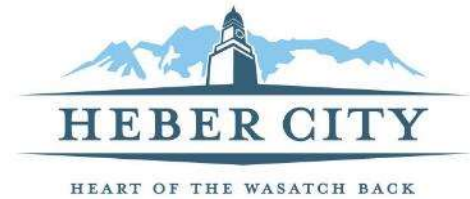


Planning Commission

Staff Report



MEETING DATE: June 14, 2022
SUBJECT: Public Hearing and Possible action on proposed updates to the annexation and flood damage ordinances
RESPONSIBLE: Anthony L. Kohler, Planning Director
DEPARTMENT: Planning Department
STRATEGIC RELEVANCE: Community Development

SUMMARY

As part of the Phase 3 Envision Heber Code Update, the City has scheduled a workshop to review changes to the Annexation chapter and Flood Damage chapter. Over the next six to nine months more updates and revisions will be presented until the entire Code has been updated/revised.

Policy questions and/or new content are identified in the drafts.

The Annexation ordinance 18.116 and the Flood Damage Prevention Ordinance 18.109 were discussed at the May 24, 2022 work session before the Planning Commission.

The Annexation chapter incorporates policies that the City already generally have in place but are not codified. The proposed chapter updates codifies and clarifies this practice.

The Flood Damage Ordinance is derived from a model ordinance that many communities across the State adopted a very long time ago. It was generated to great extent by a Federal agency. The ordinance relies on the City Engineer for review and approvals throughout but does have land use implications and will remain in the Zoning Code. Development in the floodplain is difficult and the ordinance promotes safety measures for that area. The proposed chapter updates the draft to current state law and review practices.

RECOMMENDATION

Staff recommends the Planning Commission conduct a public hearing on the two ordinances and consider making a recommendation to the City Council after the public hearing tentatively scheduled for July 19, 2022.

BACKGROUND

These ordinance amendments are a result of the contract with People + Place, John Janson, Meg Ryan and the Planning Department staff. The proposals within the drafts include policy suggestions, State Law updates, and edits for greater clarity. It is also the intent of these updates to simplify the ordinances, and to refer to the Heber City Standard Specifications instead of listing engineering requirements in the Zoning Ordinance.

Here is a summary of the changes:

Item #1

Annexation Chapter Summary 18.116

These updates will:

- Define the process
- Make references to the applicable codes and policies that govern annexations
- Codify Processes outlined in the Adopted Heber City Annexation Policy Plan

Item #2

Flood Damage Ordinance Summary 18.109

This is an older ordinance that was a model provided by the Federal Government to protect development from potential hazards in the flood plan areas. Changes and elements of the ordinance include:

- Moves definitions to the definitions chapter of the Title 18 for consistency
- Designates the Floodplain Administrator as the City Engineer (no change)
- Permits are processed by the Floodplain Administrator (no change, but a unique responsibility)
- Drops an outmoded “variance” procedure and replaces with Appeal Authority process required under State law.
- Prevents mobile homes and recreational vehicle developments from locating in the floodplain

DISCUSSION

The proposed amendments will clarify these chapters making them more user friendly and less confusing to administer. Discussion and feedback from the Commission at the work session on May 24, 2002 indicated that with some minor adjustments that the Commission was comfortable with the suggested updates and was ready to hold a public hearing on both items.

FISCAL IMPACT

No additional costs other than the consultant contract are involved.

CONCLUSION

A recommendation from the Planning Commission to the City Council on the two proposed ordinances Annexation Title 18.116 and the Flood Damage Prevention Ordinance 18.109 may be made after the public hearing or at a subsequent meeting.

POTENTIAL MOTIONS

Staff Recommended Option – Approve as recommended.

Alternative 2 – Approve as amended due to discussion in the meeting

Alternative 3 – Continue for further review and study

ACCOUNTABILITY

Department: Planning Department, Planning Director
Staff Member: Anthony L. Kohler

EXHIBITS -Draft Ordinances PDF version

18.116 Annexation Click [Here](#)

18.109 Flood Damage Prevention Click [Here](#)

18.109 Flood Damage Prevention Ordinance

18.109.010 Statutory Authorization, Findings Of Fact, Purpose And Objectives

18.109.020 Definitions

18.109.030 General Provisions

18.109.040 Administration

18.109.050 Provisions For Flood Hazard Reduction

18.109.010 Statutory Authorization, Findings Of Fact, Purpose And Objectives

A. STATUTORY AUTHORIZATION. The Legislature of the State of Utah has in Utah Code Annotated 10-3-701 delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore the City Council of Heber City, Utah does ordain as follows:

~~B. FINDINGS OF FACT.~~

- ~~1. The flood hazard areas of Heber City are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.~~
- ~~2. These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood-proofed or otherwise protected from flood damage.~~
- ~~3. Severe flooding has occurred in the past within Heber City and will certainly occur within the future. That flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction. In order to effectively comply with minimum standards for coverage under the National Flood Insurance Program, and in order to effectively remedy the situation described herein, it is necessary that this ordinance become effective immediately.~~
- ~~4. Therefore, an emergency is hereby declared to exist, and this ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.~~

C. STATEMENT OF PURPOSE. It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;

6. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
 7. Ensure that potential buyers are notified that property is in a flood area.
- D. METHODS OF REDUCING FLOOD LOSSES. In order to accomplish its purposes, this ordinance uses the following methods:
1. Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
 2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
 3. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
 4. Control filling, grading, dredging and other development which may increase flood damage;
 5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

18.109.020 Definitions

~~Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.~~

- ~~A. ALLUVIAL FAN FLOODING—means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.~~
- ~~B. APEX—means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.~~
- ~~C. AREA OF SHALLOW FLOODING—means a designated AO, AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.~~
- ~~D. AREA OF SPECIAL FLOOD HAZARD—is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. 44 C.F.R. 64 defines the specific special flood hazard areas as follows:~~

Zone	Description
A	Area of special flood hazard without water surface elevations determined
A1-30	AE Area of special flood hazard with water surface elevations determined
A0	Area of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) feet

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|------------------|---|
| A99 | Area of special flood hazard where enough progress has been made on a protective system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes |
| AH | Areas of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) feet, and with water surface elevations determined |
| AR | Area of special flood hazard that results from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection |
| V | Area of special flood hazards without water surface elevations determined, and with velocity, that is inundated by tidal floods (coastal high hazard area) |
| V1-30 | VE Area of special flood hazards, with water surface elevations determined and with velocity, that is inundated by tidal floods (coastal high hazard area) |
| V0 | Area of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) ft. and with velocity |
| B, X | Areas of moderate flood hazards or areas of future conditions flood hazard |
| C, X | Area of minimal hazards |
| D | Area of undetermined but possible, flood hazards |
| M | Area of special mudslide (i.e., mudflow) hazards |
| N | Area of moderate mudslide (i.e., mudflow) hazards |
| P | Area of undetermined, but possible, mudslide hazards |
| E | Area of special flood related erosion hazards |
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- ~~E. BASE FLOOD~~ means the flood having a one percent chance of being equaled or exceeded in any given year.
- ~~F. BASEMENT~~ means any area of the building having its floor sub-grade (below ground level) on all sides.
- ~~G. CRITICAL FACILITY~~ means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.
- ~~H. CRITICAL FEATURE~~ means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
- ~~I. DEVELOPMENT~~ means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- ~~J. ELEVATED BUILDING~~ means a non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the

building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.

- ~~K. EXISTING CONSTRUCTION~~ means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."
- ~~L. EXISTING MANUFACTURED HOME PARK OR SUBDIVISION~~ means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
- ~~M. EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION~~ means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- ~~N. FLOOD OR FLOODING~~ means a general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of inland or tidal waters; or (2) the unusual and rapid accumulation or runoff of surface waters from any source.
- ~~O. FLOOD INSURANCE RATE MAP (FIRM)~~ means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- ~~P. FLOOD INSURANCE STUDY~~ is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary Floodway Map.
- ~~Q. FLOODPLAIN OR FLOOD-PRONE AREA~~ means any land area susceptible to being inundated by water from any source (see definition of flooding).
- ~~R. FLOODPLAIN MANAGEMENT~~ means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.
- ~~S. FLOODPLAIN MANAGEMENT REGULATIONS~~ means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

- ~~T. FLOOD PROTECTION SYSTEM—means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.~~
- ~~U. FLOOD PROOFING—means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.~~
- ~~V. FLOODWAY (REGULATORY FLOODWAY)—means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.~~
- ~~W. FUNCTIONALLY DEPENDENT USE—means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long term storage or related manufacturing facilities.~~
- ~~X. HIGHEST ADJACENT GRADE—means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.~~
- ~~Y. HISTORIC STRUCTURE—means any structure that is:~~
- ~~1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;~~
 - ~~2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;~~
 - ~~3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or~~
 - ~~4. Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:~~
 - ~~a. by an approved state program as determined by the Secretary of the Interior; or~~
 - ~~b. directly by the Secretary of the Interior in states without approved programs.~~
- ~~Z. LEVEE—means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.~~
- ~~AA. LEVEE SYSTEM—means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.~~

- ~~BB.——— LOWEST FLOOR—means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.~~
- ~~CC.——— MANUFACTURED HOME—means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".~~
- ~~DD.——— MANUFACTURED HOME PARK OR SUBDIVISION—means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.~~
- ~~EE. MEAN SEA LEVEL—means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.~~
- ~~FF. NEW CONSTRUCTION—means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.~~
- ~~GG.——— NEW MANUFACTURED HOME PARK OR SUBDIVISION—means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.~~
- ~~HH.——— RECREATIONAL VEHICLE—means a vehicle which is:~~
- ~~1. built on a single chassis;~~
 - ~~2. 400 square feet or less when measured at the largest horizontal projections;~~
 - ~~3. designed to be self-propelled or permanently towable by a light duty truck; and~~
 - ~~4. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.~~
- ~~H. START OF CONSTRUCTION—(for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of~~

~~temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.~~

~~JJ. STRUCTURE means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.~~

~~KK. SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.~~

~~LL. SUBSTANTIAL IMPROVEMENT means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:~~

- ~~1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions; or~~
- ~~2. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."~~

~~MM. VARIANCE is a grant of relief to a person from the requirement of this ordinance when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this ordinance. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.).~~

~~NN. VIOLATION means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (e)(4), (e)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.~~

~~OO. WATER SURFACE ELEVATION means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.~~

18.109.030 General Provisions

- A. LANDS TO WHICH THIS ORDINANCE APPLIES. The ordinance shall apply to all areas of special flood hazard within the jurisdiction of Heber City.
- B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Wasatch County and Incorporated Areas, dated 2011, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) and any revisions thereto

are hereby adopted by reference and declared to be a part of this ordinance. Heber City automatically adopts all FEMA effective Flood Insurance Rate Maps.

- C. ESTABLISHMENT OF DEVELOPMENT PERMIT. A Development Permit shall be required to ensure conformance with the provisions of this ordinance. Such permits are issued by the Floodplain Administrator.
- D. COMPLIANCE. No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.
- E. ABROGATION AND GREATER RESTRICTIONS. This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- F. INTERPRETATION. In the interpretation and application of this ordinance, all provisions shall be:
 - 1. considered as minimum requirements;
 - 2. liberally construed in favor of the governing body; and
 - 3. deemed neither to limit nor repeal any other powers granted under State statutes.
- G. WARNING AND DISCLAIMER OR LIABILITY. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.
- H. PENALTIES FOR NONCOMPLIANCE. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a Class B Misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than six month, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent Heber City from taking such other lawful action as is necessary to prevent or remedy any violation.

18.109.040 Administration

- A. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR. The Heber City Engineer or its designee is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.

B. DUTIES & RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR. Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to the following:

1. Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.
2. Review permit applications to determine whether proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.
3. Review, approve or deny all applications for development permits required by adoption of this ordinance.
4. Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
5. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
6. Notify, in riverine situations, adjacent communities and the State Coordinating Agency prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
7. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
8. When base flood elevation data has not been provided in accordance with Section 18.109.030 B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Section 18.109.050.
9. When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
10. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision through FEMA (Conditional Letter of Map Revision).

C. PERMIT REQUIREMENTS. Application for a Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including

the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

1. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
2. Elevation in relation to mean sea level to which any nonresidential structure shall be flood-proofed;
3. A certificate from a registered professional engineer or architect that the nonresidential flood-proofed structure shall meet the flood-proofing criteria of Section 18.109.050 B. 2;
4. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;
5. Maintain a record of all such information in accordance with Section 18.109.040 B. 1.

D. PERMIT APPROVAL OR DENIAL. Approval or denial of a Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

1. The danger to life and property due to flooding or erosion damage;
2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
3. The danger that materials may be swept onto other lands to the injury of others;
4. The compatibility of the proposed use with existing and anticipated development;
5. The safety of access to the property in times of flood for ordinary and emergency vehicles;
6. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
7. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
8. The necessity to the facility of a waterfront location, where applicable;
9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
10. The relationship of the proposed use to the comprehensive plan for that area.

~~E. VARIANCE PROCEDURES~~

- ~~1. The Board of Adjustment as established by the community shall hear and render judgment on requests for variances from the requirements of this ordinance. In addition to making the required findings for a variance pursuant to Utah State Code Section 10-9a-702, the Board of Adjustment shall give consideration to the provisions of this Section 18.109.040 E.~~
- ~~2. The Board of Adjustment shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.~~
- ~~3. Any person or persons aggrieved by the decision of the Board of Adjustment may appeal such decision in the courts of competent jurisdiction.~~

- ~~4. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.~~
- ~~5. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.~~
- ~~6. Variances may be issued for new construction and substantial improvements to be erected on a lot of one half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in 18.109.040 D. have been fully considered. As the lot size increases beyond the one half acre, the technical justification required for issuing the variance increases.~~
- ~~7. Upon consideration of the factors noted above and the intent of this ordinance, the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Section 18.109.010 C.).~~
- ~~8. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.~~
- ~~9. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.~~
- ~~10. Prerequisites for granting variances:
 - ~~a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.~~
 - ~~b. Variances shall only be issued upon:
 - ~~1) showing a good and sufficient cause;~~
 - ~~2) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and~~
 - ~~3) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.~~~~
 - ~~c. Any application to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.~~~~
- ~~11. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
 - ~~a. the criteria outlined in Section 18.109.040 E. 1-9 are met; and~~~~

- ~~b. the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.~~

F. All requests for variances go to the Appeal Authority See Section XXXX.

18.109.050 Provisions For Flood Hazard Reduction

- A. GENERAL STANDARDS. In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:
 - 1. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - 2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
 - 3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
 - 4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - 5. All new and replacement water supply systems shall be designed to eliminate infiltration of flood waters into the system;
 - 6. New and replacement sanitary sewage systems shall be designed to eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and
 - 7. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- B. SPECIFIC STANDARDS. In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Section 18.109.030 B; (ii) Section 18.109.040 B.8.; or (iii) Section 18.109.050 C.3., the following provisions are required:
 - 1. Residential Construction - new construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to at least one foot or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in Section 18.109.040 C. 1. is satisfied.
 - 2. Nonresidential Construction - new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to at least one foot or above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall

certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are flood-proofed shall be maintained by the Floodplain Administrator.

3. Enclosures - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
 - a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - b. The bottom of all openings shall be no higher than one foot above grade.
 - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

~~4. Manufactured Homes.~~

- ~~a. Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.~~
- ~~b. Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to at least one foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.~~
- ~~c. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either:
 - 1) the lowest floor of the manufactured home is at least one foot above the base flood elevation; or~~

- ~~2) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.~~
- ~~5. Recreational Vehicles – Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either:~~
 - ~~a. be on the site for fewer than 180 consecutive days;~~
 - ~~b. be fully licensed and ready for highway use; or~~
 - ~~c. meet the permit requirements of Section 18.109.040 C.1, and the elevation and anchoring requirements for manufactured homes in Section 18.109.050 B. 4. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.~~

C. STANDARDS FOR SUBDIVISION PROPOSALS.

1. All subdivision proposals including ~~the placement of manufactured home parks and subdivisions~~ shall be consistent with Section 18.109.010 B., C., and D. of this ordinance. No mobile home and/or recreational vehicle developments are allowed in the floodplain.
2. All proposals for the development of subdivisions ~~including the placement of manufactured home parks and subdivisions~~ shall meet Development Permit requirements of Section 18.109.030 C., Section 18.109.040 C., and the provisions of Section 18.109.050 of this ordinance.
3. Base flood elevation data shall be generated for subdivision proposals and other proposed development ~~including the placement of manufactured home parks and subdivisions~~ which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Section 18.109.030 B. or Section 18.109.040 B.8 of this ordinance.
4. All subdivision proposals ~~including the placement of manufactured home parks and subdivisions~~ shall have adequate drainage provided to reduce exposure to flood hazards.
5. All subdivision proposals ~~including the placement of manufactured home parks and subdivisions~~ shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

D. STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES). Located within the areas of special flood hazard established in Section 18.109.030 B., are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

1. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at

- least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified).
2. All new construction and substantial improvements of non-residential structures;
 - a. have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified); or
 - b. together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
 3. A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as proposed in Section 18.109.040 C.1, are satisfied.
 4. Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters round and away from proposed structures.
- E. FLOODWAYS. Floodways - located within areas of special flood hazard established in Section 18.109.030 B. are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:
1. Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge
 2. If Section 18.109.050 E. 1.is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 18.109.050.
 3. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision through FEMA.
- F. CRITICAL FACILITY. Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Flood-proofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

18.116 Annexation

18.116.010 Initial Classification

~~All land hereafter annexed to the city shall be zoned consistent with the Heber City General Plan.~~

18.116.010 Purpose

The annexation requirements specified in this Chapter are intended to protect the general interests and character of the community; assure orderly growth and Development of the Heber City community in terms of utilities and public services; preserve open space, enhance parks and trails; ensure environmental quality; protect entry corridors, view sheds and environmentally Sensitive Lands; preserve Historic and cultural resources; create buffer Areas; protect public health, safety, and welfare; and ensure that annexations are approved consistent with the Heber City General Plan, the Heber City Annexation Policy Plan Ordinance 2021-21, Heber City Capital Facilities Plan and Utah State law.

18.116.020 Annexation Policy Plan

The Planning Commission is responsible for the creation of the Heber City Annexation Policy Plan. After creation of the document and holding one public hearing on the Plan the Planning Commission shall forward a recommendation to the City Council for a public hearing on the matter. Utah State Code 10-2-401.5 et seq. outlines the requirements for the Policy Plan.

18.116.030 Expansion Area

All properties petitioning for annexation must be identified in the Heber City Policy Plan expansion area.

18.116.040 Annexation Process

In addition to the process outlined in Sections 10-2-403 et seq of the Utah State Code Figure 1 Typical Annexation Process outlines the review process. The Heber City Annexation Guide and Heber City Annexation Petition is found at the City offices and provides guidance and application procedures for annexation petitions. The annexation timeline will vary based on each petition but generally takes between ten to fifteen months to complete the state and local requirements.

Figure 1 - Typical Annexation Process

Process	Steps								
	1	2	3	4	5	6	7	8	9
Notice of Intent									
Annexation Petition									
Acceptance									
Certification									
Protest Period									
Planning Commission Mtg.									
Public Hearing									
MDA									
Approval									
Lieutenant Governor									
Record Plat									

18.116.050 Annexation Petition Review after City Council Acceptance of Petition

In addition to the process outlined in Sections 10-2-403 et seq of the Utah State Code generally illustrated in Figure 1 Typical Annexation Process, the Planning Commission shall conduct a public meeting to review the petition application. If in the petition a development agreement is proposed a public hearing on the item shall be held. In either case the Planning Commission shall forward a recommendation to the City Council prior to the City Council hearing on the approval or denial of the proposed petition application.

18.116.060 Annexation Petition Submittal to Planning Commission

The applicant must submit a separate application to the Planning Commission and attend the Planning Commission meeting(s). As part of application, submit the following:

1. Annexation Fees as per current Heber City Consolidated Fee Schedule
2. A conceptual development plan for the area proposed for annexation or development plans and meeting minutes for approvals granted by Wasatch County if petition seeks to retain those entitlements.
3. A feasibility report for the following:
 - a. Existing and proposed population density;
 - b. Geology, geography, and topography of the area and its surroundings;
 - c. Determination of islands or peninsulas remaining in the unincorporated area;
 - d. Fiscal impact of the proposed annexation on the unincorporated area, other municipalities, other government entities, special districts, and school district;
 - e. Current and five-year projections of demographic and economic base for the proposed annexation area and surrounding unincorporated area;

Red text is new proposed language. Black text is from your current practices.

- f. Projected five-year growth for the proposed annexation area and surrounding unincorporated area;
- g. Current and five-year projections of the cost of government services for the proposed annexation area;
- h. Present and five-year projection of revenue to be received by the City resulting from the annexation; and
- i. Projected tax impact the annexation will have for the next five years on affected property owners.

18.116.070 CONDITIONS OF ANNEXATION APPROVAL AND ANNEXATION AGREEMENT.

The City Council shall require an annexation agreement be recorded with the annexation plat, outlining specific circumstances relating to services, transportation corridors, zoning, and other issues identified by the City during the annexation process.

18.116.080 AMENDMENTS TO THE ANNEXATION AGREEMENT. Subsequent substantive amendments to the annexation agreement are subject to review and approval by the Planning Commission and City Council with adequate public notice and recordation with the Wasatch County Recorder.

June 6, 2022

Heber City Corporation
Attn: Jamie Baron
75 North Main
Heber City, Utah 84032



Landmark Design
LANDSCAPE ARCHITECTURE & PLANNING

Artspace Solar Gardens
850 South 400 West | Studio 104
Salt Lake City, Utah 84101
801.474.3300
www.lidi-ut.com

Subject: Black Rifle Coffee Company – Commercial Final

Dear Jamie:

Landmark Design has reviewed the application **Black Rifle Coffee Company – Commercial Final**. The proposal is for a single-story coffee shop located at the corner of 400 North and Main Street including a drive-thru, patio, parking and site improvements. The existing car wash at the west end of the property will remain and the existing building and canopy will be demolished and replaced with the proposed project. The proposed project is located in the C-2 Commercial Zone and is within the Historic Business Core.

The project is designated General Plan Down Town according to the general plan and map. Adjacent uses Maverik Fueling Station to the north, a Commercial Office to the east, the Car Wash Building on the same parcel, and Power Sports retail sales to the south.

The project was presented at the concept stage to the DRM on March 3rd, at which time setback and parking requirements were discussed in detail, particularly the proposal to use street parking and shared parking to meet project parking needs. It was noted at that time that a shared parking agreement would be required.

The Final Application has since been submitted and reviewed. Proposed site improvements on the 0.46 acre property include a drive thru with stacking adequate for seven vehicles. Eleven parking stalls are required, with three provided on-site, ten as part of a shared parking agreement with the car wash to the west, and three of the six on-street angle parking spaces on 400 North counting toward parking needs per code, for a total of 16 parking spaces provided. A parking agreement has also been provided.

Ten-foot setbacks are maintained on the east and north frontages of the corner lot, which deviate from the standard twenty foot setbacks but are allowed as an exception since no monument or pole sign are not included. Photometric drawings meet code requirements, although the proposed light fixture is not decorative and exceeds the 3000 Lumen requirement.

Architectural renderings indicate that C-2 guidelines are not met. As the metal material cannot exceed 25% of the wall area . Since the project consists of 41% masonry, only 14.75% of the total building face is permitted to be metal material per C-2 Design Guidelines.

Otherwise the project meets planning and code requirements.

Staff recommends that Black Rifle Coffee Company – Commercial Final is approved by the Planning Commission with the following findings and conditions:

Findings

1. The application is consistent with the Municipal Zoning Code.
2. The application is consistent with the General Plan.

Conditions:

1. Planning Commission approval of setback exception.
2. Applicant to work with staff to ensure lighting standard and lumens meet code requirements.
3. Applicant to work with staff to materials meet code requirements.
4. All requirements of the City Engineer and Fire Department shall be met.
5. All other Code Requirements shall be met.
6. Any other conditions or changes as articulated by the Planning Commission.

POTENTIAL MOTIONS

1. Approve
2. Continue
3. Deny

Staff Recommended Option – Approval with Conditions

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

Sincerely



Mark Vlastic, PLA, ASLA, AICP
Principal and President
Landmark Design
850 South 400 West #104
Salt Lake City, Utah 84101

cc: file Tony Kohler, Heber Planning Department

POTENTIAL MOTIONS

Staff Recommended Option – Approval

I move to **approve Black Rifle Coffee Company – Commercial Final** with the Findings and Conditions in the conclusions of the Staff Report. as follows:

Alternative 2 – Continuance

I move to **continue Black Rifle Coffee Company – Commercial Final** to another meeting on [DATE], with direction to the applicant and/or Staff on information and / or changes needed to render a decision, as follows:

Alternative 3 – Denial

I move to **deny Black Rifle Coffee Company – Commercial Final** with the following findings:

ACCOUNTABILITY

Department:
Staff Member:

Planning Department
Jamie Baron

EXHIBITS

1. Planning Review Checklist
2. Drawings and Attachments

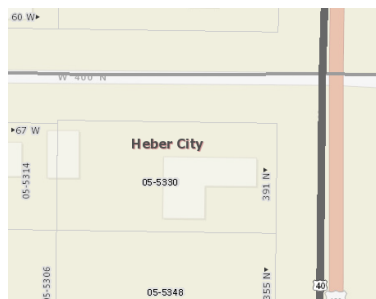
Planning Review Checklist

Project Name: Black Rifle Coffee Company – Commercial Final
Project Type: Planning Commission Application
GL CODE GL 10-2695
DRM Date: April 28, 2022
Project Address: 391 North Main Street
Property Owner / Name: Cidney Hammer
Company Name / Agent: Amy Madsen

Project Details

Project Description: Proposed Black Rifle Coffee Company building with drive-thru and outdoor amenities.
Acres: 0.46
Number of Lots 1
Current Zone: C-2 (C-2 Commercial Zone)

Date Submitted: February 11, 2022
Date Reviewed: 04/20/2022
Planning Commission Date: June 14, 2022
City Council Date: ?
DRM Date: April 28, 2022
Location: 391 North Main Street (Hwy 40)
Parcel(s): 1 Parcel – 0.45 acres - Wasatch County (05-5330)



Zone: C-2 Commercial Zone



General Plan Designation: General Plan Down Town



Current Use:

Power Sport Retail Sales (2021 Google)

Adjacent Uses:

North – Maverik Fueling Station (2021 Google)

East – Commercial Office (2021 Google)

West – Car Wash Building (Same Parcel) (2016 Google)

South – Power Sport Retail Sales

Land Use Authority:

Planning Commission

Action Type:

Administrative

Planner:

Mark Vlastic, Landmark Design (Jamie Baron, Planner)

General Review

Previous Meetings:

N/A Previous

Approvals: N/A

DRM:

Setback Requirements:

Proposed Black Rifle Coffee Company shop at the corner of 400 North and Main Street with 400 North improvements, drive-thru, patio, parking, etc. Existing car wash at the west end of the property will remain and the existing building and canopy will be demolished with this project.

From Concept DRM Planning March 3, 2022 (Mark Vlastic) -C-2 guidelines minimum of 20 ft. exception for 10ft setback if forego a monument or pole sign. -Building needs shifted -Parking

requirements can street parking be calculated as parking? Determine where parking was for detail bay? A parking agreement will be needed. 1/2 of on street parking can be calculated. Handicap space cannot be on the street.

Fire lane needs to be 20 ft. and not obstructed with vehicles. Stacking could be a problem.

HUGH – discuss these items.

HC parking on 400 North, parking is next to intersection. Defer to engineering on width of street requirements

Data Table from plan

<u>SITE DATA</u>		
LOT AREA:	19,830	SF (0.46 ACRES)
ROOF AREA:	3,785	SF± 19.1%
PAVEMENT AREA:	12,528	SF± 63.2%
LANDSCAPE AREA:	3,517	SF± 17.7%
<u>BUILDING DATA</u>		
ZONE: C-2 (COMMERCIAL ZONE)		
<u>PARKING TABULATION</u>		
REQUIRED: 1 PER 250 SF OF RETAIL AREA AND 1 PER 200 SF SEATING AREA		
REQUIRED: 11 STALLS (NET RETAIL: 357/250=1.4; NET RESTAURANT: 1,754/200=8.8)		
PROVIDED: 16 STALLS (1 ADA)		
3 ON-SITE		
10 SHARED		
6 ON-STREET (3 COUNTED TOWARDS PROJECT)		
7 STACKING SPACES		

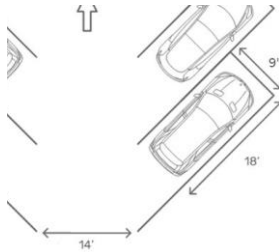
Angled parking 9'x 15' measured perpendicular OK (10.16.0.25)

Drive-in (retail) (18.72.030 9.) Parking 12 off-street parking spaces or to accommodate all patrons.

5 shared spaces on adjacent property. Were they "shared" for the other development?

Calculate using the shared Parking Table (18.72.030 B.)

18.72.070 – 45-degree angle parking to have 9x18 size stall (18.75' length perp from edge)



18.28.050 A. 15' landscape street frontage – Does the sidewalk count?
 Section 207 C-2/C-4 provide 10' landscape area

1. Landscaping plan, including a data table relating to the applicable landscaping requirements of Chapter 18.76. No irrigation Plan provided
2. Lighting plan as outlined in Section 18.78.050, including photometrics plan, cut sheets with lighting details, etc. relating to the applicable lighting requirements of Chapter 18.78. None provided
3. Exterior materials Board for all non-residential and multi-family buildings. Insufficient material boards, no percentages, no masonry. Materials do not meet C-2 Code requirements (30% masonry on main floor the key one)
4. C-2 guidelines minimum of 20 ft. exception for 10ft setback if forego a monument or pole sign.

Building needs to be shifted -Parking requirements can street parking be calculated as parking? Determine where parking was for detail bay? A parking agreement will be needed. 1/2 of on street parking can be calculated. Handicap space cannot be on the street.

Note from Jamie:

The follow changes are still needed on the elevations and the lighting plan.

Elevations – The metal material cannot exceed 25% of the wall area remaining after the masonry. In your case, there is 41% masonry, with would only allow 14.75% of the total building to be metal.

Lighting

- The fixture is not decorative
- The fixture is currently 5000K in color temperature and needs to be 3000K
- The total lumens was fine

17.20.030 Final Construction - Plans And Final Plat

The Final Plans shall be drawn to a scale no smaller than one inch equals one hundred (100) feet for overall sheets and one inch equals forty (40) feet for plan and profile sheets. In addition to all of the

Code Review

17.14 Requirement of Adequate Public Facilities: Will connect to City Infrastructure. Will be reviewed by Engineering.

17.20 Plans

- **17.20.010 Concept Plans**

The Concept Plan shall be drawn to a scale no smaller than one-inch equals one hundred (100) feet and shall include:

- A. Conceptual layout of the following:
 - 1. Proposed streets, in relation to the existing and planned streets within one-fourth mile of the subdivision:
 - 2. Lots, including lot sizes:
 - 3. Building pads for residential projects
 - 4. Buildings for multi-family or nonresidential projects, including building area –
 - 5. Parking for nonresidential and multi-family residential projects
 - 6. Open space, as required by the zone – no table/calculations provided.
 - 7. Landscaping, as required by the zone –
- B. Data Table containing the following:
 - 1. Uses – Specific uses TBD / individual owners. Density –
 - 2. Open space calculations, as required by the zone
 - 3. Landscaping calculations, as required by the zone-
 - 4. Parking analysis –

C-2 guidelines minimum of 20 ft. exception for 10ft setback if forego a monument or pole sign. Building needs to be shifted -Parking requirements can street parking be calculated as parking? Determine where parking was for detail bay? A parking agreement will be needed. 1/2 of on street parking can be calculated. Handicap space cannot be on the street.

17.20.030 Final Construction - Plans And Final Plat

The Final Plans shall be drawn to a scale no smaller than one inch equals one hundred (100) feet for overall sheets and one inch equals forty (40) feet for plan and profile sheets. In addition to all of the requirements of the preliminary plans, the following shall also be included with the final plans:

1. Data Table containing the following:
 - a. Uses
 - b. Density
 - c. Open space calculations, as required by the zone
 - d. Parking analysis, as applicable
2. Landscaping plan, including a data table relating to the applicable landscaping requirements of Chapter 18.76. **No irrigation Plan provided**
3. Lighting plan as outlined in Section 18.78.050, including a data table relating to the applicable lighting requirements of Chapter 18.78. **None provided**
4. Exterior materials Board for all non-residential and multi-family buildings. **Insufficient material boards, no percentages, no masonry**
5. Scaled color elevations of all non-residential and multi-family buildings, including a data table relating to the applicable design standards.
6. Record of survey map;
7. Checklist of all items discussed at preliminary approval.

Is HC 60defgree parking per code?

17.38 Commercial Developments

17.38.010 Submission And Approval Process

All applications for commercial development approval are required to follow the submission, review, and approval process found in Chapter 17.16 and Chapter 17.20 herein, even in the circumstance where no subdivision is created by the development proposal, except that commercial projects are not required to submit a Preliminary Plan. Commercial Development shall mean any nonresidential development building greater than 1,000 total square feet, including but not limited to public, commercial, industrial and non-profit organization buildings or facilities. Exception: public buildings under 1,000 square feet are exempt. Each commercial project will be required to submit a Concept Plan and a Final Plat. This requirement is intended to provide adequate project review in a manner consistent with other Heber City review processes. The Concept Plan for a commercial development should include sufficient information about the project to allow the Planning Commission to complete a thorough review of the proposed project. Because the nature of each commercial project is different, consultation with planning staff will help each applicant to prepare the Concept Plan. If properly completed, the Concept Plan may be used as the Final Plat for a commercial project.

Exception to this Subdivision Ordinance for commercial development are limited to the following:

1. More than one structure may be placed on a commercial parcel if the setback and all other requirements are satisfied.
2. The owner of commercial property does not need to provide a name for the commercial development.
3. Other requirements, which can be clearly demonstrated by the applicant, which are not applicable to commercial development.

In addition to the requirements listed above, all commercial developments within Heber City are subject to Chapter 17.14 Adequate Public Facilities, herein.

Each commercial development shall satisfy all applicable requirements of this Subdivision Ordinance, also known as Title 17 of the Heber City Code, and the Heber City Zoning Ordinance, also known as Title 18 of the Heber City Code.

As with all Ordinances of Heber City, if this Chapter is found to be in conflict with any other Heber City Ordinance or Resolution, the stricter of the two shall apply. Likewise, if any portion of this Chapter is found to be unlawful or invalid by a court of law, that section alone shall be removed and the remaining sections of this Chapter shall remain in effect.

4. Commercial Concept Approval becomes null and void if not acted upon within six (6) months of its approval, and Commercial Final Approval becomes null and void if not acted upon within one year of its approval. Either Concept or Final Approvals may receive one extension upon written permission by the Planning Commission. The duration of the extension for Concept Approval shall not exceed six (6) months. The duration of the extension for Final Approval shall not exceed twelve (12) months.

17.38.020 Compliance With Zoning Provisions

All applications for commercial development are required to satisfy the applicable requirements found in the Heber City Zoning Ordinance, also known as Title 18 of the Heber City Code. Of particular note for commercial developments are Chapter 18.72, Off-Street Parking, Chapter 18.76, Landscaping, and Chapter 18.104, Signs.

17.38.030 Improvements

Improvements required for commercial developments shall be consistent with Chapter 17.40 herein. In addition to these requirements, all applications for commercial development will be required to submit all necessary information to determine the effect that approval of the project will have upon the transportation system of Heber City and what actions the city will need to impose, if any, in order to create, or maintain, a safe and efficient transportation system.

17.38.040 Landscape Requirements

Each application for commercial development approval shall satisfy the requirements found in Chapter 18.76 of the Zoning Ordinance, also known as Title 18 of the Heber City Code, and the following requirements.

All setback areas adjacent to a public street shall be fully landscaped and properly maintained. Trees shall be planted at no less than twenty (20) feet on center, on average, and shall have no less than a two (2) inch caliper, except that no trees shall be planted within forty-

five (45) feet of an intersection clear view area. Trees may be planted in clusters to create a more natural and/or screening effect, if appropriate.

All ground areas shall contain grass, or another ground cover acceptable to the Planning Commission, and shall be irrigated sufficiently. Shrubs, flower beds, decorative rocks, and other appropriate landscaping is highly encouraged.

All landscaped areas shall be maintained using a sprinkling and/or irrigation system which is capable of being engaged automatically on a regular basis. Each applicant for commercial development shall submit a complete and detailed landscaping plan for review by the Planning Commission concurrently with submission of other documents for review by the Planning Commission.

All landscaped areas shall be maintained on a regular basis and be kept neat and clean. If the Zoning Administrator determines the maintenance requirement has not been satisfied, the Zoning Administrator shall notify the property owner. The Zoning Administrator will detail the lack of maintenance and inform the owner that a continued lack of maintenance will warrant issuance of a Class C misdemeanor charge against the property owner under the authority of the Utah Code §10-9-1003 and Chapter 17.68 herein.

17.38.050 Design Requirements

In addition to the requirements of the Heber City Subdivision and Zoning Ordinances, the following design requirements shall apply to each commercial development approved under this Chapter.

1. TRASH STORAGE. No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored in an open area.
2. TRASH COLLECTION AREAS. All trash collection areas shall be designed to be compatible with the proposed project.
3. LIMITED ACCESS. Generally speaking, commercial zones in Heber City are located in areas with a higher potential for traffic congestion. Therefore, access to commercial developments shall be limited to the extent possible in order to maintain traffic flow. Access should be addressed in an appropriate manner in accordance with section 17.38.030 herein.
4. COMPATIBILITY. The Planning Commission may make recommendations to the applicant in order to improve compatibility with surrounding development. This requirement is intended to ensure future compatibility with the subject proposal as well, and should be viewed in that manner by each applicant. If changes to the anticipated structure are made, these changes should be submitted to the Zoning Administrator at the earliest possible date. The Zoning Administrator will determine whether the changes need to be reviewed by the Planning Commission.
5. ADOPTION OF DESIGN CRITERIA. The March 2006 Heber City Design Compatibility Criteria for Commercial Development in the "Historic" Commercial C-3 Zone, attached as Exhibit A, is adopted herein by reference. Copies of the Heber City Design Criteria shall be on file in the City Recorder's Office for the use and examination of the public.
 1. APPLICABILITY. General. Where, in any specific case, differences between the Heber City Design Compatibility Criteria for the C-3 Zone and the adopted

Building Codes specify different materials, methods of construction or other requirements, the specific requirements of the Building Code shall be applicable.

6. **ADOPTION OF DESIGN CRITERIA.** The November, 2006, Heber City Commercial Districts: C-2 and C-4 Zones Design Standards and Guidelines, attached as Exhibit A, is adopted herein by reference. Copies of the Heber City C-2 and C-4 Design Standards and Guidelines shall be on file in the City Recorder's Office for the use and examination of the public.
 1. **APPLICABILITY.** Where, in any specific case, differences between the Heber City C-2 and C-4 Zone Design Standards and Guidelines and the adopted Building Codes specify different materials, methods of construction or other requirements, the specific requirements of the Building Code shall be applicable.

17.38.060 Additional And Special Requirements And Incentives

The following requirements are supplemental to the other requirements of this Chapter and are intended to address more specific commercial development concerns.

1. **INGRESS and EGRESS.** Each commercial development is required to incorporate two points of ingress and egress to the proposed development. The ingress and egress shall be consistent to Chapter 17.24.130 herein. In addition to Chapter 17.24.130, no point of ingress and/or egress shall be located closer than one hundred (100) feet from another point of ingress and/or egress along the same public street. This requirement may be waived by the Planning Commission if necessary and appropriate.
2. **STORAGE and WAREHOUSE DEVELOPMENTS.** All storage doors, entrances into storage and warehousing areas, and parking in storage and warehouse developments shall be internally located and not located on a public street. Internal streets should be constructed at a width sufficient to allow movement of all anticipated vehicles, including fire and other emergency vehicles. Each development of this type shall be reviewed by the Heber City Fire Marshall and must meet this requirement, as evidenced by a letter from the Fire Marshall. It is the responsibility of the applicant to demonstrate that adequate traffic flow can be accomplished.

Heber City acknowledges the need for adequate security in these types of developments. However, provisions should be made which allow authorized access for public safety employees into these developments for public and personal safety. This includes access to entrance codes, electronic opening devices, lock combinations, and the like.

All storage and warehouse developments shall be fenced in a manner which will provide adequate security and a deterrent from public access. These fences should be kept in good repair. Fencing other than chain link which is similar in design to other structures within the development is highly desirable. The rear sides of buildings which provide adequate security may satisfy this requirement.

3. **DENSITY INCENTIVES.** Storage and warehouse developments which provide design features that enhance the aesthetic appearance of the project are entitled to

consideration of an increase in the density of the project. Density incentives shall be as follows:

1. Developments which provide fencing that is not chain link and use materials compatible with the materials and colors used in the construction of the structures within the development, or are constructed from wood or other attractive material, as determined by the Planning Commission, are entitled to a ten (10) percent increase in total project density. The rear sides of buildings which provide adequate security may be used for this purpose.
2. Developments which provide multi-pitched roof lines through the use of dormers and gables, or the like, whether real or false facade shall be entitled to a ten (10) percent increase in total project density. In order to qualify for a density bonus under this paragraph, the structure must contain a break in pitch, which is roughly perpendicular to the roof line, at intervals of not more than forty (40) lineal feet of vertical roof line.
3. Developments which use natural materials and colors such as brick (not intended to be defined as cinder block), wood siding, stucco, or other attractive materials as found acceptable to the Planning Commission in the construction of all structure(s) in the commercial development which face onto public streets shall be entitled to a ten (10) percent increase in total project density. These incentives are provided in order to encourage a higher standard of development. If the Planning Commission determines that a project is not enhanced positively through the efforts of a developer to obtain a density incentive, the Planning Commission may reduce the percentage, or deny the increase in total project density.

Each of the incentives are exclusive of the other. Therefore, an applicant may receive a total of thirty (30) percent increased project density.

17.38.070 Platting Requirements

All commercial developments must prepare a final plat in accordance with Chapter 17.44 herein. In addition to the requirements of Chapter 17.44, commercial developments shall include with the plat the approved landscaping plan, and traffic information in accordance with Chapter 17.38.030 herein shall be submitted in a form capable of being recorded in the office of the Wasatch County Recorder.

In the case of storage and warehouse developments, if a density incentive was approved, information pertaining to the incentive and all conditions relating thereto shall also be submitted in a form capable of being recorded in the office of the Wasatch County Recorder. (Ord. 96-04B, 1996)

17.38.080 Supplementary Requirements

Each of the following requirements are supplementary to this part. They constitute requirements for Chapter 17.38 only and are adopted under Chapter 17.06 of this Title. Each of these supplementary requirements must be satisfied prior to approval of an application for commercial development.

1. **LAYOUT OF BUILDINGS.** Unlike other developments approved under this Title, commercial developments may have more than one main structure per parcel. In such cases the applicant shall provide a project master plan to the Planning Commission indicating the location and size of each proposed structure. Additionally, the project master plan shall indicate accessory buildings, if any. Each structure in the commercial development is required to satisfy the building permit requirements of Title 18.12.
2. **SETBACKS.** Setback requirements in commercial zones may be flexible, but must be approved by the Planning Commission. The Planning Commission shall consider impacts on adjacent parcels, traffic, pedestrian access, landscaping and other relevant issues when recommending setback requirements.
3. **SURFACE WATER DRAINAGE.** Surface water from roof tops, parking lots or irrigation ditches shall not be allowed to drain onto adjacent lots or streets except after written agreement between the parties involved.
4. **FUTURE DEVELOPMENT.** Whenever a front or side yard is required for a building which abuts on a proposed street which has not been constructed but which has been designated by the Planning Commission as a future street, the depth of such front or side yard shall be measured from the planned street lines.
5. **CONCESSIONS.** Concessions, including but not limited to amusement devices, recreational buildings or refreshment stands, shall be required to obtain approval from the Planning Commission and purchase a business license prior to operating such a business on any commercial site. Such operations may be denied by the Planning Commission if deemed inappropriate due to location, hazard, appearance, etc.
6. **SOLID WASTE AND SEWAGE.** Each commercial development shall be reviewed by the Solid Waste Department for recommended solid waste disposal. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the Health Department before a building permit is issued.
7. **GASOLINE PUMP ISLAND LOCATION.** Gasoline pump islands shall be set back not less than fifteen (15) feet from any street line to which the pump island is parallel and not less than twelve (12) feet from any residential zone boundary line. If the pump island is set in an angle to the property, it shall be so located that automobiles stopped for service will not extend over the property line. In no case shall pumps set closer than twelve (12) feet from any street lines, not closer than ten (10) feet from any side or rear property line. Lots from which gasoline is dispensed to customers at retail shall be not less than seventy-five (75) by one hundred (100) feet in size. Canopies over pump islands may extend to within five (5) feet of the property lines.
8. **MOTOR VEHICLE ACCESS.** Access to all buildings in a commercial project shall be controlled as follows:
 1. Each driveway shall be not more than thirty (30) feet in width in any commercial or industrial zone measured at right angles to centerline of the driveway. On corner lots, no driveway shall be closer than fifty (50) feet to the point of intersection of the front property line which abuts upon a street.
 2. Each commercial development shall install curb and gutter to facilitate surface drainage.

9. POLLUTION PREVENTION. Any use which emits or discharges gases, fumes, dust, glare, noise, or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by the Utah State Air Conservation Board or the Board of Health and any use which emits or discharges liquids or solid material onto the soil or water in amounts which results in pollutants entering ground water in amounts exceeding the standards prescribed by the Utah State Water Pollution Control Board or the Board of Health, shall be prohibited.
10. Each commercial development shall present a plan for public utilities and services. These plans may be reviewed by utility providers for recommendations.
11. Each commercial development shall satisfy the parking requirements found in Title 18.72 for the appropriate zone.
12. Each commercial development shall satisfy all applicable requirements of both the Subdivision (Title 17) and Zoning (Title 18) Ordinance of Heber City.

17.38.090 Guarantees Of Performance

All commercial projects are subject to the guarantees of performance requirements listed in Chapter 17.52 herein.

17.38.100 Costs And Charges

All commercial projects are subject to the fee schedule listed in Chapter 17.56 herein. However, review fees under section 17.56.015 for commercial projects shall be as follows: Concept Plat \$75; Final Plat \$75 + \$25 per acre. In addition, the developer shall pay for all engineering review fees and upon final plat approval an inspection fee shall be escrowed with the City or added to the Standard performance bond to insure the payment of the cost of inspection. All other costs, fees, and charges shall be consistent with Chapter 17.52 herein.

18.42 Mixed-Use Residential Commercial Zone

18.42.010 Objectives - Characteristics

- A. The objectives in establishing the Mixed-Use Residential Commercial Zone (MURCZ) are:
 - 1. To facilitate the development of attractive entrances into the city;
 - 2. To reduce the conflict between commercial and residential uses of land along principal highways adjacent to the central commercial districts and to encourage coordinated development of commercial and residential uses of land;
 - 3. To facilitate the orderly expansion of commercial uses out from the central commercial district;
 - 4. To provide for the development of retail businesses of a larger size than those allowed in the City center; and
 - 5. To allow Heber to continue to be the commercial center for Wasatch County.
- B. The Mixed-Use Residential Commercial Zone is characterized by attractive and well-maintained commercial and mixed-use residential buildings surrounded by landscaped yards.

18.42.020 General Regulations

In order to accomplish the objectives and purposes of this Title and to stabilize and protect the essential characteristics of the Zone, the following regulations shall apply in the Mixed-Use Residential Commercial Zone. The Mixed-Use Residential Commercial Zone shall only apply to contiguous parcels of property containing a total of at least thirty (30) acres.

18.42.030 Permitted Uses

The following uses shall be permitted in the Mixed-Use Residential Commercial Zone upon compliance with requirements set forth in Title 18:

- A. Department, discount and food stores;
- B. Stores selling general merchandise furniture, electronics, appliances and home furnishings, baby supplies, jewelry, toys, video games, pet supplies, floral, garden and patio products, hair salon, apparel, footwear, sewing supplies, sporting goods, health and beauty products, prescription drugs, books, videos, media, copies, photography, art and office supplies, stationary, hobbies and crafts, auto and equipment parts, hardware lumber and home improvement supplies;
- C. Restaurants, private clubs and eating establishments;
- D. Offices, clinics, schools, day care facilities and public buildings;
- E. Banking or financial institutions;
- F. Entertainment and recreation uses;
- G. Miscellaneous retail sales;
- H. Mixed use residential-commercial development, including retirement and residential development, attached and detached multi-family and single family dwellings, condominium and townhouse developments, apartments, and planned unit developments, all subject to the residential standards in Section 18.42.100;

- I. Engraving and printing establishments;
- J. Fitness centers;
- K. Funeral establishments, mortuaries and wedding chapels;
- L. Automobile sales;
- M. Gymnasium or physiculture establishments;
- N. Home occupations (Board of Adjustment approval not required);
- O. Hospitals;
- P. Hotels, inns, which may include a restaurant and conference meeting rooms, motels, cafes, food drive-ins, and reception centers;
- Q. Office buildings, medical, optical and dental offices and clinics;
- R. Parking lots, commercial;
- S. Retail establishments and service enterprises;
- T. Secondhand stores;
- U. Convenience service stations, auto parts sales and service and repair facilities, car wash and detail shops;
- V. On-premises signs;
- W. Wholesale establishments with stock on premises but excluding establishments whose principal activity is that of a storage warehouse; and
- X. Other uses similar to the foregoing uses which are ruled by the Board of Adjustment to be in harmony with the intent of this Zone.
- Y. The keeping of grazing animals as regulated by Section 18.68.135.

18.42.040 Site Design

- A. Relationship to Street. The “Streetscape” within the MURCZ shall resemble the “Streetwall” found in the Downtown C-3 Zone and promote a pedestrian anchored shopping experience, but at the same time shall recognize the vehicular presence within the MURCZ.
 - 1. Buildings shall be designed to accommodate both the street pedestrian and the parking lot pedestrian into the facility. Buildings shall be designed with an entrance that is visible from the street. The street front of all buildings shall be designed to visually invite the pedestrian into the facility and shall create an anchor to the streetscape. Large buildings and large expanses of parking lots shall be buffered along public streets with smaller tenant pads, landscaping, sidewalks and other amenities acceptable to the Planning Department.
- B. Building Setbacks.
 - 1. In the Mixed-Use Residential Commercial Zone, there shall be no area and width requirements. All commercial, service buildings and structures, gasoline pumps, and all buildings and structures shall be setback at least ten feet from any public street property line.
 - 2. Residential buildings which have parking areas accessed from the rear of the building shall have minimum front street and side street property line setbacks of at least 10 feet, as measured from any public street property line, as long as the

street meets the adopted street standard width for a public street. All other residential buildings shall be located at least 30 feet from any public street property line, unless a larger setback is required elsewhere in this Chapter. Buildings located in Residential Transition areas shall be subject to the setbacks as specified in Section 18.42.100.

- C. Building Orientation. All primary facades and design elements shall orient to a public street or main drive isles with secondary and subordinate features associated with side streets and alleyways. Placement of building(s) on a site shall be compatible with existing buildings in order to maintain the building setback. Primary building entrances shall be oriented towards a public street or main drive isles with a secondary entrance off of the parking area. Joint angular entrances that service both the parking and public street pedestrian traffic are permitted.
- D. Sensitivity to Natural Features. All buildings in the MURCZ shall appear harmonious and be compatible with the Heber Valley mountain environment. Natural features shall be preserved and protected and used and preserved as key elements in the site placement of buildings. Sensitivity to these natural features, as well as view corridors, shall be considered during site placement and concept approval. Specific examples include site and building design with sensitivity to view corridors such as the preservation of views of Mount Timpanogos and the Wasatch Mountains, historic markers or buildings, open space, etc., as well as other places of interest as viewed from the street, and adjoining properties, and preservation of large existing trees or other unique cultural or natural features on the property.
- E. Residential Compatibility. Commercial development which adjoins a residential zone or a residential use, or is across the street from a residential zone or use shall adhere to the following to minimize the impact of the commercial use on the residences:
 - 1. Loading zones, loading docks and utilities which create noise and vibration such as air conditioners, garbage bins, and other nuisance creating objects shall be setback from the residential property lines by at least fifteen feet (15').
 - 2. Commercial uses adjoining existing residential uses shall be bounded with a six foot (6') sight-obscurer fence of like materials and design of the building façade, and a ten foot (10') landscaped area planted with dense evergreen shrubbery and/or evergreen trees along the residential lot lines.
 - 3. Rooftop utilities and antenna equipment shall be screened with parapet walls.
 - 4. Uses which emit noise, radiation, fumes, smoke, vapors or other deleterious effects shall be separated from existing residences by placing them as far away from the residences as reasonably possible on the lot and preferably separated from the residences by another less intrusive commercial building or use.
 - 5. No dust, odors, smoke, vibrations or intermittent light, glare or noise shall be emitted which are discernible beyond the premises except for normal traffic movements.

18.42.050 Building Design

- A. Design Vision Statement. The building design of structures in this Zone shall complement the Downtown C-3 Zone, and draw upon the historic architectural heritage of Heber City. This design vision shall draw upon the past materials, techniques, form, mass and details of the Downtown C-3 Zone while allowing the architect to create a current interpretation of the space and its aesthetic and functional needs.
- B. Architectural Unity. All buildings on the same site shall be architecturally unified. This provision shall apply to new construction, additions and remodeling. Architectural unity means that buildings shall be related in architectural style, color scheme and building materials. All accessory buildings and enclosures shall be designed to be compatible with the primary structure. The Planning Commission and City Council shall determine compatibility, which shall be measured in terms of design, form, use of materials and color.
- C. Design Composition. The design composition of Heber City shall reflect the authentic design elements which come from the surrounding environment and the historic, social and cultural features that carry the spirit of a special place and provide a link between the founders of Heber City, those who live here today, as well as those in the future who will choose to call Heber City home.
- D. Physical Characteristics. All design elements shall be harmonious to the more dominating Downtown C-3 Zone but shall be subordinate in terms of all physical characteristics. Common threads of color, materials, textures and details shall play an integral part of design in the MURCZ Zone, leading into the C-2, C-3, and C-4 Zones.
- E. Floor Area Limitation. No building shall exceed 150,000 gross square feet, unless authorized by the City Council.
- F. Building Floor Usage. Appropriate building floor usage shall be defined as follows. First floor uses shall be reserved for all retail, business, or professional services as allowed by the Heber City ordinances appropriate for this Zone. Second floor uses shall have the option of all first floor uses or residential mixed uses as reviewed and approved by the Planning Commission. Within the residential portion of the project, residential uses may be placed on the first floor.
- G. Building Height. All buildings shall maintain the average perceived scale of two story buildings at the sidewalk. The average height can vary by way of architectural styles but shall maintain the average façade height within established architectural proportions of height to width ratio. Commercial buildings shall not exceed 45 feet in height, measured from finished grade to the highest point of the building. Buildings with a residential component shall not exceed 50 feet in height, measured from finished grade to the highest point of the building. Clock towers, cupolas, entry areas and other special architectural features that visually break up the building form may, upon approval from the Heber City Planning Commission, exceed the specified building height.
- H. Building Width. Commercial Buildings within this zone shall maintain a resemblance of the street wall found within the C-3 zone, but allow for interior vehicular penetration from the street accessing side and rear yard parking. Placing the façade of the building back from the front property line allows for the placement of more landscape material as well as pedestrian friendly features to encourage pedestrian activity. The following standards

are intended to reduce the massive scale of large buildings which, without application of these standards, would be incompatible with the City's desired character. No uninterrupted length of any wall shall exceed 75 horizontal feet without employing the use of architectural features including, but not limited to doors, windows, pilasters, columns, horizontal and vertical offsets, materials, colors and textural variations, decorative cornices, awnings, arcades, entry areas, canopies, murals, graphics, reveals, projection ribs and offsets. In order to assure conformance with this requirement, all exterior elevations shall be reviewed and approved as a part of the overall review process.

- I. Building Form. One of the most prominent unifying elements of the traditional Main Street is the similarity in building form. Commercial buildings were simple rectangular solids, deeper than they were wide. The pedestrian levels were more decorative in appearance with a vertical extension in height and an expansion of glazing surface area. The upper levels were shorter in floor-to-floor height and displayed a more conservative treatment of architectural elements. This characteristic is important and shall be maintained in new projects.
 - 1. Rectangular forms shall be dominant on Main Street facades and shall be vertically oriented. The facade shall appear predominantly flat, with decorative elements and "articulations" to be subordinate to the prevailing form.
- J. Building Mass. A building shall have a mass that is similar to that of traditional buildings in Heber City. A building's mass is defined in broad form or generalized shapes rather than in specific details. A building shall appear similar in scale to that seen traditionally for similar building types. Reduction of the apparent mass of a building shall be accomplished through use of a combination of the following design methods:
 - 1. Provide variation in the wall plane.
 - 2. Design a façade of smaller buildings into the larger structure.
 - 3. Provide variation in exterior material, color and texture selection.
- K. Human Scale. A building shall appear to have a "human scale" that relates to the pedestrian patron. In general, this can be accomplished by using familiar forms and elements that can be interpreted in human dimensions. All buildings shall have a human scale that is relative to the adjacent buildings and relevant to the pedestrian streetscape. Building design shall avoid large panelized products and extensive featureless surfaces. Buildings shall establish and reinforce the area as a pedestrian environment, and utilize the following architectural features:
 - 1. Brick or stone in standard modules or scaled to the appropriate size.
 - 2. Exterior wall treatments that establish rhythm and pattern of windows, columns and other architectural features.
 - 3. Window and door sizes that relate to traditional building scale (Large expanses of glazing, etc., are inappropriate).
 - 4. Design elements that express the position of each floor in the external skin design of a building, such as the use of belt courses or other horizontal trim bands of contrasting color and materials to define floor lines, or the use of articulated structural elements or changing materials.

- L. Building Style. Building design shall simulate the “add-on” nature of early settlement buildings, with variation in angle and orientation from one building to another, utilizing shed roofs, covered walkways, and smaller boxes attached to larger boxes. A clear visual division shall be maintained between ground level floors and upper floors by slight changes in height, style, form, mass, materials, color, window sizes, overhangs, balconies, etc.
- M. Building Material. Predominant exterior building materials shall include: brick, natural decay-resistant quality exterior wood siding or wood substitutes, rock, stone or tinted and textured concrete masonry units. Exterior building materials shall not include prefabricated steel panels except for metal awnings and signs. Exterior rear wall building materials may include smooth-faced concrete block or smooth-faced tilt-up concrete panels or other masonry materials.
1. Building materials that convey texture, scale, finish and color similar to those used traditionally are required.
 2. A minimum of 30% of the vertical wall surface (not including the glazed store fronts) of the first floor shall include some form of masonry material such as brick or stone with an indigenous look to the area.
 3. Cement based siding shall be provided with textures at a scale appropriate to the building size.
 4. Material with a matte finish shall be required. Highly reflective materials are prohibited. Large expanses of reflective materials on walls, windows or on rooftops are prohibited.
 5. Large panelized products or extensive featureless surfaces such as stucco, aluminum and metal panels are prohibited.
 6. All materials and construction methods shall be of the highest quality and integrity indicative of early craftsmanship.
 7. EIFS (Exterior Insulated Finish System) shall be allowed on main levels under limited conditions and upon approval from the Planning Commission. Traditional detailing shall be applied to this material selection.
 8. Materials and details above first story shall be of a simpler fashion to that of the primary first level façade.
- N. Building Color. Colors that respect and enhance the natural earth tones of the local area are required.
1. Value: The LRV (Light Reflective Value) of colors and materials used on major walls and roof areas shall be between 7 (darkest value of shaded vegetation) and 38 (approx. value of red sandstone). It is the intent to require that the more visible or massive the structure, the lower shall be its LRV.
 2. Chroma: The strength, intensity and brightness of the color selected shall be in the range from very weak (grayish) to medium weak (neutral or earth tone). Strong Chroma colors, such as the red color in the American flag, shall be prohibited
 3. Stains and flat paints are required. High gloss paints, factory finished metals or other materials which increase visual impacts; i.e. aluminum, and white or reflective roofs, are prohibited if visible from the street. Matte finishes shall be

required. LRV over 38% and strong chroma may be allowed for small accents and trim around windows and doors. Chimneys, flues, vents, gutters, down spout, mechanical and electrical equipment, railings, window shading devices and other exterior devices shall be similar in chroma and LRV to the surrounding surfaces to which they adjoin, unless they are featured in the design. In such cases, a subdued accent color may be acceptable. Bright, glossy, fluorescent and corporate signature color schemes are prohibited. Heber City's adopted color matrix is based upon "Columbia Paint & Coatings; Historic Colors of America" color wheel.

- O. Roof Design. Low sloped roofs, consistent with the historical, commercial roof forms that appeared flat, sloped or gabled, but had false fronts or relatively tall parapets as seen from the street are required on commercial buildings. At a minimum the slope shall run with the highest point at the front of the building and the lowest in the rear.
1. Roof lines shall be varied with a change in height.
 2. Secondary roof forms that accentuate but not dominate the composition such as low pitched gables, hip and shed roofs shall be used as a means to break up the mass of the façade. Roofs shall be designed to meet all applicable building codes. Roof and canopy designs shall prevent snow or ice from shedding directly onto a pedestrian walkway or access. Snow shedding shall be controlled and measures shall be taken to prevent snow and ice damage to property and/or people.
 3. False fronts and parapets with horizontal emphasis shall be allowed.
 4. Parapet steps shall have an appropriate thickness or depth from the street view to convey solidness to the pedestrian to be sized depending upon building mass and scale. Parapets on side façades shall step down towards the rear of the building unless the structure is located on a corner lot. Corner lots shall maintain continuity for both streetscapes with the primary street wall on Main Street and the secondary on the side street.
 5. Roof forms and planes shall vary to add visual interest to the street environment, provided they are aesthetically appropriate to the rugged mountain context and functionally responsive to the harsh climate.
 6. Roofs shall be constructed with materials appropriate for Heber City and the environmental constraints of the area. Roof materials shall be fire-retardant and non-reflective.
 7. Elements such as expressive brackets, cornices, copings, layered and overlapping fascia and exposed rafters with profiled ends are required.
- P. Exterior Walls (façade elements). The repetition of similar façade elements, particularly with windows, details, ornaments and cornice moldings shall be required within the Mixed-Use Residential Commercial Zone.
1. Existing features shall be preserved. The combination of architectural details for a building front should be reviewed as an overall composition and shall be considered in its context to other buildings in the area.
 2. Ornamentation shall reflect the simple and restrained decorative tradition of the early pioneer lifestyle.

3. Visual interest on the street level of a building shall be provided with the following devices:
 - a. A display window providing views to activities within the building.
 - b. A display case with exhibits, where internal functions do not permit windows.
 - c. A decorative wall surface, such as a mural or sculpture feature.
 - d. A landscaped foreground.
 4. Large and protruding balconies, large out-of-scale canopies, or other modern elements are prohibited.
- Q. Exterior Walls (storefront). The street storefront shall display a character that is harmonious to the historical downtown district, providing a vibrant and interactive treatment to the pedestrian streetscape. All storefronts shall have a main access from the public street as well as a secondary access from the parking lot.
- R. Exterior Windows and Doors. The use of active glass windows and walls which allow a visual connection between the outside pedestrian streetscape and the interior store function is required. The use of false windows and doors is prohibited.
- S. Architectural Features. Exposed structural expression of wood framing members, timbers and steel detailed elements supporting the roofs, sheds and balconies shall be included as a feature of all commercial building designs. New designs that draw upon the past architectural character of the community with a new creative interpretation shall be permitted.
- T. Canopies and Awnings. Canopies, flat metal canopies and awnings shall be designed and constructed to be complimentary with the architecture of the building. The color of the awning shall be complimentary to the color scheme of the structure and shall keep with the unique color palettes of Heber Valley. Awnings shall be constructed of a durable material that takes into consideration the local climate and weather conditions. Canopies and awnings shall be required at building entrances.
- U. Community Compatibility. Buildings shall provide at least five (5) architectural details identified and approved by the Planning Commission that provide visual interest at the scale of the pedestrian, reduce massive aesthetic effects, and reflect the local authentic historic character.
- V. Multiple Entryways. Multiple entryways or architectural features shall be incorporated into the building design to break up the apparent mass and scale of large retail structures. Entrances may be to tenant spaces other than the primary retail tenant. For structures greater than sixty thousand (60,000) gross square feet, there shall be at least two clearly articulated public entrances on the structure. At least two such entrances shall be visible from a public street and connected to that street by a pedestrian sidewalk.
1. Each entry way on buildings greater than 18,000 square feet shall have clearly defined, highly visible customer entrances featuring no less than three(3) of the following:
 - a. Canopies or porticos;
 - b. Overhangs;
 - c. Recesses/projections;

- d. Arcades;
- e. Raised corniced parapets over the door;
- f. Peaked roof forms;
- g. Arches;
- h. Outdoor patios;
- i. Display windows;
- j. Architectural details, such as tile work and moldings which are integrated into the building structure and design;
- k. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting; or
- l. Individual Tenant signs identifying business or use.

18.42.060 Furnishings And Common Area

- A. Community Spaces and Site Furnishings. Large retail developments with more than sixty thousand (60,000) square feet of floor area shall provide outdoor spaces and amenities to link structures to the community. Passenger drop-off/pick-up points shall be integrated with traffic patterns on the site. Special design features shall enhance the building's function as a center of community activity. Each retail development shall provide at least three (3) of the following design features, which shall be constructed of materials that match the principal structure and are linked by sidewalks to the principal structure. The site furnishings shall be approved by the planning department prior to installation:
 - 1. Patio/seating area;
 - 2. Pedestrian plaza with benches;
 - 3. Window-shopping walkway;
 - 4. Play areas;
 - 5. Kiosk area;
 - 6. Water feature, clock tower, sculpture;
 - 7. Other focal feature approved by the Planning Commission.
- B. Pedestrian Circulation: All developments shall provide a pedestrian sidewalk/path from the building(s) to the street and provide a pedestrian connection to parking. A direct link shall be required between the street to the building. Each commercial development shall provide conveniently placed bicycle racks throughout the development for bicycle parking. All developments with a building with more than sixty thousand (60,000) square feet of floor area shall provide the following:
 - 1. Sidewalks at least five (5) feet in width along all sides of the lot that abut a public street;
 - 2. Sidewalks, no less than six (6) feet in width along the full length of the building along any façade featuring a customer entrance, and along any façade abutting public parking areas;
 - 3. A landscaped and lighted pedestrian walkway connecting from the street to the building(s); and 4. A pedestrian connection to outlying tenant buildings.

- C. Outdoor dining: Outdoor dining (sidewalk dining) shall be permitted. Outdoor dining shall maintain at least a 4-foot clear path along sidewalks and at least 6 feet of vertical clearance for umbrellas and awnings. The dining area shall be separated from the public sidewalk with a barrier, such as a fence or planter, if the clear path is less than 6 feet in width.
- D. Outdoor Storage, Trash, and Loading Zones. The following standards shall be required to reduce the impacts of outdoor storage, and loading and operation areas on adjacent land uses:
1. Outdoor storage, trash, loading and operation areas shall be attractively screened from adjacent parcels and streets. All outdoor storage areas shall be bounded by a six-foot (6') sight-obscuring fence similar in quality and design to the trash enclosure area. Evergreen shrubbery shall be placed in front of this fence to provide a softening effect.
 2. No temporary storage, structure, container, or semi-trailer shall be allowed on the site for storage. Parked delivery trucks which idle or create fumes or noise between 10:00 p.m. and 6:00 a.m. shall be deemed a public nuisance.
 3. Areas for the storage and sale of merchandise shall be permanently defined and screened with walls and/or fences that conform to the materials, colors and design of the principal structure. Seasonal sales shall be allowed on sidewalks and in parking areas with the prior approval of the City Planning Department.
 4. Outdoor display and storage shall not encroach on any portion of a walkway, drive aisles or required parking spaces. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 30 feet of any internal pedestrian way.
 5. Areas for truck parking and loading shall be screened by a combination of structures and evergreen landscaping to minimize visibility from adjacent streets and residential district lines
 6. Outdoor storage, loading and operation areas shall be attractively screened from adjacent parcels and streets.
 7. Outdoor storage, trash collection and/or compaction, loading or other such uses shall be located in the rear of the lot. If, because of lot configuration, the City Engineer determines that such placement is not feasible, then the side yard may be used.
 8. Outdoor storage, HVAC equipment, trash collection, trash compaction and other service functions shall be incorporated into the overall site design. Views of these areas shall be visually screened from all property lines and separated from sidewalks and on-site pedestrian ways. Screening structures shall be made of the same materials as the principal structure.
 9. There shall be adequate trash containers in and around doors.
 10. Storage of all merchandise, material and products shall be carried on within a building or within an area enclosed with a sight-obscuring fence or wall except for vehicles in running order.

11. All trash areas shall be screened on all four sides by 6' high walls and be hidden from public view. The walls shall be constructed of a similar material and style to compliment the main building architecture and details. Screened "gates" shall provide access to trash removal services. Trash enclosures shall be located for convenient accessibility by trash removal services.
- E. Lighting. All buildings shall provide lighting throughout all pedestrian areas utilizing decorative light poles/fixtures. Light output shall not exceed zero (0) foot candles at residential property lines. Pedestrian light fixtures shall be less than fourteen (14) feet tall and shall be cut off. All parking lot lighting shall be thirty (30) feet or less in height. All other light fixtures shall be full cut off. All pedestrian lighting shall be black fluted poles similar to the Heber City downtown lighting fixtures. Lighting shall be directed to avoid intrusion on adjacent residential properties and away from adjacent thoroughfares.

