

HEBER CITY CORPORATION
75 North Main Street
Heber City, Utah
Planning Commission Meeting
Thursday, August 14, 2014

6:00 p.m. - Regular Meeting

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

Public notice is hereby given that the monthly meeting of the Heber City Planning Commission will be in the Heber City Office Building, 75 North Main, South door, in the Council Chambers upstairs.

Pledge of Allegiance: By Invitation
Minutes: June 26, 2014 Regular Meeting

Agenda Items:

1. Red Ledges requests a Plat Amendment to Red Ledges Phase 1K combining Lot 408 and 409
2. Red Ledges requests a Plat Amendment to Red Ledges Phase 2 combining Lot 263 and Lot 264
3. Patrick Wong requests Commercial Development Approval for a restaurant, Ichiban at approximately 750 South Main Street
4. Beehive Storage LLC requests annexation of 12.86 acres known as the Beehive Storage Annexation, located at approximately 1484 Industrial Parkway
5. Haskell Homes requests Amendment to Final Subdivision Plat for the Swift Creek Subdivision Phase 2 and Phase 3 located south of Aspen Pointe Subdivision, north of Majestic Mountain Subdivision, west of Noble Visa Subdivision and Brown Estates approximately between 900 South to 1100 South and 800 East to 1000 East, located in the Southeast quarter of Section 5, Township 4 South, Range 5 East, SLB&M
6. Discussion on Boarding Houses

Administrative Items:

In compliance with the Americans with Disabilities Act, those needing special accommodations during this meeting or who are non-English speaking should contact Karen Tozier at the Heber City Offices at (435) 654-4830 at least eight hours prior to the meeting.

Posted on August 7, 2014, in the Heber City Municipal Building located at 75 North Main, Wasatch County Building, Wasatch County Community Development Building, Wasatch County Library, on the Heber City Website at www.ci.heber.ut.us, and on the Utah Public Notice Website at <http://pmn.utah.gov>. Notice provided to the Wasatch Wave on August 7, 2014.

1 HEBER CITY CORPORATION
2 75 North Main Street
3 Heber City, Utah
4 Planning Commission Meeting
5 Thursday, June 26, 2014

6
7 6:00 p.m. - Regular Meeting
8

Present: Planning Commission: Clayton Vance
Michael Thurber
Harry Zane
Kieth Rawlings
Mark Webb
Stacie Ferguson

Absent: Darryl Glissmeyer
David Richards

Staff Present: Planning Director Anthony Kohler
Planning Secretary Karen Tozier
City Engineer Bart Mumford

9
10 **Others Present:** Cornelis Kome, James Duran, Scott Martinson, DelVon Julander, Dennis Schindler,
11 Brandon Watson, Nicole Mills, Leslie Saunders, Mel McQuarrie, John Kent, Mia Kent, Steve Maddox,
12 Tara Lundberg, and Dave Lundberg.

13
14 Chairman Rawlings convened the meeting with a quorum present at 6:00 p.m. Commissioner Webb was
15 not present.

16
17 **Pledge of Allegiance: Commissioner Ferguson**
18 **Minutes: May 22, 2014, Regular Meeting**

19
20 Commissioner Zane moved that we approve the minutes for May 22nd. Commissioner Thurber seconded
21 the motion. Voting Aye: Commissioners Zane, Thurber, Rawlings, and Ferguson. Abstaining:
22 Commissioner Vance. Voting Nay: none. The motion carried.

23
24 **June 12, 2014, Regular Meeting**

25
26 Commissioner Thurber moved to approve the June 12, 2014 Regular Meeting Minutes. Commissioner
27 Zane seconded the motion. Voting Aye: Commissioners Zane, Thurber, Rawlings, Ferguson and Vance.
28 Voting Nay: none. The motion carried.

29
30 **Item 1 Redmond Inc. requests Commercial Development Approval for an addition**
31 **exceeding 1,000 square feet located at 475 West 910 South**

32
33 **REQUEST**

34
35 Redmond Salt is requesting an addition of 2,100 new square feet to their second story, which will be
36 located within the existing building with no new external walls to be constructed. The property is located
37 in the MBP Manufacturing and Business Park Zone. Section 17.38.010 of the Municipal Code requires

38 all non-residential developments over 1,000 square feet to obtain the approval of the Planning
39 Commission.

40
41 Section 18.48.060 A. of the MBP Zone requires one parking space for every two (2) occupants of a
42 building as calculated in the Uniform Building Code. The existing building has 40,600 square feet,
43 including 800 square feet of retail space. The building has 35 current employees and the proposed
44 addition will add 10 additional employees, for a total of 45 employees. The existing site has 102 parking
45 stalls, more than enough to accommodate the proposed addition.

46
47 There were some comments from the Commission that this request was fairly straightforward. There
48 were no questions or comments.

49
50 **MOTION**

51
52 Commissioner Ferguson moved to approve the Redmond addition at 475 West 910 South for
53 commercial development approval of the proposed addition to the Redmond Building as consistent
54 with the requirements of the BMP Zone in Chapter 18.48 of the Municipal Code.

55
56 Commissioner Thurber seconded the motion.

57
VOTE

	AYE:	NAY:	ABSTAINING:
Stacie Ferguson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kieth Rawlings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Michael Thurber	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clayton Vance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Harry Zane	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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59 The motion carried.

60
61 **Item 2** **Wasatch Land Company requests Subdivision Plat Amendment of the Noble**
62 **Vista Subdivision Plat located at approximately 770 South 1200 East (Mill Road)**

63
64 **REQUEST**

65
66 The Noble Vista Subdivision has remained dormant for several years since the plat was recorded
67 in 2007. Most of the required subdivision improvements were installed in 2008, with the exception of
68 sidewalk and utilities such as power, gas, and telephone lines. Since the subdivision lacks sidewalk, staff
69 has suggested the potential purchaser of the subdivision consider adding 4 feet to the street right of ways
70 to accommodate 8-foot wide planters rather than the 6-foot wide planters as currently platted within the
71 subdivision.

72
73 The 8-foot wide planters will provide a larger snow storage area as requested by Heber City
74 Public Works. The 8-foot wide planters should also promote lawn as a choice in landscaping the planters
75 versus rocks, as an 8-foot wide planter is typically easier to sprinkler irrigate than a 6-foot wide planter.
76 The larger planters will also accommodate larger street trees. In exchange for the larger planters, the
77 petitioner is requesting 25-foot front and 25-foot rear setbacks as per Section 18.68.175 Open Space of
78 the Municipal Code. The subdivision is located within the R-1 Residential Zone, which typically requires
79 30-foot front and 30-foot rear setbacks.

80 Lot 23 has sidewalk already constructed along its frontage; Lot 23 will not be affected by the
81 proposed amendment. The petitioner is only proposing to alter the lots owned by himself, including Lots
82 1 through 22. The proposed plat amendment provides 6 feet of additional right of way, and staff is
83 recommending only enough additional right of way for 8 foot wide planters (i.e. only 4 additional feet is
84 needed on the internal streets, as Local Streets typically have 6 foot planters, and 3 additional feet within
85 1200 East, as Collector and Arterial Streets typically have 5 foot planters). The planter strips and
86 sidewalks should transition along the subdivision edges to the existing standard widths constructed within
87 adjoining subdivisions.
88

89 Commissioner Webb arrived at 6:13 p.m.
90

91 **DISCUSSION**

92
93 The Planning Commission discussed the following points:
94

- 95 ➤ The right-of-way and setbacks;
- 96 ➤ The right-of-way is 63 feet at Lot 23 and 66 feet everywhere else. Bart Mumford indicated the
97 asphalt would be the same width and would take up the difference in the park strip;
- 98 ➤ Lot 16 and retention basin;
- 99 ➤ Brandon Watson of Edge Homes answered questions with respect to Lot 20, the Humbug
100 Canal, and Humbug Canal easement. Bart Mumford also discussed configuration of Lot 20
101 with respect to the canal and easement. Options were discussed as to how to handle the
102 configuration of these lots elements, namely the portion of the lot contiguous to 770 S./1050 E
103 within the subdivision, the canal and easement, and the portion of Lot 20 that is to the
104 northwest of the canal. Anthony Kohler indicated they could do a plat amendment to split this
105 off in the future. The canal company, WCWEP, is in negotiations at this time for the
106 northwestern portion of Lot 20, the portion of the lot that is northwest of the canal. When and
107 if this is done it has been discussed that the fee title will be to the City.
- 108 ➤ Lot 20 was discussed at length in respect to easement, canal, and deed. There is an agreement
109 in place to connect the two parts of the existing trails; the trail will be on the property of
110 whoever purchases this lot. The question was asked as to why this property can't be deeded to
111 the City at this time. Options were again discussed regarding the remainder of the portion of
112 the lot on the west side of the canal. It was noted it would have to be clear that this could never
113 be a building lot.
114

115 Steve Maddox, of Edge Homes, indicated that Lot 20 is excluded from his purchase contract with the
116 seller of the property. The derelict parcel shown as Lot 20 already has a shop on it. There was an
117 option to put a note on this lot that the derelict area contiguous to the canal is non-buildable. He
118 indicated the conservancy district, WCWEP, is in negotiations to obtain the area west of the canal; the
119 other portion of the lot accessing from the subdivision would be a buildable lot. If this acquisition did
120 not go through then this would be sold with a legal description and they would be able to use the
121 existing shop for storage.
122

123 **MOTION**

124
125 Commissioner Zane moved that we recommend approval for Wasatch Land Company's request for
126 Subdivision Plat Amendment of the Noble Vista Subdivision Plat located at approximately 770 South
127 1200 East (Mill Road) contingent upon they meet all the requirements of staff and city engineer.
128 Commissioner Webb seconded the motion.
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VOTE

	AYE:	NAY:	ABSTAINING:
Stacie Ferguson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kieth Rawlings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Thurber	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clayton Vance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Webb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Harry Zane	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

131
132 The motion carried.

133
134 **STAFF RECOMMENDATION**

135
136 The proposed plat amendment is consistent with Chapter 18.52 R-1 Residential Zone and Section
137 18.68.175 Open Space, subject to the setback note on the plat altered as follows:
138 Front: 25 Feet*
139 Rear: 25 Feet*
140 *As per Section 18.68.175 of the Municipal Code, the City approved 25-foot front and rear
141 setbacks in exchange for increased open space within the planter strips.

142
143 **Item 3 Infinity Consultants requests Subdivision Final Approval for Heber Gateway 2**
144 **Subdivision located at approximately 1200 South 380 East**

145
146 **REQUEST**

147
148 The petitioner is requesting a 2-lot subdivision at 400 East 1200 South. The property is located in the C-2
149 Commercial Zone. Lot 1 will contain the recently approved Tractor Supply Co. building.

150
151 The petitioner owns adjoining property to the east of the proposed 2 lot subdivision, and is also proposing
152 to adjust the property lines between the 2 lot subdivision and the property to the east. This will make it so
153 the 500 East right-of-way will be located entirely upon the property to the east, and be constructed when
154 that property is developed.

155
156 Anthony Kohler indicated in the past couple of days since they'd issued staff reports Staff had met
157 with the Petitioner and were asking for a couple of changes. The Petitioner's plan had changed. Their
158 initial proposal was to move their property line to the center line of 500 East over to where Lot 2 is so
159 they could defer the question of how to deal with 500 East to the future. Staff was now asking the
160 Petitioner if they would dedicate all of 500 East with this subdivision request; dedicate it now but not
161 construct it now. The Petitioner has agreed that they will do that; there are annexation agreements on
162 both of these properties saying they would dedicate 500 East at development time or when the City
163 requested it. Regarding construction they realize they need some participation and are suggesting a
164 special improvement district when the time comes to construct 500 East; IHC, which is located to the
165 south, also has an obligation to participate in costs for constructing 500 East. The Petitioner wants a
166 development agreement that would provide flexibility to consider an SID or other mechanism to share
167 the costs fairly with this road.

168
169 The second issue was the traffic study done on this property and the property to the west for Gateway
170 Plaza 1 and Gateway Plaza 2 showed that there would be so much traffic on 1200 South from these

171 developments and other traffic coming through here that to keep 1200 South functional there needed to
172 be a dedicated right-hand turn lane added for eastbound traffic on 1200 South at 500 East.

173
174 The Petitioner feels this is a regional improvement and would like to see if the City or impact fees
175 could help in building and dedicating that right-hand turn lane. The last issue attached to their
176 Commercial Development Approval is the right to use legal access and storm drain through Gateway
177 Plaza 1. The City is requiring of the Homeowners Association of the Gateway Plaza 1 (Wells Fargo is
178 a majority owner) a letter or other legal instrument stating that they have the right to use the roads and
179 storm drains within Gateway Plaza 1 for the benefit of this parcel. Staff asks for this to be a condition
180 of this approval and before they record the plat that they provide the City this letter. Whatever the
181 Commission wants needs to be put into a subdivision agreement; this has not been done yet.

182
183 Reid Dickson, of Infinity Consultants, was present representing the Petitioner, TSC. Dickson indicated
184 TSC is more motivated to work this out than the current owner, Wells Fargo. Wells Fargo is a patient
185 seller; if too much burden is placed on Wells Fargo with this subdivision, they would scrap the plans
186 and sell to somebody else and not subdivide at all. They are willing to sell to TSC but only so far as it
187 makes good business sense to them. Dickson explained that Wells Fargo is willing to dedicate the
188 entire width of 500 East and dedicate for the right turn lane off of 1200 South so long as they are
189 somewhat compensated for the benefit that others derive from that turn lane. They do not want to be a
190 sole contributor to a turn lane that benefits so many other people and so many other acres; they expect
191 anybody gaining access or secondary critical access to contribute. He indicated that Wells Fargo would
192 rather defer a cost not incur cost right now.

193
194 Bart Mumford addressed engineering issues mainly speaking about the deferral/construction of 500
195 East and the right turn lane on 1200 South. He indicated they will need to have 500 East (constructed)
196 to get a building permit on these properties. Whether the trigger is development or sale of parcels in
197 this area, whatever the trigger is, that is when the improvements will go in.

198 199 **DISCUSSION**

200
201 The Planning Commission discussed the following points:

- 202
- 203 ➤ Where the property line falls in relation to the driveway for TSC; Staff has asked for a shared
- 204 driveway here;
- 205 ➤ Dedication of 500 East and sharing costs for the road with IHC;
- 206 ➤ 500 East is still going to have to be dedicated. Dedication will benefit the single parcel or the
- 207 double parcel.
- 208 ➤ Deferral and construction of 500 East and the right turn lane on 1200 South;
- 209

210 **MOTION**

211
212 Commissioner Webb moved that we recommend final approval for Heber Gateway 2 Subdivision
213 located at approximately 1200 South 300 East and that they meet any and all applicable codes, staff
214 recommendations and engineering requirements, and that it be conditional upon dedication of the right
215 turn lane which would be just for Lot 2, correct? and then also dedication of property for 500 East,
216 which would be the east side of Lot 2 and that would be the full width, and then also pending that they
217 get a letter for approval for storm drain from the Gateway Project (Gateway 1) (on the west) property
218 to use that for access and utilities. Commissioner Zane seconded the motion.

219
220 Applicable Codes: The proposed subdivision is consistent with the applicable codes, Chapter 18.28 C-2
221 Commercial Zone, and Chapter 17 Subdivisions.

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STAFF RECOMMENDATION:

Conditional upon a development agreement recorded addressing the following issues:

1. Replacement of existing ADA corners to current standards;
2. construction and dedication of 500 East to Collector Street Standards;
3. an agreement to dedicate 500 East and participate in its construction costs upon request by Heber City or adjoining property owners to the south who are also participating in constructing and dedicating 500 East;
4. water rights turned over to the City in an amount determined by the City Engineer;
5. water and sewer laterals constructed from the mains to the lot;
6. installation of a fire hydrant as per City standard;
7. replacement of existing cobra head street lighting with standard decorative Washingtonian acorn street light; and
8. the final plat showing the address of the new lot.

VOTE

	AYE:	NAY:	ABSTAINING:
Stacie Ferguson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kieth Rawlings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Thurber	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clayton Vance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Webb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Harry Zane	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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The motion passed.

Anthony Kohler was asked to contact the hospital about 500 East and to see if they wanted to participate sooner than later.

Item 4 Coyote Development requests approval of a small subdivision, The Cove at Valley Hills Phase 1C, located between 1772 North Valley Hills Boulevard and Callaway Drive

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Commissioner Ferguson recused herself from Item 4 and left the room, as she had a conflict of interest.

REQUEST

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Coyote Development LC has applied for subdivision of the remaining property within the Cove at Valley Hills Subdivision to the west of Valley Hills Boulevard. The proposal creates two (2) new building lots. The subdivision is located within the R-1 Residential Zone, requiring 100 feet of frontage and 10,000 square feet.

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The property has steep slopes exceeding 30 percent, but there are locations that are less than 30 percent slope on the lots. The city does not have a prohibition on lots exceeding slopes of 30 percent. A geotechnical report was conducted on the property in 1994 by AGEC. The report indicates the property is located upon stable soils. The report provides recommendations for foundations, drainage, and grading

263 for the lots, particularly to avoid problems with ground water. The water tank and accompanying
264 easements have not been dedicated to Heber City.

265
266 The Planning Commission held a public hearing on December 11, 2008 and September 10, 2009.
267 Residents of the surrounding lots expressed concern that the proposed two western lots would be
268 hazardous, block views, and was not ethical because the original plat showed that area as “open space”.
269 The Planning Commission unanimously recommended the two lots not be approved and the City Council
270 affirmed that decision (see 2008 and 2009 minutes below). On April 10, 2014 the Planning Commission
271 recommended approval of the upper two eastern lots next to the water tank and the City Council affirmed
272 that decision on May 1, 2014.

273
274 Anthony Kohler presented information on the request. Mel McQuarrie was present as a
275 managing member of Coyote Development, Brent Hill, and Ritchie Enterprise and himself. He indicated
276 they had designed these lots to be large to provide for proper drainage. They are trying to clean up the
277 remnant properties that they have so they can be maintained. He asked for approval and expressed that he
278 thought they meet the conditions. A question was asked about slope. Mr. McQuarrie indicated the slope
279 meets the conditions of the code.

280 281 **DISCUSSION**

282
283 The Planning Commission discussed the following points:

- 284
- 285 ➤ The narrow access for both lots from Callaway drive that was designated only for sewer;
- 286 ➤ the slope and whether the lots right off the road, Valley Hills Boulevard, were buildable;
- 287 ➤ why the homeowners association was not created;
- 288 ➤ photos of this land were shown on overhead and discussed briefly;
- 289 ➤ past Planning Commission meetings and their recommendations on the parcel with the water
290 tank, recommendation to deal with sloughing of rock onto Valley Hills Boulevard, and a
291 retaining wall to prevent the slough of rock.

292
293 Although this was not a public hearing, Chairman Rawlings allowed members of the public who were
294 interested in this item to comment.

295
296 Dave Lundberg who resides at Lot 29 of the Cove at Valley Hills Phase 1 – C spoke about slope. He
297 indicated that the slope immediately off the hill was at 70% and then as it hits into its natural grade at
298 33%. He expressed frustration over the approval process wherein Coyote Development LLC
299 repetitively brought this project forth every year and a half or so. He discussed the final plat at the time
300 they were sold their lots and indicated that the final plat stated that this was open space owned by
301 Coyote Development LLC. Mr. Lundberg read the definition of open space from the Heber City
302 Municipal Code, “...for public or private use or for the enjoyment of owners and occupants of land
303 adjoining or neighboring such open space.” He indicated that this is what he had been sold. He stated
304 “So every time that this comes up, the main feeling that I feel is deception. I feel that I was deceived
305 and sold land and bought land knowing that there was open space at the back of my lot...” He spoke
306 about ethics and asked the Planning Commission to think of the ethics and expressed that what he is
307 presenting are the fair and ethical things to do.

308
309 Tara Lundberg of Lot 29 showed what they bought from the plat; open space. She indicated they had
310 spoken to Paul Ritchie who had expressed to them that this was not originally on the plat because they
311 thought the land was unbuildable. She indicated that she believed that safety was an issue here.
312 Between her neighbor and herself they have 11 kids playing in that part of the yard almost every day
313 that could be hit by falling debris and boulders. She indicated they would not have purchased this lot

314 if they'd known this and also expressed they'd had to come to meetings several times and had to drop
315 everything to come to the meetings; this has been to the Planning Commission several times and has
316 been denied several times. She expressed that Lot 68 and 69 need to be figured out or put back to the
317 homeowners association.

318
319 Paula Saunders indicated she was here to the oppose inducement and enticement at the initial sale of
320 those lots. She indicated she believed the developers had a tax exempt status on those lots for the last
321 14 years and they'd collected the benefit when they sold to the existing owners. She expressed that she
322 did not think that it was fair to double dip. She asked the Commission to consider the health of the
323 properties below and the sustainability of those lots. She also expressed concern over the slope and
324 safety issues and indicated that some of the lots had needed dynamite to blast basements out of solid
325 rock. She showed the Commission a photo on her cell phone of the slope.

