



BOUNTIFUL

Bountiful City Ordinance No. 2023-08

MAYOR
Kendalyn Harris

CITY COUNCIL
Millie Segura Bahr
Jesse Bell
Kate Bradshaw
Richard Higginson
Cecilee Price-Huish

CITY MANAGER
Gary R. Hill

Amending Chapter 20 Subdivisions, and Sections 14-2-103, 14-2-111, and 14-2-305, related to Administration and Procedures of the Land Use Code of Bountiful City

It is the finding of the Bountiful City Council that:

1. The City Council of Bountiful City is empowered to adopt and amend general laws and land use ordinances pursuant to Utah State law (§10-9a-101 et seq.) and under corresponding sections of the Bountiful City Code; and
2. After review and a public hearing of the proposed Land Use Code Text Amendment on November 7, 2023, the Bountiful City Planning Commission forwarded a positive recommendation to the City Council; and
3. The City Council of Bountiful City finds that these amendments are necessary and are in harmony with the objectives and purposes of the Bountiful City Land Use Code and the General Plan; and
4. The City Council of Bountiful City reviewed the proposed Land Use Code Text Amendment on November 28, 2023, and finds that the proposed amendments are in the best interest of the health, safety, and welfare of the City and the public.

Be it ordained by the City Council of Bountiful, Utah:

SECTION 1. Chapter 20 Subdivisions of the Land Use Code of Bountiful City, Title 14 of the Bountiful City Code, related to subdivision submittal, preliminary approval process, final subdivision approval process, and subdivision amendments is hereby adopted and enacted as shown on Exhibit A, which is attached hereto and incorporated by this reference.

SECTION 4. Sections 14-2-103, 14-2-111, and 14-2-305 of Chapter 2 of the Land Use Code of Bountiful City, Title 14 of the Bountiful City Code, related to Planning Commission power and duties and subdivision approval, Subdivision Approval/Review Bodies, and final decisions of

Architectural and Site plan Review is hereby adopted and enacted as shown on Exhibit B, which is attached hereto and incorporated by this reference.

SECTION 3. This ordinance shall take effect immediately upon approval.

Adopted by the City Council of Bountiful, Utah, this 28th day of November 2023.


Kendalyn Harris, Mayor

ATTEST:


Shawna Andrus, City Recorder



Exhibit A

CHAPTER 20

SUBDIVISIONS

- PART 1 GENERAL PROVISIONS**
- PART 2 SUBDIVISION APPROVAL PROCEDURE**
- PART 3 SUBDIVISION IMPROVEMENT REQUIREMENTS**
- PART 4 AMENDING OR VACATING A SUBDIVISION PLAT**
- PART 5 COMMERCIAL, CONDOMINIUM, AND PUD PLATS**

PART 1 GENERAL PROVISIONS

- 14-20-101 GENERAL PROVISIONS**
- 14-20-102 APPLICABILITY OF THIS TITLE**
- 14-20-103 DEFINITIONS**

14-20-101 GENERAL PROVISIONS

- A. The underlying purpose and intent of this Subdivision Ordinance is to promote the health, safety, convenience, good order, aesthetics and general welfare of the present and future inhabitants of the City. Any proposed subdivision and its ultimate use shall be in the best interest of the public and shall be in harmony with good neighborhood development of the area concerned and of the City as a whole.
- B. In cases where unusual topographical or other exceptional conditions exist, variations from this Subdivision Ordinance may be made by the City Council, after recommendation from the City Planning Commission.
- C. The most recent copy of the Bountiful Street Master Plan, as approved by the Bountiful City Council, is hereby adopted by reference as a part of this ordinance. No subdivision that conflicts with the Bountiful Street Master Plan shall be approved by the City unless the subdivision or the Plan is amended in such a manner that they are brought into harmony.
- D. It is unlawful to:
 - 1. Record in the office of the Davis County Recorder a subdivision plat which includes land wholly or partially located within the city limits of Bountiful prior to its having obtained final approval from the City Council and being fully executed as required herein;
 - 2. Record a deed or other instrument dividing or subdividing, or purporting to divide or subdivide, land within Bountiful City when the division or subdivision of land has not been approved by Bountiful City in accordance with the Bountiful Land Use Ordinance.
 - 3. Sell lots contained within a subdivision prior to the time it is recorded in the office of the Davis County Recorder; or

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4. Represent to another that a subdivision is either recorded with the Davis County Recorder or approved by the Bountiful City Council when it is not recorded or approved; or
5. Violate any of the provisions of this Subdivision Ordinance.

14-20-102 APPLICABILITY OF THIS TITLE

- A. Unless exempted from subdivision requirements by State law, this Subdivision Ordinance applies to any property that is divided or proposed to be divided into two or more lots which are located wholly or partially within the city limits of Bountiful, Utah.
- B. No person shall subdivide property except in compliance with this chapter, Bountiful City zoning ordinances, and any other applicable law.

