

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
Amended Agenda
January 6, 2026

APPROVED Minutes

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

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

Mayor Franco called the meeting to order at 4:00 p.m. and welcomed everyone present.

City Council Present: Mayor Heidi Franco
Council Member Yvonne Barney
Council Member Aaron Cheatwood
Council Member Mike Johnston
Council Member Morgan Murdock

City Council Absent: Council Member Sid Ostergaard

Staff Present: City Manager Matt Brower
Assistant City Manager Mark Smedley
Community Development Director Tony Kohler
Planning Manager Jamie Baron
City Engineer Russ Funk
City Attorney Jeremy Cook
City Recorder Trina Cooke
Building Official Curt Davis
Finance Director Sara Jane Nagel
Public Works Director Matthew Kennard
Human Resources Manager Cherie Ashe
Chief of Police Parker Sever
Code Enforcement Officer Travis Price
IT Director Anthon Beales

Staff Participating Remotely: IT Director Anthon Beales, Human Resources Director Cherie Ashe, Engineering Technician Desiree Muheim, Planner Jacob Roberts, Public Works Director Matthew Kennard, Planning Administrator Meshelle Kijanen, Executive Administrative Assistant to the City Manager Lainee Meyers, Deputy City Recorder Robin Bond, City Engineer Russ Funk, Finance Director Sara Jane Nagel, Assistant City Manager J. Mark Smedley, and Accounting Technician Wendy Anderson.

Also Present: Mimi Murdock, George Murdock, Elise Murdock, Tyler Ailshie, Asia Murdock, Jessie Murdock, McKenna Marchant, Rhea Franco, Leno Franco, Arisha Franco, Grace Doerfler, Jason Talley, Ron Carlile, Ryan Bunnell, Joey Hyer, Di Ann Duke Turner, David N. Johnson, Chip Polvoorde, Randy Christ, Gay Lyn Latimer, Ken McConnell, Patty Sprunt, Mark Sprunt, Christi Judd, Tori Broughton, Cindy Cossairt, ULCT, Tom and Cherie Reed, Mike Hewlett, Tracy Taylor, John McDonald, Jade Williams, and those who did not sign in or whose handwriting was illegible.

Also Attending Remotely: (names are shown as signed-in online) Munro Murdock, Allison, j, B, Ben, Bo Jangles, CAMS, Cannon Taylor, Catherine, Cody W, Deb, Frank, Heather Murdock, Jen, Kristin Bunnell, Michael Plowman, Nick Lopez, Shorty5, TMT, Scott Phillips, and S.

1. Oath of Office and Reception for Elected Officials: Mayor Heidi Franco; Council Member Yvonne Barney; Council Member Morgan Murdock (Trina Cooke, City Recorder) - *30 min*

City Recorder Trina Cooke administered the Oath of Office to the re-elected and newly elected Heber City Officials, Mayor Heidi Franco, and Council Members Yvonne Barney and Morgan Murdock. Each new official gave a brief acceptance speech and the meeting was paused for a short reception to honor the new officials.

2. Committees Review of 2025 Reports: - *40 min*

- Airport Advisory Board (AAB) - *20 min*
- Historical Commission - *20 min*

Jason Talley, Chair of the Airport Advisory Board (AAB), presented a report describing the AAB's advisory role to the Mayor and City Council under its bylaws and noted that certain airport matters—including bylaws, minimum standards, rules and regulations, lease rates, and fees—were required to be reviewed and recommended by the AAB prior to City Council consideration. He expressed concern that some airport items had previously been taken directly to City Council without AAB review and requested that future airport matters be routed through the AAB. Mr. Talley summarized recent AAB actions, including a tie vote resulting in non-approval of a self-service fuel application, review of a proposed standard airport lease, and receipt of a presentation on flight training and aircraft rental operations. He reviewed the airport master plan adopted in 2023, noting the transition from B-II to C-II standards, approximately \$100 million in long-term infrastructure would take over 10 to 15-years, and emphasized that the master plan did not obligate immediate improvements. He felt that the airport faced cash-flow limitations rather than a revenue deficit. He had concerns regarding potential runway expansion, including impacts on aircraft traffic, community benefit, and timing, given the runway's remaining useful life. Mr. Talley outlined AAB priorities for 2026, including improved financial transparency, regular reporting, review of airport improvement project priorities, evaluation of traffic patterns and safety, and review of fuel options, lease policies, rates, and revenue opportunities.

City Council and Staff discussed providing quarterly airport financial information and project updates to the AAB and expressed support for improved information sharing.

Ron Carlile, Chair of the Heber City Historic Preservation Commission, reported on the Commission's accomplishments and goals, noting that the Commission met quarterly. He highlighted the completion of four historic monument signs placed at key historic sites to increase public awareness, including the use of QR codes for expanded historical information. He reported on a collaborative public history project conducted during Fair Days that documented community history from 1925 to 2025 through displays, social media engagement, and public participation. Mr. Carlile provided an update on the ongoing restoration of the historic Crook Cabin, originally built in 1859, which was being reconstructed for relocation to a site near the Wasatch County School District offices with the goal of creating an educational and visitor resource. He also reported that the Commission had secured a grant to conduct a reconnaissance-level historic resources survey, the first in more than 40 years, to identify and document potentially historic structures within Heber City and support future preservation opportunities. He stated that public outreach and transparency would be emphasized as the survey moved forward and that the Commission would continue efforts to expand awareness of historic sites and preservation initiatives within the community.