326
327 Nicole Mills asked for resolution of this issue. She also indicated that she felt deceived and reiterated
328 what others had said indicating that her lot was secluded and this is why they had purchased it.

329
330 Mia Kent of Lot 30, asked for some explanations on the proposed plat; specifically where homes could
331 be built on the two lots. Commissioner Vance indicated where homes would fit although he did not
332 recommend this. Ms. Kent also informed the Commission of the safety issue; an enormous boulder is
333 located approximately 5 feet from her property line. Kent asked why the developers don't deed the lots
334 to the homeowners association.

335
336 A question was asked as to why the lot lines were not extended up to the road. Mel McQuarrie
337 addressed this question. He indicated that every developer would like to develop on both sides of a
338 street and it makes sense to have these lots shaped differently because of the slope. He indicated that
339 they had not extended Lot 29 and 30 up to Valley Hills Blvd. because you could not double load a lot,
340 (meaning frontage on both the front and back of the lot). Anthony Kohler addressed the issue of
341 double loaded lots. Mr. McQuarrie addressed a number of the personal comments that had been made
342 toward him. He also expressed that legal opinion was pretty clear they have the right to develop that
343 land. Nobody had asked him on any of his lot sales if this land was never going to be built on, and
344 they have been paying taxes on the land. He indicated he would invite those interested to purchase the
345 land, stating that it's always for sale.

346
347 Commissioner Vance asked whether the City would want this land now. Anthony Kohler answered
348 no. Anthony Kohler explained that originally the proposal had been for four lots. He explained the
349 history of approval and cited the condition that a retaining wall be built, materials the wall could be
350 built with and the timeframe for construction. He indicated this ties the hands of the purchaser with
351 where the driveway would go and the purchaser of the lot may not like the wall materials. He
352 indicated that these were now considered separate stand-alone subdivisions and that the wall could not
353 be tied to this property. Chairman Rawlings asked if the City got the access to the water tank.
354 Anthony Kohler answered the City does not have that yet. Mel McQuarrie stated, "The City has
355 always had access right through here; there is an easement right up there where the water line feeds to
356 the water tank, that's access. When this plat was done, correct me if I'm wrong Bart, but there was an
357 easement given up through the back side of that flat to where the water tank will be. The only thing
358 right now on the table, I think is on the table, and if it's not we'll add an easement but is the area that
359 will be dedicated to the City around the tank that will be fenced in. Is that correct?" Bart Mumford
360 answered that there is a gap on the south side; the access easement on the south of the tank.

361
362 Anthony Kohler indicated that he was suggesting that we let the retaining wall be part of this
363 subdivision but the development of all of the Cove was contingent upon the water tank being turned
364 over to the City. "I would like to see if it is not part of the subdivision, why couldn't we get a

365 warranty deed drawn up with a legal description and have the developer sign it and turn it over as part
366 of either this or this subdivision.” Mel McQuarrie stated, “You don’t even need to have it as a
367 condition, I’ll do it.” Anthony Kohler stated, “Okay.” There was discussion on plats before the City
368 Council, how the parcel dedication to the City for the water tank could be handled, and on bonding
369 that needed to occur.

370
371 Anthony Kohler asked about the thin sliver remnant (north of proposed Lot 68) and what would
372 become of that property. Mel McQuarrie answered that they could put it with the rest of the other lot
373 (Lot 68). Anthony Kohler’s recommendation was to either do that or to see if the owners of Lots 32 -
374 36 would want to purchase it. Discussion ensued regarding the exception to double-loaded lots for
375 topography, what the terms would be for the owners of Lots 32 -36 to purchase this land and the
376 process for doing this. One option would be warranty deeds deeded to each lot owner; the cleanest
377 way would be a plat amendment. Mel McQuarrie asked the Commission to let him press forward and
378 he would give them 120 days for a yes or a no. Commissioner Zane thought the Plat for I-C should
379 include the whole thing in the approval including what would happen to the sliver of land to the north.
380 McQuarrie agreed to do this.

381
382 Bart Mumford noted that if they did work out something out in regard to extending Lots 32-36, in
383 addition to the purchase price they would need to plan for a cost for water rights which would be
384 required by the City based on acreage.

385
386 **MOTION**

387
388 Commissioner Zane moved that we recommend approval of Coyote Development’s request for
389 approval of a small subdivision, The Cove at Valley Hills Phase 1C, located between 1772 North
390 Valley Hills Boulevard and Callaway Drive contingent upon that they revise their plat and they include
391 the property northeast of Lot 68 (northwest sliver included into Lot 68), (meet) staff and engineering
392 recommendations and showing the building envelopes on both lots. Commissioner Webb seconded
393 the motion. Commissioner Webb indicated he would like to see previous notes going back on this
394 property and on this subdivision be presented to the City Council for them to have that for review on
395 what Mr. McQuarrie has agreed to do in past meetings. He referenced the possibility of adding a
396 requirement to take care of the water tank on this property. He indicated that he did not think that
397 directly affects this property because it is on the other side of the street but he would like to see all of
398 this information in the packet and everything put together on what Mr. McQuarrie has agreed to do in
399 the past and what has been taken care of regarding those other parcels, as well as the open space issues
400 just so they can make an educated decision since they are not here and they are not here to hear all of
401 the concerns that the existing neighbors have.

402
403 **STAFF RECOMMENDATION**

404
405 The subdivision is consistent with Heber City Code, Chapter 18.52 R-1 Residential Zone,
406 conditional upon the following:

- 407
408 1) Developer install fire hydrants along Valley Hills Blvd. so that each lot is within 250 feet of a fire
409 hydrant;
410 2) Developer install necessary utilities and laterals to each lot;
411 3) The water tank and accompanying easements be dedicated to Heber City prior to the plat
412 recording; and
413 4) Developer address what becomes of the remainder of property to the rear (east) of the Cove at
414 Valley Hills Lots 32-36.
415

VOTE

	AYE:	NAY:	ABSTAINING:
Kieth Rawlings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Thurber	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clayton Vance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mark Webb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Harry Zane	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

417
 418 The motion carried.

419
 420 **ADMINISTRATIVE ITEMS:**

421
 422 The Commission was informed there were no applications for the July 10th meeting and July 24th is a
 423 holiday; so there will be no meetings scheduled for July. Anthony Kohler will work on text
 424 amendments.

425
 426 Commissioner Zane moved to adjourn the meeting. Commissioner Webb seconded the motion.
 427 Voting Aye: Commissioners Rawlings, Thurber, Vance, Webb and Zane. Voting Nay: none. The
 428 motion carried. The meeting adjourned at 8:15 p.m.

DRAFT-Unapproved Minutes

Heber City Planning Commission
Meeting date: August 14, 2014
Report by: Anthony L. Kohler

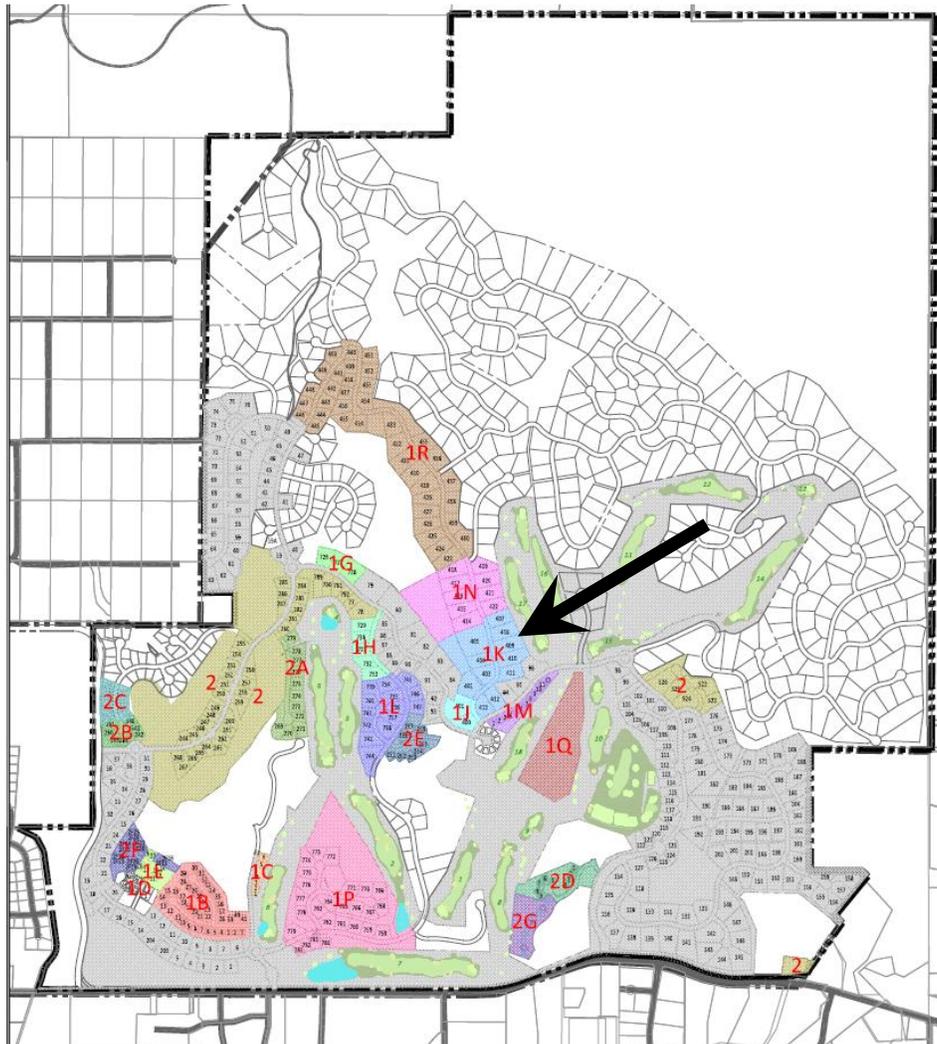
Re: Red Ledges Phase 1K Lot 408 and 409 Combination-Plat Amendment

The owner would like to amend the Phase 1K plat by combining lots 408 and 409 into one lot. The property is zoned PC Planned Community.

RECOMMENDATION

The proposed plat amendment, combining Lot 408 and 409 of Red Ledges Phase 1K meets the requirements of Section 18.61 of Heber City Code, the PC Planned Community Zone, and Section 10-9a-608 of Utah State Code.

Location Map



Heber City Planning Commission
Meeting date: August 14, 2014
Report by: Anthony L. Kohler

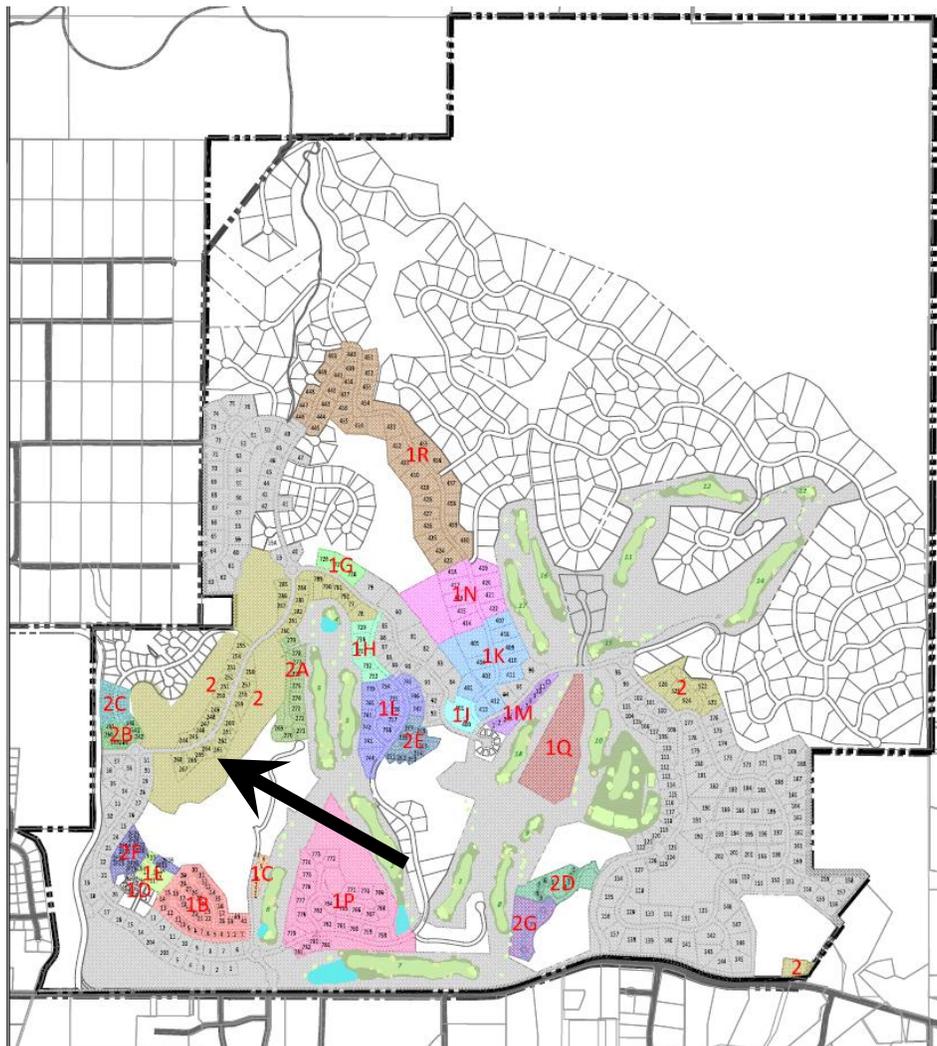
Re: Red Ledges Phase 2 Lot 263 and 264 Combination-Plat Amendment

The owner would like to amend the Phase 2 plat by combining lots 263 and 264 into one lot. The property is zoned PC Planned Community.

RECOMMENDATION

The proposed plat amendment, combining Lot 408 and 409 of Red Ledges Phase 1K meets the requirements of Section 18.61 of Heber City Code, the PC Planned Community Zone, and Section 10-9a-608 of Utah State Code.

Location Map



HEBER CITY PLANNING COMMISSION

Meeting date: August 14, 2014

Report by Anthony L. Kohler

Re: Ichiban's Restaurant Addition (Old Pizza Hut)

SUMMARY

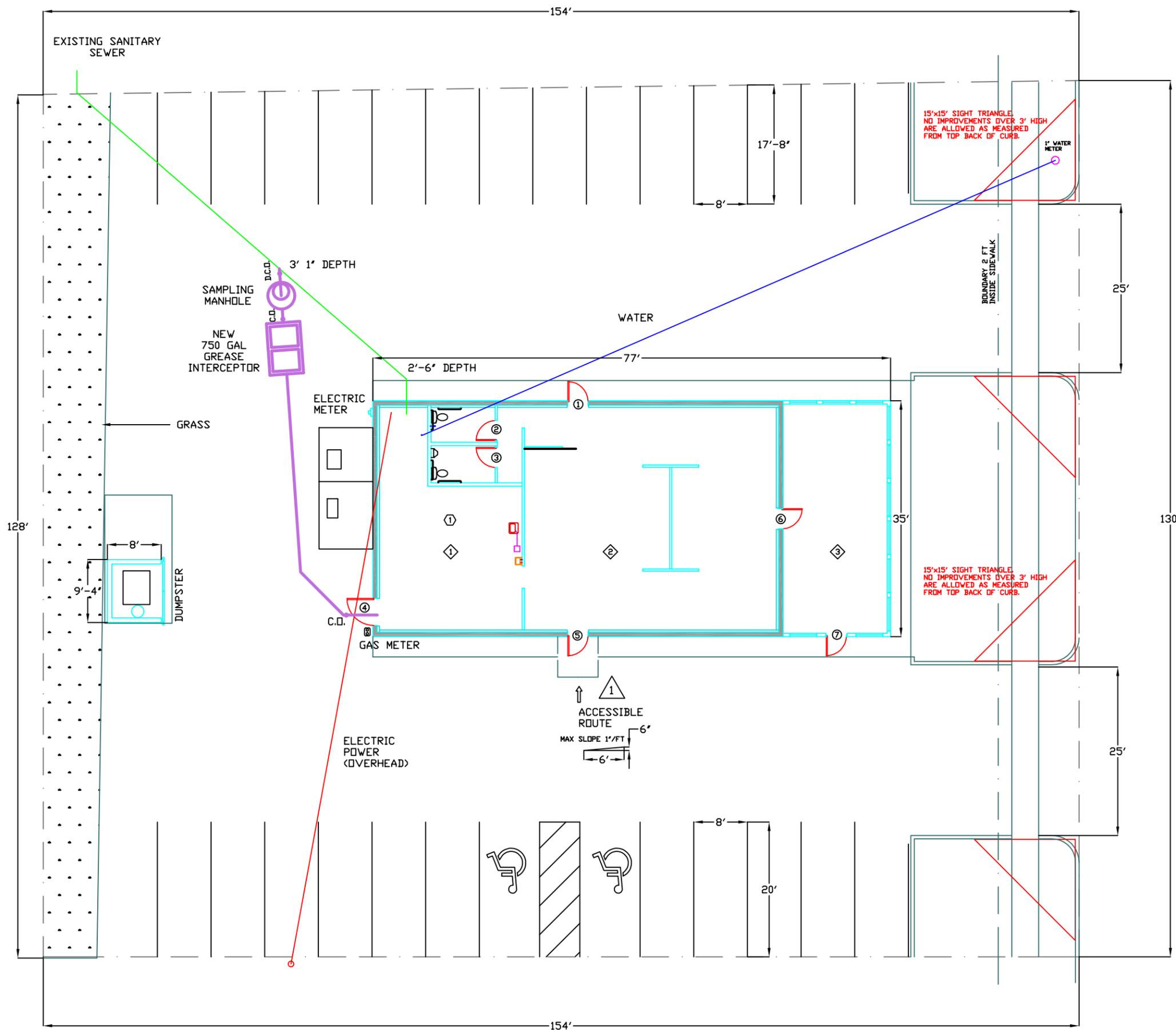
The petitioner is proposing a main and 2nd story addition to the existing building. The main story is proposed at 2,700 square feet and the second story is proposed at about 1,300 square feet, for a total of 4,000 square feet. The proposed 4,000 square foot building requires at least 20 stalls, and there are 29 parking stalls. The main floor would be a restaurant and the second story is for office and storage.

The main floor is proposed to be built at the 10-foot front setback. The city altered the design criteria this year to permit closer setbacks and this necessitates the removal of the existing pole sign. The second story of the building will utilize EIFS, which is a permitted building material with approval of the Planning Commission. The petitioner is working on the color samples and will have them available for the meeting. The main floor would retain the existing brick, and a differing rock on the front main floor.

RECOMMENDATION

The proposed development is consistent with the C-2 Commercial Zone, the C-2 & C-4 Design Criteria, and Title 17 Subdivisions, conditional upon the following:

1. The front building elevation include decorative crookneck lighting;
2. The front building elevation include decorative elements such as an attic vent, shutters, and corner stucco off-sets, with the EIFS color and front rock being an earth tone to match the existing brick; and
3. The street frontage be planted with a honey locust tree.



DRAWING NOTES

⚠ THE GENERAL CONTRACTOR SHALL VERIFY WITH THE BUILDING INSPECTOR THAT ALL EXISTING EXTERIOR ACCESSIBILITY ELEMENTS ARE IN ACCEPTABLE CONDITION. THIS SHALL INCLUDE BUT NOT BE LIMITED TO : PARKING STALLS AND ACCESS AISLES, CURB RAMPS, PARKING SYMBOLS, STRIPING AND SIGNAGE AS WELL AS THE ACCESSIBLE ROUTE TO THE BUILDING AREAS OF MAIN FUNCTION INCLUDING RESTROOMS.