18.42.070 Transportation, Circulation, And Parking Design

- A. General Parking. All off-street parking shall be hard-surfaced. The minimum number of parking spaces shall meet the requirements set forth in Section 18.72 of the City's Zoning Ordinance, or as determined by the Planning Commission upon analysis of a parking study submitted by the petitioner for shared parking for the overall site. Property owners desiring to apply time alternating shared parking shall petition Heber City with "time use studies" showing the viability of such an option. Heber City shall be open to viable options.
- B. Location. In the case of a multi-tenant site, smaller tenant pads shall be placed along the public street with parking on the side to break up the monotony of larger expanses of parking for the larger tenants as viewed from the public street. Parking lots shall also be located on the site in a convenient location for patron access to the building. All circulation drives shall be clearly defined and marked appropriately with arrows and the like to assist public circulation into, on and out of the property and through parking lot areas, pursuant to Heber City Engineering standards.
- C. Accessible Parking. All parking shall incorporate ADA standards as outlined in ANSI A117.1 latest edition.
- D. Loading Areas. Commercial developments shall provide off-street loading zones consistent with Section 18.72.140 of Heber City Code.
- E. Parking Lot Landscaping. For every sixth parking aisle, one (1) raised four (4) foot wide landscaped parking island with trees and bounded with high back curb shall be provided. Raised or curved circulation islands shall also be constructed at the ends of rows of parking spaces and at other locations where circulation drives intersect. All parking lots with back-to-back parking areas shall provide a landscaped parking diamond with a tree for every ten (10) parking spaces.
- F. Separation Required. Parking lots shall be bounded with high back curb unless otherwise approved by the Planning Commission. Paved areas and parking lots shall be separated from buildings with a minimum four foot (4') wide landscape area bounded with a high

back curb or a five foot (5') raised sidewalk, except where pedestrian or ADA access is needed for shopping carts or buggies.

- G. Street and Parking Lot Lighting. Parking lots with less than 3 aisles may alternatively light the parking lot with lighting fixtures compatible with the style of the black fluted poles but attached to the building. Lighting shall be directed to avoid intrusion on adjacent residential properties and away from adjacent thoroughfares, and shall be full cutoff.
- H. Parking Lot Snow Storage and Removal. All parking lots shall be bounded along property lines and along street sidewalks with at least a ten foot landscaped area, bounded by curb, and shall contain a combination of shrubbery, trees, landscaping, and attractive boulders. This landscaped area shall serve as a snow storage area and ensure that parked vehicles do not overhang onto the sidewalk or over property lines. Properties that are governed under cross easement agreements may satisfy this requirement on the exterior boundaries of properties covered under the agreement.
- I. Storm Drainage. All storm water runoff from impervious area and buildings shall be retained or detained onsite to Heber City engineering standards and specifications.
- J. Emergency Access and Fire Protection. Design of the site, driveways, and buildings shall meet all accessibility requirements for fire trucks and fire personnel.
- K. Driveway Access. Driveways shall be at least twenty four (24) feet wide for two-way traffic. Vehicle backup areas shall be provided at the end of parking aisles. Driveway access throat depth shall be thirty feet (30') for front State Highway access and twenty feet (20') for side road access, unless a traffic study shows that a larger throat is necessary. Driveway access to highways shall be minimized through driveway entrance sharing with adjoining developments and buildings, and through driveway establishment upon alternative, lesser traveled streets.
- L. Transportation and Circulation. A circulation study shall be required for new commercial developments. Traffic circulation shall be designed to minimize traffic impact on public streets. Driveways shall be designed to adequately accommodate queuing of vehicles without blocking traffic in the public street. Parking lots shall be designed so that vehicles need not back into the street from parking spaces.
- M. Integration into the Street Network. Internal and new streets shall connect to existing streets or be designed to facilitate future connections as deemed necessary by the traffic study and/or the master plan. The Petitioner shall submit a traffic study when deemed necessary by the Planning Commission.
- N. Street Compatibility. Where four or more aisles of parking adjoin a public street, landscaped berms, pedestrian facilities (benches, pergolas, etc.), a small building (coffee shack, ice cream stand), or other features approved by the Planning Commission shall be placed between the parking and the street to break up the monotony of the parking expanse.

18.42.080 Landscaping Design

- A. Private Landscaping. All areas not covered with buildings, parking, or sidewalks shall be landscaped. Landscaping shall incorporate a combination of trees, flowers beds,

shrubbery, lawn, boulders, planted berms and mounds. Landscaping shall be designed to avoid conflict with utilities and other elements. Plantings shall include species native to the area and shall incorporate drought tolerant design. Three Dimensional landscaping shall be incorporated primarily around the perimeter of buildings with pockets of this landscaping scattered throughout the project. All landscape designs shall be reviewed by the Planning Department for compliance to the Code. For suggested native plantings on private property, see “Landscape Plants in Utah: A Guide for High Mountain Valleys”. This document is available from the Heber City Planning Department upon request.

1. A strip of land at least ten (10) feet in width, measured from the property line, adjacent to all public street property lines, shall be landscaped except for permitted driveways.
- B. Right of Way Landscaping. Planterstrips shall be planted in grass and contain one street tree per 30 feet of street frontage and spaced according to Chapter 12.20 of Heber City Code. Choice of species for street trees must avoid evergreens, thorn and fruit bearing trees, and trees that grow large or have shallow roots pursuant to Chapter 12.20. The trees may be clustered as appropriate but must be planted within the planter strip. Planter strips adjoining the streetscape may be broken up by periodic sections of pavers.
- C. Plant Size. Required trees shall be at least two inch (2”) caliper or larger. Required shrubbery shall be at least 1 gallon per plant.
- D. Existing Trees. Existing street trees and existing large trees on the property shall be to the extent possible preserved into the design of the site unless the trees threaten the integrity of the sidewalk, curb, or utilities. Approval from the Planning Commission or an appointed committee shall be required prior to the removal of any existing trees.
- E. Irrigation. All landscaped areas shall be maintained and irrigated with an automatic pressurized irrigation system.
- F. Large Scale Developments. All buildings with more than sixty thousand (60,000) square feet of floor area shall additionally provide the following landscaping features:
 1. Peripheral. A fifteen (15) foot landscaped buffer shall be provided along all property lines abutting roadways, with breaks for approved access points. No parking is permitted within these required landscape areas.
 2. Where the building façade faces adjacent residentially Zoned property, a school, park or cemetery, a minimum three (3) feet tall earthen berm shall be provided, which shall be planted with lawn, and evergreen trees planted at intervals of not more than thirty-six (36) feet on center.
 3. Parking Lot Landscaping. The parking lot shall contain landscaping in an amount equal to at least five percent (5%) of the total parking lot area.

18.42.090 Signs

All signage shall comply with the Heber City’s adopted Sign Ordinance in Chapter 18.103 and shall be reviewed by the Heber City Planning Commission for approval. All signs shall utilize the color scheme as outlined in Section 18.42.050 N. This color strategy shall utilize a “toned down” version of corporate colors. All proposed sign applications shall include a color mock to the Planning Department as part of the sign application. Each development shall provide pedestrian

and traffic directional signs as appropriate to direct traffic in an efficient and safe manner. Signage for the site shall be developed and integrated into the overall site during site design stages rather than as an afterthought, giving consideration to placement of landscaping areas and wall treatments to accommodate future signs.

18.42.100 Residential Standards

- A. Vision Statement. The MURCZ is intended to include a mixture of compatible commercial and residential development inclusive of retirement and residential development, attached and detached multi-family and single-family dwellings, condominium and townhouse developments, apartments, and planned unit developments. Residential development within the MURCZ is intended to be compatible with existing surrounding residential development where applicable. The residential portion shall be walkable and pedestrian friendly, with well maintained, high quality buildings and ample landscaped and open areas, include well designed parking and recreation facilities, and seamlessly integrate into the commercial portion of the MURCZ. The City shall require a development and maintenance agreement for the residential component of the MURCZ to assure implementation of this vision statement and the purposes of the MURCZ.
- B. Subdivision. All proposed units which involve the sale of property, such as a building lot, single-family home, townhouse, or condominium, shall be approved through the large scale subdivision process in Title 17, and the applicable documents such as plats, condominium declarations, etc., shall be approved and recorded prior to sale.
- C. Density. The density of residential units within the MURCZ shall not exceed 20 residential units per acre.
- D. Open Space. At least 30% of the residential component of the MURCZ shall be open space, landscaped with lawn and trees, boulders, and sculptures, and provide recreational opportunities for residences of the development, such as tennis courts, swimming pools, playground equipment, walking trails, etc., and other features as approved by the City.
- E. Affordable Housing. Each development shall comply with Chapter 18.102 "Affordable Housing".
- F. Parking. Each residential unit shall be provided with 2 (two) off-street parking stalls. All required off-street parking stalls shall be located within a parking garage, except where it can be demonstrated that uncovered parking will not have a detrimental effect on public street traffic flows. No parking shall be located within any required setback area except for permitted driveways leading to the required parking areas.
- G. Architecture. Residential buildings shall have a master planned architectural style. The design criteria of the MURCZ shall apply to all residential buildings. All public street building façades shall be constructed with a combination of stucco, hardy board, brick and/or stone as outlined in the design criteria. The use of vinyl, aluminum, and steel siding along any public street facing building façade shall be prohibited.
- H. Access. Driveway access to public streets shall be minimized through driveway sharing onto private driveway access lanes. All private driveway accesses and roads shall be constructed to meet at least the fire apparatus road standard. All public streets shall meet the adopted street standards of the City.

- I. Residential Transition Area. It is intended that land within the MURCZ that is adjacent to existing single family home subdivisions that are located within a residential zoning district be developed in a manner that is compatible with the existing single family home development.
 1. Land in the MURCZ located directly across the street from existing single family homes within a residential zone shall be developed with single family homes at similar densities to that existing development.
 2. Land in the MURCZ sharing a property line with existing single family homes located within a residential zone shall be developed as follows:
 - a. The uses on the property should primarily be constrained to a residential use.
 - b. When such areas include multi-family uses and/or commercial uses:
 1. Provide a landscape strip of at least 8 feet in width along the residential property line, planted with a mixture of evergreen and deciduous trees and shrubs, spaced for screening purposes as deemed appropriate by the Planning Department, and/or provide a building or other screening structure as determined by the Planning Commission;
 2. Provide a sight obscuring fence; and
 3. Buildings be limited to 35 (thirty-five) feet in height, measured from finished grade to the highest point of the building, excluding chimneys and antenna.

18.42.110 Development Agreements

Vacant buildings encompassing a substantial square footage require more intensive municipal services, including, but not limited to fire/police protection, community development, and code enforcement. All developments which contain buildings 60,000 square feet or larger shall enter into a vacancy, development and maintenance agreement between the property/building owner and Heber City.

- A. Dark Store/Vacancy Agreement. Because developments in this Zone tend to be a gateway to the City, and have significant impact on the community as a whole as well as the accompanying retail, commercial and retail entities and locations within and surrounding such developments, should these developments or buildings be vacated, the impact on the City would be substantial and dramatic. Therefore owners of such developments and buildings shall specifically, in addition to any other requirements within this Chapter and Title 18, be subject to and adhere to the following.
 1. A commercial building permit application shall not be approved for the construction of a large retail establishment over 60,000 square feet until a Vacancy Agreement has been approved by the Planning Commission and City Council. The Vacancy Agreement shall be signed by the City and the developer and will apply to all future owners, lessees, and lessors of the site and/or building. The

agreement shall contain the following requirements in this Section a, and Section b below:

- a. The property owner shall have the first right of refusal as set forth in a recorded agreement, to redevelop the building and re-market the property after one year of vacancy. However, owner shall only have one year from owner's election of such a right to secure such redevelopment or remarket the building.
 - b. No agreement associated with the proposed property, premises and structures shall contain "non-compete" clauses or other such language that would allow a former occupant of a vacated building to prohibit or limit the occupancy and use of the building and site or redevelopment or reuse of the building and site which the former occupant has vacated. However, such language may be used to restrict competition among occupants within a proposed property.
 - c. In the event that the facility is vacated, the owner, within twelve months of vacancy shall submit to the Planning Commission and City Council a plan for the reuse of the facility. The time limit may be extended by the City Council. If unable to provide a plan which is acceptable to the City, the City may utilize a Redevelopment Agency or other mechanism to take whatever action is permitted by law or this Chapter to assure appropriate redevelopment, reuse or demolition of the property and facility.
 - d. A development agreement provision citing conditions of approval and other reasonable agreements as necessary to minimize the negative impact of a potential dark store.
- B. Maintenance Plan. Any vacant building and the accompanying exterior site shall be maintained and secured as if they were occupied.
1. A commercial building permit application shall not be approved for the construction of a large retail establishment over 60,000 square feet until a plan and agreement, in the form of a development and maintenance agreement, to maintain the upkeep of the exterior building improvements, landscaping, parking lot and site improvements and litter removal has been approved by the Planning Commission and City Council. Failure to comply with the maintenance plan shall be deemed to constitute a public nuisance and may be abated or prosecuted as a nuisance pursuant to Chapter 8.04 of the Heber City Code.
 2. Said proposed plan and agreement shall include provisions that require the owner to reimburse the City any costs incurred by the City for fully and completely maintaining a building for any period of vacancy after a 90-day vacancy grace period for a building greater than 60,000 square feet, in the event the Owner does not so maintain. .
 3. A cash bond shall be posted prior to issuance of a building permit that will cover maintenance or redevelopment of the site in the event of the owner failing to do so. The amount will be determined by the Planning Commission and City Council,

but will in no event initially exceed \$5,000.00 monthly, and thereafter any increases shall not exceed the Consumer Price Index guidelines.

4. A building shall not be permitted to be dark for a period longer than 2 years. In the event of a store being dark, the City may, but not be limited to, utilize a Redevelopment Agency or other mechanism to take whatever action is permitted by law, the provisions of this Title, or the provisions of the development and maintenance agreement to assure appropriate redevelopment or reuse of the facility.
 5. In the event that a building is vacant for a period longer than three months, the record owner shall re-rent, re-lease or resell the building and the property surrounding said building, using all commercially reasonable measures and efforts available. Owner shall maintain said building pursuant to the requirements of the development and maintenance agreement above referenced as if the building and property were occupied and open for business.
 6. If, in the event that the owner is unable to re-let, re-lease, or resell the building and property within a two (2) year period from vacancy, then owner shall, at the option of the City, demolish the building and reclaim the property to a safe condition as originally presented before development.
- C. Enforcement and Remedies. In the event that a building is vacant for a period longer than three months, the City shall, in addition to all other remedies available or permitted by ordinance, statute, or the requirements of any development and maintenance agreement associated with said building or property, have the option of the following remedies:
1. If the Zoning Administrator, or his or her designee, determines that any provision of this Chapter is being violated and immediate enforcement action is not necessary under the circumstances, the Zoning Administrator shall provide a written notice of violation to the property owner or any other person determined to be responsible for the violation. Such written notice of violation shall indicate the nature of the violation, the action necessary to correct the violation, the warning period established before further enforcement action or penalties, and the potential enforcement action and/or penalties to be imposed for failure to cure the violation within the established warning period. Such notice of violation shall serve to start the warning period.
 2. Unless otherwise determined by the Zoning Administrator, the warning period for correction of violations set forth in the notice of violation shall be ten (10) days from the receipt of the notice of violation. If the violation remains uncured after expiration of the warning period, the Zoning Administrator shall pursue further enforcement action as deemed appropriate in accordance with the provisions provided herein. The Zoning Administrator is authorized, in his or her discretion, to extend the warning period, not to exceed thirty(30) days, if the Zoning Administrator determines good cause exists for such extended warning period and the extension will not create or perpetuate a situation imminently dangerous to life or property. Any such extension shall require written agreement by the property owner or person responsible for the violation to remedy the violations

within a set time frame and to comply with any and all conditions of extension as required by the Zoning Administrator. A request for extension shall be filed in writing by the property owner or person responsible for the violation prior to the expiration of the ten (10) day response period. In the case of a violation involving either continuing construction or development, or an emergency situation, as reasonably determined by the Zoning Administrator, the City may use the enforcement powers and remedies available to it under this Chapter, or the remedies contained in Chapter 18. of the Heber City Code, without prior notice or notice of violation, in such case, the Zoning Administrator shall send the notice to the same parties simultaneously with the beginning of enforcement action.

3. Any building or structure set up, erected, constructed, altered, enlarged, converted, moved, or maintained; or any land, building, or premises used contrary to the provisions of this Chapter is hereby declared to be unlawful and a public nuisance. The City Attorney, Prosecutor or other authorized legal counsel may commence action or proceedings for the abatement, removal, and injunction thereof in the manner provided by law. The City Attorney, Prosecutor or other authorized legal counsel may also take such other steps and may apply to such court as may have jurisdiction to grant such relief as will abate and remove such building or structure, and restrain and enjoin any person, firm, or corporation from setting up, erecting, building, maintaining, or using any building, structure, or property contrary to the provisions of this Chapter.
4. If any violation of this Chapter remains uncured after issuance of a notice of violation and expiration of the warning period, a citation of civil penalties may, in addition to any other applicable remedies associated with this Chapter or those available pursuant to the City Code, be issued to the property owner or other person determined to be responsible for the violation in accordance with the notice of violation.
5. The civil penalty to be imposed for any given violation shall be imposed in accordance with the civil penalties fee schedule adopted by the City. Penalties shall be provided on a graduated scale providing for the first and recurring violations. If a violation is corrected but reoccurs on the same property within one year from the imposition of any civil penalty, any subsequent violation within such one year period shall subject the person to the recurring violation penalty. Civil penalties may not be imposed for a civil violation that occurs in conjunction with another criminal violation as part of a single criminal episode that will be prosecuted in a criminal proceeding.
6. Any person having received a citation of civil penalties may request a hearing before a hearing officer by filing a written application for hearing. Such request for hearing shall be filed prior to the due date for the civil penalties. The hearing shall be held in accordance with the hearing procedures set forth in Title 18 of the Heber City Code.
7. All civil penalty hearings shall be held as a public meeting with business transacted during regularly scheduled hours. All civil penalty hearings shall provide for due

- process for the parties and shall be recorded or otherwise documented so that a true and correct transcript may be made of the proceedings.
8. Any person aggrieved of the hearing officer's determination regarding the imposition of civil penalties or a Zoning Ordinance violation may appeal such final administrative determination to the Board of Adjustment in accordance with the appeal procedures set forth in Title 18 of the Heber City Code.
 9. The City may use any lawful means available to collect any unpaid penalty and fees imposed under this Chapter, including costs and reasonable attorney's fees.
 10. The procedures set forth herein regarding notice and imposition of civil penalties is one of many enforcement options available to the Zoning Administrator and is not intended to be an exclusive or required remedy.
 11. If any violation of this Chapter remains uncured after issuance of a notice of violation and expiration of the warning period, a criminal citation may be issued to the property owner or other person determined to be responsible for the violation in accordance with the notice of violation. All criminal citations for Zoning Ordinance violations shall be issued by the City Police Department in accordance with applicable criminal procedures for issuance of a criminal citation.
 12. The criminal penalty for violations of this Chapter is a class C misdemeanor subject to such fines and incarceration as set forth by Utah law.
 13. The Zoning Administrator, or his or her authorized designee, is authorized to inspect buildings and structures in the course of construction, modification, or repair and to inspect land uses to determine compliance with the provisions of this Chapter.
 14. The Zoning Administrator, or his or her authorized designee, shall have the right to enter any building or property for the purpose of determining compliance with the provisions of this Title. Such right of entry shall be exercised only at a reasonable hour. In no case shall entry be made to any building in the absence of the owner or tenant thereof without consent of the owner or tenant, or a written order of a court of competent jurisdiction.
 15. It shall be unlawful for any person to interfere with lawful enforcement activities of authorized City personnel.
 16. In addition to the enforcement powers specified in this Chapter, the City may exercise any and all enforcement powers granted to it by Utah law, as may be amended from time to time.
 17. Nothing in this Chapter shall prohibit the continuation of previous enforcement actions, undertaken by the City pursuant to previous and valid resolutions, agreements, ordinances, and laws.
 18. Except as otherwise provided herein for criminal or civil proceedings regarding zoning enforcement actions, any person adversely affected by a final decision of the Zoning Administrator regarding the provisions of this Chapter may appeal that decision to the Board of Adjustment as provided in Title 18 of this Municipal Code

18.72.030 Parking Space Requirements -- Designated New parking requirements

The following required off-street parking spaces for the particular use are minimum requirements:

- A. Banks, professional offices and other business buildings not specifically mentioned elsewhere in this section shall have one parking space per two hundred square feet of office floor area;
- B. Boardinghouses and bachelor dwellings shall have one parking space for each one hundred square feet of floor space devoted to bedrooms or one space for each two persons domiciled in the premises, whichever is greater;
- C. Churches shall have one parking space per three seating spaces in the main assembly room;
- D. Commercial recreational uses shall have one parking space per two patrons, based on the design capacity of the facility;
- E. Convalescent, nursing and other institutions shall have one visitor parking space per three patient beds, plus one parking space for each employee at work in the home during daylight hours;
- F. Drive-ins (retail) shall have at least twelve off-street parking spaces or sufficient off-street parking spaces to accommodate all patrons or customers, whichever is greater. No patron or customer may be served in automobiles which are parked on public streets;
- G. Government buildings shall provide at least three (3) parking stalls per 1,000 square feet of floor area;
- H. Hospitals shall have one visitor parking space per two patient beds, plus one parking space for each employee at work in the hospital during daylight hours;
- I. Hotels and motels shall have one parking space per room or suite, plus one parking space for each employee at work on the premises during daylight hours;
- J. Industrial, manufacturing and wholesale establishments shall have one parking space per two employees based. on the largest shift;
- K. Medical clinics shall have four parking spaces per staff doctor, plus one parking space for each non-doctor employee at work on the premises during daylight hours;
- L. Mortuaries or funeral parlors shall have thirty parking spaces or one space for each twenty-five square feet of floor space in all assembly rooms, whichever is greater;
- M. Private clubs and lodge halls shall have one parking space per two persons based on the design capacity of the facility;
- N. Residential structures, not including boardinghouses and rooming houses and bachelor dwellings, shall have parking spaces per dwelling units as follows:
 - 1. One-family dwellings and mobile homes, two spaces;
 - 2. Two-family dwellings, four spaces;
 - 3. Multiple-family dwellings, two spaces per dwelling unit, which spaces shall be located on the side yards or rear yard or said lot. As a means of encouraging the occupants of multiple dwellings to use the required off-street parking space in preference to on-street parking space, entrances to buildings containing multiple dwellings shall be provided in locations that are as

direct and convenient to the required off-street parking spaces as are the fronting streets;

- O. Restaurants, taverns and lounges shall have one parking space per two hundred square feet of floor area;
- P. Retail stores, personal service shops and other business buildings not specifically mentioned elsewhere in this section shall have parking space at the rate of five spaces per one thousand square feet of floor area;
- Q. Auditoriums, sports arenas and places of assembly shall have one parking space per two people;
- R. Uses Not Mentioned. The required off-street parking for any building, structure or use of land of a type not listed in this section shall be determined by the board of adjustment. The board of adjustment shall be guided by comparison with the requirements for similar uses which are listed;
- S. Day Care facilities shall have one (1) parking space for each employee plus one (1) loading/unloading space for every 20 people, or portion thereof enrolled. Loading space requirement may be eliminated if there is a circular drive-way.
- T. Theaters shall have one parking space per four seats;
- U. Bowling Alleys shall have four (4) parking stalls per lane.
- V. C-3 Central Commercial Zone Parking. Retail, office restaurant and government uses in the C-3 Central Commercial Zone shall have at least three (3) spaces per one thousand square feet of floor space;
- W. One-half (1/2) of available angled on-street parking along a parcel's frontage may be counted towards the requirements for meeting the off-street parking requirements for uses within the C-2 and C-3 Commercial Zones.

18.76 Landscaping

18.76.010 Purpose Of Provisions

The purpose of the landscaping requirements in this chapter shall be to enhance, conserve and stabilize property values by encouraging pleasant and attractive surroundings and thus create the necessary atmosphere for the orderly development of a pleasant community. Landscaping also contributes to the relief of heat, noise and glare through the proper placement of green plants and trees.

18.76.020 Scope Of Requirements

Where landscaping is required, such landscaping shall comply with the requirements set forth in this chapter. Where there may be contradicting landscaping provisions between this chapter and other sections of code, the greater requirement shall apply.

18.76.030 Landscape Standards

A. General

1. Zeroscaping is prohibited in all zones.

2. Xeriscaping is permitted in all zones.
3. Natural vegetation are permitted for open space areas when specified by zone.
4. Vegetation coverage is measured by the area of the plant at full seasonal coverage. Trees may account for up to 80 square feet per tree.

B. Non-Residential and Multi-Family Residential Standards.

1. A minimum of 20% of landscaped areas shall be planter beds, containing a combination of rock or bark mulch, trees, shrubs, and ornamental grasses.
2. A minimum of 40% of all landscaped areas shall be covered with planted vegetation.
3. Community Gardens may be counted toward a landscaping and/or open space requirement for Multi-Family Residential developments.
4. Automated irrigation systems are required.
5. Landscaping shall be completed prior to the issuance of a Certificate of Occupancy. For phased developments, the landscaping within each phase shall be completed with the phase.
 - a. A landscaping bond may be used during non-growing seasons, as determined by the Planning Director or designee. Bonds shall cover 110% of the costs of the bond estimate included in the bond agreement.

18.76.040 Maintenance

Required landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. This is meant to include proper pruning, mowing lawns, weeding, removal of litter, fertilizing, replacement of dead plants and the regular watering of all plantings.

18.76.050 Screening Requirements

Where landscaped screening is required, said screening shall consist of evergreen shrubs, closely spaced and maintained at substantially the specified height of said required screening. When not otherwise specified, natural screening shall be maintained at a height of from four to six feet.

18.76.060 Plot Plan Required

Where landscaping is required for multi-family residential and non-residential developments in this title, a plot plan showing the proposed landscape development, watering system and use of the property shall be submitted to the zoning administrator. The same plot plan used to show parking layout or other requirements for the issuance of a building permit may be used to show landscaping providing all proposed landscaping is detailed adequately on said plot plan. The zoning administrator may disapprove such plans if he determines that they are not consistent with the requirements and purposes of this chapter. All plot plans shall be prepared by a licensed landscape architect.

18.76.070 Nonconforming Properties

Any use of property, which, on the effective date of the ordinance codified in this title, is nonconforming only as to the regulations relating to landscaping may be continued in the same manner as if the landscaping were conforming.

18.76.080 Street Tree Planting Requirement

In all zones and locations within Heber City, street trees shall be planted by property owners within the adjoining right-of-way or planter strip, or on private property in the front yard if no planter strips exist, as part of the required landscaping. Street trees shall be planted and spaced in accordance with Chapter 12.20 of Heber city Municipal Code.

18.76.090 Right Of Way Landscaping

Property owners are responsible for maintaining the landscaping within the adjoining right-of-way and/or planter strips in accordance with Chapter 12.20 of Heber City Municipal Code.

18.76.100 Parking In Landscaped Areas

Parking is prohibited upon any required landscaping or any area that is landscaped.

BLACK RIFLE COFFEE COMPANY
391 NORTH MAIN STREET
HEBER CITY, UTAH 84032

VICINITY MAP



INDEX

- C-0 Cover Sheet
- C-1 Site Plan
- C-2 Grading Plan
- C-2.1 400 North Storm Drain Plan & Profile
- C-3 Utility Plan
- C-4 Details
- C-5 Stormwater Pollution Prevention
- C-6 SWPPP Details

OWNER
M&M COFFEE HEBER, LLC
AMY MADSEN
HEBER CITY, UTAH 84032
(801) 556-1183

CIVIL ENGINEER
LEGEND ENGINEERING
CAL JOHNSON
52 WEST 100 NORTH
HEBER CITY, UTAH 84032
(435) 654-4828

CONTRACTOR
HEBER HOMES
BLAKE ALLEN
240 NORTH 300 EAST
HEBER CITY, UTAH 84032
(435) 671-3266

SURVEYOR
LEGEND ENGINEERING
CORY NEERINGS
52 WEST 100 NORTH
HEBER CITY, UTAH 84032
(435) 654-4828

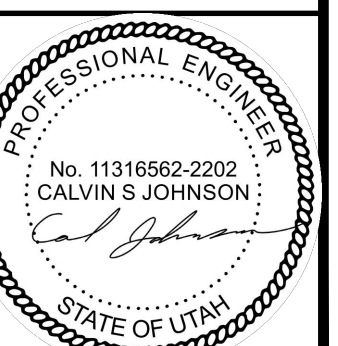
LEGEND & ABBREVIATION TABLE

R.O.W./PROPERTY LINE		INVERT ELEVATION	
EASEMENT LINE		TOP BACK CURB	
CENTER LINE		TOP ASPHALT	
PROPOSED TRAIL		TOP OF GRATE	
PROPOSED WATER LINE		FINISHED GRADE	
PROPOSED PRESSURIZED IRRIGATION		TOP OF CONCRETE	
PROPOSED SEWER LINE		HIGH WATER ELEVATION	
PROPOSED STORM DRAIN LINE		CATCH BASIN	
EXISTING SEWER LINE		EXISTING STREET LIGHT	
EXISTING WATER LINE		STORM DRAIN MANHOLE	
EXISTING STORM DRAIN LINE		EXISTING FIRE HYDRANT	
EXISTING CONTOUR		EXISTING WATER VALVE	
FINISHED CONTOUR		EXISTING WATER METER	
EXISTING CURB AND GUTTER		EXISTING SEWER MANHOLE	
PROPOSED CURB AND GUTTER		PROPOSED FIRE HYDRANT	
		PROPOSED WATER VALVE	
		PROPOSED WATER METER	
		PROPOSED SEWER CLEANOUT	
		PROPOSED SEWER MANHOLE	

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BLACK HIFLE COFFEE COMPANY
COVER SHEET
3391 NORTH MAIN STREET, HEBER CITY, UTAH 84032



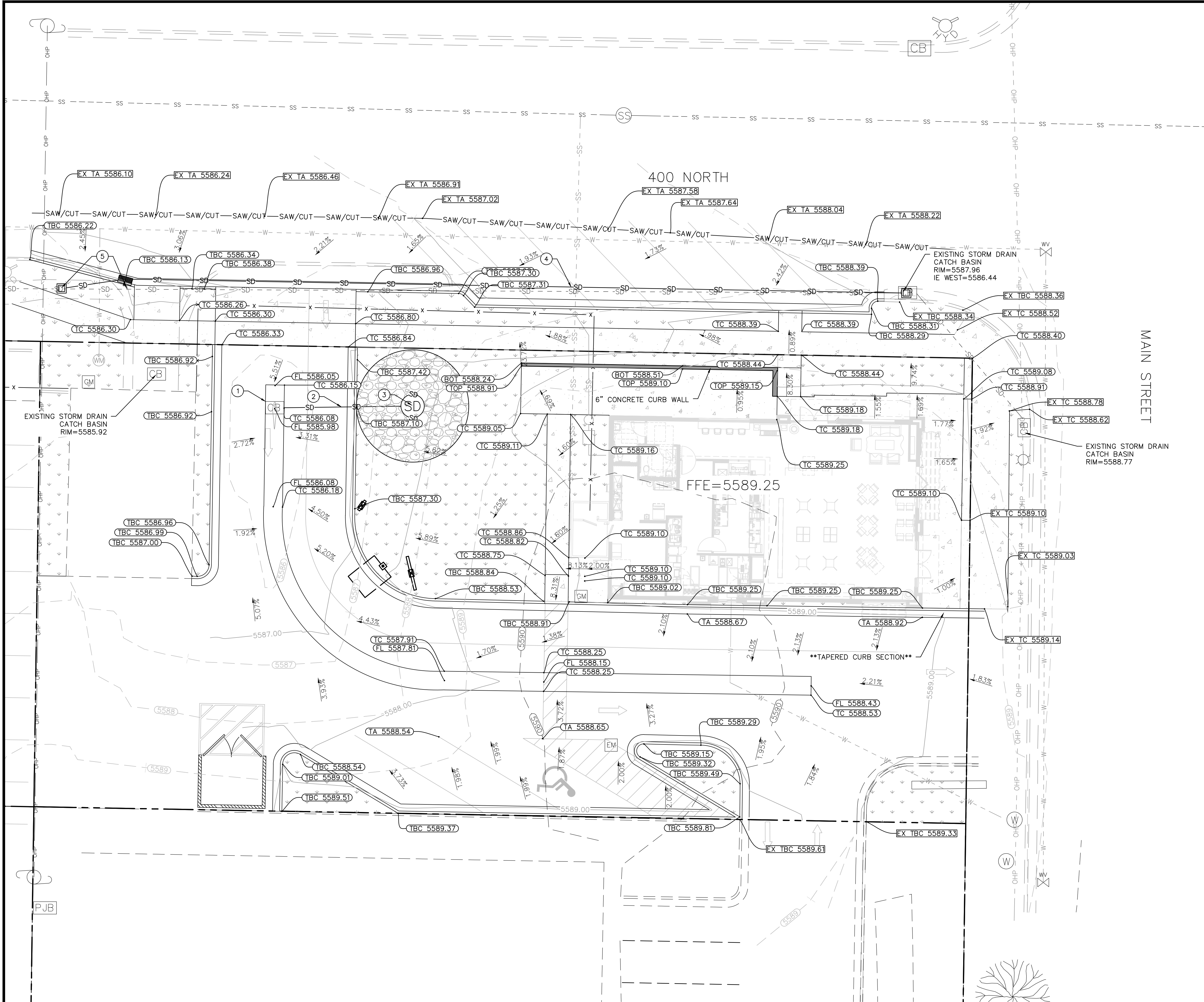
SHEET:
C-0

CITY ENGINEER
APPROVED AS TO FORM THIS
DAY OF _____, 20__.

HEBER CITY ENGINEER

COMMERCIAL FINAL

ATE: 5/19/2022



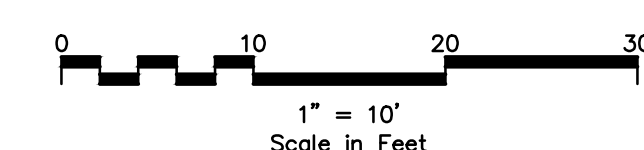
LOT LINES (PROPERTY)	---
EXISTING CURB AND GUTTER	==
PROPOSED CURB AND GUTTER	==
PROPOSED STORM DRAIN LINE	—SD—
EXISTING STORM DRAIN LINE	---SD---
PROPOSED SEWER LINE	—SS—
EXISTING SEWER LINE	---SS---
PROPOSED WATER LINE	—W—
EXISTING WATER LINE	---W---
EXISTING FENCE	—X—
GRADE BREAK	—GRADE BREAK—
FINISH GRADE CONTOUR LINES	4960
EXISTING GRADE CONTOUR LINES	4960
FINISH GRADE SLOPE	SLOPE
GRADE BREAK	GB
INVERT ELEVATION	IE
TOP OF GRATE	TOG
TOP OF ASPHALT	TA
TOP BACK OF CURB	TBC
PROPOSED	PROP
EXISTING	EX
FINISHED GRADE	FG
FINISHED FLOOR ELEVATION	FFE
BACK OF SIDEWALK	BOW
LANDSCAPE AREA	
CONCRETE AREA	

STORM DRAIN DESIGN NOTES:

- EXISTING STORM DRAIN CATCH BASIN. INSTALL OIL & DEBRIS SEPARATOR PER HEBER CITY STANDARD DRAWING STORM DRAIN-3 (IF NOT PRESENT).
EX RIM=5585.55
PROPOSED RIM=5585.98
IE=5583.20
- INSTALL 12" CORRUGATED HDPE PIPE @ 0.50% MINIMUM SLOPE.
- PROPOSED SUMP DISPOSAL PER CITY STANDARD DRAWINGS STORM DRAIN-3. SEE SHEET C-4 FOR DETAIL.
RIM=5587.75
IE=5583.08
ROCK RADIUS=12'
BOTTOM OF ROCK=5579.41
VOLUME=1,073 CF
- EXISTING 12" CMP TO BE REMOVED AND REPLACED WITH 12" RCP. SEE SHEET C-2.1 FOR PROFILE VIEW.
- PUBLIC STORM DRAIN STRUCTURES. SEE SHEET C-2.1 FOR DETAILS.

GENERAL NOTES:

- CONTRACTOR SHALL CALL 811 PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITY LINES AND STRUCTURES PRIOR TO CONSTRUCTION.
- ALL PROPOSED WATER LINES SHALL HAVE A MINIMUM OF 5' OF COVER.
- ALL SEWER, WATER AND STORM DRAIN PIPES SHALL BE BACKFILLED WITH SELECT GRANULAR FILL AS PER CITY STANDARDS.
- ANY OFF SITE DAMAGE TO EXISTING ASPHALT, CURB & GUTTER, LANDSCAPING AND ALL UTILITIES SHALL BE REPLACED IN KIND.
- SEE UTILITY PLAN FOR CONSTRUCTION OF SEWER AND WATER LINES.
- ALL WORK SHALL BE ACCORDING TO CITY STANDARDS.



CITY ENGINEER

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DAY OF _____, 20__.

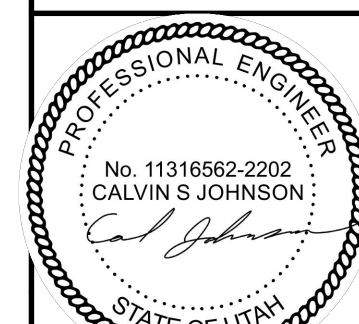
HEBER CITY ENGINEER

COMMERCIAL FINAL

LEGEND ENGINEERING
52 WEST 100 NORTH
HEBER CITY, UT 84032
PHONE: 435-654-4828
www.legendengineering.com

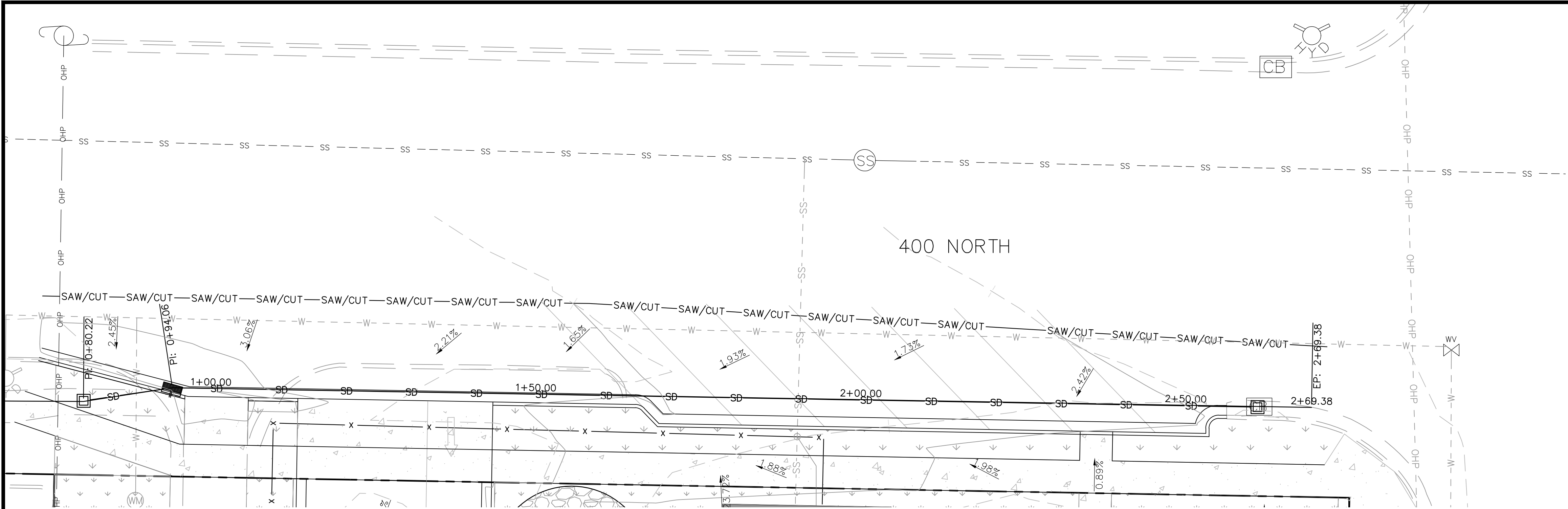


BLACK RIFLE COFFEE COMPANY
GRADING AND DRAINAGE PLAN
391 NORTH MAIN STREET, HEBER CITY, UTAH 84032



SHEET:
C-2

DATE: 5/19/2022



LOT LINES (PROPERTY)

EXISTING CURB AND GUTTER

PROPOSED CURB AND GUTTER

PROPOSED STORM DRAIN LINE

EXISTING STORM DRAIN LINE

PROPOSED SEWER LINE

EXISTING SEWER LINE

PROPOSED WATER LINE

EXISTING WATER LINE

EXISTING FENCE

GRADE BREAK

FINISH GRADE CONTOUR LINES

EXISTING GRADE CONTOUR LINES

FINISH GRADE SLOPE

GRADE BREAK

INVERT ELEVATION

TOP OF GRATE

TOP OF ASPHALT

TOP BACK OF CURB

PROPOSED

EXISTING

FINISHED GRADE

FINISHED FLOOR ELEVATION

BACK OF SIDEWALK

LANDSCAPE AREA

CONCRETE AREA

==

==

SD

-SD-

SS

-SS-

W

-W-

-X-

GRADE BREAK

4960

4960

SLOPE

GB

IE

TOG

TA

TBC

PROP

EX

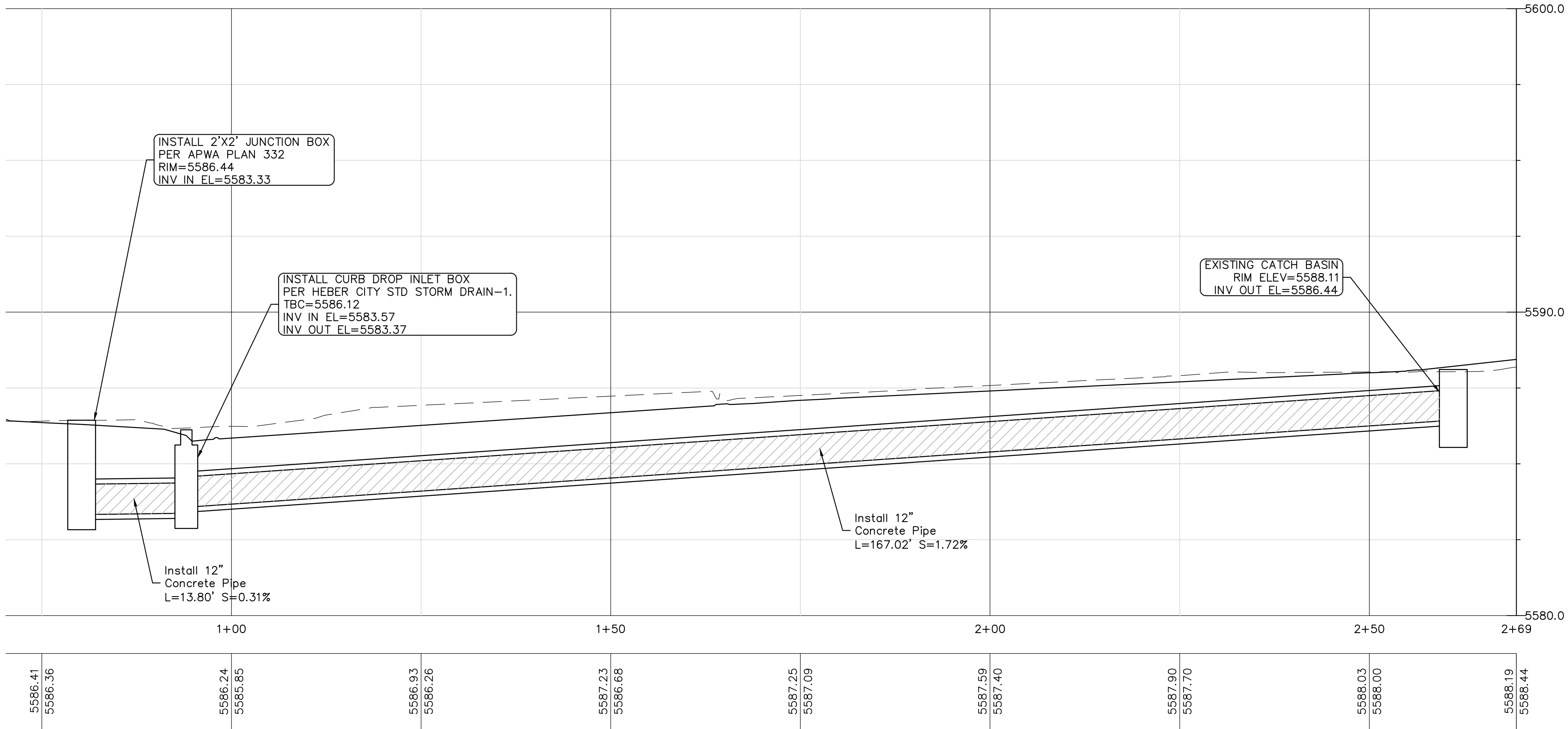
FG

FFE

BOW

[Pattern]

[Pattern]



- GENERAL NOTES:
- CONTRACTOR SHALL CALL 811 PRIOR TO CONSTRUCTION.
 - CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITY LINES AND STRUCTURES PRIOR TO CONSTRUCTION.
 - ALL PROPOSED WATER LINES SHALL HAVE A MINIMUM OF 5' OF COVER.
 - ALL SEWER, WATER AND STORM DRAIN PIPES SHALL BE BACKFILLED WITH SELECT GRANULAR FILL AS PER CITY STANDARDS.
 - ANY OFF SITE DAMAGE TO EXISTING ASPHALT, CURB & GUTTER, LANDSCAPING AND ALL UTILITIES SHALL BE REPLACED IN KIND.
 - SEE UTILITY PLAN FOR CONSTRUCTION OF SEWER AND WATER LINES.
 - ALL WORK SHALL BE ACCORDING TO CITY STANDARDS.

CITY ENGINEER

APPROVED AS TO FORM THIS _____

DAY OF _____, 20__.

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LEGEND ENGINEERING

52 WEST 100 NORTH

HEBER CITY, UT 84032

PHONE: 435-654-4828

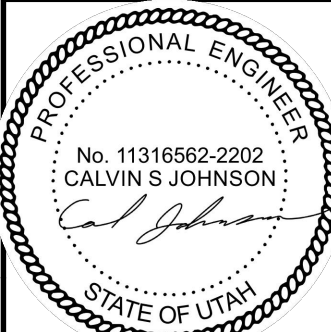
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BLACK RIFLE COFFEE COMPANY

400 NORTH STORM DRAIN PLAN + PROFILE

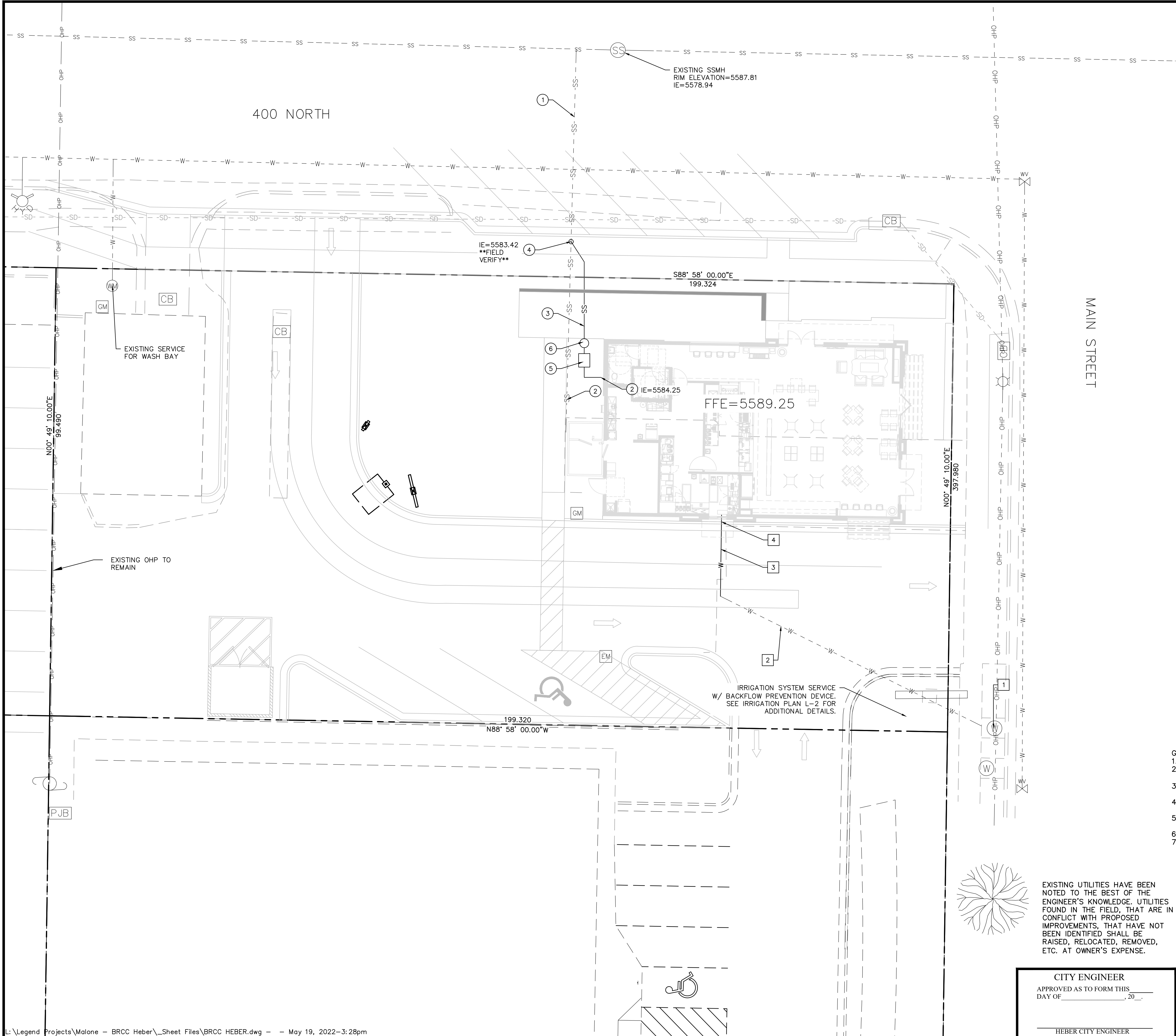
391 NORTH MAIN STREET, HEBER CITY, UTAH 84032



SHEET:

C-21

DATE: 5/19/2022



PROPERTY/ROW LINE	---
EXISTING CURB AND GUTTER	==
PROPOSED CURB AND GUTTER	==
PROPOSED STORM DRAIN LINE	-SD-
EXISTING STORM DRAIN LINE	-SS-
PROPOSED SEWER LINE	-SS-
EXISTING SEWER LINE	-SS-
PROPOSED WATER LINE	-W-
EXISTING WATER LINE	-W-
EXISTING GAS LINE	-G-
INVERT ELEVATION	IE
PROPOSED	PROP
FINISHED FLOOR ELEVATION	FFE
EXISTING FIRE HYDRANT	⊗
EXISTING WATER VALVE	⊗
EXISTING WATER METER	⊗
EXISTING SEWER MANHOLE	⊗
PROPOSED FIRE HYDRANT	⊗
PROPOSED WATER VALVE	⊗
PROPOSED WATER METER	⊗
PROPOSED SEWER CLEANOUT	○
PROPOSED SEWER MANHOLE	⊗

SEWER DESIGN NOTES:

- CONTRACTOR TO VERIFY LOCATION AND ELEVATION OF EXISTING 4" SEWER LINE PRIOR TO ANY CONSTRUCTION AND USE EXISTING LINE TO CONNECT TO PROPOSED BUILDING PER HEBER CITY STANDARDS.
- END ALL UTILITIES 5' FROM BUILDING. SEE PLUMBING PLANS FOR CONTINUATION.
- INSTALL 4"Ø PVC SDR-35 SEWER PIPE @ 2.0% MINIMUM SLOPE PER HEBER CITY STANDARD DRAWING SEWER-1.
- INSTALL 4" CLEANOUT PER HEBER CITY STANDARD DRAWING SEWER-1.
- INSTALL ENDURA XL 75 GREASE TRAP PER MANUFACTURER'S STANDARDS.
RIM=5589.22
IE=5584.00
- INSTALL ENDURA SAMPLING WELL PER MANUFACTURER'S STANDARDS.
RIM=5589.20
IE=5583.93

WATER DESIGN NOTES:

- EXISTING 1" CULINARY WATER METER. CONTRACTOR TO VERIFY SIZE PRIOR TO ANY CONSTRUCTION.
- CONTRACTOR TO VERIFY LOCATION AND SIZE OF EXISTING CULINARY WATER SERVICE PRIOR TO ANY CONSTRUCTION. COORDINATE FINDINGS WITH LEGEND ENGINEERING.
- EXTEND EXISTING 1" CULINARY SERVICE TO BUILDING AS NECESSARY.
- END ALL UTILITIES 5' FROM BUILDING. SEE PLUMBING PLANS FOR CONTINUATION.

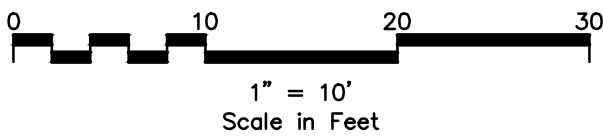
- GENERAL NOTES:
- CONTRACTOR SHALL CALL 811 PRIOR TO CONSTRUCTION.
 - CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITY LINES AND STRUCTURES PRIOR TO CONSTRUCTION.
 - ALL PROPOSED WATER LINES SHALL HAVE A MINIMUM OF 5' OF COVER.
 - ALL SEWER, WATER AND STORM DRAIN PIPES SHALL BE BACKFILLED WITH SELECT GRANULAR FILL AS PER CITY STANDARDS.
 - ANY OFF SITE DAMAGE TO EXISTING ASPHALT, CURB & GUTTER, LANDSCAPING AND ALL UTILITIES SHALL BE REPLACED IN KIND.
 - SEE UTILITY PLAN FOR CONSTRUCTION OF SEWER AND WATER LINES.
 - ALL WORK SHALL BE ACCORDING TO CITY STANDARDS.

EXISTING UTILITIES HAVE BEEN NOTED TO THE BEST OF THE ENGINEER'S KNOWLEDGE. UTILITIES FOUND IN THE FIELD, THAT ARE IN CONFLICT WITH PROPOSED IMPROVEMENTS, THAT HAVE NOT BEEN IDENTIFIED SHALL BE RAISED, RELOCATED, REMOVED, ETC. AT OWNER'S EXPENSE.

CITY ENGINEER

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DAY OF _____, 20__.

HEBER CITY ENGINEER

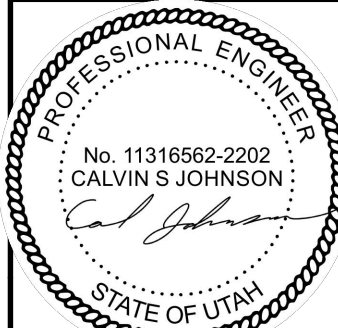


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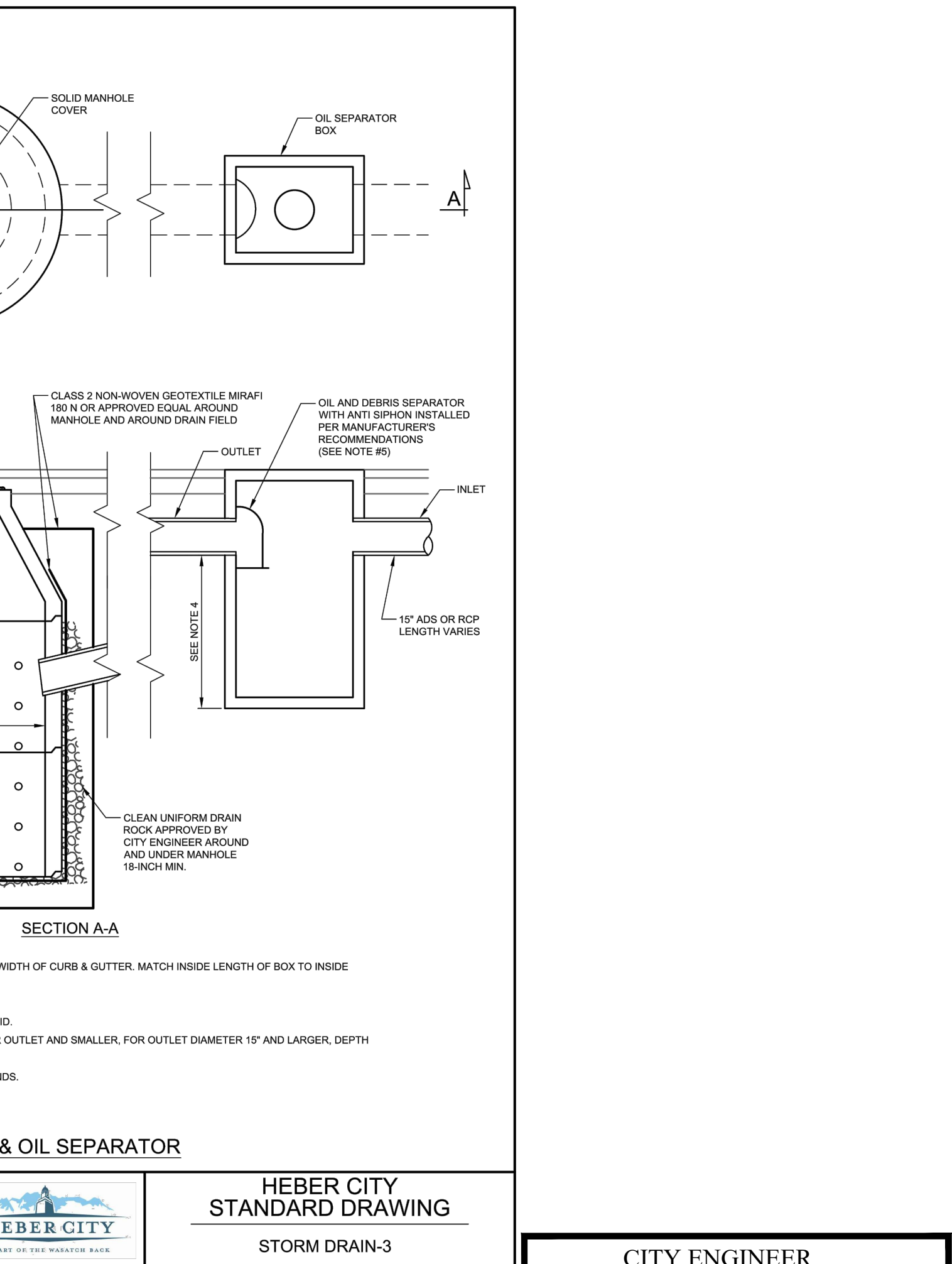
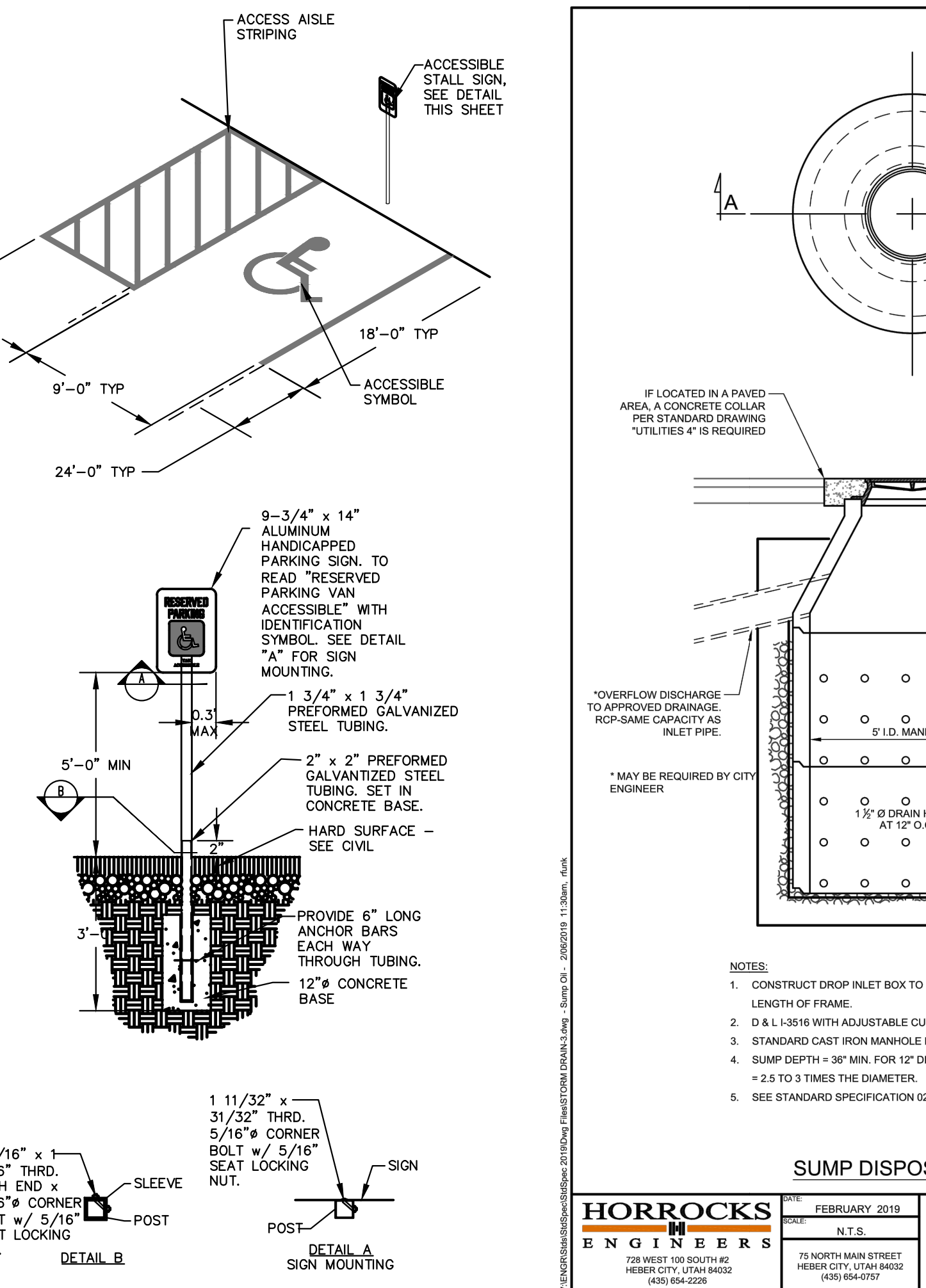
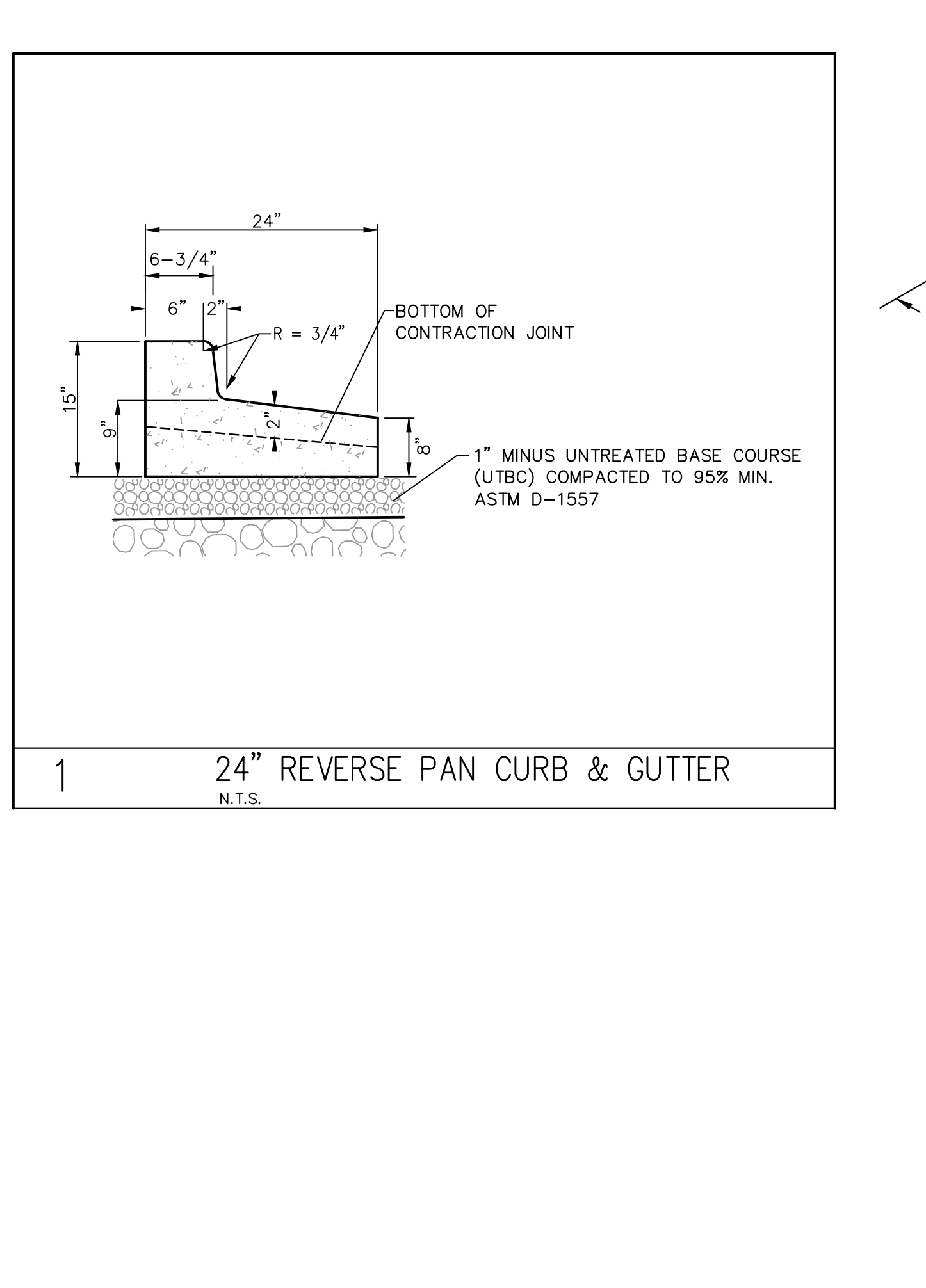
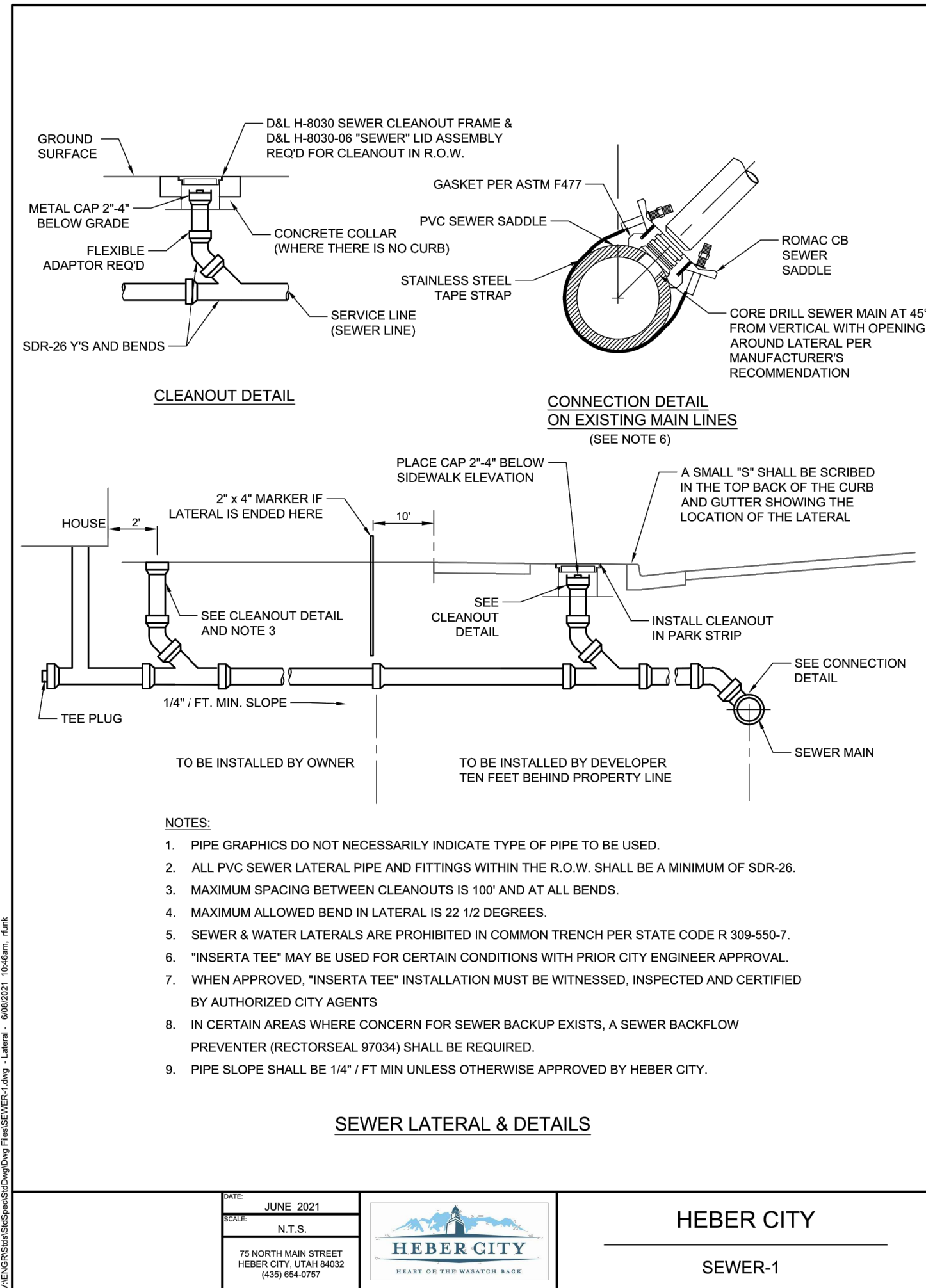
BLACK RIFLE COFFEE COMPANY
UTILITY PLAN
391 NORTH MAIN STREET, HEBER CITY, UTAH 84032



SHEET:

C-3

DATE: 5/19/2022





SHEET: **C-5**

DATE: 5/19/2022

1. **DESCRIPTION:** A temporary stabilized pad of gravel for controlling equipment and construction vehicle access to the site.
2. **APPLICATION:** At any site where vehicles and equipment enter the public right of way.
3. **INSTALLATION/APPLICATION CRITERIA:** Refer to APWA Section 01 57 00.
 - A. Clear and grub area and grade to provide maximum slope of 1 percent away from paved roadway.
 - B. Compact subgrade.
 - C. Place filter fabric under stone if desired (recommended for entrance area that remains more than 3 months).
4. **MAINTENANCE:**
 - A. Requires periodic top dressing with additional stones.
 - B. Prevent tracking or flow of mud into the public right-of-way.
 - C. Periodic top dressing with 2 inches stone may be required, as conditions demand, and repair any structures used to trap sediments.
 - D. Inspect daily for loss of gravel or sediment buildup.
 - E. Inspect adjacent areas for sediment deposit and install additional controls as necessary.
 - F. Expand stabilized area as required to accommodate activities.

