

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
January 28, 2025**

Approved Minutes 02.25.2025

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Phil Jordan called the Planning Commission Meeting to order at 6:05 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:

Chairman Phil Jordan
Vice-Chairman Tori Broughton
Commissioner Josh Knight
Commissioner Dave Richards
Commissioner Darek Slagowski
Commissioner Robert Wilson
Commissioner Greg Royall

Planning Commission Absent:

Commissioner Dennis Gunn

Staff Present:

Community Development Director Tony Kohler
Planning Office Admin Meshelle Kijanen
City Engineer Kyle Turnbow
City Engineer Ross Hansen
City Contracted Planner John Janson

Staff Participating Remotely:

Planner Jamie Baron, It Specialist Anthon Beales

Also Present:

Greg Whitehead, Tracy Stratton, Oscar Covarrubias, Brian Balls, Ron Carlile

Also Attending Remotely:

Dan Peterson, Beau Thompson, J,

III. Pledge of Allegiance: By Invitation

Commissioner Tori Broughton led the recitation of the Pledge of Allegiance.

IV. Prayer/Thought by Invitation ()

Commission Dave Richards offered an invocation.

V. Recuse for Conflict of Interest N/A

2. Consent Agenda: N/A

3. Action Items:

- I. Public Hearing to consider updates to the Heber City Standard Specifications and Drawings, Standard Plat, and Stormwater Design Manual. (City Engineer Kyle Turnbow)

City Engineer Kyle Turnbow explained the Engineering Staff Report and reported this was a standard update of their drawings, specs, and manuals. He summarized that most of the changes had been spurred by a review conducted by the Division of Drinking Water. He recounted that there were some formatting and clarification issues they needed to work through, and offered to present an expedited review to the Commission.

City Engineer Turnbow highlighted some of the major changes to the document, as well as some sections that had grammatical issues. He noted that roughness specification for roads had been added, which allowed the City to require roughness testing on more roads. He indicated they had added a pay reduction table for the asphalt reduction specs and explained the reasoning behind doing so was to mimic the structure that UDOT had. He also noted the camera requirements for the sewer had been updated, and now lateral lines in addition to the sewer mains would be required to have cameras. He also explained they had updated to a new style of fittings for sleeves on pipelines and briefly elaborated on how these fittings had changed in the last several years. He highlighted the appendix as well and the 'approved equivalents' section, which he noted had been updated. He summarized that overall, the majority of changes were fairly minimal, with the exception of changes to their road standards which had been more substantial.

City Engineer Turnbow went through the changes to the road standards in greater detail. He shared sketches of the landscape median that the City had on main collector roads and explained that there were some safety and maintenance concerns with them.

He explained there was not enough room for emergency vehicles to get by on those roads if a car broke down, and he reported that due to this the City Council had voted to remove the landscape medians. He added that they had also removed the option to widen the right-of-way in the historic downtown area that would have allowed for angled parking. He reported that the City Council had not been in favor of angled parking.

City Engineer Turnbow reiterated that other than roads, most of their changes were just clarifications. He highlighted that there had been small changes to sidewalk widths and ADA access ramps on corners. There was a brief discussion about ADA requirements.

City Engineer Turnbow noted that they had added a new detail for a 10-foot-wide concrete trail, and elaborated that the City had not previously specified if trails had to be asphalt or concrete. He said that since asphalt was cheaper, developers generally pushed for asphalt trails and so the City had added a requirement for concrete.

Chairman Jordan asked what the County usually did, and City Engineer Turnbow

replied that most County trails were asphalt. City Engineer Turnbow summarized that although asphalt was initially cheaper, asphalt required more maintenance over time. City Engineer Turnbow also addressed the updates made by the Division of Drinking Water. He shared some sketches that showed some changes to the sewage system that were designed to prevent contamination. He explained that they had also removed a design requirement, as it was overly restrictive given the availability of equipment on the market. He said that the rest of their standards were sufficient without that additional requirement, and noted that very few manufacturers actually created equipment that could meet that requirement.