STAMP

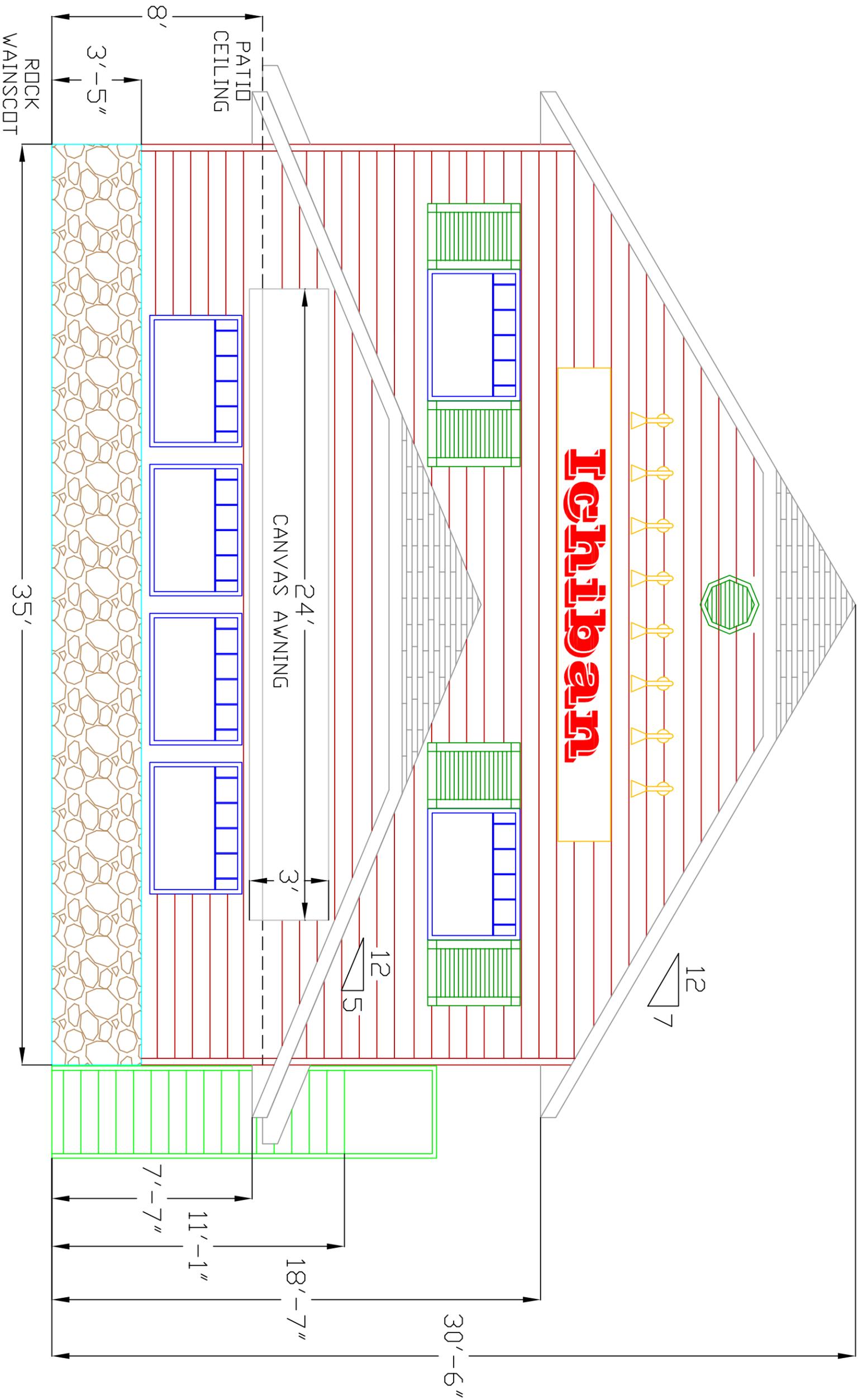
DWG/REVISION DATE
 28 MAY 2014

DRAWING TITLE
 SITE

SHEET NO.
 A 2

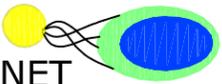


NORTH
 SCALE 1/16" = 1'



EAST ELEVATION

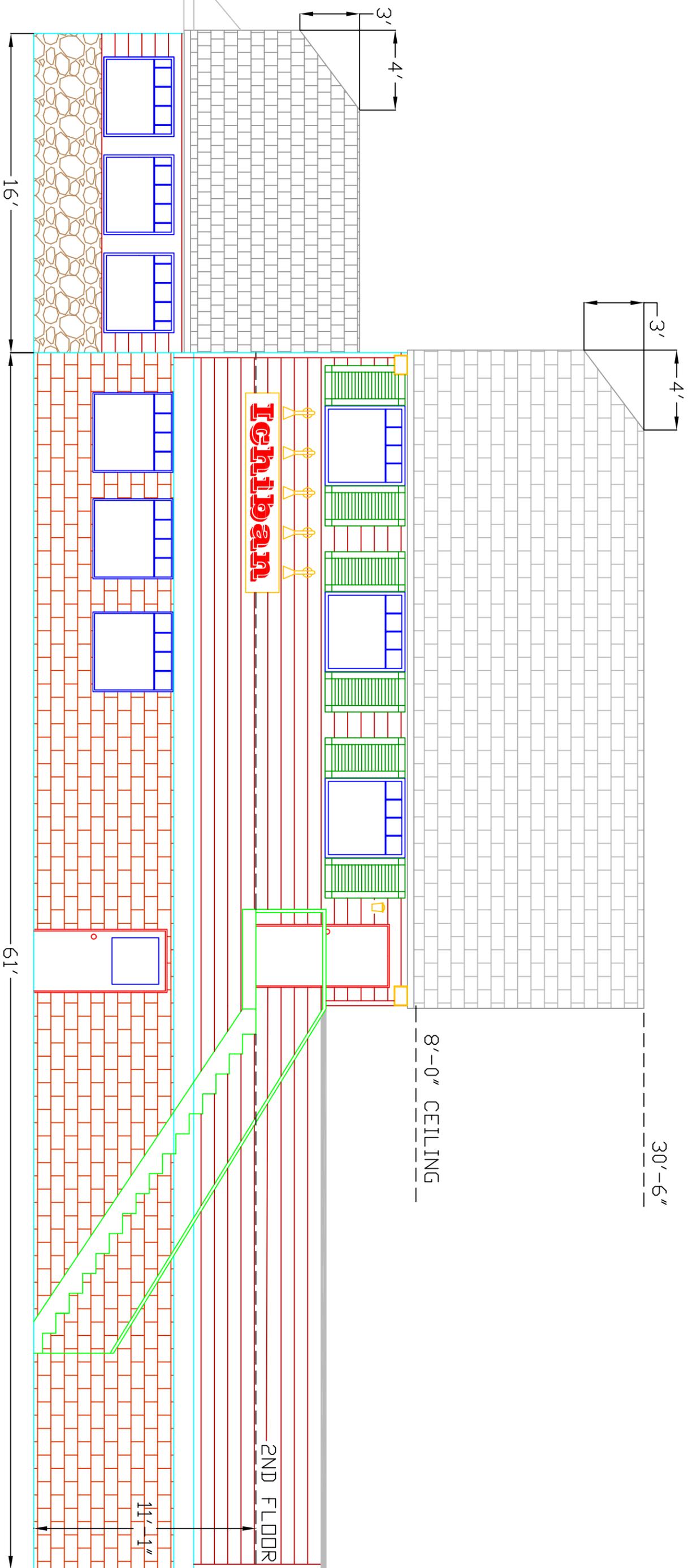
SCALE 1/4" = 1'

STAMP	<h2>ICHIBAN</h2> <p>750 MAIN ST. HEBER, UTAH 84032</p>	CONTACT:	 <p>GREEN PLANET ENERGY SYSTEMS INC. 675 ANGIE CIR., MIDVALE, UT 84047-1337 tel 801 567 0072 fax 801 566 9240 greenplanet@att.net</p>
DWG/REVISION DATE		PATRICK WONG	
DRAWING TITLE		801 916 8710	
SHEET NO.			

14 JUL 2014

EAST ELEVATION

A 7



NORTH ELEVATION

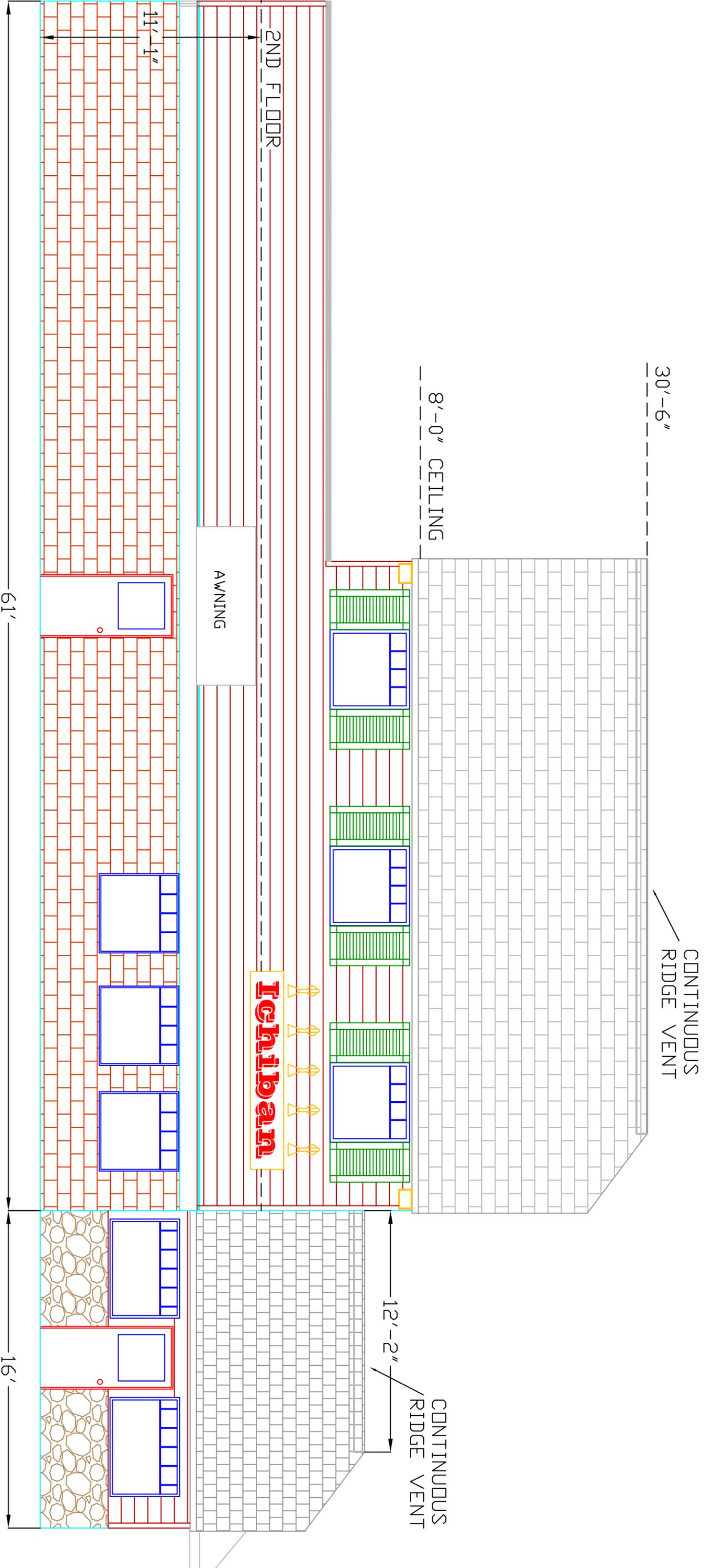
SCALE 3/16 = 1'

DWG/REVISION DATE	14 JUL 2014
DRAWING TITLE	NORTH ELEVATION
SHEET NO.	A 6

ICHIBAN
 750 MAIN ST.
 HEBER, UTAH 84032

CONTACT:
 PATRICK WONG
 801 916 8710

GREEN PLANET ENERGY SYSTEMS INC.
 675 ANGIE CIR., MIDVALE, UT 84047-1337
 tel 801 567 0072 fax 801 566 9240
 greenplanet@att.net



SOUTH ELEVATION

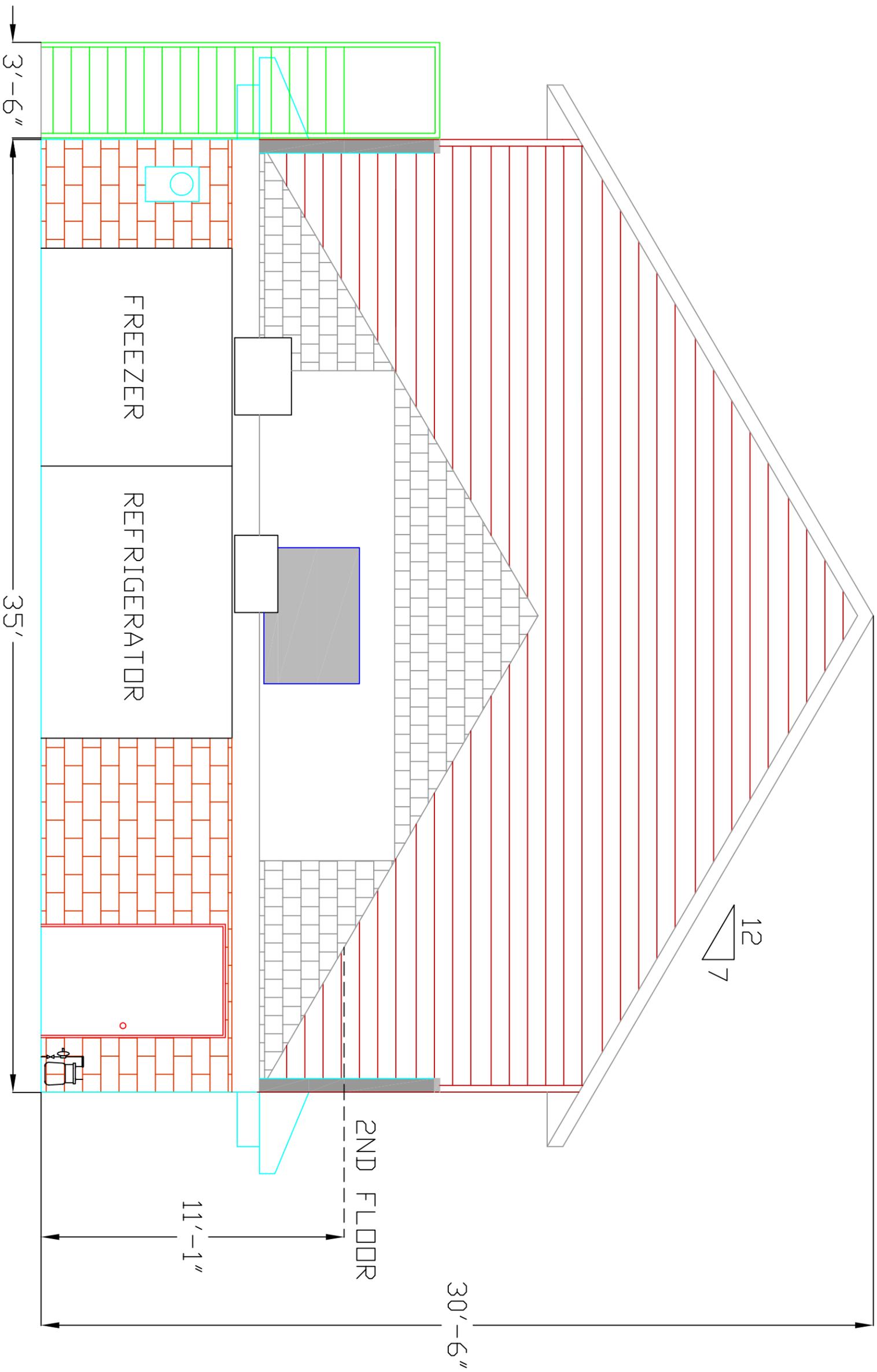
SCALE 3/16 = 1'

DWG/REVISION DATE	14 JUL 2014
DRAWING TITLE	SOUTH ELEVATION
SHEET NO.	A 8

ICHIBAN
 750 MAIN ST.
 HEBER, UTAH 84032

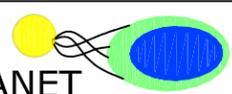
CONTACT:
 PATRICK WONG
 801 916 8710

GREEN PLANET ENERGY SYSTEMS INC.
 675 ANGIE CIR., MIDVALE, UT 84047-1337
 tel 801 567 0072 fax 801 566 9240
 greenplanet@att.net



WEST ELEVATION

SCALE 1/4" = 1'

SHEET NO. A 9	DRAWING TITLE WEST ELEVATION	DWG/REVISION DATE 14 JUL 2014	STAMP	<h1>ICHIBAN</h1> <p>750 MAIN ST. HEBER, UTAH 84032</p>	CONTACT: PATRICK WONG 801 916 8710	 GREEN PLANET ENERGY SYSTEMS INC. 675 ANGIE CIR., MIDVALE, UT 84047-1337 tel 801 567 0072 fax 801 566 9240 greenplanet@att.net
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Heber City Planning Commission
Report by: Anthony L. Kohler
Meeting date: August 14, 2014

Re: Beehive Annexation

Beehive Storage is proposing to annex 12.9 acres of land at 1484 South Industrial Parkway. The property is located within Heber City's Annexation Area, and identified as I-1 Industrial on the General Plan.

ANNEXATION PROCESS

On July 17, the City Council accepted the annexation petition. In August the City Recorder will consider certification of the annexation petition as being consistent with Utah State Code. The protest period for Affected Entities to voice objections to the proposed annexation will likely occur in September. After that, the City Council will hold a public hearing and make a final decision on the proposed Annexation.

The purpose of the Planning Commission's review is to determine if the proposed annexation is consistent with the General Plan and Annexation Policy Plan, provide a recommendation for or against the proposed annexation, and provide recommendations for conditions of annexation.

The petitioner has storage buildings under construction. The fire department is requiring a fire hydrant to be constructed in the development, which necessitates connection to Heber City's culinary water. As a condition of offering this connection, Heber City has asked the petitioner to annex the property into the corporate limits.

AREA DESCRIPTION

Beehive Annexation sits to the west of the existing city limits. The property is bounded on the north by the City-County Flood Control Channel, on the west by the Heber Valley Special Service District Sewer Fields, the south by a larger unincorporated residential lot with a home in the County, and on the east by Industrial Parkway. Existing residential homes in the I-1 Industrial Zone within Heber City sit to the northeast.

The property slopes to the north west at about a 2 percent slope. 12 existing indoor storage buildings exist on the property plus an existing care taker home.

SOILS AND FLOOD HAZARDS

No FEMA Flood Zones exist, but the City-County Flood Channel is a designated FEMA Flood Channel. The area generally has low groundwater and no known wetlands. The USDA Soil Survey identifies Holmes Cobbly Sandy Loam (Hk), Holmes Gravelly Loam (Hr), and Kovich Loam, deep water table variant (Km) soils on the property. These soils generally have good development characteristics, but may have some potential for frost action and potential for shallow groundwater in the Kovich soils.

UTILITIES AND EASEMENTS

A 36 inch sewer exists within the western half of Industrial Parkway, with 2 existing unused sewer laterals stubbed to the property. An 8 inch water line is available in the eastern half of Industrial

Parkway. Irrigation lines exist to the west on the sewer fields. The existing caretaker home is serviced by a septic tank and well. There does not appear to be any utility easements on the property.

LANDUSE

The property should be zoned I-1 Industrial to be consistent with the General Plan. Residential zoned properties exist to the north of the storage sheds across the flood zone, and Mixed Use Residential-Commercially zoned properties exist to the east across Industrial Parkway. The 4 existing homes adjoining the property along Industrial Parkway to the north are non-conforming homes located within the I-1 Industrial Zone.

The property has received a master site plan approval by Wasatch County. Most of the site is built out, but there are still about 7 future building sites on the rear (west) of the property. The city's I-1 Industrial Zone permits Storage Sheds.

NON-CONFORMING LANDUSE

The property will be nonconforming to the I-1 Industrial Zone for the following issues:

- 1) The frontage has a chain link fence (Section 18.44.060 E).
- 2) Some of the frontage lacks 10 feet of landscaping (Section 18.44.040);
- 3) Trees are not planted along all of the street frontage (Section 18.44.060 A);
- 4) The frontage fence is not setback behind the landscaping (Section 18.44.060 E.); and
- 5) Some of the buildings facing the street lack dormers and brick on the wall facing the street (Section 18.44.060 F. and G.)

The county's approved site plan for 7 new buildings is consistent with the requirements of the city's I-1 Industrial Zone. Since the new buildings are located far back from the street frontage, the 5 aforementioned items will not need to be brought up to the current code.

TRANSPORTATION

The future truck route traverses through the north part of the property. Wasatch County has the first right of refusal to purchase that property. Wasatch County has asked that the city assume the responsibility to acquire the property once it is annexed. A future trail is planned along the truck route.

FINANCIAL AND UTILITY ISSUES

All necessary utilities are available to the property. The septic tank and well serving the home are functioning properly and will not need to be replaced by a sewer and culinary water connection until or unless the Health Department deems those connections necessary.

The street right of way width is 66 feet, while the adopted standard for this Major Collector Street is now 72 feet, necessitating an additional 3 feet of property to facilitate the full curb and gutter, asphalt, and sidewalk street cross section. The right of way lacks full curb and gutter, asphalt, and sidewalk. Since the property is already developed, the city should discuss what mechanisms would be fair for completion of these street improvements in the future. With the property being industrial, the city should discuss whether sidewalk should be constructed along the frontage.

The residential care taker unit is served by above an above ground power line. The frontage does not have above ground power lines. The lights on each building are provided power through underground lines.

