

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Planning Commission Meeting

September 8, 2026

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.

1. Regular Meeting:

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance: By Invitation
- IV. Prayer/Thought by Invitation ()
- V. Recuse for Conflict of Interest

2. Consent Agenda:

- I. 07.28.2026 & 08.11.2026 Planning Commission Minutes for Approval

3. Action Items:

- I. Public Hearing to consider an Amendment to the Wildland Urban Interface Map (Planning Manager Jamie Baron)
- II. Public Hearing for a Zoning Map Amendment for Karl Malone
- III. Public Hearing to Consider a Zoning Map Amendment to Apply the Central Heber Overlay Zone to Lot 20-0370 (Senior Planner Jacob Roberts)
- IV. Public Hearing for Central Heber Overlay Zone (CHOZ) Amendments (Senior Planner Jacob Roberts)
- V. Consider an Annexation for RiverHawk Road (Planning Manager Jamie Baron)

4. Work Meeting: N/A

5. Administrative Items:

- I. City Council Communication Item

6. Adjournment:

In accordance with the Americans with Disabilities Act, those needing special accommodations during this meeting or who are non-English speaking should contact Meshelle Kijanen at the Heber City Offices at 435.657.7898 at least eight hours prior to the meeting.

Posted on 09.03.2026, in the Heber City Municipal Building located at 75 North Main, the Heber City Website at www.heberut.gov, and on the Utah Public Notice Website at <http://pmn.utah.gov>.

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting **AMENDED AGENDA**
July 28, 2026

DRAFT Minutes

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Jorcan called the Planning Commission Meeting to order at 6:03 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:

Chairman Phil Jordan
Vice-Chair Tori Broughton
Commissioner Dave Richards
Commissioner Darek Slagowski
Commissioner Josh Knight
Commissioner Robert Wilson
Commissioner Robert McKinley
Commissioner Kristina Goodnough

Planning Commission Absent:

Commissioner Dave Richards
Commissioner Greg Royall

Staff Present:

Planning Manager Jamie Baron
Planner Jacob Roberts
Deputy Recorder Andrew Conley

Staff Participating Remotely:

Consultant GCGarcia Denna Woodbury
Consultant Landmark Design Inc. Aubrey Larsen

Also Present:

Trent Stewart, Dustin Stewart, Robert McDonald, Breg Bird, Scott Long, Julie

Frankley, Rhett Welch, Justin Keys, James Stout

Also Attending Remotely:

Justin Keys, Ashley, Auggie Wasmnd, Gary Bush, Jon Galbraith, Nate Mitchell

III. Pledge of Allegiance: By Invitation

Vice-Chair Broughton led the recitation of the Pledge of Allegiance.

IV. Prayer/Thought by Invitation N/A ()

V. Recuse for Conflict of Interest

Chairman Jordan stated he would abstain from the Consent Agenda Motion as he had a conflict of Interest.

2. Consent Agenda:

- I. Request for a Conditional Use Permit for JSSD Marcella Drinking Water Pump Station (Planner Aubrey Larsen)

Motion: Vice-Chair Broughton moved to approve the items on the Consent Agenda. Commissioner McKinley made the second.

Discussion: N/A

Voting Yes: Commissioner Slagowski, Commissioner Knight, Commissioner Wilson, Commissioner McKinley, Vice-Chair Broughton, Commissioner Goodnough. **Voting No** None. The Motion Passed 6-0.

Motion: Vice-Chair Broughton moved to move Item three from the Action Items list to Item number one. Joshua Knight made the second

Discussion: N/A

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

3. Action Items:

I. Development Agreement for State Automotive 425 West 100 South (Planner Jacob Roberts)

City Planner Jacob Roberts explained his Staff Report was 90% the same as the July 14, 2026, but clarified if approved, the reconstruction of the auto body shop would be required to go through the Site Plan approval process. The projects would be reviewed by all relevant departments, including Hebrew Light and Power, and Wasatch County Fire. It was anticipated that, at that time, issues such as rear landscaping and electrical poles at the back of the property would be discussed and managed.

Mr. Roberts had added the Planning Commission's condition from July 14, 2026, which stated no auto painting would take place on the property. Mr Roberts also added a boundary survey to the Staff Report which was provided by the applicants. The boundary survey was conducted detailing the boundary of the property and where the building sits on the property. On the west side, the edge of the building came very close to the property line but did not cross the property line. However, it did cross the property line on the east side, but the applicant owned the building, so it is not a huge concern. Mr. Roberts continued the property line then went back deep into the lot. A couple of neighbors had reached out and wanted to contact the applicants to resolve some of the boundary lines and to correct some of the issues that had been long-standing on this block.

Chairman Jordan asked about the setbacks to the new building. Mr. Roberts confirmed that the proposed Development Agreement would allow the build to be directly on the same current footprint. Chairman and Mr. Roberts discussed what the setback would be otherwise. Mr. Roberts confirmed a normal setback was dictated by the Design Criteria. There were multiple things that made that determination, but there would be more of a setback than there was currently. If the applicant were developing the project without the same footprint, they would have to follow the standards of the zone.

Mr. Roberts explained the property on the corner would be required to follow all C2 design guidelines and criteria. The boundary line would likely be moved over to include the full property so that it would no longer cross any property lines.

Chairman Jordan confirmed that the boundary line would move to the right and appear between the two buildings. Mr. Roberts confirmed, Yes, the one building would go away and the boundary line would move slightly and then there would be no required setback between two commercial properties. Therefore, the setback would be through the property line or through the buildings, but the wall had to be on the property line.

City Engineer Ross Hansen commented, before the applicant submitted a site plan application, the boundary line adjustment, to move that property line to the right, needs to be completed first. Mr. Hansen continued, if your surveyor or engineer or whoever would be assisting you with the boundary line adjustment needed help or a template, he could provide them with information that

might make it a little easier for them.

Commissioner Wilson commented that he was opposed to the project as it was not the best use for the area, based on the fact that it would be part of the Central Heber Overlay Zone and the Transitional Corridor between downtown and the railroad. Commissioner Wilson stated the City could find a better use for the land than just an auto shop and the applicant could find land for that use someplace else in Heber and conduct the same business.

Motion: Vice-Chair Broughton moved to approve the Development Agreement for State Automotive located at 425 West 100 South. Commissioner Knight made the second.

Discussion: N/A

Voting Yes: Commissioner Slagowski, Commissioner Knight, Chairman Jordan, Commissioner McKinley, Vice-Chair Broughton and Commissioner Goodnough. **Voting No:** Commissioner Wilson. The Motion Passed 6-1.

II. Public Hearing for Master Development Agreement Amendment for Finch Creek (Planner Denna Woodbury)

Chairman Jordan invited the applicants to move forward and introduce themselves. Justin Keyes and James Dow were their names. Planning Consultant Denna Woodbury began, the application is a Master Development Amendment for the Finch Creek Development. The request is to facilitate the realignment of the university and also receive exceptions from the North Village Overlay Zone (NVOZ) Design Provisions due to the topography and the impact the topography had on the project. The proposed project would move University Avenue to the north where it would connect to Highway 40. The change would allow for the streets to have a more gentle slope throughout the project and connect the project to the east.

Ms. Woodbury continued, the project consisted of residential units that would be town homes and mansion homes. The applicant had prepared a document which included nine modifications to the existing Development Agreement.

The first item related to the commercial and retail component. The original agreement anticipated commercial development along Highway 40. The amendment removed the commercial component except for the clubhouse and some of the amenities that they would be providing for the development.

The second item related to the park requirements. The municipal code required a distance requirement for park amenities and parking. They would be providing a park with parking spaces nearby, but the applicant wanted to ensure they would not be held to more off-street parking for the park. They would provide trails that would connect to the park and there would be access for the residents that lived within the development.

The third item related to sensitive lands and analysis. There were minor areas where the slope could exceed 30% and staff had added that language. Ms. Woodbury read the specific language listed in her Staff Report.

The fourth item related to the permitted and private roads. The applicant requested 32 feet from the back of the curb to the back of the curb and that parking would only be provided in designated parking spaces and would not be allowed on the private roads. The project would have private streets that would act as alleys for the purposes of the North Village Overlay Zone (NVOZ) Design Standards.

The fifth item related to the glazing requirement. The requirement applied to some of the upper levels, which would be fine, but because of the way the garages were designed, they would not be able to meet their glazing and transparency requirement.

The sixth item related to parking. The applicant was asking that the driveway, the garage, and additional parking spaces be counted for parking, as with the scenario, so that the applicant could meet the parking requirement.

The seventh item related to the scenic buffer and the landscaping near the private frontage road by Moulton Lane. The applicant requested an exception from the monotony requirement. The project contained a mix of styles as conceptualized in the site plan. The landscaping was a small portion of the overall project and staff agreed that this would be an okay exception.

The eighth item related to having the hard surfaces within the 75-foot setback. These would include the trail system and maintenance access for the retention basin.

The ninth item related to the street buildings from the NVOS design standards. Such as trim from the mountain modern design and ceiling heights. The mountain modern design required 10 to 14 feet and their ceiling height would only be nine feet. The applicant also asked that the ground floor masonry stone brick requirement of 20% be reduced to 17%. The applicant also asked for an exception for the porch requirement. Ms Woodbury explained the mountain modern home required all the porches to have a shed or a hip roof. Four out of their five porches complied, but the center porch needed a gable roof. Staff believed the applicant would still meet the intention of the NVOS.

Ms. Woodbury explained the applicant would present their exhibits that would show and explain the requests. Please refer to the 07.28.2026 Planning Commission Meeting with Staff Report, PowerPoint and Video for additional information through this link: <https://hebercityut.portal.civicclerk.com/event/490/files/agenda/1648>
After the presentation, Chairman Jordan asked for an exhibit for the parking exception. The applicant explained the parking exception was related to city code 1821-050-2.8

and that parking near parks would count towards open space. The applicant explained they were hoping for the parking around the park to go toward the open space calculation for their parking. The applicant explained they would provide a dog park, pickleball courts, a fire pit sitting area with a multi-use path along Highway 40 and then looping around the property, which was all considered open space.

Chairman Jordan asked the City Engineer, Ross Hansen, if he wanted to add anything to the discussion at this point and he did not. Chairman Jordan opened the Public Hearing.

Robert McDonald introduced himself and stated he lived on 150 W Potter Lane and the Finch Creek Development was just west of his property. Mr. McDonald stated his concern was that the McDonald ditch ran through the property. The water came from the ditch to irrigate everything in the northern fields that were accessed off Highway 40. Additionally, there was a diversion that came across the highway which was in the middle of the property, which watered Mr. McDonald's field. Mr. McDonald wanted care taken with the ditch and the conversion so he could continue to irrigate his field. Mr. McDonald had an additional concern regarding the storm water runoff from the project as he did not want the runoff going into the ditch and then onto his property. Mr. McDonald asked if the applicant had an exhibit showing the ditch and the plan for storm water runoff and the plans for the ditch. The applicant stated they would be working with Central Utah Water Conservancy District (CUWCD) for the two ditches that were on the property. Mr. McDonald stated the CUWCD would only deal with the other ditch, not the McDonald ditch, as the McDonald ditch was part of the Northfield Irrigation Company. The applicant confirmed they would take care of the diversion so Mr. McDonald could continue to irrigate his field.

As there were no more Public Hearing comments, Chairman Jordan closed the Public Hearing. Chairman Jordan asked for the process of the storm water review. City Engineer Ross Hansen explained the process and confirmed engineering would be reviewing and looking at the stormwater design and ensuring that it would not affect irrigation property or an irrigation right.

Vice-Chair Broughton asked about short-term rentals. The applicant stated they had not requested short-term rental privileges. Vice-Chair Broughton asked if the mansion-style homes would have internal or external access. The applicant responded that they would all have external access. Chairman Jordan asked about the inclusion of the garage as a parking space for compliance for required parking. Mr. Baron responded that the garage was a legal parking stall. Two stalls were required for every residential unit. The city did not allow tandem parking, but this was what the applicant was asking the city to allow the garage and anything in front of that garage as parking. Typically, the city would not allow the driveway to count towards the legal requirement for parking. Therefore, the garage counts as normal, but the driveway was the exception.

Chairman Jordan asked if the project had accounted for guest parking. The applicant explained the guest parking would be the 30 spaces that were off-street parking. The applicant confirmed every unit would have a two-car garage.

Through the Commission and applicant conversation, it was determined that the applicant already met the parking requirement without the exception. Commissioner Wilson asked why there was so much concern about the parking with this project when some single-family homes have eight or nine cars parked in front of the home.

Mr. Baron explained parking for the units that would have an Accessory Dwelling Unit (ADU). The state code only required one parking spot for ADUs, so this parking spot would be allowed in the driveway in this circumstance.

Chairman Knight asked about the square footage of the town homes. The applicant responded that there would be a range between 1200 and 1600 and up to 3000 square foot units. Chairman Knight voiced his concern about allowing for an exemption for parking when it was not needed. Mr. Baron agreed with Chairman Knight and suggested the driveway parking may be used for an ADU and for the language to be placed in the MDA Amendment. The applicant agreed with the recommendation.

Vice-Chair Broughton motioned to approve the Master Development Agreement Amendment for Finch Creek as presented with the findings and conditions as presented in the conclusion above. No Commissioners made a 2nd to the motion so the motion failed.

Chairman Jordan asked for an additional motion. Commissioner Slagowski stated he would second the original motion if a condition was added regarding the McDonald ditch.

Vice-Chair Broughton restated her motion to approve the Master Development Agreement Amendment for Finch Creek as presented with the findings and conditions as presented in the Staff Report with the additional condition of clarifying that the storm water does not interfere or drain into the McDonald ditch and the McDonald ditch remains unencumbered. City Engineer Ross Hansen stated he did not know if the ditch could be completely unencumbered as the ditch may have to be moved and a pipe may need to be placed.

Motion: After further discussion, Vice-Chair Broughton restated her motion to approve the Master Development Agreement Amendment for Finch Creek as presented with the findings and conditions as presented in the conclusion above, as well as ensuring the continued flow of the McDonald's ditch. As well as ensuring that storm water did not go into the ditch. Commissioner Slagowski made a second to the Motion.

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

III. Blue Sign Annexation, located at 2600 N Hwy 40 (Planning Manager Jamie Baren)

Planning Manager Jamie Baron explained the process of Annexation. Please refer to the 07.28.2026 Planning Commission Meeting with Staff Report, PowerPoint and Video for additional information through this

link: <https://hebercityut.portal.civicclerk.com/event/490/files/agenda/1648>. Mr. Baron continued, The General Plan in the area was for Neighborhoods with Open Space and also the Scenic Buffer. Neighborhoods with open space was primarily a single family development. Secondary would be town homes, small lots and attached. The unit density range would be somewhere between three and 20 units per acre, again, small lots, and then clustering for open space.

Mr. Baron explained more about the General Plan, the proposed concept, and the NVOZ. The general plan, would primarily allow single family. The applicant would be asking for town homes and a mixed-use commercial. The density is 30 to 20 units per acre with two to three stories in height. The applicant would be asking for 7.8 units per acre, for the town homes but not including the approximately 10,000 square feet of commercial. The NVOS code permitted townhomes in the neighborhoods with open space, the mixed-use was not allowed. Therefore, the commercial portion the applicant was proposing was not a permitted use in the code. Mr. Baron described these as some of the issues the applicant would be facing and there would more than likely be an agreement set in place. If the Planning Commission determines that some of these changes could be allowed please let that be known so those changes could be included.

