

Chapter 12.18 Condominiums

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12.18.1 Purpose and Intent

The intent of this Section is to establish guidelines dealing specifically with design, construction and operation of proposed new condominium projects. These provisions along with Chapter 57-8 of the Utah Code Annotated, 1953, as amended shall govern the condominium projects.

12.18.2 Permitted Uses

Uses permitted within a condominium project shall be limited to those uses specifically permitted within the zone that underlies the area of the project, and shall be subject to all conditions and restrictions required within the zone for the use.

12.18.3 Approval Process and Documentation

The procedure leading to approval of a condominium project shall be the same as set forth in Section 12.6. The following documents shall be prepared and submitted by the developer for each condominium project:

1. Articles of incorporation
2. Corporation by-laws
3. Declaration of covenants, conditions, restrictions and management policies/declaration of condominium management agreement
4. Open space easements
5. Sales brochure
6. Documents transferring adequate water to the City
7. Record of survey map/final subdivision plat (when applicable)
8. The waiver of all animal rights in accordance with City standards that may result from a non-conforming use upon the adoption of this ordinance

Where, in the opinion of the City Council, a particular document as required under this Section is inapplicable for the particular condominium project proposed, the City may waive the requirement for submitting the document.

It shall be unlawful to record any survey map or declaration of a condominium project in the office of the County Recorder, unless the same shall bear thereon final approval of the City Council as required by the terms of this ordinance. Any owner, or agent of any owner, of land or units located within a purported condominium project, who transfers or sells any land, structure, or condominium unit in a purported condominium project, before obtaining final approval from the City Council shall be guilty of a misdemeanor for each lot, parcel of land, structure or condominium unit so transferred or sold.

12.18.4 Layout and Improvement

Each proposed condominium project shall conform to the following minimum standards:

Residential Projects

1. All Off-Street Parking shall be regulated pursuant to Section 12.4.
2. Common storage area in an amount of not less than 100 square feet per dwelling unit shall be provided for the storage of recreation vehicles, boats, and enclosed in a sight-obscuring fence or wall.
3. Each unit within the project shall have an appurtenant private patio, deck, balcony, atrium, or solarium with a minimum area of 130 square feet. The space shall be designed for the sole enjoyment of the unit owner, and shall have a shape and size that would allow for optimal usable space.
4. Provision of an area containing not less than ten (10) percent of the total area of the project shall be set aside as

common open space for the use and enjoyment of the residents. The area shall be landscaped in accordance with City standards. The location and design shall be such that the area is easily accessible to all residents. Land used for parking, driveways, vehicle storage and similar uses, and the areas required to meet the front setback or the area devoted to peripheral planting, shall not be included in meeting this requirement.

12.18.5 Utility and Facility Requirements

All units shall be separately metered for water, gas, electricity, and sewer, unless the covenants, conditions and restrictions provide for the Association to pay the costs of services. Each unit shall be provided with readily accessible individual shut-off valves.