

ORDINANCE NO. 22-08

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”, BY AMENDING CHAPTER 17.56 “R-1 SINGLE-FAMILY RESIDENTIAL ZONE”, SECTIONS 17.56.030 “AREA, WIDTH AND YARD REGULATIONS” AND 17.56.050 “MODIFYING REGULATIONS”.

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

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

17.56.030	AREA, WIDTH AND YARD REGULATIONS
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District	Area	Width (In Feet)	Front – Main Entrance (In Feet)	Front – Garage (In Feet)	Front (In Feet)	Side (In Feet)	Rear (In Feet)
R-1-10	10,000	80	20	25	30	10	30
R-1-12	12,000	90	20	25	30	10	30
R-1-20	20,000	100	20	25	30	10	30

Note: For Corner Lots, see SMC 17.56.050 (C).

17.56.050	MODIFYING REGULATIONS
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C. Front Yards:

1. ~~On corner lots, the least of the two (2) front yards shall be a minimum of twenty feet (20') and the combination of the two together shall total a minimum of fifty feet (50').~~ On corner lots, the front yard setback shall be a minimum of twenty feet (20') and the street side yard setback shall be a minimum of twenty feet (20'). All corner lots shall adhere to the line of sight code found in SMC 17.36.090.
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and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.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 22nd day of June, 2022.

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Justin B. Lewis, City Recorder

ORDINANCE NO 22-09

AN ORDINANCE AMENDING TITLE 17, ZONING OF THE SMITHFIELD MUNICIPAL CODE, BY AMENDING THE ZONING MAP OF SMITHFIELD CITY.

BE IT ORDAINED by the City Council of Smithfield City, Utah as follows:

That certain map or maps entitled "Zoning map of Smithfield City, Utah" is hereby amended and the following described property is hereby rezoned from R-1-10 (Single Family Residential 10,000 Square Feet) to RM (Multiple-Family Residential).

Approximate Property Location: 420 North Main Street

Cache County Parcel Number: 08-044-0068

BEG N 89°34'58" W 1654.97 FT OF S/4 COR SEC 22 T 13N R 1E BEING BR 29.44 CHS W OF SD COR & TH N 89°34'58" W 283.29 FT TO E LN OF HWY 91 TH N 1°19'50" E 79.99 FT ALG HWY TH S 88°23'06" E 132.11 FT TH N 2°22'28" E 76.52 FT TH N 1°36'54" E 80.87 FT (N 80.0 FT BR) TH S 89°09'50" E 146.84 FT (E 165 FT BR) TO W LN OF CARLSON SUBD PH 1 TH S 0°42'38" W ALG SD SUBD 233.47 FT TO POB CONT 1.04 AC M/B SUBJ TO 30 FT UTIL ESMNT TO SERVICE PARCEL 0028 IN BK 791 PG 1084 ALSO: BEG 6 RDS N OF SW COR LOT 5 BLK 19 PLAT B SMITHFIELD CITY & TH N ALG W LN OF SD LT 5 TO PT 4 RDS S OF NW COR LT 5 TH E 8 RDS TO TRUE POB TH N 4 RDS TH E 1 RD M/L TO PT 7 RDS W OF E LN OF LT 4 TH S 4 RDS TH W 1 RD M/L TO TRUE POB SIT NW/4 SEC 27 & SW/4 SEC 22 T 13N R 1E CONT 1.06 AC IN ALL

Approximately 1.06 Acres

APPROVED by the Smithfield City Council this 22nd day of June, 2022.

