone. Accepting the petition is the first step in the annexation process.

Policy Question:

1. Should the City accept the Red Rock Annexation Petition for further study?

RECOMMENDATION

Staff is recommending the Council accept the petition to allow for further study.

BACKGROUND

The Red Rock Holdings is requesting to annex 31 acres of industrial land into Heber City. This property is currently occupied by Delta Stone. The property is bordered by Heber City and the Town of Daniel. Delta Stone is considering building a new office/admin building for their existing business near Daniels road.



Process

The first step in the annexation process is to accept the annexation. By accepting the petition, the council will allow the applicant to go through the public process, which will allow the council to hold a public hearing and consider the annexation. This step does not guarantee annexation.

Following acceptance, the process is as follows:

- 30 day certification process
- 30 day protest period
- Review and recommendation by Planning Commission
- Public hearing at City Council
- Decision by City Council

General Plan

The General Plan does include this area and designates it as industrial. This area is within the

Annexation Policy Plan boundary. It is anticipated that the zoning for the property would be I-2 Industrial.

FISCAL IMPACT

N/A

CONCLUSION

Red Rock Holdings is seeking annexation. The property is within the annexation boundary of the City and is listed as Industrial in the General Plan. The choice of the council is to accept or reject the petition for further study. Staff is recommending the council accept the petition.

ALTERNATIVES

1. Accept
 2. Deny
-

POTENTIAL MOTIONS

Option 1 - Approval - Staff Recommended Option

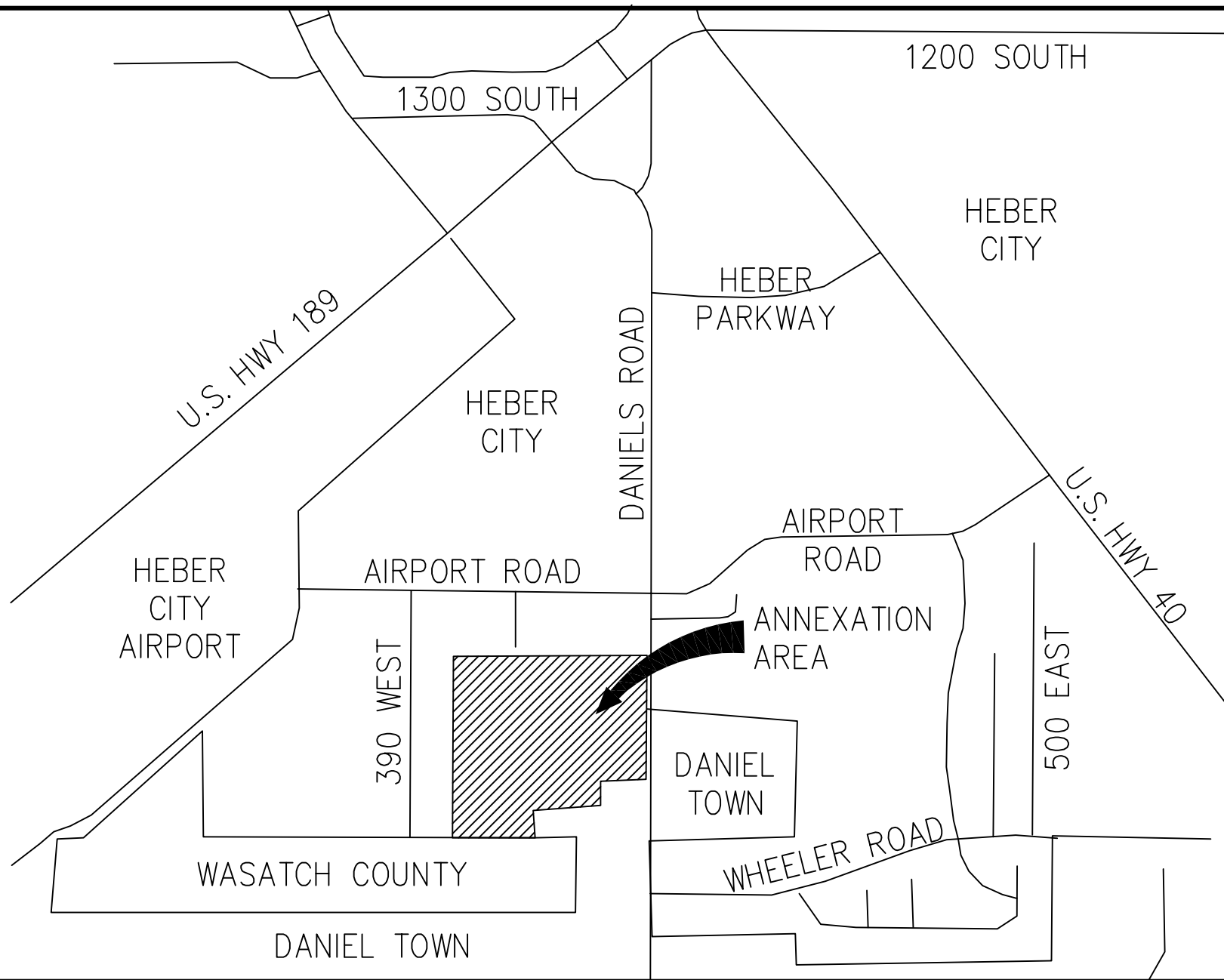
I move to **accept** the Red Rock Annexation Petition.

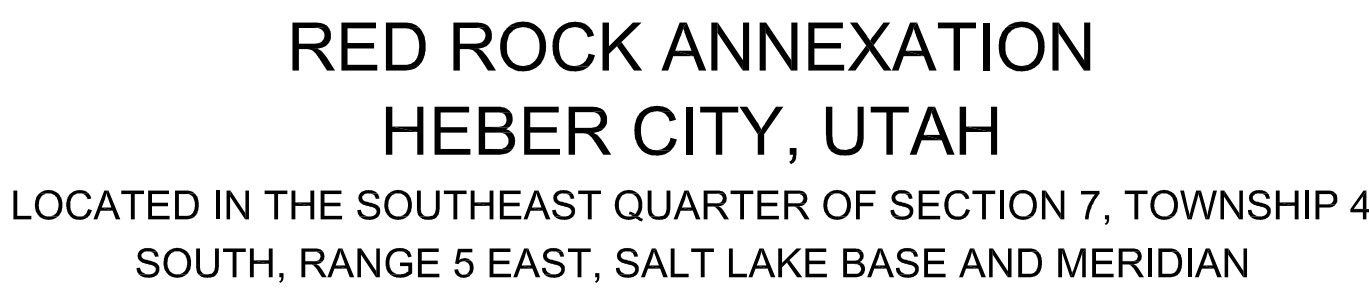
ACCOUNTABILITY

Department: Planning
Staff member: Jamie Baron, Planning Manager

EXHIBITS

1. Proximity Map
2. RED ROCK ANNEXATION PLAT
3. Annexation Petition - Red Rock-signed





1. THIS PLAT REPRESENTS THE RESULTS OF A BOUNDARY SURVEY CONDUCTED UNDER MY SUPERVISION AT THE REQUEST OF RJ ENTERPRISES.

2. THE LAND SURVEYED LIES WITHIN SECTION 7, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH, AND THE SURVEY WAS COMPLETED JUNE 2024.

3. THIS PLAT COMPLIES WITH APPLICABLE STATUTES OF THIS STATE AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE SURVEY WAS COMPLETED, AND THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH TITLE 17, CHAPTER 23, PARAGRAPH 20, OF THE UTAH CODE.

4. THE MONUMENTS DEPICTED AS FOUND AND/OR SET ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED, AND ARE OF SUFFICIENT DURABILITY.

SURVEYOR'S SEAL

BOUNDARY LEGAL DESCRIPTION

THENCE ALONG THE BOUNDARY OF SAID MAYERS ANNEXATION THE FOLLOWING TWO (2) COURSES: (1) S00°01'25"E. 354.98 FEET, (2) EAST 2.03 FEET TO THE WESTERLY BOUNDARY OF DANIEL TOWN ACCORDING TO THE TOWN OF DANIEL INCORPORATION PLAN (ENTRY NO. 298178); THENCE ALONG SAID DANIEL TOWN BOUNDARY THE FOLLOWING SIX (6) COURSES: (1) S00°06'30"E. 486.23 FEET, (2) WEST 31.02 FEET, (3) S00°53'28"E. 2012.18 FEET, (4) N59°42'47"W. 48.01 FEET, (5) S89°49'34"W. 411.71 FEET, (6) S05°30'40"E. 189.46 FEET; THENCE LEAVING SAID DANIEL TOWN BOUNDARY S89°41'38"W. 545.59 FEET TO THE EASTERLY BOUNDARY OF THE DANIEL/AIRPORT ROAD ANNEXATION ACCORDING TO THE TOWN OF DANIEL/AIRPORT ROAD ANNEXATION BOUNDARY (PROT. CO. 000078); THENCE ALONG SAID DANIEL/AIRPORT ROAD ANNEXATION BOUNDARY (PROT. CO. 000078) COUNTER-CLOCKWISE ABOUT THE EAST QUARTER CORNER MONUMENT TO THIS BASIS OF BEARINGS) THE FOLLOWING TWO (2) COURSES: (1) N00°05'33"W. 1202.43 FEET, (2) N89°34'46"E. 1288.40 FEET TO THE POINT OF BEGINNING.

PARCELS (7) CONTAIN 31.13 ACRES.

BASIS OF BEARINGS

ACCEPTANCE BY LEGISLATIVE BODY

PLANNING COMMISSION APPROVAL

CHAIRMAN, PLANNING COMMISSION

WASATCH COUNTY SURVEYOR

COUNTY SURVEYOR

WASATCH COUNTY RECORDER

BY WASATCH COUNTY RECORDER MARCY M. MURRAY

PROJECT
24005437
SHEET
1 OF 1

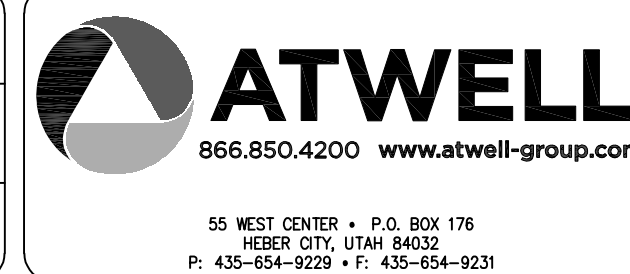
RED ROCK ANNEXATION
HEBER CITY, UTAH

LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 7,
TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN

LOCATED IN THE SOUTHEAST 1/4
OF SECTION 7, TOWNSHIP 4
SOUTH, RANGE 5 EAST, SLB&M

WASATCH COUNTY, UTAH

DRAWN BY:	SMT
REVIEWED BY:	MPJ/BMB
ISSUE DATE	08/07/2024



COPYRIGHT © 2024
ATWELL GROUP

DRAWING ALTERATION

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF THE PROFESSIONAL LAND SURVEYOR TO ALTER ANYTHING ON THIS DOCUMENT IN ANY WAY. ANY LICENSEE WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO AFFIX THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATIONS.

PETITION FOR ANNEXATION INTO HEBER CITY

Annexation Name: Red Rock Annexation

We, the undersigned owners of certain real property lying contiguous to the present municipal limits of Heber City hereby submit this Petition for Annexation and respectfully represent the following:

1. This petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated:
2. The property subject to this petition is an unincorporated area contiguous to the boundaries of Heber City and the annexation thereof will not leave or create an unincorporated island or peninsula;
3. The signatures affixed hereto are those of the owners of private real property that:
 - a. is located within the area proposed for annexation;
 - b. covers a majority of the private land area within the area proposed for annexation;
 - c. is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation; and
 - d. lies contiguous to the present boundary of Heber City's corporate limits, located at the approximate address: 2276 S Daniels Road, Heber City, UT 84032-4017
4. The petitioners have caused an accurate plat or map of the above-described property to be prepared by a licensed surveyor, which plat or map is filed herewith in Exhibit A;
5. Title to the property by those signing this petition is as shown in the deeds or title report attached hereto as Exhibit B.
6. The manner in which it was established that at least 1/3 of the value of all the private property sought to be annexed and at least a majority of the acreage is owned by the signers of this petition is shown in the attached Exhibit C (value and acreage spreadsheet) and Exhibit D (copies of all tax notices).

7. Land values and acreage within the annexation are as follows:

a. Total acreage within annexation:	<u>31.132 AC.</u>	
b. Total private property acreage within annexation:	<u>30.643 AC.</u>	
c. Petitioner's acreage within annexation:	<u>30.178 AC.</u>	<u>96.9%</u>
		% of Total Private Area
d. Total Assessed Land Value within annexation:	<u>\$13,570,100</u>	
e. Petitioner's Assessed Land Value within annexation	<u>\$12,987,600</u>	<u>95.7%</u>
		% of Total Value

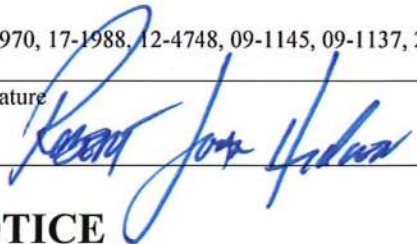
8. This petition does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted;
9. This petition does not propose annexation of all or a part of an area proposed to be incorporated in a request for a feasibility study under Section 10-2-103 U.C.A. or a petition under Section 10-2-125, U.C.A. if:
 - a. the request or petition was filed before the filing of the annexation petition, and
 - b. the request, a petition under Section 10-2-109 based on that request, or a petition under Section 10-2-125 is still pending on the date the annexation petition is filed;
10. The names and mailing addresses of all the owners of the parcels of land located within 300 feet of the area proposed to be annexed as shown in Exhibit E.
11. A vicinity map showing the City's current boundaries in relation to the proposed annexation in Exhibit F.
12. Per the Heber City Annexation Policy Plan, a Concept Plan is attached as Exhibit G. This Concept Plan is a very preliminary plan -- the petitioner is not strictly bound by it. However, it is the hope of the Heber City Council that the Concept Plan submitted is the primary intention of the developer at the time annexation is being requested.

PETITION SIGNATURE PAGE 1

WHEREFORE, the Petitioners hereby request that this Petition be considered by the Heber City Council at its next regular meeting, or as soon thereafter as possible; that a resolution or motion be adopted or passed as required by law accepting this Petition for Annexation for further consideration; and that the governing body take such steps as required by law to complete the annexation herein petitioned.

Name of Annexation: Red Rock Annexation

Petitioner 1

Petitioner Name Red Rock Holdings & Investments, L.L.C.	Phone Number (435) 640-3688
Mailing Address 2276 S Daniels Road, Heber City, Utah 84032-4017	Email Address robert@utahstone.com
Parcel Numbers 17-1970, 17-1988, 12-4748, 09-1145, 09-1137, 21-0999, 09-14678	
Signature 	Date 8/14/24

NOTICE

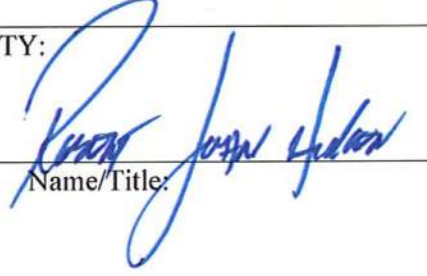
There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election. If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Heber City. If you choose to withdraw your signature, you shall do so no later than 30 days after Heber City receives notice that the petition has been certified.

PETITION CONTACT SPONSOR

Designate at least one but not more than five of the signers of this petition as "Sponsors", one of whom must be designated as the Contact Sponsor. Any person signing in behalf of a corporation or LLC must show and provide verification that they are authorized to sign for said corporation or LLC and sign as designated on such authorization. Each signature of a Petition Sponsor must be notarized.

Petitioner Name	Phone Number
Red Rock Holdings & Investments, LLC	(435) 640-5872
Mailing Address	Email Address
2276 S Daniels Road, Heber City, Utah 84032-4017	robert@utahstone.com
Parcel Numbers	
17-1970, 17-1988, 12-4748, 09-1145, 09-1137, 21-0999, 09-14678	

ENTITY: _____

By: 
Name/Title: _____

STATE OF Utah)
COUNTY OF Wasatch) : ss.

On this 14 day of August, 2024, personally appeared before me the above named:

☒ who is personally known to me,
 _____ whose identity I verified on the basis of _____
 _____ who is authorized to sign on behalf of the entity/(ies) that own the property
 to be the signer of the foregoing document, and he/she acknowledged that he/she signed it.



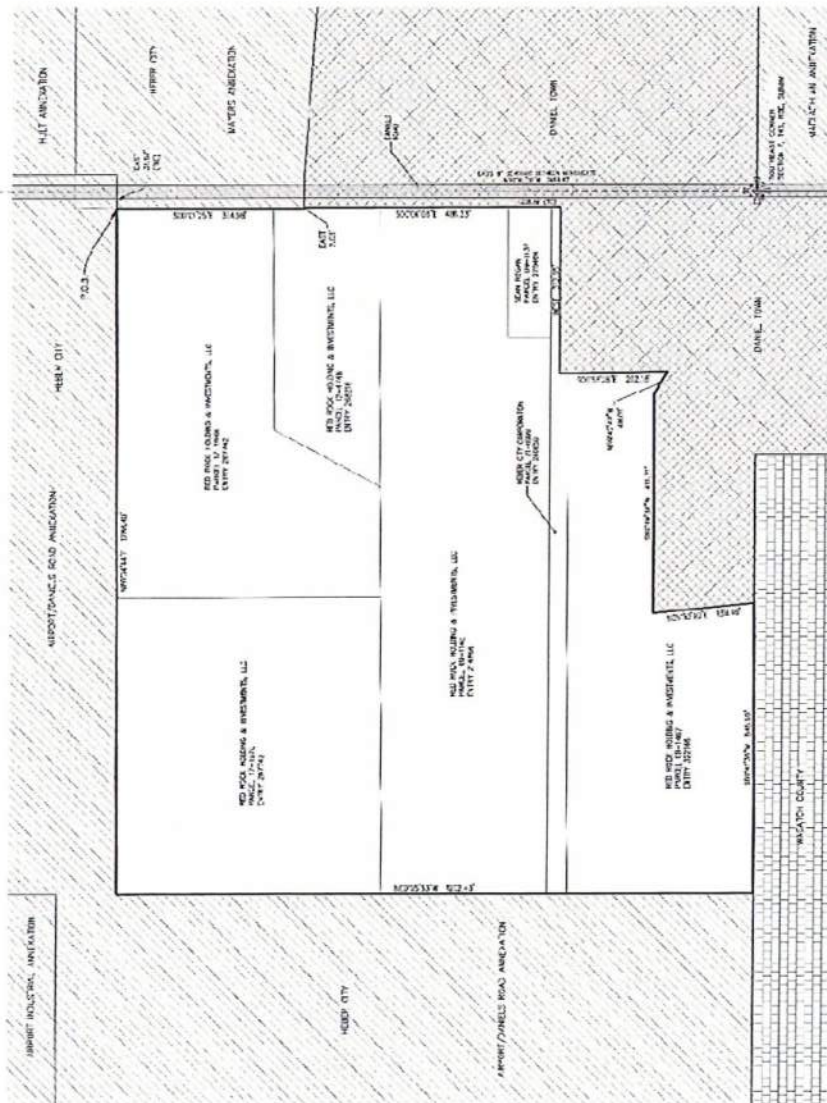
LAURA MARSH
Notary Public - State of Utah
Comm. No. 719467
My Commission Expires on
Jul 29, 2025


 NOTARY PUBLIC
 My Commission Expires: July 29, 2025

NOTICE

There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election. If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Heber City. If you choose to withdraw your signature, you shall do so no later than 30 days after Heber City receives notice that the petition has been certified.

EXHIBIT A: ANNEXATION MAP



BROADBENT INDUSTRIES, INC.

[illegible]

ALD 1000

LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 7,
TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASIN AND VERMILION

SEARCHED BY	INDEXED BY
SERIALIZED BY	FILED BY
MAR 20 1964	
FBI - WASH. METRO	

BOOKED IN THE COURTHOUSE
OF SECTION 1, ROOM 404
STREET, WASHINGTON, D.C.

WASHINGTON COUNTY, UTAH

© 1999 by John Wiley & Sons, Inc.

THE UNIVERSITY OF CHICAGO PRESS, 108 EAST 57TH STREET, NEW YORK, NY 10022-3243, U.S.A. (tel. 212 850 6000, fax 212 850 6090, e-mail orderdept@uchicago.edu).

