

ORDINANCE NO. 2004- 25

AN ORDINANCE AMENDING SECTIONS 18.12.200 AND 18.85.090 OF THE HEBER CITY MUNICIPAL CODE, **SMALL LOT SPLITS** and **GARAGE AND PARKING REQUIREMENTS**, RESPECTIVELY.

BE IT ORDAINED by the City Council of Heber City, Utah that Sections 18.12.200 and 18.85.090 of the Heber City Municipal Code are amended as follows:

Section 18.12.200 Small Lot Splits.

Where a parcel of land at the time of adoption of the ordinance codified in this title is at least one and eight-tenths times as wide and one and eight-tenths times as large in area as required for a lot in the zone, the planning commission may permit the division of a parcel into two lots provided:

A. Such division will not cause undue concentration of buildings;

B. The characteristics of the zone in which the lot is located will be maintained;

C. In the opinion of the planning commission, values in the area will be safeguarded;

D. To meet and preserve the requirements of A, B, C, the Planning Commission may impose certain restrictions. Those restrictions will constitute a covenant running with the land and shall be approved in writing by the owner and recorded against the property in the Wasatch County Recorder's Office. (Ord. 98-18, 1998) (98-18, Added, 11/05/1998)

E. Cottage home lots shall not be eligible for consideration pursuant to this section. All cottage home lots shall meet the minimum requirements of Section 18.85.040.

Section 18.85.090 Garage and Parking Requirements.

A. Cottage Home parking requires two (2) off-street parking spaces per unit within a detached garage, which shall be placed in the rear of the dwelling; with or without a covered walkway, as identified on the site plan. Garages shall contain at least 400 square feet and be built with a foundation and hard surfaced floor.

B. Detached Garages for Cottage Homes shall be a detached accessory building. In no case shall garages be attached to the rear of the dwelling, except corner lots, where garages may be attached to the rear of the dwelling.

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 19 day of August, 2004.

ADOPTED AND PASSED by the City Council of Heber City, Utah this 19 day of August, 2004, by the following vote:


	AYE	NAY
Councilman Terry Wm. Lange	<u> </u>	<u> X </u>
Councilman Vaun Shelton	<u> X </u>	<u> </u>
Councilman David R. Phillips	<u> X </u>	<u> </u>
Councilman John Burns	<u> X </u>	<u> </u>
Councilwoman Shari K. Lazenby	<u> X </u>	<u> </u>

APPROVED:



Mayor Lynn L. Adams

ATTEST:



RECORDER

(Seal)

Date of First Publishing:

Sept. 8, 2004