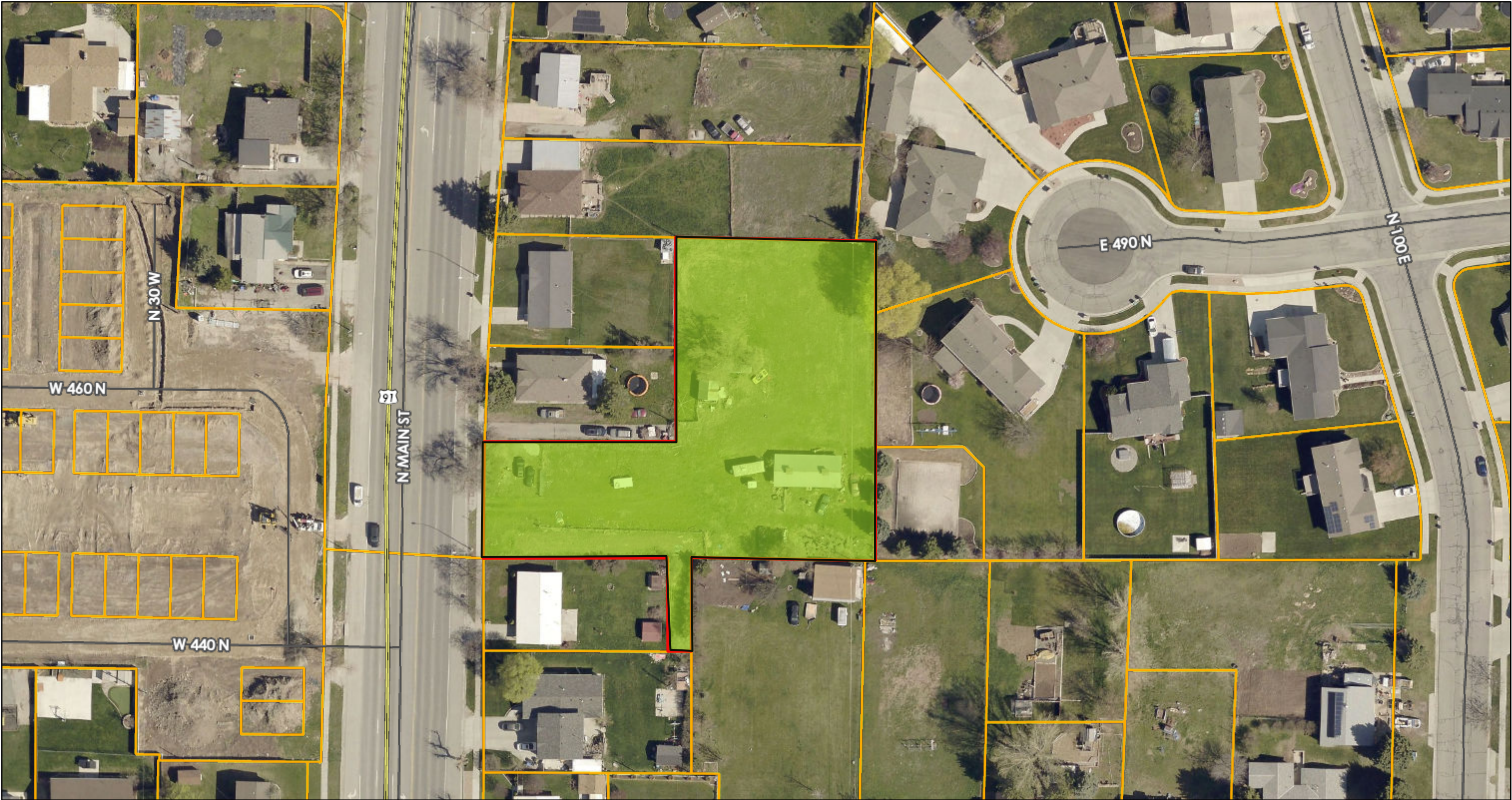
SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