1998-1999
1999-2000

BOUNDARY LEGAL DESCRIPTION

As a result of the investigation, the following findings were made:

- 1. The investigation was conducted in accordance with the provisions of the Act.
- 2. The investigation was conducted in accordance with the provisions of the Act.
- 3. The investigation was conducted in accordance with the provisions of the Act.
- 4. The investigation was conducted in accordance with the provisions of the Act.
- 5. The investigation was conducted in accordance with the provisions of the Act.
- 6. The investigation was conducted in accordance with the provisions of the Act.
- 7. The investigation was conducted in accordance with the provisions of the Act.
- 8. The investigation was conducted in accordance with the provisions of the Act.
- 9. The investigation was conducted in accordance with the provisions of the Act.
- 10. The investigation was conducted in accordance with the provisions of the Act.

BASIS OF BEARINGS

TABLE 2. (continued) CONTAMINANT AGENTS

THE BIRTH OF BRONXES FOR THE SUNDAY WAS PRELIMINARY TO A SERIES OF "MADNESS" EVENTS AND THE LAST ONE-QUARTER CONCERTS IN THE CITY. THE FIRST WAS A "MADNESS" CONCERT AND THE LAST WAS A "MADNESS" CONCERT. THE FIRST WAS A "MADNESS" CONCERT AND THE LAST WAS A "MADNESS" CONCERT.

ACCEPTANCE BY LEGISLATIVE BODY

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-19-2008 BY 60322 UCBAW/SJS

From

PLANNING COMMISSION APPROVAL

INVEST IN _____ \$ _____ BY THE PLANNING COMMISSION OF REGION ONE.

WASATCH COUNTY SURVEYOR

DATE _____ TIME _____

WASATCH COUNTY RECORDER

MSRP \$ _____ (incl. tax) _____
 PZ _____ PZL _____ PZP _____
 © 1999 BSA. All rights reserved. BSA, BSA logo, and the BSA emblem are trademarks of the Boy Scouts of America.

EXHIBIT B: PROPERTY DEEDS

AFTER RECORDING MAIL TAX NOTICE TO:

GRANTEE
 2976 S. DANIELS ROAD
 HEBER CITY, UT 84632

Ent 267742 Bk 0675 Pg 0088-0090
 ELIZABETH M PALMIER, Recorder
 WASATCH COUNTY CORPORATION
 2004 JAN 30 12:27pm Fee 18.00 MWC
 FOR MOUNTAIN VIEW TITLE & ESCROW

QUIT-CLAIM DEED

RED ROCK HOLDINGS & INVESTMENTS, L.L.C. aka RED ROCK HOLDINGS & INVESTMENTS, L.L.C., a Utah Limited Liability Company, RED ROCK HOLDINGS, INC. and ROBERT JOHN HICKEN, *PAUL R. BALLIF*

of Heber City, Wasatch County, Utah
 hereby

grantor,

QUIT-CLAIM to

RED ROCK HOLDINGS & INVESTMENTS, LLC

grantee

Of
 for the sum of Ten and 00/100 *****DOLLARS
 and other valuable consideration.

The following described tract of land in Wasatch County, State of Utah:

SEE ATTACHED EXHIBIT "A"

Tax I.D.: OWC-1587-0-007-045
 OWC-1587-1-007-045
 OKT-0001-0-007-045
 OKT-0002-0-007-045

Subject to easements, restrictions and rights of way.

WITNESS the hand of said grantor(s), this 12th day of January 2004, A.D.

RED ROCK HOLDINGS &
 INVESTMENTS, L.L.C. aka RED ROCK
 HOLDINGS & INVESTMENTS, L.L.C., a
 Utah Limited Liability Company

By: *[Signature]*
 Manager

RED ROCK HOLDINGS, INC.

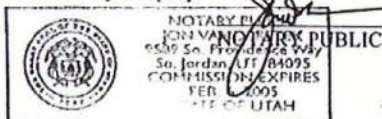
[Signature]
 ROBERT JOHN HICKEN, President and
 individually

[Signature]
 PAUL R. BALLIF

E 267742 B 0675 P 0089

STATE OF UTAH)
COUNTY OF SALT LAKE)

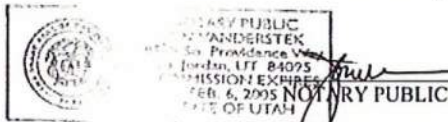
On the ^{30th} day of January, A.D. 2004, personally appeared before me the above signed, Managers/Members, known to me to be a member or designated agent of the limited liability company that executed the instrument and acknowledged the instrument to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath state that he or she is authorized to execute this instrument and in fact executed the instrument on behalf of the limited liability company.



STATE OF UTAH)
COUNTY OF SALT LAKE)

On the ^{30th} day of January, 2004, personally appeared before me Robert John Hicken, as President of Red Rock Holdings, Inc and Individually being the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

PAUL R. BALLIF, INDIVIDUALLY



E 267742 B 0675 P 0090

EXHIBIT "A"

PARCEL 1: BEGINNING 1955.25 FEET SOUTH FROM THE EAST QUARTER CORNER OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE WEST 264 FEET; THENCE SOUTH 82.50 FEET; THENCE WEST 1056 FEET; THENCE NORTH 350 FEET; THENCE EAST 1320 FEET; THENCE SOUTH 247.5 FEET TO THE POINT OF BEGINNING.

PARCEL 2: BEGINNING AT A POINT WHICH IS SOUTH 00 D 06'01" EAST 1760.13 FEET ALONG THE SECTION LINE FROM THE EAST ¼ CORNER OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89 D 33'37" WEST 440.50 FEET TO THE EASTERLY BANK OF THE IRRIGATION COMPANY CANAL, THENCE SOUTH 27 D 57'34" WEST 227.36 FEET ALONG SAID CANAL TO AN EXISTING FENCE LINE; THENCE NORTH 89 D 33'37" EAST 547.45 FEET ALONG SAID FENCE LINE; THENCE NORTH 00 D 06'01" WEST 200.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A TRACT OF LAND TO BE USED FOR AN IRRIGATION CANAL, DESCRIBED AS FOLLOWS: A STRIP OF LAND 1 ROD IN WIDTH, EXTENDING FROM A POINT 1 FOOT EASTERLY FROM THE EASTERLY BANK OF THE CANAL OF THE SAID GRANTEE, AS NOW CONSTRUCTED THROUGH THE GRANTORS LAND, AND EXTENDING THENCE AT RIGHT ANGLES 1 ROD IN WIDTH ALONG THE COURSE OF SAID CANAL, THE CENTER LINE OF WHICH CANAL AS NOW CONSTRUCTED BEING LOCATED AS FOLLOWS:

BEGINNING AT A POINT 88 ½ RODS SOUTH AND 17 RODS WEST FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE ALONG SAID CENTER LINE OF A CANAL SOUTH 26 D 35' WEST 33.54 RODS TO THE SOUTHERN LINE OF LANDS NOW STANDING UPON THE RECORDS OF THE WASATCH, UTAH

PARCEL 3: LOT 1, KOTYK SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASATCH COUNTY RECORDER'S OFFICE.

LESS ANY PORTION LYING WITHIN PUBLIC ROADWAY.

PARCEL 4: LOT 2, KOTYK SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASATCH COUNTY RECORDER'S

TOGETHER WITH PRIVATE 60 FOOT WIDE ROAD EASEMENT

MAY-19-2003 MON 02:27 PM FIRST AMERICAN TITLE

FAX NO. 435 854 1422

P. 02/03

First American Title Insurance Agency, Inc.

MAIL TAX NOTICE TO
RED ROCK HOLDINGS INVESTMENT LLC
2274 So Daniels Rd
Heber, UT 84032

Ent 258216 Bk 0626 Pg 0058-0059
ELIZABETH M PALMIER, Recorder
WASATCH COUNTY CORPORATION
2003 MAY 23 11:30am Fee 13.00 MWC
FOR FIRST AMERICAN TITLE COMPANY

Warranty Deed

RONALD S. MCARTHUR, Grantor(s)

of Heber city, County of WASATCH, State of UTAH, hereby CONVEY and WARRANT to

RED ROCK HOLDINGS INVESTMENT L.L.C. a Utah Limited Liability Company, Grantee(s)

Of Heber City, UT for the sum of Ten Dollars and other good and valuable consideration the following described tract(s) of land in WASATCH County, State of UTAH:

EXHIBIT "A"

Subject to covenants, restrictions and rights of way appearing of record or enforceable in law and equity and general property taxes for the year 2003 and thereafter.

Tax ID Number: OWC-1587-1

WITNESS, the hand(s) of said Grantor(s), this 19th of May, A.D., 2003.

Signed in the Presence of:

Kefar Sauer)
Reggie Peterson)
)
)

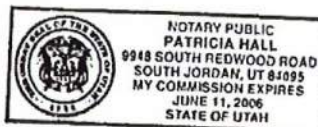
Ronald S. McArthur
Ronald S. McArthur

STATE OF UTAH)
) SS.
COUNTY OF)

On the 19th day of May, 2003, personally appeared before me Ronald S. McArthur the signer(s) of the within and foregoing instrument, who having been by me duly sworn, acknowledged that he executed the same.

Patricia Hall
Notary Public

Residing at: Salt Lake County
Commission Expires: 6/11/06



MAY-19-2003 MON 02:28 PM FIRST AMERICAN TITLE

FAX NO. 435 654 1422

P. 03/03

EXHIBIT "A "

Escrow No. **380-4098769 (nh)**

A.P.N.: **OWC-1587-1**

BEGINNING at a point which is South 00°06'01" East 1760.13 feet along the Section line from the East 1/4 corner of Section 7, Township 4 South, Range 5 East, Salt Lake Base and Meridian and running thence South 89°33'37" West 440.50 feet to the easterly bank of the irrigation company canal, thence South 27°57'34" West 227.36 feet along said canal to an existing fence line; thence North 89°33'37" East 547.45 feet along said fence line; thence North 00°06'01" West 200.00 feet to the point of beginning.

EXCEPTING the following described property:

A tract of land to be used for an irrigation canal, described as follows: A strip of land 1 rod in width, extending from a point 1 foot easterly from the easterly bank of the canal of the said grantee, as now constructed through the grantors land, and extending thence at right angles 1 rod in width along the course of said canal, the center line of which canal as now constructed being located as follows:

BEGINNING at a point 88 1/2 rods South and 17 rods West from the Northeast corner of the southeast quarter of Section 7, Township 4 South, Range 5 East, Salt Lake Base and Meridian, and running thence along said center line of a canal South 26°35' West 33.54 rods to the southern line of lands now standing upon the records of the Wasatch, Utah.

Rm

E 258216 R 0626 P 0059

646

WHEN RECORDED, MAIL TO:

Red Rock Holdings & Investments, LLC
PO Box 296
Heber, UT 84032
 Order No.: W-40616

Space Above This Line for Recorder's Use

WARRANTY DEED

Jay L. Smith, Trustee of THE JAY L. SMITH FAMILY TRUST
 of Heber City, State of Utah, grantor
 CONVEYS and WARRANTS to
 RED ROCK HOLDINGS & INVESTMENTS, LLC, grantee

of Heber City, County Wasatch, State of Utah
 for the sum of TEN DOLLARS and other good and valuable consideration, the following described tract of land in
 Wasatch County, State of Utah, to-wit:

SEE ATTACHED EXHIBIT "A"

00214666 BK 00426 Pg 00646-00647
 WASATCH CO RECORDER-ELIZABETH A PARCELL
 1999 JUN 07 14:56 PM FEE \$12.00 BY RMM
 REQUEST: FIRST AMERICAN TITLE COMPANY

PAGE (0) INDEX () ABSTRACT () PLAT (X) CHECK ()

WITNESS the hand of said grantor, this 4th day of June, A.D. 19 99.

Signed in the presence of

Jay L. Smith, Trustee
 Jay L. Smith, Trustee

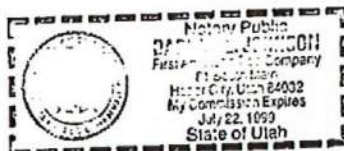
STATE OF UTAH

{ SS.

COUNTY OF Wasatch

On the 4th day of June, A.D. 1999, personally appeared before me Jay L. Smith, Trustee

the signer of the within instrument who duly acknowledged to me that he executed the same.



Notary Public

My Commission Expires: December 31, 1999

EXHIBIT "A"

DESCRIPTION

BEGINNING 1955.25 feet South from the East quarter corner of Section 7, Township 4 South, Range 5 East, Salt Lake base and Meridian, and running thence West 264 feet; thence South 82.50 feet; thence West 1056 feet; thence North 350 feet; thence East 1320 feet; thence South 247.5 feet to the point of beginning.

00214866 Bk 00426 Pg 00647

647

Ent 275464 Bk 0714 Pg 0251-0252
ELIZABETH H PALMIER, Recorder
WASATCH COUNTY CORPORATION
2004 SEP 22 4:23pm Fee 12.00 MWC
FOR EMPIRE LAND TITLE INC

REO/UTAH

REO CASE#D043147

SPECIAL WARRANTY DEED

Grantor's Name/Address: Fannie Mae A/K/A Federal National Mortgage Association, 13455 Noel Road,
#600, Dallas, Texas 75240-5003
Grantee's Name/Address: SEAN REGAN, AN UNMARRIED MAN
OF 2312 S. DANIELS Road, Heber, UT 84032

THIS DEED made this the 20TH day of September, 2004, between FEDERAL NATIONAL MORTGAGE ASSOCIATION, A/K/A FANNIE MAE, a corporation organized and existing under the laws of the United States, by its duly authorized Vice President, hereinafter called "Grantor," and SEAN REGAN, AN UNMARRIED MAN, hereinafter referred to as Grantee(s)."

WITNESSETH, that the said Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt hereof is hereby acknowledged, has granted, bargained, sold, and conveyed and by these presents does grant, bargain, sell, convey and confirm unto the said Grantee(s), and his or their heirs, executors, administrators, and assigns forever, all of the following, described property in the County of WASATCH and State of Utah, to-wit: SEE EXHIBIT "A," ATTACHED HERETO AND MADE APART HEREOF FOR ALL PURPOSES.

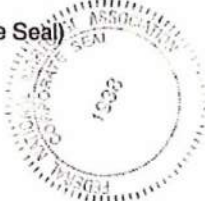
COMMONLY KNOWN AS: 2312 SOUTH DANIELS ROAD, HEBER, UT 84032

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and all the estate, right, title, interest, claim, and demand whatsoever of the said Grantor, in and to the said property with the hereditaments and appurtenances.

27650 TO HAVE AND TO HOLD the above described property, together with all and singular, the tenements, hereditaments, rights and appurtenances thereto in anywise belonging unto the said Grantee(s) and their heirs and assigns, against every person whomsoever lawfully claiming, under or through the Grantor, but not otherwise.

IN WITNESS THEREOF, the said Grantor has caused these presents to be signed by its undersigned and duly authorized Vice President.

(Corporate Seal)



FEDERAL NATIONAL MORTGAGE ASSOCIATION

By: Teresa Foley, Vice President

By: Sheryl Martin, Assistant Secretary

ATTEST

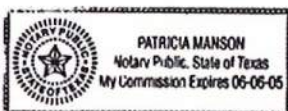
STATE OF TEXAS)

SS

COUNTY OF DALLAS)

BEFORE ME, a Notary Public, on this day personally appeared the undersigned, duly commissioned, qualified, and acting within and for said county and state, appeared in person the within named Teresa Foley and Sheryl Martin stated that they were Vice President and Assistant Secretary of the FEDERAL NATIONAL MORTGAGE ASSOCIATION, a corporation, and were duly authorized in their respective capacities to execute the foregoing instrument for and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE the 20TH day of September, 2004.



Notary Public in and for the State of Texas

E 275464 B 0714 P 0252

Exhibit "A"

Beginning at a point 133.50 rods South of the Northeast corner of the Southeast quarter of Section 7, Township 4 South, Range 5 East, of the Salt Lake Base and Meridian; thence South 5.00 rods; thence West 16 rods; thence North 5 rods; thence East 16 rods to the point of beginning.

TAX ID # OCW-1586-0-007-004

When recorded mail to
Heber City Corp

This Side For Recordors Use Only

Ent 240650 Bk 0540 Pg 0719-0719
 ELIZABETH PARCELL, Recorder
 WASATCH COUNTY CORPORATION
 2002 JAN 11 3:15pm Fee No Fee MMM
 FOR HEBER CITY

WARRANTY DEED

ERROL MAHONEY and DONA A. MAHONEY, husband and wife, as joint tenants
 of Heber County of Wasatch State of Utah, hereby
CONVEY and WARRANT to
HEBER CITY CORPORATION
 of Heber County of Wasatch, State of Utah

for the sum of TEN DOLLARS and other good and valuable consideration/////

the following described tract of land in Wasatch County

State of Utah, to-wit: DWC-1588-0

BEGINNING at a point 81 rods South and 80 rods West of the Northeast corner of the Southeast quarter of Section 7, in Township 4 South, Range 5 East, Salt Lake Base and Meridian; and running thence West 80 rods to the West line of the Southeast quarter of said Section; thence South 79 rods to the South line of said Section; thence East 80 rods; thence North 5.375 chains, more or less, to a point which is 139 1/2 rods South of the North line of said Southeast quarter of said Section; thence East 20 chains to the East line of said Section; thence North 1 rods; thence West 20 chains; thence North 57.50 rods to the place of beginning.

LESS and EXCEPTING

BEGINNING at a point 1336.50 feet South and 2239.58 feet West of the Northeast Corner of the Southeast quarter of Section 7, Township 4 South, Range 5 East, Salt Lake Base and Meridian; and running thence West 400.42 feet; thence South 339.78 feet; thence North 49°41'00" East 339.78 feet to the point of beginning.
TOGETHER with all improvements thereof and appurtenances thereunto belonging.

SUBJECT TO easements, restriction, reservations and rights of way appearing of record.

WITNESS the hand of said grantor, this 8 day of January A.D. 2002

Signed in the presence of

Errol Mahoney
 Errol Mahoney

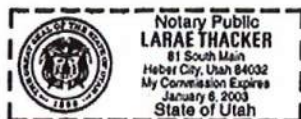
Dona A. Mahoney
 Dona A. Mahoney

STATE OF UTAH
 COUNTY OF Wasatch

{
 { SS.
 {

On the 8 day of January A.D. 2002 personally
 appeared before me Errol Mahoney and Dona A. Mahoney
 the signers of the within instrument who duly acknowledged
 to me that they executed the same.

[Signature]
 Notary Public



Ent 322146 Bk 0943 Pg 1194-1195
ELIZABETH M PALMIER, Recorder
WASATCH COUNTY CORPORATION
2007 JUN 25 2:27pm Fee 12.00 MWC
FOR FIRST AMERICAN TITLE - HEBER C
ELECTRONICALLY RECORDED

Recording Requested by:
First American Title Insurance Agency, LLC
81 South Main Street
Heber, UT 84032
(435)654-1414

AFTER RECORDING RETURN TO:
Red Rock Holding & Investments, LLC
2276 South Daniels Rd.
Heber City, UT 84032

SPACE ABOVE THIS LINE (3 1/2" X 5") FOR RECORDER'S USE

WARRANTY DEED

Escrow No. 380-4880464 (mle)
A.P.N.: OWC-1605

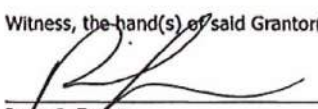
Ryan C. Fenton, Grantor, of Heber City, Wasatch County, State of UT, hereby CONVEY AND WARRANT to

Red Rock Holding & Investments, LLC, a Utah Limited Liability Company, Grantee, of Heber City, Wasatch County, State of UT, for the sum of Ten Dollars and other good and valuable considerations the following described tract(s) of land in Wasatch County, State of Utah:

BEGINNING AT A POINT 164.47 FEET NORTH 0°06'01" WEST ALONG THE EAST LINE OF SECTION AND 337.65 FEET WEST OF THE SOUTHEAST CORNER OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 59°30'36" WEST 50 FEET; THENCE SOUTH 89°49'34" WEST 411.708 FEET; THENCE SOUTH 05°30'40" EAST 191.82 FEET TO AN EXISTING FENCE ON THE SOUTH LINE OF SECTION 7; THENCE SOUTH 89°49'34" WEST 539.23 FEET ALONG AN EXISTING FENCE AND SAID SECTION LINE; THENCE NORTH 0°11'03" WEST 350.89 FEET ALONG AN EXISTING FENCE; THENCE NORTH 89°46'51" EAST 977.02 FEET ALONG AN EXISTING FENCE; THENCE SOUTH 0°06'04" WEST 169.68 FEET ALONG AN EXISTING FENCE; THENCE SOUTH 00°02'28" EAST 16.50 FEET TO THE POINT OF BEGINNING.

