



CHAPTER 16

General Property Development Standards

Section 1601—Purpose:

The purpose of general development standards is to further the purposes of the General Plan, this Ordinance and all other Land Use Ordinances. Compliance with all general development standards, as well as all other requirements of this Ordinance, and all other Federal, State, and Local requirements, as applicable, is required for any Land Use Application approval required by this Ordinance, or any other Approval, Permit, or License required by all other Land Use Ordinances.

Section 1602—Applications Required:

All requests to establish a use, or construction, alteration, enlargement, repair, or removal of any building, structure, or part thereof, shall be initiated by the submission of a Land Use Application, as required by all Land Use Ordinances and/or Building Permit Application, as required by the adopted Building Code, as applicable.

Section 1603—Land Use Application Approval and Building Permit Required Prior to Any Construction:

The construction, alteration, enlargement, repair, or removal of any building, structure, or part thereof shall not be commenced until after the receipt of a Land Use Application approval, or Building Permit Approval, as applicable.

Section 1604—Allowed Uses:

All uses allowed within the Town are identified in the Tables of Uses, as contained in Chapter 32, herein.

Section 1605—Prohibited Uses:

Any use not specifically provided in the Tables of Uses, either as a Temporary (T) Use, Permitted (P-1 or P-2) Use, or Conditional (C) Use, is hereby declared a prohibited use in Vineyard Town.

Section 1606 —Uses on Land Purchased, Leased, or other Arrangement from Federal or State Government:

Land purchased, leased, or otherwise acquired or obtained from a Federal or State agency shall comply with all requirements of this Ordinance, and the Town's other Land Use Ordinances.

Section 1607—All Uses, Buildings, and Structures to Comply with Zoning District Requirements:

Every building or structure erected, reconstructed, altered, enlarged or moved, and every building, structure, or land, rearranged, designed or intended for any use shall be built or used only as allowed by the requirements of this Ordinance, including the requirements of the Zoning District in which the building, structure, or use is located, and all other Land Use Ordinances.

Section 1608—Subdivision and Sale of Property:

No person shall subdivide any land parcel, located wholly or in part within the Town, for any purpose unless and until an approval for such subdivision has been received from the applicable Land Use Authority, as identified by the Town's Subdivision Ordinance.

Section 1609—Allowed Minimum Use of Legal Lots:

Nothing in this Ordinance shall be construed to prevent the establishment of one (1) single family dwelling on any legal lot or parcel of land, as determined by the Planner, provided that such lot or parcel is located in a Zoning District that permits single family dwellings, and all proposed construction can qualify for a Building Permit, as required herein.

Section 1610—General Building Requirements:

1. **Minimum Width of Dwelling Units.** All dwelling units shall be a minimum of twenty-four (24) feet wide at the narrowest point, excluding any accessory structure. The building width shall be considered the lesser of the two (2) primary dimensions of the building.
2. **Permanent Foundation Required.** All buildings shall be located on and permanently attached to a site-built permanent foundation that meets the Building Code, as adopted.
3. **Minimum Off-Street Parking Requirements.** A minimum of two (2) off-street parking spaces shall be provided with each dwelling unit.

Section 1611—Minimum Height of All Primary Buildings:

No building shall be erected to a height less than one (1) story entirely above grade.

Section 1612—Exceptions to Maximum Height Limitations:

The requirement for maximum building height shall not apply to:

1. Flagpoles.
2. Steeples.

Section 1613—Town Policy on Basements:

Because of random subsurface water flows associated with soil and weather conditions, the construction of basements is discouraged within the Town. All property owners proposing to include a basement in any building construction are advised to investigate the level of ground water to determine the advisability of a basement. Vineyard Town accepts no responsibility for any property damage cause by the flooding of any basement.

Section 1614—Time Limits for Use and Building Permit Approvals:

All Use approvals, and all Building Permit approvals, shall be valid for a maximum period of one hundred eighty (180) days, from the date of approval. If work has not commenced, or a use or building established within one hundred eighty (180) days from date of approval, the Approval, Permit or License shall be void and a new Application, Approval, Permit or License required.