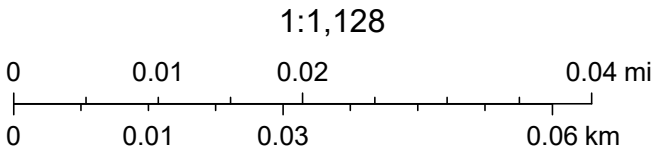
Justin B. Lewis, City Recorder

Parcel Map



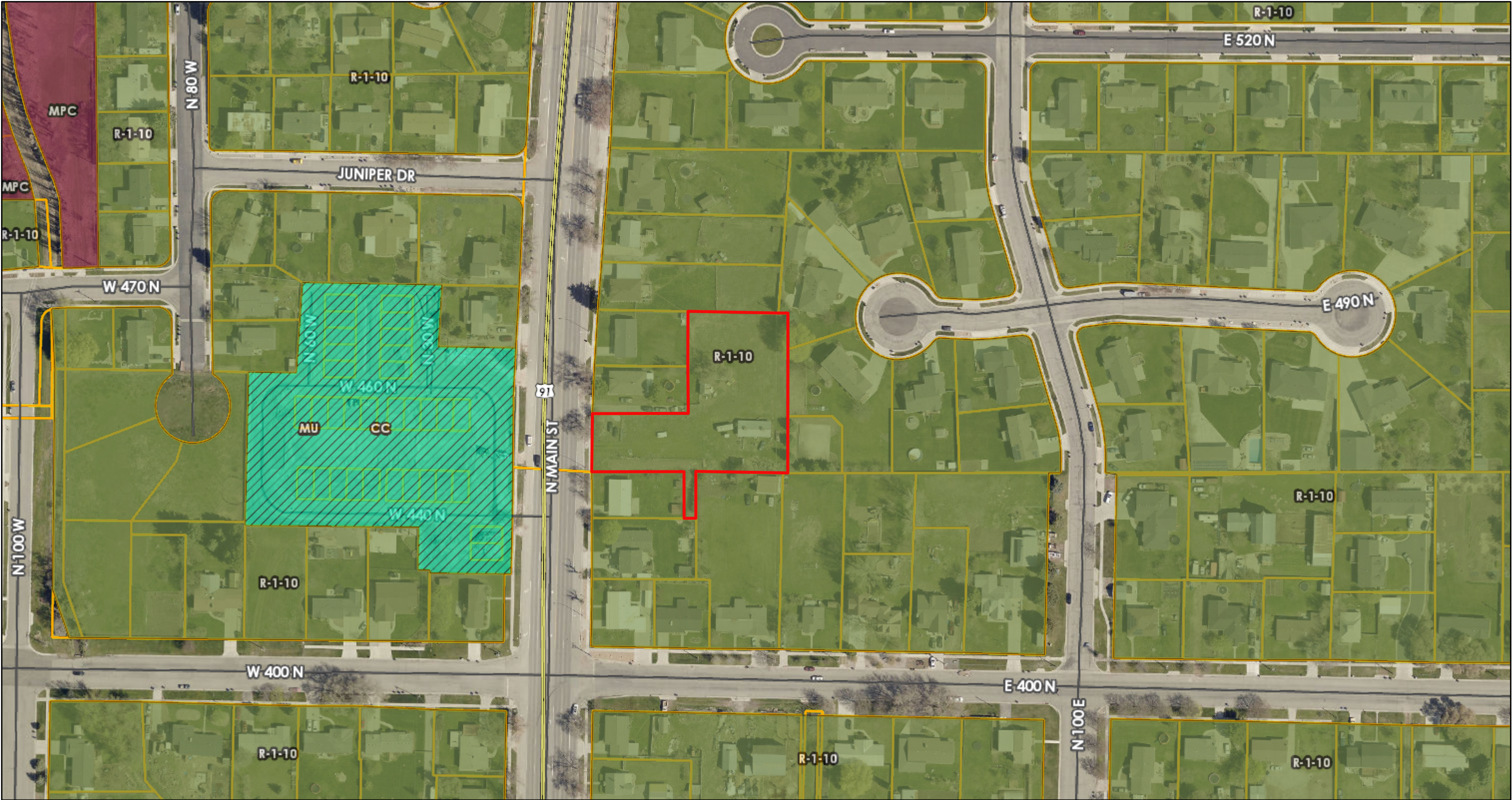
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- Override 1
- Override 1
- Class B Surface Type
- ASPHALT
- GRAVEL
- DIRT
- Municipal Boundaries
- County Boundary
- Cache Parcels



