

**WASHINGTON TERRACE CITY
ORDINANCE 16-06**

RESIDENTIAL YARD SETBACKS

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE,
UTAH, AMENDING SECTION 17.12.050 RELATING TO
RESIDENTIAL YARD SETBACKS; MAKING TECHNICAL
CHANGES; 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, 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 August 25, 2016, to take public comment on this Ordinance, 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 September 6, 2016, 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 Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.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: Adoption and Amendment. Section 17.12.050 is hereby amended to read as follows:

17.12.050 Minimum Front Yard Setbacks.

The minimum yard setback requirements in the single-family residential zones are as follows:

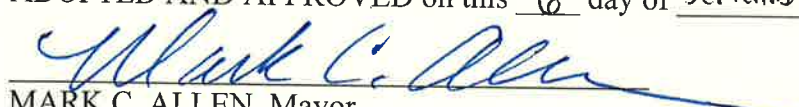
R-1-10	R-1-8	R-1-6
Front Yard Setback: 30 ft. min.	Front Yard Setback: 30 ft. min.	Front Yard Setback: 25 ft. min.
Rear Yard: 30 ft. min.	Rear Yard: 30 ft. min.	Rear Yard: 25 ft. min.
Side Yard Dwelling: 8 ft. min. on one side, with total of 18 ft. min. on both sides	Side Yard Dwelling: 8 ft. min. on one side, with total of 18 ft. min. on both sides	Side Yard Dwelling: 5 ft. min. on <u>each</u> one side, with total of 4 <u>10</u> ft. min. on both sides
Side Yard for other main building: 20 ft. min.	Side Yard for other main building: 20 ft. min.	Side Yard for other main building: 20 ft. min.

1. Accessory buildings. The rear and side yard setback for accessory buildings is 1 foot, except where an accessory building rears on side yard of adjacent corner lot the set back in 10 feet in the R-1-10 and R-1-8 Zones, and 5 feet in the R-1-6 Zone.
2. Side setback for private garage. A private garage and other accessory buildings if located at least 6 ft. to rear of main building shall be set back a minimum 1 foot. No private garage to be closer than 10 feet to a dwelling on adjacent lot.
3. Corner lots side yard adjacent to street. Dwelling and accessory building shall be set back 20 feet in the R-1-10 and R-1-8 Zones, and 15 feet in the R-1-6 Zone.

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 6 day of SEPTEMBER, 2016.


MARK C. ALLEN, Mayor,
Washington Terrace City

ATTEST:

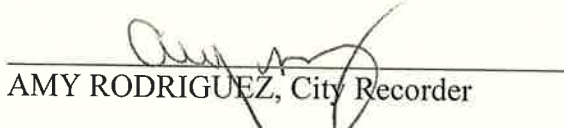

AMY RODRIGUEZ, City Recorder

RECORDED this 6 day of SEPTEMBER, 2016.

PUBLISHED OR POSTED this 7 day of SEPTEMBER, 2016.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Washington Terrace City, hereby certify that foregoing Ordinance was duly passed and published, or posted at 1) city news 1+E 2) city hall and 3) Senior Civic Center on the above referenced dates.


AMY RODRIGUEZ, City Recorder