1. **DESCRIPTION:** Placement of gravel sock on grade upstream of, or in front of storm drain inlets to filter or pond water runoff
2. **APPLICATION:** At inlets in paved or unpaved areas where up gradient area is to be disturbed by construction activities.
3. **INSTALLATION/APPLICATION CRITERIA:** Refer to APWA Section 01 57 00.
 - A. On-grade inlet protection:
 1. On-grade inlet protection should be used when completely blocking a storm drain inlet box would result in forcing water further downstream would cause flooding or other undesirable results.
 2. Prepare filter media (gravel sock, straw waddle, or other approved media) in accordance with manufacturer's recommendations.
 3. Install filter media just upstream of the inlet box.
 4. Filter media shall butt tightly against the face of the curb and angle at approximately a 45 degree angle away from the curb to trap runoff between the media and the curb.
 5. Excessive flows will flow either over or around the filter media and into the inlet box.
 6. Expect ponding behind the filter media.
 - B. Drop inlet protection:
 1. Drop inlet protection should be used at drop points in the curb and when diverting flows further downstream will not cause undesirable results.
 2. Prepare filter media (gravel sock, straw waddle, or other approved media) in accordance with manufacturer's recommendations.
 3. Install filter media around the entire perimeter of the inlet grate.
 4. Filter media shall butt tightly against the face of the curb on both sides of the inlet grate.
 5. Excessive flows will flow either around the media or over the top and into the inlet box.
 6. Expect ponding around the inlet box.
4. **MAINTENANCE:**
 - A. Inspect inlet protection after every large storm event and at a minimum of once monthly.
 - B. Remove sediment accumulated when it reaches 2 inches in depth.
 - C. Replace filter media when damage has occurred or when media is no longer functioning as intended.

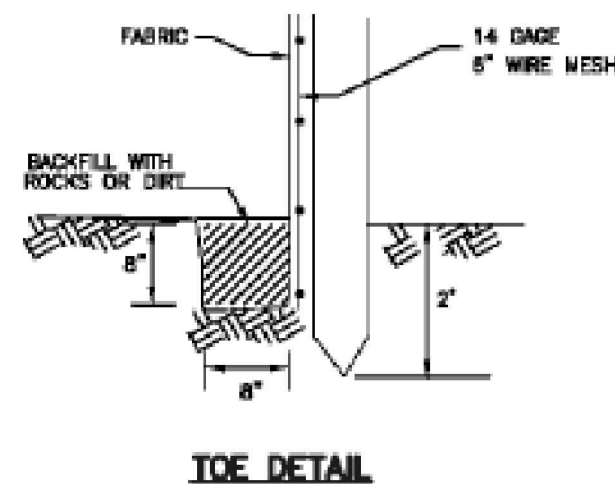
1. **DESCRIPTION:** A temporary sediment barrier consisting of a filter fabric stretched across and attached to supporting posts and entrenched.
2. **APPLICATION:** To intercept sediment from disturbed areas of limited extent.
 - A. Perimeter Control: Place barrier at down gradient limits of disturbance.
 - B. Sediment Barrier: Place barrier at toe of slope or soil stockpile.
 - C. Protection of Existing Waterways: Place barrier at top of stream bank.
 - D. Inlet Protection.
3. **INSTALLATION/APPLICATION CRITERIA:** Refer to APWA Section D1 57.00.
 - A. Synthetic filter fabric shall be a previous shell of propylene, nylon, polyester, or polyethylene yarn. Synthetic filter fabric shall contain ultraviolet ray inhibitors and additives to provide a minimum of 6 months of expected usable construction life at a temperature range of 0 deg. F. to 120 deg. F.
 - B. Burial: shall be 10 ounces per square yard of fabric.
 - C. Posts for filter fences shall be either 2" x 4" diameter wood, or 1.33 pounds per linear foot steel with a minimum length of 5 feet. Steel posts shall have projections for fastening to the fabric.
 - D. The fabric is cut on site to desired width, unrolled, and draped over the barrier. The fabric toe is secured with rocks or dirt. The fabric is secured to the mesh with twin, staples or similar devices.
 - E. When attaching twin self fences together, place the end post of the second fence inside and post on the first fence. Rotate both posts at least 180 degrees on a clockwise direction to create a tight seal with the filter fabric. Drive both posts into the ground and bury the fabric.
 - F. When used to control: sediments from a steep slope, self fences should be placed away from the toe of the slope for increased holding capacity.
4. **MAINTENANCE:**
 - A. Inspected immediately after each rainfall and at least daily during prolonged rainfall.
 - B. Should the fabric on a silt fence or filter barrier decompose or become ineffective before the end of the expected usable life and the barrier still be necessary, the fabric shall be replaced promptly.
 - C. Sediment deposits should be removed after each storm event. They must be removed when deposits reach the top of the mesh approximately one-half the height of the barrier.
 - D. Re-anchor fence as necessary to prevent shortening.
 - E. Prepare for runoff bypassing ends of barriers or undercutting barriers.

1. **DESCRIPTION:** A temporary stabilized pad of gravel for general washing of equipment and construction vehicles.
2. **APPLICATION:** At any site where regular washing of vehicles and equipment will occur. May also be used as a filling point for wash trucks limiting erosion caused by overflow or spillage of water.
3. **INSTALLATION/APPLICATION CRITERIA:** Refer to APWA Section 01 57 00.
 - A. Clear and grub area and grade to provide maximum slope of 1 percent away from paved roadway.
 - B. Compact subgrade.
 - C. Place filter fabric under wash down area if desired (recommended for wash area that remains more than 3 months).
 - D. Install silt fence down gradient (see Plan No. 122)
4. **MAINTENANCE:**
 - A. Requires periodic top dressing with additional stones.
 - B. Slightly used to control sediment in wash water. Cannot be utilized for washing equipment or vehicles that may cause contamination of runoff (such as fertilizer, paint, oil, or concrete equipment).
 - C. The wash area shall be maintained in a condition that will prevent tracking or flow of mud into public rights-of-way.
 - D. Periodic top dressing with 2 inch stone may be required, as conditions demand, and repair any structures used to trap sediments.
 - E. Inspect daily for loss of gravel or sediment buildup.
 - F. Inspect adjacent area for sediment deposit and install additional controls as necessary.
 - G. Expand stabilized area as required to accommodate activities.
 - H. Maintain silt fence as outlined in Plan No. 122.



16

NARRATIVE: THIS PLAN MAY BE USED FOR THE CONSTRUCTION OF A STORM WATER BEST MANAGEMENT PRACTICE (BMP). IT IS NOT INCLUSIVE OF ALL PRACTICES AVAILABLE AND IS ONLY SPECIFIC TO THE CONSTRUCTION OF THIS TYPE. MAINTENANCE OF THIS TYPE OF INSTALLATION IS IMPORTANT AND SHOULD BE CONTINUOUSLY MONITORED BY THE CONTRACTOR AND ENGINEER. DETAILS SHOWN HERE HIGHLIGHT IMPORTANT PARTS OF CONSTRUCTION, AND SHOULD BE MODIFIED AS NEEDED.



BLACK RIFLE COFFEE COMPANY
SWPPP DETAILS
3391 NORTH MAIN STREET, HEBER CITY, UTAH 84032



CITY ENGINEER

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DAY OF _____, 20__.

HEBER CITY ENGINEER

COMMERCIAL FINANCIAL

DATE: 5/19/2022

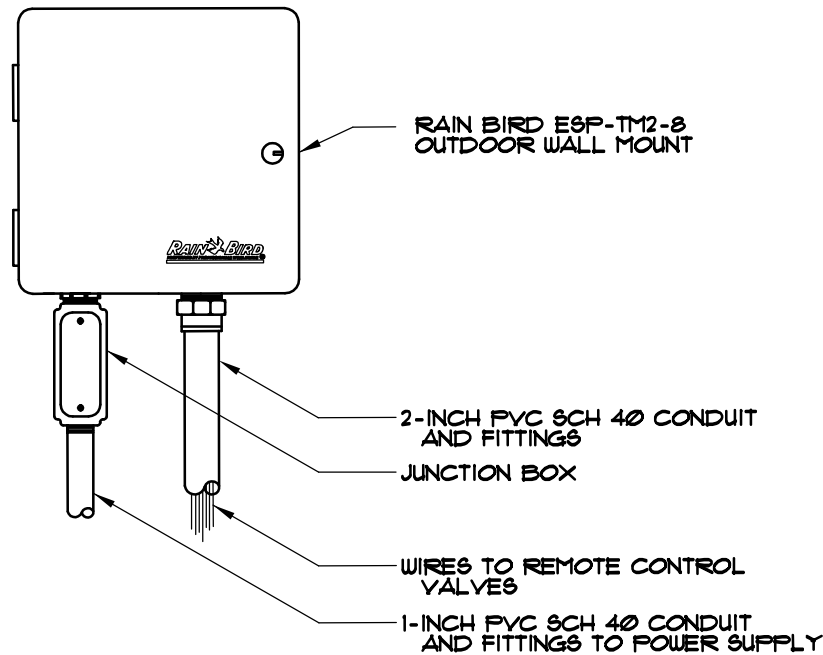
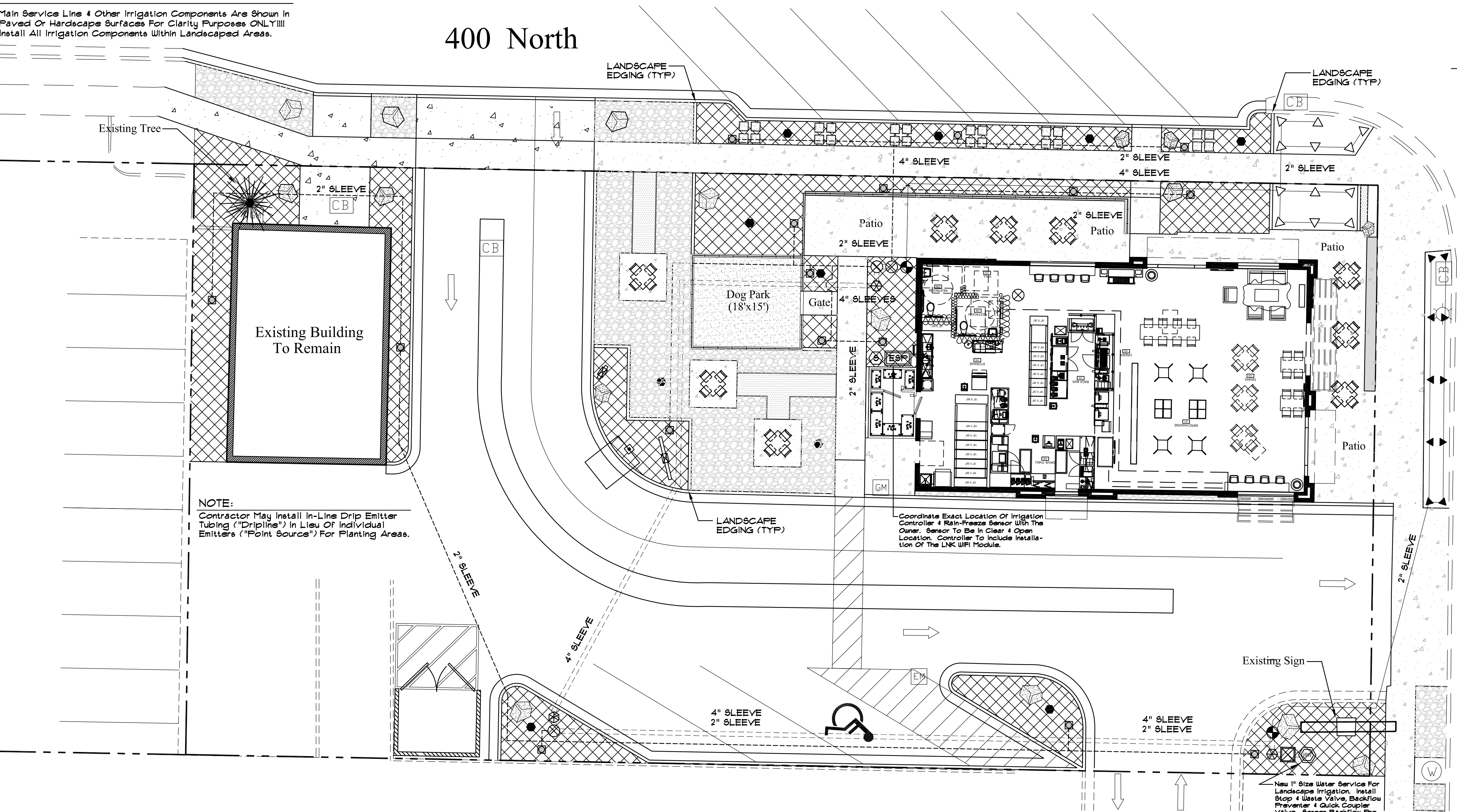
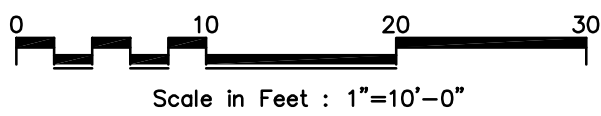
General Irrigation Note

Main Service Line & Other Irrigation Components Are Shown In Paved Or Hardscape Surfaces For Clarity Purposes ONLY!!!
Install All Irrigation Components Within Landscaped Areas.

400 North

Landscape Architect

RDL Design Company, Inc.
1020 East Yale Avenue
Salt Lake City, Utah 84105
Phone : 801-641-3114
Email : rdl@comcast.net



1 Wall Mount Controller
L-2 N.T.S.

Sprinkler List

Symbol	Model-Number	Description	Remarks
▽	Rainbird 1804-FRS	Pop-Up Sprayhead Sprinkler	*U-10 Series HE Nozzle As Required
▼	Rainbird 1804-FRS	Pop-Up Sprayhead Sprinkler	*B Strip Series Nozzle As Required
●	Tree Location	Install Rainbird XFDs Dripline	Provide Emitter Rings As Required
⊠	Rainbird Or Equal	FVC To PE Pipe Connection	Install Within All Planting Areas As Shown
⊕	Rainbird 100-FEB	Remote Control Valve	1" Size In Valve Box With Gravel Sump
⊗	Rainbird XCZ-100-FRBR	Drip Control Zone Kit	1" Size In Valve Box With Gravel Sump
⊗	Rainbird 33DLRC	Quick Coupler Valve	3/4" Size In Valve Box With Gravel Sump
ESP	Rainbird ESP-TM2-S	8 Station Outdoor Controller	Provide LNK WIFI Module
5	Rainbird WR2	Rain/Freeze Wireless Sensor	Install In Clear Bldg. Exterior Location
100	Mueller Orisael Mark II	Stop & Waste Valve	1" Size / Install Inside Curb Box
⊠	Febco 825Y Series / 1"	Backflow Prevention Device	Install Above Grade Per All Codes
----	Schedule 40 PVC	Main Service Line	1 1/4" Size Throughout
----	Schedule 40 PVC	Lateral Circuit Line / Lawn	Pipe Size As Required / 1" Min. Size
----	Schedule 40 PVC	Lateral Circuit Line / Plants	Pipe Size As Required / 3/4" Min. Size
⊠	Rainbird XFDs Dripline	6 GPH - .3 GPH Flow	Install GPH & Dripline Spacing As Req'd

Sprinkler Notes

- All main service lines and pipe sleeving shall be buried minimum 18 inches below finish grade, all lateral circuit lines minimum 12 inches below finish grade. Backfill all lines with sand or lump free soil. All clean material shall be settled and compacted to proper finish grade. All piping shall be capable of winterization by the use of compressed air / "Blown Out".
- All control valves and quick coupler valves shall be installed in fiberglass control boxes with bolt down lids. Washed gravel shall be installed in the box bottom to a depth of 8 inches.
- All sprayheads shall be installed using (2) 1/2" barbed ell, (1) 1/2" marlex ell, and 1/2" swing pipe cut to the appropriate length (12" min.-24" max.). Quick coupler valves shall be installed using the appropriate sized swing joint assembly including 3 marlex ell, and (1) 12 inch schedule 80 pvc riser.
- The design and layout of all sprayheads shall provide for a minimum 60% DU (distribution uniformity).
- All sprayheads adjacent to hardscape paving shall be spaced 1 to 3 inches away from paving.
- Control valve wire shall be #14 single conductor white for the common wire, and #14 single conductor for the hot wire. Use red for the hot wire on all lawn control valve zones, green for "drip" zones and blue (2) as spares along the entire main service line. Spare wires shall be "home run" to the controller. All wiring shall be UL rated. All connections shall be made with water tight connectors, and contained in control valve boxes. Provide 36" extra wire length at each remote control valve in valve box. Install control wiring with service line where possible, taped to the underside of the pipe at regular intervals. Provide slack in control wires at all changes in direction.
- Contractor shall locate the irrigation controller per the Owner's direction. The 2" conduit from the controller to the nearest landscape area shall be installed by either irrigation or building electrical contractor.
- Install 3/4" manual drain valves at all low points along the main service lines. Use a 2 inch schedule 40 pvc sleeve over the valve with a valve marker cap. Install a two cubic foot gravel sump at the valve bottom.
- All sprinkler lines passing under paved and other hard surfaces shall be installed in schedule 40 pvc sleeves a minimum of two sizes larger than the pipe size to pass through it. The sleeve depth shall be the same as the deepest pipe to pass through.
- Upon completion of the installation, provide the Owner with a complete set of "As-Built" drawings showing any and all deviations from the original plans. It shall also show the locations of main service lines, control valves, wire routes, and manual drain valves.
- It shall be the responsibility of the sprinkler contractor to demonstrate to the Owner the proper winterization and start-up procedures for the entire system prior to final payment.
- The contractor shall comply with all state and local plumbing codes, and shall honor all warranties and guarantees set forth by the Owner.

General Notes

- The contractor shall verify the exact location of all existing and proposed utilities, and all site conditions prior to beginning construction. The contractor shall coordinate their work with the project manager and all other contractors working on the site.
- The contractor shall verify the exact location and size of the irrigation mainline stub, and the available water pressure at the point of connection. Any conflicts from what is shown on the plans shall be brought to the attention of the engineer for a resolution.
- The contractor shall be responsible for the installation of all irrigation sleeves under paving and other hard surface areas, whether shown on the plan, or required otherwise. This shall also include the installation of electrical conduit(s) from the controller location to the nearest planting area.
- The controller shall be hardwired to the available 110 volt power source, with all work being performed per state and local codes. The controller shall be located in a convenient location as determined by the Owner and site/building contractor.
- The contractor shall provide all materials, labor and equipment required for the proper completion of all irrigation work as specified and shown on the drawings.

Submittal Requirements

- The contractor shall provide to the Owner/Engineer product data sheets of all irrigation materials such as control valves, control wire, quick coupler valves, control valve boxes, controller(s), pvc piping, drip tube piping, drip emitters & backflow prevention devices in order to obtain approval to be used on the project, and prior to any shipment to the site. Failure to provide this in a timely manner will in no way affect or delay the construction schedule and time for project completion.
- All irrigation materials shall be located for the project a minimum of 60 days prior to shipment to the site. The contractor shall provide to the Owner/Engineer written confirmation of this a minimum of 30 days prior to beginning work on the project. No substitutions will be considered following this time period.

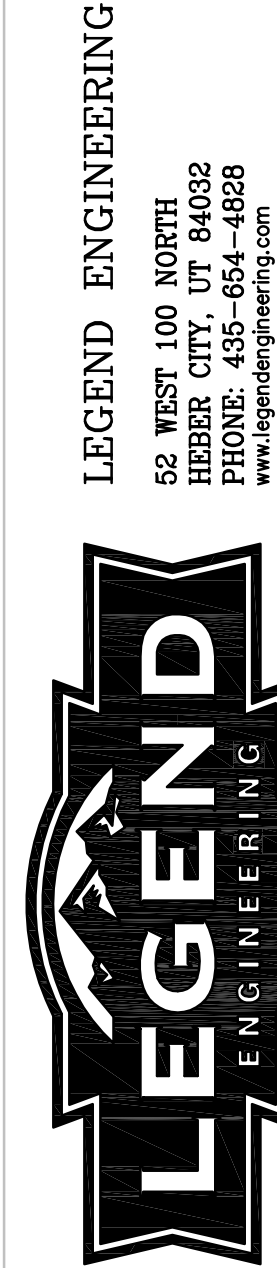
Sleeving Installation Notes

Contractor shall coordinate the installation of sleeving with the installation of concrete flatwork and paving, based upon the sizing guide below:

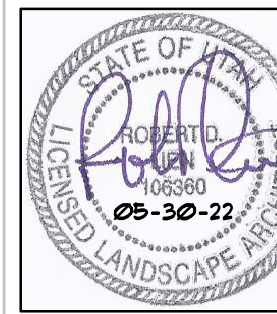
PIPE SIZE / WIRE QUAN.	REQUIRED SLEEVING
3/4" - 1 1/2" Piping	1-2" PVC Sleeve
1 1/2" - 2" Piping	1-4" PVC Sleeve
1-25 Control Wires	1-2" PVC Sleeve

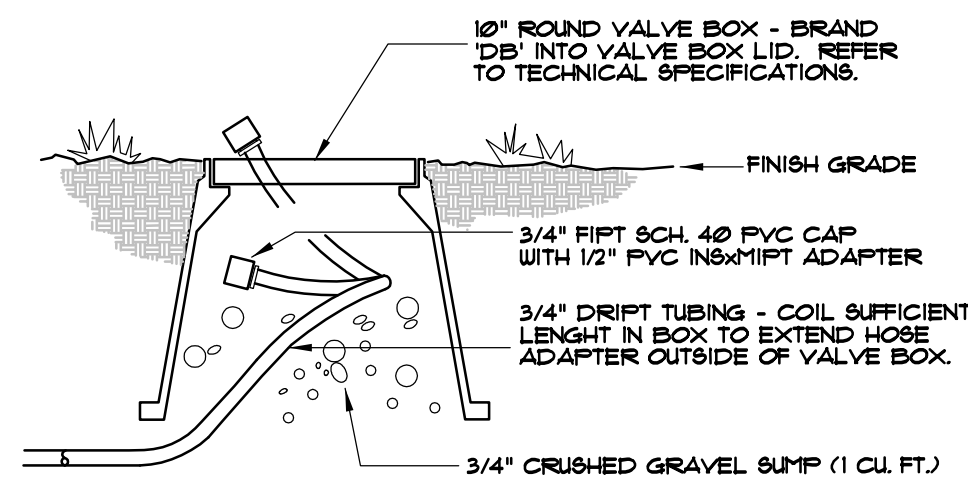
Pipe GPM Design Guide

Pipe Size	Water Flow (GPM)
(Velocities Not To Exceed 5 Feet/Second)	
1"	Size / No Mark 8 - 12 GPM
1 1/4"	Size / ● 12 - 22 GPM

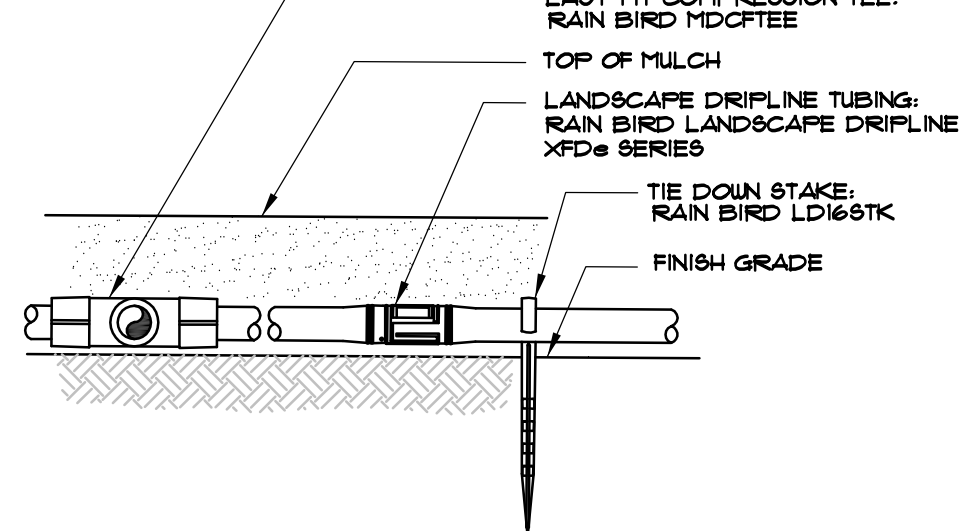


BLACK RIFLE COFFEE COMPANY
IRRIGATION PLAN
391 NORTH MAIN STREET, HEBER CITY, UTAH 84032

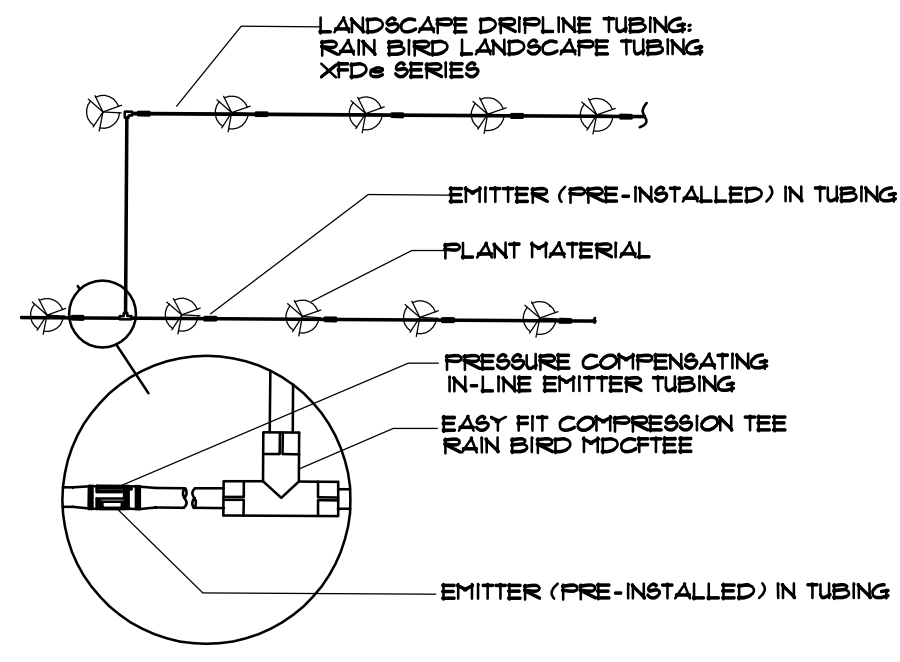




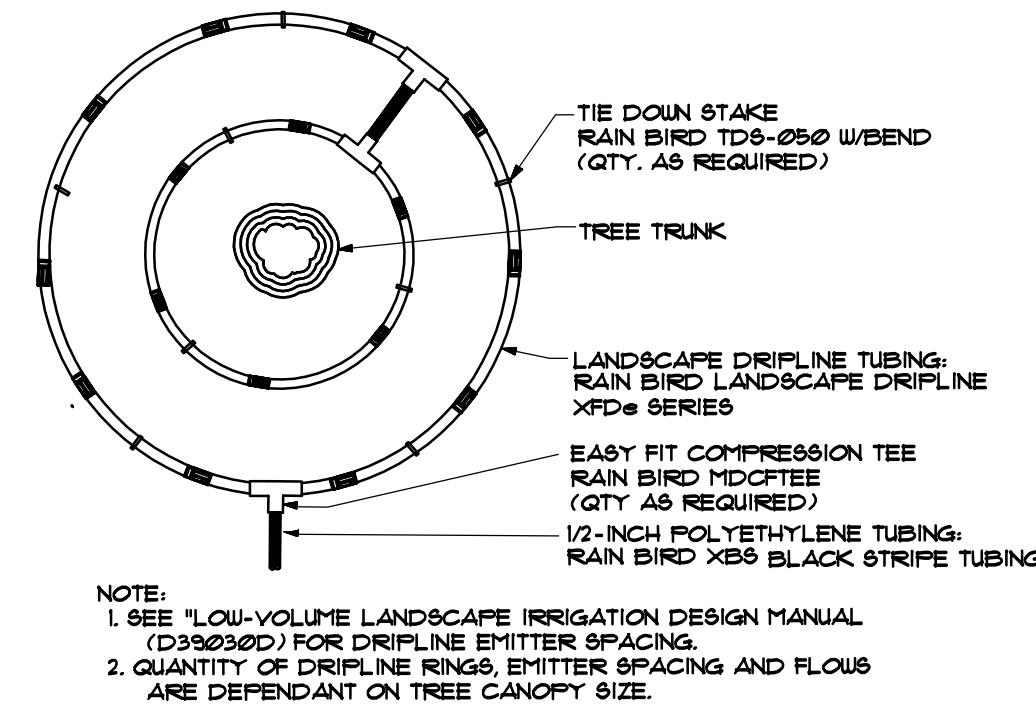
1 Compression Flush Cap
L-3 N.T.S.



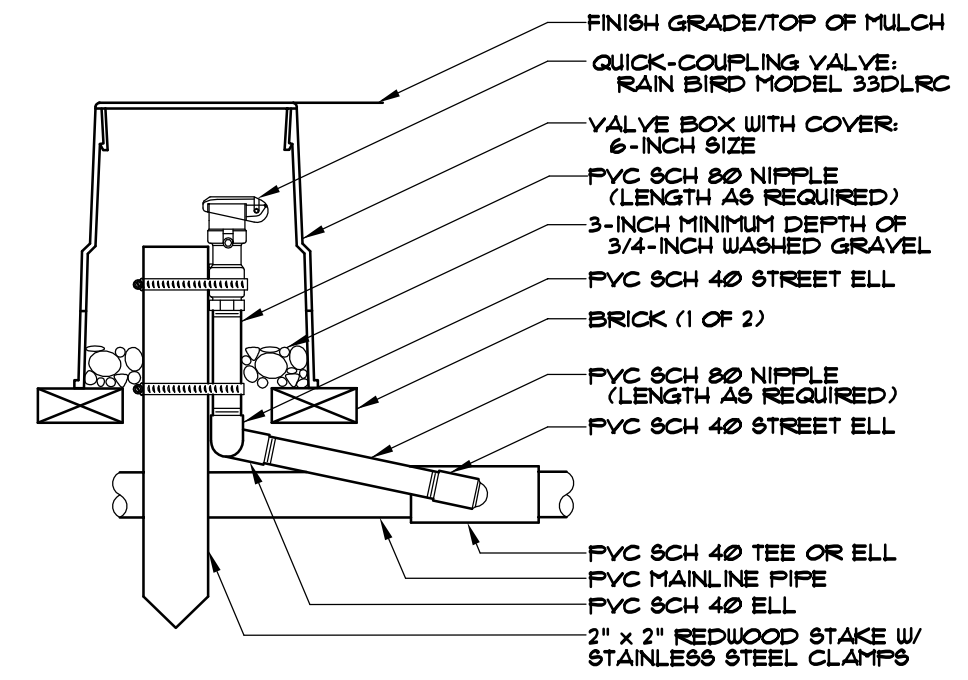
2 Dripline On Grade
L-3 N.T.S.



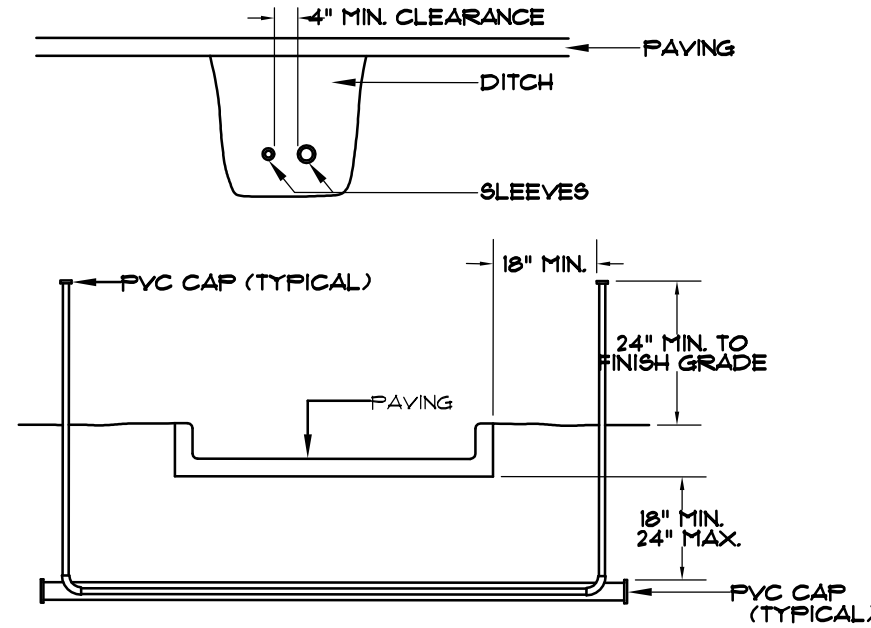
3 Dripline At Shrubs
L-3 N.T.S.



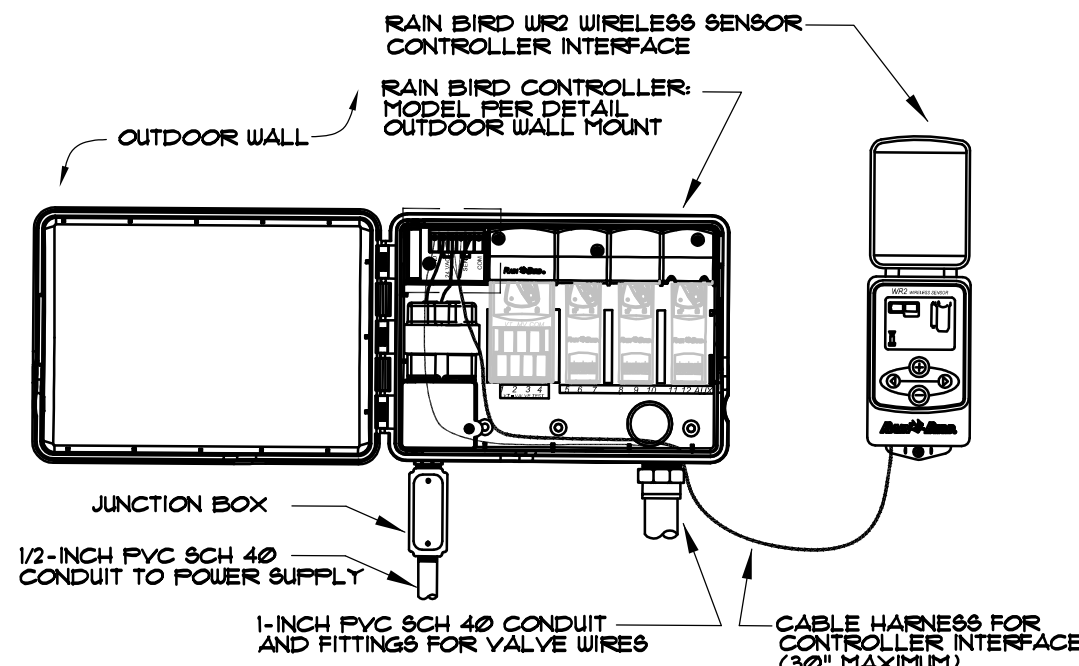
4 Dripline At Trees
L-3 N.T.S.



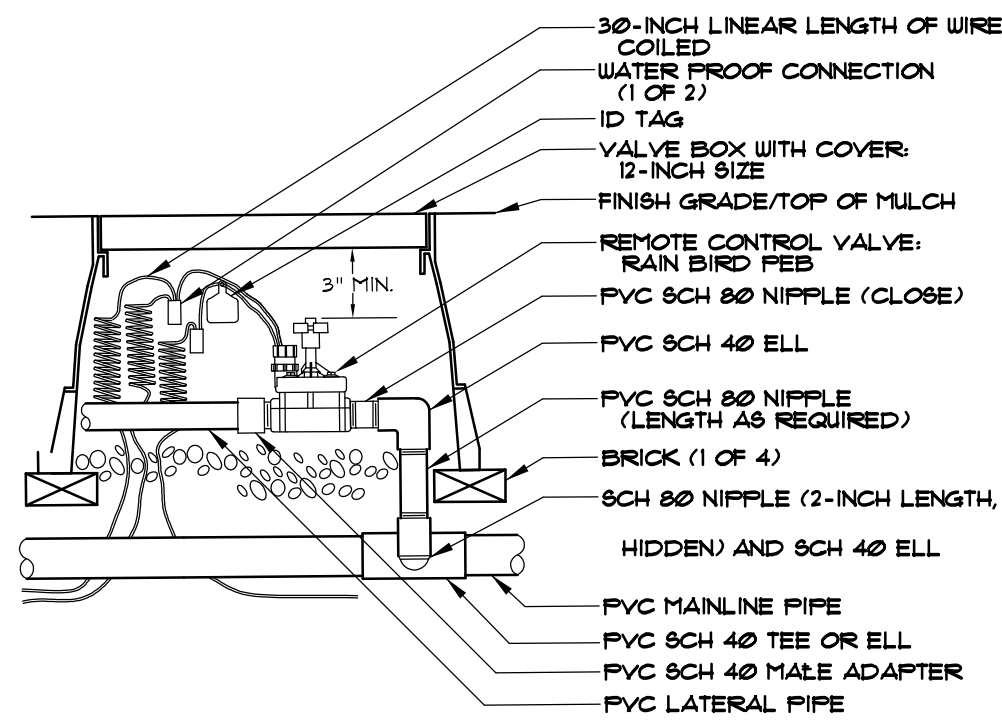
5 Quick Coupling Valve
L-3 N.T.S.



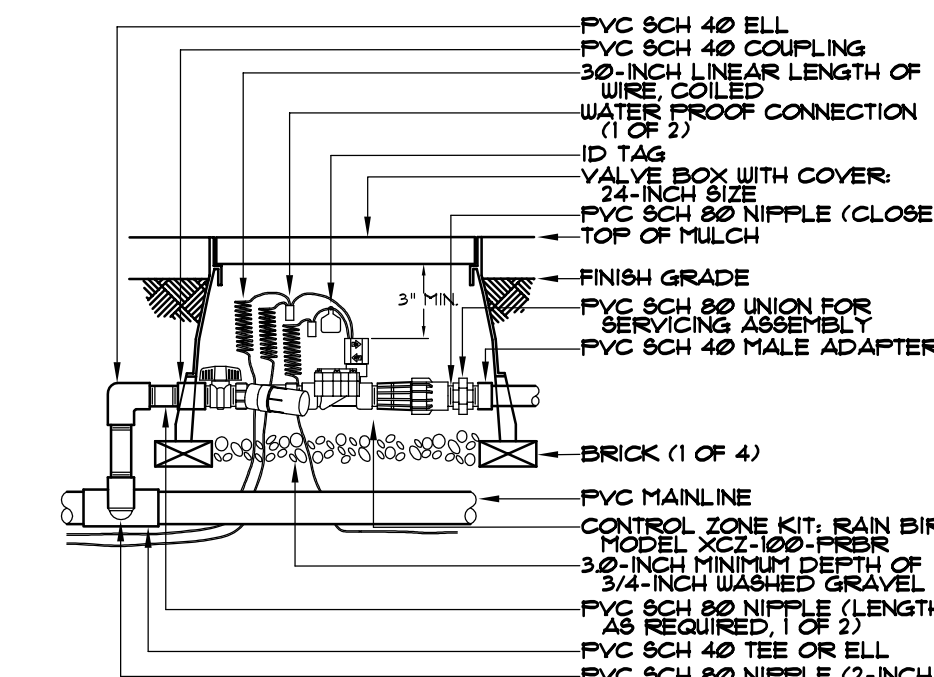
6 Sleeving
L-3 N.T.S.



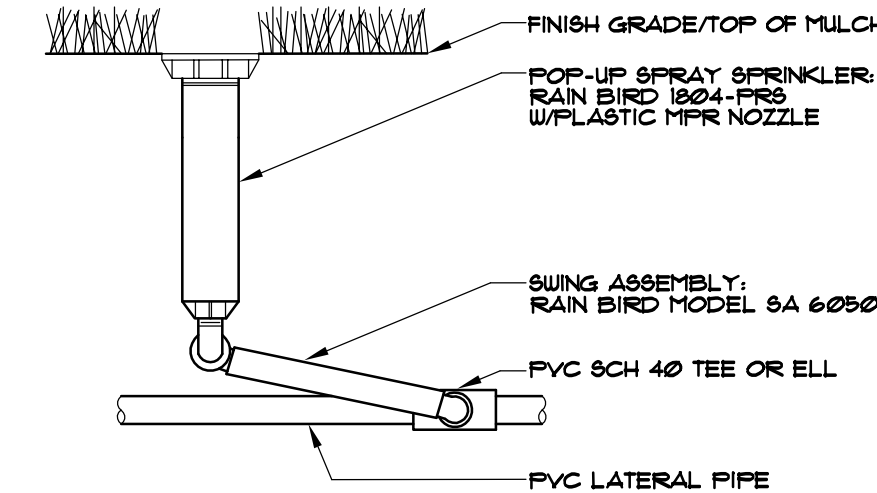
7 Wireless Rain Sensor
L-3 N.T.S.



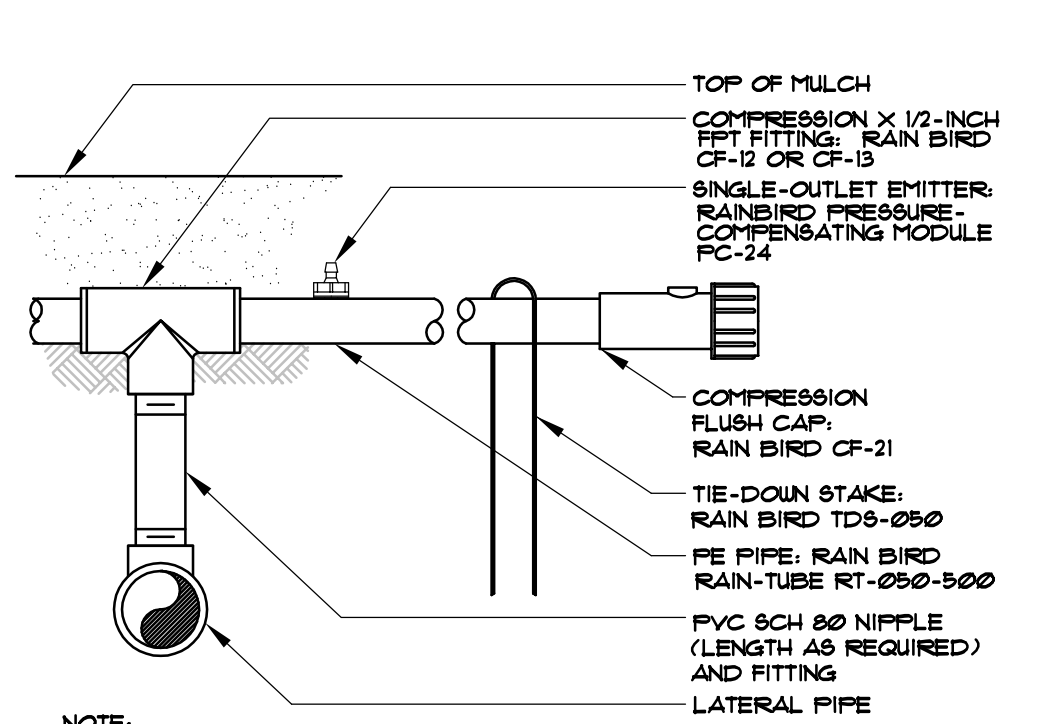
8 Remote Control Valve
L-3 N.T.S.



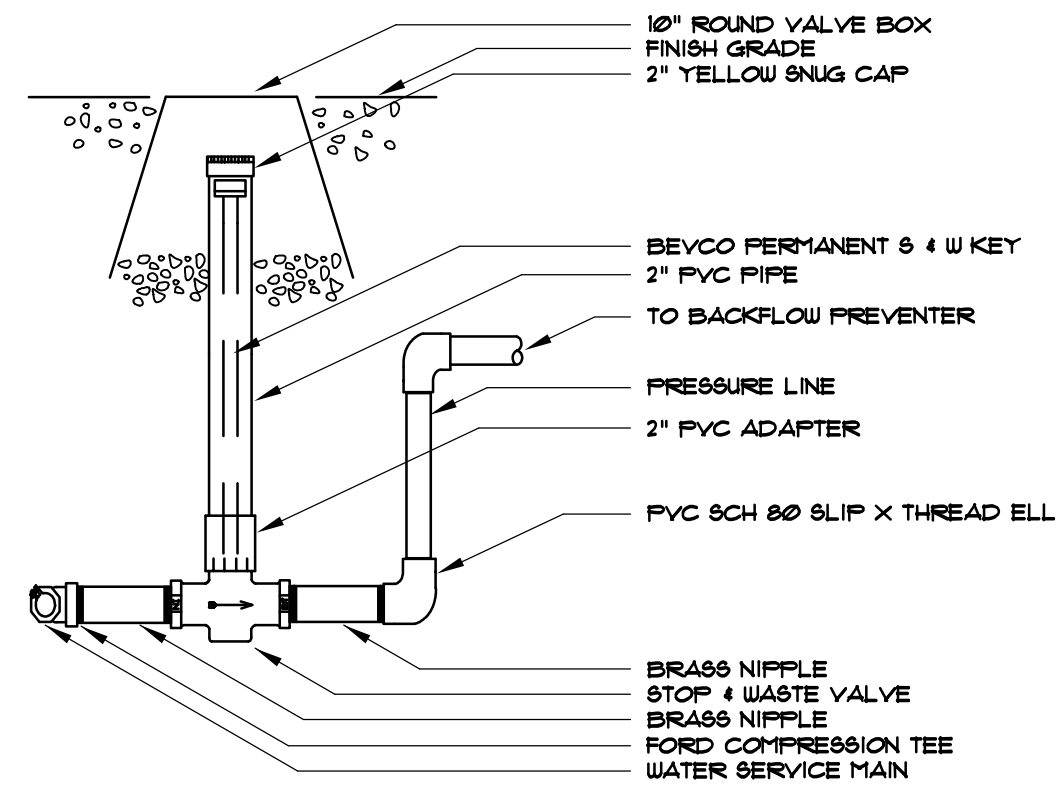
9 Xerigation Control Zone Kit
L-3 N.T.S.



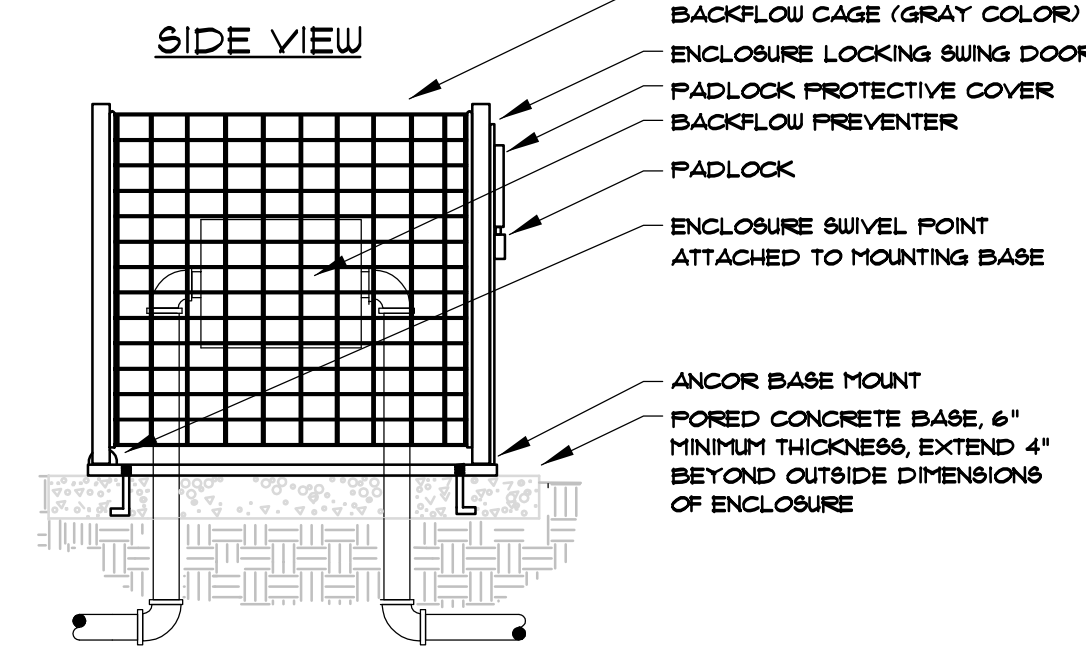
10 Pop-Up Spray Sprinkler
L-3 N.T.S.



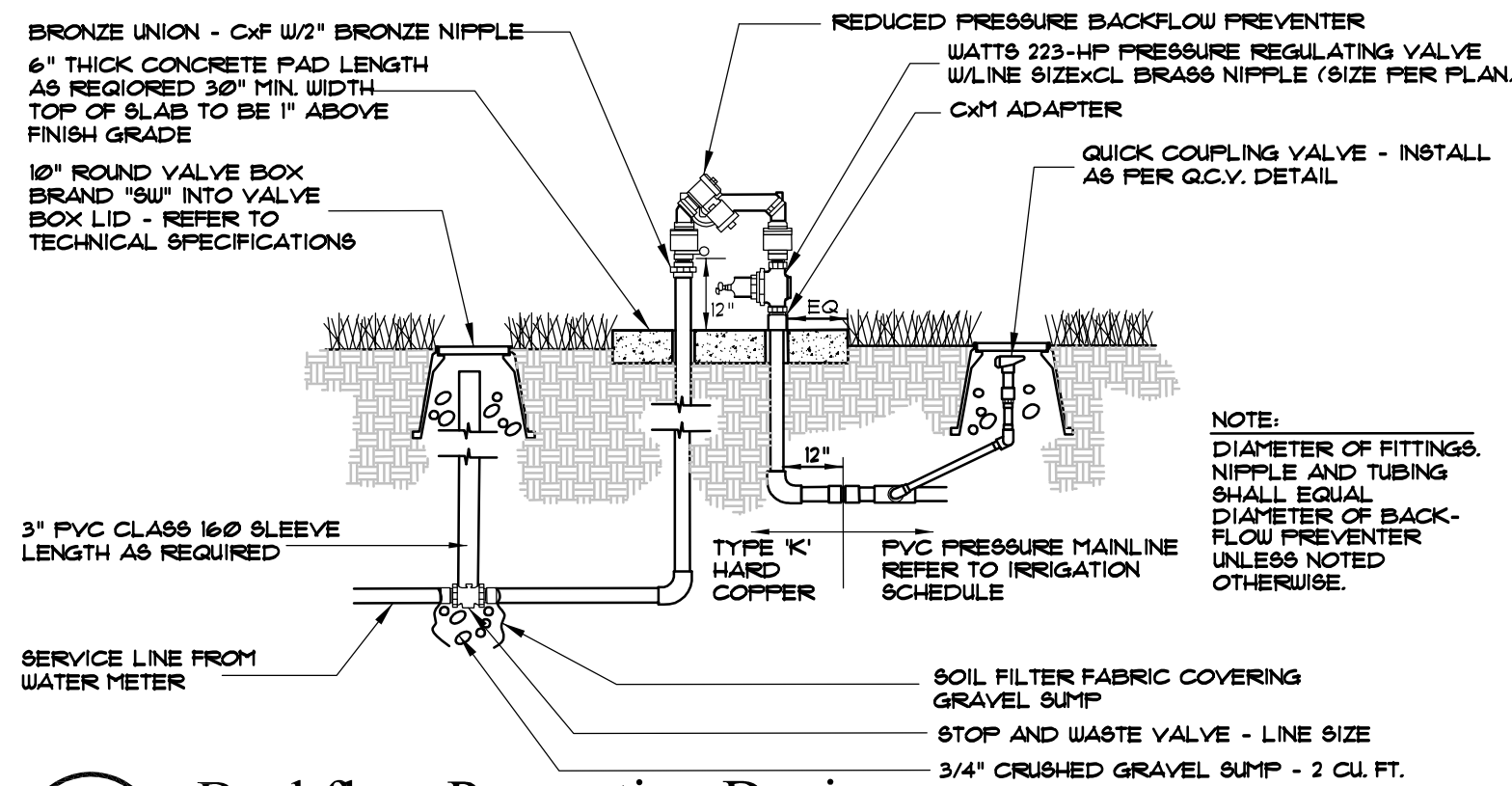
11 PVC To PE Pipe Connection
L-3 N.T.S.



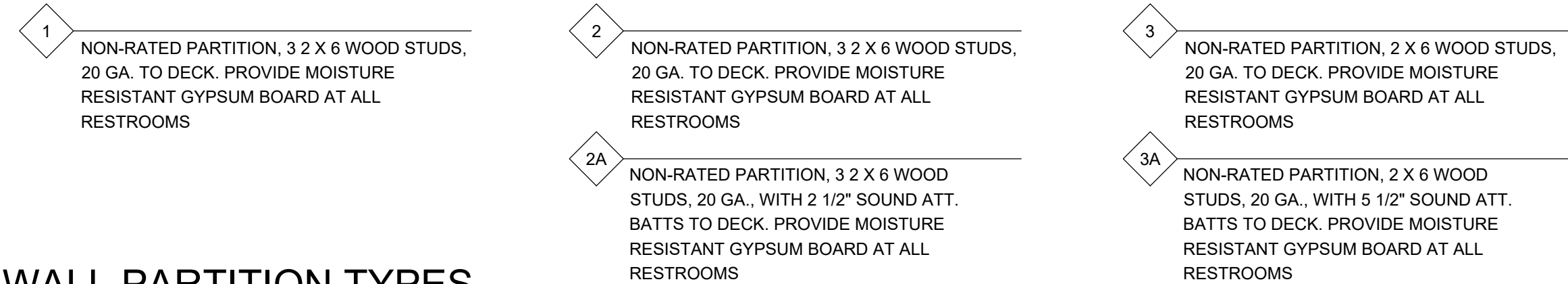
12 Stop & Waste Valve
L-3 N.T.S.



13 Backflow Preventer Enclosure
L-3 N.T.S.



14 Backflow Prevention Device
L-3 N.T.S.



SCALE: NTS



SCALE: 1/4" = 1'-0"

- A. G.C. SHALL NOT SCALE THESE DRAWINGS. IN THE EVENT OF OMISSION OF A NECESSARY DIMENSION, G.C. WILL NOTIFY ARCHITECT IMMEDIATELY BEFORE PROCEEDING.
- B. DIMENSIONS SHOWN ARE CLEAR DIMENSIONS FROM FACE OF STUD TO FACE OF STUD.
- C. G.C. SHALL ENSURE THAT FINAL CONSTRUCTION TO BE CLEANED TO "LIKE NEW" CONDITIONS BEFORE TURNED OVER TO BLACK RIFLE COFFEE COMPANY.
- D. THE G.C. SHALL BE RESPONSIBLE FOR ENSURING THAT ALL CONSTRUCTION IS IN COMPLIANCE WITH ALL LOCAL, STATE AND NATIONAL CODES GOVERNING THE CONSTRUCTION AND WITH THE AMERICANS WITH DISABILITIES ACT.
- E. G.C. TO PROVIDE AND INSTALL WOOD BLOCKING AT ALL WALL HUNG FIXTURES AND TOILET ACCESSORIES. RE: 701 FOR ATTACHMENT OF GRAB BARS.
- F. DOORS TO BE KEYLESS IN THE DIRECTION OF EGRESS.

1. INSTALL NEW FIRE EXTINGUISHERS AS REQUIRED BY LOCAL CODES. WHEN MOUNTING ADJACENT TO DOOR OPENING MAINTAIN 12" CLEAR TO DOOR OPENING FOR ADA COMPLIANCE. FINAL LOCATION, MOUNTING HEIGHT AND QUANTITY BY FIRE INSPECTOR. G.C. TO VERIFY FIRE MARSHAL REQUIREMENTS FOR INSPECTION AND TAGGING.
2. WALL MOUNTED TELEVISION. TOP OF SCREEN EQUAL TO TOP OF WINDOW FRAME.
3. KNEE WALL CONSTRUCTION UNDER SOLID SURFACE COUNTER. SEE 1 / A-511 FOR DETAILS AND ADDITIONAL MATERIALS .
4. OUTER EDGE OF SOLID SURFACE COUNTER TOP TO BE FLUSH WITH FACE OF GYPSUM BD.



erson Design Group 2022

A-101



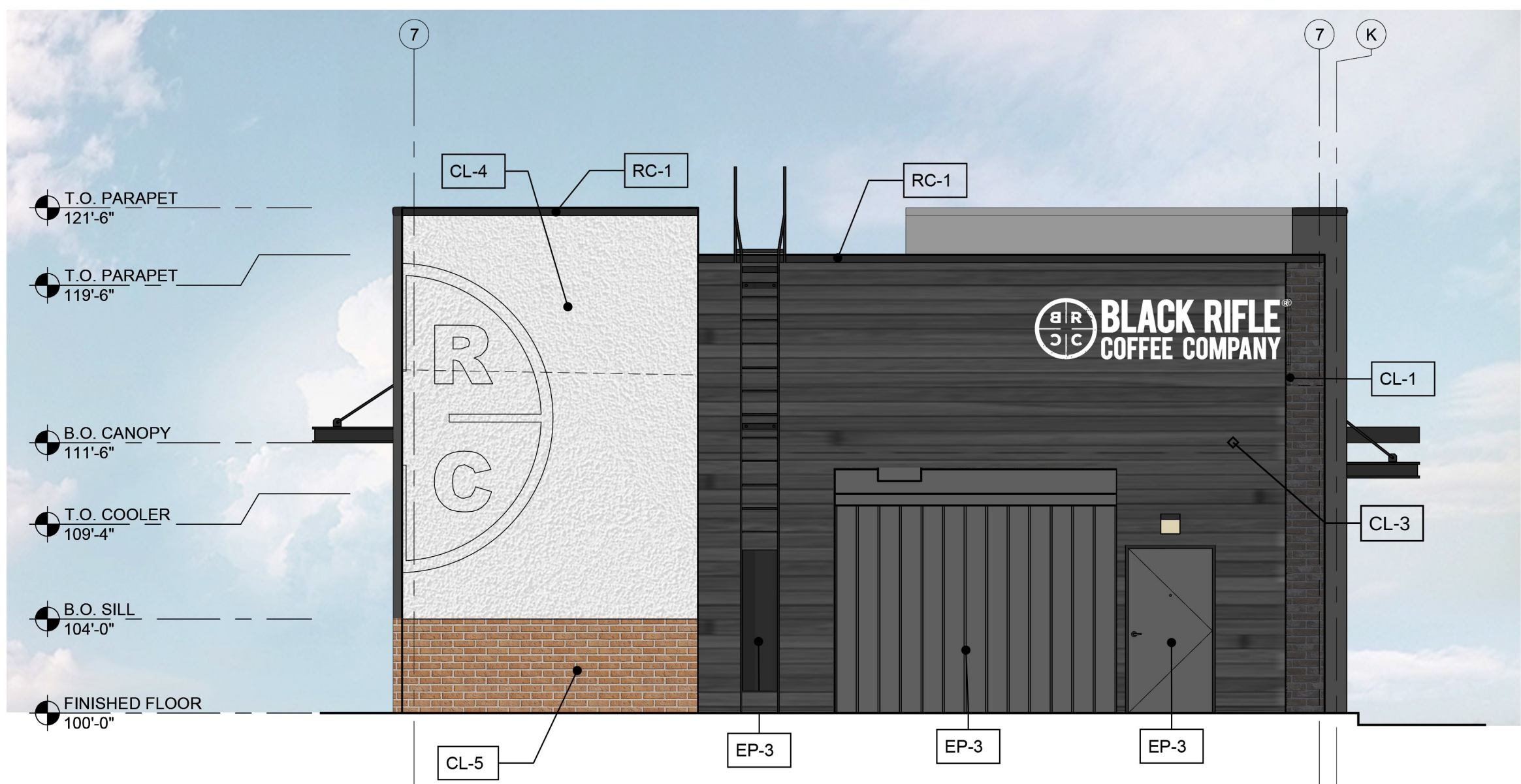
1 NORTH ELEVATION
A-601
SCALE: 3/16" = 1'-0"



2 SOUTH ELEVATION
A-601
SCALE: 3/16" = 1'-0"



3 WEST ELEVATION
A-601
SCALE: 3/16" = 1'-0"



4 EAST ELEVATION
A-601
SCALE: 3/16" = 1'-0"

EXTERIOR FINISH SCHEDULE					
	MARK	MATERIAL	MANUFACTURER	STYLE/COLOR	NOTES
WALL FINISHES	EP-1	EXTERIOR PAINT	SHERWIN WILLIAMS	COLOR: - SW 7005 PURE WHITE SHEEN: MATTE	FINISH PER MFR RECOMMENDATIONS. PRIMER: (1) COAT - FINISH COAT: (2) COATS A-100
	EP-2	EXTERIOR PAINT	SHERWIN WILLIAMS	COLOR: - SW 6258 TRICORN BLACK SHEEN: MATTER	FINISH PER MFR RECOMMENDATIONS. PRIMER: (1) COAT - FINISH COAT: (2) COATS A-100
	EP-3	EXTERIOR PAINT	SHERWIN WILLIAMS	COLOR: - SW 6258 TRICORN BLACK SHEEN: MATTER	FINISH PER MFR RECOMMENDATIONS. PRIMER: (1) COAT - FINISH COAT: (2) COATS PRO INDUSTRIAL ACRYLIC 866
	EP-4	EXTERIOR PAINT	SHERWIN WILLIAMS	COLOR: - SW 6258 TRICORN BLACK SHEEN: MATTER	FINISH PER MFR RECOMMENDATIONS. PRIMER: (1) COAT - FINISH COAT: (2) COATS PRO INDUSTRIAL ACRYLIC 866
	CL-1	BRICK PANELING	NICHIHA USA	STYLE: MODERNBRICK COLOR: MIDNIGHT FINISH	INSTALL NICHIHA PANELS PER MFR RECOMMENDATIONS. USE INSIDE AND OUTSIDE CORNERS WERE REQ'D , ALL REQ'D TRIM TO BE BLACK IN COLOR.
	CL-2	METAL FASCIA	PAC-CLAD	STYLE: HIGHLINE B1 24 GA COLOR: MATTE BLACK	VERTICAL INSTALLATION. INSTALL PER MFR RECOMMENDATIONS.
	CL-3	WOOD	NEWTECH WOOD	STYLE: FASCIA CLADDING COLOR:HAWAIIAN CHARCOAL	INSTALL PER MFR. RECOMMENDATIONS. RAIN-SCREEN APPLICATION METHOD TO BE USED. MITER CORNERS.
	CL-4	E.I.F.S.	DRYVIT OR APPROVED SUBSTITUTE	COLOR: #612 MOONLIGHT	INSTALL EIFS TO THICKNESS SPECIFIED ON WALL SECTIONS. INSTALL PER MFR. RECOMMENDATIONS.
	CL-5	BRICK PANELING	NICHIHA	STYLE: MODERNBRICK COLOR: ALEXANDRIA BUFF	INSTALL PER MFR. RECOMMENDATIONS
	SF-1	ALUMINUM STOREFRONT DOOR & FRAME	KAWNEER	COLOR: BLACK ANODIZED	INSTALL PER MFR. RECOMMENDATIONS
	SF-2	ALUMINUM STOREFRONT CENTER PANE GLAZING	KAWNEER	STYLE: TRIFAB 451 COLOR: BLACK ANODIZED	INSTALL PER MFR. RECOMMENDATIONS
	RC-1	METAL ROOF COPING	ROOF MFR.	STYLE: MATCH ROOF SYSTEM COLOR: BLACK	INSTALL PER MFR. RECOMMENDATIONS. IF BLACK IS UNAVAILABLE, G.C. MAY SUBSTITUTE DARK BRONZE, CONFIRM WITH ARCHITECT BEFORE PURCHASE.
	MR-1	MEMBRANE ROOFING SYSTEM	DURO-LAST	STYLE: 40 MIL SINGLE-PLY PVC ROOFING MEMBRANE COLOR: WHITE	INSTALL PER MFR. RECOMMENDATIONS.
REFER TO A-611 FOR INTERIOR FINISH SCHEDULE AND SPECIFICATIONS					

- GENERAL NOTES
- SIGNAGE BY OTHERS UNDER SEPARATE PERMIT.
 - G.C. SHALL COORDINATE ALL POWER SIGNAL & BLOCKING REQUIREMENTS WITH OTHERS.
 - G.C. TO INSTALL ACCESS PANELS ON INTERIOR WALL BEHIND SIGN AREA TO ALLOW SIGN INSTALLER TO WIRE THE SIGN.
 - PROVIDE EIFS REVEALS AS REQ'D BY MANUFACTURER.