The commercial tends to be clustered around UVU and highway 40 and highway 32 and at the river road intersection. Whereas the county tends to have more of a strip approach. such as their commercial in by Highway 40, and then, as you go up the hill, you would have less density. So there are two different kinds of methodologies. City vs.

County. Mr. Baron showed a slide indicating the mountain zone, but the reddish maroon was Town Core, which would allow for commercial on some of the property and would allow for commercial a little farther up the hill where the applicant was proposing.

Mr Baron continued with the concept of the project, which showed the placement of the town homes. The project would stub into and connect to Fitzgerald Farms for one of their accesses. The other access would be at Green Valley Drive. Mr. Baron showed the mixed-use building that would be on Highway 40. Also, the town homes were permitted in the zone, but the city would need to look at the open space calculations which would be based on the site plan. However, there was a significant amount of open space.

The Planning Commission would need to make a determination on mixed-use if they wanted to recommend commercial by highway 40. Mr. Baron stated the Highlands Development, just to the north, had been permitted to have some commercial on highway 40. Mr. Baron commented that the development did not meet the General Plan exactly and things to consider would be what the County had in their zoning and that the development does not line up exactly with the NVOZ. Therefore, there would need to be some exceptions worked into the agreement, if the development would be annexed.

If the Planning Commission feels that it would be a better approval to allow a commercial base, then it was within their ability to recommend that to the City Council. Also, the General Plan can be modified as it is not binding but more of a guide. However, the zoning and agreement would be binding. Ultimately, the Commission needed to decide; should the project be annexed into the city and whether they agree with some of the uses and densities and layout of the concept.

The applicant, Mr. Bird explained the only thing that they had proposed was to have commercial space between the residential units and Highway 40.

Commissioner Slagowski asked why Wasatch Commons was not annexed into the city and also stated if the city annexed this development, Wasatch Commons would become an island not a peninsula. Mr. Baron responded to; "Why was Wasatch Commons not annexed into the city?" There would not be a benefit for the owners to annex into the city. Additionally, the county was fine with leaving the property as a peninsula. The conversation and explanation continued between the Commissioners and Mr. Baron.

Chairman Jordan asked about the potential projects acces to Highway 40. The applicant answered that they had spoken with UDot and UDot had asked for a right out, and a left out and a right in and the applicant had complied with UDots request.

Vice-Chair Broughton asked if there would be any trails or public amenities. The applicant responded, there was a city trail system that comes through the area, so that would be implemented into the development.

Mr. Baron reiterated the question put before the Planning Commission: Would you like to allow commercial, or do you want to remain with residential?

Commissioner Goodnough asked what kind of commercial. The applicant responded they had some interest and named a few of the businesses that had reached out to him and the project had been designed for a proper drive-through.

Commissioner Knight commented that it made sense that it would be centralized.

Chairman Jordan asked how much commercial was permitted as part of the Highland project? Mr. Baron responded that he did not have the exact numbers of how much commercial was allowed in Highlands, but they had a similar strip type of commercial through the area between the roundabout and the property. Chairman Jordan asked the same question about College Downs. Mr. Baron responded that the development, College Downs did have a commercial allotment.

Commissioner Slagowski commented, since the city would prefer the commercial be clustered would it make sense for this building to be more of a mixed-use building where there was residential on top of commercial then it would look like residential from the highway and would fit the Heber plan, but there could be some small businesses on the bottom floor. Chairman Jordan added that to have commercial on the bottom it would mitigate the road noise going straight into the front doors and windows of the residences. Commissioner Knight stated you could place a concrete barrier. The applicant stated he would be open to placing residential above a strip mall.

Commissioner Goodnough asked if the strip mall was an integral part of the project. The applicant responded, that it was becoming more integral for some different reasons that were explained but thought he could make this type of design really awesome for the community, Commissioner Slagowski commented, he believed the developers could make the building look more residential even though it would have commercial on the lower level. It would also bring in a live/work type of scenario where people could live above their businesses.

Vice-Chair Broughton commented she thought it was unfortunate that there was any commercial spread on Highway 40. Also, the City needed to consider that with all the developments in that area it would be bringing a lot of traffic that we may not want in our downtown. Broughton also believed the project was too dense but did appreciate the option of some mixed-use as the valley needed some affordable commercial. Broughton liked the idea of one-bedroom affordable studio units as she believed these could be used in the community.

Commissioner Goodnough stated she was against mixed-use in the area, to allow mixed-use was a slippery slope and it was not part of the plan. Broughton agreed but stated the Annexation would be a long process and approving the Annexation was not approving the plan for now. Mr. Baron reminded the Commissioners that they would only be giving a recommendation to the City Council and their recommendation could include modifications to the current plan. You could send a positive recommendation, a negative recommendation, or you could continue the item and motion to bring back something with these changes.

The Commissioners and the applicant continued to discuss different alterations to the plans. Mr. Baron explained the ongoing process for this application to the Planning Commission.

Motion: Commissioner Goodnough moved to send a Positive Recommendation to the City Council regarding the Blue Sign Annexation, located at 2600 N Hwy 40 without mixed-use with the findings and conditions in the Staff Report. Commissioner Knight made the second.

Discussion: N/A

Voting Yes: Commissioner Slagowski, Commissioner Knight, Commissioner Jordan, Commissioner McKinley, Vice-Chair Broughton, Commissioner Goodnough. **Voting No:** Commissioner Wilson. The Motion Passed 6-1.

4. Work Meeting:

5. Administrative Items:

Broughton would like to consider changing the zoning around Midway lane across from the dance studio west of State Automotive and was curious what the process to get there would be. it will be an entrance into the city and she would like it to stop being storage. a discussion was had around this point.

6. Adjournment:

Motion: Commissioner Knight moved to Adjournment:. Commissioner McKinley made the second.

Discussion: N/A

Voting Yes: Commissioner Slagowski, Commissioner Knight, ChairmaJordan, Commissioner Wilson, Commissioner McKinley, Vice-Chair Broughton, Commissioner Goodnough. **Voting No:** None. The Motion Passed 7-0.

Meshelle Kijanen, Administrative Assistant

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
August 11, 2026**

DRAFT Minutes

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Jordan called the Planning Commission Meeting to order at 6:06 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:

Chairman Phil Jordan
Vice-Chair Tori Broughton
Commissioner Darek Slagowski
Commissioner Josh Knight
Commissioner Greg Royall
Commissioner Kristina Goodnough

Planning Commission Absent:

Commissioner Dave Richards
Commissioner Josh Knight
Commissioner Robert Wilson
Commissioner Robert McKinley

Staff Participating Remotely:

Consultant GCGarcia

Also Present:

Kasey Lindstrom, Paul Watson and Zack Buterfield

Also Attending Remotely:

Ali North, Laurel Bevans, AE Urgia - Seth, Kirk Langston, Robert Madsen

III. Pledge of Allegiance: By Invitation

Vice Chair Tori Broughton led the recitation of the Pledge of Allegiance.

IV. Prayer/Thought by Invitation N/A ()

V. Recuse for Conflict of Interest N/A

2. Consent Agenda:

- I. Valley Hills Plat E Lots 133, 134, & 135 Plat Amendment (Planner Jamie Baron)

Motion: Vice Chair Broughton moved to approve the items on the Consent Agenda. Commissioner Slagowski made the second.

Discussion: N/A

Voting Yes: Commissioner Slagowski, Chairman Jordan, Commissioner Royall, Vice Chair Broughton, Commissioner Goodnough. **Voting No:** None. The Motion Passed 5-0.

3. Action Items:

- I. Consider approval of Subdivision Preliminary for Mayflower Views (Formerly North Village Views). (Planner Denna Woodbury)

Planning Consultant Denna Woodbury explained the Staff Report. Please refer to the 08.11.2026 Staff Report, PowerPoint and Video for additional information through this link: <https://hebercityut.portal.civicclerk.com/event/482/overview> The item was to consider the proposed Subdivision Preliminary for Mayflower Views, formerly North Village Views. The project was located at the intersection of Highway 40 and University Avenue. The proposed project would create parcels and would realign the project boundaries, allowing the project to develop as proposed and approved conceptually with the Master Development Agreement (MDA). The application would subdivide the land into residential parcels. The Staff Report listed previous actions that had occurred. Because the road was realigned, the project boundary changed. Therefore, the preliminary subdivision plat created large parcels for the three phases of townhomes.

The project would also amend two other subdivisions; the North Horizon Subdivision, which would vacate unnecessary easements and would dedicate North Village Parkway to an 80-foot right of way. The second subdivision would combine three parcels into one parcel, and it would remove all the interior easements and establish exterior easements, add two new public roads and realign the existing access road to the UVU campus and this subdivision would be the College Downs Plat. The subdivision plans conformed to the conceptual site plan which was approved with the Development Agreement in February 2026.

Staff recommends that the Subdivision Preliminary for mayflower Views, formerly North Village Views, be approved by the Planning Commission subject to the findings of fact and conditions listed in the Staff Report. The conditions included all conditions of the Engineer be met, and the second condition was that the code requirements be met. The third condition was that an Affordable Housing Plan be submitted to the city and approved prior to the approval of the Subdivision Final approval. Ms. Woodbury explained, the applicant was currently working on their Affordable Housing Plan to make sure it worked correctly. Staff recommended allowing the project to move forward as they continued to work on their Affordable Housing Plan. The fourth condition was other conditions or changes as articulated by the Planning Commission. The fifth

condition was any conditions from other approving agencies, including any conditions from Wasatch County Fire (WCF) and WCF did have some conditions that were listed in the Staff Report.

Chairman Gunn asked the City Engineer, Ross Hansen, if he had anything to add. Mr. Hansen reiterated that there were two plats that would need to be amended in order for the subdivision to function. As Denna had mentioned, one was College Downs, which was already recorded and would need to be amended, and the other was the North Horizon Subdivision plat that would also need to be amended. Mr. Baron explained both amendments would need a separate application and would need a Public Hearing at the City Council because the application would be a Road Vacation. Mr. Hansen stated that Engineering had signed off on the Preliminary Plat seeing the project as doable and feasible. The Engineer representing the project, Mr. Paul Watson, commented that they had planned to submit separate submittals for the North Horizon and the College Downs Plat Amendments. The applicant commented, their goal was to run both of the Plat Amendments concurrently, perhaps before the agreement, but they would move forward with both of those applications.

Motion: Commissioner Slagowski moved to approve the Subdivision Preliminary for Mayflower Views (Formerly North Village Views) with the findings and conditions presented in the Staff Report. Commissioner Royall made the second.

Discussion: N/A

Voting Yes: Commissioner Slagowski, Chairman Jordan, Commissioner Royall, Vice Chair Broughton, Commissioner Goodnough. **Voting No:** None. The Motion Passed 5-0.

4. Work Meeting:

I. CHOZ Update (Jacob)

Jacob Roberts explained the Staff Report. Please refer to the 08.11.2026 Staff Report, PowerPoint and Video for additional information through this link: <https://hebercityut.portal.civicclerk.com/event/482/overview> , Mr. Roberts explained he would be discussing 14 changes to the Central Heber Overlay Zone (CHOZ). (It was actually twelve changes and two proposals). There would be two types of changes; clerical changes and substantive changes. However, Mr. Roberts began by highlighting the CHOZ projects so far and explained he had spoken to dozens of different people about dozens of different properties within CHOZ, but only three official applications had been submitted. One of the applicants was in the chambers to listen to the discussion. Mr. Roberts explained, the applicant in the Chambers had applied for the first CHOZ application, which was a double flag lot. Mr. Roberts went on to explain the project and that it was almost complete, and it had allowed a lady to sell off a portion of her lot to assist her with her retirement financial plan and it enabled her to keep her home and stay in Heber City, Additionally, the same project allowed a younger couple to purchase the other portion of the lot and also stay in Heber City.

Mr Roberts explained that so far, the few applications submitted had been successful, and it had been fun to be a part of a unique challenge that was a huge benefit to the community who were able to take advantage of CHOZ and what it offers. However, there had been some unexpected problems and Mr. Roberts stated he wanted to streamline the CHOZ process and help it to be more easily understood and that was the plan for the evening. After CHOZ was adopted last summer, the Council directed staff to revisit the ordinance in one year and recommend necessary changes.

- There were two types of changes:

1. Clerical Changes: Changing wording or formatting without changing the meaning or intent.

2. Substantive Changes: Changing the meaning of portions of the ordinance to allow different things or allow CHOZ to function better.

The first change was regarding permitted and conditional use chart and was a substantive category.

The chart had been organized into two sections and there were a couple of changes in each section. The first change was to strike out no fast food and Mr. Roberts' reasoning behind that was that the council's intention was to avoid drive-throughs and large queuing of cars and vehicles downtown. Alleviating drive-throughs would achieve that goal. Because if the change would be no fast food, that would run the risk of cutting out small businesses. In other words, a burger shop may not be allowed, and a small restaurant may not be allowed and that is not the intent of the zone. The intent was to ensure that businesses were oriented towards walkability and small scale businesses instead of a large commercial restaurant with a drive-through.

Mr. Roberts received feedback from the Planning Commission, which he would use to create the suggested changes and language and bring the information back to the Planning Commission at a later date.

The second change was regarding Spatial Standards and was a clerical category. The Current Zoning Text read:

A. The minimum spatial standards shall be as set forth in the underlying zone, with the addition of Small Lots, Flag lots and SDUs, and described below.

B. The maximum height of all principal structures shall be thirty-five feet and accessory buildings shall follow the requirements of the underlying zone.

The proposed change read:

A. Spatial standards for all building typologies allowed by this ordinance are outlined below. Any development approved with the underlying zoning must use the spatial standards of that zone. Mr. Roberts suggested adding the height information to the existing chart under Max Height.

Mr. Roberts received feedback from the Planning Commission, which he would use to create the suggested changes and language and bring the information back to the Planning Commission at a later date.

The third change was under Building Typologies & Design Requirements and was a clerical category.

The current ordinance text read: Utilities normally found above ground are not required

to be placed underground unless located directly adjacent to existing underground utilities. Curb, gutter, and sidewalk are not required except along and between 100 East and 100 West, where diagonal street parking is encouraged where it can be accommodated. Curb, gutter, and sidewalk shall also be required along current and proposed Collector Roads according to the current adopted Transportation Master Plan. Sidewalks or agreements to provide sidewalks in the future are required in all other locations where street frontage is disrupted.

The Proposed Ordinance Text suggestion was:

- Utilities normally found above ground are not required to be placed underground unless located directly adjacent to existing underground utilities.
- Curb, Gutter and Sidewalks
 1. Curb, gutter, and sidewalk are not required except along and between 100 East and 100 West, where diagonal street parking is encouraged where it can be accommodated.
 2. Curb, gutter, and sidewalk shall also be required along current and proposed Collector Roads according to the current adopted Transportation Master Plan.
 3. Sidewalks or agreements to provide sidewalks in the future are required in all other locations where street frontage is disrupted.

Mr. Roberts received feedback from the Planning Commission, which he would use to create the suggested changes and language and bring the information back to the Planning Commission at a later date.

