

WTC Ord. 16-07 Residential Yard Setbacks

**WASHINGTON TERRACE CITY  
ORDINANCE 16-07**

**RESIDENTIAL YARD SETBACKS**

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE,  
UTAH, AMENDING SECTION 17.12.050 RELATING TO  
RESIDENTIAL YARD SETBACKS; MAKING TECHNICAL  
CHANGES; SEVERABILITY; AND PROVIDING AN  
EFFECTIVE DATE.**

**WHEREAS**, Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

**WHEREAS**, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

**WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

**WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on \_\_\_\_\_, 2016, to take public comment on this Ordinance, and subsequently gave its recommendation to \_\_\_\_\_ this Ordinance;

**WHEREAS**, the City Council received the recommendation from the Planning Commission and held its public meeting on \_\_\_\_\_, 2016, and desires to act on this Ordinance;

**NOW, THEREFORE**, be it ordained by the City Council of Washington Terrace City as follows:

**Section 1: Repealer.** Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

**Section 2: Adoption and Amendment.** Section 17.12.050 and 17.12.070 is hereby amended to read as follows:

**17.12.050 Minimum Yard Setbacks**

The minimum yard setback requirements in the single-family residential zones are as follows:

R-1-10	R-1-8	R-1-6
Front Yard Setback: 30 ft. min.	Front Yard Setback: 30 ft. min.	Front Yard Setback: 25 ft. min.
Rear Yard: 30 ft. min.	Rear Yard: 30 ft. min.	Rear Yard: 25 ft. min.
Side Yard Dwelling: 8 ft. min. on one side, with total of 18 ft. min. on both sides	Side Yard Dwelling: 8 ft. min. on one side, with total of 18 ft. min. on both sides	Side Yard Dwelling: 5 ft. min. on each one side, with total of 10 ft. min. on both sides
Side Yard for other main building: 20 ft. min.	Side Yard for other main building: 20 ft. min.	Side Yard for other main building: 20 ft. min.

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1. Accessory buildings. The rear and side yard setback for accessory buildings is 1 foot, except where an accessory building rears on side yard of adjacent corner lot the set back in 10 feet in the R-1-10 and R-1-8 Zones, and 5 feet in the R-1-6 Zone.
2. Side setback for private garage. A private garage and other accessory buildings if located at least 6 ft. to rear of main building shall be set back a minimum 1 foot. No private garage to be closer than 10 feet to a dwelling on adjacent lot.
3. Corner lots side yard adjacent to street. Dwelling and accessory building shall be set back 20 feet in the R-1-10 and R-1-8 Zones, and 15 feet in the R-1-6 Zone.
4. Covered patios. The yard setbacks and lot coverage for covered patios in any residential zone is as follows:
  - a. An attached patio shall not be closer than 10 feet to the rear property line and 5 feet to the side property line. The minimum setback for a side yard on a corner lot, for the side on the corner, is 10 feet.
  - b. The roof eaves may extend 1 foot into the setback area.
  - c. The maximum rear area of a lot that may be covered by a roofed structure, including the dwelling, other main building, and all accessory buildings shall not exceed 45%.

**17.12.070 Special Regulations**

Side yard setback requirements, in feet, in the single-family residential zones are as follows:

Residential Zones	R-1-10	R-1-8	R-1-6
Dwelling	8	8	5
<u>Dwelling, combined side yard minimum setbacks</u>	18	18	<del>4</del> <u>10</u>
Other main building	20	20	20
<u>Other main building, side yard minimum setbacks</u>	40	40	40
Private garage and other accessory buildings if located at least 6 feet to rear of main building. No private garage to be located closer than 10 feet to a dwelling on an adjacent lot.	1	1	1
Corner lots side yard adjacent to street dwelling and accessory building	20	20	15

Exception: Average of existing building where 50% of frontage is developed but not less than 15 feet.

**Section 3: Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

**Section 4: Effective date.** This Ordinance shall be effective immediately upon posting or publication after final passage.

ADOPTED AND APPROVED on this \_\_\_\_ day of \_\_\_\_\_, 2016.

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MARK C. ALLEN, Mayor,  
Washington Terrace City

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ATTEST:

\_\_\_\_\_  
AMY RODRIGUEZ, City Recorder

RECORDED this \_\_\_ day of \_\_\_\_\_, 2016.

PUBLISHED OR POSTED this \_\_\_ day of \_\_\_\_\_, 2016.

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of the City of Washington Terrace, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted at 1) \_\_\_\_\_, 2) \_\_\_\_\_, and 3) \_\_\_\_\_ on the above referenced dates.

\_\_\_\_\_ DATE: \_\_\_\_\_  
AMY RODRIGUEZ, City Recorder