

ORDINANCE NO. 2024-04

AN ORDINANCE AMENDING THE PERMITTED AND CONDITIONAL USES IN THE BMP ZONE

BE IT ORDAINED by the City Council of Heber City, Utah, that Heber City Municipal Code Section 18.46.030 Business/Medical Park Zone Permitted Uses is amended as set forth in Exhibit A, attached hereto and incorporated herein.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

If any provisions of the Heber City Code heretofore adopted are inconsistent herewith they are hereby repealed.

To the extent that any ordinances, resolutions, or policies of Heber City materially conflict with the provisions of this Ordinance, they are hereby amended to comply with the provisions hereof.

This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED and ORDERED TO BE PUBLISHED BY THE HEBER CITY COUNCIL this 20th day of February 2024.

	AYE	NAY	ABSENT	ABSTAIN
Yvonne Barney	_____	_____	<u>X</u>	_____
Aaron Cheatwood	<u>X</u>	_____	_____	_____
Michael Johnston	<u>X</u>	_____	_____	_____
Sid Ostergaard	<u>X</u>	_____	_____	_____
D. Scott Phillips	_____	_____	<u>X</u>	_____

APPROVED:

Heidi Franco
Mayor Heidi Franco



ATTEST:

Trina W. Loebe Date: 2/20/2024
RECORDER

EXHIBIT A

18.46.030 Permitted and Conditional Uses

18.46.030 Permitted and Conditional Uses

To accomplish the objectives and purposes of this title and to stabilize and protect the essential zone characteristics, the following uses are allowed the BMP zone:

A. Table of Land Use Regulations.

P = PERMITTED USE (P) A site plan application is required with staff processing. Site plan applications are approved, when and if they meet the ordinance standards.

C = PLANNING COMMISSION CONDITIONAL USE REVIEW (C). A site plan application with Planning Commission review is required. See Chapter 18.70 - Conditional Uses

B. If a use is not specifically designated below, then it is prohibited.

C. All uses listed in the use table and that require a building permit shall also require a site plan application.

Land Use	BMP	Limitations
Office, business, medical, professional or research	P	
Research Services - (including laboratories, scientific, medical, chemical, applied physics, mechanical, electronic, biological, genetic or other similar experimental research, product development or testing facilities)	P	
Bank or financial institution	P	Drive up windows shall not face the street. Excludes check cashing
Commercial day care	P	
Cafeteria/restaurants without drive-through facilities	P	
Medical, optical, and dental laboratories	P	
Pharmacy located within an office building	P	
Fitness centers, including gymnasiums, dance studios, and cheerleading, gymnastics and tumbling schools	P	
Private educational institutions	P	
Public and quasi-public uses	P	
Radio and/or television studios/stations	P	
Retail commercial uses accessory to and/or supporting a permitted use or conditional use and located within the same building or lot or parcel	P	
Personal Care Services such as barber shops, beauty salons, nail salons, diet and weight reducing centers, aesthetician, tanning, and massage therapy	P	
Health related services including home health; medical offices such as mental health, physical therapy, chiropractors, massage therapy, dentists, optometry, occupational and speech therapists, audiologists and podiatrists	P	
Pet Services such as grooming, training (not including pet kennel/boardings)	P	

Indoor pet kennel/boarding	C	Outdoor kennels are prohibited
Boutique food retailers	P	30,000 square feet max; Convenience retailers prohibited
Signs	P	As regulated by Section 18.103
Accessory uses/buildings that offer support and are customarily incidental to a permitted or conditional use	P	
Hospitals	C	Traffic Study required
Light Manufacturing, processing, assembly, and fabricating establishments, except those in which explosives or other dangerous materials are used	C	
Structured parking	C	
Hotels which may include a restaurant and conference meeting rooms	C	
Any use that occupies more than 1 acre or has a building with more than a 60,000 square foot footprint	C	