Section 1615—Buildable Area:

Every lot or parcel created after the effective date of this Ordinance shall have a buildable area sufficient to establish a building or structure thereon, which meets the minimum standards of the Zoning District in which the lot or parcel is located. Buildable areas shall be required to be identified for each lot on all subdivision plats and plans for the purposes of ensuring that a buildable lot or parcel is provided, and to inform future owners of the approved buildable area. Any area located within an easement may not be included within any buildable area unless the easement beneficiary executes and records a release of the easement in a form acceptable to the Town Attorney.

Section 1616—Lot Standards – Noncomplying Lots Prohibited:

Every lot existing, or created, shall comply with the minimum lot size, frontage, and all other requirements of this Ordinance, and the Town’s other Land Use Ordinances, or prior enactments, for the Zoning District in which such lot is located. No lot shall be created that does not conform to the Zoning District requirements in which it is located.

Section 1617—Every Building or Structure to be on a Lot:

All buildings and structures, as defined herein, shall be located and maintained on a separate legal lot, such lot meeting all requirements of the Land Use Ordinances, including the requirements of the Zoning District in which the lot is located.

Section 1618—Lot Frontage Required:

Every lot shall have frontage upon a dedicated or publicly approved road or street, or right-of-way providing direct access to a dedicated or publicly approved road or street. The required lot frontage shall be not less than the minimum lot width requirement as measured at the minimum front, as required by the Zoning District in which the lot is located, except as follows:

1. For lots which front upon a curve or cul-de-sac, the distance may be reduced to not less than fifty (50) feet provided that the side lot lines radiate in such a manner that the width of the lot at the minimum setback line is not less than the minimum requirement of the Zoning District, or
2. The lot has been approved as a flag lot.

Section 1619—Lots in Two (2) or More Zoning Districts:

Where a lot of record at the time of passage of this Ordinance, or any amendment thereto, falls into two (2) or more Zoning Districts, the requirements of the more restrictive Zoning District shall apply.

Section 1620—Required Yard Areas for One Building Only:

1. No required yard or setback area for a lot or building shall be considered as providing the required yard or setback for any other lot or building.
2. No area required to meet the lot width, area, setback, or other requirements of this Ordinance for any lot or building may be divided, sold, or leased separate from such lot or building.

Section 1621—Front Yard Parking Prohibited:

In all Zoning Districts, no vehicle parking shall be permitted in any required front yard setback areas, except on driveways located in residential zones that directly access a garage or carport.

Section 1622—Required Yards to be Unobstructed—Exceptions:

1. All required setback areas shall to be open to the sky and unobstructed except for permitted and approved accessory buildings and structures and for projections of sills unenclosed steps, unwallled stoops, bay-windows, unenclosed porches; and similar building features, provided that such features do not encroach more that three (3) feet into the required setback area..
2. Walls and fences, complying with the requirements of this Ordinance and required approval by a Land Use Authority, as provided herein.

Section 1623—Requirements for Fences and Walls:

1. **Height.**
 - 1.1. Unless required by a Land Use Authority no fence, wall, or similar structure shall be erected on any required rear or side yard to a height in excess of six (6) feet, measured from natural or finished grade, whichever is lower, except fences located on the front

property line or on the side property line within the front yard shall not be higher than forty two (42) inches.

- 1.2. Any fence and wall higher than six (6) feet, measured from natural or finished grade, whichever is lower, shall require a Building Permit.
- 1.3. Solid, sight-obscuring fences and walls, separating commercial and industrial Zoning Districts from all other zones, may be required as a buffering and screening treatment with a minimum height of six (6) feet, except for required clear view areas. Additional fence height may be required, including the provision of three (3) feet of open fence, such as wrought iron, to the top of any fence along rear property boundaries for safety and security purposes.
- 1.4. Fence height shall be measured from the highest point of the fence or wall to natural or finished grade, whichever is lower, and which has not been specifically altered to increase fence or wall height. When a difference in grade exists on either side of a fence, the height of the fence shall be measured from:
 - 1.4.1. The average elevation of the finished grade of the adjoining properties on each side of the fence line, which average elevation shall not exceed two (2) feet; or
 - 1.4.2. The average natural elevation.
 - 1.4.3. No ground shall be filled or bermed to exceed the maximum allowed height of fences or walls.
- 1.5. Fence and wall heights located on rear and side property lines, and immediately adjoining any road or street right-of-way shall not exceed a maximum height of six (6) feet, except required clear view areas.
2. **Compatible Design.** All walls and fences shall be compatible with the surrounding landscape and the architecture and building materials of buildings on and adjacent to the property.
3. **Quality of Construction.** All walls and fences shall be constructed in a workman-like manner according to industry standards.
4. **Maintenance of Fences and Walls.** All fences and walls shall be maintained in good repair. Areas adjacent to the wall or fence shall be maintained by the property owner.

