

## CHAPTER 4

### (R) SINGLE-FAMILY RESIDENTIAL

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#### 14-4-101 PURPOSE AND OBJECTIVES

The Single-Family Residential Zone (R) is established to provide areas for single-family, detached dwellings on individual lots. Within the Single-Family Residential Zone are various subzones with individual criteria that have been created to address specific needs pertinent to the areas these subzones encompass.

- A. The Residential Foothill subzone is created to provide standards, guidelines, and criteria which permit reasonable development of private property while minimizing flooding, erosion, and other environmental hazards, and which protect the natural scenic character of the foothill areas, and which ensure the efficient expenditure of public funds.
- B. The goals to be achieved by the Residential Foothill subzone include but are not limited to the following:
  1. The protection of the public from natural hazards of storm water runoff and erosion by requiring drainage facilities and the minimal removal of natural vegetation while still allowing reasonable use of the land.
  2. The minimizing of the threat and damages of fire in foothill areas by establishing fire protection measures.
  3. The preservation of natural features, wildlife habitat, and open space consistent with the provisions of this Title and State Law.

4. The preservation of legal public access to mountain areas, trails, and natural drainage channels.
5. The preservation and enhancement of visual and environmental quality by use of natural vegetation and the prohibition of excessive excavation and terracing.
6. The establishment of traffic circulation facilities that ensure ingress and egress for vehicles including emergency vehicles into all developed areas at any time of the year with minimal cuts, fills or visible scars.
7. The encouragement of a variety of a development designs and concepts which are compatible with the natural terrain of the foothill areas and which will preserve open space and natural landscape and that allow a reasonable use of the land.
8. The establishment of land use management criteria which will encourage protection of natural elements while allowing a harmonious and satisfying residential environment.
9. Encouragement of regard for the view of the foothills as well as a view from the foothills.
10. Public and individual personal safety.
11. To assure that the taxpayers of Bountiful are not burdened by extraordinary costs for services attributable solely to the development of hillside areas.

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

1. The proposed development is located on a lot or parcel that was legally created.
2. There is no other reasonable use or feasible alternative to the proposed development with less impact on sensitive land areas including phasing or project implementation, change in timing of activities, setback or other variance, driveway relocation or placement of any structure.

3. The development cannot be located outside sensitive land areas due to topographic constraints of the parcel or size and/or location of the parcel in relation to the limits of sensitive land areas and a building setback, street width, or other possible variances have been reviewed, analyzed and rejected as feasible alternatives.
4. The proposed development does not pose a threat to the public health, safety, or welfare on or off the site, including degradation of groundwater or surface water quality, nor is it anticipated that it will damage nearby public or private property.
5. Any alteration of sensitive land areas is the minimum necessary to allow for reasonable use of the property; and the proposal reasonably mitigates impacts on sensitive land areas while still allowing reasonable use of the site.
6. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant in unlawfully subdividing the property or adjusting a boundary line thereby creating the undevelopable condition after the effective date of this Title.

**14-4-102 DEFINITIONS**

See Chapter 3 of this Title for the following definitions:

- “AVERAGE SLOPE”
- “DEVELOPMENT SITE”
- “IMPERVIOUS MATERIAL”
- “NATURAL VEGETATION”
- “USABLE AND UNUSABLE LAND”

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

Subject to the provisions and restrictions of this Title, 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 Residential zone. Some uses may be expressly prohibited (N) in this zone. Any use not listed herein is also expressly prohibited.

**Table 14-4-103**

| <u>Use</u>   | <u>R-3, R-4<br/>&amp; R-F</u> | <u>R-1</u> |
|--|-------------------------------|------------|
| Accessory Dwelling Unit, detached, as set forth in the Supplementary Development Standards chapter of this Title | C                             | C          |
| 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          |

| <u>Use</u>  | <u>R-3, R-4<br/>&amp; R-F</u> | <u>R-1</u> |
|---|-------------------------------|------------|
| 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          |
| 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          |

\*Property shall have a minimum of three (3) acres.

#### **14-4-104      MAXIMUM DENSITY AND MINIMUM LOT STANDARDS**

Areas within the (R) Residential Zone are divided into subzones based on the maximum permitted density. The maximum density is indicated by the number following the Zone designation. For example, R-4 means Single-Family Residential with a maximum of four (4) units per acre. In addition to the maximum density requirement, each subzone has a standard for minimum lot size and buildable area. The R-F subzone (Residential - Foothill) has varying standards based on the average slope within the development or development phase, and therefore has no density marker.

- A. All structures and all other site improvements of whatever description shall be located only upon areas constituting usable land. Furthermore, all lots or parcels that are designated or zoned for residential development shall have a minimum rectangular buildable area with a length to width ratio between 2:1 and 1:2, that is located entirely on ground of less than thirty percent (30%) slope, that does not encroach into required setbacks or easements, and that meets the area requirements as outlined in this section. The minimum building pad may not be modified by Council discretion. The exact location

of the minimum building pad shall be designated by the developer or owner during the approval process and shown on the subdivision plat or site plan, as applicable.