3. Strength, Weakness, Opportunities and Threat (SWOT) Presentations: - 40 min

- Building Division SWOT - 5 min
- Planning Division SWOT - 5 min
- Finance SWOT - 5 min
- Airport SWOT - 5 min
- Public Works SWOT - 5 min
- Engineering SWOT - 5 min
- Police Department SWOT - 5 min
- Human Resources SWOT - 5 min

Building Official Curt Davis shared the analysis of the department's Strengths, Weaknesses, Opportunities, and Threats (SWOT) as included in the meeting materials.

Planning Manager Jamie Baron presented the Planning Department's SWOT Analysis as included in the meeting materials.

Finance Director Sara Jane Nagel reviewed her department's SWOT Analysis as included in the meeting materials.

The remaining SWOT analysis were postponed to be presented at a future meeting.

II. BREAK - 10 MIN

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

1. Call to Order

Mayor Franco called the Regular City Council Meeting to order at 6:07 p.m. and welcomed everyone present.

2. Pledge of Allegiance (Aaron Cheatwood, Council Member)

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

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

Council Member Johnston shared a brief reflection at the start of the new year, noting that everyone could benefit from looking back on the past year and looking ahead through planning. He emphasized the importance of perspective, observing that changing how one views an issue can reveal greater detail, nuance, and understanding, even if one's opinion does not change. He encouraged considering different perspectives moving forward, noting that doing so can broaden understanding and lead to wiser decision-making.

IV. AWARDS, RECOGNITION, and PROCLAMATIONS:

1. Oath of Office for Benicio Alvarado, Lucas Hyer, Riley Ingram, Jeremy Nelson, and K-9 Bane

Chief of Police Parker Sever introduced new officers Riley Ingram, Jeremy Nelson, Lucas Hyer, Benecio Alvarado, and K-9 Bane. City Recorder Trina Cooke led the new officers through the recitation of the Oath of Office.

V. CONFLICT OF INTEREST DISCLOSURE:

No conflicts were disclosed.

VI. CONSENT AGENDA:

Mayor Franco indicated there needed to be one change made to the Council Member Board assignments as Council Member Ostergaard had requested to remain on the Wasatch County Housing Authority.

Motion: Council Member Barney moved to approve the Consent Agenda, with the changes mentioned by the Mayor.

Second: Council Member Cheatwood made the second.

Voting Yes: Council Members Johnston, Barney, Cheatwood, and Murdock.

Voting No: None.

Council Member Ostergaard was absent.

The **Motion Passed 4-0.**

1. Approval of December 2, 2025, City Council Meeting Minutes and December 16, 2025, City Council Meeting Minutes (Trina Cooke, City Recorder)
2. Council Member Board Assignments (Heidi Franco, Mayor)
3. Mayor's Nominations for AAB, Planning Commission, and POSTT (Heidi Franco, Mayor)

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

Dave Johnson, Wasatch County GOP (Grand Old Party) Chair, said he was representing the Wasatch County Republican Party. He read a prepared statement against the proposed communications policy. The statement is attached to the end of the meeting minutes.

Christi Judd read a prepared statement from Dan Simmons: "I respectfully request that the City Council table the request to issue to UDOT (Utah Department of Transportation) a letter of support for the proposed frontage road extending to the slope development until such time that UDOT provides additional details to Heber City, impacted property owners, and other stakeholders regarding the purpose, precise location, and configuration impacts and planned maintenance of the frontage road. UDOT should also provide to protect the designated agricultural protection areas impacted by the project." Mr. Simmons proposed the following alternative: "Opportunity to meet with City Engineering Staff and the City Council to discuss these issues, possibly the County Council as well, since it was County land." He followed up with: "I just wanted to say that I do want it on record that I do not believe that the City can place the burden of infrastructure on an individual landowner. If they approve a development, they need to have the infrastructure available for that development."

Di Ann Duke Turner thanked the public officials for their service and recognized it was a thankless job. She was proud to have witnessed the oath of office for the Police Department. She complimented the beauty of the cemetery and said she had loved cemeteries since she was a little girl.

Patty Sprunt, Heber City, stated that during the current election season she had reviewed candidate filings and noted a common concern among residents that they did not feel heard. She said the proposed communications policy reinforced that concern by creating distance between elected officials and the public. While expressing trust in the Council's integrity and intentions, she urged Council Members to communicate more directly and transparently with residents, including through social media and post-meeting explanations of Council decisions. She emphasized that elected officials served as the public's voice and must be willing to engage with both support and criticism. Ms. Sprunt encouraged improved civic engagement from both leaders and citizens and asked the Council to vote against the proposed communications policy.

Tom Reed had voted for Mayor Franco and supported the GOP statement that had been read aloud. He asked that the Council not adopt the proposed communications policy.

Tracy Taylor, Wasatch Taxpayers Association, wished to express support for the prior public comment. She referenced a letter she had emailed to the Council before the meeting addressing the importance of a representative form of government and maintaining a direct line of communication between elected officials and the public. Ms. Taylor cautioned against creating additional communication buffers, such as hiring public relations staff to act as intermediaries between boards and citizens, noting that approach undermined direct public access and engagement. She emphasized that direct communication was fundamental to civic participation and community involvement. Ms. Taylor's aforementioned email is attached to the end of the meeting minutes.

