



BOUNTIFUL

Bountiful City Ordinance No. 2025-05

MAYOR
Kendalyn Harris

CITY COUNCIL
Kate Bradshaw
Beth Child
Richard Higginson
Matt Murri
Cecilee Price-Huish

CITY MANAGER
Gary R. Hill

An Ordinance Amending Various Omnibus Sections of the Land Use Code, Title 14 of the Bountiful City Code:

- I. Section 14-2-104 Administrative Committee, Section 14-2-111 Approval/Review Bodies, and Section 14-2-206 Variances of Chapter 2 – Administration and Procedures.
- II. Section 14-2-106 Land Use Administration of Chapter 2 – Administration and Procedures.
- III. Section 14-4-101 Purpose and Objectives and Section 14-4-110 Parking, Loading, and Access of Chapter 4 – (R) Single Family Residential
- IV. Section 14-6-107 Structure Height of Chapter 6 – (C) Commercial Zone.
- V. Section 14-7-105 Yard Requirements of Chapter 7 – (DN) Downtown.
- VI. Section 14-18-105 General Requirements for Parking Areas and Section 14-18-109 Access Requirements of Chapter 18 – Motor Vehicle Parking and Access Standards.
- VII. Section 14-4-103 Permitted, Conditional, and Prohibited Uses of Chapter 4 – (R) Single Family Residential.
- VIII. Section 14-6-103 Permitted, Conditional, and Prohibited Uses of Chapter 6 – (C) Commercial Zone.
- IX. Section 14-7-103 Permitted, Conditional, and Prohibited Uses of Chapter 7 – (DN) Downtown.
- X. Section 14-10-105a Permitted Uses of Chapter 10 – (MXD) Mixed-Use Zone.

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. The Planning Department recommends that various changes take place to provide order, accuracy, and clarifications for consideration; and
3. After review and a public hearing on February 4, 2025, the Bountiful City Planning Commission forwarded a positive recommendation to the City Council; and

4. The City Council of Bountiful City held a public hearing on this Ordinance on February 25, 2025, and considered the statements made from the public as well as the recommendations from the Planning Commission and the Staff.
5. 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
6. The City Council of Bountiful City reviewed the proposed ordinance 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 I. Section 14-2-104 Administrative Committee, Section 14-2-111 Approval/Review Bodies, and Section 14-2-206 Variances of Chapter 2 – Administration and Procedures of the Land Use Code, Title 14 of the Bountiful City Code; are hereby amended as shown on Exhibit A.

SECTION II. Section 14-2-106 Land Use Administration of Chapter 2 – Administration and Procedures of the Land Use Code, Title 14 of the Bountiful City Code; is hereby amended as shown on Exhibit B.

SECTION III. Section 14-4-101 Purpose and Objectives and Section 14-4-110 Parking, Loading, and Access of Chapter 4 – (R) Single Family Residential of the Land Use Code, Title 14 of the Bountiful City Code; are hereby amended as shown on Exhibit C.

SECTION IV. Section 14-6-107 Structure Height of Chapter 6 – (C) Commercial Zone of the Land Use Code, Title 14 of the Bountiful City Code; is hereby amended as shown on Exhibit D.

SECTION V. Section 14-7-105 Yard Requirements of Chapter 7 – (DN) Downtown of the Land Use Code, Title 14 of the Bountiful City Code; is hereby amended as shown on Exhibit E.

SECTION VI. Section 14-18-105 General Requirements for Parking Areas and Section 14-18-109 Access Requirements of Chapter 18 – Motor Vehicle Parking and Access Standards of the Land Use Code, Title 14 of the Bountiful City Code; are hereby amended as shown on Exhibit F.

SECTION VII. Section 14-4-103 Permitted, Conditional, and Prohibited Uses of Chapter 4 – (R) Single Family Residential of the Land Use Code, Title 14 of the Bountiful City Code; is hereby amended as shown on Exhibit G.

SECTION VIII. Section 14-6-103 Permitted, Conditional, and Prohibited Uses of Chapter 6 – (C) Commercial Zone of the Land Use Code, Title 14 of the Bountiful City Code; is hereby amended as shown on Exhibit H.

SECTION IX. Section 14-7-103 Permitted, Conditional, and Prohibited Uses of Chapter 7 – (DN) Downtown of the Land Use Code, Title 14 of the Bountiful City Code; is hereby amended as shown on Exhibit I.

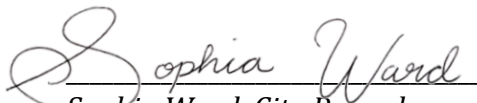
SECTION X. Section 14-10-105a Permitted Uses of Chapter 10 – (MXD) Mixed-Use Zone of the Land Use Code, Title 14 of the Bountiful City Code; is hereby amended as shown on Exhibit J.

SECTION XI. This ordinance shall take effect immediately upon first publication.

Adopted by the City Council of Bountiful, Utah, this 25th day of February, 2025.


Kendalyn Harris, Mayor

ATTEST:


Sophia Ward, City Recorder



1 **Exhibit A**
2 **Section I**

3
4 **CHAPTER 2 ADMINISTRATION AND PROCEDURES**

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6 **14-2-104 ADMINISTRATIVE COMMITTEE**