The fourth and fifth change was under: Building Typologies & Design Standards (E Special Standards for Uses and Structures) Continued and was a clerical category. See Current Ordinance Text and proposed Ordinance Text through this link:

<https://hebercityut.portal.civicclerk.com/event/482/overview>

Mr. Roberts received feedback from the Planning Commission, which he would use to create the suggested changes and language and bring the information back to the Planning Commission at a later date.

The sixth change was under: Building Typologies & Design Standards (E Special Standards for Uses and Structures) Continued and was a substantive category. See Current Ordinance Text through this link:

<https://hebercityut.portal.civicclerk.com/event/482/overview>

The proposed Ordinance Text is listed here:

9. Undergrounding of powerlines is not required.
10. ADU's in the CND are permitted to be between the home and the street on corner lots.

- Must be setback 15' from right-of-way
- May not be located in the visibility sight triangle.

11. 50% of available on-street parking may be counted for developments in CHOZ.

12. Double flag lots and SDU's are permitted to be rental units if the owner of that unit

lives in the other dwelling. (Wording needs work)

Mr. Roberts received feedback from the Planning Commission, which he would use to create the suggested changes and language and bring the information back to the Planning Commission at a later date.

The seventh and eighth changes were regarding Small Lots and was a clerical & substantive category.

The Current Ordinance Text read: Small lots. ~~Smaller lots than the standard lot size required in the R-2 and R-3 zones are allowed as follows:~~

1. Such interior lots may have a width no less than 40' at the front yard setback and, if located on a corner, 50' wide.
2. Any street-facing garage shall be setback from the front face of the dwelling by at least ten feet.
3. Lots with a detached rear yard garage are required to have a minimum of twelve (12') foot side yard from the side property line, to accommodate a driveway to the required rear parking. The opposite side yard setback is a minimum of six (6) feet.
4. A minimum lot size of 3,500 square feet is required.

The suggested Proposed Ordinance Text read: Small lots:

1. Such interior lots may have a width no less than 40' at the front yard setback and if located on a corner, 50' wide.
2. Any street-facing garage shall be setback from the front face of the dwelling by at least ten feet.
3. Lots with a detached rear yard garage are required to have a minimum twelve (12') foot side yard from the side property line, to accommodate a driveway to the required rear parking. The opposite side yard setback is a minimum of six (6) feet.
4. A minimum lot size of 3,500 square feet is required.

5. The maximum size for a small lot is the minimum lot size in the underlying zone in which it is located.

Mr. Roberts received feedback from the Planning Commission, which he would use to create the suggested changes and language and bring the information back to the Planning Commission at a later date.

The ninth change was regarding Flag Lots and was a substantive category.

The Current Ordinance Text read: The existing front lot shall meet the required lot area, lot width, front yard, side and rear yard setback requirements for the governing zoning district in which it is located.

The proposed Ordinance Text read: The existing front lot shall meet the required lot area, lot width, front yard, side and rear yard setback requirements for the **small lots which are permitted by this ordinance.**

Mr. Roberts received feedback from the Planning Commission, which he would use to create the suggested changes and language and bring the information back to the Planning Commission at a later date.

The tenth change was regarding Subordinate Dwelling Units (SDU) (3.a) and was a clerical category.

The Current Ordinance Text read: Standards: The following standards and conditions

shall apply to all SDUs:

- a. Location: A SDU shall only be allowed as part of, or in conjunction with, a single-household dwelling, and SDUs shall not exceed 25' in height and shall have minimum side and rear yard of 5 feet or as allowed by Building Code standards. The front yard shall have a minimum of 10' unless adjacent to a street or alley, where 15' minimum is required.

The Proposed Ordinance Text read: Standards: The following standards and conditions shall apply to all SDUs:

a. Location: A SDU shall only be allowed as part of, or in conjunction with, a single-household dwelling, and SDUs shall not exceed 25' in height and shall have minimum side and rear yard of 5 feet or as allowed by Building Code standards. The front yard shall have a minimum of 10' unless adjacent to a street or alley, where 15' minimum is required.

Mr. Roberts received feedback from the Planning Commission, which he would use to create the suggested changes and language and bring the information back to the Planning Commission at a later date.

The eleventh change was regarding Subordinate Dwelling Units (SDU) (6) and was a clerical category.

- The Current Ordinance Text read: Foundation: The SDU shall be secured to a permanent concrete foundation in accordance with the international Building Code, as adopted and amended by the city

Mr Roberts suggested: This section would be removed as the building code would not permit a residence to be built without a foundation. The foundation is inspected as part of the building permit process.

Mr. Roberts received feedback from the Planning Commission, which he would use to create the suggested changes and language and bring the information back to the Planning Commission at a later date.

The twelfth change was regarding Mixed-Use Buildings. (1) and was a clerical category.

- The Current Ordinance Text read: Intended for a mix of primarily residential with commercial/office or commercial and office uses required to be located on the first floor, and optional above the first floor at or near the front build-to-line with parking to the rear, underground, or podium type. No podium parking is allowed to front a street. This building type may support office, retail, hotel/hospitality or residential uses mixed vertically.
- The Proposed Text read: This building type is intended for mixed-use development that combines residential uses with commercial and/or office uses. Commercial and office uses shall be located on the first floor and may also be located on upper floors. Buildings shall be located at or near the front build-to-line, with parking located to the rear, underground, or within a parking podium.

Podium parking shall not front a street. This building type may accommodate residential, office, retail, and hotel/hospitality uses in a vertical mixed-use building.

- Mr. Roberts received feedback from the Planning Commission, which he would use to create the suggested changes and language and bring the information back to the Planning Commission at a later date.

The thirteenth change was not a change but was a suggestion and was regarding Cottage Courts and was in the substantive category.

This category did not exist previously but was a suggestion for Missing Middle Housing Type:

- This is a missing middle housing type that could be added to the CHOZ.
- A small cluster of small homes around a shared green space
- Central Neighborhoods District
- Mr. Roberts received feedback from the Planning Commission, which he would use to create the suggested changes and language and bring the information back to the Planning Commission at a later date.

The fourteenth change was also not a change but a suggestion for Courtyard Apartments and was in the substantive category.

This category did not exist previously but was also a suggestion for Missing Middle Housing Type:

- This is a missing middle housing type that could be added to the CHOZ.
- A medium-to-large sized (1 to 3.5- story*) detached structure consisting of multiple side-by-side and/or stacked dwelling units oriented around a courtyard or series of courtyards.
- Transition Corridors District
- Mr. Roberts received feedback from the Planning Commission, which he would use to create the suggested changes and language and bring the information back to the Planning Commission at a later date.

5. Administrative Items:

I. City Council Communication Item

The City Council Communication Item was cancelled,

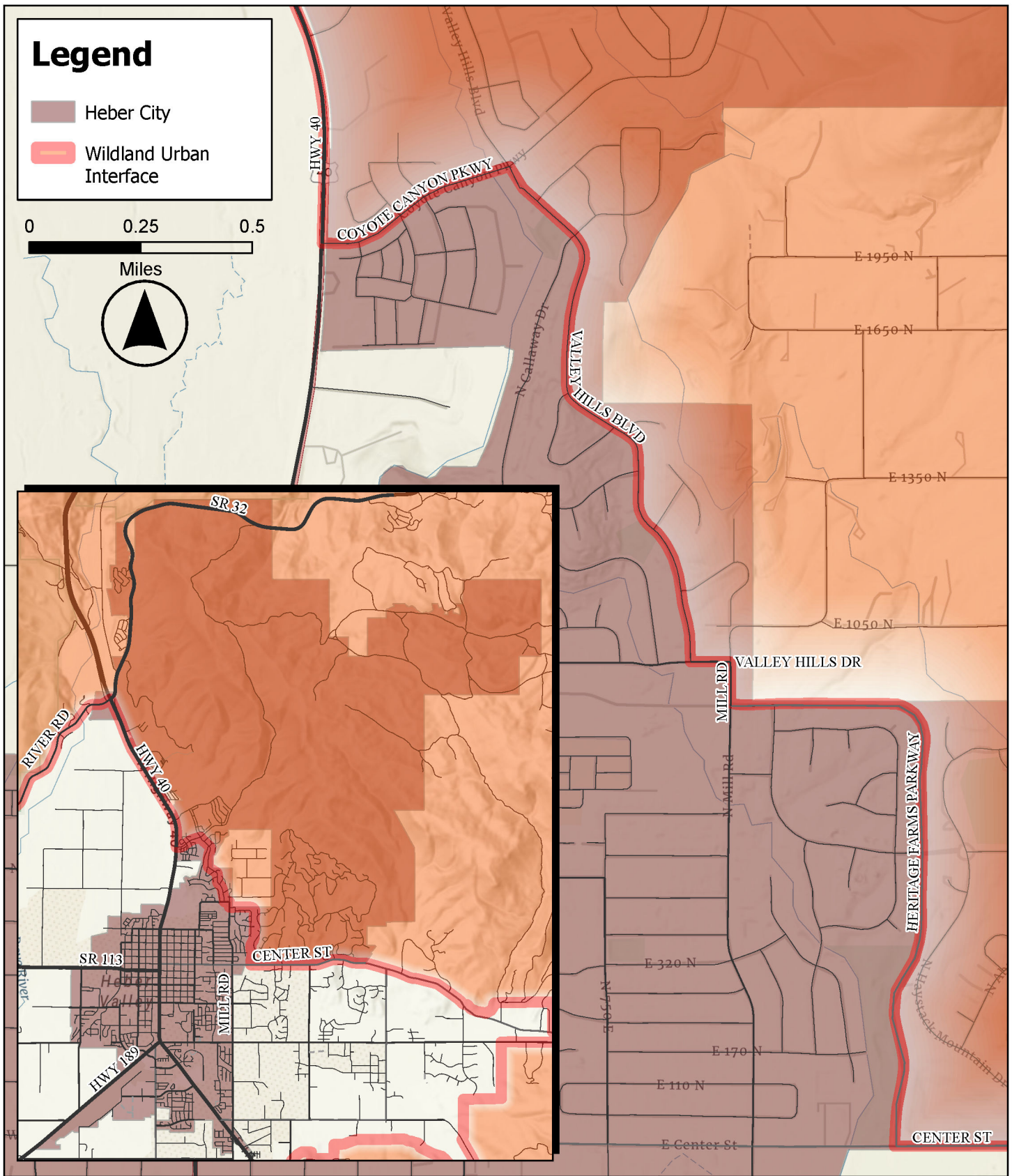
6. Adjournment:

Motion: Board Member Broughton moved to Adjournment:. Commissioner Slagowski made the second.

Discussion: N/A

Voting Yes: Commissioner Slagowski, Commissioner Jordan, Commissioner Royall, Board Member Broughton, Commissioner Goodnough. **Voting No:** None. The Motion Passed 5-0.

Meshelle Kijanen, Administrative Assistant



DISCLAIMER: The lines drawn on this map are for reference use only. Heber City makes no warranty or guarantees as to the accuracy, reliability, or usefulness of the information found on this map. Heber City assumes no liability for direct, indirect, special, or consequential damage resulting from the use or misuse of this information.

Wildland Urban Interface

Heber City, Utah
Revision Date: March 24, 2026



Planning Commission Staff Report

MEETING DATE: 9/8/2026
SUBJECT: Public Hearing for a Zoning Map Amendment for Karl Malone
(Planning Manager Jamie Baron)
RESPONSIBLE: Jamie Baron
DEPARTMENT: Planning
STRATEGIC RELEVANCE: Community and Economic Development

SUMMARY

Karl Malone Power Sports has purchased the property located at 90 W 300 N for future parking and or building expansion and is requesting a zone change from R-3 Residential to C-2 Commercial.

The policy questions are as follows:

1. Should the City change the zoning to C-2 Commercial?
2. What conditions should be part of the approval of a zone change?

RECOMMENDATION

Staff is recommending the Planning Commission forward a positive recommendation with the findings and conditions in the conclusion.

BACKGROUND

Karl Malone Power Sports purchased the old Plaza Power Sports, received a zone change, and rebuilt their new building on its current location. During that zone change, the following items were required.

1. An 8' masonry wall was required between the dealership and the residential properties.
2. The property frontages were required to be improved along with the land.

Since the redevelopment of the property, Karl Malone Power Sports have acquired and demoed the home that was located at 90 W 300 N and is seeking a zone change from R-3 to C-2 Commercial, to match the rest of the property. The intent is to create more storage, parking, and potential show expansion in the future.



DISCUSSION

Process

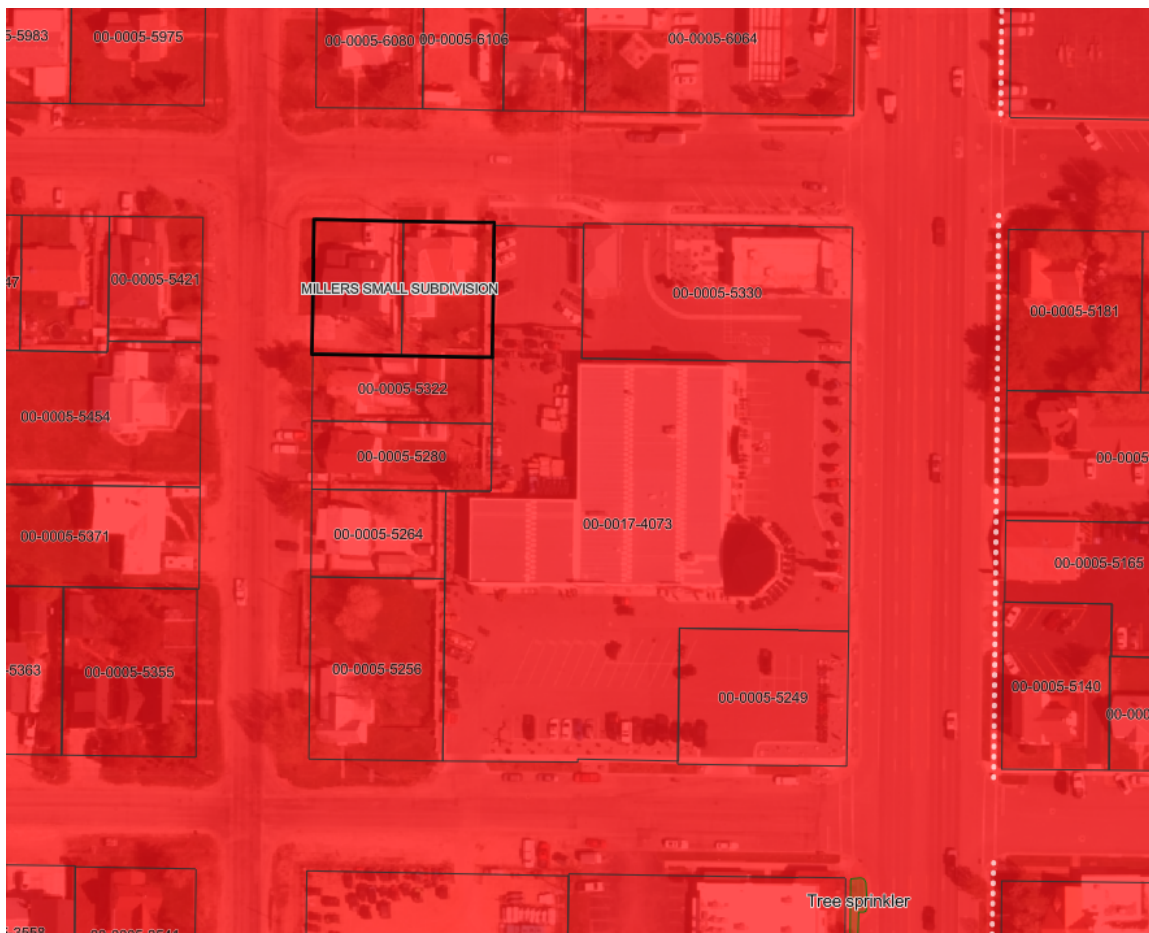
Zone Changes are a legislative decision, in which the City Council has discretionary decision making authority. A public hearing at the Planning Commission and recommendation from the Planning Commission are required prior to a council decision.

