

AN ORDINANCE TO REGULATE AND RESTRICT THE LOCATION OF TRADES AND INDUSTRIES, AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIED USES; TO REGULATE AND LIMIT THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, PERCENTAGE OF LOT THAT MAY BE OCCUPIED, SIZE OF YARDS AND OPEN SPACES, THE LOCATION AND USE OF BUILDINGS AND STRUCTURES AND LAND FOR TRADE, INDUSTRIES, RESIDENCES AND OTHER PURPOSES.

Be it ordained by the Board of Trustees of the Town of South Salt Lake, Utah:

SECTION 1. This ordinance is hereby declared to be enacted for the purpose of promoting the health, safety, morals, general welfare, preservation and promotion of the convenience, good order, prosperity, happiness and best interests of the inhabitants of the Town of South Salt Lake, Utah, and to encourage, facilitate and direct the orderly growth, development and expansion of said town.

SECTION 2. Definitions. For the purpose of this ordinance certain terms and words are herewith defined as follows:

Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number. Any words not defined herein shall be construed as defined in the building code if defined therein.

1. "Accessory use or building." A subordinate use or building customarily incident to and located upon the same lot occupied by the main use or building.

2. "Alley." A street or thoroughfare less than twenty-six (26) feet wide.

3. "Established Grade." (1) for buildings adjoining one street only, the elevation of the sidewalk at the center of that wall adjoining the street. (2) For buildings adjoining more than one street, the average of the elevations of the sidewalk at the centers of all walls adjoining street. (3) For buildings having no wall adjoining the street, the average level of the ground (finished surface) adjacent to the exterior walls of the building. All walls approximately parallel to and not more than five (5) feet from a street line are to be considered as adjoining a street.

4. "Front Yard." For an interior lot, an open unoccupied space on the same lot with a building between the front line of the building (exclusive of steps) and the front lot or street line and extending across the full width of the lot. For a corner lot, an open unoccupied space on the same lot with a building between the front line of the building (exclusive of steps) and the front lot line or street line also between the side line of the building (exclusive of steps) adjacent to the street, and the side lot line or street line and extending for the full width and depth of the lot.

5. "Height of Building." The vertical distance from the "grade" to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

6. "Lot." Land occupied or to be occupied by a building and its accessory buildings, including such open spaces as are required under this ordinance, and having frontage upon a street or alley.

7. "Public Building." A building owned or leased by a governmental unit and used for recreational, ed-

ucational and/or administrative or protectional purposes.

8. "Public Garage." Any building or premises used for the storage or housing of more than five (5) steam or motor driven vehicles, or where such vehicles are repaired or kept for hire or sale.

9. "Rear Yard." An open unoccupied space, except as hereinafter provided, on the same lot with a building between the rear line of the building (exclusive of steps) and the rear lot line and extending for the full width of the lot for an interior lot and extending from the side lot line to the front yard line for a corner lot.

10. "Side Yard." An open unoccupied space on the same lot with a building between the side line of the building (exclusive of steps) and the side line of the lot and extending from the front yard line to the rear yard line.

11. "Corner Lot." A lot fronting on two or more intersecting streets, both of which are at least twenty-six (26) feet wide.

SECTION 3. In order to designate districts and regulate the location of dwellings, businesses, trades, industries, and the location of buildings erected or altered for specified uses, the Town of South Salt Lake is hereby divided into five (5) use districts to be known as:

Residential "A" District
Residential "B" District
Business District
Commercial District
Industrial District

The boundaries of said districts are hereby established as follows:

Residential "A" District

That portion of the Town of South Salt Lake described as follows: Commencing at a point on the Town limits on the West Side of 5th East Street, 150 feet South of the North East corner of Block 42, Ten Acre Plat "A", Big Field Survey, and running thence Southerly, following the Town limits, to a point 150 feet North of 27th South Street, thence West 150 feet, thence South 366 feet to a point 150 feet south of 27th South Street, thence East 150 feet to the Town limits, thence South along the Town limits to the Southeast corner of the Town of South Salt Lake, thence westerly along said Town limits to a point 125 feet West of 3rd East Street, thence North along a line 125 feet West of 3rd East Street to a point 150 feet South of the North line of Block 41, Ten Acre Plat "A", Big Field Survey, thence East along a line 150 feet South of the North line of Blocks 41, and 42, said Ten Acre Plat "A" to the place of beginning.