14-20-103 DEFINITIONS

- A. The definitions of terms set forth in the Utah Municipal Land Use Development and Management Act (§10-9a-101, et seq, of the Utah Code) are hereby adopted.
- B. See Chapter 3 of this Title for the following definitions:

SUBDIVIDER
PROPERTY
MASTER STREET PLAN
MAJOR STREET
COLLECTOR STREET
MINOR STREET
UTILITIES
PUBLIC UTILITY EASEMENT
TOWN-HOUSE
AVERAGE SLOPE

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PART 2 SUBDIVISION APPROVAL PROCEDURE

14-20-201	APPROVAL WITHIN THE RESIDENTIAL FOOTHILL SUBZONE
14-20-202	SUBMISSION OF A PRELIMINARY PLAT
14-20-203.1	SUBDIVISION PLAT APPROVAL PROCEDURE FOR ONE-FAMILY, TWO-FAMILY, AND TOWNHOME DEVELOPMENTS
14-20-203.2	SUBDIVISION PLAT APPROVAL PROCEDURE FOR ALL OTHER DEVELOPMENTS
14-20-204	SUBMISSION OF FINAL SUBDIVISION PLAT

14-20-201 APPROVAL WITHIN THE RESIDENTIAL FOOTHILL ZONE

Subdivisions which are proposed within the Residential Foothill Subzone of the City must comply with the approval requirements of the Bountiful Land Use Ordinance. Such subdivisions must also comply with other requirements stated therein for preliminary and final approval, in addition to the requirements set forth in this Subdivision Ordinance.

14-20-202 SUBMISSION OF A PRELIMINARY PLAT

- A. The subdivider of a proposed subdivision shall submit to the Planning Department a preliminary subdivision plan containing the following information:
1. The name and address of the subdivider and the engineer or surveyor preparing the plat.
 2. The proposed name of the subdivision.
 3. The legal description of the proposed subdivision.
 4. A scaled drawing (not smaller than one hundred (100) feet to one (1) inch) of the subdivision, illustrating the boundaries, lot lines, streets, easements, all areas to be dedicated to the public, and other important features to be contained within the subdivision, with sufficient information to locate accurately the property shown in the plan.
 5. The location, width, and other dimensions of all existing or platted streets, and other important features actually existing within the subdivision, such as water courses, buildings, power lines, storm drains, water and sewer lines, exceptional topography and any other notable features.
 6. Existing sanitary sewers, storm drains, water supply mains and culverts within the subdivision, if any, shall be shown on the plat.
 7. A north point and date.
 8. The plat shall show existing and proposed contours of the entire proposed development at two (2)-foot intervals for average slopes less than ten percent (10%) grade, and five (5)-foot intervals for average slopes over ten percent (10%) grade.

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9. For developments in the Residential Foothill Subzone, the subdivider shall submit a plat or detail drawings of each lot, drawn at a scale no greater than 1"=10', with contours at two (2) foot intervals, showing precisely for each lot the following:
 - (i) The "usable land" as defined in this Title, and
 - (ii) The "minimum building pad" as defined in this Title.
 10. All information required by §10-9a-603 of the Utah State Code.
- B. The subdivision plat shall be furnished to the City by the subdivider in such a number of copies as the City Engineer shall reasonably require.
 - C. If the subdivision being submitted is only one phase of a larger development, then the entire intended subdivision shall be submitted to the City. It shall illustrate the total subdivision intended, including the street system envisioned for the entire area.
 - D. For subdivisions where the average slope of the existing predeveloped topography exceeds fifteen percent (15%), the applicant shall submit a geotechnical report which identifies any known, mapped, or potential natural hazards including, but not limited to: surface fault rupture, slope stability, liquefaction, debris flow, or rock fall.

14-20-203.1 SUBDIVISION PLAT APPROVAL PROCEDURE FOR ONE-FAMILY, TWO-FAMILY, AND TOWNHOME DEVELOPMENTS

- A. The approval process for subdivisions shall consist of preliminary review by the City Staff and the Planning Commission. Final review and approval shall be made by City Staff.
- B. Upon receipt of a preliminary subdivision application, City Staff shall review it for compliance with this ordinance. City review process shall be subject to limitations outlined in State code. When all requirements have been met, the Planning Department shall schedule the proposed subdivision for consideration of preliminary approval by the Planning Commission. The Planning Commission shall hold a public hearing. The City Engineer and City Planner shall make a recommendation to the Planning Commission for preliminary approval, for approval with stated conditions, or for disapproval for stated reasons.
- C. The City Planner shall distribute copies of the preliminary plan of the proposed subdivision to the Departments of the City, and other entities as required by State law for their review and recommendations.
- D. The Planning Commission shall review the preliminary subdivision and approve it, approve it with stated conditions, or disapprove it with stated reasons.