City Engineer Turnbow clarified all these changes would be effective immediately once they were approved. He noted some editing changes they had made to their approval forms, and highlighted that they had changed the signatory requirement from "Planning Director" to "Planning Department" more broadly, which allowed for any member of the Planning Department to sign the document.

Chairman Jordan asked how often the standards were reviewed and City Engineer Turnbow replied that they aimed to update them every 2-3 years, although in recent years they had updated them annually as they had run across some things that needed to be altered. Commissioner Richards asked City Engineer Ross Hansen for his opinion on the changes and City Engineer Hansen expressed that he was familiar with all of the changes, and added that many of the changes had been done with the supervision of Horrocks and City Engineer Russell Funk.

Vice-Chair Broughton asked City Engineer Turnbow if they collaborated with the County and City Engineer Turnbow replied that they had not compared their standards to County standards, and noted that they generally only worked together if a project touched both City and County boundaries. Vice-Chair Broughton pointed out that the County was currently updating their General Plan, which would change the road widths.

City Engineer Turnbow discussed that the Engineering Department ensured that City roads interfaced seamlessly with County roads.

Chairman Jordan indicated that they were going to move to a public comment period and requested Planning Admin Meshelle Kijanen to read the rules for public comment, which she did.

Chairman Jordan opened the floor for public comment. There were no comments, and Chairman Jordan closed the public comment period.

Chairman Jordan discussed that although the Planning Commission usually did not make an action in the same evening that they held a public hearing, since there were no comments from the public the Commission would move forward that evening with a recommendation.

Motion: Planning Commissioner Richards moved to forward a positive recommendation to the City Council for the Staff's updates to the Engineering's Standards Specifications, and Drawings for the Storm Water Design manual, and the Standard Plat as has been presented by City Staff. Commissioner Knight made the second.

Discussion: Chairman Jordan confirmed that City Staff was okay with the motion. City

Engineer Hansen confirmed that they were.

Voting Yes: Chairman Jordan, Vice-Chair Broughton, Commissioner Slagowski, Knight, Wilson, Richards and Royall.

Voting No: None. The Motion Passed 7-0.

Motion: Planning Commissioner Richards moved forward a positive recommendation to the City Council for the Staff's updates to the Engineering's Standards Specifications, and Drawings for the Storm Water Design manual, as well as the Standard Plat as has been presented. Commissioner Knight made the second.

Discussion: N/A

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

II. Recommendation for amendment to the Annexation Policy Plan for the Wasatch Highlands (Tony Kohler)

Community Development Director Tony Kohler invited the applicants to join him, which they did and introduced themselves as Greg Whitehead and Tracy Stratton, both from Philo Ventures.

Community Development Director Kohler summarized the process for this proposal thus far as well as the process moving forward. He indicated they were currently at the stage in which the applicants needed to seek a positive recommendation from the Planning Commission and recapped the details of the public hearing that had been held in regard to this item. He also recapped a meeting that had been held with members of City staff, SITLA, and the County in which they had discussed the possibility of updating Heber City's annexation plan to include an area of Wasatch Highlands. Community Development Director Kohler commented that two meetings had taken place since that meeting: one interlocal meeting in January with Wasatch County and one at the most recent City Council meeting. Community Development Director Kohler said that the City Council had determined at their last meeting that they wanted to be involved with the decision-making process, though they did not want to 'ruffle the County's feathers.'

Community Development Director Kohler summarized that although the City was likely to not go through with this annexation process, he wanted to find a way for the City to maintain a spot at the table so that they could have influence over development in the area. He discussed that Heber had annexed other areas in the past for that exact reason; they did not want to have development imposed upon them by the County and annexation was a pathway to assert more agency as a City. He noted that annexation also allowed them to collect impact fees in addition to having more control over their

border areas. Community Development Director Kohler reiterated that his recommendation was for Heber City to maintain control and 'stay in the driver's seat' even if they did not move forward with annexation, and he recommended that they update the annexation policy plan. He also encouraged the City and County to enter into an MOU that stated Heber City be consulted in regard to future developments, even if they were not a part of City boundaries.