- 7
8 A. Established. In order to provide for just and fair treatment in the administration of
9 this Title, and to ensure that items of a routine nature are processed expeditiously
10 and in a public forum, an Administrative Committee consisting of three (3) members
11 is hereby established to exercise the powers and duties specified herein.
12
- 13 B. Appointment and Terms of Office.
- 14
- 15 1. The Planning Director and City Engineer, or their designees, shall each serve
16 as members of the Board. The third member and an alternate shall be
17 appointed by the Mayor with the advice and consent of the City Council.
18
- 19 a. An appointed member of the Administrative Committee shall serve a term of
20 two (2) years and until a successor is appointed. Terms shall commence July
21 1st of every odd year.
22
- 23 b. An appointed Administrative Committee member may be reappointed for
24 successive terms.
25
- 26 c. The Mayor, with the advice and consent of the City Council, may remove an
27 appointed member of the Administrative Committee at any time with or
28 without cause.
29
- 30 d. A vacancy occurring on the Administrative Committee by reason of death,
31 resignation, removal, disqualification or any other reason shall be promptly
32 filled by a replacement appointed in the same manner as the original
33 appointment for the remainder of the unexpired term of the replaced
34 member.
35
- 36 2. The Mayor, with the advice and consent of the City Council, may approve an
37 alternate to the Administrative Committee.
38
- 39 C. Organization and Procedure. The Administrative Committee shall be organized and
40 exercise its powers and duties as follows:
41
- 42 1. The Planning Director shall oversee the proceedings and activities of the
43 Administrative Committee, and shall act as the Committee Chair.
44
- 45 2. The Planning Director or acting Chair may vote.
46

- 47 3. The Administrative Committee shall not meet in the absence of the Planning
48 Director, City Engineer, or their designees, and no official business shall be
49 conducted by the Administrative Committee unless a quorum of its members is
50 present.
51
- 52 4. The Administrative Committee may adopt policies and procedures, consistent
53 with the provisions of this Title and applicable law, to govern the conduct of its
54 meetings, the processing of applications, and for any other purposes considered
55 necessary for the functioning of the Committee.
56
- 57 5. The Administrative Committee shall meet as necessary to consider matters
58 within its jurisdiction. All meetings shall be properly noticed as required by law,
59 and held in accordance with the open meetings law set forth in Utah Code Ann.
60 '52-4-1, et seq., as amended.
61
- 62 6. Public comment shall be allowed on all items brought before the Administrative
63 Committee. If an item brought before the Administrative Committee requires a
64 public hearing and/or public notice, the noticing requirement shall be an on-site
65 posting in a prominent location of the meeting date, location, and time, at least
66 ten (10) days prior to the meeting, unless otherwise required by State Law. This
67 noticing requirement shall supersede all other noticing provisions of this Title.
68
- 69 7. Decisions of the Administrative Committee shall take effect on the date of the
70 meeting or hearing where the decision is made, unless a different time is
71 designated in the Board's rules or at the time the decision is made.
72
- 73 8. The Administrative Committee shall keep written minutes of its proceedings,
74 showing the vote upon each matter, and keep records of its examinations and
75 other official actions.
76
- 77 a. The Administrative Committee shall provide a copy of each agenda and the
78 outcome of each item to the City Council and Planning Commission.
79
- 80 b. The minutes of all meetings of the Administrative Committee shall be
81 prepared and filed in the office of the Planning Director, under the direction
82 of the City Recorder. All such records are public records and shall be
83 available for public review and access in accordance with the Government
84 Records and Access Management Act, Utah Code Ann., 63-2-101, et seq., as
85 amended.
86
- 87 D. Powers and Duties. The Administrative Committee shall have the power and duty to
88 review and decide those matters designated by the City Council and/or Planning
89 Commission. The Administrative Committee Chairman may assign any item
90 designated for Administrative Committee review to the Planning Commission, in
91 which case any power or review authority granted to the Administrative Committee
92 shall also be afforded to the Planning Commission. Each of such powers and duties

93 shall be exercised pursuant to the procedural rules and other provisions of this Title
94 and of State law. Items specifically designated to the Administrative Committee are
95 as follows:

96
97 1. Conditional use permits for home occupation licenses and for commercial
98 business operations that do not require a new and/or amended site plan.

99
100 ~~2. Variances from the terms of this Title, as designated by Code.~~

101
102 3. The expansion or modification of a non-complying single-family dwelling or
103 structure where the non-complying aspect is continued.

104
105 ~~4. Lot line adjustments.~~

106
107 5. Any other matter designated by the City Council or Planning Commission.

108
109 6. Beer License violations short of suspension or revocation.

110
111 E. Appeals. Any person adversely affected by a final decision of the Administrative
112 Committee may appeal that decision as set forth in Section 14-2-108 of this Title.
113 Any recommendation of the Administrative Committee to another approval body is
114 not a final decision and therefore cannot be appealed.

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14-2-111 APPROVAL/REVIEW BODIES

Item	Subcategory	Approval/Review Bodies			
		Staff	AC	PC	CC
Conditional Use Permit	Home Occupation Licenses & Commercial Business Operation	No	Final	No	No
	Detached Accessory Dwelling Units	No	Final	No	No
	All Others	No	No	Final	No
Internal Accessory Dwelling Units	All	Final	No	No	No
Subdivision	One-Family, Two-Family, and Townhomes Plat	Final Approval	No	Preliminary Approval	No
Subdivision	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	Final No	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 200150+ 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
Alteration and Modification of Non-Complying Site or Structure	Residential SFD	As Designated	All Others	No	No
	All Others	No	As Designated	All Others	No
Alteration and Modification of Non-Conforming Use	All	No	As Designated	All Others	No

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
Variance	All	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.

122 **14-2-206 VARIANCES**

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A. Variances from the terms of this Code may be granted by the Planning Commission ~~or the Administrative Committee~~, according to the provisions of this Title and State Law. An application for a variance shall be filed with the Planning Department. Said application shall contain the following:

1. A description of the requested variance, together with a description of that Land Use Code provision for which relief is being requested and why such provision causes undue hardship or need for variance.
2. An accurate plot plan, where appropriate, indicating the manner in which the variance will be applied and its effect on adjacent properties.
3. A filing fee as set by the City Council.
4. If required, mailing addresses of all of the property owners within three hundred (300) feet of the subject property, as per current County records, printed on self-adhesive labels.

B. Any request for variance shall be heard and decided by the Planning Commission ~~unless the item falls within a category designated for Administrative Committee review~~. When considering the request, the Planning Commission ~~or Administrative Committee~~ shall hold a public hearing to review the request and other concerns and take appropriate action upon the request.