The property will be assessed for property tax purposes at full value since it is a non-residential property, which will benefit the city by approximately \$5,000 per year. Additional revenues will come to the city in the form of building permit revenue and impact fees. Negative financial impacts to the city will occur in the form of additional Police Service, Zoning, and street maintenance on Industrial Parkway.

ANNEXATION MAP

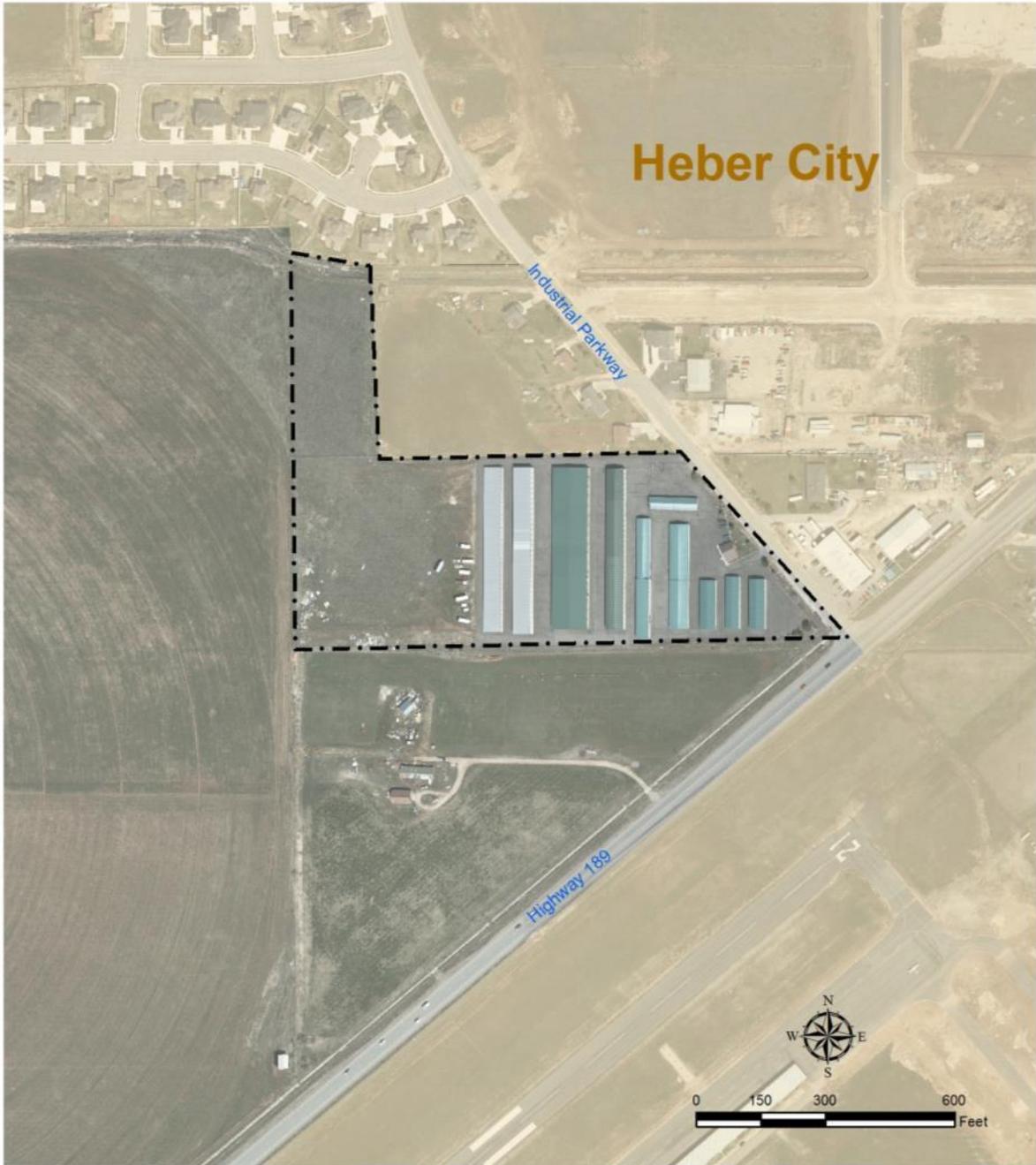
The proposed annexation plat leaves a small unincorporated peninsula between Alpine Meadows to the north and the property within the City-County Flood Channel. This area should be annexed.

RECOMMENDATION

The proposed annexation is consistent with the Heber City Annexation Policy Plan and General Plan. Recommended conditions of annexation include the following:

1. The property should be zoned I-1 Industrial, consistent with the General Plan.
2. The city should recognize Wasatch County's approved site plan for development of the site.
3. Petitioner should provide water rights for any future development of the property that necessitates water rights.
4. The City should be given the 1st right of refusal to purchase the truck route on the north side of the property.
5. The proposed annexation should include annexation of the City-County Flood Channel to the north of the property.

Beehive Storage Location



Looking North from Highway 189 and Industrial Parkway



Beehive Storage Caretaker Dwelling



Looking South at Beehive Storage



Chapter 18.44 I-1 Industrial Zone

Section 18.44.010 Objectives--Characteristics.

A. The I-1 industrial zone has been established for the primary purpose of providing a location where manufacturing, processing, warehousing and fabrication of goods and material can be carried on most appropriately and with minimum conflict or deleterious effects upon surrounding properties. Other objectives in establishing the zone are to promote the economic well-being of the people and to broaden the tax base.

B. This zone is characterized by a mixture of industrial, manufacturing and processing establishments with intermittent open land that is served by streets, power, water and other utilities and facilities or where such facilities can be readily provided.

C. In order to accomplish the objectives and purposes of this title and to stabilize and protect the essential characteristics of this zone, the regulations set out in this chapter shall apply in the I-1 industrial zone.

Section 18.44.020 Permitted Uses.

The following buildings, structures and uses of land shall be permitted in the I-1 Industrial Zone upon compliance with requirements as set forth in this Section:

- A. Accessory buildings and parking lots incidental and accessory to other permitted uses;
- B. Agriculture, farm machinery storage sheds, vegetable and fruit packing and processing plants, and livestock raising;
- C. Airport and associated activities;
- D. Earthmoving and equipment storage, gas and oil storage facilities, public buildings and public utility buildings, craft shops, and accessory signs;
- E. Caretakers' dwellings when incidental to the use located on the same lot or parcel of land as a principal use permitted in the zone. Caretaker dwellings allowed in the I-1 Zone shall not exceed 1100 square feet when such building is compatible with the use of the business, and is located within the same building and built in accordance with all Uniform Building Codes. They shall have access to a public road. Caretaker dwellings may be included as part of the building provided the occupancy separation required by the current building codes between the dwelling and the rest of the building does not exceed a two (2) hour fire resistant construction;
- E. Fences, walls and hedges;
- F. Manufacturing, compounding, processing, packaging, fabrication and warehousing of goods and materials, except the processing of animal byproducts and livestock feed yards, and except steel manufacturing plants, oil refineries, wallboard manufacturing and similar establishments which emit offensive fumes, smoke, noise, odor, etc.;
- G. Retail commercial uses and cafes; however, no retail commercial transaction nor business may be conducted within a storage shed.
- H. Scenic railroads and railroad maintenance yards;
- I. Water wells, utility transmission lines, dams, pumping plants, power plants, sewage treatment plants subject to review and approval of the State Division of Health;
- J. Commercial storage sheds; however, no commercial transaction nor business may be conducted within any storage shed.
- K. Nursery schools, family day care, mini-day care, or day care centers as a secondary use if they meet the conditions set forth in Chapter 18.86.
- L. Other uses ruled by the Board of Adjustment to be similar to uses specifically permitted in the zone and which will harmonize with the objectives and characteristics of the I-1 Industrial Zone.

Section 18.44.025 Conditional Use

The following use of land shall be permitted in the I-1 Industrial Zone as a conditional use but only if in compliance with the requirements as set forth in this ordinance and such other provisions of the Heber City Municipal Code as may be applicable.

A. Public Facilities for Special Events. Public Facilities for Special Events is defined as follows: A parcel used for overnight parking and lodging using RVs, travel trailers, temporary housing units, in conjunction with governmentally sanctioned, or sponsored public events.

Section 18.44.030 Area Requirements.

A. There is no minimum lot area requirement and the maximum building size in the I-1 Industrial Zone is 150,000 square feet for non-retail buildings, except as may be dictated by off-street parking requirements, adequate circulation, setbacks, building codes, landscaping requirements and property site utilization.

B. Each project approved under this section must be fully located within the I-1 industrial Zone.

C. Limitations of Buildings Used for Retail Business.

1. Findings. The Heber City Council makes the following findings:

a. One main intention of the Heber City Council in limiting the gross floor area of buildings used for retail business is to incorporate those goals and directives of the Heber City General Plan, including but not limited to those specific directives and provisions which identify the importance of and intentions surrounding the City center addressed in said General Plan.

b. The Heber City Council adopted the Heber City General Plan to guide and direct future development and land use decisions in Heber City.

c. The Heber City General Plan evidences the community's goals and objectives for the future of Heber City, and identifies the old town as the heart of the community, and makes the development and preservation of the City center critical to the General Plan's vision for Heber City's future.

d. The Heber City General Plan contemplates building on Heber's strengths from the inside out, by focusing on the City center including the existing central business district.

2. Gross floor limitation, I-1 Zone.

Retail establishments shall not exceed 60,000 square feet of gross floor area within the I-1 Zone. No retail establishment shall be permitted to place any one building or any combination of buildings that exceed 60,000 square feet within said Zone. In no event shall any retail establishment, corporation, business, or entity have one or more buildings within less than 1,000 feet of each other, wherein the building or buildings would exceed a total of 60,000 square feet. Attempts to circumvent or exceed this maximum, 60,000 square feet, shall be strictly prohibited.

3. Definitions. The following definitions shall apply to this Section, 18.44.030:

a. "Retail Establishments" means retail business or businesses, conducted in two or more buildings, where the retail business or businesses:

i. are engaged in the selling of similar or related goods, wares or merchandise, and operate under common ownership or management, or

ii. share check stands, storage facilities, a warehouse, or a distribution facility, or

iii. otherwise operate as associated, integrated or co-operative business enterprises under common ownership or management.

b. "Combination of Buildings" means two or more buildings that are within 1,000 feet of each other as measured from the outside exterior walls of two of the buildings.

c. "Common Ownership or Management" means owned, leased, possessed, managed or otherwise controlled, in any manner, directly or indirectly,

i. by the same individual(s) or entity(ies), including but not limited to corporation(s), partnership(s), limited liability company(ies) or trust(s), or

ii. by different individuals or entities, including but not limited to corporations, partnerships, limited liability companies or trusts where such individual(s) or entity(ies) have a controlling ownership or contractual right with the other individual(s) or entity(ies) with respect to the retail businesses, or where the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent, stockholder, director, member, officer or trustee of the entity(ies).

d. "Gross Floor Area" shall mean the sum of:

i. the total horizontal area, in square feet, of all floors of a building, as measured at outside the exterior walls and including all interior courtyards, and

ii. the total horizontal area, in square feet, of all portions of the site outside of the exterior walls of buildings used for the display, storage, or sale of any goods, wares or merchandise. For the purpose of this section an interior courtyard means a space bounded on three or more sides by walls but not a roof.

e. "Retail Business" means a business engaged in the sale of goods to individual consumers, usually in small quantities, and not to be placed in inventory for resale. A retail business does not include: (a) health centers, governmental uses, community centers, theaters, or religious or fraternal uses, or (b) a business where retail sales are an incidental or accessory use to the primary use. This definition shall not include churches, public schools, hospitals, public civic centers or public recreational facilities, or other facilities owner by, or operated strictly for the benefit of, the public.

Section 18.44.040 Setback Requirements.

In the I-1 zone, all buildings shall be set back at least fifty-five (55) feet from the center of any road or thirty (30) feet from the right-of-way line, whichever is the greater distance. On a corner lot, the side setback shall be fifty-five (55) feet from the center of any road or thirty (30) feet from the right-of-way property line, whichever is the greater distance. A ten (10) foot wide landscaped berm is required along all public right-of-way frontages. In the event of competing set back requirements as a result of building code restrictions, the most restrictive shall govern.

Section 18.44.050 Height and Size Requirements.

All buildings in the I-1 Industrial Zone shall be limited in height to thirty-five (35) feet. No buildings taller than thirty-five (35) feet shall be permitted in the I-1 Industrial Zone except as recommended by the Planning Commission pursuant to approval as a conditional use and approved by the City Council.

Upon application for a conditional use to exceed the thirty-five (35) foot height limitation for developments, the Planning Commission shall consider at a minimum, but shall not be limited to the following mitigating options and building restrictions as requirements for such conditional use permits.

- 1) Airport land zone height restrictions.
- 2) Proximity to residential zones.
- 3) Access to solar, air, and light for nearby properties.
- 4) Building design (roof height step downs, eaves).
- 5) Roof design.
- 6) Aesthetics.
- 7) Compatibility with adjoining properties.

Section 18.44.060 Special Provisions.

A. Trees shall be planted along all street frontages. The trees should be planted at least every twenty (20) feet.

B. All developments shall have driveway access off of a public right-of-way. Open access frontages will not be permitted.

C. All storage doors, entrances into storage and warehousing areas, and parking in storage and warehouse developments should be located on internal private streets, not located on a public street. Internal private streets, shall be constructed at a width sufficient to allow movement of all anticipated

vehicles, including fire and other emergency vehicles. Each development of this type shall be reviewed by the Heber City Fire Marshall and must meet this requirement, as evidenced by a letter from the Fire Marshall. It is the responsibility of the applicant to demonstrate that adequate traffic flow can be accomplished.

D. All storage and warehouse developments shall be fenced in a manner which will provide adequate security and a deterrent from public access. Fences shall be kept in good repair.

E. Fencing in the front setback shall not be chain link. Materials should be compatible with the materials and colors used in the construction of the structures within the development. Fences shall be constructed from wood, stone, brick, wrought iron or other material used in the construction of the building or buildings within the development. Fences in the front setback shall be placed behind the ten (10) foot landscaped berm along the public right-of-way.

F. The building elevation facing a public right-of-way shall have multi-pitched roof lines through the use of dormers and gables, or the like, whether real or false facade.

G. Developments shall use natural materials and colors such as brick (not intended to be defined as cinder block), wood siding, stucco, or other attractive materials on at least fifty (50) percent of the building facing a public right-of-way.

H. All outdoor lighting shall be shielded to direct light and glare only onto the premises.

I. On-site vehicle circulation shall be provided by hard surfaced driveways having a minimum of twenty-five (25) feet in width.

Section 18.44.065 Compatibility with Residential Zones

When any industrial building or use adjoins any residential zone, a setback area containing a landscaped berm of at least four (4) foot tall and/or a six (6) foot site obscuring fence shall be erected as a buffer between all industrial and residential zones, as determined by the Planning Commission. In the event the Planning Commission elects to require a landscaped berm, such berm shall contain evergreen trees at least four (4) foot tall and deciduous trees having a caliper of at least three (3) inches. In determining whether to require a fence, berm, or both, the Planning Commission shall consider at a minimum, but shall not be limited to the following factors:

- 1) Compatibility with adjoining properties.
- 2) The future use of the land.
- 3) Intensity of industrial use.
- 4) Proximity of residential units.
- 5) Additional landscaping and screening.
- 6) Fences and setbacks being used.

Section 18.44.070 Supplementary Requirements.

See also supplementary requirements and procedures applicable within the I-1 Industrial Zone.

Douglas F. White

ATTORNEY AT LAW

630 East South Temple
Salt Lake City, Utah 84102-1102

(801) 819-3606
FAX: (801) 296-1754

June 25, 2014

Mark Anderson
City Manager
25 North Main
Heber City, Utah 84032

RE: Petition for Annexation

Dear Mr. Anderson,

Please find the enclosed Petition for Annexation based upon our recent discussions. I am requesting that this matter be placed on the Heber City Council agenda as soon as possible.

You will note that the survey performed by Property Design, LLC attached to the petition is completed but not yet signed. Charlye Beech of Property Design, LLC has indicated that this is their normal procedure in an annexation case. They want the city officials to review the survey first and will make any requested changes before signing it. She can be contacted at 801-495-2541, propertydesignllc@gmail.com, or you may contact me directly.

Sincerely,


Douglas F. White

cc: Beehive Storage, LLC

PETITION FOR 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 and is described in the attached **Exhibit A** and located _____
1484 Industrial Parkway
HEBER, UTAH SEE PLAT MAP & TAX NOTICES FOR LEGAL
(briefly describe street address and/or location) Description

4. Title to the property by those signing this petition is as shown in the deeds or title report attached hereto as **Exhibit B**. (Copies of the deeds or title report must accompany this petition.)

5. The manner in which it was established that at least 1/3 of the value of all the private property sought to be annexed is owned by the signers of this petition is shown in the attached **Exhibit C**.

6. The **total** acres and **total** assessed value of **all** the lands sought to be annexed are 12.8622 acres and \$ 1,800,729 assessed value; and the ownership interests and assessed values of the lands owned by the signers of this petition are as follows:

<u>RECORD OWNER</u>	<u>NO. OF ACRES</u>	<u>ASSESSED VALUE</u>	<u>WASATCH COUNTY TAX NUMBER</u>
<u>BEEHIVE STORAGE, LC</u>	<u>2.7057</u>	<u>638,028</u>	<u>1577-0-007-045</u>
<u>BEEHIVE STORAGE, LC</u>	<u>10.1585</u>	<u>1,162,701</u>	<u>1576-0-007-045</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

7. The petitioners have caused an accurate plat or map of the above-described property to be prepared by a licenses surveyor, which plat or map is filed herewith;

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 petitioners request the property, if annexed, be zoned Industrial ;

11. 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 are as follows and shown as Exhibit D (use additional paper, if necessary):

12. Per the Heber City Annexation Policy Plan, a Concept Plan is attached as **Exhibit E**. 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.

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.

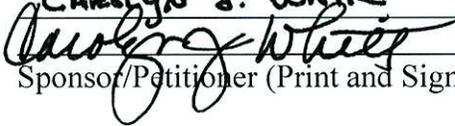
DATED this 25th day of June, 2014.

PETITIONER(S)

ADDRESS AND PHONE NUMBER

BEE HIVE STORAGE, LLC

Contact Sponsor/Petitioner (Print and Sign Name)

Carolyn J. White


3282 S. SUNSET HOLLOW DRIVE
BOUNTIFUL UTAH 84010
801-819-3606

Sponsor/Petitioner (Print and Sign Name)

Sponsor/Petitioner (Print and Sign Name)

Sponsor/Petitioner (Print and Sign Name)

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Petitioner (Print and Sign Name)

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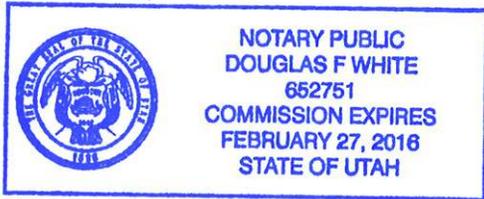
Designate at least one but not more than five of the signers of this petition as "Sponsors", one of whom must be designated as the "Contact Sponsor", and provide the mailing address and phone number of each sponsor. Any person signing in behalf of a corporation or LLC must show and provide verification that they are authorized to sign for said corporation or LLC and sign as designated on such authorization. We are asking that each signature be notarized. SEE EXHIBIT F.

State of UTAH
County of DAVIS

On this 25 day of JUNE, 2014,
personally appeared before me,

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.



