



**Conditional Use Permit - Non Subdivision**

Type	Fee	Type	Fee
<input type="checkbox"/> Commercial Amendment	\$75.00	<input type="checkbox"/> Commercial	\$200.00
<input type="checkbox"/> Home Occupation Disruptive	\$100.00	<input type="checkbox"/> Home Child Care or Preschool	\$150.00
<input type="checkbox"/> R-1 Animal Rights	\$35.00	<input type="checkbox"/> Accessory Apartment*	\$200.00
<input type="checkbox"/> Temporary Structure	\$100.00	<input type="checkbox"/> Non Conforming Use/Structure	\$200.00

If the application is not the business owner, then this application must be accompanied by a notarized statement from the owner consenting to the "Owner Agent Authorization Form." Additionally, documents should be submitted for each application according to the accompanying "Site Plan or Submittal Requirements" chart.

The following "Home Occupation" business types require a fire and/or/building inspection.

- Nail or Hair Salon
- Wood or Metal Working Shop
- Preschool or Day Care Facility

\*Accessory apartment applications must be provided by the property owner.

To arrange for a fire inspection, contact the Smithfield City Fire Department. To arrange for a building inspection, contact the Cache County Building Department. A minimum of 24 hour notice is required before the inspection can be conducted.

**Owner Information**

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

**Owner Information**

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

**Parcel Information**

Address \_\_\_\_\_

Size \_\_\_\_\_ sq. ft. \_\_\_\_\_ acres Parcel ID \_\_\_\_\_ Current Zone \_\_\_\_\_

Property Use \_\_\_\_\_

Other \_\_\_\_\_ (indicate distance to nearest residence)

**Office Use Only**

Date Application Received \_\_\_\_\_ Date Application Approved \_\_\_\_\_

Approved  Denied

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

To: Smithfield City Planning and Zoning

I own the home located at \_\_\_\_\_ in Smithfield, Utah. The home has an internal/external accessory apartment. I, or my direct relative as per municipal code (§17.92.040), will occupy at least one of the dwelling units on the premises and will adhere to all the zoning and building codes previously stated.

\_\_\_\_\_  
**Applicant Signature**

\_\_\_\_\_  
**Occupant Name** (as needed)

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Occupant Relationship** (as needed)

\_\_\_\_\_  
**Brian Boudrero, Planning and Zoning**



## Requirements for Accessory Apartments

See Smithfield Municipal Code Section 17.92

1. A Conditional Use Permit is required (Zoning Chapter 17.92.020)  
A Building Permit may be required (Zoning Chapter 17.92.020)
2. Owner must live in the dwelling (Zoning Chapter 17.92.020) A notarized statement is required and updated if the homeowner sells the property. (Zoning Chapter 17.92.030)
3. Apartment must be a separate housekeeping unit (Zoning Chapter 17.92.020).
4. At least three off street hard surfaced parking surfaces are available for use by the owner, occupant(s) or tenant(s). Parking not to exceed twenty-five (25) percent of front or side property area (Zoning Chapter 17.92.020).
5. An accessory apartment is not allowed in a mobile home or a multifamily zone.
6. The apartment must have a separate exit (means of egress) to the outside (opens directly into a public way, or yard) without passing through the main living unit (IRC 311.1).
7. Required exit doorway (egress door) shall be hinged and shall provide a clear width of not less than 32 inches with a clear height of 78 inches (IRC 311.2).
8. Sleeping areas must be equipped with smoke alarms (IRC 314.3).
  - a. Outside each separate sleeping area in the immediate vicinity of the bedrooms (IRC 314).
  - b. On each additional story of the dwelling, including basements and habitable attics and not including crawl spaces and uninhabitable attics. In dwelling units with split levels, and without an intervening door between adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level (IRC 314).
  - c. Smoke alarms shall be installed not less than 3 feet (914mm) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm (R314.3).
9. Apartments must have at least one room of not less than 120 square feet. Other habitable rooms except the kitchen must have an area of not less than 70 square feet (UBC 310.6.2).
10. Apartment must be equipped with a kitchen complete with a kitchen sink. A Bathroom equipped with a toilet, lavatory, and either a bathtub or shower (UBC 2902.6).

## Requirements for Accessory Apartments

11. All sleeping rooms must have at least one operable window (finished sill height 44" above the floor) or door approved for emergency escape or rescue which must open directly into a public space, such as a street yard or alley (UBC 310.4)

12. Utilities and heating:

a. Required Heating

Where the winter design temperature in Table R301.2(1) is below 60°F (16°C),\*every dwelling unit shall be provided with heating facilities capable of maintaining a room temperature of not less than 68°F (20°C) at a point, 3 feet (914 mm) above the floor and 2 feet (610 mm) from exterior walls in habitable rooms at the design temperature. The installation of one or more portable space heaters shall not be used to achieve compliance with this section (R303.9).

b. Appliance access for inspection service, repair, and replacement. Appliances shall be accessible for inspection, service, repair, and replacement without removing permanent construction, other appliances, or any other piping or ducts not connected to the appliance being inspected, serviced, repaired, or replaced. A level working space not less than 30 inches deep and 30 inches wide (762 mm by 762 mm) shall be provided in front of the control side to service an appliance (M1305.1).

c. Prohibited Locations.

Piping shall not be installed in or through a ducted supply, return or exhaust, or a clothes chute, chimney or gas vent, dumbwaiter, or elevator shaft. Piping installed downstream of the point of delivery shall not extend through any townhouse unit other than the unit served by such piping. (G2415.3-404.3)

**Please note:** With a single family dwelling, only one water, power and sewer connection is allowed. It is possible to have one meter serving both units so long as the disconnects are correct.

\* All other requirements of the Uniform Building Code (UBC) and International Residential Code 2015 (IRC)