Residential "B" District

The portions of the Town of South Salt Lake described as follows: Commencing at a point 125 feet West and 150 feet South of the North East corner of Block 41, Ten Acre Plat "A" Big Field Survey and running thence South along a line 125 feet West of 3rd East Street to the South Town limits, thence Westerly along the South Town limits, to a point 750 feet West of 3rd East Street, thence North to a point 100 feet South of Garden Avenue, (2930 South Street,) thence West to a point 125 East of State St., thence North along a line 125 feet East of State Street to a point 150 feet South of the North line of Block 41, said Ten Acre Plat "A," thence East along a line 150 feet South of the North line of said Block 41 to the place of beginning; also, commencing 125 feet South of the North Line of Block 40, Ten Acre Plat "A," Big Field Survey, and 125 feet West of the West line of State Street and running thence West to a point 165 feet West of West Temple Street, thence South

along a line 165 feet West of West Temple Street to Wasatch Avenue (2170) South Street,) thence East along said Wasatch Avenue to a point 125 feet East of State Street, thence North to the place of beginning, excepting therefrom both sides of Main Street, to a depth of 100 feet back therefrom from 125 feet South of 21st South Street to Wasatch Avenue also, commencing at a point 135 feet East of the East line of West Temple Street and 200 feet North of the North line of Truman Avenue (2330 South Street), and running thence South 200 feet to Truman Avenue thence East along Truman Avenue to a point 125 feet West of Main Street thence South to 27th South, thence East on 27th South to Main Street, thence South to Shelley Avenue, (2750 South Street) thence West to a point 125 feet West of Main Street, thence South on a line 125 feet West of Main Street to a point 500 feet North of the South Town limits, thence West to a point 165 feet West of West Temple Street, thence North along a line 165 feet West of West Temple Street to a point due West of the place of beginning, thence East to the place of beginning; also, commencing at Haven Avenue (2290) South Street) and 125 feet West of the West line of State Street and running thence south along a line 125 feet West of the West line of State Street to a point 50 feet South of the South line of Burton Avenue (2360 South St.), thence East to State Street, thence South to Taylor Avenue (2400 South Street), thence West to a point 125 feet West of the West line of State Street, thence South along a line 125 feet West of the West line of State Street to a point 110 feet South of the South line of Cordella Avenue, (2890 South Street), thence West to a point 125 feet East of the East line of Main Street, thence North along a line 125 feet East of the East line of Main Street to Haven Avenue (2290 South Street), thence East along Haven Avenue (2290) South Street), to the place of beginning.

Business District

That portion of the Town of South Salt Lake described as follows: Commencing at a point on the Town limits on the West Side of 5th East Street, 150 feet South of the North East Corner of Block 42, Ten Acre Plat "A" Big Field Survey and running thence West on a line 150 feet South of the North line of Blocks 41 and 42, said Ten Acre Plat "A," to a point 125 feet East of State Street, thence South along a line 125 feet East of State Street to a point 100 feet South of Garden Avenue, (2930 South Street), thence East to a point 750 feet West of 3rd East Street, thence South to the Town limits, thence West following the South Town limits to a point 125 feet West of Main Street, thence North along a line 125 feet West of Main Street to a point 100 feet North of the North line of Shelley Avenue (2750 South Street), thence East to Main Street, thence North to 27th South Street, thence West to a point 125 feet West of the West line of Main Street, thence North along a line 125 feet West of the West line of Main Street to Truman Avenue (2330 South Street), thence East along Truman Avenue to a point 125 feet East of Main Street, thence South along a line 125 feet East of the East line of Main Street to a point 110 feet South of the South line of Cordella Avenue (2890 South Street), thence East to a point 125 feet West of the West line of State Street thence North along a line 125 feet West of the West line of State Street to Taylor Avenue (2400 South Street), thence East to State Street, thence North to a point 50 feet South of Burton

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Avenue (2360 South Street), thence West to a point 125 feet West of State Street, thence North along a line 125 feet West of State Street to a point 125 feet South of 21st South Street, thence West along a line 125 feet South of 21st South Street, to a point 100 feet East of Main Street, thence South to Wasatch Avenue (2170 South Street), thence West to a point 100 feet West of Main Street, thence North to a point 125 feet South of 21st South Street, thence West to a point 165 feet West of West Temple Street, thence North to the Town limits on 21st South Street, thence East along the Town limits to 5th East Street, thence South to the place of beginning.