**Table 14-4-104a**

| <u>Subzone</u> | <u>Max. Density<br/>(Units/Acre)</u> | <u>Min. Lot Size<br/>(Sq Ft)</u> | <u>Min. Buildable<br/>Area (Sq Ft)</u> | <u>Min. Lot Width<br/>(Ln. Ft)</u> |
|----------------|--------------------------------------|----------------------------------|--|------------------------------------|
| R-4            | 4                                    | 8,000                            | 2,000                                  | 70                                 |
| R-3            | 3                                    | 11,000                           | 3,000                                  | 80                                 |
| R-1            | 1                                    | 40,000                           | 5,000                                  | 100                                |

**Table 14-4-104b**

| <u>Subzone</u> | <u>Avg. Slope</u> | <u>Max. Density<br/>(Units/Acre)</u> | <u>Min. Lot<br/>Size (Sq Ft)</u> | <u>Min.<br/>Buildable<br/>Area (Sq Ft)</u> | <u>Min. Lot<br/>Width<br/>(Ln. Ft)</u> |
|----------------|-------------------|--------------------------------------|----------------------------------|--|--|
| R-F            | 0 -15%            | 2                                    | 20,000 sq ft                     | 6,000                                      | 100                                    |
| R-F            | 15 - 20%          | 1                                    | 40,000 sq ft                     | 6,000                                      | 120                                    |
| R-F            | 20 - 25%          | 0.50                                 | 2 acres                          | 6,000                                      | 120                                    |
| R-F            | 25 - 30%          | 0.20                                 | 5 acres                          | 6,000                                      | 120                                    |
| R-F            | 30 - 35%          | 0.10                                 | 10 acres                         | 6,000                                      | 120                                    |
| R-F            | 35% +             | 0.025                                | 40 acres                         | 6,000                                      | 120                                    |

- B. Each lot or parcel in the (R) Zone shall have a minimum width, measured at the minimum front yard setback line, as outlined in this Title. Each lot or parcel shall also abut a public street for a minimum distance of fifty (50) feet, as measured along a line parallel to the center of the street or along the circumference of a cul-de-sac improved to City standards. For property fronting on a cul-de-sac not improved to City standards, frontage shall be calculated by measuring the linear distance between the side property lines at the tangential point of the arc.
- C. Each corner lot or parcel in the (R) Zone shall be ten (10) feet wider and ten percent (10%) larger than the minimum requirement for interior lots in the sub-zone in which it is located, except for the R-F subzone. Also, each corner lot shall meet the minimum width and frontage requirements along both street frontages. A parcel of land on a street corner may not be subdivided diagonally from the corner in order to avoid the provisions of this section.
- D. Not more than one single-family dwelling or primary building may be placed on a lot or parcel in the (R) Zone.
- E. It is unlawful to subdivide, modify or otherwise create a residential lot that does not have the minimum required width, except for legally existing non-conforming lots. Furthermore, no residential lot may be narrower than the minimum required width at any point between the front property line and the closest point of the primary dwelling and/or the approved buildable area.
- F. A building permit shall not be issued for any type of construction on a flag lot or landlocked parcel that has not been approved by the City as a developed lot.

**14-4-105 YARD AND SETBACK REQUIREMENTS**

The following minimum yard requirements shall apply in the (R) Zone:

- A. Front Yard – Each lot or parcel shall have a front yard setback of not less than twenty-five (25) feet from the front lot line. Except for corner lots, where the elevation of the ground differs ten (10) feet or more from the curb level, as measured at a point fifty (50) feet from the front lot line and midway between the side lot lines, said front yard setback may be reduced to twenty (20) feet.
- B. Side Yard; Interior Lot – Each interior lot or parcel of land shall have two (2) side yards as indicated below for the sub-zone in which the lot or parcel is located:

| <u>Subzone</u> | <u>Minimum Side Yard (ft)</u> | <u>Total Combined (ft)</u> |
|----------------|-------------------------------|----------------------------|
| R-3, R-4, R-1  | 8                             | 16                         |
| R-F            | 8                             | 20                         |

- C. Side Yard; Corner Lot – On each corner lot or parcel of land, the side yard setback contiguous to the street shall not be less than twenty (20) feet, and shall not be paved or used for vehicle parking, except for a legally constructed driveway or parking area. The interior side yard setback shall be the same as the side yard setback for an interior lot. The twenty (20) foot street side yard extends from the minimum front yard setback to the rear property line.
- D. Side Yard; Flag Lot – A flag lot shall have a minimum side yard setback equal to the minimum required rear yard setback.
- E. Side Yard; Deep Setback – Any home that is located more than one hundred (100) feet from the front property line shall have a minimum side yard setback equal to the minimum required rear yard setback.
- F. Side Yard; Driveway – When used for vehicle access to a garage, carport, or parking area in the rear yard, an interior side yard setback shall include at least eight (8) feet of unobstructed paved surface exclusive of window wells, stairs, door stoops, chimneys and other obstructions. Vehicle access to rear yards shall be in accordance with the minimum dimensions shown on Figure 14-4-1.
- G. Side Yard; Accessory Structure – No accessory structures shall be allowed in any required side yard setback.
- H. Rear Yard – Each lot or parcel shall have a rear yard setback of not less than twenty (20) feet.
- I. Rear Yard; Irregular Lot – On any lot which is not generally rectangular in shape, the required minimum rear yard setback may be an average of the distances measured from the rear corners of the main building directly to the rear property line(s). However, at no point may the main building be closer than fifteen (15) feet to the rear property line(s).
- J. Accessory Structure, Primary Use Required – An accessory structure shall not be permitted on any lot or parcel of land unless a primary structure is first constructed on

the site. If the primary structure is removed and not immediately replaced, any accessory structure must also be removed. A lot or parcel shall not be subdivided such that an accessory structure is located on a lot or parcel without a primary structure.

