

June 28, 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
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Subject: WB Station-Subdivision Preliminary and Final

Dear Jamie:

Landmark Design has reviewed the application for **WB Station-Subdivision Preliminary and Final**. The application is to formalize the subdivision plan for WB Station Commercial Final project, which was approved by the Planning Commission on December 14, 2021. The application includes a single subdivision plat map that indicates a six-plex structure located on the 1.708 acre Lot 1, in addition to the remainder of Parcel A (a 5.417 Acre Future Phase) and the remainder of Parcel B (a 0.503 acre future phase).

The 7.718 acre subdivision is located at 2042 Highway 40 in the C-2 (C-2 Commercial) Zone. The application is for approval of Subdivision Preliminary and Final as a single request, which varies from the standard procedures whereby Preliminary and Final Subdivision applications are applied for and approved as separate actions. According to current subdivision approval procedures, staff will assist with recording the plat following a Final Development Staff Meeting. Staff can then approve the final application and the Planning Director will sign plat. Since the Commercial Final application has already been approved, the combined Preliminary/Final Subdivision application process was accepted for this particular application.

Staff recommends that the Planning Commission approve WB Station-Subdivision Preliminary and Final 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.
3. The subdivision is consistent with the Commercial Final application that was previously approved.

Conditions:

1. All requirements of the City Engineer shall be met.
2. All other Code Requirements shall be met.
3. 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 WB Station-Subdivision Preliminary and Final** with the Findings and Conditions in the conclusions of the Staff Report. as follows:

Alternative 2 – Continuance

I move to **continue WB Station-Subdivision Preliminary** 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 WB Station-Subdivision Preliminary and Final** with the following findings:

ACCOUNTABILITY

Department:
Staff Member:

Planning Department
Jamie Baron

EXHIBITS

1. Planning Review Checklist
2. Drawings and Attachments

Exhibit 1

Planning Review Checklist

Planning Review Checklist

Project Name:	Taylor Business Park
Project Type:	Subdivision Preliminary and Final for a single building with eight units a development approved in March 2021.
DRC Review Date Reviewed:	June 24, 2021 January 3, 2022
Planning Commission Date:	January 11, 2022
City Council Date:	-
Owner:	Matt Taylor
Applicant:	Matt Taylor
Location:	2060 Airport Road, Lot 15 (Power Industrial Park)
Parcel(s):	One (1) industrial/commercial building with eight units totaling 24,000 square feet located on 1.3 acre site
Zone:	I-2 Industrial Zone / SOB Overlay / Airport Overlay 2 (Transitional Surface)
General Plan Designation:	Industrial
Current Use:	Vacant/ Commercial Sales, Commercial Service, Airport
Adjacent Uses:	Vacant to south/ Commercial Sales top east, Commercial Service to north, Airport to west
Land Use Authority:	Planning Commission
Action Type:	Administrative
Planner:	Mark Vlastic, Landmark Design (Jamie Baron, Planner)

General Review

Previous Meetings: DRC – Commercial Concept

Previous Approvals: PC – Commercial Concept

COMMENTS

One (1) New Industrial/Commercial Building Totaling 24,000 Square Feet on 1.3 Acre Site. Previously approved but now submitting a subdivision plat with the eight units as condominiums.

DRC 06.24.2021

Engineering:

- Signatures and permit
- Easement recordation before approval

Planning: - No comments

Code Review

17.16 General Subdivision Procedures

17.16.010 Required Procedures For Approval

17.16.010 Required Procedures For Approval

The following steps or procedure must be followed in order to obtain approval of a subdivision:

<u>Application</u>	<u>Land Use Authority</u>			<u>Appeal Authority</u>
	Staff	<u>Planning Commission</u>	<u>City Council</u>	<u>Administrative Decisions Only</u>
<u>Master Plans and Master Development Agreements</u>	-	<u>R</u>	<u>A</u>	<u>AA</u>
<u>Major Amendments to Master Plans and MDA's</u>	-	-	<u>A</u>	<u>AA</u>
<u>Minor Amendments to Master Plans and MDA's</u>	<u>A</u>	-	-	<u>CC</u>
<u>Concept Plans - Legislative</u>	-	<u>IR</u>	<u>IR</u>	-
<u>Concept Plans - Administrative</u>	<u>IR</u>	-	-	-
<u>Preliminary Plat</u>	-	<u>A</u>	-	<u>AA</u>
<u>Final Plat</u>	<u>A</u>	-	-	<u>AA</u>
<u>Plat Amendment with Public Hearing (See 17.18)</u>	-	<u>A</u>	-	<u>AA</u>

<u>Plat Amendment Without Public Hearing (See 17.18)</u>	<u>A</u>	-	-	<u>AA</u>
<u>Lot Line Adjustment</u>	<u>A</u>	-	-	<u>AA</u>
<u>Site Plan</u>	-	<u>A</u>	-	<u>AA</u>
<u>Site Plan Amendment - Major</u>	-	<u>A</u>	-	<u>AA</u>
<u>Site Plan Amendment - Minor</u>	<u>A</u>	-	-	<u>AA</u>
<u>IR- Informal Review, R- Recommending Body, A - Approving Body</u>				<u>AA-Appointed Appeal Authority, CC - City Council</u>

A. Application Submittal Deadline. All applications shall be made at least 16 (sixteen) calendar days before the next regularly scheduled Development Review Meeting (DRM). Applications must be complete, including fees, in order to be considered to have met the submittal deadline.

B. Staff Review. Staff will review the application and provide a written review to the applicant following the Development Review Meeting. Staff shall consider the following items in their review:

1. Relationship of the proposal to the General Plan;
2. Zoning of the proposed development;
3. Third-party utility considerations;
4. Roads and general transportation;
5. Flood zones and potential flood hazards;
6. Culinary water requirements;
7. Pressurized irrigation requirements;
8. Sanitary sewer requirements;
9. Storm water system requirements;
10. Park and Trail requirements;
11. Capital improvement plans;
12. Other items deemed necessary by the planning or engineering staff.

C. Outsourcing of Plan Reviews. The City may outsource the review of any application to contracted consultants. Unless consultants are the primary reviewer for all applications, the City will notify the applicant that their application review will be outsourced. Outsourced reviewed will follow the provisions of the Staff Review above.

D. Development Review Meeting. The Development Review Meeting (DRM) is regularly scheduled meeting for the administrative review of development consisting of staff from the City, local utilities, and other organizations as applicable. The purpose of the DRM is to review development applications for compliance with development standards, coordination between jurisdictions, utilities, and organizations as applicable, and meet with applicants to provide guidance and understanding of the requirements of their application. No application approvals are granted during Development Review Meetings.

E. Master Plan Submission. Applicant prepares Master Plan, makes application, pays fees, and submits concept plans prior to application submittal deadline. Master Plans are required for all Mixed Use Zones as defined by Section 18.16.010, or as required by the Council for consideration of approval for legislative requests.

F. Master Plan Approval. The City Council is the Land Use Authority for Master Plan applications, with the Planning Commission as the recommending body.

G. Master Development Agreements. The City may enter into Master Development Agreements (MDA) if required as part of a legislative approval or if negotiated with an applicant. Per State statute, a public hearing is required for any MDA that allow for provisions outside of the current zoning regulations.

H. Master Development Agreement Approvals and Amendments, New MDA's shall be approved by the City Council. major Amendments to an MDA are reviewed and approved by the City Council, Minor Amendments to an MDA are approved by the Planning Director or designee.

I. Concept Plan Submission. Applicant prepares Concept Plan, makes application, pays fees, and submits concept plans prior to application submittal deadline. This applies to concept plans for commercial, industrial, and multiple-unit residential projects where a Master Plan is not required. Applicant shall provide electronic copies of the proposed concept plans in PDF format. Planning Staff shall deliver the copies to each Planning Commission member, engineering, public works, applicable utility agencies, school district, City fire official, postal service, police chief, City Manager, building official, UDOT (if applicable), and affected entities as required by Utah State Code;

J. Concept Plan Review. Concept Plans are informally reviewed by City Staff for compliance with the Development Code, Comments are provided to the applicant in preparation of submitting a Site Plan or Preliminary Plat application. Concept Plans that accompany a legislative request will be informally reviewed by the City Council.