Mike Hewlett stated that he agreed with the previous public comments and emphasized that communication and listening to residents were paramount responsibilities of the Council. He asserted that the City operated under a representative form of government and that elected officials were accountable to the public they served. Mr. Hewlett expressed frustration that residents did not feel heard. He stated that Council Members were elected to represent citizens rather than defer decision-making to staff. Mr. Hewlett urged the Council to listen more closely to residents, citing recent election results as a request to limit high-density development due to concerns about infrastructure capacity, water availability, and rising taxes.

Council Member Johnston stated that he did not see anything in the proposed communications policy that prohibited or discouraged direct communication with residents and, in fact, interpreted the policy as supporting engagement. Council Member Johnston requested that discussion focus on specific provisions of the policy rather than general opposition and asked for the public to identify elements of the policy that were of concern.

Maddie Kirby, Heber City, stated that she agreed with the prior public comments and felt elected officials carried the responsibility to represent residents. She acknowledged that there might be factors not always visible to the public. She expressed opposition to any policy that would give additional authority to the City Manager or other unelected officials.

VIII. GENERAL BUSINESS ITEMS:

1. Garbett Homes presentation on proposed Bluestone development located at approximately 830 East Center Street (continued discussion from December 16) (Tony Kohler, Community Development Director) - 30 min

Planning Manager Jamie Baron provided design images to reflect the updates previously suggested by Council as included in the attached meeting materials. Garbett Homes representative Jacob Balstaedt was present for discussion and additional feedback from Council. City Engineer Russ Funk shared that he preferred the single access option of the design rather than the proposed double access onto Center Street for safety and traffic-flow purposes.

Council discussed revisions to the proposed development, focusing on affordability, density, and long-term occupancy. Mr. Balstaedt proposed eliminating AMI-based deed restrictions due to concerns about reduced buyer equity and replacing them with a prohibition on nightly rentals to encourage resident occupancy. Council acknowledged the reduced unit count and expressed general support for limiting short-term rentals but emphasized the importance of ensuring neighborhood stability when granting additional density. Council indicated a preference for owner-occupied deed restrictions, provided reasonable hardship exemptions were included, while recognizing potential unintended consequences. Additional design clarification and materials were requested, and Council provided feedback for further refinement before returning for future consideration.

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

1. Resolution 2025-22 to include a Communication Policy in the Rules of Order and Procedure (Ryan Bunnell) - *30 min*

PIO (Public Information Officer) Ryan Bunnell said that he hoped to arrive at a unified Council voice for the requested changes. Council Member Murdock asked to have other cities policies presented for comparison. Council continued to discuss proposed revisions to the communications policy noting that no single elected official should claim to represent the City's official position. Elected officials should retain the freedom to communicate with constituents through personal channels, including the City newsletter, provided that statements were clearly identified as personal opinions rather than the official position of the Council. The Council felt that no official City logos should be used for personal communications and that Staff and Elected Officials should avoid making promises on behalf of the City to prevent potential legal or liability issues. The importance of factual, source-based responses in communications was highlighted, with Staff directed to cite official City, State, or Federal sources where possible and avoid adding personal interpretations. The group agreed that sensitive or potentially official communications should be reviewed by the Mayor, City Attorney, City Manager, and-or PIO as appropriate. Additionally, Utah State ethical guidelines for the use of official email were referenced, reinforcing prohibitions on political or personal use. The Council confirmed the newsletter would continue, with space for both official City information and clearly identified personal opinions from the Mayor or Council Members. Mayor Franco opened the discussion for public comment.

Tracy Taylor felt a fresh document should be drafted prior to consideration of Council approval. She suggested the font be enlarged on the display screens for better public viewing. She referenced a comment made that Council Members were not being informed of certain press releases before the public was informed and proposed an alert system to allow Council to review a press release prior to the public.

Dave Johnson, Wasatch GOP Chair and Heber City resident, felt the Mayor did not need anyone's permission to say anything at any time. He claimed that anything the Mayor said was an official message. He proposed the Council have defined roles. He felt official communications would be whatever was printed and approved by the Mayor's office. He asked who the fact keeper was. He agreed with Ms. Taylor's suggestion to produce a new draft based on the discussion that evening and also agreed with Council Member Murdock's suggestion to compare Heber City's proposed Communications Policy with policies from other communities that had proven success.

Jamie Hewlett wanted to comment on City Manager Matt Brower's claim that the proposed Communications Policy was intended as a form of risk management for the City. She felt the proposed Communications Policy had the potential to introduce new risks rather than reduce them. She thought that centralizing control of public messaging among a few unelected officials created a single point of failure, limited Council oversight, and could increase liability if messaging was inaccurate. She was concerned that press releases could be persuasive or political, raising legal and constitutional issues, and that routing staff media contacts through supervisors without clear whistle-blower protections could suppress communication. She noted the police department's broad discretion under separate rules could also pose a potential risk to civilian oversight. Ms. Hewlett suggested that the policy did not clearly solve existing problems, and suggested that existing laws already governed transparency, ethics, public records, and employee protections. She recommended not adopting the policy, asserting that "no policy might be better than bad policy."

Motion: Council Member Cheatwood moved to continue the discussion and allow Staff the opportunity to bring back the changes Council had discussed.

Second: Council Member Barney made the second.

Voting Yes: Council Members Johnston, Barney, Cheatwood, and Murdock.

Voting No: None.

Council Member Ostergaard was absent.

