

WASHINGTON TERRACE CITY
ORDINANCE 2017-03

COMMERCIAL BUILDING HEIGHT AMENDED

AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH, AMENDING SECTION 17.28.020 AMENDING THE BUILDING HEIGHT FOR CERTAIN COMMERCIAL BUILDING STANDARDS; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, the City desires to amend the building height for certain commercial buildings;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on April 13, 2017, and subsequently gave its recommendation to approve this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on April 18, 2017, and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Washington Terrace City as follows:

Section 1: **Repealer.** Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: **Amendment.** Section 17.28.020 of the *Washington Terrace Municipal Code* is hereby amended to read as follows:

17.28.020 Site Development And Standards.

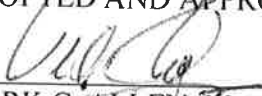
1. Minimum lot area – none.
2. Minimum lot width – none.

3. Minimum yard setbacks:
 - a. Front – twenty (20) feet on streets of less than eighty (80) feet in width, fifty (50) feet on streets and highways of eighty (80) feet or more in width.
 - b. Side – none, except ten (10) feet adjacent to a residential zone.
 - c. Side – facing a street with a corner lot – twenty (20) feet x 20 feet by twenty (20x20) feet.
 - d. Rear – none, except 10 feet where building rears on a residential zone.
4. Building height:
 - a. Minimum – one (1) story.
 - b. Maximum – ~~Forty five~~ sixty (4560) feet, measured from back of curb.
 - c. ~~Hospital~~ The height limits for a hospital use shall be determined in accordance with this section and as part of the site plan and/or conditional use approval process so long as such height limits do not exceed double the maximum height allowed by this section.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: Effective date. This Ordinance shall be effective immediately upon posting or publication after final passage.

ADOPTED AND APPROVED on this 18 day of APRIL, 2017.



 MARK C. ALLEN, Mayor, VAISHUPE, MAYOR PRO TEMPE
 Washington Terrace City

ATTEST:



 AMY RODRIGUEZ, City Recorder

RECORDED this 18 day of April, 2017.
 PUBLISHED OR POSTED this 19 day of April, 2017.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of the City of Washington Terrace, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted at 1) City web, 2) City Hall, and 3) City Clerk on the above referenced dates.

Amy Rodriguez DATE: 4.18.17
AMY RODRIGUEZ, City Recorder