NEXT

HIGHLAND CITY

HIGHLAND CITY COUNCIL AGENDA

Tuesday, August 3, 2021

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

VIRTUAL PARTICIPATION

YouTube Live: http://bit.ly/HC-youtube

Zoom: Call 1-346-248-7799 Meeting ID: 850 9265 9069

Email comments prior to meeting: council@highlandcity.org

7:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann
Invocation – Council Member Brittney P. Bills
Pledge of Allegiance – Mayor Rod Mann

1. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

2. CONSENT ITEMS *(5 minutes)*

Items on the consent agenda are of a routine nature or have been previously studied by the City Council. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. **Approval of Meeting Minutes** *Administrative*
Regular City Council Meeting – July 6, 2021

b. **RESOLUTION: Approval for Surplus and Disposal of Personal Public Property and Equipment** *Administrative*
The City Council will consider a request to surplus two trucks from the Highland City Public Works fleet. The Council will take appropriate action.

c. **CONTRACT: Change Order to the 2021 Road Rehabilitation Contract with Black Forest Paving** *Administrative*
The City Council will consider a request to approve a change order to the 2021 Road Rehabilitation contract with Black Forest Paving to add the reconstruction of approximately 1,000 feet of Canal Boulevard and authorize the City Administrator and City Recorder to execute the necessary contract documents for the project. The Council will take appropriate action.

d. **ACTION: Condominium Plat - Sunset Mountain Plat F** *Administrative*
The City Council will consider a request by Patterson Development for condominium plat approval for three office buildings in Highland Business Park located at approximately 11235 N Highland Blvd. The City Council will take appropriate action.

3. **PUBLIC HEARING AND ORDINANCE: SITE PLAN AND CONDITIONAL USE PERMIT – HIGHLAND BUSINESS PARK – BUILDING 'C'** *Administrative*
The City Council will hold a public hearing to consider a request by Patterson Development for a Site Plan and Conditional Use Permit for a general office building located at approximately 11235 N Highland Blvd. The City Council will take appropriate action.

4. **PUBLIC HEARING: DISPOSAL OF PUBLIC PROPERTY** *Legislative*
The City Council will hold a public hearing to dispose of 38,736 square feet of publicly owned property in the Pebble Lane Estates subdivision not needed for right of way for Canal Boulevard. The property will be sold for residential use. The Council will take appropriate action.

5. **PLAT AMENDMENT: PEBBLE LANE ESTATES PLAT B** *Administrative*
The City Council will consider a request by Highland City to amend Pebble Lane Estates subdivision to adjust the property lines of lots 1 and 4. The City Council will take appropriate action.

6. **RESOLUTION: PLACING RECREATION, ARTS, AND PARK TAX ON 2021 MUNICIPAL BALLOT** *Administrative*
The City Council will consider whether or not to place a question to implement a Recreation, Arts, and Parks (RAP) Tax on the 2021 General Municipal Ballot. The Council will take appropriate action.

7. **MINOR SUBDIVISION FINAL PLAT: CHASE SUBDIVISION** *Administrative*
The City Council will consider a request by Millhaven Development for approval of a proposed 1-lot subdivision located at approximately 6418 West 10250 North. The City Council will take appropriate action.

8. **PLAT AMENDMENT: THE HOLLOW SUBDIVISION** *Administrative*
The City Council will consider a request by Millhaven Development to amend The Hollow Subdivision to add a total of approximately 1.53 acres of property to the backs of lots 20, 21, 24, and 31. The City Council will take appropriate action.

9. **DISCUSSION: AMERICAN RESCUE PLAN ACT (ARPA) FUNDING** *Administrative*
Staff is requesting that the City Council review American Rescue Plan Act (ARPA) funding and its allocation, including the potential to receive matching funds from the State of Utah. This item is being presented for discussion and direction only.

10. **MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS**
The City Council may discuss and receive updates on City events, projects, and issues from the Mayor, City Council members, and city staff. Topics discussed will be informational only. No final action will be taken on communication items.

a. Garbage Cans and Doggie Bags in City Parks – *Council Members Kim Rodela and Brittney P. Bills*

b. Future Meetings

- August 17, City Council Meeting, 7:00 pm, City Hall
- August 24, Board of Canvassers Meeting, 6:00 pm, City Hall
- August 24, Planning Commission Meeting, 7:00 pm, City Hall
- September 7, City Council Meeting, 7:00 pm, City Hall
- September 8, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- September 21, City Council Meeting, 7:00 pm, City Hall
- September 28, Planning Commission Meeting, 7:00 pm, City Hall

ADJOURNMENT

In accordance with Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at (801) 772-4505 at least three days in advance of the meeting.

ELECTRONIC PARTICIPATION
Members of the City Council may participate electronically via telephone, Skype, or other electronic means during this meeting.

CERTIFICATE OF POSTING
I, Stephannie Cottle, the duly appointed City Recorder, certify that the foregoing agenda was posted at the principal office of the public body, at the Lone Peak Fire Station and Lone Peak Police Station, on the Utah State website (http://pmn.utah.gov), and on Highland City's website (www.highlandcity.org).

Please note the order of agenda items are subject to change in order to accommodate the needs of the City Council, staff and the public.

Posted and dated this agenda on the 29th day of July, 2021. **Stephannie Cottle, City Recorder**

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.

HIGHLAND CITY

HIGHLAND CITY COUNCIL MINUTES

Tuesday, July 6, 2021

Waiting Formal Approval

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

VIRTUAL PARTICIPATION

YouTube Live: http://bit.ly/HC-youtube

Zoom: Call 1-346-248-7799 Meeting ID: 853 0302 1178

Email comments prior to meeting: council@highlandCity.org

PRESIDING: Mayor Rod Mann

COUNCIL MEMBERS PRESENT: Timothy A. Ball, Brittney P. Bills, Kurt Ostler, Kim Rodela, Scott L. Smith

CITY STAFF PRESENT: City Administrator/Community Development Director Nathan Crane, City Attorney Rob Patterson, City Recorder Stephannie Cottle, City Engineer Andy Spencer, Fire Chief Brian Patten, Public Works Administrative Assistant JoAnn Scott.

OTHERS PRESENT: Jon Hart, Joyce Pritchard, Nick Cumisker, Travis Quinn, Steven Tew, Kathy Harding, Scott Bishop, Rob Hartshorn, Stan Lockhart, Jerry Abbott, Lynn Oldham, Colby Gibson, Sarah Petersen, Craig Shields

6:00 PM WORK SESSION – DR HORTON

Mayor Rod Mann called the meeting to order as a work session at 6:06 p.m. The meeting agenda was posted on the Utah State Public Meeting Website at least 24 hours prior to the meeting.

Council Member Ostler disclosed that DR Horton had made an offer a few months prior on a property that he owned. Because there had not been a purchase agreement and they were not actively negotiating, he did not see a conflict of interest.

Scott Bishop, a representative for DR Horton, voiced appreciation to the Mayor, Council, and staff for the time they spent meeting with DR Horton and answering their questions. He asked if everyone was familiar with where they were in the process with their development project.

Mayor Mann stated that he believed everyone was familiar and added that last week the Lehi City Council approved the area plan that included the concept plan being reviewed for the northeast area. In addition, DR Horton had submitted an annexation request with Lehi, but the item was not yet on the agenda for further action.

He said that one of his questions for DR Horton was how the project would work in creating a divided community that wasn't connected to Lehi through roads. He wanted to know Mr. Bishop's thoughts on creating a divided versus unified community.

Mr. Bishop said that DR Horton had purchased 1300 acres. He said that they were currently amending the area plan which was already approved and included ~700 acres. There were an additional 800 acres that fell within Draper. He said that DR Horton hoped to be able to annex all of the property into Lehi so that the entire community could be connected.

Mayor Mann asked Mr. Bishop if DR Horton had rights to build an east-west road.

Mr. Bishop said that at present they had not negotiated with the other cities to be able to create the road. They did have some verbal agreements with Micron and Texas Instruments that could allow them to create a connecting road. He continued to explain that the concept plan of the area amendment was approved at Lehi's City Council meeting the previous week. An additional section was approved conceptually if they were able to successfully annex that portion of property into Lehi. He explained that the concept plan that was approved had moved the higher density development even further away from Highland and instead put some estate and half acre lots surrounding Highland residents. In regard to pods, the active adult area was about 39 acres of land with 249 units. The estate style lots, a half-acre in size, filled 45 acres with 77 lots. The Emerald Homes, built on ⅓ acre properties, covered 36 acres with 95 units, about 2.7 units per acre. The DR Horton Plus housing fell on 40 acres of land with 174 units. Through the agreement with Lehi, DR Horton was tied to that number of lots, 597. This was included in the approval motion: no more than 597 units could be built.

Council Member Rodela asked the units per acre for the Horton Plus homes. Mr. Bishop said that it was about four units per acre. Council Member Rodela asked if those were townhomes, condos, or single-family. Mr. Bishop said that they were all single-family. He said that the only place where there might be some twin homes would be in the active adult area.

Mayor Mann asked about how many units per acre there would be in the active adult area. Mr. Bishop said about six units an acre. He said that DR Horton's intention had always been to annex into Lehi. He said that part of the motivation for this was that when they had purchased the land they already had approvals through Lehi. Because of this, they had never really thought about annexing into Highland.

Council Member Ostler outlined some history of the piece of land and talked about the 1999 agreement. He said that prior to the 1999 agreement, the property was purchased by Micron. Conversations started between Micron, Lehi and Highland and there were 109 acres that were supposed to come to Highland in the 1999 agreement. He claimed that when the property ownership transitioned from Micron to DR Horton, they either didn't do their due diligence to look at previous agreements, or must have known that those 109 acres were intended to be annexed into Highland. He said that those acres were included in Highland's general plan.

Mr. Bishop said that he didn't know about the 1999 agreement. He said that he appreciated that Council Member Ostler had asked if he was being honest with the Council. He said that he didn't know. He did admit that DR Horton could have done a better job at doing their due diligence at the very beginning, but as they worked through the plans, they got approvals through Lehi. He felt that in Lehi's mind, because they had received a letter from Highland saying that some of the property could have been annexed, they didn't see a problem. He continued that when DR Horton submitted their annexation application, Lehi had paused to say that it was different than the agreement and instructed DR Horton to work with Highland.

Council Member Ostler then brought up a 2014 letter from Highland that requested ½ acre lots on the 109 acres. He asked if it was DR Horton's plan to honor that letter.

Mr. Bishop said that Lehi had requested the ½ acre lots. After this, DR Horton agreed to use that density in the 109 acre area and to shift the location of the higher density areas to other parts of the property. At that point DR Horton decided to talk to Highland to see if they could work together with the cities.

Council Member Smith said that his opinion of the 2014 agreement that was signed by the mayor was never done after a vote by the Council with a formal motion. Because of this, he did not think that it was a legal agreement. He said that he thought that Highland really liked the 1999 agreement that allowed for the annexation of the west side of Dry Creek Lake. He said that he had not talked to one person in Highland who thought that it was a good idea for this development to go into Lehi. He said that until DR Horton got all of the property annexed from Draper, there was not going to be connections. This would mean that all of the traffic from the new development would come onto Highland roads and would be nothing but trouble in the long term for Highland residents. Because of his efforts to maintain Highland's boundaries, he would like to see the 109 acres stay in Highland. He noted that because DR Horton was a big company, he felt that it was possible for them to work with two different cities. He said that he was not on the Council to help developers make money, but was here to represent the citizens of Highland. He asked Mr. Bishop to consider annexing into Highland. He said that he was going to fight the annexation into Lehi and hoped that other members of the Council would stand up and do the same. He said that he knew that of the candidates running for City Council, four lived in the area and were not going to support the annexation.

Mr. Bishop said that DR Horton said that he understood and that throughout the process, Council Member Smith's opinion had been made known more and more to DR Horton. He said that they had tried to look carefully and objectively. He said that while he heard that Highland residents and the Council want the subject property to be in Highland, DR Horton did not want the property to be in Highland.

Council Member Ostler said that although he recognized that DR Horton wanted to annex into Lehi, it was known when DR Horton bought the property that the 109 acres were supposed to be in Highland. This created a certain expectation. He said that while DR Horton had sent a letter from their attorney that stated that the 1999 agreement was not binding for a future Council that various entities had asked Highland to abide by the 1999 agreement just two years ago in regard to Dry Creek. He said that Lehi sure liked Highland to be good neighbors and move Highland's boundaries. He was having a problem that the 1999 agreement would not be honored now.

Mr. Bishop said that he didn't know if now was the time was to get into the various agreements because how they would be applied would probably come down to how the attorneys interpreted them. That said, he believed that Lehi felt that the agreement was in full force until DR Horton sent the recent letter to them.

Council Member Ostler said that it was his understanding that when an annexation request came in, the Council had the ability to say yes or no to the request. He also said that Highland's agreement was not with DR Horton, it was with Lehi City.

Mr. Bishop wanted to be clear that it was not DR Horton's intention to put Highland and Lehi cities in an adversarial position. Both Council Member Ostler and Smith were upset and said that was exactly what DR Horton was doing. Mr. Bishop said that he felt it was the Council Members' choice on how they took the situation. He said that DR Horton's position was that they couldn't wait for each City to decide. They had to move forward. Council Member Ostler said that DR Horton's impatience made them have to fight with their neighbor, Lehi City. Mayor Mann cautioned the Council to not make the discussion personal.

Council Member Smith interjected that the plan they had been given was very similar to all of the plans they had already seen; it was high density and was going to cause Highland problems in the long run. He said that no one

in Highland was going to be happy with this and he wanted to find a better solution. He said that it was not going to work to have the property annexed into Lehi.

Mr. Bishop said that they felt that the development would work best if the property was all in one City. Council Member Ostler said that as a Council they have to think about the impacts of the long-term benefits and consequences when a developer develops within the City. He said that one of the concerns he saw with this development was that it was an island outside of Lehi that bordered all of Highland. There was not a road that connected back to Lehi. He said that based on boundaries residents in this development would probably go to Highland schools and churches. He also said that he did not feel as though the development plans fit with the desired feel of Highland. He understood that the proposal was probably best for DR Horton financially, but it did not fit with the community.

Mr. Bishop said that he understood those concerns and that he felt that DR Horton had tried to talk with the Council about them. He stated that DR Horton had listened and that they have tried to adjust and make changes. Time, however, had continued to pass. He said that he knew that it was not Highland's problem that DR Horton was impatient and needed to move forward. However, the reality for DR Horton was that they did need to move forward. He said that when looking at the costs and risks, there was no good reason to have the development in multiple cities.

Council Member Ostler said that he wanted to understand DR Horton's decision better. He asked if there was a cost difference to develop in Highland versus Lehi. Was there a property value difference? Mr. Bishop said that the developmental cost would be $7-8 million dollars higher to develop in Highland as opposed to Lehi. He said that the cost wasn't DR Horton's number one concern; it was the risk and the issue of needing to take so many steps back and start the process over from the beginning for re-approvals and the impact incorporating another City would have on the area plan that had already been approved.

Council Member Ostler spoke about how he didn't think that Highland should have to give up property to solve Lehi's density problem. Mr. Bishop interjected and told Council Member Ostler that he had forgotten that Highland had already agreed to let Lehi take that land.

Council Member Smith said that it was a letter from the mayor, not from the Council. He said that is something that was not approved by the Council and it was not a legal agreement. There was never a vote. He then brought up that they were in the middle of a drought. He said that his daughter lived in Lehi in a high-density area and that their neighborhood was now restricted to watering only two days a week. He said that the density proposed in the new development was nearly half of the total density of Highland in a much smaller area. He said that he was concerned that as they increased densities and strained resources even more, that they would not have the utilities and resources to support the new development.

Mr. Bishop said that he didn't think that there would be much of a difference in regard to solving the water problem if the development was in Lehi or Highland. He said that it would be interesting to know who uses more water: those who have a ¾ acre lot with all the lawn, or higher density areas. He said that DR Horton was here to try and listen and learn. However, it sounded like they were at an impasse. He said that DR Horton was going to continue to move forward and do its best. He said that if the Council had other thoughts about what DR Horton could do, he'd be happy to take emails and phone calls. He said that he didn't think that they were doing anything productive. He hoped that they could get some collaboration, but they would just keep moving forward.

Tim Ball arrived at 6:17 pm.

Mayor Mann asked Mr. Bishop if all of the parks were HOA supported or if some would be City maintained. Mr. Bishop said that some would be City maintained. He said that in the 109 acres there would be a 50-50 split.

Council Member Rodela said that she appreciated Mr. Bishop coming out to speak and work with the Council. She said that she knew that the plan had changed and acknowledged that she saw lower densities. She liked the addition of the active adult housing and that it was something that Highland lacked. She was still curious to get the numbers from staff on the cost benefit analysis of having the development in Highland versus Lehi. She said that she wanted more information on what Highland's financial responsibility would be and how it would affect the City and the budget. Just because there was additional residential development in Highland did not necessarily mean that the City was making money off of the development. She expressed her appreciation again and said that she saw good things in the plan and did see opportunities for Highland and DR Horton to work together.

Council Member Ball said that he completely agreed with Council Member Ostler and Council Member Smith. He said that he did not like when individuals and cities take advantage of agreements when it benefits them. He was really concerned about the infrastructure. He said that water was already such a problem and worried that by adding the massive development that the problem would just be exacerbated. He was also really concerned about traffic. He said that 1,500 units meant that there would be an additional 3,000 cars.

Mr. Bishop said that there would only be 597 units on this side. Council Member Ball corrected his statement and said that there would be 1,000 additional vehicles. He said that it seemed that SR92 and Highland Boulevard were already almost at failure. He said that he did not understand why Highland should take on the infrastructure burden while Lehi received the development benefits. He recognized that Mr. Bishop was standing up in front of the Council and receiving their questions and criticism and that he appreciated that.

Council Member Smith apologized if he came off as confrontational. He said that he felt strongly about protecting Highland's borders. He asked how many acres of proposed parks there were. Mr. Bishop said that he did not know how many acres there were proposed on the Highland side and said that it was just a concept plan at this point. Mayor Mann said there were 189 acres pictured, or roughly 20%.

Council Member Smith said that the mayor had asked about the ratio of parks that would be maintained by HOAs versus the cities. He asked how the area would be irrigated and maintained.

Mr. Bishop said that a good portion of the parks and landscaping would be left native and natural. As the developer they would just be adding trails and amenities.

Mayor Mann asked if internal elements such as the clubhouse, pools and pickleball courts would be included in those amenities. Mr. Bishop said yes. Council Member Smith asked if they had any idea how big the clubhouse would be. Mr. Bishop said no.

Council Member Ostler asked about if there would be clubhouses for both the Active Adult and Horton Plus areas. Mr. Bishop said that each area would have its own amenities and HOA. He said that there would be two HOAs: One for the active adults and one for the rest of the development. He said that this was the plan right now, but that they were still very early in the concept stage.

Mayor Mann asked about roads. He said that it was almost certain that some sort of signal would be required at 11800. Mr. Bishop said that DR Horton was already engaged in a traffic study to make sure that they knew what improvements would be needed to keep the roads safe if the development went in.

Council Member Ostler said that he had seen several different plans. He said that residents were appreciative of the estate properties that would fall along Highland's border. He noticed on the most current plan that a road

would follow the backyards of the Dry Creek Estates. He asked how much of a gap there would be between the back of these property lines and the road.

Mr. Bishop said that DR Horton's thought was that they would match the profile of 11800 as it continued east. He said that he didn't know the distancing exactly, but it was the plan to create some sort of buffer between residents' fence and the sidewalk.

Council Member Ostler asked Mr. Bishop what he thought the Highland City Council needed to know about the proposed plan. Mr. Bishop said that he had come to listen to Highland's thoughts and concerns. He also wanted to let the Council know that as DR Horton had looked objectively at the project that there were no reasons to make them want to be in Highland. Because of this, it was DR Horton's choice to move forward with annexation into Lehi.

Council Member Ostler asked if Lehi had given any indication (a written notice) that they would accept the annexation. Mayor Mann told the Council that he had heard from Mayor Johnson that he and his Council were going to accept the annexation.

Mr. Bishop said that DR Horton had just submitted the application. He said that at Lehi City's request, they waited to submit the application to try and work through the agreements.

Council Member Ostler said that one of the things that he loved about Highland was its parkway detail. Roads did not butt right up against properties. He asked if DR Horton intended to continue that. Mr. Bishop said yes. He said that regardless of where the development goes, DR Horton was still going to have to work with Highland City on projects like Highland Boulevard. They also intended to work on the necessary improvements that came out of the traffic study. Council Member Ostler said that in the past the plan was for DR Horton to pull sewer all the way from SR92 as opposed to along Highland Boulevard. He asked if this was still the plan. Mr. Bishop said yes; Highland did not have the ability to take the sewer from the development. Mayor Mann said that it was a TSSD line.

Council Member Ostler then asked about the development's pressurized irrigation (PI). He asked if they knew where they were going to connect for their pressurized irrigation. Would it be the Murdock Canal, Dry Creek Lake, etc. Mr. Bishop said DR Horton had a few different options and their water engineers were still vetting these options. He said that they would have to build a Lehi City PI holding pond or tank. These things would have to be done either way, but if DR Horton came into Highland there were some things that they would have to do twice.

Council Member Smith said that Mr. Bishop had talked about a traffic signal by the church and that there were three different connections on the current plan with Highland Boulevard. He asked if there would be other lights installed, specifically the connection to the north close to Draper.

Mr. Bishop said that they currently had a traffic study being done. Once this was complete, they would look at the findings and make determinations on improvement. He said that he would be happy to share those findings with Highland.

Council Member Smith asked who would pay for the lights when Highland Boulevard was not a state road. Mr. Bishop said that he didn't want to make any commitments now, but that DR Horton would work with Highland City. He said that typically what would happen was DR Horton would pay their pro-rata share of improvements for intersections based on the impacts of the development. He said again that they were very early in the concept stages. He said that it felt like he was being asked to make a lot of commitments as to what DR Horton was going to do and pay for. He said that he didn't have an answer to those questions.

Council Member Ostler stated again that Highland wanted the development in Highland. If that didn't happen and it moved to Lehi, one of the concerns was that what was being presented was just a concept plan that could be changed and moved around potentially changing densities. He asked if there was a way to create an assurance to lock in the densities for Highland residents.

Mr. Bishop said that the only assurance that he could give the Council was that they would only put 597 units in. He said that it was DR Horton's intent to follow the plan. He said that they have made changes to the plan that do cost DR Horton money.

Council Member Smith asked if DR Horton had any communication with the LDS Church on a possible church in that area. He said that Highland was working with the Church to put another church in the Boyer development which was as large as the DR Horton development. The Church said that they did not want to put in another location because it would mess with the wards. He noted that a church was included in the concept plan, something that he and other Highland residents thought was nice, but wanted to verify that they did not have a commitment from the Church. Mr. Bishop said that there was not a commitment from the Church. However, they assumed that the LDS Church was going to need a building with the addition of 600 homes.

Council Member Bills said that like Council Member Rodela, she appreciated that Mr. Bishop came before the Council. However, she also shared the concerns of Council Member Smith and Ostler. She said that if anyone looked around Highland there was the area to the north that was going to be developed and the Boyer development on the south that showed that Highland was getting pinched from all sides. Because of this, she hoped that Mr. Bishop could understand wanting the development for Highland's residents. She said that she heard Mr. Bishop say that he felt as though the Council was asking for a lot of specific commitments that he didn't think he could give. She said that she wanted for Mr. Bishop to understand that when he came in and told the Council that DR Horton wanted to be in Lehi that it put the Council on the defensive of wanting to influence for Highland however they could. Mr. Bishop said that he understood the position and desires of Highland. Council Member Smith said that Highland had to protect its boundaries.

Meeting adjourned at 6:50 pm.

7:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann
Invocation – Mayor Rod Mann
Pledge of Allegiance – Council Member Kim Rodela

The meeting was called to order by Mayor Rod Mann as a regular session at 7:10 pm. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Mayor Rod Mann and those in attendance were led in the Pledge of Allegiance by Council Member Kim Rodela.

1. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

Craig Shields (Pheasant Hollow Resident):

Mr. Shields said that he lived exactly across the wall from the new road and that his wife presented four weeks ago about how nothing had been done on that side. He wanted to report that the City was doing well with the

DRAFT

weeds. However, there were other problems that were not being dealt with that frustrated the residents. He would appreciate it if something could get done there.

Andy Spencer, City Engineer, said that he had met the previous week with the contractors to look at the property. He said that the contractors were moving forward with getting the retention basin finished with landscaped rock. He said that he also talked with them about cleaning out the lots a little better. He said that he knew that the process was not fast, but that the wheels were in motion. He said that he had spoken with Ms. Shields about her preferences for fencing style and color to go around the retention basin. He was waiting to hear back from the contractor with an estimate because that expense was not included in the contract.

Council Member Ostler said that if anyone in the neighborhood had suffered from the construction of the road it was the Shields. He said that he appreciated any efforts made by the City to mitigate some of the issues. He then asked about the plan for the empty lots near where the rocking was being done.

Lynn Oldham:

Ms. Oldham spoke about the Micron area plan that was discussed during the work session. She said that she lived on the very tip of Highland and would be very effected by the entire development. She said that she appreciated the comments of the Council because it showed that they had listened to residents' comments and concerns. After hearing that DR Horton could not offer a binding contract and ensure that the development would stay as planned, she had a lot of concerns as a resident. It made her feel helpless. If the development went into Lehi, it felt like the development would be completely out of residents' control. She said that it was her understanding that of the 189 acres, only 27 of them originally fell in Lehi. She said that she understood that the land belonged to the State of Utah, not Highland. However, if there was a way to keep the property in Highland that would be best for residents because it would use Highland's roads, schools, and utilities. She recognized that all of these were points made in the work session by the Council. She said that she was concerned because Lehi had stated that they do not represent Highland residents.

Travis Quinn (Dry Creek Resident):

Mr. Quinn said that his back fence butted up against the new road for the Micron plan. He said that he understood DR Horton's position that they cannot commit to a concept plan. He wanted to ask if Highland and DR Horton could work out a compromise to get something as legally binding as possible to hold the current plan. He said that he appreciated that the plan had changed to listen to Highland residents' concerns about density. He wondered if in a trade for annexation, that seemed highly likely, if DR Horton would work with Highland to get something that was legally binding as possible to establish lot lines and the densities that could occur in different areas of the development.

Steven Tew (Dry Creek Resident):

Mr. Tew said that he hoped that the Council would pursue any influence, be it annexation into Highland or a binding agreement if the area was annexed into Lehi, to ensure that the most recent plan would be honored. He then recognized that while development is a good thing and that he ended up in Highland because of development. Then he also asked the Council that they be mindful of those down the road when allowing development so that those who have already made Highland their home did not get squished out.

Joyce Pritchard (Dry Creek Resident):

Ms. Pritchard said that her backyard faced east, directly on Lehi's current property. She said that she appreciated DR Horton coming together with residents and modifying their plan. She said that she liked the current plan best

of all including features such as the buffer and the proposed trail that would fall behind her house. She said that as long as DR Horton stuck with the plan she was in support of the development. She wanted to echo what had been previously said about wanting the current plan honored. She appreciated the Council fighting for residents and keeping their interest in mind.

Mayor Mann commented on the trail access. He said that it was dependent upon a Highland resident or two being willing to accept a trail easement on their property line. DR Horton could not make that happen.

Ms. Pritchard said that the Hinckley family was open to having trail access between him and the Muirs. However, since the initial discussions, no one had approached him about anything.

Jerry Abbott:

Mr. Abbot said that he had worked with Boyd in the past. He knew that DR Horton could be a good group to work with. He said that he was mostly interested in how they were able to connect the island of the development over to the other side. He said that he knew that DR Horton had talked about their project being able to expand with Draper. He said that if there were ways that Highland could help them get that connection that would be good because otherwise all of that traffic would come onto Highland Boulevard. He recognized that because the traffic study was in progress, they did not know the full impacts of the development. He said that a critical part of the development was the connectivity to create another way for people to get out of the development. He also asked if the Council could work with Lehi to get some assurance that they were going to hold DR Horton to the concept plan.

2. CONSENT ITEMS *(5 minutes)*

Items on the consent agenda are of a routine nature or have been previously studied by the City Council. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. APPROVAL OF MEETING MINUTES *Administrative*
Regular City Council Meeting – June 1, 2021

b. REDUCING THE SIZE OF THE LIBRARY BOARD *Administrative*
City Council will consider a recommendation from the Library Board to reduce the number of Board seats to seven. The Council will take appropriate action.

c. AGREEMENT: WORKMAN FARMS, LLC UTILITY EASEMENT *Legislative*
The City Council will consider a request for an agreement with Workman Farms, LLC for a perpetual utility easement to facilitate the construction of the Victor View Gravity Sewer line project. The Council will take appropriate action.

Council Member Ostler asked to recuse himself from item 2c as the easement would directly benefit the neighborhood that he lived in. Council Member Smith pulled item 2c.

Council Member Kurt Ostler MOVED that the City Council approve consent items 2a, b

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball Yes

Council Member Brittney P. Bills *Yes*
Council Member Kurt Ostler *Yes*
Council Member Kim Rodela *Yes*
Council Member Scott L. Smith *Yes*

The motion passed 5:0.

The Council discussed item 2c. Council Member Smith said that he supported this item. However, he wanted to know more about Workman's connecting into the sewer line in the future. He also wondered how many sewer connections were being given as a part of the easement.

Mr. Spencer said that the intent of the connection was to assure Workman Farms that they had multiple options for sewers. The figure provides four different options. He said that the agreement did not give them free sewer connections, but simply guaranteed that they would have a sewer connection. They would have had a sewer connection anyway, but this agreement gave them some peace of mind that they would have different options despite some limiting topography of the area.

Council Member Scott L. Smith MOVED that the City Council approve consent item 2c concerning the agreement with Workman Farms utility easement. Council Member Brittney P. Bills SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball *Yes*
Council Member Brittney P. Bills *Yes*
Council Member Kurt Ostler *Abstain*
Council Member Kim Rodela *Yes*
Council Member Scott L. Smith *Yes*

The motion passed 4:0.

3. PUBLIC HEARING/ORDINANCE: TEXT AMENDMENT – ACCESSORY DWELLING UNITS *Legislative*

The City Council will hold a public hearing to consider a request by Highland City Staff to amend Section 3-624 Accessory Dwelling Unit to be consistent with House Bill 82. The City Council will take appropriate action.

Rob Patterson, City Attorney, said that this was a text amendment to the City's development code regarding Accessory Dwelling Units (ADUs). The item was part of a series of three text amendments responding to changes in the state code that resulted from the adoption of HB82 during the previous legislative session. These changes would align Highland City's code with that of the state that would become law in October.

Highland had already had an ordinance on ADUs that mostly complied with state code. The number of required parking spaces associated with ADUs had to be reduce from the two required in Highland's code, to one to match state code. However, state code did allow Highland to place more restrictions and enforcement into its code including lot size and sewer restrictions, as well as record notices and liens on properties that were not in compliance. Another big change that occurred state-wide were amendments to the state building code. This removed the requirement for a fire break between ADUs and the primary dwelling unit, as well as the requirement to have a separate HVAC and ventilation system.

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In the code, an ADU was more clearly defined including that they have to be owner occupied and can only have long-term rentals of 30 days or more, excluding Airbnbs.

Council Member Ostler verified that the ADUs did not have to have separate utilities; they could be common to the home. Mr. Patterson said that was correct. They could prohibit multiple utility connections. In addition, the City could prohibit people modifying their homes to make the property look like a duplex. He said that the City could require a separate address or marker so that the Fire Department knew that there was another dwelling unit. He said that staff had gone through the appropriate noticing process and had received no comments. In addition, the Planning Commission had approved the ordinance with a recommendation of 5-0. Mr. Patterson also noticed that the legislature's goal for this bill was to create more low-income housing and to expand housing opportunities. He said that for the most part, Highland already mostly allowed this. The code was simply making changes to parking requirements and tightening up some enforcement options.

Council Member Smith noted that HB82 loosened a lot of the requirements Highland had on ADUs. He said that he was concerned about only needing to require one off-street parking space. Most couples had two cars. He felt that they would be putting a lot of cars on the streets creating problems when Highland got snow. In addition to this safety issue, apart from hiring an enforcement officer, how did they expect to enforce that the dwellings needed to be owner occupied.

Mr. Patterson said that was a great question. He said that enforcement was always a problem. Most enforcement in Highland was based on complaints. He said that one thing that HB82 allowed was for the City to record notices on an owner's chain of title to force owners to comply. The City could impose a lien on a property that was out of compliance. He said that there probably were illegal accessory dwelling units in Highland, as there probably were in every City. In regard to parking, because the one space was required by state law, there wasn't more that Highland could do. He agreed that this would be a problem.

Council Member Smith asked if there was anything in the state legislation that prohibited Highland from requiring a property that had a primary dwelling and ADU to have two garbage cans. Mr. Patterson said that they could. He said that nothing prohibited that. The legislation gave Highland the ability to prohibit additional utility connections. For garbage, the ordinance could require a second garbage can and that the full rate be paid if it was for an ADU if the Council wanted to go that direction.

Council Member Rodela said that she followed this bill when it was in the legislature and she knew that there was the possibility that Highland as a City would not be able to require the two parking spaces. She said that as a City Council this was an area that they needed to let their representatives know that this was something that they did not agree with. She said that if there was state legislation going on that they as a City did not agree with, it was their responsibility, and that of residents, to reach out to representatives. In regard to enforcement, she hoped that this was an area that the new part-time enforcement officer could really look into. There were many instances of non-permitted ADUs.

Mr. Patterson wanted to correct what he said. He explained that the bill said that the City could not impose requirements or restrictions on the construction of ADUs, except with the list of items provided in the bill. He said that requiring a second parking space seemed like a requirement above and beyond what was outlined in the bill. He felt like if Highland did this, they would be on less clear legal ground.

Council Member Ostler said that this was the one item during the past legislative session that the Utah League of Cities was trying to get cities engaged in because they were arguing for modifications to the original bill. He said that he felt like the biggest impact was the change in the parking requirement.

Mr. Patterson reiterated that very little change was occurring to Highland's approach to ADUs. There would be clarification to what constitutes ADUs, the modification to the parking requirement, and the addition of means of enforcement.

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Council Member Ostler said that he appreciated Council Member Rodela working on this along with representative Brady Brammer. He said that Highland's representatives did listen to the Council. He said that the law would add a required permit process, but the rest already followed the code. He then brought up that Utah Code used to require that those living in a home be related. That requirement was removed when HB82 passed. He asked if it was up to four residents.

Mr. Patterson said that any dwelling unit allows a family to live in it. By code, a family is any number of related persons by blood, marriage, or adoption, or up to four unrelated persons. That applies to both the main unit and the accessory unit. He continued that four college students could live in an accessory dwelling unit so long as there was space for them. He said that square footage to occupancy requirements were actually pretty low, so he assumed most ADUs would clear that standard.

Council Member Bills said that they were seeing a pattern of the state micromanaging what cities do. She said that she felt that as a Council they needed to be careful and pay attention to that. She said that she had kept a list of issues the Council talked about where they had to consider state regulations. She said there were three items on the tonight's meeting agenda where they had to consider state regulations. Some of these issues included how the City could run elections and the discussion around fireworks.

Mr. Patterson said that Highland was one of a couple hundred plus municipalities in Utah. The City was subject to the rules that the state legislature created for cities that were not Highland, but that applied equally across the state.

Council Member Smith said that he agreed with Council Member Bills. He said that he felt that the Council had spent hours in the past working on ADUs and had created a good ordinance, and yet they were required to change things because of the state.

Mayor Mann opened the public hearing at 7:48 pm. There were no public comments. Mayor Mann closed the public hearing at 7:48 pm.

Council Member Kim Rodela MOVED that the City Council accept the findings and approve the proposed amendment to Section 3-624 Accessory Dwelling Unit. Council Member Kurt Ostler SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Kurt Ostler	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

4. PUBLIC HEARING/ORDINANCE: TEXT AMENDMENT – CONDITIONAL USE UPDATE *Legislative*

The City Council will hold a public hearing to consider a request by Highland City Staff to amend several sections in Chapter 4 Conditional Use Procedure in the Development Code to be consistent with House Bill 409. The City Council will take appropriate action.

Mr. Patterson said that this was the second of the three text amendments on the agenda. The item was related to conditional uses. HB409 was also adopted during the 2021 state legislative session. One of the topics that the

bill touched on was conditional uses. There were three types of uses: permitted, non-permitted, and conditional. HB409 amended the conditional use section and added one word, *objective.* The state code now reads:

A municipality may adopt a land use ordinance that includes conditional uses and provisions for conditional uses that require compliance with objective standards set forth in the amendment or an applicable ordinance.

The standards are later set forth in the state code:

A land use authority shall approve a conditional use if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.

In short, this means that conditional uses can be approved if the City can come up with reasonable conditions that are objective based on objective standards that are set forth in an ordinance to impose those conditions. Mr. Patterson explained that this was trying to address an issue in many cities, Highland included, where the code had general statements that allowed them to put conditions on conditional uses to benefit the health and welfare of the public, but those conditions were left quite general. To comply with the objective standard part, Highland needed to include a long list of factors that could be considered by both the Planning Commission and the City Council as it related to conditional uses. He continued that the new ordinance specifically states that if there is a standard not outlined by the City on a specific issue, Highland could import a standard outlined by the County, State, Federal Government, or generally applicable industry. He said that a matter that was important for the Council to be aware of was that the ordinance proposed, as requested, and recommended by the Planning Commission, that Highland eliminate the public hearing process that is currently required in the conditional use portion. Currently, conditional usages go through a public hearing at the Planning Commission who then issues a recommendation to both approval and to what conditions should be imposed on the proposal. Then, the item comes to the City Council, where there is no requirement for a public hearing, who considers the recommendation and then makes its decision. In reviewing the proposed conditional use, the ordinance specifies that both the Planning Commission and the City Council needs to review the long list of standards that can be applied to conditional uses after staff have taken a first crack at applying the standards. For approval, both the Planning Commission and the City Council would have to identify the harm that was being mitigated, explain why the condition was being imposed, and specify what the condition was. Mr. Patterson said that it sounded like a lot for conditional use and he felt that it was. Because of this, cities were leaning further and further away from conditional uses because it was easier to have an outline for a permitted use. One important consideration was that in reviewing and approving conditional uses, the City cannot deny the proposal because the adverse effects of the proposed use were not completely eliminated. The City could require substantial mitigation of harmful effects, but they cannot deny the proposal because those effects were not completely eliminated. The Planning Commission had held a public hearing on this item. No comments were received. The Planning Commission recommended approval 4-0.

Council Member Ostler said that sometimes conditional uses got the Planning Commission and the City Council in trouble because they approved a condition that did not meet the code. At one time, the City had talked about trying to restrict conditional uses. He asked if there was a way to help the City so that everything was not a conditional use.

Mr. Patterson said that the City had made a lot of steps towards tightening conditional uses. For example, in the R-140 residential zone, there was a list of permitted uses including items such as residential facilities for the elderly. Outlined in the code, however, there were factors that someone applying to have a residential home for the elderly had to meet to get the permitted use. That was the recommendation of staff to work towards in the future: eliminate all conditional uses and just make sure that factors were outlined that had to be met to allow various permitted uses. He noted that churches and schools were still based on conditional uses because they were needed in residential areas. The City was just still making the transition from conditional uses to permitted uses with standards.

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Council Member Smith said that HB409 had 2353 lines. He said that he was confused by the possibility of removing the public hearing part. He said that he went through HB409 and he could not find the suggestion to eliminate public hearings. He said that he appreciated the people who had served on the Planning Commission, but that he was concerned when City officials tried to limit public input. He felt that public hearings were an important part of any permitting process. He said that when he sits in public hearings, even contentious ones, he has learned a lot. In many ways, he had been willing to change his opinion because of public hearings. He felt that the City needed more public input, rather than less. He also felt as though as public officials that they needed to do a better job of letting people know what issues were under discussion. He was opposed to eliminating the public hearing portion because he felt that it was a part of the democratic process.

Council Member Rodela said that after the Council had a lengthy discussion about this issue, that they agreed that they wanted to keep the public hearing portion. As a whole she was fine making amendments to comply with the State, but wanted to keep in the public hearing process. Council Member Ostler agreed.