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14-20-203.2 SUBDIVISION PLAT APPROVAL PROCEDURE FOR ALL OTHER DEVELOPMENTS

- A. The approval process for subdivisions shall consist of review by the City Staff,-preliminary review by the Planning Commission, and preliminary approval by the City Council, and final review by the Planning Commission and final approval by the City Council.
- B. Upon receipt of a preliminary subdivision application, the City Staff shall review it for compliance with this ordinance. The City review process shall be subject to limitations outlined in State code. When all requirements have been met, the Planning Department shall schedule the proposed subdivision for consideration of preliminary approval by the Planning Commission. The City Engineer and City Planner shall make a recommendation to the Planning Commission for preliminary approval, for approval with stated conditions, or for disapproval for stated reasons.
- C. The City Planner shall distribute copies of the preliminary plan of the proposed subdivision to the Departments of the City, and other entities as required by State law for their review and recommendations.
- D. The Planning Commission shall review the subdivision and make a recommendation to the City Council for preliminary approval, approval with stated conditions, or for disapproval for stated reasons.
- E. The City Council shall review the subdivision for preliminary approval and shall approve it, approve it with stated conditions, or disapprove it with stated reasons.

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14-20-204 SUBMISSION OF FINAL SUBDIVISION PLAT

- A. After receiving preliminary approval, the subdivider shall prepare and submit to the City Engineer a final subdivision plat, and in such a number of copies or document types (printed or electronic) as the City Engineer shall reasonably require.
- B. A final subdivision plat shall meet the following requirements:
 - 1. It shall consist of a sheet of approved tracing linen or Mylar, to the outside or trim line dimension of twenty-four (24) by thirty-six (36) inches, or such dimensions as required by Davis County Recorder's Office.
 - 2. The borderline of the plan shall be drawn in heavy lines, leaving a space of at least one-half inch margin on all four sides.
 - 3. The top of the drawing must face either north or west, whichever best accommodates the drawing.
 - 4. All lines, dimensions and markings shall be made on the tracing linen with approved waterproof black India drawing ink.
 - 5. The plat shall be made to a scale large enough to clearly show all detail, and in any case not smaller than one hundred feet to the inch.
 - 6. Workmanship on the drawings shall be neat, clean-cut and readable.
 - 7. The plat shall contain all of the information and signature blocks required in this ordinance.
- C. A final subdivision plat shall contain the following information:
 - 1. The proposed name of the subdivision.
 - 2. The legal description of the proposed subdivision.
 - 3. A scaled drawing (not smaller than one hundred (100) feet to one inch) of the subdivision, illustrating the boundaries, lot lines, streets, easements, usable land and minimum building pad locations, when required, all areas to be dedicated to the public, and other important features to be contained within the subdivision, with sufficient information to locate accurately the property shown in the plat.
 - 4. A north point and date.
 - 5. Signature blocks for every owner of an interest in the property, utilities supervisors, the City Planning Director (who shall sign for the Planning

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Commission), the City Engineer, the City Attorney, and the Mayor and City Recorder. All signatures by owners or other holders of interest in the property shall be notarized, in the following or similar language: "This instrument was acknowledged before me this (date) by (person acknowledging, title or representative, capacity, if any)."

6. An owner's dedication to the public of all public ways and rights given in the subdivision, in the following or similar language: "We, the undersigned owners of the above-described land, having caused the same to be subdivided into lots and streets to be known as _____ subdivision, do hereby dedicate for the perpetual use of the public all parcels of land shown on this plat as intended for public use, and do warrant to the City that the same are free of all encumbrances that could interfere with their use as herein dedicated."
 7. A consent to dedication signed by all other holders of an interest in the property, including trust deed holders, in the following or similar language: "We, the undersigned holders of a trust deed on the above-described land, which is dated _____ and recorded at Book _____ on Page _____ of the records of Davis County, do hereby consent to the creation of this subdivision, and do hereby consent to the Owner's Dedication stated on this plat, and do hereby join in the dedication to the perpetual use of the public all parcels shown as intended for public use."
 8. A Certificate of Survey from a registered land surveyor.
 9. For subdivisions within the Residential Foothill Zone:
 - (i) A statement on the face of the plat by the subdivider certifying to the City and to the public that all lots within the subdivision contain a minimum building pad as defined in the Bountiful City Code, and
 - (ii) A statement on the face of the plat that slopes of thirty percent (30%) or greater are not usable and may not be disturbed, excavated or used for construction.
 10. A six (6) inch by three (3) inch space in the lower right corner of the drawing for recording information.
- D. In order to obtain final approval, the subdivider must:
1. Submit a subdivision plat as described herein;
 2. Comply with any stated conditions attached to the preliminary approval;
 3. Submit to the City a reliable title report reflecting the exact legal description of the proposed subdivision, and stating all matters of record affecting title to that land;