Subject to easements, restrictions and rights of way appearing of record or enforceable in law and equity and general property taxes for the year 2007 and thereafter.

Witness, the hand(s) of said Grantor(s), this June 25th, 2007.


Ryan C. Fenton

A.P.N.: OWC-1605

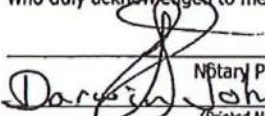
Warranty Deed - continued

File No.: 380-4880464 (mle)

Ent 322146 Bk 0943 Pg 1195

STATE OF **UTAH**)
)
)
COUNTY OF **WASATCH**)

On June 25, 2007, personally appeared before me, **Ryan C. Fenton** the signer of the within Instrument, who duly acknowledged to me that he executed the same.



Notary Public
(Printed Name)
My Commission expires: 2-22-07

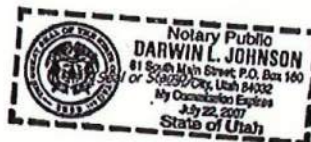


EXHIBIT C: VALUE & ACREAGE

a.	Total acreage within annexation:	<u>31.132 AC.</u>	
b.	Total private property acreage within annexation:	<u>30.643 AC.</u>	
c.	Petitioner's acreage within annexation:	<u>30.178 AC.</u>	<u>96.9%</u>
			% of Total Private Area
d.	Total Assessed Land Value within annexation:	<u>\$13,570,100</u>	
e.	Petitioner's Assessed Land Value within annexation	<u>\$12,987,600</u>	<u>95.7%</u>
			% of Total Value

Property Value & Acreage Within Annexation Area				
Name	Parcel ID	Acres	Value	Petitioner (yes/no)
Red Rock Holdings & Investments, L.L.C.	17-1970	6.405	\$1,920,000	Yes
Red Rock Holdings & Investments, L.L.C.	17-1988	6.205	\$1,917,000	Yes
Red Rock Holdings & Investments, L.L.C.	12-4748	2.162	\$681,000	Yes
Red Rock Holdings & Investments, L.L.C.	09-1145	9.443	\$6,690,000	Yes
Heber City Corporation	21-0999	0.489	\$37,500	No
Sean Regan	09-1137	0.465	\$545,600	No
Red Rock Holdings & Investments, L.L.C.	09-1467	5.963	\$1,779,000	Yes
Totals		31.132 acres	\$13,570,100	
Private Property Total		30.643 acres	\$13,532,600	
Petitioner Totals		30.178 acres	\$12,987,600	
Petitioner Percent of Private Total		51% min Actual: 96.9%	1/3 min Actual: 95.7%	

EXHIBIT D: PROPERTY TAX RECORDS



August 6, 2024

WASATCH COUNTY CORPORATION
Tax Roll Master Record

5:02:00PM

Parcel: 00-0017-1970	Serial #: OKT-0001-0-007-045	Entry: 267742
Name: RED ROCK HOLDINGS & INVESTMENT		
c/o Name:		Grid Address
Address 1: 2276 S DANIELS RD		2276 S DANIEL RD
Address 2:		DANIEL
City State Zip: HEBER CITY	UT 84032-4017	Acres: 6.40
Mortgage Co		
Status: Active	Year: 2024	District: 012 COUNTY OUTSIDE DISTRICT 0.008437

Owners	Interest	Entry	Date of Filing	Comment
RED ROCK HOLDINGS & INVESTMENT		267742	01/30/2004	(0675/0088)

Property Information	2024 Values & Taxes				2023 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
LC02 COMMERCIAL UNIMPROVED	6.39	1,917,000	1,917,000	16,173.73	1,114,595	1,114,595	9,626.76
LC05 CELL TOWER SITE	0.01	3,000	3,000	25.31	160,000	160,000	1,381.92
Totals:	6.40	1,920,000	1,920,000	16,199.04	1,274,595	1,274,595	11,008.68

**** ATTENTION !! ****		2024 Taxes:	16,199.04	2023 Taxes:	11,008.68
Tax Rates for 2024 have been set and approved. All levied taxes and values shown on this printout for the year 2024 should be correct.		Special Fees:	0.00	Review Date	
		Penalty:	0.00		
		Abatements: (	0.00)		
		Payments: (	6,000.00)	06/07/2024	
		Amount Due:	10,199.04		
		NO BACK TAXES!			

02/12/2024	02:12PM	00319200	2024	RED ROCK HOLDINGS & INVESTMENT	Current - Check	1,000.00	pendleton
03/13/2024	04:19PM	00320374	2024	RED ROCK HOLDINGS & INVESTMENT	Current - Check	1,000.00	pendleton
03/29/2024	11:41AM	00320856	2024	RED ROCK HOLDINGS & INVESTMENT	Current - Check	1,000.00	agibbs
04/22/2024	04:22PM	00321745	2024	RED ROCK HOLDINGS & INVESTMENT	Current - Check	1,000.00	pendleton
05/29/2024	02:20PM	00322879	2024	RED ROCK HOLDINGS & INVESTMENT	Current - Check	1,000.00	pendleton
06/24/2024	02:06PM	00323599	2024	RED ROCK HOLDINGS & INVESTMENT	Current - Check	1,000.00	pendleton
Total Payments:						6,000.00	

Back Tax Summary							
Year	Principal	Specials Total	Penalty	Interest Due	Interest Rate	Total Payments	Total Due
2001	0.00	0.00	0.00	0.00	7.25%	5,677.82	0.00
Totals:	0.00	0.00	0.00	0.00		5,677.82	0.00

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

LOT 1, KOTYK SUBDIVISION AREA: 6.40 ACRES

August 6, 2024

WASATCH COUNTY CORPORATION
Tax Roll Master Record

5:06:30PM

Parcel: 00-0017-1988	Serial #:0KT-0002-0-007-045	Entry: 267742
Name: RED ROCK HOLDINGS & INVESTMENT		
c/o Name:		Grid Address
Address 1: 2276 S DANIELS RD		
Address 2:		
City State Zip: HEBER CITY	UT 84032-4017	
Mortgage Co		
Acres: 6.39		
Status: Active	Year: 2024	District: 012 COUNTY OUTSIDE DISTRICT 0.008437

Owners	Interest	Entry	Date of Filing	Comment
RED ROCK HOLDINGS & INVESTMENT		267742	01/30/2004	(0675/0088)

Property Information	2024 Values & Taxes				2023 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
LC01 COMMERCIAL IMPROVED	6.39	1,917,000	1,917,000	16,173.73	1,112,852	1,112,852	9,611.70
Totals:	6.39	1,917,000	1,917,000	16,173.73	1,112,852	1,112,852	9,611.70

**** ATTENTION !! ****		2024 Taxes:	16,173.73	2023 Taxes:	9,611.70
Tax Rates for 2024 have been set and approved. All levied taxes and values shown on this printout for the year 2024 should be correct.		Special Fees:	0.00	Review Date	
		Penalty:	0.00	06/07/2024	
		Abatements: (	0.00)		
		Payments: (	5,700.00)		
		Amount Due:	10,473.73	NO BACK TAXES!	

02/12/2024	02:15PM	00319202	2024	RED ROCK HOLDINGS & INVESTMENT	Current - Check	950.00	lpendleton
03/13/2024	04:19PM	00320375	2024	RED ROCK HOLDINGS & INVESTMENT	Current - Check	950.00	lpendleton
03/29/2024	11:40AM	00320855	2024	RED ROCK HOLDINGS & INVESTMENT	Current - Check	950.00	agibbs
04/22/2024	04:23PM	00321746	2024	RED ROCK HOLDINGS & INVESTMENT	Current - Check	950.00	lpendleton
05/29/2024	02:17PM	00322878	2024	RED ROCK HOLDINGS & INVESTMENT	Current - Check	950.00	lpendleton
06/24/2024	02:05PM	00323598	2024	RED ROCK HOLDINGS & INVESTMENT	Current - Check	950.00	lpendleton
Total Payments:						5,700.00	

Back Tax Summary							
Year	Principal	Specials Total	Penalty	Interest Due	Interest Rate	Total Payments	Total Due
2001	0.00	0.00	0.00	0.00	7.25%	5,633.44	0.00
Totals:	0.00	0.00	0.00	0.00		5,633.44	0.00

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

LOT 2, KOTYK SUBDIVISION AREA: 6.39 ACRES

August 6, 2024

WASATCH COUNTY CORPORATION Tax Roll Master Record

5:07:19PM

Parcel: 00-0012-4748	Serial #:OWC-1587-1-007-045	Entry: 258216
Name: RED ROCK HOLDINGS INVESTMENT L		
c/o Name:	Grid Address	
Address 1: 2276 S DANIELS RD	2150 S DANIELS RD	
Address 2:	DANIEL	
City State Zip: HEBER CITY UT 84032-4017	Acres: 2.27	
Mortgage Co		
Status: Active	Year: 2024	District: 012 COUNTY OUTSIDE DISTRICT 0.008437

Owners	Interest	Entry	Date of Filing	Comment
RED ROCK HOLDINGS INVESTMENT L		258216	05/23/2003	(0626/0058)

Property Information	2024 Values & Taxes				2023 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
LC02 COMMERCIAL UNIMPROVED	2.27	681,000	681,000	5,745.60	395,332	395,332	3,414.48
Totals:	2.27	681,000	681,000	5,745.60	395,332	395,332	3,414.48

**** ATTENTION !! ****		2024 Taxes:	5,745.60	2023 Taxes:	3,414.48
Tax Rates for 2024 have been set and approved. All levied taxes and values shown on this printout for the year 2024 should be correct.		Special Fees:	0.00	Review Date	
		Penalty:	0.00	06/07/2024	
		Abatements: (	0.00)	NO BACK TAXES!	
		Payments: (	1,800.00)		
		Amount Due:	3,945.60		

02/12/2024	02:11PM	00319199	2024	RED ROCK HOLDINGS INVESTMENT L	Current - Check	300.00	Ipendleton
03/13/2024	04:19PM	00320373	2024	RED ROCK HOLDINGS INVESTMENT L	Current - Check	300.00	Ipendleton
03/29/2024	11:41AM	00320857	2024	RED ROCK HOLDINGS INVESTMENT L	Current - Check	300.00	agibbs
04/22/2024	04:21PM	00321743	2024	RED ROCK HOLDINGS INVESTMENT L	Current - Check	300.00	Ipendleton
05/29/2024	02:21PM	00322880	2024	RED ROCK HOLDINGS INVESTMENT L	Current - Check	300.00	Ipendleton
06/24/2024	02:08PM	00323600	2024	RED ROCK HOLDINGS INVESTMENT L	Current - Check	300.00	Ipendleton
Total Payments:						1,800.00	

Back Tax Summary							
Year	Principal	Specials Total	Penalty	Interest Due	Interest Rate	Total Payments	Total Due
2002	0.00	0.00	0.00	0.00	6.75%	536.01	0.00
Totals:	0.00	0.00	0.00	0.00		536.01	0.00

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

BEG S.00 DEG 06'01"E.1760.13FT FROM E1/4 CORNER SECTION 7, T.4S, R.5E, SLM: S.89 DEG 33'37"W.440.50FT; S.27 DEG 57'34"W.227.36FT; N.89 DEG 33'37"E.547.45FT; N.00 DEG 06'01"W.200FT TO THE BEGINNING. AREA 2.27 ACRES



August 6, 2024

WASATCH COUNTY CORPORATION
Tax Roll Master Record

5:06:53PM

Parcel: 00-0009-1145	Serial #:OWC-1587-0-007-045	Entry: 214866
Name: RED ROCK HOLDINGS & INVESTMENTS LLC		
c/o Name:	Grid Address	
Address 1: 2276 S DANIELS RD	2276 S DANIELS RD	
Address 2:	HEBER	
City State Zip: HEBER CITY	UT 84032-4017	Acres: 9.50
Mortgage Co		
Status: Active	Year: 2024	District: 012 COUNTY OUTSIDE DISTRICT 0.008437

Owners	Interest	Entry	Date of Filing	Comment
RED ROCK HOLDINGS & INVESTMENTS LLC		214866	06/07/1999	(00426/0646)

Property Information	2024 Values & Taxes				2023 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
BC02 MANUFACTURING/INDUSTRIAL	0.00	3,840,000	3,840,000	32,398.08	3,840,000	3,840,000	33,166.08
LC01 COMMERCIAL IMPROVED	4.50	1,350,000	1,350,000	11,389.95	783,700	783,700	6,768.82
LC02 COMMERCIAL UNIMPROVED	5.00	1,500,000	1,500,000	12,655.50	870,777	870,777	7,520.90
Totals:	9.50	6,690,000	6,690,000	56,443.53	5,494,477	5,494,477	47,455.80

Property Type	Year Built	Square Footage	Basement Size	Building Type
BC02 MANUFACTURING/INDUSTRIAL	1999	39,566		COMMERCIAL BUILDING

**** ATTENTION !! ****		2024 Taxes:	56,443.53	2023 Taxes:	47,455.80
Tax Rates for 2024 have been set and approved. All levied taxes and values shown on this printout for the year 2024 should be correct.		Special Fees:	0.00	Review Date	
		Penalty:	0.00	06/07/2024	
		Abatements: (	0.00)		
		Payments: (	27,000.00)		
		Amount Due:	29,443.53	NO BACK TAXES!	

02/12/2024	02:09PM	00319198	2024	RED ROCK HOLDINGS & INVESTMENTS LL	Current - Check	4,500.00	pendleton
03/13/2024	04:17PM	00320372	2024	RED ROCK HOLDINGS & INVESTMENTS LL	Current - Check	4,500.00	pendleton
03/29/2024	12:06PM	00320858	2024	RED ROCK HOLDINGS & INVESTMENTS LL	Current - Check	4,500.00	agibbs
04/22/2024	04:20PM	00321742	2024	RED ROCK HOLDINGS & INVESTMENTS LL	Current - Check	4,500.00	pendleton
05/29/2024	02:22PM	00322881	2024	RED ROCK HOLDINGS & INVESTMENTS LL	Current - Check	4,500.00	pendleton
06/24/2024	02:09PM	00323601	2024	RED ROCK HOLDINGS & INVESTMENTS LL	Current - Check	4,500.00	pendleton
Total Payments:						27,000.00	

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

BEGINNING S.1955.25FT FROM E1/4 CORNER SECTION 7, T.4S, R.5E, SLM: W.264FT; S.82.50FT; W.1056FT; N.330FT; E.1320FT; S.247.50FT TO THE BEGINNING AREA: 9.50 ACRES

August 6, 2024

WASATCH COUNTY CORPORATION
Tax Roll Master Record

5:07:41PM

Parcel: 00-0009-1137	Serial #: OWC-1586-0-007-045	Entry: 275464
Name: REGAN SEAN		
c/o Name:		
Address 1: 2312 S DANIELS RD		Grid Address
Address 2:		2312 S DANIELS RD
City State Zip: HEBER CITY UT 84032-4015		DANIEL
Mortgage Co		Acres: 0.50
Status: Active	Year: 2024	District: 012 COUNTY OUTSIDE DISTRICT 0.008437

Owners	Interest	Entry	Date of Filing	Comment
REGAN SEAN		275464	09/22/2004	(0714/0251)

Property Information	2024 Values & Taxes				2023 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
BR01 PRIMARY HOME	0.00	245,600	135,080	1,139.67	245,600	135,080	1,166.69
LR01 PRIMARY LAND	0.50	300,000	165,000	1,392.11	200,000	110,000	950.07
Totals:	0.50	545,600	300,080	2,531.78	445,600	245,080	2,116.76

Property Type	Year Built	Square Footage	Basement Size	Building Type
BR01 PRIMARY HOME	1948	1,114		ONE STORY

**** ATTENTION !! ****		2024 Taxes:	2,531.78	2023 Taxes:	2,116.76
Tax Rates for 2024 have been set and approved. All levied taxes and values shown on this printout for the year 2024 should be correct.		Special Fees:	0.00	Review Date	
		Penalty:	0.00	06/07/2024	
		Abatements: (	0.00)		
		Payments: (	0.00)		
		Amount Due:	2,531.78	NO BACK TAXES!	

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

BEG 133.50 RD S OF NE COR SE1/4 SEC 7, T4S, R5E, SLM; S 5 RD; W 16 RD; N 5 RD; E 16 RD TO BEG. AREA: 0.50 ACRE

August 6, 2024

WASATCH COUNTY CORPORATION
Tax Roll Master Record

5:08:40PM

Parcel: 00-0021-0999	Serial #: OHE-1758-2-007-045	Entry: 240650
Name: HEBER CITY CORPORATION		
c/o Name:	Grid Address	
Address 1: 75 N MAIN		
Address 2:		
City State Zip: HEBER CITY	UT 84032-1827	Acres: 0.50
Mortgage Co		
Status: Exempt	Year: 2024	District: 003 HEBER CITY DISTRICT 0.009142

Owners	Interest	Entry	Date of Filing	Comment
HEBER CITY CORPORATION		240650	01/11/2002	(0540/0719)

Property Information	2024 Values & Taxes				2023 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
LX02 HEBER CITY PROPERTY	0.50	37,500	0	0.00	37,500	0	0.00
Totals:	0.50	0	0	0.00	0	0	0.00

**** ATTENTION !! ****		2024 Taxes:	0.00	2023 Taxes:	0.00
Tax Rates for 2024 have been set and approved. All levied taxes and values shown on this printout for the year 2024 should be correct.		Special Fees:	0.00		
		Penalty:	0.00		
		Abatements: (	0.00)		
		Payments: (	0.00)		
		Amount Due:	0.00	NO BACK TAXES!	

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

BEGINNING AT A POINT EAST 1325.9 FEET AND NORTH 370.95 FROM THE S ¼ CORNER OF SEC 7 T4S R5E SLM: S90-0-0E 1320; S0-0-0W 16.5; N90-0-0W 1320; N0-0-0E 16.5 TO THE BEGINNING. AREA: 0.5 ACRES +/-

History

THIS PARCEL WAS SPLIT FROM OHE-1758-0 FOR 2016 TAX ROLL.

August 6, 2024

WASATCH COUNTY CORPORATION Tax Roll Master Record

5:08:59PM

Parcel: 00-0009-1467	Serial #:OWC-1605-0-007-045	Entry: 322146
Name: RED ROCK HOLDING & INVESTMENTS LLC		
c/o Name:	Grid Address	
Address 1: 2276 S DANIELS RD		
Address 2:		
City State Zip: HEBER CITY	UT 84032-4017	Acres: 5.93
Mortgage Co		
Status: Active	Year: 2024	District: 012 COUNTY OUTSIDE DISTRICT 0.008437

Owners	Interest	Entry	Date of Filing	Comment
RED ROCK HOLDING & INVESTMENTS LLC		322146	06/25/2007	(0943/1194)

Property Information	2024 Values & Taxes				2023 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
LC01 COMMERCIAL IMPROVED	1.00	300,000	300,000	2,531.10	174,156	174,156	1,504.19
LC02 COMMERCIAL UNIMPROVED	4.93	1,479,000	1,479,000	12,478.32	858,587	858,587	7,415.62
Totals:	5.93	1,779,000	1,779,000	15,009.42	1,032,743	1,032,743	8,919.81

**** ATTENTION !! ****		2024 Taxes:	15,009.42	2023 Taxes:	8,919.81
Tax Rates for 2024 have been set and approved. All levied taxes and values shown on this printout for the year 2024 should be correct.		Special Fees:	0.00	Review Date	
		Penalty:	0.00	06/07/2024	
		Abatements: (	0.00)		
		Payments: (	4,500.00)		
		Amount Due:	10,509.42	NO BACK TAXES!	