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Parcel Map



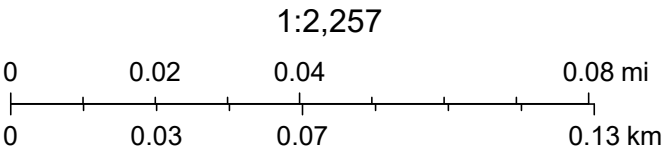
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- Override 1
- Wellsville Zoning
- NEIGHBORHOOD COMMERCIAL - NC
- COMMUNITY COMMERCIAL - C1 - C2
- GENERAL COMMERCIAL - GC
- HIGHWAY COMMERCIAL - CH
- MANUFACTURING
- RESIDENTIAL AGRICULTURE - 5 ACRE

- RESIDENTIAL - 1 ACRE
- RESIDENTIAL- 1/2 ACRE
- RESIDENTIAL - 12,000 SF
- RESIDENTIAL - MULTIFAMILY
- RECREATIONAL PLANNED DEVELOPMENT
- RESIDENTIAL CRITICAL AREA
- FOREST RECREATION - 40 ACRE

- Trenton Zoning
- AGRICULTURAL
- COMMERCIAL C1
- COMMERCIAL C2
- PARK
- RESIDENTIAL
- Smithfield Zoning
- PUD OVERLAY
- MIXED USE OVERLAY
- AGRICULTURAL - A-3
- AGRICULTURAL - A-5
- AGRICULTURAL - A-10
- CENTRAL BUSINESS DISTRICT - CB
- COMMERCIAL PROFESSIONAL
- COMMUNITY COMMERCIAL - CC

- GENERAL COMMERCIAL - GC
- INSTITUTIONAL - I-1
- MANUFACTURING - M1
- MULTIPLE FAMILY RESIDENTIAL - RM
- RESIDENTIAL AGRICULTURAL - RA-1
- RESIDENTIAL AGRICULTURAL - RA-2
- RESIDENTIAL R-1-10



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

ORDINANCE NO 22-10

AN ORDINANCE AMENDING TITLE 17, ZONING OF THE SMITHFIELD MUNICIPAL CODE, BY AMENDING THE ZONING MAP OF SMITHFIELD CITY.

BE IT ORDAINED by the City Council of Smithfield City, Utah as follows:

That certain map or maps entitled "Zoning map of Smithfield City, Utah" is hereby amended and the following described property is hereby rezoned from A-10 (Agricultural 10-Acre) to R-1-12 (Single Family Residential 12,000 Square Feet).

Approximate Property Location: 510 East 600 North

Cache County Parcel Number: 08-044-0041

THAT PORTION OF PARCEL 08-044-0041 NOT CURRENTLY WITHIN THE SMITHFIELD CITY LIMITS DESCRIBED AS FOLLOWS: A PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 13 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE CORPORATE LIMITS LINE POINT LOCATED SOUTH 88°59'03" WEST, A DISTANCE OF 695.74 FEET FROM THE 2.5 INCH ALUMINUM CAP MONUMENTING THE SOUTHEAST CORNER OF SAID SECTION 22, FROM WHICH THE 3.5 INCH ALUMINUM CAP MONUMENTING THE EAST QUARTER OF SAID SECTION 22 BEARS NORTH 00°28'10" EAST, A DISTANCE OF 2,658.48 FEET; THENCE SOUTH 87°32'33" WEST, A DISTANCE OF 297.02 FEET; THENCE NORTH 00°30'11" WEST, A DISTANCE OF 1,332.29 FEET; THENCE NORTH 88°56'12" EAST, A DISTANCE OF 298.25 FEET; THENCE SOUTH 00°26'35" EAST, A DISTANCE OF 1,325.08 FEET TO THE POINT OF BEGINNING. CONTAINING 9.076 ACRES.

Approximately 9.08 Acres

APPROVED by the Smithfield City Council this 22nd day of June, 2022.

