

**BOUNTIFUL CITY
PLANNING COMMISSION AGENDA
TUESDAY, JULY 01, 2025
6:30 P.M.**



Notice is hereby given that the Bountiful City Planning Commission will hold a meeting in the Council Chambers, Bountiful City Hall, located at 795 South Main Street, Bountiful, Utah, 84010, on the date and time provided. The public is invited to attend.

1. Welcome
2. Meeting Minutes from June 17, 2025, to be reviewed at the next meeting.
3. Land Use Code Text Amendment establishing a Retaining Wall Maximum Height in the Single-Family Zone (R-1, R-3, R-4, and R-F)
Planning Director Astorga
 - Review
 - Public Hearing
 - Recommendation
4. Planning Director's report, update, and miscellaneous items
5. Adjourn

Planning Commission Staff Report



Subject: Land Use Code Text Amendment Affecting the Maximum Building Height of Retaining Walls located in the Setbacks in the Single-Family Residential Zone
Author: Francisco Astorga, AICP, Planning Director
Date: July 1, 2025

Background

The Planning Department proposes an amendment to Chapter 4 of the Land Use Code, specifically §14-4-105, to establish a maximum height limit for retaining walls located in setback areas within the Single-Family Residential Zones (R-1, R-3, R-4, and R-F subzones).

Currently, the Code does not distinguish retaining wall height from the maximum building/structure height of 35 feet. The proposed amendment introduces a new restriction that limits retaining walls within any setback area to a maximum height of six feet (6'). This limitation would not apply to retaining walls located within the building pad or envelope, which would remain subject to the general structure height standards.

As part of this update, staff has also reorganized and clarified the formatting of §14-4-105 (Yard and Setback Requirements) and §14-4-106 (Projections Into Yards). Other than the new retaining wall policy, no additional substantive changes are proposed.

Analysis

The Planning Commission will need to find that the proposed Land Use Code Text Amendments as stated above are necessary, in the interest of the public, and meets the goals and objectives of the Bountiful General Plan.

In recent years, staff has tall retaining walls placed close to property lines, raising concerns regarding their visual and physical impact on neighboring properties. While retaining walls serve legitimate grading and landscaping functions, the lack of a height limit in setback areas can lead to visual dominance over neighboring yards and incompatibility with surrounding neighborhood character. The proposed six-foot maximum height for retaining walls in setbacks is intended to address these concerns while preserving flexibility within the buildable area of the lot.

The ordinance is structured to clearly differentiate policy changes and clarifying revisions using the following formatting:

- **New policy:** Bold blue text with yellow highlights
- **Non-policy language:**
 - Reorganized code: Blue text (revised), red strikeout (removed)
 - Clarifications: Bold blue text

- **Pending Ordinance Language related to accessory structure height:** Green text; this section reflects no changes from the Planning Commission's recommendation and is pending review by the City Council.

Department Review

This item was prepared by the Planning Director and was reviewed by City Engineer and City Attorney.

Significant Impacts

The proposed height restriction is designed to mitigate the potential negative impacts of tall retaining walls located near property lines. The amendment supports orderly development, maintains neighborhood character, and still allows for appropriate site design within the building envelope.

Recommendation

Staff recommends the Planning Commission:

1. **Review** the proposed Land Use Code Text Amendment;
2. **Hold a public hearing** to receive public comment; and
3. **Forward a positive recommendation** to the City Council to adopt Ordinance No. 2025-13, which:
 - Amends §14-4-105 to establish a maximum retaining wall height of six feet (6') in setback areas; and
 - Reorganizes and clarifies the formatting of §§14-4-105 and 14-4-106.

Attachments

1. Draft Ordinance 2025-13



BOUNTIFUL

Bountiful City DRAFT Ordinance No. 2025-13

Amending Chapter 4 (R) Single-Family Residential Section 14-4-105 Yard and Setbacks Requirements and Section 14-4-106 Projections into Yards of the Land Use Code of Bountiful City

MAYOR
Kendalyn Harris

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

CITY MANAGER
Gary R. Hill

It is the finding of the Bountiful City Council that:

1. The City Council of Bountiful City is empowered to adopt and amend general laws and land use ordinances pursuant to Utah State law (§10-9a-101 et seq.) and under corresponding sections of the Bountiful City Code; and
2. After review and a public hearing of the proposed Land Use Code Text Amendment on July 1, 2025, the Bountiful City Planning Commission forwarded a _____ recommendation to the City Council; and
3. The City Council of Bountiful City finds that these amendments are necessary and are in harmony with the objectives and purposes of the Bountiful City Land Use Code and the General Plan; and
4. The City Council of Bountiful City reviewed the proposed Land Use Code Text Amendment on July 22, 2025, and finds that the proposed amendments are in the best interest of the health, safety, and welfare of the City and the public.

