

ORDINANCE 2026-_____

File No._OAM2026-001672_____Date: _____

**AN ORDINANCE OF THE TOWN OF BRIGHTON AMENDING SECTIONS
19.04.030, 19.20.020, 19.24.050, 19.24.060 AND 19.46.070 TO CREATE
STANDARDS TO KEEP SNOW ON PROPERTY AND PROTECT ROADWAYS,
NEIGHBORING PROPERTIES AND DRIVEWAYS FROM SNOW RELEASE
FROM ROOFS.**

RECITALS

WHEREAS, the Town of Brighton is a municipality and has authority to regulate land uses and development pursuant to Utah Code Ann. Subsection 10-20-101(2); and

WHEREAS, Section 19.02.030.A(4) of the Brighton code states that one of the purposes of the Brighton Zoning Ordinance is “To regulate responsible alteration and development of land that promotes safety for people, wildlife, water, and the natural landscape;” and

WHEREAS, Sections 19.24.050.D and 19.24.060.D of the Brighton code state, “Site plans and building designs must resolve snow release issues to the satisfaction of the Chief Building Official;” and

WHEREAS, The Town Council finds it necessary to set clearer standards to prevent snow release from rooftops from creating public safety issues on roadways and to ensure that snow remains on the property.

BE IT ORDAINED BY THE BRIGHTON TOWN COUNCIL as follows:

1. Sections 19.04.030, 19.20.020, 19.24.050, 19.24.060, and 19.46.070 are amended and read as attached hereto as **Exhibit A**. The amendments made therein are designated by underlining the new words, with words being deleted designated by brackets with a line drawn through said words.
2. Effective Date. This Ordinance will take effect immediately upon posting and publication as required by law.

PASSED AND ADOPTED this _____ day of _____ 2026.

BRIGHTON TOWN COUNCIL

By: Scotty John, Mayor

ATTEST

Kara John, Town Clerk

Voting:

Council Member Bossard	voting ____
Council Member Brunhart	voting ____
Council Member John	voting ____
Council Member Keighley	voting ____
Council Member Zuspan	voting ____

EXHIBIT A

19.04.030 GENERAL SITE STANDARD DEFINITIONS

Site Development terms used in Title 19 are defined as follows:

.....

"Yard" means a space on a lot, other than a court, unoccupied and unobstructed from the ground upward by buildings or structures[, ~~except as follows:~~

- ~~A. Fences and walls that conform with this code.~~
- ~~B. Landscape elements including trees, shrubs, and other plants.~~
- ~~C. Planter boxes or masonry planters not exceeding twenty four inches (24") in height.~~
- ~~D. Cornices, eaves, belt courses, buttresses, and other similar architectural features may project into any yard not more than two feet (2').~~
- ~~E. Bay windows, cantilevered floors, and fireplace structures may project into any yard not more than two feet (2'), provided that they are not wider than eight feet (8') wide.~~
- ~~F. Porches, door stoops, awnings, fire escapes, and stairways may project into an interior side yard not more than two feet (2') and a front, rear, or corner side yard not more than four feet (4').~~
- ~~G. Accessory structures subject to this Title].~~

19.20.020 SPECIAL EXCEPTIONS

A. Submittal and Procedure.

1. Submittal of Application. All applications shall be filed in accordance with the requirements of Chapter 19.16.
2. MAILED NOTICE. Courtesy notice shall be mailed ten (10) days prior to the public meeting to adjacent and surrounding Property Owners within three hundred feet (300') of the subject property's boundary. The Property Owner or agent must provide the Planning Department with an electronic list of each Property Owner of record of each Parcel located entirely or partly within three hundred feet (300') of the subject property's boundary. The addresses for neighboring Property Owners must be as shown on the most recently available Salt Lake County tax assessment rolls. Any defect in such courtesy mailed notice shall not affect or invalidate any hearing or action on the Variance.
3. Special Exceptions Approved by the Land Use Hearing Officer.
 - a. The Land Use Hearing Officer may consider approval of the following special exceptions:
 - 1) Where a zone boundary line divides a lot in single ownership, extension of a use allowed on either portion of the lot a maximum of fifty feet (50') into the other portion of the lot.
 - b. The Land Use Hearing Officer shall consider a proposed special exception in a public meeting.

