

David P. Hirschi, Utah Bar No. 01502  
Wesley J. Felice, Utah Bar No. 17524  
**HIRSCHI BAER & CLAYTON, PLLC**  
68 S. Main Street, 6<sup>th</sup> Floor  
Salt Lake City, UT 84101  
Phone: (801) 990-0500  
Email: dave@hbcfirm.com; wesley@hbcfirm.com

*Attorneys for Appellant*

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OFFICE OF THE LAND USE APPEAL AUTHORITY  
IN AND FOR GRAND COUNTY, STATE OF UTAH

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**PEAK VIEW DEVELOPMENT, LLC;**

Appellant,

vs.

**GRAND COUNTY UTAH, GRAND  
COUNTY COMMISSION**

Respondents

**DECLARATION OF KAITLIN MYERS,  
FORMER COMMUNITY AND  
ECONOMIC DEVELOPMENT  
SPECIALIST FOR GRAND COUNTY**

Hearing Officer: Bruce Jenkins

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Kaitlin Myers, states as follows:

1. I am over the age of 21, am competent to testify, and make this declaration based on my personal knowledge.
2. At the time the HDHO Ordinance was drafted and adopted, I served as the Community and Economic Development Specialist for Grand County.
3. As an employee of the County who was closely involved in the research, drafting and adoption of the HDHO Ordinance, I believe the qualified ownership requirement of the

HDHO Rules and Regulations goes against the intention and plain language of the HDHO Ordinance.

4. It was our intent when developing the HDHO to restrict the occupancy or use of the units to primary residency and active employment, not to restrict HDHO units and lots to exclusively be owned by actively employed households.

5. We were careful about the language used to convey that message because of the heightened scrutiny regarding second homeowners and overnight accommodations.

6. At a meeting on June 5, 2018, we had not finalized the occupancy requirements for HDHO units, and the only restrictions proposed at that point were for primary residency.

7. In the planning commission meeting held on February 8<sup>th</sup>, The County Attorney quoted me, but did not finish my quote or provide proper context. In response to a question from Councilmen Wells who asked, “So you are deed restricting it for certain criteria?” I stated “Right. So right now, we are only planning on deed restricting it to primary residency.”<sup>1</sup>

8. As the definition of a “qualified household” took form over the next few months to include active employment, our hesitancy in conversations with interested developers changed because we felt more confident about who could own, rent, and/or occupy the units.

9. In response to inquiries regarding ownership, we repeated numerous times that these units should be restricted for “people who live and work in Grand County.” We told interested developers that we were interested in who lived in the units, not necessarily who owned them.

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<sup>1</sup> See Grand County Council Regular Meeting (6-5-2018) 53:50.  
<https://www.youtube.com/watch?v=MR34Ugv755E>

10. I certify under criminal penalty of the laws of the state of Utah that the contents of this declaration are true and accurate.

DATED this 30<sup>th</sup> day of April, 2021.

DocuSigned by:  
*Kaitlin Myers*  
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Kaitlin Myers