K. Preliminary Plan Submission. Applicant prepares preliminary plan and Preliminary Environmental Impact Assessment (see Section 17.20.020) and submits electronic copies in PDF format, makes application, and pays fees prior to application submittal deadline. Commercial projects are not required to submit Preliminary Plans;

L. Preliminary Plan Approval. The Planning Commission reviews preliminary plan as per items discussed at concept plan review and for compliance with the ordinance. The Planning Commission is the Land Use Authority for approving the Preliminary Plan, with appeals going to the City Council. If approval is given at this time, the applicant shall be given a list which has been revised from the one given at the concept stage. This list shall pertain to items the Planning Commission expects on the final plans. Preliminary approval does not guarantee final subdivision approval;

M. Final Plat Submission. Applicant prepares and submits final plat, makes application, and pays fees prior to application submittal deadline. Final plat shall consist of items required at preliminary stage and by this ordinance in electronic PDF format. All commercial developments that don't involve a subdivision require the submission of a Final Plan for review and approval by the Planning Commission. Exception: On a single commercial building, built in an approved development or on a lot of record, the Zoning Administrator and City Engineer may give final approval based on direction from the Planning Commission given at the time of preliminary plat approval.

N. Final Plat Approval. The Planning Director, or its designee, is the Land Use Authority responsible for approving the final Plat, with appeals going to the Use Authority responsible for approving the final Plat, with appeals going to the Appeal Authority. For subdivisions which require variances as per Chapter 17.60, the City Council shall be the Land Use Authority, with administrative appeals going to the Appeal Authority and policy making appeals going to the District Court. The Land Use Authority reviews final plan and approves final plat if it is complete and if all requirements from preliminary plan approval are met or disapproves it. The final plat shall be in substantial compliance with the plans approved at preliminary stage. Final Plans shall not have a material departure from

Preliminary approval. Any material departures regarding the rights and obligations of the parties shall require a modified Preliminary approval by the Land Use Authority.

O. Recordation of Final Plat. Applicant records plat in office of County Recorder within one (1) year from the date receiving final approval and before selling or conveying any lots within the subdivision. Final plats not recorded within one (1) year from the date receiving Final approval shall be null and void unless physical construction has started or an extension has been requested and granted prior to the original plat expiration date. In cases where construction has started, plat approval shall automatically be extended for a second year from the date of the final approval. If physical construction has not started, applicants may request and be granted a one (1) year extension. However, if an extension is granted, the requirement to incorporate updated City standards, or reevaluate bonds or other assurances may be enforced as a condition of approval for the extension. Plat extensions are granted by the applicable Land Use Authority for Final Plats.

P. Site Plan Submission and Approval. Applicant prepares and submits site plan, makes application, and pays fees prior to application submittal deadline. Site plans shall consist of items required for the Final Plans by this ordinance in electronic PDF format. Site Plans are required for all non-residential and multi-family residential developments. The Planning Commission shall be the Land Use Authority for all site plan approvals.

17.19 Condominiums

17.19.010 Purpose

Utah State Code establishes condominiums as a form of subdivision and requires that all condominium projects be reviewed by the Planning Commission and the City Council. Commercial and industrial condominiums are permitted in any zone that permits commercial and industrial uses. Residential condominiums are permitted only in zones that specifically permit residential condominium dwelling units of for legal non-conforming multi-family dwellings.

17.19.020 Definitions

For the purposes of this ordinance, the following definitions shall apply:

1. "Condominium" means the ownership of a single unit in a multi-unit project together with an undivided interest in common in the common areas and facilities of the property.
2. "Condominium or Condominium Projects" shall mean a real estate condominium project; a plan or project whereby two or more units, whether contained in existing or proposed buildings or structures, or otherwise are separately offered or proposed to be offered for sale. Condominium Project shall also mean the property when the context so requires.
3. "Condominium Unit" shall mean a unit together with the undivided interest in the common areas and facilities appertaining to that unit. Any reference to a condominium unit includes both physical unit together with its appurtenant individual interest.
4. "Conversion" shall mean a proposed change in the type of ownership of a parcel or parcels of land and/or existing structures from single ownership into a "condominium project" as herein defined with arrangements involving separate ownership of individual condominium units and joint collective ownership of common areas or facilities.
5. "Declaration" shall mean a recorded declaration containing covenants, conditions, and restrictions relating to the condominium project, which shall be prepared in conformance with provisions of Section 57-8-10, Utah Code, as amended.

17.19.030 Approval Required

Prior to the construction or conversion of any building or use as determined as a condominium, a survey map or project plan shall be submitted to and be approved by Heber City in conformance with the procedures, requirements, and standards contained within the Heber City Code and the requirements of the Utah Condominium Ownership Act.

17.19.040 Submission Of Application

The owner or developer of a proposed condominium project or conversion project shall file an application with the Planning Commission. Such application shall be accompanied by and be in accordance with the following:

- 1. The application or survey map shall be drawn to scale in accordance with the Heber City subdivision plan process and current Standards and Specifications as adopted by the City. Such survey map or application shall be prepared by a licensed engineer or architect and shall certify the final condominium plat.
- 2. The proposed project shall be at a scale no less than 1 inch equals 40 feet and shall designate the location of all buildings present, needed or proposed. Further, present and proposed street right of ways, utilities, irrigation ditches, common areas including the location of utility lines and easements, location of storage, parking, driveways, pedestrian ways, curb, gutters, walls, fences and landscaping.
- 3. The petitioner shall prepare and provide copies of the condominium declaration and bylaws or property owners organization.
- 4. Where conversions of existing buildings are proposed as part of the project, a property report containing information shall be submitted as part of the application together with a plan of all proposed improvements and repairs.
- 5. To assist the City in defraying the cost involved in the publication and review of a condominium project, a fee shall be submitted with the application in accordance with Heber City's fee schedule as adopted by the Heber City Council.

17.19.050 Review By The Planning Commission

The Planning Commission shall review the proposed application and related documents to determine whether the project conforms with all appropriate requirements, Standards and Specifications of the City and is in conformance with the Utah Condominium Ownership Act.

- 1. If the Planning Commission finds that there are any violations to any of the applicable ordinances, building codes, or similar requirements, the Planning Commission may hold the application for the condominium project until such time that all violations have been corrected.
- 2. The proposed project shall be consistent with the International Fire Code and Adopted Building Codes.
- 3. The Planning Commission may require additional parking that shall be based on occupancy levels and proposed customer demand. But in no way shall it be less than what is required under the zoning district in which the project is proposed.
- 4. The Planning Commission may also require additional exits or driveways including the approval of shared driveways.

5. The Planning Commission may require additional open space and landscaping to assure appropriate buffering and compatibility with adjacent uses.
6. Utility meters shall be installed to the development and/or each condominium unit as specified by the applicable utility .
7. Water meters shall be installed according to City Standards and Specifications at street right-of-ways.
8. All utilities and utility lines shall be placed within the public right-of-way. However, approved public easements may be permitted if the Planning Commission deems them essential for the feasibility of the project and the City Council approves said easement.
9. Each unit shall be provided with readily accessible individual shutoff valves, safety devices, or switches for water, gas and electrical services.
10. The Planning Commission may recommend to the City Council any condition which they deem appropriate. Such conditions may include corrections of violation of building, zoning, health, fire, or similar codes, appropriate amendments to declaration, bylaws or amendments to the record of survey map and project plan which may enhance or protect the environment of the project and the neighborhood in which it is located.

17.19.060 City Council Final Approval

Upon receipt of the recommendations and findings of the Planning Commission, the City Council shall consider approval or denial of the proposed project. Approval of a condominium project shall remain in effect and expire pursuant to Section 17.16.010(I).

17.19.070 Unlawful To Sell Or Lease

It is unlawful for any person, firm, corporation, partnership, or association to sell, contract to sell, or to lease any unit of any condominium or any other portion thereof until final record of survey plats, in full compliance with the provisions of this Ordinance, have been certified and signed by the Mayor, the Planning Commission Chair, City Engineer and City Attorney, attested by the City Recorder and duly recorded in the Office of the County Recorder.