Chairman Jordan asked Community Development Director Kohler to recount what their State representative had spoken about at the interlocal agreement. Community Development Director Kohler reported that their State representative, Mike Kohler, had met with the County to discuss the issue. Chairman Jordan added that the conversation had been centered around what the position of SITLA was, as that had not been made clear. Chairman Jordan said he had been under the impression that Representative Kohler was going to speak with SITLA to clarify their stance, although he had not yet done so.

Vice-Chair Broughton asked what the timeline for a decision was. Community Development Director Kohler replied that if a petitioner was not moving along with the Planning Commission's process, they could move forward to the City Council's process.

He discussed there was no set timeline, but out of fairness to the applicant they needed to make a decision in a reasonable time frame. He added that they were currently behind their original schedule. Vice-Chair Broughton confirmed that stalling was not a strategy available to them and Community Development Director Kohler said that if the Commission took too long, the petitioner could move ahead without a recommendation from the Commission.

Vice-Chair Broughton asked what their options were as far as zoning was concerned, if they were to annex the area. Community Development Director Kohler said they had several options; they could copy the County's zones, come up with new ones, or use zones that currently existed within Heber. Vice-Chair Broughton also asked how many buildable acres were included and one of the applicants replied that they had about 5,000 acres in total, of which approximately 2,000 acres were buildable.

Chairman Jordan asked if anything had substantially changed since a month ago when they had last met with the applicants. Mr. Whitehead provided some historic context about this development. He expressed that the County had recommended that they work with the City since 2022 when they had first proposed the project, and so he had been surprised that people from the County were now saying that he needed to consult with them. He explained he did not have an exact application to share since his goal was to create a collaborative project that suited everyone's needs. He hoped that the meeting tonight would help move the ball forward to determine what that project might be. He hoped that they could set politics aside and determine what the area should look like together, and he stated that he was willing to be collaborative with everyone in the Planning Commission, City Council, and County. Chairman Jordan clarified that nothing had changed in the application, other than the fact that they had been recommended to work with the County.

Commissioner Richards stated that SITLA was entitled to some density- although the total amount was unclear- and asked Mr. Whitehead what kind of development he thought would be good for the area. Mr. Whitehead repeated that although he had no specific plan, he thought a plan with 5,000 units was outrageous and expressed that he

had no secret plans for a high-density development. Mr. Whitehead said he had not conceived of any plan that was more than 300 units and expressed that he was willing to work on a plan that had low density. Commissioner Richards asked how much density SITLA wanted to see and Mr. Whitehead said he was under contract to develop SITLA's land, although his contract did not state that he would develop a certain number of units. However, Mr. Whitehead explained that SITLA had indicated that they wanted affordable housing projects on their land, and so if he was no longer the developer, SITLA might build more affordable housing units on that property. Mr. Whitehead elaborated that SITLA's plans depended on whether or not he was the developer of the land.

Commissioner Slagowski asked if Red Ledges had similar entitlements and Community Development Director Kohler explained why Red Ledges was unique. Community Development Director Kohler provided context about Red Ledges and explained it had actually been brought into the City as two different annexations, after which the area had been combined. Community Development Director Kohler recalled that at the time of annexation their density was one unit per 160 acres, and there were currently around 1,300 units located on 2,000 acres, which equated to about .71 units per acre.

Commissioner Wilson asked what initiated this development project. Mr. Whitehead explained that he had worked with SITLA in the past and this development had come out of discussions about what to do with the State-owned land. Mr. Whitehead added that the land was open for solicitation, which meant that the land was open for developers to propose projects upon. He explained there had been a 12-month period in which proposals were made, and his group had been vetted and ultimately selected to develop the land. Mr. Whitehead commented that he liked the Wasatch back and thought it was a fantastic area.

Vice-Chair Broughton asked to view an image of the property and see the slope. Community Development Director Kohler used Google Earth to share images of the property and discussed the topography briefly. Commissioner Slagowski asked if the SITLA parcel had access without the additional land and Mr. Whitehead replied that there were several access points. Mr. Stratton indicated where the easement was located on the map.