C. The noticing requirement for a variance heard by the Planning Commission shall be as follows:

1. Notice sent to all property owners within a three hundred (300) feet radius of the subject property fourteen (14) days prior to the hearing date.
2. Posted with notification signage on the subject property by the City and shall be posted by the City at least ten (10) days in advance of the scheduled meeting.

~~D. The noticing requirement for a variance request heard by the Administrative Committee shall be the same as required for any public hearing held by the Administrative Committee, as set forth in 14-2-104.~~

E. The Planning Commission ~~or Administrative Committee~~, after hearing necessary testimony, information and citizen input, shall then make a finding conforming to this Title and Section 10-9a-702 of the Utah State Code, ~~which is as follows:~~

~~**10-9a-702 Variances.**~~

168 ~~(1) Any person or entity desiring a waiver or modification of the requirements of a~~
169 ~~land use ordinance as applied to a parcel of property that he owns, leases, or in~~
170 ~~which he holds some other beneficial interest may apply to the applicable appeal~~
171 ~~authority for a variance from the terms of the ordinance.~~

172 ~~(2) (a) The appeal authority may grant a variance only if:~~

173 ~~(i) literal enforcement of the ordinance would cause an unreasonable~~
174 ~~hardship for the applicant that is not necessary to carry out the general~~
175 ~~purpose of the land use ordinances;~~

176 ~~(ii) there are special circumstances attached to the property that do not~~
177 ~~generally apply to other properties in the same zone;~~

178 ~~(iii) granting the variance is essential to the enjoyment of a substantial~~
179 ~~property right possessed by other property in the same zone;~~

180 ~~(iv) the variance will not substantially affect the general plan and will not be~~
181 ~~contrary to the public interest; and~~

182 ~~(v) the spirit of the land use ordinance is observed and substantial justice~~
183 ~~done.~~

184 ~~(b) (i) In determining whether or not enforcement of the land use ordinance~~
185 ~~would cause unreasonable hardship under Subsection (2)(a), the appeal~~
186 ~~authority may not find an unreasonable hardship unless the alleged~~
187 ~~hardship:~~

188 ~~(A) is located on or associated with the property for which the~~
189 ~~variance is sought; and~~

190 ~~(B) comes from circumstances peculiar to the property, not from~~
191 ~~conditions that are general to the neighborhood.~~

192 ~~(ii) In determining whether or not enforcement of the land use ordinance~~
193 ~~would cause unreasonable hardship under Subsection (2)(a), the appeal~~
194 ~~authority may not find an unreasonable hardship if the hardship is self-~~
195 ~~imposed or economic.~~

196 ~~(c) In determining whether or not there are special circumstances attached to the~~
197 ~~property under Subsection (2)(a), the appeal authority may find that special~~
198 ~~circumstances exist only if the special circumstances:~~

199 ~~(i) relate to the hardship complained of; and~~

200 ~~(ii) deprive the property of privileges granted to other properties in the same~~
201 ~~zone.~~

202 ~~(3) The applicant shall bear the burden of proving that all of the conditions~~
203 ~~justifying a variance have been met.~~

204 ~~(4) Variances run with the land.~~

205 ~~(5) The appeal authority may not grant a use variance.~~

206 ~~(6) In granting a variance, the appeal authority may impose additional requirements~~
207 ~~on the applicant that will:~~

208 ~~(a) mitigate any harmful affects of the variance; or~~

209 ~~(b) serve the purpose of the standard or requirement that is waived or~~
210 ~~modified.~~

211
212 F. In granting a variance, the Planning Commission ~~or Administrative Committee~~ may
213 impose such reasonable conditions as will ensure that the use of the property to

214 which the variance applies will be as compatible as practicable with the surrounding
215 properties.

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219 **14-2-302 APPROVAL REQUIRED**

220
221 A. The following uses ~~require architectural and site plan application review from the~~
222 ~~Planning Commission, and final application review and approval from City Council~~
223 ~~shall require site plan approval from the Planning Commission and the City Council:~~

- 224
225 1. Any industrial use.
226
227 2. Any commercial use.
228
229 3. Any institutional use.
230
231 4. Any multiple-family use, including apartments, condominiums, and two
232 family units (duplexes).
233
234 5. Any ~~mixed-use development. combination of residential and non-residential~~
235 ~~uses, except for~~ This does not include home occupations.
236
237 6. Any other non single-family residential use.

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239 [...]

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241 **14-2-304 ACCOMPANYING MAPS AND DRAWINGS REQUIRED**

242
243 All ~~plans~~, maps, drawings, and illustrations shall conform to Chapter 15 - Design Standards
244 for Non-Single Family Development, and to all other provisions of this ~~€Title~~, and shall be
245 prepared and drawn to a standard scale large enough to show details clearly with
246 dimensions thereof. Said ~~plans, maps, and~~ drawings, and illustrations shall be stamped by a
247 ~~Registered licensed~~ Architect, Engineer, Landscape Architect, ~~or and Land~~ Surveyor, as
248 ~~applicable~~, in accordance with the laws of the State of Utah and the provisions of this Title.
249 The following shall be included:

- 250
251 ~~A. For Preliminary Review:~~
252
253 ~~1. A vicinity map showing site orientation and location in relation to streets and~~
254 ~~arterial roads.~~
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256 ~~2. Survey of the subject site prepared by a Surveyor registered in the State of~~
257 ~~Utah.~~
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259 ~~3. Typed statement describing the proposal.~~

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- ~~4. Statement of building use, occupancy, area tabulations, parking, and landscaping tabulations.~~
 - ~~5. 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.~~
 - ~~6. Location and types of landscaping and/or fencing and screening within yards and setback areas, including proposed sprinkling and irrigation systems.~~
 - ~~7. 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.~~
 - ~~8. Design of ingress and egress to provide a functional on-site traffic flow and to prevent interference with traffic on adjacent streets.~~
 - ~~9. Off-street parking and loading facilities in compliance with the off-street parking and loading standards as set forth in Chapter 18 of this Code, including provisions for pedestrians and the disabled.~~
 - ~~10. Existing and proposed contours and spot elevations.~~
 - ~~11. Preliminary drainage plan.~~
 - ~~12. Preliminary building elevations and sections.~~
 - ~~13. 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.~~
 - ~~14. 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.~~