Section 1624—Adequate Public Facilities:

Land shall only be developed to the extent that adequate public infrastructure, facilities, and services are available, or will be available concurrent with the development activity, and sufficient to meet the needs of the proposed development. A Land Use Authority may require a “Public Facilities and Services” analysis to be provided to determine if adequate public

facilities and services are available to serve the proposed development and if such development will change the existing levels of service, or will create a demand for services that exceeds existing service levels.

Public facilities and services that may be required by a Land Use Authority to be included in a Public Facilities and Services analysis include, but are not limited to, road and street facilities, intersections and bridges, culinary water facilities, sanitary sewer facilities, storm drainage facilities, fire protection and suppression facilities, park and recreational facilities, culinary water pressure, adequate fire flows, fire and emergency services and response times, police protection services and response times, and other required public facilities and services. A Land Use Authority may deny a Land Use Application if the demand for public facilities and services exceeds existing service levels, or require the Applicant for a Land Use Application to provide the required infrastructure, facilities, or services, concurrent with demand, consistent with all applicable legal authorities.

Section 1625—Culinary Water and Sanitary Sewer Requirements:

All dwellings and other structures used for human occupancy shall be served by an adequate culinary water and sewage disposal facility approved by the Utah County Health Department.

Section 1626—Utilities:

1. All primary buildings shall be connected to all necessary and required utilities.
2. All water, sewer, telephone, cable television, power, and other utilities shall be provided underground, with the following exceptions;
 - 2.1. Transformers, pedestals, fire hydrants, and other appurtenances normally associated with “underground” utility installations are permitted on the surface of the ground.
 - 2.2. The development of existing lots in areas of the Town now served with existing aboveground utilities, are exempt from this requirement.

Section 1627—Required Streets, Curb, Gutter, Sidewalks, and Trails:

1. The installation of necessary streets, street widening and improvement(s), curbs, gutters, sidewalks, and trails of a type as required by the Land Use Ordinances of the Town shall be required as a condition of any required Approval, Permit, or License.
2. The Council may provide that the installation of necessary streets, street widening and improvement, curbs, gutters, sidewalks, and trails be delayed until a date certain, or provided as part of any area-wide improvement plan(s). The timing of any improvement plan(s) shall be at the sole discretion of the Council.

Section 1628—Clear View at Intersecting Streets:

In all Zoning Districts, no view obstruction including a sight-obscuring fence, wall, sign, or other similar structure, and no landscaping which exceeds 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 a point thirty (30) feet from the intersection of the street lines except for a reasonable number of trees pruned high enough to permit unobstructed vision for automobile drivers, bicyclists and pedestrians.

Section 1629—Clear View at Driveways:

In all Zoning Districts, no view obstruction including a sight-obscuring fence, wall, sign, or other similar structure, and no landscaping which exceeds two (2) feet in height shall be placed within a triangular area formed by a driveway line, the street property line, and a line connecting them at points twelve (12) feet along the driveway line and twelve (12) feet along the street property line, except for a reasonable number of trees pruned high enough to permit unobstructed vision for automobile drivers, bicyclists and pedestrians.

Section 1630—Required Property Maintenance:

All buildings, uses, lots, and parcels located within the Town shall be maintained and operated in a manner to enhance community pride and beautification. No junk, rubbish, weeds, or other unsightly material or conditions shall be permitted on any lot, right-of-way, or easement, or as part of any building or use.

Section 1631—Noxious Weeds:

All property owners shall comply with the requirements of the Utah Noxious Weeds Act, Utah Code Annotated, 1953, as amended.