Commercial District

That portion of the Town of South Salt Lake described as follows: Commencing at a point on the South line of Wasatch Avenue (2170 South Street), 125 feet West of State Street and running thence South to Haven Avenue (2290 South Street), thence West to a point 125 feet East of Main Street, thence South to Truman Avenue (2330 South Street), thence West to a point 135 feet East of West Temple Street, thence North to a point 200 feet North of the North line of said Truman Avenue, thence West to a point 165 feet West of West Temple Street, thence North along a line 165 feet West of West Temple Street to the South line of Wasatch Avenue (2170 South Street) thence East along said Wasatch Avenue to the place of beginning.

Industrial District

That portion of the Town of South Salt Lake described as follows: Commencing at the South West corner of Town limits on Mill Creek and running thence East along the Town limits to a point 125 feet West of Main Street, thence North 500 feet, thence West to a point 165 feet West of West Temple Street, thence North along a line 165 feet West of West Temple Street to the Town limits at 21st South Street, thence West along said limits to the North West corner of South Salt Lake, thence South following the Town limits to the place of beginning.

SECTION 4, RESIDENTIAL "A" DISTRICT.

(a) In Residential "A" district no building or premises shall be used, and no building shall be erected which is arranged, intended or designed to be used for other than one of the following uses:

1. One-family dwellings.
2. Two-family dwellings.
3. Schools.
4. Churches.
5. Libraries and museums.
6. Farming and truck gardening, nurseries and non-commercial green houses, provided that greenhouses shall be set back at least sixty (60) feet from the front lot line.

7. Uses that are ordinarily appurtenant to any of the uses listed above, but which do not involve the conduct of business.

8. The office of a physician, musician or other professional person, when located in his or her dwelling; also customary incidental home occupations engaged in by individuals within their dwellings.

9. Renting of rooms for lodging purposes only, or the furnishing of table board for not to exceed six (6) persons in a one-family dwelling.

10. A private garage when located not less than sixty (60) feet from the front lot line, thirty (30) feet for a corner lot on the side street.

(b) In a residential "A" district no advertisement, window display, or other sign describing or indicating any profession, occupation, or

business shall be placed on any premises so as to be visible from the street, except:

1. A name plate not exceeding one and one-half (1½) square feet in area, stating only the name and occupation of the person;

2. A signboard not exceeding eight (8) square feet in area, appertaining to the lease or sale of the property; also a bulletin board erected upon the premises of a church or other institution for the purpose of displaying the name and activities or services therein provided, when set back within two (2) feet of the building line.

SECTION 5, RESIDENTIAL "B" DISTRICT.

(a) In Residential "B" districts no building or premises shall be used, and no building shall be erected which is arranged, intended or designed for other than one of the following uses:

1. Any use permitted in a Residential "A" district.

2. All dwellings, flats, apartments and boarding or lodging houses; provided that parking space is available on the same parcel of land with an apartment house to accommodate at least one automobile for each apartment unit constructed.

(b) Accessory uses shall be as specified under a Residential "A" district. In addition thereto, public garages may be maintained for storage purposes only, where no repair facilities are provided, when located not less than sixty (60) feet from the front lot line and not less than thirty (30) feet from any other street line on which the property faces; provided that there shall be no entrance or exit for motor vehicles within one hundred fifty (150) feet of an entrance or exit of a public school, church, playground or other public or semi-public institution.

SECTION 6, BUSINESS DISTRICT

In a business district, no building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used for other than one of the following uses:

1. Any use permitted in a Residential "A" or "B" district.

2. Advertising structures.
3. Banks and office buildings.
4. Bakeries.
5. Bus depots.
6. Gasoline service stations and public garages.
7. Implements and vehicles (sales and service).
8. Laundries and dry cleaning establishments.
9. Mortuaries.
10. Printing plants.
11. Restaurants and lunch rooms.
12. Shops and stores for retail business.
13. Theaters and commercial amusement halls, including bowling alleys and billiard parlors.
14. Tourist auto camp grounds or trailer parks.