02/12/2024	02:14PM	00319201	2024	RED ROCK HOLDING & INVESTMENTS LLC	Current - Check	750.00	pendleton
03/13/2024	04:20PM	00320376	2024	RED ROCK HOLDING & INVESTMENTS LLC	Current - Check	750.00	pendleton
03/29/2024	11:40AM	00320854	2024	RED ROCK HOLDING & INVESTMENTS LLC	Current - Check	750.00	agibbs
04/22/2024	04:24PM	00321747	2024	RED ROCK HOLDING & INVESTMENTS LLC	Current - Check	750.00	pendleton
05/29/2024	02:15PM	00322877	2024	RED ROCK HOLDING & INVESTMENTS LLC	Current - Check	750.00	pendleton
06/24/2024	01:57PM	00323597	2024	RED ROCK HOLDING & INVESTMENTS LLC	Current - Check	750.00	pendleton
Total Payments:						4,500.00	

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

BEGINNING N.89°49'44"E.774.28FT FROM SE CORNER SEC 7 T4S R5E SLM: S.89°49'33"W.539.24FT; N.0°11'15"W.350.89FT; N.89°46'50"E.977.04FT; S.0°05'59"W.169.68FT; S.16.5FT; N.59°30'49"W.50FT; S.89°49'35"W.411.71FT; S.05°30'59"E.191.8FT TO THE BEGINNING. AREA: 5.93 ACRES+-

History

ODN-0001-0 WAS SPLIT FROM THIS PARCEL FOR 2007 TAX ROLL PER DANIEL INCORPORATION.

Property owners within annexation and within 300 FEET

NAME	ADDRESS	CITY	STATE	ZIP CODE
360 WEST AIRPORT ROAD LLC	1245 S 1200 W	HEBER CITY	UT	84032-3711
3M PROPERTIES LLC	27955 MISSION BLVD	HAYWARD	CA	94544-4859
400 WEST AIRPORT ROAD LLC	1245 S 1200 W	HEBER CITY	UT	84032-3711
AIRPORT BUSINESS COMMONS LLC	115 W 970 S	MIDWAY	UT	84049-6279
ALLISON PAIGE MICHELLE	22 E 2130 S	HEBER CITY	UT	84032-1289
ARNOLD CORY LANCE	2174 S 60 E	HEBER CITY	UT	84032-1290
BARNEY MITCHELL F TR	9446 S MORYWOOD CIR	SOUTH JORDAN	UT	84095-2410
BAUTISTA ENRIQUE DANIEL	2146 S 60 E	HEBER CITY	UT	84032-1290
BELL ALLAN	79 E 2130 S	HEBER CITY	UT	84032-1289
BOYER JEREMY	1799 E CHALK CREEK RD	COALVILLE	UT	84017-9708
BROWN MICHAEL H	490 W 100 S	HEBER CITY	UT	84032-1838
BRUDERER CLARK	905 S FARRELL FARM CIR	MIDWAY	UT	84049-6639
BURBIDGE HAILEY	6326 S OLES LN	HOLLADAY	UT	84121-2377
BURGENER ROBBY	PO BOX 935	MIDWAY	UT	84049-0935
BURNS ANGELA MARIE	2147 S 60 E	HEBER CITY	UT	84032-1290
BUSH JEFFREY W	2166 S 120 E	HEBER CITY	UT	84032-1286
CARLEY HOPE LLC	PO BOX 935	MIDWAY	UT	84049-0935
CLYDE LYNDA M TR	1995 S DANIEL RD	HEBER CITY	UT	84032-1026
COLEMAN KEITH SCOTT TR	3225 S MILL RD	HEBER CITY	UT	84032-3520
COOKE RYAN WILLIAM	2179 S 60 E	HEBER CITY	UT	84032-1290
CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS	50 E NORTH TEMPLE FL 22	SALT LAKE CITY	UT	84150-0022
COWDEN WALTER SCOTT	32 E 2130 S	HEBER CITY	UT	84032-1289
CUILLARD LEONARD R TR	PO BOX 422	HEBER CITY	UT	84032-0422
DANIEL TOWN	260 E TEANCUM RD	HEBER CITY	UT	84032-4074
EARNSHAW AUSTIN M	2917 S 1040 E	HEBER CITY	UT	84032-5645
EASTWOOD DRIVE LLC	PO BOX 346	HEBER CITY	UT	84032-0346
EXCEL BUSINESS SOLUTIONS LLC	1890 TOBIANO CIR	HEBER CITY	UT	84032-4296
FARLEY SHANE &	74 MOUNTAIN VALLEY CT	HEBER CITY	UT	84032-4059
GILLETTE FORREST BRETT	19 E 2130 S	HEBER CITY	UT	84032-1289
GILLILAND HOLDINGS LLC	1435 S 1040 E	HEBER CITY	UT	84032-1696
GIRARDIN JEAN MARC TR	477 OCEAN BLVD	GOLDEN BEACH	FL	33160-2213
HEBER CITY CORPORATION	75 N MAIN STREET	HEBER CITY	UT	84032-1827
HIGHLANDER SKI LIFT SERVICES AND CONSTRUCTION	PO BOX 7	PARK CITY	UT	84060-0001
HISLER JEFF	1240 E 1050 N	HEBER CITY	UT	84032-3468
JAZABRA CONSTRUCTION LLC	PO BOX 1107	MIDWAY	UT	84049-1107
JENSEN KEITH	24725 E GUNNISON DR	AURORA	CO	80018-6055
JIMENEZ IRINEO AHUELICAN	19 E MOUNTAIN VALLEY CT	HEBER CITY	UT	84032-4057
KEELE SCOTT	PO BOX 757	HEBER CITY	UT	84032-0757
KELNHOFFER JOSEPH C	65 E 2130 S	HEBER CITY	UT	84032-1289
KING DEVIN	2198 S 120 E	HEBER CITY	UT	84032-4412
KIPPER MATTHEW AARON	120 E 2200 S	HEBER CITY	UT	84032-4556
LIMIT PROPERTIES LLC	2237 S 390 W	HEBER CITY	UT	84032-1377
LOTT MISHELLE	2144 S 120 E	HEBER CITY	UT	84032-1286
LUKE GLADE BERNELL TR	2370 S DANIEL RD	HEBER CITY	UT	84032-4015
LUKE KEVIN GLADE TR	2390 S DANIELS RD	HEBER CITY	UT	84032-4015
MAYNES DAVID PURRINGTON	2175 S 60 E	HEBER CITY	UT	84032-1290
MCCLOSKEY MARJORIE DIANE TR	PO BOX 684048	PARK CITY	UT	84068-0448
MCDERMOTT STEPHANIE	2188 S 120 E	HEBER CITY	UT	84032-1286
MCPARK PROPERTIES LLC	PO BOX 86	MCCALL	ID	83638-0086
MEEGAN KYLE PETER	51 E 2130 S	HEBER CITY	UT	84032-1289
MELLENDEZ KAREN	95 E 2130 S	HEBER CITY	UT	84032-1289
MENDOZA JUAN C	38 MOUNTAIN VALLEY CT	HEBER CITY	UT	84032-4059
MILLSTREAM SELF STORAGE LLC	380 E MAIN ST STE B 2ND FL	MIDWAY	UT	84049-6802
MVC CONST CO	2908 S 1200 W	HEBER CITY	UT	84032-3712
NOYES BERKLEY	2158 S 60 E	HEBER CITY	UT	84032-1290
OAK WOOD STRATEGIES GRANBY LLC	6300 N SAGEWOOD DR STE H402	PARK CITY	UT	84098-7502
PARKER DAVID ALLAN TR	2169 S DANIELS RD	HEBER CITY	UT	84032-4014
PETERSON KAREN & JEFFREY (JT)	1931 WALL ST	HEBER CITY	UT	84032-5570
PRIEST BRENNAN	57 E MOUNTAIN VALLEY CT	HEBER CITY	UT	84032-4057
RED ROCK HOLDING & INVESTMENTS LLC	2276 S DANIELS RD	HEBER CITY	UT	84032-4017
REGAN SEAN	2312 S DANIELS RD	HEBER CITY	UT	84032-4015
REYES JEFFREY S	2433 S DANIEL RD	HEBER CITY	UT	84032-0000

Property owners within annexation and within 300 FEET

NAME	ADDRESS	CITY	STATE	ZIP CODE
ROSE TYLER	2237 S DANIELS RD	HEBER CITY	UT	84032-4017
RUSS AND CATHY WITT FAMILY LLC	1245 S 1200 W	HEBER CITY	UT	84032-3711
RUTHLESS PERFORMANCE INC	291 E ACORD WAY	HEBER CITY	UT	84032-3816
SHADOW MOUNTAIN IV LTD	207 N PAINTED HILLS DR	IVINS	UT	84738-6081
SHOPAY BRANDON D	2159 S 60 E	HEBER CITY	UT	84032-1290
SIMPSON STEVE	92 MOUNTAIN VALLEY CT	HEBER CITY	UT	84032-4059
SNYDER KIM E	18 MOUNTAIN VALLEY CT	HEBER CITY	UT	84032-4059
STONELY ALAN	3061 S 3400 W	HEBER CITY	UT	84032-4060
SWENSON KEEGAN	1235 SWISS ALPINE RD	MIDWAY	UT	84049-6003
THREE STRING HOLDINGS LLC	2825 MT HIGHWAY 278	DILLON	MT	59725-9672
THUNELL SPENCER M	2177 S DANIELS RD	HEBER CITY	UT	84032-4014
TOWNLEY MONTE K	2328 S DANIELS RD	HEBER CITY	UT	84032-4015
TUFT ROBERT A	27 E AIRPORT RD	HEBER CITY	UT	84032-4069
UTAH PEAKS LLC	2237 S 390 W UNIT #A	HEBER CITY	UT	84032-1378
VERNON DARRELL K TR	2500 S DANIELS RD	HEBER CITY	UT	84032-4065
WALTON RONALD D	2418 S DANIELS RD	HEBER CITY	UT	84032-4016
WASATCH 12 HOLDINGS LLC	10610 S JORDAN GTWY STE 200	SALT LAKE CITY	UT	84095-3948
WASATCH COUNTY	25 N MAIN ST	HEBER CITY	UT	84032-1827
WEBB STEVEN B TR	2189 S DANIELS RD	HEBER CITY	UT	84032-4014
WHISENANT BRAD TR	2177 S 390 W	HEBER CITY	UT	84032-1340
WHISTLER LORI WIKERT	56 MOUNTAIN VALLEY CT	HEBER CITY	UT	84032-4059
WILCOX CYNTHIA STATES	41 E 2130 S	HEBER CITY	UT	84032-1289

Map of properties within 300 feet of the proposed annexation



EXHIBIT F: VICINITY MAP

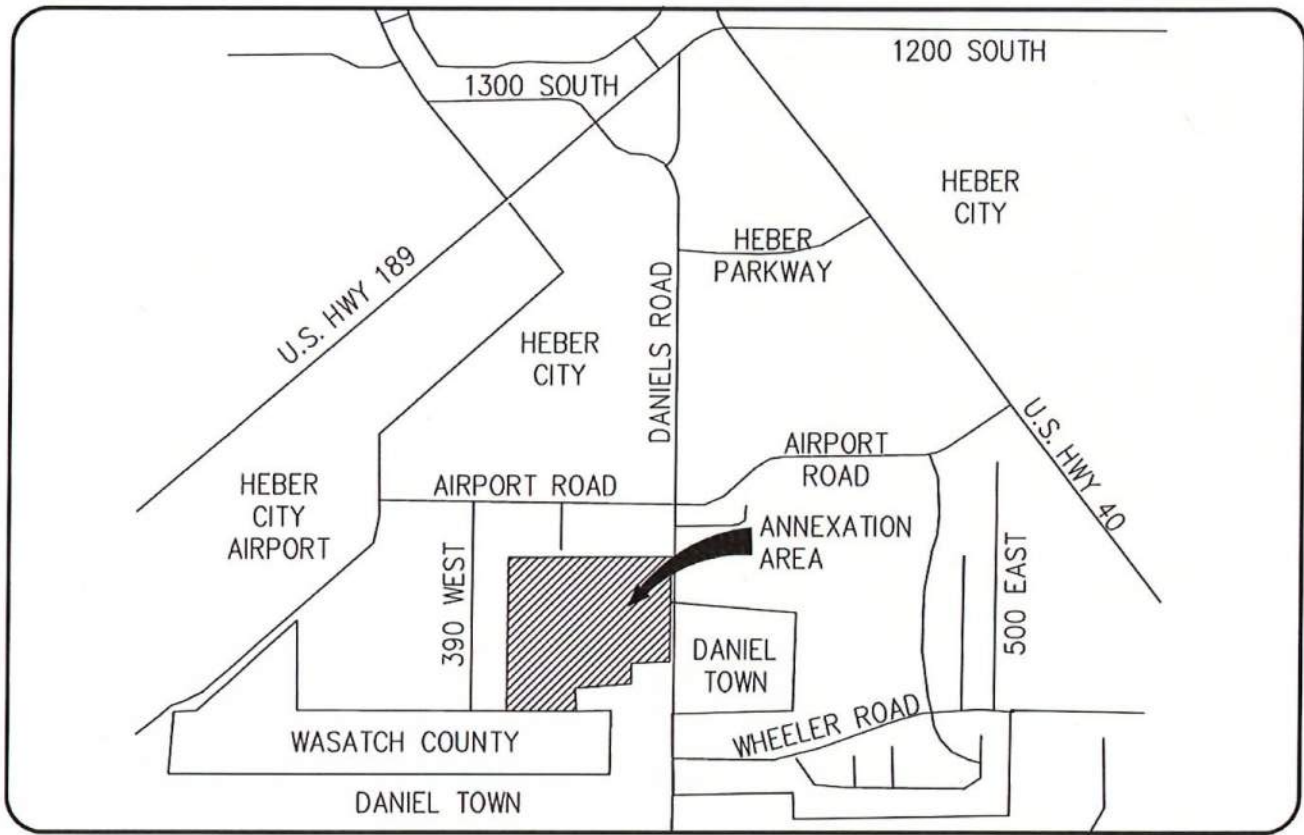


EXHIBIT G: CONCEPT PLAN



Heber City Council Staff Report

MEETING DATE: 10/1/2024
SUBJECT: Ordinance 2024-23 Adopting a Temporary Zoning Regulation for Short Term Rentals
RESPONSIBLE: Tony Kohler, Jeremy Cook
DEPARTMENT: Planning
STRATEGIC RELEVANCE: Community Development

SUMMARY

Ordinance 2024-23 includes the adoption of a temporary zoning regulation for short-term rentals (STRs), addressing many of the nuisance issues such as number of occupants, noise, parties and number of parked vehicles. If adopted, the City will have 6 months to complete the adoption of a permanent ordinance. The process will involve the review of the Planning Commission with a public hearing, and final consideration by the City Council.

RECOMMENDATION

Staff recommends approval of Ordinance 2024-23 adopting a temporary 6-month regulation for short-term rentals. The ordinance has been placed on the work agenda for discussion and the regular agenda for adoption. If Council identifies changes in the work meeting, these can be incorporated into an amended ordinance for adoption in the regular meeting.

BACKGROUND

The proposed ordinance includes changes summarized as follows.

1. Creates specific fines for violation that are enforceable against renters and owners
 2. Creates restrictions after 10 p.m. (9 p.m. on weekdays) to help with noise and parties
 3. Limits total number of people to 16 at any time.
 4. Requires posting of Potential Fine and Penalties brochure.
 5. Changes parking to allow up to 3 cars either in driveway or on public street.
 6. Removes distinction between home rental and vacation rental since it seemed to create confusion.
 7. Adopts the regulations into the City's Zoning Ordinance.
-

DISCUSSION

Recently, Councilman Johnston and Phillips expressed concern about the short-term rental ordinance. Mr. Johnston has expressed the current short-term rental ordinance does not adequately protect neighborhoods from nuisance issues, and Mr. Phillips has expressed concern short-term rentals have an impact on affordable housing for the City. Mr. Phillips has suggested the City might want to consider prohibiting short-term rentals and only permit room rentals. From there, the City could consider giving an amortized time (such as 2 to 5 years) for short-term rental owners to cease using their property as a short-term rental.

Neighbors of STRs express that these uses have too many vehicles parked, too many occupants, noise and partying. Neighbors are frustrated that provisions of the current STR ordinance cannot be enforced. Other neighborhoods have expressed concern that homes built as part of the Self-Help affordable housing program have started to be replaced by short-term rentals.

The Police Department indicates the ordinance needs to be updated, as the ordinance sets standards for licensing instead of standards for compliance, making it challenging to enforce. Additionally, the ordinance regulates the number of lodgers and the number of parked cars for lodges, but does not address the number of visitors and the number of visitor vehicles. Staff provides the observation that the new ordinance will need to be strictly enforced and minimize the use of warnings by Code Enforcement to be effective. The upcoming Olympics will likely place short-term rental demand into hyper-drive and the City will continue to see increasing numbers of short-term rentals. Finally, there are several different types of websites that advertise short-term rentals besides Air BNB, and if the City is serious about enforcement, it should invest in new software to identify under-the-radar short-term rentals for enforcement.

STR operators have expressed hope that the City can update the STR ordinance to permit more occupants for larger homes.

Staff recently met with the Police Department, Code Enforcement and the City Attorney to discuss potential alternatives. The result is the attached red-line/strike-out amendment to the current code, intended to remedy the above issues. Staff also recommends the ordinance be added to the Zoning Ordinance, as it contains land use regulations that are more appropriate to place in the Zoning Ordinance instead of the Business Licensing Ordinance. Land Use Regulations in the Zoning Ordinance require review by the Planning Commission and a public hearing; as such, it will take at least a couple of months to return back to Council with a recommendation by the Planning Commission.

FISCAL IMPACT

None.

CONCLUSION

Adoption of Ordinance 2024-23 gives the City immediate ability to start enforcing new provisions aimed at protecting the quality of life in residential neighborhoods.

ALTERNATIVES

1. Approve as proposed
 2. Approve as amended. The City could outright prohibit STRs and only permit room rentals, giving STR owners an amortized time (such as 2 to 5 years) to discontinue the use of their properties as an STR.
 3. Continue
 4. Deny
-

POTENTIAL MOTIONS

Alternative 1 - Approval - Staff Recommended Option

I move to **approve** the **item** as presented, with the findings and conditions as presented in the conclusion above.

Alternative 2 - Approve as Amended

I move to **approve** the **item** as amended, as follows.

Alternative 3 - Continue

I move to **continue** the **item** to another meeting on , with direction to the applicant and/or Staff on information and / or changes needed to render a decision, as follows:

Alternative 4 - Denial

I move to **deny** the **item** with the following findings.

ACCOUNTABILITY

Department: Planning
Staff member: Tony Kohler, Community Development Director
Jeremy Cook, City Attorney

EXHIBITS

1. Current Code
2. Short Term Rental Code Changes REDLINE - 4881-5204-3235 - 1
3. Short Term Rental Code JRC DRAFT - 4861-3805-5139 - 1
4. Short-term Rental Required Notice Final - 4876-6410-3142 - 1
5. Ordinance 2024-23 STR Regulations - 4858-9275-5690 - 1

Current Code

5.26 Short Term Rentals

5.26.010 Purpose

5.26.020 Definitions

5.26.030 Licenses Required

5.26.040 Application Form

5.26.050 Maintenance Of Registry

5.26.060 Non-Transferability

5.26.070 No Property Rights Conferred

5.26.080 Denial, Suspension Or Revocation

5.26 Short Term Rentals 5.26.010 Purpose 5.26.020 Definitions 5.26.030 License Required
5.26.040 Application Form 5.26.050 Maintenance Of Registry 5.26.060 Non-Transferability
5.26.070 No Property Rights Conferred 5.26.080 Denial, Suspension Or Revocation

HISTORY

Approved by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.010 Purpose

The purpose of this chapter is to provide a fair process for the licensing and administration of Short Term Rental Licenses in Heber City.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.020 Definitions

For the purposes of this Chapter, the following definitions shall apply:

- A. Lodger means any person who, individually or as part of a group, reserves and resides in a Short-term Rental.
- B. Owner Occupied means a dwelling in which the property owner, whether an individual, couple, or principle of an LLC or Trust, as listed on the County records, currently and permanently resides for no less than 6 months of the year.
- C. Short Term Rental means Short-term Rental. The rental of any single family residential dwelling, or any portion thereof, for a period of less than 30 days to a single entity or person.
- D. Room Rental means the short-term rental of a portion of a single residential dwelling that is owner occupied.
- E. Home Rental means the short-term rental of an entire dwelling that is owner occupied.
- F. Vacation Rental means the short-term rental of an entire dwelling that is not owner occupied.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.030 Licenses Required

It is unlawful to engage in a Short Term Rental business without first receiving a Business License from the City. All Short Term Rental Licenses shall comply with the following:

- A. Rental owners shall be onsite or be managed by a rental manager located within 10 miles of the rental property. Contact information for said rental managers shall be on file with the City and the Heber City Police Department.

