

CHAPTER 17.84
INTRABLOCK DEVELOPMENT

17.84.010: PURPOSE OF CHAPTER:

The city recognizes the importance of development within the intrablocks as a means of eliminating visual blight, maximizing the use of existing utilities, reducing potential fire hazards associated with uncontrolled vegetation, and reducing the potential for urban sprawl. Therefore the purpose of this chapter is to provide, through conditional use process, a means by which the interior area of the ten (10) acre square blocks within the city can be developed in an efficient and orderly manner, when no other reasonable means is available, provided such development does not create undue hardship on the city. (Ord. 03-07 § 1, 2003)

17.84.020: PROVISIONS:

The requirements of this title shall not prevent the development of a single-family dwelling or multiple-family dwellings on an individual intrablock lot, as defined in [chapter 17.04](#) of this title. Whenever possible, intrablocks shall be developed by meeting the requirements of this title and title 16 of this code, the subdivision ordinance, provided the following conditions are satisfied:

- A. That the intrablock lot is allowed as a conditional use in the zone in which the lot is located;
- B. Private access roads will be permitted only in cases where public streets or portions of public streets are not possible or, when they are not financially feasible because of the need to remove a dwelling or other primary structure. When permitted, the private access for one housing unit shall have a minimum right of way width for ingress-egress of twenty feet (20'); the private access for two (2) or three (3) housing units shall have a minimum right of way width of twenty six feet (26'); and the private access for four (4) or more housing units shall have a minimum right of way width of thirty feet (30'). Private access roads shall be constructed with a gravel base, concrete or asphalt surface, and gravel shoulders which shall be three feet (3') in width on each side of the concrete or asphalt surface, and free of any trees or large shrubs. The concrete or asphalt surface on private roads shall be fourteen feet (14') wide for access to one housing unit, twenty feet (20') wide for access to two (2) or three (3) housing units, and twenty four feet (24') wide for access to four (4) or more housing units. The private road shall be located in the center of the right of way;
- C. When the undeveloped intrablock is owned by multiple property owners, each with the potential to develop intrablock lots, placement of the access road shall be such that it can be used by multiple property owners. In such cases, the minimum access right of way shall be based on the number of potential intrablock lots. In the event only one of the multiple intrablock property owners is seeking intrablock development approval, consideration shall be given to the placement and width of the access road to accommodate potential future intrablock lots. In no case shall the developing property owner be required to provide an access road right of way in excess of that required for the lots being developed. However, the city may require the initial developer or developers of the intrablock to grant a right of way to other property owners within the intrablock for their future use. In turn, future developers of the intrablock may be required to grant similar right of ways to previous developers or owners of the intrablock property if additional right of way width is necessary. In doing so, multiple accesses can be minimized in favor of a single jointly used access;
- D. That the private right of way shall not be included in or allowed to be a part of the required front, rear, or side yard space of any proposed housing unit or existing housing unit. Except, private right of ways may encroach up to fifty percent (50%) into the required side yard of any existing housing unit built before March 1970, but in no case shall the concrete or asphalt be closer than five feet (5') to any

dwelling;

E. That the owner or developer will be responsible for the extension of all utilities, roadways, drainage improvements and other improvements necessary and or required for the development of the intrablock property. All construction shall be subject to approval and inspection by Smithfield City;

F. That consideration be given to the placement of proposed dwellings so as to ensure compatibility with surrounding neighborhoods and to guard against unnecessary privacy encroachment of existing homes. If any property owner that is adjacent to an intrablock development feels his/her privacy is being imposed upon, the city may require the construction of a six foot (6') privacy fence between the two (2) properties. The existing property owner and the intrablock developer shall decide the style of fence and shall share equally in the cost of installing the fence. The quality or cost of the fence shall not be required to exceed which is comparable to a six foot (6') solid white vinyl fence;

G. That the minimum width of any intrablock lot shall not be less than the minimum frontage for lots in the zone in which the intrablock lot is located. (Ord. 03-07 § 1, 2003)

17.84.030: SUBDIVISION REQUIREMENTS:

A. For intrablock developments of three (3) lots or less the provisions of the subdivision ordinance shall be satisfied upon obtaining a conditional use permit for the development. In such cases the owner or developer shall provide the following;

1. A "record survey" to be prepared by a land surveyor, licensed in the state of Utah. The record survey shall clearly show the division of the proposed lots and shall include all dimensions, square footages, and metes and bounds descriptions. The record survey shall be prepared in accordance with the standards established by the county surveyor;

2. Completion of a development plan as outlined in section [17.84.040](#) of this chapter.

B. All required subdivision improvements outlined in [chapter 16.20](#) of this code shall be constructed. However, upon recommendation by the planning commission, the city council may waive certain improvements if deemed to be in the best interest of the city and the developer. All requested waivers must be submitted by the owner/developer as part of the application process. (Ord. 03-07 § 1, 2003)

17.84.040: DEVELOPMENT PLAN:

An intrablock development plan shall be prepared by the developer or owner and be approved by the Smithfield City planning and zoning commission and city council. The proposed plan shall provide the following information:

A. The development plan shall be drawn to scale of at least one inch equals fifty feet (1" = 50') and should contain the north arrow point;

B. All property boundaries, easements and rights of way, and owners of parcels or lots in the block where the intrablock development is proposed;

C. All existing streets and the location of the proposed access to the development including any future roadway extensions for further block development;

D. The location and dimensions of all proposed lots, streets and easements;

E. All existing structures adjacent to the development and the tentative location and dimensions of proposed dwellings clearly designating the location and dimension of all required yard spaces;

F. All existing irrigation ditches and drainage ways and the proposed method of disposal of surface drainage;

G. The location of existing and proposed utilities;

H. The location and type of existing and proposed fences;

I. Any other information pertaining to the proposed development as requested by the planning and zoning commission. (Ord. 03-07 § 1, 2003)

17.84.050: PUBLIC HEARING:

A public hearing shall be held by the planning and zoning commission after public notice has been given in the local newspaper or as provided in the Utah Code Annotated. (Ord. 03-07 § 1, 2003)

17.84.060: PERFORMANCE BOND:

A building permit shall not be issued for any dwelling or structure to be placed in the intrablock development unless the owner or developer shall furnish the city a form of security which will ensure the proper and prompt installation of all improvements as required by this chapter. Forms of acceptable security and amounts of said security shall be limited to those which are listed in section [16.22.010](#) of this code. (Ord. 03-07 § 1, 2003)

17.84.070: FEES:

Any and all persons requesting approval on an intrablock development shall first have paid all fees set forth by the most recent prevailing fee schedule adopted by resolution of the Smithfield city council. In the event the original submittal is not approved and a second, third, etc., submittal is required, a fee shall be paid to the city on an hourly basis for the time incurred in checking and approving the submittal. All hourly fees shall be based on the most recent prevailing fee schedule adopted by Smithfield City. (Ord. 03-07 § 1, 2003)