- 306 A. For Final Review:
307
308 1. Written, typed, statement describing overall project intent and scope of
309 work. Provide statements of building use, number of units, occupancy, area
310 tabulations, parking, and landscape tabulations, etc.
311
312 2. A vicinity map showing site orientation and location in relation to City
313 streets.
314
315 3. A certified topographical boundary survey of the existing site prepared and
316 stamped by a licensed surveyor drawn to scale with two-foot (2') contours,
317 which includes:
318
319 a. Complete address(es) and parcel number(s).
320
321 b. Lot/parcel size and property lines with dimensions, etc.
322
323 c. Footprints(s) of all existing buildings, structures, and other
324 improvements on the site, including to but not limited to, paved
325 surfaces, driveways, walkways, fences, retaining walls, features, etc.
326
327 d. Existing utility locations.
328
329 e. Existing public infrastructure improvements (i.e., curb gutter,
330 sidewalk, streets) together with existing easements and rights-of-way.
331
332 f. Existing drainage facilities.
333
334 g. Existing vegetation.
335
336 h. Existing on- and off-street circulation and parking.
337
338 4. Proposed Site Plan:
339
340 a. Drawn to scale, north arrow, legend, date of the drawing.
341
342 b. Complete address(es) and parcel number(s).
343
344 c. Lot/parcel size and property lines with dimensions, etc. (consistent
345 with the submitted Survey).
346
347 d. Proposed footprint(s) of all building, structures, and other
348 improvements on the site, including to but not limited to, paved
349 surfaces, driveways, walkways, fences, retaining walls, etc.
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351 e. Location and types proposed fencing and screening, if applicable.

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- f. Design of ingress and egress to provide a functional on-site traffic flow and to prevent interference with traffic on adjacent streets.
 - g. Proposed off-street parking and loading facilities.
 - 5. Proposed landscape plan, including but not limited to, the location and types of landscaping, plant material list, details of installation, irrigation systems, etc.
 - 6. Proposed utility plan including, but not limited to, the location of proposed utilities (i.e., power, water, sewer, gas, communications, storm drains) and other public infrastructure improvements (i.e., curb, gutter, sidewalk, streets) together with existing easements and rights-of-way.
 - 7. Proposed grading plan including, but not limited to, existing and proposed contours, spot elevations, etc.
 - 8. Preliminary drainage plan.
 - 9. Proposed demolition plan, if applicable.
 - 10. Floor plans and building elevations.
 - 11. Architectural drawings, sketches, or perspective drawings of the exterior elevations of proposed buildings, structures, etc. Physical or digital material board representing types, textures, and colors of materials to be used.
 - 12. Other pertinent building features.
- B. For Existing Developments:
 - 1. The Planning Director and/or the City Engineer may waive the submittal requirements listed under section 14-2-304(A) above, if all three (3) criteria are met:
 - a. The site is an existing development.
 - b. The change of use does not include significant work including additions, remodels, structure modification, etc.
 - c. The intensity of the use is comparable or less to the former use in terms of parking, screening, utility capacity, etc.
- C. For Building Permit Review:

- 398 1. All final construction documents including detailed development of all items
399 required for ~~Preliminary and~~ Final Review ~~as determined by State Code~~.
400
- 401 2. Documentation showing compliance with County Flood Control
402 requirements.
403
- 404 3. Surface and subsurface drainage, including catch basins, piping and
405 detention basins.
406
- 407 4. Landscaping and sprinkler plans and details of installation prepared by a
408 landscape architect or licensed landscape installer.
409

410 **14-2-305 REVIEW AND APPROVAL**

411

- 412 A. The Planning Commission shall ~~review determine if~~ the proposed architectural and
413 site ~~plan application to verify that it complies with applicable sections of this Title.~~
414 ~~The Planning Commission shall forward a recommendation to the City Council to~~
415 ~~approve, approve with conditions, or deny the architectural and site plan~~
416 ~~application. development plans submitted are consistent with this Chapter and with~~
417 ~~the purpose and objectives of this Code. Upon a finding that the application meets~~
418 ~~the intent of this Chapter, the Planning Commission shall recommend to the City~~
419 ~~Council to approve, approve with conditions, or deny the architectural and site~~
420 ~~development plans as submitted. The Planning Commission recommendation shall~~
421 ~~expire within six months from the time of recommendation.~~
422
- 423 2. ~~The City Council shall review the proposed architectural and site plan application~~
424 ~~once the Planning Commission has forwarded a recommendation.~~ The final decision
425 by the City Council shall expire within one (1) year of the final decision.
426
- 427 3. If an entire project is not to be built simultaneously, a phasing plan must be
428 approved at the time of final approval, and construction commenced within one (1)
429 year of the approved phasing dates.
430
- 431 4. One (1) extension of up to ~~twelve (12) six~~ months may be approved by the City
432 Council.
433

434 **14-2-306 CONSIDERATIONS IN REVIEW OF APPLICATIONS**

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436 The ~~City Planning Commission~~ shall consider the following matters, and others when
437 applicable, in their review of architectural and site development plans, and may refer the
438 plans to one or more expert consultants if the ~~City Planning Commission~~ deems it
439 necessary.
440

- 441 A. Considerations relating to traffic safety and traffic congestion:
442

- 443 1. The effect of the site development on traffic conditions on abutting streets.
444
445 2. The layout of the site with respect to locations and dimensions of vehicular
446 and pedestrian entrances, exits, drives, and walkways.
447
448 3. The arrangement and adequacy of off-street parking areas and other
449 vehicular facilities.
450
451 4. The location, arrangement, and dimensions of truck loading and unloading
452 facilities.
453
454 5. The transportation patterns within the boundaries of the development, and
455 the impact on transportation patterns within the general vicinity of the
456 development.
457
458 6. The design, construction, and durability of all site plan elements.
459

460 ~~B. Considerations relating to signs:~~

- 461
462 ~~1. That all signs are compatible with the architectural design of the buildings~~
463 ~~and are in compliance with the provisions of Chapter 19 of this Title.~~
464
465 ~~2. That directional and/or informational signs are in compliance with the~~
466 ~~provisions of Chapter 19 this Code and are in locations and of such~~
467 ~~dimensions so as to not cause poor visibility for traffic.~~
468

469 [...]