- KEYED NOTES
- BRCC LOGO TO BE 1" OFFSET FROM FRONT OF E.I.F.S. FINISH. PAINT INTERIOR OF LOGO EP-2. OUTER CIRCLE TO BE CENTERED ON VERTICAL HEIGHT OF E.I.F.S.
 - PRE-ENGINEERED MTL. CANOPIES. CONFIRM INSTALLATION WITH SHOP DRAWINGS AND NOTIFY ARCHITECT OF ANY DISCREPANCIES.
 - SCUPPERS & DOWNSPOUTS ARE TO BE PAINTED BLACK EP-3.
 - EXTERIOR WALK-IN COOLER/FREEZER TO BE SUPPLIED BY KITCHEN VENDOR. G.C. TO COORDINATE W/ ICS ON INSTALLATION. WALK-IN TO BE PRE-FINISHED W/ CLIENT STANDARD COLOR.
 - ROOF LADDER W/ PARAPET RETURN. REF: 9/A-503
 - G.C. TO ADD REQUIRED BLOCKING FOR SIGNAGE
 - GRAPHICS TO BE PROVIDED BY BRCC. G.C. TO INSTALL GRAPHICS AT 4'-0" A.F.F AND CENTERED ON NICHIHA HORIZONTALLY

EXTERIOR WALL MATERIAL AREA SCHEDULE		
NAME	AREA (SF)	AREA (%)
BRICK VENEER	1,455.75	41
E.I.F.S.	853.71	24
METAL FASCIA	899.26	25
WOOD SIDING	347.89	10
TOTAL	3,556.61	100

LDG

Larson Design Group

1000 COMMERCE PARK DRIVE
SUITE 201
WILLIAMSPORT, PA 17701
(877) 323-6603

BLACK RIFLE COFFEE COMPANY

BLACK RIFLE COFFEE COMPANY
355 SPENCER LANE
SAN ANTONIO, TX 78201

CLIENT

SEAL

MARK

DATE

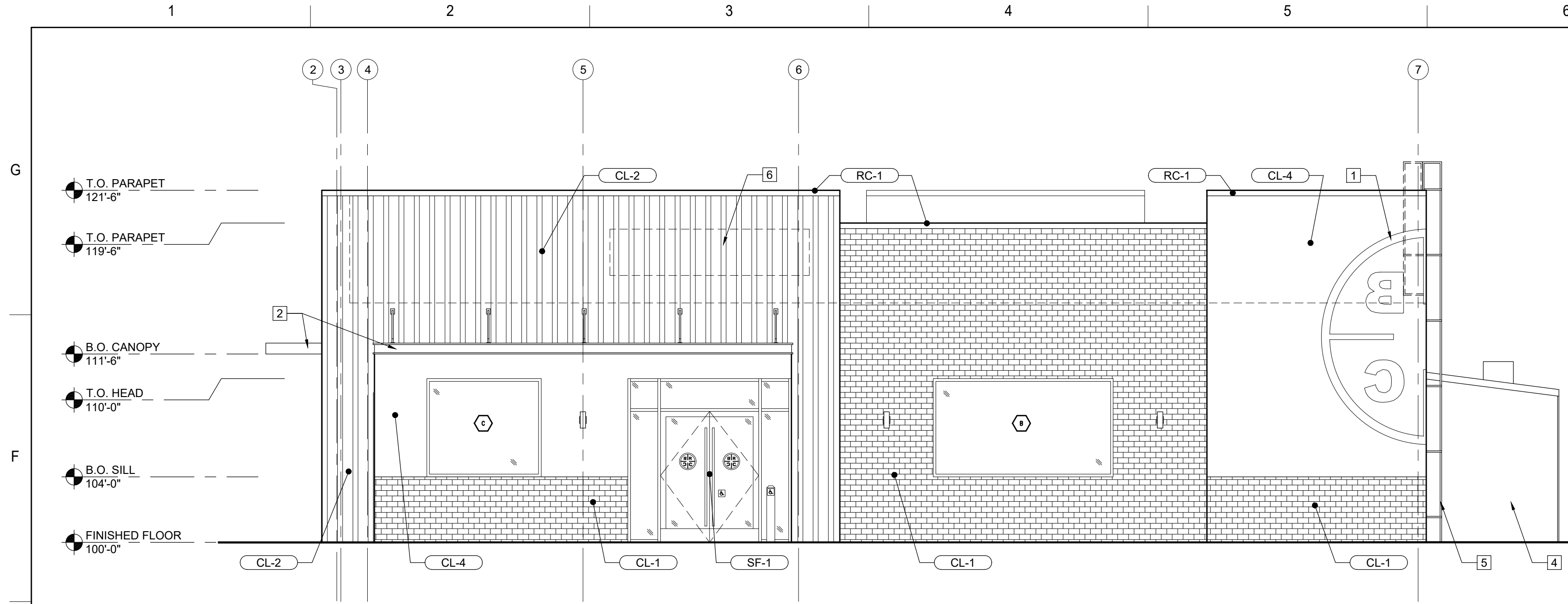
COMMENTS

BLACK RIFLE COFFEE COMPANY - HEBER CITY, UTAH
391 NORTH MAIN STREET, HEBER CITY, UT 84032

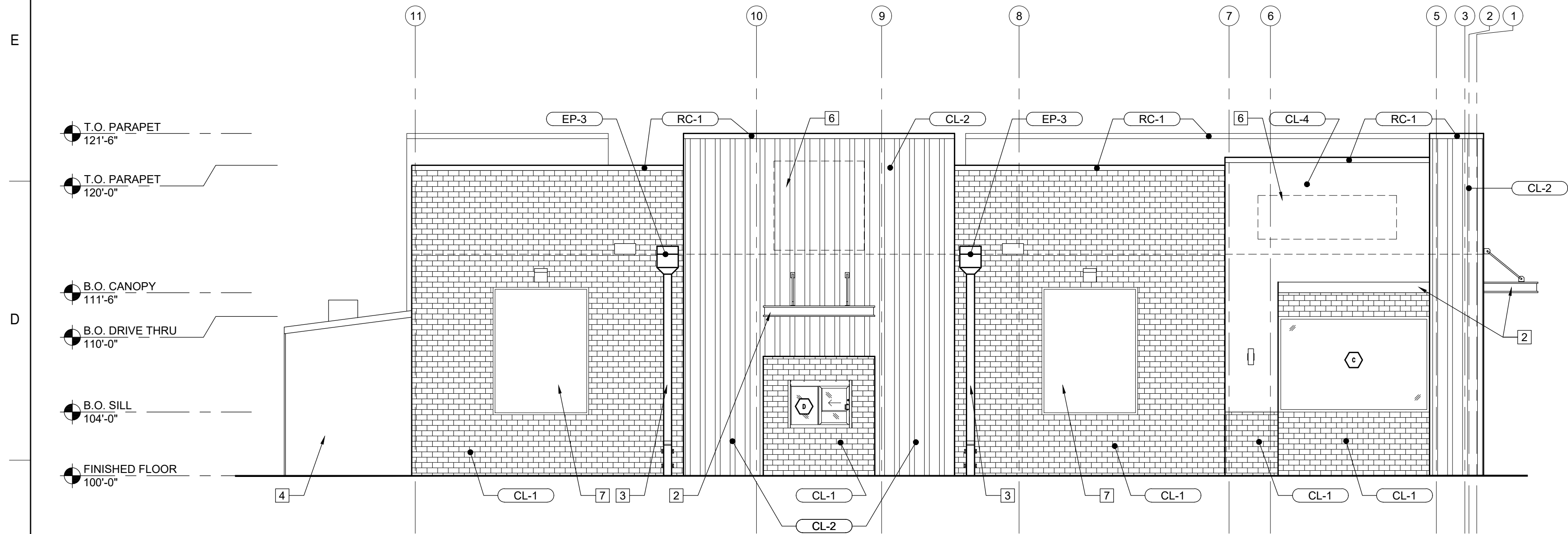
Project No.: 12940-00x
Sheet No.: A-601

EXTERIOR ELEVATIONS

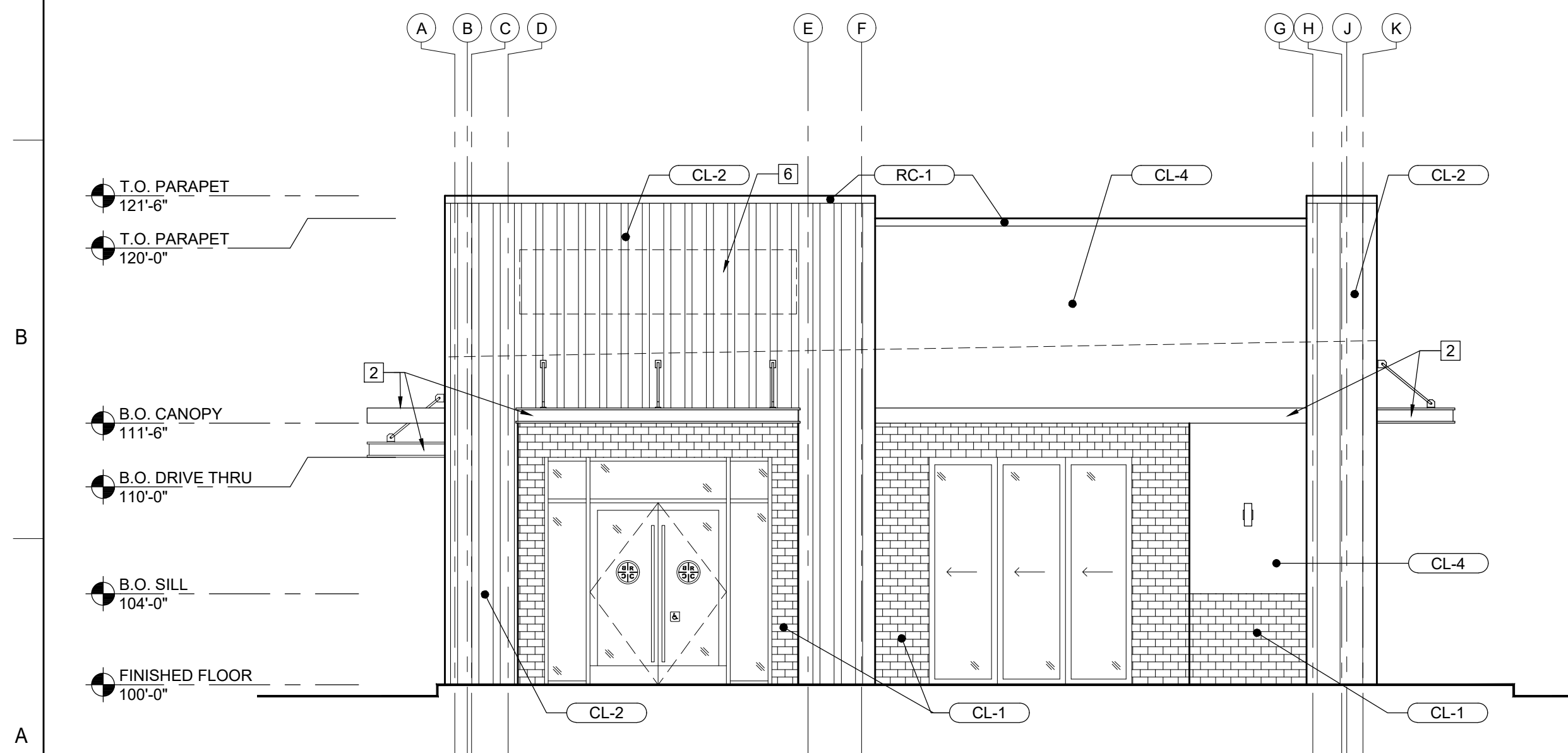
© Larson Design Group 2022



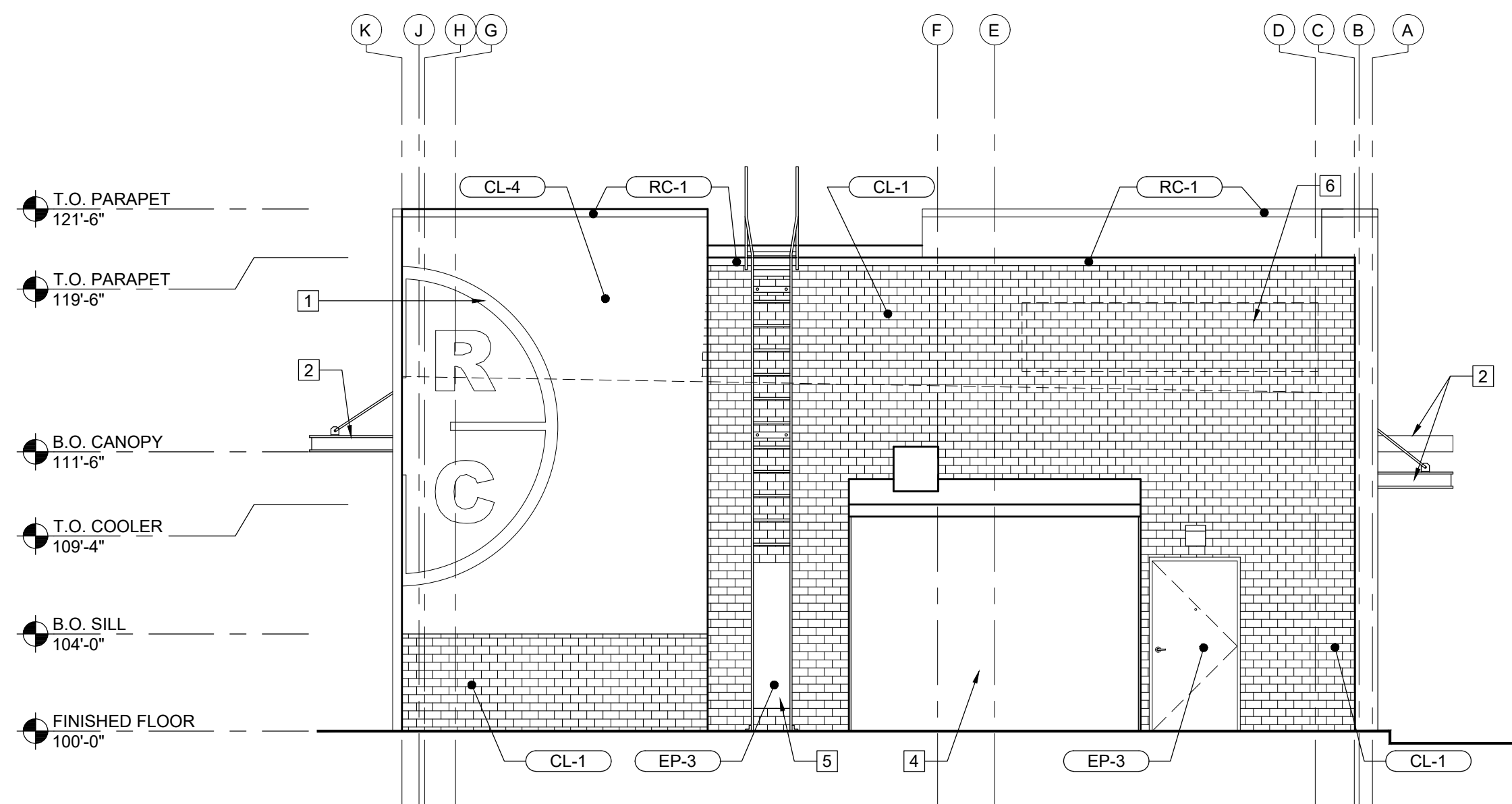
1 FRONT ELEVATION
SCALE: 3/16" = 1'-0"



2 REAR ELEVATION
SCALE: 3/16" = 1'-0"



3 LEFT ELEVATION
SCALE: 3/16" = 1'-0"



4 RIGHT ELEVATION
SCALE: 3/16" = 1'-0"

EXTERIOR FINISH SCHEDULE					
	MARK	MATERIAL	MANUFACTURER	STYLE/COLOR	NOTES
WALL FINISHES	EP-1	EXTERIOR PAINT	SHERWIN WILLIAMS	COLOR: - SW 7005 PURE WHITE SHEEN: MATTE	FINISH PER MFR RECOMMENDATIONS. PRIMER: (1) COAT - FINISH COAT: (2) COATS A-100
	EP-2	EXTERIOR PAINT (FOR EIFS)	SHERWIN WILLIAMS	COLOR: - SW 6258 TRICORN BLACK SHEEN: MATTER	FINISH PER MFR RECOMMENDATIONS. PRIMER: (1) COAT - FINISH COAT: (2) COATS A-100
	EP-3	EXTERIOR PAINT (FOR METAL)	SHERWIN WILLIAMS	COLOR: - SW 6258 TRICORN BLACK SHEEN: MATTER	FINISH PER MFR RECOMMENDATIONS. PRIMER: (1) COAT - FINISH COAT: (2) COATS PRO INDUSTRIAL ACRYLIC 866
	EP-4	EXTERIOR PAINT (FOR WOOD)	SHERWIN WILLIAMS	COLOR: - SW 6258 TRICORN BLACK SHEEN: MATTER	FINISH PER MFR RECOMMENDATIONS. PRIMER: (1) COAT - FINISH COAT: (2) COATS PRO INDUSTRIAL ACRYLIC 866
	CL-1	BRICK PANELING	NICHIHA USA	STYLE: MODERNBRICK COLOR: MIDNIGHT FINISH	INSTALL NICHIHA PANELS PER MFR RECOMMENDATIONS. USE INSIDE AND OUTSIDE CORNERS WERE REQ'D. ALL REQ'D TRIM TO BE BLACK IN COLOR.
	CL-2	METAL FASCIA	PAC-CLAD	STYLE: HIGHLINE B1 24 GA COLOR: MATTE BLACK	VERTICAL INSTALLATION. INSTALL PER MFR RECOMMENDATIONS.
	CL-3	WOOD	TREX	STYLE: TRANSCEND SQUARE EDGE DECK BOARDS COLOR: HAVANA GOLD	INSTALL PER MFR. RECOMMENDATIONS. RAIN-SCREEN APPLICATION METHOD TO BE USED. MITER CORNERS.
	CL-4	E.I.F.S.	DRYVIT OR APPROVED SUBSTITUTE	COLOR: #612 MOONLIGHT	INSTALL EIFS TO THICKNESS SPECIFIED ON WALL SECTIONS. INSTALL PER MFR. RECOMMENDATIONS.
	RC-1	METAL ROOF COPING	ROOF MFR.	STYLE: MATCH ROOF SYSTEM COLOR: BLACK	INSTALL PER MFR. RECOMMENDATIONS. IF BLACK IS UNAVAILABLE, G.C. MAY SUBSTITUTE DARK BRONZE, CONFIRM WITH ARCHITECT BEFORE PURCHASE.
	MR-1	MEMBRANE ROOFING SYSTEM	DURO-LAST	STYLE: 40 MIL SINGLE-PLY PVC ROOFING MEMBRANE COLOR: WHITE	INSTALL PER MFR. RECOMMENDATIONS.
REFER TO A-302 FOR INTERIOR FINISH SCHEDULE AND SPECIFICATIONS					

GENERAL NOTES	
A.	SIGNAGE BY OTHERS UNDER SEPARATE PERMIT.
B.	G.C. SHALL COORDINATE ALL POWER SIGNAL & BLOCKING REQUIREMENTS WITH OTHERS.
C.	G.C. TO INSTALL ACCESS PANELS ON INTERIOR WALL BEHIND SIGN AREA TO ALLOW SIGN INSTALLER TO WIRE THE SIGN.
D.	PROVIDE EIFS REVEALS AS REQ'D BY MANUFACTURER.

KEYED NOTES	
1.	BRCC LOGO TO BE 1" OFFSET FROM FRONT OF E.I.F.S. FINISH. PAINT INTERIOR OF LOGO EP-2. OUTER CIRCLE TO BE CENTERED ON VERTICAL HEIGHT OF E.I.F.S.
2.	PRE -ENGINEERED MTL. CANOPIES. CONFIRM INSTALLATION WITH SHOP DRAWINGS AND NOTIFY ARCHITECT OF ANY DISCREPANCIES.
3.	SCUPPERS & DOWNSPOUTS ARE TO BE PAINTED BLACK EP-3.
4.	EXTERIOR WALK-IN COOLER/FREEZER TO BE SUPPLIED BY KITCHEN VENDOR. G.C. TO COORDINATE W/ ICS ON INSTALLATION. WALK-IN TO BE PRE-FINISHED W/ CLIENT STANDARD COLOR.
5.	ROOF LADDER W/ PARAPET RETURN. REF: 9/A-503
6.	G.C TO ADD REQUIRED BLOCKING FOR SIGNAGE
7.	GRAPHICS TO BE PROVIDED BY BRCC. G.C TO INSTALL GRAPHICS AT 4'-0" A.F.F AND CENTERED ON NICHIHA HORIZONTALLY

EXTERIOR WALL MATERIAL AREA SCHEDULE		
NAME	AREA (SF)	AREA (%)
BRICK VENEER	1,650.97	41
E.I.F.S.	853.71	21
METAL FASCIA	1,051.93	26
STOREFRONT/GLAZING	466.16	12
TOTAL	4,022.77	100



Larson Design Group
1000 COMMERCE PARK DRIVE
SUITE 201
WILLIAMSPORT, PA 17701
(877) 323-6603



BLACK RIFLE COFFEE COMPANY
355 SPENCER LANE
SAN ANTONIO, TX 78201

CLIENT

SEAL MAY 11, 2022

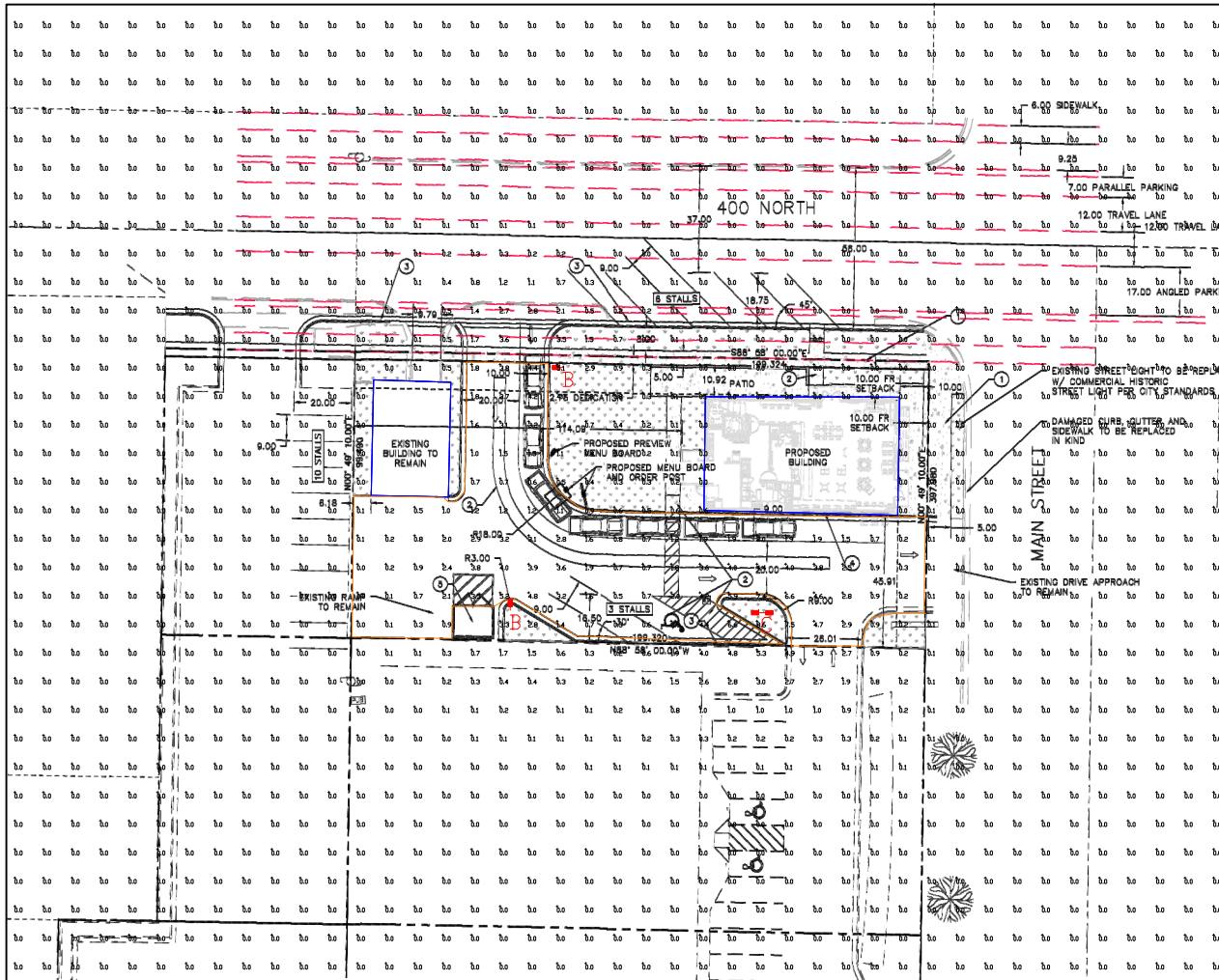
PERMIT SUBMISSION		COMMENTS	
MARK	DATE		

BLACK RIFLE COFFEE COMPANY - HEBER CITY, UTAH
391 NORTH MAIN STREET, HEBER CITY, UT 84032

Project No.: 12940-00x

Sheet No.:

A-601



Light fixtures to be
3,000 Kelvin per
Heber City Code.

100,000 LUMENS PER ACRE=0.45 ACRE=45,000 LUMENS
9,308 LUMENS*4 FIXTURES=37,322 LUMENS

Calculation Summary						
Label	CalcType	Units	Avg	Max	Min	Avg/Min
PAVED AREA	Illuminance	Fc	2.09	7.4	0.0	N/A

PHOTOMETRIC EVALUATION
NOT FOR CONSTRUCTION

Drawing scaled or converted from PDF file or scanned / submitted image. Dimensions are approximate.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in luminaire and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted. Fixture nomenclature noted does not include mounting hardware or poles. This drawing is for photometric evaluation purposes only and should not be used as a construction document or as a final document for ordering product.

Luminaire Schedule									
Symbol	Qty	Label	Arrangement	Description	LLD	LDD	LLF	Arr. Lum. Lumens	Arr. Watts
	2	B	SINGLE	MRS-LED-09L-SIL-FT-50-70CRI-SINGLE-16' MH	1,000	1,000	1,000	9308	63
	1	C	D180°	MRS-LED-09L-SIL-FT-50-70CRI-D180-16' MH	1,000	1,000	1,000	18616	126

Total Project Watts: 1
Total Watts = 252



LIGHTING PROPOSAL LD-155867-2

BLACK REPLE COPYEE
FOR NORTH MAIN STREET
HEBER CITY, UT

06/04/2020 06/04/2020

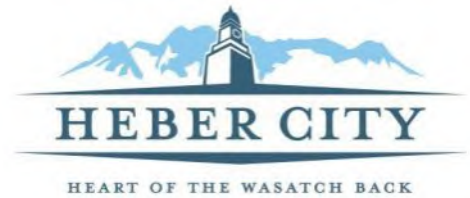
0 20

SCALE: 1"=20'

SHEET 1 OF 1

Planning Commission Staff Report

MEETING DATE: June 14, 2022
SUBJECT: College Downs Annexation
RESPONSIBLE: Anthony L. Kohler
DEPARTMENT: Planning Department
STRATEGIC RELEVANCE: Petitioner Requested
Legislative Action



SUMMARY

The City has received a petition for the College Downs Annexation. The proposed annexation contains 20.35 acres, encompassing the petitioner's property (18.53 acres and a small sliver of UVU's property (1.82 acres). The proposed annexation is contiguous to the City limits, bounding the North Village Annexation to the North, East and South. The remainder of UVU's property are proposed for annexation with the North Village Annexation.

The policy questions include the following:

- Should the City approve the College Downs Annexation?
- Does the annexation comply with the Annexation Policy Plan, General Plan and North Village Overlay Zone?
- What conditions should the City impose upon the annexation?

RECOMMENDATION

Staff recommends the Planning Commission discuss the proposed annexation petition, the recommended conditions of approval, and provide a recommendation of approval to the City Council for the proposed College Downs Annexation Petition.

BACKGROUND

The process thus for the annexation includes the following:

1. January 14, 2022: Notice of Intent to submit annexation petition
2. February 4, 2022: Annexation Petition submitted.
3. March 1, 2022: City Council acceptance of annexation petition.
4. March 14, 2022: Petition Certification by City Recorder.
5. March 14 - April 14, 2022: Protest Period.
6. May 12, 2022: Development Review Committee.
7. June 14, 2022: Planning Commission Review

The next step for annexation is a review and recommendation from the Planning Commission. The Planning Commission's primary responsibilities are to review the proposed annexation for conformance to the Annexation Policy Plan, General Plan and North Village Overlay Zone (NVOZ) and recommend potential conditions of approval.

DISCUSSION

The City's General Plan Land Use Map identifies the future land use of the property as UV Village, a high intensity mixed use zone surrounding and including the UVU Campus. The current development proposal includes 38 Townhomes, 220 flats and 8,000 square feet of commercial area on 18.53 acres. As proposed with Wasatch County, the development contains 11.12 ERUs per acre. The City's UV zoning permits 6 ERUs per acre, and the developer is proposing 8.42 ERUs per acre, which is less than the proposal in the County and more than permitted by the City's UV Zone. This is a point that will need to be negotiated with the City Council as part of the annexation process.

The table below analyzes the proposed development in context with the policies of the Annexation Policy Plan.

Annexation Checklist		
Status	Initial Submittal Requirements	Notes
Complete	Copy of letter submitted to County and affected property owners of intent to annex.	<i>Letter of intent submitted prior to submittal of annexation petition.</i>
Complete	Annexation Petition signed by owners of majority of area and at least 1/3 value of area.	<i>The annexation only includes College Downs property.</i>
Complete	Map drafted by Licensed Surveyor	<i>See attached annexation map.</i>
Complete	Development Concept	<i>See attached concept.</i>
Annexation Process Policies		
Complete	Annexation conformance with Utah Code Title 10, Part 4.	<i>Annexation certified as meeting Utah Code by City Recorder.</i>
Complete	Involve affected entities during annexation process.	<i>Certification notice and protest notice sent to County & SSD.</i>
Complete	Planning Commission shall review annexation.	<i>June 14, 2022</i>
Condition	County water process followed.	<i>Development will be conditional on conforming to County water process.</i>
TBD	Annexation agreement relating to plans, services, transportation, zoning, power company and utilities	<i>Condition of approval for negotiation with City Council in MDA.</i>
Mapping Policies		
Complete	Annexation shall be contiguous to itself and to Heber City.	<i>Annexation certified by City Recorder, contingent upon completion of North Village Annexation.</i>
Complete	Island/peninsula not created unless County and City agree.	<i>Annexation certified as meeting Utah Code by City Recorder.</i>
Complete	Development shall avoid development of critical lands.	<i>Proposed development avoids jurisdictional wetlands. Development places ditch into a culvert. Existing trees proposed to be removed. Condition of approval for negotiation with City Council in MDA: 1) working with canal company on ditch relocation; 2) provide replacement open space area; 3) storm water compliance with City policy underway; 4) geotechnical issues mitigated for shallow groundwater, non-engineered fills and creek/ditch.</i>
Complete	Compliance with General Plan	<i>Compliant.</i>
Complete	Annexation has density near those in adjoining areas.	<i>Compliant. Development is part of the University Village Center with anticipated high density housing and commercial area.</i>

Annexation Checklist		
Complete	Annexation boundaries follow ownership, topography, natural features, local district, special service district, school district and other taxing entity boundaries.	<i>Follows Annexation Policy Plan.</i>
Complete	Annexation eliminates islands and peninsulas not receiving municipal-type services.	N/A
Complete	Annexation boundaries consolidate overlapping functions of local government.	N/A
Complete	Annexation boundaries promote efficient delivery of service.	N/A
Complete	Annexation boundaries encourage equitable distribution of community resources and obligations.	N/A
Condition.	Annexation includes both sides of a street.	<i>Condition of approval to include Highway 40 Right of Way in annexation description.</i>
Complete	Major streets remain within one community.	N/A
TBD	Analysis of need for dedication of streets, water, sewer, irrigation, storm drain, parks, trails, fire & police stations, schools sites, etc.	<i>Condition of approval for negotiation with City Council. See Capital Facilities Plan for Transportation and Storm Water and trail along canal and highway.</i>
Financial Impact Policies		
Complete	Annexation revenues exceed costs.	<i>See submitted financial analysis.</i>
Complete	Exaction or related fees based on rough proportionality to city and county costs.	N/A
N/A	Petitioners bear cost for Heber Light & Power to acquire other provider's facilities.	<i>No power services on the property. Transmission lines are located along highway frontage.</i>
Complete	No impact to Special Service District Services.	<i>Property intended to be served by NVSSD for sewer, water and irrigation.</i>
Complete	Other intangible benefits.	<i>Condition of approval for negotiation with City Council.</i>

Pros to approving the proposed annexation include: 1) the ability to negotiate lower density than proposed in the county; 2) assurance of implementing the City's Transportation, Storm Water, North Village Overlay Zone and General Plan; 3) financial benefits; 4) job and housing creation for the UVU campus; and 5) Heber City controlling land uses along its primary entrance.

Cons: none identified.

FISCAL IMPACT

The proposed development will create jobs, and provide commercial property tax and sales tax, resulting in a positive impact to the City's budget of \$219,604 per year to the City's budget.

CONCLUSION

1. The proposed College Downs Annexation is:
 - a) A part of the North Village Town Center as espoused by Envision Heber 2050;
 - b) Consistent with the Heber City Annexation Policy Plan;
 - c) Consistent with the Heber City General Plan; and
 - d) Consistent with the North Village Overlay Zone (NVOZ).

2. The College Downs development furthers the implementation of the goals and policies espoused in the Envision Heber 2050 General Plan by:
 - a. Promoting quality neighborhoods;
 - b. Promoting a town center and gathering place;
 - c. Promoting the creation of quality outdoor recreation, parks and trails;
 - d. Protecting open space and rural character;
 - e. Promoting jobs and economic development;
 - f. Promoting the creation of moderate income housing; and
 - g. Promoting housing for college students and workers.
3. Consistent with other North Village annexations approved by Heber City, the College Downs Annexation should include a Master Development Agreement (MDA) containing provisions that address:
 - a. Moderate Income Housing;
 - b. Commercial timing;
 - c. North Fields Preservation Fee of \$2,500 per ERU;
 - d. Building Height;
 - e. Density;
 - f. Student Housing;
 - g. Fiber Optic Service;
 - h. Open space and trails, storm water and transportation master plans;
 - i. Street access;
 - j. Conformance to the NVSSD water policy; and
 - k. Planning and Engineering staff report issues.

ALTERNATIVES

1. Recommend approval as proposed
2. Recommend approval as amended
3. Continue
4. Recommend denial

POTENTIAL MOTIONS

Staff Recommended Option – Approve

I move to **RECOMMEND APPROVAL** of the proposed College Downs Annexation as presented, with the findings and conditions as presented in the conclusion above.

Alternative 2 – Approve as Amended

I move to **RECOMMEND APPROVAL** of the proposed College Downs Annexation with the findings and conditions as presented in the conclusion above, with the following changes:

Alternative 3 – Continue

I move to **CONTINUE** consideration of the College Downs Annexation to another meeting on [DATE], with direction to the applicant and/or Staff on information and / or changes needed to render a decision, as follows:

Alternative 4 – Deny

I move to **RECOMMEND DENIAL** of the proposed College Downs Annexation with the following findings.

ACCOUNTABILITY

Department: Planning Department
Staff Member: Anthony L. Kohler

EXHIBITS

Exhibit 1: Engineering Report
Exhibit 2: Annexation Petition
Exhibit 3: Annexation Narrative
Exhibit 4: College Downs Renderings
Exhibit 5: Landscape Concept
Exhibit 6: Site Plan & ERU Calculations
Exhibit 7: Heber City Zoning Analysis
Exhibit 8: Physical Constraints Map
Exhibit 9: Storm Drain Analysis
Exhibit 10: Preliminary Wasatch County Plan
Exhibit 11: Fiscal Analysis
Exhibit 12: Impact Fee Estimate
Exhibit 13: Wetlands
Exhibit 14: Geotechnical Study
Exhibit 15: Annexation Plat
Exhibit 16: Annexation Policy Plan
Exhibit 17: Power Point Presentation for College Downs Annexation

Exhibit 1

May 16, 2022

Heber City Corporation
Attn: Russell Funk P.E.
75 North Main
Heber City, Utah 84032

Subject: Collage Downs Annexation - Engineering Review

Dear Russ:

Horrocks Engineers recently reviewed the submittals for the approximately 17-acre Collage Downs annexation located immediately northeast of the existing UVU campus and Collage Way access on US40. The following items need to be addressed with any recommendation for approval and are subject to further amendment as additional information is brought to our attention and discussed.

General

1. An MDA or annexation agreement needs to be prepared prior to approval. The agreement needs to specify that Heber City's Construction Standards and Specifications, and all Federal, State, and Local rules are to be followed for all development, including periodic updates and revisions to these standards. It also needs to outline specific circumstances relating to services, transportation, and any issues identified by the City during the annexation process.
2. Capital Facilities Plans (CIP) and impact fee analysis for the area must be completed. These are currently being prepared by the City and will show any major projects that will need to be constructed as part of developing the area, along with recommended impact fees. Potential impact fees include Streets, Storm Drain, Public Safety, Parks/Trails, etc. The annexation agreement will need to obligate the development to participate in the improvements and fees identified in these master plans once they are adopted.
3. Coordination will need to occur between the development and Heber City, North Village Special Service District (NVSSD), Wasatch County Fire District, Wasatch School District, Heber Light & Power, Central Utah Water Conservancy District (CUWCD), North Fields Irrigation, and other utility companies during the annexation and development process to ensure each entity's needs in the annexation area are planned for and addressed. The annexation agreement needs to include provisions requiring each entity to acknowledge their commitment and ability to provide their respective services and note any associated needs or conditions.
4. This annexation falls within the North Village Overlay Zone (NVOZ) and will need to follow the guidelines set forth in the overlay plan.
5. Easements or right-of-way dedication for the Wasatch and Timpanogos Canals, trails, and public roads serving or running through the annexation area may be required.

Environmental

1. The Frontier 3/31/21 Preliminary Wetlands Assessment report suggests that there are no wetlands on the site under the Army Corp of Engineers jurisdiction. However, this needs to be confirmed with a wetland delineation or a written confirmation from the Army Corp. The main area of concern identified in the report, and the City's Parks and Trails Master Plan is immediately east of US40 on the west side of the annexation area.
2. An Environmental report will be needed during the project Preliminary design process identifying any environmental concerns or restrictions for development. The report will assess Historic Properties, Air Quality, Cultural, Water Quality etc. as described in City Code 17.20.020.N.3

3. The GSH 9/8/21 Geotechnical report needs to be expanded to include discussion and recommendations on soil corrosiveness, permanent slopes, collapsible soils, landslides or other geological hazards, and/or other soil concerns for the annexation area. The recommended pavement cross sections in the report need to be expanded to include a public road cross section and consider the impact of construction equipment.
4. Shallow groundwater recommendations in the GSH geotechnical report need to be incorporated into the project design and noted on any applicable plats.

Streets

1. UDOT needs to be consulted regarding accesses proposed for this annexation and respective development. All requirements made by UDOT will need to be met such as acceleration / deceleration lanes, right-of-way dedications, and/or signal lights that may be required.
2. A traffic report is needed for development proposed in the annexation area. The report needs to be consistent with Heber City's North Village Transportation Master Plan and incorporate recommendations into the development design. Traffic volumes, stacking, access, and level of service issues with Hwy 40 and the Collage need to be addressed.
3. The North Village Transportation Master Plan shows a north/south Neighborhood Connector road running through the middle of the project. This is proposed as a public Minor Collector road and may require the project to be reconfigured so that parking does not obstruct the flow of traffic. Currently it is shown as a public and private road on different drawings.
4. Collage Way on the south of the project is currently shown as a private road owned by UVU on County mapping.
 - a. If it remains a private road, an agreement with UVU allowing access will be needed.
 - b. If it becomes a public road, the right-of-way will need to be acquired, dedicated to the City, and the road improved to City standards.
5. Street B (University Ave) is a proposed public road on the north side of the project. This right-of-way will need to be acquired, dedicated to the City, and the road constructed.
6. The location of access points into the development and within need to be reviewed and approved by the City and Fire District.

Parks and Trails

1. Trails planned in the annexation area include the two City master planned public trails. One along the Wasatch Canal and the other adjacent to US40. The easements, right-of-way, and or encroachment permits for these trails need to be obtain and transferred to the City. Private trails also need to be determined with the Planning Department.
2. A 50-150 foot easement or dedication is required along the east side of US40 for the trail and open space buffer as required by the NVOZ.
3. The community's proposed green space, park spacing, size, level of service, and amenities to be approved by the Planning Department.

Storm Water

1. Storm water will be administered by the City in the public right-of-way. Private development will be responsible for storm water within the development. Storm water for public and private roadways should remain separate unless the private development proposes to maintain the public systems. A storm water agreement needs to be developed outlining City and private development storm water responsibilities in the annexation area.
2. A storm water report for development is needed that is consistent with the City's North Village Storm Water Master Plan and Storm Water Design Manual. The study needs to show the

- proposed storm water collection and retention system, along with calculations for volumes and discharges for the development.
3. Storm water within the annexation area needs to follow all Heber City policies and requirements to ensure that no downstream property owners are negatively affected. These policies and requirements are anticipated to significantly increase in the near future when the City is designated an MS4 community.
 4. Low Impact Development (LID) methods such as smaller, more frequent retention / detention facilities, biofilters, and hydrodynamic separators need to be incorporated into the design for the development.
 5. It is anticipated that no developed flow discharges will be allowed to cross US40 into the North Fields to the west.
 6. Any emergency overflow points along the Wasatch Canal need to be identified and accommodated through the development to avoid flooding.

Water and Irrigation

1. North Village Special Service District (NVSSD) will provide water and irrigation service to this area. Their Water Master Plan needs to be reviewed and information provided to demonstrate how the area will be serviced with culinary water. The District will need to confirm their ability and intent to provide water and irrigation service to the proposed development and annexation area through feasibility and will serve letters.
2. Secondary water or pressurized irrigation for outdoor irrigation needs to be planned within the development where NVSSD determines it is feasible.
3. Water right ownership and acquisition must meet NVSSD's requirements and policies. Evidence must be provided to Heber City that sufficient water rights are available to meet the needs of the proposed development. Responsibility for water right change applications need to be determined. Any change applications must be approved prior to submission to NVSSD for development approval.
4. The McDonald Ditch runs north and south through the middle of the annexation area and is proposed to be relocated and piped. This ditch is the responsibility of the North Fields Irrigation Company and will require their approval.

Sewer

1. NVSSD will be providing sewer service to this area. Their Sewer Master Plan needs to be reviewed and information provided to demonstrate how the area will be serviced. The District will need to confirm their ability and intent to provide sewer service to the proposed development and annexation area through feasibility and will serve letters.
2. Any existing septic systems need to be eliminated.

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

HORROCKS ENGINEERS


Bart Mumford, P.E.

cc: Wright Development Group
Heber Planning Department

Exhibit 2

PETITION FOR ANNEXATION INTO HEBER CITY

Annexation Name: College Downs

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: 3100 N HWY 40, Wasatch County, UT 84032
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:	20.35 acres	
b. Total private property acreage within annexation:	18.53	
c. Petitioner's acreage within annexation:	15.18 acres	82% % of Total Private Area
d. Total Assessed Land Value within annexation:	\$7,000,000	
e. Petitioner's Assessed Land Value within annexation	&7,000,000	near 100% % of Total Value

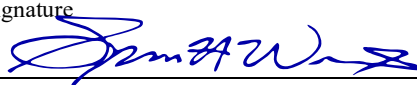
8. This petition does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted;
9. This petition does not propose annexation of all or a part of an area proposed to be incorporated in a request for a feasibility 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: College Downs

Petitioner 1

Petitioner Name WDG COLLEGE DOWNS LLC – Spencer Wright	Phone Number 801.773.7339
Mailing Address 1178 W Legacy Crossing Blvd Ste. 100 Centerville, UT 84014	Email Address spencer@wrightdevelopment.com
Parcel Numbers 00-0020-8333, 00-0020-8334, 00-0020-8335	
Signature 	Date 14jan2022

Petitioner 2

Petitioner Name	Phone Number
Mailing Address	Email Address
Parcel Numbers	
Signature	Date

NOTICE

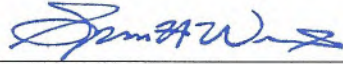
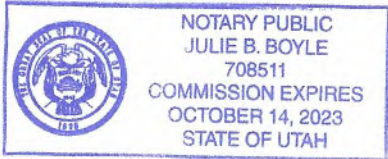
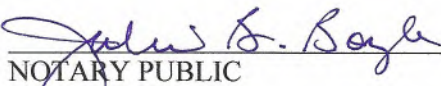
There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election. If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting 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.

has been certified.

PETITION SPONSOR 5

Designate at least one but not more than five of the signers of this petition as Sponsors. 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.

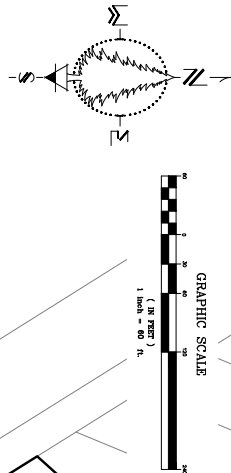
Petitioner Name WDG COLLEGE DOWNS LLC – Spencer Wright	Phone Number 801.773.7339
Mailing Address 1178 W Legacy Crossing Blvd Ste. 100 Centerville, UT 84014	Email Address spencer@wrightdevelopment.com
Parcel Numbers 00-0020-8333, 00-0020-8334, 00-0020-8335	

ENTITY: <u>WDG COLLEGE DOWNS LLC</u>	
By: <u></u> Name/Title: _____	
STATE OF <u>Utah</u>)) : ss. COUNTY OF <u>Davis</u>)	
On this <u>14</u> day of <u>January</u> , <u>2022</u> personally appeared before me the above named:	
<u>✓</u> 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.	
	<u></u> NOTARY PUBLIC
My Commission Expires: <u>10-14-2023</u>	

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



SURVEYOR'S CERTIFICATE

I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 6654112, AS PRESCRIBED UNDER TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS, ACTING UNDER THE SUPERVISION OF THE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS OF THE STATE OF UTAH. THE ABOVE DESCRIBED PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE TRACT OF LAND TO BE ANNEXED INTO HEBER CITY, WASATCH COUNTY, UTAH.

DESCRIPTION

BEGINNING AT A POINT LOCATED NORTH 00°30'00" WEST ALONG THE SECTION LINE 123.85 FEET AND WEST 120.64 FEET TO THE CORNER OF THE SECTION 16, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, THENCE NORTH 120.64 FEET TO THE HEBER CITY BOUNDARY AS SHOWN ON THE NORTH VALLEY ANNEXATION PLAT, THENCE TWO CORNERS, 1. NORTH 42°02'11" EAST 223.86 FEET, 2. NORTH 89°51'09" EAST 48.00 FEET, 3. SOUTH 42°15'28" EAST 71.50 FEET, 4. ALONG THE ARC OF A 463.93 FOOT RADIUS CURVE TO THE LEFT 66.76 FEET (CHORD A 226.54 FOOT RADIUS CURVE TO THE LEFT 67.65 FEET (CHORD BEARS SOUTH 35°07'46" EAST 166.60 FEET), 5. SOUTH 25°49'31" EAST 80.79 FEET, 6. ALONG THE ARC OF A 234.73 FOOT RADIUS CURVE TO THE LEFT 109.51 FEET (CHORD BEARS SOUTH 31°09'17" EAST 108.02 FEET), 7. SOUTH 30°03'49" EAST 17.11 FEET, 8. ALONG THE ARC OF A 94.88 FOOT RADIUS CURVE TO THE LEFT 74.84 FEET (CHORD BEARS SOUTH 61°19'17" EAST 72.44 FEET), 9. SOUTH 63°34'45" EAST 55.03 FEET, 10. ALONG THE ARC OF A 180.00 FOOT RADIUS CURVE TO THE RIGHT 39.75 FEET (CHORD BEARS SOUTH 63°34'45" EAST 55.03 FEET), 11. SOUTH 30°03'49" EAST 17.11 FEET, 12. ALONG THE ARC OF A 94.88 FOOT RADIUS CURVE TO THE LEFT 74.84 FEET (CHORD BEARS SOUTH 61°19'17" EAST 72.44 FEET), 13. SOUTH 63°34'45" EAST 55.03 FEET, 14. ALONG THE ARC OF A 180.00 FOOT RADIUS CURVE TO THE RIGHT 39.75 FEET (CHORD BEARS SOUTH 63°34'45" EAST 55.03 FEET), 15. NORTH 39°04'45" EAST 134.19 FEET, 16. SOUTH 00°28'04" EAST 215.78 FEET, 17. SOUTH 22°22'27" WEST 108.62 FEET, 18. NORTH 50°59'17" WEST 229.73 FEET, 19. ALONG THE ARC OF A 180.00 FOOT RADIUS CURVE TO THE RIGHT 39.75 FEET (CHORD BEARS NORTH 50°59'17" WEST 229.73 FEET), 20. NORTH 00°30'00" WEST 120.64 FEET TO THE POINT OF BEGINNING.

AREA = 20.25 ACRES

HEBER CITY ENGINEER

APPROVED AS TO FORM ON THIS _____ DAY OF _____ 20__

HEBER CITY RECORDER

APPROVED AS TO FORM ON THIS _____ DAY OF _____ 20__

HEBER CITY RECORDER

APPROVED AS TO FORM ON THIS _____ DAY OF _____ 20__

HEBER CITY MAYOR

APPROVED AS TO FORM ON THIS _____ DAY OF _____ 20__

HEBER CITY PLANNING COMMISSION

APPROVED AS TO FORM ON THIS _____ DAY OF _____ 20__

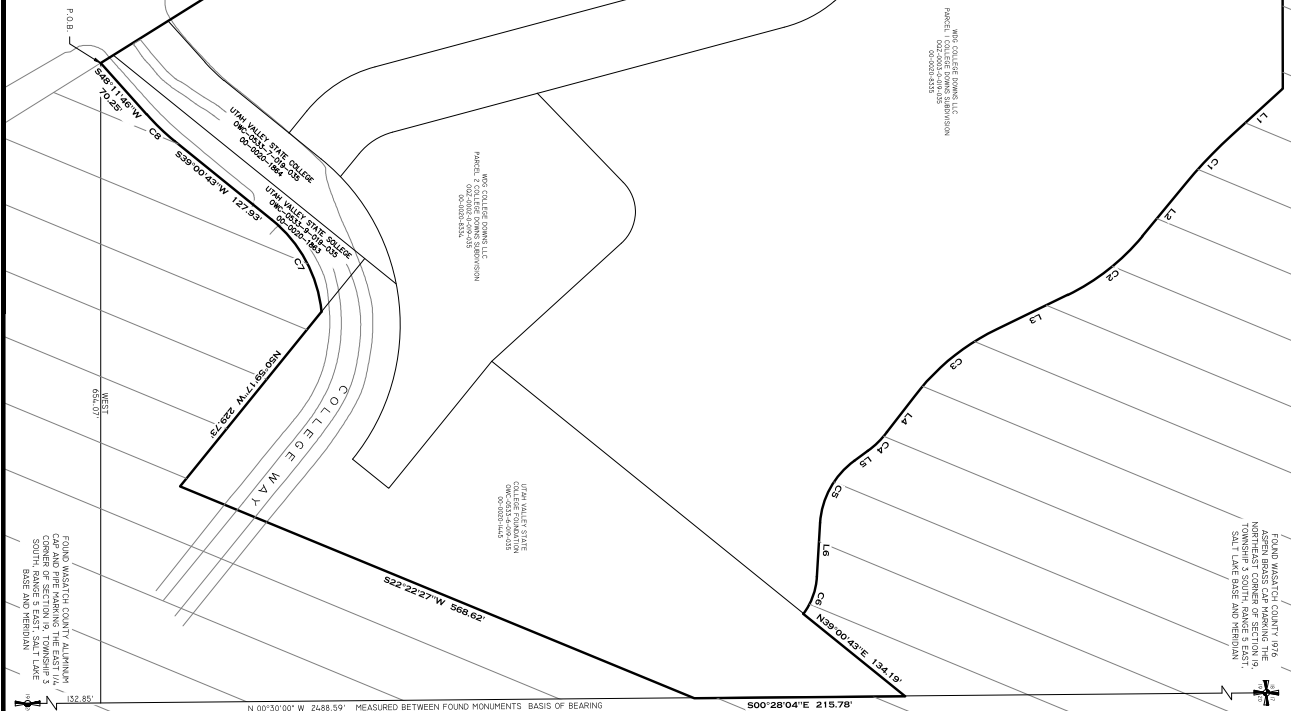
CHAIRMAN, HEBER CITY PLANNING COMMISSION

SYMBOL LEGEND

- ANEXATION BOUNDARY
- EXISTING HEBER CITY LOTS
- FOUND SECTION CORNERS (AS NOTED ON DRAWING)

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	66.76	463.93	87°44'11"	66.70	S40°22'40"E
C2	97.65	226.54	24°40'30"	96.90	S38°09'48"E
C3	109.51	234.73	28°43'30"	108.52	S39°17'25"E
C4	27.66	95.72	16°29'38"	27.46	S44°16'34"E
C5	74.84	84.88	50°13'08"	72.44	S81°19'17"E
C6	41.08	70.00	33°38'16"	40.47	S89°46'40"E
C7	109.61	138.00	45°02'31"	106.75	S87°40'19"W
C8	39.75	248.00	9°11'03"	39.71	S43°57'15"W

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	71.50	S42°15'28"E
L2	70.63	S50°02'00"E
L3	80.79	S25°49'31"E
L4	46.08	S52°33'20"E
L5	17.11	S30°03'49"E
L6	55.03	S86°34'45"E



PROJECT NO. 22-01-013	PREPARED FOR WRIGHT DEVELOPMENT GROUP	ANNEXATION PLAT WASATCH COUNTY LOCATED IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN	 CLEMENT LAND SURVEYING WWW.ELEMENTSURVEYING.COM 2296 SOUTH 270 EAST, HEBER CITY, UT 84032 801-592-5975 & 801-657-6748
SHEET 1 OF 1	PROJECT: COLLEGE DOWNS ANNEXATION		

EXHIBIT B: PROPERTY DEEDS

MAIL TAX NOTICE TO:
WDG College Downs, LLC
1178 W. Legacy Crossing Blvd. Suite 100
Centerville, UT 84014

WARRANTY DEED

College Downs Utah, LLC, a Florida limited liability company **GRANTOR**, hereby CONVEY(S) AND WARRANT(S) to WDG College Downs, LLC, a Utah limited liability company **GRANTEE**, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following tract(s) of land in Wasatch County, State of Utah described as follows:

Lot Parcels 1, 2, and 3, COLLEGE DOWNS SUBDIVISION, according to the Official Plat thereof as recorded in the Office of the Wasatch County Recorder, State of Utah.

Tax ID No. OQZ-0001 / 00-0020-8333; OQZ-0002 / 00-0020-8334; OQZ-0003 / 00-0020-8335

Subject to City and/or County taxes and assessments, not delinquent; Easements, Rights-of-Way, Covenants, Conditions and Restrictions now of record.

WITNESS, the hand of said grantor this 25th day of October, 2021.

College Downs Utah, LLC

By: Walter L. Morgan
Walter L. Morgan, President

State of Florida
County of Broward

On this 25th day of October, 2021, personally appeared before me, the undersigned Notary Public, Walter L. Morgan the President of College Downs Utah, LLC, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged before me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

Paula Haiko

Notary Public

My commission expires:

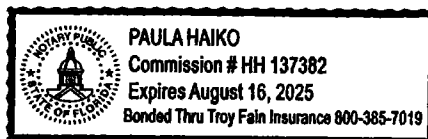


EXHIBIT C: VALUE & ACREAGE

Property Value & Acreage Within Annexation Area

(Replace sample values with actual values)

Name	Parcel ID	Acres	Value	Petitioner (yes/no)
Spencer Wright	00-0020-8333	5.50	-	Yes
Spencer Wright	00-0020-8334	1.41	-	Yes
Spencer Wright	00-0020-8335	8.27	-	Yes
Chaparral St	-	Approx. 1.82	-	No
UVU	00-0020-1445	2.73		
UVU	00-0020-1864	0.38		
UVU	00-0020-1863	0.24		
Totals		20.35	\$7,000,000	
Private Property Total		18.53	\$7,000,000	
Petitioner Totals		15.18 acres	\$7,000,000	
Petitioner Percent of Private Total		51% min Actual: 82%	1/3 min Actual: 100%	

EXHIBIT D: PROPERTY TAX NOTICES

Recorder's Office 435-657-3210 Questions concerning Deeds, Parcel Ownership, Legal Descriptions, Annexations, Plat Maps, 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, Tax Abatements.	Treasurer's Office 435-657-3217 Questions concerning Tax Payments, Mortgage Company Tax Services, Penalty and Special Charges.
Tax Year		2021	
Parcel Number:		00-0020-8333	
Serial Number:		0QZ-0001-0-019-035	
Entry Number:		324572	
Owner Name:		COLLEGE DOWNS UTAH LLC	
Owner Name 2:		-	
Mailing Address:		1739 SE 11TH ST - FT LAUDERDALE, FL 33316-1445	
Tax District:		16	
Tax District Rate: <i>Based on 2021 Certified Tax Rates</i>		1.1701 %	
Recorder's Office Acreage:		5.5	
Assessment Valuation Data - Updated November 3, 2021			
Market Value: <i>As of January 1, 2021. Values subject to update until Assessment Roll is approved, typically, early June or via a Board of Equalization (BOE) judgement. BOE Information</i>		\$550,000.00	
Taxable Value: Based on Primary/Secondary Classification.		\$550,000.00	
Land Value: <i>As of January 1, 2021. Values may be updated.</i>		\$550,000.00	
Improvements Value: <i>As of January 1, 2021. Values may be updated.</i>		\$0.00	
Tax Charge: <i>Based on 2021 Certified Rates</i>		\$6,435.55	
Penalties Charged:		\$0.00	
Special Charged:		\$0.00	
Tax Payments:		\$6,435.55	
Taxes Abated:		\$0.00	
Taxes Balance Due: <i>Based on 2021 Certified Rates</i>		\$0.00	
Escrow Processing Company: <i>Mortgage company escrow processor</i>		None	
Property (Grid) Address:		None, None	
Square Footage:		0	
Year Built:		0	
Back Tax Approx Amount: <i>If you have back tax owing in the last 5 years. Multi-year delinquent listing available on Treasurer's webpage.</i>		\$0.00	
Review Date:		6/13/2014 12:00:00 AM	
Brief Legal Taxing Description: DO NOT USE THIS TAXING DESCRIPTION FOR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.		PARCEL 1 COLLEGE DOWNS SUBDIVISION AND UNDIVIDED INTEREST IN THE COMMON AREA. AREA: 5.50 ACRES	

Recorder's Office 435-657-3210	Assessor's Office 435-657-3182	Clerk's Office 435-657-3190	Treasurer's Office 435-657-3217
Questions concerning Deeds, Parcel Ownership, Legal Descriptions, Annexations, Plat Maps, Mailing Addresses.	Questions concerning Land and Improvement Valuations, Green Belt Parcels, Primary Residential Status and Appraisals.	Questions concerning Tax Rates, Board of Equalization, Property Valuation Appeals, Tax Abatements.	Questions concerning Tax Payments, Mortgage Company Tax Services, Penalty and Special Charges.
Tax Year		2021	
Parcel Number:		00-0020-8334	
Serial Number:		0QZ-0002-0-019-035	
Entry Number:		324572	
Owner Name:		COLLEGE DOWNS UTAH LLC	
Owner Name 2:		-	
Mailing Address:		1739 SE 11TH ST - FT LAUDERDALE, FL 33316-1445	
Tax District:		16	
Tax District Rate: <i>Based on 2021 Certified Tax Rates</i>		1.1701 %	
Recorder's Office Acreage:		1.41	
Assessment Valuation Data - Updated November 3, 2021			
Market Value: <i>As of January 1, 2021. Values subject to update until Assessment Roll is approved, typically, early June or via a Board of Equalization (BOE) judgement. BOE Information</i>		\$141,000.00	
Taxable Value: Based on Primary/Secondary Classification.		\$141,000.00	
Land Value: <i>As of January 1, 2021. Values may be updated.</i>		\$141,000.00	
Improvements Value: <i>As of January 1, 2021. Values may be updated.</i>		\$0.00	
Tax Charge: <i>Based on 2021 Certified Rates</i>		\$1,649.84	
Penalties Charged:		\$0.00	
Special Charged:		\$0.00	
Tax Payments:		\$1,649.84	
Taxes Abated:		\$0.00	
Taxes Balance Due: <i>Based on 2021 Certified Rates</i>		\$0.00	
Escrow Processing Company: <i>Mortgage company escrow processor</i>		None	
Property (Grid) Address:		None, None	
Square Footage:		0	
Year Built:		0	
Back Tax Approx Amount: <i>If you have back tax owing in the last 5 years. Multi-year delinquent listing available on Treasurer's webpage.</i>		\$0.00	
Review Date:		6/13/2014 12:00:00 AM	
Brief Legal Taxing Description: DO NOT USE THIS TAXING DESCRIPTION FOR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.		PARCEL 2 COLLEGE DOWNS SUBDIVISION AND UNDIVIDED INTEREST IN THE COMMON AREA. AREA: 1.41 ACRES	

Recorder's Office 435-657-3210	Assessor's Office 435-657-3182	Clerk's Office 435-657-3190	Treasurer's Office 435-657-3217
Questions concerning Deeds, Parcel Ownership, Legal Descriptions, Annexations, Plat Maps, Mailing Addresses.	Questions concerning Land and Improvement Valuations, Green Belt Parcels, Primary Residential Status and Appraisals.	Questions concerning Tax Rates, Board of Equalization, Property Valuation Appeals, Tax Abatements.	Questions concerning Tax Payments, Mortgage Company Tax Services, Penalty and Special Charges.
Tax Year		2021	
Parcel Number:		00-0020-8335	
Serial Number:		0QZ-0003-0-019-035	
Entry Number:		324572	
Owner Name:		COLLEGE DOWNS UTAH LLC	
Owner Name 2:		-	
Mailing Address:		1739 SE 11TH ST - FT LAUDERDALE, FL 33316-1445	
Tax District:		16	
Tax District Rate: <i>Based on 2021 Certified Tax Rates</i>		1.1701 %	
Recorder's Office Acreage:		8.27	
Assessment Valuation Data - Updated November 3, 2021			
Market Value: <i>As of January 1, 2021. Values subject to update until Assessment Roll is approved, typically, early June or via a Board of Equalization (BOE) judgement. BOE Information</i>			\$827,000.00
Taxable Value: Based on Primary/Secondary Classification.			\$827,000.00
Land Value: <i>As of January 1, 2021. Values may be updated.</i>			\$827,000.00
Improvements Value: <i>As of January 1, 2021. Values may be updated.</i>			\$0.00
Tax Charge: <i>Based on 2021 Certified Rates</i>			\$9,676.73
Penalties Charged:			\$0.00
Special Charged:			\$0.00
Tax Payments:			\$9,676.73
Taxes Abated:			\$0.00
Taxes Balance Due: <i>Based on 2021 Certified Rates</i>			\$0.00
Escrow Processing Company: <i>Mortgage company escrow processor</i>		None	
Property (Grid) Address:		None, None	
Square Footage:		0	
Year Built:		0	
Back Tax Approx Amount: <i>If you have back tax owing in the last 5 years. Multi-year delinquent listing available on Treasurer's webpage.</i>		\$0.00	
Review Date:		6/13/2014 12:00:00 AM	
Brief Legal Taxing Description: DO NOT USE THIS TAXING DESCRIPTION FOR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.		PARCEL 3 COLLEGE DOWNS SUBDIVISION AND UNDIVIDED INTEREST IN THE COMMON AREA. AREA: 8.27 ACRES	

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

PROPERTY OWNERS WITHIN ANNEXATION AND WITHIN 300 FEET					
Parcel	Name	Street Address	City	State	Zip
00-0021-2028	ACTIUM HIGH YIELD LOAN FUND III LLC	111 E BROADWAY STE 390	SALT LAKE CITY	UT	841115242
00-0021-2025	MB NORTH VILLAGE VIEWS PROPERTY LLC	1245 E BRICKYARD RD STE 100	SALT LAKE CITY	UT	841062564
00-0007-7862	MB NORTH VILLAGE VIEWS PROPERTY LLC	1245 E BRICKYARD RD STE 100	SALT LAKE CITY	UT	841062564
00-0017-4081	UTAH VALLEY UNIVERSITY	800 W UNIVERSITY PKWY	OREM	UT	840580000
00-0017-1897	UTAH VALLEY UNIVERSITY	801 W UNIVERSITY PKWY	OREM	UT	840580001
00-0020-1445	UTAH VALLEY STATE COLLEGE FOUN	802 W UNIVERSITY PKWY	OREM	UT	840580002
00-0013-8359	UTAH VALLEY STATE COLLEGE	802 W UNIVERSITY PKWY	OREM	UT	840580002
00-0016-0809	ENGLISH HEBER CITY CONGREGATION OF JEHOVAHS WITNES	976 E 600 N	HEBER CITY	UT	840320000
00-0007-8092	JK GREEN HOLDINGS LLC	3566 E 1830 S	HEBER CITY	UT	840325669
00-0007-7771	MCDONALD ROBERT G TR	150 W POTTERS LN	HEBER CITY	UT	840323834
00-0020-3319	EQUINE HOLDINGS LLC	PO BOX 982152	PARK CITY	UT	840982152
WITHIN ANNEXATION					
00-0020-8333	WDG COLLEGE DOWNS LLC	1178 W LEGACY CROSSING BLVD STE 100	CENTERVILLE	UT	84014
00-0020-8334	WDG COLLEGE DOWNS LLC	1178 W LEGACY CROSSING BLVD STE 100	CENTERVILLE	UT	84014
00-0020-8335	WDG COLLEGE DOWNS LLC	1178 W LEGACY CROSSING BLVD STE 100	CENTERVILLE	UT	84014
00-0020-1445	UTAH VALLEY STATE COLLEGE FOUN	800 W UNIVERSITY PKWY	OREM	UT	840586703
00-0020-1864	UTAH VALLEY STATE COLLEGE	PO BOX 150	HEBER	UT	840320150
00-0020-1863	UTAH VALLEY STATE COLLEGE	PO BOX 150	HEBER	UT	840320150

EXHIBIT F: VICINITY MAP

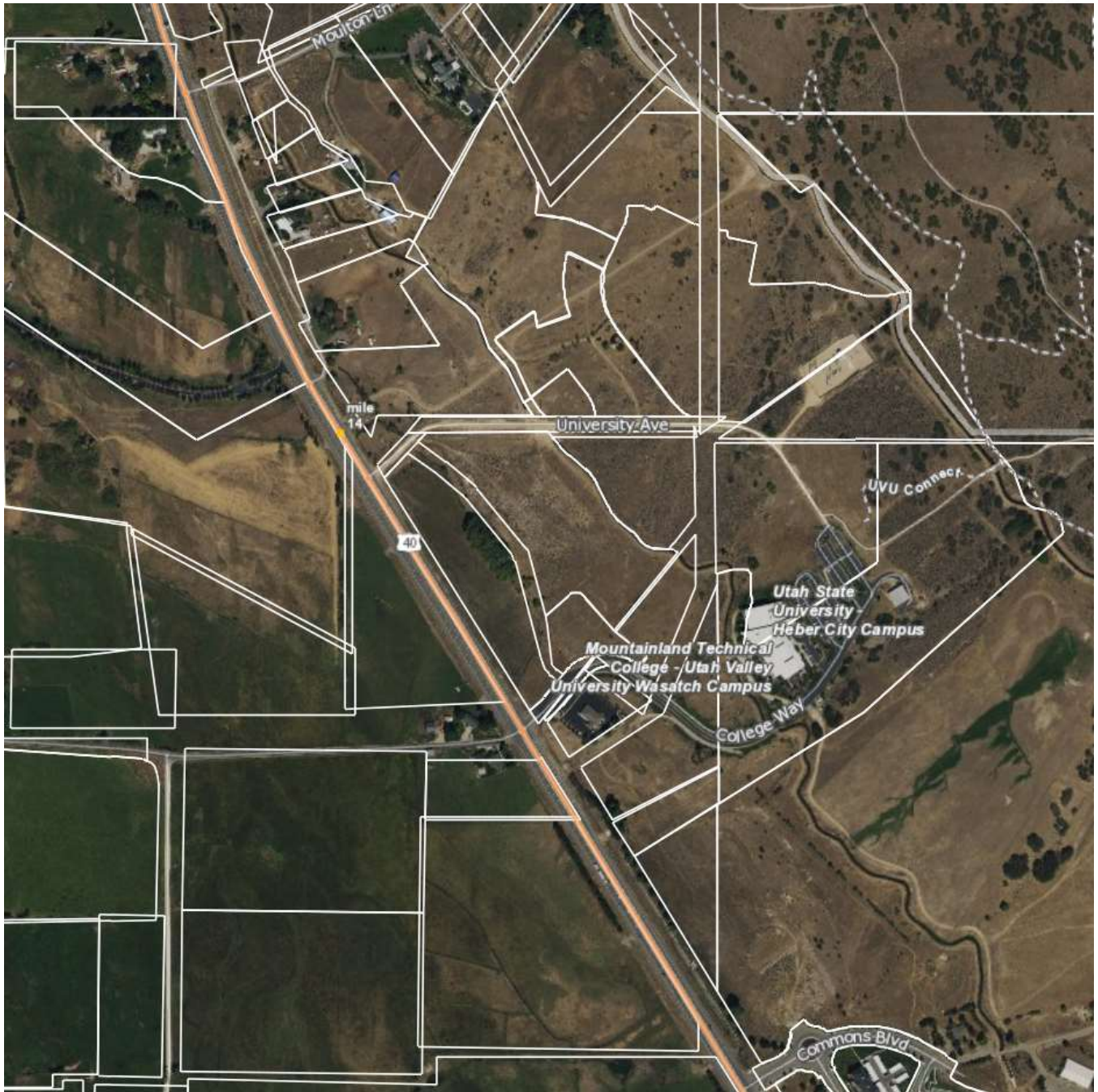


EXHIBIT G: CONCEPT PLAN



Exhibit 3



December 20, 2021

Heber City
75 North Main Street
Heber City, Utah 84032

To Whom It May Concern,

Wright Development has recently acquired the property commonly known as College Downs. It is a 17-acre site located at approximately 3000 N HWY 40 on the east side of the Highway ("Property"). Many of the neighboring properties have recently annexed into the Heber City. We would also like to explore the option of annexing this Property into Heber City.

Unlike some of the neighboring properties, this Property is benefitted by an agreed upon Development Agreement and Plat with Wasatch County. These agreements and the attached vested rights allow for the development of up to 189 ERUs (11.12 ERUs/Acre) on the Property, consistent with County ordinances.

Despite these vested rights through the County, however, we are seriously considering annexing into Heber City, however, to (i) provide the Property with greater flexibility in the placement of roadways and infrastructure vis a vis the existing grade of the site, which we are confident will lead to improved site design and (ii) achieve a greater consistency with the neighboring developments,

We are also confident that Heber City would benefit greatly by adding the Property to the City. These benefits include, but are not limited to:

- Reduction of total site intensity from a possible 189 ERUs to approximately 156 ERUs.
- Approximately \$219k in annual revenues to the city from sales tax and other revenue sources.
- An estimated \$1.5m in impact fees for city services.
- A more compelling open space plan than what is allowed in the County Plat.
- Private investment into a modest multi-modal transportation hub.

