



TOWN OF PORTAGE - LAND USE ORDINANCES

101.0 GENERAL PROVISIONS

101.1 Short Title

This Ordinance shall be known as the Zoning Ordinance of the Town of Portage, Utah and may be so cited and pleaded

101.2 Purpose

This Ordinance is designed and enacted for the purpose of promoting the health, safety, morals and general welfare of present and future inhabitants of Portage, Utah. The zoning regulations of this Ordinance are also intended to conserve and protect property values, to secure the most appropriate use of land, to control the density of population, to prevent undue traffic congestion, to secure economy in governmental expenditures, to secure safety from fire and other hazards, and to implement the goals of the Portage Master Plan.

101.3 Interpretation and Conflicts

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements.

Wherever the requirements of this Ordinance are at variance with any other lawful adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive or that imposing the highest standards shall govern.

101.4 Territory Annexed to the Town

All land hereafter annexed to the Town of Portage shall be classified for zoning purposes as RR, Rural Residential.

101.5 Validity Clause

Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared invalid.

101.6 Effects on Previous Ordinances and Maps

The existing ordinances covering zoning, in their entirety, and including the maps heretofore' adopted and made a part of said ordinances are hereby superseded and amended to read as set forth herein; provided, however, that this Ordinance, including the attached map, shall be deemed a continuation of previous ordinances and not a new enactment, insofar as the substance of revisions of previous ordinances is included in this Ordinance, whether in the same or in different language; and this Ordinance shall be so interpreted upon all questions of construction relating to tenure of officers and boards established by



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previous ordinances and to questions of conforming or nonconforming uses and buildings and structures, and to questions as to the dates upon which such uses, buildings, or structures became conforming or nonconforming.

102.0 DEFINITIONS

102.1 Applicability

The words and terms defined in this Ordinance shall have the meaning indicated. Words used in the present tense include the future and words in the singular number include the plural and words in the plural include the singular. Words not included herein but defined elsewhere in this Ordinance shall be construed as termed therein. The word "shall" is mandatory.

102.2 Terms

1. **Agriculture** - The tilling of the soil, the raising of crops, horticulture and gardening, but not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals or similar uses.
2. **Boarding House** - A house where rooms and meals are provided for pay. Individual rooms in a boarding house shall not contain cooking facilities. No more than 4 paying guests unrelated to the owner or owners of the boarding house shall be accommodated at any one time.
3. **Building** - Any structure built or erected for the support, shelter, or enclosure of persons, animals, chattel or property of any kind.
4. **Building, Accessory** - A detached subordinate building clearly incidental to and located upon the same lot occupied by the main building.
5. **Building, Main** - The principal building or one of the principal buildings upon a lot, or the building or one of the principal buildings housing the principal use of the lot.
6. **Building, Height** - The vertical distance from the grade elevation to the highest point of the coping of a flat roof, or to the deck line of a mansard roof a roof with 2 slopes on each of the 4 sides, or to a point midway between the lowest part of the eaves or cornice the ridge of a pitch or hip roof. Grade elevation shall be the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.
7. **Building, Public** - A building owned and operated, or owned and intended to be operated by a public agency of the United States of America, of the State of Utah, or any of its subdivisions, or of the Town of Portage.
8. **Cluster Development** - A residential development project in which the areas, widths and setbacks of residential lots are reduced below the minimum area, width and setback requirements of the zone in which the development is located. That land which is saved by reducing the