Commissioner Wilson asked why and how Christanson was connected to SITLA. Mr. Whitehead replied that he began working with SITLA in 2022, and SITLA had directed him to work with the local jurisdictions as much as possible. Mr. Whitehead pointed out on the map that a portion of the land that was owned by Christanson touched Heber City's boundary, and he explained that he had wanted to see if it was possible to annex that portion in case the SITLA property wanted to connect to Heber. He recounted that he had reached out to Christanson to see if they wanted to work together and said that Christensen had been receptive to that. Mr. Whitehead discussed that Christanson's involvement had actually been serendipitous because it allowed them the possibility to have greater density. Mr. Whitehead clarified that at this stage they were just planning the land, not building it and so it made sense to him to bring in all of the Christensen-owned land.

Chairman Jordan recalled Community Development Director Kohler's previous comment about the possibility of creating zoning that Heber did not currently have, and asked if the rights of the owners and developers changed once the land was annexed

into the City. Community Development Director Kohler explained that if the property was brought under Heber City's jurisdiction, it would not result in any more rights being given to the developers or owners. Chairman Jordan asked if the developer or owner could ever choose to withdraw from an annexation, and Community Development Director Kohler replied that it was possible. Mr. Whitehead clarified that the development would only end up within Heber if they could agree on a site plan.

Community Development Director Kohler also noted that the City could opt to withdraw as well, and briefly spoke about the annexation process.

Chairman Jordan opened the floor to the Commissioners to make comments, and reminded the audience that the Commission's role was to speak on behalf of the public of Heber City, and also that the Commission was a recommending body.

Commissioner Richards expressed that many Heber residents had approached him with concerns over the possibility of annexing this area. Commissioner Richards said that he understood the concerns over the annexation and commented that many people did not realize this proposal was just to change the map, not actually annex the property. He then opined that this proposal had been done backwards or 'cart before the horse.' He further stated that he was in favor of adding this to the annexation plan, and acknowledged that did not mean the property would necessarily be annexed to the City. He commented that annexation was a lengthy process and Community Development Director Kohler spoke about the process the City had gone through to annex the Sorenson property. Commissioner Richards stated that Heber City needed to maintain their seat at the table so they could control development plans, and if they did not do so then they would have to just accept whatever happened with the property.

He thought it was unfortunate that everyone was jumping to conclusions.

Chairman Jordan asked how solid the deal with SITLA was, and if there was a chance that SITLA could sell the property to the County. Mr. Whitehead replied that he was under contract with SITLA and stated that SITLA would not be able to sell or do anything with the property without consulting him first. Mr. Whitehead commented that he had wanted SITLA to attend the meeting and Commissioner Richards noted that was why he had made his comment about doing this plan 'backwards.'

Commissioner Slagowski thought they should add this to their annexation map, as this would allow them to keep having the discussion as to if the area should be annexed.

Commissioner Knight also thought they should add it to the map as it maintained Heber's seat at the table, and added this showed some foresight in thinking about what the development could be. Commissioner Knight shared that he had also heard concerns from the public about having too much density in the development, and said if Heber added it to their annexation map then they could have more influence in ensuring that did not happen. Commissioner Wilson agreed that having it on the map was the better option for Heber and for the future and thought if they left it off the map they would be left with no control.

Commissioner Royall also agreed that they should at least add it to the map as that would allow Heber to get a better sense of the development plan. He asked if there was a possibility for a land swap between the developer and SITLA within the project boundaries that would better fit their density needs. Mr. Whitehead clarified that he was working with the City, not the State, and so even if they did swap it would not make a difference. Vice-Chair Broughton agreed with Mr. Whitehead and added it was one big

piece of land.

Vice-Chair Broughton expressed that she was on the same page as the other Commissioners and thought they should add this to the map, as to not do so would be a disservice to the people of Heber. She urged the City Council to continue to consider this and emphasized it was important for all the involved jurisdictions to work on this together.