- c. During or after the close of the public meeting, the Land Use Hearing Officer may take action in the form of approval, modified approval or denial in writing.
 - d. Based upon the evidence presented at the meeting, the Land Use Hearing Officer shall evaluate the application to determine that the exception is consistent with the purposes of this Ordinance and will not be detrimental to the health, safety or general welfare of persons residing or working, or injurious to property in the vicinity
- 4. Special Exceptions Approved by the Planning Commission.
 - a. The Planning Commission may consider approval of the following special exceptions:
 - 1) Exceptions as set forth in the Foothills and Canyons Overlay Zone, Chapter 19.38.
 - 2) **Exceptions as set forth in Section 19.26.070.G related to snow release.**
 - b. The Planning Commission shall consider a proposed special exception in a public meeting.
 - c. Having heard the matter at a public meeting, the Planning Commission may take action in the form of approval, modified approval or denial on applications for a special exception.
- 2. Conditions. The Land Use Hearing Officer or Planning Commission may impose such conditions and restrictions upon the location, construction, design or use of the property, as necessary or appropriate to protect the public interest and adjacent property.
- 3. Appeals.
 - 1. Any person adversely affected by a decision of the Planning Commission regarding a special exception may appeal that decision to the Land Use Hearing Officer.
 - 2. Any person adversely affected by a decision of the Land Use Hearing Officer regarding a special exception may appeal that decision to the 3rd District Court of Salt Lake County.

19.24.050 DEVELOPMENT STANDARDS FOR SINGLE-FAMILY RESIDENTIAL DWELLINGS IN THE FORESTRY ZONES

- A. Gross Square Feet of the Combined Primary and Accessory Structures. The maximum gross square feet of the combined primary and accessory structures on a property shall be five thousand square feet (5,000 sq. ft.).
- B. Setbacks. The minimum setback shall be eight feet (8') from all property boundaries and ten feet (10') from the nearest edge of any right-of-way.
 - 1. Garages Fronting the Street. If the garage entrance is facing the front lot line with a minimum setback of ten feet (10') the area between the front of garage and the right-of-way may not be used for parking of extra vehicles, unless to meet minimum parking requirements for single-family lots.

~~[Snow Storage. Adequate snow storage must be provided in the front yard setback for all parking, vehicle entrances and walkways. Snow storage must be provided on the property.]~~

- C. Building Height. Except as otherwise specifically provided in this Title, no building or structure shall exceed thirty feet (30') The elevation shall be determined using a certified topography survey with a maximum contour interval of two feet (2').
- D. Snow Release. Site plans and building designs must ~~[resolve snow release issues to the satisfaction of the Chief Building Official.]~~ **account for snow release to keep snow on the property and prevent snow shedding off the roof onto a right of way or onto adjoining property as set forth in Section 19.46.070.G.**

