

ORDINANCE NO. 21-31

WHEREAS, the City Council of Smithfield City, Cache County, Utah, passed and adopted the Smithfield Municipal Code on November 11, 2015; and

WHEREAS, the City Council has determined there is a need to update, repeal, amend and/or modify certain provisions contained in the referenced Municipal Code;

NOW, THEREFORE, the City Council of Smithfield City, Utah hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 17 “ZONING REGULATIONS”, BY AMENDING CHAPTER 17.60 “RM MULTIPLE-FAMILY RESIDENTIAL ZONE”, SECTION 17.60.040 “HEIGHT REGULATIONS”, CHAPTER 17.64 “CB CENTRAL BUSINESS DISTRICT ZONE”, SECTION 17.64.040 “HEIGHT REGULATIONS”, CHAPTER 17.68 “CC COMMUNITY COMMERCIAL ZONE”, SECTION 17.68.040 “HEIGHT REGULATIONS”, AND CHAPTER 17.72 “GC GENERAL COMMERCIAL ZONE”, SECTION 17.72.040 “HEIGHT REGULATIONS”.

BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, UTAH, AS FOLLOWS:

1. The attached table shall be amended as indicated. Those portions which are ~~struck out~~ shall be deleted and those that are highlighted in **yellow** shall be added.

17.60.040 HEIGHT REGULATIONS

No building or structure shall be erected to a height greater than ~~two and one-half (2¹/₂) stories or thirty five feet (35')~~ **fifty feet (50')**, ~~whichever is greater~~, to be measured from the threshold of the lowest-main entrance **at street level to the highest point of the roof**. Accessory buildings and other buildings shall not be erected to a height greater than the dwelling, but in no case shall it exceed twenty feet (20') in height. **Excluding Master Planned Community (MPC) Zone.**

17.64.040 HEIGHT REGULATIONS

- A. Height regulations in the CB central business district zone are as follows:
- B. No building or structure shall be erected to a height greater than ~~two and one-half (2¹/₂) stories or thirty five feet (35')~~ **fifty feet (50')**, to be measured from the threshold of the main entrance **at street level to the highest point of the roof**.

17.68.040 HEIGHT REGULATIONS

No building or structure shall be erected to a height greater than ~~two and one-half (2¹/₂) stories or thirty five feet (35')~~ **fifty feet (50')**, to be measured from the threshold of the main entrance **at street**

level to the highest point of the roof.

17.72.040 HEIGHT REGULATIONS

No building or structure shall be erected to a height greater than ~~two and one-half (2¹/₂) stories or thirty five feet (35')~~ fifty feet (50'), to be measured from the threshold of the main entrance at street level to the highest point of the roof.

2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the Ordinance as whole, or any other part thereof.
3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
4. This ordinance shall become effective after the required public hearings and upon its posting as required by law.

THIS ORDINANCE shall be attached as an amendment to the Smithfield Municipal Code above referred to.

Approved and signed this 10th day of November, 2021

SMITHFIELD CITY CORPORATION

Jeffrey H. Barnes, Mayor

ATTEST:

Justin B. Lewis, City Recorder