The **Motion Passed 4-0.**

2. Consideration of Council Letter to UDOT Regarding Comments on Draft EIS for the Heber Valley Corridor (Russ Funk, City Engineer) - 30 min

Mayor Franco noted that UDOT (Utah Department of Transportation) intended to post the proposed bypass road alignment the following morning. There would be a meeting at 8:30 a.m., January 7, 2026, for government officials. The public comment period for

the proposed bypass would be from January 9th to March 9th, 2026.

City Engineer Russ Funk described the purpose of the agenda item was to discuss concerns the City might have with the route selected by UDOT. He felt that if the City were to present unified concerns to UDOT, it would have more sway than individuals expressing independent concerns. City Council reviewed UDOT's proposed bypass alignments for the purpose of identifying major concerns and providing coordinated City input during the public comment process. The discussion focused on ensuring the bypass maintained appropriate local connectivity, supported emergency access, and minimized traffic impacts to existing neighborhoods and Main Street. Council emphasized that the review was informational and intended to guide the City's comments, not to select or endorse a specific alignment.

Key concerns included preserving north-south connectivity along Southfield Road, improving access at major intersections, and avoiding design elements that would unnecessarily divert traffic or limit circulation. Council discussed potential alternatives to address these issues, including modified access points, additional underpasses, and possible roadway realignments in coordination with Wasatch County. Staff was directed to prepare a letter to UDOT summarizing the City's concerns and outlining areas where the City was willing to collaborate on practical solutions.

Christi Judd asked that the Council remove #7 from the proposal. City Engineer Russ Funk responded that the concern for the City was necessary, secondary, emergency access for the development at the location, as well as access to the farmland. She felt it was not a City concern but rather a developer concern and stated that there were no farmers that used that access. She did not feel that the City should be involved in decision-making on land that was located in the County, not the City.

Tracy Taylor wished to propose the possibility of an egress at the intersection of Midway Lane and Southfield Road, to the east of where the children's soccer fields were located, and noted that UDOT owned property there.

Motion: Council Member Cheatwood moved to continue the item but to direct Staff to begin working on language for the letter to UDOT, based on what the Council had agreed on in that night's discussion. To return to a future meeting for further discussion on items six, seven, and eight, that the Council had not yet agreed on, once UDOT's preferred alternative routes were announced.

Second: Council Member Murdock made the second.

Voting Yes: Council Members Johnston, Barney, Cheatwood, and Murdock.

Voting No: None.

Council Member Ostergaard was absent.

The **Motion Passed 4-0.**

3. Discussion and approval of extra questions for USU (Utah State University) Wellbeing Survey (Heidi Franco, Mayor) - *10 min?*

Mayor Franco asked Council to continue this agenda item to the next City Council Meeting but asked Council to begin considering whether additional questions were needed or wanted for the Heber City survey.

Motion: Council Member Barney move to continue action item three, for the USU Wellbeing Survey, to the next City Council Meeting scheduled for January 20, 2026.

Second: Council Member Cheatwood made the second.

Voting Yes: Council Members Johnston, Barney, Cheatwood, and Murdock.

Voting No: None.

Council Member Ostergaard was absent.

The Motion Passed 4-0.

4. Resolution 2026-01 to Adopt an Artificial Intelligence (AI) Policy (Lainee Meyers) - *30 min*

Motion: Council Member Barney made the motion to extend the meeting to 10:30 p.m.

Second: Council Member Murdock made the second.

Voting Yes: Council Members Johnston, Barney, Cheatwood, and Murdock.

Voting No: None.

Council Member Ostergaard was absent.

The Motion Passed 4-0.

Executive Assistant to the City Manager Lainee Meyers presented a proposed Artificial Intelligence (AI) policy for Heber City that established guardrails for the responsible use of AI within City operations. The policy would be incorporated into the Employee Handbook alongside existing technology policies and was intended to treat AI as a tool governed by current standards for accountability, confidentiality, privacy, and procurement. Staff explained that AI was increasingly embedded in software already used by the City, making proactive guidance necessary to reduce risk and ensure consistency. The policy did not mandate the use of AI, replace human judgment, or create new disciplinary standards, but instead clarified appropriate use, required disclosure when AI materially contributed to public or decision-making documents, and affirmed that final decisions remained the responsibility of City employees. Additional provisions addressed data privacy, approval and tracking of AI tools through existing IT procurement processes, and optional training to support responsible use.

Council Members expressed overall support for the proposed AI policy and described it as a strong initial framework. Feedback focused on several areas for refinement, including the need for clearer guidance regarding the use of free or publicly available AI tools, particularly related to privacy risks and data sharing. Council recommended

adding a clear definition of artificial intelligence at the beginning of the policy to clarify scope and ensure the policy remained adaptable as technology evolved.

Additional suggestions included addressing public records retention requirements for AI-generated materials, identifying prohibited uses such as discriminatory decision-making, surveillance, or privacy violations, and clarifying enforcement and accountability provisions. Council also noted the value of AI as a productivity tool when used appropriately and encouraged staff to continue exploring responsible internal uses while maintaining appropriate safeguards.

Motion: Council Member Barney made the motion to continue Resolution 2026-01 to adopt an AI policy to the next Heber City Council Meeting on January 20th, 2026.

Second: Council Member Cheatwood made the second.

Voting Yes: Council Members Johnston, Barney, Cheatwood, and Murdock.

Voting No: None.

Council Member Ostergaard was absent.