1. Accessory Structure, Permitted Use – An accessory structure allowed as a permitted use shall meet all of the following:
  - a. The total footprint of any and all accessory structures shall not exceed ten percent (10%) of the entire lot or parcel area, and no lot or parcel shall be reduced in area after the construction of an accessory building, such that it is in violation of this provision.
  - b. An accessory structure shall meet all of the setbacks of a primary structure, or it shall be setback at least ten (10) feet behind the front building line of a primary structure, and shall be setback at least three (3) feet from a rear or interior side property line, and at least twenty (20) feet from a street side yard property line.
  - c. An accessory structure shall be located at least five (5) feet from a primary structure, including eaves, bay windows, chimneys and any other protrusion on either the accessory building or the primary structure.
  - d. No part of an accessory structure, excluding the eaves, shall be closer than twelve (12) feet to any primary dwelling on an adjacent property.
  - e. The eaves of an accessory structure shall be setback at least one (1) foot from any property line.
  - f. An accessory structure shall be designed and constructed so as to prevent roof runoff from impacting an adjacent property.
  - g. An accessory structure shall meet all applicable provisions of the International Building Code.
  - h. An accessory structure shall not encroach on any easements, recorded or otherwise.
  - i. The sidewall of an accessory structure shall not exceed fifteen (15) feet in height, as measured from the average slope of the ground to the point where the undersides of the eaves connect to the top of the sidewall. For a flat or mansard roof, the sidewall shall be measured from the average slope of the ground to the highest point of the roof, including any coping, parapet or similar feature.
  - j. The height of an accessory structure shall not exceed twenty (20) feet.
  - k. Accessory structures used or designed for vehicle parking shall be connected to the street by a paved driveway.
2. Accessory Structure, Conditional Use – An accessory structure may be allowed as a conditional use in accordance with the following:

- a. The approval body shall consider the following when reviewing the proposed accessory structure:
  - i. The extent that sunlight, air and view sheds are obstructed/disturbed,
  - ii. The proximity to adjoining structures,
  - iii. The contour of the land, both existing and proposed,
  - iv. Features peculiar to the site and the immediately adjoining properties.
  - v. The location of windows, doors, balconies and other openings that may intrude on the privacy of adjoining property owners,
  - vi. The proposed and potential uses based on the size, configuration and other aspects of the structure.
- b. The total building footprint of any and all accessory structures shall not exceed fifteen percent (15%) of the entire lot or parcel area, and no lot or parcel shall be reduced in area after the construction of an accessory building, such that it is in violation of this provision.
- c. An accessory structure shall meet all of the setbacks of a primary structure, or it shall be setback at least ten (10) feet behind the front building line of a primary structure, and shall be setback at least three (3) feet from a rear or interior side property line, and at least twenty (20) feet from a street side yard property line. The approving body may require an increased setback based on the criteria of 14-4-106(C)(1).
- d. An accessory structure shall be located at least five (5) feet from a primary structure, including eaves, bay windows, chimneys and any other protrusion on either the accessory building or the primary structure.
- e. No part of an accessory structure, excluding the eaves, shall be closer than twelve (12) feet to any dwelling on an adjacent property.
- f. The eaves of an accessory structure shall be setback at least one (1) foot from any property line.
- g. An accessory structure shall be designed and constructed so as to prevent roof runoff from impacting an adjacent property.
- h. An accessory structure shall meet all applicable provisions of the International Building Code.
- i. An accessory structure shall not encroach on any easements, recorded or otherwise.



- j. The sidewall of an accessory structure shall not exceed fifteen (15) feet in height, as measured from the average slope of the ground to the point where the undersides of the eaves connect to the top of the sidewall. For a flat or mansard roof, the sidewall shall be measured from the average slope of the ground to the highest point of the roof, including any coping, parapet or similar feature.
- k. The height of an accessory structure shall not exceed twenty (20) feet.
- l. Accessory structures used or designed for vehicle parking shall be connected to the street by a paved driveway.