17.20 Plans

17.20.010 Concept Plans

17.20.020 Preliminary Plans

17.20.030 Final Construction - Plans And Final Plat

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:

1. 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
 7. Landscaping, as required by the zone

2. Data Table containing the following:
 1. Uses
 2. Density
 3. Open space calculations, as required by the zone
 4. Landscaping calculations, as required by the zone
 5. Parking analysis

17.20.020 Preliminary Plans

The preliminary plan 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 and shall show:

1. The proposed name of the subdivision;
2. Vicinity map-the location of the subdivision. Where the plan submitted covers only a part of the subdivider's tract, the Land Use Authority may require the subdivider to prepare a preliminary plan covering all of the subdivider's tract before even considering a preliminary plan covering only part of the tract;
3. The names and addresses of the subdivider, the engineer, or surveyor of the subdivision, and the owner(s) of the land immediately adjoining the land to be subdivided;
4. Information sufficient to locate accurately the property shown on the plan with reference to survey markers or monuments;
5. Contour map at intervals required by the Land Use Authority at concept approval;
6. The boundary lines of the tract to be subdivided;
7. The location, width, and other dimensions of all existing or platted streets and other important features such as watercourses, exceptional topography and buildings within the tract and within two hundred feet of the tract to be subdivided;
8. Existing sanitary sewers, storm drains, culinary and secondary water supply mains, and bridges within the tract or within two hundred feet thereof;
9. The location, width, and other dimensions of proposed streets, alleys, easements, parks and other open spaces with proper labeling of spaces to be dedicated to the public or to the occupants or owners of lots within the subdivision;
10. Northpoint, scale and date;
11. Statements regarding the anticipated density and number of dwelling units to be constructed on each lot.
12. All easements of record shall be shown on the preliminary map; Statements regarding the anticipated density and number of dwelling units to be constructed on each lot.
13. All lot numbers and bearings, distances, and curve data of all lot lines, street center lines, right-of-way lines, etc.
14. Unless waived by the City Engineer, the following shall be included with the preliminary plans:
 1. A development agreement that addresses:
 1. The dedication and maintenance of public and private open space, natural features, trails, amenities, streets and other common areas;
 2. Implementation of the development's affordable housing plan;
 3. Conditions of approval necessary to implement the intent and requirements of the Utah State Code, Subdivision Ordinance, Zoning Ordinance, General Plan or Capital Facilities Plan; and
 4. Measures necessary to mitigate land hazards and sensitive lands as required by the Subdivision Ordinance, Zoning Ordinance or General Plan.

2. A title report for all lands proposed to be subdivided;
3. A Preliminary Environmental Impact Assessment evaluating potential/anticipated environmental impacts of the project, including planned measures to limit or mitigate such impacts, addressing each of the following areas:
 1. Wetlands
 2. Flood Plains
 3. Vegetation and Natural Features
 4. Rivers & Streams
 5. Slopes and Erosion Control
 6. Endangered and Threatened Species
 7. Historic Properties
 8. Cultural Resources
 9. Water Quality
 10. Air Quality
 11. Hazardous Materials and Operations
 12. View shed analysis where applicable per Section 18.106 Ridgeline Protection

Following review of the Preliminary Environmental Impact Assessment, the City Engineer will determine the need for a full Environmental Impact Statement (EIS) or other potentially necessary environmental work.

4. A Geotechnical Report including the following information:
 - a. Summary of Proposed Construction
 - b. Evaluation of Geologic Hazards
 - c. Subsurface Soil Profiles for the Site
 - d. Groundwater
 - e. Soil Classifications
 - f. Soil Properties
 - g. Design Recommendations
 - h. Construction Recommendations
5. A Storm Water Drainage Report meeting the requirements of the City Engineer.
6. A Traffic Impact Study meeting the requirements of the City Engineer.
7. Water Action Report as required by Section 15.16.090
8. "Will Serve" letters from all serving utilities.
9. Affordable Housing Plan as required by Section 18.102.030.

17.20.030 Final Construction - Plans And Final Plat

1. The Final plat shall be drawn to a scale no smaller than one inch equals one hundred (100) feet and shall show:
 1. The name of the subdivision;

2. Blocks for the names and stamps of the engineer and/or surveyor of the subdivision. An Owner's dedication block.
 3. Signature lines for the City Engineer, Land Use Authority and Water and Sewer Service Providers.
 4. A boundary description. Also, all existing survey monuments and survey monuments to be installed with the construction of the subdivision shall be shown and properly labelled and referenced;
 5. Northpoint, scale and date;
 6. All easements of record shall be shown on the final plat;
 7. Street numbers and names;
 8. All lot numbers and situs addresses. Also, all bearings, distances, and curve data for all lot lines street center lines, right-of-way lines, etc.
 9. All public utility easements as required by the planning commission;
 10. A vicinity map showing the location of the subdivision in relationship to the city;
 11. Any notices to purchasers required by the planning commission;
 12. Any notes required by the City Engineer.
2. 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. An updated title report for all lands proposed to be subdivided;
 2. A revised Environmental Impact Assessment or EIS if required by the City Engineer at preliminary approval. Additional environmental work will be necessary if:
 1. The proposed development did not adequately mitigate hazards identified in the Preliminary Environmental Impact Assessment.
 2. Other sensitive land issues as identified by Chapter 17.34, impact the proposed development and were not identified in the Preliminary Environmental Impact Assessment or were not adequately mitigated by the proposed development.
 3. Tax clearance from county assessor;
 4. Hard copy and electronic sets of Engineered construction drawings as required by the City Engineer. In addition to all requirements of the preliminary plans, the final plans shall include typical street cross-sections, road, sewer, and other underground utility profiles and plans. Details showing the width and type of pavement. Location, size, and type of off-site and on-site water and sewer facilities and other improvements, such as sidewalks, curbs and gutters, parks, street lighting, and fire hydrants, etc;
 5. Data Table containing the following:
 1. Uses
 2. Density
 3. Open space calculations, as required by the zone
 4. Parking analysis, as applicable
 6. Landscaping plan, including a data table relating to the applicable landscaping requirements of Chapter 18.76.
 7. Lighting plan as outlined in Section 18.78.050, including a data table relating to the applicable lighting requirements of Chapter 18.78.
 8. Exterior materials Board for all non-residential and multi-family buildings.

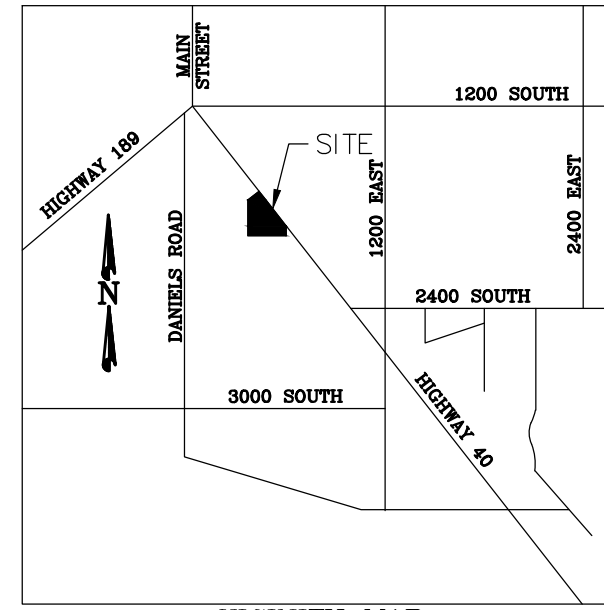
9. Scaled color elevations of all non-residential and multi-family buildings, including a data table relating to the applicable design standards.
10. Record of survey map;
11. Checklist of all items discussed at preliminary approval.

Exhibit 2

Drawings and Attachments

WASATCH BACK STATION SUBDIVISION PLAT A

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 8,
TOWNSHIP 4 SOUTH, RANGE 5 EAST,
SALT LAKE BASE AND MERIDIAN
HEBER CITY, WASATCH COUNTY, UTAH



VICINITY MAP
(N.T.S.)

