

Town of Hinckley  
ORDINANCE 25-04-17

AGRICULTURAL ZONE AMENDMENT

**AN ORDINANCE AMENDING TITLE 10 ZONING REGULATIONS, CHAPTER 8,  
AGRICULTURAL ZONE, SECTION 1, PURPOSE C. DENSITY TRANSFER AND D.  
CLUSTERED LOTS.**

**WHEREAS**, 10-9a-501 of Utah State Code (as amended) authorizes a legislative body to weigh policy considerations and to enact land use regulations; and

**WHEREAS**, pursuant to 10-8-84 of Utah State Code (as amended) the legislative body may pass all ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by this chapter, and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort and convenience of the municipality and its inhabitants, and for the protection of property in the municipality; and

**WHEREAS**, the Planning Commission conducted a public hearing to review the proposed amendment and made a positive recommendation to the Town Council for adoption; and

**WHEREAS**, the Town Council has reviewed the Planning Commission's recommendation and finds it to be in the best interest of the health, safety, and welfare of its citizens to make the proposed amendments to the Town's Code.

**NOW THEREFORE**, be it ordained by the Town Council of Town of Hinckley, UT as follows:

**SECTION 1: Repealer.** If any provisions of the municipal code previously adopted are inconsistent herewith they are hereby repealed.

**SECTION 2: Amendment.** Section "10.8.1 " is hereby amended as follows.

A. Protection. The establishment of the Agricultural zone is intended to allow for and protect agricultural uses within the Town by controlling density and land coverage and providing for compatible land uses. Its formulation is further intended to protect nearby residential uses from possible objectionable effects of certain agricultural operations such as livestock raising and storage of fertilizer.

B. May be Re-zoned. As the need and demand for additional land suitable for urban development is determined, selected portions of this Zone may be re-zoned for more intensive forms of development.

~~C. Density Transfer. To encourage better utilization of agricultural land and to encourage the continued use of said lands, density transfer may be used as a part of development in this Zone in any case wherein three (3) or more lots are developed.~~

~~D. Clustered Lots. The number of dwelling units allowed by the density of the Agricultural Zone may be clustered on lots of not less than eleven thousand (11,000) square feet in area and meeting all setback and use requirements. Land not clustered into smaller lots shall remain in an open space / agricultural use and shall not be further developed or subdivided.~~

**HISTORY:**

(Ord. 22-01-06, 1/6/2022)

**SECTION 3: Severability.** If any section, subsection, sentence, clause, or phrase of this amendment is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this amendment.

**SECTION 4: Effective Date.** This ordinance being necessary for the peace, health, and safety of the City, shall become effective immediately upon posting.

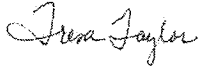
**\*\*Signatures On Next Page\*\***

**PASSED AND ADOPTED** by Town of Hinckley Town Council this **17th day of April, 2025.**



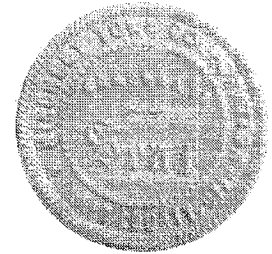
BRIAN FLORANG, Mayor  
Town of Hinckley

Attest:



TRESA TAYLOR, Town Clerk  
Town of Hinckley

Town Council Vote as Recorded:	AYE	NAY	ABSTAIN	ABSENT
Brian Florang	<u>X</u>	—	—	—
Chris Mork	—	—	—	<u>X</u>
Donald Brown	<u>X</u>	—	—	—
Ray Searle	<u>X</u>	—	—	—
Skip Taylor	<u>X</u>	—	—	—



RECORDED this 17th day of April, 2025.

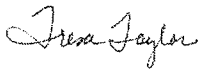
PUBLISHED OR POSTED this 21st day of April, 2025.

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the Town Clerk of Town of Hinckley, hereby certifies that the foregoing Amendment was duly passed and published or posted at:

1. Town Office
2. U.S. Post Office
3. Hinckley Station

on the above referenced dates.



TRESA TAYLOR, Town Clerk  
Town of Hinckley