

Chapter 2
SUPPLEMENTARY AND QUALIFYING REGULATIONS

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Section 22-2-1 EFFECT OF CHAPTER. The regulations hereinafter set forth in this Chapter qualify or supplement, as the case may be, the zone regulations appearing elsewhere in this Title.

Section 22-2-2 LOTS IN SEPARATE OWNERSHIP. The requirements of this Title as to minimum lot area or lot width shall not be construed to prevent the use for a single-family dwelling of any lot or parcel of land in the event that such lot or parcel of land is held in separate ownership at the time this Title becomes effective.

Section 22-2-3 YARD SPACE FOR ONE BUILDING ONLY. No required yard or other open space around an existing building, or which is hereafter provided around any building for the purpose of complying with the provisions of this Title shall be considered as providing a yard or open space for any other building: nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established. This section shall be so construed to mean only one, (1), main building may be permitted on one, (1), lot unless otherwise hereinafter provided.

Section 22-2-4 EVERY DWELLING TO BE ON A "LOT". Except for dwellings within a Planned Unit Development, every dwelling shall be located and maintained on a "lot" as defined in this Title.

Section 22-2-5 SEPARATELY OWNED LOTS - REDUCED YARDS. On any lot under a separate ownership from adjacent lots and of record at the time this Title becomes effective, and such lot being a smaller width

than required for the zone in which it is located, the width of each of the side yards for a dwelling may be reduced to a width which is not less than the same percentage of the width of the lot as the required side yard would be of the required lot width, provided that on interior lots the smaller of the two yards shall in no case be less than five, (5), feet, or the larger less than eight, (8), feet; and for corner lots the side yard on the side street shall in no case be less than ten, (10), feet or the other side yard be less than five, (5), feet.

Section 22-2-6 PRIVATE GARAGE WITH SIDE YARD - REDUCED YARDS. On any interior lot where a private garage, containing a sufficient number of parking spaces to meet the requirements of this Title, has a side yard equal to the minimum side yard required for a dwelling in the same zone, the width of the other side yard for the dwelling may be reduced to equal that of the minimum required side yard; and on any lot where such garage has such side yard, the rear yard of the dwelling may be reduced to fifteen, (15), feet, provided the garage also has a rear yard of at least fifteen, (15), feet.

Section 22-2-7 SALE OR LEASE OF REQUIRED SPACE. No space needed to meet the width, yard, area, coverage, parking, or other requirements of this Title for lot or building may be sold or leased away from such lot or building.

Section 22-2-8 SALE OF LOTS BELOW MINIMUM SPACE REQUIREMENTS. No parcel of land which has less than the minimum width and area requirements for the zone in which it is located may be cut off from a larger parcel of land for the purpose, whether immediate or future, of building or development as a lot, except by permit of the Land Use Appeal Authority.

Section 22-2-9 YARDS TO BE UNOBSTRUCTED - EXCEPTIONS. Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in the rear yard, the ordinary projections of skylights, sills, belt courses, cornices, chimneys, flues, and other ornamental features which project into a yard not more than three, (3), feet, and open or lattice enclosed fire escapes, fireproof outside stairways, and balconies upon fire towers projecting into a yard not more than five, (5), feet.

Section 22-2-10 AREA OF ACCESSORY BUILDINGS. No accessory building or group of accessory buildings in any residential zone shall cover more than twenty five, (25), percent of the rear yard.

Section 22-2-11 ADDITIONAL HEIGHT ALLOWED. Public and semi-public utility buildings, when authorized in a zone, may be erected to a height not exceeding seventy-five, (75), feet if the building is setback from each otherwise established building line at least one, (1), foot for each additional foot of the building height above the normal height limit required for the zone in which the building is erected.

Section 22-2-12 EXCEPTION TO HEIGHT LIMITATIONS. Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, water tanks, wireless or television masts, or similar structures may be erected above the height limits herein prescribed, but no space above the height limit shall be allowed for the purpose of providing additional floor space.

Section 22-2-13 MINIMUM HEIGHT OF MAIN BUILDING. No building shall be erected to a height less than one, (1), story above grade.

Section 22-2-14 MAXIMUM HEIGHT OF ACCESSORY BUILDINGS. No accessory building in any residential zone shall be erected to a height greater than one, (1), story or twenty, (20), feet.

Section 22-2-15 CLEAR VIEW OF INTERSECTING STREETS. In all zones, no obstruction in excess of two, (2), feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty, (40), feet from the intersection of the street lines.

Section 22-2-16 ANIMALS AND FOWL. Except for permitted and licensed household pets, no animals or fowl may be kept or maintained.