B. Rentals are subject to passing an inspection by the following:

1. Wasatch County Health Department 2. Wasatch County Fire District

C. Heber City and its departments maintain the right to inspect any Short-Term Rental for the purpose of determining compliance with State, Local, Health, and Safety codes, upon the City's request.

D. Modifications to buildings that include, but are not limited to, remodels, basement finishes, pools, and accessory buildings, require a building permit.

E. Exterior signs associated with rentals are prohibited.

F. The following shall be posted inside the dwelling:

1. Heber City Business License 2. Fire and Health Department certifications 3. Rental Manager Contact information 4. Occupancy limit 5. Parking plan 6. Summary of Quiet Hours and Noise Restrictions as outlined in Section 9.22.020.

G. Commercial activities are prohibited.

H. Recreational Vehicles, Campers, or other travel trailers are prohibited.

I. Tents or other temporary structures intended sleeping are prohibited.

J. Room Rental. Room Rentals are permitted in any single family detached residential dwelling so long as the following provisions have been met.

1. Room Rentals are limited to no more than one reservation at a single time. 2. Room Rentals are limited to no more than two bedrooms in the dwelling. 3. Property owners shall be present during the hours of 10 PM – 7 AM for the entirety of the reservation period. 4. Lodgers shall be limited to no more than one vehicle. 5. Lodgers shall not park on the street. All cars shall be located in a garage, driveway, or permitted parking area. 6. Owner Occupied Accessory Apartments are considered a Room Rental and shall comply with these provisions. Occupancy of the apartment is as permitted in Section 18.108.110.

K. Home Rental. Home Rentals are permitted in any single family detached residential dwelling so long as the follow provisions have been met.

1. The entire dwelling shall be rented with a single reservation. Occupancy shall not exceed that of a Family as defined in Section 18.08.200, or 8 individuals, whichever is more. 2. Lodgers shall not park on the street. All cars shall be located in a garage, driveway, or permitted parking area. 3. Lodgers shall be limited to no more than 4 cars, based upon off street parking availability.

L. Vacation Rental. Vacation Rentals are permitted in any single family detached residential dwelling so long as the following provisions have been met.

1. The entire dwelling shall be rented with a single reservation. Occupancy shall be limited to 1 lodger per 200 square feet, not to exceed 12 lodgers. 2. Lodgers shall not park on the street. Garages shall be clear and available to patrons for parking. All cars shall be located in a garage, driveway, or permitted parking area. 3. Lodgers shall be limited to no more than 4 cars, based upon off street parking availability. 4. The following shall be posted on the exterior of the property:

a. Property Manager name, phone number, address, and email address b. Business License number

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

Amended by Ord. [2022-01](#) on 2/1/2022

5.26.040 Application Form

The Licensing Officer shall provide a standard Application Form for Short Term Rental Licenses. Each Application Form shall require the following information, documentation, and fee:

A. Review of Written Disclosures. An affirmation that the Applicant has received and reviewed the disclosure information required by this Chapter.

B. Contact Information. 1. Applicant's name, telephone number, home address, mailing address, and email address. 2. Applicant's business name, telephone number, business address, mailing address, and email address.

C. Proof of Identity. An in-person verification by the Licensing Officer of the Applicant's true identity by use of any of the following which bear a photograph of said Applicant: 1. A valid driver's license issued by any State; 2. A valid passport issued by the United States; 3. A valid identification card issued by any State; and 4. A valid identification issued by a branch of the United States military. Upon verification of identity, the original identification submitted to establish Proof of Identity shall be returned to the Applicant.

D. Rental Manager Information

1. Manager name 2. Managing company name 3. Manager contact address, phone number, and email

E. Proof of Registration with Department of Commerce. The Applicant shall provide proof that either the Applicant, or the Responsible Person or Entity, has registered with the Utah State Department of Commerce. F. Properties list. A list of all Short-Term Rental properties owned and/or operated by the business, including address and parcel id number.

F. Site and Floor Plans. A site plan and floorplan including the following shall be required for each property listed under the license. 1. Layout of property 2. Designated parking areas. 3. Floor plan of building with area in square feet that will be used for short-term rentals.

G. Fee. The Applicant shall pay such fees as determined applicable by the City, which shall not exceed the reasonable cost of processing the application and issuing the Certificate and/or Identification Badge. Refer to the Consolidated Fee Schedule for current fees.

H. Execution of Application. The Applicant shall execute the Application Form, stating upon oath or affirmation, under penalty of perjury, that based on the present knowledge and belief of the Applicant, the information provided is complete, truthful and accurate.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

Amended by Ord. [2023-45](#) on 12/19/2023

5.26.050 Maintenance Of Registry

All Short Term Rentals shall maintain a register of lodgers and individual bookings. This register shall be available to the City or Police Department upon written request.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.060 Non-Transferability

Short Term Rental Licenses are non-transferable between property owners or business owners. Upon the change of business or property ownership, a new license will be required.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.070 No Property Rights Conferred

Short Term Rental Licenses shall not be construed as providing property right or vested interests and entitlements in continued operation of a Short Term Rental. Short Term Rental Licenses are revocable licenses which expire annually. Short Term Rental Licenses shall not run with the land.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.080 Denial, Suspension Or Revocation

A. Denial. The City shall deny a Short Term Rental application for the following reasons: 1. The application is not complete or does not comply with the requirements of this chapter. 2. The property is in violation of provisions of this chapter or any other Title, Chapter, or Section of the Heber City Municipal Code. 3. The applicant has any licenses that are currently suspended or revoked.

B. Suspension or Revocation. The City may either suspend or revoke a Short Term Rental License when any of the reasons warranting the denial of an application occurs. The process for suspension and revocation are as follows: 1. Suspension. Short Term Rental Licenses will be suspended upon the second instance of violation of this chapter, or any other Title, Chapter, or Section of the Heber City Municipal Code, or failure to resolve any violation within the required time period. Suspensions shall be a minimum of 3 months or until the violation is resolved, whichever is greater, but not to exceed 6 months. 2. Revocation. Short Term Rental Licenses will be revoked upon the third instance of violation of this chapter or any other Title, Chapter, or Section of the Heber City Municipal Code, or upon failure to resolve any violation during the suspension period, notwithstanding the number of instances of the violation. Revoked Short Term Rental Licenses will become null and void and require a new application. Applicant's with a revoked license may not apply for a new business license for a period of 6 months following the revocation of their license or until the violation has been resolved, whichever is greater.

C. Notice of Denial, Suspension, or Revocation. Upon determination of the Licensing Officer to deny an Applicant's Completed Application, suspend a current Short Term Rental License, or revoke a current Short Term Rental License, the City shall cause written notice to be sent to the Applicant or Registered Manager by the method indicated in the Completed Application. The Notice shall specify the grounds for the denial, suspension, or revocation, and the documentation or information the City relied on to make the decision.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26 Short Term Rentals

5.26.010	Purpose
5.26.020	Definitions
5.26.030	Licenses Required
<u>5.26.035</u>	<u>Rental Conditions and Regulations</u>
5.26.040	Application Form
5.26.050	Maintenance Of Registry
5.26.060	Non-Transferability
5.26.070	No Property Rights Conferred
5.26.080	Denial, Suspension Or Revocation

5.26.085 Violations and Penalties

5.26.010 Purpose

The purpose of this chapter is to provide a ~~fair~~ process for the licensing and administration of ~~Short Term Rental Licenses~~short term rental licenses in Heber City and to establish rules and regulations related to properties licensed as a short term rental.

5.26.020 Definitions

For the purposes of this Chapter, the following definitions shall apply:

A. "Lodger" means any person who, individually or as part of a group, reserves and resides in a ~~Short-short~~ term ~~Rental.rental..~~

B. ~~Owner Occupied means a dwelling in which the property owner, whether an individual, couple, or principle of an LLC or Trust, as listed on the County records, currently and permanently resides for no less than 6 months of the year.~~

~~C.~~ "Short Term Rental" means ~~Short-term Rental. The~~ rental of any ~~single family~~ residential dwelling, or any portion thereof, for a period of less than 30 days ~~to a single entity or person.~~

~~D.~~ "Room Rental" means the short-term rental of a portion of a single residential dwelling that is owner occupied.

~~E.~~ "Home Rental" means the short-term rental of an entire dwelling ~~that is owner occupied.~~

~~F.~~ Vacation Rental means the short-term rental of an entire dwelling that is not owner occupied.

5.26.030 Licenses Required

Short term rentals shall only be permitted in individually owned single family residences. It is unlawful to engage in a ~~Short Term Rental~~short term rental business without first receiving a ~~Business License~~business license from Heber City for the City. ~~short term rental.~~

5.26.035 Rental Conditions and Regulations

All ~~Short Term Rental Licensees~~short term rental licensees shall comply with the following:

A. ~~Rental owners shall be onsite~~An individual owner of the property or ~~be managed by a rental manager~~shall be located within ~~10~~20 miles of the rental property. Contact information for ~~said the individual owner and~~rental managersmanager shall be on file with the City Business Licensing Department and the Heber City Police Department.

B. Rentals are subject to passing an inspection by the following:

1. Wasatch County Health Department
- ~~2. Wasatch County Fire District~~
2. Wasatch County Fire District

C. Heber City and its departments maintain the right to inspect any ~~Short-Term Rental~~short term rental for the purpose of determining compliance with ~~State, Local, Health~~state, local, health, and ~~Safety~~safety codes, ~~upon the City's request.~~

~~D. Modifications to buildings that include, but are not limited to, remodels, basement finishes, pools, and accessory buildings, require a building permit~~compliance with this Chapter 5.26.

~~E~~

~~D.~~ Exterior signs associated with rentals are prohibited.

~~F~~

~~E.~~ The following shall be posted in a conspicuous place inside the dwelling:

1. Heber City ~~Business License~~

~~2. Fire Notice of Potential Fines and Health Department certifications~~Criminal Penalties.

~~3. Rental Manager~~2. Contact information for the homeowner or rental manager.

- ~~4. Occupancy~~3. Overnight occupancy limit.

~~F. 5. Parking plan~~

~~6. Summary of Quiet Hours and Noise Restrictions as outlined in Section 9.22.020.~~

~~G. Commercial activities are prohibited. The following conduct is prohibited in short term rentals between the hours of 9:00 p.m. and 6:00 a.m. on Sunday, Monday, Tuesday, Wednesday and Thursday, and between the hours of 10:00 p.m. and 6:00 a.m. on Friday and Saturday:~~

~~1. The gathering of more than 3 people on any deck, patio or other outdoor area.~~

~~2. Consuming alcoholic beverages, smoking or vaping on any deck, patio or other outdoor area that is visible from any neighboring property.~~

~~3. Playing music (live or recorded) that can be heard outside of the residence.~~

~~4. Any yelling, swearing or other excessive noise that can be heard outside of the residence.~~

5. Use of an outdoor hot tub, outdoor pool, or outdoor sauna.

G.

~~H. Recreational Vehicles, Campers~~vehicles, campers, or other travel trailers are prohibited.associated with the short term rental are not allowed to be parked on any public street or allowed to be occupied during the short term rental.

H. I. Tents or other temporary structures intended for sleeping are prohibited.

J

I. No commercial filming or commercial events are allowed at a short term rental.

I. Room Rental. Room Rentals are ~~permitted in any single family detached residential dwelling so long as the following provisions have been met. subject to the following additional regulations:~~

1. Room Rentals are limited to no more than one reservation at a single time.

2. Room Rentals are limited to no more than two bedrooms in the dwelling.

3. Property owners shall be present during the hours of 10 ~~PM~~p.m. – 7 ~~AM~~a.m. for the entirety of the reservation period.

4. Lodgers shall be limited to no more than ~~one vehicle~~two vehicles.

~~5. Lodgers shall not park on the street. All cars shall be located in a garage, driveway, or permitted parking area.~~

~~6. Owner Occupied Accessory Apartments are considered a Room Rental and shall comply with these provisions. Occupancy of the apartment is as permitted in Section 18.108.110.~~

K

J. Home Rental. Home Rentals are ~~permitted in any single family detached residential dwelling so long as the follow provisions have been met. subject to the following additional regulations:~~

1. The entire dwelling shall be rented with a single reservation. ~~Occupancy shall not exceed that of a Family as defined in Section 18.08.200, or 8 individuals, whichever is more.~~

~~2. Lodgers shall not park on the street. All cars shall be located in a garage, driveway, or permitted parking area.~~

~~3. Lodgers shall be limited to no more than 4 cars, based upon off street parking availability.~~

~~L. Vacation Rental.~~ Vacation Rentals are ~~permitted in any single family detached residential dwelling so long as the following provisions have been met.~~

~~1.2.~~ The ~~entire dwelling shall be rented with a single reservation.~~ ~~Occupancy~~overnight occupancy shall be limited to 1 lodger per 200 square feet of livable area, not to exceed ~~12~~16 lodgers.

~~2. Lodgers shall not park on the street. Garages shall be clear and available to patrons for parking. All cars shall be located in a garage, driveway, or permitted parking area.~~

3.3. The total number of people present on the property at any time shall not exceed 16 individuals.

4. Lodgers shall be limited to no more than 4 cars, based upon off street parking availability. 3 vehicles parked in the driveway or on a public street.

4. The following 5. Any accessory dwelling unit that is occupied shall be posted on included in the exterior of the property:

a. Property Manager name, phone total number, address, and email address

b. Business License of lodgers or total number of vehicles.

5.26.040 Application Form

The Licensing Officer shall provide a standard Application Form for Short Term Rental Licenses. Each Application Form shall require the following information, documentation, and fee:

A. Review of Written Disclosures. An affirmation that the Applicant has received and reviewed the disclosure information required by this Chapter.

B. Contact Information. 1. Applicant's name, telephone number, home address, mailing address, and email address. 2. Applicant's business name, telephone number, business address, mailing address, and email address.

1. The name, telephone number, home address, mailing address, and email address of an individual who is the designated person on the application.

2. The business name, telephone number, business address, mailing address, and email address of the applicant, if applicable.

C. Proof of Identity. An in-person verification by the Licensing Officer of the Applicant's ~~true~~ identity by use of any of the following which bear a photograph of said Applicant:

1. A valid driver's license issued by any State;
2. A valid passport issued by the United States;
3. A valid identification card issued by any State; and
4. A valid identification issued by a branch of the United States military.

Upon verification of identity, the original identification submitted to establish Proof of Identity shall be returned to the Applicant.

D. Rental Manager Information

1. Manager name
2. Managing company name
3. Manager contact address, phone number, and email

E. Proof of Registration with Department of Commerce. The Applicant shall provide proof that either the Applicant, or the Responsible Person or Entity, has registered with the Utah State Department of Commerce.

F. Properties list. A list of all Short-Term Rental properties owned and/or operated by the business, including address and parcel ~~id~~ identification number.

FG. Site and Floor Plans. A site plan and floorplan including the following shall be required for each property listed under the license. 1. Layout of property 2. Designated

~~parking areas. 3. Floor plan of building with area in square feet that will be used for short-term rentals.~~

1. Layout of property

2. Designated parking areas.

3. Floor plan of building with area in square feet that will be used for short-term rentals.~~G~~

~~H.~~ H. Fee. The Applicant shall pay such fees as determined applicable by the City, ~~which shall not exceed the reasonable cost of processing the application and issuing the Certificate and/or Identification Badge.~~ Refer to the Consolidated Fee Schedule for current fees.

~~H.I.~~ I. Execution of Application. The Applicant shall execute the Application Form, stating upon oath or affirmation, under penalty of perjury, that based on the present knowledge and belief of the Applicant, the information provided is complete, truthful and accurate.

5.26.050 Maintenance Of Registry

All Short Term Rentals shall maintain a register of lodgers and individual bookings. This register shall be available to the City or Police Department upon written request.

5.26.060 Non-Transferability

Short Term Rental Licenses are non-transferable between property owners or business owners. Upon the change of business or property ownership, a new license will be required.

5.26.070 No Property Rights Conferred

Short ~~Term Rental Licenses~~term rental licenses shall not be construed as providing property right or vested interests and entitlements in continued operation of a short term rental. Short ~~Term Rental. Short Term Rental Licenses~~term rental licenses are revocable licenses which expire annually. Short ~~Term Rental Licenses~~term rental licenses shall not run with the land.

5.26.080 Denial, Suspension Or Revocation

A. Denial. The City shall deny a Short Term Rental application for the following reasons:

1. The application is not complete or does not comply with the requirements of this chapter.

2. The property is in violation of provisions of this ~~chapter~~Chapter or any other ~~Title, Chapter, or Section~~section of the Heber City Municipal Code.

3. The applicant has any licenses that are currently suspended or revoked.

B. Suspension or Revocation. ~~The~~In addition to any fines and penalties, the City may either suspend or revoke a Short Term ~~Renal~~Rental License ~~when any of the reasons~~

~~warranting the denial of an application occurs.~~ The process for suspension and revocation are as follows:

1. Suspension. Short Term Rental Licenses ~~will~~may be suspended upon the second instance of violation of this ~~chapter~~Chapter, or any other Title, Chapter, or Section of the Heber City Municipal Code, ~~or failure to resolve any violation within the required time~~any twelve-month period. Suspensions shall be ~~for~~ a minimum period of 3 months or until the violation is resolved, whichever is greater, ~~but not to exceed 6 months.~~

2. Revocation. Short Term Rental Licenses ~~will~~may be revoked ~~if the property is utilized as a short term rental during a suspension period, or~~ upon the third instance of violation of this ~~chapter~~Chapter or any other Title, Chapter, or Section of the Heber City Municipal Code, ~~or upon failure to resolve any violation during the suspension period, notwithstanding the number of instances of the violation during a twelve month period.~~ Revoked Short Term Rental Licenses will become null and void and require a new application. ~~Applicant's~~Applicants with a revoked license may not apply for a new business license for a period of ~~6~~12 months following the revocation of their license or until the violation has been resolved, whichever is greater.

C. Notice of Denial, Suspension, or Revocation. Upon determination of the Licensing Officer to deny an Applicant's Completed Application, suspend a current Short Term Rental License, or revoke a current Short Term Rental License, the City shall cause written notice to be sent to the Applicant or Registered Manager ~~by~~at the ~~method indicated~~address provided in the ~~Completed Application~~application. The Notice shall specify the grounds for the denial, suspension, or revocation, and the documentation or information the City relied on to make the decision.

5.26.085 Violations And Penalties

Without limiting any other penalties or remedies available under this code or other applicable law, the following penalties shall apply to violation of this chapter:

A. Operation of a property in the city for short term rental purposes without a short-term rental business license shall be a violation of this title punishable as a Class "C" misdemeanor and a fine up to \$750 as provided in Utah Code Title 76, Chapter 3, as amended. Each day that any violation continues after notification by Heber City that such violation exists shall be considered a separate offense for purposes of the applicable penalties and remedies.

B. For noncompliance with this chapter of a licensed short term rental property, the issuing officer may issue a written citation to the property owner and any person violating any provision of this chapter, specifying the violation and the penalty to be imposed for such violation. Except as otherwise provided in this chapter, the penalty for violation of this chapter shall be as follows:

1. The first violation within any 12 month period shall be punishable as an infraction with a fine not exceeding \$500;

2. The second violation within any 12 month period shall be punishable as a Class "C" misdemeanor with a fine not exceeding \$750;

3. Each subsequent violation within any 12 month period shall be punishable as a Class "B" misdemeanor with a fine not exceeding \$1,000.

Exhibit A

5.26	Short Term Rentals
5.26.010	Purpose
5.26.020	Definitions
5.26.030	Licenses Required
5.26.035	Rental Conditions and Regulations
5.26.040	Application Form
5.26.050	Maintenance Of Registry
5.26.060	Non-Transferability
5.26.070	No Property Rights Conferred
5.26.080	Denial, Suspension Or Revocation
5.26.085	Violations and Penalties

5.26.010 Purpose

The purpose of this chapter is to provide a process for the licensing and administration of short term rental licenses in Heber City and to establish rules and regulations related to properties licensed as a short term rental.

5.26.020 Definitions

For the purposes of this Chapter, the following definitions shall apply:

A. "Lodger" means any person who, individually or as part of a group, reserves and resides in a short term rental..

B. "Short Term Rental" means the rental of any residential dwelling, or any portion thereof, for a period of less than 30 days.