19.24.060 DEVELOPMENT STANDARDS FOR ACCESSORY STRUCTURES IN THE FORESTRY ZONES

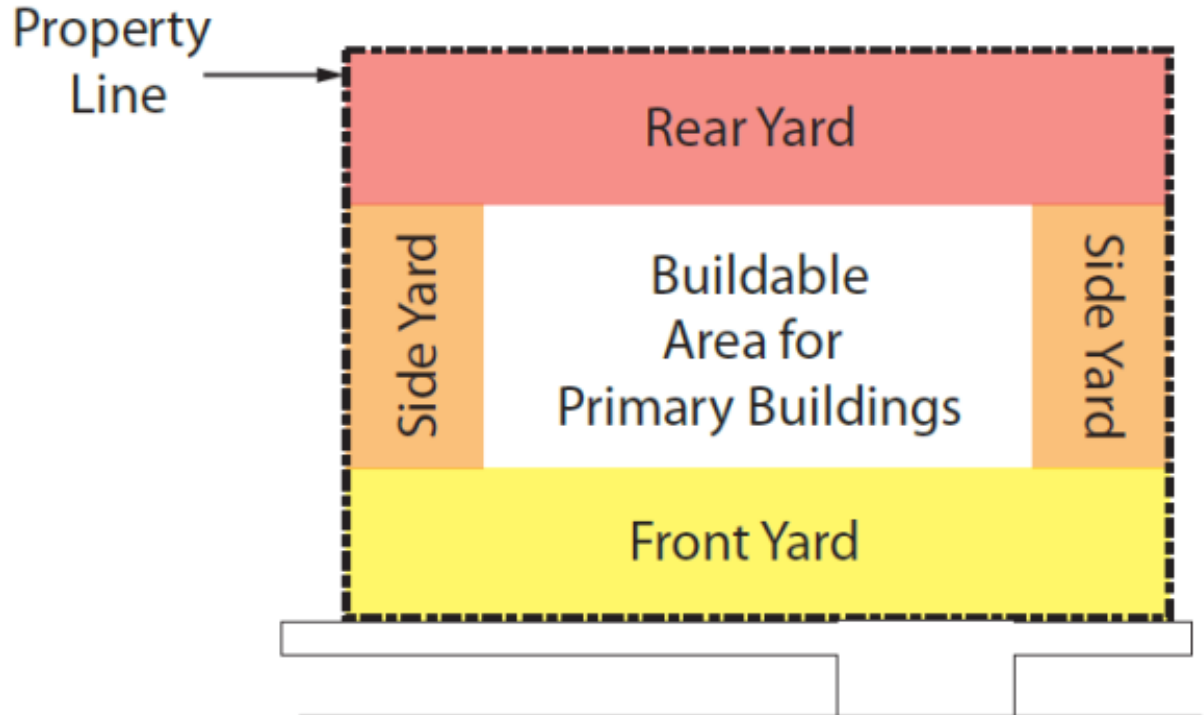
- A. Building Footprint. The maximum building footprint allowed for an accessory structure shall be eight hundred square feet (800 sq ft).
- B. Setback from Primary Structure. An accessory structure shall be set back at least six feet (6') from the primary structure on the lot.
- C. Building Height. The maximum height for an accessory structure shall be twenty feet (20').
- D. Snow Release. Site plans and building designs must ~~[resolve snow release issues to the satisfaction of the Chief Building Official.]~~ **account for snow release to keep snow on the property and prevent snow shedding off the roof onto a right of way or onto adjoining property as set forth in Section 19.46.070.G.**
- E. Accessory structures shall not encroach on any required easement or right-of-way.

19.46.070 GENERAL SITE STANDARDS

- A. 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 half of the minimum lot width required in the zone as measured at the front property line except for lots that have been approved as a flag lot.
- B. Yards and Setbacks Measurement.
 - 1. Yards and setbacks shall be measured according to the lengths required in the underlying zone.
 - 2. Yards and setbacks shall be measured from the property's boundary line, as determined by the legal description or subdivision plat on record at the Salt Lake County Recorder's Office, to the exterior foundation of the proposed or existing building.
- C. Required Yards 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.
- D. Required Yards to be Unobstructed.
1. All required setback areas shall be open to the sky and unobstructed except for permitted and approved accessory structures and structures and for projections ~~[allowed under section 19.46.080 (I.) Projections.]~~ **as follows:**
 - a. **Landscape elements including trees, shrubs, and other plants.**
 - b. **Planter boxes or masonry planters not exceeding twenty-four inches (24") in height.**
 - c. **Cornices, eaves, belt courses, buttresses, and other similar architectural features may project into any yard not more than two feet (2').**
 - d. **Bay windows, cantilevered floors, and fireplace structures may project into any yard not more than two feet (2'), provided that they are not wider than eight feet (8') wide.**
 - e. **Porches, door stoops, awnings, fire escapes, and stairways may project into an interior side yard not more than two feet (2') and a front, rear, or corner side yard not more than four feet (4').**
 - f. **Accessory structures subject to this Title**
 2. Walls and fences, complying with the requirements of this Ordinance and required approval by a Land Use Authority, as provided herein may encroach into required yards.
- E. 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 Zone 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 an adequate buildable area is provided, and to inform future owners of the allowable 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 Municipal Attorney.