Mr. Patterson clarified that it seemed that it was the position of the Council to accept the amendment as proposed, with the exception of eliminating the removal of the public hearing process. Council Member Ostler asked Mr. Patterson if there was anything else he felt that the City should have focused on or paid attention to. He said that this was a big bill.

Mr. Patterson said that the major portion of the text amendment was a long list of factors for the City to consider. The other changes were adjustments to the language from outdated conditional uses that were allowed a few years ago, so that they were permitted uses with conditions and that both the Planning Commission and the City Council have to identify the reasoning for the conditions. He then reminded that at present the public hearing was only required by the Planning Commission. He asked if the Council wanted to leave it that way. Council Member Ostler clarified that meant that the public hearing would only happen at the Planning Commission and not at the City Council.

Mr. Patterson said that was the current process and that the notice had to go out 14 days prior to the public hearing. One recommendation from staff was to shorten the notice period. Nathan Crane, City Administrator, said that state law required 10 days notification for a public hearing. This is what the City did for most things now and would like to be consistent. Mayor Mann said that it made sense for the Planning Commission to have the public hearing even if the City Council didn't because they could vet proposals ahead of time and public input was important.

It was the opinion of the Council that there should definitely be a public hearing when proposals went before the Planning Commission and there should be the option to have a second public hearing at City Council meetings, especially if an issue was controversial.

Mr. Crane said that there needed to be a consistent process. The Council either needed to require the public hearing before both bodies, or not. Council Member Rodela said both. She said that you could not determine what was controversial or not. The rest of the Council agreed with her. Mayor Mann pointed out that this would mean that there would have to be two notices and this would have a cost to the City budget. Mr. Crane said that it would primarily be a cost to the developer; they pay for the envelopes and postage, but City staff put the notices together and send them out.

Mayor Mann opened the public hearing at 8:04 pm. There were no public comments. Mayor Mann closed the public hearing at 8:04 pm.

Council Member Kurt Ostler MOVED that the City Council accept the findings and approve the proposed amendment, adding that a public hearing be held at both Planning Commission and City Council, to several sections in Chapter 4 Conditional Use Procedure in the Development Code. Also, change the notice to 10 days before the public hearing, instead of 14 days. Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Kurt Ostler	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

5. PUBLIC HEARING/ORDINANCE: TEXT AMENDMENT – PARCEL BOUNDARY ADJUSTMENTS, LOT LINE ADJUSTMENTS, AND PLAT AMENDMENTS *Legislative*

The City Council will hold a public hearing to consider a request by Highland City Staff to amend several sections of the Development Code related to parcel boundary adjustments, lot line adjustments, and plat amendments to be consistent with House Bill 409. The City Council will take appropriate action.

Mr. Patterson said that this was the third, and final, text amendment to comply with changes to state law as a result of the 2021 legislative session. It pertained to parcel boundary adjustments, lot line adjustments, and plat amendments. This was one section of the lengthy HB409 that modified the process for adjusting recorded property descriptions and restrictions. He said that one of the issues cities had encountered was that the terms lot and parcel can be used interchangeably. The text amendment clarifies that a parcel is something that belongs to the county and is not recorded in a subdivision plat. People can adjust their parcels without City approval unless they have a house on it. Lots are anything within a recorded subdivision. Lot line adjustments go through subdivision plat amendments. He then displayed a chart that outlined the current process and what was proposed going forward to meet up with state law. He said that there was some confusion in Highland code regarding parcel and lot line adjustments. Those had overlapping processes, with a separate process for plat amendments. The suggestion was to have a section for parcels, a section for subdivision amendments that included lots and lot adjustments. Public hearings were not required in certain circumstances. If all of the property owners that would be affected by the change come in and have signed onto the change, a public hearing is not necessary because no one else's property was being affected. If a plat was trying to be adjusted that would affect an entire subdivision, but not all of the subdivision lot owners have signed on to the request, then a public hearing had to be held to get everyone's input before the Council could make a final decision.

The other major change was to public streets. Mr. Patterson said that the state legislature amended state law to make a trail a public street and then promptly unamended that definition to remove trails as a public street. It was there just long enough for Highland to update its code. This text amendment was to clarify that the only time that they had to go through the public street process to make sure that they were not affecting access rights, utilities rights, etc. was for actual public streets, not for trails. This sets out the conditions for that process: good cause and not harming anyone with access. He said this got weird with the trail issue, but that this was simpler because it talked about roadways of a vehicular nature.

Council Member Ostler asked about the role of the ongoing referendum. Mr. Patterson said that the referendum challenged a specific decision on a specific day. This text amendment would not affect the referendum. As of now, the referendum was on the books, pending a decision made under certain law.

Council Member Ostler said that at the last City Council meeting they had done some work on parcels. He asked if a person went down to the County to purchase a parcel, he assumed that the County would create the parcel

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they were buying. He asked if that person would have to come into the City if they wanted to combine a parcel with a lot. Mr. Patterson said that those changes would all be handled by plat amendments. There are many examples of someone purchasing an adjoining lot and wanting to expand their house or build a pool, so they come to the City Council to remove a property line between the two lots. This would happen in much the same way. The City would execute a deed by the City to transfer a certain metes and bounds, the details of all the curves and points, and transfer them. That person would have to go through a lot line adjustment and a plat amendment so that their lot accurately shows that they own all of the property. They could own a random piece of land. However, if they wanted it as a part of their lot for setback purposes or lot size purposes, they had to go through the subdivision amendment process.

Council Member Ostler asked for clarification of when someone could go get the signatures of their neighbors when making changes so that a public hearing was not necessary. Mr. Patterson said that often when the Council approves a plat amendment it comes with plat notes or a conservation easement that runs along several lots. There might be a description on a plat that might affect multiple property owners on that plat. If someone said that they wanted to change a restriction, it would apply to the entire subdivision, so they would have to get the approval of everyone in that affected subdivision. If they did not, the City had to go through a separate public hearing process to make sure that all the feedback had been received.

Mayor Mann asked who paid for the notices in cases like this. Mr. Crane said that the City sends them out, but the applicant is required to pay for them.

There was further discussion of different scenarios. Mr. Patterson said that amending properties was fairly difficult because the records were hard to keep accurate.

Council Member Smith asked if this was a good process. Mr. Patterson said that this was a good process. There was a lot of muddiness before about how to change a property description depending on circumstances such as if you had a house, a county parcel, etc. He said he thought this simplified and clarified that process, specifically when a hearing was or was not required. He noted that if the City wanted to change any of its property lines, they also had to go through a petitioning process.

Mayor Mann opened the public hearing at 8:17 pm. There was no public comment. Mayor Mann closed the public hearing at 8:17 pm.

Council Member Kurt Ostler MOVED that the City Council accept the findings and approve the proposed amendment to several sections of the Development Code related to parcel boundary adjustments, lot line adjustments, and plat amendments, and include the change made to Section 5-10-05.6 Grounds for Vacating Street, Right-of-Way, or Easement. Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball Yes
Council Member Brittney P. Bills Yes
Council Member Kurt Ostler Yes
Council Member Kim Rodela Yes
Council Member Scott L. Smith Yes

The motion passed 5:0.

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6. AGREEMENTS: PROPERTY PURCHASE AGREEMENT WITH GREGORY ROWE AND REIMBURSEMENT AGREEMENT WITH UTAH COUNTY

Legislative

The City Council will consider a request for a property purchase agreement with Gregory Rowe and reimbursement agreement with Utah County to facilitate the purchase of ± 0.158 acres of property located at the southwest corner of SR92 and North County Boulevard. The Council will take appropriate action.

Andy Spencer, City Engineer, said that a property identified on the southwest corner of SR92 and North County Boulevard that had come up for sale. The right of way had never been obtained. At the time of sale, the sellers were contacted and willing to split the property so that the City could acquire the right-of-way. A funding source was identified through MAG and Utah County. Because of this, the City was going to purchase the east half of the parcel. The county will then reimburse the City for all of the expenses as a result of the acquisition of the property. After this, the City will give the property to UDOT. He said that if the County did not accept the agreement approved at tonight's meeting that the offer to the sellers would be void. Obtaining the right of way would ensure that a home would not be built on the parcel that might cause future problems.

Council Member Smith asked what would happen to the property to the west if everything went through with the City purchasing the land, being reimbursed by the county, and then passing ownership on to UDOT. Mr. Spencer said that someone had already purchased the property on the west with the home on it.

Council Member Ostler wondered if the City needed to do anything to make sure that a home could not be built on the east lot because otherwise it would be an available lot. Mr. Crane said that was how the City found out about it. It was placed on the market and people started asking about building a home on it.

Mr. Spencer said that there was no commitment to place a fence on the lot. He said that at some point in the future, UDOT might place a fence. But there would be no cost to the City. He said that in the discussions with UDOT over the past couple of weeks the goal was on how to get from all parties agreeing to culminating the sale. This appeared to be the most straightforward way to make the sale happen.

Council Member Ostler said that this was a .32 acre lot. He asked if Highland was purchasing all .32 acres. Council Member Bills said that it was ~.167 acres. She offered a fun fact. If her math was correct, that was a sale price of $16.84 a square foot for unimproved, buildable land.

Council Member Smith asked why UDOT didn't just buy the property. Mr. Spencer said that was the path he went down first to try and get the right-of-way secured. He said that part of the problem was that in the UDOT process, in order for them to acquire a parcel it had to be within the project limits. Funding for this was coming from excess funds from the Canal Boulevard project. This lot was not within that project boundary, so UDOT did not feel as though they could purchase the easement directly. However, UDOT had sent the extra project money from the Canal Boulevard project back to the County, who was willing to reimburse Highland for the purchase of the property and then gift the property to UDOT.

Council Member Smith asked what the chance was that the City would spend $100,000 and no one compensated them. Mr. Spencer said that there wasn't any chance of that. He said that staff would not move forward with the property acquisition unless the county approved the reimbursement.

There was discussion about if the roadways and rights-of-way were owned by the County or the State. Mr. Spencer said that everything was being cleaned up so that everything would be owned by the State.

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Council Member Smith asked when Highland would be paid back. Mr. Patterson said that the agreement with the County stipulated a 30 day timeframe. Per the agreement, closing on the property would occur the first week of August. The City had 30 days to submit an invoice to the County for all of its associated costs. Once the County paid Highland, then Highland would give it over to the State.

Mayor Mann thanked staff for working on this item.

Council Member Scott L. Smith MOVED that the City Council approve the purchase agreement with Gregory Rowe and the Interlocal Agreement with Utah County and authorize the Mayor to execute the agreements. Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Kurt Ostler	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

7. DISCUSSION: MOUNTAIN RIDGE ALL ABILITIES PLAYGROUND

The City Council will discuss the options for equipment to be placed in the Mountain Ridge all abilities playground. The Council will take appropriate action.

Mr. Crane said that staff was going to provide a brief overview of discussions surrounding the Mountain Ridge Abilities Playground, go over the design processes, and look at two proposals for the playground. Staff hoped that the Council would provide further direction on next steps for the playground.

He said that the design process for the playground began in 2018 that was oriented around pickleball courts. After getting extensive public comment and feedback, the master plan was amended in late 2019 to reflect plans for pickleball courts at the park. In September of 2020, a budget was identified and staff were given the direction to focus less on the fields and more on other amenities. In the spring of 2021, the Council directed staff to complete the construction plans and go out for bid. It was thought that the Council would approve the bid and contract once completed. Staff were trying to bid for phase one sooner rather than later to get on contractors 2022 schedule and get the best price possible.

Mr. Crane displayed the current master plan. He said that the area on the west was the park maintenance building. It had since been discussed to move that near the old City hall which would leave the west side open for additional active or passive areas.

Currently there was $2.46 million in funding available. Phase one was estimated to cost $2.3 million. About 90% of the plans for phase one were completed with the exception of planting and landscaping. Once that was completed staff would be able to go to bid. Staff discovered early in the planning process that it made sense to do the whole playground at once as opposed to in two phases. They felt that by the time they got the funding to do the second phase of the playground that the first phase's equipment would either be worn out or substantially worn.

In regard to additional funding, it was expected that there would be $248,000 in projected revenue over expenses in the current fiscal year, FY 2021-2022. There was also $200,000 in the Capital Building Fund based on the current bid for the new park maintenance building. There were also ARPA funds.

Mr. Crane then introduced Taft Egan from Big T Recreation who would go over the design process that goes into building inclusion or all ability parks. He asked that as the concepts are presented that the Council look at the elements they like/don't like.

Council Member Smith said that they didn't yet know the amount that they were getting from the American Rescue Fund. He asked if that money could go into building playgrounds. Mr. Crane said that staff believed so. There was some additional direction from the Treasury that staff would share with the Council in the future.

Taft Egan, representative of Big T Recreation, said that his company specialized in designing parks and recreation amenities such as inclusive playgrounds. Some of Big T. Recreation's recent work included the Spanish Fork All Abilities Adventure Heights Playground completed in 2020, as well as West Jordan City's All Abilities West Playground, adjacent to their City hall. He described playgrounds as a generational gift to the children of a City. He said that he was going to outline the process for creating an all abilities playground.

Mr. Egan noted that unlike most of the discussion during the meeting around codes and guidelines, there were not specific standards for all abilities playgrounds that could be applied to certify an all abilities playground. However, there were a lot of industry definitions to help understand what all abilities meant. He said that he liked the definition that, "an all abilities playground was one where children with different physical, sensory, and intellectual abilities, can play and interact with one another."

Mr. Egan said that when Big T Recreation started the design of an all ability playground, there were always two limiting factors: space and budget. After considering these limitations, Big T Recreation looks at its six keys to inclusion: (1) the presence of sensory, physical, and social activities; (2) multiple levels of challenge; (3) accessibility; (4) things to do throughout the playground not just on slides and climbers; (5) opportunities for cooperative play; (6) and a unitary safety surfacing.

All of the Big T Recreation playgrounds incorporate all nine types of play: spinning, swinging, climbing, sliding, strengthening, balancing, rocking, jumping, and rolling. The playgrounds also had the intention to generate collaborative as opposed to competitive play. In addition, all of the playgrounds are oriented towards the elements of sensory play: visual, tactile, kinesthetic, and auditory.

Mr. Egan noted that as part of the document he'd complied and would share with the Council, that he had included a full parks list so the Council and staff could dive into the individual play panels or slides, etc.

Before he outlined the design plans for the two different playground options Mr. Egan informed the Council of the estimated budgets for the two options. Option 1 was estimated to cost $580,000. Option 2 had an estimated cost of $550,000 which would cover the playground, the safety surfacing underneath the playground, and their installation.

Council Member Bills clarified that she heard Mr. Egan correctly and there were no legal requirements for what an all abilities playground had to look like. She asked how that worked with ADA. Mr. Egan said that there were basic guidelines from the ADA regarding playground accessibility. There were not specific guidelines of a code for a playground to be determined as all abilities.

Mr. Patterson said that like they do with public buildings, there were certain requirements for door widths, openings, and turn radiuses to meet the bare minimum accessibility standards. However, an entity could do more to make the spaces more accessible. He said that there were industry standards to make playgrounds accessible to all users, there were just not government codes.

Council Member Bills asked if there were government codes for the turnability in the restrooms. Mr. Patterson said yes. They were very specific and strict.

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Mr. Egan noted that in addition to ADA standards, there were also safety standards from ASTM and CPSC that have to do with heights and fall zones. The rubber surfaces have to be of certain thicknesses. On a playground with a ramp structure, they can only go 12 feet at a time for every one foot of elevation.
Mr. Egan began to present the different options:

1. **Option 1** was created with Blueline Designs, the project architects. This playground had excellent shade coverage and some neat features. Some of these features included a diversity of slides, both a standard and basket swing set, a ramp section of play, and an aero glider. One of the key features of this playground was the connectivity between the two different playground areas. When thinking about the sensory and play activities the first design had over 30 of those items throughout the playground. In addition, there was a special 2-5 section for younger children.

2. **Option 2** took a different approach to show different equipment options. This playground also had good shade coverage. This was important when dealing with the surfacing because it tended to get hot. This playground featured a roll on, roll off inclusive merry go round, concerto music equipment, the basket swing, a large 360 slide, climbers, a cozy cocoon for a child to pause and disconnect for a second, and sensory panels throughout the playground. While maintaining ADA standards, this playground has a tower structure that creates shadow play. As children traverse through the playground, they will pass multiple different colors on the surfacing and surrounding areas that change throughout the day based on the trajectory of the sun.

In regard to Option 1, Council Member Rodela asked if a zip line was included. Mr. Egan said that a zip line was not included in Option 1. Council Member Smith asked about the durability of canopies and noted that Highland gets a lot of wind. Mr. Egan said that the canopies were commercially constructed and were intended for City parks and playgrounds. They were wind loaded to meet codes. The canopies were similar to bleacher shades and other fabric shade structures.

Council Member Ostler asked about the longevity of a playground like this. Mr. Egan said 20 years.

Mayor Mann asked if there was an estimated maintenance cost over the 20-year lifespan of the playground. Mr. Egan said that the main maintenance cost would be maintaining the unitary surfacing, or the cushion that was on the bottom of the playground. That required significant maintenance to take place roughly every two to three years. The cost of 8,000 square feet of surfacing, the amount needed for this playground, costs roughly $15,000 to $20,000. It also required a reseal, much like staining a deck. This was true for all types of unitary surfacing. The costs related to maintaining the playground would be very little. Most of these costs were related to vandalism. Because of this, Big T Recreation would encourage the City to set aside some portion of the budget to playground maintenance.

Council Member Rodela asked if there was a warranty that came with the playground equipment. Mr. Egan said that all of the metal, steel and structural components have a lifetime warranty. All of the plastic components have a 15-year warranty, excluding vandalism.

Council Member Ostler asked if these playgrounds were modular to make pieces easier to replace if vandalized. He wanted to know if the playground pieces were specific to Big T Recreation, or if they purchased their playground pieces from a common supplier.

Mr. Egan said that the pieces come from a mainstay in the industry that has existed for 50 years. It was all American made and manufactured out of Pennsylvania. Everything on the playground would be readily available for the lifetime of the playground, estimated at 20 years. He said that there were playgrounds out a lot longer than 20 years, but elementary school playgrounds are often asked to be replaced around the 20-year mark.

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Council Member Smith said that as they emerge from the pandemic they want to make sure to keep the equipment as clean as possible. He wondered if they could take a power washer to the equipment to clean it. Mr. Egan said that they did have cities that power washed their playgrounds. However, one should be careful about the chemicals used on the surfacing materials because it was bound by a glue.

Council Member Bills asked if the synthetic surface had concrete underneath it. Mr. Egan said that you could, but they typically put it down over type-2 road base, four to six inches thick. It helped with drainage.

Council Member Ostler asked if the playgrounds had seen the same inflation rates as other industries in the last few months. He wondered if they waited six months if the prices would drop. Mr. Egan said that they had seen a 15% price increase in playground equipment since the beginning of 2021.

Council Member Ostler asked when cities fundraised if it was common to get donors because it was an all abilities park. On fundraising is it common to get donors because it's all abilities? Mr. Egan said that the majority of all ability projects that Big T Recreation worked on had some sort of outside fundraising activity or contribution. This funding comes from diverse sources: private businesses, a private entity, a family, etc.

In regard to Option 2, Council Member Smith asked how the two pieces fit together. Mr. Egan said that unlike in Option 1, they were not connected. Although designed with a common theme, there was not a bridge across the 8-foot walkway between the two playgrounds.

Mayor Mann asked if Option 2 was fully built out like Option 1, or if there was room to expand. Mr. Egan said that Option 2 was also fully built out. He said that if they wanted to put in a zip line, another element would have to be removed.

Council Member Rodela asked what ages the playground was geared towards. Mr. Egan said that playgrounds were categorized into two age groups, 2-5 and 5-12. The majority of both playgrounds were geared towards 5-12-year-olds. However, both playgrounds had small sections for kids ages 2-5.

Council Member Ostler asked what percentage of the population an all abilities park accommodates and provides accessibility for. Mr. Egan said that in his opinion, the greatest all abilities playgrounds are those where the lines are blurred between what is inclusive and what is not inclusive with the idea that when children come to the playground, there is not an overtone that this is a "inclusive" playground. The playground is designed such that it is not notated as an all abilities playground. For the user group, it should just be the most awesome playground that is out there. In regard to statistics about the number of children with a disability, to Mr. Egan's knowledge, almost 4 in every 10 children would benefit from a playground like this in regard to the sensory play provided. He said he didn't think that was a documented statistic.

Council Member Bills asked if building the playground was modular where the Council could pick and choose. She also wanted to know which pieces broke the easiest. Mr. Egan said that there was nothing published about what breaks more often. He said that generally, moving parts—that inclined them to offer more sensory and cognitive play—were more prone to need replacement.

Council Member Smith wanted it confirmed that safety was built into the designs to prevent liability issues. He asked how the playgrounds were designed to minimize injury. Mr. Egan said that Big T Recreation follows the American Standard of Testing Materials (ASTM) and Consumer Product Safety Corporation (CPSC) guidelines, the two entities that govern anything a consumer purchases in the public market. They have guidelines specific to public playgrounds that deal with height, safety surfacing and space. He said that the two playgrounds were as safe as any other playground in the City.

Council Member Ostler asked to be reminded about the budget. Mr. Crane said the City originally had $266,000, but found an extra $200,000.

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Council Member Rodela asked if the City had the Parks and Trails Committee focus on fundraising if they could include more equipment. Mr. Crane said that based on the area, the two options have tapped out the equipment that would fit into the area.

Council Member Rodela asked if it was possible to expand the area if they were able to raise more money? She said that although she was not an all abilities playground expert despite having visited many all abilities playgrounds. She said there were features she liked and had a sense of the popular features, including the zip line, the boat, etc. She said that she would want more input from people who actually know these things such as mothers of children who use all abilities parks. She also liked how Cedar Hills had their concept plans housed at their City hall and allowed kids to come in and comment on them. Mr. Crane said they could expand to the west.

Council Member Smith said that he felt they needed to be realistic about fundraising. He said that occasionally people came in and made a big donation. However, for the pickleball courts, there were lots of promises from people about raising money and in the end the pickleball group only ended up raising about $2,000 to $3,000. Realistically, unless they found a big donor like a corporation, he felt as though it could only be assumed that they might raise $25,000.

Council Member Ostler asked Mr. Egan how Highland could find a donor. Mr. Egan said that all ability parks were emotional projects for many families. He said that when talking about private donations, the funding sources have come from so many different sources. Typically, those individuals find the City. There's an announcement that an all abilities project was going to happen. He said that he didn't think that large donors were solicited, but the larger donors contacted the City with the desire to participate. He noted that he had not been intimately involved in cities' fundraising for these projects. There was further discussion about fundraising.

Council Member Smith asked about colors. Mr. Egan explained that color choices were up to cities. Big T Recreation has designed both playgrounds that had natural color plates to those that were really vibrant and almost looked like an easter egg. There was no price difference based on colors.

Council Member Bills asked if there were any disability friendly color schemes. Mr. Egan said that there was not an established color, but that it would be nice to think about designing a playground where different sections had different color schemes. This could allow a parent to specify which section of the playground a child could play and describe it based on color.

Mr. Crane said that he would like the Council's input on their likes/dislikes. Mayor Mann noted that the Parks Committee was already working on the soccer fields and several other projects throughout the City. He was not sure if they would also be able to take on a fundraising task. He wondered if it was more appropriate for the Foundation to take that task on.

Council Member Bills said she thought that 100% of kids will benefit from this playground. She wanted to see the community members involved in what features were selected. She wondered if there was a separated catalog of elements that the Council could look at.

Mr. Egan said that Big T Recreation could provide the Council with many catalogs with different play elements. Mr. Crane asked if the Council had contacts for families that staff could reach out to.

Council Member Bills said that she could get the contact list for the special needs' classes in all the schools in Highland. Other organizations such as the elementary school, Courage Reins, and Special Needs Mutual, were identified as entities that would benefit from the park.

There was further discussion about the best way to get the community's feedback and involvement. The consensus was that the Council should spend more time familiarizing themselves with the options before having an open house.

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Council Member Rodela said that she knew that playgrounds focus on ages 2-5 or 5-12. She asked if they ever do anything for older kids. Mr. Egan said that climbing walls could be included, but that they were not considered a playground piece, but as an adult amenity.

Council Member Rodela talked about additional options for older kids besides a skate park. She mentioned a playground in St George, which she called the Ninja Warrior Playground. She thought its actual name was Canyon Park. It was cool because it had a 100M dash and an obstacle course. She said that not all older kids were going to do activities like soccer, baseball, or competitive sports. She felt like they needed another outlet for them to hang out with their friends and be active while staying off their phones. Not all older kids are going to be competitive. There must be another outlet instead of technology.

Council Member Bills asked Mr. Crane on the best course forward. Mr. Crane said that if the City wanted to take advantage of pricing he felt like the process needed to be more expeditious. He said that they already had the budget set for this portion of the park. There were also a couple of different options staff could pursue in terms of bidding the park. He said that the City would purchase the equipment and then arrange to have it installed. Staff could finish the construction drawings.

Council Member Bills asked what Mr. Crane's recommendation was to be both expeditious, but also to get it right. Mr. Crane said that he would take the options already provided and hold an open house with targeted residents. He said that while he thought that looking at catalogs was good, each piece of equipment had fall zones that would have to be considered. He would rather trust Big T Recreation because they were the experts. He would get the feedback first and then go back to Big T Recreation for their advice on how to change the design of the part to include any elements that were identified.

Council Member Ostler said that he was nervous that with the new stimulus money that was coming, if it was allowed to be used for parks, that a lot of cities would jump on creating new playgrounds. He felt like they needed to find the right time to strike. Mr. Crane said that he was nervous about how picky people could get like what happened with Spring Creek. He wanted them to focus on getting feedback on the big concepts. He also noted that they still had a budgetary constraint. He said that he would love to expand the playground area to the west, but right now they just didn't have the budget for that.

There was a lot of brainstorming about different ways that feedback for all abilities playgrounds could be advertised: the Fling, the candidate debate, a display at the library. Mr. Crane said that if they wanted a targeted response they needed to invite specific people to attend a specific event. He did not think that the Fling was the best place to reach that demographic. He said that he did not think that the Fling was the best place to solicit public input for an all abilities playground. He suggested that the City put out a flyer with a questionnaire.

Council Member Bills asked if they could hand something out at the parade. Council Member Smith asked Mr. Egan if he could put something together to help the staff.

Mr. Egan said that Big T Recreation could work on the graphics side of the advertising by providing images that showcased the playground.

8. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS.

The City Council may discuss and receive updates on City events, projects, and issues from the Mayor, City Council members, and City staff. Topics discussed will be informational only. No final action will be taken on communication items.

Brian Patten, Fire Chief, first reported on the 4th of July. He gave a huge shoutout to Highland and Alpine. He said that apart from a small dumpster fire, the Fire Department did not have any calls to respond to. He said that the citizens were awesome. Everyone did their part.

In regard to the accident earlier in the day, there was a dump truck with a trailer that had a forklift on it that came off of Suncrest and lost its brakes. After the truck passed 11800 he came onto a car. Although he swerved, he clipped that car with the trailer, before going into oncoming traffic, where he hit the curb and the trailer turned on its side. When the trailer drug on the asphalt, it dug a trench eight inches deep before it eventually hit the sidewalk and took out a tree. The accident did hurt anyone. The driver was able to get the dump truck stopped 400 to 500 yards south of where the trailer and forklift came off.

There was also an ATV rollover in the canyon. The department had to life flight someone out of the canyon. While they were up there, there was another gentleman who told crews that his daughter had been hit on a motorcycle on the other side and was burned.

Council Member Bills said that there was an accident on SR92 when she was coming in for the meeting. She congratulated Chief Patten on his new job.

Council Member Smith asked if Lone Peak Safety serviced all of American Fork Canyon. Chief Patten said that Lone Peak Safety provided medical service to Salt Lake County as well as to Wasatch County on the other side. clear to the top.

Council Member Smith wondered why there had not been an effort to widen the canyon road. He thought that part of the reason they saw all of these accidents was because the road did not accommodate the business of the canyon. Chief Patten said that there were a lot more people in the canyon. He did not know if it was possible to widen the road.

Council Member Ostler asked if the ATV accident was simultaneous with the accident on SR92. Chief Patten said yes. When Lone Peak Safety got the call for the ATV accident, they were routed to the canyon, so Lehi responded to SR92. After the life flighted the person from the ATV accident, they were approached by the father of the woman who was hit on the motorcycle. At first they were going to take the motorcyclist by air, but American Fork came with an ambulance instead so that they could take the helicopter to the valley.

Council Member Ostler said that they had seen a lot of posts about people being out on wildland fire appointments. Chief Patten said that there were guys in Moab right now. They would return the following Thursday or Friday. He said that this was the second time that Lone Peak Safety guys had been deployed. When they rolled out, the fire was mostly contained. Instead, they had done a lot of hiking and tree cutting.

Council Member Smith said that there had been a lot of discussion about garbage collection. He wondered if that was another reason to consider the software suggested by the North Pointe Waste Management. Mayor Mann said that despite one or two texts where residents were unkind, the overall response of residents was positive in how the City handled the mistakes made with garbage pickup.

a. Future Meetings

- July 14, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- July 20, City Council Meeting, 7:00 pm, City Hall
- July 27, Planning Commission Meeting, 7:00 pm, City Hall
- August 3, City Council Meeting, 7:00 pm, City Hall
- August 11, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- August 17, City Council Meeting 7:00 pm, City Hall
- August 24, Planning Commission Meeting, 7:00 pm, City Hall

9. CLOSED SESSION

DRAFT

The City Council may recess to convene in a closed session to discuss pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205.

At 9:45 pm Council Member Scott L. Smith MOVED that the City Council recess to convene in a closed session to discuss pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205. Council Member Kurt Ostler SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Kurt Ostler	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed unanimously.

Council Member Scott L. Smith MOVED to adjourn the CLOSED SESSION and Council Member Kim Rodela SECONDED the motion. All voted in favor and the motion passed unanimously.

The CLOSED SESSION adjourned at 11:45 pm.

ADJOURNMENT

Council Member Scott L. Smith MOVED to adjourn the regular meeting and Council Member Kim Rodela SECONDED the motion. All voted in favor and the motion passed unanimously.

The meeting adjourned at 11:45 pm.

I, Stephannie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on July 6, 2021. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie Cottle
City Recorder

DRAFT

AGENDA

NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #2b

DATE: August 3, 2021

TO: Honorable Mayor and Members of the City Council

FROM: JoAnn Scott
Planning/Public Works Technician

SUBJECT: **RESOLUTION:** Approval for Surplus and Disposal of Personal Public Property and Equipment *Administrative*

PURPOSE:

The City Council will consider a request to surplus two trucks from the Highland City Public Works fleet. The Council will take appropriate action.

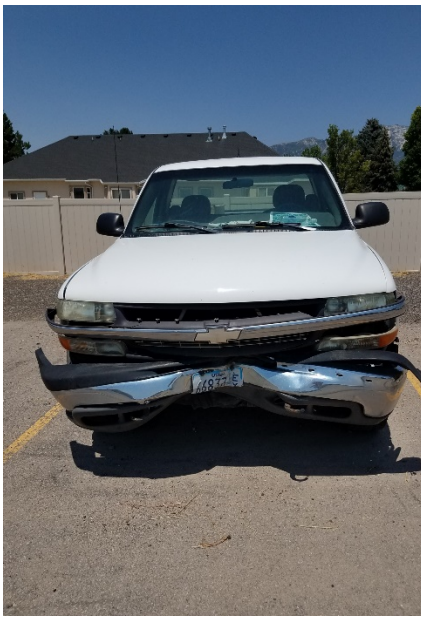
BACKGROUND:

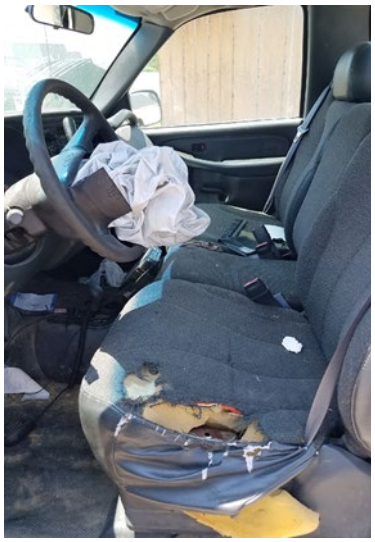
The trucks are as follows:

1) 1992 International 4000 – This truck has been recently used at the cemetery for removing and disposing of material from graves. It currently has transmission and mechanical problems. A replacement truck was funded in this fiscal year.



2) 2000 Chevrolet Silverado – This truck was wrecked and has a salvaged title. Staff would like to surplus it and remove it from the yard.





Staff will abide by the following section of the Municipal Code when disposing of said vehicles.

Pursuant to Municipal Code 2.44.040: Once the City Council approves the disposal of Personal Public Property a reasonable notice of at least 14 days prior to disposition shall be placed on the City Website. After the notice period the City will then dispose of personal public property by means of auction, sealed bid or other method designed to best serve the interests of City residents. Property valued below $300 may be disposed of under the direction of the City Administrator in accordance with City Ordinance. Those items that have no economic value shall be donated to a charitable organization or destroyed.

Disposal/Donation of property will not take place until after August 17, 2021

FISCAL IMPACT:

The 2000 Chevrolet has already been replaced. Funding for the 1992 International, was provided in the FY22 Budget.

ATTACHMENTS:

1. Highland City Asset Disposal Sheet
2. Proposed Resolution

ATTACHMENT 1

Asset Disposal Sheet
Surplus of trucks from City fleet

YEAR	MAKE	MODEL	VIN #	NOTES
1992	International	4000	1HTSDNXR9NH434783	Salvaged Title
2000	Chevrolet	Silverado	1GCEK14V7YE128357	

ATTACHMENT 2

A RESOLUTION OF HIGHLAND CITY, UTAH DECLARING SURPLUS PROPERTY FOR SELLING, CONVEYING OR DISPOSING

WHEREAS, the Highland City Council has been made aware of a 1992 International 4000 Dump Truck and a 2000 Chevrolet Silverado truck that are no longer needed; and

WHEREAS, the Highland City Council has established a process for disposing of personal public property which is:

1. The City Administrator shall be responsible for the coordination and disposal of all personal public property; and
2. Each department head shall identify assets for disposal and complete an Asset Disposal sheet determining the market value of the asset taking into account the replacement cost and depreciation rate for the item; and
3. The City Administrator shall select the best disposal option; and
4. The City Council shall authorize by resolution the surplusing of all personal public property valued over $300; and
5. Notice shall be given to the public on the Highland City website after the items have been declared surplus and at least fourteen days prior to the disposition.

NOW, THEREFORE be it resolved by the Highland City Council that the following item is hereby declared surplus property and the City Council hereby authorizes the City Administrator to sell, convey or dispose of the equipment as listed below following City policy as set forth above:

YEAR	MAKE	MODEL	VIN #	NOTES
1992	International	4000	1HTSDNXR9NH434783	
2000	Chevrolet	Silverado	1GCEK14V7YE128357	Salvaged Title

This resolution shall take effect immediately upon passage.

PASSED AND ADOPTED by the Highland City Council this 4th day of August 2021.

ATTEST: HIGHLAND CITY, UTAH

_____ _____

Stephannie B. Cottle, City Recorder Rodney W. Mann, Mayor

COUNCILMEMBER	YES	NO
Timothy A. Ball	☐	☐
Brittney P. Bills	☐	☐
Kurt Ostler	☐	☐
Kim Rodela	☐	☐
Scott L. Smith	☐	☐

AGENDA

NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #2c

DATE: August 3, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Andy Spencer, P.E.
Public Works Director/City Engineer

SUBJECT: **CONTRACT:** Change Order to the 2021 Road Rehabilitation Contract with Black Forest Paving *Administrative*

PURPOSE:
The City Council will consider a request to approve a change order to the 2021 Road Rehabilitation contract with Black Forest Paving to add the reconstruction of approximately 1,000 feet of Canal Boulevard and authorize the City Administrator and City Recorder to execute the necessary contract documents for the project. The Council will take appropriate action.

DISCUSSION:
The major road rehabilitation project was awarded to Black Forest Paving on May 18, 2021. While this work is being done throughout the city, the project is primarily located in Twin Bridges and Canterbury subdivisions.

After the 2021 Road Rehabilitation contract was awarded, an approximately 1,000 lineal foot (58,870 square foot) section of Canal Boulevard from approximately 5600 West to Alpine Highway has been identified as needing reconstruction. This section of road was originally planned to be reconstructed in 2020 however it was delayed due to the construction of the east side of Canal Boulevard.

With the completion of Canal Boulevard, staff believes this section of road should be prioritized and reconstructed this year. This section of road has significant areas of settling and the asphalt is failing. The additional traffic will only increase the rate in which the road deteriorates.

Black Forest Paving has submitted a bid in the amount of $133,776.90 to pulverize, regrade and replace 4” of asphalt.

The Municipal Code allows for the City Administrator to approve change orders up to 10% of the original contract amount. Any change order above 10% requires Council authorization.

For the Council’s information, there have been 2 other change orders to date for additional asphalt on 10300 North and a parking area west of Highland Elementary. Both were

under the 10% requirement.

FISCAL IMPACT:

The proposed budget for this year's road projects is $1.5 million. This is a mix of collected road fees ($1 million) and B & C road funds ($500,000).

The current 2021 road treatment projects have encumbered $1,222,630 of the 1.5 million budget. Approval of this change order will bring the total to $1,356,407. While this brings us closer to the maximum budget for this year, it will still allow to fund unexpected overages that we may encounter.

RECOMMENDATION:

Staff recommends that the City Council **APPROVE** the Change Order with Black Forest Paving for work on Canal Boulevard in the amount of $133,776.90 and **AUTHORIZE** the City Administrator and City Recorder to execute the necessary contract documents for the project.

PROPOSED MOTION:

I move that the City Council **APPROVE** the change order to the 2021 Road Rehabilitation contract with Black Forest Paving for the reconstruction of approximately 1,000 feet of Canal Boulevard.

ALTERNATIVE MOTION:

I move that the City Council **REJECT** the Change Order with Black Forest Paving for work on Canal Boulevard. (The Council should draft appropriate findings).

