

Heber City Corporation
City Council Meeting
06/03/2008

6:00 p.m.

SPECIAL MEETING

The Council of Heber City, Wasatch County, Utah, met in **Special Meeting** on 06/03/2008, in the City Council Chambers in Heber City, Utah.

Present:	Mayor	David R. Phillips
	Council Members	Jeffery Bradshaw Elizabeth Hokanson Eric Straddeck Nile Horner Robert Patterson
Also Present:	City Manager	Mark K. Anderson
	City Recorder	Paulette Thurber
	City Engineer	Bart Mumford
	Chief of Police	Ed Rhoades
	Deputy City Recorder	Michelle Kellogg

Others Present: Mike Johnston, Ray Whitchurch, Tony Kohler, Mike Thurber, Scott Bassett, Dick Bassett, Karen Bassett, Brandon Jensen, and Tom Andra.

Mike Johnston – Summit Engineering – PCMU Zone Presentation: Johnston indicated his appreciation to the Council for meeting so he could give an overview of the PCMU Zone and hold the meeting as a Work Session so he could talk casually and openly. He said he was before the Council because the Planning Commission and Planning Staff, City Engineer and multiple property owners, with their engineers, had worked for 1 ½ years on the PCMU Zone. He said this zoning proposal would only be applied to the north end of the City, from Kings to just north of Coyote Lane and that that property was confined on all sides.

Johnston indicated there were four different annexations on hold because of the proposed PCMU Zone. He indicated the developer wanted to do something that was really nice for the area. He suggested the City could continue to do what they were doing already with subdivisions in Heber. However, Johnston felt the PCMU Zone was valuable enough and beautiful enough that it should be considered for that area. He talked about the property being the gateway into the City from the north and the importance of its look.

Pictures of Heber City were shown on the overhead for about 20 minutes. He asked what the Council liked, what could be done better and what was ugly. Johnston talked about the good or

bad of each picture from his point of view. He pointed out those things that they didn't want to do on the north end of town with this proposed development.

Mayor Phillips asked if there would be good and bad with the new zone. Johnston said probably because there was good and bad in all zones. He suggested the City had no architectural guidelines and different street standards and the City Code mandated different housing types must be in different locations. He suggested it was not good planning to segregate housing. He said the group he represented wanted to do something different in the area--they wanted four housing types in a 60-acre master planned area which would be the size of a church boundary (ward); they wanted mixed housing types so people could accommodate and mix; they wanted proximity to services—churches and stores; they also wanted to control the architecture; this Zone would not be haphazardly built and they wanted to control the streetscape--the streets must have trees; there would be civic spaces (open space); there would be a maintained park and green belt along the highway starting at Kings and hooking into North Village; there would be no driveways onto the main road--a driver from that community would have to go to a major intersection to access the highway as there would be no highway oriented commercial buildings. Johnston said the area needed to be master planned and that the PCMU Zone would require property owners to work together and to develop this project. It was indicated 60 acres was the minimum space required. Johnston said the master planning process required going through the planning staff and the City Council for the architectural guidelines, master transportation plan, master storm water plan, mixed use housing types, mixed use services, etc. He said it allowed and encouraged neighborhood services. He said they would incorporate this development into the surrounding areas.

Councilmember Straddeck asked about the amount of acres. Johnston said there were 250 acres in the area. Councilmember Straddeck inquired if this entire area would be master planned in 60 acre units. Johnston indicated there would be 3 master plans.

An overhead was shown of the area. Johnston pointed out the three divisions of the area. The middle area did not want to come into the City as yet. When they did, however, they would have to come into the PCMU Zone.

Mayor Phillips asked if the 60 acres was required. Johnston indicated yes because if the parcel of land was too small, there would not be enough space for the mixed housing, civic space, services, etc., that was desired. Mayor Phillips asked if this plan was new to the world. Whitchurch said it was not. He said the standard zoning was creating problems and the density code was becoming a fearful thing. He said there were thousands of cities doing the form-based codes now. (the PCMU Zone is form based)

Mayor Phillips asked what the critics complained about in this type of zone. Whitchurch said these zones were harder to enforce and regulate because it was more complex. He said the mechanism to enforcement was CCR's and the HOA's. Mayor Phillips inquired about the advantages of a zone of this type. Johnston said this type of zone was not for everyone because there were people that wanted a large lot, were tied to their car and liked what they grew up with--not everyone liked this type of neighborhood. Johnston said the streets would be narrow, people lived closer together but they had more greenbelt, open space and trails. They would also be

closer to stores, restaurants and service stations, which meant they could walk or ride a bike to access those services. Johnston indicated people living in this community would hear some noise; however, these neighborhoods were more efficient in services, water, and infrastructure. Mayor Phillips asked what types of homes were in this kind of zone. Johnston said that would come with master planning. There would be single homes, row housing, townhouses, accessory apartments, and apartments. The largest lot would be 80' wide. This area would be surrounded by the Valley Hills Subdivision--it would transition to that subdivision. Johnston said these types of neighborhoods were in demand--residents wanted to be closer to their neighbors and they also wanted to be close to services.