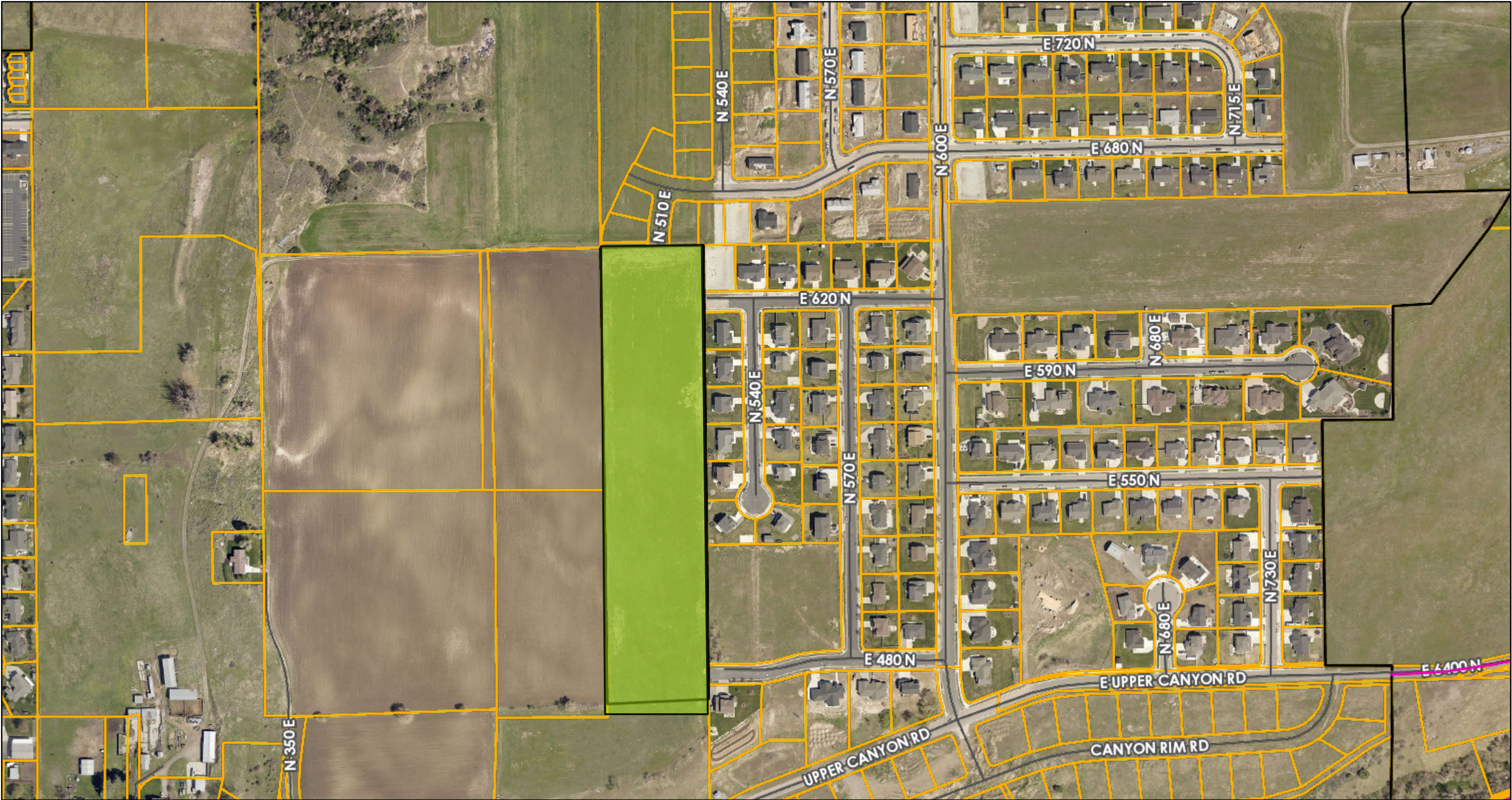
SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Justin B. Lewis, City Recorder