**14-4-106 PROJECTIONS INTO YARDS**

- A. The following structures may be erected on or project into any required yard:
  - 1. Fences and walls in conformance with City codes or ordinances.
  - 2. Landscape elements, including trees, shrubs, agricultural crops and other plants.
  - 3. Necessary appurtenances for utility service.
- B. The structures listed below may project into a minimum front or rear yard not more than four (4) feet, and into a minimum side yard not more than two (2) feet:
  - 1. Cornices, eaves, awnings, belt courses, sills, buttresses or other similar architectural features.
  - 2. Fireplace structures and bays, provided that they are not wider than eight (8) feet, measured generally parallel to the wall of which they are a part.
  - 3. Stairways, balconies, door stoops, fire escapes and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.
- C. Any permanent roof or canopy attached to the main building which covers a use customarily recognized as an open, outdoor use, such as a patio, patio deck, hot tub, etc., may extend into the rear yard no further than one-half the required rear yard set-back distances, and into a front yard not more than seven (7) feet, if the following criteria are met:
  - 1. The roof or canopy is not more than one (1) story in height.
  - 2. The roof or canopy is no longer than one-half (1/2) the width of the main dwelling on which it is located.
  - 3. The roof or canopy is entirely open on three (3) sides except for supporting columns and customary architectural features.
  - 4. The columns supporting the roof or canopy are constructed on individual pad footings or similar design, and not on a continuous footing wall that could be used for future expansion of living space.

5. In no instance may the additions encroach to within less than twenty (20) feet of a front or street side yard property line, or to within less than ten (10) feet of a rear property line.
- D. None of the above structures or additions may project into any side yard abutting a street on a corner lot.

#### **14-4-107 BUILDING LOCATION AND HEIGHT**

- A. No building or structure in the (R) Zone shall exceed thirty-five (35) feet in height as measured at the average grade. Chimneys, flagpoles, church towers and similar accessory elements not used for human occupancy are excluded in determining height; however, the City may limit the height of any protrusion that is found by the City Council to be a public nuisance.
- B. No building or structure in the R-F Zone may extend above the closest ridgeline of the ground, as measured on a level line perpendicular to the ridgeline. If for any reason this is not possible, then the building or structure shall be located as far away from the ridgeline as feasible.

#### **14-4-108 DISTANCE BETWEEN BUILDINGS**

The horizontal distance between any dwellings on adjacent lots shall not be less than sixteen (16) feet, excluding permitted eave extensions. The horizontal distance between any accessory building and any dwelling shall not be less than five (5) feet, as measured at any point. The horizontal distance between any accessory building or structure and any primary dwelling on an adjacent property shall not be less than twelve (12) feet, as measured at any point.

#### **14-4-109 PERMISSIBLE LOT COVERAGE**

- A. In the (R) Zone, all structures, including accessory structures, and all impervious surfaces such as driveways, sidewalks, patios, parking areas, sports courts and pools shall not cover a total of more than sixty percent (60%) of the area of the lot or parcel of land.
- B. At least fifty percent (50%) of all required front yard areas shall be landscaped.
- C. At least fifty percent (50%) of all required side yard areas shall be landscaped.
- D. At least fifty percent (50%) of all street side yard (corner lot) areas shall be landscaped.
- E. At least fifty percent (50%) of all rear yard areas shall be landscaped.
- F. For institutional uses, such as churches, private schools and public buildings, the approving authority may increase the amount of impervious surface area to up to seventy percent (70%), if the additional hard surfacing is used to provide parking spaces beyond the minimum required.

#### **14-4-110      PARKING, LOADING, AND ACCESS**

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

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

#### **14-4-111      NON-RESIDENTIAL SITE PLAN APPROVAL**

Site plan approval is required for any non-residential use in the (R) Zone per the procedures set forth in Chapter 2 of this Title.

#### **14-4-112      LANDSCAPING**

The following landscaping provisions shall apply to any developed lot or parcel in the (R) Zone:

- A.      All portions of the lot not improved with structures or other impervious surfaces shall be maintained with suitable landscaping of plants, trees, shrubs, grass and similar landscaping materials.
- B.      Landscaping shall also be installed in each adjacent parkstrip to the same standards as other on-site landscaping. Asphalt, concrete, bricks, pavers, railroad ties, and other non-vegetative material are not allowed in the parkstrip area between the curb and sidewalk. Xeriscaping is permitted in accordance with the Landscaping and Fencing Chapter of this Title.

#### **14-4-113      STORAGE OF COMMERCIAL ITEMS**

The storage of commercial goods, commercial materials, or construction related items is expressly prohibited. No property in the (R) zone may be used to display or proffer items for sale except for personal items belonging to the residents of the property, and which meet the criteria for a “garage and yard sale” as set forth in the Temporary Use section of this Title.

#### **14-4-114      WALLS AND FENCES**

All walls and fences erected or maintained in the (R) Zone shall comply with the provisions of Chapter 16 of this Code.

## 14-4-115 LOT ACCESS AND SITE LAYOUT

- A. Each proposal to construct a primary structure more than one hundred fifty (150) feet from a public street shall be reviewed and approved by the Administrative Committee and Fire Marshall prior to receiving a building permit. Furthermore, all proposals must adhere to Section 503 of the International Fire Code, as adopted by the South Davis Metro Fire Agency and all other criteria as set forth below.

All of the following must be met before the Administrative Committee may grant approval:

1. Surface. An all-weather surface capable of supporting the imposed load of fire apparatus shall be provided. If constructed of asphalt, the access road or driveway shall be a minimum of two and one-half (2 1/2) inches of asphalt over a minimum of six (6) inches of compacted road base. If constructed of concrete, the access road or driveway shall have a minimum of five (5) inches of concrete over a compacted road base.

The access road or driveway shall be maintained by the property owner or possessor of the premises in good condition and repair and with adequate snow removal so as to provide free and uninhibited access by emergency service vehicles.

