

ORDINANCE NO. 2015-28

AN ORDINANCE ENACTING A TEMPORARY LAND USE REGULATION REGARDING RESIDENTIAL SUBDIVISIONS.

WHEREAS, Heber City pursuant to Utah State Code Annotated 10-9a-504 has the authority, without prior consideration or recommendation, to enact an ordinance establishing a temporary land use regulation (Moratorium) for any area within the City; and

WHEREAS, Heber City through the City Council has determined that a compelling, countervailing public interest exists in enacting this temporary land use ordinance to allow the City to reexamine its general plan and zoning ordinance; and

WHEREAS, the City Council of Heber City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of Heber City to enact this Temporary Land Use ordinance as set forth below.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Heber City, Utah, as follows:

As of the effective date of this ordinance, the subdivision of any property for any residential purposes, whether it be for a lot split, small subdivision or large scale subdivision or condominium is prohibited, and the creation of any new multifamily housing is prohibited.

No new residential subdivision applications and no new multifamily housing applications will be processed under Title 17 and Chapter 18.22 COSZ Zone, Chapter 18.24 A-2 Zone, Chapter 18.28 C-2 Commercial Zone, Chapter 18.36 C-3 Commercial Zone, Chapter 18.40 C-4 Commercial Zone, Chapter 18.42 MURCZ Zone, Chapter 18.50 RC Zone, Chapter 18.51 R-14 Zone, Chapter 18.52 R-1 Residential Zone, Chapter 18.56 R-2 Residential Zone, Chapter 18.60 R-3 Residential Zone, Chapter 18.61 Planned Community Zone, Chapter 18.62 Planned Community Mixed Use Code and Chapter 18.64 RA-2 Residential Agricultural Zone.

This Ordinance and Moratorium do not involve any development activities within an area that is the subject of an Environmental Impact Statement or a Major Investment Study examining the area as a proposed highway or transportation corridor, pursuant to Utah Code, 10-9a-504, (3) (a) (b).

This Ordinance shall become effective as set forth below and shall remain in effect for six months from the effective date. This Ordinance shall take effect immediately upon posting in the manner required by law.

ADOPTED and PASSED by the City Council of Heber City, Utah this _____ day of _____, 2015, by the following vote:

	AYE	NAY
Council Member Robert L. Patterson	_____	_____
Council Member Jeffery M. Bradshaw	_____	_____
Council Member Erik Rowland	_____	_____
Council Member Heidi Franco	_____	_____
Council Member Kelleen L. Potter	_____	_____

APPROVED:

Mayor Alan McDonald

ATTEST:

RECORDER

Date of First Publishing: _____