

Chapter 17-36
SUPPLEMENTARY AND QUALIFYING REGULATIONS

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17-36-010 EFFECT OF CHAPTER.

The regulations set forth in this chapter qualify or supplement, as the case may be, the zone regulations appearing elsewhere in this title. (Ord. dated 5/14/82 §12-301)

17-36-020 SUBSTANDARD LOTS.

Any lot legally held in separate ownership at the time of passage of the ordinance codified in this title which lot is below the requirements for lot area or lot width for the district in which it is located, may be used for a single-family dwelling if such lot is located in a district which permits single-family dwellings. (Ord. dated 5/14/82 §12-302)

17-36-030 LOT STANDARDS.

Except for cluster subdivisions and condominiums, and as otherwise provided in this title, every lot, existing or intended to be created, shall have such area, width and depth as is required by this title for the district in which such lot is located and shall have frontage upon a dedicated or publicly approved street or upon a private street or right-of-way approved by the planning commission, before a building permit may be issued. (Ord. dated 5/14/82 §12-303)

17-36-040 LOTS BELOW MINIMUM SPACE REQUIREMENTS PROHIBITED.

No parcel of land which has less than the minimum width and area requirements for the district 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 single lot. (Ord. dated 5/14/82 §12-306)

17-36-050 REQUIRED SPACE--SALE OR LEASE PROHIBITED.

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. (Ord. dated 5/14/82 §12-305)

17-36-060 LOTS AND DWELLINGS ON PRIVATE STREETS--SPECIAL PROVISIONS.

Notwithstanding the requirements found in this municipal code relative to lot standards, the planning commission may consider the approval of flag lots to be developed upon the conditions set forth in this section. After determination by the planning commission that standard lots are not feasible in a given circumstance, the commission may, in order to encourage the more efficient use of land, allow flag lots to be developed either as a part of or separate from a platted subdivision, subject to the following conditions:

- A. Flag lots shall be permitted only by conditional use permit under the policies and procedures enacted for obtaining such permits.
- B. The planning commission must first find that the affected property cannot be used, by subdividing or otherwise, with public streets and standard-shaped lots, either at the present time or in the reasonably foreseeable future.
- C. Property may be approved for flag lot use only in the R-1 single-family residential district, and in the R-A residential agriculture district and not otherwise. All lot size and setback requirements of the R-1 single-family residential district or the R-A residential agriculture district, as applicable, shall apply to the flag lot and the staff portion of the flag lots shall not be counted in calculating the size of the flag lot.
- D. The staff portion of the proposed flag lot shall front on a dedicated and improved street. The staff portion of the flag lot shall be owned by the owner of the flag lot. Agreements for rights of way to access flag lots, whether the same are written or otherwise, will not be acknowledged or permitted by the City.
- E. The minimum width for the staff portion of the flag lot shall be twenty-five (25) feet. The staff portion of the flag lot shall serve as a corridor for public utilities unless a more feasible corridor or access exists. The property owner of the flag lot shall be responsible for installing and maintaining all utility lines and other apparatus. The City metering and maintenance responsibilities shall end at the public street on which the staff portion of the flag lots abuts.
- F. Only one flag lot may be served by any one staff portion of the flag lot.
- G. No building or construction, except for driveway, shall be allowed on the staff portion of the flag lot.
- H. The front of the flag lot shall be deemed to be the side nearest the dedicated public street upon which the staff portion fronts.
- I. The staff portion of the flag lot shall be kept clean and unobstructed at all times by the property owner in order to permit clear passage for emergency response vehicles and City service personnel.
- J. No structure on the adjacent lots located in front of the flag lot shall be closer to the staff portion of the flag lot than eight feet.
- K. The owners of any lots located in front of a proposed flag lot shall be notified by the City if the date and time at which the flag lot request shall be considered by the planning commission. (Ord. 97-04-02 §2: Ord. dated 5/14/82 §12-316)

17-36-070 YARD SPACE--ONE BUILDING.

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. (Ord. dated 5/14/82 §12-304)

17-36-080 YARDS TO BE UNOBSTRUCTED--EXCEPTIONS.

Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in a rear yard, the ordinary projections of skylights, sills, belt courses, cornices, chimneys, flues and other ornamental features

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which project into a yard not more than two and one-half feet, and open or lattice-enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers projecting into a yard not more than five feet. Any apparatus required for the operation of active and passive solar energy systems, including but not limited to overhangs, movable insulating walls and roofs, detached solar collectors, reflectors and piping, may project or locate into the required front, side or rear yard area. A permit from the building administrator is required for installation of solar energy equipment. (Ord. dated 5/14/82 §12-307)

17-36-090 OFFICIAL MAP--EFFECT.

Wherever a front yard is required for a lot facing on a street for which an official map has been recorded, the depth of such front yard shall be measured from the mapped street line provided by the official map. (Ord. dated 5/14/82 §12-315)

17-36-100 HEIGHT LIMITATIONS--EXCEPTIONS.

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, smokestacks, water tanks, wireless or television masts, silos, solar collectors and equipment may be erected above the height limits herein prescribed, but no space above the height limit shall be allowed for purposes of providing additional floor space. (Ord. dated 5/14/82 §12-308)

17-36-110 HEIGHT LIMITATIONS--MAIN BUILDINGS.

No dwelling shall be erected to a height less than one story above grade, except earth-built homes would be allowed under a conditional use permit, if they met the UBC and are allowed in the zone in which they are intended. (Ord. dated 5/14/82 §12-309)

17-36-120 HEIGHT LIMITATIONS--ACCESSORY BUILDINGS.

No building which is accessory to a one-family or two-family dwelling shall be erected to a height greater than fifteen (15) feet unless adequate setbacks or other conditions exist which would not impede available solar sky space from adjoining properties. (Ord. dated 5/14/82 §12-310)

17-36-130 HEIGHT LIMITATIONS--FENCES, WALLS, AND HEDGES.

Fences, walls, and hedges may be erected or allowed to the permitted building height when located within the buildable area; provided, that any physical structure outside buildable area which is over six (6) feet in height shall require a building permit. (Ord. dated 5/14/82 §12-312)

17-36-140 OBSTRUCTION TO VIEW--PROHIBITED WHEN.

In all districts which require a front yard, no obstruction to view in excess of three (3) 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, except a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers; and pedestal-type identification signs and pumps at gasoline service stations. (Ord. dated 5/14/82 §12-311)

17-36-150 WATER AND SEWERAGE.

In all cases where a proposed building or proposed use will involve the use of sewerage facilities, and a connection to a public sewer system as defined by the Utah State Division of Environmental Health is not available, and in all cases where a connection to public water system approved by the Utah State Division of Environmental Health is not available, the sewage disposal and the domestic water supply shall comply with the

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requirements of such Division and of the local board of health. The application for a building permit shall be accompanied by a certificate of approval from the board or Division. (Ord. dated 5/14/82 §12-313)

17-36-160 CURBS, GUTTERS, AND SIDEWALKS.

The installation of curb, gutter, and sidewalks of a type approved by the governing body may be required on any existing or proposed street adjoining a lot on which a building is to be constructed or remodeled, or on which a new use is to be established. Such curbs, gutters, and sidewalks may be required as a condition of building or use permit approval. (Ord. dated 5/14/82 §12-314)