2. The access road or driveway shall be a minimum of twenty (20) feet wide. Where such roadway is adjacent to required fire hydrants, the width shall be a minimum of twenty-six (26) feet within twenty (20) feet in either direction from the hydrant. Such required widths shall be unobstructed, including parking of vehicles, and shall have a minimum vertical clearance of thirteen (13) feet six (6) inches.
3. A turn-around shall be provided at the end of the access road or driveway in accordance with the standards and specifications of Article 10 of the International Fire Code and in accordance with the minimum requirements of Figure 4-1. The minimum turning radii for all turns and/or curves shall conform to the forty-five (45) foot radius single unit truck or bus contemplated in Figure 4-4. If access roads are not looped, then the provided dead end access road shall meet the requirements in Figure 4-2.
4. An access road or driveway shall be extended to within one hundred fifty (150) feet of all portions of the exterior walls of the first story of any building.
5. The maximum grade for access roads or driveways shall not exceed fifteen (15) percent at any point as measured along the centerline of the access road or driveway.
6. Each property owner shall identify and mark fire lanes to the satisfaction and approval of the Fire Chief. Signs shall be posted near the entrances of access roadways and driveways. Spacing and placing of signs shall be subject to the approval of the Fire Chief. Signs shall be a minimum of twelve (12) inches by eighteen (18) inches in two and one-half (2.5) inch block lettering with one-half (.5) inch stroke on a contrasting background. Signs shall read "No Parking - Fire Department Access Road."

7. The property owner or possessor of the premises shall establish the base grade of the access road or driveway before the water system is installed. The property owner or possessor shall clear the right-of-way for the water system and establish the proposed fire hydrant locations and grades by use of an offset stake. The City shall install the water system and set the fire hydrant to the grade established by the owner. If there are any changes to the access road or driveway or right-of-way areas which do not allow for a minimum of forty-two (42) inches of cover over the water line or not more than four (4) inch vertical difference between the flange of the fire hydrant and the finished surface of the access road or driveway, the owner shall be responsible for all expenses associated with the relocation or adjustment to the water system. No building lot shall be allowed or approved where the static water pressure from the City water system serving the proposed lot or lots is less than forty (40) pounds per square inch.
  
  8. Fire Hydrants. A fire hydrant shall be installed by Bountiful City at the expense of the property owner and shall be connected by a six (6) inch water line from the water main. The hydrant shall be located in accordance with Article 10 of the International Fire Code. Fire hydrants shall be located on all required access roads or driveways as required by City Code and shall be located within five (5) feet of the required access road or driveway.  
  
If, in the opinion of the Fire Chief, fire hydrants are vulnerable to vehicular damage, appropriate crash posts shall be required. No obstruction shall exist within a three (3) feet working area of each fire hydrant. Required crash posts shall be a four (4) inch concrete filled pipe, having a minimum of three (3) feet in height above grade, with two (2) feet of pipe below grade set in concrete. Hydrant shut-off valves shall be located no closer than five (5) feet from the hydrant and no further than twenty (20) feet.
  
  9. Easements. The fire hydrant, water line, and access road or driveway shall be located within a public utility easement of at least twenty (20) feet in width such that emergency and utility service vehicles and personnel have unimpeded access to the improvements (Figure 4-3).
  
  10. All of the required improvements shall be installed at the lot or property owner's expense.
  
  11. As an alternative to the access requirements described above, the Fire Marshall may approve the installation of a pressurized interior fire protection sprinkling system that complies with the minimum standards of the IRC and/or IBC, and that receives the Fire Marshall's approval.
- B. All new residential structures shall comply with the requirements of the IBC for foundation elevation on graded sites (1805.3.4 and 1805.3.5). For most approved lots, the "approved drainage facility" is the street R.O.W. On these sites, the finished grading shall direct runoff from the front yard setback to the street R.O.W. by means of the driveway or front yard grading, or as approved by the City Engineer. Driveway slopes shall have a minimum slope of two percent (2%), and a maximum slope of fifteen percent (15%), as measured along the centerline of the driveway.

- C. Downhill or reverse grade driveways must be reviewed and approved by the City Engineer. Approvals will be considered based on proximity of the lot to storm drain facilities or natural draining features such as creeks, swales or other features that convey runoff water directly to the storm drain system. Approval shall be conditional upon inclusion of the following requirements:
1. The driveway shall provide a minimum length of ten (10) feet of positive slope (two percent (2%) minimum) to the street R.O.W.
  2. The maximum grade of the driveway shall be seven percent (7%).
  3. The approved site plan shall include any additions or modifications to the existing storm drain system necessary to prevent erosion or impact to adjacent properties, or impact to the storm drain system.
  4. Other requirements as determined by the City Engineer based on conditions specific to the property.

#### **14-4-116 PARCELS OF LAND NOT IN SUBDIVISIONS WITHIN THE R-F SUBZONE**

No dwelling shall be constructed on a parcel of land not included as part of an approved subdivision without City Council approval of the parcel of land as a legal building lot. In order to be approved as a legal building lot, the Council must determine that the parcel meets the lot, yard, and other requirements of this Title. As part of the review process, the City Council and Planning Commission may request any information typically required for subdivision review. Also, the City Council may require that the applicant record a one lot subdivision plat for the purpose of establishing utility easements and fulfilling other provisions of this Title.

