

19.72.070 Definitions.

For the purposes of this chapter, the following terms shall have the following meanings:

“Alteration” means any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, or any change in the dimensions or configurations of the roof or exterior walls, as well as any change in doors, windows, means of ingress or egress, or any expansion or diminution of a building or structure.

“Building site” means a space of ground occupied or to be occupied by a building or group of buildings.

“Caliper” means a standard for trunk measurement of nursery stock, determined by measuring the diameter of the trunk six inches above the ground for up to and including five-inch caliper size, and twelve inches above the ground for larger trees.

“Cartway” means the paved area of a street between the curbs, including travel lanes and parking areas, but not including shoulders, curbs, sidewalks, or swales. If curbs are lacking and parking is restricted to shoulders, the cartway is defined as the travelway (exclusive of shoulders).

“Clustering” means a development or subdivision design technique that concentrates buildings or lots on a part of the site to allow the remaining land to be used for recreation, common open space, and/or preservation of environmentally sensitive areas.

“Driveway” means a private area used for ingress and egress of vehicles, which may be paved or unpaved, and which allows access from a street or road to a building or other structure or facility, provided such private area is used by:

1. No more than two residential units; or
2. No more than two principal nonresidential uses provided such uses together do not exceed twenty-five thousand square feet in gross floor area.

“Engineering geologist” means a geologist experienced in the application of geologic knowledge and principles in order to evaluate naturally occurring rocks and soils for use in development. Training and expertise minimums are a four-year degree in geology and three years of direct working experience.

“Expansion” means an increase in the size of an existing structure or use, including physical size of the property, building, parking, and other improvements.

“Fence” means a structure erected to provide privacy or security that defines a private space or is used to constrain domestic animals

“Geotechnical engineer” means an engineer experienced and knowledgeable in the practice of soils engineering (the application of the principles of soils mechanics). Registration in Utah and a minimum of three years experience in the geotechnical industry are minimum requirements.

“Grading” means any change of existing surface conditions by excavating, placing of any soils or rocks, or stripping of vegetation.

“Impermeable coverage” means those portions of a lot that are covered by principal and accessory buildings or structures, and by surfaces that prevent the passage or absorption of stormwater such as paving and driveways.

“Landscape architect” means a design professional licensed by the state to render or offer any of the following services:

1. Production of a site plan which may include the design of sprinkler irrigation systems, landscape grading and drainage plans, or parking lots;
2. Design of retaining walls, raised platforms, decks, and walkways incidental to the production of a site plan; or
3. Design of covered pavilions, gazebos, restrooms, storage and maintenance facilities, and other accessory structures incidental to the production of a site plan when the structure does not exceed one thousand square feet.

“Limits of disturbance” means the area(s) in which construction and development activity must be

contained, including development and construction of the principal building and permitted accessory structures, play areas, and on-site septic tanks, utilities, drainage, and other services.

“Lot of record” means a lot or parcel of land created prior to August 15, 1997; established in compliance with all laws applicable at the time of its creation; and recorded in the office of the county recorder either as a part of a recorded subdivision or as described on a deed.

Lot of Record, Substandard. “Substandard lot of record” means an existing lot, the area, width, or other characteristics of which fails to meet the requirements of the zoning district in which it is located and which was conforming and “of record” prior to enactment of the zoning ordinance. (See “Lot of record.”)

“Maximum extent feasible” means no prudent, practical, and feasible alternative exists, and all possible planning to minimize potential harm has been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining “maximum extent feasible.”

“Minor ski resort improvements” means construction activities or facilities associated with the ongoing operation and maintenance of approved ski runs, ski trails, ski lifts and related appurtenances, recreational access corridors, pedestrian or non-motorized trails, or vehicular maintenance roads constructed or used in connection with the construction, operation or maintenance of a ski resort.

“Modification” means to make minor changes.

“Open space” means any area of a lot that is completely free and unobstructed from any man-made structure or parking areas.

