

## Ordinance 1-2024

### AN ORDINANCE TO ADOPT CHANGES TO THE CITY CODE OF RIVER HEIGHTS, UTAH

The River Heights City Planning Commission held a duly noticed public hearing on Tuesday, February 13, 2024, after which, the River Heights City Council adopted the following changes to the River Heights City Code.

#### 10-10-2:D. REGULATIONS/Lot Regulations/ RPUD

When a building is to be sold with no additional land outside of the building footprint, minimum lot areas and minimum lot widths need not apply. The following regulations will apply in these circumstances.

<b>Setbacks</b> (Measured from the lot line, property line or right of way line to the building.)	
Front Yard (street garage access)	20 feet minimum
Front Yard (alley garage access)	10 feet minimum
Rear Yard (alley garage access)	20 feet minimum (20-foot driveway)
Side Yard on a Street	15 feet minimum adjacent to street

#### 10-10-4: REQUIREMENTS

- A. In addition to items required for the site analysis (11-4-1:C.3), the developer shall provide a written statement that describes the impact the development will have on natural features of the area. Include any measures taken to mitigate negative conditions that occur as a result of the project.
- B. In addition to items required for the ~~sketch~~ concept plan submission (11-4-1:~~F~~C.4.), the conceptual site plan shall show approximate building locations, proposed road layouts, general parking layouts, proposed open spaces, anticipated public and private amenities and their location.

#### 10-10-4:K. ARCHITECTURAL DESIGN STANDARDS

- 4. Solid Waste. Each dwelling unit shall have a solid waste container. Dumpsters or large solid waste containers shall be provided for required open space areas. Solid waste containers and dumpsters shall be shielded or screened with a proper enclosure. Enclosures shall be approved by the city. Solid waste collection shall comply with Logan City Environmental Standards with the environmental standards of the collection agency contracted by the City.

#### 10-12-1: USE REGULATIONS/Table 1, Land Use Chart (short term rentals)

83. Short Term Vacation Rental (STVR)<sup>2</sup>, Not Owner Occupied (Conditional Use in zones A, R, D, and RPUD)

<sup>2</sup>Maximum occupancy for an STVR shall be no more than two (2) people per bedroom and up to two (2) residents in one (1) non-bedroom space. An updated contact list of the owners must be submitted to the city office.

Sufficient paved off-street parking must be available for all quest vehicles. All parking will be reviewed before a CUP is granted. (All winter parking must comply with city ordinances). The STVR owner is responsible for regulating noise generated by visitor stays. No STVR can be within 300 feet of another STVR. Landscape must be maintained and comply with River Heights City landscaping ordinances. Property owners may contract with third parties, including tenant agreements, to provide management and maintenance services required under this section, however property owners shall remain liable for any deficiencies or violations of this section. STVR owners must have primary residency in River Heights City.

Bump current 83 to 84 and subscript 2 to 3.

## **BOUNDARY LINE ADJUSTMENTS**

### **10-21-1: SCOPE**

1. Subject to the provisions of this chapter, when properly executed and acknowledged as required by state law, an agreement between owners of adjoining property that designates the boundary line between the adjoining properties acts, upon recording in the office of the recorder of the county in which each property is located, as a quitclaim deed to convey all of each party's right, title, interest, and estate in property outside the agreed boundary line that had been the subject of the boundary line agreement or dispute that led to the boundary line agreement. (Utah State Code 10-9a-524-1).
2. Adjoining property owners executing a boundary line agreement shall follow the procedure as annotated in Utah code 10-9a-524-2a
3. Applications for boundary line adjustments ~~and~~ for a subdivision amendment or a lot that contains a dwelling may be authorized by the ~~planning commission~~ zoning administrator pursuant to this chapter. (Ord., 1-22-2002)

### **10-21-2: INTENT**

No boundary line adjustment shall result in the creation of a new lot or parcel. Lots within a subdivision may be combined; provided, that no increase in the number of lots results. (Ord., 1-22-2002)

### **10-21-3: AUTHORITY**

~~Pursuant to Utah Code Annotated as amended, this title designates and grants the zoning administrator authority, with or without a petition, to consider any proposed~~

~~vacation, alteration to a subdivision plat, any portion of a subdivision plat, or any street, lot or alley contained in a subdivision plat, or boundary line adjustment, at a public hearing. (4-2010, 7-13-10)~~

Pursuant to Utah Code 10-9a-524-5a, if a parcel that is the subject of a boundary line agreement is within a subdivision or contains a dwelling unit, the application shall be submitted to the zoning administrator for approval. The zoning administrator shall review the application to determine compliance with provisions of the code and shall approve the application unless the:

1. Boundary line adjustment causes the lot size to not meet the minimum zoning requirements and/or
2. Parcel or lot no longer complies with the requirements proscribed under River Heights City Ordinance 10-12.

#### **10-21-4: REVIEW**

~~The petition to change the boundaries shall include signatures from the representatives of each lot or parcel affected by the boundary line adjustment, and any necessary signatures from holders of liens, mortgages or easements affected by the boundary line adjustment. The petition shall also include a legal description of the agreed upon boundary line of each parcel or lot after the boundary line is changed. After reviewing said application, the zoning administrator shall circulate a map of the proposed adjustment to all affected city departments, planning commission, and to the affected parties. If the zoning administrator determines that approves the application does not include signatures from at least one record owner representing each parcel or lot, said administrator shall follow the procedures prescribed in Utah Code Annotated, as amended and this title as amended. (4-2010, 7-13-10) Pursuant to Utah Code 10-9a-524(5)(c), if the city fails to send a written notice within 14 days, the property owner may record the boundary line agreement as if no review was required.~~

#### **10-21-5: PUBLIC HEARING REQUIRED**

~~The planning commission shall hold a duly noticed public hearing in accordance with section 10-3-9 of this title. (Ord. 04-12-14, 1-11-2005, eff. retroactive to 12-14-2004) (3-2020, 5-19-20) The following conditions shall require No public hearing is required unless the zoning administrator deems one necessary.~~

#### **10-21-6: RECORDING REQUIRED**

~~Following the final approval of the planning commission, the property owners shall submit the executed deeds, any required maps and other documentation to the city, along with the appropriate cost of recording the legal descriptions with the county recorder. The city attorney shall record the deeds. In accordance with state law, if a boundary line adjustment results in the need for dedication of a public right of way or~~

~~other public dedication, a plat shall be required at the expense of the applicant. Any approved adjustment that has not been presented for recording to the City County within ninety (90) days of the date of approval shall be deemed to have expired. (Ord., 1-22-2002) (8-2017, 11-28-17~~

Once the zoning administrator has approved the application, the parties shall submit, at their expense, the agreement and legal description of the boundary adjustment to county to be recorded.

Adopted and effective this 20<sup>th</sup> day of February 2024.

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Jason Thompson, Mayor

Attest:

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Sheila Lind, Recorder