#### **14-4-117 REQUIREMENTS FOR BUILDING IN THE R-F SUBZONE**

No construction, excavation, or removal of vegetation may occur on any lot or parcel in the R-F subzone until a permit has been issued, and no permit may be issued until the proposed plans have been approved by the appropriate land use authority. The following rules apply to all building and construction in the Residential Foothill Zone.

A. Drainage and Erosion.

1. Lots shall be arranged so as to ensure required setbacks from drainage channels as defined by the Army Corps of Engineers on official Flood Insurance Rate Maps.
2. Facilities for the collection of storm water runoff shall be required to be constructed on development sites and according to the following requirements:
  - a. Such facilities shall be the first improvement constructed on the hillside.
  - b. Such facilities shall be designed to retain safely and adequately the maximum expected storm water runoff for a twenty-five-year storm, as determined by Technical Paper No. 28, prepared by the U. S. Department

of Commerce - Weather Bureau, for a sufficient length of time so as to prevent flooding and erosion during storm water runoff flow periods.

- c. Such facilities shall be so designed to divert surface water away from cut surfaces or sloping surfaces of a fill.
3. Construction on a development site that may disturb vegetative cover shall be minimized between December 1 of any year and April 15 of the following year.

B. Vegetation and Re-vegetation.

1. Any area on a development site cleared of natural vegetation in the course of construction of offsite improvements shall be replanted with vegetation which, when established, shall have characteristics of erosion control equal to or exceeding the original vegetation.
2. New plantings shall be protected with organic cover.
3. The use of persons or firms having expertise in the practice of re-vegetation (i.e., licensed landscape architects or nurserymen) shall be employed to supervise the planning and installation of re-vegetation cover.
4. Vegetation shall be removed only when absolutely necessary, e.g., for the construction of buildings, roads and filled areas.
5. Vegetation shall be planted in all disturbed areas within three (3) weeks of the completion of off-site improvements or as directed by the City Engineer. Such vegetation shall be of a perennial and low combustibility nature and which, when established, shall be sufficient to stabilize the soil.

- C. Spark arresters shall be installed in every fireplace constructed indoors or outdoors. Screen openings in such arresters shall not be in excess of one-quarter (1/4) inch in diameter.

D. Grading, Cuts and Fills

1. Exposed unstable surfaces of an excavation or fill shall not be steeper than one (1) vertical to two (2) horizontal.
2. Permanent fill shall be located so that settlement, sliding, or erosion shall not damage or cover any street, curb, gutter, sidewalk or building.
3. All fill and degrees of compaction shall comply with the standards established by the Bountiful City Engineer in accordance with applicable codes and standards adopted by the City.
4. The top or bottom edges of slopes caused by an excavation or fill up to ten (10) vertical feet shall be at least three (3) horizontal feet from the property line and/or street right-of-way lines. Cut and/or fills greater than ten (10) feet shall be setback an appropriate distance as determined by the City Engineer.

5. The maximum vertical height of any cut or fill shall be ten (10) feet, except for existing, naturally occurring, and/or man-made site anomalies. An anomaly shall mean any abnormal deviation from the natural contours of a property encompassing less than ten (10) percent of the entire parcel area or one thousand (1,000) square feet, whichever is less.
  6. Any structure except a retaining wall or soil stabilization improvement shall have a setback from the crest of the cut or base of the fill of a minimum distance equal to the depth of the fill or the height of the cut, unless a structurally sound retaining wall is built for the cut or fill slope. Retaining walls may be a part of a dwelling unit.
  7. The distance from any structure to the toe of a slope shall be at least the height of the slope divided by two (H/2), up to fifteen (15) feet.
  8. No cut, fill, or other area of disturbance may have a finished grade exceeding two (2) horizontal feet for every one (1) vertical (a 2:1 slope). Retaining walls shall be required in any area of disturbance where the grade exceeds a 2:1 slope. Any retaining wall that is (4) feet in height or taller shall be designed by a licensed engineer and approved by the Bountiful City Engineer in accordance with applicable codes adopted by the City.
  9. No retaining wall shall exceed ten (10) feet in height.
- E. Streets, roadways, and private access ways shall follow as nearly as possible the natural terrain. The following additional standards shall apply:
1. At least two (2) ingress and egress routes shall be provided for each subdivision.
  2. Points of access shall be provided to all developed and undeveloped areas for emergency and firefighting equipment. Any driveway located upon a lot extending from a public street shall have at any point a maximum grade of fifteen (15) percent as measured along the centerline of the driveway, and a minimum width of twenty feet, and shall be of a sufficient width and design to admit and accommodate firefighting equipment. Any driveway to an accessory building or secondary garage may be reduced to a minimum width of ten (10) feet if the Planning Director or Building Official determines that it is not necessary for providing emergency access.
  3. No cul-de-sac shall exceed six hundred (600) feet in length, and each cul-de-sac shall have a turnaround with a radius of fifty-four (54) feet. A stub street that is longer than the width or length of any adjacent single lot or that is longer than two hundred (200) feet, whichever is less, shall have a temporary turnaround at the end thereof.
  4. Centerline curvatures shall not be less than one hundred (100) feet radius on any curved street pattern. Depending on the slope of the street and other site specific conditions, the City Engineer may require a larger curvature in accordance with AASHTO and other applicable standards adopted by the City.