C. "Room Rental" means the short term rental of a portion of a single residential dwelling that is owner occupied.

D. "Home Rental" means the short term rental of an entire dwelling.

5.26.030 Licenses Required

Short term rentals shall only be permitted in individually owned single family residences. It is unlawful to engage in a short term rental business without first receiving a business license from Heber City for the short term rental.

5.26.035 Rental Conditions and Regulations

All short term rental licensees shall comply with the following:

A. An individual owner of the property or a rental manager shall be located within 20 miles of the rental property. Contact information for the individual owner and rental manager shall be on file with the City Business Licensing Department and the Heber City Police Department.

B. Rentals are subject to passing an inspection by the following:

1. Wasatch County Health Department
2. Wasatch County Fire District

C. Heber City and its departments maintain the right to inspect any short term rental for the purpose of determining compliance with state, local, health, and safety codes, and compliance with this Chapter 5.26.

D. Exterior signs associated with rentals are prohibited.

E. The following shall be posted in a conspicuous place inside the dwelling:

1. Heber City Notice of Potential Fines and Criminal Penalties.
2. Contact information for the homeowner or rental manager.
3. Overnight occupancy limit.

F. The following conduct is prohibited in short term rentals between the hours of 9:00 p.m. and 6:00 a.m. on Sunday, Monday, Tuesday, Wednesday and Thursday, and between the hours of 10:00 p.m. and 6:00 a.m. on Friday and Saturday:

1. The gathering of more than 3 people on any deck, patio or other outdoor area.
2. Consuming alcoholic beverages, smoking or vaping on any deck, patio or other outdoor area that is visible from any neighboring property.
3. Playing music (live or recorded) that can be heard outside of the residence.
4. Any yelling, swearing or other excessive noise that can be heard outside of the residence.
5. Use of an outdoor hot tub, outdoor pool, or outdoor sauna.

G. Recreational vehicles, campers, or other travel trailers associated with the short term rental are not allowed to be parked on any public street or allowed to be occupied during the short term rental.

H. Tents or other temporary structures intended for sleeping are prohibited.

I. No commercial filming or commercial events are allowed at a short term rental.

I. Room Rental. Room Rentals are subject to the following additional regulations:

1. Room Rentals are limited to no more than one reservation at a single time.
2. Room Rentals are limited to no more than two bedrooms in the dwelling.
3. Property owners shall be present during the hours of 10 p.m. – 7 a.m. for the entirety of the reservation period.
4. Lodgers shall be limited to no more than two vehicles.

J. Home Rental. Home Rentals are subject to the following additional regulations:

1. The entire dwelling shall be rented with a single reservation.

2. The overnight occupancy shall be limited to 1 lodger per 200 square feet of livable area, not to exceed 16 lodgers.
3. The total number of people present on the property at any time shall not exceed 16 individuals.
4. Lodgers shall be limited to no more than 3 vehicles parked in the driveway or on a public street.
5. Any accessory dwelling unit that is occupied shall be included in the total number of lodgers or total number of vehicles.

5.26.040 Application Form

The Licensing Officer shall provide a standard Application Form for Short Term Rental Licenses. Each Application Form shall require the following information, documentation, and fee:

A. Review of Written Disclosures. An affirmation that the Applicant has received and reviewed the disclosure information required by this Chapter.

B. Contact Information.

1. The name, telephone number, home address, mailing address, and email address of an individual who is the designated person on the application.

2. The business name, telephone number, business address, mailing address, and email address of the applicant, if applicable.

C. Proof of Identity. An in-person verification by the Licensing Officer of the Applicant's identity by use of any of the following which bear a photograph of said Applicant:

1. A valid driver's license issued by any State;
2. A valid passport issued by the United States;
3. A valid identification card issued by any State; and
4. A valid identification issued by a branch of the United States military.

Upon verification of identity, the original identification submitted to establish Proof of Identity shall be returned to the Applicant.

D. Rental Manager Information

1. Manager name
2. Managing company name
3. Manager contact address, phone number, and email

E. Proof of Registration with Department of Commerce. The Applicant shall provide proof that either the Applicant, or the Responsible Person or Entity, has registered with the Utah State Department of Commerce.

F. Properties list. A list of all Short-Term Rental properties owned and/or operated by the business, including address and parcel identification number.

G. Site and Floor Plans. A site plan and floorplan including the following shall be required for each property listed under the license.

1. Layout of property
2. Designated parking areas.
3. Floor plan of building with area in square feet that will be used for short-term rentals.

H. Fee. The Applicant shall pay such fees as determined applicable by the City. Refer to the Consolidated Fee Schedule for current fees.

I. Execution of Application. The Applicant shall execute the Application Form, stating upon oath or affirmation, under penalty of perjury, that based on the present knowledge and belief of the Applicant, the information provided is complete, truthful and accurate.

5.26.050 Maintenance Of Registry

All Short Term Rentals shall maintain a register of lodgers and individual bookings. This register shall be available to the City or Police Department upon written request.

5.26.060 Non-Transferability

Short Term Rental Licenses are non-transferable between property owners or business owners. Upon the change of business or property ownership, a new license will be required.

5.26.070 No Property Rights Conferred

Short term rental licenses shall not be construed as providing property right or vested interests and entitlements in continued operation of a short term rental. Short term rental licenses are revocable licenses which expire annually. Short term rental licenses shall not run with the land.

5.26.080 Denial, Suspension Or Revocation

A. Denial. The City shall deny a Short Term Rental application for the following reasons:

1. The application is not complete or does not comply with the requirements of this chapter.
2. The property is in violation of provisions of this Chapter or any other section of the Heber City Municipal Code.
3. The applicant has any licenses that are currently suspended or revoked.

B. Suspension or Revocation. In addition to any fines and penalties, the City may either suspend or revoke a Short Term Rental License. The process for suspension and revocation are as follows:

1. Suspension. Short Term Rental Licenses may be suspended upon the second instance of violation of this Chapter, or any other Title, Chapter, or Section of the Heber City Municipal Code within any twelve-month period. Suspensions shall be for a period of 3 months or until the violation is resolved, whichever is greater.
2. Revocation. Short Term Rental Licenses may be revoked if the property is utilized as a short term rental during a suspension period, or upon the third instance of violation of this Chapter or any other Title, Chapter, or Section of the Heber City Municipal Code during a twelve month period. Revoked Short Term

Rental Licenses will become null and void and require a new application. Applicants with a revoked license may not apply for a new business license for a period of 12 months following the revocation of their license or until the violation has been resolved, whichever is greater.

C. Notice of Denial, Suspension, or Revocation. Upon determination of the Licensing Officer to deny an Applicant's Completed Application, suspend a current Short Term Rental License, or revoke a current Short Term Rental License, the City shall cause written notice to be sent to the Applicant or Registered Manager at the address provided in the application. The Notice shall specify the grounds for the denial, suspension, or revocation, and the documentation or information the City relied on to make the decision.

5.26.085 Violations And Penalties

Without limiting any other penalties or remedies available under this code or other applicable law, the following penalties shall apply to violation of this chapter:

A. Operation of a property in the city for short term rental purposes without a short-term rental business license shall be a violation of this title punishable as a Class "C" misdemeanor and a fine up to \$750 as provided in Utah Code Title 76, Chapter 3, as amended. Each day that any violation continues after notification by Heber City that such violation exists shall be considered a separate offense for purposes of the applicable penalties and remedies.

B For noncompliance with this chapter of a licensed short term rental property, the issuing officer may issue a written citation to the property owner and any person violating any provision of this chapter, specifying the violation and the penalty to be imposed for such violation. Except as otherwise provided in this chapter, the penalty for violation of this chapter shall be as follows:

1. The first violation within any 12 month period shall be punishable as an infraction with a fine not exceeding \$500;
2. The second violation within any 12 month period shall be punishable as a Class "C" misdemeanor with a fine not exceeding \$750;
3. Each subsequent violation within any 12 month period shall be punishable as a Class "B" misdemeanor with a fine not exceeding \$1,000.



NOTICE OF POTENTIAL FINES AND CRIMINAL PENALTIES

This property is a registered short term rental property in Heber City. According to Heber City Code, the following conduct is **prohibited** in short term rentals between the hours of 9:00 p.m. and 6:00 a.m. on Sunday, Monday, Tuesday, Wednesday and Thursday, and between the hours of 10:00 p.m. and 6:00 a.m. on Friday and Saturday:

1. The gathering of more than 3 people on any deck, patio or other outdoor area.
2. Consuming alcoholic beverages, smoking or vaping on any deck, patio or other outdoor area that is visible from any neighboring property.
3. Playing music (live or recorded) that can be heard outside of a building or structure.
4. Any yelling, swearing or other excessive noise that can be heard outside of a building or structure.
5. Use of an outdoor hot tub, outdoor pool, or outdoor sauna.

The total overnight occupancy limit for this property is _____ people.

It is also prohibited to have more than sixteen (16) total people on the property at any time, or to have more than three (3) vehicles associated with the short-term rental parked in the driveway or on any public street.

Please be aware that the Heber City Police Department aggressively enforces these regulations, and each person (including a renter or guest) who violates the regulations will receive a criminal citation and a fine of \$500.00. Please also be aware that Heber City Police Department has authority to enter onto the property to conduct inspections and Heber City Police Department will issue citations for illegal drugs, underage drinking or other criminal violations.

If you have any questions, please contact the Heber City Police Department at 435-654-3040.

Property Owner or Manager Contact Information:

Name: _____

Phone Number: _____

ORDINANCE 2024-23

AN ORDINANCE ENACTING A TEMPORARY LAND USE REGULATION FOR SHORT TERM RENTALS

WHEREAS, Section 10-9a-504 of the Utah Code permits a municipality, without prior consideration of or recommendation from the municipality's planning commission, to enact an ordinance establishing a temporary land use regulations for any part of a municipality if the legislative body makes a finding of a compelling, countervailing public interest.

WHEREAS, Heber City routinely receives complaints related to short term rental including excessive noise, parking violations and other issues.

WHEREAS, Heber City has determined that the current regulations related to short term rentals so not adequately address many of the issues or provide for adequate remedies for the Heber City Police Department and Heber City Code Enforcement to address health, safety and welfare issues related short term rentals.

WHEREAS, Heber City through the City Council has determined that a compelling, countervailing public interest exists in enacting this temporary land use ordinance related to short term rentals; and

WHEREAS, the City Council of Heber City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of Heber City to enact this Temporary Land Use Ordinance as set forth below.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Heber City, Utah, as follows:

SECTION 1. Finding of Compelling Countervailing Public Interest. Pursuant to Section 10-9a-504 of the Utah Code, the City Council finds that due to the significant number of complaints received by the City related to short term rentals, and the disproportionate amount of time and resources required by law enforcement to address issues related to short term rentals, a compelling and countervailing public interest exists to adopt temporary land use regulations changes to the City's regulations related to short term rentals.

SECTION 2. Adoption. Heber City hereby adopts the changes to Chapter 5.26 of the Heber City Municipal Code as set forth in Exhibit A as a temporary land use regulation.

SECTION 3. Duration. This Ordinance shall become effective as set forth below and shall remain in effect for one-hundred eighty (180) days from the effective date unless Heber City modifies the land use regulation or permanently adopts the changes to Chapter 5.26 of the Heber City Municipal Code.

This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED and ORDERED TO BE PUBLISHED BY THE HEBER CITY COUNCIL this _____ day of _____ 2024.

AYE

NAY

ABSENT

ABSTAIN

Aaron Cheatwood

Michael Johnston

Sid Ostergaard

Scott Phillips

Yvonne Barney

APPROVED:

Mayor Heidi Franco

ATTEST:

Date:

RECORDER

Exhibit A

HEART OF THE WASATCH BACK



Heber City Brand Update

October 1, 2024

Today's Presentation Includes 3 Parts:

- Synopsis of Architectural Regulations set by Midway City
- Review of Visual Preferences Survey from Envision Central Heber Initiative
- Staff Recommendation for Branding of Pedestrian Corridor and 200 S Bandshell

Architectural Standards: How has Midway City Guided Its Growth?



Midway Commercial Design Standards

- Identify a specific theme
- Regulate what you want, rather than just trying to stop what you don't want
- Consistency over multiple years
- Identified key elements of the desired architecture style

- Drafted code to be specific to the expectation

- Structural Features

- Exposed beams
- Window/Door Shape
- Knee bracing
- Rooflines
- Shingles
- Materials

- Finish Features

- Flower Boxes
- Clock towers
- Fascia and soffit
- Shutters
- Railings
- Murals





Other Things Midway is Doing

- Vision Architectural Committee (VAC)
- Hiring of City Architect

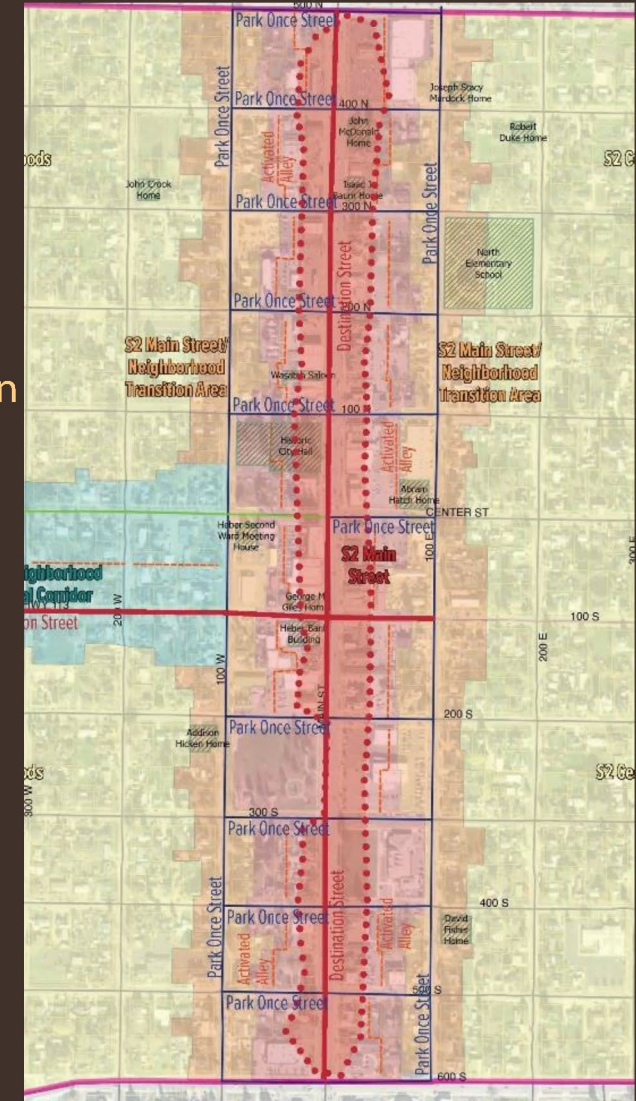
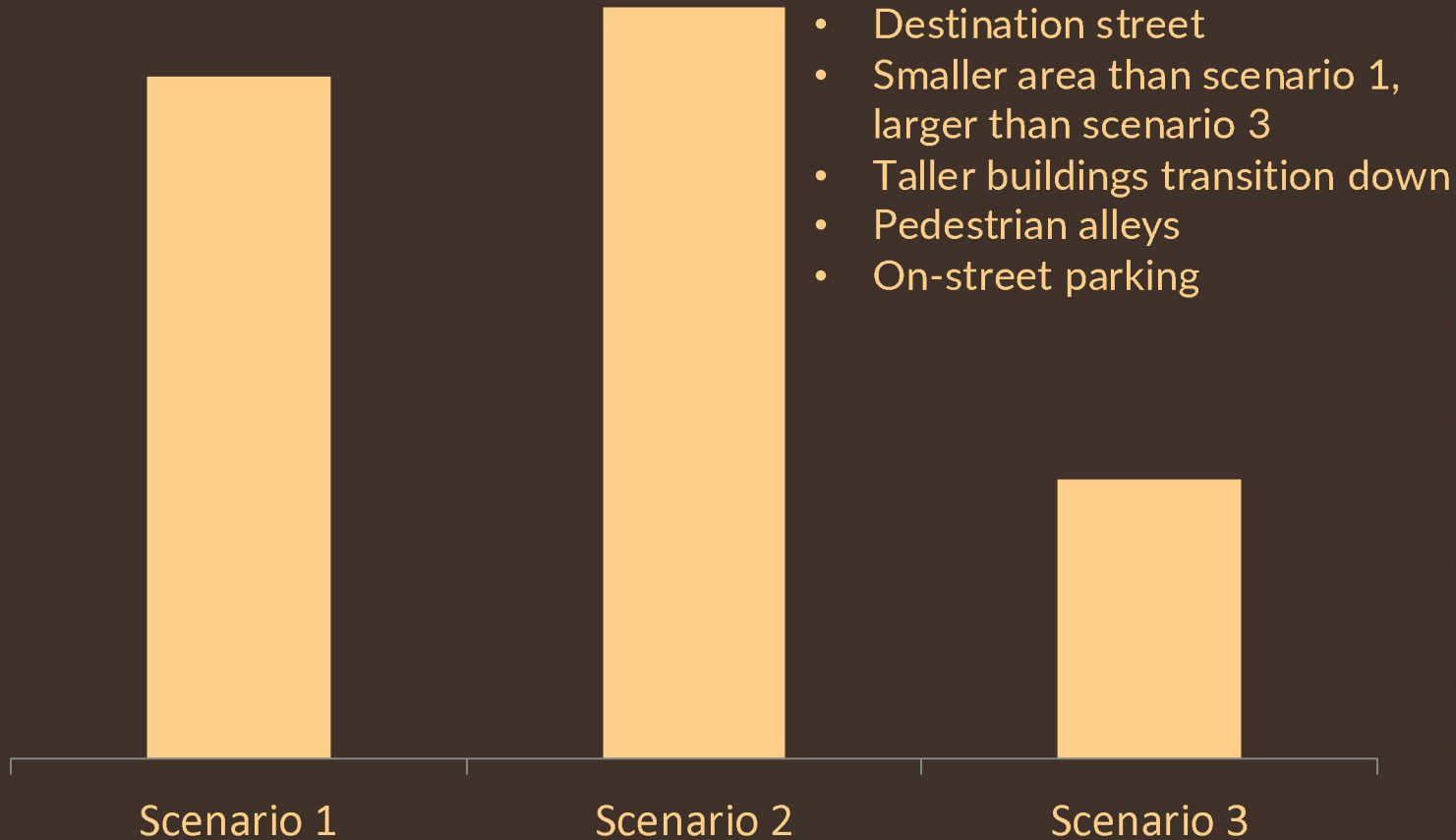
Envision Central Heber: Visual Preferences Survey Results

What did we learn from stakeholders?