Section 22-2-17 WATER AND SEWAGE REQUIREMENTS. In all cases where a proposed building or proposed use will involve the use of sewage facilities, and sewer as defined in the Town of Alta Sewer Ordinance is not available, and all cases where a proposed supply of piped water under pressure is not available, the sewage disposal and the domestic water supply shall comply with the requirements of the Salt Lake City/County Health Department and the application for a building permit shall be accompanied by a certificate of approval from said Health Department.

Section 22-2-18 EFFECT OF OFFICIAL MAP. Wherever a front yard is required for a lot facing on a street for which an official map has been recorded in the office of the Salt Lake County Recorder, the depth of such front yard shall be measured from the mapped street line provided on the official map.

Section 22-2-19 LOT AND BUILDINGS ON PRIVATE RIGHTS-OF-WAY (SPECIAL PROVISIONS). Except where the requirements of this Section are reduced by permit of the Land Use Appeal Authority, the minimum area for any lot fronting on a private right-of-way shall be one-half, (1/2), acre and the minimum distance from the center of the right-of-way to the front line of the building shall be fifty, (50), feet.

Section 22-2-20 ADMINISTRATIVE DETERMINATION OF USES NOT LISTED. Determination as to the classification of uses not specifically listed within this Title shall be made by the Planning Commission and shall be subject to appeal to the Land Use Appeal Authority. Such appeal shall be filed in writing within ten, (10), days after written notification to the applicant of the Planning Commission's determination. The procedure shall be as follows:

1. **WRITTEN REQUEST.** A written request for such determination shall be filed with the Planning Commission at the Town Office. The request shall include a detailed description of the proposed use and such other information as may be required.
2. **INVESTIGATION.** The Planning Commission shall thereupon make such investigations as are deemed necessary to compare the nature and characteristics of the proposed use with those of uses specifically listed in this Title, and to make a determination of its classification.

3. DETERMINATION. The determination of the Planning Commission shall be rendered in writing within a reasonable time, but not to exceed thirty, (30), days, except with the written consent of the applicant. The determination will state the zone classification in which the proposed use will be permitted as well as the findings which establish that such use is of the same character as uses permitted in that zone classification. Upon making a decision, the Planning Commission shall forthwith notify the applicant and the Town Council.

4. EFFECT. The determination and all information pertaining thereto shall become a permanent public record in the Town Office. Such use shall thereafter become a permitted or conditional use in the class of district specified in the determination, and shall have the same status as a permitted or conditional use specifically named in the regulations for the zone classification.

Section 22-2-21 CERTIFICATE OF OCCUPANCY. Land, buildings, and premises in any zone hereafter shall be used only for the purpose listed herein as permitted in that zone and in accordance with the regulations herein established for that zone. The Certificate of Occupancy shall be issued by the Town Building Official to the effect that the use and/or building or premises conforms to the provisions of this and related ordinances prior to the occupancy of any building hereafter erected, enlarged, or structurally altered or where any vacant land is hereafter proposed to be occupied or used. Such a Certificate shall also be issued whenever the character or use of any building or land is proposed to be changed from one use to another use. Upon written request from the owner, such Certificate shall also be issued covering any lawful use of a building or premises existing on the effective date of this amendment, including nonconforming buildings and uses.

22-2-22 TECHNICAL REVIEW COMMITTEE. The Technical Review Committee shall be headed by the Town Building Official and shall include a representative of the Town Marshal's staff and a representative of the Town Fire Department. At his discretion, the Building Official may request that other persons from various specific technical disciplines and/or agencies be added to the committee on an ad hoc basis. Except for projects involving interior remodeling only, this committee shall review the technical aspects of all proposed projects for which an application for building permit has been received. A written report of the review and the committee's recommendations shall be returned to the applicant within a reasonable time, but in no case later than forty-five, (45), days from the date of application for building permit. No building permit for any project requiring review may be issued by the Building Official without the review and approval of the Committee.

22-2-23 AVALANCHE HAZARD REVIEW. Prior to the Building Official issuing a building permit for the construction of a dwelling unit, building, or other structure to be occupied by one or more persons other than a detached single family residence, the applicant must provide the following to the Building Official for review by the Technical Review Committee:

1. A written report prepared and signed by a recognized

avalanche expert analyzing the potential avalanche hazards and the potential physical forces created thereby upon the proposed improvements or structure, and;

2. A structural analysis of the proposed building prepared and signed by a Utah licensed engineer reflecting an engineering analysis and design that takes into account the potential force from an avalanche as set forth in the avalanche report referred to above.