In a business district no public garage, drive-in lunch or refreshment stands, commercial amusement halls, bowling alleys, bus depots, tourist auto camp grounds, trailer parks, or mortuaries shall be permitted within 100 feet of any dwelling or apartment house or church or school and no business building or structure shall be erected until the plans for such building or structure shall have been submitted to and approved by the Town Board.

No drive-in refreshment stand and no beer parlor or place where beer is served on the premises, shall be permitted with 60 feet of any school, public playground, church or seminary.

SECTION 7, COMMERCIAL DISTRICT.

(a) All buildings and premises may be used for any purpose permitted in Residential "A" and "B" and Business districts and also for any of the following uses or trades:

1. Auto-wrecking yards (providing same is enclosed by a painted tight board fence at least six (6) feet high).
2. Bottling plants.
3. Coal and fuel yards.
4. Contractor's plant or storage yard.
5. Feed, cereal or flour mill.
6. Lumber yards and wood working plants.
7. Machine shops.
8. Mattress factories.
9. Oxygen plants.
10. Railroad shops.
11. Sheet metal shop or boiler works.
12. Storage warehouses.
13. Wholesale milk distributing station or creamery.
14. Wholesale storage of petroleum products.

SECTION 8, INDUSTRIAL DISTRICT.

In the Industrial District all buildings and premises may be used for any lawful purpose except those which by ordinance are excluded from within the town limits, provided that any trade, industry or use that is noxious or offensive by reason of the emission of odor, smoke, gas, vibration, or noise is hereby prohibited.

SECTION 9, FRONT YARDS.

In all Residential "A" and Residential "B" districts no part of any building (exclusive of steps) shall be erected nearer to the property line on which it faces than 25 feet unless the adjacent structures already erected are nearer to the front property line than 25 feet, in which case the average alignment of such structures shall govern. One street frontage only of a corner lot shall be exempt from these provisions, except that in such event the building on that side shall be set back not less than ten (10) feet. Where a residential district and a business or commercial district adjoin each other within the same block, the front and side yard regulations shall apply to the business or commercial district as well as to the residential district on the residential street.

SECTION 10, SIDE YARDS. In all Residential "A" districts, for every building erected there shall be a side yard along each lot line. The least dimension of any such side yard shall be eight (8) feet and the total width of the two side yards for any one lot shall be not less than twenty (20) feet.

In all Residential "B" districts, for every building erected there shall be a side yard along each lot line. The least dimension of such side yard shall be five (5) feet, and the total width of the two side yards for any one lot shall be not less than fifteen (15) feet.

In a Business or Commercial district, side yards, other than those provided for in the Building Code, are not required except that whenever the boundary line of a Business or Commercial district forms a common boundary line with a Residential district, then a side yard of a width equal to that required for side yards in the adjoining Residential district shall be required on that side adjacent to the common boundary.

SECTION 11, REAR YARDS. In all Residential "A" and Residential "B" districts there shall be a rear yard not less than twenty-five (25) feet, provided, however, that not more than 40 per cent of the area of the rear yard may be occupied

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by a one-story accessory building not over fifteen (15) feet in height. Where the garage is located within or made part of the main building and no accessory building is erected in the rear yard, then the depth of such rear yard may be reduced not more than 40 per cent.

In all Business Districts, there shall be a rear yard of at least ten (10) feet and for all apartment houses (including Auto Courts or Motels) parking space shall be provided as outlined in item 2, Section 5, of this ordinance.

SECTION 12. SIDE AND REAR YARD EXCEPTIONS.

(a) The area of a side or rear yard shall be open and unobstructed, except for the ordinary projections of window sills, belt courses, cornices and other ornamental features to the extent of not more than four (4) inches, except that where the building is not more than two (2) stories in height the cornice or eaves may project not more than two (2) feet into such yard and a bay window or chimney breast not over ten (10) feet long may extend into the side yard not more than two (2) feet, provided such extension maintains the minimum side yard requirements.