Staff Finding: Consistent. This item has been noticed as a public hearing, consistent with Utah State Code, and is before the Planning Commission for a recommendation.

General Plan

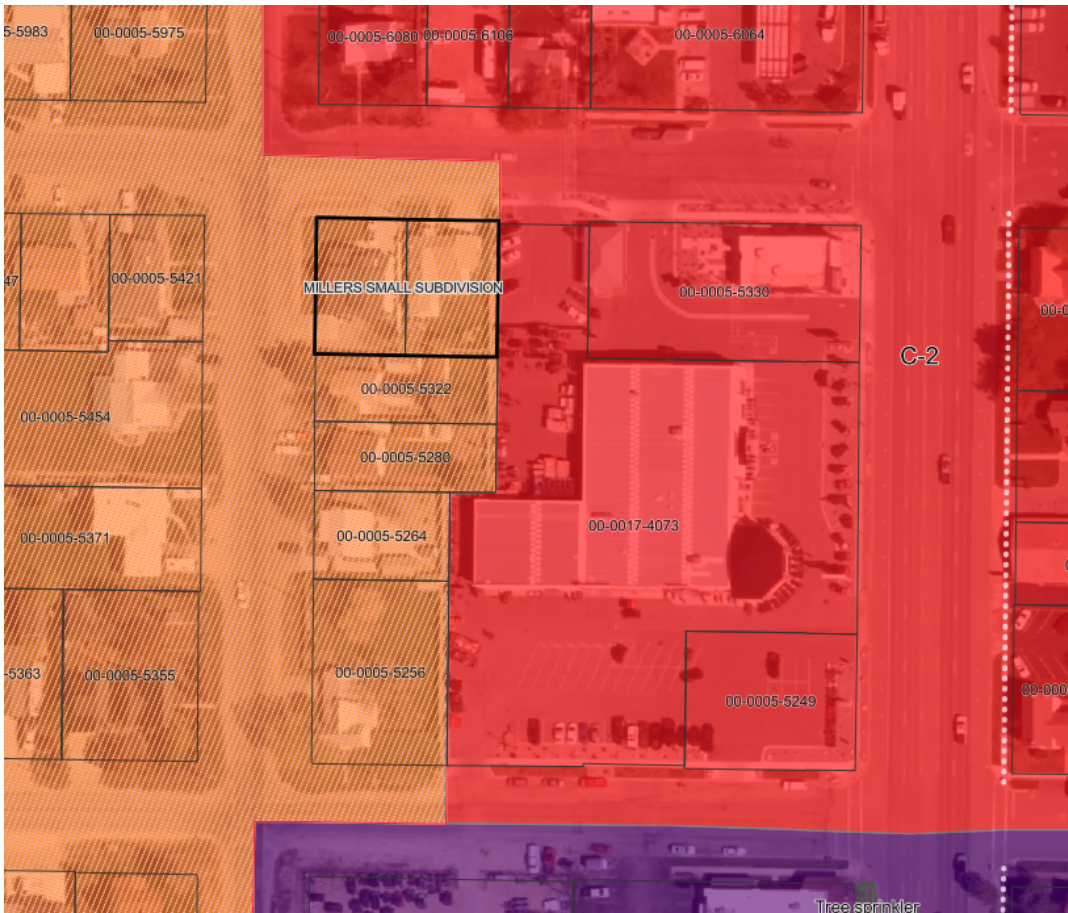
The Envision Central Heber General Plan identifies this area as Down Town (DT). The Down Town area is defined as follows:

Downtown (600 South to 500 North, 200 East to 200 West) (DT)	A mixed use town center with historical architecture and active open spaces	14 to 30 units per acre Up to 4 story heights (interior block locations encouraged) Consider 2 story minimum height	Small business storefronts with elements on first floors along commercial/office uses blend with residential. East/west streets and bike accommodations.
--	---	---	--



Zoning

The surrounding zoning is C-2 commercial.



Conditions

1. The requirements for the wall, trees, and right of way improvements from the original zone change agreement shall apply to this property.
2. All storage shall be behind a sight obscuring fence.

FISCAL IMPACT

N/A

CONCLUSION

Karl Malone Power Sports has purchased the property located at 90 W 300 N for future parking and or building expansion and is requesting a zone change from R-3 Residential to C-2 Commercial. The General Plan calls for commercial in this location. Staff is recommending the Planning Commission forward a positive recommendation to the City Council with the following findings and conditions:

Findings

1. The Planning Commission held a public hearing on September 8, 2026.
2. The Planning Commission forwarded a positive recommendation on September 8, 2026.
3. The proposed zone change is consistent with the General Plan.

Condidtions

1. The requirements for the wall, trees, and right of way improvements from the original zone change agreement shall apply to this property.
2. All storage shall be behind a sight obscuring fence.
3. All conditions of the City Engineer shall be met.
4. All other code requirements shall be met.

ALTERNATIVES

Staff Recommended Option - Postive Recommendation

"I move to **forward a positive recommendation** of the Karl Malone Power Sports zone change at 90 W 300 S to the City Council with the findings and conditions in the conclusion of the staff report."

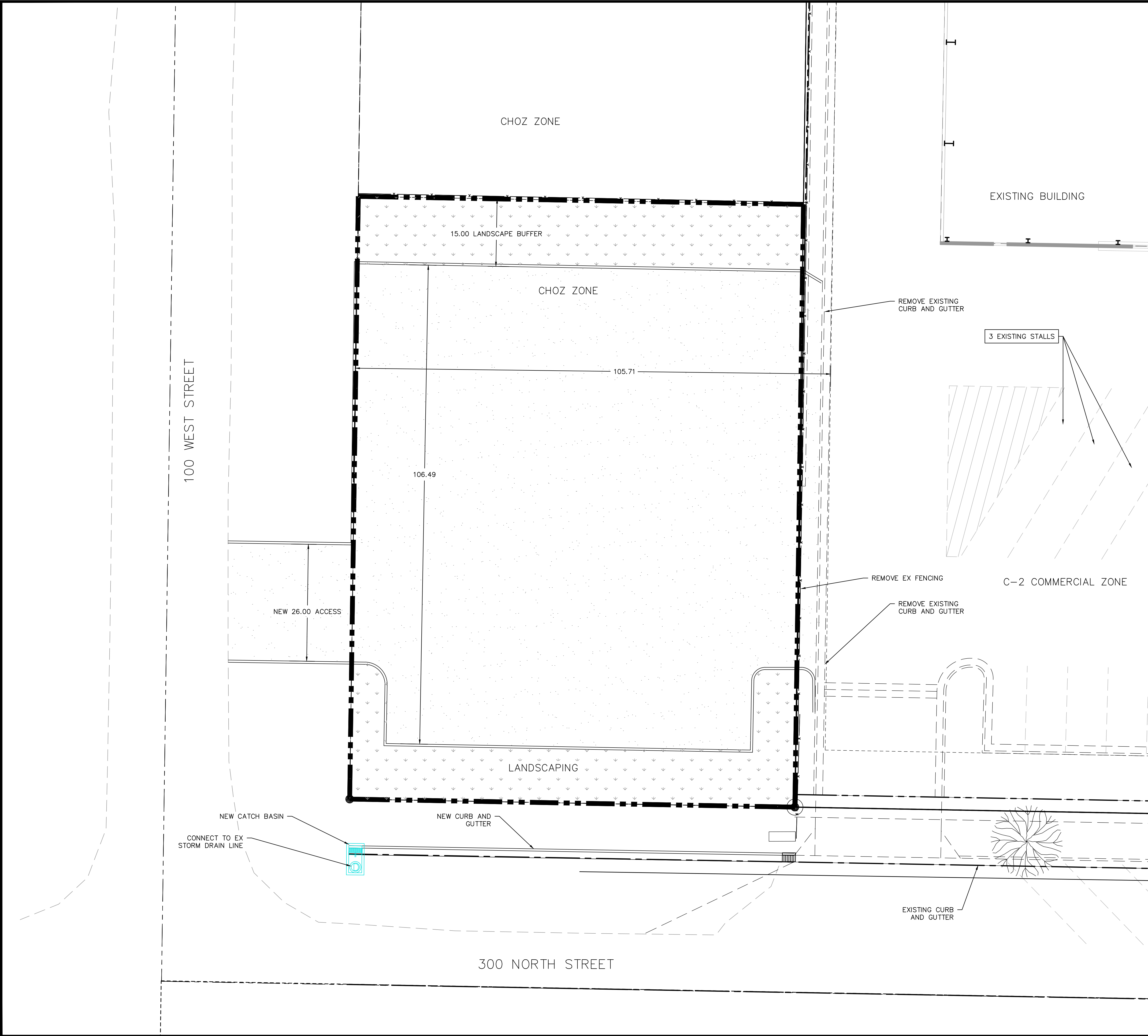
POTENTIAL MOTIONS

ACCOUNTABILITY

Department: Planning
Staff member: Jamie Baron, Planning Manager

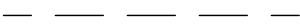
EXHIBITS

1. Malone Heber Parking - C-1-SITE-Conceptual Layout-v1
2. Final - Malone North Main Zone Change Agreement



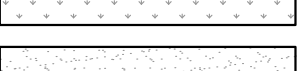


LOT LINES (PROPERTY) 

EXISTING CURB AND GUTTER 

PROPOSED CURB AND GUTTER 

LANDSCAPE AREA 

NEW PAVEMENT AREA 



1" = 10'
Scale in Feet

ZONE MAP AMENDMENT

NO.	REVISIONS	BY	DATE

LEGEND ENGINEERING
52 WEST 100 NORTH
HEBER CITY, UT 84032
PHONE: 435-664-4828
www.legendengineering.com



KARL MALONE POWERSPORTS - EXPANSION
SITE PLAN
90 W 300 N, HEBER CITY, UT 84032

SHEET: **C-1**
DATE: 7/16/2026

ZONE CHANGE AGREEMENT
MALONE NORTH MAIN

THIS AGREEMENT is entered into this _____ day of _____, 2020, by and between Heber City (the “City”) and KMAM Real Estate LLC (the “Petitioner”).

WHEREAS, Petitioner has submitted a petition to amend the General Plan Map and Zoning Map to apply the Highway Commercial General Plan designation and the C-2 Commercial zone to the property identified in Exhibit 1; and

WHEREAS, the City finds the rezoning of these properties is consistent with the General Plan; and

WHEREAS, specific conditions of the zone change request have been identified by the City;

NOW, THEREFORE, the Parties hereby agree as follows:

1. Upon development of the property, the existing power transmission line shall be relocated adjacent to 400 North, to a standard acceptable by Heber Light and Power, until such time as the pole is no longer needed to structurally support the transmission line on the north side of 400 North.
2. All overhead utilities on the subject properties and the Power Sports site shall be placed underground when redeveloped.
3. All cobra street lights on Main Street, from the northern property line of parcel 00-0005-5348 to the corner of 300 North and Main Street, shall be replaced and brought up to the current historical street lighting standard.
4. Petitioner shall repair any damage to the existing sidewalk and curb/gutter along the frontages of Main Street and 300 North.
5. 45 degree angle parking and a 5 foot sidewalk shall be installed on the 400 North (parcel 00-0005-5314) and 300 North (parcels 00-0005-5272, 00-0017-4073) street frontages, upon the redevelopment of the Power Sports site, consistent with City standards.
6. An 8 foot decorative masonry wall, matching the new building, shall be constructed from 400 North to 300 North along the western boundary of the Power Sports site. The adjacent property owners may request the wall to be shortened to 6’ by submitting a written request to City Staff.
7. In the event that parcels 00-005-5330 and 00-0005-5249 are purchased by Karl Malone Powersports or their assigns, all street frontages shall be brought up to City Standards upon the redevelopment of the properties, which shall include but not be limited to the demolition of buildings for the use of parking.
8. Petitioner shall offer to install 6’ evergreen or 2” caliber deciduous trees on the residence’s side of the wall to all residential properties adjacent to the Power Sports Project, to a minimum of

one tree per 30'. This requirement does not obligate the residential property owners to accept the offer. The petitioner shall provide the City written documentation that the offer to provide trees to the adjacent residential property owners has been made.

9. Once this agreement is signed by the respective parties with the requisite authority to bind the city and the Petitioner it shall be recorded with Wasatch County Recorder. Thereafter the Zone Change Ordinance will be executed by Heber City and these obligations will become binding upon the parties.
10. This agreement and the attached Exhibits contain the entire agreement between the parties and no statements, promises or inducements made by either party shall be binding unless modified by a written document approved by both parties.
11. This agreement shall be a covenant running with the land and shall be binding upon the parties and their assigns and successors in interest.
12. In the event there is a failure to perform any of the obligations of this agreement and it becomes necessary for either party to employ the services of an attorney, whether such attorney is inside counsel or private counsel, either with or without litigation, on appeal or otherwise, the prevailing party in the controversy shall be entitled to recover its reasonable attorney's fees and any costs and expenses incurred to enforce this agreement.

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

DATED this _____ day of _____, 2020.

HEBER CITY:

By: _____
Kelleen Potter, Mayor

ATTEST:

Heber City Recorder

Petitioner:

By: _____

STATE OF UTAH)

: ss.

COUNTY OF WASATCH)

On this _____ day of _____, 2020, personally appeared before me the above named authorized representative of Petitioner, who duly acknowledged to me that Petitioner is the owner in fee of the land described herein and executed the same as such.