Parcel Map



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- Override 1

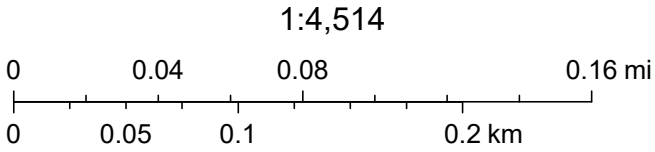
Class B Surface Type

ASPHALT
- GRAVEL

DIRT
- County Boundary

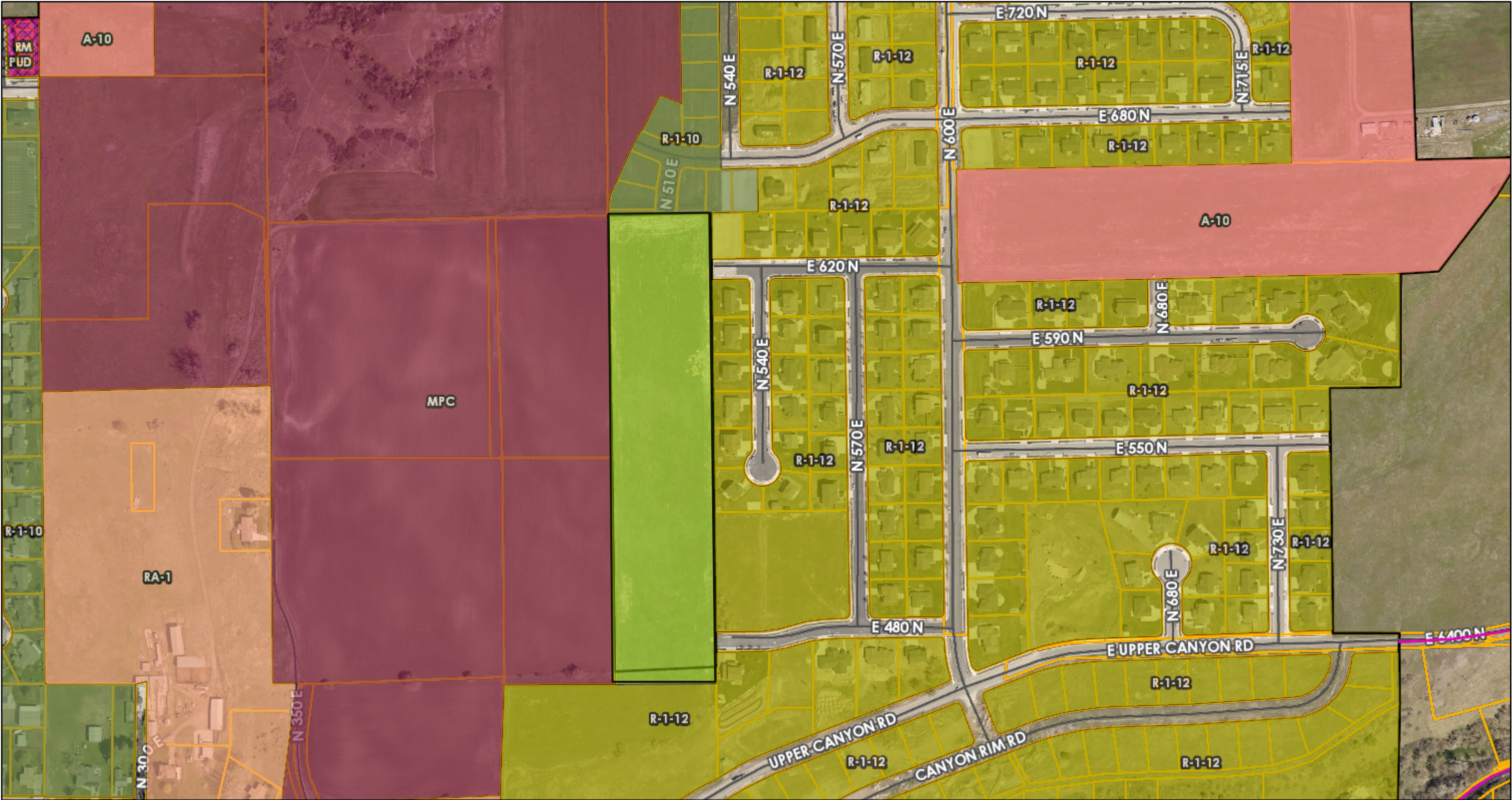
Cache Parcels

Municipal Boundaries



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Parcel Map



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Override 1

Wellsville Zoning

NEIGHBORHOOD COMMERCIAL - NC

COMMUNITY COMMERCIAL - C1 - C2

GENERAL COMMERCIAL - GC

HIGHWAY COMMERCIAL - CH

MANUFACTURING

RESIDENTIAL AGRICULTURE - 5 ACRE

RESIDENTIAL - 1 ACRE

RESIDENTIAL- 1/2 ACRE

RESIDENTIAL - 12,000 SF

RESIDENTIAL - MULTIFAMILY

RECREATIONAL PLANNED DEVELOPMENT

RESIDENTIAL CRITICAL AREA

FOREST RECREATION - 40 ACRE

Trenton Zoning

AGRICULTURAL

COMMERCIAL C1

COMMERCIAL C2

PARK

RESIDENTIAL

Smithfield Zoning

PUD OVERLAY

MIXED USE OVERLAY

AGRICULTURAL - A-3

AGRICULTURAL - A-5

AGRICULTURAL - A-10

CENTRAL BUSINESS DISTRICT - CB

COMMERCIAL PROFESSIONAL

COMMUNITY COMMERCIAL - CC

GENERAL COMMERCIAL - GC

INSTITUTIONAL - I-1

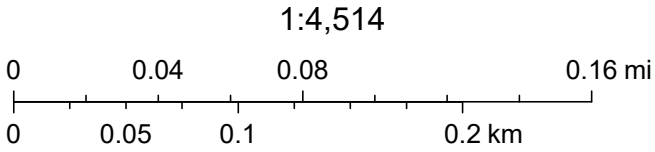
MANUFACTURING - M1

MULTIPLE FAMILY RESIDENTIAL - RM

RESIDENTIAL AGRICULTURAL - RA-1

RESIDENTIAL AGRICULTURAL - RA-2

RESIDENTIAL R-1-10



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

ORDINANCE NO. 22-11

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 17.92 “ACCESSORY
APARTMENT”, SECTIONS 17.92.010 “PURPOSE OF CHAPTER”, 17.92.020
“CONDITIONS” AND ADDING IN ITS ENTIRETY 17.92.040 “DEFINITIONS”.**

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

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

17.92 ACCESSORY APARTMENT DWELLING UNIT

17.92.010 PURPOSE OF CHAPTER

The purpose of permitting an accessory ~~apartment~~ **dwelling unit** is to:

- E. Allow more efficient use of existing single-family dwellings and public infrastructure.**

17.92.020 CONDITIONS