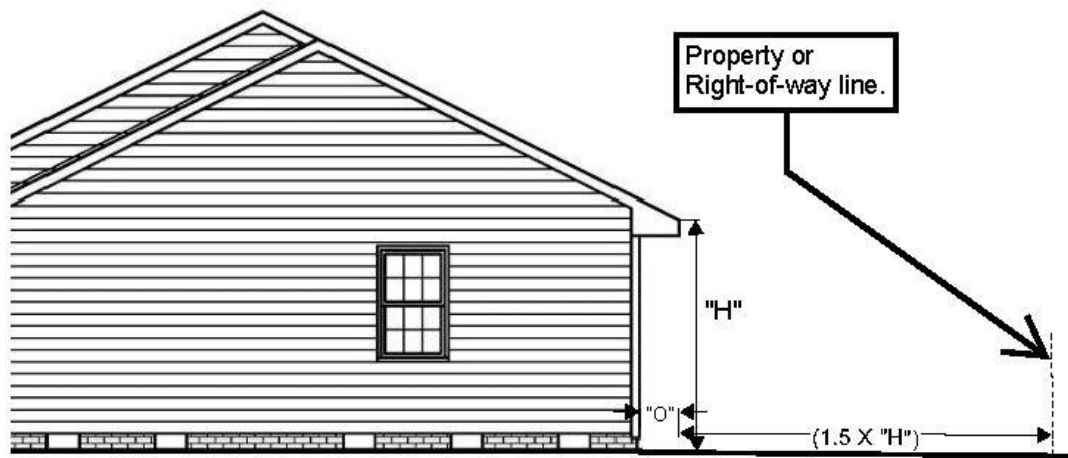
Figure 19.46.1: Buildable Area, Required by the Underlying Zone



- F. ~~[Snow Storage and Drainage. Where snow removal and storage may pose a problem to traffic circulation or reduce the amount of adequate parking for winter business, the property owner shall designate a snow storage area and remove snow as necessary.~~
- ~~1. Required Area: Snow storage areas not less than thirty-three percent (33%) of the parking, sidewalk, and driveways areas shall be incorporated into the site design.~~
 - ~~2. Location:~~
 - ~~a. Snow storage shall be located to avoid piling of snow against significant trees.]~~
- F. **Snow Storage, Removal and Release. Because snow storage and removal and the release of snow from roofs may pose problems to traffic circulation, parking, and public safety, the property owner shall design the site to accommodate for the removal and storage of snow as well as the release of snow from building roofs as set forth below:**
- 1. Snow storage.**
 - a. Commercial Snow Storage. Commercial properties are required to incorporate into the site design area(s) totaling not less than thirty-three percent (33%) of the parking, sidewalk and driveway areas for snow storage. Snow storage shall be located to avoid piling of snow against significant trees.**
 - b. Residential Snow Storage. Adequate snow storage must be provided in the front yard setback for all parking, vehicle entrances and walkways. Snow storage must be provided on the property**