ATTACHMENTS:

1. Canal Blvd Bid
2. Vicinity Map

BLACK FOREST PAVING, LLC
6153 Broken Rock Circle
South Jordan, UT 84009
Phone (801) 280-1313 / Fax (801) 280-1314

Prepared Especially For
Andy Spencer
Highland City- Engineering
HIghland, UT

Contact: Earl Jolley
Phone: 801-842-7196
earl@blackforestpaving.com
Date: 7/22/21

2021 Highland City Roadway Reconstruction Project
Highland City

RE: Change Order 3- 6150 West & 10830 North

Andy,

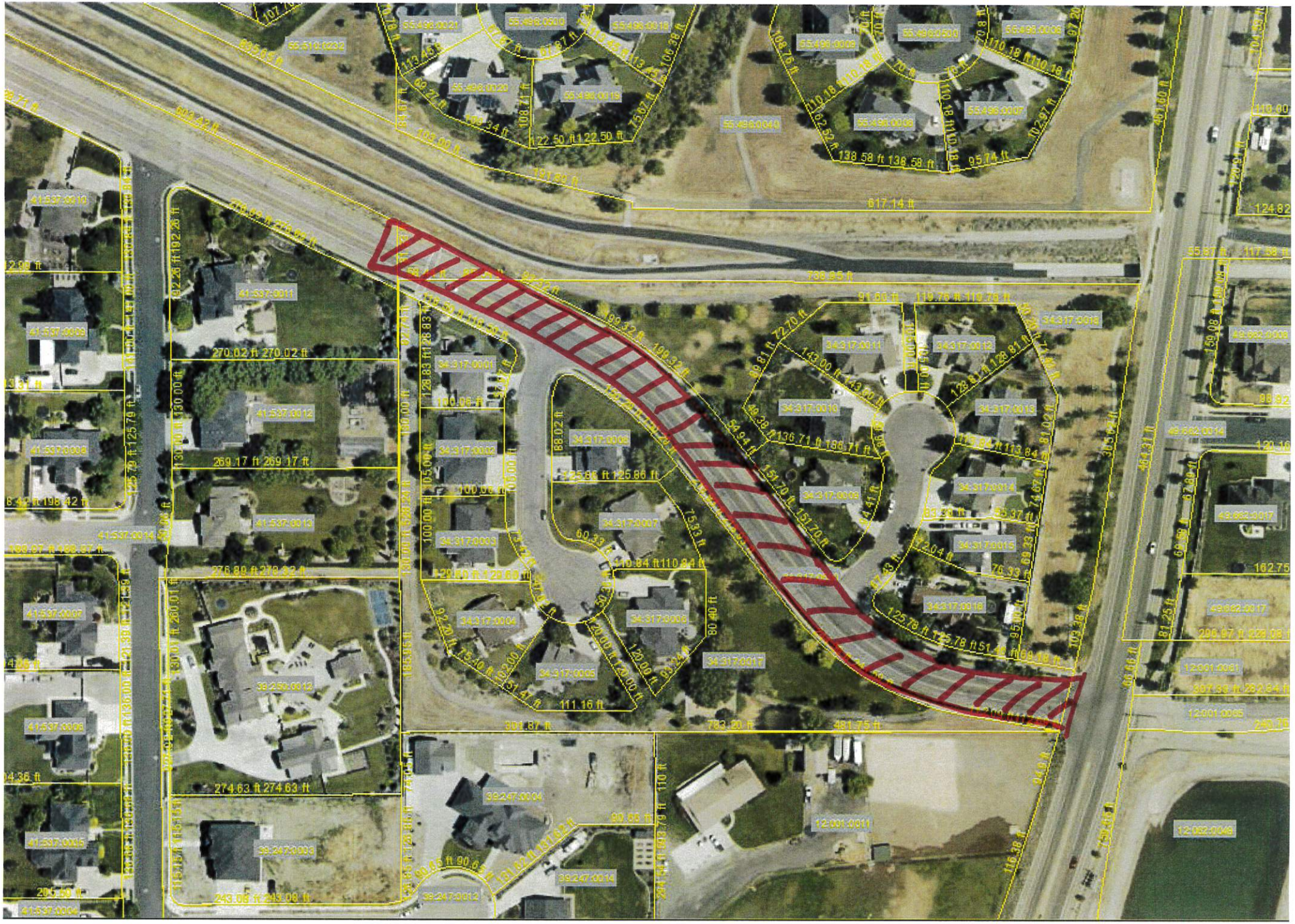
We are requesting additional compensation for additional roadway improvements on 6150 West Shoulder paving. Cost are as follows:

	Description	QTY		
1	Mobilization Item	1 LS		$800.00
2	Traffic Control	1 LS		$300.00
3	SWPPP	1 LS		$100.00
4	Regrade for 3” paving	14,800 SF	@ $0.30 SF	$4,440.00
5	Haul Off Surplus Spoils	100 CY	@ $10.00 CY	$1,000.00
6	3” Asphalt Paving	14,800 SF	@ $1.18 SF	$17,464.00

Change Order #3 6150 West Shoulder Total = $24,104.00

Note: No Landscape restoration or utility collars included in quote.

Earl Jolley
Black Forest paving
earl@blackforestpaving.com



Utah County Parcel Map

Canal Blvd Change Order

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey

Date: 7/29/2021

N

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #2d

DATE: August 3, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Kellie Smith
Planner and GIS Analyst

SUBJECT: **ACTION:** Condominium Plat - Sunset Mountain Plat F *Administrative*

PURPOSE:
The City Council will consider a request by Patterson Development for condominium plat approval for three office buildings in Highland Business Park located at approximately 11235 N Highland Blvd. The City Council will take appropriate action.

BACKGROUND:
The subject property is approximately 2.13 acres and located at 11235 N Highland Blvd. The property is in the Professional Office (P.O.) Zone.

The City Council approved Sunset Mountain Plat E, a 1-lot subdivision, on February 2, 2021. Sunset Mountain Plat E has not yet been recorded. The applicant is requesting to amend that approval by recording a condominium plat instead of the original 1-lot subdivision.

Final Plat review and approval is an *administrative* action.

SUMMARY OF THE REQUEST:

1. The applicant is requesting condominium plat approval. A condominium plat allows the owner to sell individual units within a building and defines ownership of common areas. The application is dividing 3 buildings into 7 possible divisions of ownership.

2. Access to the site is provided from Sunset Drive and Normandy Way.

CITIZEN PARTICIPATION:
Notice of the City Council meeting was posted on the state and city websites July 29, 2021.

ANALYSIS:

- The property is designated as Office on the General Plan Land Use Map. The proposed subdivision is consistent with the General Plan.

- The buildings for units A-1 to A-3, and B-4 to B-6 have already been constructed and improvements have been completed. Unit C-7 will be contingent upon site plan approval that will also be considered by the Council during this meeting.

FINDINGS:

With the proposed stipulations, the final plat meets the following findings:

- The plat is consistent with the General Plan.
- The plat appears to meet the requirements of the P.O. District.
- It conforms to the Development Code as applicable.

RECOMMENDATION AND PROPOSED MOTION:

Staff recommends that the City Council accept the findings and **APPROVE** the final plat subject to the two (2) stipulations recommended by staff:

1. The final plat shall be in substantial conformance with the final plat received May 6, 2021.
2. The final plat shall be reviewed and approved by the City Engineer.

I move that the City Council accept the findings and **APPROVE** the Sunset Mountain Plat F final plat subject to the two (2) stipulations recommended by staff.

ALTERNATIVE MOTION:

I move that the City Council **DENY** the Sunset Mountain Plat F final plat based on the following findings (The Council will need to draft appropriate findings).

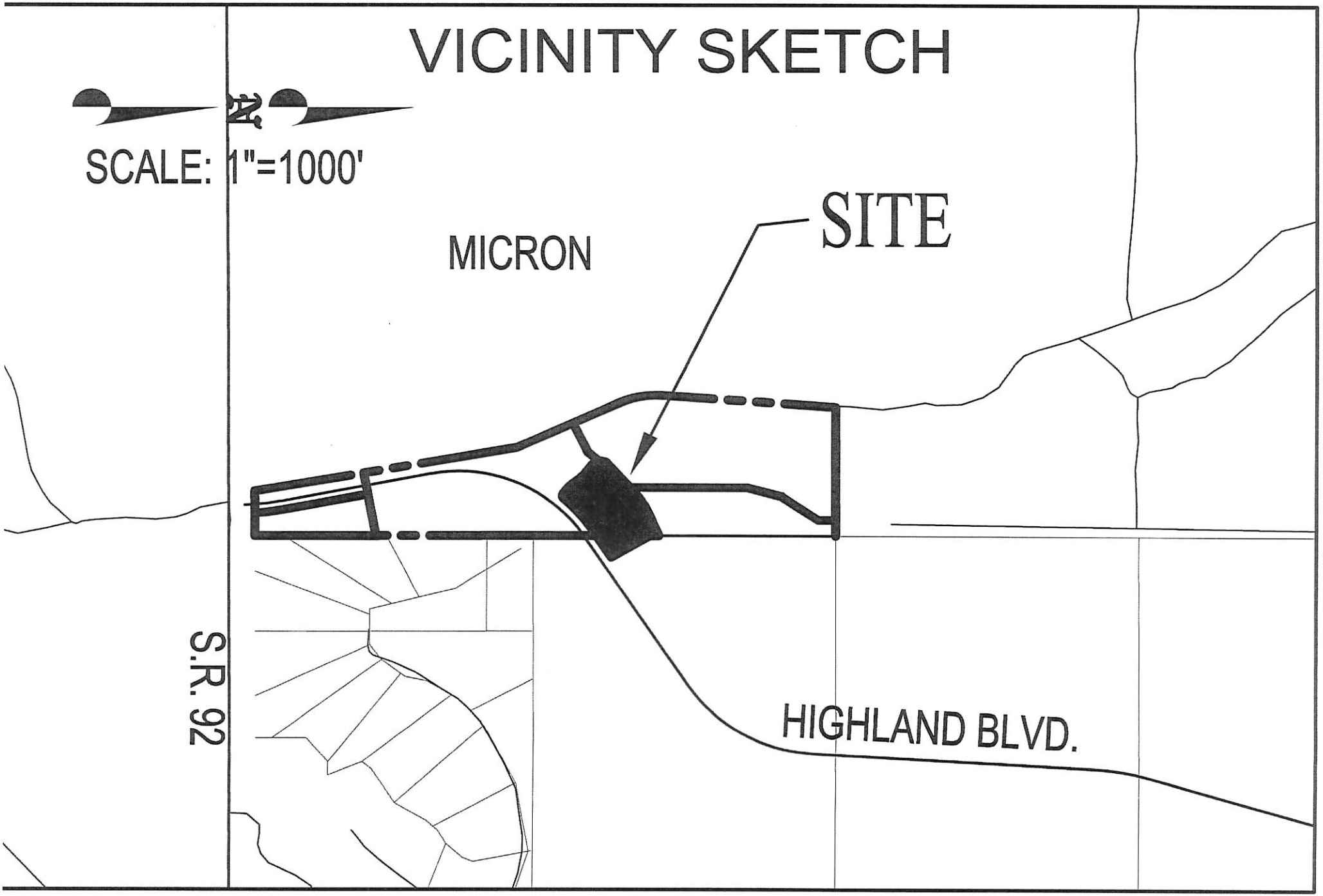
FISCAL IMPACT:

This action will not have a financial impact on this fiscal year's budget expenditure.

ATTACHMENTS:

1. Vicinity Map
2. Condominium Plat

ATTACHMENT 1:



ATTACHMENT 2:



LEGEND

- SECTION CORNER
- PROPERTY CORNER
- SUBDIVISION MONUMENT
- BOUNDARY LINE
- LOT LINE
- EASEMENT LINE
- PRIVATE AREA
- COMMON AREA (AS SPECIFIED)

ADDRESSES

LOT A-1	11239 N HIGHLAND BLVD UNIT 1
LOT A-2	11239 N HIGHLAND BLVD UNIT 2
LOT A-3	11239 N HIGHLAND BLVD UNIT 3
LOT B-4	11239 N HIGHLAND BLVD UNIT 4
LOT B-5	11239 N HIGHLAND BLVD UNIT 5
LOT B-6	11239 N HIGHLAND BLVD UNIT 6
LOT C-7	11235 N HIGHLAND BLVD

SURVEYOR'S CERTIFICATE

I, _____, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, OPEN SPACE AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

_____ _____
DATE SURVEYOR (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

LOT 101 OF SUNSET MOUNTAIN PLAT "E", ALSO DESCRIBED AS

BEGINNING AT A POINT WHICH IS NORTH 253.26 FEET AND WEST 35.02 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 27 TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN.

RUNNING THENCE N 55°30'41" E 159.79 FEET; THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 22.34 FEET (CENTRAL ANGLE EQUALS 85°19'41" AND LONG CHORD BEARING N 12°50'51" E 20.33 FEET); THENCE N 29°49'00" W 69.79 FEET; THENCE ALONG THE ARC OF A 178.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 53.21 FEET (CENTRAL ANGLE EQUALS 17°07'36" AND LONG CHORD BEARING N 21°15'12" W 53.01 FEET); THENCE N 29°49'00" W 59.08 FEET; THENCE N 00°02'34" E 40.17 FEET; THENCE ALONG THE ARC OF A 902.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 211.88 FEET (CENTRAL ANGLE EQUALS 13°27'31" AND LONG CHORD BEARING S 60°15'33" W 211.39 FEET); THENCE S 55°51'21" W 41.77 FEET; THENCE S 46°28'34" W 155.68 FEET; THENCE S 10°35'13" W 32.65 FEET; THENCE ALONG THE ARC OF A 72.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 38.73 FEET (CENTRAL ANGLE EQUALS 30°49'13" AND LONG CHORD BEARING S 37°50'06" E 38.26 FEET); THENCE S 53°14'42" E 22.26 FEET; THENCE ALONG THE ARC OF A 228.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 78.83 FEET (CENTRAL ANGLE EQUALS 19°48'34" AND LONG CHORD BEARING S 43°20'25" E 78.44 FEET); THENCE ALONG THE ARC OF A 172.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 58.29 FEET (CENTRAL ANGLE EQUALS 19°25'05" AND LONG CHORD BEARING S 43°08'40" E 58.01 FEET); THENCE S 52°51'13" E 17.60 FEET; THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 22.66 FEET (CENTRAL ANGLE EQUALS 86°33'42" AND LONG CHORD BEARING N 83°51'56" E 20.57 FEET); THENCE ALONG THE ARC OF A 702.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 179.36 FEET (CENTRAL ANGLE EQUALS 14°38'21" AND LONG CHORD BEARING N 47°54'15" E 178.87 FEET) TO THE POINT OF BEGINNING.

CONTAINING 92,950 SF OR 2.13 AC

OWNERS' DEDICATION

WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC. THE PUBLIC UTILITY EASEMENTS TO ALL PROVIDERS, PUBLIC OR PRIVATE, AND THE IRRIGATION EASEMENTS TO ALL LOT OWNERS, AND THEIR SUCCESSORS AND ASSIGNS IN PERPETUITY.
IN WITNESS HEREOF WE HAVE SET OUR HANDS THIS _____DAY OF _____A.D. 20

_____
MEADOWBROOK PROPERTIES, LP

ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }
ON THE _____ DAY OF_____ A.D. 20____ PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES_____ _____
NOTARY PUBLIC (SEE SEAL BELOW)

ACCEPTANCE BY LEGISLATIVE BODY

THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS ____ DAY OF _____, A.D. 20 ____

APPROVED BY MAYOR_____
APPROVED
_____ ATTEST_____
CITY ENGINEER (SEE SEAL BELOW) CLERK-RECORDER (SEE SEAL BELOW)

LEIN HOLDER CONSENT

THE UNDERSIGNED BENEFICIARY HEREBY CONSENTS TO THE RECORDING OF THIS PLAT FOR THE HEREIN DESCRIBED PROPERTY AND THE DEDICATIONS PROVIDED HEREIN.

_____ _____
_____ _____

HIGHLAND CITY ATTORNEY

APPROVED AS TO FORM THIS____ DAY OF_____ , 20 ____ _____
HIGHLAND CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS___ DAY OF_____, 20 ____ _____
PLANNING COMMISSION CHAIR
_____
COMMUNITY DEVELOPMENT DIRECTOR

CONDITIONS OF APPROVAL

There are conditions of approval attached to this subdivision which are indicated on this plat. These conditions have also been recorded with this subdivision. Potential buyers are requested to read these conditions carefully and obtain a copy of these conditions and restrictions prior to purchasing or contracting to purchase any lots within this subdivision. These conditions are binding and have been imposed by the legislative body of Highland City. A copy of these conditions may be obtained through the Utah County Recorder's office or the Highland City Recorder's office. In addition, Highland City has approved binding zoning laws through a legally binging Development Code. It is the responsibility of the buyer to do their due diligence in obtaining all accurate information and/or regulations that may directly or indirectly affect the use of property prior to purchasing or contracting to purchase any property anywhere. Conditions of approval conveyed on this property by the legislative body of Highland City, which are in addition to the Development Code, are as follows:

1) 70% of the front yard landscaping shall be installed by the homeowner within one year after receiving a certificate of occupancy.
2) Landscaping and construction materials of any type are not permitted upon or within the street, curb & gutter, park strip or sidewal (street right-of-way) with the exception of the park strip which requires 75% to be landscaped.
3) A fence that abuts open space or has a trail has additional restrictions of size and opacity. Fences along open space or a trail must comply with Highland City Ordinance. A fence permit is required for all fences.
4) Highland City Ordinances restrict height of foundation above curb. It is the responsibility of the buyer to contact the city prior to purchasing any lot. This restriction applies to all lots in this subdivision.

NOTES

1. IT IS HEREBY STATED, UNDERSTOOD, AND DEDICATED THAT ALL UNITS HAVE A CROSS-EASEMENT WITHIN THE EXTERIOR WALLS, ATTIC SPACE, ALL COMMON/DIVISION WALLS, AND BELOW THE BOTTOM FLOOR FOR THE PLACEMENT OF NECESSARY UTILITIES TO SERVE ADJACENT UNITS WITHIN A GIVEN BUILDING SHELL. IF THE ABOVE EASEMENT IS NOT UTILIZED DURING THE INITIAL BUILDING CONSTRUCTION FOR THE FIRST OCCUPANCY, THE EASEMENT SHALL BE VACATED WHERE FURTHER USE WOULD CAUSE AN ADJACENT OWNER RECONSTRUCTION FOR PLACEMENT OF AN ADDITIONAL UTILITY NOT ALREADY CONTAINED WITHIN THE SHELL. THERE SHALL BE NO VACATION OF THIS COMMON AREA AND CROSS-EASEMENT IN THE CASE OF ANY NECESSARY STRUCTURAL REMEDIATION OR REPAIRS TO UTILITIES ALREADY IN PLACE WITHIN A GIVEN AREA DEFINED HEREIN.

RESERVATION OF COMMON AREAS

THE OWNER, IN RECORDING THIS PLAT ("THE DEVELOPMENT") HAS DESIGNATED CERTAIN AREAS OF THE DEVELOPMENT AS COMMON AREAS, INTENDED FOR THE OWNERS OF SUNSET MOUNTAIN PLAT "F" FOR INGRESS, EGRESS, AND OTHER RELATED USES AS SET FORTH IN THE DECLARATION OF PROTECTIVE EASEMENTS, COVENANTS, CONDITIONS, AND RESTRICTIONS ("THE DECLARATION") PERTAINING TO THE DEVELOPMENT. THE DESIGNATED AREAS ARE NOT INTENDED, NOR ARE THEY DEDICATED, FOR USE BY THE GENERAL PUBLIC, BUT ARE RESERVED FOR THE COMMON USE AND ENJOYMENT OF THE OWNERS IN THE DEVELOPMENT, AS MORE FULLY PROVIDED IN THE DECLARATION RECORDED CONCURRENTLY WITH THE PLAT IN THE OFFICIAL RECORDS OF UTAH COUNTY, UTAH.

PUBLIC UTILITY EASEMENTS

IN ADDITION TO THE PUBLIC UTILTY EASEMENTS SHOWN ON THIS PLAT, ALL COMMON AND LIMITED COMMON AREAS ARE PUBLIC UTILITY EASEMENTS, INCLUDING FULL RIGHT-OF-WAY ACCESS THERETO, IN FAVOR OF HIGHLAND CITY.

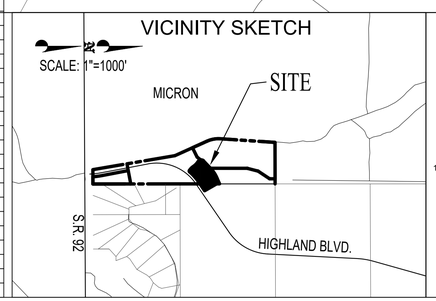
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CURVE TABLE

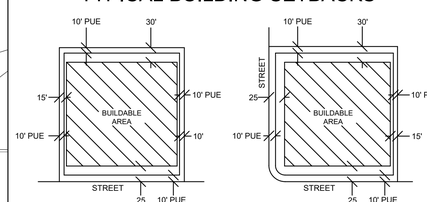
CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	15.00	22.34	85°19'41"	20.33	N 12°50'51" E
C2	178.00	53.21	17°07'36"	53.01	N 21°15'12" W
C3	902.00	211.88	13°27'31"	211.39	S 60°15'33" W
C4	72.00	38.73	30°49'13"	38.26	S 37°50'06" E
C5	228.00	78.83	19°48'34"	78.44	S 43°20'25" E
C6	172.00	58.29	19°25'05"	58.01	S 43°08'40" E
C7	15.00	22.66	86°33'42"	20.57	N 83°51'56" E
C8	702.00	179.36	14°38'21"	178.87	N 47°54'15" E
C9	702.00	153.43	12°31'22"	153.13	S 48°57'45" W
C10	702.00	25.93	02°06'59"	25.93	S 41°38'34" W
C11	172.00	20.48	06°49'16"	20.46	N 49°26'35" W
C12	172.00	33.12	11°02'03"	33.07	N 40°30'55" W
C13	172.00	4.69	01°33'45"	4.69	N 34°13'01" W
C14	228.00	25.50	06°24'29"	25.49	N 36°38'23" W
C15	228.00	20.48	05°08'45"	20.47	N 42°25'00" W
C16	228.00	32.85	08°15'19"	32.82	N 49°07'02" W
C17	902.00	10.16	00°38'43"	10.16	N 53°51'09" E
C18	902.00	8.83	00°33'39"	8.83	N 54°27'20" E
C19	902.00	192.89	12°15'09"	192.52	N 60°51'44" E

VICINITY SKETCH

SCALE: 1"=1000'



TYPICAL BUILDING SETBACKS



DOMINION ENERGY

Dominion Energy approves this plat solely for the purpose of confirming that the plat contains public utility easements. Dominion Energy may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgement of any terms contained in the plat, including those set forth in the Owners Dedication and the Notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Dominion's right-of-way department.

Approved this ___ day of ____ 20 ____ Dominion Energy By:_____ Title:_____

UTILITIES APPROVAL

Utilities shall have the right to install, maintain and operate their equipment above and below ground and all other related facilities within the Public Utilities Easements identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. The utility may require the lot owner to remove such structures at the owner's expense, or the utility may remove such structures at the owner's expense. At no time any permanent structures be placed within the PUE or any other obstructions with interferes with the use of the PUE with out the prior written approval of the utilities with facilities in the PUE.

Rocky Mtn. Power _____ Qwest _____ Comcast_____
Date: _____ Date: _____ Date: _____

OWNER
MEADOWBROOK PROPERTIES, LP
11038 N. HIGHLAND BLVD
HIGHLAND, UT 84003
(801) 492-3400

ENGINEER
berg
CIVIL ENGINEERING
11038 N Highland Blvd Suite 400
Highland Ut, 84003
office (801) 492-1277
cell (801) 616-1677

SUNSET MOUNTAIN
PLAT "F"

LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 27, T4S, R1E, SLB&M

SCALE: 1" = 30 FEET

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL

AGENDA

NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #3

DATE: August 3, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Kellie Smith
Planner & GIS Analyst

SUBJECT: **PUBLIC HEARING AND ORDINANCE:** Site Plan and Conditional Use Permit - Highland Business Park - Building 'C' *Administrative*

PURPOSE:
The City Council will hold a public hearing to consider a request by Patterson Development for a Site Plan and Conditional Use Permit for a general office building located at approximately 11235 N Highland Blvd. The City Council will take appropriate action.

BACKGROUND:
In the Professional Office (P.O Zone) District the City Council is the approval body for a site plan and conditional use permit, after receiving a recommendation from the Planning Commission. The Planning Commission is the approval body for the architectural review. On July 27, 2021 the Planning Commission approved the building architecture.

Professional Office District:
The PO District was approved in 2003. The zone was drafted to accommodate the storage facility and a number of professional office buildings along Highland Boulevard. A Development Agreement was also approved in 2003. A specific site plan was included as part of the zone (see attachment #5). There have been a few amendments to the PO District since the original approval. These amendments are related to assisted living facilities and changes to the site plan. This request is for Building 7 in the original site plan. If the site plan is approved, an ordinance (attachment #6) will need to be passed with this agenda item to update the overall site plan for the PO District.

Conditional Uses:
If a use is allowed as a conditional use, it is assumed that the use is desirable but that it may require an extra level of review. The City Council shall review the proposed conditional use and may impose reasonable conditions to mitigate (mitigate means to reduce the negative aspects, not eliminate them) the reasonably anticipated detrimental effects of the proposed use as set forth below:

1. In reviewing the application and proposed conditional use, the City Council shall

review the information provided by the applicant and city staff, the recommendation of the Planning Commission, and the factors, standards, and ordinances applicable to the proposed use, including those set forth in this chapter.
2. The City Council shall approve the conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable, objective standards.
3. The City Council may not require elimination of all detrimental effects as a condition of approval if the detrimental effects can be reasonably mitigated.
4. If the City Council, on the record, finds that a compelling public interest would be jeopardized by approving the application OR if reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.
5. The City Council shall itemize, describe, and justify the conditions imposed on the use and the detrimental effects being mitigated by those conditions.

Site plan and conditional use permit approvals are *administrative* actions.

SUMMARY OF THE REQUEST:

1. The applicant is requesting site plan, architectural plan, and conditional use permit approval for a 4,572 square foot office building (1,632 sf building footprint).

2. Vehicular access will be provided from Sunset Drive and two accesses from Normandy Way to the east. No additional roadway access points along Highland Blvd are proposed.

3. There are 54 parking stalls provided with three designated handicap parking stalls.

4. Hours of operation will be 8:00 am to 6:00 pm Monday through Saturday. Number of employees is unknown at this time.

CITIZEN PARTICIPATION:

Notice of the public hearing associated with this meeting was published in the Daily Herald on July 17, 2021 and posted on the state and city websites July 15, 2021. Notification letters were mailed to all property owners within 500 feet of the proposed site on July 15, 2021. No written correspondence has been received.

PLANNING COMMISSION ACTION:

The Planning Commission held a public hearing for the conditional use permit associated with this request on July 27, 2021. There were no citizen comments. The Planning Commission voted 5-0 to recommend **APPROVAL** of the site plan and conditional use permit for the proposed building with the stipulations recommended by Staff.

REQUIRED FINDINGS/ANALYSIS:

The City Council shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use. The City Council may not require elimination of all detrimental effects. The Planning Commission and City Council shall review, but not limit their review, to the following considerations and standards where applicable to the application:

1. **The Site of the Structure or Use:**

   The site plan meets the requirements found in the Development Code for structures/uses in the Professional Office Zone. A 21' landscaping buffer along Highland Blvd is required and is shown on the site plan.

   The proposed materials, colors, and overall style of the building architecture appear to meet the guidelines set in Section 3-4922 Architectural Design of the P.O. Zone in the Development Code. The Development Code has a specific section on the roof design for structures in the P.O. Zone. The proposed building meets the requirements in this section. Any signage will need to receive a sign permit approved by the Zoning Administrator.

   The number of parking spaces in the overall site is based on typical office requirements. Required – 45; Provided – 54 (including 3 ADA spaces).

   Building 'C' will be accessed from Sunset Drive and two accesses along Normandy Way. There will be no additional access points along Highland Blvd. The site has been designed to allow for emergency vehicles to turn within the site as shown on the site plan. The Institute of Transportation Engineers, Trip Generation, 10th Edition, land use code of 712-Small Office Building was used to identify the Peak PM Trips associated with this land use (4,575 sf) = 11 PM Peak Hour Trips.

2. **The Impact on Surrounding Uses**

   The proposed hours of operation are Monday through Saturday 8:00 AM – 6:00 PM. This is within the limits of hours of operation established in Section 5.04.170 of the Municipal Code. There will be no impact on surrounding non-residential uses.

3. **Safety of Persons and Property**

   The proposed structure/use is surrounded on the west and north by existing storage sheds and is adjacent to professional office buildings to the east and south. The proposed office building is set back approximately 140 feet from Highland Blvd and

is approximately 270 feet from the nearest residential property line.

The exterior lighting will be minimized with downward directed lighting.

Public improvements relating to curb, gutter, and sidewalk along Highland Blvd have all been completed.

4. **Health and Sanitation**

The site is served by existing City culinary water, pressurized irrigation, and sanitary sewer lines. Water and sewer connections for each unit are proposed for the site. The existing infrastructure has the capacity to serve this development.

5. **Environmental Issues**

There appear to be no environmental issues related to pollution, dust and erosion, sensitive lands, etc. related to the proposed office use or site plan.

6. **General Plan and Characteristics of the Surrounding Properties**

The subject property is designated as Office on the Land Use Map of the General Plan. The existing Professional Office zoning is consistent with the Office designation of the General Plan. The proposed use is allowed in the PO District subject to conditional use permit approval. The master site plan identified this site for office uses. The proposed use will not adversely affect the desired character of the surrounding area.

The proposed office is adjacent to existing storage sheds to the west and professional office buildings to the east and south. The proposed office building approximately 270 feet from the nearest residential property line.

The proposed offices will not substantially change the look or character of the surrounding area. There will be no outdoor storage or outdoor activity.

STIPULATIONS:

Four routine stipulations have been included in the staff recommendation for the site plan and conditional use permit approval. An additional stipulation will ensure that the island along Highland Blvd be installed as shown in the landscaping plan approved with the 2003 Development Agreement.

CONCLUSION:

With the proposed stipulations, the proposed use appears to meet the General Review

Criteria for Conditional Use Permits and the requirements in the Professional Office District.

RECOMMENDATION AND PROPOSED MOTION:

The Planning Commission recommends that the City Council **APPROVE** the site plan and the conditional use permit subject to the following stipulations:

1. Development of the site shall comply with the site, elevations, and landscape plan date stamped June 2, 2021 require a separate permit and comply with the Development Code requirements.
2. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer and the Fire Marshall.
3. All signage shall require a separate permit and comply with the Development Code requirements.
4. In accordance with Section 4-109, the Conditional Use Permit will expire if a building permit is not issued within one year of approval by City Council.
5. The landscaping in the islands along Highland Blvd be completed as approved by the Parks Superintendent before a Certificate of Occupancy is given.

I move that the City Council **ADOPT** the ordinance approving the site plan and **APPROVE** the conditional use permit for Highland Business Park Building 'C' subject to the five (5) stipulations recommended by staff.

ALTERNATIVE MOTION:

I move that the City Council **DENY** the site plan, the resolution to update the P.O. site plan, and conditional use permit for Highland Business Park Building 'C' based on the following findings (the Council will need to draft appropriate findings).

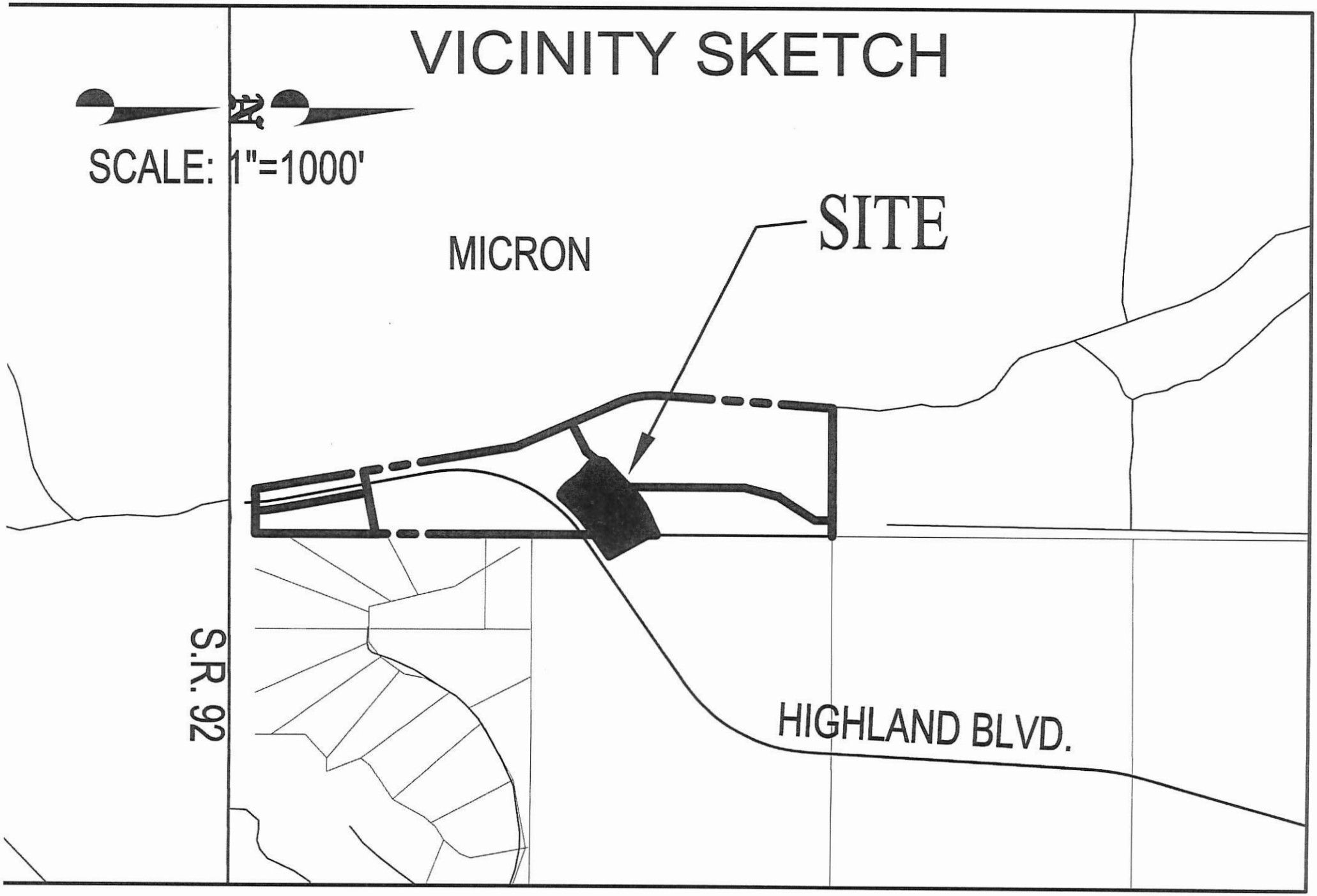
FISCAL IMPACT:

This action will not have a financial impact on this fiscal year's budget expenditures.

ATTACHMENTS:

1. Vicinity Map
2. Site Plan
3. Building Elevations
4. Project narrative
5. Professional Office Zone Site Plan
6. Ordinance

ATTACHMENT 1:



ATTACHMENT 2:

TABULATIONS

CURRENT ZONING	PROFESSIONAL OFFICE "PO"		
GROSS PROJECT AREA	92,950 SF		
NET PROJECT AREA	92,950 SF	2.13 AC	100%
LANDSCAPING / PERVIOUS AREA	32,360 SF	0.74 AC	35%
BLDG FOOTPRINTS	21,210 SF	0.49 AC	23%
TOTAL DRIVES / PARKING	38,886 SF	0.89 AC	42%
TOTAL IMPERVIOUS AREA	60,096 SF	1.38 AC	65%

PARKING

WAREHOUSE BLDG FOOTPRINTS		18,060 SF	
OFFICE (1000 SF PER UNIT @ 6 UNITS)		6,000 SF	
WAREHOUSE		15,060 SF	
PARKING REQUIRED	OFFICE	4 SPACES / 1000 SF	24 SPACES
	WAREHOUSE	1 SPACE / 5000 SF	3 SPACES
OFFICE		4,575 SF	
PARKING REQUIRED		4 SPACES / 1000 SF	18 SPACES
TOTAL REQUIRED PARKING			45 SPACES
PARKING PROVIDED			53 SPACES
ADA SPACES		3 SPACES	
STANDARD SPACES		50 SPACES	

BOUNDARY DESCRIPTION

LOT 101 OF SUNSET MOUNTAIN PLAT "E", ALSO DESCRIBED AS

BEGINNING AT A POINT WHICH IS NORTH 253.26 FEET AND WEST 35.02 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 27 TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN.

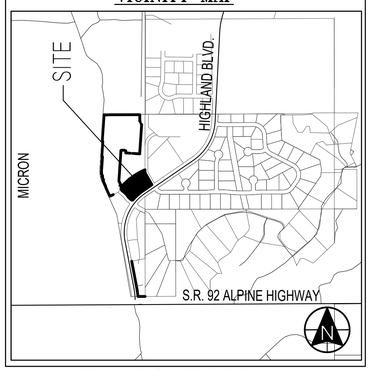
RUNNING THENCE N 55°30'41" E 159.79 FEET; THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 22.34 FEET (CENTRAL ANGLE EQUALS 85°19'41" AND LONG CHORD BEARING N 12°50'51" E 20.33 FEET); THENCE N 29°49'00" W 69.79 FEET; THENCE ALONG THE ARC OF A 178.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 53.21 FEET (CENTRAL ANGLE EQUALS 17°07'36" AND LONG CHORD BEARING N 21°15'12" W 53.01 FEET); THENCE N 29°49'00" W 59.08 FEET; THENCE N 00°02'34" E 40.17 FEET; THENCE ALONG THE ARC OF A 902.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 211.88 FEET (CENTRAL ANGLE EQUALS 13°27'31" AND LONG CHORD BEARING S 60°15'33" W 211.39 FEET); THENCE S 55°51'21" W 41.77 FEET; THENCE S 46°28'34" W 155.68 FEET; THENCE S 10°35'13" W 32.65 FEET; THENCE ALONG THE ARC OF A 72.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 38.73 FEET (CENTRAL ANGLE EQUALS 30°49'13" AND LONG CHORD BEARING S 37°50'06" E 38.26 FEET); THENCE S 53°14'42" E 22.26 FEET; THENCE ALONG THE ARC OF A 228.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 78.83 FEET (CENTRAL ANGLE EQUALS 19°48'34" AND LONG CHORD BEARING S 43°20'25" E 78.44 FEET); THENCE ALONG THE ARC OF A 172.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 58.29 FEET (CENTRAL ANGLE EQUALS 19°25'05" AND LONG CHORD BEARING S 43°08'40" E 58.01 FEET); THENCE S 52°51'13" E 17.60 FEET; THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 22.66 FEET (CENTRAL ANGLE EQUALS 86°33'42" AND LONG CHORD BEARING N 83°51'56" E 20.57 FEET); THENCE ALONG THE ARC OF A 702.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 179.36 FEET (CENTRAL ANGLE EQUALS 14°38'21" AND LONG CHORD BEARING N 47°54'15" E 178.87 FEET) TO THE POINT OF BEGINNING.

CONTAINING 92,950 SF OR 2.13 AC

SHEET INDEX

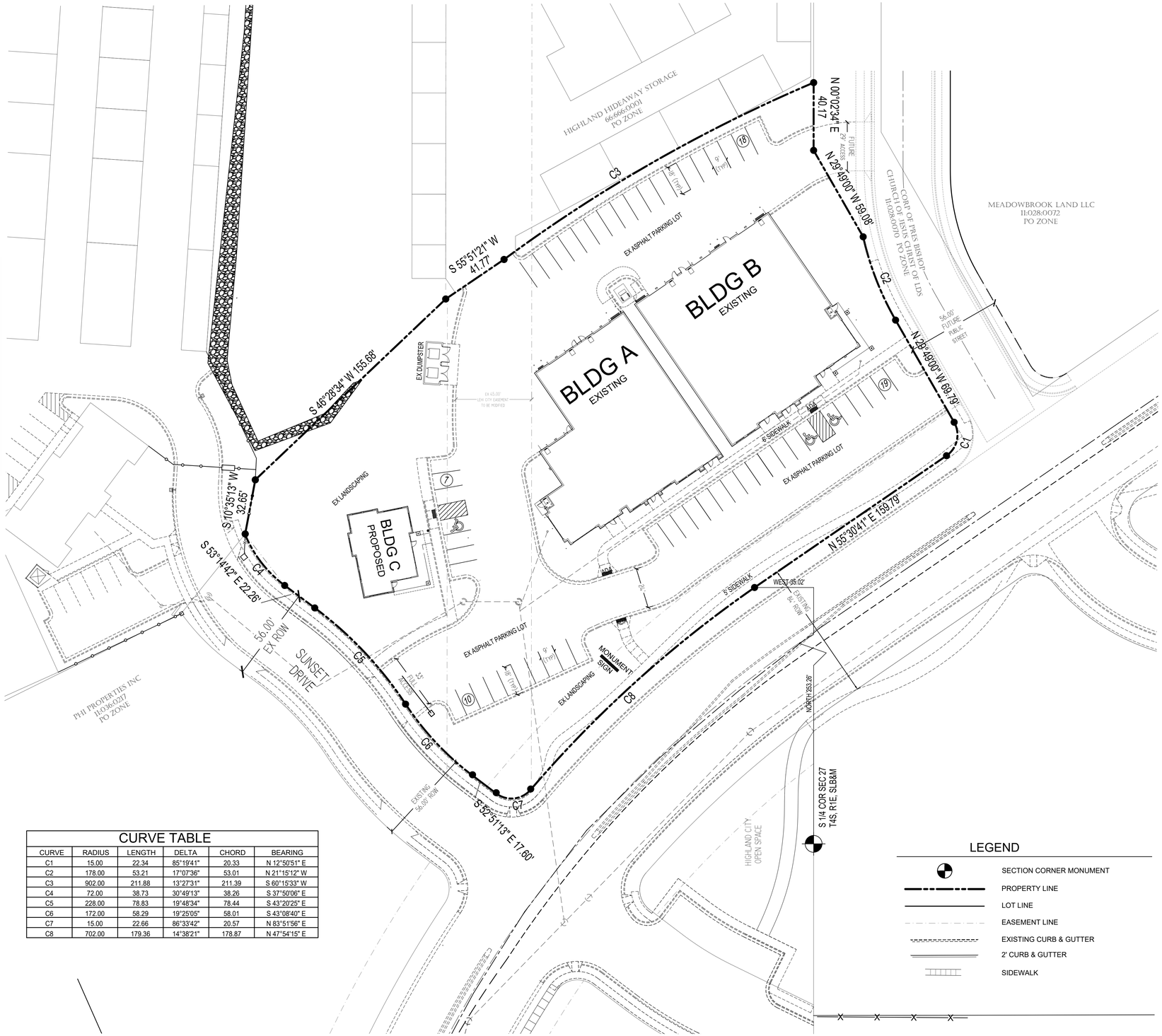
C1	SITE PLAN
C2	OVERALL UTILITY PLAN
C3	GRADING & DRAINAGE PLAN
LS1-LS2	LANDSCAPE & IRRIGATION PLANS

VICINITY MAP



GENERAL NOTES

1. ALL DEVELOPMENTS SHALL BE MAINTAINED IN CONFORMANCE WITH THE APPPROVED SITE PLAN.
2. CONSTRUCTION TO CONFORM TO HIGHLAND CITY STANDARDS AND SPECIFICATIONS.
3. THERE ARE NO KNOWN WATERWAYS, WATER COURSES, WETLANDS, FLOOD ZONES, FAULT LINES, DEBRIS FLOWS, OR ROCKSLIDES LOCATED ON THIS PROPERTY.
4. THERE ARE NO IRRIGATION DITCHES ON THIS SITE THAT NEED TO BE MAINTAINED.
5. ALL UTILITY LINES LESS THAN 69KV SHALL BE UNDERGROUNDED WITH THE FIRST PHASE OF DEVELOPMENT.
6. ALL GROUND-MOUNTED EQUIPMENT SHALL BE CREENED / CONCEALED FROM STREET VIEW.
7. PLANTS LOCATED WITHIN REQUIRED SIGHT VISIBILITY TRIANGLES SHALL BE PRUNED REGULARLY TO PERMIT UNOBSTRUCTED VISION. PLAT MATERIAL SHALL BE MAINTAINED TO BE LOWER THE 3' (SHURBS) OR TALLER THAN 7' (BOTTOM OF TREE CANOPY)
8. ALL DEVELOPMENTS SHALL BE MAINTAINED IN CONFORMANCE WITH THE APPROVED SITE PLAN AND LANDSCAPE PLAN. ANY CHANGES THERETO SHALL REQUIRE APPROVAL OF HIGHLAND CITY.



CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	15.00	22.34	85°19'41"	20.33	N 12°50'51" E
C2	178.00	53.21	17°07'36"	53.01	N 21°15'12" W
C3	902.00	211.88	13°27'31"	211.39	S 60°15'33" W
C4	72.00	38.73	30°49'13"	38.26	S 37°50'06" E
C5	228.00	78.83	19°48'34"	78.44	S 43°20'25" E
C6	172.00	58.29	19°25'05"	58.01	S 43°08'40" E
C7	15.00	22.66	86°33'42"	20.57	N 83°51'56" E
C8	702.00	179.36	14°38'21"	178.87	N 47°54'15" E

LEGEND

- SECTION CORNER MONUMENT
- PROPERTY LINE
- LOT LINE
- EASEMENT LINE
- EXISTING CURB & GUTTER
- 2' CURB & GUTTER
- SIDEWALK

DEVELOPER

PATTERSON DEVELOPMENT
11251 N. SUNSET DR
HIGHLAND,UT 84003
(801) 709-3956

Call BEFORE YOU Dig 1-800-662-4111

NOTICE!

AVOID CUTTING UNDERGROUND UTILITIES.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES, SHOWN OR NOT SHOWN ON THE PLANS.

0 15 30 60 90
SCALE: 1"= 30'

berg
CIVIL ENGINEERING
11038 N Highland Blvd Suite 400
Highland Ut, 84003
office (801) 492-1277
cell (801) 616-1677

REVISIONS		
NO	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		

SEAL: STATE OF UTAH — TYLER R. BERG — 6/1/2021 — 343602 — PROFESSIONAL ENGINEER

ACTION	DATE
	6/1/2021

PROJECT

HIGHLAND BUSINESS PARK
11264 N. HIGHLAND BLVD, HIGHLAND, UT 84003

DESCRIPTION

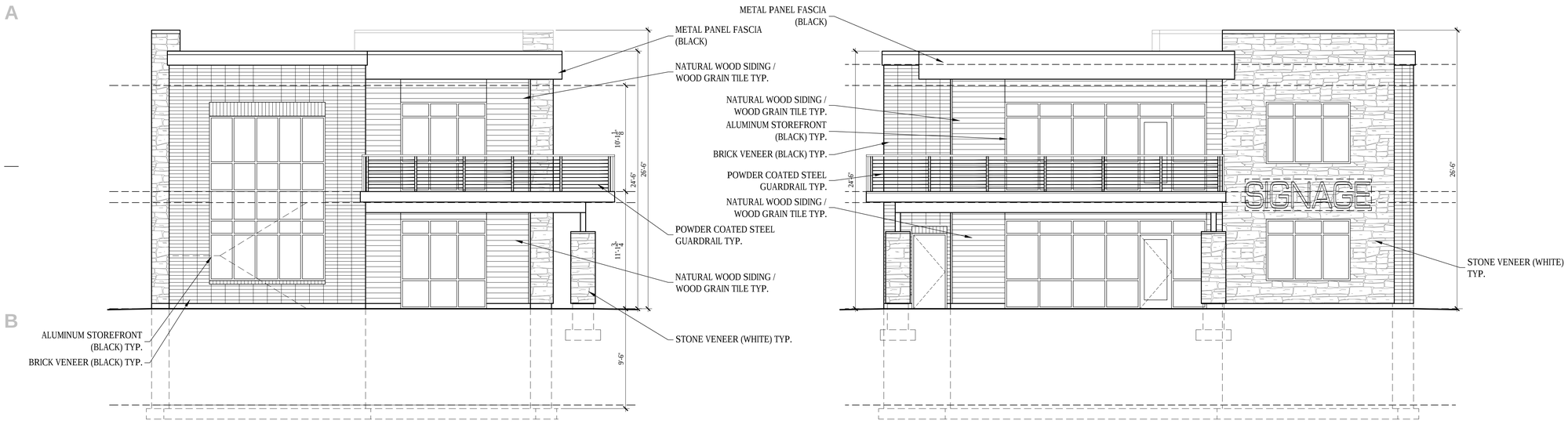
BUILDING C SITE PLAN SUBMITTAL

SHEET NAME	SHEET NUMBER
SITE PLAN	C1

I:\my drive\berg civil\2019\hwp - highland flex warehouse\dwg c0\h-fw_c01_site.dwg

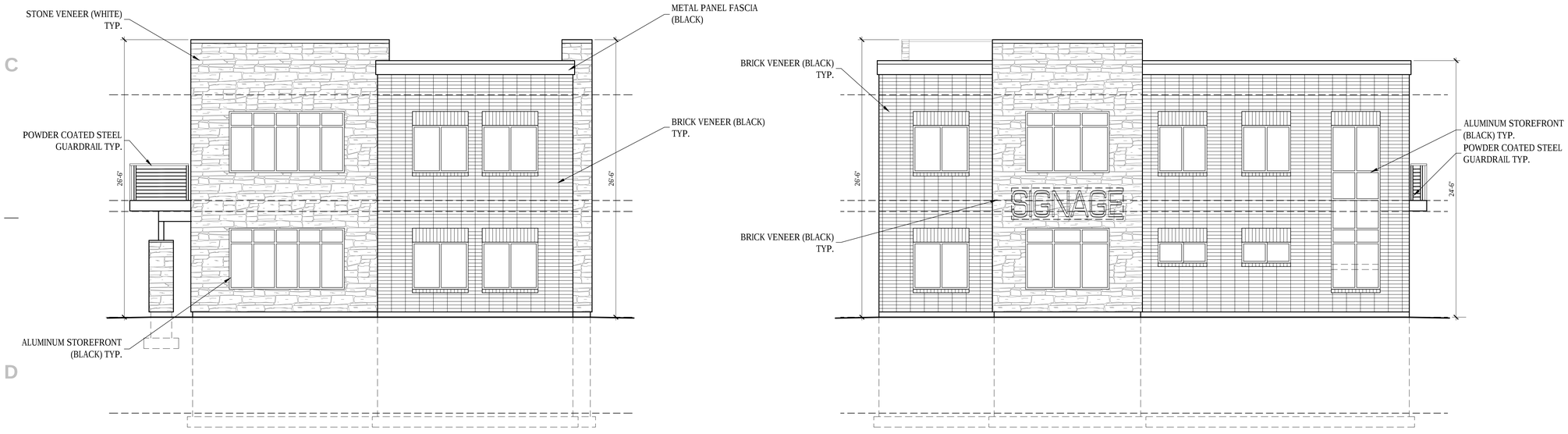
ATTACHMENT 3:

MARK	REVISION	DATE



1 - *SOUTH EXTERIOR ELEVATION*
SCALE: 1/4" = 1'-0"

2 - *EAST EXTERIOR ELEVATION*
SCALE: 1/4" = 1'-0"



3 - *NORTH EXTERIOR ELEVATION*
SCALE: 1/4" = 1'-0"

4 - *WEST EXTERIOR ELEVATION*
SCALE: 1/4" = 1'-0"

CURTIS MINER ARCHITECTURE
233 SOUTH PLEASANT GROVE BLVD. SUITE #105
PLEASANT GROVE, UTAH 84062
PHONE: (801) 769-3000
FAX: (801) 769-3001
cmautah@cmautah.com

DATE:	01/20/21
PROJECT #:	CMA 19-999
PROJ. MAN.:	JSJ
CHECKED BY:	CM

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PROJECT:

HIGHLAND BUSINESS PARK "BUILDING C"

11235 NORTH HIGHLAND BLVD.
HIGHLAND, UTAH 84003

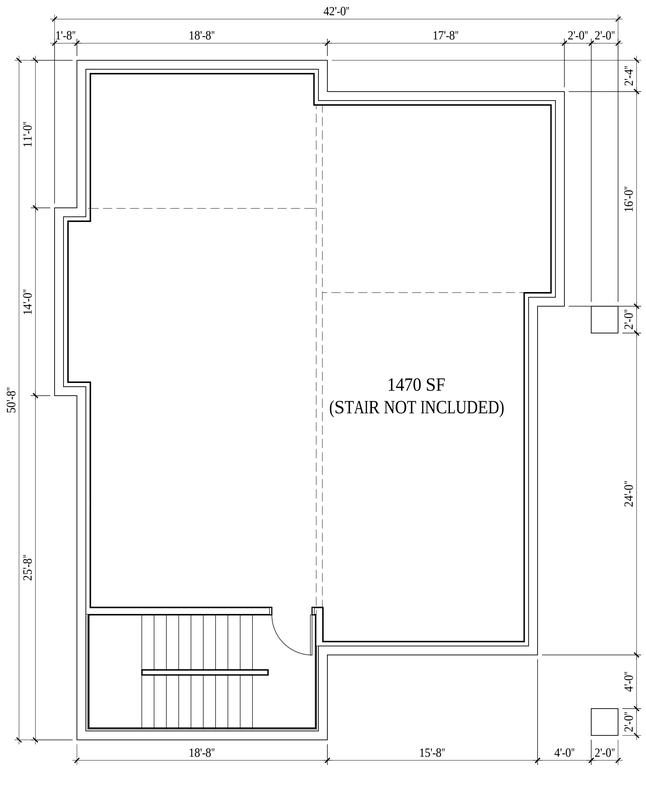
SHEET DESCRIPTION:

EXTERIOR ELEVATIONS

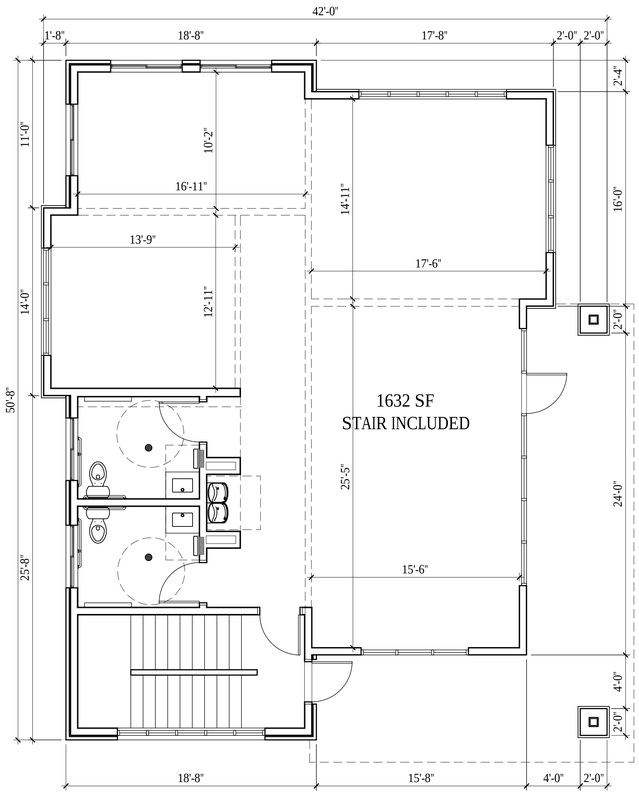
SHEET:

A201

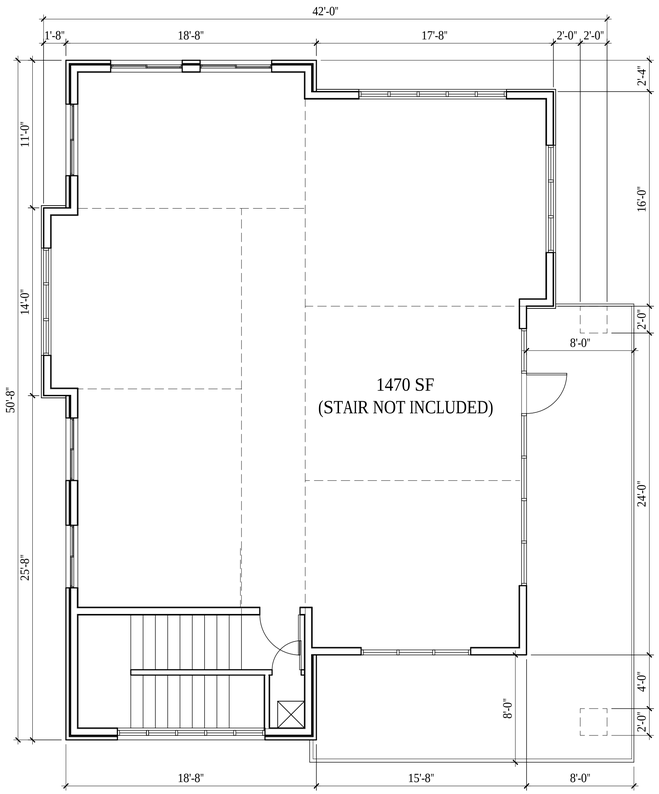
MARK	REVISION	DATE



1 - BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"



2 - FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



3 - SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

CURTIS MINER ARCHITECTURE
233 SOUTH PLEASANT GROVE BLVD.
SUITE #105
PLEASANT GROVE, UTAH 84062
PHONE: (801) 769-3000
FAX: (801) 769-3001
cmautah@cmautah.com

DATE:	01/20/21
PROJECT #:	CMA 19-999
PROJ. MAN.:	JSJ
CHECKED BY:	CM

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PROJECT:
HIGHLAND BUSINESS PARK
"BUILDING C"
11235 NORTH HIGHLAND BLVD.
HIGHLAND, UTAH 84003

SHEET DESCRIPTION:
FLOOR PLANS

SHEET:
A101

ATTACHMENT 4:

11038 N Highland Blvd
Suite 400
Highland Ut, 84003
office (801) 492-1277
cell (801) 616-1677
ken@bergcivil.com

CIVIL ENGINEERING

Project Narrative

06/01/2021

To: Highland City

From: Ken Berg, P.E., Berg Civil Engineering

Subject: Highland Office and Warehouse Park – BUILDING C

Proposed Use

Highland Office and Warehouse Park is an existing project that is comprised of several adjacent office warehouses. These office warehouses can be used for a variety of companies. Some uses include but are not limited to the following: Dance studio, Daycare Center, Mom and Pop shop and other small businesses. The exact use of each office warehouse may vary slightly from the next but will be consistent with the General Plan and compliant with the Development Code and other city codes and regulations.

Consistency with the General Plan

The general plan currently shows this area to be Professional Office. The proposed use for Building C meets this requirement as it is proposed for Office Use.

Development Code Compliance

Based upon Article 4.9 Professional Office ("P.O.") Zone, allows for the following:

(1) Professional offices and services including but not limited to: architects, engineers, contractors, real estate offices, property managers, and mortgage and title offices.
(2) Financial or legal offices consisting of but not limited to: banks, insurance offices, and law or accounting offices.
(3) Medically related offices/services consisting of but not limited to: doctor's office, dentist's office, pharmacy, physical therapy, optometrists, chiropractors, counselors, and psychiatrists.
(4) Other types of Professional Services including but not limited to: information technology services, marketing, travel and employment agencies, journalists, collection agencies, educational services, music studios, photography studios, churches, colleges & schools (academic, pre-schools, special education, indoor instruction only).
(5) Art and craft galleries, and studios for the teaching of arts and crafts.
(6) Any other conditional uses or other types of professional services which the Planning Commission and City Council determine to be compatible with the intent of the Zone.

Based upon Article 3-4905 allows for the following:

Coverage of a site by a building shall not exceed thirty (30) percent.

Total project size	23 ac	100%
Storage & Office Buildings	6.90 ac	30%

All site plan configurations, landscaping and/or natural open space shall occupy no less than thirty-five percent (35%)

As per the Open Space Table in the attached Overall Master Plan for the overall project the total project as able to maintain the required 35% open space required by the zone.

General Compatibility of proposed use with adjacent property

The proposed addition is located centrally in the existing Professional Office (PO) Zone. This addition will be surrounded on the West and North by existing storage sheds, and by the East and South by future professional office buildings. The proposed use is compatible with its surroundings.

Site the building design with exterior lighting

The proposed buildings will be similar to the existing buildings as shown in the attached colored elevations. The exterior lighting will be minimized with downward directed lighting.

Ingress and Egress

The proposed addition will be accessed from Sunset Drive and a new driveway to the East. No additional roadway access points along Highland Blvd are proposed. The site has been designed to allow for emergency vehicles to turn within the site as shown on the site plan.

Pedestrian and alternative vehicles

No pedestrian or alternative vehicle improvements are proposed for this storage shed site.

Volume and character of traffic

Using the Institute of Transportation Engineers, Trip Generation, 10th Edition, the land use code of 712 – Small Office Building was used to identify the Peak PM trips associated with this land use (4,575 sf) = 11 PM Peak Hour Trips.

Impact of public services

Water & sewer connections for each unit are proposed for the site. A common landscape connection is proposed for the common landscaping. There will be no impacts to surrounding schools or recreation facilities.

Screening and buffering

A 21 foot landscaping buffer along Highland Blvd is required and is shown on the site plan.

Proposed outdoor activities or storage

No outdoor storage activities allowed.

Hours of operation

Office Hours

Sunday	Closed
Monday - Saturday	8:00 AM - 6:00 PM

Number of employees

Number of employees is unknown at this time. The number of parking spaces is based upon typical office requirements.

Noise, smoke, odor, dust, vibration, or illumination created by the proposed use.

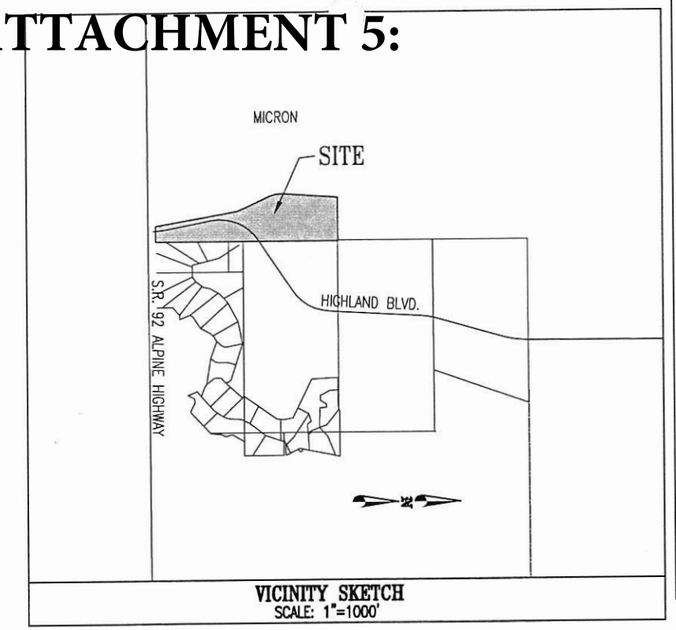
After construction, there will be low to no impacts of noise, smoke, odor, dust, vibration or illumination created by the storage sheds.

Regards,



Ken R. Berg, PE

ATTACHMENT 5:



VICINITY SKETCH
SCALE: 1"=1000'

STORAGE TABULATIONS

BUILDING LETTER	SIZE OF BUILDING
A	16,050 SF
B	6,300 SF
C	11,520 SF
D	12,000 SF
E	1,600 SF
F	4,050 SF
G	2,220 SF
H	2,750 SF
I	2,500 SF
J	3,000 SF
K	1,800 SF
L	1,400 SF
M	3,600 SF
N	4,800 SF
O	7,200 SF
P	8,400 SF
Q	6,100 SF
R	11,600 SF
S	10,150 SF
T	8,700 SF
U	12,000 SF
V	9,700 SF
W	9,000 SF
X	1,200 SF
Y	2,850 SF
Z	9,300 SF
AA	3,150 SF
BB	9,300 SF
CC	6,400 SF
DD	8,300 SF
TOTAL UNITS	196,940 SF

GENERAL NOTES

1. THIS PLAN PRESENTED AS PART OF NEW HIGHLAND CITY PROFESSIONAL OFFICE ZONE.
2. DEVELOPMENT DENSITIES, BUILDING AREAS, & GENERAL LAYOUT ALREADY ESTABLISED AS PER SETTLEMENT AGREEMENT BETWEEN CITY, SUNCREST, & SUNSET MT.
3. HIGHLAND BLVD. (FORMERLY SUNCREST DRIVE) TO BE CONSTRUCTED BY SUNCREST DEVELOPMENT AS PER AGREEMENT.
4. SEE SEPERATE LANSCAPE ANALYSIS AND PLAN.
5. CONSTRUCTION OF OFFICE BUILDINGS & STORAGE UNITS MAY BE PHASED.

LOT CALCULATIONS

PROFESSIONAL OFFICE A	1.93 AC	
BUILDINGS	20,400 SF	
OPEN SPACE	0.98 AC	51%
PARKING/DRIVES	0.71 AC	37%
PARKING STALLS	77 STALLS	
PROFESSIONAL OFFICE B	1.29 AC	
BUILDINGS	13,600 SF	24%
OPEN SPACE	0.42 AC	33%
PARKING/DRIVES	0.56 AC	43%
PARKING STALLS	57 STALLS	
PROFESSIONAL OFFICE C	1.29 AC	
BUILDINGS	13,600 SF	24%
OPEN SPACE	0.28 AC	21%
PARKING/DRIVES	0.70 AC	54%
PARKING STALLS	60 STALLS	

BOUNDARY DESCRIPTION

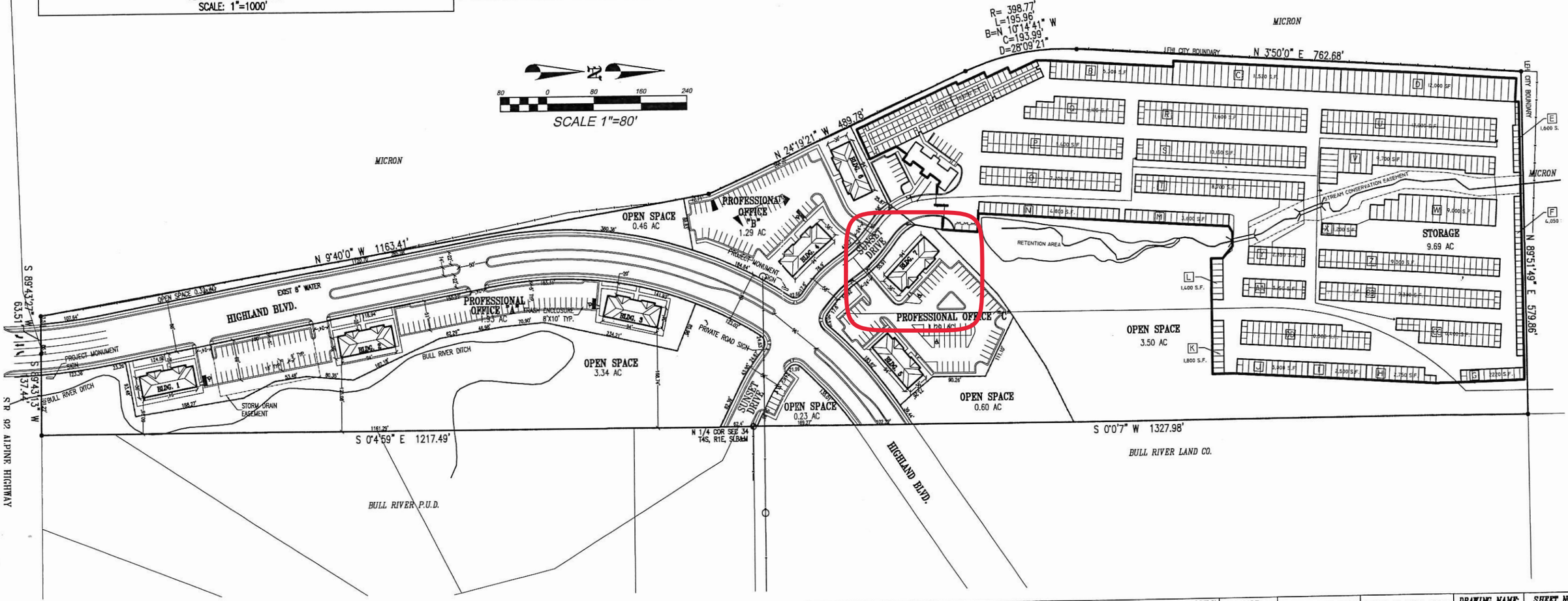
BEGINNING AT A POINT WHICH IS THE NORTH QUARTER CORNER OF SECTION 34 TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN.

RUNNING THENCE S 00°04'59" E 1217.49 FEET; THENCE S 89°43'13" W 137.44 FEET; THENCE S 89°43'27" W 63.51 FEET; THENCE N 09°40'00" W 1163.41 FEET; THENCE N 24°19'21" W 489.78 FEET; THENCE ALONG THE ARC OF A 398.77 FOOT RADIUS CURVE TO THE RIGHT 195.96 FEET (CURVE HAS A CENTRAL ANGLE OF 28°09'21" AND A CHORD BEARING N 10°14'41" W 193.99 FEET); THENCE N 03°50'00" E 762.68 FEET; THENCE N 89°51'49" E 579.86 FEET; THENCE S 00°00'07" W 1327.98 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINING 26.22 ACRES

TABULATIONS

TOTAL PROPERTY	26.22 AC	
HIGHLAND BLVD	3.03 AC	
NET DEVELOPED AREA	23.19 AC	100.0%
SUNSET DRIVE	0.49 AC	2.1%
PROFESSIONAL OFFICE A	1.93 AC	8.3%
PROFESSIONAL OFFICE B	1.29 AC	5.6%
PROFESSIONAL OFFICE C	1.29 AC	5.6%
STORAGE UNITS	9.69 AC	41.8%
STREAM CONSERVATION EASEMENT	0.36 AC	1.5%
OPEN SPACE BY STORAGE	3.50 AC	15.1%
OPEN SPACE BY BULL RIVER DITCH	3.57 AC	15.4%
OPEN SPACE BY HIGHLAND BLVD.	0.46 AC	2.0%
OPEN SPACE BY OFFICE C	0.60 AC	2.6%
TOTAL ACCESSIBLE OPEN SPACE	8.13 AC	35.1%



HIGHLAND, UTAH	SUNSET MT. PROPERTIES, 11009 N. 6400 W. HIGHLAND, UT 84003 756-7303	SUNSET MOUNTAIN PROFESSIONAL OFFICE - AMENDED SITE PLAN	SOWBY & BERG CONSULTANTS 45 N. 490 W. 492-1277 AMERICAN FORK, UTAH 84003	SCALE: 1"=80'	DESIGN BY: SES DRAWN BY: AAM	DATE: 12 NOV 2003 REV: 01 SEP 2004	DRAWING NAME: SCP05	SHEET NO. 1

ATTACHMENT 6

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL UPDATING THE PROFESSIONAL OFFICE SITE PLAN, LANDSCAPE PLAN, AND ARCHITECTURAL PLAN AS SHOWN FILENAME SP-21-03.

WHEREAS, all due and proper notices of public meetings on this Ordinance held before the Highland City Council (the "City Council") were given in the time, form, substance and manner provided by Utah Code; and

WHEREAS, the City Council held a public meeting on this Ordinance on August 3, 2021.

NOW, THEREFORE, BE IT ORDAINED BY THE Highland City Council as follows:

SECTION 1. That Professional Office Site Plan is amended as shown in filename SP-21-03 incorporated herein by reference subject to the following stipulations:

1. Development of the site shall comply with the site, elevations, and landscape plan date stamped June 2, 2021 require a separate permit and comply with the Development Code requirements.
2. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer and the Fire Marshall.
3. All signage shall require a separate permit and comply with the Development Code requirements.
4. In accordance with Section 4-109, the Conditional Use Permit will expire if a building permit is not issued within one year of approval by City Council.
5. The landscaping in the islands along Highland Blvd be completed as approved by the Parks Superintendent before a Certificate of Occupancy is given.

SECTION 2. That the Mayor, the City Administrator, the City Recorder and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

SECTION 3. This Ordinance shall become effective immediately after posting.

SECTION 4. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Highland City Council, August 3, 2021.

HIGHLAND CITY, UTAH

_____

Rodney W. Mann, Highland City Mayor

ATTEST:

_____

Stephannie Cottle, Highland City Recorder

COUNCILMEMBER	YES	NO
Timothy A. Ball	□	□
Brittney P. Bills	□	□
Kurt Ostler	□	□
Kim Rodela	□	□
Scott L. Smith	□	□

AGENDA

NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #4

DATE: August 3, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Kellie Smith
Planner/GIS Analyst

SUBJECT: **PUBLIC HEARING:** Disposal of Public Property *Legislative*

PURPOSE:

The City Council will hold a public hearing to dispose of 38,736 square feet of publicly owned property in the Pebble Lane Estates subdivision not needed for right of way for Canal Boulevard. The property will be sold for residential use. The Council will take appropriate action.

DISCUSSION:

Highland City Staff has requested to dispose of residual property from the Canal Boulevard project as surplus that is not needed for right of way. There are two parcels included in this request:

- Parcel 1: 3,190 square feet – residual lot
- Parcel 2: 35,546 square feet – future single-family lot

Section 2.44.30 Disposal of Real Public Property requires a three-step process to sell property:

1) Declaration of Surplus Property – declared at the July 20th City Council meeting
2) Hold a Public Hearing
3) Approval of Purchase Contract

On July 20th, the City Council approved a resolution to declare the above-mentioned property as surplus with the intent to sell it for residential use.

The purpose of this item is to hold a public hearing to move forward with selling the parcels. A request for a plat amendment to adjust the boundaries of these lots will also be reviewed at this City Council meeting.

FISCAL IMPACT:

This action will not impact the current fiscal year's expenditures.

RECOMMENDATION:

Staff recommends the Council hold a public hearing.

PROPOSED MOTION:

Not applicable.

ATTACHMENTS:

1. Resolution-2021-17 approved on July 20, 2021

RESOLUTION NO: R-2021-17

A RESOLUTION OF HIGHLAND CITY, UTAH DESIGNATING PROPERTY FOR DISPOSAL

WHEREAS, the Highland City Council has established a process of designating property for disposal.

NOW, THEREFORE be it resolved by the City Council of Highland City that the Property, outlined and shown in Exhibit "A" is hereby designated for disposal. The City Council hereby authorizes the City Administrator to begin the disposal process of the above-mentioned property following State and City Code.

This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of Highland City, Utah, this 20th day of July 2021.

HIGHLAND CITY, UTAH

Rodney W. Mann, Mayor

ATTEST:

Stephannie Cottle
City Recorder

CORPORATE SEAL HIGHLAND CITY STATE OF UTAH

COUNCILMEMBER	YES	NO
Timothy A. Ball	☑	☐
Brittney P. Bills	☑	☐
Kurt Ostler	☑	☐
Kim Rodela	☑	☐
Scott L. Smith	☑	☐

Exhibit "A"

PARCEL 1 LYING WITHIN THE BOUNDS OF PROPOSED LOT 1, PEBBLE LANE ESTATES PLAT "B"

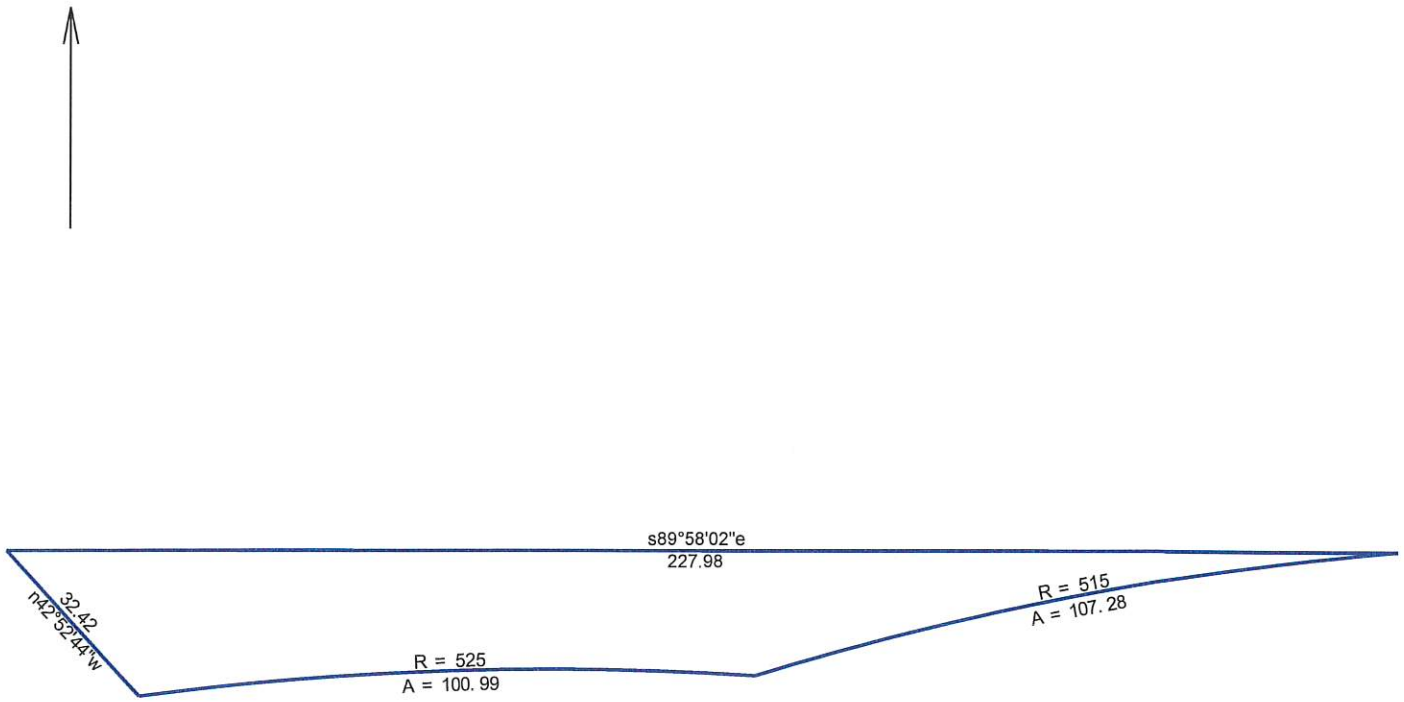
BEGINNING AT A POINT WHICH IS NORTH 00°20'30" WEST 888.73 FEET ALONG THE SECTION LINE AND EAST 915.62 FEET FROM THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°58'02" EAST 227.98 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE WESTERLY 107.28 FEET ALONG THE ARC OF A 515.00-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 11°56'06", THE CHORD OF WHICH BEARS SOUTH 79°05'13" WEST 107.08 FEET TO A POINT OF NON-TANGENT REVERSE CURVATURE; THENCE WESTERLY 100.99 FEET ALONG THE ARC OF A 525.00-FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 11°01'16", THE CHORD OF WHICH BEARS SOUTH 88°05'50" WEST 100.83 FEET; THENCE NORTH 42°52'44" WEST 32.42 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,190 SQUARE FEET, OR 0.0732 ACRE IN AREA, MORE OR LESS.

PARCEL 2 LYING WITHIN THE BOUNDS OF PROPOSED LOT 2, PEBBLE LANE ESTATES PLAT "B"

BEGINNING AT A POINT WHICH IS NORTH 00°20'30" WEST 906.58 FEET ALONG THE SECTION LINE AND EAST 1,222.31 FEET FROM THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 00°16'45" EAST 103.00 FEET; THENCE NORTH 02°42'46" WEST 97.95 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE SOUTHEASTERLY 6.52 FEET ALONG THE ARC OF A 15.00-FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 24°53'28", THE CHORD OF WHICH BEARS SOUTH 38°49'37" EAST 6.47 FEET TO A POINT OF REVERSE CURVATURE; THENCE EASTERLY 147.39 FEET ALONG THE ARC OF A 75.00-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 112°35'59", THE CHORD OF WHICH BEARS SOUTH 82°41'07" EAST 124.79 FEET TO POINT OF NON-TANGENCY; THENCE SOUTH 86°01'47" EAST 183.39 FEET; THENCE SOUTH 29°44'22" WEST 14.70 FEET; THENCE SOUTH 58°10'39" WEST 22.93 FEET; THENCE SOUTH 29°44'22" WEST 32.12 FEET; THENCE SOUTH 04°18'35" WEST 67.41 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE WESTERLY 31.92 FEET ALONG THE ARC OF A 820.00-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02°13'49", THE CHORD OF WHICH BEARS SOUTH 76°59'42" WEST 31.92 FEET TO A POINT OF NON-TANGENCY; THENCE NORTH 41°01'52" WEST 38.22 FEET; THENCE NORTH 72°54'49" WEST 10.10 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE WESTERLY 89.04 FEET ALONG THE ARC OF A 34,025.00-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 00°09'00", THE CHORD OF WHICH BEARS SOUTH 69°07'45" WEST 89.04 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 66°46'59" WEST 50.61 FEET; THENCE SOUTH 75°39'26" WEST 12.70 FEET; THENCE SOUTH 71°31'15" WEST 53.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 35,546 SQUARE FEET, OR 0.817 ACRE IN AREA, MORE OR LESS.



