

ORDINANCE NO. _____

AN ORDINANCE OF HONEYVILLE CITY, UTAH, AMENDING THE CITY'S LAND USE CODE, SPECIFICALLY, CHAPTER 11: RESIDENTIAL ZONES AND CHAPTER 10: AGRICULTURAL ZONES; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS ADOPTION AND POSTING.

SECTION 1. Recitals

WHEREAS, the City Council of Honeyville City finds that Honeyville City (herein "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, the City Council of Honeyville finds that in conformance with the relevant provisions of UCA, the governing body of the City may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by State law or any other provision of law; and,

WHEREAS, the City Council of Honeyville finds that certain exigencies of City governmental operations require that amendments be made from time to time to the Honeyville City Land Use Code; and,

WHEREAS, the City Council of Honeyville finds that a recommendation by the Honeyville Planning Commission has been made to amend portions of Chapter 11: Residential Zones and Chapter 10: Agricultural Zones of the City's Land Use Code; and,

WHEREAS, Honeyville City Planning Commission scheduled and held a public hearing on the proposed amendments to the Honeyville City Land Use Code and provided prior notice of the public hearing as required by the Utah State Code within the prescribed time as outlined in the Utah State Code; and

WHEREAS, after the public hearing was held and the general public was allowed to comment on the proposed amendments, the Honeyville City Planning Commission recommended amending Chapter 11: Residential Zones and Chapter 10: Agricultural Zones of the City's Land Use Code; and

WHEREAS, the City Council of Honeyville finds that all necessary requirements, public notices, and public hearings have been complied with to allow them to amend the City's Land Use Code; and,

WHEREAS, the City Council of Honeyville finds that the amendments to Chapter 11: Residential Zones and Chapter 10: Agricultural Zones of the City's Land Use Code as set forth below is in conformity with the City's General Plan; it is harmonious with the overall character of existing development in the vicinity; it will not adversely affect properties within the zones; and it will be in the best interest of and promote the health, safety and general welfare of the residents of the City of Honeyville,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF HONEYVILLE
AS FOLLOWS:**

SECTION 1. Ordinance Amendments.

- a. The current Honeyville City Land Use Code, **Chapter 11: Residential Zones** is hereby amended with the red-lined additional language and deletions for **Chapter 11: Residential Zones** that is attached to this ordinance as **Exhibit A**.
- b. The current Honeyville City Land Use Code, **Chapter 10: Agricultural Zones** is hereby amended with the red-lined additional language and deletions for **Chapter 10: Agricultural Zones** that is attached to this ordinance as **Exhibit B**.

SECTION 2. Effective Date. This Ordinance shall take effect immediately upon its adoption, posting, and deposit with the City Recorder.

SECTION 3. Prior Ordinances. The body and substance of any and all prior Ordinances, together with their specific provisions, where not otherwise in conflict with this Ordinance, are hereby reaffirmed and readopted.

SECTION 4. Repealer of Conflicting Enactments. All orders and ordinances with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 5. Savings Clause. If any provision of this Ordinance shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Ordinance and the provisions of this Ordinance being deemed to be the separate independent and severable act of the City Council of Honeyville.

BE IT FURTHER ORDAINED that this Ordinance shall become effective on the _____ day of _____, 2023, and after publication or posting as required by law.

DATED this _____ day of _____, 2023.

HONEYVILLE CITY

by: _____
Mayor of Honeyville

Attested and recorded

Recorder

EXHIBIT A

Red-lined additional language and deletions for Chapter 11: Residential Zones.

Chapter 11: RESIDENTIAL ZONES

10-11-1 : PURPOSE

10-11-2 : SCOPE

10-11-3 : USES ALLOWED

10-11-4 : DEVELOPMENT STANDARDS

10-11-5 : REGULATIONS OF GENERAL APPLICABILITY

10-11-6 : REGULATIONS FOR SPECIFIC USES

10-11-7 : SPECIAL REGULATIONS

10-11-8 : TABLES

10-11-1 : PURPOSE

Residential zones allow a wide range of residential land uses at various densities. These zones protect the stability of neighborhoods and encourage, collectively, diverse types of desirable new residential development and protect existing residential uses.