In order to facilitate the initiation of the annexation process, Wright Development has submitted proposed concept plans to City staff. This package includes site plans, conceptual renderings, engineering studies, financial analysis and more. These items represent what we would propose as the baseline for our potential annexation. We are open to reasonable modifications to these proposed plans.

We look forward to engaging with you on this proposed annexation and hope that we can come to a mutually agreeable solution.

Sincerely,

Logan Johnson
Wright Development Group

Exhibit 4





COLLEGE DOWNS
HEBER CITY, UT





COLLEGE DOWNS
HEBER CITY, UT





COLLEGE DOWNS
HEBER CITY, UT





COLLEGE DOWNS
HEBER CITY, UT





COLLEGE DOWNS
HEBER CITY, UT



COLLEGE DOWNS
HEBER CITY, UT



COLLEGE DOWNS
HEBER CITY, UT



COLLEGE DOWNS
HEBER CITY, UT



Exhibit 5

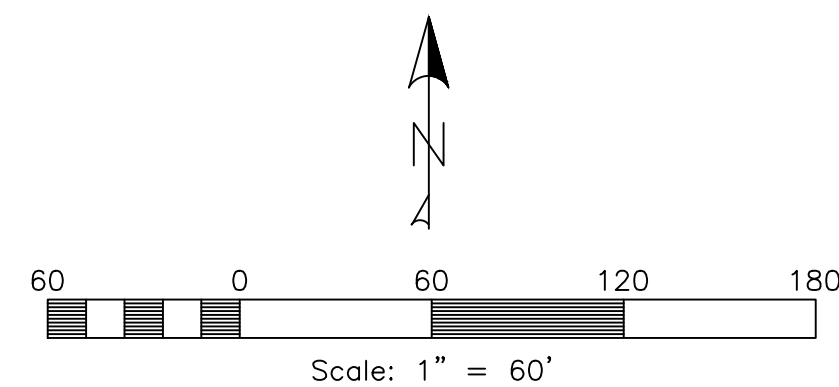
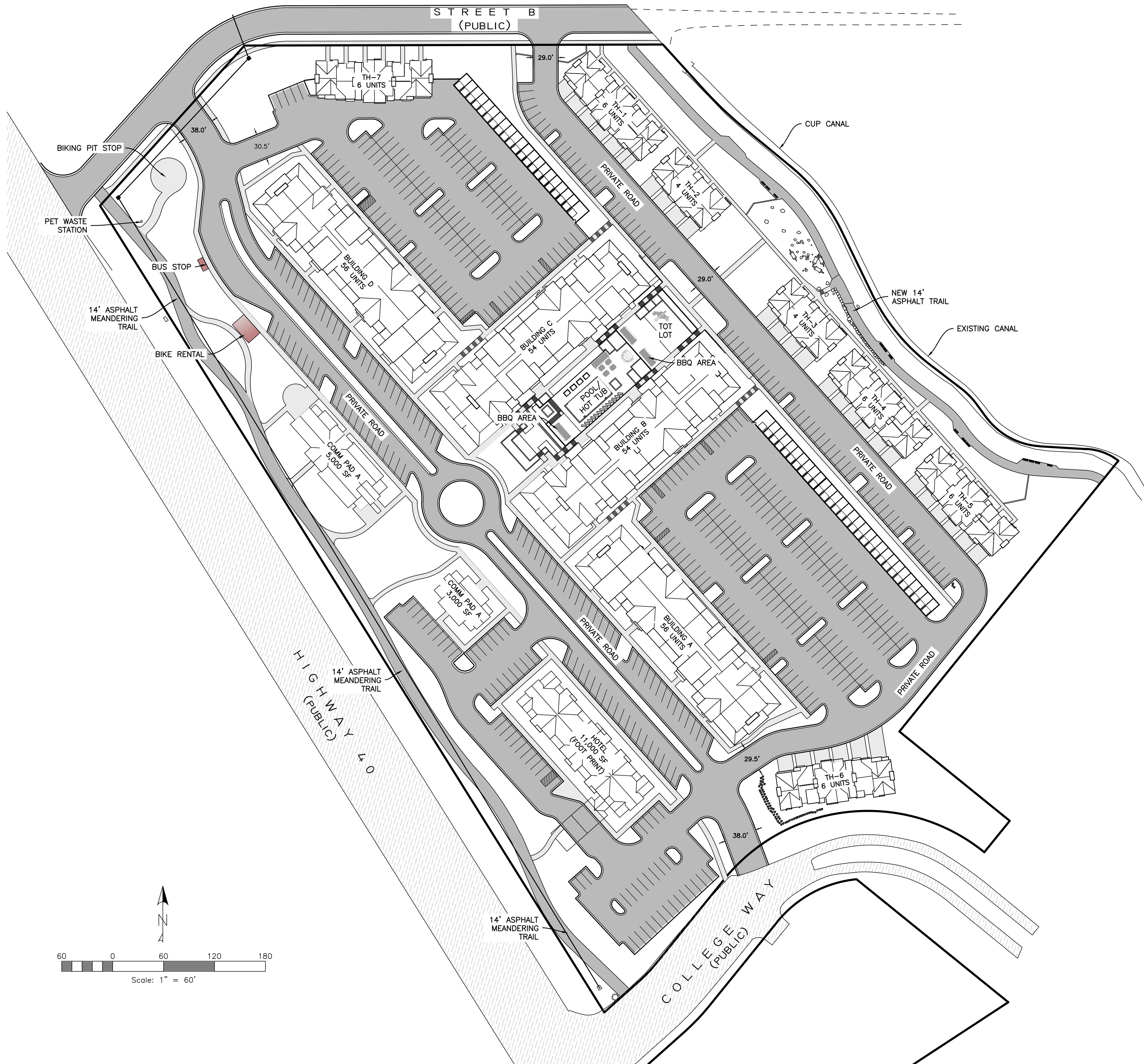


WRIGHT DEVELOPMENT
1178 W Legacy Crossing Blvd
Centerville, UT 84014

PROJECT
COLLEGE DOWNS

CONCEPTUAL LANDSCAPE PLAN

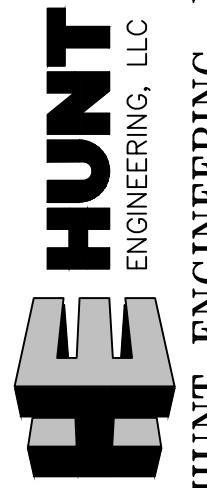
Exhibit 6



Site Information	
SITE AREA:	17.005 ACRES
RESIDENTIAL:	
APARTMENT UNITS:	110 - 1 BEDROOM UNITS - 750 SF - 36.30 ERU'S 55 - 2 BEDROOM UNITS - 1,140 SF - 27.50 ERU'S 55 - 3 BEDROOM UNITS - 1,335 SF - 41.25 ERU'S 220 TOTAL UNITS
TOWNHOMES:	38 - 3 BEDROOM UNITS - 1,497 SF - 28.50 ERU'S
TOTAL UNITS:	258 UNITS - 133.55 TOTAL ERU'S 15 UNITS/ACRE
PARKING:	76 TOWNHOME GARAGES 76 TOWNHOME DRIVEWAYS 51 APARTMENT GARAGES 431 APARTMENT OPEN STALLS 634 TOTAL PARKING STALLS 2.46 STALLS/UNIT
AMENITIES:	
- CLUBHOUSE - GYM - WALKING PATH - POOL - TOT LOT - HOT TUB(S) - DOG PARK - COMMON AREA	
COMMERCIAL:	
HOTEL:	22,000 SF 40 ROOMS @ .25 = 10.0 ERU'S HOTEL COMMON AREA = 1500 SF @ 0.86 PER 2000 SF=0.65 ERU'S TOTAL HOTEL = 10.65 ERU'S
PARKING:	90 STALLS 2.25 STALLS/ROOM
MULTI-TENANT:	8,000 SF = 0.86 @ PER 2000 SF=3.44 ERU'S
PARKING:	52 STALLS 6.5 STALLS/1,000 SF
TOTAL:	BUILDING AREA: 129,340 SF - 19.6% HARD SURFACE AREA: 316,263 SF - 47.8% LANDSCAPE AREA: 215,638 SF - 32.6% (OPEN SPACE SEE SHEET 04)
COMMON SPACE:	118,277 SF - 17.9%
TOTAL ERU'S:	147.635 ERU'S



Developer Contact:
Spencer Wright
Wright Development Group
1178 W. Legacy Crossing Blvd Ste 100
Centerville Utah 84014
PH: (801) 773-7339

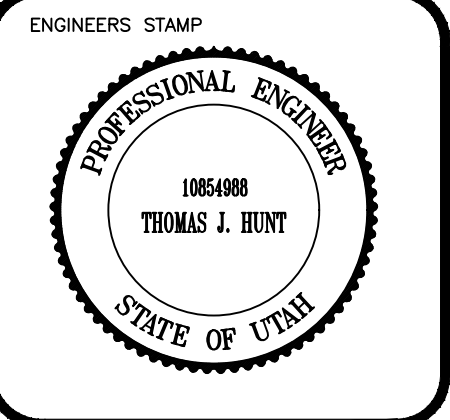


HUNT ENGINEERING, LLC
6619 Willow Creek Rd.
Mountain Green, UT 84050
C. 801.664.4724
thomas.hunt@hunt-engineering.com

College Downs
3000 North Hwy 40
Heber City, UT

Overall Site
Plan

Revisions	Date



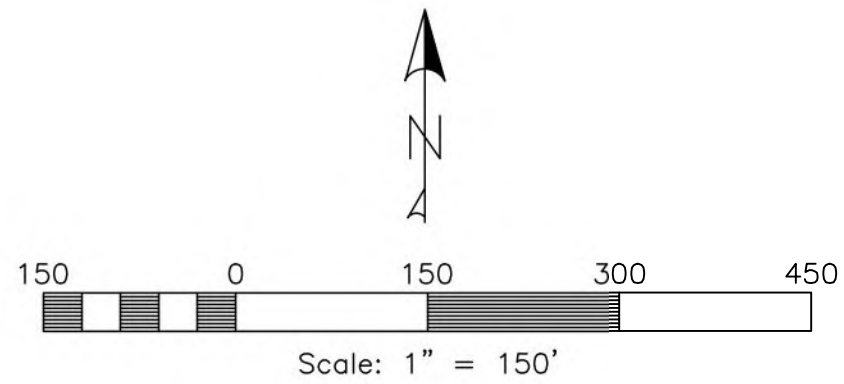
PROJECT INFO.	
Engineer:	T. HUNT
Drafter:	T. HUNT
Start Date:	12/09/2021
Name:	College Downs

SHEET	7
02	SHEETS

Exhibit 7



- Community Park
- Neighborhood Park
- Plaza
- Storm Water Facility
- Round-About
- Future Stop Light
- Village Connector
- Neighborhood Connector
- Existing Backcountry Trail
- Proposed Backcountry Trail
- Trail and Open Space Corridors
- Open Space
- Civic
- Rural Residential Clusters
- Neighborhoods with Open Space
- North Village
- University Village



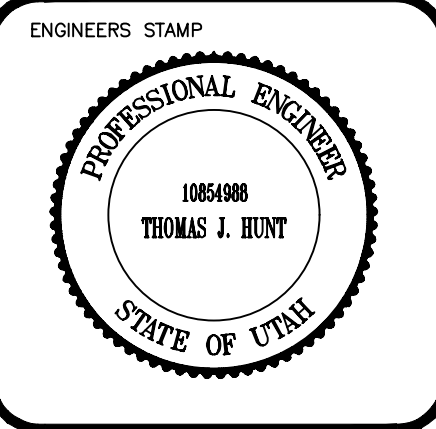
Developer Contact:
Spencer Wright
Wright Development Group
1178 W. Legacy Crossing Blvd Ste 100
Centerville Utah 84014
PH: (801) 773-7339

HE HUNT
ENGINEERING, LLC
HUNT ENGINEERING, LLC
6619 Willow Creek Rd.
Mountain Green, UT 84050
C. 801.664.4724
thomas.hunt@hunt-engineering.com

College Downs
3000 North Hwy 40
Heber City, UT

**Zoning
Analysis**

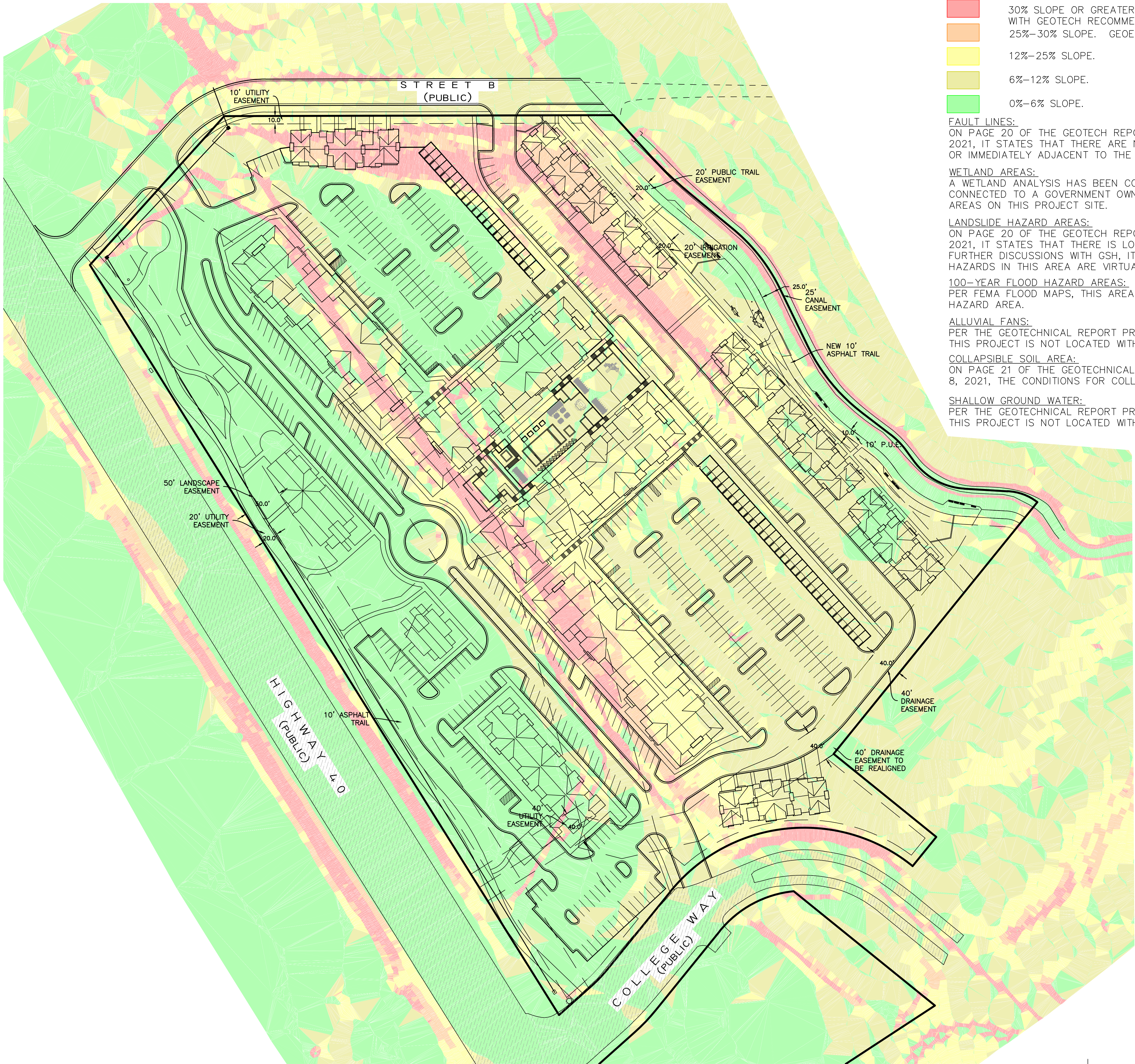
Revisions	Date



PROJECT INFO.	
Engineer:	T. HUNT
Drafter:	T. HUNT
Start Date:	12/09/2021
Name:	College Downs

SHEET	
	SHEETS

Exhibit 8



- 30% SLOPE OR GREATER. MAN-MADE SLOPES = STRUCTURES ALLOWED WITH GEOTECH RECOMMENDATIONS.
- 25%-30% SLOPE. GEOTECHNICAL STUDY REQUIRED TO VERIFY STABILITY.
- 12%-25% SLOPE.
- 6%-12% SLOPE.
- 0%-6% SLOPE.

FAULT LINES:
ON PAGE 20 OF THE GEOTECH REPORT PREPARED BY GSH DATED SEPTEMBER 8, 2021, IT STATES THAT THERE ARE NO ACTIVE FAULTS REPORTED TO RUN THROUGH OR IMMEDIATELY ADJACENT TO THE SITE.

WETLAND AREAS:
A WETLAND ANALYSIS HAS BEEN COMPLETED AND NONE OF THE WATER ONSITE IS CONNECTED TO A GOVERNMENT OWNED WATER SYSTEM, SO THERE ARE NO WETLAND AREAS ON THIS PROJECT SITE.

LANDSLIDE HAZARD AREAS:
ON PAGE 20 OF THE GEOTECH REPORT PREPARED BY GSH DATED SEPTEMBER 8, 2021, IT STATES THAT THERE IS LOW TO MODERATE COLLAPSE POTENTIAL. IN FURTHER DISCUSSIONS WITH GSH, IT WAS DETERMINED THAT THE LANDSLIDE HAZARDS IN THIS AREA ARE VIRTUALLY NON-EXISTENT.

100-YEAR FLOOD HAZARD AREAS:
PER FEMA FLOOD MAPS, THIS AREA IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA.

ALLUVIAL FANS:
PER THE GEOTECHNICAL REPORT PREPARED BY GSH DATED SEPTEMBER 8, 2021, THIS PROJECT IS NOT LOCATED WITHIN AN ALLUVIAL FAN FLOOD DEBRIS AREA.

COLLAPSIBLE SOIL AREA:
ON PAGE 21 OF THE GEOTECHNICAL REPORT PREPARED BY GSH DATED SEPTEMBER 8, 2021, THE CONDITIONS FOR COLLAPSIBLE SOIL IS CONSIDERED LOW.

SHALLOW GROUND WATER:
PER THE GEOTECHNICAL REPORT PREPARED BY GSH DATED SEPTEMBER 8, 2021, THIS PROJECT IS NOT LOCATED WITHIN SHALLOW GROUNDWATER HAZARD AREAS.

STREAM OR DRAINAGE CORRIDOR SETBACKS:
THERE ARE SOME DRAINAGE EASEMENTS THAT ARE LOCATED ON THIS SITE. THESE ARE SHOWN ON THIS SITE PLAN AND ALL STRUCTURES ARE SHOWN OUT OF THESE AREAS. THERE IS ALSO AN IRRIGATION CANAL ON THE EAST SIDE OF THE PROPERTY, ALL BUILDINGS WE BE LOCATED OUTSIDE OF THESE EASEMENTS.

AREAS OF SPRINGS/SEEPS OR SURFACE WATER:
THERE IS AN EXISTING DRAINAGE DITCH THAT RUNS THROUGH THE MIDDLE OF THE PROPERTY. THIS DITCH WILL BE REROUTED/PIPED AND/OR REMAIN OPEN IN THE COMMON SPACE AREAS.

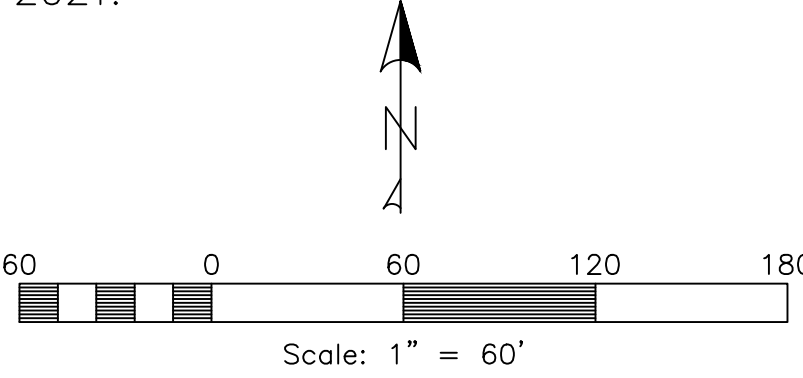
THIS PROJECT IS NOT LOCATED WITHIN ANY AREAS THAT ARE RECOMMENDED LOCATIONS FOR DETENTION BASINS OR ESTABLISHED ROAD/UTILITY CORRIDORS.

SEE THE VIEWSHED ANALYSIS SHOWS THE STRUCTURES WILL NOT PROTRUDE ABOVE ANY RIDGELINES, EXCEPT AS PROVIDED IN SECTION 16.27.22.

ENVIRONMENTAL REGULATIONS:
THIS PROJECT WILL ADHERE AND FOLLOW THE ENVIRONMENTAL REGULATIONS FOUND IN CHAPTER 16.28 BY FOLLOWING THE WATER QUALITY, STREAM CORRIDOR/WETLAND STANDARDS, WILDLIFE HABITAT PROTECTION, CULINARY WATER SOURCE PROTECTION, EROSION CONTROL AND FLOOD DAMAGE PREVENTION MEASURES.

NATURAL SITE FEATURES/VEGETATION:
THERE ARE SOME LARGE MATURE TREES LOCATED ON THIS PROPERTY. THE SITE HAS BEEN DESIGNED AROUND THOSE TREES TO BE ABLE TO PRESERVE THEM.

GEOTECHNICAL EVALUATION:
SEE THE GEOTECHNICAL REPORT PREPARED BY GSH DATED SEPTEMBER 8, 2021.



Developer Contact:
Spencer Wright
Wright Development Group
1178 W. Legacy Crossing Blvd Ste 100
Centerville Utah 84014
PH: (801) 773-7339

HE

HUNT

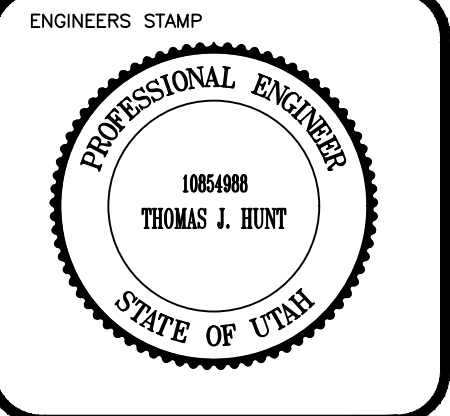
ENGINEERING, LLC

HUNT ENGINEERING, LLC
6619 Willow Creek Rd.
Mountain Green, UT 84050
C. 801.664.4724
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College Downs
3000 North Hwy 40
Heber City, UT

Physical
Constraints
Analysis

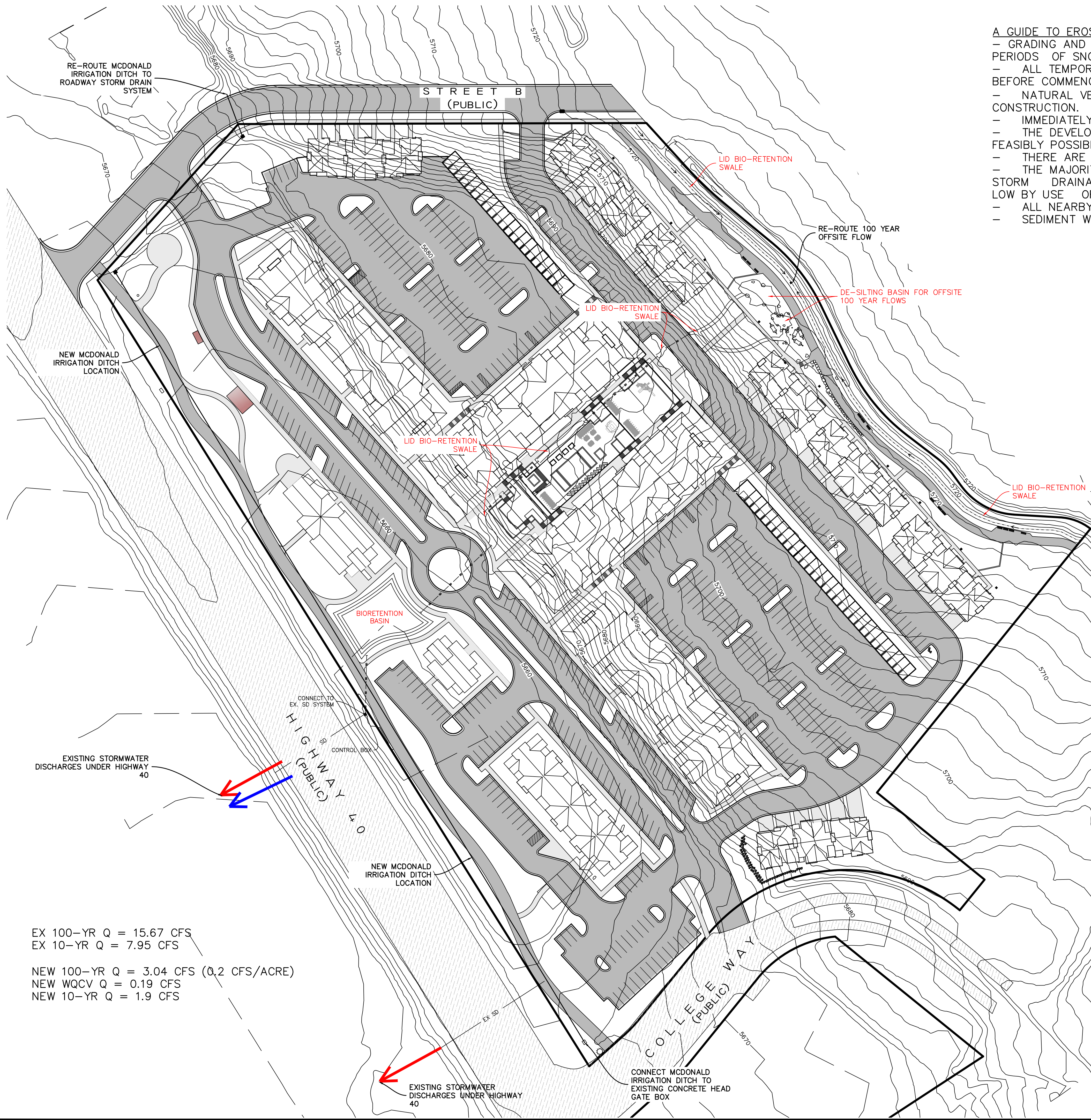
Revisions	Date



PROJECT INFO.	
Engineer:	T. HUNT
Drafter:	T. HUNT
Start Date:	12/09/2021
Name:	College Downs

SHEET	
	SHEETS

Exhibit 9



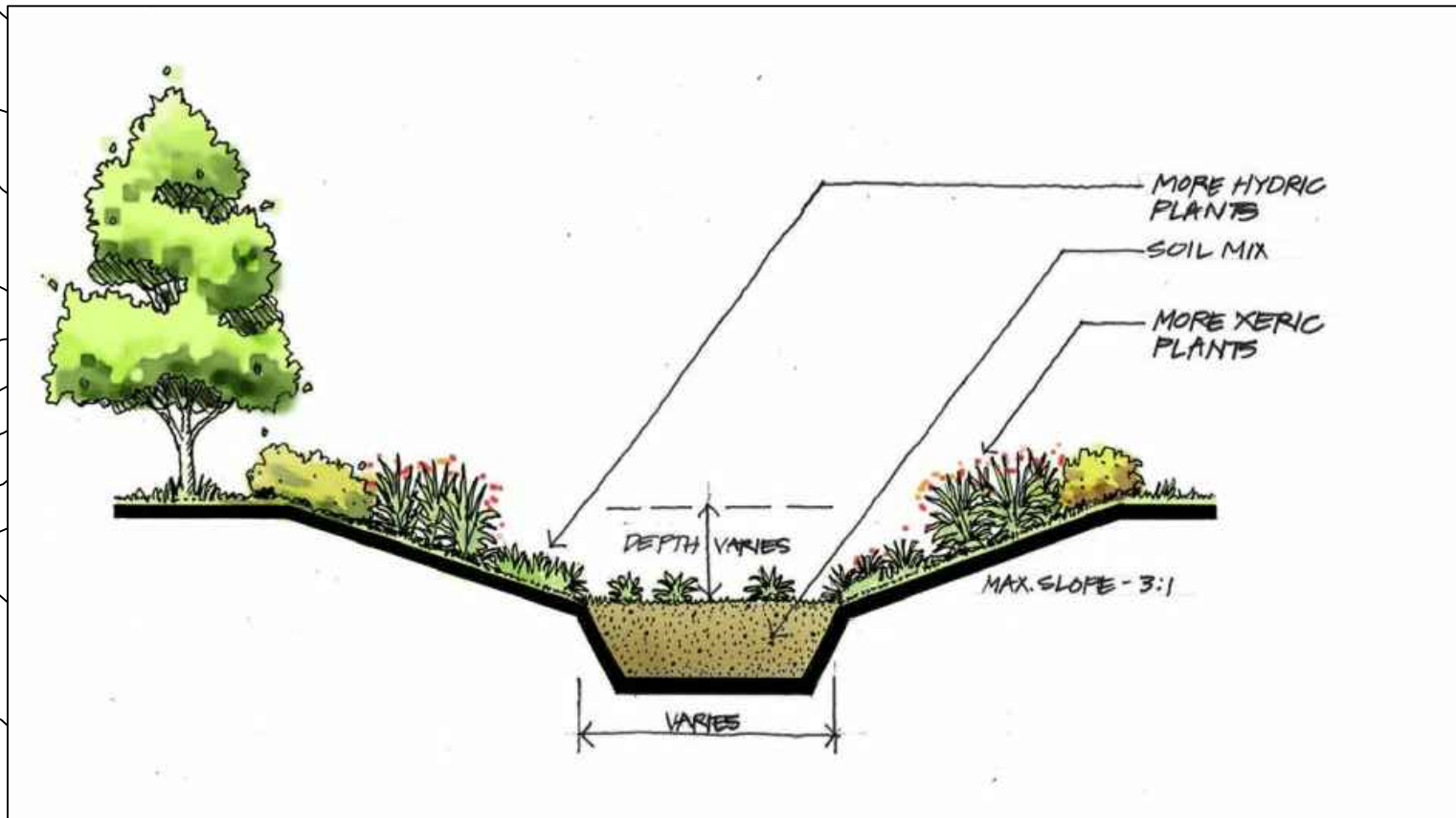
EX 100-YR Q = 15.67 CFS
EX 10-YR Q = 7.95 CFS

NEW 100-YR Q = 3.04 CFS (0.2 CFS/ACRE)
NEW WQCV Q = 0.19 CFS
NEW 10-YR Q = 1.9 CFS

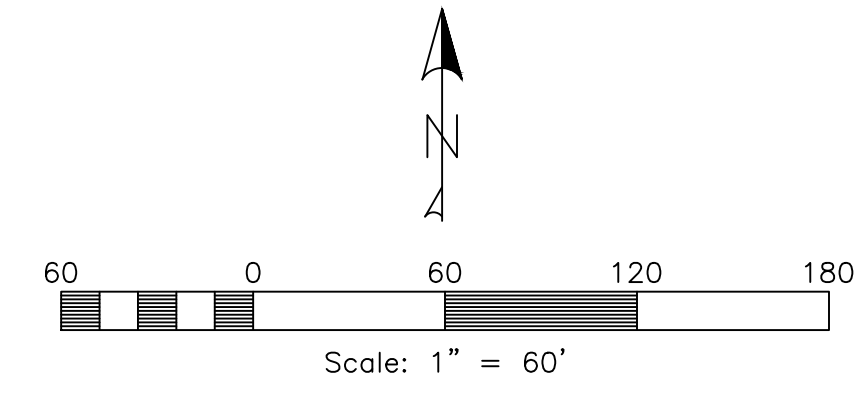
- A GUIDE TO EROSION CONTROL**
- GRADING AND CONSTRUCTION WILL BE TIMED TO MINIMIZE SOIL EXPOSURE DURING PERIODS OF SNOW MELT AND RAINY PERIODS.
 - ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED BEFORE COMMENCING LAND DISTURBING ACTIVITIES.
 - NATURAL VEGETATION (LARGE TREE AREA) WILL BE PROTECTED THROUGHOUT CONSTRUCTION.
 - IMMEDIATELY AFTER GRADING IS COMPLETED, SEEDING AND MULCH WILL BE INSTALLED.
 - THE DEVELOPMENT HAS BEEN DESIGNED TO FIT THE NATURAL TERRAIN AS BEST AS FEASIBLY POSSIBLE.
 - THERE ARE NO NEARBY STREAMS OR WETLANDS FOR BUFFERING.
 - THE MAJORITY OF STORMWATER RUNOFF WILL BE DIRECTED TO INLET BOXES AND STORM DRAINAGE PIPE SYSTEMS. AREAS THAT ARE NOT WILL KEEP RUNOFF VELOCITIES LOW BY USE OF CHECK DAMS, AND RIP-RAP.
 - ALL NEARBY DRAINAGE WAYS WILL BE PROTECTED.
 - SEDIMENT WILL BE TRAPPED ON SITE.



LID BIORETENTION SWALE



LID BIORETENTION BASIN



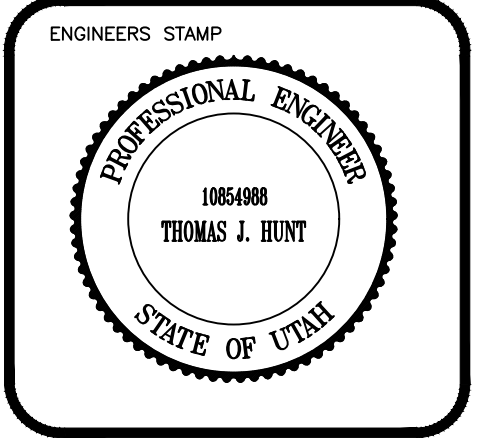
Developer Contact:
Spencer Wright
Wright Development Group
1178 W. Legacy Crossing Blvd Ste 100
Centerville Utah 84014
PH: (801) 773-7339

HUNT
ENGINEERING, LLC
HUNT ENGINEERING, LLC
6619 Willow Creek Rd.
Mountain Green, UT 84050
C. 801.664.4724
thomas.hunt@hunt-engineering.com

College Downs
3000 North Hwy 40
Heber City, UT

Drainage Plan

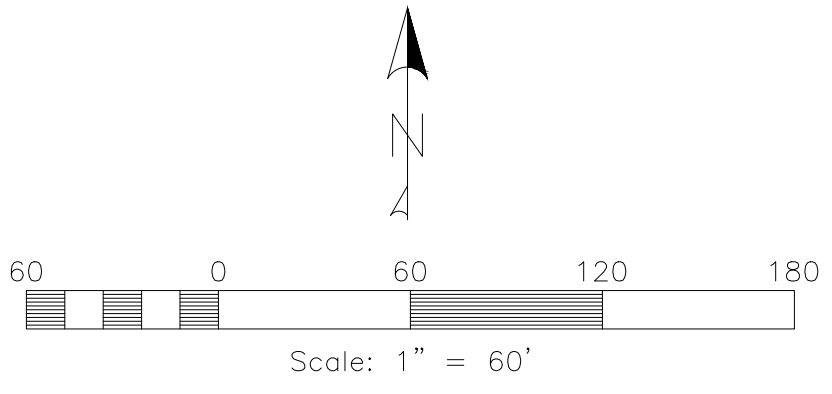
Revisions	Date



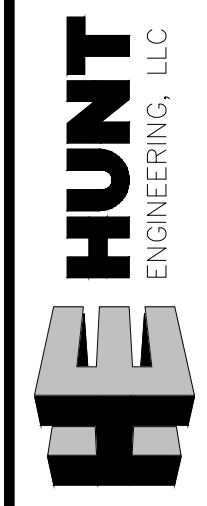
PROJECT INFO.	
Engineer:	T. HUNT
Drafter:	T. HUNT
Start Date:	12/09/2021
Name:	College Downs

SHEET	SHEETS

Exhibit 10



Developer Contact:
Spencer Wright
Wright Development Group
1178 W. Legacy Crossing Blvd Ste 100
Centerville Utah 84014
PH: (801) 773-7339

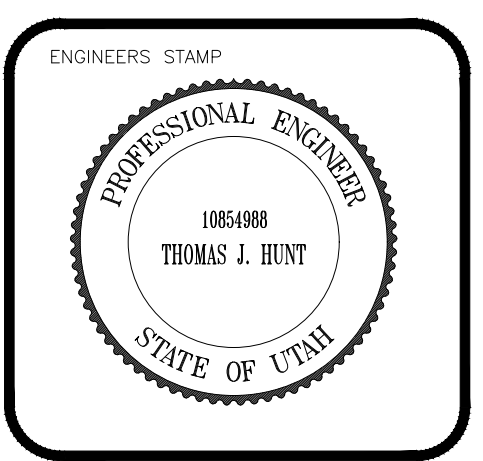


H HUNT
ENGINEERING, LLC
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College Downs
3000 North Hwy 40
Heber City, UT

**Overall Site
Plan**

Revisions	Date



PROJECT INFO.	
Engineer:	T. HUNT
Drafter:	T. HUNT
Start Date:	4/07/2021
Name:	College Downs

SHEET	
	SHEETS

Exhibit 11

FISCAL AND ECONOMIC IMPACTS OF PROPOSED DEVELOPMENT HEBER, UTAH

BACKGROUND

This analysis considers fiscal impacts to Heber City from the proposed Wright Development Group project that consists of residential, hotel and commercial development. Fiscal impacts include increased property, sales, municipal energy, Class B/C road funds, business license fees and fines & forfeitures to the City's General Fund. The Highway Fund will also see additional revenues. Although not measured quantitatively in this study, there will be additional positive economic impacts from the construction jobs created and wages paid.

Proposed Development

This fiscal and economic impacts analysis is based on the following proposed development of 257 residential units, a 40-room hotel and 8,000 square feet of commercial space (retail and professional office). The type of residential units planned is shown in the table below and are best estimates of the absorption timeframe given current market conditions. Changing market conditions could result in changes to product type and development schedule.

TABLE 1: PROPOSED DEVELOPMENT - RESIDENTIAL

	2023	2024	TOTAL
1 bd units - 780 sf	86	29	115
2 bd units - 1000 sf	39	13	52
3 bd units - 1200 sf	39	13	52
Townhomes - 1558 sf	0	38	38
TOTAL Residential	164	93	257

The average price per residential unit is anticipated to be \$418,000. The 40-room hotel is estimated to have a market value of \$5.5 million and the commercial buildings should range between approximately \$360 and \$365 per square foot.

EXECUTIVE SUMMARY

The proposed development results in significant revenues to the City's General Fund, as well as the creation of new jobs in the area.

Incremental Revenues to General Fund

Incremental revenues to Heber's General Fund from the proposed development are projected to reach nearly \$220,000 annually at buildout.

TABLE 2: PROJECTED ANNUAL INCREMENTAL REVENUES TO HEBER CITY GENERAL FUND

	Buildout (\$2021)
Property Tax Revenues	\$74,859
Sales Tax Revenues	
Population Distribution	\$69,400
Local Option Point-of-Sale - Hotel	\$6,263

	Buildout (\$2021)
Municipal Transient Room Tax	\$12,527
Municipal Energy	
Residential	\$19,939
Commercial	\$3,339
Class B/C Road Funds	
Weighted Road Mile Distribution	\$471
Population Distribution	\$20,856
Business Licenses	\$500
Fines & Forfeitures	\$11,451
TOTAL Revenues	\$219,604

Heber City has enacted the 1 percent Highway Tax on all retail sales. Based on projected hotel sales of \$1,252,680, Heber City should receive \$12,527 annually in Highway Tax funds.

FISCAL IMPACTS – INCREMENTAL REVENUES

Property Tax Revenues

Property tax revenues are calculated based on Heber's tax rate of 0.001035 and taxable value associated with the project. The estimated taxable value of \$72.3 million assumes that 90 percent of the residential units are primary homes and therefore taxed at 55 percent of market value.

TABLE 3: TAXABLE VALUE OF PROPOSED DEVELOPMENT

Summary of Buildout Taxable Value	
Residential	\$63,918,470
Hotel	\$5,500,000
Commercial	\$2,908,750
TOTAL	\$72,327,220

The proposed development will generate nearly \$75,000 annually in property tax revenues given the above taxable value projections and the City's current tax rate of 0.001035.

TABLE 4: PROJECTED ANNUAL PROPERTY TAX REVENUES AT BUILDOUT

	Annual Revenue
Property Tax Revenues	\$74,859

Additional tax revenues will be generated for the other taxing entities such as Wasatch County, Wasatch County School District, Wasatch County Fire Prevention Special Service District, Wasatch County Special Service District #21, and Central Utah Water Conservancy District by multiplying the assessed values shown previously by the respective tax rates of each taxing entity.

Sales Tax Revenues

Sales tax revenues are based both on population and point-of-sale distribution. The population distribution in Utah has recently reached about \$100 per capita per year and applies only to the population associated with primary residential development. The population has been calculated based on the number of units projected, an average household size of 3.0 persons, and 90 percent of units designated as primary homes.

Point-of-sale impacts are calculated only for the hotel which anticipates 40 rooms, a nightly lodging rate of \$132 and 65% average occupancy. While additional commercial space is planned as part of the development, the ratio of retail v. office space is not currently determined. Therefore, this report has conservatively not assumed any further point-of-sale revenues.

TABLE 5: PROJECTED SALES TAX REVENUES - LOCAL OPTION POINT OF SALE

Sales Tax Revenues	Annual Revenues
Population Distribution	\$69,400
Point-of-Sale - Hotel	\$6,263
Municipal Transient Room Tax	\$12,527
TOTAL Sales Tax Revenues	\$75,663

Municipal Energy Revenues

Utah Code allows cities to collect municipal energy tax revenues of up to 6 percent on the taxable portions of electric and gas sales. Heber has enacted the municipal energy tax to the full 6 percent.

Average residential monthly electric expenses in Utah are \$79.00.¹ Average natural gas bills are \$345.03.² Average commercial expenses are \$2.10 per building square foot.³ Based on the number of households and commercial square feet anticipated to be developed, revenues will reach over \$23,000 annually.

TABLE 6: PROJECTED MUNICIPAL ENERGY TAX REVENUES

Municipal Energy Tax Revenues	Annual Revenues
Residential	\$19,939
Commercial	\$3,339
TOTAL Municipal Energy Tax Revenues	\$23,278

¹ <https://www.electricitylocal.com/states/utah/>

² <https://www.google.com/search?q=average+residential+gas+bill+in+Utah+per+month&oq=average+residential+gas+bill+in+Utah+per+month&aqs=chrome..69i57.6761j0j7&sourceid=chrome&ie=UTF-8>

³ https://www.google.com/search?q=average+commercial+gas+bill+per+square+foot&rlz=1C1GCEB_enUS886US886&oq=average+commercial+gas+bill+per+square+foot&aqs=chrome..69i57j33l3.7275j0j7&sourceid=chrome&ie=UTF-8

Class B/C Road Fund Revenues

Class B/C road funds are distributed on both population and weighted road miles.

TABLE 7: CLASS B/C ROAD FUND DISTRIBUTION

Road Mile Distribution	Population	Weighted Mileage	Amount Distributed	Population Distribution	Weighted Mile Distribution	Per Capita Distribution	Per Weighted Mile Distribution
Sept-Oct 2022	3,271,616	124,615.00	\$32,756,636	\$16,378,318	\$16,378,318	\$5.01	\$131.43
July-Aug 2022	3,271,616	124,608.00	\$25,194,853	\$12,597,426	\$12,597,426	\$3.85	\$101.10
May-June 2021	3,271,616	124,521.00	\$44,469,107	\$22,234,553	\$22,234,553	\$6.80	\$178.56
Mar-Apr 2021	3,205,958	123,989.95	\$33,530,217	\$16,765,108	\$16,765,108	\$5.23	\$135.21
Jan-Feb 2021	3,205,958	123,813.39	\$29,900,630	\$14,950,315	\$14,950,315	\$4.66	\$120.75
Nov-Dec 2020	3,205,958	123,278.62	\$28,894,506	\$14,447,253	\$14,447,253	\$4.51	\$117.19
TOTAL						\$30.05	\$784.24

**Source: UDOT; ZPFI*

The proposed development anticipates only 0.12 public road miles which is the equivalent of 0.6 weighted road miles. The weighted road mile distribution for the past year was \$784.24 as shown in the preceding table.

Based on an estimated population of 694 persons and a per capita distribution of \$30.05, Heber would expect to receive \$20,856 annually from the population distribution portion of the formula, plus \$471 from the weighted road mile distribution, for a total of \$21,327.

TABLE 8: PROJECTED CLASS B/C ROAD FUND REVENUES

Class B C Road Funds	Annual Revenues
Weighted Road Mile Distribution	\$471
Population Distribution	\$20,856
Total B/C Distribution	\$21,327

Business Licenses

The commercial space planned for this development will likely house several new businesses, as well as a 40-room hotel. Based on an average fee of \$100 per business per year,⁴ the City would receive an additional \$500 in business license fees annually.

Fines & Forfeitures

Heber City currently averages about \$16.50 per capita in fines & forfeitures annually. This results in anticipated revenues of approximately \$11,450 annually.

Summary of General Fund Revenues

Incremental General Fund revenues are anticipated to reach nearly \$220,000 annually.

⁴ Business license fees will vary based on the type of business and the amount of disproportionate fee charged.

TABLE 9: INCREMENTAL GENERAL FUND REVENUES

	Annual Revenues)
Property Tax Revenues	\$74,859
Sales Tax Revenues	
Population Distribution	\$69,400
Local Option Point-of-Sale - Hotel	\$6,263
Municipal Transient Room Tax	\$12,527
Municipal Energy	
Residential	\$19,939
Commercial	\$3,339
Class B/C Road Funds	
Weighted Road Mile Distribution	\$471
Population Distribution	\$20,856
Business Licenses	\$500
Fines & Forfeitures	\$11,451
TOTAL General Fund Revenues	\$219,604

Highway Tax

Heber City has enacted the 1 percent Highway Tax on all retail sales. Based on average hotel sales of \$1,252,680, Heber City should receive \$12,527 annually in Highway Tax funds.

Exhibit 12

Logan Johnson
Wright Development Group
1178 W Legacy Crossing Blvd
Centerville, UT 84014



December 17, 2021

Heber City
75 North Main Street
Heber City, Utah 84032

Heber City Officials,

As part of our proposal to annex into the City, we have estimated the amount of impact fees that may be associated with our proposed development. This estimate is based off the Heber City Fee Impact Fees published in the municipal code. Final fees would be calculated and required at the time of construction.

Culinary Water	\$324,660
C Water COM	\$38,896
Sanitary Sewer	\$280,211.23
Streets	\$477,816
Streets COM	\$11,318
Irrigation	\$129,944.15
Irrigation COM	\$6,098.40
Parks	\$348,565.50
TOTAL IMPACT FEE ESTIMATE	\$1,617,509

We hope that this analysis will help you understand the impacts and benefits of allowing our proposed development to be annexed into the City.

Thank you for your consideration.

Sincerely,

Logan Johnson
Wright Development Group

Exhibit 13



March 31, 2021

Spencer Wright
Wright Development Group
1178 Legacy Crossing Boulevard, Suite 100
Centerville, Utah 84104

Subject: Heber City Property Parcels Preliminary Wetlands Assessment Report
Heber City, Wasatch County, Utah
Section 19, Township 3 South, Range 5 East, SLB&M

Dear Mr. Wright:

Per your request, Frontier Corporation USA (Frontier) completed a preliminary wetlands assessment for an approximately 15.39-acre Project Area located in Heber City, Wasatch County, Utah. The Project Area is located on the east side of U.S. Highway 40 (US-40), approximately 2.5 miles north of downtown Heber City (Figure 1). The Project Area consists of three property parcels (00-0020-8333, 00-0020-8334 and 00-0020-8335) that are situated in Section 19, Township 3 South, Range 5 East, Salt Lake Base and Meridian (SLB&M) (Figure 2a).

The Project Area is on a west-facing hillslope. It is bordered by US-40 to the west and the Wasatch Canal to the east (Figure 2a). Surface topography ranges between approximately 5,620 and 5,725 feet, sloping to the west. The higher eastern portion of the Project Area consists of semi-arid rangeland that used to be flood irrigated with canal water. The flood irrigation for the eastern portion of the Project Area has been recently converted to pressurized pipelines.

The lower western portion of the Project Area has an irrigation ditch that runs along the bottom toe of the hillslope. The irrigation ditch is lined with cottonwood trees and is used to flood irrigate a pasture field that borders US-40. The flood irrigated field has a wet meadow plant community that was identified as Problem Area 1 (Figure 3).

No tributary stream channels or discernible wetlands were observed in or adjacent to the Project Area. However, the National Wetlands Inventory (NWI) mapping data shows the presence of:

- One riverine intermittent streambed, seasonally flooded, excavated wetland (R4SBCx) located where the Wasatch Canal runs along the east Project Area boundary;
- One palustrine emergent persistent temporarily flooded wetland (PEM1A) situated in the flood irrigated livestock pasture located along the west Project Area boundary; and
- One palustrine emergent persistent, irregularly flooded wetland (PEM1B) located in a small area where the semi-arid rangeland used to be flood irrigated with canal water (Figure 4).

Frontier Corporation USA
221 N. Gateway Drive, Suite B
Providence, UT 84332
(435) 753-9502

Wetlands, streams, ponds, springs and other types of water bodies can be regulated by the U.S. Army Corps of Engineers (USACE) as waters of the U.S. (WoUS) under Section 404 of the federal Clean Water Act if they have a jurisdictional nexus to a traditional navigable water (i.e., Provo River). However, the USACE will not regulate artificially created wetlands if they would not exist in the absence of man-made water sources, such as irrigation water.

The purpose of this preliminary wetlands assessment is to identify the presence (or absence) of potential wetlands and/or other water bodies within the Project Area that may fall under the USACE's Section 404 permitting regulations. Objectives are twofold:

1. Identify and preliminarily map the locations of potential wetlands and/or other aquatic resource features within the Project Area that exist under current site conditions, and
2. Assess whether such features may have jurisdictional connections to the Jordanelle Reservoir and/or other potential WoUS in accordance with the 2020 Navigable Waters Protection Rule (Dept. Army, Corps of Engineers 33 CFR Part 328).

This preliminary wetlands assessment is for planning purposes only. The assessment was not done at a level of detail necessary for a formal USACE wetland delineation.

METHODS

The preliminary assessment consisted of an online query of existing NWI, National Hydrography Dataset (NHD), U.S. Department of Agriculture Natural Resources Conservation Service (USDA-NRCS) Soil Survey, and U.S. Geological Survey (USGS) databases; a review of historical aerial imagery using GoogleEarth; and an initial site inspection that was completed on March 10, 2021. Areas that appeared to have wetland plant communities and evidence of potential sources of wetland hydrology at the time of the site inspections were identified as potential wetland areas, and checked against the NWI, NHD, USDA-NRCS and USGS databases. Stream channels, man-made ditches, ponds and other potential water features were similarly identified and preliminarily mapped.

Areas that were dominated by upland plant communities with no evidence of potential water sources for wetland hydrology were identified as uplands.

Areas that could not be clearly discerned as being either wetlands or uplands without completing a formal USACE wetland delineation were identified as "problem areas". This includes areas where wetland plants may have been artificially established by irrigation practices. Further investigation following the Corps of Engineers 2008 Arid West Delineation Manual would be necessary in order to determine whether problem areas meet the wetland delineation criteria.

Aerial imagery dated September 11, 2018 was obtained from the Utah Automated Geographic Reference Center (Utah-AGRC) database and used to produce aerial field maps. The locations of potential wetlands, ponds, streams, canals, ditches and other water features were marked on the aerial field maps. The identified features were digitized in the office and incorporated into a Geographic Information Systems (GIS) database using ArcGIS. The aerial imagery data and the

NWI, NHD, USDA-NRCS and USGS map data were obtained online and added to the GIS database.

GIS was used to produce the site location maps (Figures 1, 2a and 2b), Preliminary Wetlands Assessment Map (Figure 3), Soil Survey and NWI map (Figure 4), and NHD map (Figure 5). Representative photographs showing existing site conditions at the Project Area are provided in the attached photo log. Photo point locations and view directions are shown on the Preliminary Wetlands Assessment Map (Figure 3).

FINDINGS

Land Use

The Project Area is located on undeveloped agricultural property that has been historically irrigated and managed for livestock pasture. However, it appears that the higher eastern portion of the Project Area has not been fully irrigated for several years. The Wasatch Canal was dry at the time of the March 10 site inspection (See Photos 5, 6, 9, 10). The lateral ditch system for canal water has been replaced with a pressurized irrigation pipe system. Three manholes and stub pipes for the pressurized irrigation were observed along the eastern Project Area boundary, but no apparatus for a sprinkler system were found. Fields that were formerly flood irrigated with canal water have reverted to dry semi-arid rangeland.

A smaller irrigation ditch runs along the toe of the hillslope in the western portion of the Project Area (See photos 12, 16, 17). The irrigation ditch is a man-made excavated ditch. It was also dry at the time of the March 10 site inspection. The ditch is used to flood irrigate a pasture field that borders US-40. The elevation of the ditch is 2 to 4 feet higher in elevation compared to the adjacent pasture field that is flood irrigated with ditch water. The ditch connects to a buried pipeline in the southwest corner of the Project Area. No highway culverts were observed along the length of the Project Area that borders US-40.

Potential Wetlands

No distinct or readily discernible wetland areas were identified in the Project Area.

Streams and other Water bodies

No perennial, intermittent or ephemeral stream channels were identified in the Project Area. No ponds, springs or other types of natural water bodies were observed. The only water features present are the man-made Wasatch Canal and lower irrigation ditch. These are earthen irrigation conveyance structures that were constructed in uplands where they cross the Project Area. Both of these man-made irrigation structures run north to south and run parallel to the topographic contour of the hillslope. Neither the Wasatch Canal nor the irrigation ditch had flowing water at the time of the March 10 site inspection.

Problem Areas

One problem area (Problem Area 1) was identified within the Project Area boundaries (Figure 3, Table 1). Problem Area 1 is approximately 3.00 acres in size and is situated in the flood irrigated field that borders US-40. The pasture field is distinctly lower in elevation compared to the irrigation ditch that runs along its east side and the US-40 road prism that runs along its west side (See photos 13, 14 and 15).

Table 1. Problem Areas identified at the Project Area

Feature Name	Feature Type	Area (acres)	Length (feet)
Problem Area 1	Irrigated Wet Meadow	3.00	-
Total		3.00	-

No road culverts were observed along the length of US-40 that borders the Project Area. Thus, the flood irrigated field functions as a closed basin with no surface water outlets and detains irrigation water. The problem area has a wet meadow plant community that includes Baltic rush, Nebraska sedge, quack grass and other wetland indicator plant species. Patches of Canada thistle, which is an upland plant, suggests that the wet meadow plants were artificially established by irrigation water. Thus, the pasture was identified as a problem area because a long history of flood irrigation practices could have caused hydrologic conditions that artificially established wetland plants in Problem Area 1.

Uplands

Except for Problem Area 1, the remainder of the 15.39-acre Project Area consists of hillslope uplands that have been managed for livestock grazing. The uplands appear to be well drained and consist of semi-arid rangeland that is dominated by sagebrush, cheatgrass, crested wheatgrass, intermediate wheatgrass, bull thistle, Scotch thistle, prickly lettuce, and other upland grass and forb species.

National Wetlands Inventory Data

The NWI mapping data for the Project Area were obtained online from the U.S. Fish and Wildlife Service (<http://www.fws.gov/wetlands/Wetlands-Mapper.html>). The NWI mapping was originally completed by photo-interpolation of 1:65,000-scale and 1:58,000-scale color infrared aerial photography that was flown in the early 1980s. The original aerial photography used for the initial NWI mapping is more than 35 years old, and conditions originally interpolated for the NWI mapping may no longer be present under current site conditions.

The NWI mapping shows one riverine intermittent streambed, seasonally flooded, excavated wetland (R4SBCx), one palustrine emergent persistent, temporarily flooded wetland (PEM1A) and one palustrine emergent persistent, saturated wetland (PEM1B) (Figure 4). The R4SBCx wetland correlates with the man-made excavated Wasatch Canal. The PEM1A wetland corresponds with Problem Area 1 situated in the lower flood irrigated pasture field. The PEM1B

wetland is shown in an upland area that used to be flood irrigated with canal water. No wetlands were observed where the PEM1B is shown on the NWI mapping data.

Soil Survey Data

The soil survey mapping data for the Project Area were obtained from the USDA-NRCS online database (<http://websoilssurvey.nrcs.usda.gov>) and cross-referenced with the hydric soils list (<https://www.nrcs.usda.gov>) for the area. Soils included on the hydric soils list typically have poor drainage characteristics and tend to have a prevalence of supporting wetland conditions if ample water sources are present.

The soil survey indicates that the Project Area is underlain by four soil units (Figure 4):

- BeD2 – Bezzant cobbly loam, nonsaline to very slightly saline;
- BfC – Bezzant very cobbly loam, nonsaline to very slightly saline;
- RaB – Rasband coarse sandy loam, nonsaline to very slightly saline;
- RdA – Rasband loam, nonsaline to very slightly saline;

None of these soil units are included on the hydric soils list. The majority of the Project Area is semi-arid rangeland that is underlain by the cobbly/sandy BeD2, BfC and RaB soil units that appear to be well drained. Problem Area 1 is underlain by the loamy RdA soil unit. A long history of flood irrigation practices could have caused prolonged soil saturation and the artificial establishment of the wetland plants observed Problem Area 1.

National Hydrography Dataset

The NHD includes the mapping of the Nation's surface water drainage network of rivers, streams, lakes, ponds, dams, reservoirs and other water features. NHD data were obtained from the USGS National Geospatial Program, National Map database (<http://viewer.nationalmap.gov>). The NHD flow paths for the general vicinity of the Project Area are shown on Figure 5. The NHD flow paths show the major drainage patterns and potential tributary connections to the Provo River or other potential tributary streams.

NHD flow paths are shown along the east Project Area boundary and outside the south Project Area boundary. The east flow path correlates with the Wasatch Canal. The south flow path correlates with an irrigation ditch that came off the canal and no longer exists. The NHD data generally matches the surface water drainages shown on the USGS 7.5' topographic quadrangle mapping (Figure 2a) and confirms there are no tributary streams that flow through or adjacent to the Project Area.

JURISDICTIONAL ASSESSMENT

Features within the Project Area that would meet the USACE's delineation criteria for wetlands or other types of water bodies could be potentially regulated as jurisdictional WoUS if they are determined to have: (1) connections to a stream that is tributary to the Provo River, (2)

connections to wetlands that are adjacent to a tributary that connects to Provo River, or (3) connections to wetlands that are adjacent to the Provo River. Wetlands that have been artificially established by irrigation water, and would not exist if irrigation water was removed, are not regulated as WoUS under the current 2020 NWPR definitions. Problem Area 1 may qualify as an artificially created non-jurisdictional wetland. Additionally, Problem Area 1 has no tributary connections or continuous wetland connections to the Provo River and would qualify as a non-jurisdictional wetland according to the 2020 NWPR definitions.

Under the current 2020 NWPR definitions, most man-made irrigation canals and ditches constructed in uplands are not classified as tributary streams. Tributaries are defined as perennial or intermittent stream channels that normally convey surface flows during a typical year. A man-made ditch can be regulated as a jurisdictional WoUS if: (1) the ditch relocates flows from a tributary stream, (2) it is constructed in a tributary, or (3) it is constructed in a wetland adjacent to a tributary. The canal or ditch must also have perennial or intermittent flows during a typical year, and have surface water connections to a traditional navigable water (i.e., Provo River). In other words, man-made ditches constructed in uplands that do not meet the conditions above are potentially non-jurisdictional waters under the 2020 NWPR.

The man-made Wasatch Canal and lower irrigation ditch were constructed in uplands where they cross the Project Area. It appears that neither the canal nor the irrigation ditch convey the relocated flows of a tributary stream. The canal and irrigation ditch import irrigation water that would not otherwise exist at the Project Area.

The Project Area is located downgradient and approximately 4 miles south of Jordanelle Reservoir. The Wasatch Canal conveys irrigation water diverted from the Jordanelle Reservoir and the Provo River. The lower irrigation ditch that runs through the western portion of the Project Area is also a man-made irrigation feature. It appears that the ditch conveys irrigation water diverted from the Provo River irrigation system. These types of man-made canals and ditches may be classified as non-jurisdictional waters under the 2020 NWPR.

A formal delineation for the Project Area would have to be completed in order to get a formal jurisdictional determination from USACE that:

1. Verifies the presence or absence and geographical boundaries of wetlands, ponds, ditches and other aquatic resource features that meet the USACE's delineation criteria.
2. Verifies whether any ditches in the Project Area meet the tributary stream definition.
3. Verifies whether any wetlands meeting the USACE delineation criteria have a jurisdictional connection to Jordanelle Reservoir.

SUMMARY

Frontier completed a preliminary wetlands assessment for an approximately 15.39-acre Project Area located in Heber City, Wasatch County, Utah. The purpose of the preliminary wetlands assessment is to identify the presence of potential wetlands and other aquatic resource features

that could potentially be regulated as jurisdictional WoUS by the USACE under Section 404 of the federal Clean Water Act.

The Project Area is located on the east side of US-40, approximately 2.5 miles north of downtown Heber City (Figure 1). The Project Area consists of three property parcels (00-0020-8333, 00-0020-8334 and 00-0020-8335) that are situated in Section 19, Township 3 South, Range 5 East (Figure 2a). The Project Area is undeveloped farmland that has been historically irrigated for livestock grazing.

No tributary stream channels or discernible wetlands were observed in or adjacent to the Project Area. The Project Area is on a west-facing hillslope. It is bordered by US-40 to the west and the Wasatch Canal to the east. The higher eastern portion of the Project Area consists of semi-arid rangeland that used to be flood irrigated with canal water. The flood irrigation for the eastern portion of the Project Area has been recently converted to pressurized pipelines.

The lower western portion of the Project Area has an irrigation ditch that runs along the bottom toe of the hillslope. The irrigation ditch is lined with cottonwood trees and is used to flood irrigate a pasture field that borders US-40. The flood irrigated field has a wet meadow plant community that was identified as Problem Area 1 (Figure 3). Problem Area 1 is approximately 3.00 acres in size. It is possible that the wetland plants observed in Problem Area 1 were artificially established by irrigation water. The USACE will not regulate artificially created wetlands if it is demonstrated they would not exist in the absence of irrigation water that has been artificially introduced to a site. Additionally, Problem Area 1 has no apparent jurisdictional connections to the Provo River.

The man-made Wasatch Canal and lower irrigation ditch were constructed in uplands where they cross the Project Area. It appears that neither the canal nor the irrigation ditch convey the relocated flows of a tributary stream. The canal and irrigation ditch import irrigation water that would not otherwise exist at the Project Area. These types of man-made irrigation conveyances are classified as non-jurisdictional waters under the 2020 NWPR definitions.

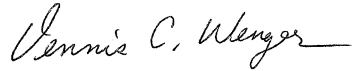
This preliminary wetlands assessment is for planning purposes only. The assessment was not done at a level of detail necessary for a formal USACE wetland delineation and jurisdictional determination. A formal delineation for the Project Area would have to be completed in order to get a formal jurisdictional determination from USACE that verifies the presence or absence of jurisdictional aquatic resource features that would fall under the USACE's Section 404 permitting regulations.

Spencer Wright
Wright Development Group
March 31, 2021
Page 8 of 8

Please feel free to call me if you have any questions about the findings of our preliminary wetlands assessment.

Sincerely,

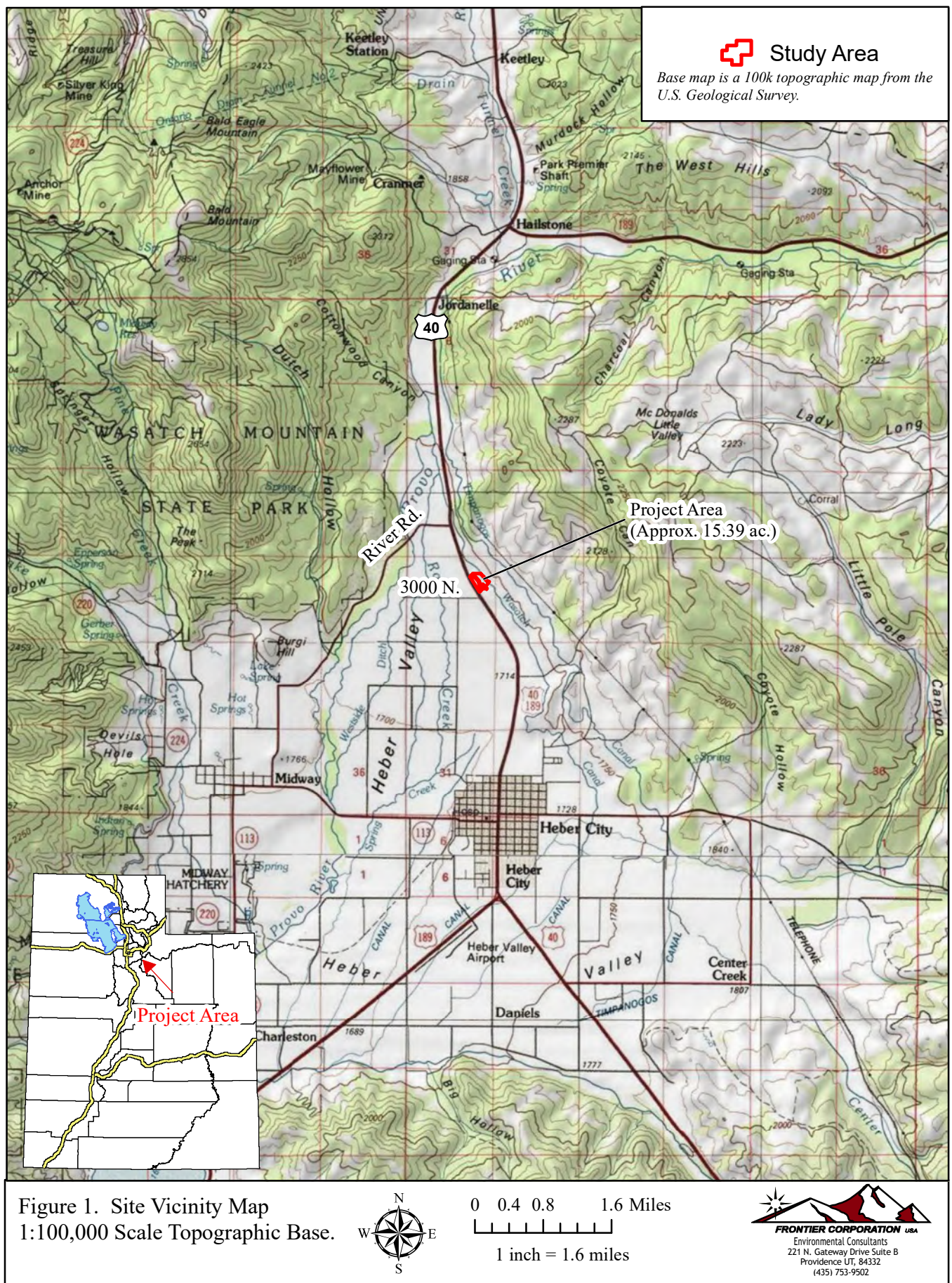
Frontier Corporation USA

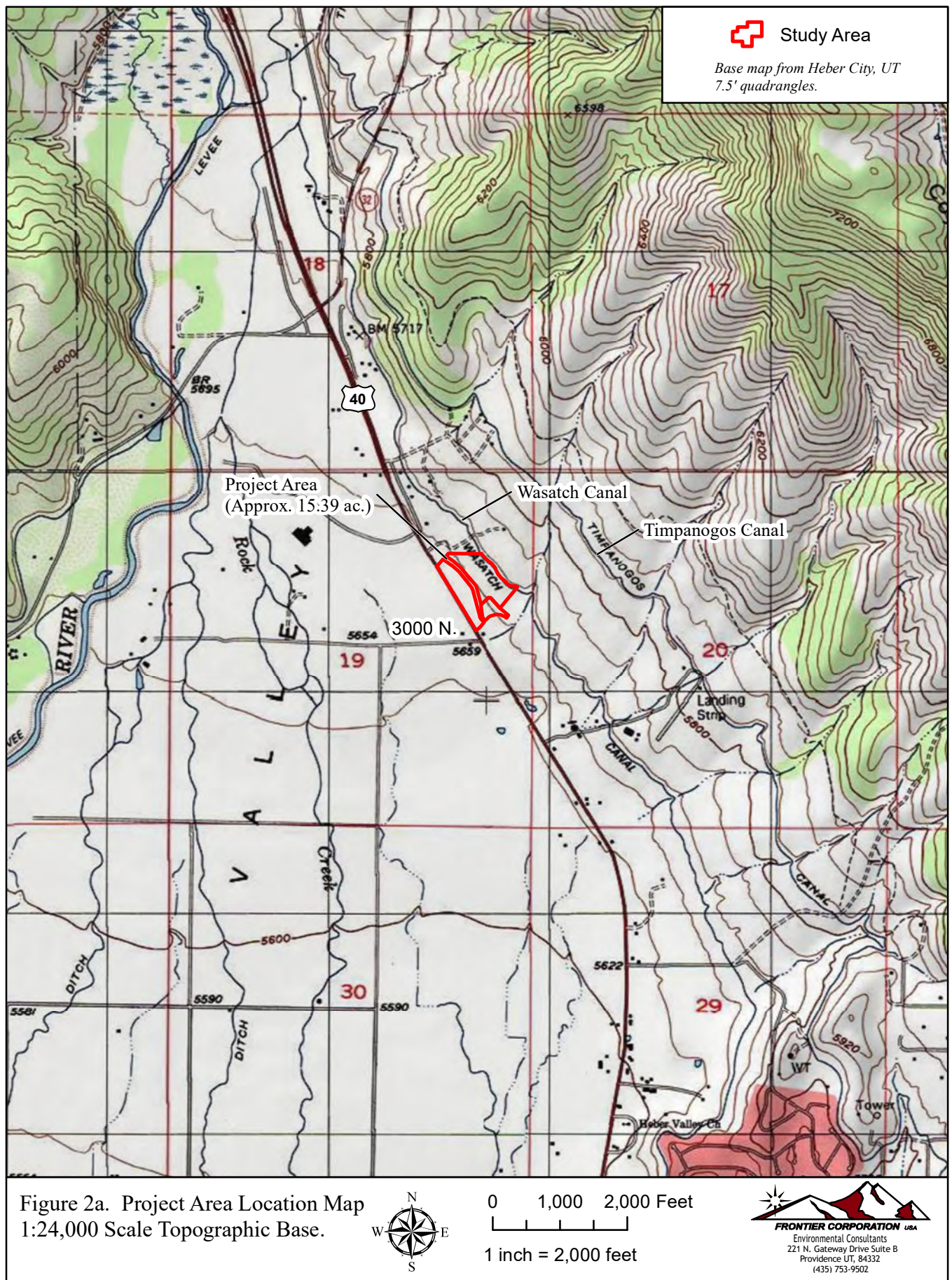
A handwritten signature in black ink, reading "Dennis C. Wenger". The signature is fluid and cursive, with a long horizontal stroke at the end.