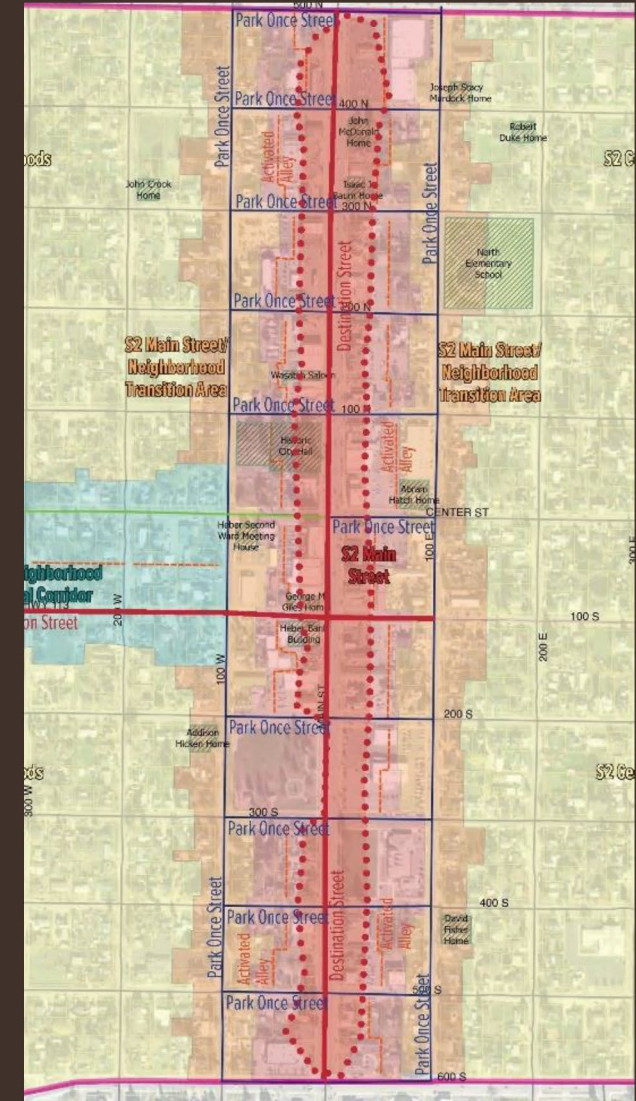
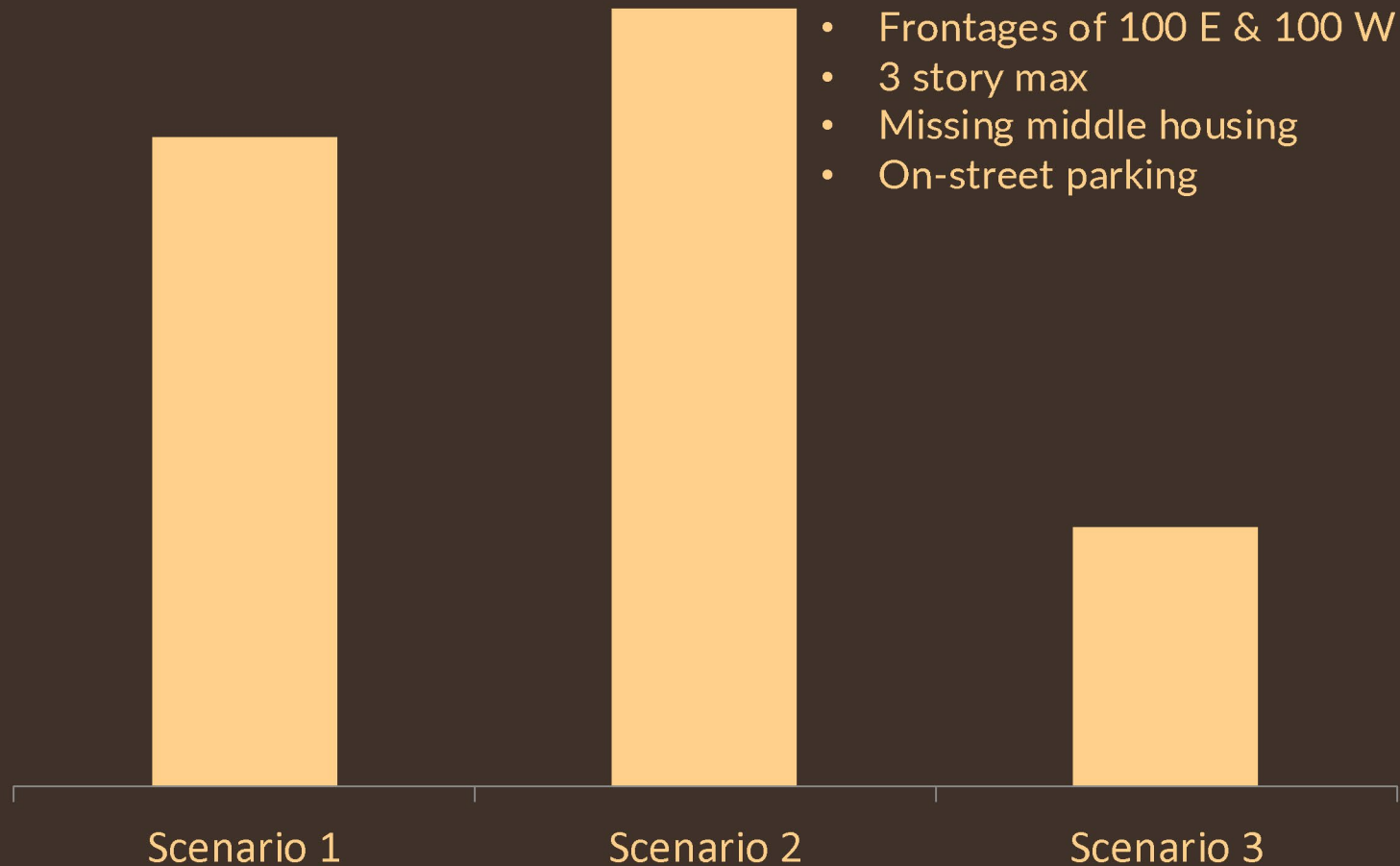
Scenarios survey

Visual preference survey

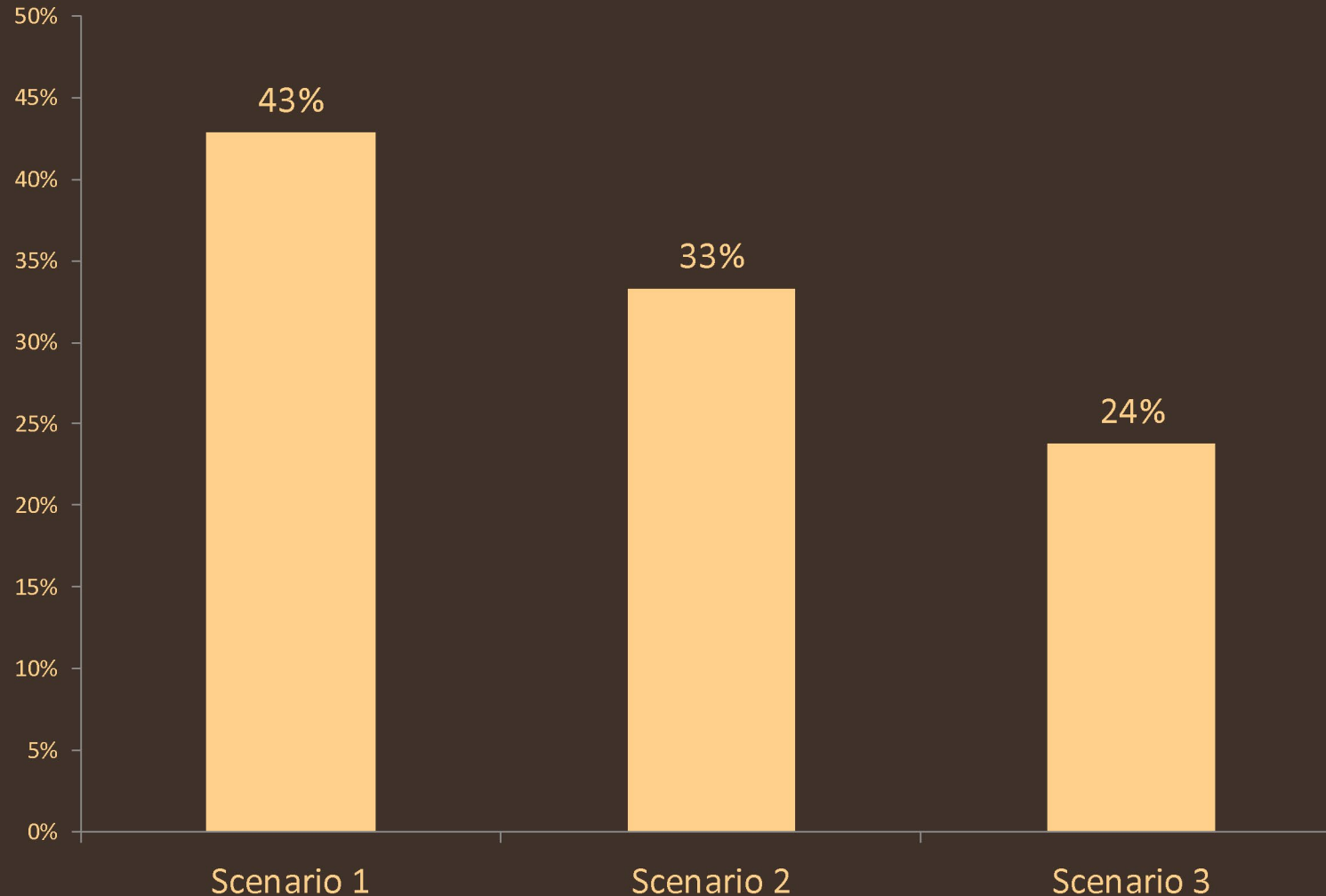
Which scenario has the best approach to the Main Street Area? (*rank*)



Which scenario has the best approach to the Main Street Transition/Main Street Gateway Area? (rank)



When considering the Main Street District as a whole, which scenario allows the best range of building stories?



Main Street



Main Street Transition



Knowing that building height is often a point of political controversy, study the various heights of the following buildings, forming your own opinion. Do not consider architectural style or use. Which do you think would help create the place that Heber needs in the future? *(check all that apply)*

Of all buildings selected...

- 24% = 2-story
- 43% = 3-story
- 20% = 4-story
- 12% = 5-story



Most selected buildings

Knowing that building height is often a point of political controversy, study the various heights of the following buildings, forming your own opinion. Do not consider architectural style or use. Which do you think would help create the place that Heber needs in the future? *(check all that apply)*

Of all buildings selected...

- 20% = 2-story
- 23% = 3-story
- 31% = 4-story
- 26% = 5-story



7-way tie for most selected building (most are 4-5 stories)

Observe the various architectural styles of buildings below. Do not consider height, size, or use. Which do you think would look good in this area in the future? *(select all that apply)*



67%



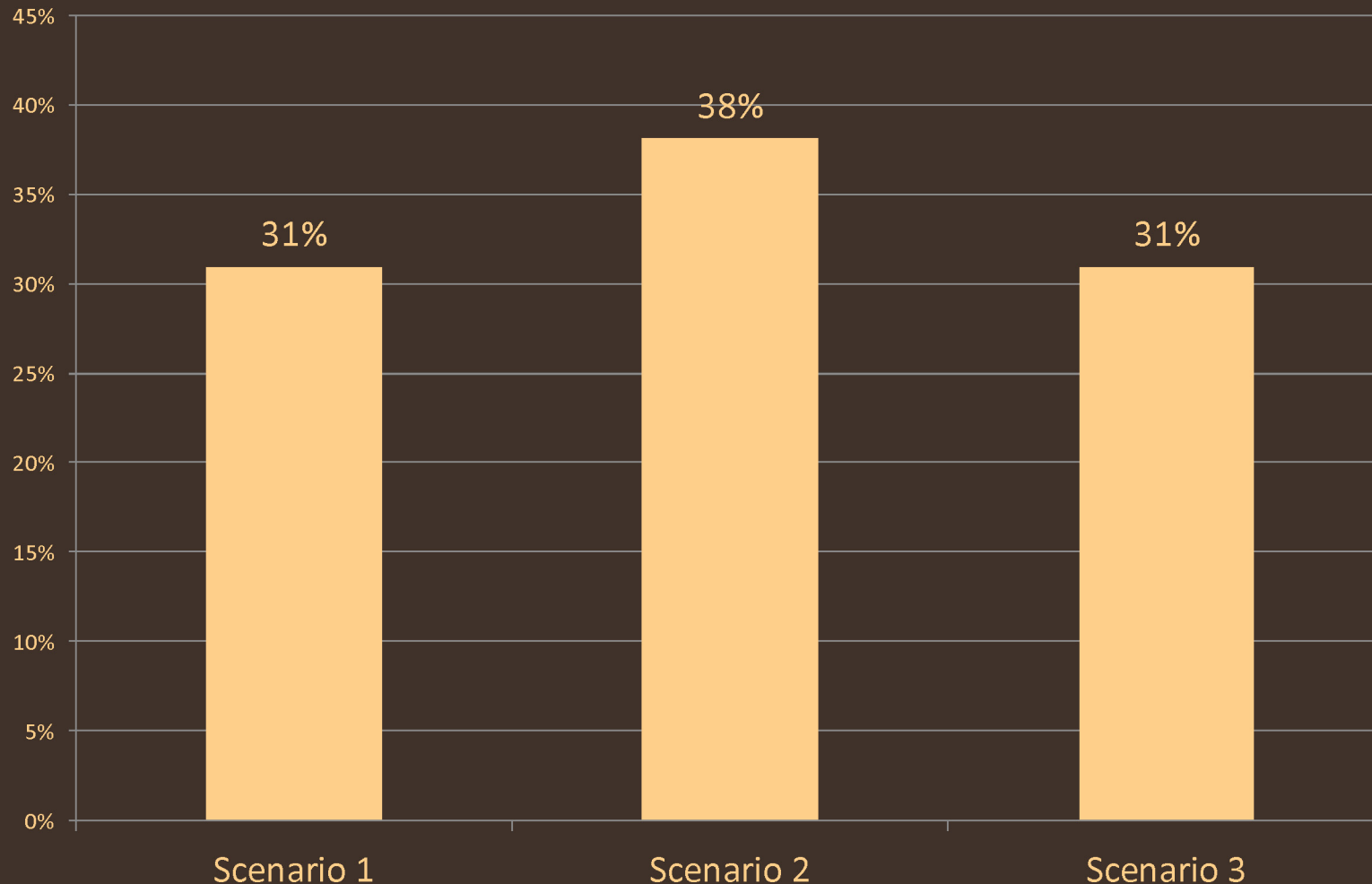
50%



42%

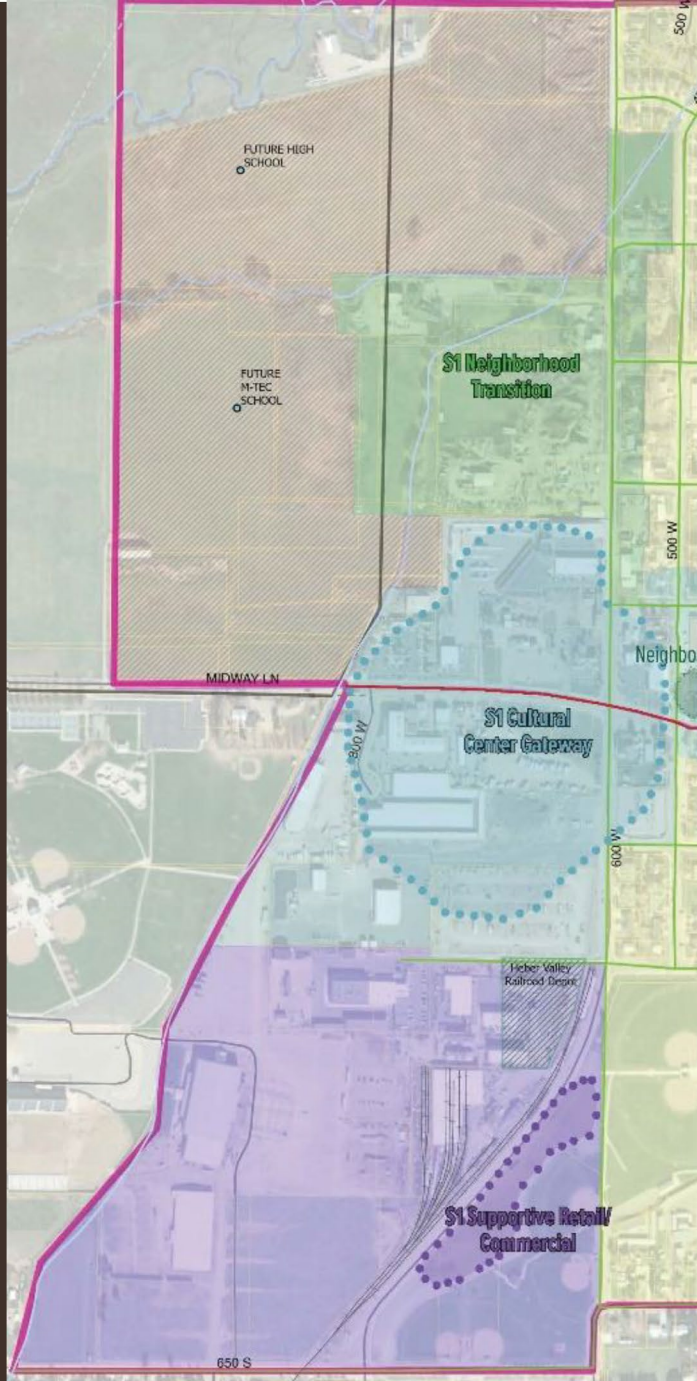


When considering the Main Street District as a whole, which scenario captures the best identity or sense of place?

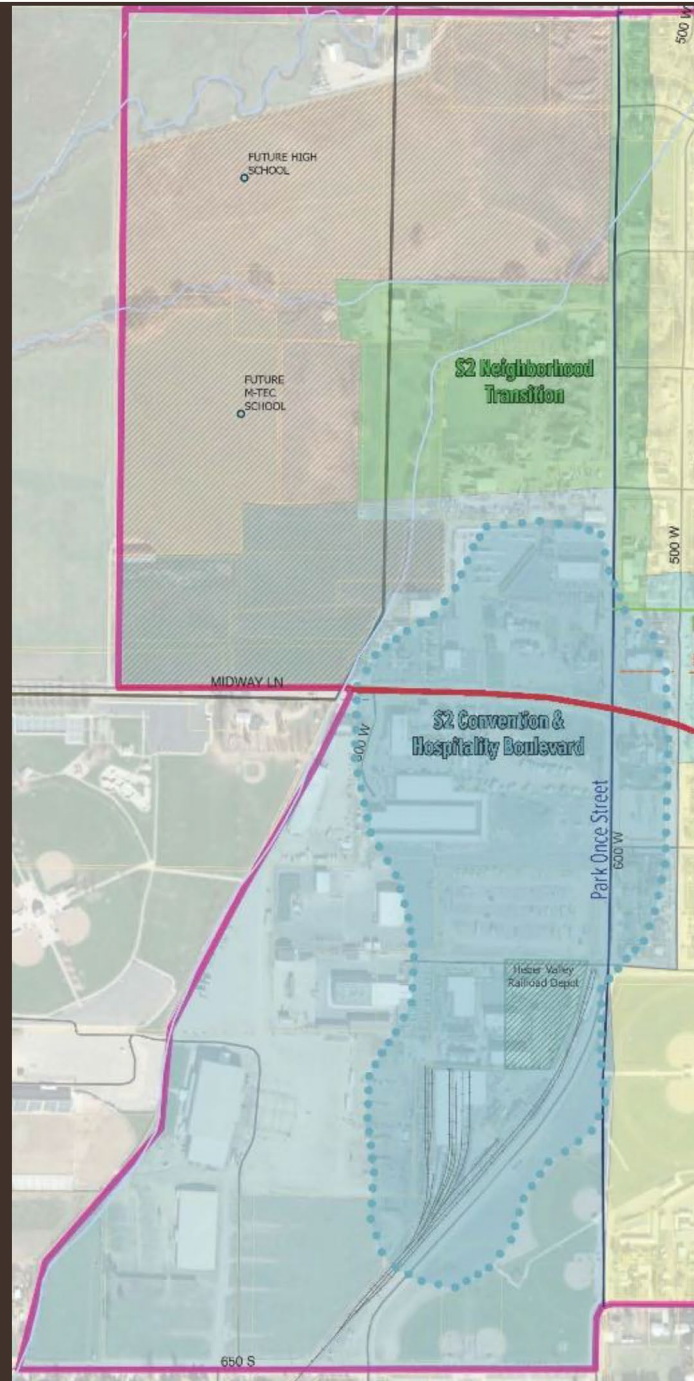


- Reasons to go downtown
- Mixed Use: living, fun, and business
- Neighborhood vibe with activated alleys
- pedestrian focus
- History walk/historic character
- On street parking