Scale in Feet

LINE #	LENGTH	BEARING	LINE #	LENGTH	BEARING	LINE #	LENGTH	BEARING
L1	20.00'	N37° 59' 38" W	L36	20.00'	S52° 54' 04" W	L71	60.57'	N52° 10' 00" E
L2	150.04'	S52° 33' 05" W	L37	18.56'	S37° 05' 56" E	L72	30.29'	S37° 50' 00" E
L3	172.63'	S37° 26' 55" E	L38	9.00'	N52° 54' 04" E	L73	60.57'	S52° 10' 00" W
L4	20.00'	S52° 33' 05" W	L39	16.15'	S37° 44' 31" E	L74	30.29'	N37° 50' 00" W
L5	172.63'	N37° 26' 55" W	L40	20.00'	N52° 54' 04" E	L75	30.00'	S37° 50' 00" E
L6	31.26'	S52° 33' 05" W	L41	16.15'	S37° 44' 31" E	L76	29.92'	N37° 50' 00" W
L7	19.27'	S37° 26' 55" E	L42	109.66'	N52° 54' 04" E	L77	58.37'	S52° 10' 00" W
L8	10.00'	S52° 33' 05" W	L43	20.00'	S37° 59' 38" E	L78	0.33'	S37° 50' 00" E
L9	19.27'	S37° 26' 55" E	L44	193.09'	S52° 54' 04" W	L79	30.33'	S37° 50' 00" E
L10	51.36'	S52° 33' 05" W	L45	24.35'	S37° 05' 56" E	L80	2.20'	N52° 10' 00" E
L11	19.27'	S37° 26' 55" E	L46	20.00'	S52° 54' 04" W	L81	0.88'	N37° 50' 00" W
L12	10.00'	N52° 33' 05" E	L47	24.35'	N37° 05' 56" W	L82	1.80'	S52° 10' 00" W
L13	19.27'	S37° 26' 55" E	L48	24.37'	S52° 54' 04" W	L83	30.08'	N37° 50' 00" W
L14	38.94'	S52° 33' 05" W	L49	20.00'	S37° 05' 56" E	L84	60.17'	S52° 10' 00" W
L15	99.39'	S53° 31' 43" W	L50	10.00'	S52° 54' 04" W	L85	30.00'	N37° 50' 00" W
L16	67.55'	N90° 00' 00" W	L51	20.00'	S37° 05' 56" E	L86	29.67'	S37° 50' 00" E
L17	38.09'	S44° 51' 22" W	L52	26.13'	S52° 54' 04" W	L87	29.71'	S37° 50' 00" E
L18	133.85'	S89° 42' 51" W	L53	20.00'	S37° 05' 56" E	L88	30.00'	S37° 50' 00" E
L19	18.97'	N0° 24' 20" E	L54	10.00'	S52° 54' 04" W	L89	58.37'	S52° 10' 00" W
L20	125.36'	S89° 42' 51" W	L55	20.00'	S37° 05' 56" E	L90	30.08'	N37° 50' 00" W
L21	38.15'	N44° 51' 22" E	L56	15.73'	S52° 54' 04" W	L91	1.80'	N52° 10' 00" E
L22	69.27'	N90° 00' 00" E	L57	358.14'	S37° 39' 44" E	L92	0.88'	N37° 50' 00" W
L23	82.50'	N53° 31' 43" E	L58	301.36'	N52° 33' 05" E	L93	0.29'	S37° 50' 00" E
L24	11.72'	N37° 39' 44" W	L59	35.93'	N37° 59' 38" W	L94	2.20'	S52° 10' 00" W
L25	23.57'	S52° 07' 30" W	L60	19.03'	N37° 59' 38" W	L95	30.29'	S37° 50' 00" E
L26	28.64'	N37° 52' 30" W	L61	26.00'	S52° 59' 22" W	L96	60.57'	S52° 10' 00" W
L27	23.68'	N52° 07' 30" E	L62	20.00'	N37° 59' 38" W	L97	30.00'	N37° 50' 00" W
L28	326.79'	N37° 39' 44" W	L63	26.00'	S52° 59' 22" W	L98	29.92'	N37° 50' 00" W
L29	15.38'	N7° 37' 14" E	L64	20.00'	N37° 59' 38" W	L99	30.29'	N37° 50' 00" W
L30	56.13'	N52° 54' 04" E	L65	27.20'	S52° 10' 00" W	L100	60.57'	N52° 10' 00" E
L31	39.10'	S37° 05' 56" E	L66	7.80'	S37° 50' 00" E	L101	30.29'	S37° 50' 00" E
L32	15.00'	N52° 10' 00" E	L67	18.17'	S52° 10' 00" W	L102	57.80'	N27° 56' 44" E
L33	39.29'	S37° 05' 56" E	L68	7.80'	N37° 50' 00" W	L103	69.30'	S77° 31' 18" E
L34	78.48'	N52° 54' 04" E	L69	15.20'	S52° 10' 00" W	L104	4.12'	N37° 59' 38" W
L35	18.56'	S37° 05' 56" E	L70	18.17'	S52° 10' 00" W			

CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C1	38.74'	27.50'	80°42'46"	35.61'	S11°48'37" W
C2	19.02'	28.50'	38°14'20"	18.67'	S18°42'50" E

