

## ORDINANCE NO. 23-10

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”, CHAPTER 17.81 “MASTER PLANNED COMMUNITY (MPC) ZONE”, SECTIONS 17.81.050 “DEVELOPMENT STANDARDS”, 17.81.090 “LANDSCAPING”, 17.81.100 “DENSITY BONUSES” AND 17.81.030 “DEFINITIONS”.**

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

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

### 17.81.050 DEVELOPMENT STANDARDS

The following are the minimum development standards and regulations for an MPC zone. Developers are encouraged to go above and beyond these requirements, but these are the minimums required to obtain approval of an MPC.

- A. **Project Size:** An MPC shall not be less than fifteen (15) acres in size.
- B. **Primary Use:** An MPC shall be residential.
- C. **Housing Types:** Developers are encouraged to provide a mix of housing types in an MPC. Such types may include, but are not limited to single-family ~~(detached, single-family attached, twin homes, cluster) and multi-family duplex/triplex/ (tri-plex four-plex, five-plex six-plex, etc).~~ **(detached, single-family attached, twin homes, cluster) and multi-family duplex/triplex/ (tri-plex four-plex, five-plex six-plex, etc).**
  1. Developers are required to have at least ~~two~~ **three (3)** types of housing, ~~one~~ **two (2)** of which must be single-family ~~detached~~. Single-family detached housing must make up at least forty percent (40%) of the total housing units in the project but shall not make up more than sixty percent (60%) of the total housing units in an MPC.
  2. Developers may reduce the percentage of required single-family detached housing, in exchange for an increase in open space, as outlined in SMC 17.81.060. In no case shall the percentage of single-family detached housing be less than thirty-five percent (35%) of the total required housing units.
- D. **Base Density:** The base density shall be six (6) units per acre, exclusive of any property in the development which is needed for rights-of-way. Density bonuses shall be calculated by first determining the allowable number of units. The allowable number of units shall be calculated as follows: Net Acreage \* 6 = Base # of dwelling units
- E. **Single Primary Structure Required:** Regardless of the number of dwelling units contained in a primary structure, no lot may contain more than one (1) primary structure. All the dwelling units on the lot shall be contained within that primary structure. No

single lot may contain in excess of ~~six (6)~~ **five (5)** dwelling units in the primary structure on that lot.

F. **Lot Widths/Setbacks:** The primary dwelling structure shall be set back from either the property line or right-of-way lines as shown below. (All measurements are in feet):

	HOUSING TYPE	FRONT SETBACK MAIN ENTRANCE	SETBACK GARAGE	SIDE SETBACK	REAR SETBACK	SIDE SETBACK STREET
PRIMARY STRUCTURE	Single-Family Detached	20'	25'	8'	15'	12'
	Twin Homes	20'	25'	8'	15'	12'
	Multi-Family	20'	25'	<del>8'</del> 10'	15'	<del>12'</del> 20'

ACCESSORY BUILDING	Single Accessory Structures are only allowed in Single family <del>attached</del> <b>detached</b> . In Multi-family buildings, community accessory structures may be allowed so long as they are not developed as individual storage sheds.
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G. **Encroachment into the Setback:**

1. The ordinary projection of bay windows, chimneys, awnings, ornamental features, eaves and general building design projections, may encroach into any of setbacks, provided none of the encroachments exceeds twenty-four inches (24") in depth.
2. Unsheltered decks shall be allowed to project into the rear setback a maximum of ten feet (10'). In no case shall the unsheltered deck be built to a height greater than the uppermost floor level.

H. **Dwelling Unit Minimum Size:** Each dwelling unit in an MPC shall contain a minimum of eight-hundred fifty (850) square feet of living space, and the ground-floor footprint of any building which contains dwelling units shall not be less than five hundred (500) square feet per dwelling unit.

I. **Building Orientation:**

1. No residential dwelling structure in an MPC may face the rear of another dwelling structure on an adjoining/adjacent parcel/lot.
2. Buildings with their front facing each other shall have a minimum of twenty-five feet (25') between building fronts.

J. **Height Regulations:** No primary structure shall be erected to a height greater than thirty-five feet (35'), the height being measured from the threshold (finish floor elevation) of the lowest main entrance to the highest point of the main building.

K. **Signage:** Signage for the MPC should be coordinated and cohesive throughout the entire project. Signs shall comply with the requirements of SMC 17.36, "Signs."