Douglas F. White
Notary Public

My Commission Expires: _____

State of _____
County of _____

On this _____ day of _____, _____,
personally appeared before me,

_____ 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.

Notary Public

My Commission Expires: _____



**Karl McDonald
Wasatch County Treasurer**

25 North Main Heber City, Utah 84032
Office Hours Are 8:00 A.M. To 5:00 P.M.
Closed November 11, 28 & 29 2013
Telephone (435) 657-3217

TAX DUE DECEMBER 2, 2013

MAIL TO

*****AUTO**SCH 3-DIGIT 840 B1 389 2/2-P3 T3 850



00-0009-1046 / OWC-1577-0-007-045
BEEHIVE STORAGE LC
3282 SUNSET HOLLOW DR
BOUNTIFUL UT 84010-0000

2013 Tax Notice

Back Taxes - Separate Check Required

NO BACK TAXES OUTSTANDING

Tax District

012 - COUNTY OUTSIDE DISTRICT

Mortgage Company

NO REQUESTING COMPANY

Partial Property Description

CO-ORDINATE SURVEY: BEG S 1308.52 FT & W1425.45 FT FR NE COR SEC 7, T4S, R 5E, SLM; S49°49'22"W 18.07 FT; S89°35'54"W 433.62 FT; N00°28'49"E 427.07 F T; N88°28'36"E 93.2 FT; S40°12'30"E 543.19 FT TO BEG. AREA: 2.7037 ACRES

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12 LOCAL A&C	0.000126	80.39
14 STATE A&C	0.000158	100.81
15 COUNTY BONDS	0.000199	126.97
19 BASIC ST SCHOOL LEVY	0.001535	979.37
20 WASATCH CO SCHOOL DIST	0.004498	2,869.85
21 SCHOOL DIST BOND	0.001577	1,006.17
23 HEALTH	0.000128	81.67
30 COUNTY FIRE	0.000244	155.68
31 PARK & REC BOND	0.000043	27.44
32 PARK & REC GENERAL	0.000293	186.94
72 LIBRARY	0.000220	140.37
90 CENTRAL UTAH WATER CONSERVANCY	0.000446	284.56
	0.011165	7,123.58

#643

Prepayments Abatements Total Tax Due

GUARANTEE PAYMENT WITH: INSTANT PAYMENTS
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MAIL TO

*****AUTO**SCH 3-DIGIT 840 B1 389 1/2-P3 T3 849
 00-0009-1038 / OWC-1576-0-007-045
BEEHIVE STORAGE LC
 3282 SUNSET HOLLOW DR
 BOUNTIFUL UT 84010-3213

Property Type	Acres/Count	Market Value	Taxable Value	Tax Amount
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21 SCHOOL DIST BOND	0.001577	1,833.58
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31 PARK & REC BOND	0.000043	50.00
32 PARK & REC GENERAL	0.000293	340.67
72 LIBRARY	0.000220	255.79
90 CENTRAL UTAH WATER CONSERVANCY	0.000446	518.56
	0.011165	12,981.55

#6414

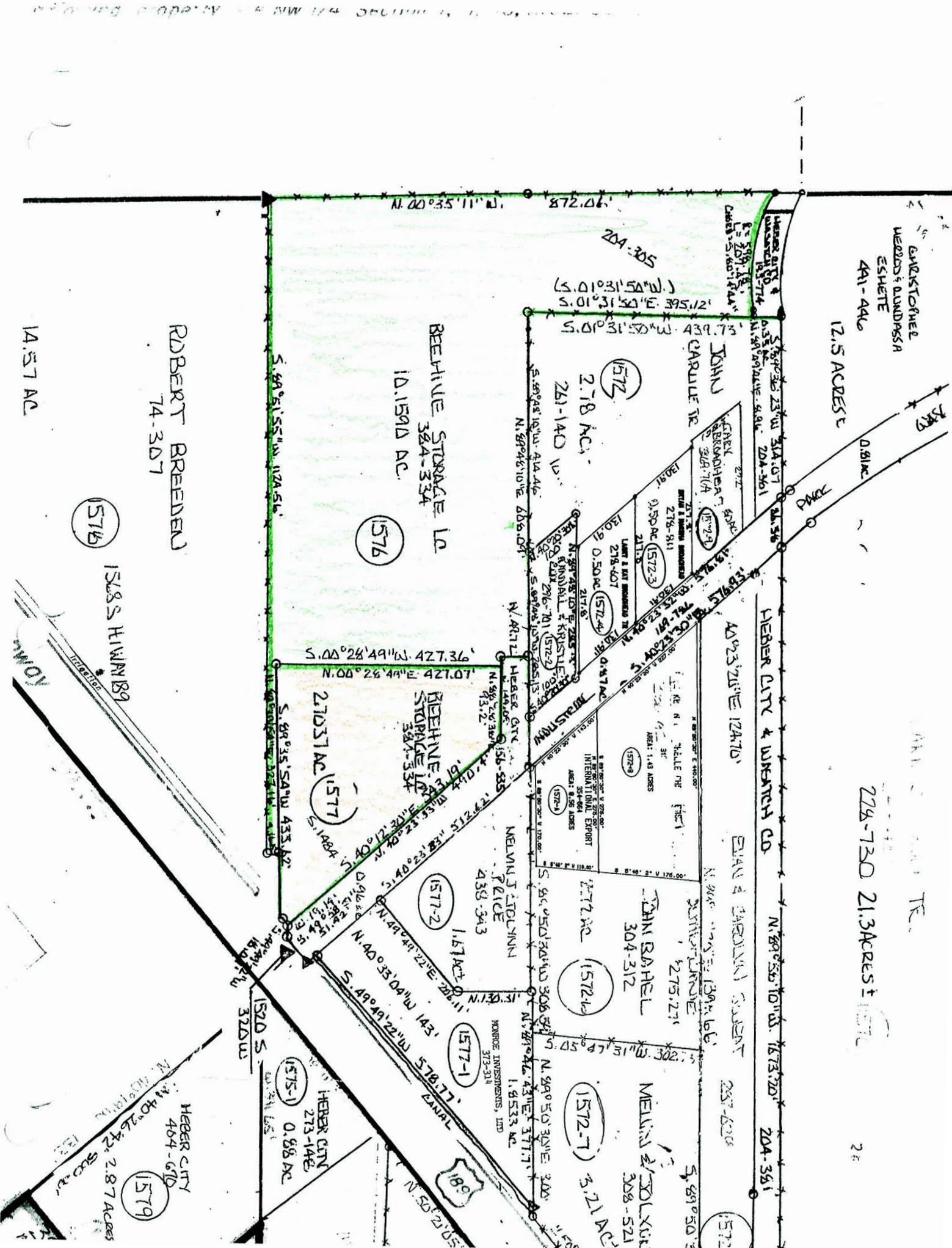
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CHARLOTTE
WENDY & LINDASSA
ESHETE
441-446

12.5 ACRES

228-720 21.3 ACRES

22

HEBER CITY & WENATCH CO

40°23'21"E 1247.0'

ELIAN & CAROLYN SUENT

204-361

204-305

(S. 01°31'50"W) 439.73'
(S. 01°31'55"E) 395.12'

1572

2.78 AC

1571

2.78 AC

1570

2.78 AC

1573

2.72 AC

1574

3.21 AC

1575

3.21 AC

BEEHIVE STORAGE LD
384-334

10.1590 AC

1576

BEEHIVE STORAGE LD
384-334

2.7037 AC

1577

1578

1.61 AC

1579

0.88 AC

1580

0.88 AC

ROBERT BREEDEN
74-307

1576

1588 S. HILWIN B9

1579

HEBER CITY
404-670

2.87 ACRES

14.57 AC

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Form No. 1402.92
(10/17/92)
ALTA Owner's Policy



POLICY OF TITLE INSURANCE



ISSUED BY

First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark R. Arnesen* SECRETARY

J^{UT} 112963

SCHEDULE A

Policy No. 28396.0

Order No. W-38927

Amount of Insurance \$1,080,000.00

J 112963

Premium \$2,500.00

Date of Policy: June 1, 1998 at 16:14 P.M.

1. Name of Insured:

**BEEHIVE STORAGE, L.C.,
a Utah Limited Liability Company**

2. The estate or interest in the land which is covered by this policy is:

FEE SIMPLE

3. Title to the estate or interest in the land is vested in:

**BEEHIVE STORAGE, L.C.,
a Utah Limited Liability Company**

4. The land referred to in this policy is situated in the State of Utah, County of Wasatch, and is described as follows:

(Parcel 1)

Beginning at a point located West 33.92 feet and South 866.46 feet from the North Quarter Corner of Section 7, Township 4 south, Range 5 East, Salt Lake Base and Meridian, said point being a point on an existing fence line and the Grantor's West property line and running thence along said fence and West line North 0°35'11" West 432.37 feet to an existing fence line and the Grantor's North property line; thence along said fence and North line and the arc of a 598.78 foot radius curve to the left 207.45 feet (chord bears South 80°14'44" East 206.41 feet); thence continuing along said fence North 89°49'46" East 8.96 feet to an existing fence and the Grantor's East property line; thence along said fence and East line South 1°31'50" East 395.12 feet to a fence corner; thence along an existing fence South 89°17'44" West 197.42 feet more or less to the point of beginning.

(Continued)

(Parcel 2)

Beginning at a point located West 33.92 feet and South 866.46 feet from the North Quarter Corner of Section 7, Township 4 South, Range 5 East, Salt Lake Base and Meridian, said point being a point on an existing fence line and the Grantor's North and West property line and running thence along said fence and North line North $89^{\circ}17'44''$ East 197.42 feet to a angle point in the fence; thence along said fence North $89^{\circ}48'10''$ East 608.09 feet to the Grantor's East property line and an existing fence corner; thence along said fence and East line South $0^{\circ}28'49''$ West 427.36 feet to a fence corner; thence along said fence North $89^{\circ}35'54''$ East 327.16 feet to the Grantor's East property line; thence South 16.50 feet to an existing fence line and the Grantor's South property line; thence along said fence and South line South $89^{\circ}51'55''$ West 1124.56 feet to an existing fence and the Grantor's West property line; thence along said fence and West line North $0^{\circ}35'11''$ West 439.69 feet to the point of beginning.

(Parcel 3)

COMMENCING at a point having State Plane Rectangular Coordinates of X:2022468.388 and Y:785263.50 (based on the Lambert Conformal Projection, Utah Central Zone) said point also being South 1308.52 feet and West 1425.45 feet from the Northeast Corner of Section 7, Township 4 South, Range 5 East, Salt Lake Base and Meridian; thence South $49^{\circ}49'22''$ West 18.0 feet; thence South $89^{\circ}35'54''$ West 433.62 feet; thence North $0^{\circ}28'49''$ East 427.07 feet; thence North $88^{\circ}28'38''$ East 93.2 feet; thence South $40^{\circ}12'30''$ East 543.19 feet to the point of beginning.

EXCEPTING therefrom the North 50 feet of Parcel 3, which was deeded to Heber City Corporation June 14, 1983, as Entry No. 129492, in Book 156, at Page 535-536.

SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the company will not pay costs, attorneys' fees or expenses) which arise by reason of:

Section One:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easements or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

Section Two:

7. Taxes for the year 1998, now a lien, not yet due. Tax ID No. OWC-1576 and OWC-1577. (The 1997 Taxes have been duly paid).
8. The property described herein is situated within the boundaries of the Wasatch County Fire District and the Wasatch County Water District No. 1, Special Service District No. 21 and is subject to the charges and assessments thereof.

(As to Parcel 3)

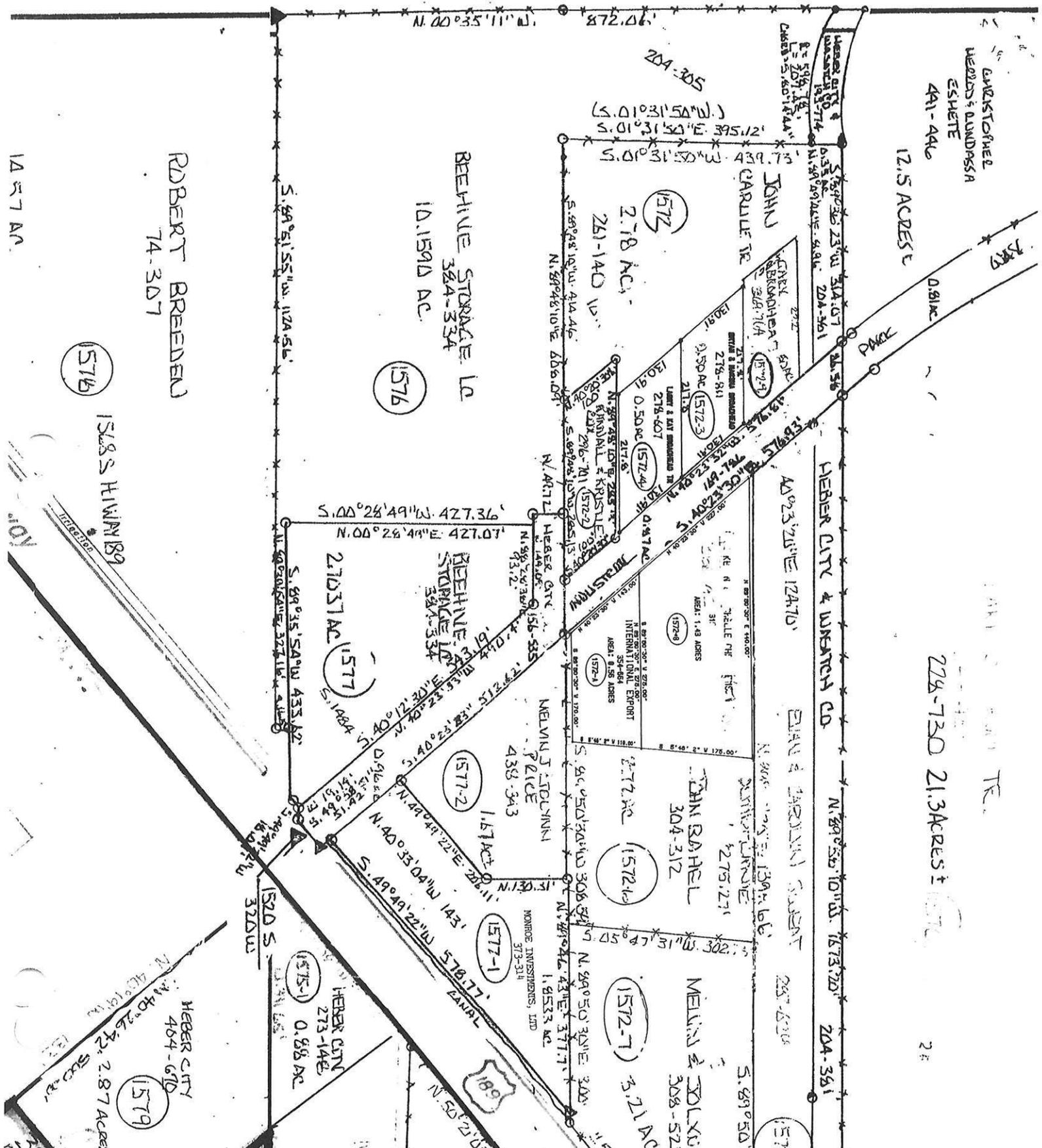
9. A right of way and easement sixteen (16) feet in width to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities, the center line of said right of way and easement shall extend through and across the following described land:

BEGINNING on the Northwest line Hwy. 189 at a point 1418.23 feet West and 127.52 feet North from the Southeast Corner of the Northeast Quarter of the Northeast Quarter of said Section 7; thence North 26°41'04" West 167.93 feet; thence North 70°51'59" West 129.66 feet, as shown by that certain Right of Way and Easement Grant, recorded December 18, 1976 as Entry No. 108733 in Book 109 at Page 207 of Official Records,
EXECUTED BY: FERRIS CLEGG and MAURINE CLEGG, also known as MAURINE L. CLEGG, his wife, and ROBERT W. GALL and WILLA J. GALL, his wife,
IN FAVOR OF: MOUNTAIN FUEL SUPPLY COMPANY

10. A Deed of Trust given to secure the amount of \$300,000.00 and any other amounts payable under the terms thereof, dated May 28, 1998 and recorded June 1, 1998 as Entry No. 203713 in Book 384 at page 336-343 of Official records,
TRUSTOR : BEEHIVE STORAGE, L.C., a utah limited liability company
TRUSTEE : FIRST AMERICAN TITLE COMPANY OF UTAH, a Utah corporation
BENEFICIARY : JOHN and ELIZABETH MCCOY BAHREL

* * *

DJ/lt
6/19/98



GARSTORFER
 HELOD'S LUNDSSA
 ESQUETE
 4A1-4A6
 12.5 ACRES

ROBERT BREEDEN
 74-307

1588 HILWAY RD

228-730 21.3 ACRES

HEBER CITY & WINTATCH CO

ELAN & JORDAN SUBENT

JOHN RAHEL
 304-312

MELVIN & JOLYNN
 308-521

BEEHIVE STORAGE LD
 384-334
 10.1590 AC

BEEHIVE STORAGE LD
 384-334
 2.7031 AC

MELVIN J. JOLYNN
 POLICE
 438-343

MONROE INVESTMENTS, LTD
 373-314
 1.8533 AC

HEBER CITY
 484-670

HEBER CITY
 273-142
 0.88 AC

HEBER CITY
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LR01 PRIMARY LAND	1.00	74,375	40,906	456.72
Total Property Value & Taxes	2.70	704,266	638,028	7,123.58

* * Values are a detailed listing of greenbelt classifications. This listing is provided for informational purposes only.

THIS OFFICE WILL NOT BE RESPONSIBLE IF YOU PAY ON PROPERTY OTHER THAN YOUR OWN.

TAXES HEREIN ENUMERATED FOR THE CURRENT YEAR ARE DUE AND PAYABLE IN OUR OFFICE; LAST NOTICE REQUIRED BY LAW.

Taxing Unit/Entities - Budget Hearing Date, Time & Location	Tax Rate	Tax Amount
10 GENERAL FUND	0.001698	1,083.37
12 LOCAL A&C	0.000126	80.39
14 STATE A&C	0.000158	100.81
15 COUNTY BONDS	0.000199	126.97
19 BASIC ST SCHOOL LEVY	0.001535	979.37
20 WASATCH CO SCHOOL DIST	0.004498	2,869.85
21 SCHOOL DIST BOND	0.001577	1,006.17
23 HEALTH	0.000128	81.67
30 COUNTY FIRE	0.000244	155.68
31 PARK & REC BOND	0.000043	27.44
32 PARK & REC GENERAL	0.000293	186.94
72 LIBRARY	0.000220	140.37
90 CENTRAL UTAH WATER CONSERVANCY	0.000446	284.56
	0.011165	7,123.58

#643

Prepayments Abatements Total Tax Due

GUARANTEE PAYMENT WITH: INSTANT PAYMENTS

Through the Wasatch County Website www.co.wasatch.ut.us

(Electronic Funds Transfer, VISA, Master Card, Discover, FEES APPLY)

NOTE: Debit or Credit cards are not accepted in the office.