(b) An open fire escape may project not more than four (4) feet into a side or rear yard.

(c) Where a rear yard or a side yard in a residential district abuts on an alley or permanent open way, the yard shall be deemed to extend to the center of such alley or way.

(d) On a rear yard for a corner lot an accessory building may be built nearer to the front line than thirty (30) feet provided such building be not over twenty (20) feet long and be located as near to the side line, farthest from the street, as the width of the lot will permit.

SECTION 13. NON-CONFORMING USE.

Any actual use of buildings or premises at the time of the passage of this ordinance may be continued, although such use does not conform to the provisions hereof. In the case of a building such use may be extended throughout the building, provided that no structural alterations are made therein, except those required by law or ordinance. Providing no structural alterations are made, a non-conforming use may be changed to any use permitted in a district where such non-conforming use would be permitted. Any non-conforming use changed to a more restricted use or to a conforming use shall not thereafter be changed back to a less restricted use.

No non-conforming building which has been damaged by fire, explosion, act of God or act of the public enemy to the extent of more than sixty (60) per cent of its assessed value, shall be restored except in conformity with the regulations of this ordinance.

Any non-conforming use building existing in any residential district at the time of the passage of this ordinance, may be reconstructed or replaced to conform with all front, side, and rear yards of a Residential district, provided that the use is not changed to a less restricted use.

SECTION 14. HEIGHT REGULATIONS—GENERAL.

(a) No dwelling or apartment house or hotel, unless of fireproof construction, shall be erected to a height of more than two (2) stories. No dwelling shall be erected to a height less than twelve (12) feet or one (1) story.

(b) Residential "A" and Residential "B" districts. In a Residential "A" or a Residential "B" district,

no dwelling shall be erected to a height in excess of thirty-five (35) feet and no building shall be erected to a height in excess of forty-five (45) feet.

In a Business or Commercial district no building shall be erected to a height in excess of forty (40) feet, and no public garage building shall be erected to a height in excess of one story.

(c) Industrial Districts. In an Industrial district, no building other than a grain elevator, or a gas holder shall be erected to a height in excess of forty-five (45) feet.

(d) Exceptions. General. The following exceptions apply to the foregoing height regulations.

(1) The provisions of this section shall not apply to restrict the height of a church spire, tower or belfry, or a flagpole, wireless tower, monument, chimney, or a water tank.

(2) Nothing in these regulations shall apply to prevent the erection above the height limit of a parapet wall or cornice for ornament and without windows, extending above such height limit not more than five (5) feet.

SECTION 15. PLATS. All application for building permits shall be accompanied by a plat in duplicate drawn to scale showing the actual dimensions of the lot to be built upon, the size and location of the existing buildings and buildings to be erected, and such other information as may be necessary to provide for the enforcement of this ordinance. A careful record of such application and plats shall be kept in the office of the Building Inspector. No yard or other open spaces provided about any building for the purpose of complying with the provisions of these regulations shall be used as a yard or open space for another building.

SECTION 16. INTERPRETATIONS AND APPLICATIONS.

In interpreting and applying the provisions of this ordinance they shall be held to be the minimum requirement for the promotion of the public health, safety, order, convenience, prosperity and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any easement, covenants or other agreements between parties; provided however, that where this ordinance imposes a greater restriction upon the use of building or premises or upon height of building or requires larger open spaces than are imposed or required by other laws, ordinances or restrictions, the provisions of this ordinance shall control. Where a district boundary line is located approximately on a lot line or a line dividing two parcels of land it shall be deemed to be located along said lot line or dividing line.

SECTION 17.

The Board of Trustees may hereafter appoint a board of adjustment, consisting of five members, each to be appointed for a term of three years, removable for cause by the Board of Trustees upon written charges after public hearing. Vacancies may be filled for the unexpired term of any member whose term becomes vacant. Until such board is appointed, the Board of Trustees shall constitute the Board of Adjustment, and in such case, the President of the Board of Trustees shall act as the chairman of said Board of Adjustment.

SECTION 18.