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4. Submit finished engineering construction drawing for all site improvements including, but not limited to, streets, sewer, water, irrigation, storm drainage, erosion and landscaping.
 5. Pay all required fees as shall be required by resolution of the City Council.
- E. Final Subdivision Plat Approval Process
1. For one-family, two-family, and townhome development plats: After receiving from the subdivider the information necessary for final approval, the City Staff shall review it for compliance with this ordinance. When all requirements have been met, the City Engineer and City Planner shall approve the Final plans.
 2. For all other development plats:
 - a. After receiving from the subdivider the information necessary for final approval, the City Staff shall review it for compliance with this ordinance. When all requirements have been met, the City shall schedule the proposed subdivision for consideration of final approval by the Planning Commission. The City Engineer shall make a recommendation to the Planning Commission for final approval, for approval with stated conditions, or for disapproval for stated reasons.
 - b. The Planning Commission shall review the subdivision and make a recommendation to the City Council for final approval, approval with stated conditions, or for disapproval for stated reasons. These are recommendations only to the City Council, which may adopt, reject, or modify any recommendation from the Planning Commission.
 - c. The City Council shall review the subdivision for final approval, and shall approve, approve with stated conditions, or disapprove with stated reasons.
- F. No conditionally approved subdivision shall be recorded at the office of the Davis County Recorder until all the conditions upon which approval was granted, which are intended to be accomplished prior to recording, have been fulfilled.
- G. Unless a subdivision shall receive final approval from the City within one (1) year after obtaining preliminary approval, the preliminary approval shall expire. The subdivision must thereafter be re-submitted as if it had never previously been considered.
- H. A subdivision which has been granted final approval by the City must be delivered to the office of the Davis County Recorder for recording within one (1) year of the date of approval unless extended by the corresponding Land Use Authority as specified in section E above, for good cause shown, for an additional period of time of up to one (1) year, at the request of the applicant. If it is not so delivered within one (1) year or within any additional period of time approved by the City, the approval shall expire. The subdivision must thereafter be re-submitted as if it had never previously been considered.

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PART 3 SUBDIVISION IMPROVEMENT REQUIREMENTS

14-20-301	RELATION TO ADJOINING STREET SYSTEM
14-20-306	LENGTH AND WIDTH OF BLOCKS
14-20-307	LOTS
14-20-308	IMPROVEMENTS
14-20-310	NATURAL HAZARDS
14-20-311	NATURAL VEGETATION
14-20-312	UTILITIES

14-20-301 RELATION TO ADJOINING STREET SYSTEM

- A. All subdivisions must be in compliance with the Master Street Plan.
- B. The arrangement of streets in new subdivisions shall provide for the continuation of the existing streets in adjoining areas (or their proper protection where adjoining land is not subdivided), and shall be constructed to the standards set forth in Title 6, Public Works and Property.

14-20-306 LENGTH AND WIDTH OF BLOCKS

The maximum length of blocks shall be eight hundred (800) feet, and the width shall be sufficient to allow two tier lots where physically possible.

14-20-307 LOTS

- A. The meaning of the term "Lot" is set forth in Chapter 3, *Definitions*, of this Title.
- B. Any lot, regardless of how it is created, shall meet all of the following:
 - 1. The arrangement, design and shape of a lot shall provide a satisfactory site for building a structure, shall be properly related to topography, and shall conform to the requirements of this Title.
 - 2. A lot shall be generally rectangular in shape and shall not contain peculiarly or irregularly shaped elongations, except where dictated by existing, physical constraints of the land.
 - 3. A lot shall conform to the minimum requirements of the Bountiful City Land Use Ordinance for the zone in which it is located.
 - 4. Each lot shall abut a public street meeting the minimum requirements of Bountiful City. Interior lots having frontage on two streets are prohibited. An approved planned unit development is exempt from these provisions.
 - 5. Any remnant of land remaining after subdividing shall be added to an approved, adjacent lot, rather than becoming an outstanding parcel of land.

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6. A lot shall not be created by any means that does not meet the minimum requirements for a building lot according to the provisions of this Title.

14-20-308 IMPROVEMENTS

- A. The owner of any land and his agent shall be required to install or guarantee the installation of all public improvements as set forth in Title 6 *Public Works and Property*.

14-20-310 NATURAL HAZARDS

Construction of permanent structures shall not be permitted in areas subject to hazards such as floods, landslides, etc.

14-20-311 NATURAL VEGETATION AND GRADING

No property shall be grubbed, cleared, or otherwise disturbed except in accordance with an approved landscaping permit, excavation permit, or building permit. Natural vegetation shall be removed only when absolutely necessary for the construction of buildings, streets, and filled areas. A landscaping permit, excavation permit, or building permit shall not be issued until the final plans for development are approved by the Land Use Authority.