NOTARY PUBLIC

EXHIBIT 1: GENERAL PLAN AND ZONE CHANGE LEGAL DISCRIPTION

Parcel ID: 00-0005-5314

Legal Description

E 4 RD OF N1/2 LOT 3, BLK 127, HEBER SURVEY

Parcel ID: 00-0005-5306

Legal Description

E 66 FT OF S1/2 LOT 3, BLK 127, HEBER SURVEY

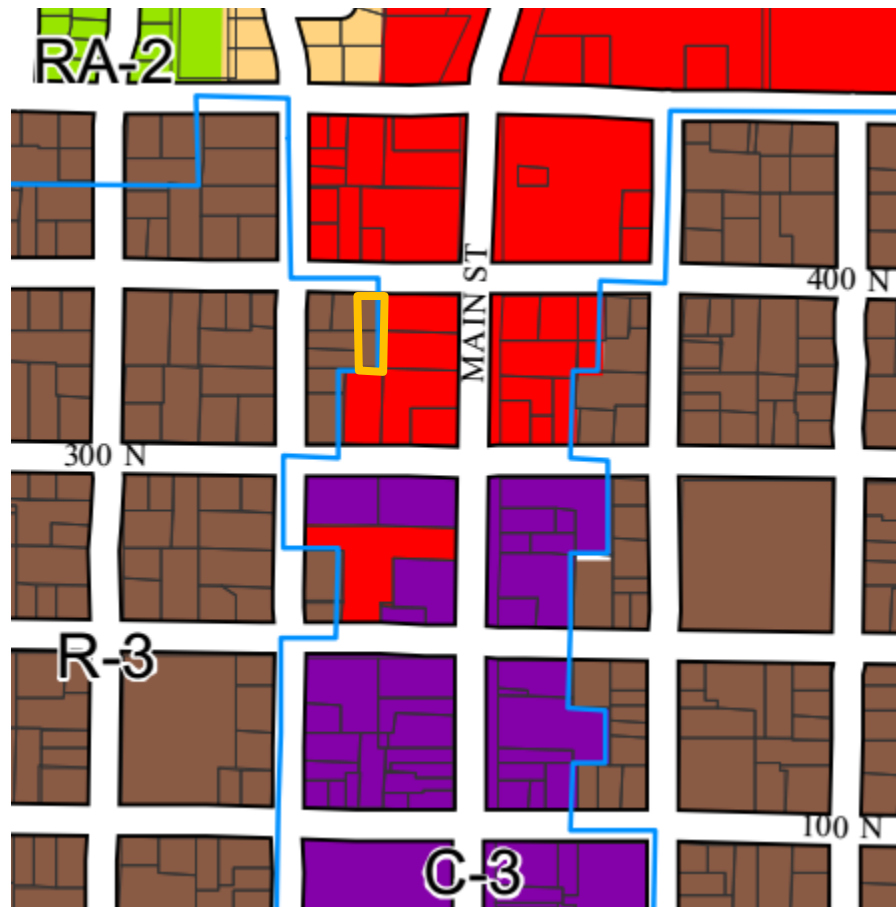


EXHIBIT 2: PARCELS MAP





Planning Commission Staff Report

MEETING DATE: 9/8/2026

SUBJECT: Public Hearing to Consider a Zoning Map Amendment to Apply the Central Heber Overlay Zone to Lot 20-0370 (Senior Planner Jacob Roberts)

RESPONSIBLE: Jacob Roberts

DEPARTMENT: Planning

STRATEGIC RELEVANCE: Community Development

SUMMARY

Chad Marsing, owner of the property located at 205 North 600 West, Heber City, Utah (Parcel No. 00-0020-0370), has submitted an application for a Zoning Map Amendment to apply the Central Heber Overlay Zone, specifically the Central Neighborhoods District, to the subject property. The property is located within the historic area of Heber City, near the western edge of the City's historic core. Zoning map amendments require a public hearing before the Planning Commission, with the Planning Commission providing a recommendation to the City Council for final consideration.

The subject property currently contains a legal nonconforming triplex. A primary purpose of the requested amendment is to provide a pathway for the existing residential use to become conforming under the City's current land use regulations. Under the Central Neighborhoods District, the triplex may be classified as a Mansion Style Apartment, which is allowed as a conditional use. If the Overlay Zone is applied and the necessary Conditional Use Permit is subsequently approved, the property owner would have greater ability to make improvements and modifications to the existing building in accordance with applicable City standards.

No specific redevelopment is proposed as part of this application. Mr. Marsing has expressed interest in the possibility of redeveloping the property in accordance with the Central Heber Overlay Zone in the future; however, any future redevelopment would require separate review and approval under the applicable City requirements. Approval of the current application would only amend the zoning designation of the property and would not constitute approval of a Conditional Use Permit, building permit, or future development proposal.

RECOMMENDATION

Staff recommends a positive recommendation from the Planning Commission based on the findings and conditions listed below.

BACKGROUND

Mr. Marsing approached staff several months ago regarding the possibility of applying the Central Heber Overlay Zone to the subject property, with the intent of addressing the legal nonconforming status of the existing triplex and future development possibilities. Application of the Central Heber Overlay Zone would allow the triplex to become a conforming use and provide greater flexibility for future improvements to the property. Mr. Marsing has also expressed interest in potentially redeveloping the property in accordance with the Central Heber Overlay Zone in the future; however, no specific development plans have been proposed at this time.

In conjunction with this application, the City has also discussed the application fees associated with small-scale zoning map amendments. The applicant petitioned the City Council to consider a reduction in the applicable fee. Following that discussion, the fee for this application was reduced from \$5,300 to \$2,000.

Staff has reviewed the application and determined that it is complete and ready for consideration by the Planning Commission. As part of the review process, the Planning Commission will hold a public hearing and consider the proposed zoning map amendment.

DISCUSSION

The General Plan designates the subject property as **Neighborhoods with Open Space (NOS)**. The NOS designation generally envisions single-family detached housing as the primary use, with townhomes, small-lot development, and attached housing as secondary uses. The designation recommends densities ranging from 3 to 20 units per acre, with buildings generally limited to two to three stories. It also encourages small-lot clusters, townhomes, and open space arranged around neighborhood centers.

The Central Heber Overlay Zone, specifically the Central Neighborhoods District, provides for uses and building types that are consistent with the development pattern envisioned by the NOS designation. Based on the permitted development types, scale, and character of the Central Neighborhoods District, staff finds that the proposed Zoning Map Amendment is consistent with the applicable recommendations of the General Plan.

The proposed amendment would also bring the existing triplex into greater conformity with the City's current land use regulations. The triplex currently exists as a legal nonconforming use. Under the Central Neighborhoods District, the existing triplex would be classified as a Mansion Style Apartment, which is allowed as a conditional use.

This change would allow the property owner to pursue a Conditional Use Permit and, upon approval, make improvements or modifications to the existing building that may otherwise be limited by its legal nonconforming status. This provides an opportunity for reinvestment in the existing housing stock while maintaining a residential use and building form that are consistent with the objectives of the General Plan and Central Heber Overlay Zone.

The subject property is also located within Heber City's historic core, where the Central Heber Overlay Zone is intended to accommodate development that is compatible with the existing neighborhood context while providing opportunities for appropriate infill and redevelopment. Staff therefore finds the property appropriate for consideration under the Central Heber Overlay Zone.

FISCAL IMPACT

N/A

CONCLUSION

Staff has reviewed the proposed Zoning Map Amendment to apply the Central Heber Overlay Zone, specifically the Central Neighborhoods District, to the property located at 205 North 600 West. Based on the analysis contained within this report, staff finds that the proposed amendment is consistent with the goals and recommendations of the Heber City General Plan and is appropriate for the subject property.

The General Plan designates the property as Neighborhoods with Open Space (NOS), which contemplates a range of residential housing types, including single-family homes, townhomes, small-lot development, and attached housing. The Central Neighborhoods District similarly provides for a variety of residential building types at a scale and character appropriate for the area. The property is located within the historic area of Heber City, near the western edge of the City's historic core. Its location provides an appropriate transition between the historic core and the surrounding residential neighborhoods and supports consideration of the Central Heber Overlay Zone.

The proposed amendment would also address the legal nonconforming status of the existing triplex. Under the Central Neighborhoods District, the triplex may be classified as a Mansion Style Apartment, which is allowed as a conditional use. This would provide a pathway for the property owner to obtain the necessary approvals and make improvements to the existing building that may otherwise be limited by its current legal nonconforming status. Staff finds that facilitating reinvestment in the existing housing stock while maintaining a residential use and building form compatible with the surrounding area is consistent with the intent of the Central Heber Overlay Zone and the General Plan.

No specific redevelopment of the property is proposed as part of this application. Approval of the Zoning Map Amendment would therefore apply the Overlay Zone to the property but would not constitute approval of a Conditional Use Permit, building permit, site plan, or future redevelopment proposal. Any future development or modification of the property would remain subject to all applicable City review and approval requirements.

Recommended Findings

Staff recommends that the Planning Commission forward a **positive recommendation to the City Council** for the proposed Zoning Map Amendment, based on the following findings:

1. The proposed Zoning Map Amendment is consistent with the Neighborhoods with Open Space designation and applicable goals and recommendations of the Heber City General Plan.
2. The uses, building types, scale, and character contemplated by the Central Neighborhoods District are compatible with the residential development pattern envisioned for the area.
3. The subject property is located within the historic area of Heber City, near the western edge of the City's historic core, and its location provides an appropriate transition between the historic core and surrounding area, supporting consideration of the Central Heber Overlay Zone.

4. Application of the Central Heber Overlay Zone provides an appropriate regulatory framework for the existing triplex and establishes a pathway for the use to be considered as a Mansion Style Apartment, subject to Conditional Use Permit approval.
5. The proposed amendment would facilitate appropriate reinvestment and improvements to the existing property while requiring future modifications or redevelopment to comply with applicable City standards.
6. The proposed amendment does not approve any specific development proposal, and future development, improvements, or changes in use will remain subject to all applicable City review and approval processes.
7. The application has been reviewed by staff and has been determined to be complete and appropriate for consideration by the Planning Commission and City Council.

Recommended Conditions

Staff recommends the following conditions of approval:

1. The Zoning Map Amendment shall apply the Central Heber Overlay Zone, specifically the Central Neighborhoods District, to the property located at 205 North 600 West, Parcel No. 00-0020-0370.
2. Approval of the Zoning Map Amendment shall not constitute approval of any specific development, building modification, Conditional Use Permit, or other land use application.
3. Any future modifications, expansion, redevelopment, or change in use of the property shall comply with all applicable requirements of the Heber City Municipal Code and shall obtain all required land use and building approvals.
4. The existing triplex shall be subject to the applicable Conditional Use Permit process and requirements for a Mansion Style Apartment prior to any improvements or modifications that require the use to obtain such approval.

ALTERNATIVES

Staff Recommended Option - Approval

I move to **recommend approval to the City Council of the Zoning Map Amendment for Lot 20-0370**, applying the Central Heber Overlay Zone to the subject property, based on the findings and subject to the conditions outlined in the staff report.

POTENTIAL MOTIONS

ACCOUNTABILITY

Department: Planning
Staff member: Jacob Roberts, Planner

EXHIBITS

1. Marsing Zone Change General Plan
2. Marsing Zone Change Zoning



Marsing Zoning Map Amendment General Plan Designation

Legend

	Subject Parcel		LLR
FUTURE LAND USE			TR
Acronym			Roads
	HC		





Marsing Zoning Map Amendment Current Zoning

Legend	
Subject Parcel	R-2
Zoning	RA-2
I-1	Roads

N

Page 12 of 70



Planning Commission Staff Report

MEETING DATE: 9/8/2026

SUBJECT: Public Hearing for Central Heber Overlay Zone (CHOZ) Amendments
(Senior Planner Jacob Roberts)

RESPONSIBLE: Jacob Roberts

DEPARTMENT: Planning

STRATEGIC RELEVANCE: Community Development

SUMMARY

The amendment aims to clarify language in the Central Heber Overlay Zone by reformatting, rewording or otherwise reorganizing the current language. The changes that are included in this particular amendment are listed below in the discussion section of the staff report.

RECOMMENDATION

Staff recommends a positive recommendation be given by the Planning Commission.

BACKGROUND

With the adoption of the Central Heber Overlay Zone on September 9th, 2025, the City Council directed staff to revisit the new overlay zone and recommend changes. This ordinance will accomplish structural changes with the goal of improving the clarity of the zoning ordinance. Future text amendments will be recommended that will include larger changes related to use, design, location and approved building types.

DISCUSSION

The following changes are recommended to be adopted by Ordinance 2026-16 after a public hearing is held by the Planning Commission, a recommendation is given and the City Council votes on the item.

1. 18.83.030 Spatial Standards

Spatial Standards (A) is revised to say the following:

Spatial standards for all building typologies allowed by this ordinance are outlined below. Any development approved with the underlying zoning must use the spatial standards of that zone.

Spatial Standards (B) refer to the heights of approved buildings and will be removed. All heights of

approved building typologies and permitted accessory buildings will be located in the *General Spatial Requirements Table 18.83.030.1*. No new height requirements are being imposed.

General Spatial Requirements Table 18.83.030.1 will be revised to show the following:

General Spatial Requirements *
Table 18.83.030.1

Frontage	Min Front Setback	Min Rear Setback	Min Side Setback	Min Area & Depth	Max Height
All other buildings must meet the frontage requirements of the underlying zone	15 feet min from public right of way; 10 feet min for flag lots from PUE/access easement to any building	15 feet to property line	5 feet min to each side property line; 15 feet min from public right of way	As per the underlying zone or as specified in section 18.83.040 98 foot min depth for corner lots	Not to exceed 25' max for flag lots, detached ADUs, townhouses, and SDUs; 35-foot max for all other primary buildings Flag Lots: 25' Detached ADU: 25' Townhouses (CND): 25' Townhouses (TCD): 35' Mansion Style Apartments/Condos: 35' Commercial: 35' Mixed Use: 35' Accessory Buildings: 27'

*Other standards may apply elsewhere in this code, such as 18.83.040

The purpose of this change is to clarify standards of height and setbacks by revising the language of *Spatial Standards 18.83.030 (A)* to better reflect the intent of the Central Heber Overlay Zone and to reformat *General Spatial Requirements Table 18.83.030.1* to relocate all building heights to an easily readable and concise list at the beginning of the chapter.

2. 18.83.040 Building Typologies and Design Requirements (C)

Currently, 18.83.040 Building Typologies and Design Requirements (C) reads as one long paragraph with multiple different development requirements. The proposed language would break up that paragraph to read as is illustrated below. No changes to requirements are included in this change.

Proposed Language:

C. Utilities normally found above ground are not required to be placed underground unless located directly adjacent to existing underground utilities.

D. Curb, Gutter and Sidewalks

1. Curb, gutter, and sidewalk are not required except along and between 100 East and 100 West, where diagonal street parking is encouraged where it can be accommodated.
2. Curb, gutter, and sidewalk shall also be required along current and proposed Collector Roads according to the current adopted Transportation Master Plan.
3. Sidewalks or agreements to provide sidewalks in the future are required in all other locations where street frontage is disrupted .

3. Building Typologies and Design Requirements (E. Special Standards for Uses and Structures)

Change number 3 takes the standards for Emergency Vehicle Access out of section E and creates a new section dedicated to Emergency Vehicle Access. Section E is subsequently renumbered, but no further changes are made. The new section for Emergency Vehicle Access would read and appear as follows:

A. Emergency Vehicle Access

All development proposed within this overlay is subject to the normal review processes of the City. The Wasatch Fire District shall review, provide comments/recommendations, and resolve any access and fire suppression related issues.

As a general rule, Wasatch Fire District Emergency Vehicle Access (EVA) standards apply to homes located more than 150 feet from a public right-of-way, as measured to the midpoint of all walls of the building.

1. Driveways Not Classified as an EVA

- a. Driveways less than 150 feet in length that are not classified as an EVA shall meet the width and location requirements of the Heber City Standards and Specifications.***

2. Emergency Vehicle Access (EVA) Requirements

- a. Where a driveway, shared or unshared, is classified as an EVA, the following standards shall apply:***
- b.***

<i>Number of Dwelling Units Served</i>	<i>Minimum Unobstructed Paved Width</i>	<i>Minimum Unobstructed Height</i>
<i>1-3 dwelling units</i>	<i>16 feet (exclusive of shoulders)</i>	<i>13 feet 6 inches</i>
<i>4-5 dwelling units</i>	<i>22 feet (exclusive of shoulders)</i>	<i>13 feet 6 inches</i>

There are no changes to the substance of the ordinance. All proposed changes have been seen by the Wasatch County Fire Marshall and approved.