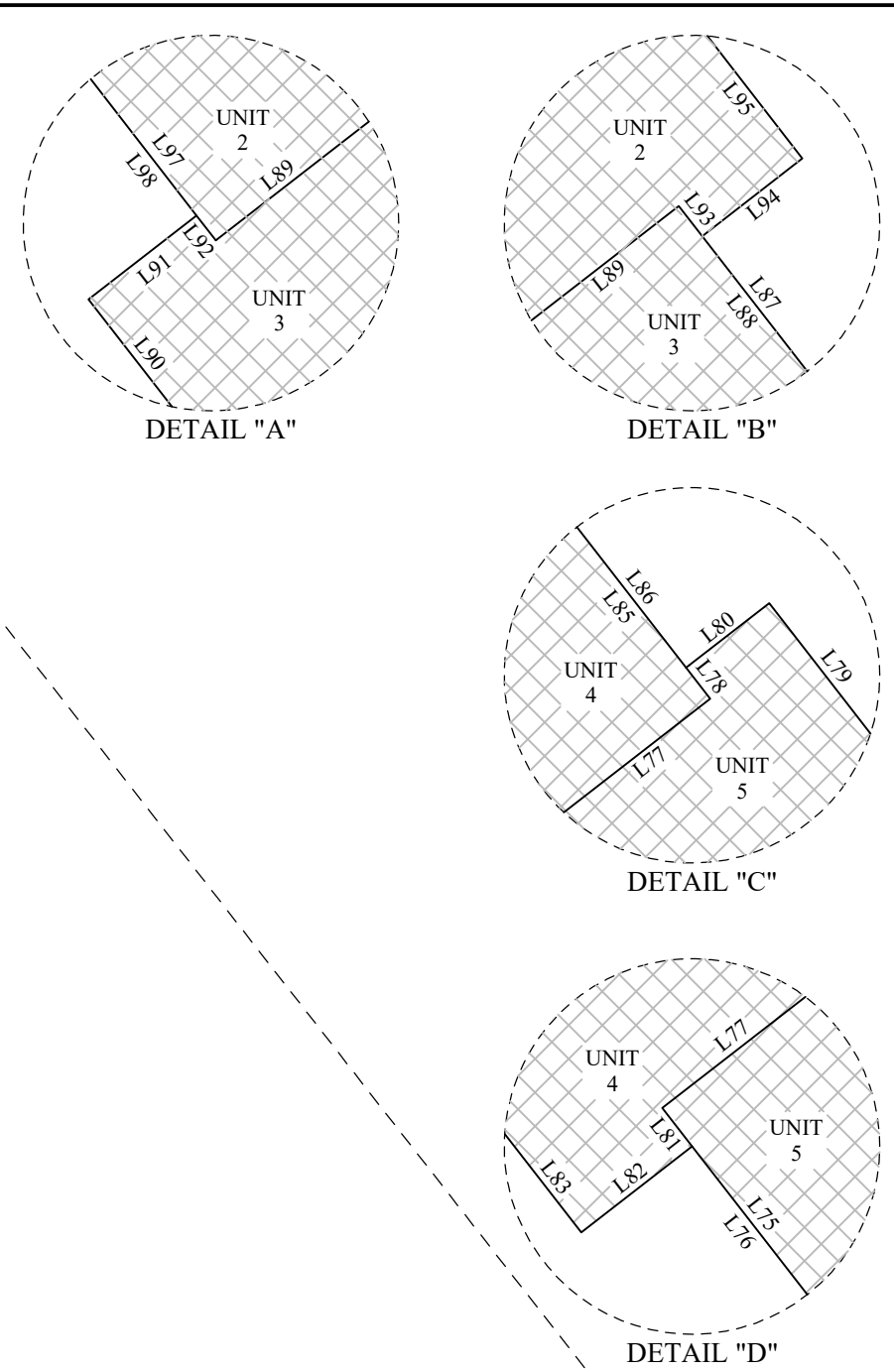
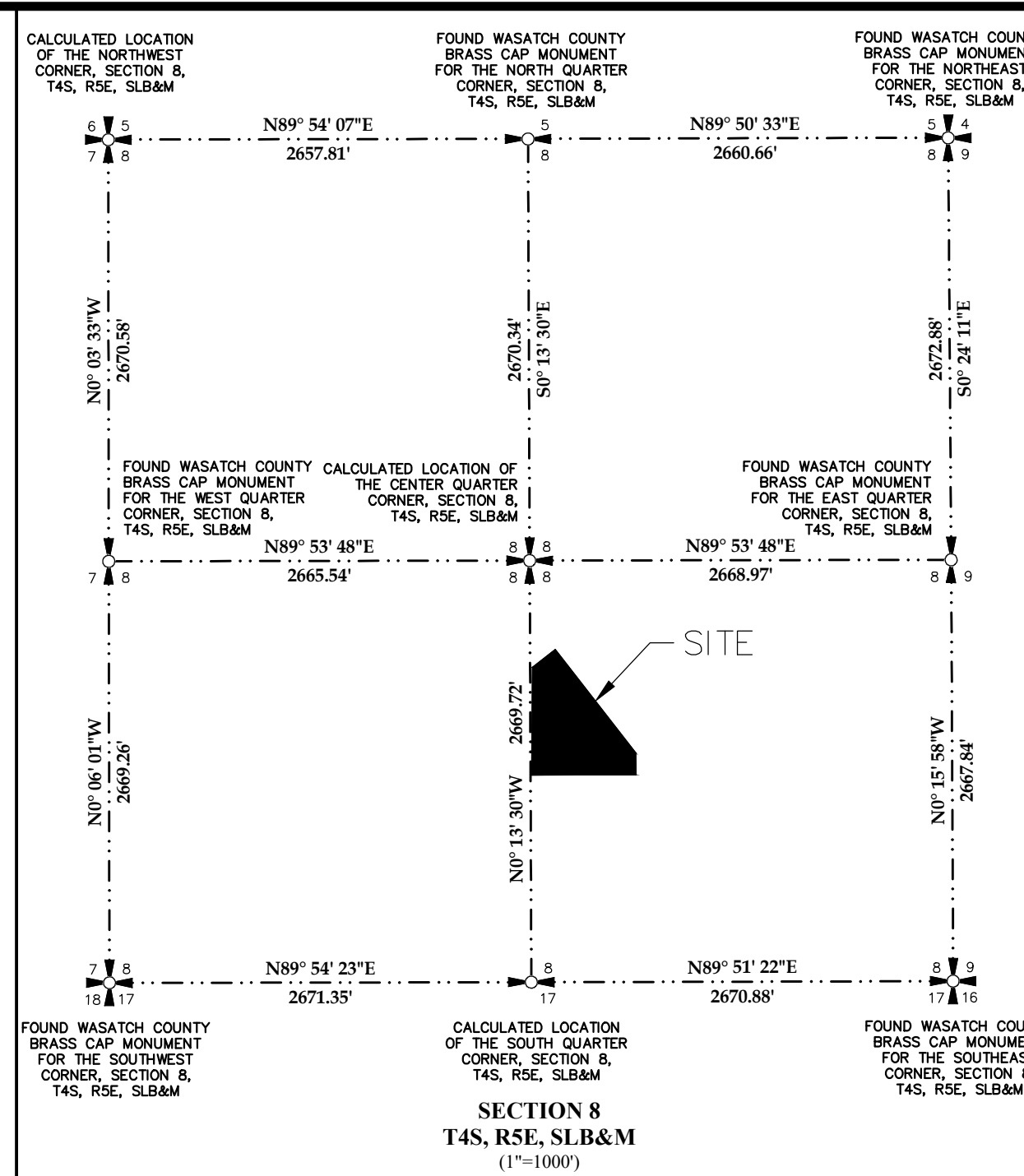
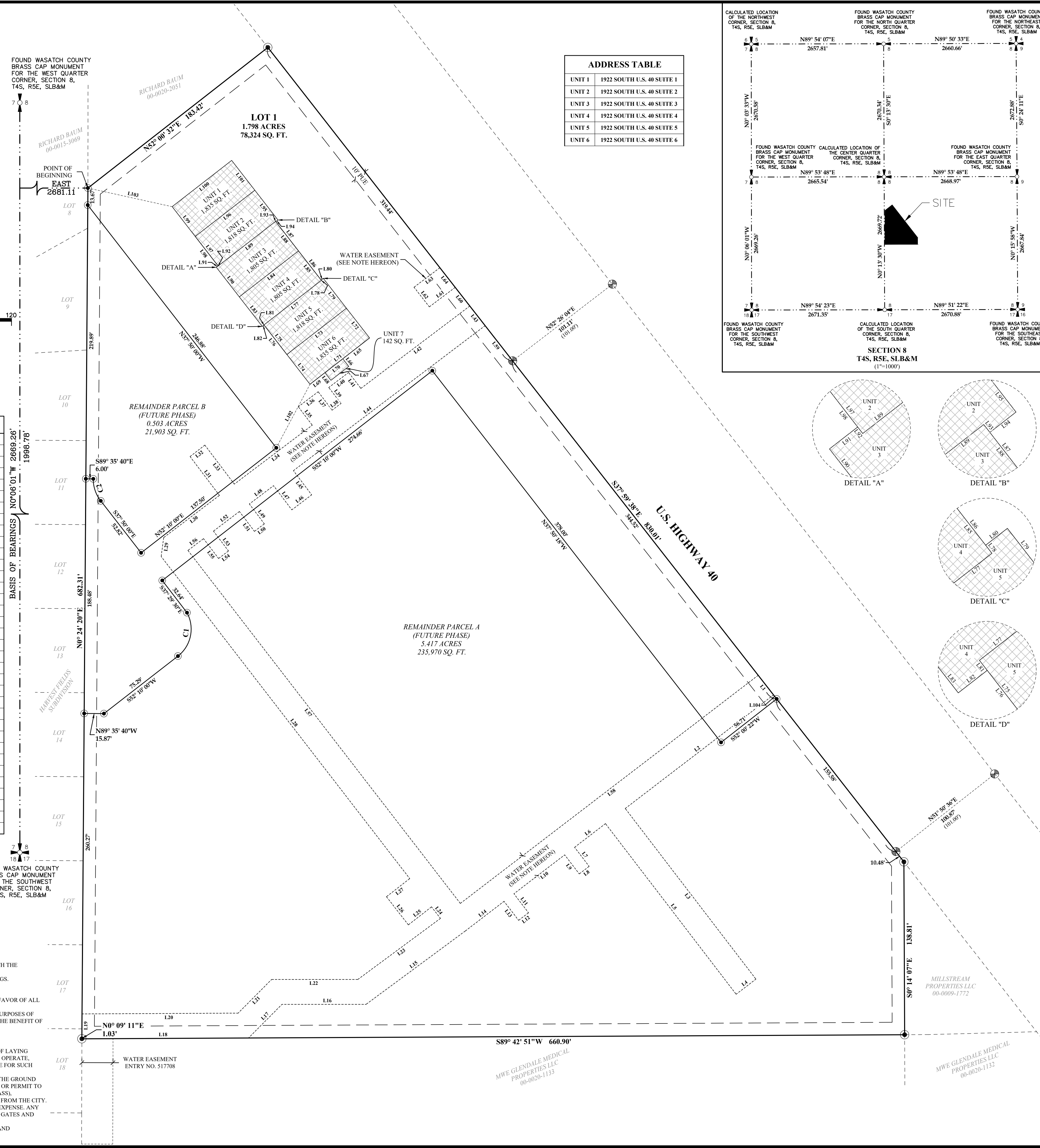
SUBDIVISION NOTES

- THIS PLAT IS SUBJECT TO THE UTAH CONDOMINIUM CODE 57-8-13.
- THE SUBDIVISION IS SUBJECT TO THE DECLARATION FOR THE WASATCH BACK STATION RECORDED WITH THE WASATCH COUNTY RECORDER'S OFFICE AS ENTRY NO. _____.
- THE BUILDING UNIT OUTLINE SHOWN HEREON ARE REFERENCING THE EXTERIOR FACE OF THE BUILDINGS.
- THE BUILDING UNITS HEREON ARE RESERVED AS PRIVATE.
- ALL OF LOT 1, EXCLUDING THE BUILDING UNITS, IS RESERVED AS COMMON SPACE.
- THE PARKING STALLS WITHIN LOT 1 AND THE FUTURE PHASES ARE RESERVED AS SHARED PARKING IN FAVOR OF ALL LOTS AND BUILDING UNITS.
- THE SUBDIVISION INCLUDES A PERPETUAL, NON-EXCLUSIVE, MUTUAL CROSS ACCESS EASEMENT FOR PURPOSES OF VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS, ON, OVER AND ACROSS ALL DRIVABLE AREAS FOR THE BENEFIT OF ALL LOTS AND BUILDING UNITS WITHIN THIS PHASE AND FUTURE PHASES.