14-20-312 UTILITIES

All utilities shall be placed underground.

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PART 4 AMENDING OR VACATING A SUBDIVISION PLAT

14-20-501 AMENDING OR VACATING A RECORDED SUBDIVISION, PLANNED UNIT DEVELOPMENT, OR CONDOMINIUM PLAT 14-20-502 NOTICE REQUIREMENTS

14-20-501 AMENDING OR VACATING A RECORDED SUBDIVISION, PLANNED UNIT DEVELOPMENT, OR CONDOMINIUM PLAT

- A. No subdivision, planned unit development or condominium plat which has been recorded with the Davis County Recorder according to law may be altered, amended or vacated, in whole or in part, until the proposed alteration, amendment or vacation has been approved by the City and executed by the appropriate City officials.
- B. Submittal Requirements: Anyone proposing to amend or vacate a recorded subdivision, planned unit development or condominium shall submit an application to the City including the following:
1. A petition, which may be in letter form, stating that an amendment, vacation, or other alteration to an existing subdivision, planned unit development or condominium is being requested. The petition shall include the following information:
 - (i) The name and address of all owners of record of the land contained in the entire original plat;
 - (ii) The name and address of all owners of record of land adjacent to any street that is proposed to be vacated, altered or amended, whether in or out of the original subdivision;
 - (iii) The signature of each of those owners who consents to the petition; and
 - (iv) Any other information that may be required by State or City law.
 2. A plat showing the proposed amendment or vacation, which shall:
 - (i) Be titled as an amended plat of the original subdivision;
 - (ii) Describe and illustrate all proposed changes;
 - (iii) Show a tie in to the unchanged portion of the original plat;
 - (iv) Contain all necessary signature blocks, including one (1) for every owner of property who has any interest in the land being amended or vacated; and

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- (v) Such other information or items as shall reasonably be required by the City.
- 3. A reliable title report reflecting the exact description of the land being amended or vacated, and stating all matters of record affecting title to that land.
- C. Subdivision Plat Amendment Procedure shall follow the process for new subdivisions (See 14-20-203.1, 14-20-203.2, and 14-20-204).
- D. The hearing concerning the proposed amendment or vacation shall be considered upon the criteria set forth in the Utah Code and in City ordinances.

14-20-502 NOTICE REQUIREMENTS

Notice of the proposed amendment or vacation shall be given as provided by State law

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PART 5 COMMERCIAL, CONDOMINIUM, AND PUD PLATS

14-20-601 MINIMUM NUMBER OF UNITS

14-20-602 ESTABLISHMENT OF PROPERTY OWNERS ASSOCIATION

14-20-603 CONDOMINIUM SUBDIVISION PLAT

14-20-604 PUD SUBDIVISION PLAT

14-20-605 COMMERCIAL SUBDIVISION PLAT

14-20-601 MINIMUM NUMBER OF UNITS

Any condominium or planned unit development (PUD) subdivision shall have a minimum of four (4) legal units or lots.

14-20-602 ESTABLISHMENT OF PROPERTY OWNERS ASSOCIATION

It is the duty of the owners who sign a commercial, condominium, or PUD subdivision plat to establish a property owners association responsible for the maintenance and ownership of any common area and any shared easement area, and to record all necessary documents to effectuate such property owners association with the Davis County Recorder.

14-20-603 CONDOMINIUM SUBDIVISION PLAT

Any legally existing multi-family development that meets the minimum requirements of this Chapter may be platted as a condominium development. One (1) or more single-family detached dwellings shall not be platted as a condominium development.

14-20-604 PUD SUBDIVISION PLAT

- A. Any legally existing multi-family development that meets the minimum requirements of this Chapter and that does not have vertically stacked units may be platted as a PUD development regardless of whether or not it was developed under current or previous iterations of the Planned Development Overlay Zone.
- B. Any legally existing development, except for multi-family developments, located within a single-family, commercial, professional office, hospital, mixed-use, or downtown zone may be platted as a PUD development only if the development meets the minimum requirements of this Chapter and the minimum size requirements of the current iteration of the Planned Development Overlay Zone.

14-20-605 COMMERCIAL SUBDIVISION PLAT

Any legally existing, non-residential development may be subdivided in conformance with the requirements of the zone in which it is located. A lot within a development in a Commercial Zone (C), or within a Professional Office Zone (PO), may meet the minimum public street frontage requirement through a cross-access easement or dedicated common area, if all of the following criteria are met:

- A. Any proposed lot, and any cross-access easement or dedicated common area providing the minimum required frontage for said lot, shall be located within the same plat or within an

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existing, recorded plat from another phase of the same development. Furthermore, the proposed easement or access shall be recorded on the plat, shall specifically state that it is for the benefit of said lot, and shall be acknowledged by all signatories.