4. Building Typologies And Design Requirements (H. Subordinate Dwelling Units (SDU) (3)(a))

This proposed change simply removes the phrase “or as allowed by building code standards” from the requirement that an SDU maintain a minimum side and rear yard setback of five feet. This language is being removed because the building code may allow a zero-lot-line setback, which is not a permitted setback under the zoning requirements.

5. Building Typologies And Design Requirements (K. Mixed-use buildings (1))

This proposed change would adjust the wording of the first bullet of mixed-use buildings from the current paragraph:

Intended for a mix of primarily residential with commercial/office or commercial and office uses required to be located on the first floor, and optional above the first floor at or near the front build-to-line with parking to the rear, underground, or podium type. No podium parking is allowed to front a street. This building type may support office, retail, hotel/hospitality or residential uses mixed vertically.

The new wording would read as follows:

This building type is intended for mixed-use development that combines residential uses with commercial and/or office uses. Commercial and office uses shall be located on the first floor and may also be located on upper floors. Buildings shall be located at or near the front build-to-line, with parking located to the rear, underground, or within a parking podium. Podium parking shall not front a street. This building type may accommodate residential, office, retail, and hotel/hospitality uses in a vertical mixed-use building.

FISCAL IMPACT

N/A

CONCLUSION

The proposed amendments to the Central Heber Overlay Zone are intended primarily to improve the clarity, organization, and readability of the existing ordinance following its adoption in September 2025. As directed by the City Council, staff has continued to review the CHOZ and identify provisions where formatting, organization, or wording can be improved without substantially changing the intent of the ordinance.

The proposed amendments consolidate building height and setback standards within the General Spatial Requirements Table, reorganize development requirements into clearer subsections, establish a dedicated section for Emergency Vehicle Access standards, clarify the required five-foot setback for Subordinate Dwelling Units, and revise the language describing mixed-use buildings.

Overall, these amendments are intended to make the Central Heber Overlay Zone easier to read, interpret, and administer while maintaining the intent of the ordinance. Staff recommends that the Planning Commission forward a **positive recommendation to the City Council**.

ALTERNATIVES

Staff Recommended Option - Approval

I move to **approve the Central Heber Overlay Zone Amendments** as presented, with the findings and conditions as presented in the conclusion above.

POTENTIAL MOTIONS

ACCOUNTABILITY

Department: Planning
Staff member: Jacob Roberts, Planner

EXHIBITS

None



Planning Commission Staff Report

MEETING DATE: 9/8/2026
SUBJECT: Riverhawk Road Annexation (Planning Manager Jamie Baron)
RESPONSIBLE: Jamie Baron
DEPARTMENT: Planning
STRATEGIC RELEVANCE: Community and Economic Development

SUMMARY

Wasatch County School District is requesting to Annex 3.38 acres of land into the City for the purpose of having the constructed road completely within Heber City Limits.

Policy Question:

1. Should the City approve the Riverhawk Road Annexation?

RECOMMENDATION

Staff is recommending the Planning Commission forward a positive recommendation of the Riverhawk Road Annexation to the City Council.

BACKGROUND

The area proposed to be annexed is the roadway in front of the new Deer Creek High school. The roadway is split between the City and the County. The petition is to bring the roadway into the City limits.

DISCUSSION

Process

The Annexation Process is as follows.

Acceptance of Petition - **Complete**

30 day certification process - **Complete**

30 day protest period - **Complete**

Review and recommendation by Planning Commission - **Current**

Public hearing at City Council - **Next**

Decision by City Council - **Next**

FISCAL IMPACT

N/A

CONCLUSION

Wasatch County School District is seeking annexation of the road in front on the new High School. The property is within the annexation boundary of the City. Staff is recommending the Planning Commission forward a positive recommendation to the City Council with the following findings:

Findings

1. The property is located withing the Annexation Policy Plan.
2. The Planning Commission forwarded a positive recommendation on September 8, 2026.

Conditions

ALTERNATIVES

Staff Recommended Option - Positive Recommendation

I move to forward a **positive recommendation** of the Riverhawk Road Annexation to the City Coucnil with the findings and conditions as presented in the conclusion of the staff report.

POTENTIAL MOTIONS

ACCOUNTABILITY

Department: Planning
Staff member: Jamie Baron, Planning Manager

EXHIBITS

1. Annexation Petition for Riverhawk Road (2)
2. Exhibit A - Riverhawk Road Annexation Plat (1)

PETITION FOR ANNEXATION INTO HEBER CITY

Annexation Name: RIVERHAWK ROAD

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

1. This petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated:
2. The property subject to this petition is an unincorporated area contiguous to the boundaries of Heber City and the annexation thereof will not leave or create an unincorporated island or peninsula;
3. The signatures affixed hereto are those of the owners of private real property that:
 - a. is located within the area proposed for annexation;
 - b. covers a majority of the private land area within the area proposed for annexation;
 - c. is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation; and
 - d. lies contiguous to the present boundary of Heber City's corporate limits, located at the approximate address: **1000 West 200 North**
4. The petitioners have caused an accurate plat or map of the above-described property to be prepared by a licensed surveyor, which plat or map is filed herewith in Exhibit A;
5. Title to the property by those signing this petition is as shown in the deeds or title report attached hereto as Exhibit B.
6. The manner in which it was established that at least 1/3 of the value of all the private property sought to be annexed and at least a majority of the acreage is owned by the signers of this petition is shown in the attached Exhibit C (value and acreage spreadsheet) and Exhibit D (copies of all tax notices).
7. Land values and acreage within the annexation are as follows:

a. Total acreage within annexation:	3.38 acres	
b. Total private property acreage within annexation:	3.38 acres	
c. Petitioner's acreage within annexation:	3.38 acres	100%
		% of Total Private Area
d. Total Assessed Land Value within annexation:	\$0	
e. Petitioner's Assessed Land Value within annexation	\$0	100%
		% of Total Value

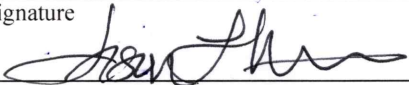
8. This petition does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted;
9. This petition does not propose annexation of all or a part of an area proposed to be incorporated in a request for a feasibility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

PETITION SIGNATURE PAGE 1

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

Name of Annexation: **RIVERHAWK ROAD**

Petitioner 1

Petitioner Name Board of Education of Wasatch School District	Phone Number 435-654-0280
Mailing Address 101 East 200 North Heber City, Utah 84032	Email Address Jason.watt@wasatch.edu
Parcel Numbers 00-0021-8868	
Signature 	Date 3/10/26

NOTICE

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

PETITION CONTACT SPONSOR

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

Petitioner Name Board of Education of Wasatch School District	Phone Number (435) 654-0280
Mailing Address 101 East 200 North Heber City, Utah 84032	Email Address jason.watt@wasatch.edu
Parcel Numbers 00-0021-8868	

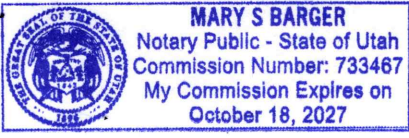
ENTITY:

By:  Business Administrator
Name/Title:

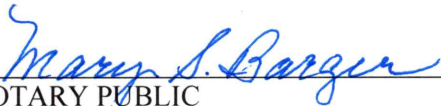
STATE OF Utah)
COUNTY OF Wasatch : ss.

On this 10 day of March, 2026, personally appeared before me the above named:

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



MARY S BARGER
Notary Public - State of Utah
Commission Number: 733467
My Commission Expires on
October 18, 2027

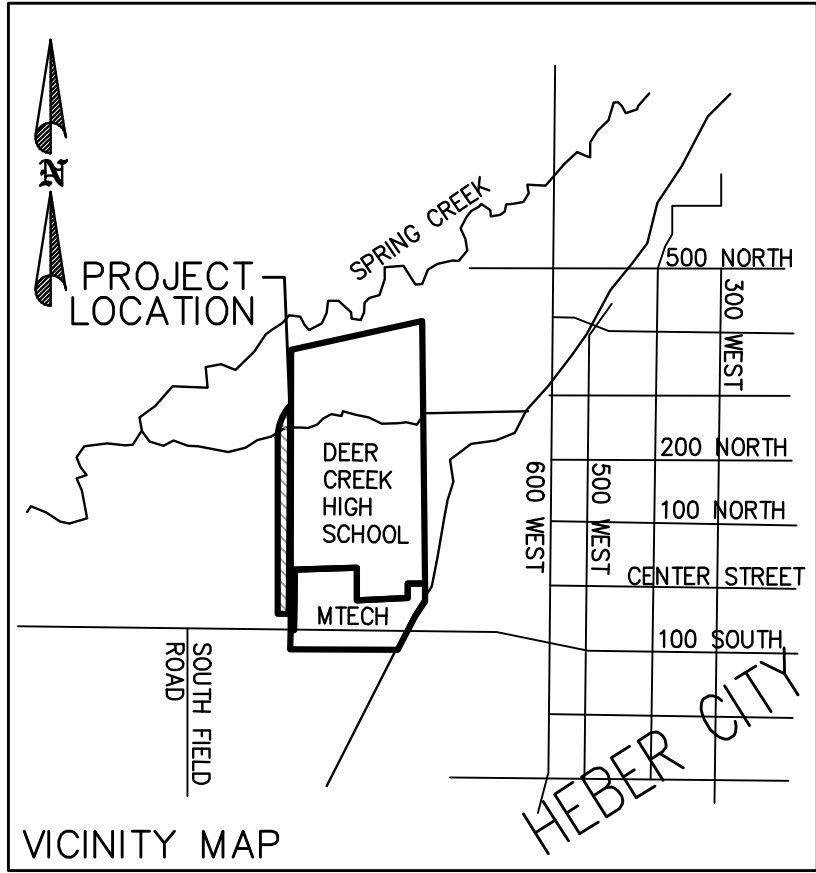

NOTARY PUBLIC

My Commission Expires: 10/18/2027

NOTICE

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

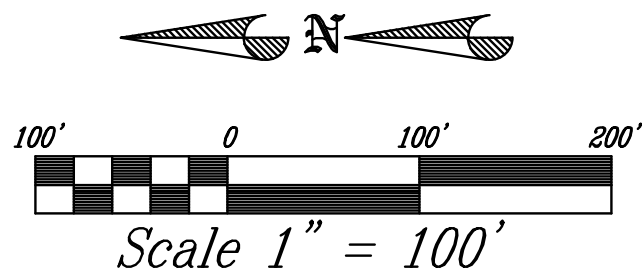
EXHIBIT A: ANNEXATION MAP



LEGEND	
	HEBER CITY LIMITS
	ANNEXATION BOUNDARY
	PREVIOUS ANNEXATION BOUNDARY
	DEED LINES
	STATE ROAD 113 RIGHT-OF-WAY
	EXISTING ASPHALT

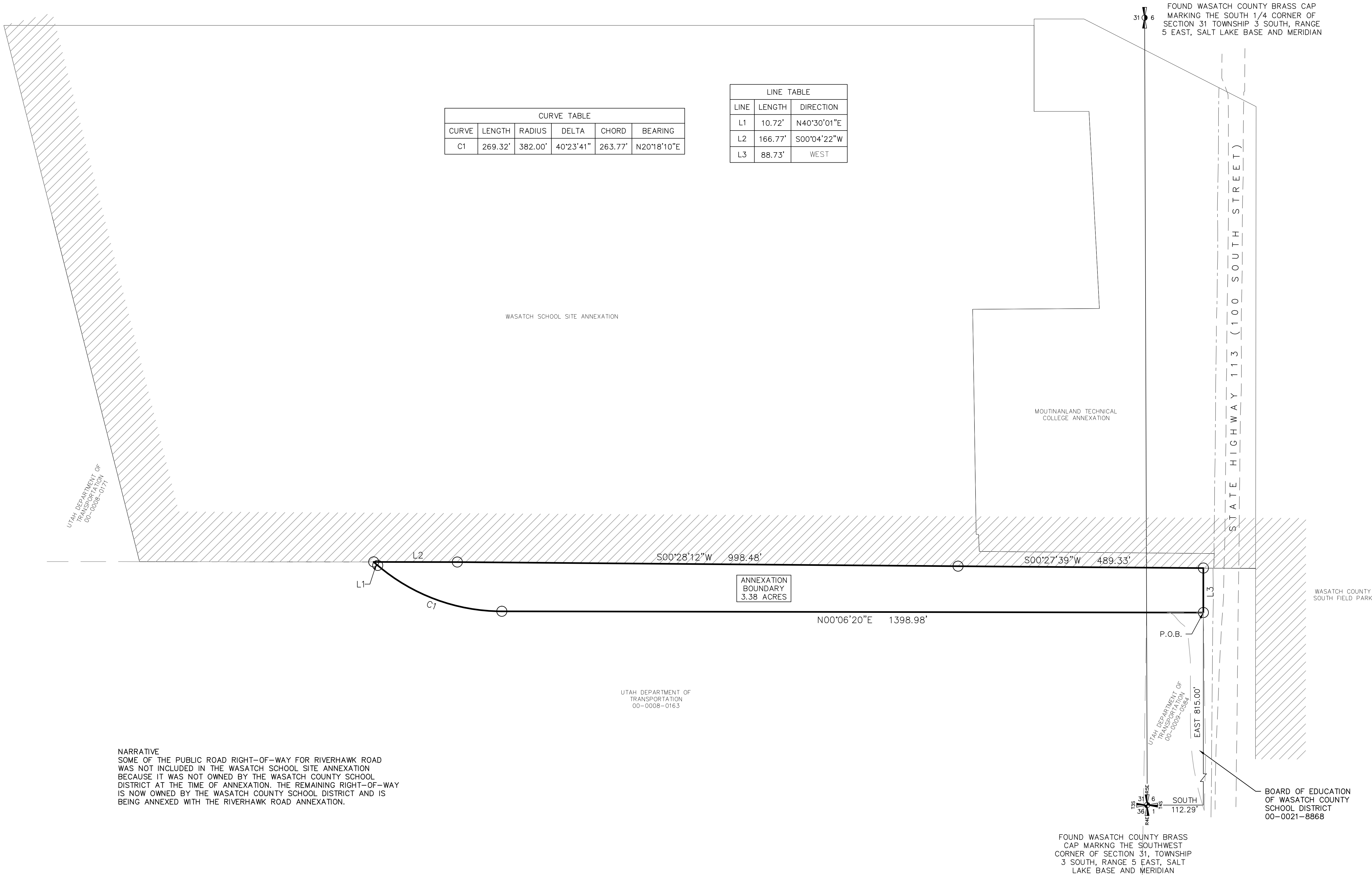
RIVERHAWK ROAD ANNEXATION

LOCATED IN SOUTH QUARTER SECTION 31 TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN.



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	269.32'	382.00'	40°23'41"	263.77'	N20°18'10"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	10.72'	N40°30'01"E
L2	166.77'	S00°04'22"W
L3	88.73'	WEST



NARRATIVE
SOME OF THE PUBLIC ROAD RIGHT-OF-WAY FOR RIVERHAWK ROAD WAS NOT INCLUDED IN THE WASATCH SCHOOL SITE ANNEXATION BECAUSE IT WAS NOT OWNED BY THE WASATCH COUNTY SCHOOL DISTRICT AT THE TIME OF ANNEXATION. THE REMAINING RIGHT-OF-WAY IS NOW OWNED BY THE WASATCH COUNTY SCHOOL DISTRICT AND IS BEING ANNEXED WITH THE RIVERHAWK ROAD ANNEXATION.