WATER EASEMENT NOTE

EASEMENT GRANTED TO HEBER CITY, A PERMANENT EASEMENT AND RIGHT-OF-WAY FOR THE PURPOSE OF LAYING WATER LINES, VALVES, AND RELATED WATER STRUCTURES, TOGETHER WITH THE RIGHT TO CONSTRUCT, OPERATE, MAINTAIN, REPAIR AND REPLACE SAID FACILITIES, AND THE RIGHT OF INGRESS AND EGRESS AT ANY TIME FOR SUCH PURPOSES. PROPERTY OWNER SHALL NOT INCREASE OR DECREASE, NOR PERMIT TO BE INCREASED OR DECREASED, THE GROUND ELEVATIONS OF SAID EASEMENT EXISTING AT THE TIME THIS DOCUMENT IS EXECUTED, NOR CONSTRUCT OR PERMIT TO BE CONSTRUCTED, ANY PERMANENT BUILDINGS, STRUCTURES, FENCES, LANDSCAPING (OTHER THAN GRASS), IMPROVEMENTS, OR OTHER ENCROACHMENTS IN SAID EASEMENT WITHOUT PRIOR WRITTEN PERMISSION FROM THE CITY. ANY IMPROVEMENTS NOT AUTHORIZED IN WRITING BY CITY WILL BE REMOVED AT PROPERTY OWNER'S EXPENSE. ANY FENCING ALLOWED AROUND OR THROUGH SAID EASEMENT SHALL INSTAL TWELVE (12) FOOT MINIMUM GATES AND KEEP EASEMENT AREA ACCESSIBLE TO CITY. THE SUBDIVISION HOA/PROPERTY OWNER SHALL BE RESPONSIBLE FOR ALL IRRIGATION, LANDSCAPING, AND MAINTENANCE WITHIN THE EASEMENT.

UNIT #	ADDRESS
UNIT 1	1922 SOUTH U.S. 40 SUITE 1
UNIT 2	1922 SOUTH U.S. 40 SUITE 2
UNIT 3	1922 SOUTH U.S. 40 SUITE 3
UNIT 4	1922 SOUTH U.S. 40 SUITE 4
UNIT 5	1922 SOUTH U.S. 40 SUITE 5
UNIT 6	1922 SOUTH U.S. 40 SUITE 6



BOUNDARY DESCRIPTION
BEGINNING AT THE NORTHEAST CORNER OF THE HARVEST FIELDS SUBDIVISION, SAID POINT BEING NORTH 0°06'01" WEST 1998.78 FEET ALONG THE SECTION LINE AND EAST 2681.11 FEET FROM THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;
THENCE NORTH 52°00'32" EAST 183.42 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 40;
THENCE SOUTH 37°59'38" EAST 830.01 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8;
THENCE SOUTH 01°4'07" EAST 138.81 FEET ALONG SAID SECTION LINE;
THENCE SOUTH 89°42'51" WEST 660.90 FEET TO THE EAST LINE OF THE HARVEST FIELDS SUBDIVISION;
THENCE NORTH 0°09'11" EAST 1.03 FEET ALONG SAID SUBDIVISION;
THENCE NORTH 0°24'20" EAST 682.31 FEET ALONG SAID SUBDIVISION TO THE POINT OF BEGINNING.

CONTAINS
1 LOT AND 7 UNITS
7.972 ACRES OR 347,255 SQUARE FEET, MORE OR LESS

BASIS OF BEARINGS
THE BASIS OF BEARINGS WAS ESTABLISHED AS NORTH 0°06'01" WEST BETWEEN THE SOUTHWEST CORNER AND THE WEST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN.

SURVEYOR'S CERTIFICATE
IN ACCORDANCE WITH SECTION 10-90-603 OF THE UTAH CODE, I, CORY B. NEERINGS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 5183760 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.
I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

CORY B. NEERINGS
PLS 5183760

OWNER'S DEDICATION
KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNER(S) OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS THE **WASATCH BACK STATION SUBDIVISION PLAT A**
DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 2022.

PRINT NAME _____ DATE _____
SIGNATURE _____

ACKNOWLEDGEMENT
STATE OF UTAH }
COUNTY OF WASATCH }

ON THIS _____ DAY OF _____, 2022 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____, IN SAID STATE OF _____, THE SIGNER OF THE ABOVE OWNER'S DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR THE PURPOSES MENTIONED.

NOTARY PUBLIC _____, MY COMMISSION EXPIRES _____
COMMISSIONED IN UTAH _____

PRINT NAME _____ RESIDING IN _____ COUNTY

ACCEPTANCE BY LEGISLATIVE BODY
THE CITY COUNCIL OF HEBER CITY, WASATCH COUNTY, UTAH, APPROVE THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCEL OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PUBLIC USE OF THE PUBLIC, THIS _____ DAY OF _____, 2022.

MAYOR _____ CLERK/RECORDER _____

LAND USE AUTHORITY
APPROVED THIS _____ DAY OF _____, 2022, BY THE HEBER CITY LAND USE AUTHORITY.

LAND USE APPROVAL _____

CITY ENGINEER APPROVAL
APPROVED THIS _____ DAY OF _____, 2022.

CITY ENGINEER _____

WASATCH COUNTY SURVEYOR
APPROVED THIS _____ DAY OF _____, 2022.
ROS # _____
COUNTY SURVEYOR _____

Recorder _____

DATE: 5/31/22
SCALE: 1"=40'
PAGE: 1 OF 1
PROJECT: S20-085

LEGEND

- SET REBAR/CAP MARKED LEGEND ENGINEERING PLS 5183760
- FOUND PROPERTY CORNER (AS NOTED)
- FOUND UDOT BRASS CAP RIGHT-OF-WAY MONUMENT

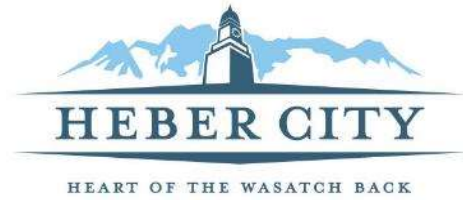
BOUNDARY LINE
TITLE LINES
WATER EASEMENT (SEE NOTE HEREON)
PUBLIC UTILITY EASEMENT (PUE)
PRIVATE AREA (11,058 SQ. FT.)

LEGEND ENGINEERING
52 WEST 100 NORTH
HEBER CITY, UT 84032
PHONE: 435-854-4828

REVIEW COPY

Planning Commission

Staff Report



MEETING DATE: June 28, 2022
SUBJECT: Industrial Zone update
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 Industrial zone I-1, chapter 18.44. 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 draft. Updates for this chapter are generally minor.

The Zoning Ordinance has two zoning districts that address industrial uses. The I-2 zone covers a very small part of the City, so the I-1 zone was the main emphasis.

RECOMMENDATION

Staff recommends the Planning Commission study the proposed changes and consider making a recommendation to the City Council after a public hearing, tentatively scheduled for your July 12th meeting.

BACKGROUND

Envision Heber Phase 3, includes updates, simplifications and clarifications in most of the Code chapters.

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:

Industrial Zone Chapter Summary of Amendments

These updates include:

- Reformatting to display the uses as a table. Each use requires a site plan application.
- Moves definitions to the definitions chapter. Simplifies certain sections.

- Added commercial day care as a conditional use.
- Adds climate-controlled storage as a conditional use.
- Moves any permitted use that is larger than 1 acre or has a building with a square footage over 60,000 square feet into the conditional use category.
- Defines a 10' landscape area adjacent to the public right-of-way with fencing located 10' back also.
- Adds a section on gasoline pumps.

DISCUSSION

The proposed amendments will improve this chapter making them more user friendly and less confusing to administer.

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

EXHIBIT

Industrial Zone

Heber City Draft April 18, 2022. *Green* texts means policy discussion. *Red italic* means original text from current code. *Red* means new.