470
471 **14-2-307 INSTALLATION OF IMPROVEMENTS**

472
473 Landscaping, sprinkling systems, walls, fences and/or screening structures, walks, parking
474 areas, and other on-site improvements shall be installed in accordance with approved final
475 site plan prior to issuance of any occupancy permit. If the installation of any of these
476 improvements cannot be completed due to weather or other circumstances beyond the
477 control of the owner or developer, a Conditional Certificate of Occupancy may be issued if a
478 Performance Security and Deferral Agreement are signed by the developer or owner which
479 shall guarantee completion of all unfinished improvements. Such agreement shall be
480 reviewed and approved by the ~~Planning Director City Attorney.~~

481
482

483 **Exhibit B**
484 **Section II.**

485 **CHAPTER 2 ADMINISTRATION AND PROCEDURES**

486
487
488 **14-2-106 LAND USE ADMINISTRATION**

- 489
490 A. Appointment. The Planning Director shall be responsible for administering and
491 enforcing this Title.
492
493 B. Interpretation. When necessary, the Planning Director shall interpret the
494 provisions of this Title, subject to general and specific policies established by the
495 Planning Commission and City Council. These interpretive decisions may be
496 appealed as set forth in Section 14-2-108 of the Bountiful City Land Use Code.
497
498 C. Administrative Duties. The Planning Director shall accomplish or cause to be
499 accomplished all administrative actions required by this Title, including the
500 giving of notice, holding of hearings, preparation of staff reports, and receiving
501 and processing of appeals.
502
503 D. **Inactive Land Use Applications Process. The Planning Department will be**
504 **responsible for monitoring the progress of all active land use applications. If an**
505 **application remains inactive for a period of more than 180 days, with no**
506 **communication from the applicant and no substantive progress in the**
507 **application process, the Planning Department will deem the application inactive**
508 **and will consider the application withdrawn. Paid application fees shall not be**
509 **refunded.**
510

511 Exhibit C
512 **Section III**

513
514 **CHAPTER 4 (R) SINGLE-FAMILY RESIDENTIAL**

515
516 **14-4-101 PURPOSE AND OBJECTIVES**

517
518 [...]

- 519
520 C. ~~It is the intention of the City Council that every~~Every subdivision, lot, or parcel
521 within the Residential Foothill subzone shall be developed with as little disturbance
522 to the natural ground, with the most harmony with natural conditions, and with the
523 greatest conformity with the purposes and requirements of this Code, as possible
524 under individual circumstances. It is the finding of the City Council that all possible
525 circumstances, and the best means of dealing with them, cannot be anticipated in
526 the preparation of these regulations. Therefore, the Land Use Authority ~~City Council~~
527 may, unless expressly stated to the contrary in this chapter, grant a reasonable use
528 exception to the provisions of this chapter to implement its purposes by modifying
529 requirements in the R-F subzone as individual circumstances may merit subject to
530 the criteria set forth below. The provisions set forth in this chapter regarding the R-
531 F subzone shall be the standard, but when conditions merit a reasonable exception,
532 discretion may be exercised, even where the term "shall" is used in the regulation, in
533 accordance with such criteria. The following findings and conclusions may justify a
534 reasonable exception and shall be included in the record of the proceedings.

535
536 [...]

537
538 **14-4-110 PARKING, LOADING, AND ACCESS**

539
540 Each lot or parcel in the (R) Zone shall have on the same lot or parcel off-street parking
541 sufficient to comply with Chapter 18 of this Code. Said spaces shall be paved with asphalt,
542 concrete, or similar material, and shall include a paved driveway accessing a public street.
543 For single family and two-family residential uses, at least two (2) of the required on-site
544 parking spaces per unit shall be provided behind the minimum front yard setback.

- 545
546 A. Front and Street Side (Corner Lot): Parking spaces shall not be permitted
547 between the residence and the street in either the front yard or street side
548 yard except for the following:
549
550 1. ~~Street Side Yard (Corner Lot):~~ Parking ~~is only allowed on approved~~
551 ~~parking areas either within an approved garage or carport or located~~ may
552 ~~be allowed~~ at least 10 feet from the street side property line (corner lot).
553 ~~and behind a six foot screening fence. Fencing adjacent to driveways on~~
554 ~~corner lots shall be subject to required clear view requirements of Section~~
555 ~~14-16-108.~~

556

557
558

2. Parking may be allowed on an approved circular driveway.

559 **Exhibit D**
560 **Section IV**

561

562

CHAPTER 6 (C) COMMERCIAL ZONE

563

564 **14-6-107 STRUCTURE HEIGHT**

565

566 No building or structure in the (C) Zone shall exceed ~~three (3) stories or~~ forty-five (45) feet
567 in height as measured at the average grade. Chimneys, flagpoles, church towers and similar
568 accessory elements not used for human occupancy are excluded in determining height;
569 however, the City may limit the height of any protrusion that is found by the City Council to
570 be a public nuisance.