BASIS OF BEARING

BASIS OF BEARING FOR THIS ALTA SURVEY IS NORTH 89°48'32" EAST BETWEEN THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTHWEST CORNER AND THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTH 1/4 CORNER OF SECTION 31, T3S, R5E, SLB&M, IN CONFORMANCE WITH THE UTAH STATE PLANE COORDINATE SYSTEM CENTRAL ZONE BEARINGS (NAD83).

BOUNDARY DESCRIPTION

BEGINNING AT A POINT SOUTH 112.29 FEET AND EAST 815.00 FEET FROM THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE NORTH 00°06'20" EAST 1398.98 FEET; THENCE ALONG THE ARC OF A 382.00 FOOT RADIUS CURVE TO THE RIGHT 269.32 FEET (CENTRAL ANGLE OF 40°23'41" AND A CHORD BEARING NORTH 20°18'10" EAST 263.77 FEET; THENCE NORTH 40°30'01" EAST 10.72 FEET; THENCE SOUTH 00°04'22" WEST 166.77 FEET; THENCE SOUTH 00°28'12" WEST 998.48 FEET; THENCE SOUTH 00°27'39" WEST 489.33 FEET; THENCE WEST 88.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.38 ACRES

COUNTY RECORDER

COUNTY SURVEYOR

APPROVED AS TO FORM ON THIS _____ DAY OF _____, 20____.

ROS # _____

COUNTY SURVEYOR

SURVEYOR'S CERTIFICATE

I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6854112 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO HEBER CITY, WASATCH COUNTY, UTAH.

SURVEYOR

DATE

SURVEYOR'S SEAL

ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE THE UNDERSIGNED HAVE ADOPTED A RESOLUTION OF ITS INTENT TO ANNEX THE TRACT OF LAND SHOWN HEREON AND HAVE SUBSEQUENTLY ADOPTED AN ORDINANCE ANNEXING SAID TRACT INTO HEBER CITY, UTAH; AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HEREWITH ALL IN ACCORDANCE WITH UTAH CODE SECTION 10-2-418 AS REVISED AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS A PART OF SAID HEBER CITY, AND THAT SAID TRACT OF LAND IS TO BE KNOWN AS THE HIGH SCHOOL ANNEXATION.

DATED THIS ____ DAY OF _____, ____.

MAYOR

DATE

CITY ATTORNEY

DATE

CITY ENGINEER

DATE

ATTEST:

CITY RECORDER

DATE

RECORDER'S SEAL

RIVERHAWK ROAD ANNEXATION

DATE:
19 JANUARY 2026

DRAWING NO.
01_ANNEX_FLAT

EXHIBIT
A

EXHIBIT B: PROPERTY DEEDS

Special Warranty Deed

Brick Wall Properties, LLC, a Utah limited liability company, A corporation organized and existing under the laws of the State of UTAH

As Grantor

hereby **CONVEY AND WARRANT**, *against those claiming by, through or under the Grantor* to:

Board of Education of Wasatch County School District, a political subdivision of the State of Utah

Grantee,

Of: 101 East 200 North, Heber, UT 84032

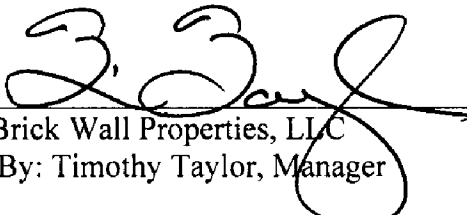
FOR THE SUM OF TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION
the following described tract of land within Wasatch County, State of UTAH to wit:

See Attached Description

Grantor does covenant with the Grantees and their assigns that the above-described Real Estate is not subject to any encumbrances made by Grantor and that Grantor will warrant and defend the same to the said Grantees and their assigns forever against the lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

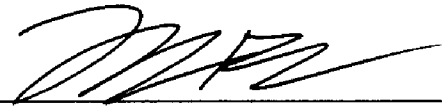
WITNESS THE HAND OF SAID GRANTOR THIS 9th DAY OF OCTOBER 2023.

) 
) Brick Wall Properties, LLC
) By: Timothy Taylor, Manager
)

STATE OF UTAH)

County of Salt Lake) §.

On this 9th day of October 2023, personally appeared before me Timothy Taylor, whose identity is personally known to me (or proved to me on the basis of satisfactory evidence) and who by me duly sworn (or affirmed), did say that he is the Manager of Brick Wall Properties, LLC, the Corporation that executed the foregoing instrument and that said document was signed by him in behalf of said corporation by authority of its bylaws (or of a Resolution of its Board of Directors), and he acknowledged to me that said corporation executed the same.


Notary Public



Legal Description

1000 West Description

Beginning at a point 443.07 feet East and 126.15 feet South from the Wasatch County Brass Cap that marks the Southwest Corner of Section 31, Township 3 South, Range 5 East, Salt Lake Base and Meridian;

Thence along the arc of 525.50 foot radius to the right 150.96 feet (Central Angle of 16°27'32" and a chord bearing North 81°46'14" East 150.44 feet; thence East 121.74 feet; thence along the arc of 190.00 foot radius to the left 18.99 feet (Central Angle of 05°43'36" and a chord bearing North 87°08'12" East 18.98 feet); thence North 84°16'24" East 44.99 feet; thence along the arc of 40.00 foot radius to the left 32.33 feet (Central Angle of 46°18'46" and a chord bearing North 61°07'01" East 31.46 feet); thence along the arc of 75.00 foot radius to the right 19.87 feet (Central Angle of 15°10'54" and a chord bearing North 45°33'05" East 19.81 feet); thence along the arc of 40.00 foot radius to the left 37.03 feet (Central Angle of 53°02'13" and a chord bearing North 26°37'26" East 35.72 feet); thence North 00°06'20" East 1326.57 feet; thence along the arc of 362.00 foot radius to the right 255.22 feet (Central Angle of 40°23'41" and a chord bearing North 19°16'47" East 237.60 feet); thence South 0°04'22" West 135.54 feet; thence South 0°28'12" West 998.50 feet; thence South 0°27'39" West 509.91 feet; thence North 89°22'44" West 460.51 feet to the point of beginning.

20' Slope Description

Beginning at a point 443.07 feet East and 126.15 feet South from the Wasatch County Brass Cap that marks the Southwest Corner of Section 31, Township 3 South, Range 5 East, Salt Lake Base and Meridian;

Thence North 89°22'24" West 58.44 feet; thence along the arc of 545.50 foot radius to the right 212.68 feet (Central Angle of 22°20'17" and a chord bearing North 78°49'51" East 211.33 feet; thence East 121.74 feet; thence along the arc of 170.00 foot radius to the left 16.99 feet (Central Angle of 05°43'36" with a chord bearing North 87°08'12" East 16.98 feet); thence North 84°16'24" East 44.99 feet; thence along the arc of 20.00 foot radius to the left 16.17 feet (Central Angle of 46°18'46" with a chord bearing North 61°07'01" East 15.73 feet); thence along the arc of 95.00 foot radius to the right 25.17 feet (Central Angle of 15°10'54" with a chord bearing North 45°33'05" East 25.10 feet); thence along the arc of 20.00 foot radius to the left 18.51 feet (Central Angle of 52°02'13" with a chord bearing North 26°37'26" East 17.86 feet); thence North 0°06'20" East 1326.57 feet; thence along the arc of 383.10 foot radius to the right 280.06 feet (Central Angle of 41°53'08" with a chord bearing North 21°04'39" East 273.86 feet); thence North 40°30'01" East 10.72 feet; thence South 0°04'22" West 31.20 feet; thence along the arc of 362.00 foot radius to the left 255.22 feet (Central Angle of 40°23'41" and a chord bearing South 19°16'47" West 237.60 feet); thence South 00°06'20" West 1326.57 feet; thence along the arc of 40.00 foot radius to the right 37.03 feet (Central Angle of 53°02'13" and a chord bearing South 26°37'26" West 35.72 feet); thence along the arc of 75.00 foot radius to the left 19.87 feet (Central Angle of 15°10'54" and a chord bearing South 45°33'05" West 19.81 feet); thence along the arc of 40.00 foot radius to the right 32.33 feet (Central Angle of 46°18'46" and a chord bearing South 61°07'01" West 31.46 feet); thence South 84°16'24" West 44.99 feet; thence along the arc of 190.00 foot radius to the right 18.99 feet (Central Angle of 05°43'36" and a chord bearing South 87°08'12" West 18.98 feet); thence West 121.74 feet; thence along the arc of 525.50 foot radius to the left 150.96 feet (Central Angle of 16°27'32" and a chord bearing South 81°46'14" West 150.44 feet to the point of beginning.

Affecting Tax ID Nos. 00-0009-0584 and 00-0008-0163

EXHIBIT C: VALUE & ACREAGE

March 6, 2026

Exhibit C

Riverhawk Road Annexation Analysis

A petition for annexation must be signed by property owners representing a minimum of 1/2 of the area being annexed and at least 1/3 of the market value of the properties being annexed. The analysis in Table 1 demonstrates that the annexation petition complies with these standards.

The acreage shown in this analysis is based on Wasatch County records. The surveyed amount of land as shown on the annexation plat is slightly larger.

Table 1 - Annexation Analysis for Area and Market Value

Property Owner	Serial #	Parcel #	Acres	Market Value	Petitioner
Board of Education of Wasatch County School District	OWC-0723-1-031-035	00-0021-8868	2.89	\$0	Yes
Total			2.89	\$0	
Annexation Petitioners			2.89	\$0	
% of Annexation Represented by Petitioners			100.0%	100.0%	

EXHIBIT D: PROPERTY TAX NOTICES

Recorder's Office**435-657-3210**

Questions concerning Deeds, Parcel
Ownership, Legal Descriptions,
Annexations, Plat Maps, and Mailing
Addresses.

Assessor's Office**435-657-3182**

Questions concerning Land and
Improvement Valuations, Green Belt
Parcels, Primary Residential Status,
and Appraisals.

Clerk's Office**435-657-3190**

Questions concerning Tax Rates, Board of
Equalization, Property Valuation Appeals,
and Tax Abatements.

Treasurer's Office**435-657-3217**

Questions concerning Tax Payments,
Mortgage Company Tax Services, Penalty,
and Special Charges.

Tax Year**2025****Parcel Number:**

00-0021-8868

Serial Number:

OWC-0723-1-031-035

Entry Number:

537517

Owner Name:BOARD OF EDUCATION OF WASATCH COUNTY SCHOOL
DISTRI**Owner Name 2:****Mailing Address:**

101 E 200 N HEBER CITY UT 840320000

Tax District:

12

Tax District Rate:

0.854600%

Recorder's Office Acreage:

2.890

Assessment/Valuation Information[Click this link to view this parcels tax and disclosure notices.](#)**Tax Charge Information****Tax Charge:**

\$0

Penalties Charged:

\$0.00

Special Charged:

\$0.00

Tax Payments:

\$0.00

Taxes Abated:

\$0.00

Taxes Balance Due:

\$0.00

Interest is not included. Contact taxpayoff@wasatch.utah.gov for total due or go to the online payment portal.

Additional Information**Escrow Processing Company:** *Mortgage company escrow processor*

None

Property (Grid) Address:

Brief Legal Taxing Description: DO NOT USE THIS TAXING
DESCRIPTION FOR OFFICIAL DOCUMENTS. For taxing purposes only. Consult
property deeds for full legal description.

BEGINNING AT A POINT EAST 443.07 FEET AND SOUTH 126.15
FEET FOMR THE SW CORNER OF SEC 31 T3S R5E SLM

[<< Return](#)

EXHIBIT E: LIST OF ALL PROPERTY OWNERS WITHIN ANNEXATION AND WITHIN 300 FEET OF ANNEXATION

January 22, 2026

**Riverhawk Road Annexation
Property Owners Within 300 Feet**

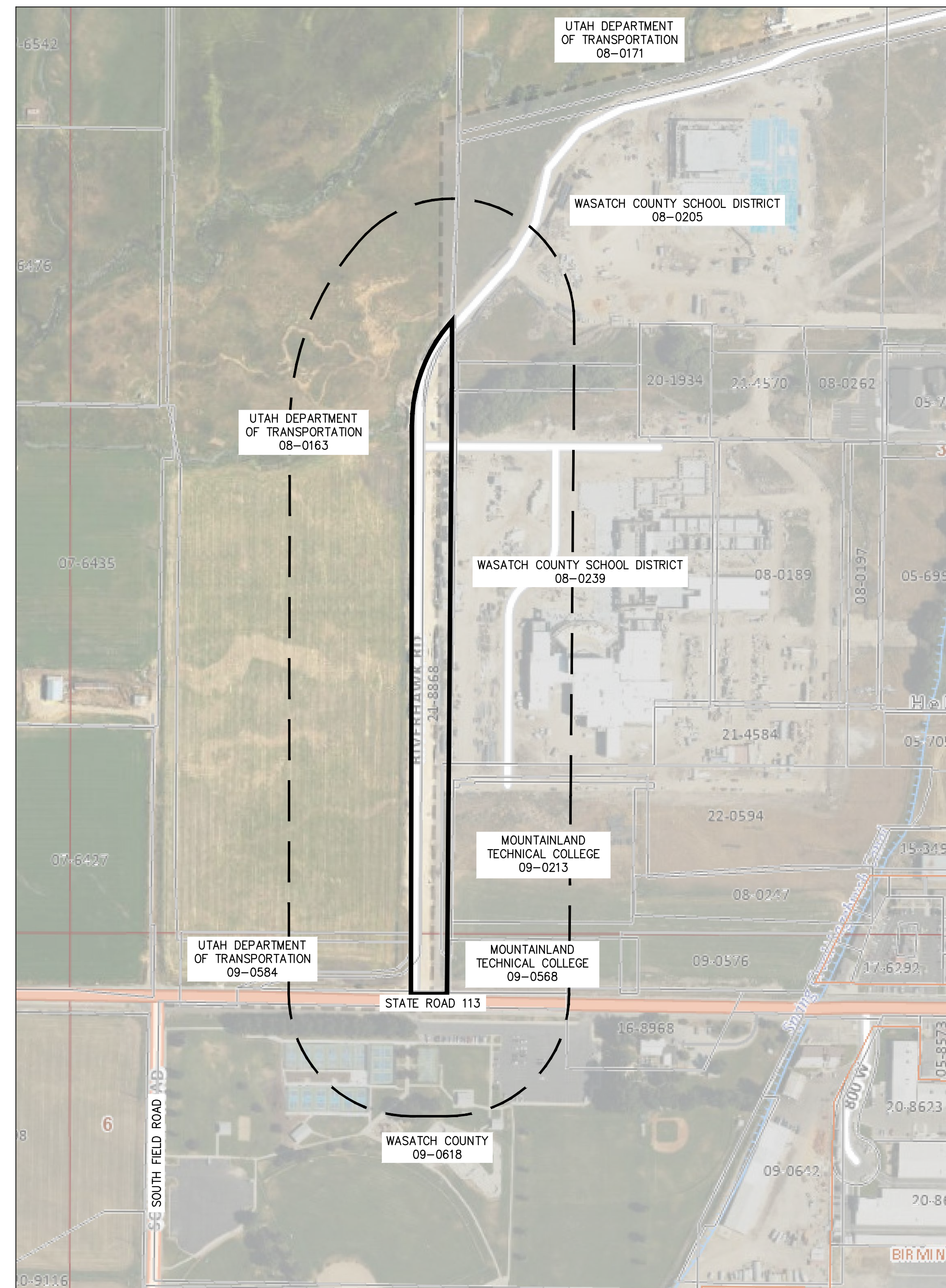
<u>Property Owner</u>	<u>Street Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
Board of Education of Wasatch County School District	101 E 200 N	Heber City	Utah	84032
Utah Department of Transportation	4501 S 2700 W	Taylorsville	Utah	84114
Mountainland Technical College	2301 Ashton Blvd	Lehi	Utah	84043
Wasatch County	25 N Main	Heber City	Utah	84032