Chairman Jordan thanked all the Commissioners for their thoughts. He said that they could take action that evening, but before they moved on to a motion he wanted to address the shift in the County's approach since 2022 when the proposal had first come about. He acknowledged that Heber City had the right to put reasonable expectations in place about how the City could influence the existing commitments. Chairman Jordan discussed that many people in the coming years might have complaints about the future development, although he appreciated that the land was owned by entities who had the right to develop it as they saw fit. Chairman Jordan said they had a recommendation from City staff for Heber and the County to enter into an MOU which would clarify the specific role that Heber City would play in the property. He asked the Commissioners if anyone wanted to make a motion and reminded the Commission to include the portion about the MOU.

Motion: Commissioner Richards moved to forward a Positive Recommendation to the Heber City Council for the amendment to the Annexation Policy Plan map for the Christensen, SITLA, and all adjoining property owners that were affected by the Wasatch Highlands project. He also recommended that the Heber City Council establish a strong MOU with the County, Heber Valley Special Service District, and the Twin Creeks Special Service District as they moved forward in planning this property. Commissioner Knight made the second.

Discussion: Chairman Jordan checked with Community Development Director Kohler if there needed to be more information included in the motion. Commissioner Richards asked if he needed to include a map. Community Development Director Kohler said he did not think they needed to include the exact phrase 'Wasatch Highlands' since they were discussing the land overall, not a specific development. Chairman Jordan suggested that they specifically highlight SITLA and Christanson as the owners of the land.

Commissioner Slagowski commented this was the best course of action to represent the people of Heber City and opined that this decision gave Heber a seat at the table.

He hoped that the City Council would vote in a way that reflected the best interest of Heber City, and not succumb to pressure from how political this issue had become.

Commissioner Richards asked if he needed to specifically identify 'MOU' in the recommendation, or open it up to an interlocal agreement or other kind of partnership.

Community Development Director Kohler thought MOU would be best, since that was a more binding agreement than another kind of arrangement. Commissioner Richards replied if that was the case, he wanted to keep the phrasing in the motion as 'MOU.'

Commissioner Knight clarified that he understood the distinction between the two terms and expressed that his seconding of the motion still stood.

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

4. Work Meeting:

I. Central Heber Overlay Zone & Historic Building Use Ordinances (Tony Kohler)

Chairman Jordan welcomed Planner John Jansen to the meeting.

Community Development Director Kohler introduced this item and mentioned that the Historic Board was invited that evening as they would be involved with the process. He noted that the presentation for the evening was very similar to a powerpoint that the Commission had already seen, though there were some small changes. He also outlined their tentative process and explained once the ordinances and timeline were reviewed by the Planning Commission, they could move to a public notice period for a public hearing. Community Development Director Kohler then discussed the tentative schedule in greater detail and noted that there could potentially be an adoption by the City Council in June.

Community Development Director Kohler explained that this item was under consideration because of the changes they had made to the General Plan back in 2023. He commented that he was 51 years old, and the zoning map that Heber currently had was older than he was. He noted that a lot had changed in the planning world since the 1970s and ideas about development had transformed significantly, so a reconsideration of Heber's guiding documents for planning in the City were greatly needed. He highlighted that in particular, there was a great need for affordable housing and 'missing middle' housing, which he explained was housing like bungalows, townhomes, courtyard apartments, and other types of housing that occurred before zoning had taken place. Community Development Director Kohler commented that a lack of 'missing middle' housing was one of the reasons for the current housing crisis. Community Development Director Kohler said that this zone was intended to be flexible, which would allow it to change over time as the needs of the City changed. He explained the process that the City Council had gone through to look through the General Plan so far, and said the current proposal was to have two districts: the central neighborhood district (CND) and the transition corridor district (TCD). He elaborated that the CND was intended to be a lower density area that retained the feel of a single-family neighborhood, and the TCD was a mixed-use area with both commercial and residential spaces at a slightly higher density. He explained that the TCD would have lower-intensity mom-and-pop stores in addition to larger commercial spaces.