- A. Rural Residential Zone: The purpose of the rural residential (RR) zone is to provide for and protect residential development in a semirural environment. The keeping of limited numbers of livestock and the raising of crops can be considered a normal activity in the rural residential zone.
- B. Low Density Residential Zone: The purpose of the low density residential (R1) zone is to encourage, maintain and protect low density residential neighborhoods. Other uses which are compatible with and not detrimental to family oriented residential neighborhoods may be allowed as a permitted or conditional use.
- C. Medium Density Residential Zone: The purpose of the medium density residential (R2) zone is to provide areas for moderate density residential neighborhoods when necessary public services, including sewerage disposal facilities, are available. This zone may provide an opportunity for less costly housing because of the smaller lot sizes permitted. Other compatible uses may be allowed as permitted or conditional uses.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007

10-11-2 : SCOPE

The provisions of this chapter shall apply to any real property located in a residential zone as shown on the official zoning map. No building, structure or real property shall be used and no building or structure shall be hereafter erected, structurally or substantially altered, or enlarged except as set forth in this chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this title, this code, or other laws.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007

10-11-3 : USES ALLOWED

- A. Permitted And Conditional Uses: Permitted and conditional uses allowed within residential zones shall be as set forth in table [10-11-1](#) of section [10-11-8](#) of this chapter. Permitted and

conditional uses are indicated by a "P" or "C", respectively, in the appropriate column. Uses not permitted are indicated by "N". Any use not shown on table [10-11-1](#) of section [10-11-8](#) of this chapter shall be prohibited unless the zoning administrator determines the use is substantially the same as a permitted or conditional use based upon an administrative interpretation as provided in section [10-5-20](#) of this title.

B. Accessory Uses: Permitted and conditional uses set forth in table [10-11-1](#) of section [10-11-8](#) of this chapter shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.

1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this title.
2. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007

10-11-4 : DEVELOPMENT STANDARDS

Development standards within residential zones shall be as set forth in table [10-11-2](#) of section [10-11-8](#) of this chapter.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007

10-11-5 : REGULATIONS OF GENERAL APPLICABILITY

The use and development of real property in residential zones shall conform to the development standards as set forth in the following chapters of this title:

- A. Existing conditions inventory: See [chapter 17](#) of this title.
- B. Landscaping and screening: See [chapter 18](#) of this title.
- C. Off street parking: See [chapter 19](#) of this title.
- D. Outdoor lighting: See [chapter 20](#) of this title.
- E. Signs: See [chapter 21](#) of this title.
- F. Supplementary development standards: See [chapter 22](#) of this title.
- G. Water source protection: See [chapter 23](#) of this title.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007

10-11-6 : REGULATIONS FOR SPECIFIC USES

To the extent that use and development of real property includes any matter encompassed by a

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regulation for a specific use as set forth in this title, such regulation shall apply in addition to the requirements of this chapter and shall prevail over any conflicting provision of this chapter.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007

10-11-7 : SPECIAL REGULATIONS

- A. Animals: Within any residential zone, the keeping of animals shall be permitted only when the premises are occupied for residential use. The maintenance of animals on an unoccupied residential lot shall be prohibited when an adjoining lot is used for residential purposes.
- B. Larger Accessory Buildings: Notwithstanding the maximum building size limitation shown on table [10-11-2](#) of section [10-11-8](#) of this chapter, the maximum size of an accessory building may be increased pursuant to a conditional use permit.
- C. Increased Height: Notwithstanding the height limitations shown on table [10-11-2](#) of section [10-11-8](#) of this chapter, a greater building height may be allowed pursuant to a conditional use permit.
- D. The RR zone, as identified on the Zoning Map and Future Land Use Map, shall be defined as being 217.8-ft deep as measured from the road right-of-way, in order to accommodate one-acre (43,560 square feet) lots with 200-ft of frontage.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007

10-11-8 : TABLES

TABLE 10-11-1

PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL ZONES

Use	Zones		
	RR	R1	R2
Agricultural uses:			
Animals and fowl for recreation and family food production	P	P	N
Stable, private	C	N	N
Stable, public	C	N	N
Residential uses:			
Assisted living facility	C	C	C
Dwelling, multiple-family	N	N	C
Dwelling, single-family	P	P	P
Dwelling, single-family with accessory apartment <u>internal accessory dwelling unit</u> (subject to Utah Code 10-9a-530)	<u>C P</u>	<u>C P</u>	<u>C P</u>