571 **Exhibit E**
572 **Section V**

573
574 **CHAPTER 7 DN – DOWNTOWN**

575
576 **14-7-105 YARD REQUIREMENTS**
577

578 A lot or parcel with a single family or two family dwelling shall conform to the minimum
579 setbacks of the R-4 subzone. All other uses, including multi-family and mixed-use, shall
580 meet the following requirements:

581
582 A. **FRONT AND STREET SETBACKS**
583

- 584
- 585 1. Along 100 West and 100 East any building shall have a minimum building setback of
586 20 feet and a maximum setback of twenty-five (25) feet from any front property line
587 and/or any property line abutting a public street.
588
 - 589 2. Along Main Street any building shall be located within ten (10) feet of the street
590 property line. Plazas, outdoor eating areas, and other pedestrian oriented site
591 amenities, including but not limited to, seating, drinking and ornamental fountains,
592 art, trees, and landscaping, for use by pedestrians, shall be considered part of the
593 building for setback purposes, as determined by the approving Land Use Authority.
594
 - 595 3. Along 500 South, 400 South, 300 South, 200 South, 100 South, 100 North, 200
596 North, or 300 North and 400 North any building shall be setback at least ten (10)
597 feet and not more than twenty (20) feet from the street property line. **When any**
598 **building faces Main Street, the street side yard shall be located within ten (10) feet**
599 **of the street property line.**
600
 - 601 4. Along Center Street, any building shall be setback at least five (5) feet and not more
602 than ten (10) feet from the street property line.
603

- 604 B. **Side Yard**. Except as provided otherwise in this chapter, each lot or parcel shall have a
605 minimum building setback of ten (10) feet from an interior side property line. Any lot
606 or parcel that fronts onto Main Street shall have no interior side yard setback except as
607 required by the International Building Code.
608

609 [...]
610

611 **Exhibit F**
612 **Section VI**

613
614 **CHAPTER 18 MOTOR VEHICLE PARKING AND ACCESS STANDARDS**

615
616 **14-18-105 GENERAL REQUIREMENTS FOR PARKING AREAS**

617 [...]

- 618
619 D. Off-street parking areas shall allow vehicles to enter and exit from a public street by
620 forward motion only. This regulation shall not apply to single-family and two-family
621 residential units, or to town-home style residential units approved and constructed
622 after December 31, 2006, that front onto a public street that is not designated on the
623 Street Master Plan as a collector or **major arterial** street and that does not exceed an
624 average daily traffic volume of one thousand (1,000) vehicles.
625

626 [...]

- 627
628 H. Off-street parking spaces shall be located at least ten (10) feet from any street
629 property line except for driveways serving one and two-family dwellings. For single
630 family and two-family residential uses, at least two (2) of the required on-site
631 parking spaces per unit shall be provided behind the minimum front yard setback.
632 No driveways or paved vehicle areas of any kind are allowed in a street side yard
633 (corner lot) setback unless they provide access to an approved parking area located
634 within an approved garage or carport or a paved area located at least 10 feet from
635 the street side property line. ~~and behind a six foot screening fence as required in~~
636 ~~Section 14-4-110.~~
637

638 [...]

639
640 **14-18-109 ACCESS REQUIREMENTS**

641 [...]

- 642
643 B. **Single-Family and Two-Family Residential Lots**

- 644
645
646 1. Each residential lot shall be allowed not more than two drive accesses (curb cuts),
647 each of which shall have a minimum width of twelve (12) feet and a maximum width
648 of thirty (30) feet, as measured at the street property line. There shall also be a
649 minimum of thirty-five (35) feet between any drive access located on the same
650 property, as measured at the property line. Lots exceeding one (1) acre in size with
651 more than 150 feet of frontage on a public street may be allowed one (1) additional
652 curb cut provided the curb cut meets all other standards related to size, maximum
653 lot coverage and open space standards, minimum separation from other lots,
654 driveways and intersections.
655
656

- 657 2. Circular drives shall meet all of the minimum width and separation standards that
658 apply to drive accesses and shall be constructed in conformance with the
659 requirements set forth in Figure 18-5 Minimum Circular Drive Design Standards for
660 All Single and Two Family Residential. Areas between the minimum interior arc and
661 the front property line shall be landscaped at all times, and shall not be filled with
662 cement, asphalt or any other paving material. In limited circumstances, the City
663 Engineer may allow a reduced circular driveway, as shown in Figure 18-6 Minimum
664 Circular Drive Design Standards for Limited Situations. Before approving the
665 construction of a reduced circular driveway, the City Engineer shall determine that
666 all of the following criteria are met:
667
- 668 a. It is not physically possible to construct a standard size circular driveway.
 - 669
 - 670 b. There is a clear safety hazard created by the configuration of the road,
671 sidewalk, or other element that is beyond the control of the property owner.
672
 - 673 c. The property owner has not created the safety hazard or need for the
674 reduced circular driveway by his action or the action of previous property
675 owners.
676
 - 677 d. There is no other reasonable solution to the safety hazard.
678
- 679 3. No drive access shall be closer than thirty (30) feet to any street intersection as
680 measured at the property line. In any instance where a dwelling has a drive access
681 on to a collector or arterial street, or in any instance where existing conditions
682 restrict visibility, the City Engineer may require that the drive access be located
683 further from the intersection; however, the location shall be the minimum necessary
684 to mitigate the hazard.
685
- 686 4. In any instance where a dwelling has a drive access on to a collector or **major**
687 **arterial** street **as indicated on the Bountiful Master Street Plan**, or in any instance
688 where existing conditions restrict visibility, the City Engineer may prohibit vehicles
689 from backing onto a public street. In addition, the City Engineer may require that
690 onsite improvements be made to allow a vehicle to turn around and drive forward
691 out on to a public street.
692

693 **Exhibit G**
 694 **Section VII**

695
 696 **CHAPTER 4 (R) SINGLE-FAMILY RESIDENTIAL**

697
 698 **14-4-103 PERMITTED, CONDITIONAL, AND PROHIBITED USES**

699
 700 Subject to the provisions and restrictions of this Title, the following principal uses and
 701 structures, and no others, are allowed either as a permitted use (P) or by Conditional Use
 702 Permit (C) in the Residential zone. Some uses may be expressly prohibited (N) in this zone.
 703 Any use not listed herein is also expressly prohibited.