Community Development Director Kohler explained there would be a 35-foot height limit in the neighborhood zones, which he said was still sufficient for a several-story building. Chairman Jordan recalled that they had discussed the possibility of going above 35 feet in the C-3 zone, as long as there were setbacks. Community Development Director Kohler said that the C-3 zone had allowances for three or four story buildings as long as the building was affordable housing.

Commissioner Knight asked why they had not included a corridor district on the east side of town, as they had done on the west side. Community Development Director Kohler explained they had debated the idea, but there had not been support from the City Council or the public to do so.

[There is no audio between 2:05:04-2:06:10]

Chairman Jordan asked why 'historic home' was not one of the bullet points and Community Development Director Kohler replied there were not a lot of historic

preservation measures discussed in-depth in the General Plan. Community Development Director Kohler credited the Historic District board for advocating for historic preservation, but noted that overall it was not listed as a major focus in the General Plan.

Community Development Director Kohler overviewed the uses of the CND. Chairman Jordan asked what a 'subordinate detached ADU' meant and Planner Jansen replied it was a relatively new concept which allowed for a detached ADU with its own lot, rather than just a detached ADU on the same lot. Commissioner Knight asked what the difference between that and a flag lot was, and Planner Jansen replied they were similar although a flag lot had more size-related standards and a dedicated driveway, whereas subordinate detached ADUs did not. Planner Jansen elaborated that subordinate detached ADUs could be created with a permanent access easement. Community Development Director Kohler added there could also be a parking easement on the main lot for vehicles belonging to the occupant of the ADU.

Commissioner Richards clarified that these ADUs were for sale and asked if the lots would become main lots once they were sold. Planner Jansen replied that he agreed with his point and said that 'ADU' might not be the right term for this kind of housing.

Commissioner Richards pointed out they should change the name since it might be confusing to the public.

Commissioner Richards also asked what 'subordinate' meant in this context. Planner Jansen discussed that flag lots usually did not have affordable housing units on them, and typically flag lot homes sold at a high price since they were large homes that were secluded from the road. Planner Jansen explained that these detached ADUs were called 'subordinate' since they could actually be affordable housing, given the smaller lot size. Planner Jansen said that the nice thing about these ADUs was the opportunity for ownership, which provided the owner the chance to build equity. Planner Jansen commented that there were no subordinate detached ADUs in Salt Lake yet, and reported there was a bill that would go before the State legislature soon to consider them. He also noted that there was a proposal to not allow investors to purchase ADUs. Vice-Chair Broughton asked if they could enforce deed-restrictions on any subordinate detached ADUs and Planner Jansen replied that they could, although that did create more work to manage.

Community Development Director Kohler shared some images of duplexes and mansion-style homes, and expressed that he wanted to do design criteria for these kinds of homes. He explained that per State Code, they could only do that if they were located in an area in which the majority of homes had been built prior to 1950, and he believed that they did qualify for this. Community Development Director Kohler stated that he was in favor of rear-loaded garages for duplexes and shared photographs. He also shared the posters that they would circulate to members of the public, which showed images of different home types. He explained they would have people interact with the posters by placing green dots on designs that they liked and red dots on designs that they did not like.

Commissioner Knight asked if the City was allowed to have and enforce these requirements. Community Development Director Kohler opined that they were, though

he acknowledged that Planner Jansen and their City Attorney were not convinced.

Community Development Director Kohler said they would have to update their drafts to include design criteria. Planner Jansen said that State law mostly addressed single-family homes and townhouses, but they could get around that by establishing that a substantial percentage of the neighborhood was built prior to 1950. Planner Jansen noted that State law did not provide a specific number to determine what a 'substantial percentage' actually was. Planner Jansen summarized that he did not know what the right answer was, but he did not want anything to look out of place.

Community Development Director Kohler went over mixed-use buildings, which he noted were only permitted in the TCD and not the CND. He shared images from some surrounding cities which had commercial buildings that were around the scale of the kind of buildings they hoped to see in this zone. Community Development Director Kohler also discussed that the intent of the design of these commercial buildings was to promote the correct architectural elements of a main street building, and he clarified they were not trying to promote a specifically Western-style architecture.