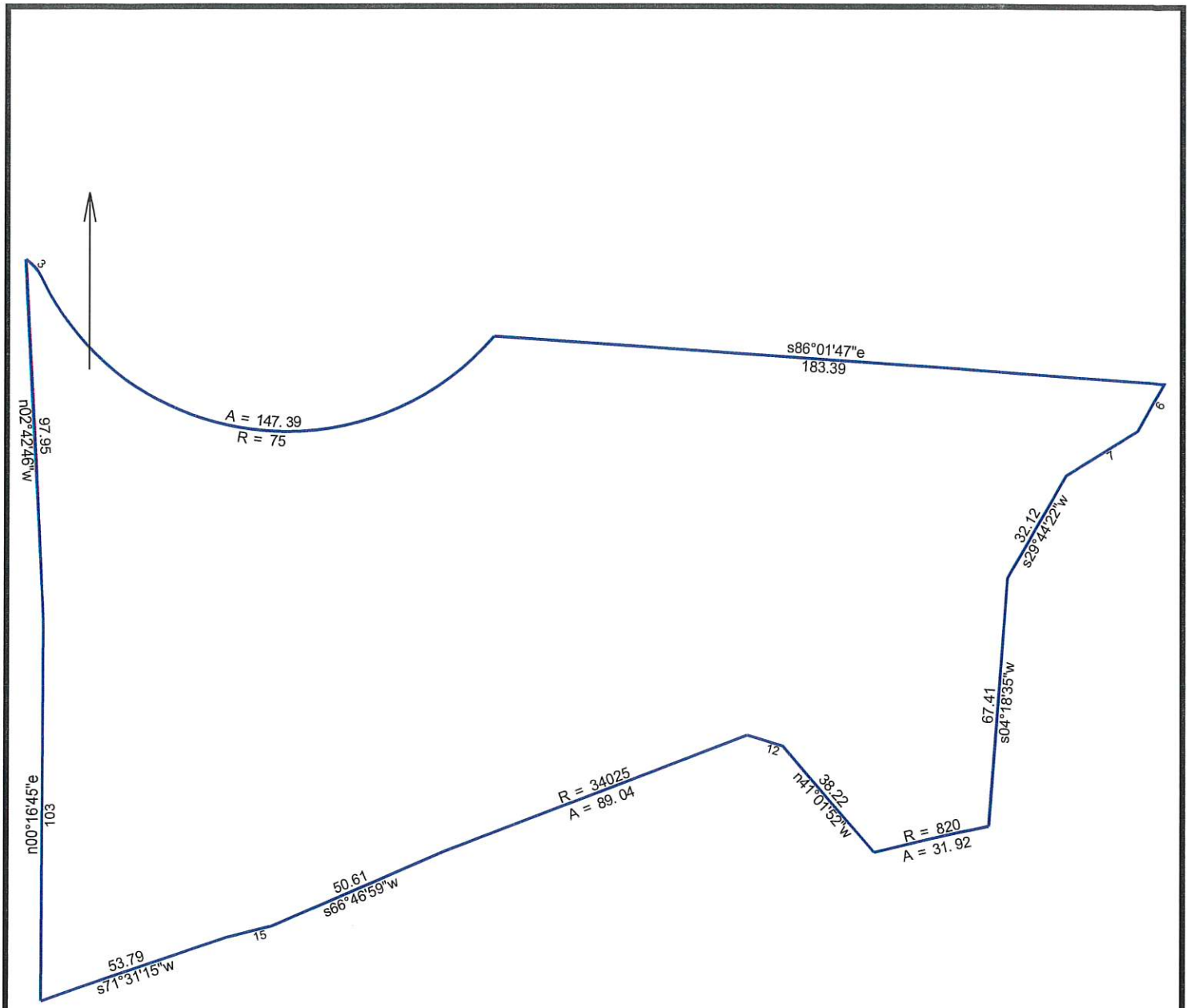
PARCEL 1

7/14/2021

Scale: 1 inch= 30 feet | File: PARCEL 1 PEBBLE LANE ESTATES PLAT “B”.ndp

Tract 1: 0.0732 Acres (3190 Sq. Feet), Closure: s18.2514e 0.01 ft. (1/75461), Perimeter=469 ft.

01 s89.5802e 227.98
02 Lt, r=515.00, delta=011.5606, arc=107.28, chord=s79.0513w 107.08
03 Lt, r=525.00, delta=011.0116, arc=100.99, chord=s88.0550w 100.83
04 n42.5244w 32.42



PARCEL 2

7/14/2021

Scale: 1 inch= 40 feet

File: PARCEL 2 PEBBLE LANE ESTATES PLAT "B".ndp

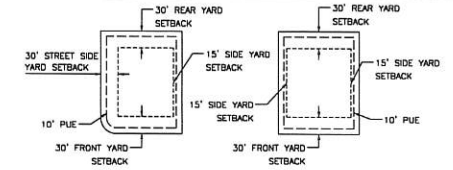
Tract 1: 0.8160 Acres (35546 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=962 ft.

01 n00.1645e 103
02 n02.4246w 97.95
03 Rt, r=15.00, delta=024.5328, arc=6.52, chord=s38.4937e 6.47
04 Lt, r=75.00, delta=112.3559, arc=147.39, chord=s82.4107e 124.79
05 s86.0147e 183.39
06 s29.4422w 14.7
07 s58.1039w 22.93
08 s29.4422w 32.12
09 s04.1835w 67.41
10 Lt, r=820.00, delta=002.1349, arc=31.92, chord=s76.5942w 31.92
11 n41.0152w 38.22
12 n72.5449w 10.1
13 Lt, r=34025.00, delta=000.0900, arc=89.04, chord=s69.0745w 89.04
14 s66.4659w 50.61
15 s75.3926w 12.7
16 s71.3115w 53.79

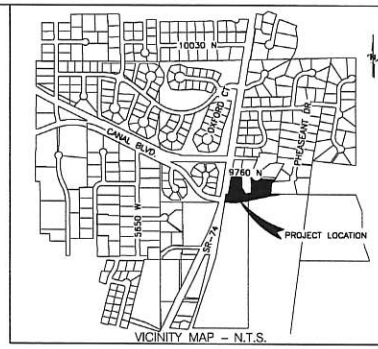
LINE TABLE		
	BEARING	DISTANCE
L1	S29°44'22"W	14.70'
L2	S58°10'39"W	22.93'
L3	S21°25'38"W	2.23'
L4	N09°00'00"E	42.52'
L5	N89°58'00"W	1.00'
L6	N72°54'49"W	10.10'

CURVE TABLE					
	LENGTH	DELTA	RADIUS	CHORD BRNG.	CHORD LENGTH
C1	21.73'	83°00'09"	15.00'	N49°58'22"E	19.88'
C2	6.52'	24°53'28"	15.00'	S38°49'37"E	6.47'
C3	26.65'	02°04'33"	735.50'	S86°27'40"W	26.65'
C4	31.92'	02°13'49"	820.00'	S76°59'42"W	31.92'
C5	89.04'	00°09'00"	34,025.00'	S69°07'45"W	89.04'
C6	17.99'	01°05'48"	940.00'	N77°32'43"E	17.99'
C7	107.28'	11°56'06"	515.00'	S78°05'13"W	107.08'
C8	100.99'	11°01'16"	525.00'	S88°05'50"W	100.83'

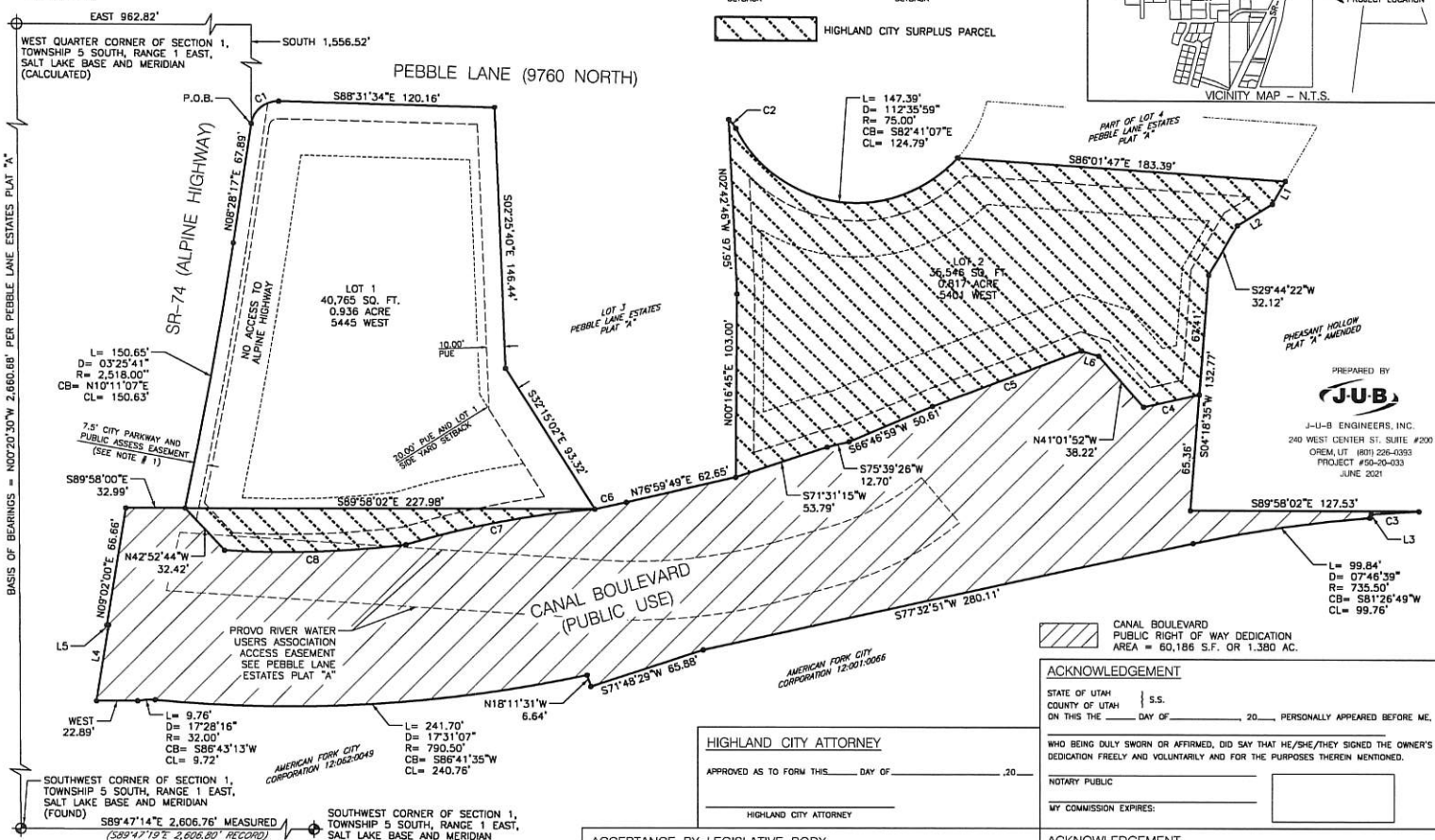
SETBACK AND EASEMENT DETAILS (UNLESS NOTED OTHERWISE)



HIGHLAND CITY SURPLUS PARCEL



VICINITY MAP – N.T.S.



PREPARED BY

J-U-B ENGINEERS, INC.
240 WEST CENTER ST. SUITE #200
OREM, UT (801) 226-0393
PROJECT #50-20-033
JUNE 2021

CANAL BOULEVARD PUBLIC RIGHT OF WAY DEDICATION AREA = 60,186 S.F. OR 1.380 AC.

NOTES:
1. PARKSTRIP ALONG ALPINE HIGHWAY IS 30 FEET FROM THE EXISTING CURB AND IS TO HAVE NO BUILDINGS OR PERMANENT STRUCTURES WITHIN THE EASEMENT. IT IS TO COMPLY WITH THE PARKWAY DETAIL AND THE REGULATIONS REQUIRED BY THE PARKWAY DETAILS WHICH INCLUDES FENCE REQUIREMENTS AS ESTABLISHED BY THE PEBBLE LANE ESTATES PLAT "A" DEVELOPMENT.
2. 70% OF THE FRONT YARD LANDSCAPING SHALL BE INSTALLED BY THE HOMEOWNER WITHIN ONE YEAR AFTER RECEIVING A CERTIFICATE OF OCCUPANCY.
3. LANDSCAPING AND CONSTRUCTION MATERIALS OF ANY TYPE ARE NOT PERMITTED UPON OR WITHIN THE STREET, CURB AND GUTTER, OR SIDEWALK (STREET RIGHT-OF-WAY) WITH THE EXCEPTION OF THE PARKSTRIP WHICH REQUIRES 75% TO BE LANDSCAPED.
4. A FENCE THAT ABUTS OPEN SPACE OR A TRAIL HAS ADDITIONAL RESTRICTIONS OF SIZE AND OPACITY. FENCES ALONG OPEN SPACE OR A TRAIL MUST COMPLY WITH HIGHLAND CITY ORDINANCES. ALL FENCES REQUIRE A FENCE PERMIT PRIOR TO INSTALLATION. IN ADDITION, RETAINING WALLS ARE REGULATED BY ORDINANCE AND REQUIRE A RETAINING WALL PERMIT PRIOR TO CONSTRUCTION.
5. HIGHLAND CITY ORDINANCES RESTRICT HEIGHT OF FOUNDATION ABOVE CURB. IT IS THE RESPONSIBILITY OF THE BUYER TO CONTACT THE CITY PRIOR TO PURCHASING ANY LOT. THIS RESTRICTION APPLIES TO ALL LOTS IN THIS SUBDIVISION.

HIGHLAND CITY ATTORNEY

APPROVED AS TO FORM THIS____ DAY OF_____, 20____

HIGHLAND CITY ATTORNEY

ACCEPTANCE BY LEGISLATIVE BODY

THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS ____ DAY OF_____, 20____

APPROVED BY MAYOR_____

APPROVED_____ ATTEST_____

CITY ENGINEER (SEE SEAL BELOW) CLERK-RECORDER (SEE SEAL BELOW)

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF UTAH } S.S.
ON THIS THE ____ DAY OF_____, 20____ PERSONALLY APPEARED BEFORE ME,

WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE/THEY SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF UTAH } S.S.
ON THIS THE ____ DAY OF_____, 20____ PERSONALLY APPEARED BEFORE ME,

WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE/THEY SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

SURVEYOR'S CERTIFICATE

I, JASON D. WILLES, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 376067 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, A SURVEY WAS MADE UNDER MY DIRECTION OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION PLAT, I CERTIFY THAT SAID SURVEY WAS COMPLETED IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT I HAVE VERIFIED ALL MEASUREMENTS AND THAT MONUMENTS HAVE BEEN PLACED AS SHOWN ON THIS PLAT, I HEREBY STATE THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF AND IN MY PROFESSIONAL OPINION.

DRAFT REVIEW COPY

JASON D. WILLES, P.L.S. DATE

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE EASTERLY RIGHT OF WAY LINE OF SR-74 (ALPINE HIGHWAY) AS DEPICTED ON PEBBLE LANE ESTATES PLAT "A", WHICH PLAT IS RECORDED AS MAP NO. 12097 AND ENTRY 17479:2007 AT THE OFFICE OF THE UTAH COUNTY RECORDER, WHICH POINT IS EAST 962.82 FEET AND SOUTH 1,556.52 FEET FROM THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTHEASTERLY 21.73 FEET ALONG THE ARC OF A 15.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 83°00'09", THE CHORD OF WHICH BEARS NORTH 49°58'22" EAST 19.88 FEET, TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF PEBBLE LANE (9760 NORTH); THENCE SOUTH 88°31'34" EAST 120.16 FEET; THENCE SOUTH 02°25'40" EAST 146.44 FEET; THENCE SOUTH 32°15'02" EAST 93.32 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE EASTERLY 17.99 FEET ALONG THE ARC OF A 940.00-FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 01°05'48", THE CHORD OF WHICH BEARS NORTH 77°32'43" EAST 17.99 FEET; THENCE NORTH 76°59'49" EAST 62.65 FEET; THENCE NORTH 00°16'45" EAST 103.00 FEET; THENCE NORTH 02°42'46" WEST 97.95 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE SOUTHEASTERLY 6.52 FEET ALONG THE ARC OF A 15.00-FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 24°53'28", THE CHORD OF WHICH BEARS SOUTH 38°49'37" EAST 6.47 FEET, TO A POINT OF REVERSE CURVATURE; THENCE EASTERLY 147.39 FEET ALONG THE ARC OF A 75.00-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 112°35'59", THE CHORD OF WHICH BEARS SOUTH 82°41'07" EAST 124.79 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 86°01'47" EAST 183.39 FEET; THENCE SOUTH 29°44'22" WEST 14.70 FEET; THENCE SOUTH 58°10'39" WEST 22.93 FEET; THENCE SOUTH 29°44'22" WEST 32.12 FEET; THENCE SOUTH 04°18'35" WEST 132.77 FEET; THENCE SOUTH 89°58'02" EAST 127.53 FEET TO A POINT NON-TANGENT CURVATURE; THENCE WESTERLY 26.65 FEET ALONG THE ARC OF A 735.50-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02°04'33", THE CHORD OF WHICH BEARS SOUTH 86°27'40" WEST 26.65 FEET, TO A POINT OF NON-TANGENCY; THENCE SOUTH 21°25'38" WEST 2.23 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE WESTERLY 99.84 FEET ALONG THE ARC OF A 735.50-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 07°46'39", THE CHORD OF WHICH BEARS SOUTH 81°26'49" WEST 99.76 FEET; THENCE SOUTH 77°32'51" WEST 280.11 FEET; THENCE SOUTH 71°48'29" WEST 65.88 FEET; THENCE NORTH 18°11'31" WEST 6.64 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE WESTERLY 241.70 FEET ALONG THE ARC OF A 790.50-FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 17°31'07", THE CHORD OF WHICH BEARS SOUTH 86°41'35" WEST 240.76 FEET, TO A POINT OF REVERSE CURVATURE; THENCE WESTERLY 9.76 FEET ALONG THE ARC OF A 32.00-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 17°28'16", THE CHORD OF WHICH BEARS SOUTH 86°43'13" WEST 9.72 FEET, TO A POINT OF NON-TANGENCY; THENCE WEST 22.89 FEET; THENCE NORTH 09°00'00" EAST 42.52 FEET; THENCE NORTH 89°58'00" WEST 1.00 FEET; THENCE NORTH 09°02'00" EAST 66.66 FEET; THENCE SOUTH 89°58'00" EAST 32.99 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE NORTHERLY ALONG SAID EASTERLY RIGHT OF WAY LINE OF SR-74 (ALPINE HIGHWAY) 150.65 FEET ALONG THE ARC OF A 2,518.00-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 03°25'41", THE CHORD OF WHICH BEARS NORTH 10°11'07" EAST 150.63 FEET; THENCE NORTH 08°28'17" EAST 67.89 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 136,497 SQUARE FEET OR 3.133 ACRES IN AREA, MORE OR LESS.

THE BASIS OF BEARINGS IS NORTH 00°20'30" WEST (N.A.D. 27) ALONG THE LINE BETWEEN THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN AND THE WEST QUARTER CORNER OF SAID SECTION.

OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF_____, 20____

HIGHLAND CITY MAYOR

PLANNING COMMISSION APPROVAL

APPROVED AS TO FORM THIS____ DAY OF_____, 20____

PLANNING COMMISSION CHAIR

COMMUNITY DEVELOPMENT DIRECTOR

COUNTY RECORDER STAMP

PEBBLE LANE ESTATES PLAT "B"

INCLUDING A VACATION OF LOTS 1, 2, & PART OF LOT 4 OF PEBBLE LANE ESTATES PLAT "A"

SITUATE IN THE SW1/4 OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

City of Highland, Utah County, Utah Scale 1"=30' Sheet 1 of 1

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #5

DATE: August 3, 2021
TO: Honorable Mayor and Members of the City Council
FROM: Kellie Smith
Planner & GIS Analyst
SUBJECT: **PLAT AMENDMENT:** Pebble Lane Estates Plat B *Administrative*

PURPOSE:
The City Council will consider a request by Highland City to amend Pebble Lane Estates subdivision to adjust the property lines of lots 1 and 4. The City Council will take appropriate action.

BACKGROUND:
On July 20th, 2021, the City Council approved a resolution to declare 38,736 square feet of property surplus in the Pebble Lane Estates subdivision that was not needed for right-of-way for Canal Boulevard. At this meeting, the Council will hold a public hearing associated with that property surplus. This plat amendment request is to adjust the property lines of the lots associated with this property surplus.

Plat Amendments are an *administrative* process.

SUMMARY OF THE REQUEST:
1. The request is for approval of a plat amendment to Pebble Lane Estates subdivision to adjust the property lines of lots 1 and 4.

CITIZEN PARTICIPATION:
Notice of this request was mailed to all property owners within 500 feet on July 15, 2021. No comments have been received.

PLANNING COMMISSION ACTION:
The Planning Commission does not review final plat amendments.

ANAYLSIS/FINDINGS:
- The proposed amendment meets all requirements of the Development Code.

RECOMMENDATION AND PROPOSED MOTION:
Staff recommends the City Council accept the findings and **APPROVE** the final plat amendment.

I move that the City Council accept the findings and **APPROVE** Pebble Lane Estates Plat B.

ALTERNATIVE MOTION:

I move that the City Council **DENY** Pebble Lane Estates Plat B based on the following findings: (The Council will need to draft appropriate findings).

FISCAL IMPACT:

This action will not have a financial impact on this fiscal year's budget expenditures.

ATTACHMENTS:

1. Vicinity Map
2. Original Pebble Lane Estates Subdivision Plat
3. Proposed Plat Amendment


ATTACHMENT 1:
49:662:0008
49:662:0007
49:662:0006
49:662:0005
49:662:0014
49:662:0011
49:662:0017
49:662:0019
49:662:0010
49:132:0008
49:132:0009
34317:0018
12:001:0061
12:001:0065
12:001:0066
12:062:0049
121.52 ft
182.75 ft
86.92 ft
375.05 ft

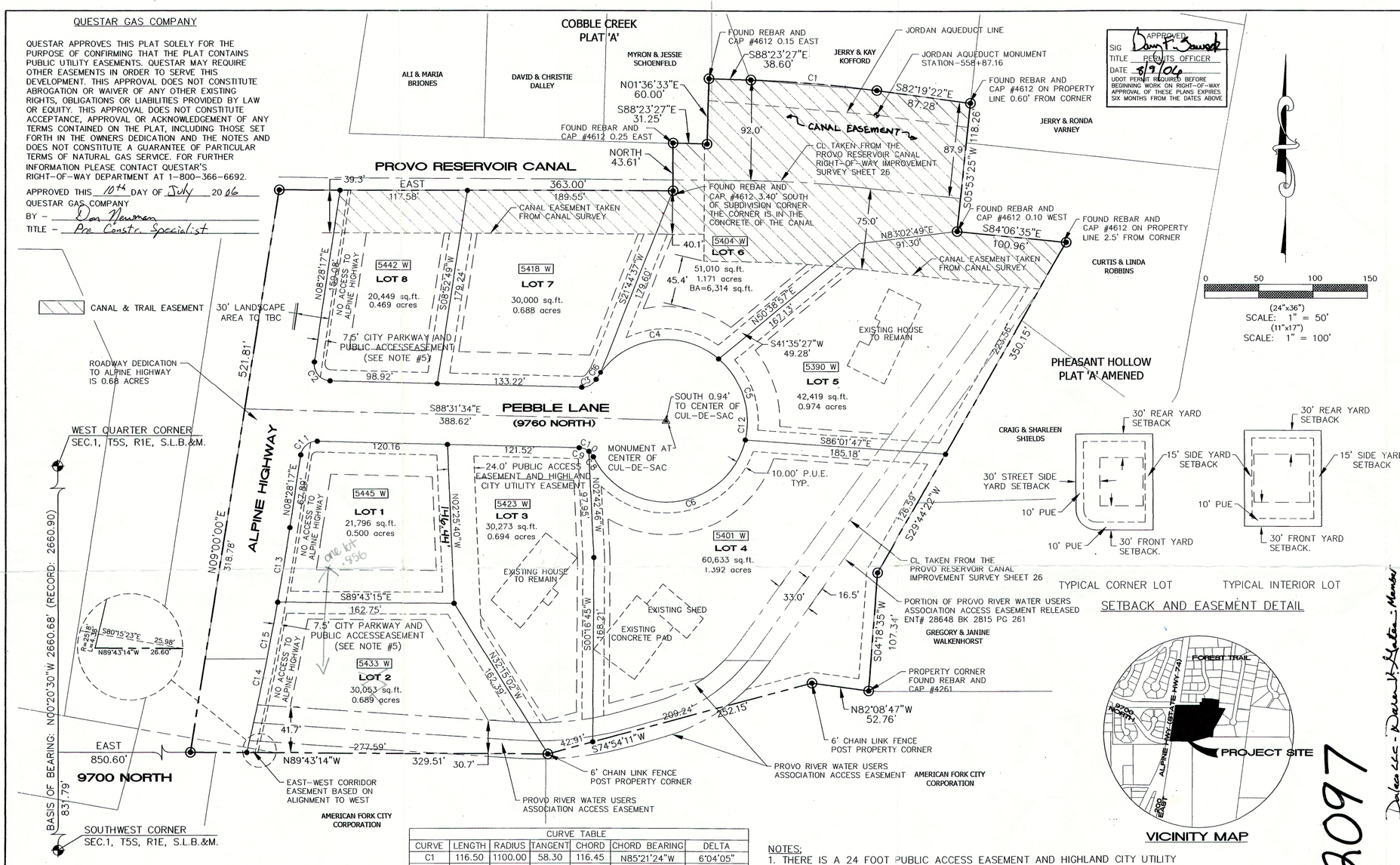
ATTACHMENT 2:

QUESTAR GAS COMPANY

QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. QUESTAR MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED ON THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT QUESTAR'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-6692.

APPROVED THIS 10th DAY OF July 2006
QUESTAR GAS COMPANY
BY - Don Newman
TITLE - Pro Constr. Specialist

APPROVED
SIG Darryl Sawyer
TITLE PERMITS OFFICER
DATE 8/7/06
UDOT PERMIT REQUIRED BEFORE BEGINNING WORK ON RIGHT-OF-WAY APPROVAL OF THESE PLANS EXPIRES SIX MONTHS FROM THE DATES ABOVE



SURVEYOR'S CERTIFICATE

I, TRAVIS TRANE, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 5152741 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION

COMMENCING AT A POINT WHICH IS NORTH 00°20'30" WEST ALONG THE SECTION LINE 831.79 FEET AND EAST 850.60 FEET FROM THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN: THENCE NORTH 09°00'00" EAST 521.81 FEET; THENCE EAST 363.00 FEET; THENCE NORTH 43.61 FEET TO THE SOUTH LINE OF COBBLE CREEK PLAT "A"; THENCE ALONG COBBLE CREEK PLAT "A" THE NEXT FIVE COURSES SOUTH 88°23'27" EAST 31.25 FEET; THENCE NORTH 01°36'33" EAST 60.00 FEET; THENCE SOUTH 88°23'27" EAST 38.60 FEET; THENCE ALONG A 1,100 FOOT RADIUS CURVE TO THE RIGHT 116.50 FEET (CHORD BEARS: SOUTH 85°21'24" EAST 116.45 FEET); THENCE SOUTH 82°19'22" EAST 87.28 FEET TO THE WESTERLY LINE OF PHEASANT HOLLOW PLAT "A" AMENDED; THENCE ALONG PHEASANT HOLLOW PLAT "A" AMENDED THE NEXT FOUR COURSES THENCE SOUTH 05°53'25" WEST 118.26 FEET; THENCE SOUTH 84°06'35" EAST 100.96 FEET; THENCE SOUTH 29°44'22" WEST 350.15 FEET; THENCE SOUTH 04°18'35" WEST 107.34 FEET TO THE SOUTHWEST CORNER OF PHEASANT HOLLOW PLAT "A" AMENDED; THENCE NORTH 82°08'47" WEST 52.76 FEET TO A 6 FOOT CHAIN LINK FENCE POST; THENCE SOUTH 74°54'11" WEST 252.15 FEET TO A 6 FOOT CHAIN LINK FENCE POST; THENCE NORTH 89°43'14" WEST 329.51 FEET ALONG A 6 FOOT CHAIN LINK FENCE LINE AND ITS EXTENTION THEROF TO THE POINT OF BEGINNING.

PARCEL CONTAINS: 8.00 ACRES MORE OR LESS.

BASIS OF BEARING: THE LINE BETWEEN THE SOUTHWEST CORNER AND THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN WHICH BEARS: NORTH 00°20'30" WEST.

NORTH AMERICAN DATUM = NAD 27

ENT 17479:2007 Map # 12097
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2007 Feb 02 1:59 pm FEE 26.00 BY CM
RECORDED FOR HIGHLAND CITY

June 21, 2006 DATE

Travis Trane SURVEYOR (See Seal Below)

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS HEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 21ST DAY OF June A.D. 2006

Kreglovend Ranch & Cattle Co. LLC Platinum Development & Consul. Inc
By [signature] By [signature] - President
TOM HARWARD

ACKNOWLEDGMENT

STATE OF UTAH)
: S.S.
COUNTY OF UTAH)

ON THE 21 DAY OF June, A.D. 2006 PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES 1-10-2009 [signature] NOTARY PUBLIC (See Seal Below)

J. KELLY HARPER NOTARY PUBLIC 3302 NORTH MAIN STREET SPANISH FORK, UT 84660 MY COMM. EXPIRES: 1/10/2009

ACCEPTANCE BY LEGISLATIVE BODY

THE City Council OF Highland City COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 6th DAY OF June, A.D. 2006

[signature] MAYOR

APPROVED [signature] ENGINEER (See Seal Below)

ATTEST [signature] CLERK-RECORDER (See Seal Below)

BOARD OF HEALTH

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS _____

CITY-COUNTY HEALTH DEPARTMENT

PLANNING COMMISSION APPROVAL

APPROVED THIS 28th DAY OF March, A.D. 2006, BY THE Highland City PLANNING COMMISSION

DIRECTOR-SECRETARY [signature] CHAIRMAN, PLANNING COMMISSION

UTILITIES APPROVAL

UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THE PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE OWNER'S EXPENSE. AT NO TIME ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTIONS WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE.

UTAH POWER [signature] 7/5/06
QWEST Darren Keller 07/06/06
COMCAST [signature] 7/5/06

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	116.50	1100.00	58.30	116.45	N85°21'24"W	6°04'05"
C2	25.39	15.00	16.95	22.47	S40°01'38"E	96°59'51"
C3	15.91	15.00	8.80	15.18	N61°05'09"E	60°46'35"
C4	122.51	75.00	79.85	109.34	S83°19'46"W	93°35'24"
C5	82.73	75.00	46.14	78.60	N18°16'30"W	63°12'04"
C6	183.64	75.00	207.68	141.06	N83°28'09"E	140°17'13"
C8	6.52	15.00	3.31	6.47	N38°50'01"W	24°53'32"
C9	9.75	15.00	5.05	9.58	N69°54'11"W	37°14'47"
C10	16.27	15.00	9.04	15.48	N57°27'24"W	62°08'19"
C11	21.73	15.00	13.27	19.88	S49°58'22"W	83°00'09"
C12	396.51	75.00	40.79	71.67	N02°09'18"E	302°54'54"
C13	69.58	2518.00	34.79	69.58	N09°15'47"E	1°35'00"
C14	139.67	2518.00	69.85	139.65	N11°38'37"E	3°10'41"
C15	209.25	2518.00	104.68	209.19	N10°51'08"E	4°45'41"
C16	7.64	75.00	3.82	7.64	S33°36'58"W	5°50'13"

VICINITY MAP

NOTES:
1. THERE IS A 24 FOOT PUBLIC ACCESS EASEMENT AND HIGHLAND CITY UTILITY EASEMENT FOR LOT 2 ACROSS LOT 3 AS SHOWN.
2. THE PROVO RESERVOIR CANAL LOCATED ON LOTS 6,7,8 AND 9 WILL BECOME A SIGNIFICANT REGIONAL TRAIL CORRIDOR IN THE NEAR FUTURE. THIS WILL INCLUDE A LARGE SCALE CONSTRUCTION PROJECT THAT WILL REQUIRE PIPING OF THE EXISTING CANAL AND BURIAL OF THE NEW PIPE. ALSO INCLUDED WITHIN THIS EASEMENT WILL BE THE RIGHT FOR GOVERNMENT ENTITY WHICH MAY BE HIGHLAND CITY TO CONSTRUCT A PAVED TRAIL AND POSSIBLE LANDSCAPING IMPROVEMENTS ALONG THIS CORRIDOR. DEVELOPMENT OF THIS CORRIDOR WILL REQUIRE ACCESS UPON THE EASEMENT.
3. A DEMOLITION PERMIT MAY BE REQUIRED FOR THE REMOVAL OF THE EXISTING SHED SHOWN ON LOT 4 IF THE SHED IS TO BE REMOVED AND IF THE BUILDING OFFICIAL DEEMS IT NECESSARY FOR ITS REMOVAL.
4. NO PERMANENT STRUCTURES ALLOWED WITHIN THE PROVO RIVER WATER USERS ASSOCIATION EASEMENT.
5. PARKSTRIP ALONG ALPINE HIGHWAY IS 30 FEET FROM EXISTING CURB AND IS TO HAVE NO BUILDINGS OR PERMANENT STRUCTURES WITHIN THE EASEMENT. IT IS TO COMPLY WITH PARKWAY DETAIL AND THE REGULATIONS REQUIRED BY THE PARKWAY DETAILS WHICH INCLUDES FENCE REQUIREMENTS BY DEVELOPER

LAND USE	
TOTAL ACREAGE:	8.00 acres
TOTAL LOTS:	8
ZONING:	R-1-40

LEGEND	
⊙	= SUBDIVISION CORNER
•	= SET 5/8" REBAR W/CAP
▲	= SUBDIVISION MONUMENT

PROVO RIVER WATER USERS ASSOCIATION

APPROVED THIS 26th DAY OF September, A.D. 2005

[signature] MANAGER, PROVO RIVER WATER USERS ASSOCIATION

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 29th DAY OF August, A.D., 2006

[signature] CITY ATTORNEY

RECORDING INFORMATION BLOCK

Recorded in the Official Records of Utah County, State of Utah, on _____, 20___, at ___M, as Entry No. _____
and Map Filing No. _____
At the request of _____
Fee _____ Utah County Recorder

12097

Dales esc - Dave V. Yates - Manes (Daren V. Gates)

PLAT "A"

PEBBLE LANE ESTATES

A RESIDENTIAL SUBDIVISION

HIGHLAND UTAH COUNTY, UTAH
SCALE: 1"= 50 FEET

SURVEYOR'S SEAL: LICENSED LAND SURVEYOR No. 5152741 TRAVIS D. TRANE STATE OF UTAH
NOTARY PUBLIC SEAL: J. KELLY HARPER NOTARY PUBLIC 3302 NORTH MAIN STREET SPANISH FORK, UT 84660 MY COMM. EXPIRES: 1/10/2009
CITY-COUNTY ENGINEER SEAL: HIGHLAND CITY CITY ENGINEER 9-30-06 STATE OF UTAH
CLERK-RECORDER SEAL: HIGHLAND CITY CORPORATE SEAL STATE OF UTAH

sec 1, T5S, R1E TU 045, RJ

ATTACHMENT 3:

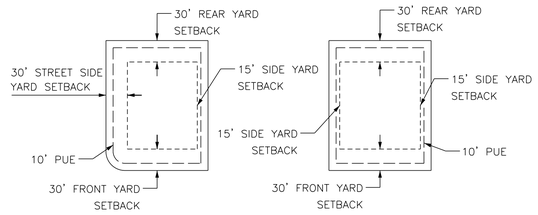
LINE TABLE		
	BEARING	DISTANCE
L1	S29°44'22"W	14.70'
L2	S58°10'39"W	22.93'
L3	S21°25'38"W	2.23'
L4	N09°00'00"E	42.52'
L5	N89°58'00"W	1.00'
L6	N72°54'49"W	10.10'

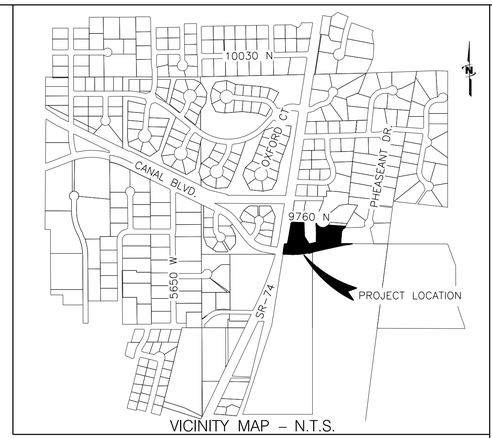
CURVE TABLE					
	LENGTH	DELTA	RADIUS	CHORD BRNG.	CHORD LENGTH
C1	21.73'	83°00'09"	15.00'	N49°58'22"E	19.88'
C2	6.52'	24°53'28"	15.00'	S38°49'37"E	6.47'
C3	26.65'	02°04'33"	735.50'	S86°27'40"W	26.65'
C4	31.92'	02°13'49"	820.00'	S76°59'42"W	31.92'
C5	89.04'	00°09'00"	34,025.00'	S69°07'45"W	89.04'
C6	17.99'	01°05'48"	940.00'	N77°32'43"E	17.99'
C7	107.28'	11°56'06"	515.00'	S79°05'13"W	107.08'
C8	100.99'	11°01'16"	525.00'	S88°05'50"W	100.83'

0 30 60

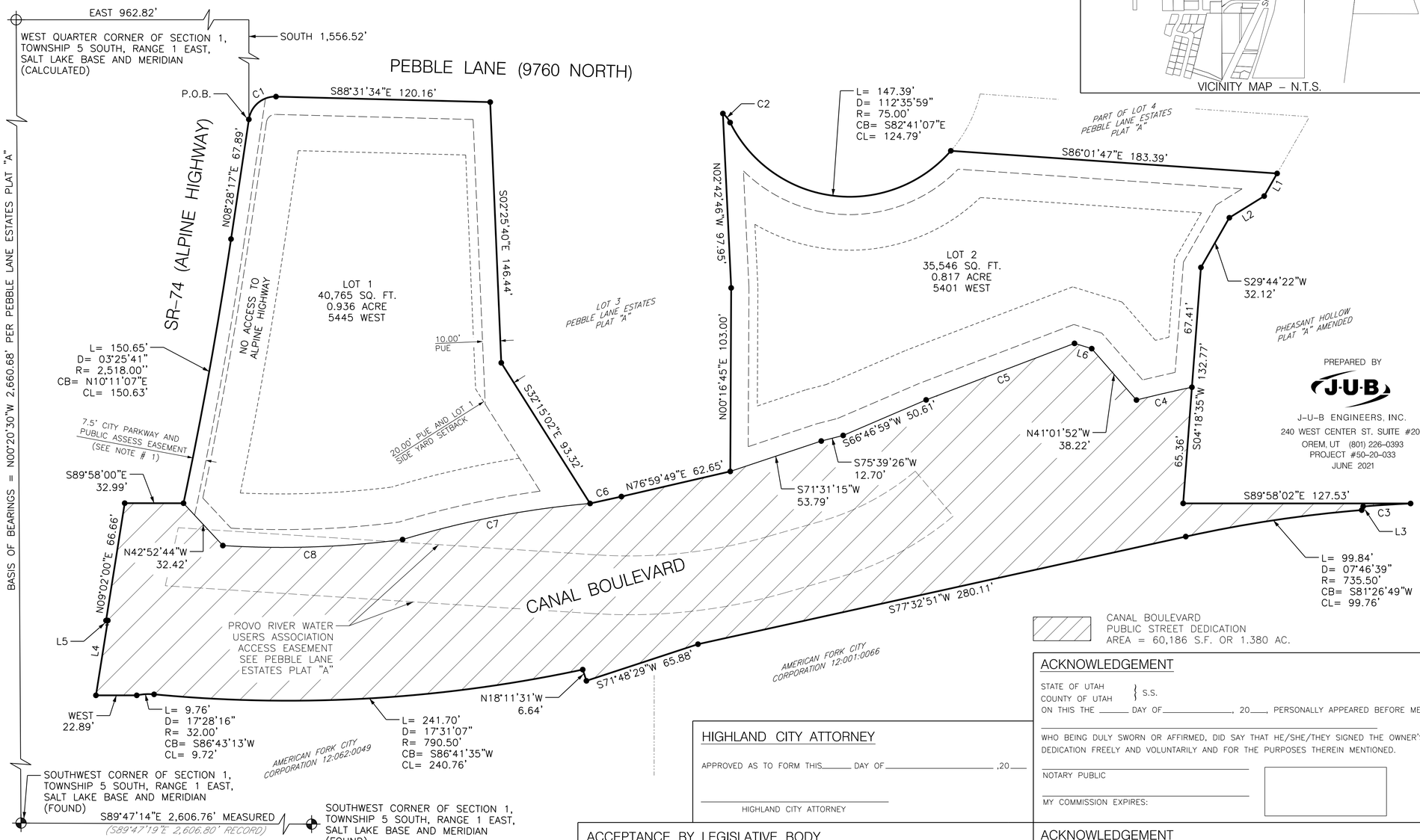
SCALE 1" = 30'

SETBACK AND EASEMENT DETAILS (UNLESS NOTED OTHERWISE)





VICINITY MAP – N.T.S.



SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN (FOUND)

S89°47'14"E 2,606.76' MEASURED (S89°47'19"E 2,606.80' RECORD)

SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN (FOUND)

CANAL BOULEVARD
PUBLIC STREET DEDICATION
AREA = 60,186 S.F. OR 1.380 AC.

NOTES:
1. PARKSTRIP ALONG ALPINE HIGHWAY IS 30 FEET FROM THE EXISTING CURB AND IS TO HAVE NO BUILDINGS OR PERMANENT STRUCTURES WITHIN THE EASEMENT. IT IS TO COMPLY WITH THE PARKWAY DETAIL AND THE REGULATIONS REQUIRED BY THE PARKWAY DETAILS WHICH INCLUDES FENCE REQUIREMENTS AS ESTABLISHED BY THE PEBBLE LANE ESTATES PLAT "A" DEVELOPMENT.
2. 70% OF THE FRONT YARD LANDSCAPING SHALL BE INSTALLED BY THE HOMEOWNER WITHIN ONE YEAR AFTER RECEIVING A CERTIFICATE OF OCCUPANCY.
3. LANDSCAPING AND CONSTRUCTION MATERIALS OF ANY TYPE ARE NOT PERMITTED UPON OR WITHIN THE STREET, CURB AND GUTTER, OR SIDEWALK (STREET RIGHT-OF-WAY) WITH THE EXCEPTION OF THE PARKSTRIP WHICH REQUIRES 75% TO BE LANDSCAPED.
4. A FENCE THAT ABUTS OPEN SPACE OR A TRAIL HAS ADDITIONAL RESTRICTIONS OF SIZE AND OPACITY. FENCES ALONG OPEN SPACE OR A TRAIL MUST COMPLY WITH HIGHLAND CITY ORDINANCES. ALL FENCES REQUIRE A FENCE PERMIT PRIOR TO INSTALLATION. IN ADDITION, RETAINING WALLS ARE REGULATED BY ORDINANCE AND REQUIRE A RETAINING WALL PERMIT PRIOR TO CONSTRUCTION.
5. HIGHLAND CITY ORDINANCES RESTRICT HEIGHT OF FOUNDATION ABOVE CURB. IT IS THE RESPONSIBILITY OF THE BUYER TO CONTACT THE CITY PRIOR TO PURCHASING ANY LOT. THIS RESTRICTION APPLIES TO ALL LOTS IN THIS SUBDIVISION.

HIGHLAND CITY ATTORNEY

APPROVED AS TO FORM THIS _____ DAY OF _____, 20___

HIGHLAND CITY ATTORNEY

ACCEPTANCE BY LEGISLATIVE BODY

THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, 20___

APPROVED BY MAYOR _____

APPROVED _____ ATTEST _____

CITY ENGINEER (SEE SEAL BELOW)

CLERK-RECORDER (SEE SEAL BELOW)

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF UTAH } S.S.
ON THIS THE _____ DAY OF _____, 20___, PERSONALLY APPEARED BEFORE ME, _____

WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE/THEY SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF UTAH } S.S.
ON THIS THE _____ DAY OF _____, 20___, PERSONALLY APPEARED BEFORE ME, _____

WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE/THEY SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

I, JASON D. WILLES, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 376067 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, A SURVEY WAS MADE UNDER MY DIRECTION OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION PLAT, I CERTIFY THAT SAID SURVEY WAS COMPLETED IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT I HAVE VERIFIED ALL MEASUREMENTS AND THAT MONUMENTS HAVE BEEN PLACED AS SHOWN ON THIS PLAT, I HEREBY STATE THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF AND IN MY PROFESSIONAL OPINION.

DRAFT REVIEW COPY

JASON D. WILLES, P.L.S. DATE

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE EASTERLY RIGHT OF WAY LINE OF SR-74 (ALPINE HIGHWAY) AS DEPICTED ON PEBBLE LANE ESTATES PLAT "A", WHICH PLAT IS RECORDED AS MAP NO. 12097 AND ENTRY 17479:2007 AT THE OFFICE OF THE UTAH COUNTY RECORDER, WHICH POINT IS EAST 962.82 FEET AND SOUTH 1,556.52 FEET FROM THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTHEASTERLY 21.73 FEET ALONG THE ARC OF A 15.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 83°00'09", THE CHORD OF WHICH BEARS NORTH 49°58'22" EAST 19.88 FEET, TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF PEBBLE LANE (9760 NORTH); THENCE SOUTH 88°31'34" EAST 120.16 FEET; THENCE SOUTH 02°25'40" EAST 146.44 FEET; THENCE SOUTH 32°15'02" EAST 93.32 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE EASTERLY 17.99 FEET ALONG THE ARC OF A 940.00-FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 01°05'48", THE CHORD OF WHICH BEARS NORTH 77°32'43" EAST 17.99 FEET; THENCE NORTH 76°59'49" EAST 62.65 FEET; THENCE NORTH 00°16'45" EAST 103.00 FEET; THENCE NORTH 02°42'46" WEST 97.95 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE SOUTHEASTERLY 6.52 FEET ALONG THE ARC OF A 15.00-FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 24°53'28", THE CHORD OF WHICH BEARS SOUTH 38°49'37" EAST 6.47 FEET, TO A POINT OF REVERSE CURVATURE; THENCE EASTERLY 147.39 FEET ALONG THE ARC OF A 75.00-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 112°35'59", THE CHORD OF WHICH BEARS SOUTH 82°41'07" EAST 124.79 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 86°01'47" EAST 183.39 FEET; THENCE SOUTH 29°44'22" WEST 14.70 FEET; THENCE SOUTH 58°10'39" WEST 22.93 FEET; THENCE SOUTH 29°44'22" WEST 32.12 FEET; THENCE SOUTH 04°18'35" WEST 132.77 FEET; THENCE SOUTH 89°58'02" EAST 127.53 FEET TO A POINT NON-TANGENT CURVATURE; THENCE WESTERLY 26.65 FEET ALONG THE ARC OF A 735.50-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02°04'33", THE CHORD OF WHICH BEARS SOUTH 86°27'40" WEST 26.65 FEET, TO A POINT OF NON-TANGENCY; THENCE SOUTH 21°25'38" WEST 2.23 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE WESTERLY 99.84 FEET ALONG THE ARC OF A 735.50-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 07°46'39", THE CHORD OF WHICH BEARS SOUTH 81°26'49" WEST 99.76 FEET; THENCE SOUTH 77°32'51" WEST 280.11 FEET; THENCE SOUTH 71°48'29" WEST 65.88 FEET; THENCE NORTH 18°11'31" WEST 6.64 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE WESTERLY 241.70 FEET ALONG THE ARC OF A 790.50-FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 17°31'07", THE CHORD OF WHICH BEARS SOUTH 86°41'35" WEST 240.76 FEET, TO A POINT OF REVERSE CURVATURE; THENCE WESTERLY 9.76 FEET ALONG THE ARC OF A 32.00-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 17°28'16", THE CHORD OF WHICH BEARS SOUTH 86°43'13" WEST 9.72 FEET, TO A POINT OF NON-TANGENCY; THENCE WEST 22.89 FEET; THENCE NORTH 09°00'00" EAST 42.52 FEET; THENCE NORTH 89°58'00" WEST 1.00 FEET; THENCE NORTH 09°02'00" EAST 66.66 FEET; THENCE SOUTH 89°58'00" EAST 32.99 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE NORTHERLY ALONG SAID EASTERLY RIGHT OF WAY LINE OF SR-74 (ALPINE HIGHWAY) 150.65 FEET ALONG THE ARC OF A 2,518.00-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 03°25'41", THE CHORD OF WHICH BEARS NORTH 10°11'07" EAST 150.63 FEET; THENCE NORTH 08°28'17" EAST 67.89 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 136,497 SQUARE FEET OR 3.133 ACRES IN AREA, MORE OR LESS.

THE BASIS OF BEARINGS IS NORTH 00°20'30" WEST (N.A.D. 27) ALONG THE LINE BETWEEN THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN AND THE WEST QUARTER CORNER OF SAID SECTION.

PREPARED BY

J-U-B ENGINEERS, INC.
240 WEST CENTER ST. SUITE #200
OREM, UT (801) 226-0393
PROJECT #50-20-033
JUNE 2021

OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 20___

HIGHLAND CITY MAYOR

PLANNING COMMISSION APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20___

PLANNING COMMISSION CHAIR

COMMUNITY DEVELOPMENT DIRECTOR

COUNTY RECORDER STAMP

PEBBLE LANE ESTATES PLAT "B"

INCLUDING A VACATION OF LOTS 1, 2, & PART OF LOT 4 OF PEBBLE LANE ESTATES PLAT "A"

SITUATE IN THE SW1/4 OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

City of Highland, Utah County, Utah Scale 1"=30' Sheet 1 of 1

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEEER SEAL	CLERK-RECORDER SEAL

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #6

DATE: August 3, 2021
TO: Honorable Mayor and Members of the City Council
FROM: Erin Wells, Assistant City Administrator
SUBJECT: **RESOLUTION:** Placing Recreation, Arts, and Park Tax on 2021 Municipal Ballot. *Administrative*

PURPOSE:
The City Council will consider whether or not to place a question to implement a Recreation, Arts, and Parks (RAP) Tax on the 2021 General Municipal Ballot. The Council will take appropriate action.

BACKGROUND:
For some time, the City Council has been discussing the possibility of establishing a RAP Tax in Highland City. A RAP Tax is defined by Utah State Statute 59-12-1402. It is a 0.1% sales tax that would be charged at the businesses in Highland whose funds must be dedicated to: cultural, recreational, or zoological facilities or botanical, cultural, or zoological organizations. For a RAP Tax to be implemented, it must be approved by the voters of a municipality in an election. Once approved, it is in effect for 10 years and can be renewed every 10 years.

Prior to the City putting the RAP Tax question on the ballot, we first needed to confirm that the County did not intend to put a County-wide RAP tax on the ballot. On May 18, City Council passed a resolution inquiring if Utah County is intending to do a County-wide tax and on June 2, the Utah County Commission passed a resolution indicating they are not seeking to do so.

The next step in the RAP Tax process would be for City Council to pass a resolution indicating their intent to put the RAP Tax on the ballot and provide notice with the Lieutenant Governor's Office.

If Council approves this resolution, some of the major next steps include:

- Providing public notice and an opportunity for Voter Information Pamphlet (VIP) argument submission.
    - An article indicating the possibility of a RAP Tax going on the ballot has already been published in the August newsletter. Staff will next publish the notice on the Public Notice Website, on the City's website, and send out an

email through our communication tool.
- Create and distribute a VIP that includes ballot language, for and against arguments (if an opposing argument is submitted) and any rebuttals, and information about the public meeting.
- Hold a Public Meeting where both sides have time to present information and individuals have time to share information and ask questions.

The RAP Tax question would be on the November ballot and if approved, the tax would go into effect in April of 2022.

A RAP Tax subcommittee composed of Mayor Mann and Councilmembers Bills and Rodela have met and recommended that the City narrow RAP Tax spending to only recreational facilities such as parks and trails. Their belief is that this narrowing will provide the community with some assurance that they know exactly what the tax money will be spent on. The attached draft resolution has been written to reflect this. While State Code allows RAP taxes to fund: cultural, recreational, or zoological facilities or botanical, cultural, or zoological organizations, the City can limit to only some of these categories. Ultimately, whatever ballot language is approved by voters dictates how the City can spend RAP Tax money for the next 10 years.

If the Council chooses to narrow spending to only recreation facilities, some potential projects include:
- Park capital improvement/repair list
- Park employee costs for Mountain Ridge Park~$80,000
- Maintenance costs for Mountain Ridge Park ~$22,000
- Move more quickly on 5-year trail plan

The specific uses do not need to be finalized prior to the election.

As a reminder, if the Council does approve the resolution to put the RAP Tax on the ballot, all official City communication must be neutral, and fact based and provide equal opportunity for both for and against arguments. If individual Council members choose to, they can advocate their own opinion using their own time and resources.

FISCAL IMPACT:

If Council approves the resolution, the City will incur some costs related to the VIP and holding a public meeting. However, due to the referendum on the sale of the Wimbleton property, many of those costs are already going to be incurred. They have been budgeted for in the Election line item in the Recorder section of the General Fund FY22 budget.

If the RAP Tax is approved by voters, based on previous year's sales tax earnings, City staff estimate that a RAP Tax would annually produce between $135,000 and 164,000 in

revenue. The spending of that money would be limited based on state code and the ballot language.

RECOMMENDATION:
Staff recommends that the Council discuss the potential ballot language and determine which of the outlined state categories to select to include in the resolution.

PROPOSED MOTION:
I move that City Council approve the resolution as presented.

ALTERNATIVE MOTION:
I move that City Council approve the resolution with the following amendments….
(Council will need to draft amendments).

ATTACHMENTS:
1. Proposed Resolution

A RESOLUTION OF HIGHLAND CITY, UTAH TO NOTIFY THE LIEUTEANT GOVERNOR'S OFFICE OF HIGHLAND CITY'S INTENT TO SUBMIT AN OPINION QUESTION TO HIGHLAND RESIDENTS REGARDING WHETHER HIGHLAND SHOULD IMPOSE A CITYWIDE TAX TO FUND RECREATIONAL FACILITIES IN HIGHLAND.

WHEREAS, Utah Code (Section 59-12-1401, et. seq.) authorizes a city to submit an opinion question to its voters as to whether the city should impose a local sales and use tax of 0.1 percent to fund recreational facilities in the city (commonly referred to as a "RAP tax"); and

WHEREAS, the Utah County Commission has indicated that they do not intend to submit an opinion question to their voters as to whether the County should impose a County-wide RAP Tax; and

WHEREAS, Highland City has identified appropriate uses that could be supported by such a tax including City recreation facilities such as parks and trails; and

WHEREAS, other communities in Utah County impose such a tax; and

WHEREAS, any individual who shops in Highland will be subject to the tax; and

WHEREAS, the Highland City Council finds that it is in the best interest of Highland City to place the question on the ballot to determine if the tax will be approved by the voters in the City;

NOW THEREFORE be it resolved by the City Council of Highland City that:

SECTION 1. The following opinion question shall be placed on the ballot of the 2021 municipal election for Highland, Utah:

"Shall Highland City, Utah, be authorized to impose a 0.1% sales and use tax to help fund recreational facilities in Highland?"

SECTION 2. This Resolution shall become effective immediately upon its passing.

ADOPTED by the City Council of Highland City, Utah, this 3rd day of August, 2021.

HIGHLAND CITY, UTAH

ATTEST:

Rod Mann, Mayor

Stephannie Cottle, City Recorder

COUNCILMEMBER	YES	NO
Timothy A. Ball	□	□
Brittney P. Bills	□	□
Kurt Ostler	□	□
Kim Rodela	□	□
Scott L. Smith	□	□

AGENDA

NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #7

DATE: August 3, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Kellie Smith
Planner and GIS Analyst

SUBJECT: **MINOR SUBDIVISION FINAL PLAT:** Chase Subdivision *Administrative*

PURPOSE:

The City Council will consider a request by Millhaven Development for approval of a proposed 1-lot subdivision located at approximately 6418 West 10250 North. The City Council will take appropriate action.

BACKGROUND:

The property is 1.48 acres and is located at approximately 6418 West 10250 North. The property is designated as Low Density Residential on the General Plan Land Use Map and the site is zoned R-1-40. The property is not in a recorded subdivision.

A 1-lot subdivision is classified as a minor subdivision in the Development Code. The Minor Subdivision Option's intent is to allow for small subdivisions to be processed as quickly as possible. Minor subdivisions include developments of three or fewer lots. In this process, the preliminary and final plats, required for most subdivisions, are simplified and combined.

The Minor Subdivision Option found in Section 5-4-300 of the Development Code requires a public hearing at the Planning Commission meeting, a recommendation from the Planning Commission, and approval from the City Council.

The remaining square footage of the two parcels will be included on the backs of four lots in the The Hollow Subdivision. A plat amendment to address this will also be considered by the City Council at this meeting.

Final Plat review and approval is an *administrative* process.

SUMMARY OF THE REQUEST:

1. The applicant is requesting approval of a 1-lot subdivision. The lot is 1.48 acres.

2. Access to the site will be from 10250 North.

3. The property owner is requesting that the trail across the front of his property be relocated to the city property to the east (see illustration in the Analysis section of the report or see Attachment #5).

CITIZEN PARTICIPATION:

Notice of the public hearing held at Planning Commission was published in the Daily Herald on July 10, 2021 and posted on the state and city websites July 8, 2021. Notification of that public hearing was mailed to all property owners within 500 feet of the proposed site on July 8, 2021. No written correspondence has been received.

PLANNING COMMISSION ACTION:

The Planning Commission held a public hearing on July 27, 2021. There were several citizen comments. Relevant comments were regarding the relocation of the trail to be on City property and wetland restrictions of the Hidden Pond subdivision to the east of the subject property. A clarification was made that the proposed subdivision is outside of the designated wetland (see Attachment #5).

The Planning Commission voted 5-0 to recommend **APPROVAL** of the proposed 1-lot subdivision.

ANALYSIS:

- The General Plan designation for this property is Low Density Residential. It is zoned R-1-40. The surrounding properties are all zoned R-1-40. The proposed subdivision is in conformance with the General Plan and compatible with the surrounding uses.

- The standard ten (10) foot public utility easements have been included on the plat.

- There is an existing City trail easement that was granted by the property owner in 2002 (see Attachment #4 for the deed) and is located across the front of the residential property. The trail is proposed to be relocated to be on City property. The developer will be responsible for this relocation (see Attachment #5 for an illustration).

- The relocation of the trail will be graded and finished to meet all requirements determined by the City Engineer.

- Easements allow City and Utility companies, if applicable, to access the easement. No buildings or other permanent structures are allowed to be placed on an easement.

- Approximately 125 square feet are to be dedicated to the City as public right of way to be consistent with the right of way dedicated to the City with The Hollow Subdivision.

FINDINGS:

The proposed Preliminary/Final Plat appears to meet the following findings:

- The plat meets the requirements of the Development Code.
- The plat is consistent with the General Plan.

RECOMMENDATION AND PROPOSED MOTION:

The City Council should accept the findings and recommend approval of the proposed plat with the following stipulations:

1. The recorded plat conforms to the final plat date stamped June 17, 2021 except as modified by these stipulations.
2. All public improvements, including the City trail, shall be installed as required by the City Engineer and City Fire Marshall.
3. The civil construction plans shall meet all requirements as determined by the City Engineer.

I move that the City Council accept the findings and **APPROVE** the Chase Subdivision plat subject to the three (3) stipulations recommended by staff.

ALTERNATIVE MOTION:

I move that the City Council **DENY** the Chase Subdivision plat based on the following findings (The Council will need to draft appropriate findings).

FISCAL IMPACT:

This action will not have a financial impact on this fiscal year's budget expenditure.

ATTACHMENTS:

1. Vicinity Map
2. Project Narrative
3. Proposed Plat
4. Trail Easement Deed Dedicated in 2002
5. Trail and Wetlands Boundary – Hidden Pond Plat

ATTACHMENT 1:

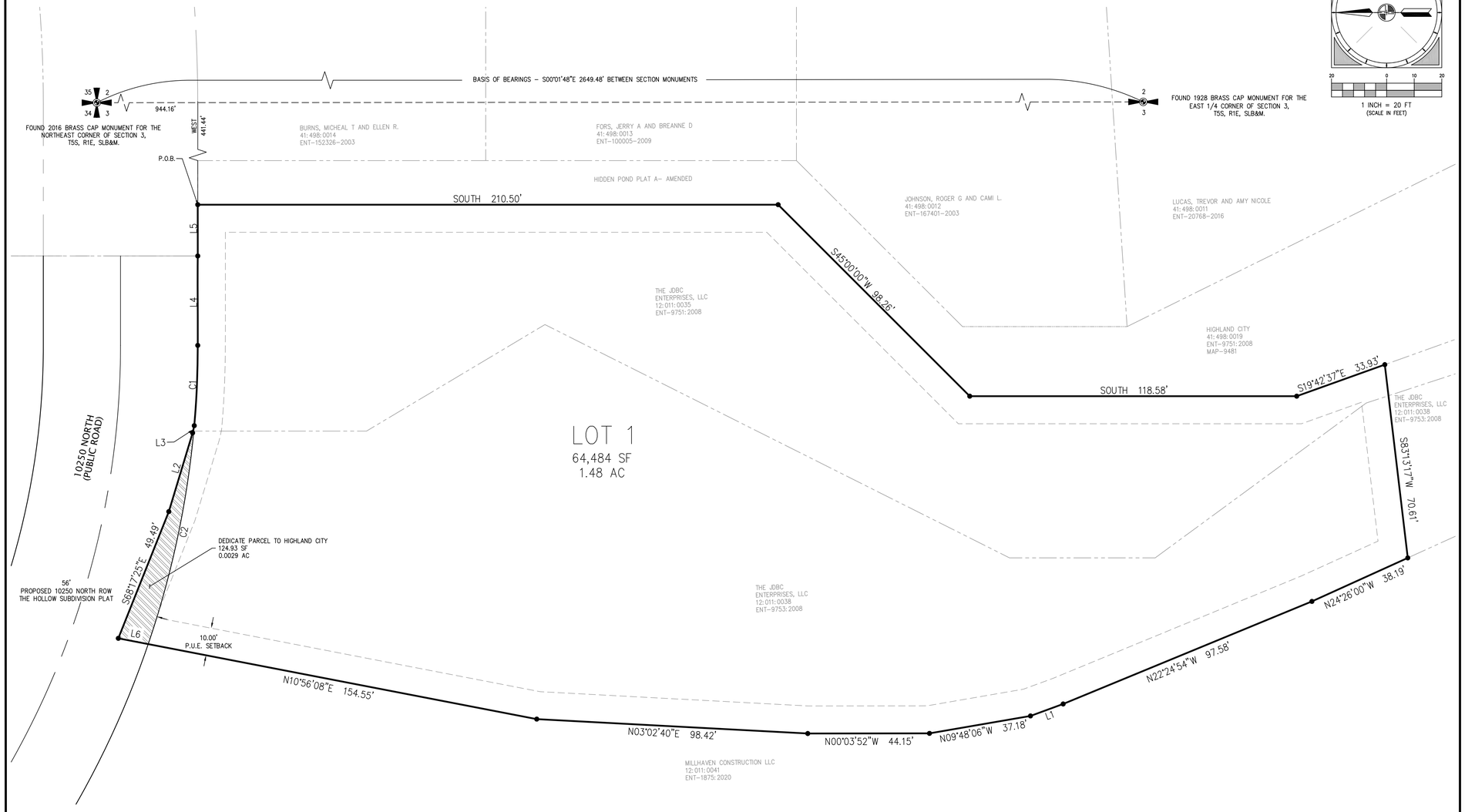


ATTACHMENT 2:

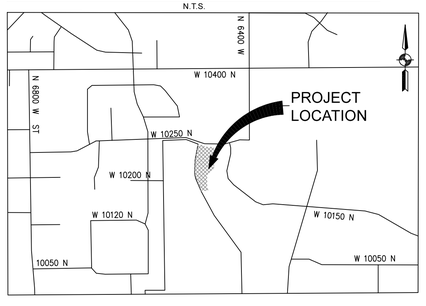
The Duane Chase Project Narrative

Duane Chase currently owns 3 parcels of ground in between “The Hollow” subdivision and the Highland City open space that was dedicated as part of the “Hidden Pond” subdivision. Mr. Chase desires to create a single lot that will front to 10250 North. This property already has existing curb & gutter and sidewalk improvements. The project is proposing to install water, PI, and sewer laterals for the new lot. The proposal is to create a single lot roughly 1.5 acres in size. The remaining 1.5 acres will be split up to be included on the back side of 4 lots within “The Hollow” subdivision. This will require an amended plat to those 4 lots. The proposal is to eliminate the trail crossing the front of this lot. As shown in the plans, the trail on the east side of the property will be regraded to tie directly to the existing walk along 10250 North.

DUANE CHASE - PLAT



VICINITY MAP



CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	335.91'	29.16'	4°58'27"	29.15'	S87°30'49"E
C2	330.93'	80.62'	13°57'32"	80.42'	N78°06'29"W

LINE	BEARING	DISTANCE
L1	N20°07'27"W	12.62'
L2	S73°10'06"E	29.84'
L3	S77°19'44"E	2.69'
L4	S89°59'33"E	32.44'
L5	N89°59'13"E	18.61'
L6	N10°56'08"E	11.04'

LEGEND

- SECTION LINES
- ADJACENT PROPERTY LINES
- PUBLIC UTILITY EASEMENT LINES
- BOUNDARY ANGLE POINT
- ROAD DEDICATION TO HIGHLAND CITY

ZONING INFORMATION

ALL SETBACKS ARE SUBJECT TO HIGHLAND CITY ZONING ORDINANCE REQUIREMENTS AT THE TIME A BUILDING PERMIT IS ISSUED.

PUBLIC UTILITY SETBACKS:

THIS LOT IS SUBJECT TO PUBLIC UTILITY SETBACKS ALONG ALL PROPERTY LINES AS FOLLOWS:
FRONT: 30 FEET
REAR: 30 FEET
SIDE: 15 FEET

*CORNER LOTS HAVE A 30 FOOT SIDE SETBACK ON THE SIDE THAT ABUTS THE STREET

NOTE:
ALL AREAS LOCATED WITHIN THIS PLAT, EXCEPTING THE PRIVATE OWNERSHIP AREAS, ARE SUBJECT TO A PUBLIC UTILITY EASEMENT GRANTED IN FAVOR OF HIGHLAND CITY, COMCAST, CENTURY LINK, DOMINION ENERGY, AND ROCKY MOUNTAIN POWER.

DOMINION ENERGY

DOMINION ENERGY APPROVES THIS PLAT FOR THE PURPOSES OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THE DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL, OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNER'S DEDICATION AND NOTES AND DOES NOT GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY'S RIGHT-OF-WAY. DEPARTMENT.

APPROVED AS TO FORM THIS _____ DAY OF ____, A.D. 20___.

DOMINION ENERGY BY:_____ TITLE:_____.

UTILITIES APPROVAL

UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES, AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE SUCH STRUCTURES AT THE OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE OWNERS EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR OTHER OBSTRUCTIONS WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE.

ROCKY MTN. POWER: _____ DATE: _____

CENTURY LINK: _____ DATE:_____

COMCAST: _____ DATE:_____

PROJECT	C21-001
SHEET	1 OF 1
ISSUE DATE	6/3/2021

Summit Engineering Group Inc.
Structural • Civil • Surveying
55 WEST CENTER • P.O. BOX 176
HEBER CITY, UTAH 84032
P: 435-654-9229 • F: 435-654-9231

DEVELOPER INFORMATION:

JDBC ENTERPRISES
ATTN: DUANE CHASE
795 S 1080 E
OREM, 84097

LOCATED IN THE NE 1/4 OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SLB&M

UTAH COUNTY, UTAH

DRAWN BY:	CJD
REVIEWED BY:	SMT
SCALE:	1" = 20'
DATE:	6/3/2021

SURVEYOR'S CERTIFICATE

I, BRIAN BALLS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 334532-2201 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT; THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS.

_____
BRIAN BALLS DATE

BOUNDARY DESCRIPTION

BEGINNING AT A POINT S00°01'48"E 944.16 FEET ALONG THE EAST SECTION LINE AND WEST 441.44 FEET FROM THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. SAID POINT OF BEGINNING BEING ON THE BOUNDARY OF THE HIDDEN POND PLAT 1 – AMENDED SUBDIVISION FILED AS PLAT NUMBER 9481-107 IN THE OFFICIAL RECORDS OF UTAH COUNTY, UTAH;

THENCE ALONG THE WESTERN BOUNDARY OF SAID HIDDEN POND SUBDIVISION PLAT A – AMENDED THE FOLLOWING 4 COURSES (1) SOUTH 210.50 FEET, (2) S45°00'00"W 98.26 FEET, (3) SOUTH 118.58 FEET, (4) S19°42'37"E 33.93 FEET; THENCE S83°13'17"W 70.61 FEET TO THE EAST BOUNDARY OF THE MILLHAVEN CONSTRUCTION, LLC PROPERTY RECORDED AS ENTRY NUMBER 1875:2020 OF SAID OFFICIAL RECORDS; THENCE ALONG THE BOUNDARY OF SAID MILLHAVEN CONSTRUCTION, LLC PROPERTY THE FOLLOWING 10 COURSES (1) N24°26'00"W 38.19 FEET, (2) N22°24'54"W 97.58 FEET, (3) N20°07'27"W 12.62 FEET, (4) N09°48'06"W 37.18 FEET, (5) N00°03'52"W 44.15 FEET, (6) N03°02'40"E 98.42 FEET, (7) N10°56'08"E 154.55 FEET, (8) S68°17'25"E 49.49 FEET, (9) S73°10'06"E 29.84 FEET, (10) S77°19'44"E 2.69 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERNLY HAVING A RADIUS OF 335.91 FEET AND TO WHICH POINT A RADIAL LINE BEARS N4°58'25"E, THENCE ALONG SAID CURVE 29.16 FEET THROUGH A CENTRAL ANGLE OF 4°58'27" WITH A CHORD BEARING AND DISTANCE OF S87°30'49"E 29.15 FEET; THENCE N89°59'33"E 32.44' TO THE BOUNDARY OF SAID HIDDEN POND SUBDIVISION PLAT A – AMENDED; THENCE ALONG THE BOUNDARY OF SAID HIDDEN POND SUBDIVISION PLAT A – AMENDED N89°59'13"E 18.61 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.481 ACRES, OR 64,516 SQUARE FEET,

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS SOUTH 00°01'48" EAST BETWEEN THE NORTHEAST CORNER AND EAST ONE-QUARTER CORNER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, IN CONFORMANCE WITH UTAH COORDINATE 1983 CENTRAL ZONE BEARINGS.

OWNER'S DEDICATION

I(WE) ALL OF THE UNDERSIGNED OWNER(S) OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR THE PERPETUAL USE OF THE PUBLIC, THE PUBLIC UTILITY EASEMENTS TO ALL PROVIDERS, PUBLIC OR PRIVATE, AND THE IRRIGATION EASEMENTS TO ALL LOT OWNERS, AND THEIR SUCCESSORS AND ASSIGNS IN PERPETUITY. ALL STREETS AND OTHER AREAS INTENDED FOR PUBLIC USE CONTAINED WITHIN THIS PLAT ARE SPECIFICALLY NOTED AS SUCH. ANY STREET OR AREA NOT SPECIFICALLY NOTED AS BEING FOR PUBLIC USE IS INTENDED TO BE PRIVATE.

IN WITNESS THEREOF, I(WE) HAVE SET MY(OUR) HANDS THIS _____ DAY OF _____, 20_____.

_____
OWNER
_____
OWNER

ACKNOWLEDGMENT

STATE OF UTAH)
) S.S.
COUNTY OF _____)

ON THE _____ DAY OF _____, 20____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNER(S) OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE (THEY) SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

_____ _____
NOTARY PUBLIC MY COMMISSION EXPIRES

ACKNOWLEDGMENT

STATE OF UTAH)
) S.S.
COUNTY OF _____)

ON THE _____ DAY OF _____, 20____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNER(S) OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE (THEY) SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

_____ _____
NOTARY PUBLIC MY COMMISSION EXPIRES

ACCEPTANCE BY LEGISLATIVE BODY

THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____ 20_____.

APPROVED BY MAYOR_____

_____ _____
APPROVED CITY ENGINEER ATTEST CLERK-RECORDER

HIGHLAND CITY ATTORNEY

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

_____
CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20_____, BY THE PLANNING COMMISSION OF HIGHLAND CITY.

_____
CHAIRMAN, PLANNING COMMISSION

THE DUANE CHASE - PLAT

LOCATED IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SLB&M, UTAH COUNTY, UTAH

SCALE 1"=200'

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL

ATTACHMENT 4:

EASEMENT DEED

DUANE B. CHASE & JANINE W. CHASE, trustees of the CHASE FAMILY TRUST, and R.W. WARNER, INC., GRANTORS,

ENT 38152:2002 PG 1 of 1
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2002 Apr 04 4:40 pm FEE 0.00 BY SB
RECORDED FOR HIGHLAND CITY

hereby GRANT to

HIGHLAND CITY, GRANTEE,

for the sum of Ten Dollars and Other Good and Valuable Consideration:

A 20 foot wide trail easement for the perpetual use of the public across the Grantor's property located in the Northeast Quarter of Section 3, Township 5 South, Range 1 East, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which is SOUTH 953.08 feet and WEST 440.74 feet from the Northeast Corner of said Section 3; and running thence SOUTH 20.08 feet; thence N 84°59'13" W 46.70 feet; thence N 84°02'43" W 20.33 feet; thence N 77°19'44" W 21.67 feet; thence N 73°10'06" W 31.42 feet; thence N 68°17'25" W 46.54 feet; thence N 10°56'08" E 20.36 feet; thence S 68°17'25" E 49.49 feet; thence S 73°10'06" E 29.84 feet; thence S 77°19'44" E 19.77 feet; thence S 84°02'43" E 18.99 feet; thence S 84°59'13" E 44.79 feet to the point of beginning.

Subject to easements, covenants, conditions, restrictions, rights-of-way and reservations appearing of record.

Witness the hands of said Grantors this 3 day of April, 2002.

TEE
Duane B. Chase

R. W. Warner
R. W. Warner

TEE
Janine W. Chase

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

On the 3rd day of April, 2002, personally appeared before me the signers of the foregoing instrument who duly acknowledged to me that they executed the same.

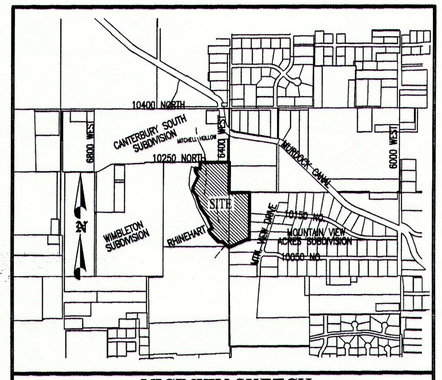
Notary Public

WINIFRED N. JENSEN
NOTARY PUBLIC • STATE of UTAH
5378 WEST 10400 NORTH
HIGHLAND UT 84003
COMM. EXP. 9-17-2002

ATTACHMENT 5:

VICINITY SKETCH

SCALE: NONE



ADDRESS TABLE

LOT	ADDRESS
1	6358 W. 10150 NORTH STREET
2	6378 W. 10150 NORTH STREET
3	6398 W. 10150 NORTH STREET
4	6359 W. 10150 NORTH STREET
5	6379 W. 10150 NORTH STREET
6	6399 W. 10150 NORTH STREET
7	10155 N. HIDDEN POND DRIVE
8	10163 N. HIDDEN POND DRIVE
9	10171 N. HIDDEN POND DRIVE
0	10179 N. HIDDEN POND DRIVE
1	10193 N. HIDDEN POND DRIVE
2	10205 N. HIDDEN POND DRIVE
3	10219 N. HIDDEND POND DRIVE
4	10235 N. HIDDEN POND DRIVE
	OR 6463 W. 10250 NORTH STREET
5	10244 N. HIDDEN POND DRIVE
	OR 6412 W. 10250 NORTH
6	10232 N. HIDDEN POND DR
7	10218 N. HIDDEN POND DR
8	10196 N. HIDDEN POND DR

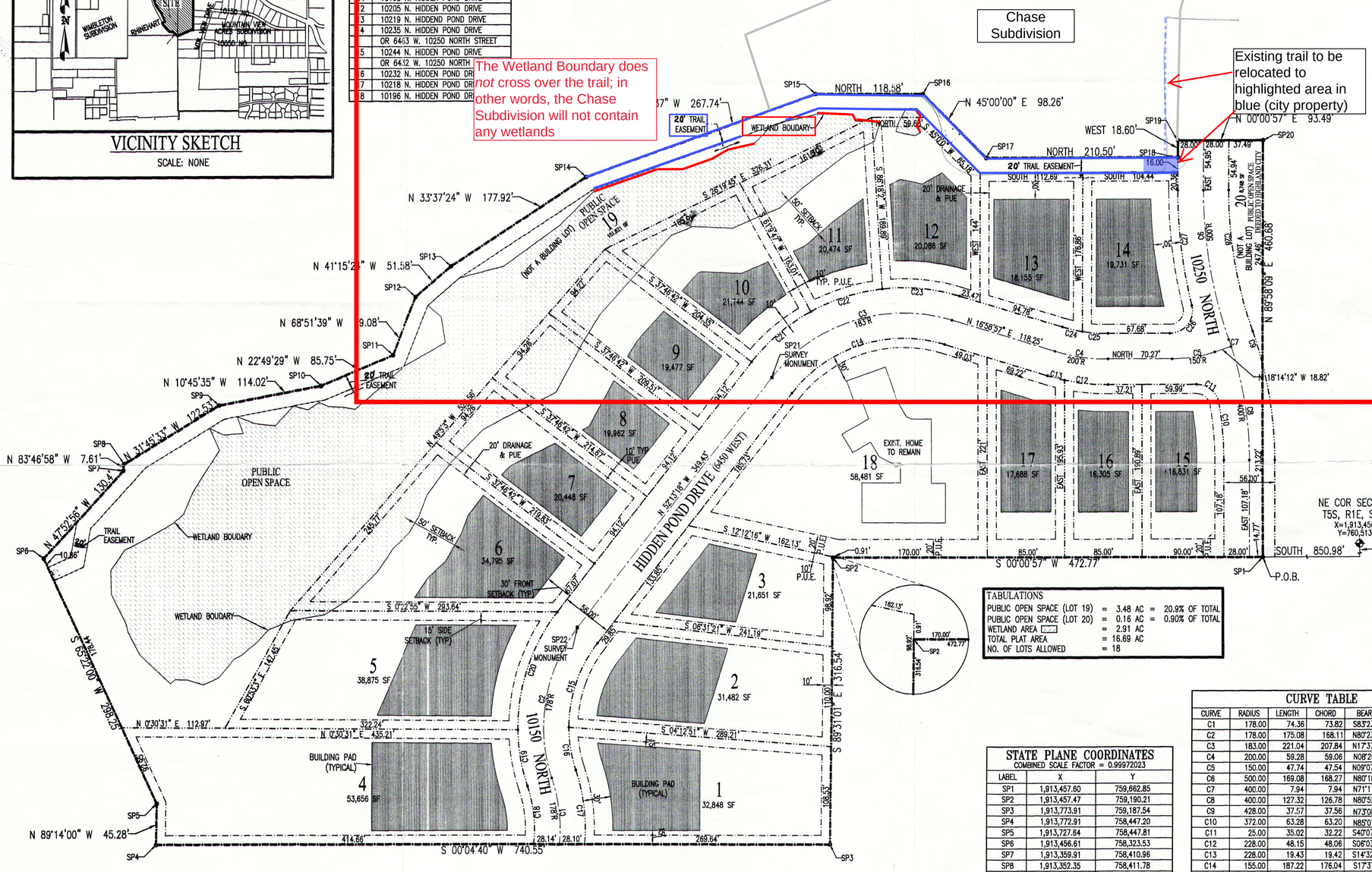
NOTES

1. PUBLIC ACCESS TO PARKS, & TRAILS IS ALLOWED.
2. SEWER GRINDER PUMPS ARE NECESSARY FOR LOTS 11-14.
3. MUCH OF OPEN SPACE IS PRIVATE WETLANDS SUBJECT TO EXISTING U.S. ARMY CORPS OF ENGINEERS PERMIT.
4. BUILDING PADS ARE 50 FOOT SETBACK FROM DELINEATED WETLANDS.
5. NO FENCING IS ALLOWED TO BE CONSTRUCTED IN DELINEATED WETLAND AREA. FENCES MAY BE CONSTRUCTED ALONG WETLAND BOUNDARY.