A. A conditional use permit will be granted for a use to be known as an accessory **dwelling unit** ~~apartment rental in owner occupied single family dwellings~~, provided that the following standards and criteria are met:

- ~~1. The apartment will be a separate housekeeping unit that can be isolated within the original unit.~~
- ~~2. Only one apartment will be created within a single family house.~~
- ~~3. The owner(s) of the residence in which the accessory apartment is created shall occupy at least one of the units in the dwelling, except for bona fide temporary absences determined by the zoning administrator.~~
- ~~4. The accessory apartment shall be designed so that the appearance of the building remains that of a one family residence. Any new entrances shall be located on the side or in the rear of the building.~~
- ~~5. The design and size of the apartment conforms to all applicable standards in the health, building and other codes.~~
- ~~6. At least three (3) off street hard surfaced parking surfaces are available for use by the owner-occupant(s) and tenant(s). Parking not to exceed twenty five percent (25%) of front or side property line.~~
- ~~7. Other conditions for accessory apartment:~~

- a. ~~Building permit;~~
- b. ~~Upon sale of property, new owner(s) must provide an updated, signed notarized letter, stating that the owner will occupy one of the dwelling units on the premises. No Building Permit is required for those properties that have existing conditional use permits.~~
- ~~8. Any other appropriate or more stringent conditions deemed necessary by the zoning administrator to protect public health, safety and welfare, and the single family character of the neighborhood.~~

1. The original unit, including any accessory dwelling unit, shall all be considered a single-family residence rather than a “duplex” or “multi-family” as defined by the applicable building codes.