L. **Lighting:** All lighting shall conform to SMC 9.24, "Outdoor Lighting."

M. **Trash:** All community trash containers shall be screened from public view and adjacent properties with a six-foot (6') sight-proof fence or wall. The placement of trash containers and access thereto shall be reviewed and approved by the entity designated by Smithfield City to provide waste management services to the MPC. Unless otherwise required by the waste management provider, openings shall be oriented away from public view or screened with opaque gates and shall provide ease of access for trash collection. No trash containers or enclosures may be located within a required front or street-side yard setback, and no single family attached, or multi-family trash containers or enclosures may be located within setback.

N. **Parking:**

1. Each dwelling unit shall be required to have the following off-street parking spaces:

	↓ Dwelling	↓ Dwelling
	Minimum Resident Parking Spaces Per Unit	Guest Parking Spaces Per Unit
<del>Single-Family Detached</del>	2	---
<del>Twin Home/Multi-Family</del>	2	0.50

2. If calculating the required number of parking spaces results in a fraction, the next highest whole number of required parking spaces shall be required. (E.G., 3.25 =

- 4 required parking spaces.)
3. In order to facilitate better design of an MPC, required off-street parking spaces may be grouped together; however, in no case shall more than twenty-five percent (25%) of the required parking spaces be grouped together. A professional parking study may be used to show acceptable alternate parking configurations.

### 17.81.090 LANDSCAPING

The following provisions shall apply to the open space in all MPC projects:

- A. A preliminary landscaping plan, prepared by a Landscape Designer or Landscape Architect, shall be submitted with the preliminary development plan for the MPC. Said plan shall include the number, type and, size of all proposed plants, trees, and shrubs within the MPC.
  1. The plan shall also include a proposal for how the open-space landscaping shall be irrigated and maintained. Areas landscaped with sod shall have a sprinkler or irrigation system, and all other landscaped areas shall have a drip line or other approved irrigation system.
- B. Developers shall prepare a landscaping plan consisting of a variety of trees, shrubs and other plantings suitable for the climate. Developers are encouraged to use trees found on the Smithfield City list of approved large and small trees. Drought-tolerant, low-water plantings are encouraged. Trees shall be a minimum two-inch (2") caliper.
- C. The developer in an MPC shall be required to landscape open space and the HOA shall provide for the maintenance of the required landscaping, not only within the MPC but also in those areas between the sidewalk and the curb and gutter of a right-of-way, regardless of whether it is a public or private right-of-way.

### 17.81.100 DENSITY BONUSES

The chart below outlines the requirements and regulations on density bonuses within an MPC. All amenities must be approved by the Planning Commission before the density bonus will be awarded. In no case shall the density bonus exceed fifty percent (50%) of the base density. An amenity or feature may not be used to receive a density bonus under more than one density bonus category.

\* **Total project cost** is determined by the cost for infrastructure installation for the development.

Amenity	Requirement	Density Bonus	Max % Bonus
Additional Open Space	Provide open space <u>in excess of</u> the base rate (land area only).	2% density bonus for each 1% of open space above the base rate	20 <b>25</b>
Trails/Bicycle Circulation	Sidewalks less than 8 feet wide do not count as pedestrian/bike trails (land area only).	2% density bonus for each 1% of gross project size dedicated to trails.	10 <b>15</b>
Recreational Facilities	Provide recreational facilities such as playground equipment, swimming pools, recreation centers, etc. (also includes development cost of open space and trails).	(Cost of recreational facilities/total project cost) X1.2=density bonus	10 <b>10</b>
Off-Site Infrastructure Improvement	Improve City infrastructure with a reasonable nexus to the project that may be deficient and could be negatively impacted by growth directly related to the development	(Cost of off-site infrastructure improvements/total project cost) X1.2=density bonus	30

### 17.81.030 DEFINITIONS

**Cluster Housing:** Cluster housing is a development of at least four (4) or more homes, designed using various forms of architecture, in which the houses are arranged in relatively close groups around a central common space sharing site amenities such as parking and landscaping in a coherent site design, located either on a single lot or individually platted lots.

**Five-plex:** A multi-family home, arranged or designed to be occupied by five (5) families. The structure having only five (5) dwelling units under individual ownership on one (1) lot.

**Four-plex:** A multi-family home, arranged or designed to be occupied by four (4) families. The structure having only four (4) dwelling units under individual ownership on one (1) lot.

**Tri-plex:** A multi-family home, arranged or designed to be occupied by three (3) families. The structure having only three (3) dwelling units under individual ownership on one (1) lot.

**Twin Home:** Two (2) single family homes that share an adjoining or communal wall, with separate and individual yard space.

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 12th day of July, 2023

**SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder