

ORDINANCE NO. 2018-45

AN ORDINANCE ADOPTING AN AMENDMENT TO THE ZONING ORDINANCE PERMITTING PRIVATE SCHOOLS IN RESIDENTIAL ZONES.

BE IT ORDAINED by the City Council of Heber City, Utah, Section 18.52.020 of Heber City Code, is hereby **amended** as follows.

Section 18.52.020 Permitted Uses

- A. Agriculture;
- B. Customary household pets, including but not limited to cats, dogs and canaries, but not including the breeding of dogs and cats for sale;
- C. Fences, walls and hedges which do not exceed six feet in height provided that no fence, wall or hedge shall exceed four feet in height within the required front or side yards that front on a street;
- D. Home occupations;
- E. One-family dwellings and the following accessory buildings and structures:
 - 1. Private garage and/or carport for the storage of automobiles owned by persons residing on the premises;
 - 2. Greenhouses for private use only;
 - 3. Private swimming pools;
 - 4. Pergolas and arbors;
- F. Public schools, private school as regulated by Section 18.68.230, public libraries, public parks, playgrounds, recreation buildings and churches, but not temporary revival tents or buildings;
- G. Temporary buildings and yards for the storage of materials and equipment incidental to the construction of dwellings and other permitted uses; provided, however, that a permit for such temporary building shall not be effective for more than one year.
- H. Nursery schools, family day care, mini-day care, and day care centers if they meet the conditions set forth in Chapter 18.86.
- I. The keeping of grazing animals as regulated by Section 18.68.135.

BE IT ORDAINED by the City Council of Heber City, Utah, Section 18.52.020 of Heber City Code, is hereby **amended** as follows.

Section 18.68.230 Private Schools in Residential Zones

Private schools in residential zones shall meet the following standards.

- A. **Building and Health Codes.** The site shall comply with applicable health, building and fire codes.
- B. **Licenses.** The private school shall obtain applicable state or local business licenses.
- C. **Site size.** The site shall contain at least 1 acre.
- D. **Street Access.** The site shall front upon and directly access a Collector or Major Collector Street.
- E. **Parking.** The site shall contain parking as follows:
 - 1. **Pre-School/Elementary/Jr. High:** 3 parking stalls per room used for classroom or administration.
 - 2. **High School/Trade School:** 3 parking stalls per room used for classroom or administration, plus 1 parking stall per 4 students.
 - 3. **Dance:** 1 parking stall per 200 square feet of gross floor area.

- 4. **Beauty:** 5 parking spaces, plus two (2) per operator station plus one (1) space per two hundred (200) square feet of office space.
- F. **Building Setbacks.** Building setbacks shall meet the requirements of the underlying zone.
- G. **Height.** Building height shall not exceed 2 stories above grade.
- H. **Loading and unloading.** 1 off-street loading/unloading space for every 20 people, or portion thereof enrolled. Loading space requirement may be eliminated if there is a circular drive-way.
- I. **Lot Coverage.** No more than 30 percent of the lot shall be covered by buildings.
- J. **Common Areas.** The site shall provide landscaped outdoor common area for use by students.
- K. **Screening and Fencing.** Outdoor play grounds shall be surrounded by fencing. Evergreen trees and shrubbery shall be planted along property lines shared with adjoining residential subdivisions.

This Ordinance shall take effect and be in force from and after its adoption.

ADOPTED and PASSED by the City Council of Heber City, Utah this 16th day of August, 2018, by the following vote:

	AYE	NAY
Council Member Jeffery M. Bradshaw	<u>X</u>	
Council Member Heidi Franco		<u>X</u>
Council Member Jeffrey Smith	<u>X</u>	
Council Member Ronald R. Crittenden	<u>X</u>	
Council Member Wayne Hardman	<u>X</u>	

APPROVED:


 Mayor Kelleen L. Potter

ATTEST:


 RECORDER

Date: 8-16-18

