

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CITY OF ELK RIDGE 10-12-5 ACCESSORY BUILDING REGULATIONS, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Elk Ridge has adopted the Elk Ridge City Development Code 10-12-5 Accessory Building Regulations.

**WHEREAS**, the Elk Ridge City held a public meeting on \_\_\_\_\_, 2020 at 7:00pm, for the purpose of the proposed amendment to Development Code 10-12-5 Accessory Building Regulations; and

**WHEREAS**, the public meeting was preceded by the posting of a notice of public meeting in at least three (3) public places: city office, city public works building, pole located at 11200 South and North Twilight Way along with notification to the Payson Chronicle Newspaper, a newspaper of general circulation within the city, at least 24 hours prior to the Public Meeting; and

**WHEREAS**, the notice of the meeting, which was posted and published, by the City Council contains specific advance notice that the proposed ordinance amendment, as set forth herein, would be considered and that copies thereof were available for inspection in the city ' offices; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ELK RIDGE CITY, UTAH, AS FOLLOWS: (red text is added text, ~~strikeout-text is deleted text~~)**

**10-12-5: ACCESSORY BUILDING REGULATIONS:**

**B. Prohibited Accessory Building Uses:**

6. **In a residential only zone, w**Where no principal building exists on a lot, an accessory building or roof only building is prohibited.

**E. Accessory Building or Structure Setbacks:** All accessory buildings or structures shall be located in accordance with the following:

**1. Front Setback:**

a. Any accessory building portable or otherwise shall be placed behind the **front setback**. ~~front wall plane of the principal building; the "front wall plane" being defined as the wall plane facing the abutting street.~~

b. Any accessory structure except for waterfalls, fountains, or decorative ponds shall be placed behind **the front setback**. ~~front wall plane of the principal building; the "front wall plane" being defined as the wall plane facing the abutting street.~~

**2. Side Setback; Corner Lot, Side Abutting Street:**

a. Any accessory building portable or otherwise shall be placed behind the **side setback or the side yard street abutting setback if a corner lot** ~~side wall plane of the principal building that is abutting the side street.~~ Line of sight shall be maintained at all intersections in accordance with section 10-12-9 of this chapter.

b. Any accessory structure except for waterfalls, fountains, or decorative ponds shall be placed behind **the side setback or the side yard street abutting setback if a corner lot**. ~~The side wall plane of the principal building that is abutting the side street.~~

**3. Side and Rear Setback; Interior Lot Line:**

a. Any accessory building or an accessory structure may ~~shall~~ be located a minimum of eight feet (8') from the property line and not located on a public utility easement.

Passed and duly adopted this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Ty Ellis, MAYOR

Councilmember Nelson Abbott	Voted _____
Councilmember Tricia Thomas	Voted _____
Councilmember Jared Peterson	Voted _____
Councilmember Jim Chase	Voted _____
Councilmember Cory Thompson	Voted _____

ATTEST:

\_\_\_\_\_  
ROYCE SWENSEN  
Elk Ridge City Recorder

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

I, ROYCE SWENSEN, City Recorder of the City of Elk Ridge, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of

Ordinance # 20-09, passed by the City Council of the City of Elk Ridge, Utah, on the  
\_\_\_\_ day of \_\_\_\_\_, 2020, entitled

**“AN ORDINANCE OF THE ELK RIDGE CITY COUNCIL AMENDING ACCESSORY  
BUILDING REGULATIONS”**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Elk Ridge City Utah this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
ROYCE SWENSEN  
Elk Ridge City Recorder

AFFIDAVIT OF POSTING

STATE OF UTAH                     )  
  ) ss.  
COUNTY OF UTAH                )

I, ROYCE SWENSEN, City Recorder of the City of Elk Ridge, Utah, do hereby certify and declare that I posted in three (3) public places Ordinance #\_\_\_\_\_, which is attached hereto on the \_\_\_\_ day of \_\_\_\_\_, 2020.

The three places are as follows:

1.       The Elk Ridge City Office, 80 E Park Drive
2.       The Elk Ridge Public Works Building, 645 W. Goosenest Drive
3.       The pole located at 11200 South and North Twilight Way

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

\_\_\_\_\_  
ROYCE SWENSEN  
Elk Ridge City Recorder

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2020, by ROYCE SWENSEN.

My Commission Expires:

\_\_\_\_\_  
Notary Public

Residing at:               Utah County