The **Motion Passed 4-0.**

X. COMMUNICATION:

City Manager Matt Brower communicated the following:

- George Bennett had invited the Council, Planning Commission, and Staff involved in helping him navigate his project for a four-plex/mansion-style home on a tour: Tuesday Jan 13 at 5:00 p.m.
- He distributed hand-outs received at the Jordanelle Ridge Open Space Committee earlier that afternoon and proposed the item be added to the next Council meeting for discussion.
- He had sent an email to Council containing the upcoming Retreat Agenda and asked for feedback. He added that there was no affordable housing discussion on the agenda as time was prohibitive.
- During the upcoming regularly scheduled Council Meetings, beginning with January 20, Staff would prepare for in-depth discussions of affordable housing. He asked Council to forward affordable housing issues that Council would like to dive into deeper.

Mayor Franco shared that there were multiple joint City-County Committees whose members needed to be reevaluated as Council Member Murdock had joined the Council. She listed the committees and asked Council to reach out to her if they wished to participate on any of them.

XI. ADJOURNMENT:

Motion: Council Member Murdock moved to adjourn.

Second: Council Member Barney made the second.

The Heber City Council Meeting was adjourned at 10:30 p.m.



Trina Cooke

Trina Cooke, City Recorder

VII. PUBLIC COMMENTS: (Received by email)

From: Nathan Jarvis [REDACTED]

Sent: Monday, January 19, 2026 5:34 PM

To: CC Public Comments <ccpublic@heberut.gov>

Subject: (EXTERNAL) Input for Garbett Homes potential zone change

Dear City Council,

There's a growing concern in our neighborhood regarding the Garbett Homes development proposal for Center Street and 830 East. I'm all in favor of seeing the property in question transformed into something useful and less unsightly.

For the record I understand the need to provide more housing in the valley. However I question the reasons for entertaining a zone change to allow the creation of the proposed island of high density units. I look forward to learning more via the City Council meeting scheduled for January 20, 2026.

I am very curious about the developer's solution for adequate parking and impact on traffic. From the plan I have seen there are only 11 guest parking spots. I'm curious about how many vehicles are allowed for per unit. Based on the plans that are floating around there would be 26 units squeezed onto the lot. 26!

I appreciate the hard work the City Council does for the community. I look forward to learning why this kind of zone change would be considered. So far I have not received any official communication from the city.

Sincerely,

Nathan Jarvis

[REDACTED]
Heber City, UT 84032



"Three things in human life are important. The first is to be kind. The second is to be kind. And the third is to be kind." —Henry James

From: Cole Sorenson [REDACTED]
Sent: Tuesday, January 20, 2026 11:07 AM
To: Heidi Franco <hfranco@heberut.gov>
Cc: City Council <citycouncil@heberut.gov>; CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) Re: Garbett Home Discussion - Actual Density in Code and General Plan

Thank you for responding

On Jan 20, 2026, at 10:29 AM, Heidi Franco <hfranco@heberut.gov> wrote:

Council,

I believe it's important to stick to our actual city code zoning in the Garbett Home discussion tonight.

See this current zoning at and around the Garbett Home parcels at map below.

Garbett's existing parcels are the last part of the R-2 zone on Center street--see below.

More R-2 is directly ***west & north*** of the Garbett homes parcels. **Directly east and south of the Garbett's parcels are R-1 zoning.**

Medium orange is R-2. Light orange is R-1. Picture came from city: <https://experience.arcgis.com/experience/f91108560b6e47f59b48009aea09a4f1>

Here's the existing city code purposes for R-1 and R2, as well as the general locations for R-3/COSZ. Go to:

https://heber.municipalcodeonline.com/book?type=planzone#name=18.52.010_Purpose_And_Objectives

18.52.010 Purpose And Objectives

A. The objective in establishing the **R-1 residential zone** is to encourage the creation and maintenance of residential areas within the city which are characterized by large lots on which single-family dwellings are situated, surrounded by well-kept lawns, trees and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions.

B. The objective in establishing the **R-2 residential zone** is to provide a residential environment within the city which is characterized by smaller lots and somewhat denser residential environment than is characteristic of the R-1 residential zone. Nevertheless, this zone is characterized by spacious yards and other residential amenities adequate to maintain desirable residential conditions.

C. The objective in establishing the **R-3 residential zone** is to provide appropriate locations within the city for high density residential development. In general, this zone is located in the central part of the city, adjacent to commercial areas where the impact of vehicular travel and parking is consonant with adjacent use of land, and where multiple dwellings can best be supplied with necessary public facilities. This zone is characterized by more compact development and somewhat higher volumes of traffic than is characteristic of the R-1 and R-2 zones.

Here's a larger overview of the zones on this side of the city. There are no 'commercial areas' close to the Garbett Homes parcels, only more R-1 and R-2 residential. Traffic generated would not be 'consonant' with adjacent use of land as said in the R-3 purpose.

Let's follow the existing zoning which has been in place for decades. Land purchases knew this density also.

Plus the future General Plan vision is to have this same area be a 'medium density residential zone' or MDR sometime in the future (which hasn't been passed yet).

The future density allowed there ***if an ordinance is ever passed to match this General Plan vision***, was only 3-6 units per acre, not the densities being asked for by Garbett.

See: <https://envisionheber.com/wp-content/uploads/2024/10/2023-General-Plan-Update-101224-SMALL.pdf> ; pg. 25 at top/20 on pg for map, and 29 up top/or 24 on the actual page for the MDR zoning goal.

Garbett is asking for much more density than in the current code and future general plan vision, plus much more impact to the existing R-1 residential around it who expect the City to follow existing zoning code.