LEGEND

 PROPOSED ANNEXATION BOUNDARY

 300' NOTICING BOUNDARY

300' NOTICING BOUNDARY



PAUL D. BERG _____ P.E.
SERIAL NO. 295595 _____
DATE: 21 JAN 2026 _____



SCALE: 1"=100'

RIVERHAWK ROAD
ANNEXATION

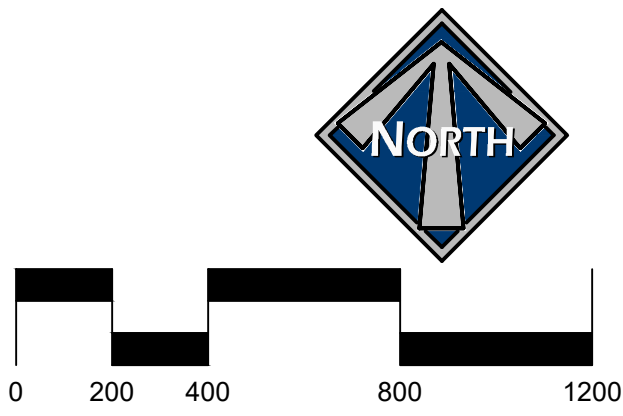
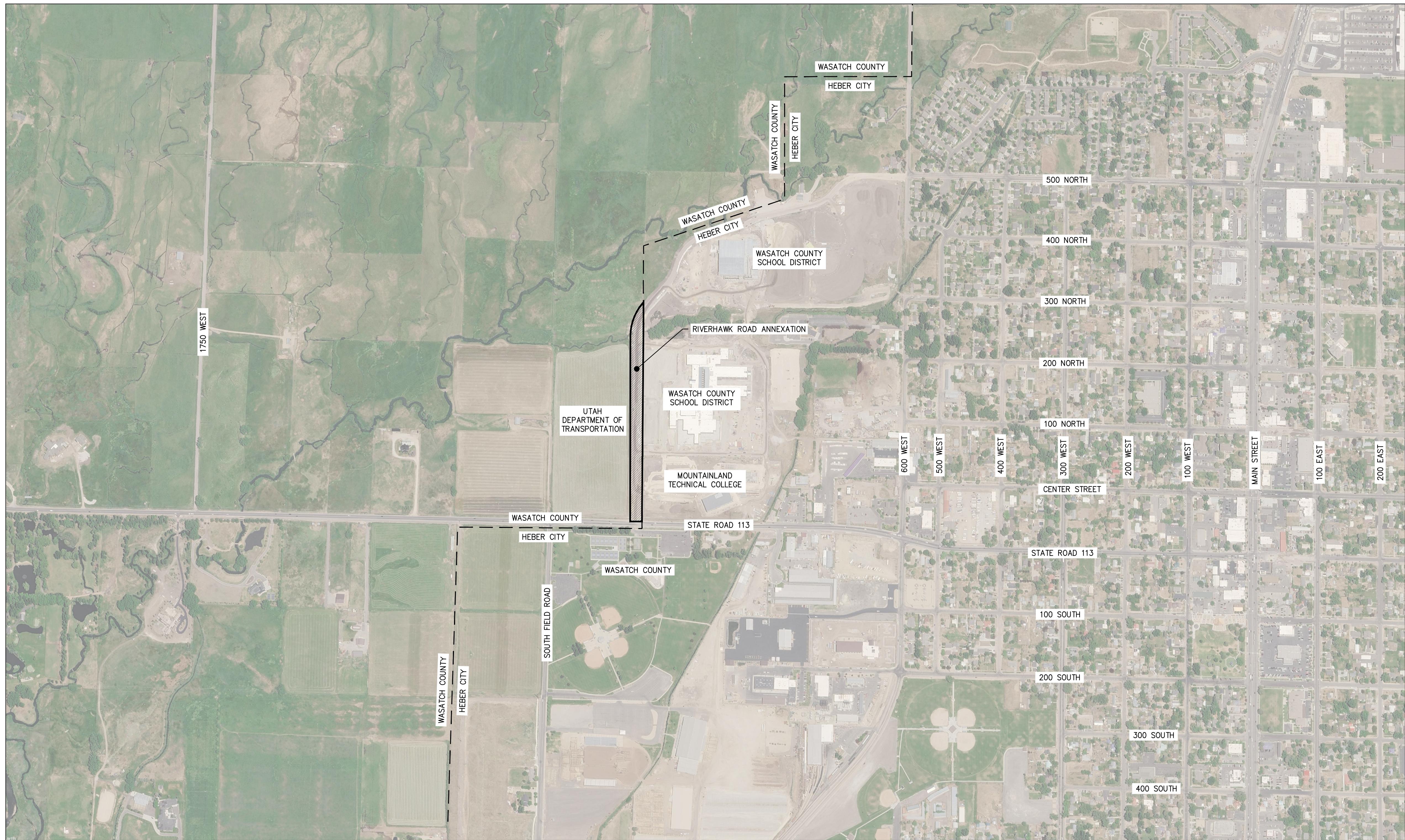
PROPERTIES WITHIN 300 FEET



DESIGN BY: PDB	DATE: 21 JAN 2026	SHEET
DRAWN BY: DWA	REV:	1

EXHIBIT F: VICINITY MAP

LEGEND
—— PROPOSED ANNEXATION BOUNDARY
- - - - CITY BOUNDARY



SCALE: 1"=400'

RIVERHAWK ROAD
ANNEXATION

VICINITY MAP



DESIGN BY: PDB
DRAWN BY: DWA

DATE: 6 MAR 2026
REV:

SHEET
EXF

EXHIBIT G: CONCEPT PLAN

<u>LAND USE TABLE:</u>	
TOTAL AREA	73.66 ACRES
BUILDING AREA	6.96 ACRES
ROADS & PARKING	17.56 ACRES

LEGEND

 100 YEAR FEMA FLOODPLAIN

 WETLANDS PER REPORT-MAY 2020
0.08 AC (TO BE REMOVED)
1.87 AC (TO BE PRESERVED)

 PROPOSED CHAIN LINK FENCE

 GRASS

 NATIVE GRASS

 SYNTHETIC TURF

 COLORED CONCRETE

 LANDSCAPE ROCK

 PROPERTY TO MTECH (4.46 ACRES)

 RIVERHAWK ROAD ANNEXATION AREA (3.38 ACRES)

FUTURE BUILDINGS:
THE PAVILION, MAINTENANCE SHED AND CONCESSIONS ARE PROPOSED SITE IMPROVEMENTS THAT WILL NOT BE BUILT WITH THE INITIAL SCHOOL CONSTRUCTION. THESE IMPROVEMENTS ARE PROPOSED FOR AN UNKNOWN FUTURE DATE.

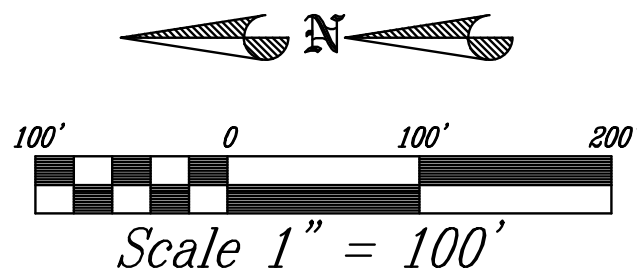
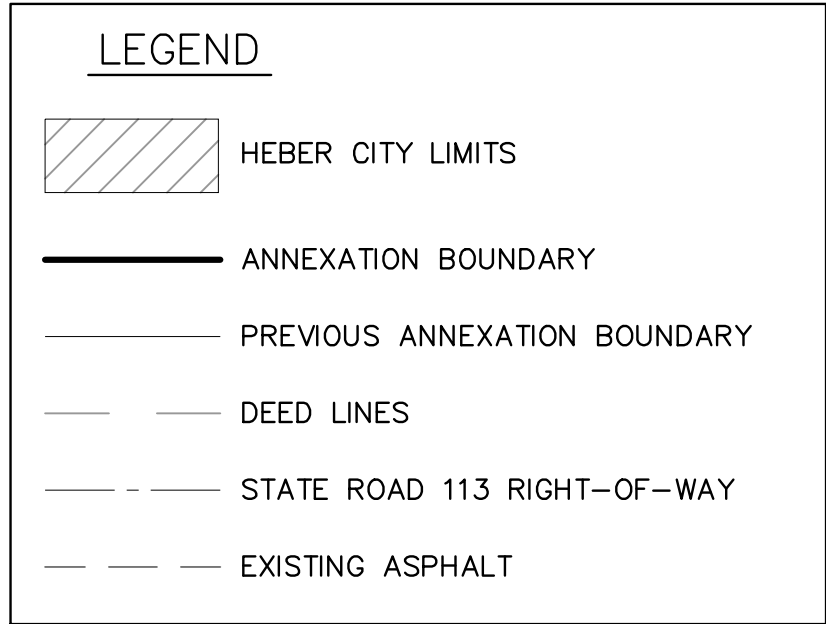


BERG ENGINEERING
380 E Main St. Suite 204
Midway, Ut 84049
ph 435.657.9749

 CORE ARCHITECTURE 1835 KENNEDY AVENUE SUITE 200, FARMINGTON, CT 06030-1700 TEL: 860-634-0000 FAX: 860-634-0001 WWW.COREARCHITECTURE.COM		DATE: 21 JAN 2020 PROJECT #: CNA-19-030 PRD. MAN.: PDB CHECKED BY: PDB ALL INFORMATION CONTAINED HEREIN IS THE PROPERTY OF CORE ARCHITECTURE. IT IS TO BE KEPT IN CONFIDENCE AND NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.	
PROJECT: NEW HEBER VALLEY HIGH SCHOOL PROJECT ADDRESS: 300 NORTH 1000 WEST HEBER CITY, UTAH		OWNER:  THIS DOCUMENT IS INCOMPLETE AND IS RELEASED TEMPORARILY FOR INTERIM REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. PAUL D. SERIO P.E. SERIAL NO. 205955 DATE: 9 APRIL 2025	
SHEET DESCRIPTION: RIVERHAWK NORTH ANNEXATION SITE PLAN		SHEET: C002	

CONFORMANCE SET

LOCATED IN SOUTH QUARTER SECTION 31 TOWNSHIP 3
SOUTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN.



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	269.32'	382.00'	40°23'41"	263.77'	N20°18'10"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	10.72'	N40°30'01"E
L2	166.77'	S00°04'22"W
L3	88.73'	WEST

31 6

FOUND WASATCH COUNTY BRASS CAP
MARKING THE SOUTH 1/4 CORNER OF
SECTION 31 TOWNSHIP 3 SOUTH, RANGE
5 EAST, SALT LAKE BASE AND MERIDIAN

BASIS OF BEARING

BASIS OF BEARING FOR THIS ALTA SURVEY IS NORTH 89°48'32" EAST BETWEEN THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTHWEST CORNER AND THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTH 1/4 CORNER OF SECTION 31, T3S, R5E, SLB&M, IN CONFORMANCE WITH THE UTAH STATE PLANE COORDINATE SYSTEM CENTRAL ZONE BEARINGS (NAD83).

BOUNDARY DESCRIPTION

BEGINNING AT A POINT SOUTH 112.29 FEET AND EAST 815.00 FEET FROM THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE NORTH 00°06'20" EAST 1398.98 FEET; THENCE ALONG THE ARC OF A 382.00 FOOT RADIUS CURVE TO THE RIGHT 269.32 FEET (CENTRAL ANGLE OF 40°23'41" AND A CHORD BEARING NORTH 20°18'10" EAST 263.77 FEET; THENCE NORTH 40°30'01" EAST 10.72 FEET; THENCE SOUTH 00°04'22" WEST 166.77 FEET; THENCE SOUTH 00°28'12" WEST 998.48 FEET; THENCE SOUTH 00°27'39" WEST 489.33 FEET; THENCE WEST 88.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.38 ACRES

COUNTY RECORDER

COUNTY SURVEYOR

APPROVED AS TO FORM ON THIS _____ DAY OF _____, 20____.

ROS # _____

COUNTY SURVEYOR

SURVEYOR'S CERTIFICATE

I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6854112 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO HEBER CITY, WASATCH COUNTY, UTAH.

SURVEYOR

DATE _____

ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE THE UNDERSIGNED HAVE ADOPTED A RESOLUTION OF ITS INTENT TO ANNEX THE TRACT OF LAND SHOWN HEREON AND HAVE SUBSEQUENTLY ADOPTED AN ORDINANCE ANNEXING SAID TRACT INTO HEBER CITY, UTAH; AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HEREWITH ALL IN ACCORDANCE WITH UTAH CODE SECTION 10-2-418 AS REVISED AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS A PART OF SAID HEBER CITY, AND THAT SAID TRACT OF LAND IS TO BE KNOWN AS THE HIGH SCHOOL ANNEXATION.

DATED THIS _____ DAY OF _____, _____

MAYOR _____ DATE _____

CITY ATTORNEY _____ DATE _____

CITY ENGINEER DATE

ATTEST:
CITY RECORDER DATE

RECORDED'S SEAL

RIVERHAWK ROAD ANNEXATION

DATE:
19 JANUARY 2026

DRAWING NO.
01_ANNEX_PLAT

EXHIBIT
A

Path: X:\Wasatch_School_District\New High School\Annexation for Riverhawk Road\
 File name: RIVERHAWK ROAD ANNEXATION PLAT.dwg | plot date: January 22, 2026 | plotted by: Darci

NARRATIVE
SOME OF THE PUBLIC ROAD RIGHT-OF-WAY FOR RIVERHAWK ROAD WAS NOT INCLUDED IN THE WASATCH SCHOOL SITE ANNEXATION BECAUSE IT WAS NOT OWNED BY THE WASATCH COUNTY SCHOOL DISTRICT AT THE TIME OF ANNEXATION. THE REMAINING RIGHT-OF-WAY IS NOW OWNED BY THE WASATCH COUNTY SCHOOL DISTRICT AND IS BEING ANNEXED WITH THE RIVERHAWK ROAD ANNEXATION.

FOUND WASATCH COUNTY BRASS
CAP MARKING THE SOUTHWEST
CORNER OF SECTION 31, TOWNSHIP
3 SOUTH, RANGE 5 EAST, SALT
LAKE BASE AND MERIDIAN

BOARD OF EDUCATION
OF WASATCH COUNTY
SCHOOL DISTRICT
00-0021-8868