Councilmember Hokanson said she did not like the small playgrounds around town, felt they were not used, and drained City resources. She said she would rather see larger parks with better landscaping and playground equipment. She liked the idea of linear parks along the trails and bigger streets. She said all the time she had been on the City Council and lived here, these small parks had been built and they were a thorn in her side. She said her family lived two blocks away from a small park and her kids never asked to play there. Johnston said he had observed a lot of parks recently and there had been lots of kids playing at them. Tony Kohler suggested one of the problems was the distance to the big parks. Councilmember Hokanson thought small parks could be O.K. but she had seen very few. Johnston said it would be best to have the parks designed by a landscape architect. Mumford agreed and said that many parks had been an afterthought. Johnston said with this plan, all parks would have to be approved by the Council up front in the master planning. Whitchurch said parks should be interlocked so kids could go from one to another on bikes or walking. He said each park should be self controlling, which was to have housing all around so the residents could monitor what was happening at the park. Whitchurch said in this Zone, a park would not be designed but rather a park system would be designed.

Councilmember Bradshaw said he was raised here and the main attraction to this valley was to be able to have a large lot, have lots of room, get a horse, be able to grow something, etc. He asked if this valley was still attracting people from the big city and was the Council creating another city just like the one they came from. Johnston said in order to have a healthy city, it needed a wide variety of people and income levels and the City needed to provide appropriate housing for everyone.

Councilmember Bradshaw said Ranch Landing had to loosen their restrictions because they couldn't find people that were interested in living there. Tony Kohler said he would like to buy there, but there was only one housing product—three bedrooms and he needed four bedrooms. He thought with the variety of this product, it would be easier to fill.

Johnston said it was important to have diversity of housing types. He talked about 1300 South in Salt Lake City and suggested it was diverse with small homes, large homes, markets, retail, service stations, offices, etc. Councilmember Hokanson said she used to live in that neighborhood and suggested the Council had to be very thoughtful about this because she didn't want to create something that was unaffordable. She said she worried about affordability with this Zone. Whitchurch said the demand made the community successful and over time the value escalated.

Councilmember Hokanson asked about density. Johnston said there would be three units per acre and the largest lot would be 80' wide.

Councilmember Straddeck commented that while the Council had a lot of restrictions they also had a lot of latitude and once this Zone passed, he worried that the Council and staff would lose their ability to have any influence on what actually happened on the inside. Johnston said when zoned PCMU, a developer had only the right to bring a master plan before the City. Councilmember Straddeck said that didn't seem to be right. Whitchurch said once this was adopted, the developer had to come in with a master plan which included a master storm drainage plan, a parks, recreation and trails plan, a set of design guidelines that included the quality requirements etc. He suggested the Council would get a second pass at this after adoption of the Code simply because the developer had to come back, then, with the master plan. He said that didn't happen with developments in other zones because, once they were accepted, they moved forward without any further meetings with the Council. He suggested this zoning gave the City more control, not less. Whitchurch said this code was not perfect but gave the City more protection and tools to regulate quality than standard zones in the City and it maintains people's property rights. He suggested this also gave the City the right to protect what was in the best interest of the City.

Mumford said that their intent was to prepare the master plan as part of the annexation and the Council would have total leverage if the plan was associated with an annexation. Whitchurch said they were trying to create a community which appealed to property owners. Anderson said the Council had to decide what they wanted and suggested the City had been proactive with some of the zones they had accepted--MURCZ, Red Ledges, etc. He felt they had been aggressive in trying to create a balance of housing opportunities.

Councilmember Bradshaw said he did not like to see a highway with driveways every so often and thought this was a great approach and liked the concept of limited access--it was just something he had to get used to. He said he liked the concept of this plan. Councilmember Hokanson said she liked the concept, also; however, the Council needed to keep in mind that they needed to go through the PCMU Zone proposal and decide what they liked and what they didn't like. Councilmember Straddeck said it would be helpful to have more work sessions. Whitchurch said the Planning Commission did just what Councilmember Straddeck was suggesting. Councilmember Bradshaw said he was on the Planning Commission during part of their study. He said they had also taken a field trip at some point and he indicated he would like to see a real development such as the Daybreak Community in Salt Lake City. He did not think that project was as strong as this proposed code, but it was still a good example. Councilmember Hokanson wanted to do some fieldtrips, as well, and said she had some particular ideas. She suggested this Zone needed to improve on what the City had and it needed to have a sensible design—she wanted to do this right and had several concerns. Whitchurch suggested she write down her questions and then he could show her in the code where those concerns were addressed.

Johnston asked Councilmember Straddeck if there were particular areas he had questions about. He answered not yet as he had not thoroughly gone through the proposal. Whitchurch said if the Councilmembers had questions when reading through the proposal, they could call him and then

when they got back to the Council meetings, there would be better communication. He suggested the proposal was a very thorough, thought-through document. Councilmember Straddeck said he would like to break up the proposed code into sections and have a work session on one section at a time so the Council could come prepared for that particular section. Councilmember Bradshaw said he would like to have a fieldtrip before that process started. Whitchurch said he had found the best way to understand this code was to blitz through it once, and then go back and address questions.

There was discussion about time frames, pending annexations, etc.

Andrew King of RBI spoke and suggested using technology to the advantage by communicating via e-mail and/or phone with individual questions and then the next meeting could be more productive.

Jeff Danley, a property owner, indicated the Planning Commission had gone through similar feelings/concerns when they started looking at this. They had two work sessions where they just answered questions. Then they had sessions where they went through the code line-by-line.

Tom Andra, a property owner, expressed his interest and in this code.

The Council agreed to start the field trip around 4:00 p.m. and they would determine the day during Thursday night's meeting. They considered having a couple more meetings like this.

The meeting adjourned at 7:45 p.m.

Paulette Thurber, City Recorder