

ORDINANCE 20-16

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 17 “ZONING REGULATIONS”, SECTION 17.89.010 “OBJECTIVES AND PURPOSES” AND 17.89.050 “MAXIMUM LOT COVERAGE”.

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 in yellow shall be added.

17.89.010 OBJECTIVES AND PURPOSES

- A. The purposes of the MU overlay zone are to provide areas in the city for a mix of uses, including mixed-use developments with commercial, institutional, office and service uses apportioned on-site in a manner sensitive to the street environment and adjacent uses; to support an urban village where amenities are focused on a local main street; to encourage and support transit-oriented development by allowing transit supportive density, where desired; and to enhance the accessibility of the area and the Gateway Overlay Zone. **The Area is defined as being from 400 North Main Street to 1000 South Main Street and is to be extended no deeper than 330 feet from Main Street on either side (east/west).**
- D. The MU Overlay Zone requires a minimum of 33.00% of all indoor floor space to be commercial or retail use.**
- ~~D.~~ **E.** Any applicant requesting an increase in height or decrease in setbacks which are standard in the MU overlay zones, or any other variation based on permitted planning commission approval under this chapter, shall require a conditional use permit.

17.89.050 MAXIMUM LOT COVERAGE

In an MU overlay zone, buildings shall not occupy more than sixty-five percent (65%) of the lot area **or more than ten (10) units per acre.**

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 hearing 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 8th day of July, 2020

SMITHFIELD CITY CORPORATION

Mayor Jeffrey H. Barnes

ATTEST:

Justin B. Lewis, City Recorder