



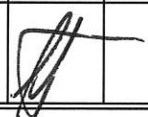


**ORDINANCE No. 102120**

**ROLL CALL**

<b>VOTING</b>	<b>YES</b>	<b>NO</b>
<b>KURT L CHRISTENSEN</b> <i>Mayor (votes only in case of tie)</i>		
<b>HOWARD CHUNTZ</b> <i>Council member</i>		
<b>TIM DeGRAW</b> <i>Council member</i>		
<b>STERLING M. REES</b> <i>Council member</i>		
<b>DELYS SNYDER</b> <i>Council member</i>		
<b>SETH SORENSEN</b> <i>Council member</i>		

I MOVE this ordinance be adopted:  
I SECOND the foregoing motion

**ORDINANCE No. 102120**

**AN ORDINANCE AMENDING SECTION 14-1-060, OF SALEM CITY MUNICIPAL CODE RELATED TO SETBACKS FOR ACCESSORY STRUCTURES ON CORNER LOTS.**

WHEREAS the Salem City Council has adopted a land use ordinance to regulate uses and standards of land and development;

WHEREAS the Salem City Council desires to clarify the distance that accessory buildings shall be setback from the street, especially on corner lots;

WHEREAS a public hearing was held before the Salem City Planning and Zoning

Commission on the 14<sup>th</sup> Day of October, 2020, where public input was received; and

WHEREAS a public hearing was held before the Salem City Council on 21<sup>st</sup> Day of October, 2020, where additional public input was received; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of the City it is appropriate to amend the text of the Salem City Land Use Ordinance;

**NOW, THEREFORE**, be it ordained by the City Council of Salem City as follows.

**Section 1. Amendment of Land Use Ordinance.** Section 14-1-060 of the Salem City Municipal Code is hereby amended as follows. Only the sections shown below are modified by this ordinance. All other sections remain unchanged.

**14-1-060. Accessory Buildings.**

**1. In General**

- A. All detached buildings, structures, or satellite earth stations must be located behind the front wall plane of the principal structure.
- B. All detached buildings or structures must comply with any height restrictions found in the applicable zone where they are located. The combined square footage of all detached accessory buildings, structures, and satellite earth stations shall not exceed 500 square feet, or ten percent (10%) of the total lot area, whichever is greater.
- C. Detached sheds or similar structures two hundred (200) square feet or less, may be built to property line. The maximum height of such structure shall not exceed twelve (12) feet from the ground to the peak of the structure and the structure shall not drain storm water onto the neighboring properties. Any owner, or successor in interest, who constructs such an accessory structure on a public utility easement shall be responsible for all costs associated with removing and/or replacing such structure in the event public utilities need to be worked on within the public utility easement.
- D. All detached buildings or structures over two hundred (200) square feet in size and not exceeding sixteen (16) feet in height shall maintain a five foot setback from the side and rear yards. On corner lots, all property lines abutting a street shall be considered a front yard and shall observe front yard setbacks. All detached structures over two hundred (200) square feet in size and between

sixteen (16) and twenty (20) feet in height shall maintain a ten foot setback from the side and rear yards. All detached structures over two hundred (200) square feet in size and over twenty (20) feet in height shall be setback from all side and rear yards ten(ten) feet, plus one additional foot for each additional foot in height over twenty (20) feet, to a maximum height of twenty-five (25) feet. Height shall be measured from ground level to the peak of the building. Any owner, or successor in interest, who constructs such an accessory structure on a public utility easement shall be responsible for all costs associated with removing and/or replacing such structure in the event public utilities need to be worked on within the public utility easement.

- E. If any accessory building must be removed, relocated, or otherwise modified in any manner in order to access public utilities, the property owner shall bear the full expense of such removal, relocation, or modification, together with all costs of restoration.
- F. All detached structures which have open sides shall obtain a building permit, if over 200 square feet in size, and shall maintain a two foot setback from the side and rear yards. The maximum height, of any portion of the building, shall be sixteen (16) feet from ground level to the peak of the building. Any owner, or successor in interest, who constructs such an accessory structure on a public utility easement shall be responsible for all costs associated with removing and/or replacing such structure in the event public utilities need to be worked on within the public utility easement.

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**Section 2. Effective Date.** This ordinance shall become effective twenty (20) days after passage and posting.

PASSED AND ORDERED POSTED BY THE SALEM CITY COUNCIL OF

SALEM, UTAH: Oct 21, 2020.

  
KURT L CHRISTENSEN, Mayor

Attest:

  
JEFFREY D. NIELSON, City Recorder



**AFFIDAVIT OF POSTING**

JEFFREY D. NIELSON, being first duly sworn, deposes and says that he is the duly appointed and qualified recorder of the City of Salem, a Municipal Corporation of the State of Utah, and that on Oct 26, 2020, he posted a true and correct copy of Ordinance No. 102120 as enacted by Salem City Council on Oct 21 2020, 2020, said posting being made at the City Offices, at the United States Post Office, and at the Salem City Library, all being public places and located within the City Limits of Salem, Utah County, Utah.

DATED: Oct 26, 2020.

  
JEFFREY D. NIELSON, City Recorder

STATE OF UTAH )  
                                  : ss  
COUNTY OF UTAH )

The foregoing instrument was acknowledged before me this 26th day of ~~March~~ <sup>October</sup> 2020, by Jeffrey D. Nielson. *TMB*



  
NOTARY PUBLIC