Thank you for considering,

Heidi Franco

Transparency & Accountability to Citizens

[<email-signature-](#)

Heidi Franco

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Mayor

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[Heber City](#)

[75 North Main Street, Heber City, UT 84032](#)

Phone: [435-671-8244](#)

Email: hfranco@Heberut.gov

PRIVACY NOTICE:

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From: Tom Johnson [REDACTED]

Sent: Monday, January 19, 2026 11:13 PM

To: City Council <citycouncil@heberut.gov>; CC Public Comments <ccpublic@heberut.gov>; PC Public Comments <pcpublic@heberut.gov>; Anthony Kohler <tkohler@Heberut.gov>; Yvonne Barney <ybarney@heberut.gov>; Aaron Cheatwood <acheatwood@heberut.gov>; Sid Ostergaard <sostergaard@heberut.gov>; Mike Johnston <mjohnston@heberut.gov>; Morgan Murdock <mmurdock@heberut.gov>; Heidi Franco <hfranco@Heberut.gov>

Subject: (EXTERNAL) PROPOSED Subdivision near Broadhead Estates

Hi Council Members,

I'm writing in regards to the proposed subdivision near Broadhead Estates and Millroad Estates located at 830 East Center street, that's been presented by GarBett Homes. I'm opposed to the property at that location being subdivided to include 26 two story town homes. The current property has one residential

home and should be limited to a max of 2 primary residence homes at that location. I don't agree with the proposed zoning change to this location to allow for 26 two story town homes. If this proposed subdivision is approved it will lower the property values of the surrounding homes, increase traffic on Center street, and disrupt the local wildlife. In addition, the proposed plan doesn't include enough parking for the housing units on the plan. It's also important for the committee to know that the property boundary on the East side of the North property that borders lots 1, 2 and 3 of the Ivory Millroad Estates is currently in a property boundary dispute that has yet to be resolved. I'm the owner of Lot 2 of the Ivory Millroad Estates located at 70 S Miller's Mile Road and have been in contact with Mike and Jolene Austin owners of the North Family Trust, trying to resolve the correct property line between our property. The owners of Lot 1, Ivory Millroad Estates recently resolved their property boundary dispute and purchased additional land west of their property to the canal from the North Family Trust. The property line bordering lot 1,2 and 3 of Ivory Millroad Estates has been surveyed multiple times as recently as 2025 and the exact line has been surveyed and pinned by Elevate Engineering.

This type of subdivision with two story town homes is more suited for properties closer to Main street and should not be allowed to be approved/built beyond 300 East. To my knowledge, no other small lot subdivision has been approved this far East with this many units. The existing development's in this area are single family homes with reasonable lot sizes, adequate parking and wide streets to allow for parking for guests and snow removal. I don't understand why the planning commission and the City Council are entertaining the idea of changing Zoning for these small lots to be developed with 2-3 story town homes jam packed side by side without adequate parking. It's also a joke to state that these are low income/affordable housing units. \$500k is NOT affordable. I have a 23 year old son who couldn't afford to buy a \$500k town home and if he did spend that kind of money he would buy a single family home on it's own parcel of land

I hope that you will read this email with an open mind and take into consideration the desires of the current tax payers that will be affected by this Proposed Subdivision.

Respectfully,

Tom and Carol Johnson

Owner of Lot 2, Ivory Home Millroad Estates

Heber City, UT 84032

Cell

From: William Damron

Sent: Monday, January 19, 2026 10:56 PM

To: CC Public Comments <ccpublic@heberut.gov>; PC Public Comments <pcpublic@heberut.gov>; City Council <citycouncil@heberut.gov>; Morgan Murdock <mmurdock@heberut.gov>; Yvonne Barney <ybarney@heberut.gov>; Mike Johnston <mjohnston@heberut.gov>; Sid Ostergaard <sostergaard@heberut.gov>; Aaron Cheatwood <acheatwood@heberut.gov>; Anthony Kohler <akohler@heberut.gov>

<tkohler@Heberut.gov>; Jamie Baron <jbaron@Heberut.gov>; Jacob Roberts <jroberts@heberut.gov>
Subject: (EXTERNAL) Proposed Rezoning of property for Garbett Homes Development off of Center Street

Dear Planning Commission and Heber City Councilmen,

We would like to voice our concerns along with our neighbors in Broadhead Estates about the proposed rezoning for the Garbett Homes development. We have lived in our home here for 10 years and Rachelle grew up here and is a long time resident of Heber City. We have watched our beautiful community grow and progress and we realize that change is inevitable and that the town will continue to grow. However, we object to the proposed rezoning of the property that lies directly behind our home at 43 South 750 East for the 26 housing units. This seems extremely out of place and is not appropriate for the area. As cited by our wonderful neighbors, we also have concern for the additional traffic load this will bring to Center Street, as well as the overflow parking that will likely spill on to Center Street. As the community has grown with each new development there is an increase with traffic and construction vehicles. Our development already receives an overflow of traffic. We have construction trucks and even diesels barreling down our streets at high speeds not to mention just additional traffic. This is also a concern for children walking to school in the school zones as well.