704
 705 **Table 14-4-103**

<u>Use</u>	<u>R-3, R-4 & R-F</u>	<u>R-1</u>
Detached Accessory Dwelling Unit, detached, as set forth in the Supplementary Development Standards chapter of this Title	C	C
Internal Accessory Dwelling Unit, internal, as set forth in the Supplementary Development Standards chapter of this Title	P	P
Chickens and related structures as set forth in this Title	P	P
Churches, Synagogues, and Temples	P	P
Coops, barns, stalls, pens, and any other animal housing as set forth in this Title	N	P
Denominational and Private School	C	C
Domesticated Farm Animals, as set forth in this Chapter	N	P
Home Occupation, Temporary, and Seasonal Uses as set forth in this Title	P/C	P/C
Household Pets as set forth in this Title	P	P
Library	C	C
Multi-Family Residential Dwelling	N	N
Municipal Facility	P	P
Preschool, Group Instruction, or Daycare with eight (8) or less children, including those residing in the home	P	P
Preschool, Group Instruction, or Daycare with nine (9) to twelve (12) children, as set forth in this Title and State Licensing Requirements	C	C
Private Recreational Facility	C	C
Public or Private Cemetery	C	C
Funeral Home or Mortuary*	C	C
Public or Private Utility Facility	C	C
Public Recreational Facility	P	P
Public Schools	P	P
Residence for Persons with Disability as set forth in 10-9a-504 of the Utah Code	P	P

Use

R-3, R-4
& R-F

R-1

<u>Use</u>	<u>R-3, R-4 & R-F</u>	<u>R-1</u>
Residential Accessory Structure	P/C	P/C
Residential Facility for Elderly Persons as set forth in 10-9a-519 of the Utah Code	P	P
Schools for the Disabled	C	C
Single or Two-Family Dwelling – Existing	P	P
Single-Family Dwelling – New	P	P
Telecommunication Facility not on City Property	C	C
Telecommunication Facility on City property	P	P
Two Family Dwelling – New	N	N
Utility Lines and Rights-of-Way	P	P

708 **Exhibit H**
 709 **Section VIII**

710 **CHAPTER 6 (C) COMMERCIAL ZONE**

711
 712
 713 **14-6-103 PERMITTED, CONDITIONAL, AND PROHIBITED USES**

714
 715 Subject to the provisions and restrictions of this Title, the following principal uses and
 716 structures, and no others, are allowed either as a permitted use (P) or by Conditional Use
 717 Permit (C) in the Commercial zone. Some uses may be expressly prohibited (N) in this zone.
 718 Any use not listed herein is also expressly prohibited.

719
 720 **Table 14-6-103**

<u>Use</u>	<u>C-H</u>	<u>C-G</u>	<u>C-N</u>
Assisted Living Center	N	N	N
ATV and Snowmobile Sales w/o Outside Storage and/or Display	P	C	N
ATV and Snowmobile Sales with Outside Display	P	N	N
Bail Bonds	C	N	N
Banks, Credit Unions	P	P	N
Bar, Tavern, Drinking Establishment	C	N	N
<i>Beauty Services, Permanent Makeup and Cosmetics</i>	<i>P</i>	<i>P</i>	<i>P</i>
Bottling, Canning, Food Production	P	C	N
Building/Construction Materials and Supplies w/ Outside Storage	C	C	N
Building/Construction Materials and Supplies w/o Outside Storage	P	C	N
Check Cashing, Title Loans	P	C	N
Construction Services w/ Outside Storage	C	N	N
Construction Services w/o Outside Storage	P	C	N
Convenience Stores	P	C	C
Dry Cleaner, Laundry Service	P	C	C
Fast Food Restaurant w/ or w/o Drive-up	P	C	N
Feed Lots, Animal Rendering, Animal Raising	N	N	N
Fire Arm/Shooting Range - Indoor	C	C	N
Fire Arm/Shooting Range - Outdoor	N	N	N
Food Preparation, Bakery	P	P	C
Funeral Parlor, Cemeteries, and Crematory Services	P	C	N
Gasoline Sales	P	P	C
General Retail w/ Outside Storage	C	C	N
General Retail w/o Outside Storage	P	P	C
Grocery Store	P	P	C
Hotels (Interior room access)	P	C	N

<u>Use</u>	<u>C-H</u>	<u>C-G</u>	<u>C-N</u>
Industrial Manufacturing	N	N	N
Kennels, Animal Boarding	N	N	N
Laundromat (Self-operated)	P	P	C
Mail Order/Online Distribution Office w/ Onsite Indoor Storage	P	C	N
Mail Order/Online Distribution Office w/ Onsite Outdoor Storage	C	N	N
Medical/Dental Laboratory	P	C	N
Medical/Dental Office	P	P	C
Millwork, Cabinetry	P	C	C
Motels (Drive-up/ exterior room access)	N	N	N
Motorized Recreation	C	N	N
Municipal Facility	P	P	P
Non-motorized Recreation, Pool, Gymnasium - Public or Private	P	P	C
Pawnshop, Secondhand Merchandise,	C	N	N
Personal Services	P	P	C
Professional Services	P	P	C
Public/Private Assembly	P	P	C
Residential	N	N	N
Restaurant	P	P	C
Security Services	P	N	N
Self-Storage Units or Warehouse w/o Office	N	N	N
Sexually Oriented Business, Escort Service	C	N	N
Small Engine/Appliance Repair	P	P	N
Tailor, Seamstress, Shoe Repair	P	P	C
<i>Tattoo Parlor, Body Art Establishment</i>	<i>C</i>	<i>NC</i>	<i>N</i>
Telecommunication Facility not on City Property	C	C	C
Telecommunication Facility on City property	P	P	P
Thrift Store	P	C	C
Tutoring, Dance, Preschool, Daycare	P	P	C
Vehicle Part Sales	P	P	N
Vehicle Repair	P	N	N
Vehicle Sales	P	N	N
Vehicle Salvage/Wrecking	N	N	N
Vehicle Service and Wash	P	C	N
Vehicle Storage - Indoor	P	P	C
Vehicle Storage - Outdoor	C	N	N
Warehouse w/ Office	P	N	N
Welding, Autobody, Machine Shop, Fiberglass, Painting - indoor	P	N	N
Welding, Autobody, Machine Shop, Fiberglass, Painting - Outdoor	C	N	N

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Exhibit I
Section IX

CHAPTER 7 DN – DOWNTOWN

14-7-103 PERMITTED, CONDITIONAL, AND PROHIBITED USES

The following principal uses and structures, and no others, are allowed either as a permitted use (P) or by Conditional Use Permit (C) in the Downtown zone. Some uses may be expressly prohibited (N) in this zone. Any use not listed herein is also expressly prohibited. Properties fronting on 100 West or 100 East shall be limited to the residential uses allowed in the (DN) zone.