The powers by this article given shall not be exercised so as to deprive the owner of any property of its use for the purpose to which it is lawfully devoted at the time this ordinance goes into effect. There is exempted from the operation of this ordinance any

building or structure as to which satisfactory proof shall be presented to board of adjustment that the present or proposed situation of such building or structure is reasonably necessary for the convenience or welfare of the public.

SECTION 19.

The Town Marshal shall enforce the provisions of this ordinance. An appeal from any decision of the town marshal may be taken to the board of adjustment within five days of the decision by filing such appeal with the town clerk. Such appeal shall stay all proceedings in furtherance of the action appealed from, unless the town marshal certifies to the Board of Adjustment that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property. Such stay shall operate until action thereon is taken by the said board.

SECTION 20. VIOLATION AND PENALTY.

Any person convicted of violating or refusing to comply with any of the provisions of this ordinance shall be punished by fine in any sum not exceeding Ninety-nine (\$99) dollars, or by imprisonment in jail for a period of not longer than three (3) months, or by both such fine and imprisonment. The court may, in imposing the fine, enter as part of the judgment that, in default of the payment of the fine, the violator may be imprisoned in jail for a period of not exceeding three (3) months. Each day a violation is permitted to exist shall constitute a separate offense.

SECTION 21. Any structure built or used in violation of this ordinance shall be deemed a public nuisance, and the Board of Trustees may maintain appropriate action for its abatement.

SECTION 22. VALIDITY. Should any section, clauses or provisions 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 to be invalid.

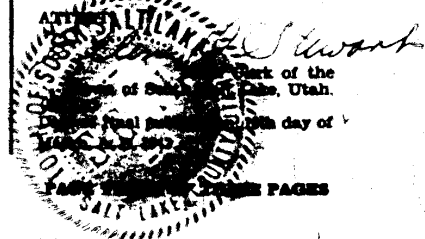
SECTION 23. In the opinion of the Board of Trustees it is necessary to the health, peace and safety of the inhabitants of the Town of South Salt Lake, that this ordinance take effect immediately.

SECTION 24. There shall be held a public hearing in relation to this ordinance, in the offices of the Board of Trustees of the Town of South Salt Lake, on Saturday the 13th day of March, 1943, at 4 p.m., at which time and place parties in interest and citizens shall have an opportunity to be heard. This ordinance shall take effect on the day following the hearing. Any modification of this ordinance resulting from the hearing shall be published and shall take effect thereafter when specified.

Passed by the Board of Trustees of the Town of South Salt Lake, Utah, on the twenty-fourth day of February, 1943.

The public hearing as required in Section 24 of this ordinance was duly held as therein set forth and this ordinance is now in full effect.

President, Board of Trustees of the Town of South Salt Lake, Utah.



South Salt Lake Municipal Corp.

Ordinance Number 15

Zoning the Town of South Salt Lake
and Regulating Building Therein.

Ref:

648-198-35	832-121-33	23-240-16	34-69-44
638-215-19	832-113-13	24-7-45	35-151-7
638-198-36	830-53-22	24-14-39	35-153-16
638-196-23	830-66-8	24-23-16	35-256-13
638-192-34	830-184-39	24-25-34	34-103-28
638-201-38	830-187-29	25-8-34	34-104-33
638-203-30	830-195-44	25-31-15	
648-162-6	830-199-6	25-52-15	
648-167-22	830-60-16	26-11-8	
D23-63-43	827-101-39	26-223-36	
831-209-18	827-211-6	27-214-39	
831-286-22	827-309-31	27-261-2	
831-33-30	827-213-20	28-61-39	
831-27-6	827-209-42	28-63-37	
831-15-27	819-4-38	29-234-12	
831-20-5	810-73-26	29-238-16	
831-6-8	810-162-70	29-241-33	
831-285-26	88-234-30	29-245-39	
831-260-28	86-92-7	29-307-22	
831-30-34	22-5-45	30-189-38	
831-31-1	22-187-26	30-192-38	
831-151-12	23-47-3	33-21-13	
832-275-26	23-199-7	33-24-27	
832-304-33	23-28-45	33-26-13	
832-115-19	23-75-38	33-231-30	
832-123-45	23-80-39	33-249-24	
	23-167-9	33-263-33	
	23-178-23	33-305-21	
		33-28-25	
		33-31-42	
		33-22-30	