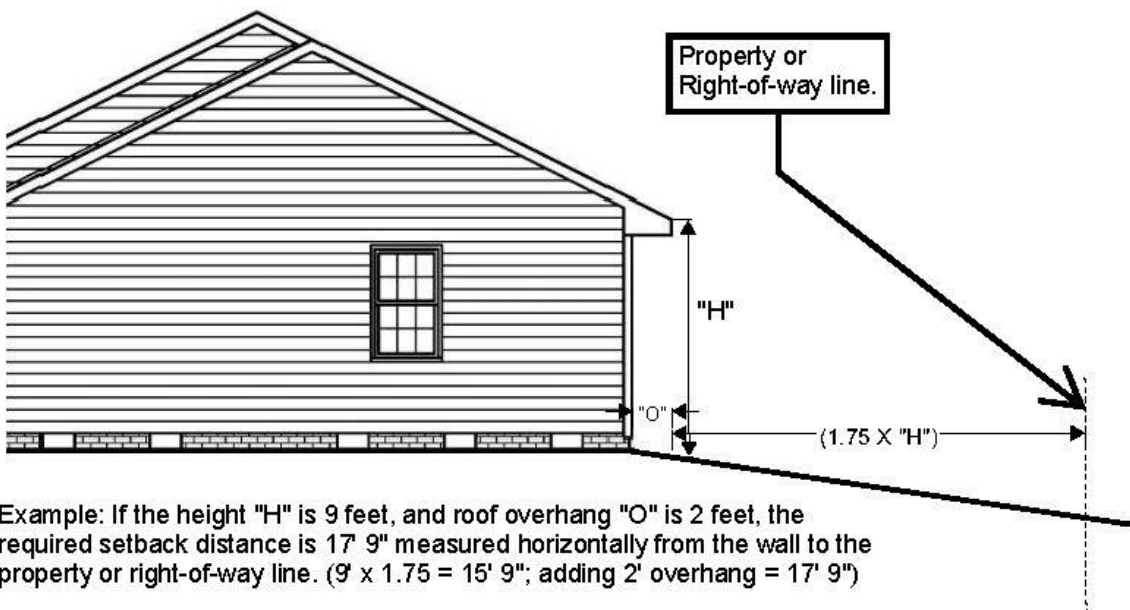
2. Snow removal. Snow may not be removed from any property in such a manner as to deposit snow onto a right of way.
3. Snow release. In addition to the minimum setbacks required in Section 19.24.050 (B), impacts of snow release from roofs shall be mitigated through the following:
 - a. Except as allowed below, buildings shall be designed with roofs that keep snow on the property and do not shed onto a right of way, adjoining property, or driveway on an adjoining property.
 - b. If design and orientation of the roof as outlined in (a) above is not feasible due to the size, shape and/or orientation of the lot, the following shall be required:
 - i. The required setback distance for each side of the building on which roof slopes downward toward the driveway, right of way or adjoining property shall be increased to a distance equal to 1.5 times the vertical distance between the lowest point of the roof surface to the lowest point of grade directly below the eave, plus the horizontal distance from the outer edge of the eave to the wall post supporting the roof. (See figure 19.46.2)
 - ii. If the ground between the building and the right of way or property line slopes downward from the building with 15% or greater slope, the setback shall be increased to a distance equal to 1.75 times the vertical distance between the lowest point of the roof surface and the lowest point of the grade directly below the eave, plus the horizontal distance from the outer edge of the eave to the wall or post supporting the roof. (see figure 19.46.3)
 - iii. If the setback outlined in subparagraphs (i) and (ii) is not achievable based on constraints of the property, an applicant may submit a Special Exception request to the planning commission that includes a plan prepared by a qualified engineer showing the manner in which snow will be retained on the property, using tools such as roof design, berms, and other physical methods to be incorporated into the building and/or site design. In rendering a decision regarding the Special Exception, the planning commission shall consider:
 - a) A written recommendation from the town engineer,
 - b) The physical and topographical features of the subject property, and
 - c) Proximity of the proposed building to neighboring buildings or right of ways.
 - c. Snow may be allowed to shed on adjoining property upon obtaining an easement from the adjoining property owner to receive and store the snow.