We have loved the view of the trees and would hate to see those taken out, not to mention the wildlife that is located along the creek being displaced. At looking at Garbett Homes designs, the style that has been proposed looks very modern and is very out of place in an area that has older homes and newer builds. The high density units are not a good fit for the area and are sorely out of place. We would love to see the integrity of the homes not being invaded by a random out of place housing development. **We strongly oppose the rezoning of the property and the Garbett Homes development** that is proposed for the site. Please consider our recommendation for the overall good and structure of the community. Sincerely, Bill and Rachelle Damron, [REDACTED], Heber City Utah, 84032 [REDACTED]
[REDACTED]

From: Mallory Pratt [REDACTED]
Sent: Monday, January 19, 2026 9:57 PM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) Garbett Homes potential zone change at 811 East Center - Public comment

Public Comment Regarding Proposed Garnett Homes Townhome Development

Approx. 830 E Center Street

My name is Mallory Pratt, and I am a resident of Broadhead Estates. I am writing to express serious concern regarding the proposed high-density townhome development by Garnett Homes at approximately 830 E Center Street.

First, this proposal would require rezoning that is incompatible with the surrounding area.

The property in question sits adjacent to established R-1 zoned neighborhoods, including Broadhead Estates, Timp Meadows, and Mill Road Estates. The purpose of R-1 zoning is to preserve low-density,

single-family neighborhoods with larger lots and maintained open space. Introducing a 26-unit high-density townhome development in this location would directly undermine that purpose.

This proposal closely resembles spot zoning, which occurs when a single parcel is rezoned in a manner that is inconsistent with the surrounding zoning and contrary to the city's comprehensive plan. There are no comparable high-density developments in this immediate area, and approving one here would set a troubling precedent. Simply put, this development is out of character and out of place.

Second, the proposed "owner-occupied requirement" does not offer meaningful protection.

While the development is described as owner-occupied, the proposal includes 13 listed exceptions, effectively weakening the requirement to the point where owner occupancy is unlikely to be enforced. The city is already experiencing increased multi-family occupancy in single-family homes, and allowing a dense development with limited safeguards against rental or multi-family use will only exacerbate those issues. This raises legitimate concerns about long-term neighborhood stability and maintenance.

Third, traffic and parking impacts have not been adequately addressed.

The proposed parking count is insufficient to accommodate residents, let alone visitors. This will inevitably push overflow parking onto Center Street and the streets of Broadhead Estates—areas not designed for that level of congestion.

Additionally, the intersection of Center Street and 750 East is already known for high accident rates and frequent pedestrian crossings, including children. A development of this size could conservatively add 50–60 additional vehicles during peak hours, further increasing congestion, reducing visibility, and creating safety risks for existing residents.

Finally, this development will negatively impact property values and neighborhood appeal.

Residents of Broadhead Estates and surrounding neighborhoods chose to build here specifically because the area was designated for low-density residential use under the city's comprehensive plan. Approving this rezoning unfairly shifts the burden onto existing, tax-paying residents who relied on that plan when making significant financial investments in their homes.

It is the responsibility of the City Council and Planning Commission to use zoning as a legal tool to implement the goals of the comprehensive plan—not undermine them. I respectfully ask you to consider the long-term consequences of this decision and to uphold the zoning principles that protect established neighborhoods.

Thank you for your time and consideration.

Sincerely,

Mallory Pratt

From: Amber Sorenson [REDACTED]

Sent: Monday, January 19, 2026 9:30 PM

To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) Proposed zoning change center street

Dear Members of the City Council,

My name is Amber Sorenson, and I am a homeowner whose property is directly adjacent to the area proposed for rezoning and development. I am writing to formally express my strong opposition to the proposal to rezone a small parcel of land from R2 to R3 high-density residential use behind my home, which is currently zoned R1.

This proposed rezoning is deeply concerning. Our neighborhood was established and purchased under the reasonable expectation that surrounding zoning would remain low-density and consistent with existing residential use. Introducing an R3 high-density development directly behind R1 single-family homes is incompatible with the current character of the neighborhood and represents a significant disregard from responsible land-use planning.

I am particularly concerned that this proposal appears poorly thought out and reckless in its potential impacts. A high-density R3 development will increase traffic, parking congestion significantly, noise, and strain on local infrastructure, while also negatively affecting privacy, safety, and property values for existing residents. These consequences disproportionately burden current homeowners who relied on established zoning when choosing to live here.

Rezoning such a small area to R3 also raises concerns about spot zoning and sets a troubling precedent for future development decisions. Changes of this magnitude should be guided by comprehensive planning, transparency, and meaningful consideration of community input—not by short-term development pressures.

I respectfully urge the City Council to reject this rezoning request and protect the integrity of our neighborhood. Please prioritize thoughtful planning, existing zoning standards, and the voices of residents who will be directly impacted by this decision.

Thank you for your time and consideration.

Sincerely, Amber Sorenson

From: Maren Meibos [REDACTED]
Sent: Monday, January 19, 2026 8:44 PM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) Garbett Homes potential zone change at 811 East Center - Public Comment

Dear Council Member

My name is Maren Meibos. I live in the Broadhead Estates neighborhood in Heber City. (Roughly [REDACTED] [REDACTED] I am writing to you to express concern over the proposed Garbett Homes development going in behind my home/property on two vacant lots. The proposed number of 26 homes/townhomes for this development seems excessive to say the least. This is an established area with single family homes

on reasonably sized lots. To approve this development would feel extremely out of place, and for lack of a better term, be an eyesore.

Any potential development should reflect and resemble the surrounding homes and neighborhoods. This feels as though someone has seen an opportunity to cram as many homes in as they can to make the largest profit possible, rather than attempting to put in a neighborhood that would blend in with the other surrounding neighborhoods and add value to the community. Current homeowners purchased their homes and property based on the understanding that the area was zoned for other single-family homes, not what I would consider high density housing. The traffic on Center Street would also be a major concern with this development. There are already parking issues in the current neighborhoods, with cars regularly lining the streets. The existing homes are on larger lots and less condensed. Imagine the potential problems with the proposed zoning change for this development, creating more homes in a smaller area.