Vice-Chair Broughton opined that they did not want people to feel like all of the buildings had to look old or that they all had to be from the same time frame. Community Development Director Kohler agreed and asked for the Planning Commissioner's feedback as to which image on the screen they preferred. The Commissioners expressed that they preferred the option with simplified standards rather than more detailed standards. Vice-Chair Broughton reiterated that she did not want to promote just one specific look or aesthetic. Community Development Director Kohler thanked her for her feedback, and also discussed that he felt brick was a core component of the overall character of Heber. He opined that he wanted to see more brick buildings throughout the City, but acknowledged that he could not mandate design choices like that.

Community Development Director Kohler next went over historic building use flexibility. He stated the purpose of this was to give people additional uses in both of the new zones for their historic structures. He explained this would only apply to buildings that were intended to be permanent and had attractive architectural features or a significant story behind it. Chairman Jordan clarified this would apply to all downtown districts and Community Development Director Kohler confirmed it would not apply in the C-3 zone, just the two new districts.

Chairman Jordan asked if the Commission would have time to view this material again before the public comment period and Community Development Director Kohler replied they could certainly bring this back before them to go over in greater detail.

Planner Jansen next talked about adaptive reuse and noted this was something Ogden and Millcreek did for their buildings that were National Register-eligible. He explained this was a way to give homes with historic character greater use options, and the reason for doing this was because if the area did become a historic district it would create attractive tax credits and breaks for the businesses. Planner Jansen elaborated

that historic homes were costly to maintain and renovate, so creating a pathway for a revenue stream would be helpful for homeowners of these homes. Community Development Director Kohler added that not all historic homes would qualify for this; the home had to meet at least one criteria out of a list of six items.

Planner Jansen also discussed parking and said they had several ideas, including possibly sharing parking. Community Development Director Kohler added context that some historic properties might have trouble coming up with parking spots, so they wanted to come up with creative solutions that might work for these kinds of properties.

Planner Jansen added that they also allowed for buildings to add one more story to their overall height, but no more. He added that any renovations to the properties had to retain its original character. He also presented a chart that outlined which kind of businesses would require the owner to live in the building. He then went over the size requirements for signage, and Commissioner Knight noted that they could add design requirements for the signs as well.

Community Development Director Kohler added that this ordinance would prioritize permit approvals by the City for historic building renovations, which meant that Staff, rather than the Planning Commission, could authorize renovations. Commissioner Knight thought this was a great idea as it would streamline the process for these applicants.

Chairman Jordan asked about lighting. Community Development Director Kohler replied that their City-wide Dark Sky Compliant ordinance would still apply for these homes. Planner Jansen added that they also had set hours of operation. Chairman Jordan noted that lighting could be a finish that added dimension to the character of an area, so it might be beneficial to have architectural guidelines for lighting in the historic district.

Planner Jansen directed the Commission to read through the uses and provide feedback. He very briefly went through the list. Community Development Director Kohler shared a map of historic properties throughout Heber City, and commented that there were actually even more historic homes in Heber than what was represented on the map. Community Development Director Kohler elaborated that the map included homes built prior to 1950, which was the year mentioned in the State Code.

Commissioner Knight clarified that anything within the boundary on the map could qualify for adaptive reuse, as long as the building also had one of the six architectural standards.

Heber City Historic Preservation Chairman Ron Carlile reported that Rachel Kahler, the Executive Director of Community Alliance for Main Street, was in favor of anything they could do which would further historic preservation initiatives in the City. Mr. Carlile expressed that he approved of measures that aided homeowners of historic homes.

Community Development Director Kohler noted that he had met with Mr. Carlile and Mrs. Kahler several weeks ago, and emphasized that he wanted to work collaboratively with them on this proposal.

Commissioner Knight commented that he thought the historic preservation work that Ogden was doing was great, and he thought this idea would add a lot of charm to Heber, as well as allow people to stay in their homes and improve them. He thought this would be exceptionally beneficial to residents of downtown Heber. Community Development Director Kohler agreed, although he also noted this was only one 'tool in the toolbox' and pointed out that homeowners would also have to seek grants at the State and federal level.