2. An accessory dwelling unit shall not be connected to, and served by, the same water and sewer services that serve the primary building.

3. Any new construction, remodeling or renovation done to accommodate an accessory dwelling unit shall conform to the setbacks, height restrictions, health, fire, building and other code requirements current at the time of application. Additionally,

- a. An accessory dwelling unit shall be designed so that the appearance of the building remains that of a single-family residence.

- b. An accessory dwelling unit must have its own entryway with eating, sleeping, and sanitation facilities that can be isolated from the original unit.

- c. Any wall of a detached accessory dwelling unit shall be a minimum of ten feet (10') away from any wall of the primary structure.

4. There shall be no more than one attached accessory dwelling unit and one detached accessory dwelling unit, for a maximum of two accessory dwelling units, per single-family residence.

5. An accessory dwelling unit shall not exceed the lesser of fifty percent (50%) of the size of the original dwelling unit or fifteen hundred (1,500) livable square feet.

6. The owner(s) of the residence shall occupy at least one (1) of the units on the lot, except for bona fide temporary absences of three (3) years or less for activities such as:

- a. A temporary job assignment, sabbatical, or voluntary service.

- b. The owner is placed in a hospital, nursing home, assisted living facility or other similar facility.

- c. City staff may require written documentation verifying the temporary absence.

- d. The owner(s) shall apply for a continuance of their accessory dwelling unit permit during their absence by notifying the Zoning Administrator in writing. They shall include in the request their anticipated length of absence and estimated return date, a forwarding address, phone number and email address where they may be contacted by

the city, and the names, phone numbers and email addresses of those who will act in their stead as the “surrogate” owners of the property in their absence.

- e. If the owners of the residence elect to temporarily leave their home in the care of the residents that occupy an accessory dwelling unit; and if they choose not to lease the owner-residence; then just one family will be living in the residence and there is no longer any need to have the residence licensed as an accessory dwelling unit. The license can then lapse while the owners are not living in the residence and the license may be re-established upon their return using the existing conditional use permit and by renewing the accessory dwelling unit license.

7. Parking:

- a. A single-family residence with one accessory dwelling unit must have at least three (3) off street hard surfaced parking surfaces available for use by the owner-occupant(s) and tenant(s).
- b. A single-family residence with both an attached and a detached accessory dwelling unit, must have at least four (4) off street hard surfaced parking surfaces available for use by the owner-occupant(s) and at least one dedicated for each accessory dwelling unit.
- c. Any additional vehicles owned by occupants and tenant(s) must be accommodated on-site with off-street hard surfaced parking.
- d. Parking not to exceed twenty five percent (25%) of front or side property line.

8. Other conditions for an accessory dwelling unit:

- a. Building permit may be required.
- b. An accessory dwelling unit shall not be sold separately or subdivided from the original single-family dwelling unit.
- c. Conditional-use permit does not expire upon sale of the lot but must be updated. Upon sale of property, new owner(s) must provide an updated, signed notarized letter, stating that the owner will occupy one of the dwelling units on the premises.

17.92.040 DEFINITIONS

A. Definition of Accessory dwelling unit: A subordinate dwelling, which has its own eating, sleeping, and sanitation facilities which is:

- 1. Within or attached to a single-family residential building, or
- 2. Within a detached accessory structure on the same lot as the associated single-family residence.

B. Accessory dwelling units may go by different names including accessory apartments, extended living areas, over-the-garage or basement living spaces, mother-in-law apartments, casitas, guest houses, tiny homes, etc.

C. Accessory dwelling units are permanent structures. Mobile homes, travel trailers, boats, or similar recreational vehicles shall not be used as an accessory dwelling unit.

D. Definition of Owner: An individual who is listed on a recorded deed as an owner of the property; any person who is related by blood, marriage, or adoption to an individual who is listed on a recorded deed as an owner of the property; or an individual who is a trustor of a family trust who possesses legal ownership of the property.

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 13th day of July, 2022

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Justin B. Lewis, City Recorder