OAL-0001-0-007-045 / 00-0020-0641
TITCOMB BRENT R & JULIE (JT)
1257 S PANGAEA COR
HEBER CITY UT 84032-0000

OAL-0004-0-007-045 / 00-0020-0644
MYERS BRIAN THOMAS
604 W 1250 S
HEBER CITY UT 84032-0000

OAL-0024-0-007-045 / 00-0020-0664
PEAVY KAREN LYNN
625 W 1250 S
HEBER CITY UT 84032-0000

OAL-0025-0-007-045 / 00-0020-0665
GRAY JON T
GRAY GLENDA L
599 W 1250 S
HEBER CITY UT 84032-0000

OAL-0026-0-007-045 / 00-0020-0666
WAGSTAFF JONATHAN D
WAGSTAFF JESSICA J (JT)
PO BOX 772
MIDWAY UT 84049-0772

OAL-0027-0-007-045 / 00-0020-0667
ROWLEY THOMAS H & REBECCA (JT)
567 W 1250 S
HEBER CITY UT 84032-0000

OAL-0028-0-007-045 / 00-0020-0668
JENTZSCH KARIN
551 W 1250 S
HEBER CITY UT 84032-0000

OAL-0029-0-007-045 / 00-0020-0669
FLINDT HERBERT & JODEE (JT)
710 NORTHCREST DR
SALT LAKE CITY UT 84103-0000

OWH-2169-0-008-045 / 00-0020-6550
RICHARDSON MORGAN S
2350 S BAXTER DR
HEBER CITY UT 84032-0000

OHE-1575-1-007-045 / 00-0014-6550
HEBER CITY
75 N MAIN ST
HEBER CITY UT 84032-0000

OHE-1579-0-007-045 / 00-0016-5436
HEBER CITY CORPORATION
75 N MAIN ST
HEBER CITY UT 84032-0000

OHE-1595-0-007-045 / 00-0009-1236
HEBER CITY CORPORATION
75 N MAIN ST
HEBER CITY UT 84032-0000

OHE-2020-0-007-045 / 00-0020-8360
PARK CITY PROPERTIES LLC
2995 AIRWAY AVE.
COSTA MESA CA 92626-0000

OHE-2021-0-007-045 / 00-0020-8361
PAYAN MARTIN
PAYAN ANA I
1390 SOUTH INDUSTRIAL PARK WAY
HEBER CITY UT 84032-0000

OHE-2022-0-007-045 / 00-0020-8362
PARK CITY PROPERTIES LLC
2995 AIRWAY AVE.
COSTA MESA CA 92626-0000

OHE-2023-0-007-045 / 00-0020-8363
BROADHEAD KAYE C TR
1370 INDUSTRIAL PARK WAY
HEBER CITY UT 84032-0000

OHE-2024-0-007-045 / 00-0020-8364
MONROE INVESTMENTS LTD
PO BOX 581
HEBER CITY UT 84032-0000

OHE-2026-0-007-045 / 00-0020-8366
BELLOWS LEE A
BELLOWS JUDY
1365 INDUSTRIAL PKWY
HEBER CITY UT 84032-0000

OHE-2027-0-007-045 / 00-0020-8367
BROADHEAD GARY C
BROADHEAD REBECCA M (JT)
1330 INDUSTRIAL PKWY
HEBER CITY UT 84032-0000

OHE-2028-0-007-045 / 00-0020-8368
PRICE MERVIN ALBERT
2949 S DANIELS RD
HEBER CITY UT 84032-0000

OHE-2032-0-007-045 / 00-0020-8372
MONROE INVESTMENT LTD
PO BOX 581
HEBER CITY UT 84032-0000

OHE-2033-0-007-045 / 00-0020-8373
PRICE MELVIN J
PO BOX 581
HEBER CITY UT 84032-0581

OWC-1570-1-007-045 / 00-0012-1892
CROOK CLARK J & PHYLLIS J TR
HEBER VALLEY SPECIAL SERVICE
75 N MAIN ST
HEBER CITY UT 84032-0000

OWC-1576-1-007-045 / 00-0012-1900
EDWARDS CONSTRUCTION CO
HEBER VALLEY SPECIAL SERV DIST
75 N MAIN ST
HEBER CITY UT 84032-0000

OWC-1578-0-007-045 / 00-0009-1053
THREE STRING HOLDINGS LLC
875 S 600 W
HEBER CITY UT 84032-0000

OWC-1599-0-007-045 / 00-0009-1277
GREEN R RAYMOND ETAL
HEBER VALLEY SPECIAL SERV DIST
75 N MAIN ST
HEBER CITY UT 84032-0000

OWC-1601-0-007-045 / 00-0009-1418
EDWARDS CONSTRUCTION CO
HEBER VALLEY SPECIAL SERV DIST
75 N MAIN ST
HEBER CITY UT 84032-0000

REVISION	DATE

STORAGE LAYOUT OPT-1

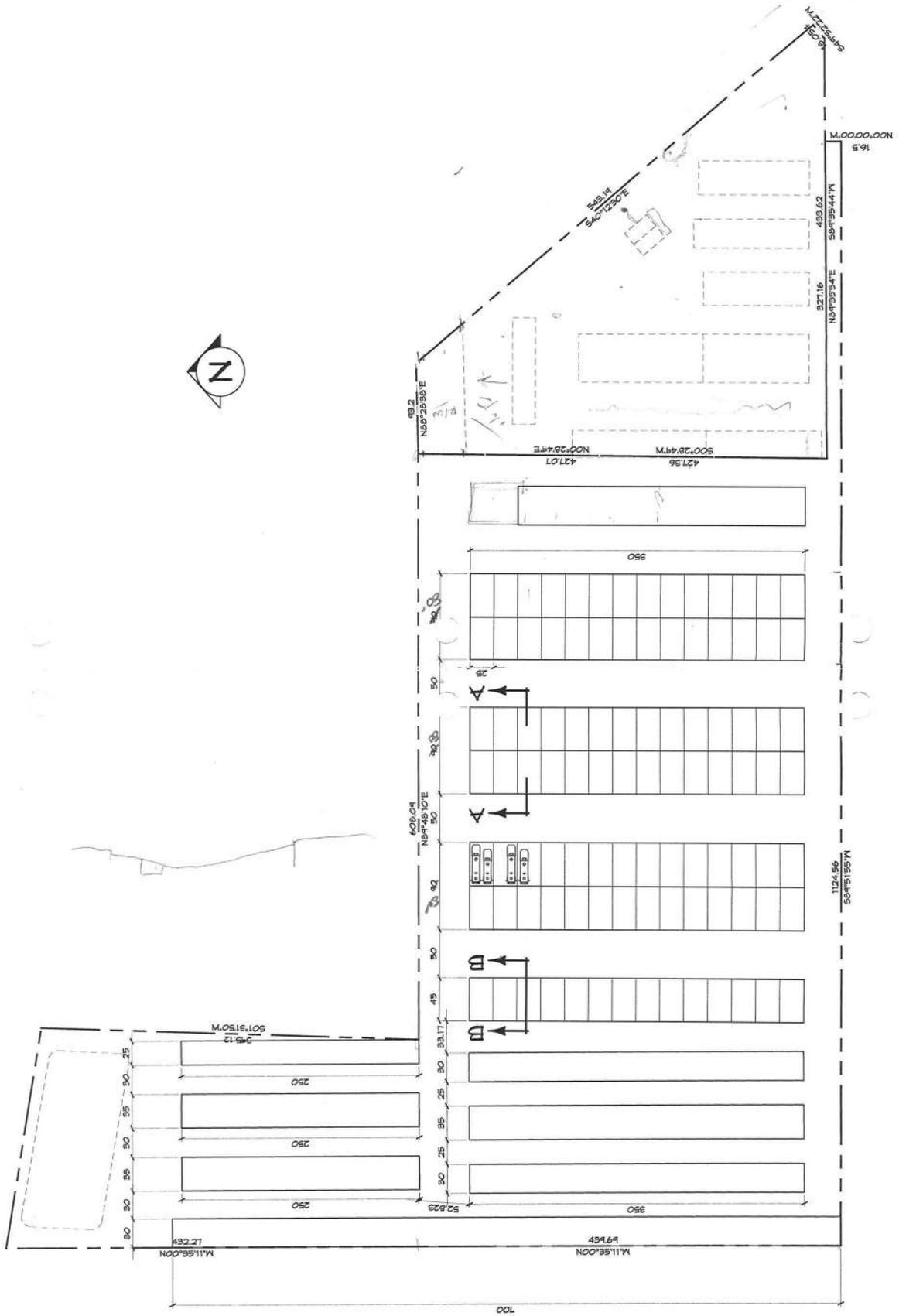
DRAWING NAME:

BEEHIVE SELF STORAGE

HEBER CITY, UTAH



DRAWN BY: TROY NELSEN
 ENGINEER: LYNN BARNETT
 DATE: 4/21/98
 SCALE: B SIZE
 1"=100'
 PROJECT NO: 80393
 DRAWING NO: 80393-SL
 SHEET 1 OF 2



RESOLUTION

June 25, 2014

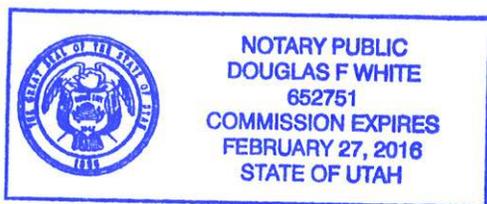
On the 25th day of June, 2014 Beehive Storage, LLC authorized Carolyn J. White, the Manager and CEO of Beehive Storage, LLC to submit a Petition for Annexation to Heber City, Utah. The request for annexation comprises property solely owned by Beehive Storage, LLC and is specifically described as the real property represented by parcel numbers 1577-0-007-045 and 1576-0-007-045 and located in Wasatch County, State of Utah.

Dated June 25, 2014.



Carolyn J. White
CEO
Manager

On the 25th day of June, 2014 Carolyn J. White personally appeared before me as the Manager and CEO of Beehive Storage, LLC and signed the foregoing document.

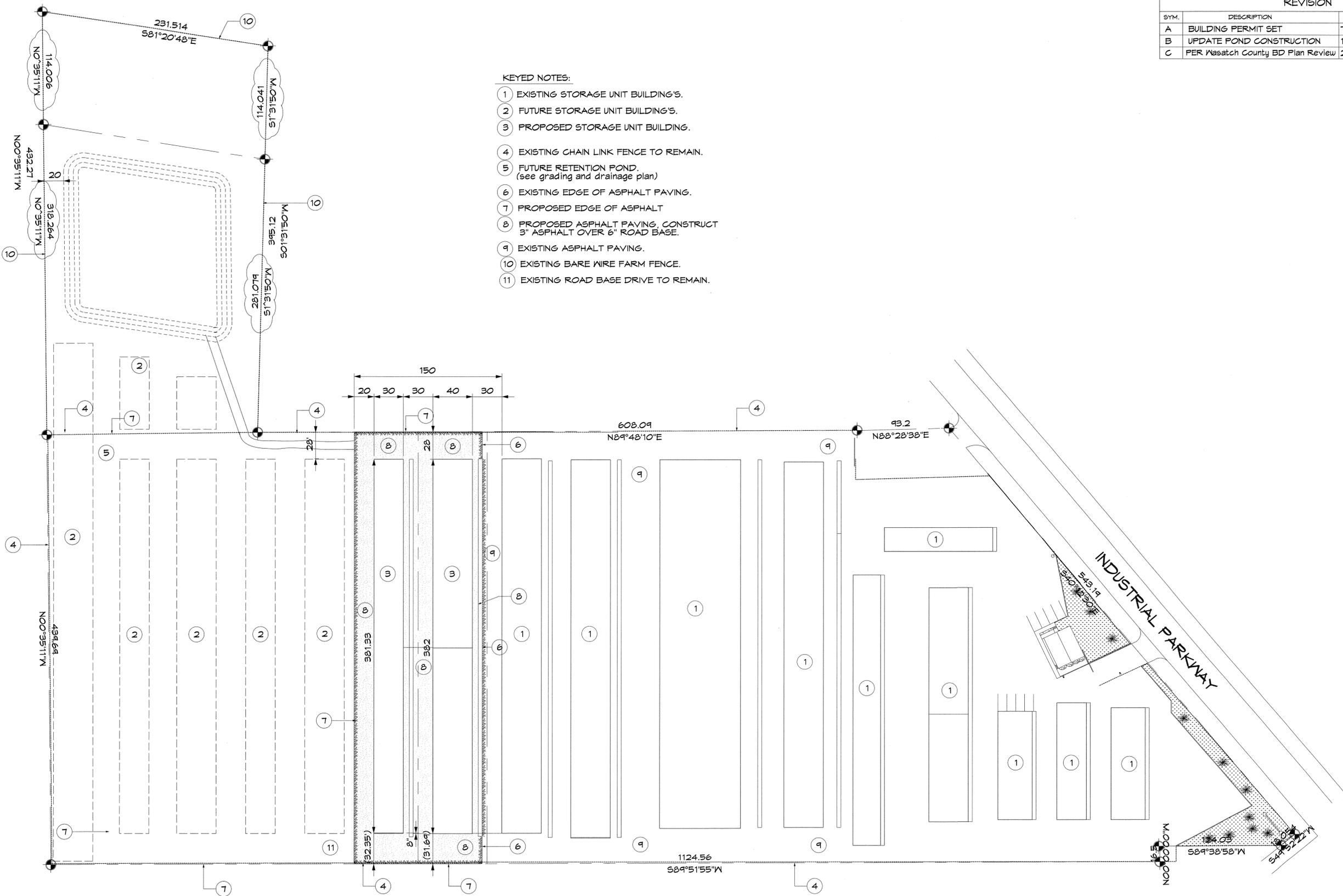


Douglas F. White
Notary

REVISION				
SYM.	DESCRIPTION	DATE	APPROVAL	CAD
A	BUILDING PERMIT SET	7/15/201	BARNETT	TROY
B	UPDATE POND CONSTRUCTION	10/2013	BARNETT	TLN
C	PER Wasatch County BD Plan Review	2/11/14	BARNETT	TROY

KEYED NOTES:

- 1 EXISTING STORAGE UNIT BUILDING'S.
- 2 FUTURE STORAGE UNIT BUILDING'S.
- 3 PROPOSED STORAGE UNIT BUILDING.
- 4 EXISTING CHAIN LINK FENCE TO REMAIN.
- 5 FUTURE RETENTION POND. (see grading and drainage plan)
- 6 EXISTING EDGE OF ASPHALT PAVING.
- 7 PROPOSED EDGE OF ASPHALT
- 8 PROPOSED ASPHALT PAVING, CONSTRUCT 3" ASPHALT OVER 6" ROAD BASE.
- 9 EXISTING ASPHALT PAVING.
- 10 EXISTING BARE WIRE FARM FENCE.
- 11 EXISTING ROAD BASE DRIVE TO REMAIN.



SITE PLAN



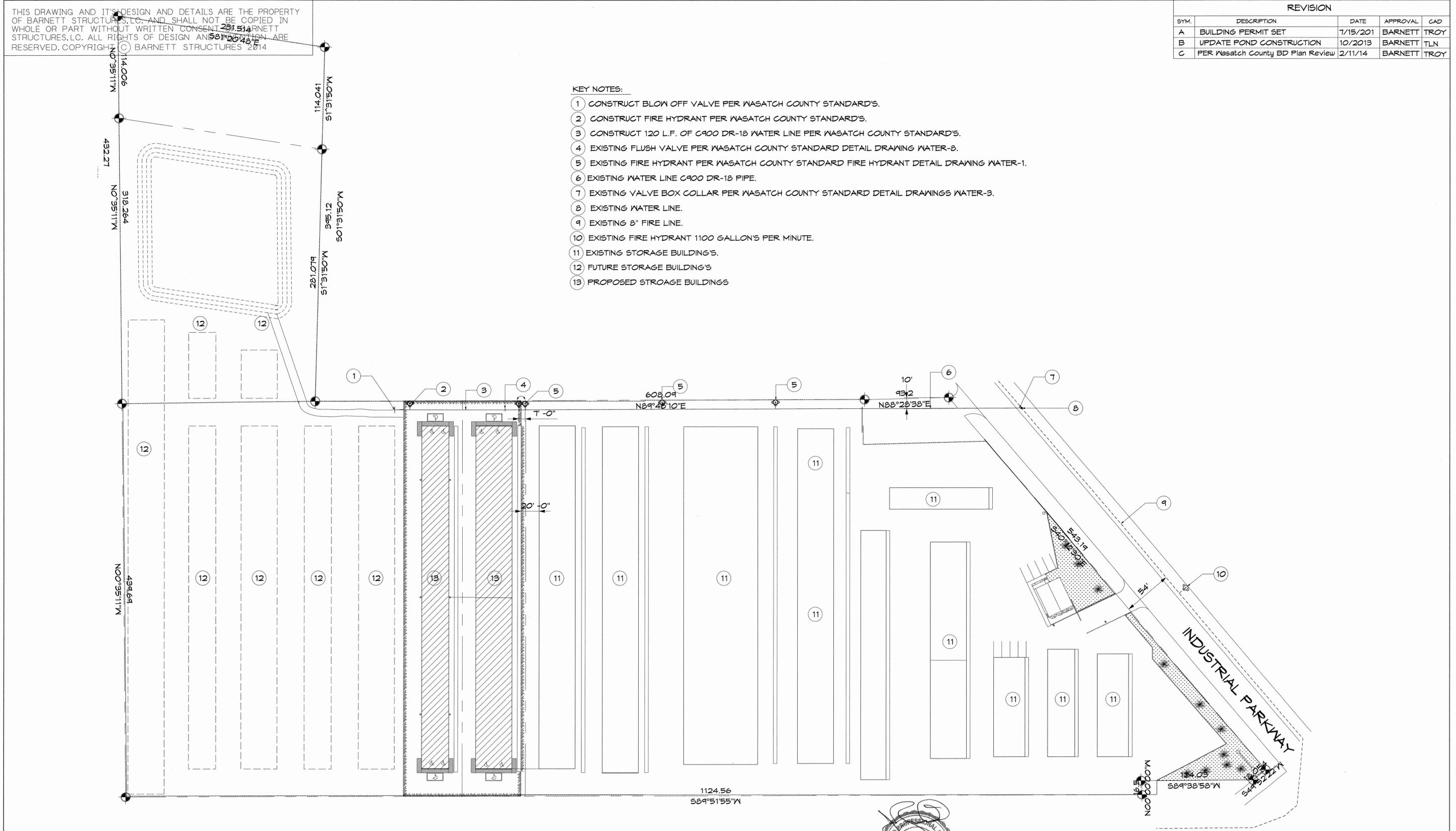
MENLOVE CONSTRUCTION INC.	DRAWN BY: TROY NIELSEN CHECKED: [] CHECKED: [] ENGINEER: M.MENLOVE ADDRESS: 4243 NIKE DRIVE WEST JORDAN, UTAH 84088 PHONE: (801) 282-3000 FAX: (801) 282-6887 DO NOT SCALE DRAWING	7/2010 7/2010	Beehive Storage Phase 4 1484 Industrial Parkway HEBER, UTAH	BARNETT STRUCTURES COPYRIGHT © 2014
	SCALE: 1"=50' SIZE: D SHEET: 1 OF 1 PROJECT #: 1324 DRAWING: SP REV.: C			

THIS DRAWING AND ITS DESIGN AND DETAILS ARE THE PROPERTY OF BARNETT STRUCTURES, L.C. AND SHALL NOT BE COPIED IN WHOLE OR PART WITHOUT WRITTEN CONSENT. BARNETT STRUCTURES, L.C. ALL RIGHTS OF DESIGN AND INVENTION ARE RESERVED. COPYRIGHT © BARNETT STRUCTURES 2014

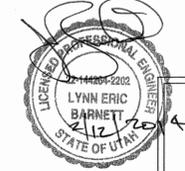
REVISION				
SYM.	DESCRIPTION	DATE	APPROVAL	CAD
A	BUILDING PERMIT SET	7/15/2011	BARNETT TROY	
B	UPDATE POND CONSTRUCTION	10/2013	BARNETT TLN	
C	PER Wasatch County BD Plan Review	2/11/14	BARNETT TROY	

KEY NOTES:

- 1 CONSTRUCT BLOW OFF VALVE PER WASATCH COUNTY STANDARD'S.
- 2 CONSTRUCT FIRE HYDRANT PER WASATCH COUNTY STANDARD'S.
- 3 CONSTRUCT 120 L.F. OF C900 DR-18 WATER LINE PER WASATCH COUNTY STANDARD'S.
- 4 EXISTING FLUSH VALVE PER WASATCH COUNTY STANDARD DETAIL DRAWING WATER-8.
- 5 EXISTING FIRE HYDRANT PER WASATCH COUNTY STANDARD FIRE HYDRANT DETAIL DRAWING WATER-1.
- 6 EXISTING WATER LINE C900 DR-18 PIPE.
- 7 EXISTING VALVE BOX COLLAR PER WASATCH COUNTY STANDARD DETAIL DRAWINGS WATER-3.
- 8 EXISTING WATER LINE.
- 9 EXISTING 8" FIRE LINE.
- 10 EXISTING FIRE HYDRANT 1100 GALLON'S PER MINUTE.
- 11 EXISTING STORAGE BUILDING'S.
- 12 FUTURE STORAGE BUILDING'S
- 13 PROPOSED STROAGE BUILDINGS



FIRE PROTECTION PLAN



DRAWN BY	TROY NIELSEN	4/2010
CHECKED		
ENGINEER	LYNN BARNETT	4/2010
ADDRESS:	P.O. BOX 1248 1199 S. MAIN CENTERVILLE, UT 84014	
PHONE:	(801) 294-2450	
FAX:	(801) 294-2494	
DO NOT SCALE DRAWING		

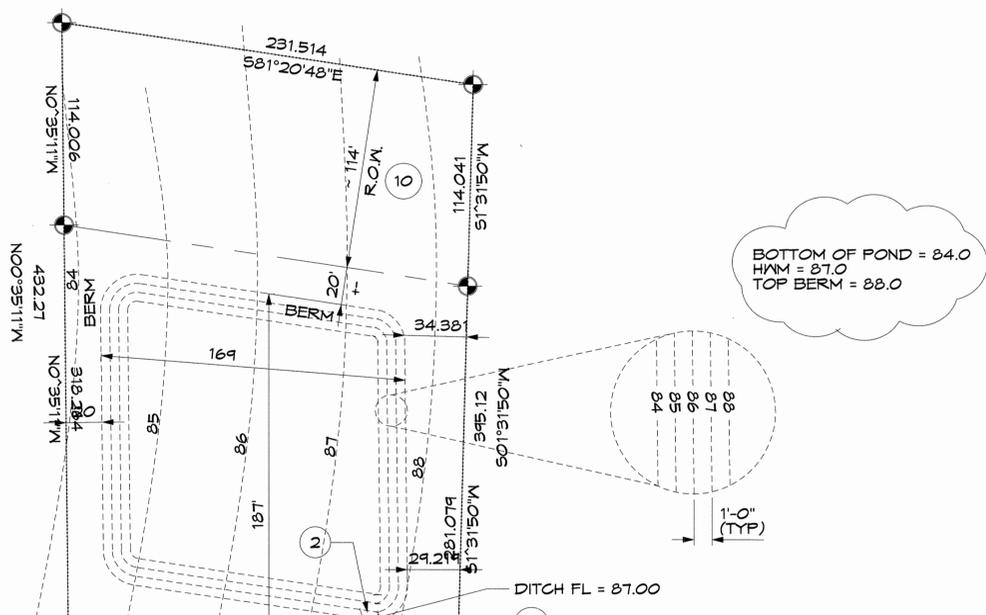
Beehive Storage Phase 4
1484 Industrial ParkWay
HEBER, UTAH

BARNETT
STRUCTURES
COPYRIGHT ©
2014

FIRE PROTECTION PLAN

SCALE	SIZE	SHEET	PROJECT #	DRAWING	REV.
1"=50'	D	1 OF 1	1324	FP	C

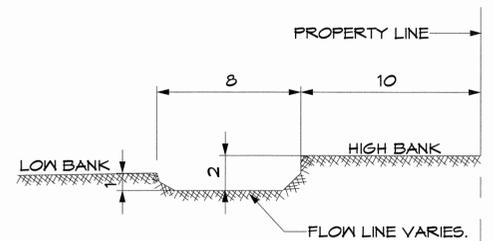
REVISION				
SYM.	DESCRIPTION	DATE	APPROVAL	CAD
A	BUILDING PERMIT SET	7/15/2011	BARNETT	TROY
B	UPDATE POND CONSTRUCTION	10/2013	BARNETT	TLN
C	PER Wasatch County BD Plan Review	2/11/14	BARNETT	TROY



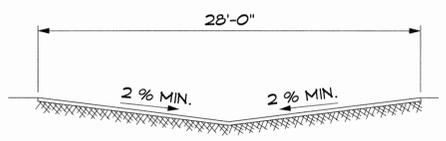
- KEY NOTES:**
- 1 RETENTION POND 169' X 187' X 3' DEEP.
 - 2 STORM WATER TO COLLECT IN TEMPORARY DITCH AND SPILL INTO POND.
 - 3 EXISTING STORM DRAIN DITCH (see detail-A).
 - 4 CONSTRUCT ASPHALT DRAINAGE SWALE.(see detail-B).
 - 5 EXISTING ASPHALT DRAINAGE SWALE (see detail-B).
 - 6 EXISTING 30" CONCRETE WATERWAY.
 - 7 EXISTING STORAGE BUILDING'S AND ASPHALT AREA'S ALL DRAIN TO NORTH AND WEST.
 - 8 PROPOSED STORAGE BUILDINGS.
 - 9 FUTURE STORAGE BUILDING'S.
 - 10 FUTURE R.O.W. LINE.
 - 11 PROPOSED 30" CONCRETE WATERWAY DRAIN AT 0.46%.
 - 12 CONSTRUCT STORM DRAIN DITCH SEE DETAIL - A.