- B. The cross-access easement or dedicated common area shall be at least twenty-four feet wide, free of obstructions, and shall meet all the requirements of this Title regarding vehicle and pedestrian access.
- C. No cross-access agreement over or with a property outside of a development or subdivision can satisfy the minimum frontage requirements of this Title.
- D. Each lot within a meets and bounds subdivision shall be required to have the minimum frontage along a public street.

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14-2-103 PLANNING COMMISSION

- A. Established. A Planning Commission, consisting of seven (7) members is hereby established to exercise the powers and duties specified herein.
- B. Appointment and Terms of Office.
1. Planning Commission members shall be residents of Bountiful City and shall be appointed by the Mayor with the advice and consent of the City Council.
 2. The terms of Planning Commission members shall be staggered. Each member of the Planning Commission shall serve for a term of four (4) years and until a successor is appointed, provided that members may be appointed for terms shorter than three (3) years when necessary to provide staggered terms.
 3. Terms of Planning Commission members shall begin on July 1st of each year.
 4. Planning Commission members may be reappointed for successive terms.
 5. The Mayor, with the advice and consent of the City Council, may remove any member of the Planning Commission at any time with or without cause.
 6. A vacancy occurring on the Planning Commission by reason of death, resignation, removal, disqualification or any other reason shall be promptly filled by a replacement appointed in the same manner as the original appointment for the remainder of the unexpired term of the replaced member.
 7. The Mayor may appoint one person from the City Council as a full member of the Planning Commission.
- C. Organization and Procedure. The Planning Commission shall be organized and exercise its powers and duties as follows:
1. Members of the Planning Commission shall select one (1) of its members as chair to oversee the proceedings and activities of the Planning Commission.
 - a. The chairperson shall serve for a term of one (1) year.
 - b. Members of the Planning Commission shall select one (1) of its members as vice-chair to act in the absence of the chair. The chair and vice-chair may be re-elected for successive terms.
 2. The Planning Commission may adopt policies and procedures, consistent with the provisions of this Title and applicable law, to govern the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the Planning Commission. All such policies and procedures shall be submitted to the City Council for review and approval.

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3. The Planning Commission shall meet on a regular basis, as determined by a vote of the Commission members, and at such other times as the Commission members may determine. All meetings shall be properly noticed as required by law, and held in accordance with the open meetings law set forth in Utah Code Ann. ' 52-4-1, et seq., as amended. At the beginning of each calendar year the Bountiful City Planning Department shall create and post in its office a schedule of Planning Commission meetings and application deadlines.
4. No official business shall be conducted by the Planning Commission unless a quorum of its members is present. Four (4) members of the Planning Commission shall constitute a quorum. Any action taken shall require a minimum of four (4) yes votes from members of the Planning Commission, unless otherwise prescribed by law.
5. Any person desiring to appear before the Planning Commission shall complete an application and submit all required materials and fees to the Planning Department. An application that does not include all of the required signatures, materials, fees, or other necessary information shall be deemed incomplete and returned to the applicant.
6. After an applicant has submitted a completed application to the Planning Department, the item shall be placed on the next available Planning Commission agenda, unless the applicant and the Commission Chair agree to postpone placing the item on the agenda or agree to continue the item to a subsequent meeting.
7. An applicant may request that an item be postponed or continued a maximum of one (1) meeting (i.e. once) or for forty five (45) days from the date of application, whichever is longer. If the matter is not heard within this deadline, the application is deemed to have expired or been withdrawn, and must be resubmitted if the applicant desires the Commission to act on the item. This shall not apply to completed applications that have been placed on an agenda, reviewed and discussed by the Planning Commission, and then continued for reasons determined by the Commission.
8. The Planning Commission shall not reconsider a previous action or change a recorded vote, and once an action is taken, the matter shall not be considered again for twelve (12) months from the date of decision.
9. Decisions of the Planning Commission shall take effect on the date of the meeting or hearing where the decision is made, unless a different date is designated in the Commission's rules or at the time the decision is made. The approval of written findings shall relate back to the date of decision.
10. The Planning Commission shall keep written minutes of its proceedings, showing the vote upon each question, or if absent or failing to vote, indicating that fact, and keep records of all its official actions. The Planning Commission may, but is not required to, have its proceedings transcribed by a secretary, a court reporter, a tape recorder, or other recording device.
 - a. The Planning Commission shall report, either verbally or in writing, its official acts and recommendations to the City Council. Any member of the Planning

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Commission may also make a concurring or dissenting report or recommendation to the City Council.