Dennis C. Wenger
Senior Wetlands Ecologist
Principal

Attachments:

Figure 1. Site Vicinity Map – 1:100,000 scale topo basemap
Figure 2a. Project Area Location Map – 1:24,000 scale topo basemap
Figure 2b. Project Area Location Map – 1:24,000 scale aerial basemap
Figure 3. Preliminary Wetlands Assessment Map
Figure 4. USDA-NRCS Soil Survey and National Wetlands Inventory Map
Figure 5. National Hydrography Dataset Map
Photolog depicting current site conditions – 8 pages total







Project Area

Aerial Imagery dated September 11, 2018
provided by Utah-AGRC.



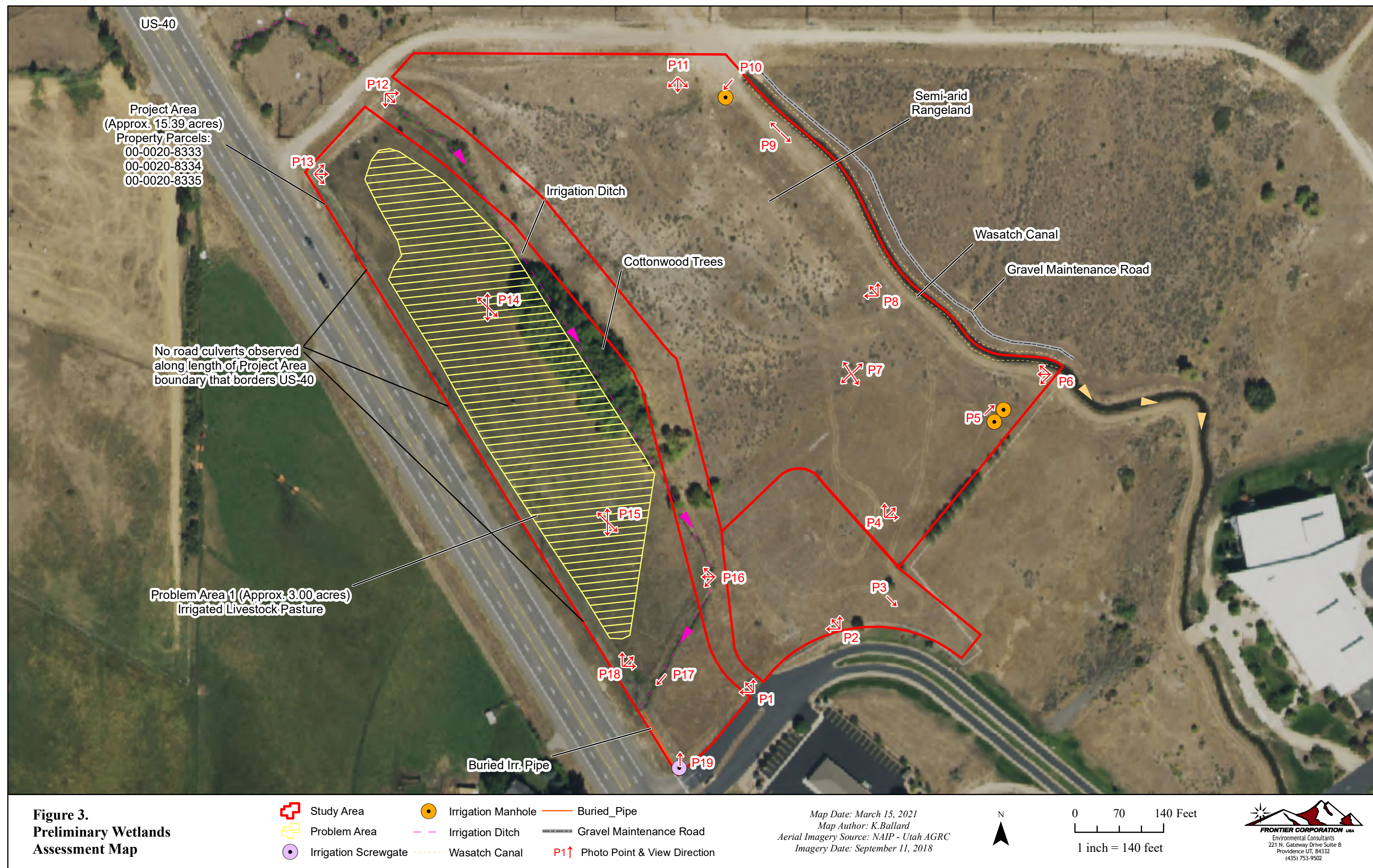
Figure 2b. Project Area Location Map
1:24,000 Scale Aerial Base.



0 1,000 2,000 Feet

1 inch = 2,000 feet







Wright Development Heber Parcels - Approximately 15.39-acre Project Area
Heber City, Wasatch County, Utah
Photos taken March 10, 2021 - Photolog 1

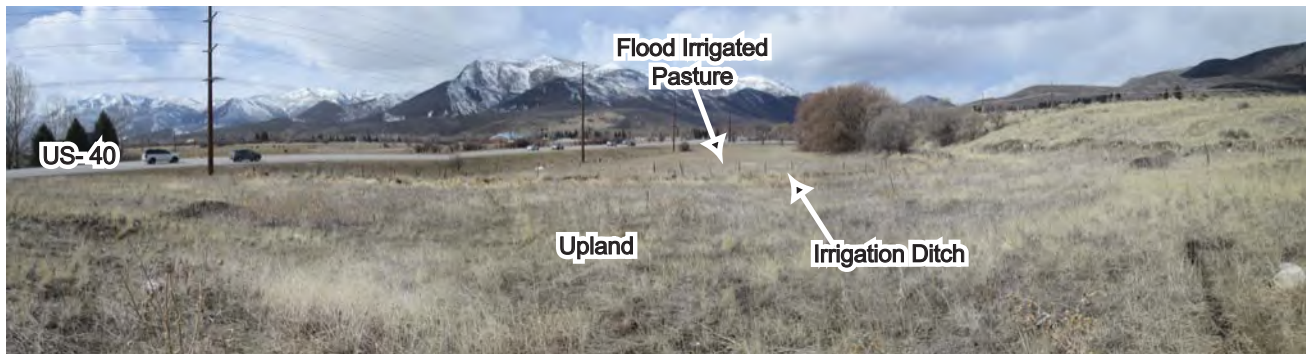


Photo 1. Northwest view of uplands and hillslope topography taken from the southwestern boundary of the Project Area. No wetlands or streams observed. Prickly lettuce, Bull thistle, Crested wheatgrass, Cheatgrass, Field brome, and other upland vegetation observed.



Photo 2. Northwest view of uplands from southwestern boundary of Project Area. No wetlands or streams observed. Lower irrigation ditch and flood irrigated pasture in background bordering US-40.

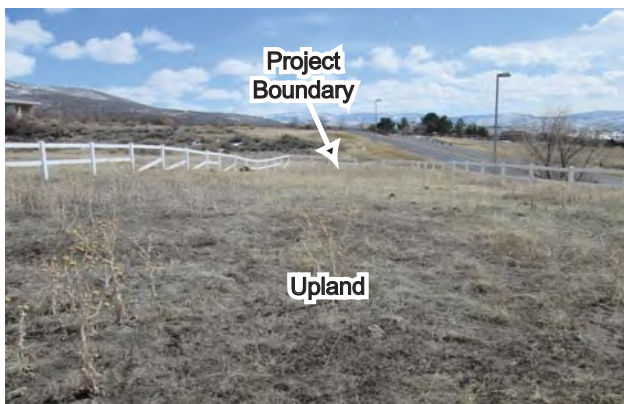


Photo 3. Southeast view of uplands located near the southeast boundary of Project Area. No wetlands, ditches or streams observed.

Wright Development Heber Parcels - Approximately 15.39-acre Project Area
Heber City, Wasatch County, Utah
Photos taken March 10, 2021 - Photolog 2



Photo 4. East view of uplands observed in the northeastern portion of the Project Area. This is formerly flood irrigated fields that have reverted to semi-arid rangeland. No cultivated farm fields observed. No wetlands, ditches or streams observed.



Photo 5. East view of pressurized irrigation stub and manhole observed in the northeast corner of the Project Area. No wetlands or streams observed. Buried pressurized irrigation pipes replaced Wasatch Canal flood irrigation lateral ditch system.



Photo 6. North view from northeastern corner boundary of Project Area showing the Wasatch Canal and its gravel maintenance road.

Wright Development Heber Parcels - Approximately 15.39-acre Project Area
Heber City, Wasatch County, Utah
Photos taken March 10, 2021 - Photolog 3



Photo 7a. Southeast view of uplands observed in the northeastern portion of Project Area. No wetlands or streams observed. This is location of PEM1B wetland shown on the NWI.



Photo 7b. Southwest view of uplands observed in the northeastern portion of Project Area. No wetlands or streams observed.



Photo 7c. Northwest view of uplands observed in the northeastern portion of Project Area. No wetlands or streams observed.



Photo 7d. Northeast view of uplands observed in the northeastern portion of Project Area. No wetlands or streams observed.



Photo 8. Northwest view of uplands observed along the northern portion of the Project Area. This is semi-arid rangeland dominated by sagebrush and upland grasses. Cottonwood trees bordering irrigation ditch are shown in the background. No wetlands or streams observed.

Wright Development Heber Parcels - Approximately 15.39-acre Project Area
Heber City, Wasatch County, Utah
Photos taken March 10, 2021 - Photolog 4



Photo 9a. Northwest view of Wasatch Canal observed in uplands located in the northern portion of Project Area. Sagebrush and other upland vegetation observed. No wetlands or streams observed.



Photo 9b. Southeast view of Wasatch Canal observed in uplands located in the northern portion of Project Area. Sagebrush and other upland vegetation observed. No wetlands or streams observed.



Photo 10. South view of irrigation manhole and stand up pipe stub observed in the northeastern portion of Project Area. No wetlands or streams observed. Pressurized irrigation replaced the Wasatch Canal flood irrigation system.



Photo 11. South view of hillslope uplands observed in the northern portion of the Project Area. Sagebrush and other upland vegetation observed. No wetlands or streams observed. Flood irrigated pasture containing Problem Area 1 is in the background.



Photo 12. Southeast view of irrigation ditch observed from northwestern boundary of Project Area. No wetlands or streams observed. Reed canary grass observed growing in the ditch. Ditch was observed dry with no flowing water at the time of the March 10, 2021 site inspection. NOTE: the 2-4 feet topographic difference between the irrigation ditch and the lower flood irrigated pasture.



Photo 13. Southeast view from northwest corner of Project Area showing surface topography slope toward the west. Problem Area 1 is located between the irrigation ditch to the east and the US-40 road prism to the west. No streams observed inside Project Area boundaries.



Photo 14a. North view of Problem Area 1 observed in the northwestern portion of Project Area. Baltic rush, Nebraska sedge, Quack grass and other wetland vegetation observed. No streams observed. No road culverts observed along the highway.

Wright Development Heber Parcels - Approximately 15.39-acre Project Area
Heber City, Wasatch County, Utah
Photos taken March 10, 2021 - Photolog 6



Photo 14b. South view of Problem Area 1 observed in the northwestern portion of Project Area. Baltic rush, Nebraska sedge, Quack grass and other wetland vegetation observed. No streams observed. No road culverts observed along highway.



Photo 15a. North view of uplands observed in the southern portion of Project Area. No wetlands or streams observed.



Photo 15b. South view of uplands observed in the southern portion of Project Area. No wetlands or streams observed.

Wright Development Heber Parcels - Approximately 15.39-acre Project Area
Heber City, Wasatch County, Utah
Photos taken March 10, 2021 - Photolog 7



Photo 16. West view showing man-made excavated irrigation ditch that was constructed in uplands. Photo taken in the southern portion of Project Area. No wetlands or streams observed.



Photo 17. Southwest view at southwestern boundary of Project Area showing irrigation ditch draining into a buried pipe. No water was in the ditch at the time of the March 10, 2021 site inspection.

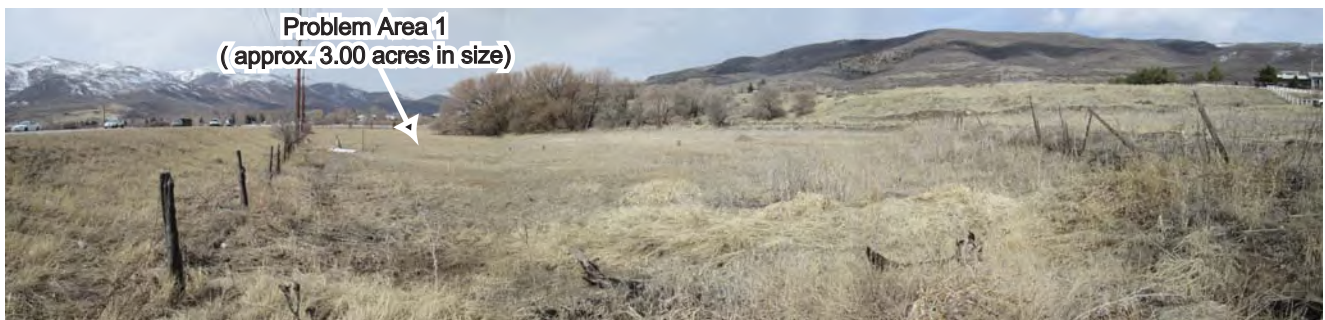


Photo 18. Northeast view of uplands in foreground taken from southwest corner of Project Area. No wetlands or streams observed. Prickly lettuce, Bull thistle, Crested wheatgrass, Field brome, and other upland vegetation observed. Flood irrigated field containing Problem Area 1 is in the background.

Wright Development Heber Parcels - Approximately 15.39-acre Project Area
Heber City, Wasatch County, Utah
Photos taken March 10, 2021 - Photolog 8



Photo 19. North view of irrigation screw gate observed in uplands located in the southwest corner of Project Area. The man-made irrigation ditch has been placed in a buried pipe to this control box location. Photo 17 shows where the ditch drains into the buried pipe.



June 1, 2022

Spencer Wright
Wright Development Group
1178 Legacy Crossing Boulevard, Suite 100
Centerville, Utah 84104

Subject: Heber City Property Parcels Preliminary Wetlands Assessment Report
Approximately 15.39-acres Project Area, Heber City, Wasatch County, Utah
Section 19, Township 3 South, Range 5 East, SLB&M

Dear Mr. Wright:

Per your request, Frontier Corporation USA (Frontier) did some further investigation on the potential presence of wetlands on the above reference Project Area located in Heber City, Utah. You specifically want to know if there have been any official wetlands delineations done on the Project Area that have been verified by the U.S. Army Corps of Engineers (USACE).

To the best of our knowledge, there have been no formal wetland delineations done for the Project Area. There is no government mapping for the site that we are aware of other than National Wetlands Inventory (NWI) mapping data.

In 1986, Congress mandated the U.S. Department of the Interior, U.S. Fish and Wildlife Service (USFWS) to map and track status change in the nation's wetlands. The NWI mapping is done at the national and regional scales and is intended to be an overview on the status and trends of wetlands for wildlife habitat purposes. NWI mapping data are generally updated on a decadal basis pending Congressional funding. Wetlands Status and Trends Reports comprise the monitoring component of the NWI program. These reports provide information on recent and historical changes in wetland and aquatic resources habitat types and acreages at both the national and regional levels. The reports are intended to provide information to help guide the development of U.S. aquatic resource policies.

Construction work in wetlands is regulated by the USACE under Section 404 of the federal Clean Water Act. The USACE is under the U.S. Department of the Army, which is totally separate from the U.S. Department of the Interior. The USACE has the sole regulatory authority for determining the presence/absence of areas that meet the wetland delineation criteria for regulatory purposes. There are many site-specific factors that the USACE must consider when determining the presence and locations of regulated wetlands at the site-specific scale.

The NWI mapping is not done at the local or site specific scale, and was never intended to be a surrogate for a USACE verified delineation. In fact, the USACE does not rely the NWI mapping for delineating the presence of regulated wetlands because it is known that the NWI mapping is

Frontier Corporation USA
221 N. Gateway Drive, Suite B
Providence, UT 84332
(435) 753-9502

Spencer Wright
Wright Development Group
June 1, 2022
Page 2 of 2

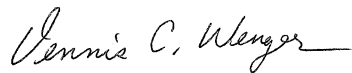
inherently inaccurate for regulatory purposes. This is because the NWI mapping is done with remote sensing methods with no site-specific data collection or groundtruth verification, and is not done at the level of detail as is required under the USACE's wetlands delineation manual. Any delineation verified by the USACE must be done in accordance with the wetlands delineation manual specifications.

Again, the NWI mapping is done for national and regional wetlands habitat planning by the USFWS under the U.S. Department of Interior. The NWI mapping was never intended to be a surrogate for a USACE verified delineation that would be used for federal Clean Water Act permitting as administered under the U.S. Department of the Army. As such, there is no official USACE-verified delineation for the Project Area that we are aware of.

Please feel free to contact me if you have any further questions about NWI mapping vs. a USACE-approved delineation.

Sincerely,

Frontier Corporation USA

A handwritten signature in black ink, reading "Dennis C. Wenger". The signature is written in a cursive, flowing style.

Dennis C. Wenger
Senior Wetlands Ecologist
Principal

Exhibit 14



**REPORT
GEOTECHNICAL STUDY
PROPOSED COLLEGE DOWNS MULTI-FAMILY
APARTMENT DEVELOPMENT
APPROXIMATELY 3000 NORTH HIGHWAY 40
HEBER CITY, UTAH**

Submitted To:

Wright Development Group
1178 West Legacy Crossing Boulevard, Suite 100
Centerville, Utah 84014

Submitted By:

GSH Geotechnical, Inc.
473 West 4800 South
Salt Lake City, Utah 84123

September 8, 2021

Job No. 1488-034-21

September 8, 2021
Job No. 1488-034-21

Mr. Logan Johnson
Wright Development Group
1178 West Legacy Crossing Boulevard, Suite 100
Centerville, Utah 84014

Mr. Johnson:

Re: Report
Geotechnical Study
Proposed College Downs Multi-Family Apartment Development
Approximately 3000 North Highway 40
Heber City, Utah

1. INTRODUCTION

1.1 GENERAL

This report presents the results of our geotechnical study performed at the site of the proposed College Downs Multi-Family Apartment Development to be located at approximately 3000 North Highway 40 in Heber City, Utah. The general location of the site with respect to existing roadways, as of 2021, is presented on Figure 1, Vicinity Map. A more detailed layout of the site showing proposed facilities, existing roadways, and the test pits excavated in conjunction with this study is presented on Figure 2, Site Plan.

1.2 OBJECTIVES AND SCOPE

The objectives and scope of the study were planned in discussions between Mr. Logan Johnson of Wright Development Group and Mr. Robert Gifford of GSH Geotechnical, Inc. (GSH).

In general, the objectives of this study were to:

1. Define and evaluate the subsurface soil and groundwater conditions across the site.
2. Provide appropriate foundation, earthwork, pavement, infiltration, and geoseismic recommendations to be utilized in the design and construction of the proposed facilities.

In accomplishing these objectives, our scope has included the following:

1. A field program consisting of the excavating, logging, and sampling of 10 exploration test pits, as well as performing an infiltration test.
2. A laboratory testing program.
3. An office program consisting of the correlation of available data, engineering analysis, and the preparation of this summary report.

1.3 AUTHORIZATION

Authorization was provided by returning a signed copy of the Professional Services Agreement No. 21-0639 dated June 14, 2021.

1.4 PROFESSIONAL STATEMENTS

Supporting data upon which our recommendations are based are presented in subsequent sections of this report. Recommendations presented herein are governed by the physical properties of the soils encountered in the exploration test pits, projected groundwater conditions, and the layout and design data discussed in Section 2, Proposed Construction. If subsurface conditions other than those described in this report are encountered and/or if design and layout changes are implemented, GSH must be informed so that our recommendations can be reviewed and amended, if necessary.

Our professional services have been performed, our findings developed, and our recommendations prepared in accordance with generally accepted engineering principles and practices in this area at this time.

2. PROPOSED CONSTRUCTION

The approximately 17-acre parcel is proposed to be developed for the construction of 11 multi-family apartment/condo structures with associated pavements. The structures are anticipated to be 2 to 5 stories above grade (may include full- or partial-depth basements if conditions allow) and supported upon conventional spread and continuous wall footings.

Maximum real column and wall loads are anticipated to be on the order of up to 300 kips and 6 to 8 kips per lineal foot, respectively. Real loads are defined as the total of all dead plus frequently applied (reduced) live loads.

Paved parking areas and drive lanes are planned around the structures. Projected traffic in the parking areas is anticipated to consist of a light volume of automobiles and light trucks, occasional medium-weight trucks, and no heavy-weight trucks. Proposed traffic in the drive lanes is anticipated to consist of a moderate volume of automobiles and light trucks, a light volume of medium-weight trucks, and occasional heavyweight trucks.

Site development will require some earthwork in the form of minor cutting and filling. At this time, we anticipate that maximum site grading cuts and fills, excluding utilities, will be on the order of 5 to 10 feet.

3. SITE INVESTIGATIONS

3.1 GENERAL

Subsurface conditions in unexplored locations or at other times may vary from those encountered at specific test pit locations. If such variations are noted during construction or if project development plans are changed, GSH must review the changes and amend our recommendations, if necessary.

Test pit locations were established by estimating distances and angles from site landmarks. If increased accuracy is desired by the client, we recommend that the test pit locations and elevations be surveyed.

3.2 FIELD PROGRAM

To define and evaluate the subsurface soil and groundwater conditions across the site, 10 test pits were excavated within the accessible areas. These test pits were completed to depths ranging from 7 to 16 feet with a moderate-sized rubber tire-mounted backhoe. Excavation refusal within very dense granular soils terminated Test Pits TP-3, TP-4, and TP-8. The approximate locations of the test pits are presented on Figure 2. Additionally, an infiltration test to determine the infiltration rate was performed in Test Pit TP-1 at a depth of 3 feet.

The field portion of our study was under the direct control and continual supervision of an experienced member of our geotechnical staff. During the course of the drilling operations, a continuous log of the subsurface conditions encountered was maintained. In addition, samples of the typical soils encountered were obtained for subsequent laboratory testing and examination. The soils were classified in the field based upon visual and textural examination. These classifications were supplemented by subsequent inspection and testing in our laboratory. Graphical representation of the subsurface conditions encountered is presented on Figures 3A through 3J, Test Pit Logs. Soils were classified in accordance with the nomenclature described on Figure 4, Key to Test Pit Log (USCS).

A 2.42-inch inside diameter thin-wall drive sampler was utilized at select locations and depths within the test pit excavations to collect soil samples for further examination and laboratory testing.

Following completion of excavation operations, 1.25-inch diameter slotted PVC pipe was installed in Test Pits TP-1, TP-2, and TP-10 to provide a means of monitoring the groundwater fluctuations. The test pits were then backfilled. Although an effort was made to compact the backfill with the backhoe, backfill was not placed in uniform lifts and compacted to a specific density. Consequently, settlement of the backfill with time is likely to occur.

3.3 LABORATORY TESTING

3.3.1 General

To provide data necessary for our engineering analysis, a laboratory testing program was performed. This program included moisture, density, partial gradation, consolidation, and chemical tests. The following paragraphs describe the tests and summarize the test data.

3.3.2 Moisture and Density Tests

To provide index parameters and to correlate other test data, moisture and density tests were performed on selected samples. The results of these tests are presented on the test pit logs, Figures 3A through 3J.

3.3.3 Partial Gradation Tests

To aid in classifying the granular soils, partial gradation tests were performed. Results of the tests are tabulated below and presented on the test pit logs, Figures 3A through 3J.

Test Pit No.	Depth (feet)	Percent Passing No. 200 Sieve	Moisture Content Percent	Soil Classification
TP-2	15.0	48.0	31.4	SM/SC*
TP-3	8.0	6.3	5.5	SP/SM
TP-6	6.0	25.0	14.6	SM
TP-7	2.0	27.4	9.5	SM/SC
TP-8	4.0	5.3	10.4	SP/SM
TP-9	6.0	1.0	5.5	GP
TP-10	2.0	23.2	4.5	SM
TP-10	6.0	9.6	9.2	GP/GM

* Sample contained layers of clay

3.3.4 Consolidation Test

To provide data necessary for our settlement analysis, consolidation testing was performed on one representative sample of the natural fine-grained clay soils encountered at the site. The results of the test indicate that the sample tested was moderately over-consolidated and will exhibit moderate strength and compressibility characteristics under the anticipated loading. Detailed results of the tests are maintained within our files and can be transmitted to you, upon your request.

3.3.5 Chemical Tests

To determine if the site soils will react detrimentally with concrete, chemical tests were performed on a representative sample of the near-surface soil encountered at the site. The results of the chemical tests are tabulated below:

Test Pit No.	Depth (feet)	Soil Classification	pH	Total Water Soluble Sulfate (mg/kg-dry)
TP-4	2.0	CL	9.15	117

4. SITE CONDITIONS

4.1 SURFACE

The site is located at approximately 3000 North Highway 40 in Heber City, Utah. The site is currently vacant/undeveloped brush land with a small creek running through the center of the site from the northwest to the southwest. The topography of the site is relatively sloped, grading down to the southwest with a total relief of approximately 50 to 60 feet. Site vegetation consists of various weeds and brush/grass with riparian vegetation bordering the creek in the western portion of the site, as well as a patch of mature trees in the center of the site.

The site is bounded to the north by an unpaved dirt road followed by similar vacant/undeveloped brush land along with a single-family residential structure and a canal; to the east by a canal followed by similar vacant/undeveloped brush land along with a commercial structure; to the south by an asphalt roadway followed by a commercial structure along with similar vacant/undeveloped brush land; and to the west by Highway 40 followed by vacant/undeveloped brush/grass land.

4.2 SUBSURFACE SOIL

The following paragraphs provide generalized descriptions of the subsurface profiles and soil conditions encountered within the test pits conducted during this study. As previously noted, soil conditions may vary in unexplored locations.

The test pits were excavated to depths ranging from 7 to 16 feet. The soil conditions encountered in each of the test pits, to the depths explored, were generally similar across the test pit locations.

- Approximately 4 to 6 inches of topsoil was encountered in each test pit. Topsoil thickness is frequently erratic and thicker zones of topsoil should be anticipated.
- Non-engineered fill soils were encountered in Test Pits TP-3 and TP-9, to depths of up to 4 feet beneath the existing ground surface. The non-engineered fill soils primarily consisted of sand with varying clay, silt, and gravel content.

- Natural soils were encountered below the non-engineered fill or the ground surface in each test pit. The natural soils consisted primarily of clay with varying silt, sand, gravel, and cobble content, as well as sand and gravel with varying clay, silt, cobble, and boulder content.
- Materials causing excavation refusal were encountered within the very dense natural soils in Test Pits TP-3, TP-4, and TP-8 at depths ranging from 7 feet to 9 feet below the existing ground surface.

The natural clay soils were medium stiff to very stiff, dry to saturated, light brown, brown, and dark brown in color, and moderately over-consolidated. The natural clay soils are anticipated to exhibit moderate strength and compressibility characteristics under the anticipated loading.

The natural sand soils were loose to dense, dry to saturated, and light gray, grayish-brown, light brown, and brown in color. The natural sand soils are anticipated to exhibit moderately high strength and moderately low compressibility characteristics under the anticipated load range.

For a more descriptive interpretation of subsurface conditions, please refer to Figures 3A through 3J, Test Pit Logs. The lines designating the interface between soil types on the test pit logs generally represent approximate boundaries. In situ, the transition between soil types may be gradual.

4.3 GROUNDWATER

On August 24, 2021, groundwater was measured within the PVC pipes installed as tabulated below:

Test Pit No.	Groundwater Depth (feet)
	August 24, 2021
TP-1	5.8
TP-2	Not Encountered
TP-10	Not Encountered

Groundwater levels vary with changes in season and rainfall, construction activity, irrigation, snow melt, surface water run-off, and other site-specific factors.

5. DISCUSSIONS AND RECOMMENDATIONS

5.1 SUMMARY OF FINDINGS

The proposed structures may be supported upon conventional spread and continuous wall foundations supported upon suitable natural soils and/or structural fill extending to suitable natural soils.

The most significant geotechnical aspects at the site are:

1. The existing creek running through the center of the site.
2. The existing non-engineered fills encountered at the site.
3. The relatively shallow depth to groundwater in Test Pit TP-1.
4. The shallow depth to excavation refusal in Test Pits TP-3, TP-4, and TP-8.

Prior to proceeding with construction, removal of any existing debris, surface vegetation, root systems, topsoil, non-engineered fill, and any deleterious materials from beneath an area extending out at least 5 feet from the perimeter of the proposed structure footprint and 3 feet beyond rigid pavements and exterior flatwork areas will be required. All existing utility locations should be reviewed to assess their impact on the proposed construction and abandoned and/or relocated as appropriate.

Due to the developed nature of this site and the surrounding area, additional non-engineered fills may exist in unexplored areas of the site. Based on our experience, non-engineered fills are frequently erratic in composition and consistency. All surficial loose/disturbed soils and non-engineered fills must be removed below all footings, floor slabs, and rigid pavements. The in situ, non-engineered fills may remain below flexible pavements if free of any deleterious materials, of limited thickness, and if properly prepared, as discussed later in this report.

On-site non-engineered fill soils encountered were primarily granular. On-site granular soils, including existing non-engineered fills, may be re-utilized as structural site grading fill if they meet the criteria for such, as stated later in this report.

Groundwater was measured as shallow as 5.8 feet below the ground surface. GSH recommends placing floor slabs no closer than 4 feet from the highest groundwater elevation or 1.5 feet if a foundation subdrain system is utilized. Foundation subdrain recommendations are discussed in Section 5.3.2, Subdrain.

Proof rolling of the natural clay subgrade must not be completed if cuts extend to within 1 foot of the groundwater surface. In areas where cuts are to extend to within 1 foot of the groundwater surface, stabilization must be anticipated.

To reduce disturbance of the natural soils during excavation, it is recommended that low-impact, track-mounted equipment with smooth edge buckets/blades be utilized.

The dense natural soils encountered at the refusal depths may require significant effort to excavate and should be considered in the design and bidding process.

Detailed discussions pertaining to earthwork, foundations, pavements, and the geoseismic setting of the site are presented in the following sections.

5.2 EARTHWORK

5.2.1 Site Preparation

Initial site preparation will consist of the removal of any existing debris, non-engineered fills, surface vegetation, root systems, topsoil, and any deleterious materials from beneath an area extending out at least 5 feet from the perimeter of the proposed structure footprint and 3 feet beyond rigid pavements and exterior flatwork areas. All existing utility locations should be reviewed to assess their impact on the proposed construction and abandoned and/or relocated as appropriate.

In situ, non-engineered fills may remain below flexible pavements if free of debris and deleterious materials, less than 3 feet in thickness, and if properly prepared. Proper preparation below pavements will consist of the scarification of the upper 12 inches below asphalt concrete (flexible pavement), followed by moisture preparation and re-compaction to the requirements of structural fill. Even with proper preparation, pavements established overlying non-engineered fills may encounter some long-term movements unless the non-engineered fills are completely removed.

It must be noted that from a handling and compaction standpoint, soils containing high amounts of fines (silts and clays) are inherently more difficult to rework and are very sensitive to changes in moisture content, requiring very close moisture control during placement and compaction. This will be very difficult, if not impossible, during wet and cold periods of the year. Additionally, the on-site soils are likely above optimum moisture content for compacting at present and would require some drying prior to re-compacting.

Subsequent to stripping and prior to the placement of floor slabs, foundations, structural site grading fills, exterior flatwork, and pavements, the exposed subgrade must be proof rolled by passing moderate-weight rubber tire-mounted construction equipment over the surface at least twice. If excessively soft or otherwise unsuitable soils are encountered beneath footings, they must be completely removed. If removal depth required is greater than 2 feet below footings, GSH must be notified to provide further recommendations. In pavement, floor slab, and outside flatwork areas, unsuitable natural soils should be removed to a maximum depth of 2 feet and replaced with compacted granular structural fill.

Subgrade preparation as described must be completed prior to placing overlying structural site grading fills.

Due to the relatively high groundwater, site grading cuts should be kept to a minimum. Cuts extending to within 1 foot of the groundwater elevation will likely disturb the natural clay soils and proof rolling must not be completed. Stabilization must be anticipated in areas where cuts are to extend to within 1 foot of the groundwater surface.

To reduce disturbance of the natural soils during excavation, it is recommended that low-impact, track-mounted equipment with smooth edge buckets/blades be utilized.

GSH must be notified prior to the placement of structural site grading fills, floor slabs, footings, and pavements to verify that all loose/disturbed soils and non-engineered fills have been completely removed and/or properly prepared.

5.2.2 Temporary Excavations

Temporary excavations up to 8 feet deep in fine-grained cohesive soils, above or below the water table, may be constructed with sideslopes no steeper than one-half horizontal to one vertical (0.5H:1.0V). Excavations deeper than 8 feet are not anticipated at the site.

For granular (cohesionless) soils, construction excavations above the water table, not exceeding 4 feet, should be no steeper than one-half horizontal to one vertical (0.5H:1.0V). For excavations up to 8 feet, in granular soils and above the water table, the slopes should be no steeper than one horizontal to one vertical (1H:1V). Excavations encountering saturated cohesionless soils will be very difficult and will require very flat sideslopes and/or shoring, bracing, and dewatering.

To reduce disturbance of the natural soils during excavation, it is recommended that low-impact, track-mounted equipment with smooth edge buckets/blades be utilized.

The static groundwater table was encountered as shallow as 5.8 feet below the existing surface and may be shallower with seasonal fluctuations. Consideration for dewatering of utility trenches, excavations for the removal of non-engineered fill, and other excavations below this level should be incorporated into the design and bidding process.

Due to the relatively shallow excavation refusal depths, difficult excavation should be anticipated within deeper excavations such as those for construction of utilities.

All excavations must be inspected periodically by qualified personnel. If any signs of instability or excessive sloughing are noted, immediate remedial action must be initiated.

5.2.3 Structural Fill

Structural fill is defined as all fill which will ultimately be subjected to structural loadings, such as imposed by footings, floor slabs, pavements, etc. Structural fill will be required as backfill over foundations and utilities, as site grading fill, and as replacement fill below footings. All structural fill must be free of surface vegetation, root systems, rubbish, topsoil, frozen soil, and other deleterious materials.

Structural site grading fill is defined as structural fill placed over relatively large open areas to raise the overall grade. For structural site grading fill, the maximum particle size shall not exceed 4 inches; although, occasional larger particles, not exceeding 8 inches in diameter, may be incorporated if placed randomly in a manner such that “honeycombing” does not occur and the desired degree of compaction can be achieved. The maximum particle size within structural fill placed within confined areas shall be restricted to 2 inches.

On-site soils, including existing non-engineered fills, may be re-utilized as structural site grading fill if they do not contain construction debris or deleterious material and meet the requirements of structural fill. Fine-grained soils will require very close moisture control and may be very difficult, if not impossible, to properly place and compact during wet and cold periods of the year.

Imported structural fill below foundations and floor slabs shall consist of a well graded sand and gravel mixture with less than 30 percent retained on the three-quarter-inch sieve and less than 20 percent passing the No. 200 Sieve (clays and silts).

To stabilize soft subgrade conditions (if encountered) or where structural fill is required to be placed closer than 2.0 feet above the water table at the time of construction, a mixture of coarse angular gravels and cobbles and/or 1.5- to 2.0-inch gravel (stabilizing fill) should be utilized. It may also help to utilize a stabilization fabric, such as Mirafi 600X or equivalent, placed on the natural ground if 1.5- to 2.0-inch gravel is used as stabilizing fill.

5.2.4 Fill Placement and Compaction

All structural fill shall be placed in lifts not exceeding 8 inches in loose thickness. Structural fills shall be compacted in accordance with the percent of the maximum dry density as determined by the AASHTO¹ T180 (ASTM² D1557) compaction criteria in accordance with the table on the following page.

¹ American Association of State Highway and Transportation Officials

² American Society for Testing and Materials

Location	Total Fill Thickness (feet)	Minimum Percentage of Maximum Dry Density
Beneath an area extending at least 5 feet beyond the perimeter of the structure	0 to 10	95
Site grading fills outside area defined above	0 to 5	90
Site grading fills outside area defined above	5 to 10	95
Utility trenches within structural areas	--	96
Road base	--	96

Structural fills greater than 10 feet thick are not anticipated at the site.

Subsequent to stripping and prior to the placement of structural site grading fill, the subgrade shall be prepared as discussed in Section 5.2.1, Site Preparation, of this report. In confined areas, subgrade preparation should consist of the removal of all loose or disturbed soils.

Coarse angular gravel and cobble mixtures (stabilizing fill), if utilized, shall be end dumped, spread to a maximum loose lift thickness of 15 inches, and compacted by dropping a backhoe bucket onto the surface continuously at least twice. As an alternative, the stabilizing fill may be compacted by passing moderately heavy construction equipment or large self-propelled compaction equipment at least twice. Subsequent fill material placed over the coarse gravels and cobbles shall be adequately compacted so that the “fines” are “worked into” the voids in the underlying coarser gravels and cobbles. Where soil fill materials are to be placed directly over more than about 18 inches of clean gravel, a separation geofabric, such as Mirafi 140N or equivalent, is recommended to be placed between the gravel and subsequent soil fills.

Non-structural fill may be placed in lifts not exceeding 12 inches in loose thickness and compacted by passing construction, spreading, or hauling equipment over the surface at least twice.

5.2.5 Utility Trenches

All utility trench backfill material below structurally loaded facilities (footings, floor slabs, flatwork, pavements, etc.) shall be placed at the same density requirements established for structural fill. If the surface of the backfill becomes disturbed during the course of construction, the backfill shall be proof rolled and/or properly compacted prior to the construction of any exterior flatwork over a backfilled trench. Proof rolling shall be performed by passing moderately loaded rubber tire-mounted construction equipment uniformly over the surface at least twice. If excessively loose or soft areas are encountered during proof rolling, they shall be removed to a maximum depth of 2 feet below design finish grade and replaced with structural fill.

Many utility companies and City-County governments are now requiring that Type A-1a or A-1b (AASHTO Designation – granular soils with limited fines) soils be used as backfill over utilities. These organizations are also requiring that in public roadways, the backfill over major utilities be compacted over the full depth of fill to at least 96 percent of the maximum dry density as determined by the AASHTO T180 (ASTM D1557) method of compaction. GSH recommends that as the major utilities continue onto the site that these compaction specifications are followed.

Fine-grained soils, such as silts and clays, are not recommended for utility trench backfill in structural areas.

The static groundwater table was encountered as shallow as 5.8 feet below the existing surface and may be shallower with seasonal fluctuations. Dewatering of utility trenches and other excavations below this level should be anticipated.

To reduce disturbance of the natural soils during excavation, it is recommended that low-impact, track-mounted equipment with smooth edge buckets/blades be utilized.

Due to the relatively shallow excavation refusal depths, difficult excavation should be anticipated within deeper excavations such as those for construction of utilities.

5.3 GROUNDWATER

On August 24, 2021, groundwater was measured within the PVC pipes installed as tabulated below:

Test Pit No.	Groundwater Depth (feet)
	August 24, 2021
TP-1	5.8
TP-2	Not Encountered
TP-10	Not Encountered

Based on the anticipated cuts necessary to reach design subgrades, we anticipate temporary and permanent dewatering may be necessary. Floor slabs must be placed a minimum of 4 feet from the stabilized groundwater elevation or 1.5 feet if a perimeter subdrain system is utilized. Foundation subdrain recommendations are discussed in Section 5.3.2, Subdrain.

The groundwater measurements presented are conditions at the time of the field exploration and may not be representative of other times or locations. Groundwater levels may vary seasonally and with precipitation, as well as other factors including irrigation. Evaluation of these factors is beyond the scope of this study. Groundwater levels may, therefore, be at shallower or deeper

depths than those measured during this study, including during construction and over the life of the structure.

The extent and nature of any dewatering required during construction will be dependent on the actual groundwater conditions prevalent at the time of construction and the effectiveness of construction drainage to prevent run-off into open excavations.

5.3.1 Infiltration Test

An infiltration test was performed at a depth of approximately 3 feet in the representative natural clay soils at Test Pit TP-1. The field infiltration rate was 30 minutes per inch. This design infiltration rate should be considered typical for the soils at the site.

5.3.2 Subdrain

A subdrain system, if utilized, should consist of a perimeter foundation/chimney subdrain and an under-slab subdrain. The perimeter subdrain would consist of a 4-inch diameter slotted or perforated PVC or other durable material pipe installed with an invert at least 18 inches below the top of the lowest adjacent slab. The drain pipe should slope at least 0.25 percent to a suitable point of gravity discharge, such as an inside or outside sump. The 4-inch diameter slotted PVC pipe should be encased in a one-half to three-quarter-inch clean gap-graded gravel extending 2 inches below laterally and continuously up at least 12 inches above the top of the lowest adjacent slab. The gravels must be separated from the adjacent soils with a geotextile fabric, such as Mirafi 140N or equivalent. Extending up from the top of the foundation subdrain to within 1 foot of final grade should be a synthetic drain board or a zone of “free-draining” permeable fill, also separated from all adjacent soils with a geotextile fabric. Prior to the placement of the perimeter foundation subdrain, the outside subgrade walls should be appropriately waterproofed.

In addition to the perimeter foundation/chimney subdrain, an under-slab drain is recommended. This should consist of a minimum of 8 inches of “free-draining” one-half to three-quarter-inch minus clean gap-graded gravel placed over properly prepared suitable natural subgrade soils and/or structural fill extending to suitable natural soil. The “free-draining” gravel shall be hydraulically connected to the perimeter drain. In addition, we recommend 4-inch diameter slotted PVC pipes be installed laterally and spaced approximately 50 feet apart beneath the below-grade level slab of the structure with an invert elevation of at least 12 inches below the top of the lowest adjacent slab. This subdrain would be similarly encased in the one-half- to three-quarter-inch clean gap-graded gravel, separated from the natural soils with a geotextile fabric, extending up to the 6-inch layer of gravel underneath the at-grade slab. This subdrain line would discharge to the perimeter subdrain.

GSH also recommends that a minimum of 10.0 inches of free-draining gravel material be placed below the floor slab and that this gravel be hydraulically tied to the perimeter foundation drain. This may be accomplished by placing footings on a minimum of 6.0 inches of similar free-draining gravel material. Lateral drains must also be placed approximately every 50 feet and tied to the subdrain system.

Water collected by the subdrain system would be gravity discharged or pumped to a suitable discharge point such as area subdrains, storm drains, or other suitable down-gradient location (see attached Figure 5, Typical Foundation/Chimney Subdrain Detail 18”). A back-up power and back-up pump would need to be incorporated against failure if a suitable gravity discharge system is unavailable.

5.4 SPREAD AND CONTINUOUS WALL FOUNDATIONS

5.4.1 Design Data

The results of our analysis indicate that the proposed structures may be supported upon conventional spread and continuous wall foundations established upon suitable natural soils and/or structural fill extending to suitable natural soils. Under no circumstances shall foundations be established over non-engineered fills, loose or disturbed soils, topsoil, surface vegetation, root systems, rubbish, construction debris, other deleterious materials, frozen soils, or within ponded water. For design, the following parameters are provided:

Minimum Recommended Depth of Embedment for Frost Protection	- 30 inches
Minimum Recommended Depth of Embedment for Non-frost Conditions	- 15 inches
Recommended Minimum Width for Continuous Wall Footings	- 18 inches
Minimum Recommended Width for Isolated Spread Footings	- 24 inches
Recommended Net Bearing Capacity for Real Load Conditions for Footings Established Upon <u>Suitable Natural Clay Soils</u>	- <u>1,500 pounds per square foot</u>
Recommended Net Bearing Capacity for Real Load Conditions for Footings Established Upon <u>Suitable Natural Granular Soils</u>	- <u>3,000 pounds per square foot</u>
Bearing Capacity Increase for Seismic Loading	- 50 percent

The term “net bearing capacity” refers to the allowable pressure imposed by the portion of the structure located above lowest adjacent final grade. Therefore, the weight of the footing and backfill to lowest adjacent final grade need not be considered. Real loads are defined as the total

of all dead plus frequently applied live loads. Total load includes all dead and live loads, including seismic and wind.

5.4.2 Installation

Under no circumstances shall the footings be installed upon non-engineered fills, loose or disturbed soils, topsoil, surface vegetation, root systems, rubbish, construction debris, or other deleterious materials. If unsuitable soils are encountered, they must be removed and replaced with compacted granular fill. If granular soils become loose or disturbed, they must be recompacted prior to pouring the concrete.

The width of structural replacement fill below footings should be equal to the width of the footing plus one foot for each foot of fill thickness.

5.4.3 Settlements

Based on column loadings, soil bearing capacities, and the foundation recommendations as discussed above, we expect primary total settlement beneath individual foundations to be less than one inch.

The amount of differential settlement is difficult to predict because the subsurface and foundation loading conditions can vary considerably across the site. However, we anticipate differential settlement between adjacent foundations could vary from 0.5 to 0.75 inch. The final deflected shape of the structure will be dependent on actual foundation locations and loading.

5.5 LATERAL RESISTANCE

Lateral loads imposed upon foundations due to wind or seismic forces may be resisted by the development of passive earth pressures and friction between the base of the footings and the supporting soils. In determining frictional resistance, a coefficient of friction of 0.35 may be utilized for the footing interface with the in situ natural clay soils and 0.40 for footing interface with natural granular soils or granular structural fill. Passive resistance provided by properly placed and compacted granular structural fill above the water table may be considered equivalent to a fluid with a density of 300 pounds per cubic foot. Below the water table, this granular soil should be considered equivalent to a fluid with a density of 150 pounds per cubic foot.

A combination of passive earth resistance and friction may be utilized provided that the friction component of the total is divided by 1.5.

5.6 LATERAL PRESSURES

Parameters, as presented within this section, are for backfills which will consist of drained soil placed and compacted in accordance with the recommendations presented herein.

The lateral pressures imposed upon subgrade facilities will, therefore, be basically dependent upon the relative rigidity and movement of the backfilled structure. For active walls, such as retaining walls which can move outward (away from the backfill), drained backfill may be considered equivalent to a fluid with a density of 40 pounds per cubic foot in computing lateral pressures. For more rigid subgrade walls that are not more than 10 inches thick, granular backfill may be considered equivalent to a fluid with a density of 50 pounds per cubic foot. For very rigid non-yielding walls, granular backfill should be considered equivalent to a fluid with a density of at least 60 pounds per cubic foot. The above values assume that the surface of the soils slope behind the wall is horizontal and that the granular fill within 3 feet of the wall will be compacted with hand-operated compacting equipment.

For seismic loading of below-grade walls, the uniform lateral pressures below, in pounds per square foot (psf), should be added based on wall depth and wall case:

Uniform Lateral Pressures			
Wall Height (Feet)	Active Pressure Case (psf)	Moderately Yielding Case (psf)	At Rest/Non-Yielding Case (psf)
4	10	29	48
6	16	44	72
8	21	58	96
10	26	73	119

5.7 FLOOR SLABS

Floor slabs may be established upon suitable natural subgrade soils or structural fill extending to suitable natural soils. Under no circumstances shall floor slabs be established directly over non-engineered fills, loose or disturbed soils, sod, rubbish, construction debris, other deleterious materials, frozen soils, or within ponded water.

Additionally, GSH recommends that floor slabs be constructed a minimum of 4.0 feet from the stabilized groundwater elevation or 1.5 feet if a foundation subdrain system is utilized. Foundation subdrain recommendations are discussed in Section 5.3.2, Subdrain.

To facilitate curing of the concrete and to provide a capillary moisture break, it is recommended that floor slabs be directly underlain by at least 4 inches of “free-draining” fill, such as “pea” gravel or three-quarters to one-inch minus clean gap-graded gravel.

Settlement of lightly loaded floor slabs designed according to previous recommendations (average uniform pressure of 200 pounds per square foot or less) is anticipated to be less than one-quarter of an inch.

5.8 PAVEMENTS

The natural clay soils and non-engineered fills will exhibit poor pavement support characteristics when saturated. All pavement areas must be prepared as previously discussed (see Section 5.2.1, Site Preparation). Under no circumstances shall pavements be established over unprepared non-engineered fills, loose or disturbed soils, topsoil, surface vegetation, root systems, rubbish, construction debris, other deleterious materials, frozen soils, or within ponded water. With the subgrade soils and the projected traffic as discussed in Section 2, Proposed Construction, the following pavement sections are recommended:

Parking Areas

(Light Volume of Automobiles and Light Trucks,
 Occasional Medium-Weight Trucks,
 and No Heavyweight Trucks)
 [1-3 equivalent 18-kip axle loads per day]

Flexible Pavements: (Asphalt Concrete)

3.0 inches	Asphalt concrete
8.0 inches	Aggregate base
Over	Properly prepared fills, natural subgrade soils, and/or structural site grading fill extending to properly prepared fills and/or natural subgrade soils

Rigid Pavements: (Non-reinforced Concrete)

5.0 inches	Portland cement concrete (non-reinforced)
5.0 inches	Aggregate base

18.0 inches	Non-frost susceptible aggregate Subbase*
Over	Properly prepared natural subgrade soils and/or structural site grading fill extending to properly prepared natural subgrade soils

* Low frost-susceptible subbase shall consist of gravel soil with less than 8 percent fines.

Drive Lanes

(Moderate Volume of Automobiles and Light Trucks,
 Light Volume of Medium-Weight Trucks,
 and Occasional Heavyweight Trucks)
 [6 equivalent 18-kip axle loads per day]

Flexible Pavements: (Asphalt Concrete)

3.0 inches	Asphalt concrete
9.0 inches	Aggregate base
Over	Properly prepared fills, natural subgrade soils, and/or structural site grading fill extending to properly prepared fills and/or natural subgrade soils

Rigid Pavements: (Non-reinforced Concrete)

6.0 inches	Portland cement concrete (non-reinforced)
5.0 inches	Aggregate base
18.0 inches	Non-frost susceptible aggregate Subbase*
Over	Properly prepared natural subgrade soils and/or structural site grading fill extending to properly prepared natural subgrade soils

* Low frost-susceptible subbase shall consist of gravel soil with less than 8 percent fines.

For dumpster pads, we recommend a pavement section consisting of 8 inches of Portland cement concrete, 12 inches of aggregate base, over properly prepared natural subgrade or site grading structural fills. Dumpster pads should not be constructed overlying non-engineered fills under any circumstances.

These above rigid pavement sections are for non-reinforced Portland cement concrete. Concrete should be designed in accordance with the American Concrete Institute (ACI) and joint details should conform to the Portland Cement Association (PCA) guidelines. The concrete should have a minimum 28-day unconfined compressive strength of 4,000 pounds per square inch and contain 6 percent $\pm$ 1 percent air-entrainment.

The crushed stone should conform to applicable sections of the current Utah Department of Transportation (UDOT) Standard Specifications. All asphalt material and paving operations should meet applicable specifications of the Asphalt Institute and UDOT. A GSH technician shall observe placement and perform density testing of the base course material and asphalt.

Please note that the recommended pavement section is based on estimated post-construction traffic loading. If the pavement is to be constructed and utilized by construction traffic, the above pavement section may prove insufficient for heavy truck traffic, such as concrete trucks or tractor-trailers used for construction delivery. Unexpected distress, reduced pavement life, and/or premature failure of the pavement section could result if subjected to heavy construction traffic and the owner should be made aware of this risk. If the estimated traffic loading stated herein is not correct, GSH must review actual pavement loading conditions to determine if revisions to these recommendations are warranted.

5.9 CEMENT TYPES

The laboratory tests indicate that the natural soils tested contain a negligible amount of sulfates. Based on our test results, concrete in contact with the on-site soil will have a low potential for sulfate reaction (ACI 318, Table 4.3.1). Therefore, all concrete which will be in contact with the site soils may be prepared using Type I or IA cement.

5.10 GEOSEISMIC SETTING

5.10.1 General

Utah municipalities have adopted the International Building Code (IBC) 2018. The IBC 2018 code refers to ASCE 7-16 Minimum Design Loads and Associated Criteria for Buildings and Other Structures (ASCE 7-16) determines the seismic hazard for a site based upon mapping of bedrock accelerations prepared by the United States Geologic Survey (USGS) and the soil site class. The USGS values are presented on maps incorporated into the IBC code and are also available based on latitude and longitude coordinates (grid points).

5.10.2 Faulting

Based on our review of available literature, no active faults pass through or immediately adjacent to the site. The nearest active mapped fault consists of the Bald Mountain Fault, located about 3.5 miles to the north-northwest of the site.

5.10.3 Soil Class

For dynamic structural analysis, the Site Class D – Default Soil Profile as defined in Chapter 20 of ASCE 7-16 (per Section 1613.3.2, Site Class Definitions, of IBC 2018) can be utilized. If a measured site class is desired based on the project structural engineer's evaluation and recommendations, additional testing and analysis can be completed by GSH to determine the measured site class. Please contact GSH for additional information.

5.10.4 Ground Motions

The IBC 2018 code is based on USGS mapping, which provides values of short and long period accelerations for average bedrock values for the Western United States and must be corrected for local soil conditions. The following table summarizes the peak ground and short and long period accelerations for the MCE event and incorporates the appropriate soil amplification factor for a Site Class D – Default* Soil Profile. Based on the site latitude and longitude (40.5461 degrees north and 111.4170 degrees west, respectively), the values for this site are tabulated below:

Spectral Acceleration Value, T	Bedrock Boundary [mapped values] (% g)	Site Coefficient	Site Class D - Default* [adjusted for site class effects] (% g)	Design Values** (% g)
0.2 Seconds (Short Period Acceleration)	$S_S = 54.8$	$F_a = 1.362$	$S_{MS} = 74.7$	$S_{DS} = 49.8$
1.0 Second (Long Period Acceleration)	$S_1 = 19.5$	$F_v = 2.211$	$S_{M1} = 43.1$	$S_{D1} = 28.7$

* If a measured site class in accordance with IBC 2018/ ASCE 7-16 is beneficial based on the project structural engineers review, please contact GSH for additional options for obtaining this measured site class.

**IBC 2018/ASCE 7-16 may require a site-specific study based on the project structural engineer's evaluation and recommendations. If needed, GSH can provide additional information and analysis including a complete site-specific study.

5.10.5 Liquefaction

Liquefaction is defined as the condition when saturated, loose, granular soils lose their support capabilities because of excessive pore water pressure, which develops during a seismic event. Clayey soils, even if saturated, will generally not liquefy during a major seismic event.

Due to the density of the granular soils, liquefaction is not anticipated to occur within the soils encountered at this site.

5.11 SITE VISITS

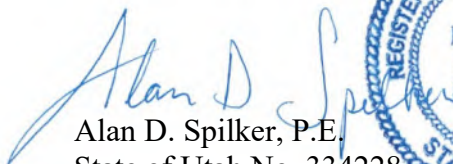
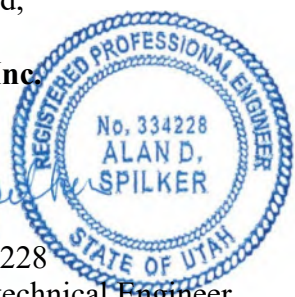
GSH must verify that all topsoil/disturbed soils and any other unsuitable soils have been removed, that non-engineered fills have been removed and/or properly prepared, and that suitable soils have been encountered prior to placing site grading fills, footings, slabs, and pavements. Additionally, GSH must observe fill placement and verify in-place moisture content and density of fill materials placed at the site.

5.12 CLOSURE

If you have any questions or would like to discuss these items further, please feel free to contact us at (801) 685-9190.

Respectfully submitted,

GSH Geotechnical, Inc.

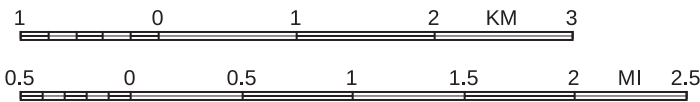
A handwritten signature in blue ink that reads "Alan D. Spilker".
A circular blue ink seal for a Registered Professional Engineer. The outer ring contains the text "REGISTERED PROFESSIONAL ENGINEER" at the top and "STATE OF UTAH" at the bottom. The center of the seal contains the text "No. 334228", "ALAN D.", and "SPILKER".

Alan D. Spilker, P.E.
State of Utah No. 334228
President/Senior Geotechnical Engineer

ADS:jlh

Encl. Figure 1, Vicinity Map
Figure 2, Site Plan
Figures 3A through 3J, Log of Test Pits
Figure 4, Key to Test Pit Log (USCS)
Figure 5, Typical Foundation Chimney Subdrain Detail 18"

Addressee (email)



REFERENCE:
ALL TRAILS - NATIONAL GEOGRAPHIC TERRAIN
DATED 2021

FIGURE 1
VICINITY MAP
 GSH



FIGURE 2
SITE PLAN



REFERENCE:
ADAPTED FROM DRAWING ENTITLED
"COLLEGE DOWNS", BY WRIGHT DEVELOPMENT GROUP
NOT DATED



GSH

TEST PIT LOG

Page: 1 of 1

TEST PIT: TP-1

CLIENT: Wright Development Group

PROJECT NUMBER: 1488-034-21

PROJECT: Proposed College Downs Multi-Family Apartment Developmen

DATE STARTED: 7/13/21 DATE FINISHED: 7/13/21

LOCATION: Approximately 3000 North Highway 40, Heber City, Utah

GSH FIELD REP.: AL

EXCAVATING METHOD/EQUIPMENT: 6-ton Kubota

GROUNDWATER DEPTH: 5.8' (8/24/21)

ELEVATION: ---

WATER LEVEL	U S C S	DESCRIPTION	DEPTH (FT.)	SAMPLE SYMBOL	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTICITY INDEX	REMARKS
		Ground Surface	0							
	CL	SILTY CLAY with layers of fine to medium sand; major roots (topsoil) to 6'; dark brown								moist medium stiff
		grades with cobbles; light brown	5							
	GC	SILTY/CLAYEY FINE AND COARSE GRAVEL with fine to coarse sand; brown								saturated saturated loose
	GP/ GC	FINE AND COARSE GRAVEL with some clay and some fine to coarse sand; brown								saturated loose
		End of exploration at 10.0'. Significant sidewall caving from onset of gravel @ 6.0'. Installed 1.25" diameter slotted PVC pipe to 10.0'.	10							
			15							
			20							
			25							

See Subsurface Conditions section in the report for additional information.

FIGURE 3A



GSH

TEST PIT LOG

Page: 1 of 1

TEST PIT: TP-2

CLIENT: Wright Development Group

PROJECT NUMBER: 1488-034-21

PROJECT: Proposed College Downs Multi-Family Apartment Developmen

DATE STARTED: 7/13/21 DATE FINISHED: 7/13/21

LOCATION: Approximately 3000 North Highway 40, Heber City, Utah

GSH FIELD REP.: AL

EXCAVATING METHOD/EQUIPMENT: 6-ton Kubota

GROUNDWATER DEPTH: Not Encountered (8/24/21)

ELEVATION: ---

WATER LEVEL	U S C S	DESCRIPTION	DEPTH (FT.)	SAMPLE SYMBOL	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTICITY INDEX	REMARKS
		Ground Surface	0							
	SM/ SC	SILTY FINE TO COARSE SAND with some clay; major roots (topsoil) to 4"; brown								dry medium dense
		grades silty/clayey fine to coarse sand			6.6	94				
					6.8	98				
		grades with some fine and coarse gravel								slightly moist
		grades with more clay								
	CL	SILTY CLAY with fine to coarse sand; brown	10							moist medium stiff
	SM/ SC	SILTY/CLAYEY FINE TO COARSE SAND with some fine and coarse gravel; brown	15							very moist loose
		grades with layers of silty clay up to 1" thick			31.4		48.0			
		End of exploration at 16.0'. No significant sidewall caving. Installed 1.25" diameter slotted PVC pipe to 16.0'.								
			20							
			25							

See Subsurface Conditions section in the report for additional information.

FIGURE 3B



GSH

TEST PIT LOG

Page: 1 of 1

TEST PIT: TP-3

CLIENT: Wright Development Group

PROJECT NUMBER: 1488-034-21

PROJECT: Proposed College Downs Multi-Family Apartment Developmen

DATE STARTED: 7/13/21 DATE FINISHED: 7/13/21

LOCATION: Approximately 3000 North Highway 40, Heber City, Utah

GSH FIELD REP.: AL

EXCAVATING METHOD/EQUIPMENT: 6-ton Kubota

GROUNDWATER DEPTH: Not Encountered (7/13/21)

ELEVATION: ---

WATER LEVEL	U S C S	DESCRIPTION	DEPTH (FT.)	SAMPLE SYMBOL	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTICITY INDEX	REMARKS
		Ground Surface	0							
	SM/ SC FILL	SILTY/CLAYEY FINE TO COARSE SAND, FILL with fine and coarse gravel; major roots (topsoil) to 4"; grayish-brown								dry dense
	SM/ SC	SILTY FINE TO COARSE SAND with some clay and some fine gravel; light brown								dry medium dense
			5							
	SP/ SM	FINE TO COARSE SAND with some silt and fine and coarse gravel; grayish-brown								slightly moist medium dense
					5.5		6.3			
		Refusal at 9.0' on boulders. No significant sidewall caving. No groundwater encountered at time of excavation.	10							
			15							
			20							
			25							

See Subsurface Conditions section in the report for additional information.

FIGURE 3C



GSH

TEST PIT LOG

Page: 1 of 1

TEST PIT: TP-4

CLIENT: Wright Development Group

PROJECT NUMBER: 1488-034-21

PROJECT: Proposed College Downs Multi-Family Apartment Developmen DATE STARTED: 7/13/21 DATE FINISHED: 7/13/21

LOCATION: Approximately 3000 North Highway 40, Heber City, Utah

GSH FIELD REP.: AL

EXCAVATING METHOD/EQUIPMENT: 6-ton Kubota

GROUNDWATER DEPTH: Not Encountered (7/13/21)

ELEVATION: ---

WATER LEVEL	U S C S	DESCRIPTION	DEPTH (FT.)	SAMPLE SYMBOL	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTICITY INDEX	REMARKS
		Ground Surface	0							
	CL	SILTY CLAY with fine to coarse sand and some fine gravel; major roots (topsoil) to 6"; brown								dry very stiff
	SP	FINE AND COARSE GRAVELLY FINE TO COARSE SAND with trace clay; brown								dry medium dense
	SP/ SM	FINE AND COARSE GRAVELLY FINE TO COARSE SAND with some silt; light brown	5							dry medium dense
		Refusal at 7.0' on very dense granular soils. No significant sidewall caving. No groundwater encountered at time of excavation.								
			10							
			15							
			20							
			25							

See Subsurface Conditions section in the report for additional information.

FIGURE 3D



GSH

TEST PIT LOG

Page: 1 of 1

TEST PIT: TP-5

CLIENT: Wright Development Group

PROJECT NUMBER: 1488-034-21

PROJECT: Proposed College Downs Multi-Family Apartment Developmen

DATE STARTED: 7/13/21 DATE FINISHED: 7/13/21

LOCATION: Approximately 3000 North Highway 40, Heber City, Utah

GSH FIELD REP.: AL

EXCAVATING METHOD/EQUIPMENT: 6-ton Kubota

GROUNDWATER DEPTH: Not Encountered (7/13/21)

ELEVATION: ---

WATER LEVEL	U S C S	DESCRIPTION	DEPTH (FT.)	SAMPLE SYMBOL	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTICITY INDEX	REMARKS
		Ground Surface	0							
	CL	FINE TO COARSE SANDY CLAY with some silt and fine gravel; major roots (topsoil) to 6"; brown								dry very stiff
	GP	FINE TO COARSE SANDY FINE AND COARSE GRAVEL light brown	5							dry dense
										slightly moist medium dense
			10							
	SM	SILTY FINE TO COARSE SAND with fine and coarse gravel and trace clay; light brown								slightly moist medium dense
			15							
		End of exploration at 15.0'. No significant sidewall caving. No groundwater encountered at time of excavation.								
			20							
			25							

See Subsurface Conditions section in the report for additional information.

FIGURE 3E



GSH

TEST PIT LOG

Page: 1 of 1

TEST PIT: TP-6

CLIENT: Wright Development Group

PROJECT NUMBER: 1488-034-21

PROJECT: Proposed College Downs Multi-Family Apartment Developmen

DATE STARTED: 7/13/21 DATE FINISHED: 7/13/21

LOCATION: Approximately 3000 North Highway 40, Heber City, Utah

GSH FIELD REP.: AL

EXCAVATING METHOD/EQUIPMENT: 6-ton Kubota

GROUNDWATER DEPTH: Not Encountered (7/13/21)

ELEVATION: ---

WATER LEVEL	U S C S	DESCRIPTION	DEPTH (FT.)	SAMPLE SYMBOL	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTICITY INDEX	REMARKS
		Ground Surface	0							
	SM/ SC	SILTY FINE TO COARSE SAND with some fine and coarse gravel and clay; major roots (topsoil) to 4"; brown								dry medium dense
		grades light brown								
			5							
	SM	SILTY FINE TO COARSE SAND with fine and coarse gravel and trace clay; light brown			14.6		25.0			dry loose
		grades brown								
			10							slightly moist medium dense
			15							
		End of exploration at 15.0'. No significant sidewall caving. No groundwater encountered at time of excavation.								
			20							
			25							

See Subsurface Conditions section in the report for additional information.

FIGURE 3F



GSH

TEST PIT LOG

Page: 1 of 1

TEST PIT: TP-7

CLIENT: Wright Development Group

PROJECT NUMBER: 1488-034-21

PROJECT: Proposed College Downs Multi-Family Apartment Developmen

DATE STARTED: 7/13/21 DATE FINISHED: 7/13/21

LOCATION: Approximately 3000 North Highway 40, Heber City, Utah

GSH FIELD REP.: AL

EXCAVATING METHOD/EQUIPMENT: 6-ton Kubota

GROUNDWATER DEPTH: Not Encountered (7/13/21)

ELEVATION: ---

WATER LEVEL	U S C S	DESCRIPTION	DEPTH (FT.)	SAMPLE SYMBOL	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTICITY INDEX	REMARKS
		Ground Surface	0							
	SM/ SC	SILTY FINE TO COARSE SAND with some clay and some fine and coarse gravel; major roots (topsoil) to 4"; light brown								dry medium dense
					9.5		27.4			
			5							
		grades brown								slightly moist
			10							
		End of exploration at 11.0'. No significant sidewall caving. No groundwater encountered at time of excavation.								
			15							
			20							
			25							

See Subsurface Conditions section in the report for additional information.

FIGURE 3G



GSH

TEST PIT LOG

Page: 1 of 1

TEST PIT: TP-8

CLIENT: Wright Development Group

PROJECT NUMBER: 1488-034-21

PROJECT: Proposed College Downs Multi-Family Apartment Developmen DATE STARTED: 7/13/21 DATE FINISHED: 7/13/21

LOCATION: Approximately 3000 North Highway 40, Heber City, Utah

GSH FIELD REP.: AL

EXCAVATING METHOD/EQUIPMENT: 6-ton Kubota

GROUNDWATER DEPTH: Not Encountered (7/13/21)

ELEVATION: ---

WATER LEVEL	U S C S	DESCRIPTION	DEPTH (FT.)	SAMPLE SYMBOL	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTICITY INDEX	REMARKS
		Ground Surface	0							dry loose
	SP/ SM	FINE TO COARSE SAND with some silt and fine and coarse gravel; major roots (topsoil) to 6"; light brown								
		grades brown	5		10.4		5.3			slightly moist medium dense
		grades with cobbles and boulders								
										dense
		Refusal at 9.0' on very dense granular soils. No significant sidewall caving. No groundwater encountered at time of excavation.	10							
			15							
			20							
			25							

See Subsurface Conditions section in the report for additional information.

