

ORDINANCE NO. #2007-15

AN ORDINANCE AMENDING CHAPTER 18.61 "PLANNED COMMUNITY ZONE", OF  
HEBER CITY MUNICIPAL CODE.

BE IT ORDAINED by the City Council of Heber City, Utah, that Sections 18.61.020 B. 1 and 18.61.020 E. 3 of the Heber City Municipal Code are amended, and Sections 18.61.090 D. 7 and 18.61.090 D. 8 are adopted as follows:

18.61.020 B. 1.

1. 50 (fifty) contiguous acres for parcels zoned or designated in the Heber City Future Land Use Plan as Planned Community (this acreage can include Open Space Designation/Zoned parcels).

18.61.020 E. 3.

3. Density shall not exceed (a) two (2) dwelling units per acre nor (b) 100 square feet of commercial space per every residential unit in the development. Properties or portions of property dedicating land for schools, hospitals, libraries, museums, public service buildings, public buildings and commercial buildings that benefit the City or County shall not be calculated in determining the density requirement for the development. Additionally, in the event that the development dedicates or provides lands to be used for master infrastructure improvements or enhancements that benefit the community as a whole, waivers to the density requirement may be considered by the Planning Commission and City Council. However, such density waivers shall not exceed 5% of the original residential density requirement for the project.

18.61.090 D. 7.

7. In the event that the City requires a deeded right of way to accommodate infrastructure improvements that were not originally anticipated by the Master Plan, the City may reduce the overall open space requirement. However, such a reduction in open space shall not exceed the area or property required to accommodate the infrastructure.

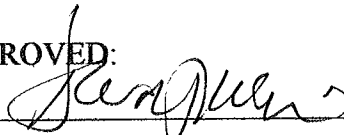
18.61.090 D. 8.

- 8 a. The Planning Commission and City Council may consider reducing the minimum requirement for open space which is 40% of the total project area, down to 30%, provided that certain property is developed to provide amenities or facilities, as follows:
  - i. landscaped boulevards;
  - ii. active and passive open space and trail systems that are open to the general public and provide pedestrian connectivity to other developments or public facilities that are open and available to the general public;
  - iii. enhancements that improve the land beyond just unimproved acreage,
  - iv. such as landscaped gateway parks, historic monuments or designations,
  - v. trail heads and trails,
  - vi. water features and park like features.
  
8. b. For every acre or portion thereof, of enhanced or improved open space pursuant to the above criteria, the developer may be given credit for two acres of open space toward the 40% requirement. Such credit shall restore the 40% open space requirement mandated by the P.C. Zone.
  
8. c. In no event shall any open space requirement be less than 30% of the total project area.

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 or a complete copy has been published in the Wasatch Wave or a complete copy has been posted in three public places within Heber City but not prior to the 5 day of April, 2007.

ADOPTED AND PASSED by the City Council of Heber City, Utah this 5 day of April, 2007, by the following vote:

	AYE	NAY
Councilman Terry Wm. Lange	_____	_____X
Councilman Vaun Shelton	_____X	_____
Councilwoman Shari K. Lazenby	_____X	_____
Councilman Jeffery M. Bradshaw	_____X	_____
Councilwoman Elizabeth Hokanson	_____X	_____

APPROVED:  
  
\_\_\_\_\_  
Mayor David R. Phillips

ATTEST:  
  
\_\_\_\_\_

RECORDER

(Seal)

Date of First Publishing:

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