- b. The minutes of all meetings of the Planning Commission shall be prepared and filed in the office of the Planning Director, under the direction of the City Recorder. All such records are public records and shall be available for public review and access in accordance with the Government Records and Access Management Act, Utah Code Ann., 63-2-101, et seq., as amended.
- D. Powers and Duties. The Planning Commission shall have all the powers and duties, explicit or implied, given planning commissions by Utah State law and the Bountiful City Land Use Ordinance, including but not limited to the following. Each of such powers and duties shall be exercised pursuant to the procedural and other provisions of this Title and of State law.
1. Prepare and recommend a general plan and amendments to the general plan to the City Council;
 2. Recommend Land Use Ordinances and maps, and/or amendments to Land Use Ordinances and maps, to the City Council;
 3. Administer applicable provisions of this Title and of State law;
 4. Approve or deny preliminary subdivision applications for one-family, two-family, and townhome developments; Recommend approval or denial of all other subdivision applications;
 5. Advise the City Council on matters requested by the City Council;
 6. Hear and decide the approval or denial of conditional use permits;
 7. Hear and decide variances from this title;
 8. Hear and/or decide any other matter that the City Council designates;
 9. Exercise any other powers that are necessary to enable the Planning Commission to perform its function or that are delegated to it by the City Council; and
 10. Perform any other power or duty set forth in this Land Use Ordinance or in State law relating to Planning Commissions.
- E. Appeals. Any person adversely affected by a final decision of the Planning Commission may appeal that decision as set forth in Section 14-2-108 of this Title. Any recommendation of the Planning Commission to another approval body is not a final decision and therefore cannot be appealed.
- F. Examinations and Surveys. The Planning Commission and its authorized agents may enter upon any land at reasonable times to make examinations and surveys as necessary to enable it to

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perform its function to promote City planning, development, and enforcement of the provisions of this Title.

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14-2-111 APPROVAL/REVIEW BODIES

Item	Subcategory	Approval/Review Bodies			
		Staff	AC	PC	CC
Conditional Use Permit	Home Occupation	No	Final	No	No
	Commercial Operation	No	Final	No	No
	Structure/Land-use improvements	No	No	Final	No
Subdivisions	One-Family, Two-Family, and Townhomes Plat	Final Approval	No	Preliminary Approval	No
Subdivisions	All Other Developments	No	No	Recommend	Final
Re-Zone	All	No	No	Recommend	Final
Land Use Code Text Amendment	All	No	No	Recommend	Final
Combine Lots/Lot Line Adjustment	All	No	Final	No	No
Land Use Code/Map Interpretation	All	Planning Director	No	No	No
General Plan	All	No	No	Recommend	Final
Site Plan	Residential SFD	Final	No	Appeal	No
	Res SFD 200+ feet from street	No	Final	No	No
	All other Residential	No	No	Recommend	Final
	Res. SFD Accessory Structure	Final	No	No	No
	All other Res. Accessory Structure	Final	No	No	No
	Non-Residential	No	No	Recommend	Final
	Non-Residential Accessory Structure	Final	No	No	No
	All Non-SFD Residential Amend	No	No	Recommend	Final
	All Non-Residential Amend	No	No	Recommend	Final
Expansion of Non-Complying Site or Structure	Residential SFD	As Designated	All Others	No	No
	All Others	No	As Designated	All Others	No
Expansion of Non-Conforming Use	All	No	As Designated	All Others	No

Exhibit B

14-2-111 APPROVAL/REVIEW BODIES (CONTINUED)

Item	Subcategory	Approval/Review Bodies			
		Staff	AC	PC	CC
Easement Release	All	No	No	No	Final
Variance	Slopes > 30%	No	Final	No	No
	Cuts and Fills (includes retaining walls) > 10 feet	No	Final	No	No
	Setbacks	No	No	Final	No
	All others	No	No	Final	No
Drive Approach	Residential SFD	Final	No	No	No
	All Non-SFD (without site plan review)	Final	No	No	No
	All Non-SFD (with site plan review)	No	No	Recommend	Final
Interior Remodel	All	Final	No	No	No
Retaining Wall	All	Final	No	No	No
Signs	Commercial Pole/Monument – New Developments	No	No	Recommend	Final
	All Others	Final	No	No	No
Utility Connections	All	Final	No	No	No
Vacate/Abandon Public Property	All	No	No	Recommend	Final
Improve Public Property	All	No	No	Recommend	Final
ADA and FFHA Accommodations	All	Planning Director	No	No	No

Staff = The Planning, Engineering, and/or Building Department employees as assigned.

AC = Administrative Committee; As currently composed.

PC = Planning Commission; As currently composed.

CC = City Council; As currently composed.