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

SECTION 1. Section 14-4-105 Yard and Setback Requirements and Section 14-4-106 Projections into Yards of Chapter 4 Single-Family Residential of the Land Use Code of Bountiful City, Title 14 of the Bountiful City Code, is hereby adopted and enacted as shown on Exhibit A, which is attached hereto and incorporated by this reference.

Adopted by the City Council of Bountiful, Utah, this 22nd day of July 2025.

Kendalyn Harris, Mayor

ATTEST:

Sophia Ward, City Recorder

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CHAPTER 4

(R) SINGLE-FAMILY RESIDENTIAL

14-4-101	PURPOSE AND OBJECTIVES
14-4-102	DEFINITIONS
14-4-103	PERMITTED, CONDITIONAL, AND PROHIBITED USES
14-4-104	MAXIMUM DENSITY AND MINIMUM LOT STANDARDS
14-4-105	YARD AND SETBACK REQUIREMENTS
14-4-106	PROJECTIONS INTO YARDS ACCESSORY STRUCTURES
14-4-107	BUILDING LOCATION AND HEIGHT
14-4-108	DISTANCE BETWEEN BUILDINGS
14-4-109	PERMISSIBLE LOT COVERAGE
14-4-110	PARKING, LOADING, AND ACCESS
14-4-111	NON-RESIDENTIAL SITE PLAN APPROVAL
14-4-112	LANDSCAPING
14-4-113	STORAGE OF COMMERCIAL ITEMS
14-4-114	WALLS AND FENCES
14-4-115	LOT ACCESS AND SITE LAYOUT
14-4-116	PARCELS OF LAND NOT IN SUBDIVISIONS WITHIN THE R-F SUBZONE
14-4-117	REQUIREMENTS FOR BUILDING IN THE R-F SUBZONE
14-4-118	SUBDIVISION AND PLANNED DEVELOPMENT REVIEW AND APPROVAL
	PROCEDURE FOR THE R-F SUBZONE
14-4-119	DOMESTIC FARM ANIMALS
14-4-120	DWELLING UNITS CONTAINING SECOND KITCHENS
14-4-121	SPECIAL CRITERIA FOR PUBLIC OR PRIVATE ASSEMBLY / EVENT SPACE

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. Every subdivision, lot, or parcel within the Residential Foothill subzone shall 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 that all possible circumstances, and the best means of dealing with them, cannot be anticipated in the preparation of these regulations. Therefore, the Land Use Authority 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.

- 96
97 2. There is no other reasonable use or feasible alternative to the proposed
98 development with less impact on sensitive land areas including phasing or
99 project implementation, change in timing of activities, setback or other variance,
100 driveway relocation or placement of any structure.
101
102 3. The development cannot be located outside sensitive land areas due to
103 topographic constraints of the parcel or size and/or location of the parcel in
104 relation to the limits of sensitive land areas and a building setback, street width,
105 or other possible variances have been reviewed, analyzed and rejected as
106 feasible alternatives.
107
108 4. The proposed development does not pose a threat to the public health, safety, or
109 welfare on or off the site, including degradation of groundwater or surface water
110 quality, nor is it anticipated that it will damage nearby public or private property.
111
112 5. Any alteration of sensitive land areas is the minimum necessary to allow for
113 reasonable use of the property; and the proposal reasonably mitigates impacts
114 on sensitive land areas while still allowing reasonable use of the site.
115
116 6. The inability of the applicant to derive reasonable use of the property is not the
117 result of actions by the applicant in unlawfully subdividing the property or
118 adjusting a boundary line thereby creating the undevelopable condition after the
119 effective date of this Title.
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121
122 **14-4-102 DEFINITIONS**

123
124 See Chapter 3 of this Title for the following definitions:
125

126 “AVERAGE SLOPE”