Figure 19.46.2: Required snow shedding setback



Example: If the height "H" is 9 feet, and roof overhang "O" is 2 feet, the required setback distance is 15' 9" measured horizontally from the wall to the property or right-of-way line. ($9 \times 1.5 = 13' 6"$; adding 2' overhang = 15' 6")

Figure 19.46.3: Required snow shedding setback with 15%+ slope



Example: If the height "H" is 9 feet, and roof overhang "O" is 2 feet, the required setback distance is 17' 9" measured horizontally from the wall to the property or right-of-way line. ($9 \times 1.75 = 15' 9"$; adding 2' overhang = 17' 9")

G. Buildings to be on Lots. All buildings and structures, as defined herein, shall be located and maintained on a separate legal lot, such lot meeting all requirements of ~~[the]~~ Title 19, including the requirements of the Zone in which the lot is located.

H. Fencing.

1. Fencing Setbacks. A fence, hedge, wall, column, pier, post or any other similar structure for fencing or any combination of such structures is permitted in the required setback if it meets the following conditions:
 - a. No fence, hedge, or wall extends beyond or across a property line without a recorded agreement with the abutting property owner; and
 - b. Only one fence or wall shall be allowed per property line. Double fences, walls, or combination thereof are prohibited.
2. Fencing Materials.
 - a. Fencing materials shall be made of high quality, durable, materials that require minimal maintenance. All fencing shall follow the design requirements set forth in Chapter 19.38 Foothills and Canyons Overlay Zone of this Title.
3. Prohibited Fencing Materials. The following fencing materials are prohibited:
 - a. Materials not typically used or designated/manufactured;
 - b. Scrap material;
 - c. Security wire; or
 - d. Electrified fencing.

I. Landscaping. Landscaping shall follow the requirements set forth in Chapter 19.38 Foothills and Canyons Overlay Zone of this Title.

J. Accumulation of Junk.

1. The accumulation of junk is prohibited in the municipality unless occurring in a fully enclosed and permitted structure.
2. Exceptions. The following exceptions apply:
 - a. A property owner may have up to two (2) inoperable vehicles on their property, provided
 - 1) The vehicle(s) are parked on private property on parking surface in compliance with Chapter 19.48;
 - 2) The vehicle(s) are secured with the windows closed, the trunk and hood closed, and the doors locked, and all four tires shall be on the ground;
 - 3) The vehicle(s) are not exposing jagged metal or other safety hazards due to damage;
 - 4) The vehicle(s) are completely on private property and not encroaching on any sidewalk, park strip, or public street; and
 - 5) The vehicle(s) do not visibly drip any fluids such as oil, transmission fluid, brake fluid, or coolant onto the parking surface or its surroundings; and
 - b. A property owner may have up to (2) two inoperable ~~[vehicle]~~vehicles that do not meet the requirements of Subsection 19.46.070.J.2.a.

Subsections ii. and iii. for a total of fourteen (14) days while the vehicle is undergoing major engine, transmission or similar work. At the end of the fourteen (14-day timeframe, the vehicle shall be brought back into compliance with Subsection 19.46.070.J.2.a.

- K. Signs. Any development shall follow the sign standards set forth in Chapter 19.52 of this Title.

SUMMARY OF
BRIGHTON
ORDINANCE NO. 2026-

On _____, 2026, the Brighton Town Council enacted Ordinance No. 2026-_____, amending Sections 19.04.030, 19.20.020, 19.24.050, 19.24.060, and 19.46.070 to create standards to protect roadways and driveways from snow release from roofs.

BRIGHTON TOWN COUNCIL

By: Scotty John, Mayor

ATTEST

Kara John, Town Clerk

Voting:

Council Member Bossard	voting ____
Council Member Brunhart	voting ____
Council Member John	voting ____
Council Member Keighley	voting ____
Council Member Zuspan	voting ____

A complete copy of Ordinance No. 2026-_____ is available in the office of the Town Clerk, 7688 S. Big Cottonwood Canyon Rd., Brighton, UT 84121.