5. Variations of street design standards developed to solve special hillside visual and functional problems may be presented to the Planning Commission for consideration. Examples of such variations may be the use of split roadways to avoid deep cuts, modifications of surface drainage treatments or sidewalk design.
6. Any road or right-of-way for vehicular access dedicated for public use shall be subject to the following limitations:
  - a. The maximum grade of such road or right-of-way shall be twelve (12) percent except as hereafter provided.
  - b. The City Council, after receiving a recommendation from the Planning Commission, may grant approval for the construction of a straight section of road or right-of-way having a grade exceeding twelve (12) percent, but the grade of such streets shall not, in any event, exceed fifteen (15) percent.

F. Architectural Design and Site Orientation

1. Any building proposed for construction in the Residential Foothill subzone shall use building materials and colors that blend harmoniously with the natural settings of the site. Materials such as natural woods, brick (earth colors), and stone are considered to be most appropriate.
  2. The Planning Commission shall review the design and specified exterior materials and colors for all structures other than single-family dwellings. Building permits for such structures shall not be granted until building materials and colors have been approved by the Planning Commission.
  3. Landscaping shall be designed and installed to maintain the natural character of foliage in the area consistent with the proposed development.
  4. Any primary structure and its accompanying site improvements and accessory structures shall be located on the building pad defined and approved for the lot, but may be located outside of the minimum building pad area only if the ground is considered usable as set forth in this Title.
- G. In addition to the provisions requiring posting of an acceptable bond as set forth in the Codes of Bountiful, Utah, as amended, a corporate surety bond or cash bond or a letter of credit supported by a guarantee of a state or federally chartered bank or other financial institution shall be required by the City Council to guarantee the completion of public improvements such as streets, sidewalks, curb, gutter, utilities, re-vegetation projects, the stabilization of gradings, cuts, and fills and constructions of storm water runoff facilities as required in this Title. The bond shall be in an amount equal to the cost of construction of such projects and shall continue in effect for one (1) year after the completion date of such projects, improvements, or facilities.
- H. Exceptions to the requirements and provisions set forth in this Title may be approved by the City Council, provided that the developer or owner of such development can demonstrate that the requested exception:

1. Is not detrimental or injurious to the property or improvements adjacent thereto;
2. Is not detrimental to the general well-being of the neighborhood;
3. Is minor in its overall scope and not a major departure from the purposes and objectives of this Chapter;
4. Does not require undue public expense for maintenance; and
5. Does not impose an undue burden upon the public or the City.

I. Lot Access and Site Layout

Each proposal to construct a primary structure more than one hundred fifty (150) feet from a public street shall be reviewed and approved by the Administrative Committee and Fire Marshall prior to receiving a building permit. Furthermore, any proposal to construct a primary structure more than one hundred fifty (150) feet from a public street shall also include a residential fire suppression system (sprinklers), and all other criteria as set forth below. No primary residential structure may be located more than five hundred (500) feet from a public street, without exception. All measurements shall be taken from the edge of the public R.O.W. along the centerline of the driveway or private access road to the nearest point of the primary structure. All of the following must be met before the Administrative Committee may grant approval:

1. An access road or driveway shall be provided which meets the standards outlined in Section 14-4-115. In addition, all dwelling structures shall have installed at the time of construction, and keep continuously maintained, a pressurized interior fire protection sprinkling system that complies with the minimum standards of the IRC and/or IBC, and meeting the Fire Marshall's approval.

**14-4-118 SUBDIVISION AND PLANNED DEVELOPMENT REVIEW AND APPROVAL PROCEDURE FOR THE R-F SUBZONE**

- A. Any proposed subdivision shall require conditional use approval from the Planning Commission.
- B. Any subdivision application, including planned developments, shall include plats and/or site plans drawn to a scale of not less than one inch equals one hundred feet (1" = 100') with topographical contours drawn at two (2) foot intervals. Furthermore, all subdivision plats and site plans shall be drawn to scale by a registered land surveyor licensed to practice in the State of Utah. Said plans and plats shall provide the following information:
  1. Location of the proposed subdivision, with identification of abutting streets.
  2. Topographic contours.
  3. An estimate of the average slope of the proposed subdivision and of each individual lot within the subdivision.