Exhibit B

CHAPTER 2

ADMINISTRATION AND PROCEDURES

PART 3 - ARCHITECTURAL AND SITE PLAN APPROVAL

- 14-2-301 PURPOSE**
- 14-2-302 APPROVAL REQUIRED**
- 14-2-303 APPLICATION**
- 14-2-304 ACCOMPANYING MAPS AND DRAWINGS REQUIRED**
- 14-2-305 REVIEW AND APPROVAL**
- 14-2-306 CONSIDERATIONS IN REVIEW OF APPLICATIONS**
- 14-2-307 INSTALLATION OF IMPROVEMENTS**

14-2-301 PURPOSE

The purpose of the architectural and site plan review and approval process is:

- A. To determine compliance with this Ordinance;
- B. To promote the orderly and safe development of land in the City;
- C. To implement the policies and goals established in the Bountiful City General Plan; and
- D. To promote the orderly layout of buildings, landscaping, walkways, lighting, and other site improvements.

14-2-302 APPROVAL REQUIRED

- A. The following uses shall require site plan approval from the Planning Commission and the City Council:
 - 1. Any industrial use.
 - 2. Any commercial use.
 - 3. Any institutional use.
 - 4. Any multiple-family use, including apartments, condominiums, and two family units (duplexes).
 - 5. Any combination of residential and non-residential uses, except for home occupations.
 - 6. Any other non single-family residential use.

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- B. The Bountiful City Planning and Engineering Departments are the bodies designated to review and approve single-family residential site plans.

14-2-303 APPLICATION

The property owner or an authorized agent shall submit a completed application, including all required materials and fees, to the Planning Department. An application that does not include all of the required signatures, materials, fees, or other necessary information shall be deemed incomplete and returned to the applicant.

14-2-304 ACCOMPANYING MAPS AND DRAWINGS REQUIRED

All maps, drawings, and illustrations shall conform to Chapter 15 - *Design Standards for Non-Single Family Development*, and to all other provisions of this title, and shall be prepared and drawn to a standard scale large enough to show details clearly with dimensions thereof. Said maps and drawings shall be stamped by a Registered Architect, Engineer, Landscape Architect, or Land Surveyor in accordance with the laws of the State of Utah and the provisions of this Title. The following shall be included:

- A. For Preliminary Review:
1. A vicinity map showing site orientation and location in relation to streets and arterial roads.
 2. Statement of building use, occupancy, area tabulations, parking, and landscaping tabulations.
 3. The location of all proposed and existing structures on the subject property and within fifty (50) feet on immediately adjoining properties to show that light and air are preserved, and to show that the development will not be detrimental to the orderly and harmonious development of the City.
 4. Location and types of landscaping and/or fencing and screening within yards and setback areas, including proposed sprinkling and irrigation systems.
 5. Location of existing and proposed utilities (i.e., power, water, sewer, gas, telephone, storm drains) and other public infrastructure improvements (i.e., curb, gutter, sidewalk, streets) together with existing easements and rights-of-way.
 6. Design of ingress and egress to provide a functional on-site traffic flow and to prevent interference with traffic on adjacent streets.
 7. Off-street parking and loading facilities in compliance with the off-street parking and loading standards as set forth in Chapter 18 of this Ordinance, including provisions for pedestrians and the disabled.
 8. Existing and proposed contours and spot elevations.

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9. Preliminary drainage plan.
 10. Preliminary building elevations and sections.
 11. Architectural drawings, sketches, or perspective drawings of the exterior elevations of proposed buildings, structures, signs, including types, textures, and colors of materials to be used.
 12. Other pertinent building features.
- B. For Final Review:
1. Detailed development of all items required for Preliminary Review.
 2. Modifications required by conditions of the Planning Commission for Preliminary Approval and further optional modifications by owner/developer.
 3. Landscape plan including plant materials list and details of installation prepared by a landscape architect or licensed landscape installer.
- C. For Building Permit:
1. All final construction documents including detailed development of all items required for Preliminary and Final Review.
 2. Documentation showing compliance with County Flood Control requirements.
 3. Surface and subsurface drainage, including catch basins, piping and detention basins.
 4. Landscaping and sprinkler plans and details of installation prepared by a landscape architect or licensed landscape installer.

14-2-305 REVIEW AND APPROVAL

- A. The Planning Commission shall determine if the proposed architectural and site development plans submitted are consistent with this Chapter and with the purpose and objectives of this Ordinance. Upon a finding that the application meets the intent of this Chapter, the Planning Commission shall recommend to the City Council to approve, approve with conditions, or deny the architectural and site development plans as submitted. The Planning Commission recommendation shall expire within six months from the time of recommendation.
- B. The final decision by the City shall expire within one (1) year of the final decision. If a building permit is not obtained within one (1) year of the final approval, the application shall expire and become void, and any vested rights thereunder shall be lost. One extension of up to six (6) months may be approved by the City. Once the application has expired, in order to reintroduce the proposed development, the owner must submit a new application with all applicable fees and comply with regulations in effect at the time of resubmittal.