

ORDINANCE NO. 2017-05

AN ORDINANCE ADOPTING SECTION 18.22.080 EXCEPTIONS TO COSZ STANDARDS FOR HIGHWAY BYPASS RIGHT OF WAY IN CHAPTER 18.22 OF THE CLUSTERED OPEN SPACE ZONE (COSZ) OF THE HEBER CITY MUNICIPAL CODE.

BE IT ORDAINED by the City Council of Heber City, Utah, Section 18.22.080 of the Heber City Municipal Code is **adopted** to read as follows:

18.22.080 Exceptions to COSZ Standards for Highway Bypass Right of Way

The City Council may, upon recommendation from the Planning Commission, make the following exceptions to the requirements of the COSZ, upon finding the exceptions are necessary to accommodate the alignment and standards established for the bypass.

- A. Reduction to the required open space requirements from 50 percent minimum to 40 percent minimum;
- B. Reduction by 10 feet to the required perimeter setbacks for areas that don't front along a public street;
- C. Reduction to the required front setback of the underlying zone from 30 feet to 15 feet; however, any public street facing garage shall be setback at least 30 feet from any public street;
- D. Exception to the maximum cul-de-sac length from 850 feet to 1320 feet;
- E. Exception to the minimum area requirement for a COSZ development from 10 acre minimum to 9 acre minimum; and/or
- F. Density be calculated based upon the gross land area that includes the right of way dedication.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the 19th day of January, 2017.

ADOPTED and PASSED by the City Council of Heber City, Utah this 19th day of January, 2017, by the following vote:

AYE

NAY

Council Member Jeffery M. Bradshaw

X

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Council Member Heidi Franco

X

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Council Member Kelleen L. Potter

X

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Council Member Jeffrey Smith

X

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Council Member Ronald R. Crittenden

X

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APPROVED:

*Alan McDonald*  
 Mayor Alan McDonald

ATTEST:

*Michelle K. O'Shea*  
 RECORDER

Date: *1/23/2017*

Date of First Recording: *1/25/2017*