FIGURE 3H



GSH

TEST PIT LOG

Page: 1 of 1

TEST PIT: TP-10

CLIENT: Wright Development Group

PROJECT NUMBER: 1488-034-21

PROJECT: Proposed College Downs Multi-Family Apartment Developmen

DATE STARTED: 7/13/21 DATE FINISHED: 7/13/21

LOCATION: Approximately 3000 North Highway 40, Heber City, Utah

GSH FIELD REP.: AL

EXCAVATING METHOD/EQUIPMENT: 6-ton Kubota

GROUNDWATER DEPTH: Not Encountered (8/24/21)

ELEVATION: ---

WATER LEVEL	U S C S	DESCRIPTION	DEPTH (FT.)	SAMPLE SYMBOL	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTICITY INDEX	REMARKS
		Ground Surface	0							
	SM	SILTY FINE TO COARSE SAND with fine and coarse gravel; major roots (topsoil) to 4"; brown								dry medium dense
					4.5		23.2			
	GP/ GM	FINE TO COARSE SANDY FINE AND COARSE GRAVEL with some silt, cobbles, and boulders; brown	5							slightly moist dense
					9.2		9.6			
			10							
		End of exploration at 11.0'. No significant sidewall caving. No groundwater encountered at time of excavation. Installed 1.25" diameter slotted PVC pipe to 11.0'.								
			15							
			20							
			25							

See Subsurface Conditions section in the report for additional information.

FIGURE 3J

CLIENT: Wright Development Group
 PROJECT: Proposed College Downs Multi-Family Apartment Development
 PROJECT NUMBER: 1488-034-21

KEY TO TEST PIT LOG

WATER LEVEL	U S C S	DESCRIPTION	DEPTH (FT.)	SAMPLE SYMBOL	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTICITY INDEX	REMARKS
①	②	③	④	⑤	⑥	⑦	⑧	⑨	⑩	⑪

COLUMN DESCRIPTIONS

- ① **Water Level:** Depth to measured groundwater table. See symbol below.
- ② **USCS:** (Unified Soil Classification System) Description of soils encountered; typical symbols are explained below.
- ③ **Description:** Description of material encountered; may include color, moisture, grain size, density/consistency.
- ④ **Depth (ft.):** Depth in feet below the ground surface.
- ⑤ **Sample Symbol:** Type of soil sample collected at depth interval shown; sampler symbols are explained below.
- ⑥ **Moisture (%):** Water content of soil sample measured in laboratory; expressed as percentage of dryweight of
- ⑦ **Dry Density (pcf):** The density of a soil measured in laboratory; expressed in pounds per cubic foot.
- ⑧ **% Passing 200:** Fines content of soils sample passing a No. 200 sieve; expressed as a percentage.
- ⑨ **Liquid Limit (%):** Water content at which a soil changes from plastic to liquid behavior.
- ⑩ **Plasticity Index (%):** Range of water content at which a soil exhibits plastic properties.
- ⑪ **Remarks:** Comments and observations regarding drilling or sampling made by driller or field personnel. May include other field and laboratory test results using the following abbreviations:

CEMENTATION:

Weakly: Crumbles or breaks with handling or slight finger pressure.

Moderately: Crumbles or breaks with considerable finger pressure.

Strongly: Will not crumble or break with finger pressure.

MODIFIERS:

Trace
<5%

Some
5-12%

With
> 12%

MOISTURE CONTENT (FIELD TEST):

Dry: Absence of moisture, dusty, dry to the touch.

Moist: Damp but no visible water.

Saturated: Visible water, usually soil below water table.

Descriptions and stratum lines are interpretive; field descriptions may have been modified to reflect lab test results. Descriptions on the logs apply only at the specific boring locations and at the time the borings were advanced; they are not warranted to be representative of subsurface conditions at other locations or times.

UNIFIED SOIL CLASSIFICATION SYSTEM (USCS)

MAJOR DIVISIONS			USCS SYMBOLS	TYPICAL DESCRIPTIONS	
COARSE-GRAINED SOILS More than 50% of material is larger than No. 200 sieve size.	GRAVELS More than 50% of coarse fraction retained on No. 4 sieve.	CLEAN GRAVELS (little or no fines)	GW	Well-Graded Gravels, Gravel-Sand Mixtures, Little or No Fines	
			GP	Poorly-Graded Gravels, Gravel-Sand Mixtures, Little or No Fines	
		GRAVELS WITH FINES (appreciable amount of fines)	GM	Silty Gravels, Gravel-Sand-Silt Mixtures	
			GC	Clayey Gravels, Gravel-Sand-Clay Mixtures	
	SANDS More than 50% of coarse fraction passing through No. 4 sieve.	CLEAN SANDS (little or no fines)	SW	Well-Graded Sands, Gravelly Sands, Little or No Fines	
			SP	Poorly-Graded Sands, Gravelly Sands, Little or No Fines	
		SANDS WITH FINES (appreciable amount of fines)		SM	Silty Sands, Sand-Silt Mixtures
				SC	Clayey Sands, Sand-Clay Mixtures
FINE-GRAINED SOILS More than 50% of material is smaller than No. 200 sieve size.	SILTS AND CLAYS Liquid Limit less than 50%		ML	Inorganic Silts and Very Fine Sands, Rock Flour, Silty or Clayey Fine Sands or Clayey Silts with Slight Plasticity	
			CL	Inorganic Clays of Low to Medium Plasticity, Gravelly Clays, Sandy Clays, Silty Clays, Lean Clays	
			OL	Organic Silts and Organic Silty Clays of Low Plasticity	
	SILTS AND CLAYS Liquid Limit greater than 50%		MH	Inorganic Silts, Micaceous or Diatomaceous Fine Sand or Silty Soils	
			CH	Inorganic Clays of High Plasticity, Fat Clays	
			OH	Organic Silts and Organic Clays of Medium to High Plasticity	
	HIGHLY ORGANIC SOILS			PT	Peat, Humus, Swamp Soils with High Organic Contents

DESCRIPTION

THICKNESS

Seam

up to 1/8"

Layer

1/8" to 12"

Occasional:

One or less per 6" of thickness

Numerous:

More than one per 6" of thickness

TYPICAL SAMPLER GRAPHIC SYMBOLS

Bulk/Bag Sample

Standard Penetration Split Spoon Sampler

Rock Core

No Recovery

3.25" OD, 2.42" ID
D&M Sampler

3.0" OD, 2.42" ID
D&M Sampler

California Sampler

Thin Wall

WATER SYMBOL

Water Level

Note: Dual Symbols are used to indicate borderline soil classifications.

STRATIFICATION:

DESCRIPTION	THICKNESS
Seam	up to 1/8"
Layer	1/8" to 12"
Occasional: One or less per 6" of thickness	
Numerous: More than one per 6" of thickness	

TYPICAL SAMPLER GRAPHIC SYMBOLS

- Bulk/Bag Sample
- Standard Penetration Split Spoon Sampler
- Rock Core
- No Recovery
-
-
- California Sampler
- Thin Wall

WATER SYMBOL

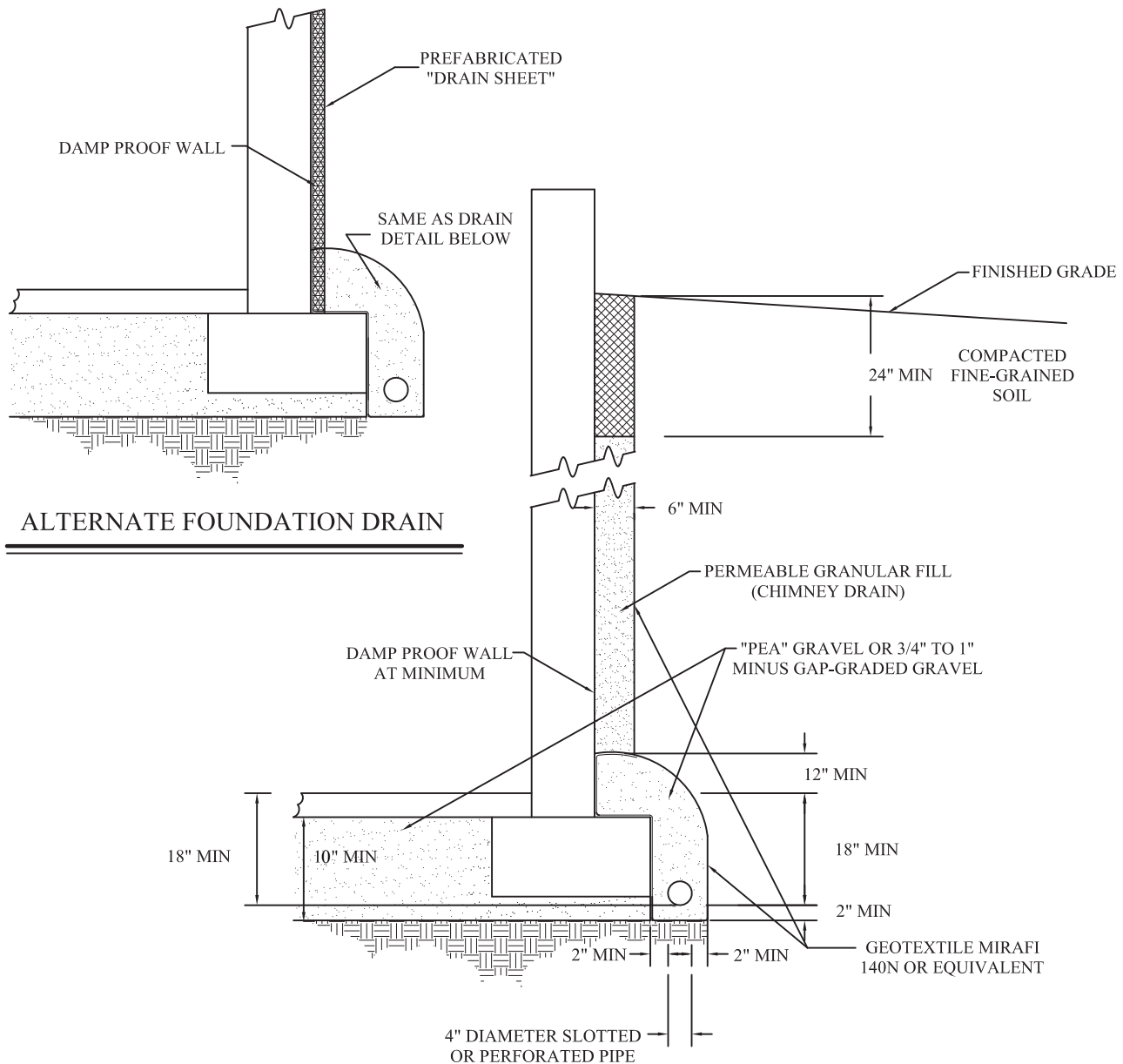
- Water Level

Note: Dual Symbols are used to indicate borderline soil classifications.

FIGURE 4



TYPICAL FOUNDATION/CHIMNEY SUBDRAIN DETAIL

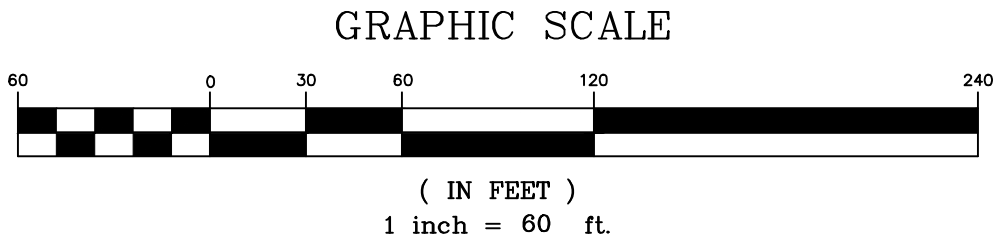
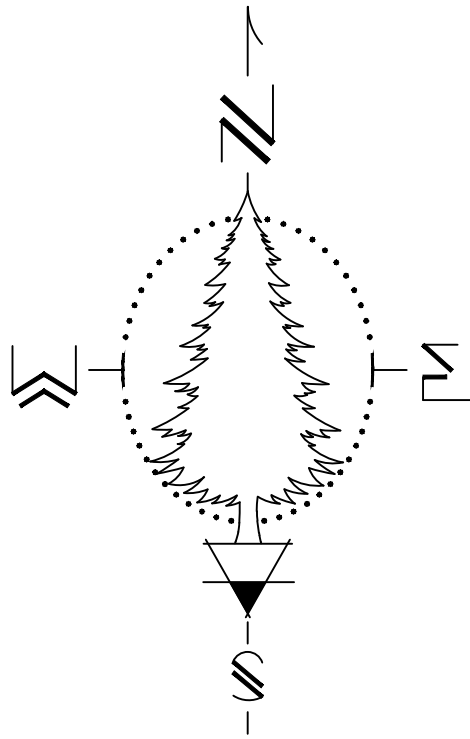


(NOT TO SCALE)



FIGURE 5

Exhibit 15



SURVEYOR'S CERTIFICATE

I, TROY L TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 6854112, AS PRESCRIBED UNDER TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT. I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED INTO HEBER CITY, WASATCH COUNTY, UTAH.

TROY L TAYLOR _____ DATE _____

DESCRIPTION

BEGINNING AT A POINT LOCATED NORTH 00°30'00" WEST ALONG THE SECTION LINE 132.85 FEET AND WEST 654.07 FEET FROM THE FOUND WASATCH COUNTY ALUMINUM CAP MARKING EH EAST 1/4 CORNER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 32°00'23" WEST 1201.64 FEET TO THE HEBER CITY BOUNDARY AS SHOWN ON THE NORTH VILLAGE ANNEXATION PLAT; THENCE ALONG SAID HEBER CITY BOUNDARY AND THE NORTH VILLAGE ANNEXATION PLAT THE FOLLOWING 22 (TWENTY TWO) CALLS: 1. NORTH 42°02'19" EAST 253.96 FEET, 2. NORTH 89°51'56" EAST 493.00 FEET, 3. SOUTH 42°15'26" EAST 71.50 FEET, 4. ALONG THE ARC OF A 463.93 FOOT RADIUS CURVE TO THE LEFT 66.76 FEET (CHORD BEARS SOUTH 46°22'46" EAST 66.70 FEET), 5. SOUTH 50°30'06" EAST 70.63 FEET, 6. ALONG THE ARC OF A 226.74 FOOT RADIUS CURVE TO THE RIGHT 97.65 FEET (CHORD BEARS SOUTH 38°09'48" EAST 96.90 FEET), 7. SOUTH 25°49'31" EAST 80.79 FEET, 8. ALONG THE ARC OF A 234.73 FOOT RADIUS CURVE TO THE LEFT 109.51 FEET (CHORD BEARS SOUTH 39°11'26" EAST 108.52 FEET), 9. SOUTH 52°33'20" EAST 46.06 FEET, 10. ALONG THE ARC OF A 95.72 FOOT RADIUS CURVE TO THE RIGHT 27.55 FEET (CHORD BEARS SOUTH 44°18'34" EAST 27.46 FEET), 11. SOUTH 36°03'49" EAST 17.11 FEET, 12. ALONG THE ARC OF A 84.88 FOOT RADIUS CURVE TO THE LEFT 74.84 FEET (CHORD BEARS SOUTH 61°19'17" EAST 72.44 FEET), 13. SOUTH 86°34'45" EAST 55.03 FEET, 14. ALONG THE ARC OF A 70.00 FOOT RADIUS CURVE TO THE RIGHT 41.05 FEET (CHORD BEAR SOUTH 69°46'38" EAST 40.47 FEET), 15. NORTH 39°00'43" EAST 134.19 FEET, 16. SOUTH 00°28'04" EAST 215.78 FEET, 17. SOUTH 22°22'27" WEST 568.62 FEET, 18. NORTH 50°59'17" WEST 229.73 FEET, 19. ALONG THE ARC OF A 138.00 FOOT RADIUS CURVE TO THE LEFT 109.61 FEET (CHORD BEARS SOUTH 61°40'19" WEST 106.75 FEET), 20. SOUTH 39°00'43" WEST 127.93 FEET, 21. ALONG THE ARC OF A 248.00 FOOT RADIUS CURVE TO THE RIGHT 39.75 FEET (CHORD BEARS SOUTH 43°36'15" WEST 39.71 FEET), AND 22. SOUTH 48°11'46" WEST 70.25 FEET TO THE POINT OF BEGINNING.

AREA = 20.35 ACRES

HEBER CITY ENGINEER

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

HEBER CITY ENGINEER _____ SEAL _____

HEBER CITY RECORDER

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

HEBER CITY RECORDER _____ SEAL _____

HEBER CITY MAYOR

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

HEBER CITY MAYOR _____

WASATCH COUNTY RECORDER _____ RECORD NO. _____
STATE OF UTAH, COUNT OF WASATCH, RECORDED & FIELD AT THE REQUEST OF: _____
DATE _____ TIME _____ BOOK _____ PAGE _____

FEES _____ PRINTED NAME OF COUNTY RECORDER _____

HEBER CITY PLANNING COMMISSION

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

CHAIRMAN, HEBER CITY PLANNING COMMISSION _____

COUNTY SURVEYOR'S CERTIFICATE

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

ROS# _____

COUNTY SURVEYOR _____

SYMBOL LEGEND

ANNEXATION BOUNDARY



EXISTING HEBER CITY LIMITS



FOUND SECTION CORNERS (AS NOTED ON DRAWING)

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	71.50'	S42°15'26"E
L2	70.63'	S50°30'06"E
L3	80.79'	S25°49'31"E
L4	46.06'	S52°33'20"E
L5	17.11'	S36°03'49"E
L6	55.03'	S86°34'45"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING	TANGENT
C1	66.76'	463.93'	81°4'41"	66.70'	S46°22'46"E	33.44'
C2	97.65'	226.74'	24°40'35"	96.90'	S38°09'48"E	49.60'
C3	109.51'	234.73'	26°43'50"	108.52'	S39°11'25"E	55.77'
C4	27.56'	95.72'	16°29'38"	27.46'	S44°18'34"E	13.87'
C5	74.84'	84.88'	50°31'09"	72.44'	S61°19'17"E	40.05'
C6	41.06'	70.00'	33°36'16"	40.47'	S69°46'40"E	21.14'
C7	109.61'	138.00'	45°30'31"	106.75'	S61°40'19"W	57.88'
C8	39.75'	248.00'	9°11'03"	39.71'	S43°36'15"W	19.92'

N89°51'56"E 493.00'

CHAPARRAL STREET

WDG COLLEGE DOWNS LLC
PARCEL 1 COLLEGE DOWNS SUBDIVISION
00Z-0001-0-019-035
00-0020-8333

WDG COLLEGE DOWNS LLC
PARCEL 1 COLLEGE DOWNS SUBDIVISION
00Z-0003-0-019-035
00-0020-8335

WDG COLLEGE DOWNS LLC
PARCEL 2 COLLEGE DOWNS SUBDIVISION
00Z-0002-0-019-035
00-0020-8334

UTAH VALLEY STATE
COLLEGE FOUNDATION
OWC-0533-0-019-035
00-0020-1445

FOUND WASATCH COUNTY 1976
ASPEN BRASS CAP MARKING THE
NORTHEAST CORNER OF SECTION 19,
TOWNSHIP 3 SOUTH, RANGE 5 EAST,
SALT LAKE BASE AND MERIDIAN

16 17
10 20

S00°28'04"E 215.78'

N 00°30'00" W 2488.59' MEASURED BETWEEN FOUND MONUMENTS BASIS OF BEARING

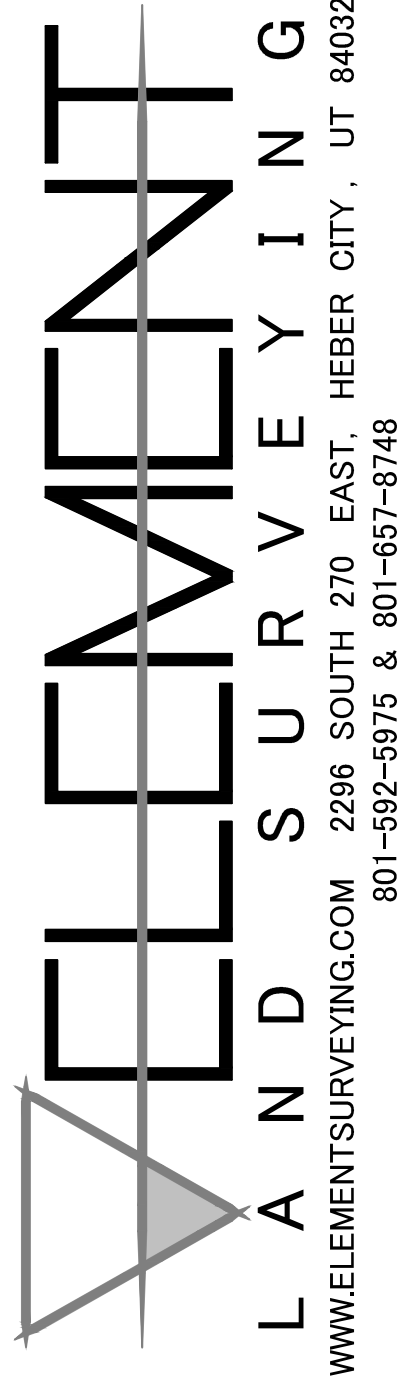
COLLEGE WAY

COLLEGE WAY

WEST
654.07'

FOUND WASATCH COUNTY ALUMINUM
CAP AND PIPE MARKING THE EAST 1/4
CORNER OF SECTION 19, TOWNSHIP 3
SOUTH, RANGE 5 EAST, SALT LAKE
BASE AND MERIDIAN

132.85'
19 20



ANNEXATION PLAT

WASATCH COUNTY

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

WRIGHT DEVELOPMENT GROUP

COLLEGE DOWNS ANNEXATION

PREPARED FOR:

22-01-013

PROJECT:

I OF I

PROJECT NO.

SHEET

Exhibit 16

Heber City Annexation Policy Plan

Adopted: September 4, 2018 by Ordinance 2018-42

Amended: July 6, 2021 by Ordinance 2021-21

Heber City Corporation

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INTRODUCTION

In accordance with the provisions of 10-2-4, Utah Code Annotated, all municipalities within the State are required to adopt an Annexation Policy Plan. In this Annexation Policy Plan, cities are required to develop an expansion area map and plan for the future growth of the community for the next 20 years.

The Annexation Policy Plan is intended to guide decision making regarding future annexations. It also helps the City plan for future expansion in conjunction with neighboring political entities. Open communication between the City and other political entities, particularly the County, is a priority in the process of developing the Annexation Policy Plan.

Heber City adopted its first Annexation Policy Plan over a decade ago. In 2017, several property owners requested Heber City consider amending the expansion area map to include their properties. The process for adopting the amendment in 2017 illustrated the need for the City to dramatically overhaul its Annexation Policy Plan to incorporate informal policy into writing. Additionally, the City identified a need to update relevant portions of the General Plan that are out of date.

EXPANSION AREA MAP

As per Utah Code, Section 10-2-401.5 (4) and 10-2-401.5 (3) (c), the City has considered the following six points in developing, considering, and adopting this Annexation Policy Plan as follows:

GAPS AND OVERLAPS

Heber City has attempted to avoid gaps between or overlaps with the expansion areas of other municipalities. However, overlaps do exist between Heber City and Charleston and between Heber City and Daniel Town.

Heber City has the municipal services that are necessary for industrial and retail development that both Charleston and Daniel Town lack. Heber City is desirous to attract industrial and retail development within its expansion area as designated on the General Plan and has therefore included these overlap areas within its Expansion Area Map. Additionally, these overlapping areas are near the Heber City Airport and/or are part of the HVSSD Sewer Fields, both of which Heber City has an interest in how they impact the City..

20 YEAR POPULATION PROJECTIONS

Heber City has considered population growth projections for the municipality and adjoining areas for the next 20 years. Population projections by Mountainland Association of Governments (MAG) show Heber City will grow from 15,723 persons in 2017 to 25,321 persons in 2037. The current 4.7% annual growth rate is projected to drop to 2.26% after 2021, and to 1.66% after 2031.

20 Year Population Projections

Year	Annual Growth Rate	Population	Population Change	Residential Units
2017	4.70%	15,723	706	211
2018	4.70%	16,462	739	221
2019	4.70%	17,236	774	231
2020	4.70%	18,046	810	242
2021	2.26%	18,454	408	122
2022	2.26%	18,871	417	124
2023	2.26%	19,297	426	127
2024	2.26%	19,733	436	130
2025	2.26%	20,179	446	133
2026	2.26%	20,635	456	136
2027	2.26%	21,102	466	139
2028	2.26%	21,579	477	142
2029	2.26%	22,066	488	146
2030	2.26%	22,565	499	149
2031	1.66%	22,939	375	112
2032	1.66%	23,320	381	114
2033	1.66%	23,707	387	116
2034	1.66%	24,101	394	117
2035	1.66%	24,501	400	119
2036	1.66%	24,908	407	121
2037	1.66%	25,321	413	123
	Total	25,321	10,304	3076

CURRENT AND PROJECTED COSTS OF INFRASTRUCTURE AND SERVICES

Heber City, the North Village Special Service District (NVSSD), the Jordanelle Special Service District (JSSD), and the Twin Creeks Special Service Districts (TCSSD) have adopted Capital Facilities Plans that consider current and projected costs of infrastructure, urban services, and public facilities necessary to facilitate full development of the area within their respective jurisdictions. These plans identify the necessary infrastructure, services, and facilities in the City's expansion area.

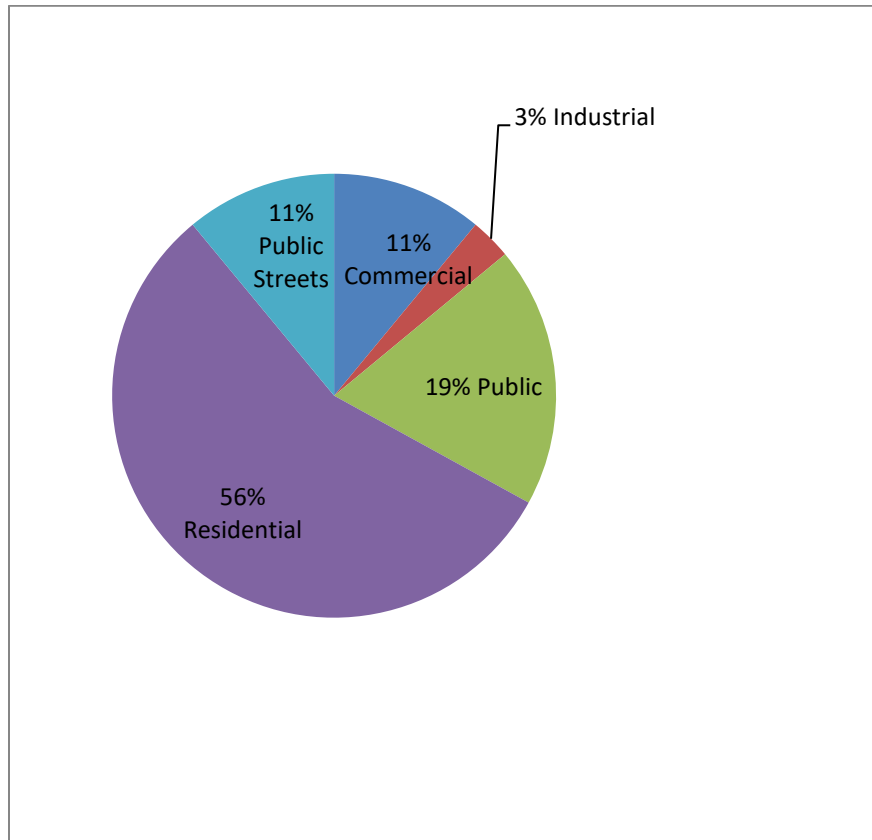
NEED FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL LAND

Heber City has considered, in conjunction with its General Plan, the need over the next 20 years for additional land suitable for residential, commercial, and industrial development. As shown in the table below, the City needs an additional 3,449 acres (5.39 square miles) to accommodate growth for the next 20 years, based on the growth rates projected for the City. This area consists of 378 acres of Commercial Land, 112 acres of Industrial Land, 645 acres of Public Land, 1936 acres of Residential Land, and 378 acres for Public Streets.

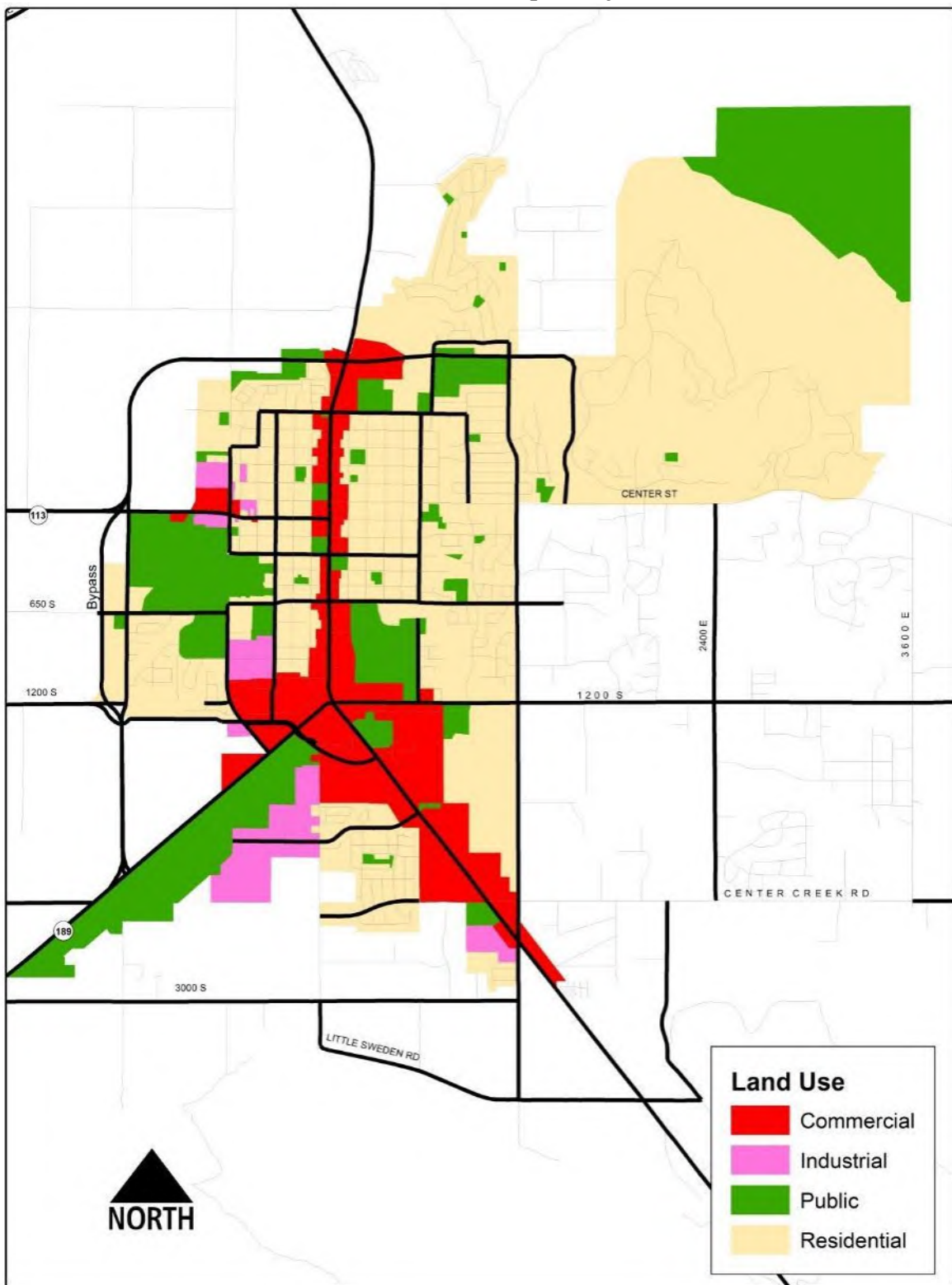
20 Year Land Needs

Land Use	2017 Area (sq. mi)	Additional 20 Year Land Need	Total 20 Year Land Need
Commercial	0.97 sq. mi. (11%)	0.59 sq. mi.	1.56 sq. mi.
Industrial	0.29 sq. mi. (3%)	0.16 sq. mi.	0.45 sq. mi.
Public	1.65 sq. mi. (19%)	1.01 sq. mi.	2.66 sq. mi.
Residential	4.95 sq. mi. (56%)	3.03 sq. mi.	7.98 sq. mi.
Public Streets	0.97 sq. mi. (11%)	0.59 sq. mi.	1.56 sq. mi.
Total	8.83 sq. mi.	5.38 sq. mi.	14.21 sq. mi.

2017 Land Use Analysis



2017 Land Use Map Analysis



REASONS FOR INCLUDING SENSITIVE LANDS IN EXPANSION AREA

Heber City's expansion area includes some agricultural lands and forested areas. Recreational and wildlife management areas are not part of the City's expansion area.

The agricultural lands are located in the Twin Creeks area east of 1200 East. The City also included an agricultural area on the northwest corner of Heber City from current boundaries up to the future highway bypass because the bypass serves as the City boundary elsewhere. It is the intention of Heber City to maintain agricultural zoning or a conservation type subdivision development pattern in these areas that preserve agriculture and open space.

Forested areas are included within the City's expansion area. Wasatch County has zoning that permits higher density master planned communities in the forested area with open space requirements. Heber City envisions significant amounts of open space in that forested area with densities no more than that planned by Wasatch County. The Cooperative Wildlife Management Unit (CWMU) designation in the area will likely be dissolved, whether it is developed by Wasatch County or Heber City.

JUSTIFICATION FOR EXCLUDING AREAS FROM EXPANSION AREA WITHIN ½ MILE OF CURRENT BOUNDARY

North Fields

Consistent with the General Plan, Heber City will not annex properties in the North Fields. It is the intent of Heber City to promote the North Fields to remain as an agricultural area, and the City opposes the extension of any municipal services into the area. The Expansion Area Map utilizes the future Main Street Bypass as the future north and northwest municipal boundary adjoining the North Fields. The City will only entertain annexations of property up to and including the bypass upon condition of dedication of the requisite right of way for the bypass according to current UDOT requirements. Additionally, annexation in that area should include efforts to preserve agriculture in the North Fields, such as Transfer of Development Rights, Purchase of Development Rights, Large Lot Agricultural Zoning, and/or Conservation Developments that preserve natural and agricultural areas.

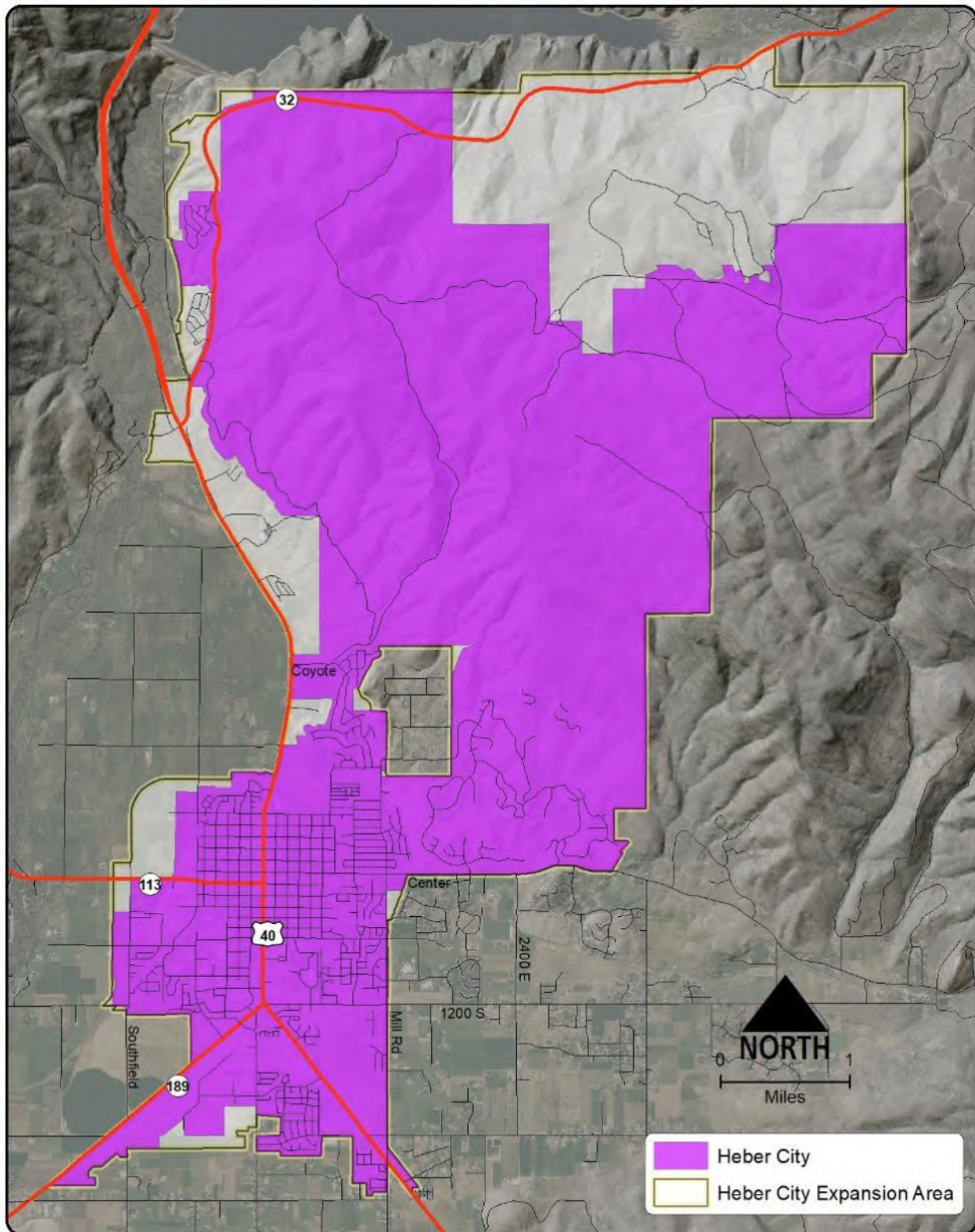
South Fields

Heber City desires a separation between itself and other municipalities with agricultural and/or open lands. The City supports keeping the land west of that canal as low density agricultural lands, either in Charleston Town or within the unincorporated area. The City opposes expansion of municipal services west of the canal.

Twin Creeks Area

The area between 1200 East 2400 East serves as a suburban transition zone to the lower agricultural densities envisioned east of 2400 East. A significant part of that area is contained within a master planned subdivision, the Crossings at Lake Creek. It is unlikely there would be any interest in annexing that area, as it is already developed. South of 1200 South, some large lot agricultural subdivisions exist that should remain as agricultural lots. East of the City's expansion area should remain as an agricultural area, decreasing in density as one travels away from the City. Greener Hills Subdivision exists to the east of Red Ledges and this area should remain at a lower density, as it has been developed. Much of the area east of 1200 East and North of 1200 South has already been developed in the unincorporated County at suburban style densities, and much of the area is therefore unlikely to be annexed into the City.

Expansion Area Map



CRITERIA FOR CONSIDERING ANNEXATIONS

The policy of the City Council is to ensure that proposals to annex territory to the City are based on compliance with Utah law, the General Plan, and the development policies as may be amended from time to time by the Council. The following criteria will be used to evaluate annexation proposals:

CONFORMANCE TO UTAH LAW AND LEGISLATIVE POLICY

1. A petition is to be submitted requesting annexation meeting the requirements established by the State Legislature.
2. The territory proposed for annexation shall be contiguous to corporate boundaries of Heber City and be a contiguous area.
3. The territory proposed for annexation will not leave or create an unincorporated island or unincorporated peninsula except as provided by Utah Code Subsection 10-2-418 (3) or unless the County and City have otherwise agreed.
4. The plat of the territory shall be drawn by a surveyor licensed to practice in the State of Utah.
5. Action to approve, approve with modifications, or deny an annexation shall be made in conformance with the provisions of Utah Code Title 10, Part 4.
6. The Council may add or delete territory from the annexation proposal to remove islands or unincorporated peninsulas created by the annexation.

CONFORMANCE TO CITY COUNCIL POLICY

The City Council establishes policies to ensure that annexations are added to the City in a systematic pattern that provides for logical expansion of City boundaries. The City Council recognizes that the Legislature from time to time may enact laws that are contrary to established practice and such laws shall supersede Council policy if conflict exists. Policies of the City Council follow:

1. The Council may accept territory proposed for annexation when the petitioned lands are located within a Township in order to protect the City's future growth options and programs.
2. Annexed territory shall be assessed to ensure that boundaries follow ownership, topography, natural features, and other readily defined boundaries.
3. To ensure efficient street and utility maintenance, the annexed area shall, whenever possible, include both sides of a street.
4. Arterial and collector roads should remain within one community for as great a distance as possible to ensure efficient street layout, control, and maintenance.
5. All major streets shall be as defined by the Heber City General Plan and Transportation Master Plan.
6. If practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:
 - a. along the boundaries of existing local districts and special service districts for sewer, water, and other services, along the boundaries of school districts whose boundaries follow City boundaries or school districts adjacent to

- school districts whose boundaries follow City boundaries, and along the boundaries of other taxing entities;
 - b. to eliminate islands and peninsulas of territory that is not receiving municipal-type services;
 - c. to facilitate the consolidation of overlapping functions of local government;
 - d. to promote the efficient delivery of services; and
 - e. to encourage the equitable distribution of community resources and obligations.
7. The annexation shall be in conformance with the provisions of the Annexation Policy and any future Annexation Elements of the General Plan and the Annexation Policy Plan and Capital Facilities Plan.
 8. The Council shall consider the fiscal impacts of development within the territory proposed for annexation, including both the cost of delivering services and the revenue stream generated by new development.
 9. For large Annexations that exceed 500 acres, the City will analyze the need for regional facilities such as parks, trails, fire stations, police stations etc., and will consider the need to request dedications from annexation petitioners.
 10. Annexation petitioners shall provide the following information:
 - a. Accurate map showing the territory as proposed for annexation. The Council may direct the Administration to require additional mapping information with submittal of petitions for annexation.
 - b. The Council shall require that a feasibility report be prepared by City staff when time and resources are available with costs paid by petitioners, or be submitted by a consultant of the City with costs paid by petitioner for the following:
 - i. Existing and proposed population density;
 - ii. Geology, geography, and topography of the area and its surroundings;
 - iii. Determination of islands or peninsulas remaining in the unincorporated area;
 - iv. Fiscal impact of the proposed annexation on the unincorporated area, other municipalities, other government entities, special districts, and school district;
 - v. Current and five year projections of demographic and economic base for the proposed annexation area and surrounding unincorporated area;
 - vi. Projected five year growth for the proposed annexation area and surrounding unincorporated area;
 - vii. Current and five year projections of the cost of government services for the proposed annexation area;
 - viii. Present and five year projection of revenue to be received by the City resulting from the annexation; and
 - ix. Projected tax impact the annexation will have for the next five years on affected property owners.
 11. The Council shall require an annexation agreement be recorded with the annexation plat, outlining specific circumstances relating to services, transportation corridors, zoning, and other issues identified by the City during the annexation process.
 12. The Planning Commission shall review and provide a recommendation on each annexation petition received by the City.
 13. Each Petition for Annexation shall include a concept plan. What is required in the concept plan at the time of filing the Petition for Annexation is limited to the best

knowledge of the Petitioner at the time of said filing. This requirement to submit a concept plan with the petition, shall in no way limit or restrict changes, amendments, alterations or modifications to said concept plan throughout the annexation and development process as may be desired either by the Petitioner, Developer, Planning Commission or City Council.

14. Within Special Service Districts, the City could offer services or temporary services to areas that contain existing homes or in areas where it is infeasible for a Special Service District to provide sanitary water, sewer, or irrigation service. However, the City will need to carefully coordinate such effort with the district to ensure that financing for the district is not harmed by the City providing that service. It is generally understood that the primary utility provider for districts areas will be the districts.
15. Heber City prefers to not extend its services beyond its boundaries. The City Council may extend municipal services to the unincorporated areas if they find that such expansion is consistent with the overall Annexation Policy Plan and General Plan, will not present barriers for future annexation, and is acceptable to a Special Service District, if applicable. The petitioner will be charged an impact fee and be required to pay 1 1/2 times the monthly service fee. Additionally, the petitioner for services will be required to enter into an agreement to annex when the City reaches the property or to not oppose an annexation if one occurs.

CHARACTER OF THE COMMUNITY

Heber City is located about 45 miles from Salt Lake City, 20 miles from Park City and 27 miles from the Orem/Provo area. Heber is a high-amenity mountain valley community which provides an excellent location for individuals and families interested in an outdoor lifestyle surrounded by a scenic environment.

Heber City has been and will continue to be Heber Valley's center of commerce, industry, education, and government. The community has taken the initiative to provide the services for supportive land uses. In addition, the City has taken the lead in providing diversified housing to meet the needs of all people without regard for social or economic status. Housing development needs to be supported by adequate commercial and industrial development to allow a City revenue base that is broad and diverse. Future annexations should be considered from this perspective.

Agriculture and open spaces, especially on the community's periphery, are important community pursuits. Community separation that exists between communities is a tradition in Heber Valley. Heber City reserves the right to maintain agricultural land and/or open space between its self and other municipalities and to protect agricultural lands and lands containing natural hazards where it is in the best interest of the community. Annexations that can help preserve open space will be considered, as will annexations that can provide a developed setting that is consistent with community goals.

Heber City's development patterns are somewhat unique from smaller communities that are not part of a suburban environment but are separated from major population centers. It is important that Heber City take a long-range view, at least 20 years, at its potential for expansion. At the same time, growth needs to be in areas where the City can efficiently extend municipal services and discourage leap frog and rural sprawl development which increases the costs and places a higher tax burden on the citizens.

The City has adopted a General Plan with Land Use, Open Space, Parks, and Transportation elements. This Plan identifies and defines community and neighborhood character. Heber City is a City of neighborhoods, and newly annexed areas are to be developed to either mesh with established neighborhoods or to create new neighborhoods.

It is the policy of the City to avoid development of wetlands, steep-slope, critical environmental habitat areas, shrink-swell soils or any other environmental conditions that threaten the integrity of the City infrastructure unless, in an annexation agreement, the developer can show how they will mitigate these issues in conformance with the City Ordinances, Code and Federal and State Regulations.

THE NEED FOR MUNICIPAL SERVICES IN DEVELOPED AND UNDEVELOPED UNINCORPORATED AREAS

In the past, Heber City has had limited extension of urban services in the unincorporated areas. A fundamental policy is that if someone desires urban services, they must be annexed into the City. In most of the residential areas, urban services have been extended. In the commercial area along Highway 40, there has been a limited amount of municipal services provided; however, full service needs to eventually be extended as the areas further develop and annexed.

SEWER

The valley's sewer treatment is addressed through two means. The Heber Valley Special Service District (HVSSD) provides waste water treatment to Heber City and Midway City. Those facilities are located near Midway on the west side of the Provo River. The district treats water through both mechanical means and through application of treated water to the Sewer Fields located along the north side of Highway 189.

Currently HVSSD also provides treatment for waste water from the Twin Creeks Special Service District (TCSSD), Jordanelle Special Service District (JSSD), and the North Village Special Service District (NVSSD). In the long term, these three SSD's intend to move some or all of their waste water treatment needs to the JSSD waste water treatment facility that is located along the old Highway 40 route, south of the Jordanelle Dam. This facility provides all of its treatment through mechanical means.

The County established a minimum five acre lot size many years ago for lots on septic tanks to protect the ground water in the valley. Any new lot less than five acres requires connection to a central sanitary sewer system. The City anticipates that all new growth occurring within the City will require central sewer service. Outside the City, sewer service availability and necessity depends upon location.

For the North Fields, an undeveloped area, County zoning requires 20 acres per lot. There is not a need for sanitary sewer service in that area, and there are no plans for the City or County to provide sewer in that area. Heber City has provided a handful of sewer connections to lots outside of the City that front Midway Lane in the North Fields, as the lots were within 300 feet of the sewer outfall line. There are numerous lots of record in the

North Fields that are less than five acres in size that are near the City's sewer outfall line. The City should not provide additional sanitary sewer services to the North Fields area.

For the South Fields, an undeveloped area, County zoning requires 20 acre minimum lot sizes in part of the area and five acre minimum lot sizes near the western edge of the City. There is not a need for sewer services in the area. A few non-conforming lots and homes exist on lots that are smaller than five acres.

The Sewer Fields, north of the Highway 189, are currently undeveloped and the city wishes them to remain so to protect the rural environment, provide a buffer zone between the city and surrounding cities/ and support lower sewer rates. If the sewer fields are not needed in the future, the City should consider annexation of this area and provide sanitary sewer service to the area. On the south western portion of the City's annexation expansion area, there may be a need to provide sanitary sewer service.

East of Mill Road, the County has formed the Twin Creeks Special Service District to provide sanitary sewer service. The zoning in the unincorporated County in the area permits lots of 1 acre in size and larger. The area has a mixture of lot sizes and has some non-conforming lots less than five acres in size that are serviced with septic tanks and drain fields. Given availability of the Twin Creek's Special Service District (TCSSD) sewer system, Heber City will not need to provide sanitary sewer service for the area. The City is capable in servicing portions of the TCSSD. The City could offer service to areas that contain existing homes or in areas where it is infeasible for the TCSSD to provide sanitary sewer service. However, the City will need to carefully coordinate such effort with the TCSSD to ensure that financing for the district is not harmed by providing that service. It is generally understood that the primary sewer provider for this area will be the TCSSD.

North of Coyote Lane and north of existing City limits, Wasatch County has formed the North Village Special Service District (NVSSD), and Jordanelle Special Service District (JSSD) which will be capable of providing sanitary sewer service to the North Village and southern portion of the Jordanelle Planning Area. The area is planned to have densities that necessitate sanitary sewer service. Similar to the TCSSD area, the City is capable in servicing portions of the NVSSD. The City could offer services or temporary services to areas that contain existing homes or in areas where it is infeasible for the NVSSD to provide sanitary sewer service. However, the City will need to carefully coordinate such effort with the NVSSD to ensure that financing for the district is not harmed by the City providing that service. It is generally understood that the primary sanitary sewer provider for this area will be the NVSSD.

WATER

Residential Densities in the North Fields and South Fields are low enough that homes will not need access to a central water supply for culinary or fire protection uses. Most, if not all existing homes in the area are serviced with individual culinary wells. Heber City does not intend to provide, and opposes extension of culinary water into these areas.

The Sewer Fields are currently undeveloped and the city wishes them to remain so to protect the rural environment, provide a buffer zone between the city and surrounding cities, and support lower sewer rates. If the sewer fields are not needed in the future, the City should consider annexation of this area and provide central culinary water service to

the area. On the south western portion of the City's annexation expansion area, there may be a more urgent need to provide water for culinary and fire protection purposes.

The TCSSD, JSSD, and NVSSD provide culinary water to the Twin Creeks area east of Mill Road, and much of the area north of Coyote Lane and the current City limits. The residential densities in the Twin Creeks area are about 1 unit per acre and generally require central culinary water. In the NVSSD and JSSD, densities exceed one unit per acre, and can approach 20 to 30 units per acre, necessitating culinary water service as well. The City is capable in servicing portions of the NVSSD, TCCSSD, and JSSD, but the overall demand and topography exceeds the City's ability to provide water service. The City could offer water services or temporary services to areas that contain existing homes or in areas where it is infeasible for the districts to provide culinary water service. However, the City will need to carefully coordinate such effort with the districts to ensure that financing for the district is not harmed by the City providing that service. It is generally understood that the primary culinary water provider for these areas will be the NVSSD, TCSSD, and the JSSD.

PRESSURIZED IRRIGATION

Pressurized irrigation is offered by Heber City, Special Service Districts, and the Central Utah Project (CUP) in many areas of the City's expansion area and unincorporated areas. In the unincorporated areas, irrigation is provided by a combination of canals, ditches and pressurized irrigation. In the North Fields, South Fields, TCSSD, NVSSD, and JVSSD, it is anticipated the CUP and/or Special Service Districts will provide irrigation water services. Heber City has its own pressurized irrigation system that relies on CUP facilities for access to irrigation water. Heber City will not offer irrigation services outside of its boundaries. As properties are annexed into the City, Heber City anticipates offering PI to properties as they develop, or having the Special Service District provide that service if the district provides that service. Consultation with districts, canal companies and the CUP will be necessary to determine how irrigation service will be provided.

POLICE AND ANIMAL SERVICES

Heber City has a Police Department that is responsible for police protection within its borders. Given Heber City's central location in the valley, Heber City Police often serve as the first responder outside of Heber City limits, particularly to higher density housing in the North Village and to commercial areas along Highway 40.

Heber City is unique in that many tourists pass through the City as they are enroute to nearby tourist destinations such as Strawberry Reservoir, Jordanelle Reservoir, Wasatch Mountain State Park, and Park City Ski Resorts. The primary transportation route from areas along the Wasatch Front to these destinations is Highway 40, which passes right through the middle of the City, and Heber City receives the tax benefits, as well as the crime and traffic that accompany the tourist visits.

Animal Services is provided by the Police Department. The Police Department also oversees various volunteer organizations such as CERT and VIPS that assist with emergency management and event management.

JUSTICE COURT.

Heber City provides a Justice Court that serves the needs for civil cases and non-felony crimes. Increases in population in and around the City, as well as increases to tourism in the valley, impact the Justice Court similar to the Police Department.

PARKS AND CEMETERY

Heber City's Parks and Cemetery Department provides maintenance services to City owned neighborhood parks, trails, cemetery, City buildings and grounds, downtown trees and planter strips, entrance features and other open spaces. Access to these facilities is open to the public, including residents of the unincorporated area. Heber City has a policy requiring at least 1.5 acres for any new City owned park. The City collects impact fees for parks and trails, based upon the Parks and Trails Component of the Heber City Capital Facilities Plan. As properties are annexed, the City should analyze the need for neighborhood parks in those areas, as well as the potential need for privately owned parks.

COMMUNITY DEVELOPMENT SERVICES

Heber City provides planning services through the staff of the Planning Department. The Building Department provides inspection to ensure compliance of all construction with the adopted International Building Code. The City's Engineer ensures compliance of new development with City Standards and Specifications.

PUBLIC WORKS

Heber City Public Works has responsibility for flood control, street, water, sewer, irrigation, storm drainage, street plowing and ditch and canal maintenance, excluding JSSD and NVSSD infrastructure.

PLANS FOR EXTENSION OF MUNICIPAL SERVICES

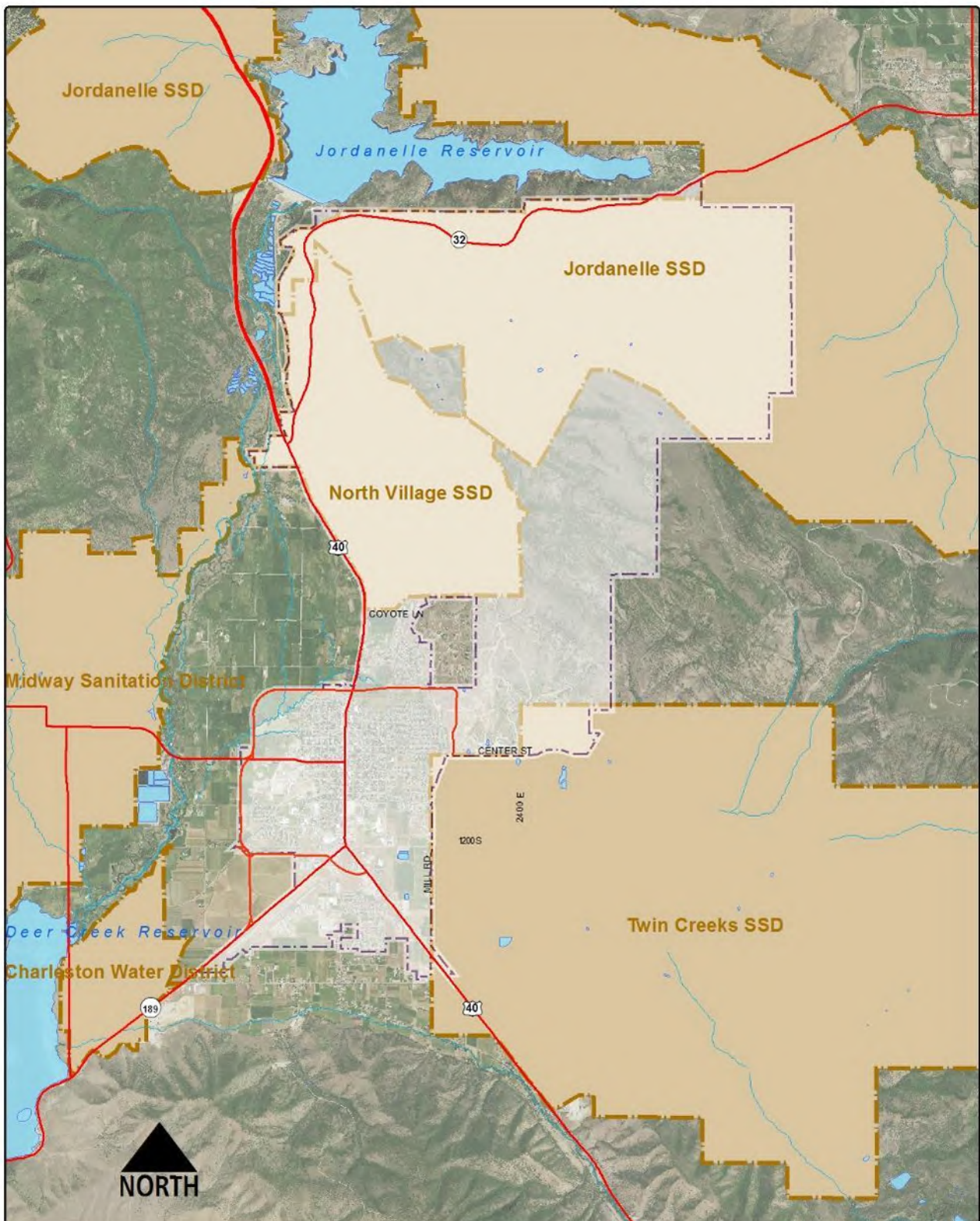
The plan for extension of municipal services is represented in the General Plan and the Capital Facilities Plan. This policy document is developed around the General Plan's Land Use Map. An important component of this extension of municipal services is the ability of the City to effectively serve these areas; therefore, development should be consistent with the General Plan, notwithstanding it may be amended from time to time. The Capital Facilities Plan is comprehensive in its analysis of utility needs, extension and financing of those facilities; therefore, a brief summary of its philosophy will suffice for the Annexation Policy Plan.

The City requires development to construct and dedicate all new public facilities needed for a new development. Heber City collects impact fees that upsize sewer, water, irrigation, and street facilities to meet the needs of development. As a condition of annexation, developments may be required to extend streets, water and sewer, and other vital public facilities consistent with the Heber City Public Facilities Master Plan. It is the policy of Heber City to extend a high quality of municipal services delivered efficiently

throughout the City, including areas of annexation. Such services may be provided directly by Heber City, through inter-local cooperative service agreements, or through creation of such special improvement districts as determined by Heber City to be in the best public interest of its citizens.

For areas located within a special service district, Heber City will rely upon the district to provide water, sewer, and irrigation services. The districts extend services when the services are needed or requested and do so in different ways. Developers often extend services, though the district has extended services as well.

Special Service District Locations



HOW MUNICIPAL SERVICES WILL BE FINANCED

Financing of services in the expansion area will be accomplished in the same manner as financing of infrastructure and services within the corporate limits. Infrastructure needed to service developed properties is installed at the expense of developers. Upon dedication to, and acceptance of the infrastructure by the City, maintenance is provided by the City with costs of operation and maintenance offset by a combination of property tax and sales tax revenues, class B and C road funds, and utility franchise fees. In addition the City will impose impact fees to offset the impact of offsite infrastructure systems needed for new development.

Heber City has adopted a Capital Facilities Plan that addresses future services for parks, trails, sewer, water, irrigation, and streets. The document identifies services that need to be addressed in order to accommodate growth areas at a level of service provided to current residents. This document serves as the basis for determining impact fee amounts and also the location and size of planned facilities such as streets, water, sewer and parks and trails. The Capital Facilities Plan is comprehensive in its analysis of utility needs and financing of those facilities; therefore, a brief summary of its philosophy will suffice for this Annexation Policy Plan.

New development is required to install the base sized facilities needed for their development. Impact fees are then used to upsize some of those facilities to accommodate new growth and development.

Upon an annexation petition, the City may require a developer to install offsite facilities as a condition of annexation. When a developer installs an offsite facility such as a road, waterline, or sewer line, the City, at the request of the developer, can put reimbursement agreements in place so that future development that benefits from those new services must pay their proportionate share back to the original developer.

The City requires all new development to provide water rights of the type and quantity as determined by the State Engineer that can be utilized for the City's culinary water supply and secondary irrigation system. Water rights are required to be conveyed to the City (or applicable Special Service District) prior to recording a subdivision plat, or prior to approval of a non-residential or multi-family residential building permit.

Another financing mechanism available to the City is the creation of a Special Improvement District or the creation of an Economic Development Area. The City should consider these options when a proposed development furthers the economic development or transportation goals of the City's General Plan, but these mechanisms should be used sparingly. A potential consideration could be an SID for 500 East between 1200 South and Highway 40, which provides a necessary transportation link in the City, but where the cooperation of several property owners is necessary to see that street constructed.

The Twin Creeks Special Service District, North Village Special Service District, and the Jordanelle Special Service District have plans for servicing their respective areas, separate from Heber City's water, irrigation, and sewer plans. The districts have adopted capital facility plans that specify necessary infrastructure to accommodate growth. The districts collect impact fees based on those plans to help pay for future infrastructure.

These impact fees are used to oversize facilities for future growth as well as pay for the extension of necessary infrastructure.

The districts have financed and extended infrastructure in various ways. In the past assessments on various properties were used to finance infrastructure. Currently the district relies more on impact fees. Developers usually install and dedicate the required infrastructure to the Special Service District, and the district can reimburse developers or put reimbursement agreements in place. Once constructed, the county Special Service Districts will operate and maintain such dedicated infrastructure. Developers can also prepay impact fees to move a planned Capital Facility Project forward sooner to accommodate a proposed development. If an area within a Special Service District is developed in the City, Heber City will need to ensure that impact fees are collected by the district prior to issuing a permit.

The Special Service Districts have limited capacities. Any development proposed within the City, within those respective districts, should closely consult with the SSDs to ensure service availability and available capacity to provide services. New developments should have a density near those planned for in the unincorporated area.

Between the three Special Service Districts, several different water rights may be used. The water rights and system is complex, and Wasatch County has established a Water Board to review water related issues for proposed developments. Wasatch County's water right process differs from Heber City's process in that the Water Board must review all developments prior to the developments receiving entitlements (see figure below). Heber City should establish a policy whereby City development located within a Special Service District should comply with established County Water Board processes. The City should consider requiring annexation petitioners to complete the first steps during the annexation process so the City can place conditions of annexation within an annexation agreement.

The Special Service Districts have differing definitions of Equivalent Residential Units (ERUs) for sewer versus water. Water right requirements vary between the various districts. Differences may exist between district and City water right and ERU definitions.

Wasatch County Water Board Process for Development

Development Path		
COUNTY	DEVELOPER	DISTRICT
		1. "Water Supply" Review
		2. Feasibility Letter (not a will serve letter)
3. Development Water Review Panel (Action Plan) Chapter 10.01		
4. Master Plan Chapter 16		
		5. Draft Will Serve Letter
6. Preliminary Approval		
		7. Source, Delivery, Treatment, Storage - Development Agreement - Applicable Fees and Associated Costs - Account Current = Proceed - Not Current = Stop
		8. Will Serve Letter
9. Final Approval		

ESTIMATE OF TAX CONSEQUENCES TO RESIDENTS BOTH CURRENTLY WITHIN THE CITY AND IN THE EXPANSION AREA

Annexing into any municipality will increase the tax liability for property owners. Table 1 below illustrates the tax implications for primary homes, secondary homes, and businesses. Current state law levies taxes on the full property value for secondary homes and non-residential land. Property taxes on primary homes are levied against 55% of the assessed value. The added annual tax for the owner of a primary home in the City valued at \$300,000 would be \$220.28. The added annual tax for a business in the City valued at \$500,000 would be \$667.50.

Property Tax Consequences (2016)

Type	Value	Unincorporated Tax Amount (1.1460%)	Incorporated Tax Amount (1.2795%)	Difference
Primary Dwelling	\$300,000	\$1,890.90	\$2,111.18	\$220.28
Business or Secondary Dwelling	\$500,000	\$5,730	\$6,397.50	\$667.50

Heber City does not intend to raise property taxes for the City as a result of annexation of any specific properties within the proposed annexation area. In considering proposed annexations, Heber City will assess the existing capacity of services, along with the additional demand for services that will be required of the City as a result of the annexation. Additional service demands from unincorporated areas will be weighed against potential revenues and other benefits that can be expected to accrue to the City as a result of the proposed annexation. The potential revenue and benefits may include 1) Property tax; 2) Sales tax; 3) Utility hookup fees; 4) Utility Franchise Fees; 5) Impact fees; and 6) exaction or related fees based on rough proportionality to city and county costs; 7) Intangible benefits that accomplish a stated goal of the General Plan or other City planning document. The City Council will weigh these factors in determining whether or not to grant a petition for annexation.

INTERESTS OF AFFECTED ENTITIES

The affected entities are municipalities, the school district, special service districts and County government. It is important that the affected entities be involved during the annexation process

The school district should coordinate their future development and facility needs consistent with the growth plans for the City. The County should have growth policies that reinforce and are complementary to the City's growth policies so that a cooperative and coordinated development within the County and City occur.

The effect of annexation on the tax base of the County will be either neutral or positive. Annexed properties will continue to pay Wasatch County property tax assessments. It is likely that the value of these properties will increase when improved by municipal services resulting in a net increase in tax revenue to Wasatch County. Wasatch County also benefits from annexations by reduced cost of service to annexed properties.

The Wasatch County School District serves the entire County and benefits from annexation by receiving additional tax revenue as property values increase. New residential development obligates the District to educate new students. New commercial and industrial development will be a windfall increase in tax revenue to the District.

Heber Light & Power (HLP) is not an affected entity, but is impacted by Heber City annexations. HLP is required to provide power service within Heber City Limits. If an annexation includes customers being served by another power provider, Utah law would require HLP to reimburse the other power provider "for the value of each facility used to serve each electric customer within the annexed area . . .[and] dedicated to provide service to the annexed area." *Utah Code Ann.* §10-2-421(2). The "value" or purchase price is based on data and costs provided to HLP by the other power provider. The annexation agreement shall provide: (1) that the parties seeking annexation shall pay HLP for its cost of acquiring the other provider's facilities required to serve the customers in the annexed area and (2) that these costs not be borne by Heber City and its residents or by HLP and its customers.

STATEMENTS MADE BY AFFECTED ENTITIES AT APRIL 27, 2017 PUBLIC MEETING

On April 27, 2017, the Heber City Planning Commission hosted a public meeting with Affected Entities to receive comments on the proposed amendment to the City's Annexation Policy Plan. Ron Phillips, Director of the Special Service Districts, submitted a letter listing the concerns of the SSDs in relation to the City's potential adoption of an amended expansion that includes portions of the SSDs, shown below.

Subsequent to that meeting, Heber City and Wasatch County discussed various issues additional concerns pertaining to services, utilities, transportation and zoning that have illustrated the need to update the plan and the General Plan.

Special Service District Written Concerns (page 1 of 3)



Jordanelle Special Service District

P.O. Box 519
Heber City, UT 84032
OFFICE: (435) 654-9233
FAX: (435) 657-9582

May 8, 2017

Heber City Planning Commission
Attn: Keith Rawlings, Chairman
75 North Main Street
Heber City, UT 84032

RE: Comments on the Proposed Heber City Annexation Policy Plan

Mr. Rawlings:

Thank you for the opportunity to provide comments on Heber City's proposed amendment to its Annexation Policy Plan (the "Annexation Plan"). The Wasatch County Council, acting as the Governing Board of the Jordanelle Special Service District ("JSSD"), the North Village Special Service District ("NVSSD"), and the Twin Creeks Special Service District ("TCSSD"), has asked me to submit these comments as the Annexation Plan includes land within the existing boundaries of JSSD, NVSSD, and TCSSD. JSSD, NVSSD, and TCSSD are separate legal entities, but are managed in coordination with each other, sharing costs of staff and overhead to provide greater efficiency to the public. I serve as the General Manager of the three Districts, and submit these comments on behalf of the Governing Board each of the three Districts.