DRAINAGE CALCULATIONS:

$Q = C i A$
 100 YEAR STORM
 24 HOUR DURATION
 $i = .104 \text{ in/hr}$
 ave. $C = .81$ (fully developed)
 $A = 561,825 \text{ SQ. FT.}$
 $Q = .81 \times .104 \times 24 \times 561,825 / 12$
 $Q = \text{Vol. stored} = 94,808 \text{ cu. ft.}$
 DETENTION POND = 169' X 187' X 3' = 94,809 cu. ft.

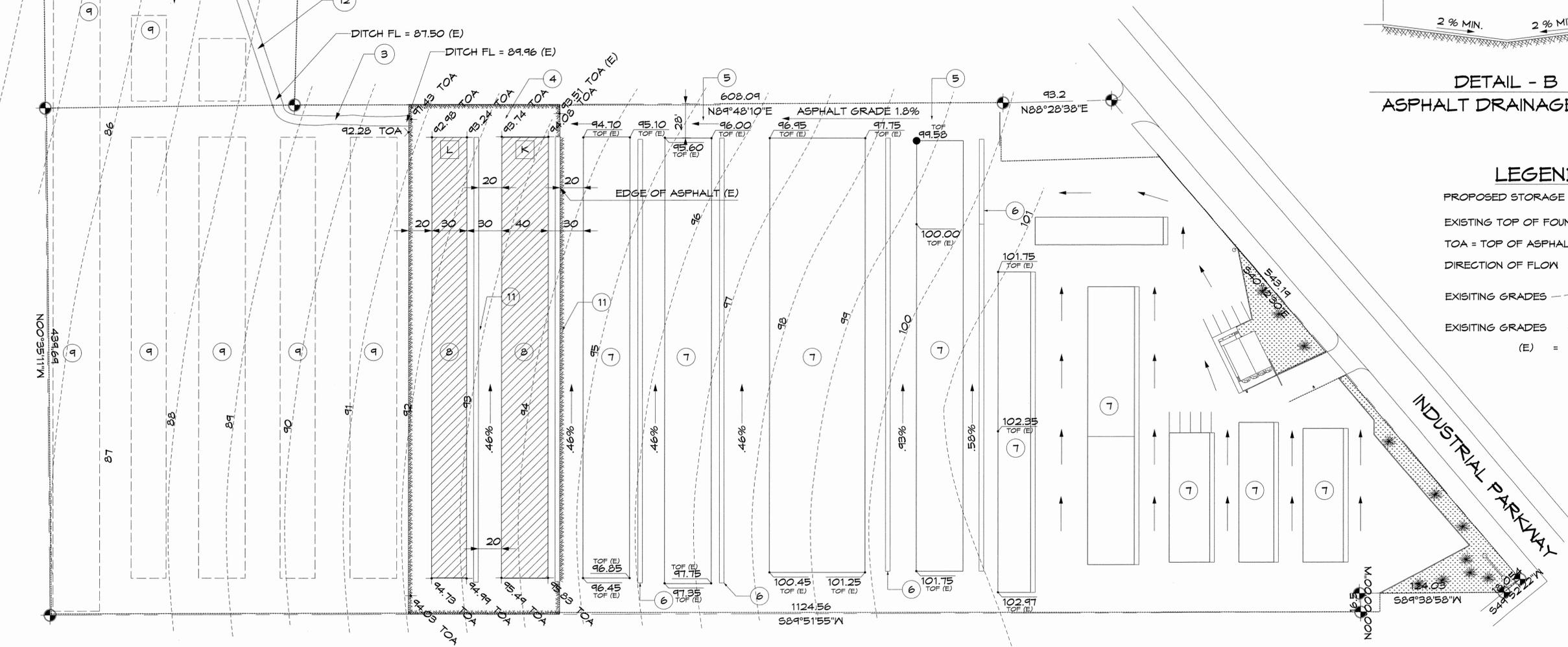


DETAIL - A
TEMP STORM DRAIN DITCH



DETAIL - B
ASPHALT DRAINAGE SWALE

- LEGEND**
- PROPOSED STORAGE BUILDINGS = [Hatched Box]
 - EXISTING TOP OF FOUNDATION (E) = [Dashed Line]
 - TOA = TOP OF ASPHALT TOA 88.10 →
 - DIRECTION OF FLOW →
 - EXISTING GRADES = [Dotted Line]
 - EXISTING GRADES (E) = EXISTING



DRAINAGE AND GRADING PLAN



MENLOVE CONSTRUCTION INC.	DRAWN BY: TROY NIELSEN CHECKED: [] CHECKED: [] ENGINEER: M.MENLOVE	7/2013 7/2013	Beehive Storage Phase 4 1484 Industrial Parkway HEBER, UTAH	BARNETT STRUCTURES COPYRIGHT © 2014
	ADDRESS: 4243 NIKE DRIVE WEST JORDAN, UTAH 84098 PHONE: (801) 280-3000 FAX: (801) 282-6887	DO NOT SCALE DRAWING		

Re: Swift Creek Amended Final Plan for Phase 2 and 3

The Swift Creek Subdivision received a final re-approval earlier this year. The developer is now requesting to add 4 feet to the street right of ways to accommodate 8-foot wide planters rather than the 6-foot wide planters as currently platted within the subdivision.

The 8-foot wide planters will provide a larger snow storage area as requested by Heber City Public Works. The 8-foot wide planters should also promote lawn as a choice in landscaping the planters versus rocks, as an 8-foot wide planter is typically easier to sprinkler irrigate than a 6-foot wide planter. The larger planters will also accommodate larger street trees. In exchange for the larger planters, the petitioner is requesting 25-foot front and 20-foot rear setbacks as per Section 18.68.175 Open Space of the Municipal Code. The subdivision is located within the R-2 Residential Zone, which typically requires 30-foot front and 25-foot rear setbacks. The planter strips and sidewalks would transition along the subdivision edges to the existing standard widths constructed within adjoining subdivisions in Aspen Pointe Subdivision and Browning Estates Subdivision.

RECOMMENDATION

The proposed plat amendment is consistent with the R-2 Residential Zone and Section 18.68.175 Open Space, conditional upon the right of way widths being shown on the Phase 3 and subject to a setback note on the plats as follows:

Front: 25 Feet*

Rear: 20 Feet*

*As per Section 18.68.175 of the Municipal Code, the City approved 25-foot front and 20-foot rear setbacks in exchange for increased open space within the planter strips.

Section 18.68.175 Open Space

- A.** When a proposed subdivision which adjoins a collector or arterial street as identified on the Heber City Master Street Plan, or adjoins a water feature such as a canal, stream, flood channel or other critical feature as determined by the City Council, the minimum required area and street frontage widths of the lots within the subdivision may be reduced by up to 25 percent of the usual requirement to accommodate dedicated open space along said features.
- B.** The City Council may permit, through a special exception, a rear yard setback reduction of up to 5 feet and/or front yard setback reduction of up to 5 feet to accommodate these open space features, if in the opinion of the City Council such reduction is necessary to accommodate, protect or enhance the open space feature. Such reduction must be approved by the City Council through the subdivision process, and the reduction shall be noted upon the subdivision plat, stating which lots are affected and the approved setback distances. It is the responsibility of the developer to prove that the setback reduction is necessary to accommodate the open space.
- C.** No density bonuses shall be granted as a result of this Section (i.e. if 10 lots are permitted before the lot size reduction, 10 lots are permitted after the lot size reduction).
- D.** This Section shall not apply to cottage home lots

728 West 100 South, #2
Heber, UT 84032
www.horrocks.com



Heber Office
Tel: 435.654.2226
Fax: 435.657.1160

July 31, 2013

Heber City Corporation
Attn: Bart Mumford P.E.
75 North Main
Heber City, Utah 84032

Subject: Swift Creek Subdivision – Final Plan Review

Dear Bart:

Horrocks Engineers has recently reviewed the Swift Creek Subdivision final plans. The subdivision is located at approximately 1000 South 900 East in Heber City, just south of the Aspen Pointe Subdivision. The following issues should also be resolved prior to approval.

General

- The redline corrections on the plans and the plat need to be addressed prior to approval.

Storm Water

- The storm drain calculations and report needs to be submitted and reviewed.
- Because the proposed pond is adjacent to the canal, we recommend that a percolation test be performed while water is flowing in the canal. This will check the validity of the percolation rate used to design the retention pond.
- The storm drain pipe size calculations need to be submitted.

Please call our office with any questions or concerns regarding this project.

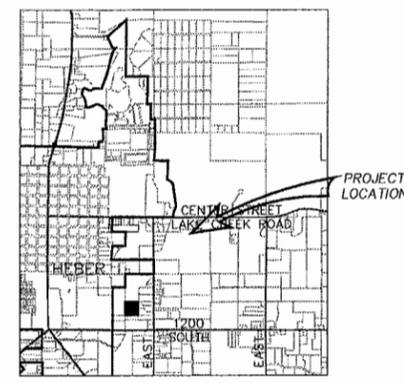
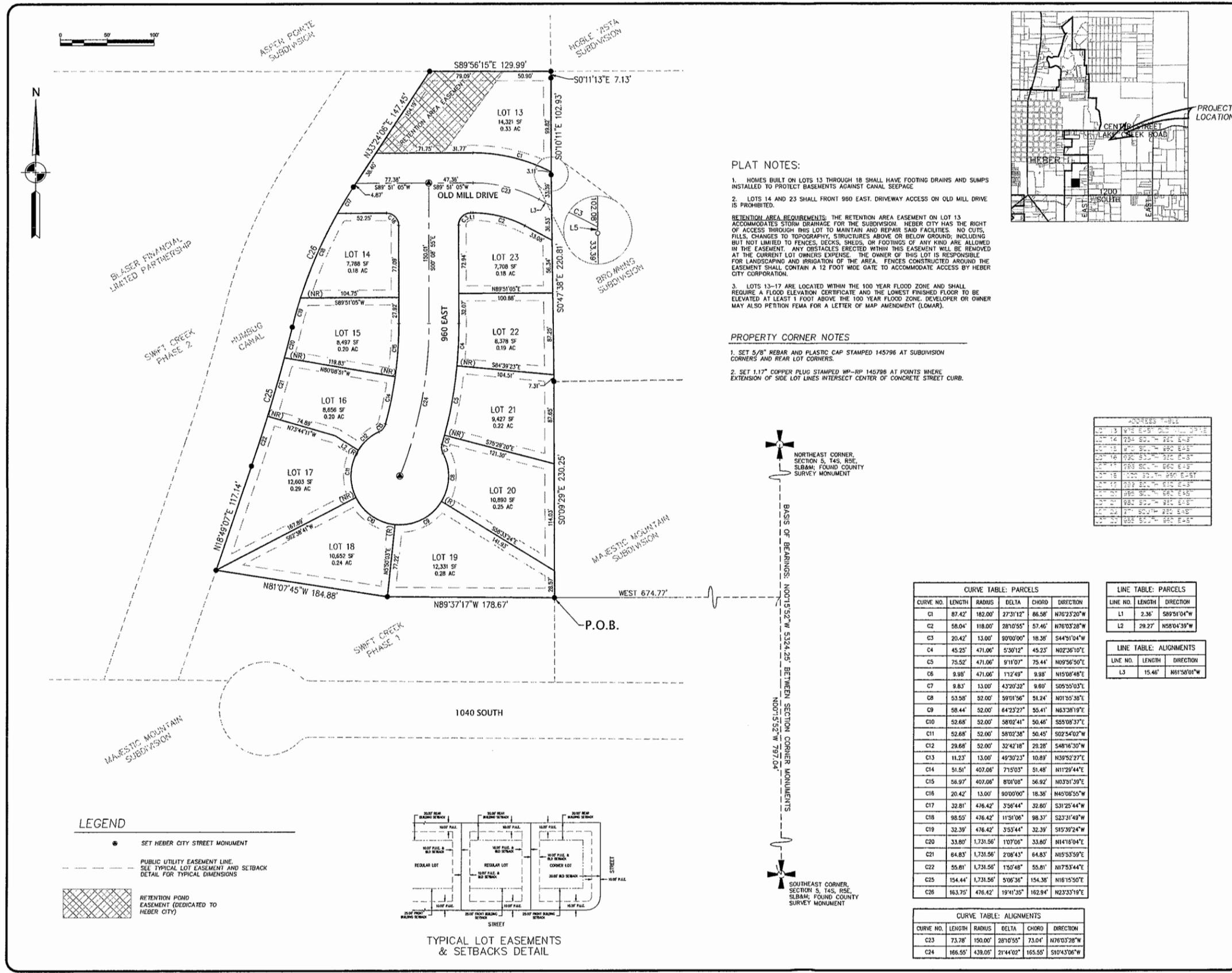
Sincerely,

HORROCKS ENGINEERS

A handwritten signature in blue ink that reads "Willa Motley".

Willa Motley, P.E.

cc: file
Summit Engineering
Heber Planning Department



PLAT NOTES:

1. HOMES BUILT ON LOTS 13 THROUGH 18 SHALL HAVE FOOTING DRAINS AND SUMP INSTALLED TO PROTECT BASEMENTS AGAINST CANAL SEEPAGE.
2. LOTS 14 AND 23 SHALL FRONT 960 EAST. DRIVEWAY ACCESS ON OLD MILL DRIVE IS PROHIBITED.
3. LOTS 13-17 ARE LOCATED WITHIN THE 100 YEAR FLOOD ZONE AND SHALL REQUIRE A FLOOD ELEVATION CERTIFICATE AND THE LOWEST FINISHED FLOOR TO BE ELEVATED AT LEAST 1 FOOT ABOVE THE 100 YEAR FLOOD ZONE. DEVELOPER OR OWNER MAY ALSO PETITION FEMA FOR A LETTER OF MAP AMENDMENT (LOMAR).

PROPERTY CORNER NOTES

1. SET 5/8" REBAR AND PLASTIC CAP STAMPED 145796 AT SUBDIVISION CORNERS AND REAR LOT CORNERS.
2. SET 1.17" COPPER PLUG STAMPED WP-RP 145796 AT POINTS WHERE EXTENSION OF SIDE LOT LINES INTERSECT CENTER OF CONCRETE STREET CURB.

ADDRESS TABLE

LOT NO.	STREET	ADDRESS
13	960 EAST	1040 SOUTH
14	960 EAST	1040 SOUTH
15	960 EAST	1040 SOUTH
16	960 EAST	1040 SOUTH
17	960 EAST	1040 SOUTH
18	960 EAST	1040 SOUTH
19	960 EAST	1040 SOUTH
20	960 EAST	1040 SOUTH
21	960 EAST	1040 SOUTH
22	960 EAST	1040 SOUTH
23	960 EAST	1040 SOUTH

CURVE TABLE: PARCELS

CURVE NO.	LENGTH	RADIUS	DELTA	CHORD	DIRECTION
C1	87.42'	182.00'	27°31'12"	66.58'	N76°23'20"W
C2	58.04'	118.00'	28°10'55"	57.46'	N76°03'28"W
C3	20.42'	13.00'	90°00'00"	18.38'	S44°51'04"W
C4	45.25'	471.06'	5°30'12"	45.23'	N02°36'10"E
C5	75.52'	471.06'	9°11'07"	75.44'	N09°56'50"E
C6	9.98'	471.06'	1°12'49"	9.98'	N15°08'48"E
C7	9.83'	13.00'	43°20'32"	9.80'	S05°55'03"E
C8	53.58'	52.00'	59°01'56"	51.24'	N01°55'38"E
C9	58.44'	52.00'	64°23'27"	55.41'	N63°38'19"E
C10	52.68'	52.00'	58°02'41"	50.46'	S55°08'37"E
C11	52.68'	52.00'	58°02'38"	50.45'	S02°54'02"W
C12	29.68'	52.00'	32°42'18"	28.28'	S48°16'30"W
C13	11.23'	13.00'	49°30'23"	10.89'	N39°52'27"E
C14	51.51'	407.06'	7°15'03"	51.48'	N11°29'44"E
C15	56.97'	407.06'	8°01'08"	56.92'	N03°01'39"E
C16	20.42'	13.00'	90°00'00"	18.38'	N40°08'55"W
C17	32.81'	476.42'	3°56'44"	32.80'	S31°25'44"W
C18	98.55'	476.42'	11°51'06"	98.37'	S23°31'49"W
C19	32.39'	476.42'	3°53'44"	32.39'	S15°39'24"W
C20	33.80'	1,731.56'	1°07'06"	33.80'	N14°16'04"E
C21	64.83'	1,731.56'	2°08'43"	64.83'	N15°53'59"E
C22	55.81'	1,731.56'	1°50'48"	55.81'	N17°53'44"E
C25	154.44'	1,731.56'	5°08'36"	154.38'	N16°15'50"E
C26	163.75'	476.42'	19°41'35"	162.94'	N23°33'19"E

LINE TABLE: PARCELS

LINE NO.	LENGTH	DIRECTION
L1	2.36'	S89°51'04"W
L2	29.27'	N58°04'39"W

LINE TABLE: ALIGNMENTS

LINE NO.	LENGTH	DIRECTION
L3	15.46'	N61°58'01"W

CURVE TABLE: ALIGNMENTS

CURVE NO.	LENGTH	RADIUS	DELTA	CHORD	DIRECTION
C23	73.78'	150.00'	28°10'55"	73.04'	N76°03'28"W
C24	166.55'	439.00'	21°44'02"	165.55'	S10°43'06"W

SURVEYOR'S CERTIFICATE

I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 145796 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, THAT I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS.

BING CHRISTENSEN
DATE _____

BOUNDARY DESCRIPTION

BEGINNING NORTH 00°15'52" WEST ALONG A LINE RUNNING BETWEEN THE WASATCH COUNTY SURVEY MONUMENTS FOR THE SOUTHEAST AND NORTHEAST CORNERS OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, 797.04 FEET AND WEST 674.77 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR SAID SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN,

AND RUNNING THENCE NORTH 89°37'17" WEST 178.67 FEET; THENCE NORTH 81°07'45" WEST 184.88 FEET; THENCE NORTH 18°49'07" EAST 117.14 TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1731.56 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 154.44 THROUGH A CENTRAL ANGLE OF 6°09'06" (CHORD BEARING AND DISTANCE FOR SAID CURVE BEING SOUTH 16°15'50" WEST 154.38) TO THE TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 476.42 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 163.75 FEET THROUGH A CENTRAL ANGLE OF 19°41'35" (CHORD BEARING AND DISTANCE FOR SAID CURVE BEING SOUTH 10°53'59" EAST 147.45 FEET); THENCE SOUTH 89°56'10" EAST 129.99; THENCE SOUTH 00°11'13" EAST 7.13 FEET; THENCE SOUTH 00°10'11" EAST 102.93 FEET; THENCE SOUTH 00°47'30" EAST 220.81 FEET; THENCE SOUTH 00°09'29" EAST 230.25 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARING

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS NORTH 00°19'52" WEST BETWEEN FOUND WASATCH COUNTY SECTION CORNER SURVEY MONUMENTS FOR THE SOUTHEAST AND NORTHEAST CORNERS OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, IN CONFORMANCE WITH UTAH COORDINATE SYSTEM 1983 CENTRAL ZONE BEARINGS.

OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNERS OF ALL THE REAL PROPERTY DEPICTED ON THIS PLAT AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THIS PLAT, HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE DIVIDED INTO LOTS, STREETS, PARKS, OPEN SPACES, EASEMENTS, AND OTHER PUBLIC USES AS DESIGNATED ON THIS PLAT, AND NOW DO HEREBY DEDICATE UNDER THE PROVISIONS OF 19A-407 UTAH CODE, WITHOUT CONDITION, RESTRICTION OR RESERVATION, TO HEBER CITY, UTAH, ALL STREETS, WATER, SEWER, AND OTHER UTILITY IMPROVEMENTS, PUBLIC OPEN SPACES, PARKS, EASEMENTS, AND ALL OTHER PLACES OF PUBLIC USE, TOGETHER WITH ALL IMPROVEMENTS REQUIRED BY THE DEVELOPMENT AGREEMENT BETWEEN THE UNDERSIGNED AND HEBER CITY FOR THE BENEFIT OF THE CITY AND THE INHABITANTS THEREOF.

NAME _____ DATE _____
NAME _____ DATE _____

OWNER'S ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF WASATCH

ON THE _____ DAY OF _____, A.D. 2014, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNER(S) OF THE ABOVE OWNERS DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE (THEY) SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF HEBER CITY, WASATCH COUNTY, UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, A.D. 2014.

MAYOR _____
CLERK-RECORDER _____

HEBER CITY ENGINEER APPROVAL

CITY ENGINEER _____ DATE _____

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 2014, BY THE PLANNING COMMISSION OF HEBER CITY.

CHAIRMAN, PLANNING COMMISSION _____

WASATCH COUNTY SURVEYOR

CITY ENGINEER _____ DATE _____

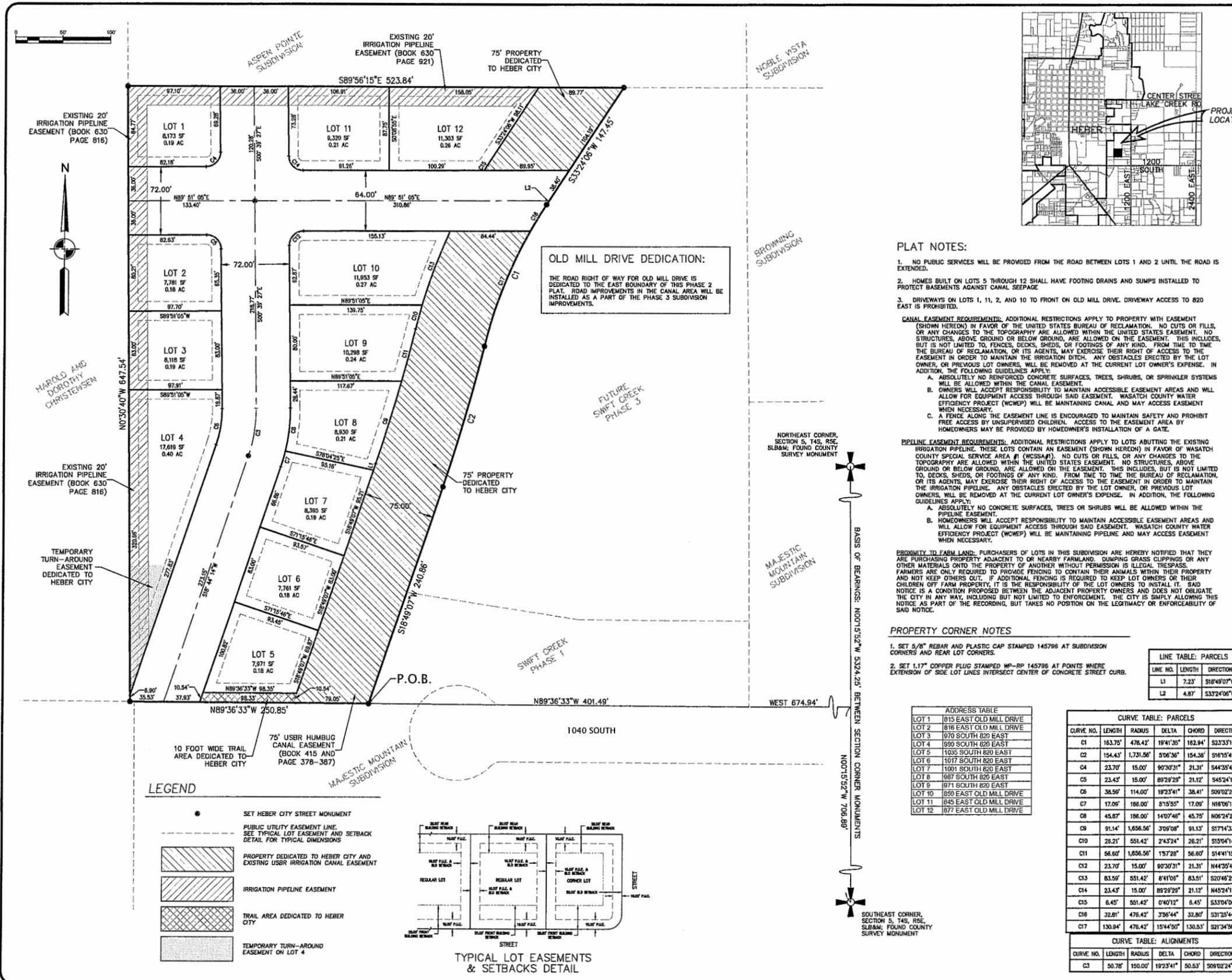
WASATCH COUNTY RECORDER

PROJECT C14-003	PREPARED FOR STEVE BLASER	<p>Summit Engineering Group Inc. Structural • Civil • Surveying 55 WEST CENTER • P.O. BOX 178 HEBER CITY, UTAH 84033 P. 435-854-9292 • F. 435-854-9231</p>	<p>SWIFT CREEK SUBDIVISION PHASE 3 FINAL SUBDIVISION PLAT</p> <p>LOCATED IN THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SLB&M, HEBER CITY, WASATCH COUNTY, UTAH</p>
SHEET 1 OF 1	PROJECT SWIFT CREEK SUBDIVISION PHASE 3		

07/31/2014

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GENERAL ALLEGATION: IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A PROFESSIONAL LAND SURVEYOR, TO MAKE A SURVEY OF ANY TRACT OF LAND WITHOUT A LICENSE UNDER THE LAWS OF THE STATE OF UTAH. ANY VIOLATION OF THIS LAW TO AFFIX THEIR SEAL AND THE VIOLATION IS SUBJECT TO PENALTIES AS SET FORTH BY THE STATE OF UTAH.



SURVEYOR'S CERTIFICATE

I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 145796 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, THAT I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS.

BING CHRISTENSEN
DATE

BOUNDARY DESCRIPTION

BEGINNING NORTH 00°19'52" WEST ALONG A LINE RUNNING BETWEEN THE WASATCH COUNTY SURVEY MONUMENTS FOR THE SOUTHEAST AND NORTHEAST CORNERS OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, 706.89 FEET AND WEST 674.94 FEET AND NORTH 89°36'33" WEST 401.49 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR SAID SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 09°36'33" WEST 250.85 FEET; THENCE NORTH 00°30'47" WEST 647.54 FEET ALONG AN EXISTING FENCE LINE TO THE SOUTHWEST CORNER OF ASPEN POINTE SUBDIVISION; THENCE SOUTH 89°56'15" EAST 523.84 FEET ALONG THE SOUTHERLY BOUNDARY OF THE ASPEN POINTE SUBDIVISION; THENCE SOUTH 33°24'06" WEST 147.45 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 476.42 FEET; THENCE ALONG SAID CURVE SOUTHWESTERLY A DISTANCE OF 183.75 FEET THROUGH A CENTRAL ANGLE OF 19°41'35" (CHORD BEARING BEING SOUTH 23°33'19" WEST 162.94 FEET) TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 1731.56 FEET; THENCE ALONG SAID CURVE NORTHEASTERLY A DISTANCE OF 154.44 THROUGH A CENTRAL ANGLE OF 05°06'36" (CHORD BEARING AND DISTANCE FOR SAID CURVE BEING SOUTH 16°15'49" WEST 154.38) THENCE SOUTH 18°49'07" WEST 117.14 FEET; THENCE SOUTH 19°49'07" WEST 123.71 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARING

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS NORTH 00°19'52" WEST BETWEEN FOUND WASATCH COUNTY SECTION CORNER SURVEY MONUMENTS FOR THE SOUTHEAST AND NORTHEAST CORNERS OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, IN CONFORMANCE WITH UTAH COORDINATE SYSTEM 1983 CENTRAL ZONE BEARINGS.

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WE, THE UNDERSIGNED OWNERS OF ALL THE REAL PROPERTY DEPICTED ON THIS PLAT AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THIS PLAT, HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE DIVIDED INTO LOTS, STREETS, PARKS, OPEN SPACES, EASEMENTS, AND OTHER PUBLIC USES AS DESIGNATED ON THIS PLAT, AND NOW DO HEREBY DEDICATE UNDER THE PROVISIONS OF 10-9-807 UTAH CODE, WITHOUT CONDITION, RESTRICTION, OR RESERVATION, TO HEBER CITY, UTAH, ALL STREETS, WATER, SEWER, AND OTHER UTILITY IMPROVEMENTS, PUBLIC OPEN SPACES, PARKS, EASEMENTS, AND ALL OTHER PLACES OF PUBLIC USE, TOGETHER WITH ALL IMPROVEMENTS REQUIRED BY THE DEVELOPMENT AGREEMENT BETWEEN THE UNDERSIGNED AND HEBER CITY FOR THE BENEFIT OF THE CITY AND THE INHABITANTS THEREOF.

NAME _____ DATE _____
NAME _____ DATE _____

OWNER'S ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF WASATCH

ON THE _____ DAY OF _____, A.D. 2014, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNER(S) OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE (THEY) SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF HEBER CITY, WASATCH COUNTY, UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, A.D. 2014.

MAYOR _____
CLERK-RECORDER _____

HEBER CITY ENGINEER APPROVAL

CITY ENGINEER _____ DATE _____

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 2014, BY THE PLANNING COMMISSION OF HEBER CITY.

CHAIRMAN, PLANNING COMMISSION _____

WASATCH COUNTY SURVEYOR

CITY ENGINEER _____ DATE _____

WASATCH COUNTY RECORDER

PROJECT: C14-003
SHEET: 1 OF 1

PREPARED FOR: UPDWELL DEVELOPMENT, LLC
PROJECT: SWIFT CREEK SUBDIVISION PHASE 2

Summit Engineering Group Inc.
Structural • Civil • Surveying
85 WEST CENTER • P.O. BOX 178
HEBER CITY, UTAH 84021
P: 435-891-2292 • F: 435-891-9231

SWIFT CREEK SUBDIVISION PHASE 2 FINAL SUBDIVISION PLAT

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SLB&M, HEBER CITY, WASATCH COUNTY, UTAH

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SUMMIT ENGINEERING GROUP, INC.
DRAWING ALLOCATION
IT IS A VIOLATION OF LAW FOR ANY PERSON, OTHER THAN THE LICENSED SURVEYOR TO ALTER ANY ITEM ON THIS DRAWING. ANY ALTERATION OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR IS PROHIBITED AND WILL BE CONSIDERED A VIOLATION OF THE PROFESSIONAL ETHICS OF THE SURVEYOR.

Heber City Planning Commission
Meeting date: August 14, 2014
Report by: Anthony L. Kohler

Re: Boarding Houses

The Wasatch Community Foundation (WCF) has approached the city. They would like to open a transition house for women who are in need of affordable housing and services to help them get back on their feet. This would not be a home for disabled, drug abuse or domestic abuse. The home would provide temporary housing up to about 6 months. WCF would like to provide housing for 15 women plus their children, with the intent of serving up to 30 women per year. WCF cites the need for such housing as evident from women living in cars and hotels in the community. In addition to providing housing, they would provide information and access to mental health and Wasatch County Services to help the women transition into permanent housing.

One property WCF is looking at is zoned R-3 Residential. The closest land use the proposed facility would fit under is Boarding Houses. There are 4 concerns with the WCF proposal complying with the existing ordinance:

- 1) the ordinance limits boarding houses to 8 rooms and WCF would like to have 15 rooms;
- 2) The facility must be the primary residence of the owner, and WCF would not intend to live there, rather have live-in managers;
- 3) The ordinance requires 2 spaces per bedroom, and most of the women would not even have a car; and
- 4) the ordinance limits occupancy to 2 persons per bedroom and WCF would have a need for a mother and her children, often exceeding 2 persons.

PURPOSE OF DISCUSSION

WCF is asking the Planning Commission to consider altering the zoning ordinance to permit a facility as they have outlined, permitting 15 rooms, more than 2 persons per room, requiring less parking, and not requiring the owner to occupy the home. The purpose of the discussion is to obtain direction from the Planning Commission for this request. The options available to the Planning Commission are as follows:

- 1) amend the Boarding House Ordinance to accommodate the proposal;
- 2) adopt a new ordinance specific to families in crisis; or
- 3) keep the ordinance as it is.

Accommodating the request is consistent with the Moderate Income Housing Element of the General Plan (see goals and policies below). One of the policies of the General Plan is to “recognize the need for special target groups for affordable housing, namely, families in crisis, disabled and other special need groups”. Other benefits to addressing this issue include:

- 1) Providing housing for homeless women;
- 2) Alleviating pressure on existing motels to provide housing for these families and therefore permitting the motels to function more like a motel than an apartment complex; and
- 3) Provide women in need access to other services, such as counseling, employment training, and other Wasatch County Services that help them become independent.

APPLICABLE CODES AND POLICIES

Section 18.60.020 Permitted Uses (R-3 Zone)

The following uses shall be permitted in the R-3 residential zone:

- A. Any use permitted in the R-2 residential use;
- B. Boardinghouses and roominghouses;
- C. Clinics and hospitals (also, signs for these facilities) as conditional uses when approved by the Planning Commission as set forth in Chapter 18.08.025 of this title.
- D. Clubs and lodges (nonprofit), not including those carried on primarily as a business;
- E. Apartments when approved by the Planning Commission as set forth in Chapter 18.85 of this Title.

Section 18.108.034 Requirements for Bed and Breakfast Homes and Boarding Houses, Lodging Houses, and Rooming Houses

The Planning Commission may grant a Conditional Use Permit for a Bed and Breakfast Home, Boarding House, Lodging House or Rooming House (hereafter referred to as "facility" when requirements are the same for all types) if and only if in compliance with the following conditions:

- A. In the R-2 Zone, Bed and Breakfast Homes shall not exceed two guest rooms. In the R-3 Zone, Bed and Breakfast Homes, Lodging Houses, and Rooming Houses shall not exceed eight guest rooms.
- B. The facility must meet all building, zoning, fire, health and other applicable ordinances prior to any approval being given as confirmed by inspections performed and reports submitted to the Planning Commission by the appropriate governing agencies.
- C. The facility must be and remain the primary residence of the owner. If employees may be hired in conjunction with the facility; however, in the case of Bed and Breakfast Homes, the employees shall not be allowed to reside at the residence. A letter attesting that the owner(s) will occupy the said facility, except for bona fide temporary absences, shall be submitted to the Planning Commission.
- D. The facility shall not unduly increase traffic in the immediate neighborhood. Parking shall be off the street, hard surfaced, and provided at a rate of one space per guest room plus two spaces for the residing owner(s). Off-street parking shall not be in any required setback area unless it can be shown by the applicant that parking in a specific setback area will not adversely affect surrounding property owners or cause any unsafe condition whatsoever.
- E. The applicant(s) must provide plot building plans to the Building, Zoning, Fire, and Health Departments and the Planning Commission at a scale of 1/4 inch per foot or larger showing the facility, parking and landscaping. Plans shall be approved by all the above-mentioned Departments and the Planning commission.
- F. The facility and parcel shall be shown to be of sufficient size to be in scale with the number of people using the facility. The parcel shall meet the minimum area requirements of the zone. Parcels for Bed and Breakfast Homes shall be required to meet the area requirements for a two-family dwelling. Parcels for Boarding Houses, Lodging Houses or Rooming Houses shall meet the area requirements as set forth for "other main buildings" in the R-3 Zone.
- G. The facility and parcel shall meet all applicable zoning requirements of the zone in which it exists. Where any conflicts between this Chapter and any other provisions of this Code, State Codes, or other applicable codes arise, the more restrictive shall govern.
- H. Construction and alterations of facilities shall not alter the residential character of residential zones and of the dwelling.
- I. All facilities must collect and pay any applicable Transient Room Tax, Sales tax, and City Business License fees.
- J. No more than two persons may occupy any quest room within an approved facility.

HEBER CITY'S MODERATE INCOME HOUSING PLAN GOALS AND POLICIES

1. GOAL: Heber City should provide a realistic opportunity to meet the estimated needs for additional moderate income housing.

POLICIES:

- a) facilitate a reasonable opportunity for a variety of housing, including moderate income housing to meet the needs of people desiring to live there;
- b) implement land use policies that allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life;
- c) consider rezoning for densities necessary to assure the production of moderate income housing;
- d) facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing;
- e) provide zoning regulations to encourage housing types for elderly or senior citizens including assisted care, independent care, and targeted senior retirement communities;
- f) promote adequate housing opportunities to recruit and retain a workforce with the skills and credentials needed by community employers;
- g) promote the creation and retention of housing stock affordable to very low, low, moderate, and moderate to area median income (AMI) households;

h) recognize the need for special target groups for affordable housing, namely, families in crisis, handicapped and other special need groups; and
i) encourage the rehabilitation of existing uninhabitable housing stock into moderate income housing;

3. **GOAL:** Heber City should continue to foster partnerships with non-profit organizations and developers, and identify new funding sources to implement affordable housing policies.

POLICIES:

a) focus on state and federal -sponsored programs, such as HOME Comprehensive Housing Assistance Mortgage Program, USDA's rural development, Community Development Block Grant Program, Utah Housing Authority's First Time Home Ownership, Credit to Own (CROWN), and ECHO;

b) consider general fund subsidies to waive construction related fees that are otherwise generally imposed by the city;

c) consider utilization of state or federal funds or tax incentives to promote the construction of moderate income housing;

d) consider utilization of programs offered by the Utah Housing Corporation within that agency's funding capacity;

e) consider utilization of affordable housing programs administered by the Department of Community and Culture; and

f) continue to support the County-wide Housing Authority.

4. **GOAL:** Heber City shall biennially review the moderate income housing plan element of its general plan.

POLICIES:

a) as required by Utah State Code, Heber City shall send a copy of a biennial report to the Department of Community and Culture and Mountainland Association of Governments; the biennial review shall include a description of efforts made by the city to reduce, mitigate, or eliminate local regulatory barriers to moderate income housing, actions taken by the city to encourage preservation of existing moderate income housing and development of new moderate income housing, progress made within the city to provide moderate income housing, as measured by permits issued for new units of moderate income housing, and efforts made by the city to coordinate moderate income housing plans and actions with neighboring municipalities;

b) Heber City should update the Moderate Income Housing Element of the General Plan at each Census and at least once between each Census to ensure updated accurate data and policies; any fees or target group demographic data should be updated annually based on available data from the Census or official Census updates, HUD, or other government or demographic sources.

OBJECTIVES

1. Revise the Affordable Housing Ordinance to reflect current housing needs within the city:

(a) consider deed restriction programs to keep new moderate income housing units affordable to target populations;

(b) consider land dedications by developers to promote land acquisition for the Crown and Shared programs with UHC and Wasatch County Housing Authority;

(c) consider alternative approaches to affordable housing dedications or payments by developers that will not create costs that are passed down to home buyers; and

(d) consider fee and impact fee waivers for affordable housing projects;

2. Remove and/or revise regulatory barriers to affordable housing in the city's land use regulations;

3. Educate home builders, neighborhoods, and developers about the need for affordable housing in Heber City;

4. Promote energy efficiency and LEED certified homes and developments;

5. Provide 174 units of 30% AMI or less in the next five years:

Promote utilization of accessory apartments to address 30% AMI rental needs.

6. Provide 263 units of 50% AMI or less in the next five years:

Promote utilization of accessory apartments to address 50% AMI rental needs.

7. Provide 516 units of 80% AMI or less in the next five years; and

8. Provide 672 units of AMI or less in the next five years;