Chairman Jordan asked if there was precedent for a proposal like this at the City level. Planner Jansen replied that there were several communities that were doing 'fix it up' loan and grant programs. Vice-Chair Broughton interjected to say that there were historic tax credits at both the State and federal level, and said there were certain things people needed to do to qualify. Community Development Director Kohler clarified that the State and federal governments offered tax credits for homeowners who did repairs on their historic homes. Community Development Director Kohler elaborated that if the home was turned into a business, there were even more tax credits the owner became eligible for.

Chairman Jordan commented that the SHPO process was very bureaucratic and came with a lot of requirements. He noted that this City-level proposal was similar to what the Utah SHPO did, and he wanted to ensure that homeowners could be incentivized by the City if they repaired and maintained their historic homes. Community Development Director Kohler replied that the City could offer tax credits, but Planner Jansen interjected to say he was not sure that was allowed and this was briefly discussed.

Community Development Director Kohler clarified that Heber City was not requiring that historic homeowners go through this process; this was entirely opt-in and would not be mandated. Chairman Jordan confirmed that they were only talking about incentives and not requirements, and he noted Park City had set requirements for buildings that fell within their historic district.

Planner Jansen moved on to spatial characteristics, which included things like setback requirements. He also explained that although the plan had originally included three districts, they had later decided there were too many similarities between the Midway Lane Corridor and the TCD, so they had combined the Midway Lane Corridor into the TCD. Planner Jansen also shared the list of building typologies and design requirements. He also highlighted the requirements for flag lots and reiterated that they could change the name for the 'subordinate detached ADUs.'

Planner Jansen identified some of the standards for mansion-style homes. He explained the exterior building looked like a single-family home, but inside it was subdivided into several individual units. Vice-Chair Broughton elaborated that they were apartment buildings that were designed to look like a single residence from the outside. Planner Jansen then overviewed garage options for both mansion-style homes and townhouses.

Community Development Director Kohler clarified that this proposal would keep the boundaries of the overlay district where they currently were, but divide that area into two subdistricts.

Planner Jansen quickly went through the mixed-use requirements, which he noted was slightly less restrictive. He highlighted the commercial building that Vice-Chair Broughton had mentioned that she liked earlier in the meeting. Planner Jansen said that a key point of a commercial building was to have a storefront, which was why that was required for these buildings.

Vice-Chair Broughton asked when the Planning Commission would have to provide feedback about this. Planner Jansen replied that sooner rather than later would be preferable. Chairman Jordan asked to look at the calendar again and Community Development Director Kohler referenced the calendar with their tentative schedule.

Community Development Director Kohler assured the Commission that if the proposed schedule was too aggressive they could change the dates.

Community Development Director Kohler also noted that City Council had recently considered this proposal, and he reported that the Councilmembers overall supported the initiative although there were elements of the plan that they were not in favor of. He added that the Councilmembers had expressed that they wanted to hear from the Planning Commission before they moved forward. Chairman Jordan opined that the Councilmembers were hesitant to enact rules on homeowners in the City and there was a short discussion about this. The Commissioners then went through the tentative schedule and finalized their dates. Community Development Director Kohler explained that the dates for the public notice period and public hearing were set, but otherwise there was flexibility about when the Commission met to discuss this item.

Community Development Director Kohler opined that they needed to move forward. Chairman Jordan said that he and the Commissioners would give their feedback to Staff, but he also discussed how much he benefited from hearing the opinion of members of the public and professionals.

Chairman Jordan confirmed that there was no more to discuss about this item for the evening, and noted that there was a training that the Commissioners needed to address in the next meeting.

5. **Administrative Items: N/A**

6. **Adjournment:**

Motion: Commissioner Knight moved to Adjournment:. Vice Chair Broughton made the second.

Discussion: N/A

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

Meshelle Kijanen
Meshelle Kijanen, Administrative Assistant