As an initial matter, it is important to comment on what is *not* in the Annexation Plan posted for public review in advance of the April 27, 2017 Planning Commission meeting. Utah law requires that each annexation policy plan include the following, along with a map of the expansion area:

- A statement of the specific criteria that will guide future decisions on annexation petitions, addressing:
 - The character of the community;
 - The need for municipal services in undeveloped and developed unincorporated areas;
 - The municipality's plans for extension of municipal services;
 - How the services will be financed;
 - An estimate of the tax consequences to residents already within the municipal boundaries and in the expansion area;
 - The interests of all affected entities, such as special service districts; and
- A justification for excluding from the expansion areas containing urban development within ½ mile of the municipality's boundary

Wasatch County's SSD Written Concerns (page 2 of 3)

As far as the Districts can tell from documents posted for public review, the Annexation Plan consists of an old Annexation Policy Plan, dated June 1, 2006 (the "2006 Plan"), coupled with a new map (the "2017 Map"). The 2006 Plan contains only very generalized statements regarding the criteria listed above, which do not provide the Districts — or the general public — with enough information to assess the ramifications of annexation of unincorporated areas. As just one example, in addressing the tax consequences of annexation for current and future residents, the 2006 Plan simply states that: "It is anticipated that areas annexed into the City will increase in value, and the tax assessment on newly developed areas, along with impact fees, development fees, and additional revenue assessments will generate revenue to help support the new services." 2006 Plan, at p. 7. The Districts find this statement to be unhelpfully vague. If revenues from annexed areas merely "help support" the new services, will current residents of Heber City need to fund the balance of the cost of services? Furthermore, it is not clear why the City believes that land will automatically increase in value upon annexation into the City, especially when the land already has access to water and sewer services from the Districts. In short, the Districts do not believe the general statements in the 2006 Plan — which are now over a decade out of date — adequately address the specific criteria required by Utah law.

Moreover, the 2017 Map encompasses large swaths of additional land that were not considered by the 2006 Plan. Nothing in the 2006 Plan addresses the factors listed above with respect to the area encompassed by the 2017 Map, which contemplates annexing areas far removed from the City's existing infrastructure, and already served by infrastructure owned and operated by the Districts. For instance, NVSSD owns extensive culinary water infrastructure in the proposed annexation area, as well as extensive water rights necessary to serve those areas. The City's Annexation Plan does not even acknowledge these facts, let alone explain why it is necessary or prudent, in the City's view, to annex areas that already have access to municipal services. The District believes that the City must address the factors listed above as they apply to the new areas proposed to be included in the new expansion areas.

In addition, Utah law requires the City to consider the following:

- Population growth projections for the city and adjoining areas for the next 20 years;
- Current and projected costs of infrastructure, urban services, and public facilities necessary to facilitate full development within the city and to expand infrastructure, services, and facilities into the expansion area;
- The need for additional land over the next 20 years for additional land for residential, commercial, and industrial development;
- The reasons for including agricultural lands, forests, recreational lands, and wildlife management areas in the municipality;

Again, the Annexation Plan put forward by Heber City consists solely of the 2017 Map showing new areas eligible for annexation, coupled with the 2006 Plan. Both the 2017 Map and the 2006 Plan are completely silent as to the four factors listed above. There are no population growth projections, no projected costs of infrastructure, and no explanation why the City needs the vast amount of land encompassed by the 2017 Map.

Wasatch County's SSD Written Concerns (page 3 of 3)

Finally, Utah law requires the Planning Commission to be guided by certain factors as it develops, considers, and adopts an annexation policy plan. Specifically, if practical and feasible, the boundaries of areas proposed for annexation must be drawn:

- Along the boundaries of existing special service districts;
- To eliminate islands and peninsulas of territory that are not receiving municipal-type services;
- To facilitate the consolidation of overlapping functions of local government;
- To promote the efficient delivery of services; and
- To encourage the equitable distribution of community resources and obligations.

The Annexation Plan is again silent on all of these matters. There is no explanation as to why it is not practical or feasible to draw the annexation area along the boundaries of the three Districts, rather than swallowing up large portions of all three. There is no analysis as to how annexing the areas within the expansion area will promote efficient delivery of services. Nor is there any discussion of how the City intends to encourage the equitable distribution of community resources and obligations.

Given all these omissions, the Districts object to the adoption of the Annexation Plan in its current form. Moreover, even if the City amends the Annexation Plan to address the omissions described above, the Districts are fundamentally concerned about annexation of any land within their defined service areas. The Districts acquired water rights and designed infrastructure based on anticipated densities in unincorporated areas. If the City annexes areas within the Districts' service areas and increases allowable densities, the Districts may not have enough water to serve the new residents, and existing infrastructure may not have the required capacities.

Finally, the TCSSD specifically objects to the annexation of areas east of Mill Road and the Wasatch/Humbug Canal. As Heber City staff acknowledged at the April 27, 2017 Planning Commission meeting, there has been a "gentlemen's agreement" between the City and Wasatch County that the City would not annex that area. TCSSD requests that the City honor that agreement and remove that area from its annexation expansion area.

Sincerely,



Ron Phillips
General Manager of JSSD, NVSSD, and
TCSSD

cc: Mayor Alan McDonald
Mark Anderson, City Manager

Responses to Special Service District May 8, 2017 Letter

Concern	Response
The draft Annexation Policy Plan lacks detail for the 8 points required by Utah Code, Section 10-2-401.5 (3)	The text of the draft Annexation Policy Plan has been modified to specifically address the required 8 points of Utah State Code, Section 10-2-401.5 (3) (b), and the 5 points of Utah State Code, Section 10-2-401.5 (4).
The draft Annexation Policy Plan lacks detail for the 5 points required by Utah Code, Section 10-2-401.5 (4)	
Why don't the annexation boundaries follow SSD Lines?	The map has been modified to follow JSSD and TCSSD boundaries.
The Districts are fundamentally concerned about annexation of any land within their defined service area. If the City annexes areas...and increases densities, the Districts may not have....capacities.	It is the intent of the City to establish land uses in the General Plan that have densities no more than envisioned by Wasatch County within the district areas so district capacity will not be an issue. A General Plan Amendment to the Land Use Plan will be adopted in conjunction with the Annexation Policy Plan that solidifies this commitment.
TCSSD...objects to the annexation of areas east of Mill Road and the Wasatch/Humbug Canal.	The area east of Mill Road has been removed from the expansion area map.
Utah law requires the [City] to be guided by certain factors.....the Annexation Plan is silent on all of these matters.	The Annexation Policy Plan incorporated the guidance of Utah Code, Section 10-2-403 (6) into the Annexation Policy Plan.
Why is it...necessary and prudent to annex areas that already have municipal services?	By state statute, the City as a normal course of business cannot annex properties on its own, annexations occur through petition of private property owners. The expansion area gives property owners the choice of services between Heber City or Wasatch County.

Exhibit 17

College Downs Annexation

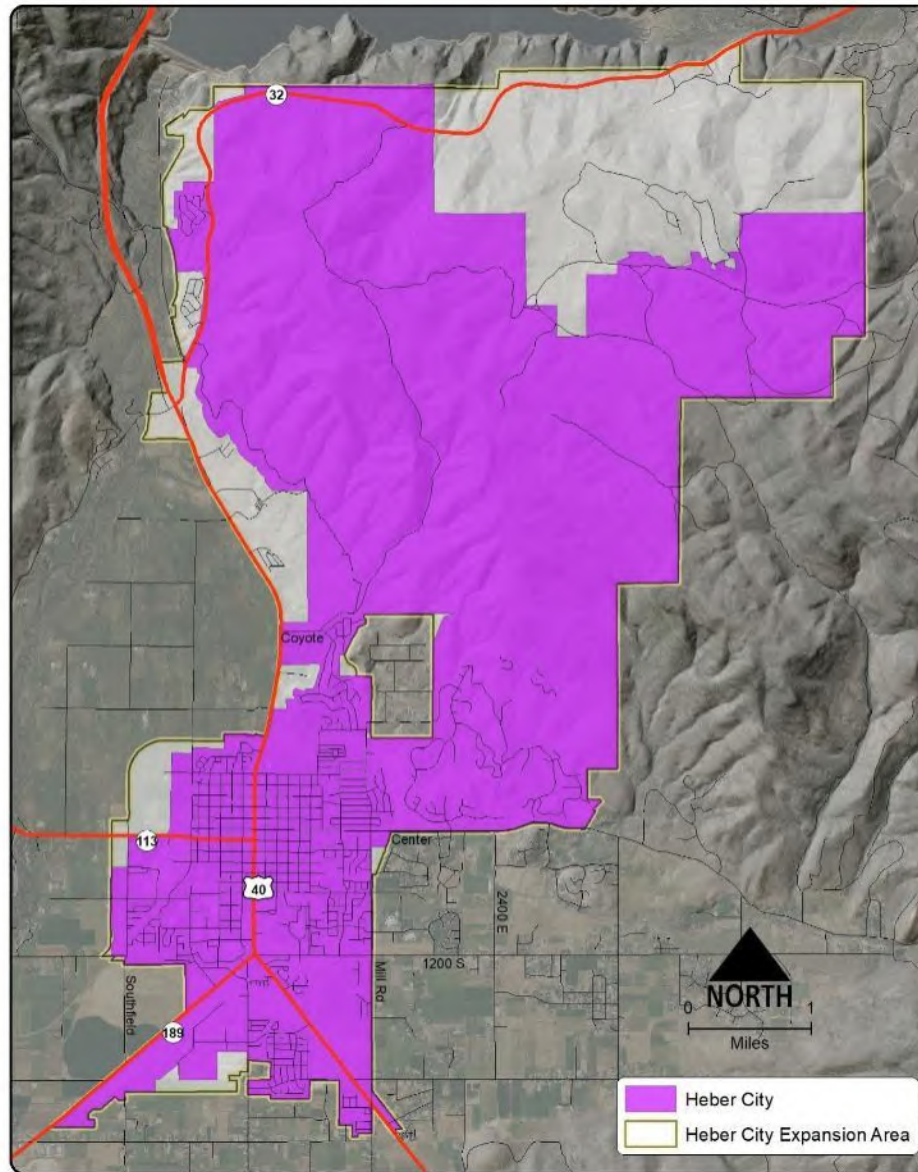
June 14, 2022

Petitioner: Wright Development Group

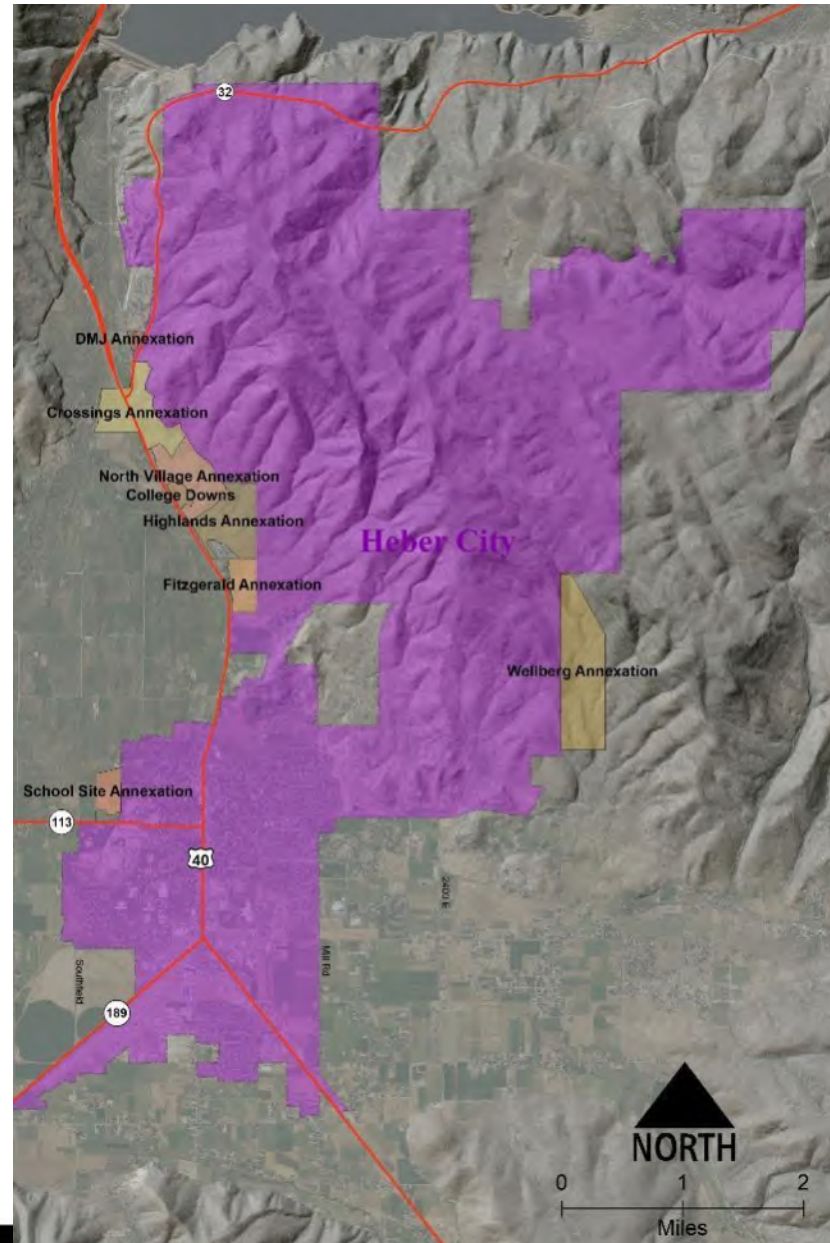
Annexation Process

Process	Time Frame 8 - 24 Months									
Notice of Intent	■									
Submittal		■								
Acceptance			■							
Certification			■	■						
Protest Period				■						
Plan. Commission					■	■				
Public Hearing						■				
MDA							■	■	■	
Approval								■		
Lieutenant Governor									■	■
Record Plat										■

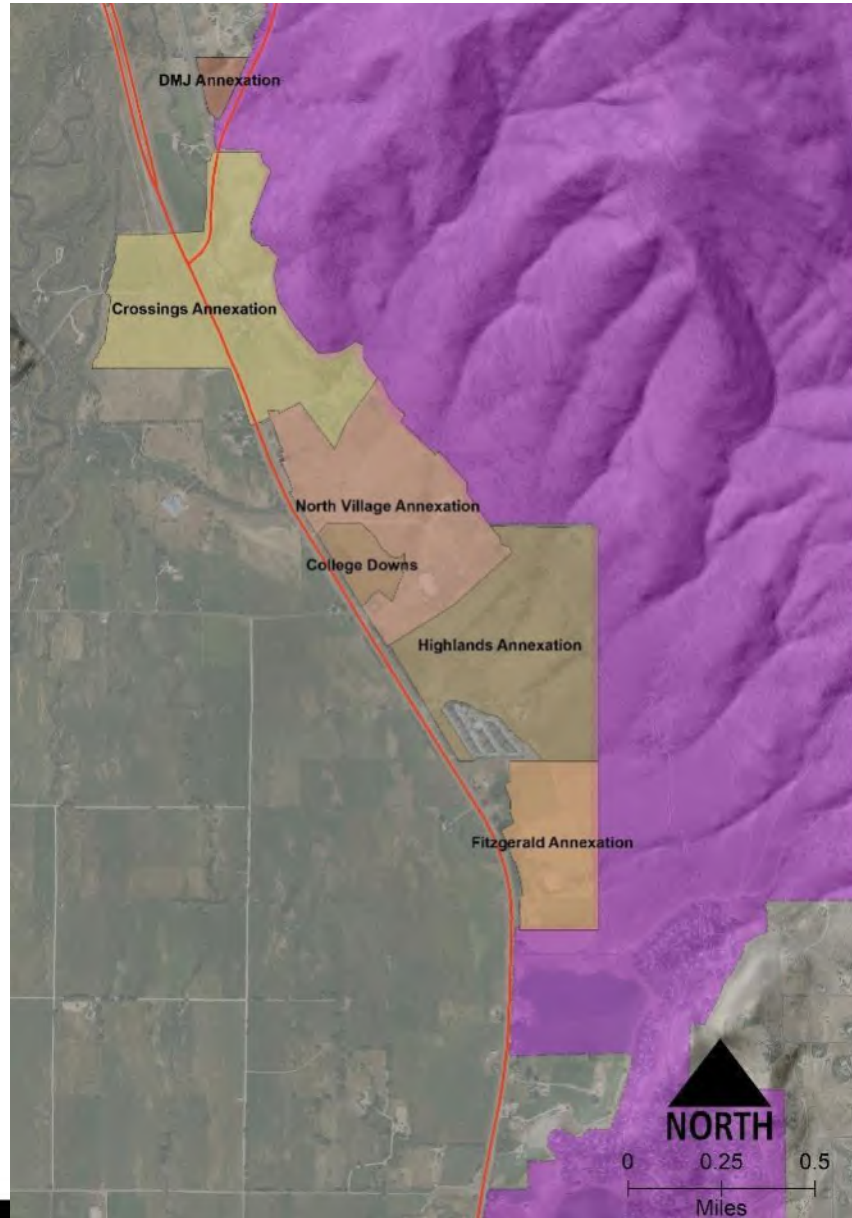
Annexation Policy Plan Map



Pending Annexations



North Village Annexations



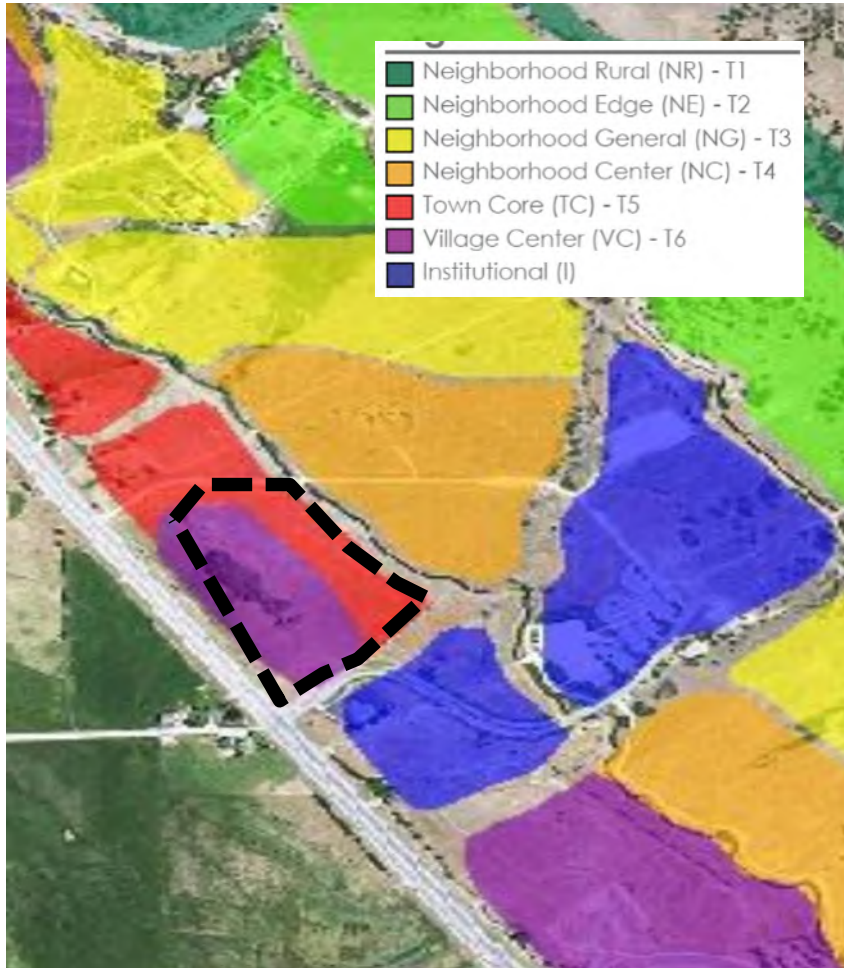
[illegible]

Aerial Photo

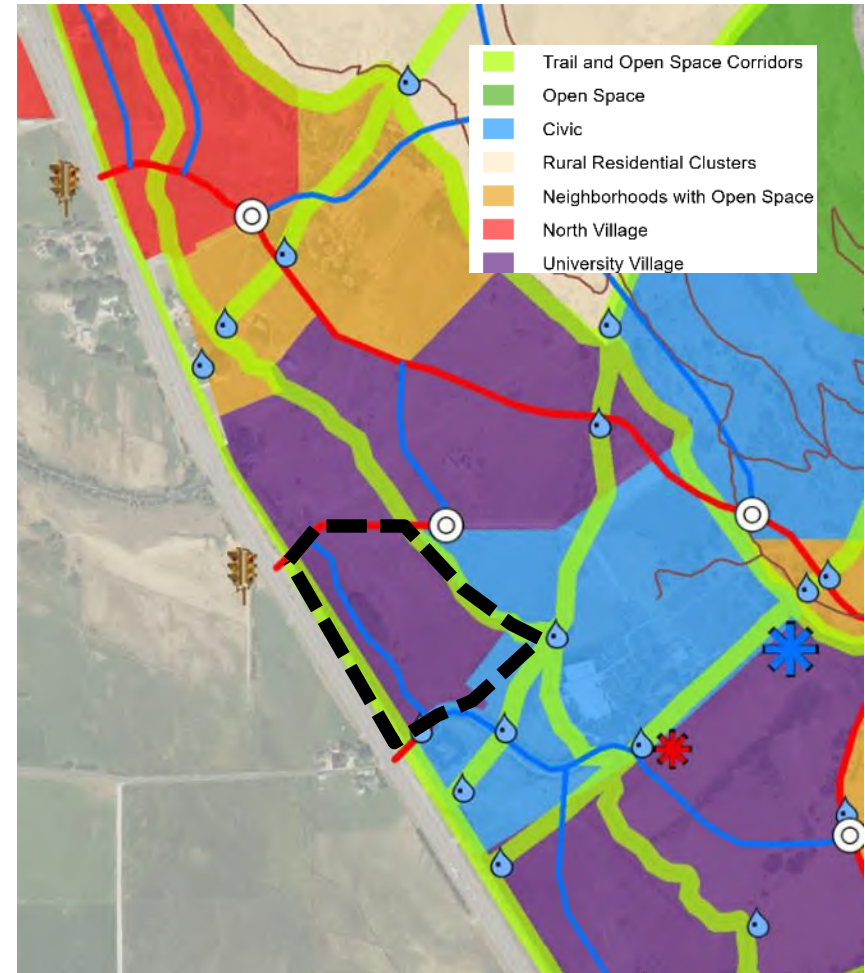


County vs City NVOZ

County NVOD



City NVOZ



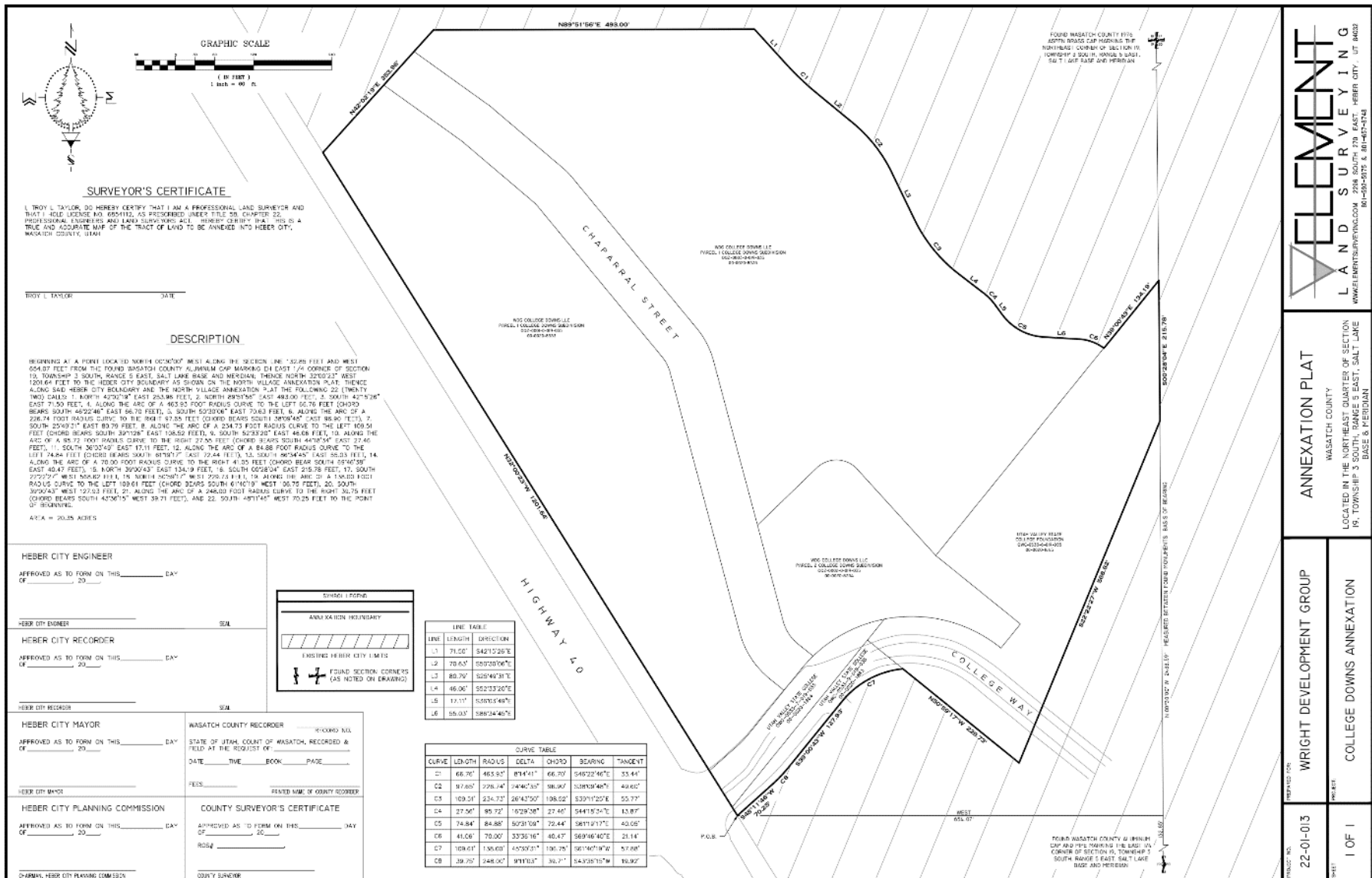
Zoning Details

- Current Zoning Designation: TC & VC
- Proposed Zoning Designation: UV
- Area: 20.53 (18.53 acres private land)
- Permitted Density: 6 ERU/acre (111.18 ERU)
- Proposed Density: 8.42 ERU/acre (156 ERU)
- DA Density: 11.12 ERU/acre (189 ERU)
- Permitted Uses: Mixed
- Approval Status: Petition Submitted
- Studies Completed: financial, site plan, storm drain, development suitability

Development Details

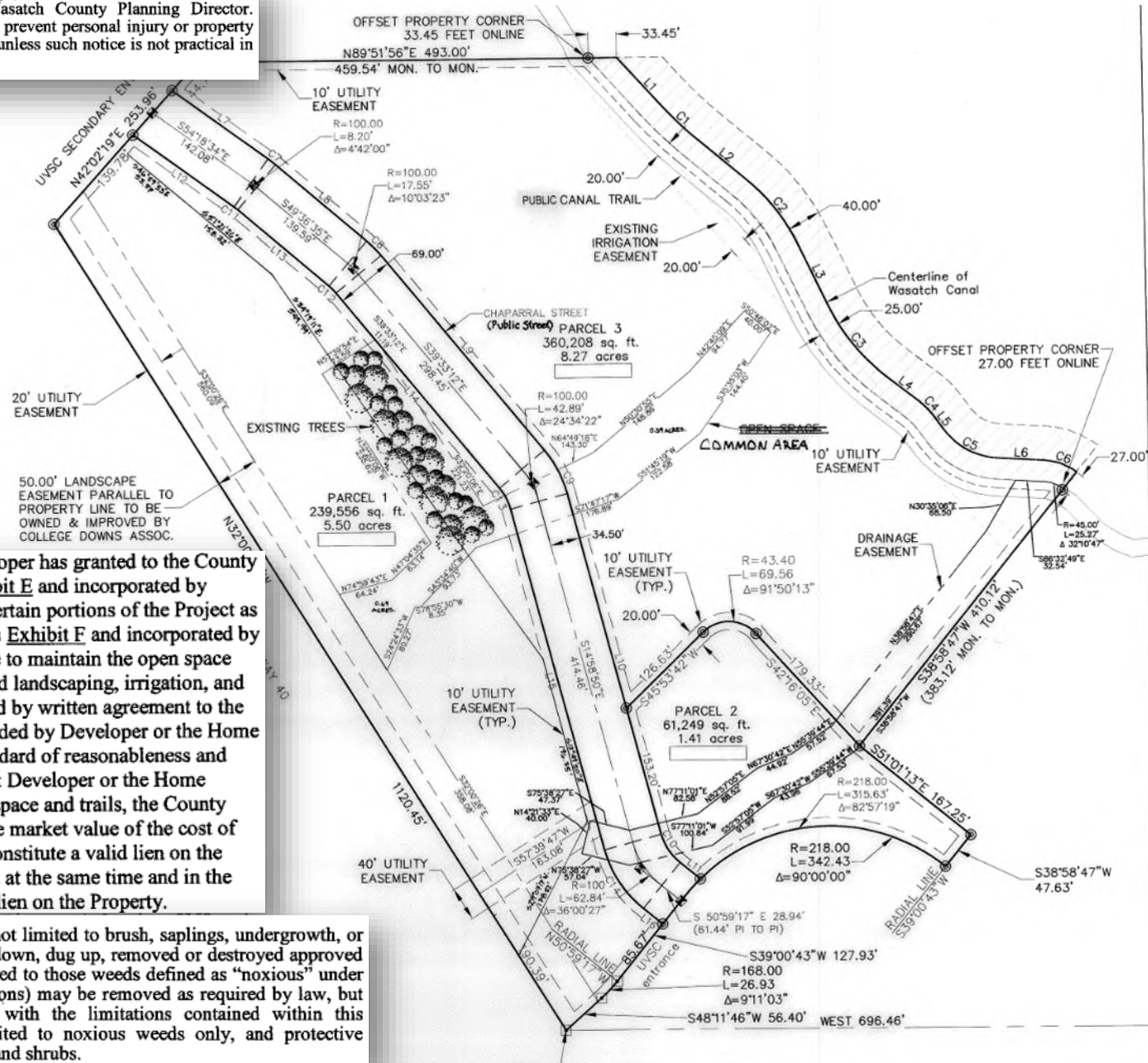
- Townhomes: 38
- Flats: 220
- Commercial: 8,000 sf

Annexation Plat



College Downs Subdivision Plat

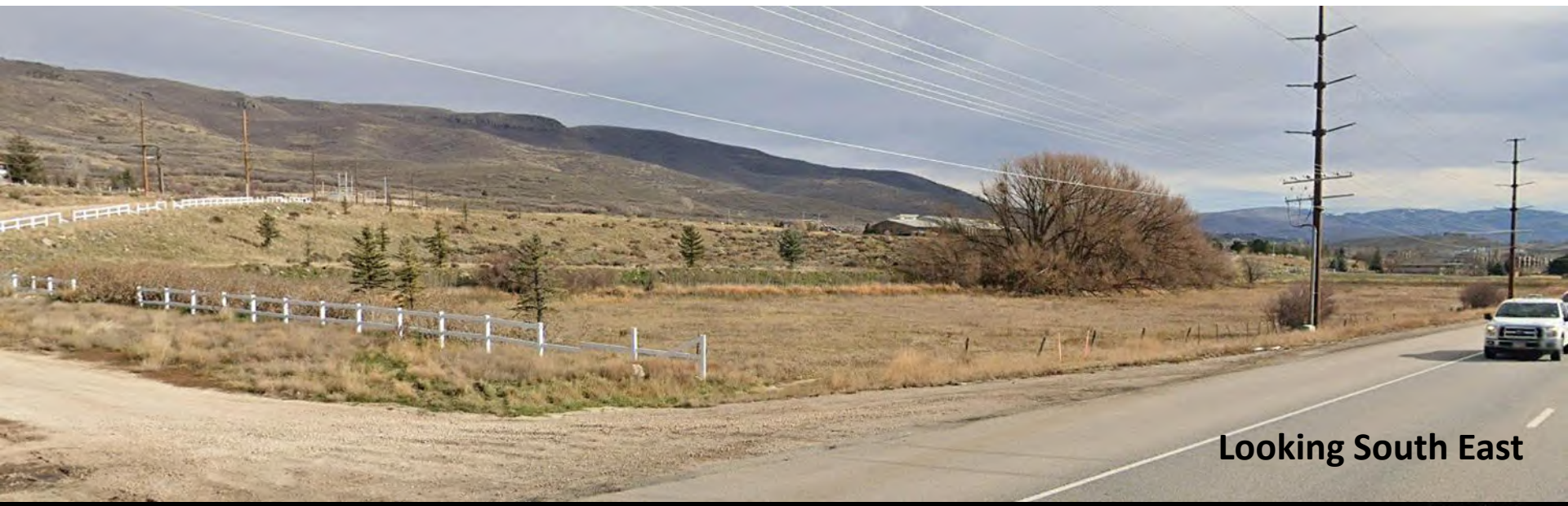
B. No living trees or shrubs (of any size or type) shall be cut down, removed or destroyed without prior written consent from the Wasatch County Planning Director. Diseased or hazardous trees or limbs may be removed to prevent personal injury or property damage after reasonable notice to the Planning Director, unless such notice is not practical in an emergency situation.

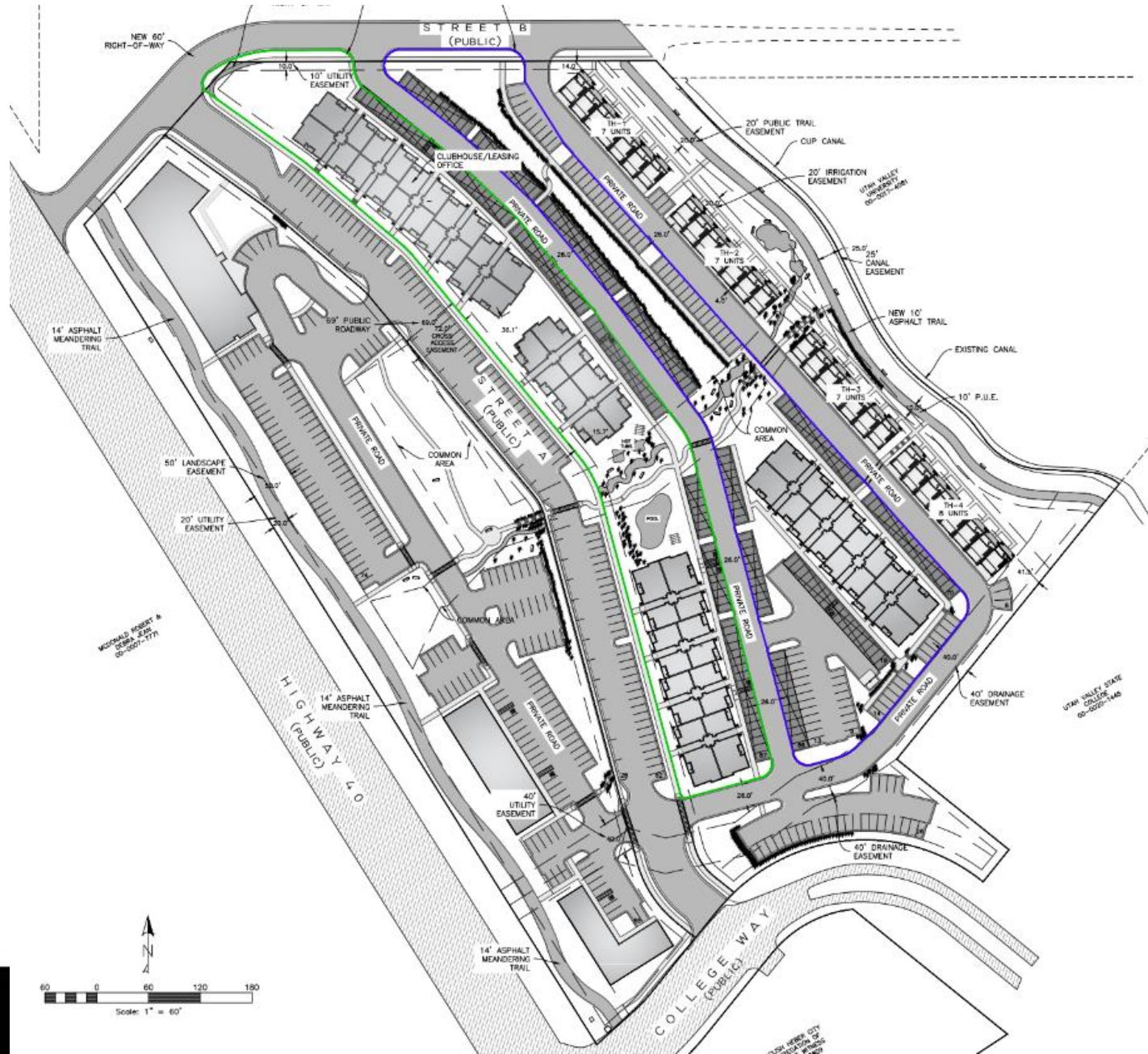


Maintenance of Open Space and Trails: Developer has granted to the County an open space easement attached hereto as Exhibit E and incorporated by reference herein. Developer has also reserved certain portions of the Project as trails detailed in the Trail Plan attached hereto as Exhibit F and incorporated by reference herein. Developer shall be responsible to maintain the open space and trails in all respects, including but not limited to landscaping, irrigation, and weed control. This obligation may be transferred by written agreement to the Home Owners' Association. Maintenance provided by Developer or the Home Owners' Association shall meet or exceed a standard of reasonableness and safety as established by the County. In the event Developer or the Home Owners' Association fails to maintain the open space and trails, the County may (but is not obligated to) maintain them. The market value of the cost of this maintenance is hereby agreed to and shall constitute a valid lien on the Property and its lots on parity with and collected at the same time and in the same manner as general County taxes that are a lien on the Property.

C. No plant materials (including, but not limited to brush, saplings, undergrowth, or non-woody vegetation) shall be mowed or cut down, dug up, removed or destroyed approved by the Planning Director. Noxious weeds (limited to those weeds defined as "noxious" under Utah State or Wasatch County laws or regulations) may be removed as required by law, but the method of removal must be consistent with the limitations contained within this Agreement. Vegetation removal shall be limited to noxious weeds only, and protective measures must be taken to protect nearby trees and shrubs.

Property Photo





Development Concept

Site Information

SITE AREA: 17.006 ACRES

RESIDENTIAL:

APARTMENT UNITS:	110 - 1 BEDROOM UNITS	- 750 SF	=	36.30 ERU'S
	55 - 2 BEDROOM UNITS	- 1,140 SF	=	27.50 ERU'S
	55 - 3 BEDROOM UNITS	- 1,335 SF	=	41.25 ERU'S
	220 TOTAL UNITS			

TOWNHOMES: 38 - 3 BEDROOM UNITS - 1,497 SF - 28.50 ERU'S

TOTAL UNITS: 258 UNITS = 133.55 TOTAL ERU'S
15 UNITS/ACRE

PARKING:	76 TOWNHOME GARAGES
	76 TOWNHOME DRIVEWAYS
	51 APARTMENT GARAGES
	431 APARTMENT OPEN STALLS
	634 TOTAL PARKING STALLS
	2.46 STALLS/UNIT

AMENITIES:

- CLUBHOUSE
- GYM
- WALKING PATH
- POOL
- TOT LOT
- HOT TUB(S)
- DOG PARK
- COMMON AREA

COMMERCIAL:

HOTEL: 22,000 SF
40 ROOMS @ .25 = 10.0 ERU'S
HOTEL COMMON AREA = 1500 SF @ 0.86
PER 2000 SF=0.65 ERU'S
TOTAL HOTEL = 10.65 ERU'S

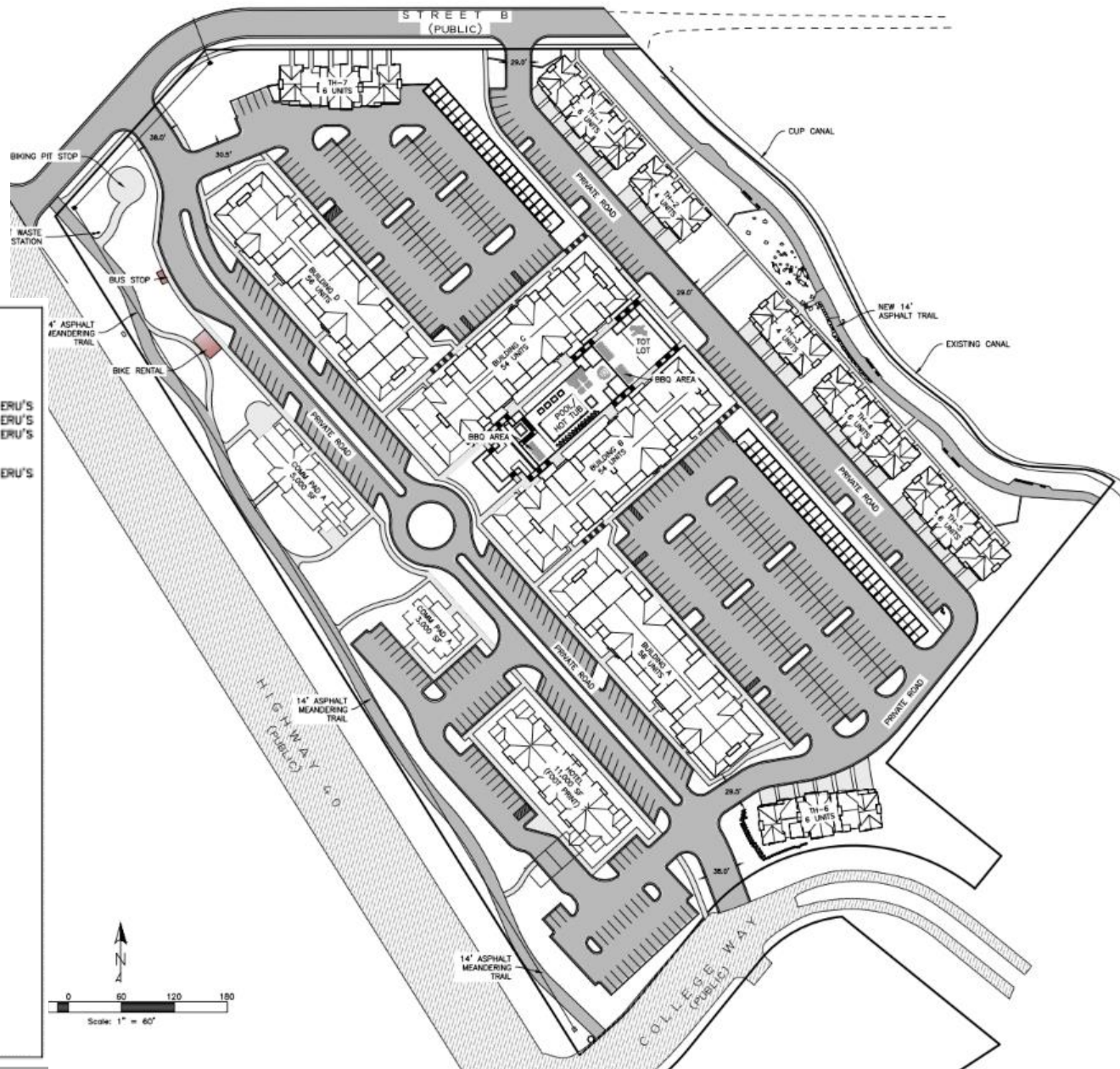
PARKING: 90 STALLS
2.25 STALLS/ROOM

MULTI-TENANT: 8,000 SF = 0.86 @ PER 2000 SF=3.44 ERU'S
PARKING: 52 STALLS
6.5 STALLS/1,000 SF

TOTAL:
BUILDING AREA: 129,340 SF = 19.6%
HARD SURFACE AREA: 316,263 SF = 47.8%
LANDSCAPE AREA: 215,638 SF = 32.6% (OPEN SPACE SEE SHEET 04)

COMMON SPACE: 118,277 SF - 17.8%

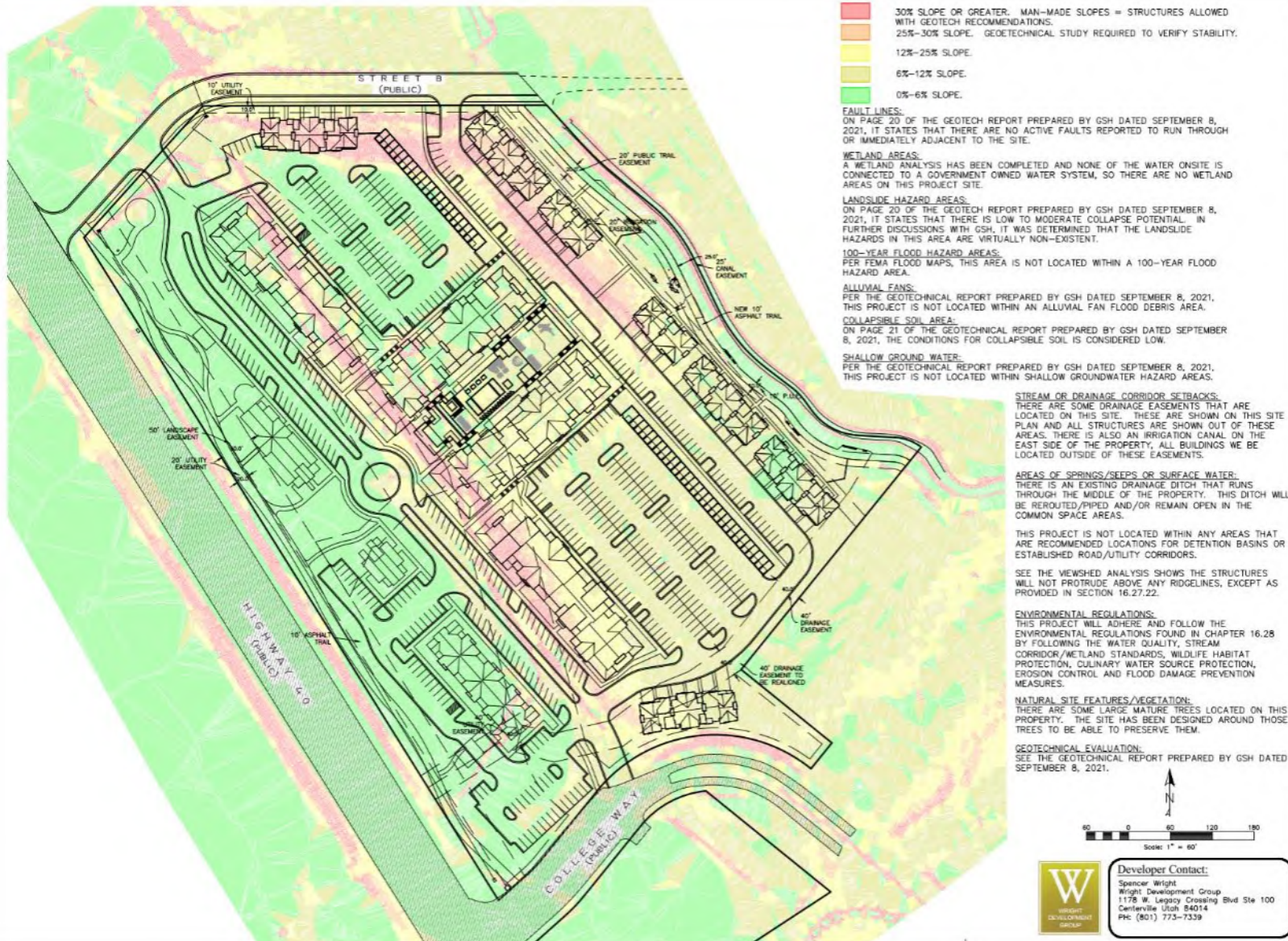
TOTAL ERU'S: 147,635 ERU'S



Landscape Plan



Physical Constraints



HUNT ENGINEERING, LLC
HUNT ENGINEERING, LLC
6619 Willow Creek Rd.
Mountain Green, UT 84050
Phone: (801) 773-7339
Email: hunt@hunt-engineering.com

College Downs
3000 North Hwy 40
Heber City, UT

Physical Constraints Analysis

Revisions Date



PROJECT INFO:
Engineer: S. WRIGHT
Project: 1.0001
Sheet: 12/08/2021
Name: College Downs

SHEET
SHEETS



Developer Contact:
Spencer Wright
Wright Development Group
1778 W. Legacy Crossing Blvd Ste 100
Cedarville Utah 84014
Ph: (801) 773-7339

HEBER CITY

READY TO TAKE THE NEXT STEP?

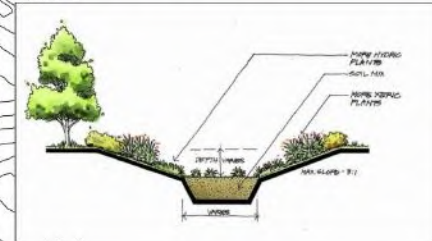
Storm Drain

A GUIDE TO EROSION CONTROL

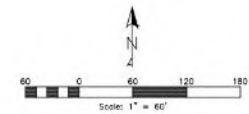
- GRADING AND CONSTRUCTION WILL BE TIMED TO MINIMIZE SOIL EXPOSURE DURING PERIODS OF SNOW MELT AND RAINY PERIODS.
- ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED BEFORE COMMENCING LAND DISTURBING ACTIVITIES.
- NATURAL VEGETATION (LARGE TREE AREA) WILL BE PROTECTED THROUGHOUT CONSTRUCTION.
- IMMEDIATELY AFTER GRADING IS COMPLETED, SEEDING AND MULCH WILL BE INSTALLED.
- THE DEVELOPMENT HAS BEEN DESIGNED TO FIT THE NATURAL TERRAIN AS BEST AS FEASIBLY POSSIBLE.
- THERE ARE NO NEARBY STREAMS OR WETLANDS FOR BUFFERING.
- THE MAJORITY OF STORMWATER RUNOFF WILL BE DIRECTED TO INLET BOXES AND STORM DRAINAGE PIPE SYSTEMS. AREAS THAT ARE NOT WILL KEEP RUNOFF VELOCITIES LOW BY USE OF CHECK DAMS, AND RIP-RAP.
- ALL NEARBY DRAINAGE WAYS WILL BE PROTECTED.
- SEDIMENT WILL BE TRAPPED ON SITE.



LID BIORETENTION SWALE



LID BIORETENTION BASIN



Developer Contact:

Spencer Wright
Wright Development Group
1178 W. Legacy Crossing Blvd Ste 100
Centerville Utah 84014
Ph: (801) 773-7339



College Downs
3000 North Hwy 40
Heber City, UT

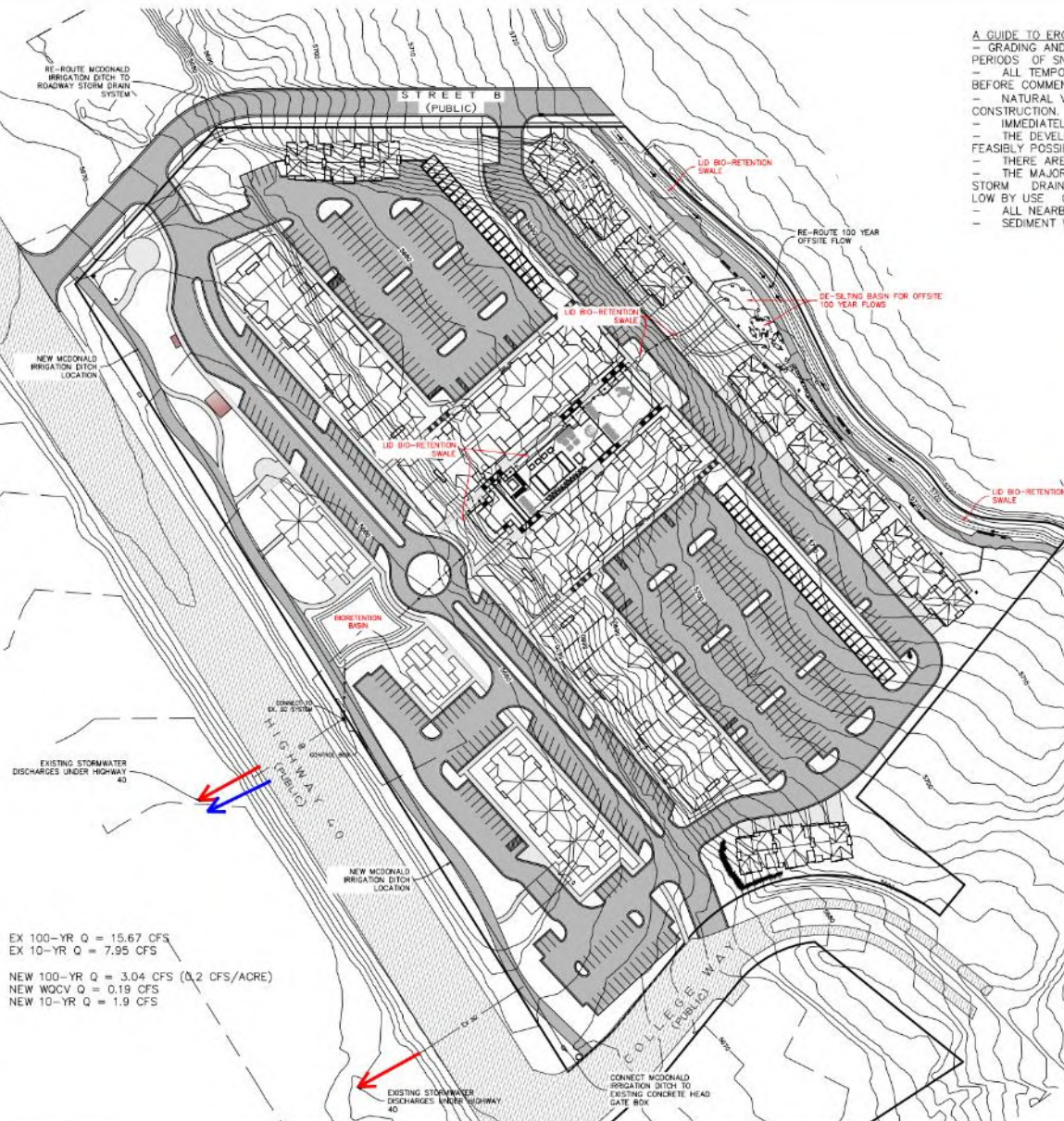
Drainage Plan

Revisions	Date



PROJECT INFO:
Project: S. HART
Order: T. HART
Start Date: 10/08/2011
Drawn: Spencer Wright

SHEET
SHEETS



EX 100-YR Q = 15.67 CFS
EX 10-YR Q = 7.95 CFS
NEW 100-YR Q = 3.04 CFS (0.2 CFS/ACRE)
NEW WQCV Q = 0.19 CFS
NEW 10-YR Q = 1.9 CFS

National Wetlands Inventory



Geotechnical Study

WRIGHT DEVELOPMENT GROUP
JOB NO. 1488-034-21



FIGURE 2
SITE PLAN



REFERENCE:
ADAPTED FROM DRAWING ENTITLED
"COLLEGE DOWNS", BY WRIGHT DEVELOPMENT GROUP
NOT DATED

The most significant geotechnical aspects at the site are:

1. The existing creek running through the center of the site.
2. The existing non-engineered fills encountered at the site.
3. The relatively shallow depth to groundwater in Test Pit TP-1.
4. The shallow depth to excavation refusal in Test Pits TP-3, TP-4, and TP-8.

Renderings



Renderings



Renderings



Renderings



Renderings



Renderings



Renderings



Renderings



Renderings



Fiscal Analysis

TABLE 2: PROJECTED ANNUAL INCREMENTAL REVENUES TO HEBER CITY GENERAL FUND

	Buildout (\$2021)
Property Tax Revenues	\$74,859
Sales Tax Revenues	
Population Distribution	\$69,400
Local Option Point-of-Sale - Hotel	\$6,263
Municipal Transient Room Tax	\$12,527
Municipal Energy	
Residential	\$19,939
Commercial	\$3,339
Class B/C Road Funds	
Weighted Road Mile Distribution	\$471
Population Distribution	\$20,856
Business Licenses	\$500
Fines & Forfeitures	\$11,451
TOTAL Revenues	\$219,604

Impact Fee Revenues

Culinary Water	\$324,660
C Water COM	\$38,896
Sanitary Sewer	\$280,211.23
Streets	\$477,816
Streets COM	\$11,318
Irrigation	\$129,944.15
Irrigation COM	\$6,098.40
Parks	\$348,565.50
TOTAL IMPACT FEE ESTIMATE	\$1,617,509

Policy Questions

- Should the City approve the College Downs Annexation?
- Does the annexation comply with the Annexation Policy Plan, General Plan and North Village Overlay Zone?
- What conditions should the City impose upon the annexation?

Recommendations

- Staff recommends the Planning Commission discuss the proposed annexation petition, the recommended conditions of approval, and provide a recommendation of approval to the City Council for the proposed College Downs Annexation Petition.

Findings & Conditions

1. The proposed College Downs Annexation is:
 - a. A part of the North Village Town Center as espoused by Envision Heber 2050;
 - b. Consistent with the Heber City Annexation Policy Plan;
 - c. Consistent with the Heber City General Plan; and
 - d. Consistent with the North Village Overlay Zone (NVOZ).
2. The College Downs development furthers the implementation of the goals and policies espoused in the Envision Heber 2050 General Plan by:
 - a. Promoting quality neighborhoods;
 - b. Promoting a town center and gathering place;
 - c. Promoting the creation of quality outdoor recreation, parks and trails;
 - d. Protecting open space and rural character;
 - e. Promoting jobs and economic development;
 - f. Promoting the creation of moderate income housing; and
 - g. Promoting housing for college students and workers.
3. Consistent with other North Village annexations approved by Heber City, the College Downs Annexation should include a Master Development Agreement (MDA) containing provisions that address:
 - a. Moderate Income Housing;
 - b. Commercial timing;
 - c. North Fields Preservation Fee of \$2,500 per ERU;
 - d. Building Height;
 - e. Density;
 - f. Student Housing;
 - g. Fiber Optic Service;
 - h. Open space and trails, storm water and transportation master plans;
 - i. Street access;
 - j. Conformance to the NVSSD water policy; and
 - k. Planning and Engineering staff report issues.

Planning Commission

Staff Report



MEETING DATE: June 14, 2022
SUBJECT: Commercial Zone Building Heights
RESPONSIBLE: Anthony L. Kohler and John Janson
DEPARTMENT: Planning Department
STRATEGIC RELEVANCE: Community Development

SUMMARY

On May 3, 2022, the City Council approved Ordinance 2022-12 that imposes a 6 month temporary land use regulation that limits commercial building height to 3 stories. Council has referred the matter to the Planning Commission to make a recommendation regarding adopting a permanent commercial building height at 3 stories.

The purpose of the May 24 discussion item was to introduce the issue to the Planning Commission in anticipation of holding a work session on the matter on June 14, 2022.

RECOMMENDATION

Staff recommends the Planning Commission discuss the temporary land use regulation adopted by the City Council on May 3rd 2022 that impacts the City's C-2, C-3 and C-4 Zones and MURCZ Zones height limits to 3 stories.

BACKGROUND

Heber City has C-2 & C-4 Design Criteria and C-3 Design Criteria that limit building height to 5 stories, and building height is limited to 45 feet in the MURCZ Zone. The City's General Plan which took over a year to complete a public engagement process, was adopted on March 17, 2020, recommends building height be limited to 4 stories in the downtown and be limited to 3 stories in other commercial areas along Main Street. This is shown in the Plan in conjunction with the Future Land Use map where heights are defined by a table that defines the categories of use listed on the map. Heights were discussed extensively in the General Plan process and although adopted never had full consensus of the Steering Committee. There were dissenting opinions, and considerable discussion of 5 stories in the downtown. Downtown was suggested to have a 2 story *minimum* height.

The temporary zoning ordinance restriction adopted by the City Council limits commercial building height to 3 stories for all these zones. The temporary zoning ordinance is in place for a six month period. The Planning Commission will need to hold a public hearing and forward a recommendation to the City Council before that expiration date.

Other general plan future land use districts allowed for greater height – North Village/Utah Valley University Village (now covered by NVOZ), and the Jordanelle district

DISCUSSION

To permanently amend the City’s Zoning Ordinance, the Utah State Code requires the Planning Commission to first hold a public hearing and provide a recommendation to the City Council. The temporary pending ordinance gives the Planning Commission and City Council 6 months to draft new building height regulations which would become permanent.

Given that the City Council has suggested a three story limit, to address the conflict with the adopted Envision Heber General Plan, some options should be discussed. The following is offered to start a discussion about potential alternatives to a “blanket” three story limit:

1. There are potential impacts on affordable housing, and flexibility for potential uses (some, like hospitality and mixed uses, may not have interest in Heber due to the height limit).
2. Are the higher buildings that we have out of place? Two pending applications in the approval process will add to that mix of higher buildings. They are currently vested. How high is the Tabernacle Spire?
3. Could there be allowances to go to a four-story height based on some of the concepts below:
 - a. The application includes a percentage of affordable housing higher than the standard (20% of units dedicated to affordable housing for example)
 - b. If it is a mixed use building.
 - c. If it located on the interior of a block and does not front on a street.
 - d. Although not currently an option, a potential option would be to allow for higher buildings if development rights from the North Fields are transferred to the Downtown.
 - e. If it is a hospitality use.
 - f. If it is an office building.
 - g. Could a stepback philosophy be an option? For example, at two stories, additional stories move back at least ten feet . This can create interesting patios for mixed use projects and an active street environment
 - h. Another option could be that the fourth story could have a stepback.
 - i. Another option is to use greater setbacks for greater height.
 - j. Consider extra height for the use of 100% historic brick
 - k. Examine a differentiation in height limits between the zones. For example, C-2 could go to four stories but C-3 stays at three (contrary to the General Plan but...) or vice-versa (conforms to the General Plan recommendation). The C-4 is suggested as three in the General Plan.

An obvious option, which should also be discussed, is to recommend changing to the three story height and changing the General Plan recommendation to reflect that change.

FISCAL IMPACT

N/A

CONCLUSION

N/A

ALTERNATIVES

N/A

POTENTIAL MOTIONS

N/A

ACCOUNTABILITY

Department: Planning Department, Planning Director
Staff Member: Anthony L. Kohler

EXHIBITS

Exhibit 1: Exhibit 1: Temporary Building Height Regulation
Exhibit 2: PowerPoint Presentation

Exhibit 1: Temporary Building Height Regulation adopted 5/3/22

BUILDING HEIGHT

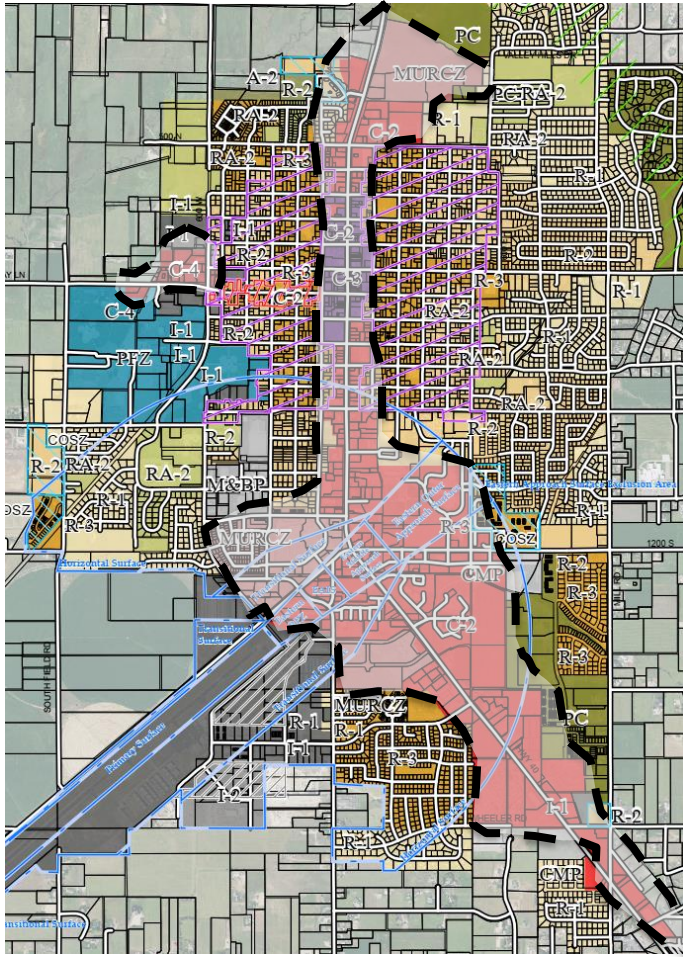
- **Main Building Height.** The maximum height for any structure located within the C-2, C-3, C-4 and MURCZ Zones is three (3) stories, exclusive of basements and inclusive of mezzanines, as defined by the building code. Each story shall not exceed fourteen (14) feet in height, except each first story shall not exceed twenty-five (25) feet in height, measured from finished floor to finished floor (to the top of the ceiling structure for the top floor). No building shall exceed 46 feet in height.
- **Accessory Building Height.** The height of each accessory structure within the C-2 and C-4 Zone shall not exceed two (2) stories.

Exhibit 2: PowerPoint Presentation

Commercial Building Height

June 14, 2022

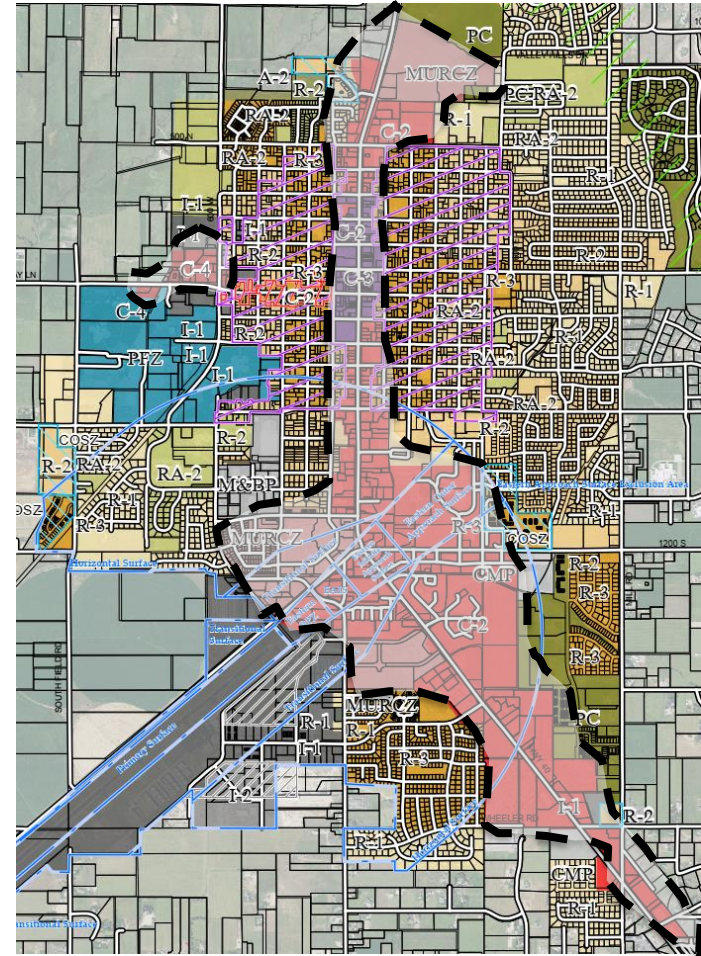
Current Building Height Limits



- C-2 Zone: 5 stories
- C-3 Zone: 5 stories
- C-4 Zone: 5 stories
- MURCZ Zone:
 - 45' commercial buildings
 - 50' residential buildings

General Plan Recommendation

- 4 story building height in downtown
- 3 story building height in other commercial zones along Main Street



Temporary Building Height

- **Main Building Height.** The maximum height for any structure located within the C-2, C-3, C-4 and MURCZ Zones is three (3) stories, exclusive of basements and inclusive of mezzanines, as defined by the building code. Each story shall not exceed fourteen (14) feet in height, except each first story shall not exceed twenty-five (25) feet in height, measured from finished floor to finished floor (to the top of the ceiling structure for the top floor). No building shall exceed 46 feet in height.
-
- **Accessory Building Height.** The height of each accessory structure within the C-2 and C-4 Zone shall not exceed two (2) stories.

What would the height restriction potentially impact?

- Some uses not interested in Heber, such as, hospitality, mixed use buildings
- Less housing units = less support for downtown business
- Are the higher buildings actually out of scale/place?

Potential Options for Discussion

- The application includes a percentage of **affordable housing** higher than the standard – 20% for example
- If it is a **mixed use** building
- If it located on the **interior of a block** and does not front on a street
- Although not currently an option, a potential option would be to allow for higher buildings if **development rights** from the North Fields are transferred to the Downtown.
- If it is a hospitality use

Options continued

- If it is an **office** building
- Could a **stepback** philosophy be an option
 - at two stories, additional stories move back at least ten feet – creates interesting patios for mixed use projects
- The fourth story could have a **stepback**
- **Greater setbacks** for greater height
- **Differentiate** between the zones - for example, C-2 could go to four, but C-3 stays at three (contrary to the General Plan but...) or vice-versa (conforms to the GP recommendation). The C-4 is suggested as three in the General Plan.

Discussion