Additionally, I feel I can speak for the majority in our neighborhood when I say that the large, mature willow trees and canal that run through the property and along the trail are a special and unique feature to the area, and to remove them and cover the canal would be tragic. I understood and expected that these lots would eventually be developed, but the future developer should take the existing natural features into consideration, and integrate them into their plans. Heber is sought after by many for its charm, character, and rural setting. When you remove the large trees that have been there for years, and cover the canal, the area loses its appeal to an extent. It is also a visited frequently by various wildlife, including deer, geese, ducks, and other bird varieties. Please take into consideration the homeowners that are already here, and approve homes that would add to our current community, keep the beautiful mature trees, and would blend in with our neighborhood, rather than forcing in an overcrowded subdivision that is out of place. Thank you for your time and thoughtful consideration on this issue.

I appreciate your service to our community!

Sincerely,

Maren Meibos

From: caseytlewis81@gmail.com [REDACTED]
Sent: Monday, January 19, 2026 8:23 PM
To: CC Public Comments <ccpublic@heberut.gov>; PC Public Comments <pcpublic@heberut.gov>
Cc: City Council <citycouncil@heberut.gov>
Subject: (EXTERNAL) Garbett Homes Project (811 E Center St.) - Casey Lewis - [REDACTED]
[REDACTED]

Dear Members of the Heber City Council,

I am writing to respectfully share my concerns regarding the proposed Garbett Homes potential zone change at 811 E Center Street.

Heber City's General Plan, Envision Heber 2050, is intended to guide development decisions by prioritizing neighborhood compatibility, transportation safety, pedestrian connectivity, and quality of

life. In reviewing this 26-unit proposal, I believe there are several areas where the project may not fully align with the city's stated goals.

First, access and safety are significant concerns. The site design appears constrained for emergency vehicles, waste management trucks, and snow removal truck or equipment, raising questions about safe and reliable access for essential services. In addition, the proposed sidewalk in front of the development does not connect to sidewalks to the east or to the west of the development because there aren't any sidewalks currently in place. The proposed pedestrian and trail connections terminate without linking to a broader, continuous sidewalk or trail network. This undermines the General Plan's emphasis on safe, connected pedestrian circulation.

Second, parking impacts are a major issue. The proposed density does not appear to provide sufficient parking for realistic household vehicle ownership. There is also no clear accommodation for wheelchair-accessible vehicles. As a result, overflow parking will likely spill onto a very busy Center Street and surrounding residential neighborhoods, creating congestion, safety concerns, and diminished neighborhood livability.

Third, the proposed R-3 zoning raises compatibility concerns. This site is surrounded primarily by R-1 and R-2 neighborhoods, not an established higher-density or mixed-use corridor. Introducing higher density in the interior of a low-density neighborhood risks disrupting neighborhood character and stability, contrary to the General Plan's context-sensitive growth and land use policies.

Finally, the loss of mature trees on city property for private development benefit raises concerns about whether the project delivers a clear and lasting public benefit, as envisioned in the General Plan.

I respectfully ask the City Council to carefully consider whether this proposed zone change meets the standards of Envision Heber 2050 and Heber City's zoning code, particularly with regard to emergency access, parking adequacy, pedestrian safety, and neighborhood compatibility.

Thank you for your time, service, and thoughtful consideration of these concerns.

Sincerely,

Thanks,

Casey Lewis

From: Tera [REDACTED]
Sent: Monday, January 19, 2026 8:13 PM
To: CC Public Comments <ccpublic@heberut.gov>
Cc: Tom Nye <tomnyejr@gmail.com>
Subject: (EXTERNAL) Opposition of re-zoning

Dear Mayor Franco, Members of the Heber City Council, and Planning and Zoning Committee,

We are writing to formally express my opposition to the proposed rezoning of the property located at 811 E Center Street in Heber City.

We are concerned that the requested rezoning would further contribute to an over concentration of high-density housing in Heber City, which is inconsistent with the existing character and zoning intent of the surrounding neighborhood. Continued increases in density without appropriate balance risk altering the community fabric and diminishing the quality of life for nearby residents.

In addition, increased residential density at this location would place additional stress on already impacted roadways and traffic patterns in the area. Center Street and surrounding roads experience regular congestion, and further development of this intensity is likely to exacerbate traffic safety concerns and access for residents and emergency services.

We also have serious concerns regarding the impact this rezoning and resulting development could have on city infrastructure, particularly utilities and water resources. As growth continues in Heber City, it is critical that existing systems—including water supply, sewer capacity, and related infrastructure—are not overburdened beyond their intended design or sustainable limits.

Rezoning this property may set a precedent for future developments that are not aligned with the City's General Plan and long-term land use policies. Thoughtful, measured growth is essential to ensuring Heber City remains livable, well-planned, and adequately supported by infrastructure.

We respectfully request that the City Council and Planning and Zoning Committee give careful consideration to these concerns and deny the proposed rezoning request. We urge the City to pursue development approaches that are compatible with existing zoning, infrastructure capacity, roadway safety, and the expectations of the community.

Thank you for your time, consideration, and service to Heber City. We appreciate the opportunity to share my concerns and ask that this email be included in the public record for this matter.

Sincerely,

Tom and Tera Nye