18.44 I-1 Industrial Zone

18.44.010 Objectives and Characteristics

18.44.020 Permitted and Conditional Uses

18.44.025 Permitted Secondary Uses

18.44.030 Area Requirements

18.44.040 Setback Requirements

18.44.050 Height And Size Requirements

18.44.060 Special Provisions

18.44.065 Compatibility With Residential Zones

18.44.070 Climate Controlled Commercial Storage Sheds

18.44.075 Gas Pump Islands and Lighting

18.44.080 Supplementary Requirements-Related Provisions

18.44.010 Objectives and Characteristics

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

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

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

18.44.020 Permitted Uses

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

A. Accessory buildings and parking lots incidental and accessory to other permitted uses;

B. Agriculture, farm machinery storage sheds, vegetable and fruit packing and processing plants, and livestock raising;

C. Airport and associated activities;

D. Earthmoving and equipment storage, gas and oil storage facilities, public buildings and public utility buildings, craft shops, and accessory signs;

E. Fences, walls and hedges;

F. Manufacturing, compounding, processing, packaging, fabrication and warehousing of goods and materials, except the processing of animal byproducts and livestock feed yards, and except steel manufacturing plants, oil refineries, wallboard manufacturing and similar establishments which emit offensive fumes, smoke, noise, dust, odor, etc.;

G. Retail commercial uses and cafes; however, no retail commercial transaction nor business may be conducted within a storage shed.

H. Scenic railroads and railroad maintenance yards;

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~~I.—Water wells, utility transmission lines, dams, pumping plants, power plants, sewage treatment plants subject to review and approval of the State Division of Health;~~

~~J.—Commercial storage sheds; however, no commercial transaction nor business may be conducted within any storage shed.~~

~~K.—Other uses ruled by the Board of Adjustment to be similar to uses specifically permitted in the zone and which will harmonize with the objectives and characteristics of the I-1 Industrial Zone.~~

18.44.025 Permitted Secondary Uses Conditional Uses

~~The following buildings, structures and uses of land shall be permitted considered Conditional Uses in the I-1 Industrial Zone upon compliance with requirements as set forth in this Section. Secondary uses must accompany a primary use on the same lot or within the same building. The existence of secondary uses shall not limit the operation or extent of permitted primary uses within the I-1 Zone.~~

~~A.—An Accessory Apartment for the use of employees only. Such apartment shall be for temporary use such as inclement weather or late working situations. The apartment shall not be used as a rental or for long-term use for employees, owners, or anyone else.~~

~~B.—Nursery, day care, or preschools in support of a primary activity.~~

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

~~D.—Climate controlled commercial storage.~~

~~E.—Any use with a development parcel larger than 1 acre and/or a building with over 60,000 square feet shall be a conditional use.~~

Commented [MR1]: Policy choice. Suggested addition.

A. Table of Land Use Regulations.

P = PERMITTED USE (P) A site plan application is required with staff processing. Site plan applications are approved, when and if they meet the ordinance standards.

C = PLANNING COMMISSION CONDITIONAL USE REVIEW (C). A site plan application with Planning Commission review is required.

B. If a use is not specifically designated below, then it is prohibited.

C. All uses listed in the use table and that require a building permit shall also require a site plan application.

<u>Land Uses</u>	<u>I-1</u>	<u>Limitations</u>
Accessory buildings and parking lots incidental and accessory to other permitted uses;	P	
Agriculture, farm machinery storage sheds, vegetable and fruit packing and processing plants, and livestock raising;	P	

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<i><u>Airport and associated activities</u></i>	<u>P</u>	<i><u>Subject to the Airport Overly Zone 18.43</u></i>
<i><u>Earthmoving and equipment storage, gas and oil storage facilities, public buildings and public utility buildings, craft shops, and accessory signs</u></i>	<u>P</u>	
<i><u>Manufacturing, processing, packaging, fabrication and warehousing of goods and materials</u></i>	<u>P</u>	<i><u>Except the processing of animal byproducts and livestock feed yards, steel manufacturing plants, oil refineries, wallboard manufacturing and similar establishments which emit offensive fumes, smoke, noise, dust, odor, etc.</u></i>
<i><u>Retail commercial uses and cafes</u></i>	<u>P</u>	<i><u>No retail commercial transaction nor business may be conducted within a storage shed.</u></i>
<i><u>Scenic railroads and railroad maintenance yards;</u></i>	<u>P</u>	
<i><u>Water wells, utility transmission lines, dams, pumping plants, power plants, sewage treatment plants;</u></i>	<u>P</u>	<i><u>Subject to review and approval of the State Division of Health</u></i>
<i><u>An Accessory Apartment for the use of employees only.</u></i>	<u>C</u>	<i><u>Shall be for temporary use only. The apartment shall not be used as a rental or for long-term use for employees, owners, or anyone else</u></i>
<i><u>Commercial day care, nursery, day care, or preschools</u></i>	<u>C</u>	
<i><u>Public Facilities for Special Events.</u></i>	<u>C</u>	<i><u>Public Facilities for Special Events is a parcel used for overnight parking and lodging using RVs, travel trailers, temporary housing units, in</u></i>

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		<i>conjunction with governmentally sanctioned, or sponsored public events.</i>
<u>Climate</u> controlled commercial storage.	<u>C</u>	See 18.44.070
<u>Any use with a development parcel larger than 1 acre and/or a building with over 60,000 square feet shall be a conditional use.</u>	<u>C</u>	
<u>Signs</u>	<u>P</u>	<i>As regulated by Section 18.103</i>

Commented [MR2]: Policy Discussion

18.44.030 Area Requirements

- A. *There is no minimum lot area requirement and no maximum building size in the I-1 Industrial Zone.*
- B. *Each project approved under this section must be fully located within the I-1 industrial Zone.*
- C. *Limitations of Buildings Used for Retail Business.*
 - 1. *Findings. The Heber City Council makes the following findings:*
 - a. *One main intention of the Heber City Council in limiting the gross floor area of buildings used for retail business is to incorporate those goals and directives of the Heber City General Plan, including but not limited to those specific directives and provisions which identify the importance of and intentions surrounding the City center addressed in said General Plan.*
 - b. *The Heber City Council adopted the Heber City General Plan to guide and direct future development and land use decisions in Heber City.*
 - c. *The Heber City General Plan evidences the community's goals and objectives for the future of Heber City, and identifies the old town as the heart of the community, and makes the development and preservation of the City center critical to the General Plan's vision for Heber City's future.*
 - d. *The Heber City General Plan contemplates building on Heber's strengths from the inside out, by focusing on the City center including the existing central business district.*
 - 2. *Gross Floor Limitation, I-1 Zone.*
Retail establishments shall not exceed 60,000 square feet of gross floor area within the I-1 Zone. No retail establishment shall be permitted to place any one building or any combination of buildings that exceed 60,000 square

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feet within said Zone. In no event shall any retail establishment, corporation, business, or entity have one or more buildings within less than 1,000 feet of each other, wherein the building or buildings would exceed a total of 60,000 square feet. Attempts to circumvent or exceed this maximum 60,000 square feet shall be strictly prohibited.

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

- a. "Retail Establishments" means retail business or businesses, conducted in two or more buildings, where the retail business or businesses:*
 - 1. are engaged in the selling of similar or related goods, wares or merchandise, and operate under common ownership or management, or*
 - 2. share check stands, storage facilities, a warehouse, or a distribution facility, or*
 - 3. otherwise operate as associated, integrated or co-operative business enterprises under common ownership or management.*
- b. "Combination of Buildings" means two or more buildings that are within 1,000 feet of each other as measured from the outside exterior walls of two of the buildings.*
- c. "Common Ownership or Management" means owned, leased, possessed, managed or otherwise controlled, in any manner, directly or indirectly,*
 - 1. by the same individual(s) or entity(ies), including but not limited to corporation(s), partnership(s), limited liability company(ies) or trust(s), or*
 - 2. by different individuals or entities, including but not limited to corporations, partnerships, limited liability companies or trusts where such individual(s) or entity(ies) have a controlling ownership or contractual right with the other individual(s) or entity(ies) with respect to the retail businesses, or where the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent, stockholder, director, member, officer or trustee of the entity(ies).*
- d. "Gross Floor Area" shall mean the sum of:*
 - 1. the total horizontal area, in square feet, of all floors of a building, as measured at outside the exterior walls and including all interior courtyards, and*
 - 2. the total horizontal area, in square feet, of all portions of the site outside of the exterior walls of buildings used for the display, storage, or sale of any goods, wares or merchandise. For the purpose of this section an interior courtyard means a space bounded on three or more sides by walls but not a roof.*
- e. "Retail Business" means a business engaged in the sale of goods to individual consumers, usually in small quantities, and not to be placed in inventory for resale. A retail business does not include: (a) health centers, governmental uses, community centers, theaters, or*

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~~religious or fraternal uses, or (b) a business where retail sales are an incidental or accessory use to the primary use. This definition shall not include churches, public schools, hospitals, public civic centers or public recreational facilities, or other facilities owned by, or operated strictly for the benefit of, the public.~~

18.44.040 Setback Requirements

~~In the I-1 Zone, all buildings shall be set back at least thirty (30) feet from any public street right-of-way line. A ten (10) foot wide landscaped berm~~ area is required using the standards found in 18.76.050 along all public street right-of-way frontages.

