

ORDINANCE NO. 17-16

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 TITLE 17 “ZONING REGULATIONS” SECTIONS: 17.44.010 “ESTABLISHMENT OF ZONES”; 17.48.030 “AREA, WIDTH AND YARD REGULATIONS”; 17.48.060 “MODIFYING REGULATIONS”; 17.52.050 “MODIFYING REGULATIONS”; 17.56.050 “MODIFYING REGULATIONS” and 17.60.050 “MODIFYING REGULATIONS”.

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 shall be added.

17.44.010 ESTABLISHMENT OF ZONES

For the purpose of this title, the following zones are created to be applied as necessary to regulate the development of the land in Smithfield, Utah:

| | |
|-----|----------------------------------|
| A | Agricultural zone |
| RA | Residential agricultural zone |
| R-1 | Single-family residential zone |
| RM | Multiple-family residential zone |
| CP | Commercial professional zone |
| CB | Central business district zone |
| CC | Community commercial zone |
| GC | General commercial zone |
| M-1 | Manufacturing zone |

| | |
|---------|---------------------------------------|
| I-1 | Institutional zone |
| Gateway | Gateway overlay zone |
| Airport | Airport limitation overlay zones |
| PUD | Planned Unit Development overlay zone |

Adopted by Ord. 15-20 on 11/11/2015

17.48.030 AREA, WIDTH AND YARD REGULATIONS

Area, width and yard regulations in the agricultural zones are as follows:

| <u>District</u> Zone | <u>Area</u> | <u>Width</u> (In Feet) | <u>Front</u> <u>Setback</u> (In Feet) | <u>Side</u> <u>Setbacks</u> (In Feet) | <u>Rear</u> <u>Setback</u> (In Feet) |
|----------------------|-------------|---------------------------|--|--|---|
| A-3 | 3 acres | 190 | 30 | 12 x 12 | 30 |
| A-5 | 5 acres | 210 | 30 | 12 x 12 | 30 |
| A-10 | 10 acres | 250 | 30 | 12 x 12 | 30 |

Adopted by Ord. 15-20 on 11/11/2015

17.48.060 MODIFYING REGULATIONS

Modifying regulations in the A agricultural zone are as follows:

B. Rear Yards:

1. Private garages and accessory buildings located at least ten feet (10') behind the main building may have a rear yard of five feet (5'). ~~provided that on corner lots rearing on the side yard of another lot, the minimum rear yard for all buildings shall be ten feet (10').~~
2. Corner lots rearing on the side yard of another lot, the minimum rear yard for all accessory buildings shall be ten feet (10').

17.52.050 MODIFYING REGULATIONS

Modifying regulations in the RA residential agricultural zone are as follows:

B. Rear Yards:

1. Private garages and accessory buildings located at least ten feet (10') behind the main building may have a rear yard of five feet (5'). ~~provided that on corner lots rearing~~

~~on the side yard of another lot, the minimum rear yard for all buildings shall be ten feet (10').~~

2. Corner lots rearing on the side yard of another lot, the minimum rear yard *setback* for all *accessory* buildings shall be ten feet (10').

17.56.050 MODIFYING REGULATIONS

Modifying regulations in the R-1 single-family residential zone are as follows:

B. Rear Yards:

1. Private garages and accessory buildings located at least ten feet (10') behind the main building may have a rear yard of five feet (5'). ~~provided that on corner lots rearing on the side yard of another lot, the minimum rear yard for all buildings shall be ten feet (10').~~

2. Corner Lots rearing on the side yard of another lot, the minimum rear yard *setback* for all *accessory* buildings shall be ten feet (10').

—2. 3. A maximum of two (2) architectural projections or pop outs such as bay windows, exclusive of foundations, shall be allowed to encroach into the required rear yard provided such projection does not exceed a depth of forty-two inches (42") or a width of ten feet (10').

—3. 4. Unsheltered decks, supported by posts and which are less than thirty inches (30") above the ground or greater than eighty-four inches (84") above the ground but, not greater than the uppermost floor level, shall be allowed to project into the required rear yard a maximum of twelve feet (12').

17.60.050 MODIFYING REGULATIONS

Modifying regulations in the RM multiple-family residential zone are as follows:

C. Rear Yards:

1. Private garages and accessory buildings located at least ten feet (10') behind the main building may have a rear yard of five feet (5'). ~~provided that on corner lots rearing on the side yard of another lot, the minimum rear yard for all buildings shall be ten feet (10').~~

2. Corner Lots rearing on the side yard of another lot, the minimum rear yard *setback* for all *accessory* buildings shall be ten feet (10').

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 15th day of November, 2017

SMITHFIELD CITY CORPORATION

Darrell G. Simmons, Mayor

ATTEST:

Justin B. Lewis, City Recorder