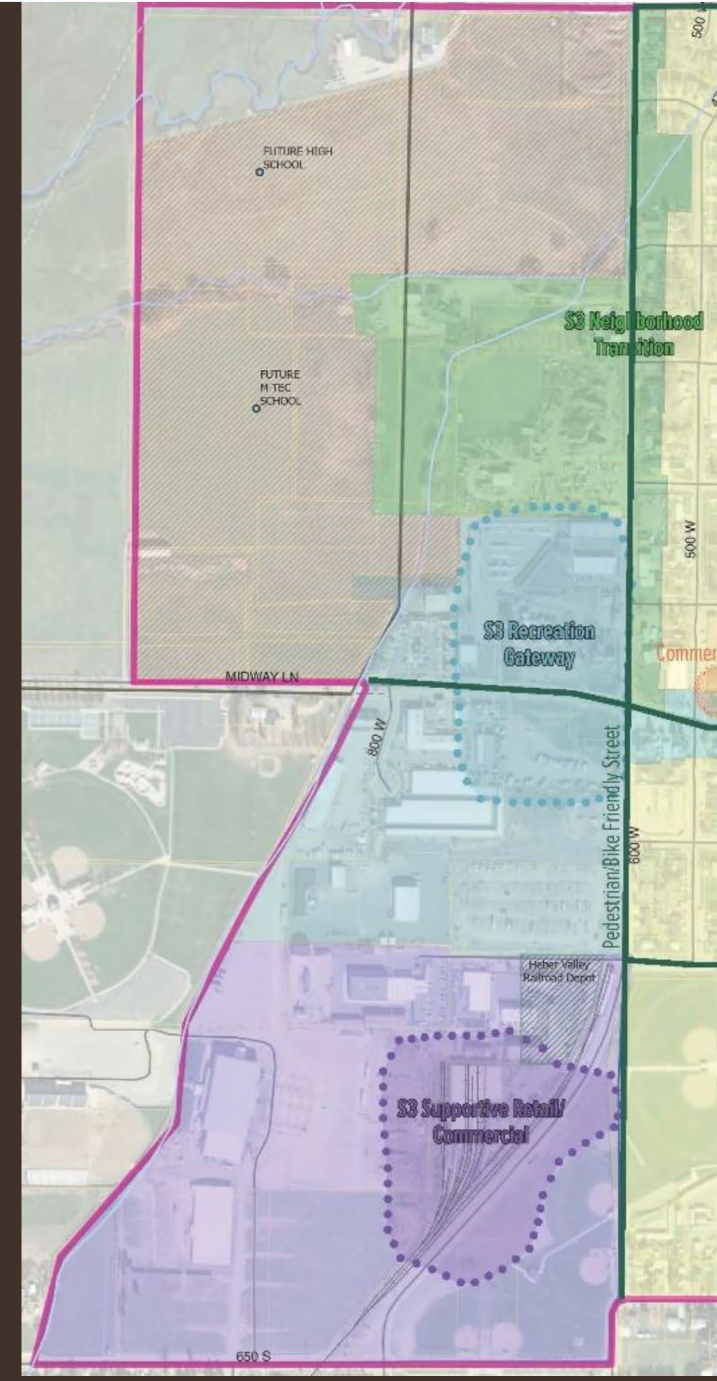
Recreation & Tourism



S1: Main Street is Open for Business, Living, & Fun



S2: Destination Heber: Stay & Play



S3: Historic Town Growing Town

Recreation and Tourism District

- Smaller scale relative to Main Street
- West Gateway (around 600 W and Midway Lane)
 - Flexible venue (train history, performing arts)
 - Retail/restaurants/office
 - Plaza for gathering
- Trails—walkable/bikeable/trail depot/access to nature
- Railroad Area
 - Supportive retail/restaurants/office
- New School Neighborhood
 - Missing middle/multifamily



The map displays the S1 Central Neighborhoods with various planning designations and landmarks. Key features include:

- Streets:** 500 W, 475 W, 400 W, 500 W, 600 W, HWY 113, 200 W, 100 W, 300 S, 500 N, and Destination Street.
- Designations:** S1 Central Neighborhoods, Pedestrian Friendly Streets, S1 Main Street/ Neighborhood Transition Area, S1 Mixed Neighborhood Commercial Corridor, Minor Destination Street, and Destination Street.
- Landmarks:** John Murphy Murdoch's Home, John Crook Home, Historic City Hall, Heber Second Ward Meeting House, George H. Miles Home, Heber Barn Building, Addison Hickman Home, and Neighborhood Park.
- Other Features:** A red dotted line indicating a boundary or route, and a parking garage near the Historic City Hall.

The map displays the S2 Central Neighborhoods and the S2 Main Street/Neighborhood Transition Area. Key features include:

- Streets:** Park Once Street, Destination Street, 500 N, 400 W, 300 S, 200 W, 100 W, 600 W, 475 W, 500 W.
- Neighborhoods:** S2 Central Neighborhoods (green), S2 Main Street/Neighborhood Transition Area (orange), S2 Mixed Neighborhood Commercial Corridor (blue).
- Landmarks:** John Murray Murdoch Home, John Crisp Home, Heber Second Ward Meeting House, George M. Allen Home, Hobbs Point Building, Anderson Hickson Home.
- Other Features:** Pedestrian Friendly Street, Possible Activated Alley, Parking Lot, Activated Alley.

Central Neighborhoods

- Neighborhood Areas
 - Residential emphasis
 - Housing change typical of older neighborhoods
 - Detached accessory dwellings
 - Walkable/bikeable streets (i.e. sidewalks, street trees)
- Mixed Use Neighborhood Corridor
 - Wider mix of uses: commercial areas (shopping, dining, office), missing middle housing



Visual Element Discussion:

- Downtown
- Tourism District
- Central Neighborhoods

Naming of Downtown Elements



Downtown Pedestrian Corridor | C Street



200 South Bandshell | *Main Stage*

Recommendation to Council:

Adopt Staff's Recommendation for
Naming the Following:

- Pedestrian Corridor as: ***C Street***

- Bandshell as: ***Main Stage***

HEART OF THE WASATCH BACK



Thank you Heber City Council



Monthly Development Report

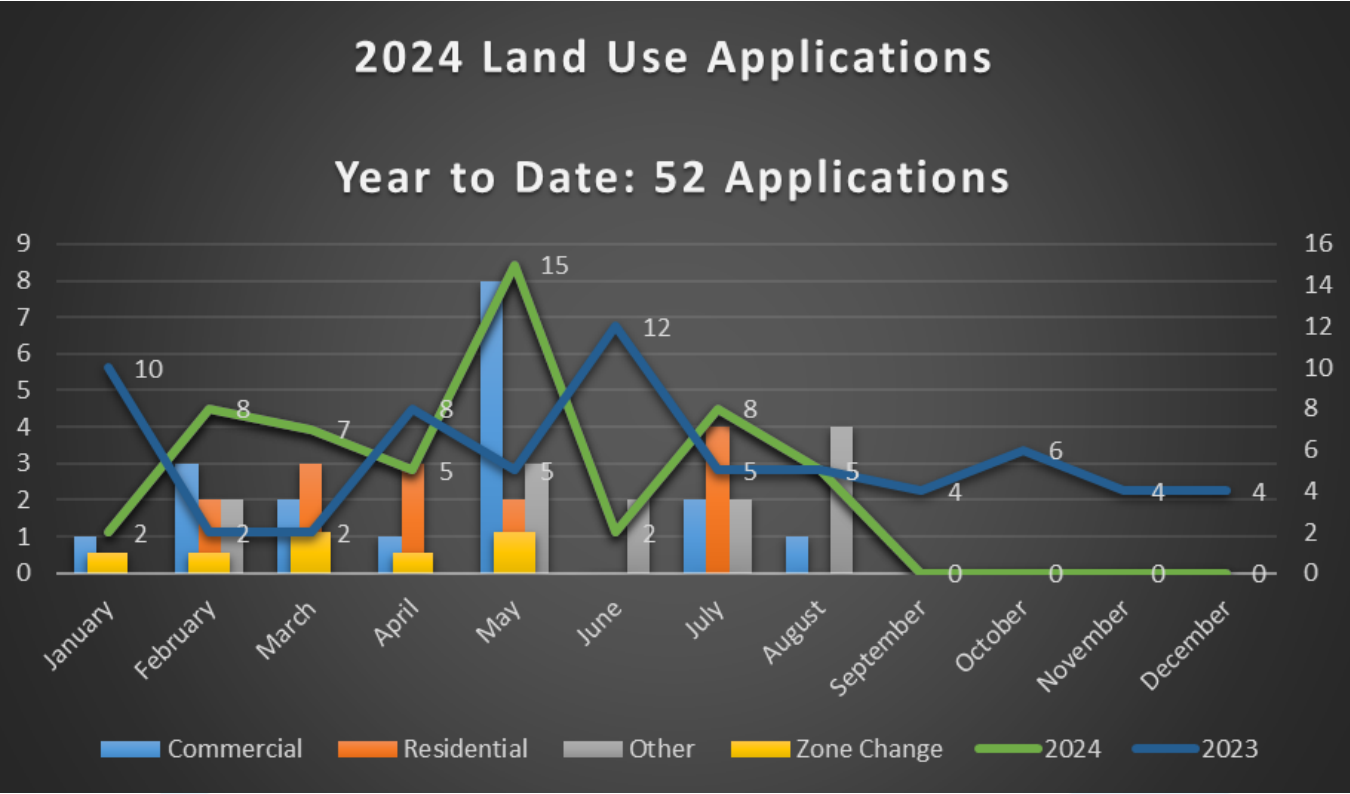
October 2024

Date: 10/1/24

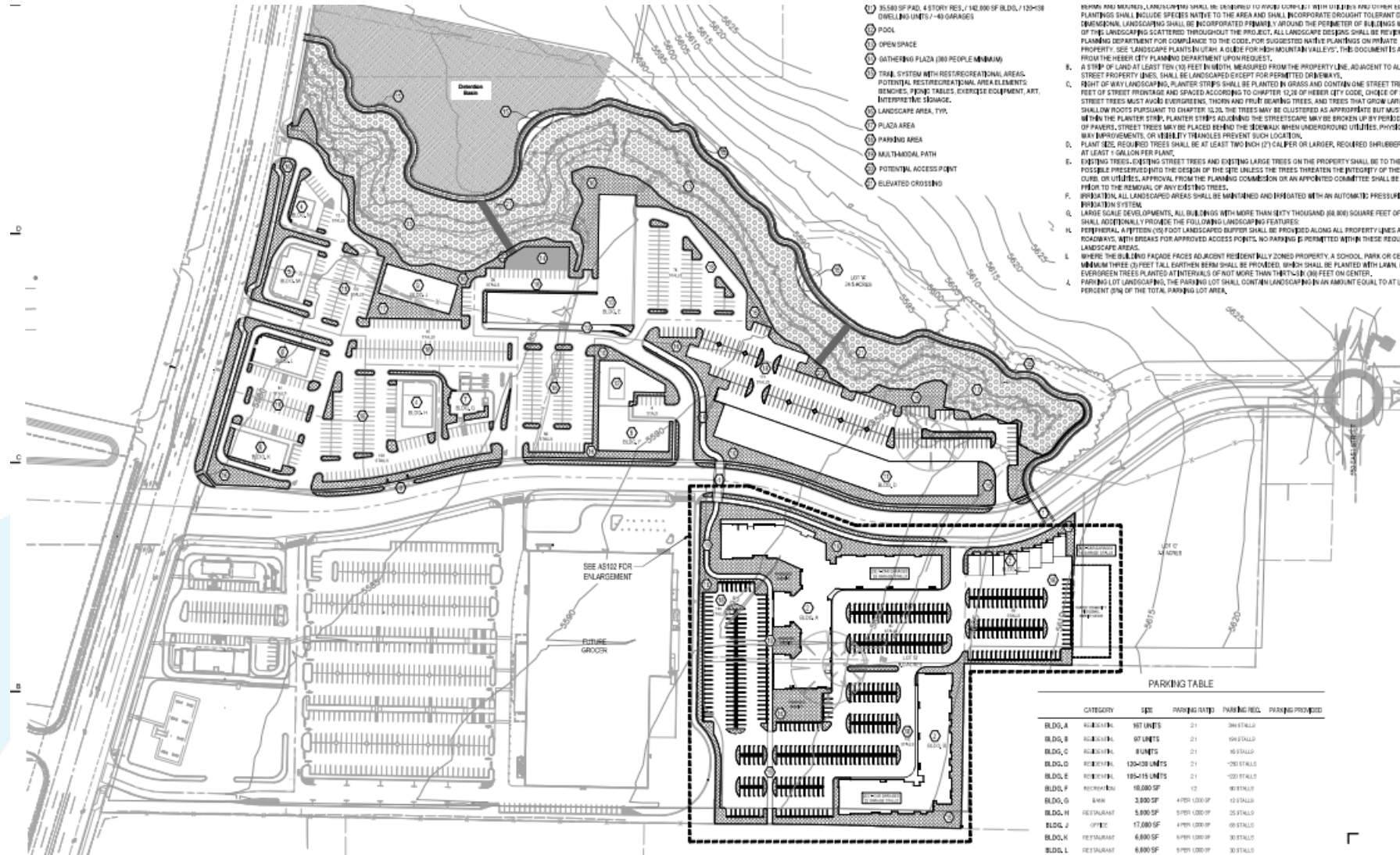
New Applications

- Concept – 0
- Site Plan/Amendments – 0
- Subdivision Concept – 0
- Preliminary Plat – 0
- Final Plat – 0
- Zone Change/MDA – 0
- Other (Plat Amendments, Lot Line Adjustments, etc.) – 0

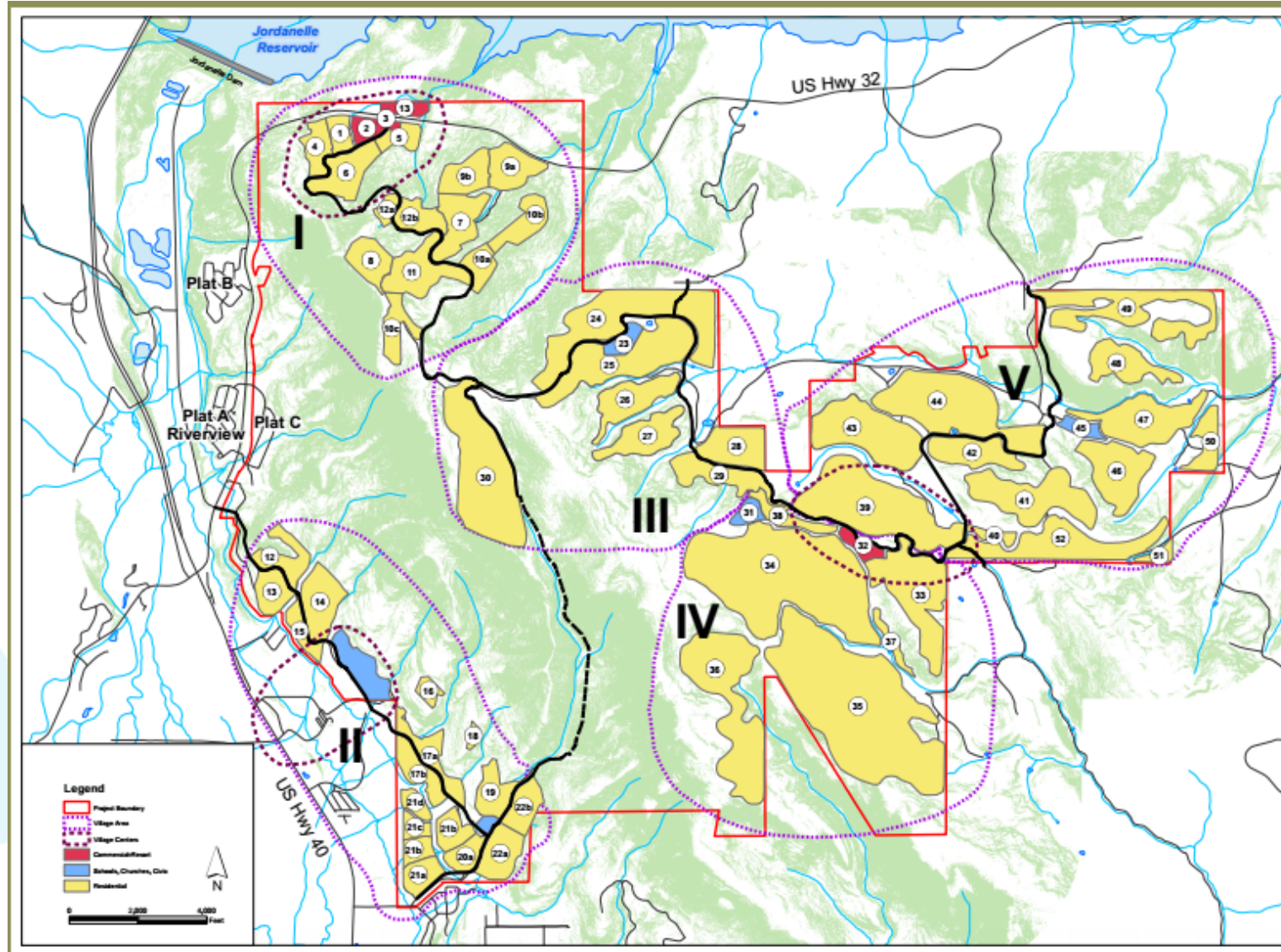
Applications Year to Date			
2024	2023	2022	2021
52	53	54	74



New London



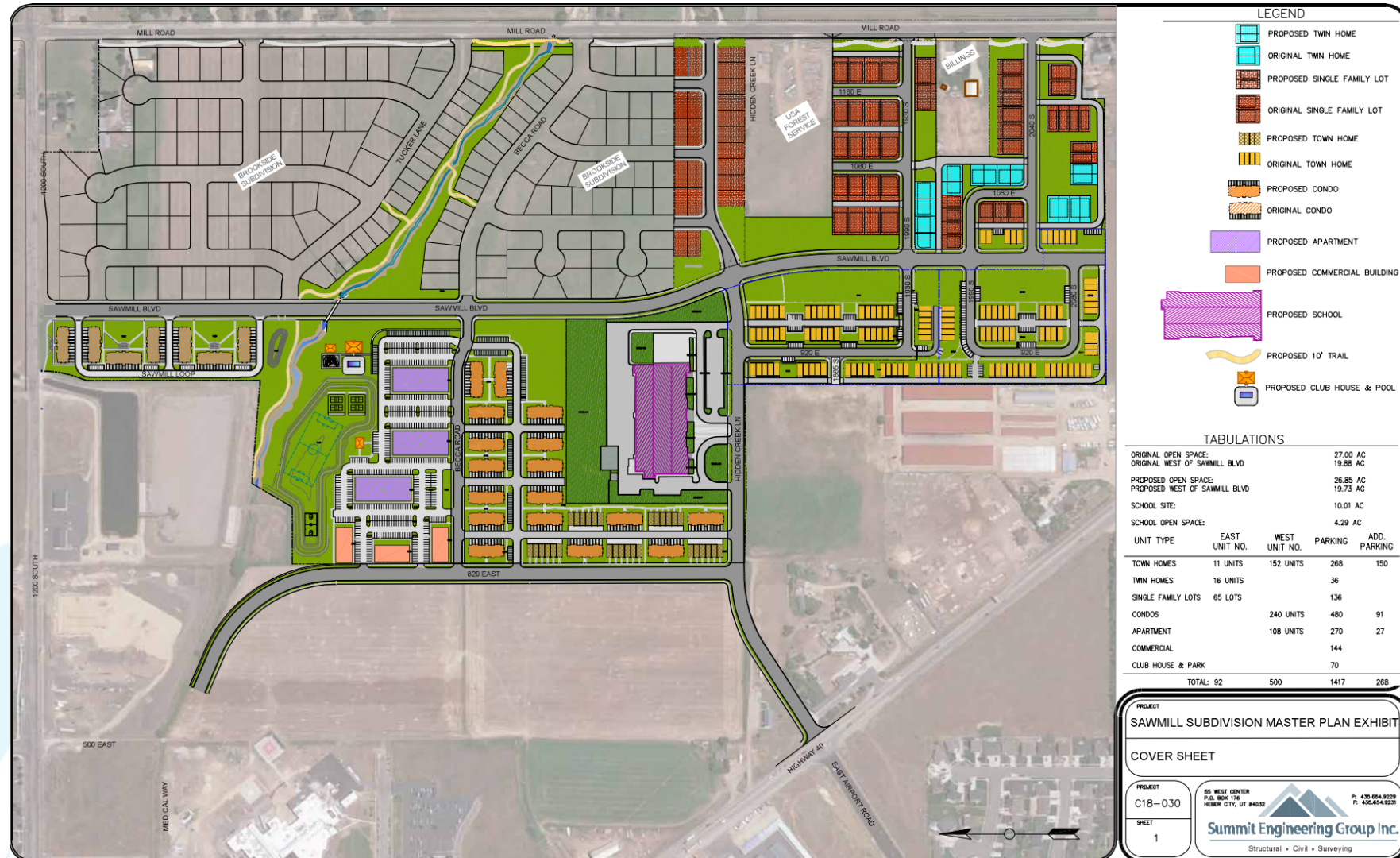
Jordanelle Ridge



North Village

- Highlands – Final Plats
- Views – MDA Amendment – Preliminary Plat
- Finch Creek – MDA Amendment – Preliminary Plat
- College Downs – MDA Amendment

Sawmill



Main Stage