Commented [MR3]: Policy. Suggested addition.

18.44.050 Height And Size Requirements

~~All buildings in the I-1 Industrial Zone shall be limited in height to thirty-five (35) feet. No buildings taller than thirty-five (35) feet shall be permitted in the I-1 Industrial Zone .except as recommended by the Planning Commission pursuant to approval as a conditional use and approved by the City Council.
Upon application for a conditional use to exceed the thirty five (35) foot height limitation for developments, the Planning Commission shall consider at a minimum, but shall not be limited to the following mitigating options and building restrictions as requirements for such conditional use permits.–~~

- ~~A. Airport land zone height restrictions.~~
- ~~B. Proximity to residential zones.~~
- ~~C. Access to solar, air, and light for nearby properties.~~
- ~~D. Building design (roof height step downs, eaves).~~
- ~~E. Roof design.~~
- ~~F. Aesthetics.~~
- ~~G. Compatibility with adjoining properties.~~

~~No building that receives a conditional use permit shall be approved over 60 feet in height.~~

18.44.060 Special Provisions

- ~~A. Trees shall be planted along all street frontages. Trees should be planted at least one for every fifty (50) feet of street frontage.~~
- ~~B. All storage doors, entrances into storage and warehousing, and parking in storage and warehouse developments shall be accessed from internal private streets and driveways.~~
- ~~C. All storage and warehouse developments shall be fenced in a manner which will provide adequate security and a deterrent from public access. Fences shall not be located in the 10' front setback area.~~
- ~~D. For Commercial Storage Sheds, the building elevation facing a public right of way shall have multi-pitched roof lines through the use of dormers and gables, or the like, whether real or false facade.~~
- ~~E. All Outdoor lighting: shall be shielded to direct light downward and glare only onto the premises. See Lighting standards 18.78.~~
- ~~F. All off-street parking shall be hard-surfaced, but may also be constructed of porous pavement.~~
- ~~G. Properties shall be kept in a clean and orderly manner. The storage of goods and materials shall occur within a building or behind an eight foot tall sight obscuring fence.~~

18.44.065 Compatibility With Residential Zones

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~~When any industrial building or use adjoins any residential zone, a setback area containing a water-wise and xeriscaped landscape design as per 18.76.050 is required, berm of at least four (4) foot tall and/or an eight (8) foot tall site-obscuring fence shall be erected as a buffer between all industrial and residential zones, as determined by the Planning Commission. In the event the Planning Commission elects to require a landscaped berm, such berm shall contain evergreen trees at least four (4) foot tall and deciduous trees having a caliper of at least three (3) inches. In determining whether to require a fence, berm, or both, the Planning Commission shall consider at a minimum, but shall not be limited to the following factors:~~

- ~~A. Compatibility with adjoining properties.~~
- ~~B. The future use of the land.~~
- ~~C. Intensity of industrial use.~~
- ~~D. Proximity of residential units.~~
- ~~E. Additional landscaping and screening.~~
- ~~F. Fences and setbacks being used.~~

18.44.070 Supplementary Requirements

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

18.44.070 Commercial Storage Sheds and Climate Controlled Commercial Storage

In addition to other applicable development requirements of this Title, Commercial Storage Sheds shall meet the following requirements:

A. Commercial Climate Controlled Storage Unit Limitations.

~~1. Primary Street Limitations.~~

- ~~a. No more than 25 percent of a lot's frontage along a Principal Arterial, Minor Arterial, or Collector Street as designated upon the City's Transportation Plan may be devoted to storage units. This limitation does not apply to accessory buildings that are located behind a main building.~~
- ~~b. No more than 75 percent of a main building's ground floor area that fronts upon a Principal Arterial, Minor Arterial or Collector Street as designated on the City's Transportation Plan may be devoted to storage units.~~

~~2. Secondary Street Limitations.~~

- ~~a. No more than 50 percent of a lot's frontage along any public street not designated as a Principal Arterial, Minor Arterial or Collector Street on the City's Transportation Plan may be devoted to storage units.~~
- ~~b. No more than 75 percent of a main building's ground floor area that fronts upon any public street not designated as a Principal Arterial, Minor Arterial or Collector Street on the City's Transportation Plan may be devoted to storage units. This limitation does not apply to accessory buildings that are located behind a main building.~~

~~3. In the event of a corner lot or double frontage lot fronting two Arterial or two Collector Streets as identified on the City's Transportation Plan, the Land Use Authority shall choose one street to designate for the Primary Street Limitations and one street to designate for the Secondary Street Limitations.~~

Commented [MR4]: Policy Discussion needed on this use.

Heber City Draft April 18, 2022. Green texts means policy discussion. Red italic means original text from current code. Red means new.

~~4. Required non-storage structures shall be built prior to or concurrently with construction of the Storage Units.~~

~~5. All storage of any items within Commercial Storage Unit facilities, including vehicles, shall be located under a roof within the interior of a building.~~

~~B. Caretaker Dwellings. Each Commercial Storage Facility may include one caretaker dwelling to accommodate professional management living onsite.~~

~~C. Driveway Access. All storage doors, parking and accesses into Commercial Storage Shed facilities shall be accessed from internal private streets and driveways, not from public streets.~~

~~D. Fencing. All Commercial Storage Shed establishments shall be fenced in a manner which will provide adequate security and a deterrent from public access, except for indoor climate-controlled facilities. Along any Principal Arterial, Minor Arterial or Collector Street as designated on the City's Transportation Plan, Fencing shall not utilize chain-link, barbed wired or galvanized steel.~~

~~E. Supplemental Requirements. All other development requirements of the City applicable to non-residential development shall apply to Commercial Storage Sheds.~~

~~F. Architecture. Commercial Storage Shed building elevations facing a Principal Arterial, Minor Arterial or Collector Street as designated on the City's Transportation Plan shall:~~

- ~~1. Have multi-pitched roof lines through the use of dormers and gables, or the like, whether real or false façade;~~
- ~~2. Have at least 30% brick, stone or decorative block/CMU;~~
- ~~3. Not utilize metal on the wall surface or stucco on more than 20% of the wall surface. This prohibition does not preclude the use of steel doors or the use of structural steel for architectural elements such as awnings, covered walkways, etc.~~

~~G. Commercial Storage Shed Facilities are not limited as per gross floor area as per Section 18.44.030 C.2.~~

H. Climate Controlled Commercial Storage facilities shall follow the design standards required in the C-2/C-4 Design Guidelines.

Commented [MR5]: Policy Discussion

Commented [GU6R5]: Using this phrase could allow for F to be dropped

18.44.075 Gasoline Pump Islands and Lighting

Gasoline pump islands shall be set back ~~not less than fifteen feet~~ from any right-of-way street line to accommodate the landscape setback and proper circulation/stacking for the pumps. Each pump shall provide stacking for a minimum of two standard sized vehicles defined as 20' for each. A circulation aisle beyond the stacking area is required that allows for a circular traffic movement, to which the pump island is vertical and twelve feet from any street line to which the pump island is parallel and not less than twelve feet from any residential zone boundary line. If the pump island is set in an angle on the property, it Pump islands shall be so located that automobiles stopped for service will not extend over the property line. In no case shall pumps be set closer than twelve feet from any street lines, nor closer than ten 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 by one hundred feet in size. Canopies over pump islands may extend to the closest edge of any required landscaping. ~~within five feet to the property lines.~~ See the Lighting Chapter 18.78, for lighting standards.

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~~18.44.070 Supplementary Requirements~~ 18.44.080 Related Provisions

- Chapter 18.12 Administration
- Chapter 18.08 Definitions_
- Chapter 18.108 Conditional Use Permits
- Chapter 18.72 Off Street Parking and Loading_
- Chapter 18.103 Sign Regulations
- Chapter 18.78 Lighting_
- Chapter 18.174 Enforcement_
- Chapter 17 Subdivisions
- Heber City C-2/C-4 Zone Design Standards and guidelines