The Wetland Boundary does *not* cross over the trail; in other words, the Chase Subdivision will not contain any wetlands

Chase Subdivision

Existing trail to be relocated to highlighted area in blue (city property)



TABULATIONS

PUBLIC OPEN SPACE (LOT 19)	=	3.48 AC	= 20.9% OF TOTAL
PUBLIC OPEN SPACE (LOT 20)	=	0.16 AC	= 0.90% OF TOTAL
WETLAND AREA	=	2.91 AC	
TOTAL PLAT AREA	=	16.69 AC	
NO. OF LOTS ALLOWED	=	18	

CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	178.00	74.36	73.82	S83°23'27"W	23°56'08"
C2	178.00	175.08	168.11	N80°23'58"W	56°21'18"
C3	183.00	221.04	207.84	N17°37'11"W	69°12'15"
C4	200.00	59.28	59.06	N08°29'28"E	16°58'57"
C5	150.00	47.74	47.54	N09°07'06"W	18°14'12"
C6	500.00	169.08	168.27	N80°18'46"E	19°22'29"
C7	400.00	7.94	7.94	N71°11'40"E	01°08'16"
C8	400.00	127.32	126.78	N80°52'54"E	18°14'12"
C9	428.00	37.57	37.56	N73°08'24"E	05°01'46"
C10	372.00	63.28	63.20	N85°07'38"E	09°44'47"
C11	25.00	35.02	32.22	S40°07'36"W	80°15'13"
C12	228.00	48.15	48.06	S08°03'01"W	12°06'01"
C13	228.00	19.43	19.42	S14°32'29"W	04°52'55"
C14	155.00	187.22	176.04	S17°37'11"E	69°12'15"
C15	150.00	99.57	97.75	S71°14'15"E	38°01'53"
C16	150.00	47.97	47.77	N80°35'06"E	18°19'26"
C17	206.00	83.47	82.90	N83°01'52"E	23°12'58"
C18	150.00	65.25	64.74	S83°53'08"W	24°55'30"
C19	206.00	63.26	63.01	S80°13'15"W	17°35'44"
C20	206.00	139.35	136.71	N71°36'05"W	38°45'34"
C21	211.00	86.12	85.52	N40°31'45"W	23°23'06"
C22	211.00	82.57	82.04	N17°37'35"W	22°25'15"
C23	211.00	86.17	85.57	N05°17'00"E	23°23'54"
C24	172.00	22.65	22.64	N13°12'34"E	07°32'45"
C25	172.00	28.33	28.30	N04°43'06"E	09°26'12"
C26	25.00	45.38	39.40	N52°00'08"W	104°00'17"
C27	528.00	129.06	128.74	N82°59'52"E	14°00'17"
C28	472.00	159.61	158.85	N80°18'46"E	19°22'29"

STATE PLANE COORDINATES

COMBINED SCALE FACTOR = 0.99972023

LABEL	X	Y
SP1	1,913,457.60	759,662.85
SP2	1,913,457.47	759,190.21
SP3	1,913,773.91	759,187.54
SP4	1,913,772.91	758,447.20
SP5	1,913,727.64	758,447.81
SP6	1,913,456.61	758,323.53
SP7	1,913,359.91	758,410.96
SP8	1,913,352.35	758,411.78
SP9	1,913,287.87	758,515.94
SP10	1,913,266.59	758,627.92
SP11	1,913,233.34	758,706.94
SP12	1,913,168.92	758,731.84
SP13	1,913,134.92	758,770.61
SP14	1,913,036.43	758,918.71
SP15	1,912,946.16	759,170.69
SP16	1,912,946.16	759,289.24
SP17	1,913,015.62	759,358.70
SP18	1,913,015.62	759,569.14
SP19	1,912,997.02	759,569.14
SP20	1,912,997.05	759,662.60
SP21	1,913,258.38	759,123.42
SP22	1,913,534.50	758,909.41

PLAT VACATION NOTICE

THE CITY COUNCIL OF THE CITY OF HIGHLAND IS SATISFIED THAT NEITHER THE PUBLIC NOR ANY PERSON WILL BE MATERIALLY INJURED BY THE VACATION OF LOTS 1, 4, & 6 OF HIDDEN POND PLAT A AND THAT THERE IS GOOD CAUSE FOR THE VACATION. LOTS 1, 4, & 6 OF HIDDEN POND PLAT A ARE HEREBY VACATED BY THIS AMENDED PLAT A. LOTS 2, 3, & 5 REMAIN IN THEIR ORIGINAL CONFIGURATION.

DATE: March 26, 2002

MAYOR: Jess Adamson

60 0 60 120 180

SCALE 1"=60'

9481-107

SURVEYOR'S CERTIFICATE

I, DAVID V. THOMAS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 183947, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, OPEN SPACES, AND EASEMENTS AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

MARCH 14, 2002 DATE — David V. Thomas SURVEYOR (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

COMMENCING AT A POINT LOCATED SOUTH 850.98 FEET AND EAST 1.37 FEET FROM THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN (BASIS OF BEARING IS S 00°01'51" E ALONG THE SECTION LINE);

THENCE S 00°00'57" W PARTIALLY ALONG A FENCE 472.77 FEET; THENCE S 89°31'01" E ALONG A FENCE LINE 316.54 FEET; THENCE S 00°04'40" W ALONG A FENCE LINE AND BOUNDARY LINE AGREEMENT AS RECORDED IN THE OFFICE OF THE UTAH COUNTY RECORDER, ENTRY #27489, BOOK 4570, PAGE 593, 740.55 FEET; THENCE ALONG THE SUBDIVISION BOUNDARY OF PLAT "A", MOUNTAIN VIEW ACRES AS FOLLOWS: N 89°14'00" W 45.28 FEET, S 65°22'00" W 298.25 FEET; THENCE ALONG A FENCE LINE: N 47°52'56" W 130.40 FEET; THENCE N 83° 46'58" W 7.61 FEET; THENCE N 31°45'33" W 122.53 FEET; THENCE N 10°45'35" W 114.02 FEET; THENCE N 22°49'29" W 85.75 FEET; THENCE N 68°51'39" W 69.08 FEET; THENCE N 41°15'24" W 51.58 FEET; THENCE N 33°37'24" W 177.92 FEET; THENCE N 19°42'37" W 267.74 FEET; THENCE NORTH 118.58 FEET; THENCE N 45°00'00" E 98.26 FEET; THENCE NORTH 210.50 FEET; THENCE WEST 18.60 FEET; THENCE N 00°00'57" E 93.49 FEET; THENCE N 89°58'09" E 460.68 FEET TO THE POINT OF BEGINNING.

CONTAINING 16.69 ACRES.
BASIS OF BEARING: UTAH STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE.

OWNER'S DEDICATION

KNOWN ALL MEN BY THESE PRESENTS THAT WE, ALL THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS, OPEN SPACE, AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS HEREOF WE HAVE HEREUNTO SET OUT HANDS THIS 18th DAY OF March, A.D. 2002

R.D. Warner Inc. by Ray W. Warner — Ray W. Warner, TEE

DWAYNE B. CHASE, as Trustee — JANINE W. CHASE, as TEE

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF UTAH

ON THE 18th DAY OF March, A.D. 2002 PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES 8:30-03

VICKIE DE GRAFFENRIED, NOTARY PUBLIC-STATE of UTAH, 3602 N UNIV AVE STE 100, PROVO, UTAH 84604, COMM. EXP. 8-30-2003

NOTARY PUBLIC

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, OPEN SPACES, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 6th DAY OF March A.D. 2002

Jess Adamson

ENT 30153:2002 PG 1 OF 1
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2002 Sep 04 4:41 pm FEE 46.00 BY SB
RECORDED FOR HIGHLAND CITY

APPROVED Boyd A. Wilson — CITY ENGINEER (SEE SEAL BELOW)

ATTEST — CLERK - RECORDER (SEE SEAL BELOW)

PLANNING COMMISSION APPROVAL

APPROVED THIS 27th DAY OF February, A.D. 2002 BY THE HIGHLAND CITY PLANNING COMMISSION.

DIRECTOR - SECRETARY

CHAIRMAN, PLANNING COMMISSION

HIDDEN POND
PLAT A - AMENDED

A VACATION OF HIDDEN POND "A" LOTS 1-6
LOCATED IN THE NE 1/4 OF SECTION 3 & NW 1/4 OF SECTION 2, T5S. R1E, S.L.B.&M

SUBDIVISION HIGHLAND CITY, UTAH COUNTY, STATE OF UTAH
SCALE: 1" = 60 FEET

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLERK - RECORDER SEAL
REGISTERED LAND SURVEYOR No. 183947 DAVID V. THOMAS STATE OF UTAH		HIGHLAND CITY CITY ENGINEER STATE OF UTAH	HIGHLAND CITY CORPORATE SEAL STATE OF UTAH

PLAT9 04 OCT 2001

SEC 3 T5S R1E TU0445

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #8

DATE: August 3, 2021
TO: Honorable Mayor and Members of the City Council
FROM: Kellie Smith
Planner & GIS Analyst
SUBJECT: **PLAT AMENDMENT:** The Hollow Subdivision *Administrative*

PURPOSE:
The City Council will consider a request by Millhaven Development to amend The Hollow Subdivision to add a total of approximately 1.53 acres of property to the backs of lots 20, 21, 24, and 31. The City Council will take appropriate action.

BACKGROUND:
On February 16th, 2021, the City Council approved the final plat for The Hollow subdivision. The final plat includes 68 single-family lots. This subdivision is in the R-1-40 Zone.

Legal Note
The Preliminary Plat for the Hollow Subdivision was appealed by residents. The appeal before the City's Appeal Authority was decided in favor of the City (upholding the approval of the preliminary plat). That decision was further appealed to the Utah District Court. In the meantime, the residents attempted to appeal the City Council's approval of the final plat for the Hollow Subdivision. The City denied that appeal as untimely, and the residents asked the District Court to overrule the City's denial and allow the residents to challenge the final plat as well as the preliminary plat in court.

During oral argument held in May, the Court indicated that it would uphold the Appeal Authority's decision on the preliminary plat in favor of the City (upholding the approval of the preliminary plat). However, the Court reserved ruling on the residents' request to challenge the final plat. The Court has not yet issued a final decision, and the matter remains pending.

Because the proposed amendment does not impact, amend, or alter any aspect of the Subdivision at issue in the litigation, there is no legal obstacle to approving the proposed plat amendment because of the pending litigation, if the Council otherwise determines that amendment is appropriate.

Plat Amendments are an *administrative* process.

SUMMARY OF THE REQUEST:

1. The applicant is requesting approval of a plat amendment to The Hollow Subdivision to add 1.53 acres of property to the backs of lots 20, 21, 24, and 31.

CITIZEN PARTICIPATION:

Notice of this request was mailed to all property owners within 500 feet on July 15, 2021. No comments have been received.

PLANNING COMMISSION ACTION:

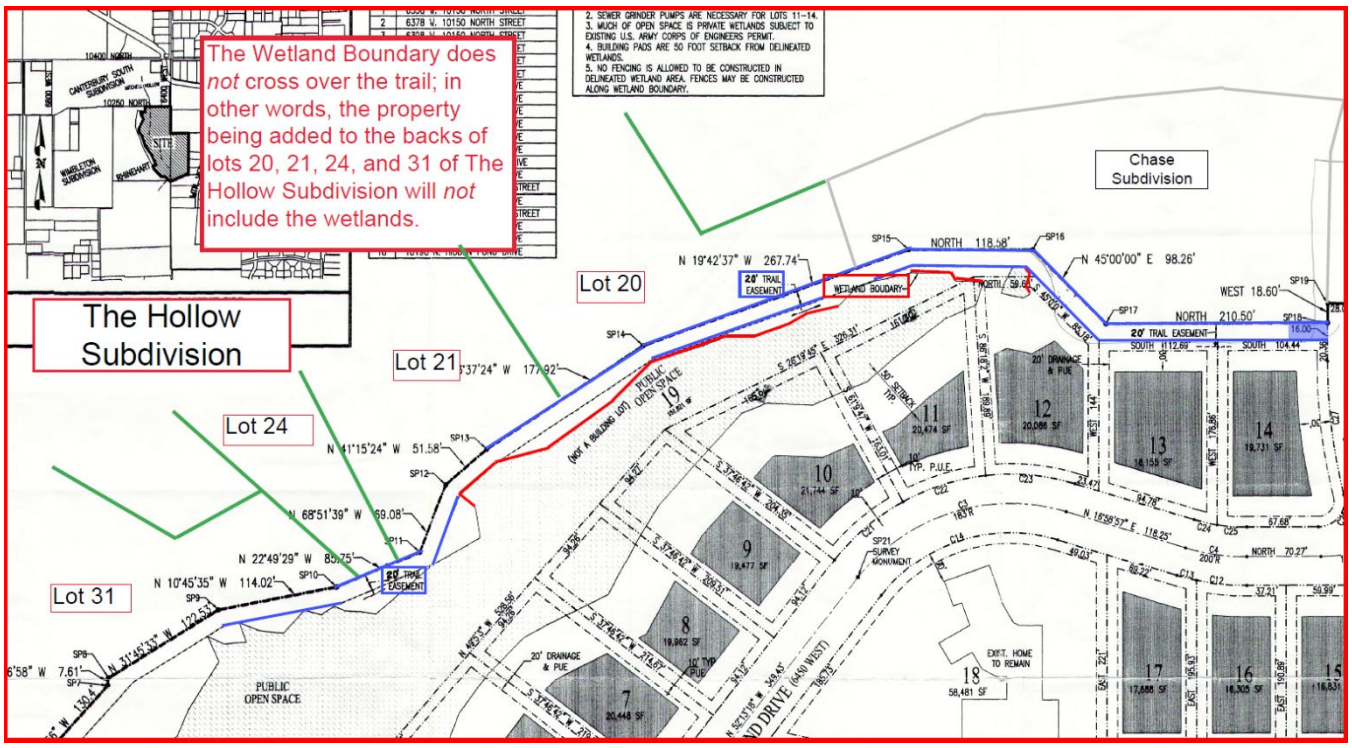
The Planning Commission does not review final plat amendments.

ANAYLSIS:

- The Hollow subdivision was approved with 68 lots. The proposed plat amendment does not add any lots. The number remains 68. By adding the additional property to the four lots, the overall density of the subdivision decreases.

- The addition of the property will not impact or require any changes to the approved infrastructure and public improvements that the developer is required to provide in connection with the approved subdivision. The overall construction plan for the Subdivision (roads, utilities, etc.) are unaffected by the proposed plat amendment. There is no anticipated or proposed modifications to the road alignments or expected traffic, as density and lot configurations remain the same.

- The added property will go up to the 20' trail easement in the Hidden Pond subdivision. It will not include any of the wetlands (see illustration below to see the wetland and trail easement boundaries or see Attachment #4). The landscaping for the properties that back up to the trail will have to follow the standard requirements of the Development Code. Any fencing will need to comply with existing requirements for fences adjacent to trails. The open space/trail corridor that abuts these lots specifically is greater than 40 feet wide. These lots will be permitted to have a 6-foot solid fence based on the current regulations in Section 3-612 of the Development Code.



FINDINGS:

- The proposed amendment meets all requirements of the Development Code.

RECOMMENDATION AND PROPOSED MOTION:

The City Council should hold a public hearing and **APPROVE** the final plat amendment subject to the following stipulations:

1. The recorded plat shall be in substantial conformance with the final plat received June 23, 2021.
2. Prior to recording, the recorded plat shall be revised as required by the City Engineer.

I move that the City Council accept the findings and **APPROVE** The Hollow plat amendment subject to the two (2) stipulations recommended by Staff.

ALTERNATIVE MOTION:

I move that the City Council **DENY** The Hollow plat amendment based on the following findings: (The Council will need to draft appropriate findings).

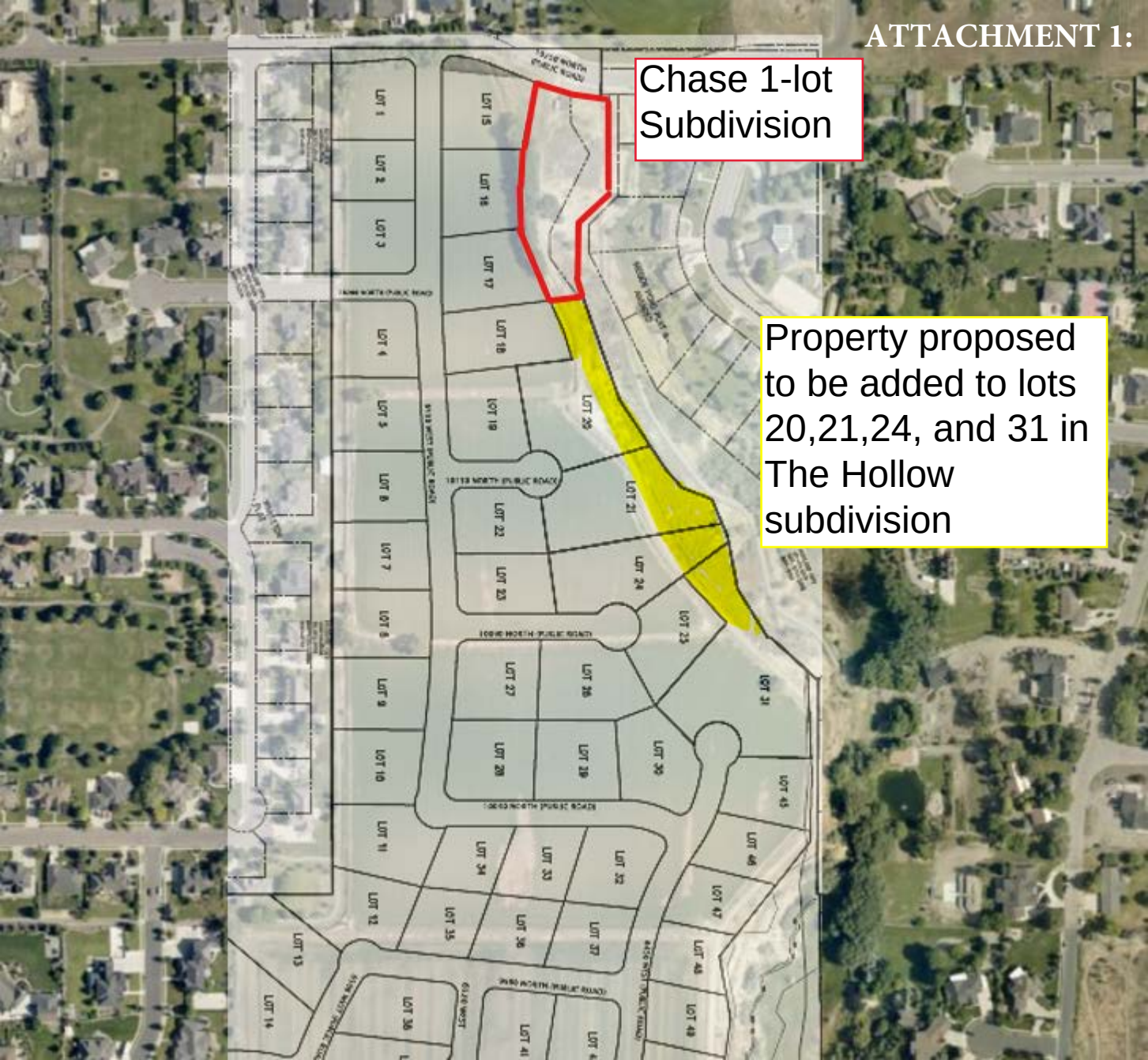
FISCAL IMPACT:

This action will not have a financial impact on this fiscal year's budget expenditures.

ATTACHMENTS:

1. Vicinity Map
2. The Hollow Subdivision Plat
3. Proposed Plat Amendment
4. Wetlands and Trail Easement Boundary – Hidden Pond Plat

ATTACHMENT 1:



CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C2	25.00'	39.24'	89°56'01"	35.33'	S44°57'58"W
C3	25.00'	38.43'	88°03'49"	34.75'	S46°02'06"E
C4	1828.00'	35.69'	1°07'08"	35.69'	S02°33'46"E
C5	2000.00'	43.93'	1°15'30"	43.92'	S02°29'34"E
C6	2000.00'	144.64'	4°08'54"	144.61'	S00°17'30"W
C7	2000.00'	141.08'	4°02'30"	141.06'	S04°18'03"W
C8	15.00'	5.51'	21°02'29"	5.48'	S16°50'33"W
C9	50.00'	24.22'	27°45'02"	23.98'	S13°23'17"W
C10	50.00'	96.61'	110°42'40"	82.27'	S55°44'34"E
C11	15.00'	10.50'	40°07'30"	10.29'	N63°39'28"W
C12	50.00'	94.08'	107°48'43"	80.81'	S82°29'56"W
C13	50.00'	28.76'	32°57'05"	28.36'	S12°01'02"W
C14	15.00'	9.34'	35°39'51"	9.19'	S13°28'25"W
C15	1045.90'	104.37'	5°43'03"	104.32'	S28°26'49"W
C16	1045.90'	86.33'	4°43'46"	86.31'	S23°13'25"W
C17	25.00'	36.48'	83°36'10"	33.33'	S62°39'37"W
C18	417.00'	105.25'	14°27'42"	104.97'	N82°46'09"W
C22	1772.00'	68.41'	2°12'43"	68.40'	N01°06'24"W
C23	1772.00'	28.13'	0°54'34"	28.13'	N02°40'02"W
C24	50.00'	26.88'	30°47'54"	26.55'	S56°48'59"W
C25	50.00'	12.12'	48°34'58"	12.34'	S65°42'31"W
C26	728.00'	19.47'	1°31'56"	19.47'	S89°14'02"W
C27	25.00'	38.58'	88°24'36"	34.86'	N47°19'37"W
C28	50.00'	88.99'	101°58'32"	77.70'	N56°47'48"W
C29	50.00'	77.76'	89°06'37"	70.16'	N38°44'47"E
C30	25.00'	40.08'	91°51'02"	35.92'	N42°48'12"E
C31	672.00'	14.91'	1°16'17"	14.91'	N89°21'51"E
C32	15.00'	12.72'	48°34'58"	12.34'	S65°42'31"E
C33	50.00'	48.24'	55°16'53"	46.39'	S69°03'29"E
C34	25.00'	38.80'	88°55'01"	35.02'	N45°32'30"W
C35	2056.00'	73.16'	2°02'20"	73.16'	N02°09'09"W
C36	50.00'	85.63'	98°07'16"	75.54'	N89°31'20"W
C37	15.00'	12.72'	48°34'58"	12.34'	S65°42'31"W
C38	50.00'	98.34'	112°34'00"	83.18'	N15°49'28"E
C39	15.00'	12.72'	48°34'58"	12.34'	S65°42'31"E
C40	50.00'	58.01'	66°28'20"	54.81'	S74°39'12"E
C41	2056.00'	145.61'	4°03'28"	145.58'	N03°51'52"E
C42	25.00'	38.47'	88°09'51"	34.78'	N45°55'04"E
C43	25.00'	42.05'	96°22'31"	37.27'	N41°51'57"W
C44	2056.00'	15.37'	0°25'42"	15.37'	N06°08'28"E
C45	327.00'	89.02'	15°35'51"	88.74'	S14°59'11"W
C46	25.00'	41.78'	95°44'53"	37.08'	S70°39'33"W
C47	234.00'	116.75'	28°35'12"	115.54'	N75°45'36"W
C48	50.00'	37.66'	43°09'30"	36.78'	S19°48'58"E
C49	15.00'	12.72'	48°34'58"	12.34'	S17°06'14"E
C50	50.00'	179.60'	205°48'20"	97.48'	N75°20'03"W
C51	668.00'	135.04'	11°34'56"	134.81'	S25°12'54"W
C52	178.00'	84.78'	27°17'19"	83.98'	S76°24'33"E
C53	25.00'	40.92'	93°46'16"	36.50'	S15°52'45"E
C54	15.00'	5.51'	21°02'42"	5.48'	N79°23'27"E
C55	14972.00'	14.15'	0°03'15"	14.15'	N83°44'51"W
C56	14972.00'	72.47'	0°16'38"	72.47'	N83°54'47"W
C57	668.00'	120.65'	10°20'54"	120.49'	S14°14'59"W
C58	25.00'	37.91'	86°52'21"	34.38'	S52°30'43"W
C59	989.90'	126.37'	7°18'51"	126.28'	N28°03'47"E
C60	668.00'	120.65'	10°20'54"	120.49'	S14°14'59"W
C61	25.00'	37.91'	86°52'21"	34.38'	S52°30'43"W
C62	50.00'	73.31'	84°00'11"	66.92'	S12°34'19"W
C63	767.00'	192.00'	14°20'33"	191.50'	N57°56'21"W
C64	25.00'	37.53'	86°00'39"	34.10'	N27°06'19"W
C65	989.90'	60.57'	3°30'21"	60.56'	N22°39'11"E
C66	15.00'	12.72'	48°34'58"	12.34'	S30°16'56"W
C67	963.00'	59.89'	3°33'47"	59.88'	N40°16'56"W
C68	767.00'	164.22'	12°16'02"	163.90'	N44°38'04"W
C69	50.00'	120.98'	138°38'15"	93.56'	N81°15'06"E
C70	50.00'	47.58'	54°31'29"	45.81'	N15°19'46"W
C71	15.00'	12.72'	48°34'58"	12.34'	N18°18'02"W
C72	25.00'	39.26'	89°58'39"	35.35'	N50°58'47"E
C73	15028.00'	5.32'	0°01'13"	5.32'	S84°02'30"E
C74	612.00'	193.27'	18°05'40"	192.47'	S09°51'12"W
C75	25.00'	37.03'	84°51'29"	33.73'	S41°37'22"E
C76	612.00'	83.42'	7°48'34"	83.35'	S22°48'19"W
C77	724.28'	79.29'	6°16'20"	79.25'	S23°34'26"W
C78	724.28'	129.98'	10°16'55"	129.80'	S15°17'48"W
C79	122.00'	40.42'	18°58'52"	40.23'	S19°38'47"W
C80	25.00'	43.11'	98°48'28"	37.97'	S78°32'27"W
C81	963.00'	167.93'	9°59'29"	167.72'	N47°03'34"W
C82	383.00'	91.21'	13°38'43"	91.00'	N14°00'36"E
C83	15.00'	12.72'	48°34'58"	12.34'	N31°28'44"E
C84	50.00'	24.61'	28°12'05"	24.36'	N41°40'10"E
C85	612.00'	34.52'	3°13'55"	34.52'	N33°00'54"E
C86	383.00'	92.24'	13°47'54"	92.01'	N27°43'55"E
C87	612.00'	133.21'	12°28'16"	132.95'	N25°09'49"E
C88	612.00'	130.00'	12°10'14"	129.76'	N12°50'33"E
C89	668.00'	63.52'	5°26'54"	63.50'	N03°15'20"E
C90	612.00'	66.49'	6°13'28"	66.45'	N03°38'42"E
C91	668.00'	130.01'	11°09'03"	129.80'	N11°33'24"E
C92	668.28'	18.34'	1°34'19"	18.34'	N25°55'29"E
C93	668.00'	111.67'	9°34'41"	111.54'	N21°55'16"E
C94	668.28'	130.00'	11°08'45"	129.80'	N19°33'54"E
C95	963.00'	122.56'	7°17'31"	122.48'	N62°31'35"W
C96	25.00'	39.53'	90°35'32"	35.54'	N13°15'07"W
C97	178.00'	68.00'	21°53'19"	67.59'	N21°06'00"E
C98	668.28'	44.75'	3°50'11"	44.74'	N12°04'26"E
C99	25.00'	34.05'	78°02'33"	31.48'	N39°01'16"E
C100	722.00'	169.17'	13°25'30"	168.79'	N84°45'18"E

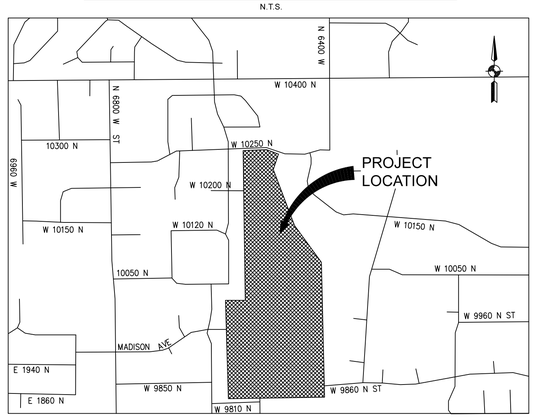
CURVE TABLE					
C101	722.00'	55.06'	4°22'10"	55.05'	S86°20'52"E
C102	15.00'	13.23'	50°31'45"	12.80'	S58°53'55"E
C103	50.00'	91.40'	104°44'03"	79.19'	S86°00'04"E
C104	50.00'	72.67'	83°16'10"	66.44'	N00°00'10"W
C105	1037.00'	14.40'	0°47'43"	14.40'	S65°26'32"E
C106	50.00'	47.22'	54°06'25"	45.48'	S76°18'28"W
C107	15.00'	12.25'	46°47'49"	11.91'	S72°39'09"W
C108	778.00'	125.68'	9°15'20"	125.54'	N88°34'36"W
C109	1037.00'	154.41'	8°31'52"	154.26'	S59°07'16"E
C110	778.00'	120.98'	8°54'34"	120.86'	S82°20'27"W
C111	25.00'	33.55'	76°52'59"	31.09'	N63°40'21"W
C112	1037.00'	129.21'	7°08'21"	129.13'	S51°17'09"E
C113	228.00'	36.86'	9°45'53"	36.81'	N30°06'33"W
C114	2707.62'	103.38'	2°11'16"	103.38'	N33°53'51"W
C115	1037.00'	130.31'	7°11'59"	130.22'	S44°07'00"E
C116	2707.62'	150.30'	3°10'50"	150.28'	N31°12'49"W
C117	693.00'	90.85'	7°30'40"	90.78'	S42°15'23"E
C118	1037.00'	36.49'	2°00'57"	36.48'	S39°30'32"E
C119	2707.62'	130.65'	2°45'54"	130.63'	N28°41'27"W
C120	15.00'	12.85'	49°05'57"	12.46'	N02°18'31"W
C121	50.00'	69.27'	79°22'34"	63.86'	N17°26'49"W
C122	693.00'	175.92'	14°32'40"	175.45'	S53°17'04"E
C123	50.00'	89.14'	102°08'59"	77.80'	S71°47'24"W
C124	343.00'	131.94'	22°02'22"	131.13'	S78°58'49"E
C125	693.00'	89.55'	7°24'14"	89.49'	S64°15'31"E
C126	2763.62'	112.68'	2°20'10"	112.67'	S28°00'37"E
C127	50.00'	83.46'	95°38'08"	74.10'	S27°06'09"E
C128	15.00'	12.59'	48°04'41"	12.22'	S50°52'52"E
C129	2763.62'	140.76'	2°55'06"	140.74'	S30°38'14"E
C130	2763.62'	139.60'	2°53'39"	139.59'	S33°32'37"E
C131	172.00'	12.39'	4°07'40"	12.39'	S32°55'37"E
C132	172.00'	90.63'	30°11'47"	91.53'	S15°25'53"E
C133	317.00'	122.46'	22°07'59"	121.70'	N76°54'23"W
C134	391.00'	197.33'	28°54'59"	195.24'	S80°17'53"E
C140	18262.33'	98.20'	0°18'29"	98.20'	S67°37'03"E
C141	25.00'	41.23'	94°29'40"	36.71'	S47°14'53"E
C142	25.00'	40.87'	93°40'11"	36.47'	S47°42'38"W
C143	274.83'	86.50'	18°01'58"	86.14'	S76°26'42"E
C144	50.00'	30.54'	35°00'05"	30.07'	S59°08'17"E
C145	700.00'	38.14'	3°07'19"	38.14'	S88°26'20"W
C146	1800.00'	86.37'	2°44'57"	86.36'	N01°44'51"W
C147	1800.00'	11.69'	0°22'20"	11.69'	S00°11'12"E
C149	2028.00'	124.17'	3°30'29"	124.15'	N01°22'05"W
C150	2028.00'	210.10'	5°56'09"	210.01'	N03°21'14"E
C151	53.00'	89.15'	96°22'31"	79.01'	S41°51'57"E
C152	206.00'	126.60'	35°12'40"	124.61'	S72°26'52"E
C153	355.00'	159.86'	25°48'03"	158.51'	N20°05'16"E
C154	355.00'	10.18'	1°38'54"	10.18'	S33°48'35"W
C155	640.00'	335.58'	30°02'35"	331.75'	S19°36'34"W
C156	640.00'	45.30'	4°03'19"	45.29'	N02°33'37"E
C157	15000.00'	58.29'	0°13'21"	58.29'	N83°56'28"W
C158	15000.00'	28.49'	0°06'32"	28.49'	S83°46'29"E
C159	53.00'	59.72'	64°33'35"	56.61'	N64°00'00"E
C160	1017.90'	222.24'	12°30'35"	221.80'	N29°25'55"E
C161	640.00'	292.40'	26°10'38"	289.80'	S13°37'17"W
C162	696.28'	201.17'	16°33'16"	200.48'	N18°25'58"E
C163	150.00'	64.21'	24°31'36"	63.72'	N29°25'09"E
C164	1037.00'	30.01'	1°39'29"	30.01'	S84°12'56"E
C165	354.00'	178.72'	28°55'37"	176.83'	N80°18'12"W
C166	1000.00'	183.58'	10°31'05"	183.32'	N60°34'51"W
C167	1000.00'	293.58'	16°49'15"	292.53'	S46°54'41"E
C168	730.00'	375.34'	29°27'35"	371.22'	S53°13'51"E
C169	380.00'	146.17'	22°02'22"	145.27'	N78°58'49"W
C170	200.00'	45.73'	13°06'03"	45.63'	N06°33'01"W
C171	200.00'	76.41'	21°53'24"	75.95'	N24°02'45"W
C172	750.00'	303.63'	23°11'45"	301.56'	S88°04'31"W
C173	2735.62'	437.42'	9°09'41"	436.95'	N30°24'36"W
C174	317.00'	37.59'	6°47'38"	37.57'	S88°37'48"W

LINE TABLE		
LINE	BEARING	DISTANCE
L2	S06°19'19"W	14.16'
L3	N83°43'13"W	26.94'
L4	WEST	23.24'
L5	S00°03'52"E	44.15'
L6	S09°48'06"E	18.59'
L7	S10°56'08"W	7.43'
L8	S24°26'00"E	37.42'
L9	S09°48'06"E	18.59'
L10	S20°07'27"E	12.62'
L11	S16°50'19"E	37.00'
L12	S15°56'25"E	9.39'
L13	N30°06'33"W	29.86'
L14	S42°52'50"E	24.41'
L15	S89°56'48"W	2.14'
L16	S07°11'15"W	1.52'
L17	S42°52'50"E	34.66'
L18	S05°59'27"W	18.09'
L19	N07°11'15"E	1.52'
L20	S02°23'48"E	32.09'
L21	S01°12'43"W	21.58'
L22	S36°18'05"W	57.06'
L23	S10°06'37"E	51.14'
L24	S08°28'12"W	47.99'
L25	S11°06'44"W	46.78'
L26	S32°08'45"W	56.81'
L27	N06°09'00"E	8.20'
L28	N25°13'44"W	0.00'
L29	EAST	22.36'
L30	S67°57'38"E	8.30'
L31	N00°40'38"W	58.22'
L32	N87°52'56"E	0.00'
L33	N89°25'39"E	0.87'
L34	N00°40'38"W	40.48'
L35	S80°44'44"E	20.48'
L38	S88°56'13"W	51.64'
L39	S86°52'41"W	32.11'
L40	N54°50'32"W	29.88'
L41	N67°57'35"W	8.30'
L42	S19°25'51"W	30.00'
L43	S00°40'38"E	37.00'
L44	S00°40'38"E	37.00'
L45	N85°13'59"E	2.73'
L46	S00°26'27"E	37.11'
L47	S00°26'27"E	37.11'
L48	S34°40'57"W	54.22'
L49	S87°43'00"W	28.02'
L50	S87°43'00"W	28.02'
L51	S76°28'38"W	28.02'
L52	SOUTH	28.00'
L53	N00°40'38"W	78.70'
L54	N84°59'13"W	26.11'
L55	S84°02'43"E	18.99'
L56	S77°19'44"E	19.77'
L57	S73°10'26"E	29.84'
L58	N68°17'25"W	49.49'
L59	S09°48'06"E	37.18'
L60	S83°46'58"E	72.77'
L61	S65°24'06"E	4.09'
L62	S87°52'15"E	5.65'
L63	S00°07'36"E	115.40'
L64	S85°13'59"W	5.52'
L65	N47°52'26"W	11.77'



VICINITY MAP

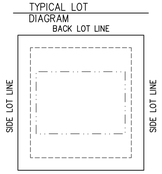
N.T.S.



LEGEND

- SECTION LINES
- ADJACENT PROPERTY LINES
- PUBLIC UTILITY EASEMENT LINES
- BUILDING SETBACK LINES
- BOUNDARY ANGLE POINT
- STREET MONUMENT
- ROAD DEDICATION
- TRAIL EASEMENT
- STORM DRAIN EASEMENT

TYPICAL LOT DIAGRAM



PLAT NOTES

PUBLIC UTILITY EASEMENTS:

ALL LOTS IN THIS SUBDIVISION ARE SUBJECT TO PUBLIC UTILITY EASEMENTS ALONG ALL PROPERTY LINES AS FOLLOWS:
FRONT: 10 FEET
REAR: 10 FEET
SIDE: 10 FEET

ZONING INFORMATION

ALL SETBACKS ARE SUBJECT TO UTAH COUNTY ZONING ORDINANCE REQUIREMENTS AT THE TIME A BUILDING PERMIT IS ISSUED.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT N0°45'44"W 1458.77 FEET ALONG THE SECTION LINE AND EAST 1.78 FEET FROM THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE:

S87°30'54"W 487.10 FEET; THENCE N06°09'00"E 8.20 FEET; THENCE S87°43'00"W 348.87 FEET; THENCE NORTH 28.00 FEET; THENCE S87°43'00"W 435.66 FEET; THENCE N00°30'23"W 405.56 FEET; THENCE N89°25'39"E 0.87 FEET; THENCE N00°40'38"W 78.70 FEET; THENCE N00°40'38"W 741.94 FEET; THENCE EAST 233.10 FEET; THENCE N00°04'01"W 1,797.93 FEET; THENCE N89°58'09"E 576.03 FEET; THENCE S00°00'57"W 100.23 FEET; THENCE N84°59'13"W 26.11 FEET; THENCE N84°02'43"W 18.99 FEET; THENCE N77°19'44"W 19.77 FEET; THENCE N73°10'26"W 29.84 FEET; THENCE N68°17'25"W 49.49 FEET; THENCE S10°56'08"W 154.55 FEET; THENCE S03°02'40"W 98.42 FEET; THENCE S00°03'52"E 44.15 FEET; THENCE S09°48'06"E 37.18 FEET; THENCE S20°07'27"E 12.62 FEET; THENCE S22°24'54"E 97.58 FEET; THENCE S24°26'00"E 109.11 FEET; THENCE S15°56'25"E 9.39 FEET; THENCE S17°19'13"E 449.76 FEET; THENCE S42°52'50"E 195.45 FEET; THENCE S83°46'58"E 72.77 FEET; THENCE S47°52'56"E 118.63 FEET; THENCE S47°52'26"E 11.77 FEET; THENCE N65°24'06"E 4.09 FEET; THENCE S00°20'00"W 460.51 FEET; THENCE S87°52'15"E 5.65 FEET; THENCE S00°26'27"E 694.73 FEET; THENCE S00°26'27"E 399.58 FEET; THENCE S00°07'36"E 115.40 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 64.489 ACRES, OR 2,809,152 SQUARE FEET,

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS NORTH 00°45'44" WEST BETWEEN THE SOUTHEAST CORNER AND EAST ONE-QUARTER CORNER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, IN CONFORMANCE WITH UTAH COORDINATE 1983 CENTRAL ZONE BEARINGS.

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, BRIAN BALLS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 334532-2201 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.