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Dwelling, temporary ¹	C	C	C
Dwelling, two-family	N	N	C
Guesthouse	C	C	C
Protective housing facility	N	N	C
Rehabilitation/treatment facility	C	N	N
Residential facility for elderly persons ²	P	P	P
Residential facility for persons with a disability ²	P	P	P
Transitional housing facility	C	N	N
Public and civic uses:			
Auditorium or stadium	C	N	N
<u>Church or place of worship</u>	<u>P</u>	<u>P</u>	<u>P</u>
Convalescent care facility	C	C	C
Golf course	C	N	N
<u>Government service</u>	<u>P</u>	<u>P</u>	<u>P</u>
Hospital	C	C	C
<u>Post office</u>	<u>P</u>	<u>P</u>	<u>P</u>
Protective service	C	C	C
Reception center	C	C	C
Recreation facility	C	N	N
School, charter <u>(subject to Utah Code 10-9a-305)</u>	P	P	P
<u>School, elementary, middle, or high (subject to Utah Code 10-9a-305)</u>	<u>P</u>	<u>P</u>	<u>P</u>
Utility, minor	P	P	P
Utility substation	C	C	C
Commercial uses:			
Animal hospital	C	N	N
Bed and breakfast	C	C	C
Family child daycare facility ³	P	P	P
Family child residential certificate care facility ³	P	P	P
Family group child daycare facility ³	C	C	C
Produce stand	C	N	N
Wireless telecommunication facility	C	C	C

Notes:

1. Temporary dwelling must be removed within 30 days after a certificate of occupancy is issued for a permanent dwelling.
2. See [chapter 27](#) of this title.
3. See [chapter 25](#) of this title.

TABLE 10-11-2
DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES

Development Standard	Zones		
	RR	R1	R2
Density standards:			
Dwelling units per acre lot, <u>maximum</u>	1	0.5 <u>1</u>	0.25 <u>4</u>
Lot standards:			
Minimum lot area	1 acre	0.5 acre	0.5 acre
Minimum lot width	200 feet	100 feet	100 feet
Building standards:			
Distance between buildings	No requirement		
Maximum height, accessory building	30 feet	20 feet	20 feet
Maximum height, main building ¹	35 feet		
Maximum size, accessory building ²	1,000 square feet	500 square feet	500 square feet
Setback standards - front yard:			
Any building ³	35 feet		
Setback standards - rear yard:			
Accessory building	5 feet plus 1 foot increased setback for each foot of building height above 10 feet		
Main building	20 feet		
Setback standards - interior side yard:			
Accessory building	10 feet, when 10 feet or more behind main building 15 feet, when less than 10 feet behind main building plus 1 foot increased setback for each foot of building height above 10 feet		

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Main building	20 feet
Setback standards - street side yard:	
Accessory building	Not permitted
Main building	35 feet
Main building on corner lot with yard that abuts the side yard of another lot	35 feet

Notes:

1. Except as otherwise permitted by subsection [10-11-7C](#) of this chapter.
2. Except as otherwise permitted by subsection [10-11-7B](#) of this chapter.
3. Except as modified by the provisions of subsection [10-22-14E](#), "Setback Measurement", of this title.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007

EXHIBIT B

Red-lined additional language and deletions for Chapter 10: Agricultural Zones.

Development Standard	Zone	Zone	Zone
	A-5	A-20	A-5A

Setback Standards – Front Yard:	
Any Building	35 feet
Setback Standards – Rear Yard:	
Accessory Building (allowed only when more than 20 feet behind main building)	10 Feet 3 feet minimum, if roof drains only on the subject property and building code requirements are met plus 1 foot increased setback for each 6 feet of building height above 18 feet.
Main Building	20 feet
Setback Standards – Street Side Yard:	
Accessory Building	Not Permitted
Main Building	35 feet
Main Building on corner lot with yard that abuts another lot	35 feet
Setback Standards – Interior Side Yard:	
Accessory Building	10 Feet 15 feet, when left behind main building
Main Building	20 feet