“Ordinary high water mark” means the line on the bank to which the high water of a stream ordinarily rises annually in seasons, as indicated by changes in the characteristics of soil, vegetation, or other appropriate means taking into consideration the characteristics of the surrounding areas. Where the ordinary high water mark cannot be found, the top of the channel bank shall be substituted. In braided channels, the ordinary high water mark shall be measured so as to include the entire stream feature.

“Overlay zone” means a zoning district that encompasses one or more underlying zones and that imposes additional or alternative requirements to that required by the underlying zone.

“Planning commission” means the county-wide planning commission established pursuant to Chapter 19.05 of this zoning ordinance and, where applicable, a township planning commission established pursuant to the ordinances, rules, and regulations of Salt Lake County.

“Qualified professional” means a professionally trained person with the requisite academic degree, experience, and professional certification or license in the field or fields relating to the subject matter being studied or analyzed.

Renovation. See “Alteration.”

“Retaining wall” means a wall designed and constructed to resist the lateral displacement and erosion of soils or other materials.

“Ridgeline protection area” means an area consisting of a prominent ridgeline that is highly visible from public rights-of-way or trails, and that includes the crest of any such designated prominent hill or slope, plus the land located within one-hundred feet horizontally (map distance) on either side of the crest.

“Significant trees” means large trees of six-inch caliper or greater, groves of five or more smaller trees, or clumps of oak or maple covering an area of fifty square feet to the drip lines.

“Site plan” means an accurately scaled plan that illustrates the existing conditions on a land parcel and the details of a proposed development, including but not limited to: topography; vegetation; drainage; flood plains; wetlands; waterways; landscaping and open space; walkways; means of ingress and egress; circulation; utility services; structures and buildings; lighting; berms, buffers and screening devices; development on adjacent property; and any other information that may be required to make an informed decision.

“Ski resort” means any public or private developed recreational use, with associated facilities and improvements, for downhill or cross-country skiing, snowboarding, snow shoeing, snowmobiling, or

other snow-related activities operated on a commercial or membership basis, whether solely on privately-owned property or on privately-owned lots or parcels interspersed with public land under a special use permit from the U.S. Forest Service or other public agency, primarily for the use of persons who do not reside on the same lot or parcel as that on which the recreational use is located. Associated facilities and improvements include, but are not limited to: lodging; food, retail, and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of the facilities as a resort. This term shall not exclusively include any use which is otherwise listed specifically as a permitted or conditional use in this title.

“Slope” means the level of inclination from the horizontal determined by dividing the horizontal run of the slope into the vertical rise of the same slope and converting the resulting figure into a percentage value. For purposes of regulation and measurement, slopes must cover at least twenty-five feet vertically and fifty feet horizontally.

Stream, Ephemeral. “Ephemeral stream” means those channels, swales, gullies, or low areas that do not have flow year-round or are not shown on U.S.G.S. topographic maps as perennial streams. These are generally channels that are tributary to perennial streams, other ephemeral streams, terminal low areas, ponds, or lakes. They are typically dry except during periods of snowmelt runoff or intense rainfall. (See also “Stream, Perennial.”)

Stream, Perennial. “Perennial stream” means those streams, excluding ephemeral streams and ditches and canals constructed for irrigation and drainage purposes, that flow year-round during years of normal rainfall, and that are identified on the appropriate United States Geological Services (U.S.G.S.) topographic maps as perennial streams. (See also “Stream, Ephemeral.”)

“Stream corridor” means the corridor defined by a perennial stream’s ordinary high water mark.

“Substantial economic hardship” means a denial of all reasonable economic use of a property.

“Trails” means a type of open space that is a system of public recreational pathways located within unincorporated county for use by the public for walking, biking, and/or horseback riding as designated.

“Vegetation” means living plant material including but not limited to trees, shrubs, flowers, grass, herbs and ground cover.

“Waiver” means permission to depart from the requirements of an ordinance with respect to the application of a specific regulation.

“Zero lot line” means the location of a structure on a lot in such a manner that one or more of the structure’s side facades rest directly on a lot line. (Ord. 1454 § 4 (part), 1999; Ord. 1417 § 2 (part), 1998)