4. The number of lots.
  5. The location and size of proposed lots.
  6. Location, width, and grade of all proposed streets and radii of any cul-de-sacs.
  7. Location of existing or proposed schools, churches or parks.
- C. The following information, in addition to any other information required by City Code, shall be provided. For a project of less than five (5) total acres, the City Council may accept reports conducted on adjacent properties, if the City Engineer determines that they are applicable to the subject area.
1. Report of Soil Characteristics. The term “soil characteristics” refers to data regarding the nature, distribution, and strength of soils within the project area. A Soils Report shall include:
    - a. Unified classification of all soils with an estimate of susceptibility to erosion, plasticity index, liquid limit, shrink-swell potential and general suitability for development.
    - b. Estimate of the normal highest elevation of the seasonal high water table.
    - c. Flood history and potential including proximity to known floor plain areas and drainage channels.
    - d. Topographic contours.
  2. Report of Geologic Conditions. A Geologic Conditions Report shall include the following information:
    - a. Definition of any zones of deformation with respect to active faults and other mass movements of soil and rock.
    - b. Identification of anomalies of the terrain or characteristics of the geological materials which would have any potential impact upon the use of the site.
    - c. Determination of ground water characteristics.
    - d. Written recommendation for construction of proposed improvements to avoid impact of any potential geologic hazard.
  3. Grading and Drainage Report.
    - a. The application for preliminary approval shall include a plan for grading and a report on the method by which surface water and natural drainage will be accompanied. The plan shall be prepared by a professional engineer licensed to practice in the State of Utah, and shall include the following information:

- i. Indication of existing and proposed contours.
  - ii. Indication of the present and proposed slope of each graded area.
  - iii. Location and identification (by species) of existing vegetation, and an indication of vegetation proposed for removal and re-vegetation proposal.
  - iv. Existing and proposed drainage patterns. Location of any drainage channels on the proposed site that have been identified by the State Geologist.
  - v. Location and depth of all proposed fills and cuts.
  - vi. Description of the methods to be employed to achieve stabilization and compaction.
  - vii. Location and capacities of proposed drainage, structures, and erosion control measures.
  - viii. Computation of maximum runoff for a twenty-five year storm before and after development.
  - ix. Location of existing buildings or structures on the site and location of existing buildings and structures on adjacent properties within one hundred (100) feet of the site, or which may be affected by any proposed grading or construction operations.
  - x. Verification of the existence and location of a six thousand (6,000) square foot building pad with required access to it.
4. The City Council and Planning Commission may attach such conditions as deemed necessary to secure the purposes as set forth in this Chapter.
- D. No construction, excavation, grading or removal of vegetation may occur until final subdivision approval has been granted by the City Council and specific site developments have been approved by the City Engineer. Furthermore, individual lots or parcels may not be disturbed until a building permit has been issued for that lot or parcel.

**14-4-119 DOMESTIC FARM ANIMALS**

- A. The City recognizes that farm animals are inextricably associated with certain noise, sight, and smell nuisances that are generally unacceptable in urban areas. However, the City also recognizes the importance of maintaining its agricultural heritage and the traditional values associated with that heritage. It is with this purpose, to preserve the agricultural heritage of the community, that this Section is enacted.
- B. Where permitted, the quantity of animals permitted on a property shall be determined on the basis of one hundred (100) animal points per vacant acre, (e.g., 0.50 acres x 100 = 50 animal points, 1.45 acres x 100 = 145 animal points).

- C. Vacant acreage is determined by the following. At a minimum, a residential property shall deduct 0.20 acres (approx. 8700 sq. ft.) per unit from the total acreage before calculating the animal allowance; (e.g., (0.50 acres – 0.20 acres) x 100 = 30 animal points; (1.45 acres – 0.20 acres) x 100 = 125 points). For a residential property where more than .20 acres is occupied by driveway, residential building footprint, garage and areas of human occupancy and use, the actual vacant acreage available for animals shall be calculated by survey. A front yard and any minimum required yard setbacks shall not be considered vacant acreage or for animal habitat.
- D. The animals allowed in Table 14-4-119 below, and no other animals except household pets, are allowed in a permitted residential zone.

**Table 14-4-119**

| <b>Type of Animal</b>   | <b># of Points per Animal</b> |
|---|-------------------------------|
| Pigs, Cattle  | Not allowed                   |
| Horses  | 40                            |
| Sheep, goats, llamas  | 25                            |
| Fowl, pigeons, rabbits  | 5                             |
| Raccoons, skunks, roosters, and any other nuisance animal   | Not allowed                   |
| Any non-domestic animal, and any animal regulated by the State of Utah, the United States, or any of their agents | Not allowed                   |

- E. A commercial agricultural operation is not permitted anywhere within the City of Bountiful.
- F. Coops, barns, stalls, pens, and any other animal housing structure, shall be located in conformance with the provisions of *Title 8 - Public Health* of the Bountiful City Code.

**14-4-120 DWELLING UNITS CONTAINING SECOND KITCHENS**

- A. Except as provided below, or in conjunction with an approved accessory dwelling unit, any dwelling in a Residential Zone shall contain only one (1) kitchen.
- B. A dwelling unit in a Residential Zone may have a second kitchen if the owners of the property have signed a Deed Restriction on the property prepared and signed by the Bountiful City Planning Director, explicitly stating that the dwelling unit shall be used only as a single family residence. A permit shall not be granted allowing a second kitchen or an existing second kitchen shall not be deemed to be authorized until the Deed Restriction has been recorded at the Davis County Recorder’s office and a copy showing recording information has been filed with the Bountiful City Planning Director.
- C. A dwelling unit shall have no more than two (2) kitchens. This shall be specified in the Deed Restriction.
- D. Second kitchens shall not be allowed in dwelling units that are part of a multi-family dwelling.

Figure 14-4-1