Table 14-7-103

<u>Use</u>	<u>DN</u>
Detached Accessory Dwelling Unit, detached, as set forth in the Supplementary Development Standards chapter of this Title	C
Internal Accessory Dwelling Unit, internal, as set forth in the Supplementary Development Standards chapter of this Title	P
Assisted Living Center	C
Bail Bonds	N
Banks, Credit Unions	P
Bar, Tavern, Drinking Establishment	N
Beauty Services, Permanent Makeup and Cosmetics	P
Bottling, Canning, Food Production	C
Building/Construction Materials and Supplies w/ outside storage	N
Building/Construction Materials and Supplies w/o outside storage	C
Check Cashing, Title Loans	N
Construction Services w/ outside storage	N
Construction Services w/o outside storage	C
Convenience Stores	C
Dry Cleaner, Laundry Service	P
Fast Food Restaurant w/ drive-thru window	N
Fast Food Restaurant w/ pick-up	C
Fast Food Restaurant w/o drive-thru	P
Feed Lots, Animal Rendering, Animal Raising	N
Fire Arm/Shooting Range – Indoor	N
Fire Arm/Shooting Range – Outdoor	N
Food Preparation, Bakery	C
Funeral Parlor, Cemeteries, and Crematory Services	C

<u>Use</u>	<u>DN</u>
Gasoline Sales	N
General retail w/ outside storage	N
General retail w/o outside storage	P
Grocery Store	P
Hotels (Interior rooms)	P
Industrial Manufacturing	N
Kennels, Animal Boarding	N
Laundromat (Self-operated)	P
Mail Order/Online Distribution office w/ onsite storage	C
Medical/Dental Laboratory	N
Medical/Dental Office	P
Millwork, Cabinetry	P
Motels (Drive-up/exterior rooms)	N
Motorized Recreation	N
Multi-Family Residential – Stand alone, with frontage on Main Street	N
Multi-Family Residential – Stand alone without frontage on Main Street	C
Multi-Family Residential w/ Commercial Use on ground floor (Mixed-Use)	C
Municipal Facility	P
Non-motorized Recreation, Pool, Gymnasium – Public or Private	P
Pawnshop, Secondhand Merchandise	N
Personal Services	P
Private Schools	C
Professional Services	P
Public/Private Assembly	C
Restaurant	P
Security Services	C
Self-Storage Units or Warehouse w/o Office	N
Sexually Oriented Business, Escort Service	N
Single-Family Dwelling	P
Single-Family Dwelling- property fronting on Main Street	N
Two-Family Dwelling— New	C
Two-Family Dwelling – property front on Main Street	N
Small engine/appliance repair	C
Tailor, Seamstress, Shoe repair	P
Tattoo Parlor, Body Art Establishment	N
Tutoring, Dance, Preschool, Daycare	P
Vehicle Part Sales	N
Vehicle Repair	N
Vehicle Sales	N

<u>Use</u>	<u>DN</u>
Vehicle Salvage/Wrecking	N
Vehicle Service and Wash	N
Vehicle Storage - Indoor	C
Warehouse w/ office	N
Welding, Autobody, Machine Shop, Fiberglass, Painting	N

736

737 **Exhibit J**
738 **Section X**

739
740 **CHAPTER 10 MIXED-USE ZONE**

741
742 **14-10-105a PERMITTED USES**

743
744 Underlined uses may not be located on individual pad sites or parcels. They must be part of
745 a larger building or physically connected and integrated into the complex. Residential uses
746 may not exceed twenty five percent (25%) of the total project floor area, except as
747 indicated by the sub-zone designation.

748
749 **Residential**

750 Multi-family - minimum one (1) covered space per unit. Underground and/or
751 structured parking recommended; carports are not permitted without specific City
752 Council approval.

753
754 **Office**

755 Professional offices
756 Banks and credit unions
757 Medical clinics
758 Artist studios

759
760 **Commercial**

761 Convenience stores – without fuel sales
762 Grocery stores – maximum 50,000 square feet per tenant
763 Retail – maximum 50,000 square feet per tenant/floor, no single tenant to exceed
764 100,000 square feet total across multiple floors
765 Personal services and improvements
766 Health Clubs
767 **Beauty Services, Permanent Makeup and Cosmetics**

768
769 **Institutional/Public**

770 Medical clinics
771 Colleges/Universities/Educational Services
772 Museums
773 Open space/Park
774 Convention center/Assembly/Auditorium
775 Government offices
776 Places of worship
777 Municipal Facilities

778
779 **Hotel/Entertainment**

780 Hotels – Rooms off interior corridors (no motor lodges)
781 Recreation – Indoor/Outdoor
782 Restaurants and private clubs – without drive-up window

783 Fast-food restaurant
784 Movie Theaters - Indoor
785 Convention center/Assembly/Auditorium

786

787 **14-10-105b PROHIBITED USES**

788

789 Motor lodges (drive-up motel units)

790 Pawn shops

791 Check cashing/Title loan stores

792 Sexually oriented businesses

793 Tattoo parlors/~~Body Art Establishments~~

794 Self-storage units

795 ~~Body piercing (earrings permitted)~~