BRIAN BALLS
PROFESSIONAL LAND SURVEYOR

DATE

SURVEYOR'S SEAL

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I(WE) THE UNDERSIGNED OWNER(S) OF THE TRACT(S) OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION PLAT, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS THE CHRISTENSEN FARMS PHASE 2 & 3 SUBDIVISION, DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS THEREOF, I(WE) HAVE HEREUNTO SET MY(OUR) HAND(S) THIS_____ DAY OF_____, 20 .

FEE OWNER (OR AGENT) — PRINTED NAME

FEE OWNER (OR AGENT) — PRINTED NAME

FEE OWNER (OR AGENT) — PRINTED NAME

ACKNOWLEDGEMENT

STATE OF_____)
COUNTY OF_____) S.S.

ON THIS_____DAY OF_____, 2020, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF_____, IN SAID STATE OF_____, THE SIGNER(S) OF THE ABOVE OWNER'S DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE(THEY) SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES MENTIONED AND THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC

ADMINISTRATIVE BODY

COUNTY MANAGER — DATE — ATTEST: CLERK — DATE

PLANNING — SIGNATURE — DATE

SURVEYOR — APPROVED AS TO FORM THIS_____DAY OF_____, 20____ — ROS # — SIGNATURE — DATE

ATTORNEY — SIGNATURE — DATE

ENGINEERING — SIGNATURE — DATE

WATER RESOURCES — SIGNATURE — DATE

FIRE — SIGNATURE — DATE

HEALTH DEPARTMENT — SIGNATURE — DATE

SHERIFF — SIGNATURE — DATE

SPECIAL SERVICE DISTRICT — SIGNATURE — DATE

SOLID WASTE — SIGNATURE — DATE

PUBLIC WORKS — SIGNATURE — DATE

WEED BOARD — SIGNATURE — DATE

RECREATION DEPARTMENT — SIGNATURE — DATE

RECORDER

PROJECT C21-001
SHEET 1 OF 2
ISSUE DATE 01/07/2021

Summit Engineering Group Inc.
Structural • Civil • Surveying
55 WEST CENTER • P.O. BOX 176
HEBER CITY, UTAH 84032
P: 435-654-9229 • F: 435-654-9231

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SUMMIT ENGINEERING GROUP, INC.

DRAWING ALTERATION
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED ENGINEER OR SURVEYOR TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY. ANY LICENCEE WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO AFFIX THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATIONS.

THE HOLLOWS SUBDIVISION

LOCATED IN THE EAST 1/2 OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 3 EAST, SLB&M, UTAH COUNTY, UTAH

0 100 50 100

1 INCH = 100 FT
(SCALE IN FEET)

BASIS OF BEARINGS – N00°45'44"W 2668.77' BETWEEN SECTION MONUMENTS

P.O.B.

PROJECT	
	C19-003
SHEET	
	2 OF 2
ISSUE DATE	
	01/07/2021

Summit Engineering Group Inc.

Structural • Civil • Surveying

55 WEST CENTER • P.O. BOX 176
HEBER CITY, UTAH 84032
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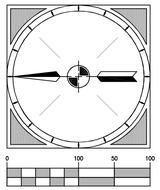
DRAWING ALTERATION

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED ENGINEER OR SURVEYOR, TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY. ANY LICENSEE WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO AFFIX THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATIONS.

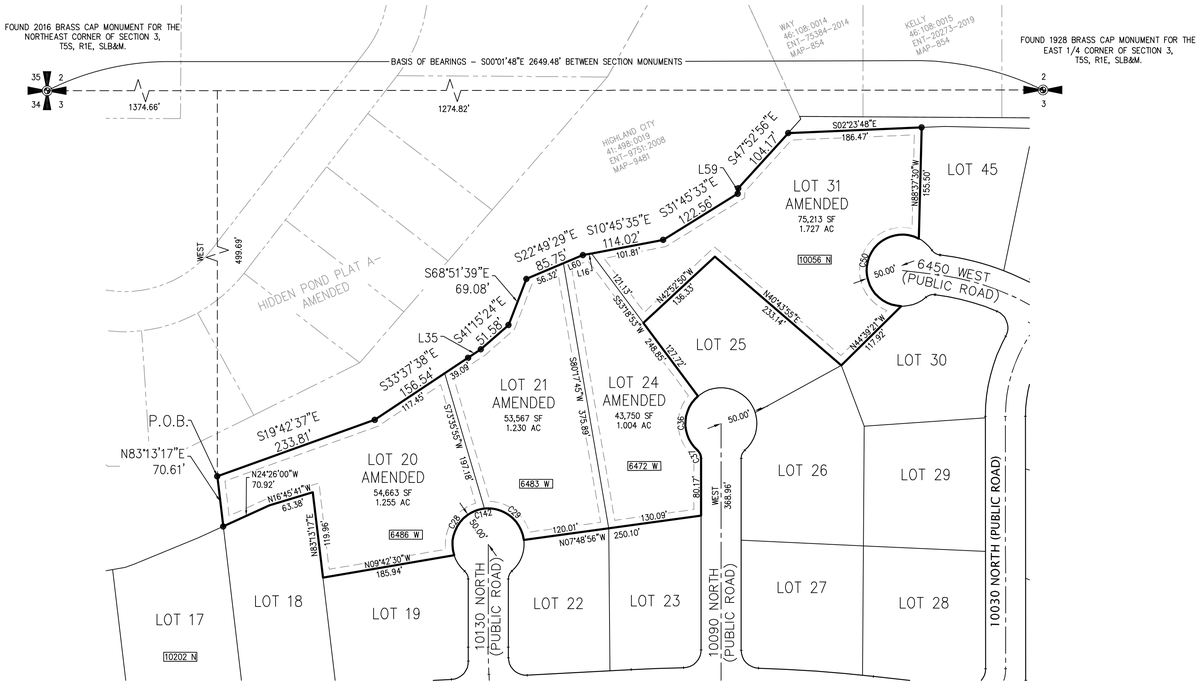
THE HOLLOWS SUBDIVISION

LOCATED IN THE EAST 1/2 OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 3 EAST,
SLB&M, UTAH COUNTY, UTAH

THE HOLLOW SUBDIVISION - PLAT AMENDMENT



1 INCH = 100 FT
(SCALE IN FEET)



CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C28	50.00'	88.99'	101°58'32"	77.70'	N56°47'48"W
C29	50.00'	77.76'	89°06'37"	70.16'	N36°44'47"E
C36	50.00'	85.63'	98°07'16"	75.54'	N89°31'20"W
C37	15.00'	12.72'	48°34'58"	12.34'	S65°42'31"W
C50	50.00'	179.60'	205°48'20"	97.48'	N75°50'03"W
C142	50.00'	166.75'	191°05'09"	99.53'	N12°14'29"W

LINE TABLE		
LINE	BEARING	DISTANCE
L16	S10°45'35"E	12.21'
L35	S33°37'24"E	21.36'
L59	S83°37'54"E	7.61'
L60	S22°49'29"E	29.43'

SURVEYOR'S CERTIFICATE

I, BRIAN M. BALLS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 334532-2201 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT; THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS.

BRIAN M. BALLS DATE

BOUNDARY DESCRIPTION

BEGINNING AT A POINT S00°01'48"E 1374.66 FEET ALONG THE EAST SECTION LINE AND WEST 499.69 FEET FROM THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT OF BEGINNING BEING THE ON THE WEST BOUNDARY OF THE HIGHLAND CITY PROPERTY RECORDED AS ENTRY NUMBER 38153:2002 IN OFFICIAL RECORDS OF UTAH COUNTY, UTAH;

THENCE ALONG SAID HIGHLAND CITY PROPERTY BOUNDARY THE FOLLOWING TEN COURSES: (1) S19°42'37"E 233.81 FEET, (2) S33°37'38"E 156.54 FEET, (3) S33°37'24"E 21.36 FEET, (4) S41°15'24"E 51.58 FEET, (5) S68°51'39"E 69.08 FEET, (6) S22°49'29"E 85.75 FEET, (7) S10°45'35"E 114.02 FEET, (8) S31°45'33"E 122.56 FEET, (9) S83°37'54"E 7.61 FEET, (10) S47°52'56"E 104.17; THENCE S02°23'48"E 186.47 FEET; THENCE N88°37'30"W 155.50 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTH HAVING A RADIUS OF 50 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 179.60 FEET THROUGH A CENTRAL ANGLE OF 205°48'20" WITH A CHORD BEARING AND DISTANCE OF N75°20'03"W 97.48 FEET; THENCE N44°39'21"W 117.92 FEET; THENCE N40°43'55"E 233.14 FEET; THENCE N42°52'50"W 136.33 FEET; THENCE S53°18'53"W 127.72 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTH HAVING A RADIUS OF 50 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 85.63 FEET THROUGH A CENTRAL ANGLE OF 98°07'16" WITH A CHORD BEARING AND DISTANCE OF N89°31'20"W 75.54 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTH HAVING A RADIUS OF 15.00 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 12.72 FEET THROUGH A CENTRAL ANGLE OF 48°34'58" WITH A CHORD BEARING AND DISTANCE OF S65°42'31"W 12.34 FEET; THENCE WEST 80.17 FEET; THENCE N07°48'56"W 250.10 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WEST HAVING A RADIUS OF 50 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 166.75 FEET THROUGH A CENTRAL ANGLE OF 191°05'09" WITH A CHORD BEARING AND DISTANCE OF N12°14'29"W 99.53 FEET; THENCE N09°42'30"W 185.94 FEET; THENCE N83°13'17"E 119.96 FEET; THENCE N16°45'41"W 63.38 FEET; THENCE N24°26'00"W 70.92 FEET; THENCE N83°13'17"E 70.61 FEET TO SAID HIGHLAND CITY PROPERTY WEST BOUNDARY AND THE POINT OF BEGINNING.

PARCEL CONTAINS 5.216 ACRES.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS SOUTH 00°01'48" EAST BETWEEN THE NORTHEAST CORNER AND EAST ONE-QUARTER CORNER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, IN CONFORMANCE WITH UTAH COORDINATE 1983 CENTRAL ZONE BEARINGS.

OWNER'S DEDICATION

I(WE) ALL OF THE UNDERSIGNED OWNER(S) OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR THE PERPETUAL USE OF THE PUBLIC, THE PUBLIC UTILITY EASEMENTS TO ALL PROVIDERS, PUBLIC OR PRIVATE, AND THE IRRIGATION EASEMENTS TO ALL LOT OWNERS, AND THEIR SUCCESSORS AND ASSIGNS IN PERPETUITY. ALL STREETS AND OTHER AREAS INTENDED FOR PUBLIC USE CONTAINED WITHIN THIS PLAT IS SPECIFICALLY NOTED AS SUCH. ANY STREET OR AREA NOT SPECIFICALLY NOTED AS BEING FOR PUBLIC USE IS INTENDED TO BE PRIVATE.

IN WITNESS THEREOF, WE HAVE SET OUR MY HANDS THIS _____ DAY OF _____, 20_____.

ACKNOWLEDGMENT

STATE OF UTAH

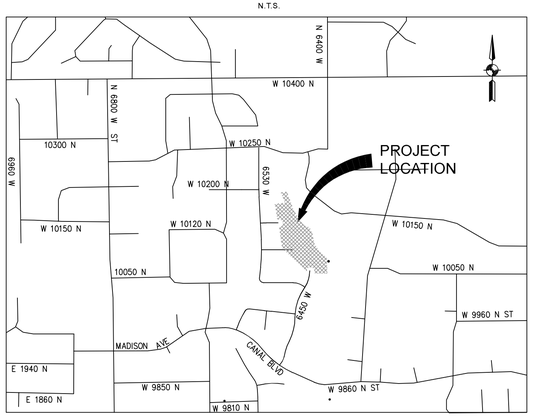
COUNTY OF _____

ON THE _____ DAY OF _____, 20____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNER(S) OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE (THEY) SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES
THEREIN MENTIONED.

NOTARY PUBLIC MY COMMISSION EXPIRES

VICINITY MAP

N.T.S.



LEGEND

- SECTION LINES
- ADJACENT PROPERTY LINES
- PUBLIC UTILITY EASEMENT LINES
- BOUNDARY ANGLE POINT

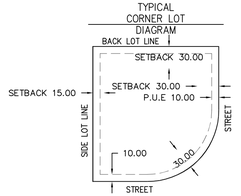
PLAT NOTES

1. THE SUBDIVISION CONTAINS WETLANDS IN ITS OPEN SPACE AREAS. NO CUTS OR FILLS, OR ANY CHANGES TO THE TOPOGRAPHY ARE ALLOWED WITHIN THE WETLANDS. NO STRUCTURES, ABOVE OR BELOW GROUND ARE ALLOWED IN THE WETLANDS. THIS INCLUDES, BUT IS NOT LIMITED TO FENCES, DECKS, SHEDS, OR FOOTINGS OF ANY KIND. FROM TIME TO TIME HIGHLAND CITY MAY EXERCISE THEIR RIGHT OF ACCESS TO THE WETLANDS IN ORDER TO MAINTAIN THEM. ANY OBSTACLES ERECTED BY THE LOT OWNER, OR PREVIOUS LOT OWNERS WILL BE REMOVED AT THE CURRENT LOT OWNER'S EXPENSE.

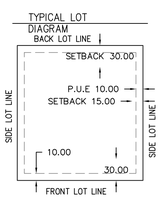
ZONING INFORMATION

ALL SETBACKS ARE SUBJECT TO UTAH COUNTY ZONING ORDINANCE REQUIREMENTS AT THE TIME A BUILDING PERMIT IS ISSUED.

TYPICAL CORNER LOT DIAGRAM



TYPICAL LOT DIAGRAM



PUBLIC UTILITY EASEMENTS:

ALL LOTS LOTS IN THIS SUBDIVISION ARE SUBJECT TO PUBLIC UTILITY EASEMENTS ALONG ALL PROPERTY LINES AS FOLLOWS:
FRONT: 30 FEET
REAR: 30 FEET
SIDE: 15 FEET

*CORNER LOTS HAVE A 30 FOOT SIDE SETBACK ON THE SIDE THAT ABUTS THE STREET

NOTE:

ALL AREAS LOCATED WITHIN THIS PLAT, EXCEPTING THE PRIVATE OWNERSHIP AREAS, ARE SUBJECT TO A PUBLIC UTILITY EASEMENT GRANTED IN FAVOR OF HIGHLAND CITY, COMCAST, CENTURY LINK, DOMINION ENERGY, AND ROCKY MOUNTAIN POWER.

OWNER'S DEDICATION

I(WE) ALL OF THE UNDERSIGNED OWNER(S) OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR THE PERPETUAL USE OF THE PUBLIC, THE PUBLIC UTILITY EASEMENTS TO ALL PROVIDERS, PUBLIC OR PRIVATE, AND THE IRRIGATION EASEMENTS TO ALL LOT OWNERS, AND THEIR SUCCESSORS AND ASSIGNS IN PERPETUITY. ALL STREETS AND OTHER AREAS INTENDED FOR PUBLIC USE CONTAINED WITHIN THIS PLAT IS SPECIFICALLY NOTED AS SUCH. ANY STREET OR AREA NOT SPECIFICALLY NOTED AS BEING FOR PUBLIC USE IS INTENDED TO BE PRIVATE.

IN WITNESS THEREOF, WE HAVE SET OUR MY HANDS THIS _____ DAY OF _____, 20_____.

ACKNOWLEDGMENT

STATE OF UTAH

COUNTY OF _____

ON THE _____ DAY OF _____, 20____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNER(S) OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE (THEY) SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES
THEREIN MENTIONED.

NOTARY PUBLIC MY COMMISSION EXPIRES

DOMINION ENERGY

DOMINION ENERGY APPROVES THIS PLAT FOR THE PURPOSES OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS ON ORDER TO SERVE THE DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL, OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNER'S DEDICATION AND NOTES AND DOES NOT GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY'S RIGHT-OF-WAY. DEPARTMENT.

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

DOMINION ENERGY BY: _____ TITLE: _____.

UTILITIES APPROVAL

UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES, AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE SUCH STRUCTURES AT THE OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE OWNERS EXPENSE. AT NO TIME ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR OTHER OBSTRUCTIONS WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE.

ROCKY MTN. POWER: _____ DATE: _____

CENTURY LINK: _____ _____ DATE: _____

COMCAST: _____ DATE: _____

ACCEPTANCE BY LEGISLATIVE BODY

THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____ 20_____.

APPROVED BY MAYOR _____

APPROVED CITY ENGINEER ATTEST CLERK-RECORDER

HIGHLAND CITY ATTORNEY

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

CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20_____, BY THE PLANNING COMMISSION OF HIGHLAND CITY.

CHAIRMAN, PLANNING COMMISSION

THE HOLLOW SUBDIVISION - PLAT AMENDMENT

LOCATED IN THE EAST 1/2 OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SLB&M, UTAH COUNTY, UTAH

SCALE 1"=100'

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL

PROJECT	
C21-001	
SHEET	
1 OF 2	
ISSUE DATE	
6/17/2021	

Summit Engineering Group Inc.
Structural • Civil • Surveying
55 WEST CENTER • P.O. BOX 176
HEBER CITY, UTAH 84032
P: 435-654-9229 • F: 435-654-9231

DEVELOPER INFORMATION:

MILLHAVEN CONSTRUCTION
ATTN: JEREMY ACKLEY
272 W. 200 N.
LINDON,UT 84042
801-443-6540

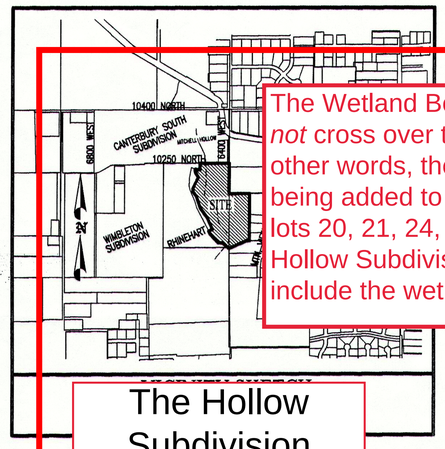
LOCATED IN THE EAST 1/2 OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SLB&M

UTAH COUNTY, UTAH

DRAWN BY:	
ZST	
REVIEWED BY:	
BMB	
SCALE:	DATE:
1" = 100'	6/17/2021

ATTACHMENT 4:

The Wetland Boundary does *not* cross over the trail; in other words, the property being added to the backs of lots 20, 21, 24, and 31 of The Hollow Subdivision will *not* include the wetlands.



ADDRESS TABLE	
LOT	ADDRESS
1	6338 W. 10150 NORTH STREET
2	6378 W. 10150 NORTH STREET
3	6398 W. 10150 NORTH STREET
4	ET
5	ET
6	ET
7	/E
8	/E
9	/E
10	/E
11	/E
12	/E
13	IVE
14	/E
15	STREET
16	/E
17	STREET
18	/E
19	/E
20	/E
21	/E
22	/E
23	/E
24	/E
25	/E

AGENDA

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #9

DATE: August 3, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Tyler Bahr, Finance Director

SUBJECT: **DISCUSSION:** American Rescue Plan Act (ARPA) funding
Administrative

PURPOSE:
Staff is requesting that the City Council review American Rescue Plan Act (ARPA) funding and its allocation, including the potential to receive matching funds from the State of Utah. This item is being presented for discussion and direction only.

BACKGROUND:
In July, Highland City received $1,134,686.50 in federal grant money authorized by ARPA. This represents the first of two equal payments totaling $2,269,373, with the second scheduled to be made available one year following the first at the beginning of FY2023. These funds were distributed from the Federal Government through the State of Utah as Highland City is considered a non-entitlement unit (NEU).

ARPA Requirements
ARPA funds must be obligated by December 31, 2024 and spent by December 31, 2026. The City must file an annual report with the Federal Government each October on the disposition of these funds which can be used for the following purposes:

- **Support public health expenditures,** by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
- **Address negative economic impacts caused by the public health emergency,** including economic harms to workers, households, small businesses, impacted industries, and the public sector;
- **Replace lost public sector revenue**, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
- **Provide premium pay for essential workers**, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
- **Invest in water, sewer, and broadband infrastructure**, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Further guidance on the use of ARPA funds has been published by the U.S. Department of Treasury and is being updated on a weekly basis.

Local Match Grant

In addition to the funding received through the State from the federal government, the State has announced a local match grant program to which $50 million has been allocated. Local governments will be able to apply for this additional grant and funds will be awarded according to the timeline laid out in the July 20, 2021, letter to Local Leaders and Elected Officials:

- August 16 to September 15 – Online application portal opens
- September 15 to October 15 – Committee reviews and evaluates applications
- October 19 – Committee reports selections to Executive Committee
- Mid-November – Applicants notified of project funding
- Mid-November – Funds dispersed to local entities

As noted in the letter, criteria for evaluation of grant proposals are pending. Councilmembers and staff have reached out to the Utah League of Cities and Towns as well as the Governor's Office of Planning and Budget who were unable to share further details about the criteria for the program. The State has scheduled a webinar for August 25 to provide additional information about the local match grant.

As there will be a narrow window in which to apply for the local match grant, staff recommends the Council begin discussing possible uses for the funds in upcoming Council meetings.

- August 17 – Council discussion on possible use of ARPA funds
- September 7 – Staff report outcome of August 25 webinar; Council determine use of funds and if Highland City will apply for State match
- September 15 – Deadline for State match application

FISCAL IMPACT:

As noted above, Highland City will receive a total of $2,269,373 in ARPA funding. No other fiscal impact is noted.

ATTACHMENTS:

Attachment 1 – Letter dated July 20, 2021
Attachment 2 – FACT SHEET – US Treasury guidance dated May 10, 2021

July 20, 2021

Local Leaders and Elected Officials:

During the 2021 First Special Session, held on May 19, the Legislature passed HB 1004, *COVID-19 Grant Program Amendments* (M. Schultz). This bill appropriated $50 million of American Rescue Plan Act (ARPA) money to the Governor's Office of Planning and Budget (GOPB) to create a statewide grant program for local governments to complete local and regional ARPA eligible projects. We hope to leverage matching ARPA funds by using both state and local monies on projects which will have high return on investment for residents.

To facilitate this program, GOPB is establishing an online portal through which local governments can apply to receive ARPA local match program grant funds for certain purposes related to COVID-19 recovery. Below, please find a preliminary timeline for application, submission review, and distribution of funds:

August 16 - September 15	Online application portal opens at gopb.utah.gov/localmatch
September 15 - October 15	Committee reviews and evaluates applications
October 19	Committee reports selections to Executive Appropriations Committee
Mid-November	Applicants notified of project funding
Mid-November	Funds dispersed to local entities

Criteria for grant proposals are being developed, and the online portal is in process. Additional details will be disseminated in the coming weeks. A five member committee comprised of Sen. Kirk Cullimore, Rep. Carl Abrecht, Utah Association of Counties CEO Brandy Grace, Utah League of Cities and Towns Executive Director Cameron Diehl, and myself will review applications according to the criteria.

We will continue to notify you as more information becomes available

Sincerely,

Sophia DiCaro
Executive Director, Governor's Office of Planning and Budget

FACT SHEET: The Coronavirus State and Local Fiscal Recovery Funds Will Deliver $350 Billion for State, Local, Territorial, and Tribal Governments to Respond to the COVID-19 Emergency and Bring Back Jobs

May 10, 2021

Aid to state, local, territorial, and Tribal governments will help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery

Today, the U.S. Department of the Treasury announced the launch of the Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021, to provide $350 billion in emergency funding for eligible state, local, territorial, and Tribal governments. Treasury also released details on how these funds can be used to respond to acute pandemic response needs, fill revenue shortfalls among these governments, and support the communities and populations hardest-hit by the COVID-19 crisis. With the launch of the Coronavirus State and Local Fiscal Recovery Funds, eligible jurisdictions will be able to access this funding in the coming days to address these needs.

State, local, territorial, and Tribal governments have been on the frontlines of responding to the immense public health and economic needs created by this crisis – from standing up vaccination sites to supporting small businesses – even as these governments confronted revenue shortfalls during the downturn. As a result, these governments have endured unprecedented strains, forcing many to make untenable choices between laying off educators, firefighters, and other frontline workers or failing to provide other services that communities rely on. Faced with these challenges, state and local governments have cut over 1 million jobs since the beginning of the crisis. The experience of prior economic downturns has shown that budget pressures like these often result in prolonged fiscal austerity that can slow an economic recovery.

To support the immediate pandemic response, bring back jobs, and lay the groundwork for a strong and equitable recovery, the American Rescue Plan Act of 2021 established the Coronavirus State and Local Fiscal Recovery Funds, designed to deliver $350 billion to state, local, territorial, and Tribal governments to bolster their response to the COVID-19 emergency and its economic impacts. Today, Treasury is launching this much-needed relief to:

- Support urgent COVID-19 response efforts to continue to decrease spread of the virus and bring the pandemic under control;
- Replace lost public sector revenue to strengthen support for vital public services and help retain jobs;
- Support immediate economic stabilization for households and businesses; and,
- Address systemic public health and economic challenges that have contributed to the inequal impact of the pandemic on certain populations.

The Coronavirus State and Local Fiscal Recovery Funds provide substantial flexibility for each jurisdiction to meet local needs—including support for households, small businesses, impacted industries, essential workers, and the communities hardest-hit by the crisis. These funds also deliver resources that recipients can invest in building, maintaining, or upgrading their water, sewer, and broadband infrastructure.

Starting today, eligible state, territorial, metropolitan city, county, and Tribal governments may request Coronavirus State and Local Fiscal Recovery Funds through the Treasury Submission Portal. Concurrent with this program launch, Treasury has published an Interim Final Rule that implements the provisions of this program.

FUNDING AMOUNTS

The American Rescue Plan provides a total of $350 billion in Coronavirus State and Local Fiscal Recovery Funds to help eligible state, local, territorial, and Tribal governments meet their present needs and build the foundation for a strong recovery. Congress has allocated this funding to tens of thousands of jurisdictions. These allocations include:

Type	Amount ($ billions)
States & District of Columbia	$195.3
Counties	$65.1
Metropolitan Cites	$45.6
Tribal Governments	$20.0
Territories	$4.5
Non-Entitlement Units of Local Government	$19.5

Treasury expects to distribute these funds directly to each state, territorial, metropolitan city, county, and Tribal government. Local governments that are classified as non-entitlement units will receive this funding through their applicable state government. Treasury expects to provide further guidance on distributions to non-entitlement units next week.

Local governments should expect to receive funds in two tranches, with 50% provided beginning in May 2021 and the balance delivered 12 months later. States that have experienced a net increase in the unemployment rate of more than 2 percentage points from February 2020 to the latest available data as of the date of certification will receive their full allocation of funds in a single payment; other states will receive funds in two equal tranches. Governments of U.S. territories will receive a single payment. Tribal governments will receive two payments, with the first payment available in May and the second payment, based on employment data, to be delivered in June 2021.

USES OF FUNDING

Coronavirus State and Local Fiscal Recovery Funds provide eligible state, local, territorial, and Tribal governments with a substantial infusion of resources to meet pandemic response needs and rebuild a stronger, more equitable economy as the country recovers. Within the categories of eligible uses, recipients have broad flexibility to decide how best to use this funding to meet the needs of their communities. Recipients may use Coronavirus State and Local Fiscal Recovery Funds to:

- **Support public health expenditures,** by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;

- **Address negative economic impacts caused by the public health emergency,** including economic harms to workers, households, small businesses, impacted industries, and the public sector;

- **Replace lost public sector revenue**, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;

- **Provide premium pay for essential workers**, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,

- **Invest in water, sewer, and broadband infrastructure**, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Within these overall categories, Treasury's Interim Final Rule provides guidelines and principles for determining the types of programs and services that this funding can support, together with examples of allowable uses that recipients may consider. As described below, Treasury has also designed these provisions to take into consideration the disproportionate impacts of the COVID-19 public health emergency on those hardest-hit by the pandemic.

1. **Supporting the public health response**

Mitigating the impact of COVID-19 continues to require an unprecedented public health response from state, local, territorial, and Tribal governments. Coronavirus State and Local Fiscal Recovery Funds provide resources to meet these needs through the provision of care for those impacted by the virus and through services that address disparities in public health that have been exacerbated by the pandemic. Recipients may use this funding to address a broad range of public health needs across COVID-19 mitigation, medical expenses, behavioral healthcare, and public health resources. Among other services, these funds can help support:

- **Services and programs to contain and mitigate the spread of COVID-19, including:**

  - ✓ Vaccination programs
  - ✓ Medical expenses
  - ✓ Testing
  - ✓ Contact tracing
  - ✓ Isolation or quarantine
  - ✓ PPE purchases
  - ✓ Support for vulnerable populations to access medical or public health services
  - ✓ Public health surveillance (e.g., monitoring for variants)
  - ✓ Enforcement of public health orders
  - ✓ Public communication efforts
  - ✓ Enhancement of healthcare capacity, including alternative care facilities
  - ✓ Support for prevention, mitigation, or other services in congregate living facilities and schools
  - ✓ Enhancement of public health data systems
  - ✓ Capital investments in public facilities to meet pandemic operational needs
  - ✓ Ventilation improvements in key settings like healthcare facilities

- **Services to address behavioral healthcare needs exacerbated by the pandemic, including:**

  - ✓ Mental health treatment
  - ✓ Substance misuse treatment
  - ✓ Other behavioral health services
  - ✓ Hotlines or warmlines
  - ✓ Crisis intervention
  - ✓ Services or outreach to promote access to health and social services

- **Payroll and covered benefits expenses** for public health, healthcare, human services, public safety and similar employees, to the extent that they work on the COVID-19 response. For public health and safety workers, recipients can use these funds to cover the full payroll and covered benefits costs for employees or operating units or divisions primarily dedicated to the COVID-19 response.

2. **Addressing the negative economic impacts caused by the public health emergency**

The COVID-19 public health emergency resulted in significant economic hardship for many Americans. As businesses closed, consumers stayed home, schools shifted to remote education, and travel declined precipitously, over 20 million jobs were lost between February and April 2020. Although many have since returned to work, as of April 2021, the economy remains more than 8 million jobs below its pre-pandemic peak, and more than 3 million workers have dropped out of the labor market altogether since February 2020.

To help alleviate the economic hardships caused by the pandemic, Coronavirus State and Local Fiscal Recovery Funds enable eligible state, local, territorial, and Tribal governments to provide a wide range of assistance to individuals and households, small businesses, and impacted industries, in addition to enabling governments to rehire public sector staff and rebuild capacity. Among these uses include:

- **Delivering assistance to workers and families**, including aid to unemployed workers and job training, as well as aid to households facing food, housing, or other financial insecurity. In addition, these funds can support survivor's benefits for family members of COVID-19 victims.

- **Supporting small businesses,** helping them to address financial challenges caused by the pandemic and to make investments in COVID-19 prevention and mitigation tactics, as well as to provide technical assistance. To achieve these goals, recipients may employ this funding to execute a broad array of loan, grant, in-kind assistance, and counseling programs to enable small businesses to rebound from the downturn.

- **Speeding the recovery of the tourism, travel, and hospitality sectors**, supporting industries that were particularly hard-hit by the COVID-19 emergency and are just now beginning to mend. Similarly impacted sectors within a local area are also eligible for support.

- **Rebuilding public sector capacity,** by rehiring public sector staff and replenishing unemployment insurance (UI) trust funds, in each case up to pre-pandemic levels. Recipients may also use this funding to build their internal capacity to successfully implement economic relief programs, with investments in data analysis, targeted outreach, technology infrastructure, and impact evaluations.

3. **Serving the hardest-hit communities and families**

While the pandemic has affected communities across the country, it has disproportionately impacted low-income families and communities of color and has exacerbated systemic health and economic inequities. Low-income and socially vulnerable communities have experienced the most severe health impacts. For example, counties with high poverty rates also have the highest rates of infections and deaths, with 223 deaths per 100,000 compared to the U.S. average of 175 deaths per 100,000.

Coronavirus State and Local Fiscal Recovery Funds allow for a broad range of uses to address the disproportionate public health and economic impacts of the crisis on the hardest-hit communities, populations, and households. Eligible services include:

- **Addressing health disparities and the social determinants of health,** through funding for community health workers, public benefits navigators, remediation of lead hazards, and community violence intervention programs;
- **Investments in housing and neighborhoods**, such as services to address individuals experiencing homelessness, affordable housing development, housing vouchers, and residential counseling and housing navigation assistance to facilitate moves to neighborhoods with high economic opportunity;
- **Addressing educational disparities** through new or expanded early learning services, providing additional resources to high-poverty school districts, and offering educational services like tutoring or afterschool programs as well as services to address social, emotional, and mental health needs; and,
- **Promoting healthy childhood environments,** including new or expanded high quality childcare, home visiting programs for families with young children, and enhanced services for child welfare-involved families and foster youth.

Governments may use Coronavirus State and Local Fiscal Recovery Funds to support these additional services if they are provided:

- within a Qualified Census Tract (a low-income area as designated by the Department of Housing and Urban Development);
- to families living in Qualified Census Tracts;
- by a Tribal government; or,
- to other populations, households, or geographic areas disproportionately impacted by the pandemic.

4. **Replacing lost public sector revenue**

State, local, territorial, and Tribal governments that are facing budget shortfalls may use Coronavirus State and Local Fiscal Recovery Funds to avoid cuts to government services. With these additional resources, recipients can continue to provide valuable public services and ensure that fiscal austerity measures do not hamper the broader economic recovery.

Many state, local, territorial, and Tribal governments have experienced significant budget shortfalls, which can yield a devastating impact on their respective communities. Faced with budget shortfalls and pandemic-related uncertainty, state and local governments cut staff in all 50 states. These budget shortfalls and staff cuts are particularly problematic at present, as these entities are on the front lines of battling the COVID-19 pandemic and helping citizens weather the economic downturn.

Recipients may use these funds to replace lost revenue. Treasury's Interim Final Rule establishes a methodology that each recipient can use to calculate its reduction in revenue. Specifically, recipients will compute the extent of their reduction in revenue by comparing their actual revenue to an alternative representing what could have been expected to occur in the absence of the pandemic. Analysis of this expected trend begins with the last full fiscal year prior to the public health emergency and projects forward at either (a) the recipient's average annual revenue growth over the three full fiscal years prior to the public health emergency or (b) 4.1%, the national average state and local revenue growth rate from 2015-18 (the latest available data).

For administrative convenience, Treasury's Interim Final Rule allows recipients to presume that any diminution in actual revenue relative to the expected trend is due to the COVID-19 public health emergency. Upon receiving Coronavirus State and Local Fiscal Recovery Funds, recipients may immediately calculate the reduction in revenue that occurred in 2020 and deploy funds to address any shortfall. Recipients will have the opportunity to re-calculate revenue loss at several points through the program, supporting those entities that experience a lagged impact of the crisis on revenues.

Importantly, once a shortfall in revenue is identified, recipients will have broad latitude to use this funding to support government services, up to this amount of lost revenue.

5. **Providing premium pay for essential workers**

Coronavirus State and Local Fiscal Recovery Funds provide resources for eligible state, local, territorial, and Tribal governments to recognize the heroic contributions of essential workers. Since the start of the public health emergency, essential workers have put their physical well-being at risk to meet the daily needs of their communities and to provide care for others.

Many of these essential workers have not received compensation for the heightened risks they have faced and continue to face. Recipients may use this funding to provide premium pay directly, or through grants to private employers, to a broad range of essential workers who must be physically present at their jobs including, among others:

- ✓ Staff at nursing homes, hospitals, and home-care settings
- ✓ Workers at farms, food production facilities, grocery stores, and restaurants
- ✓ Janitors and sanitation workers
- ✓ Public health and safety staff
- ✓ Truck drivers, transit staff, and warehouse workers
- ✓ Childcare workers, educators, and school staff
- ✓ Social service and human services staff

Treasury's Interim Final Rule emphasizes the need for recipients to prioritize premium pay for lower income workers. Premium pay that would increase a worker's total pay above 150% of the greater of the state or county average annual wage requires specific justification for how it responds to the needs of these workers.

In addition, employers are both permitted and encouraged to use Coronavirus State and Local Fiscal Recovery Funds to offer retrospective premium pay, recognizing that many essential workers have not yet received additional compensation for work performed. Staff working for third-party contractors in eligible sectors are also eligible for premium pay.

6. **Investing in water and sewer infrastructure**

Recipients may use Coronavirus State and Local Fiscal Recovery Funds to invest in necessary improvements to their water and sewer infrastructures, including projects that address the impacts of climate change.

Recipients may use this funding to invest in an array of drinking water infrastructure projects, such as building or upgrading facilities and transmission, distribution, and storage systems, including the replacement of lead service lines.

Recipients may also use this funding to invest in wastewater infrastructure projects, including constructing publicly-owned treatment infrastructure, managing and treating stormwater or subsurface drainage water, facilitating water reuse, and securing publicly-owned treatment works.

To help jurisdictions expedite their execution of these essential investments, Treasury's Interim Final Rule aligns types of eligible projects with the wide range of projects that can be supported by the Environmental Protection Agency's Clean Water State Revolving Fund and Drinking Water State Revolving Fund. Recipients retain substantial flexibility to identify those water and sewer infrastructure investments that are of the highest priority for their own communities.

Treasury's Interim Final Rule also encourages recipients to ensure that water, sewer, and broadband projects use strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions.

7. **Investing in broadband infrastructure**

The pandemic has underscored the importance of access to universal, high-speed, reliable, and affordable broadband coverage. Over the past year, millions of Americans relied on the internet to participate in remote school, healthcare, and work.

Yet, by at least one measure, 30 million Americans live in areas where there is no broadband service or where existing services do not deliver minimally acceptable speeds. For millions of other Americans, the high cost of broadband access may place it out of reach. The American Rescue Plan aims to help remedy these shortfalls, providing recipients with flexibility to use Coronavirus State and Local Fiscal Recovery Funds to invest in broadband infrastructure.

Recognizing the acute need in certain communities, Treasury's Interim Final Rule provides that investments in broadband be made in areas that are currently unserved or underserved—in other words, lacking a wireline connection that reliably delivers minimum speeds of 25 Mbps download and 3 Mbps upload. Recipients are also encouraged to prioritize projects that achieve last-mile connections to households and businesses.

Using these funds, recipients generally should build broadband infrastructure with modern technologies in mind, specifically those projects that deliver services offering reliable 100 Mbps download and 100

Mbps upload speeds, unless impracticable due to topography, geography, or financial cost. In addition, recipients are encouraged to pursue fiber optic investments.

In view of the wide disparities in broadband access, assistance to households to support internet access or digital literacy is an eligible use to respond to the public health and negative economic impacts of the pandemic, as detailed above.

8. **Ineligible Uses**

Coronavirus State and Local Fiscal Recovery Funds provide substantial resources to help eligible state, local, territorial, and Tribal governments manage the public health and economic consequences of COVID-19. Recipients have considerable flexibility to use these funds to address the diverse needs of their communities.

To ensure that these funds are used for their intended purposes, the American Rescue Plan Act also specifies two ineligible uses of funds:

- **States and territories may not use this funding to directly or indirectly offset a reduction in net tax revenue due to a change in law from March 3, 2021 through the last day of the fiscal year in which the funds provided have been spent.** The American Rescue Plan ensures that funds needed to provide vital services and support public employees, small businesses, and families struggling to make it through the pandemic are not used to fund reductions in net tax revenue. Treasury's Interim Final Rule implements this requirement. If a state or territory cuts taxes, they must demonstrate how they paid for the tax cuts from sources other than Coronavirus State Fiscal Recovery Funds—by enacting policies to raise other sources of revenue, by cutting spending, or through higher revenue due to economic growth. If the funds provided have been used to offset tax cuts, the amount used for this purpose must be paid back to the Treasury.
- **No recipient may use this funding to make a deposit to a pension fund.** Treasury's Interim Final Rule defines a "deposit" as an extraordinary contribution to a pension fund for the purpose of reducing an accrued, unfunded liability. While pension deposits are prohibited, recipients may use funds for routine payroll contributions for employees whose wages and salaries are an eligible use of funds.

Treasury's Interim Final Rule identifies several other ineligible uses, including funding debt service, legal settlements or judgments, and deposits to rainy day funds or financial reserves. Further, general infrastructure spending is not covered as an eligible use outside of water, sewer, and broadband investments or above the amount allocated under the revenue loss provision. While the program offers broad flexibility to recipients to address local conditions, these restrictions will help ensure that funds are used to augment existing activities and address pressing needs.