127 “DEVELOPMENT SITE”

128 “IMPERVIOUS MATERIAL”

129 “NATURAL VEGETATION”

130 “USABLE AND UNUSABLE LAND”
131
132

133 **14-4-103 PERMITTED, CONDITIONAL, AND PROHIBITED USES**
134

135 Subject to the provisions and restrictions of this Title, the following principal uses and structures,
136 and no others, are allowed either as a permitted use (P) or by Conditional Use Permit (C) in the
137 Residential zone. Some uses may be expressly prohibited (N) in this zone. Any use not listed
138 herein is also expressly prohibited.
139

140 **Table 14-4-103**
141

<u>Use</u>	<u>R-3, R-4 & R-F</u>	<u>R-1</u>
Detached Accessory Dwelling Unit	C	C
Internal Accessory Dwelling Unit	P	P
Chickens and related structures	P	P
Churches, Synagogues, and Temples	P	P
Coops, barns, stalls, pens, and any other animal housing	N	P
Denominational and Private School	C	C
Domesticated Farm Animals	N	P
Funeral Homes or Mortuary*	C	C
Home Occupation, Temporary, and Seasonal Uses	P/C	P/C
Household Pets	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 Assembly/Event Space	C	C
Public or Private Cemetery	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 (Units/Acre)</u>	<u>Min. Lot Size (Sq Ft)</u>	<u>Min. Buildable Area (Sq Ft)</u>	<u>Min. Lot Width (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 (Units/Acre)</u>	<u>Min. Lot Size (Sq Ft)</u>	<u>Min. Buildable Area (Sq Ft)</u>	<u>Min. Lot Width (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:~~

- ~~1. 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.~~
- ~~2. 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
- ~~3. 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.~~
- ~~4. Side Yard; Flag Lot— A flag lot shall have a minimum side yard setback equal to the minimum required rear yard setback.~~
- ~~5. 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.~~
- ~~6. 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.

~~7. Side Yard; Accessory Structure — No accessory structures shall be allowed in any required side yard setback.~~

~~8. Rear Yard — Each lot or parcel shall have a rear yard setback of not less than twenty (20) feet.~~

~~9. 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).~~

A. Front Setback.

1. The minimum front setback is twenty-five (25) feet.

2. 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. This reduction shall not apply on corner lots.

3. Front Setback Exceptions. The front setback shall be open and free of any structure except:

a. Fences and walls in compliance with City Codes.

b. **Walkways, pathways, and patios.**

c. **Driveways and parking areas in compliance with City Codes.**

d. **Window wells.**

e. Necessary appurtenances for utility service.

f. The structures listed below may extend into the minimum front setback not more than four (4) feet:

i. Cornices, eaves, awnings, belt courses, sills, buttresses or other similar architectural features.

ii. 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.

- iii. Stairways, balconies, door stoops, fire escapes and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.
- g. 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 a front setback not more than seven (7) feet, if the following criteria are met:
 - i. The roof or canopy is not more than one (1) story in height.
 - ii. The roof or canopy is no longer than one-half (1/2) the width of the main dwelling on which it is located.
 - iii. The roof or canopy is entirely open on three (3) sides except for supporting columns and customary architectural features.
 - iv. 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.
- h. **Retaining walls in compliance with City Codes.**
- i. **Minor landscaping elements such as water features, garden boxes, and other similar decorative or functional site improvements.**

B. Rear Setback.

1. The minimum rear setback is twenty (20) feet.
2. 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).
3. Rear Setbacks Exceptions. The rear setback shall be open and free of any structure except:
 - a. Fences and walls.
 - b. **Walkways, pathways, and patios.**
 - c. **Driveways and parking areas in compliance with City Codes.**
 - d. **Swimming pools, hot tubs, or similar structures in compliance with City Codes.**

- e. **Window wells.**
- f. Necessary appurtenances for utility service.
- g. The structures listed below may project into a minimum rear setback not more than four (4) feet:
 - i. Cornices, eaves, awnings, belt courses, sills, buttresses or other similar architectural features.
 - ii. 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.
 - iii. Stairways, balconies, door stoops, fire escapes and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.
- h. 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 a rear setback not more than ten (10) feet, if the following criteria are met:
 - i. The roof or canopy is not more than one (1) story in height.
 - ii. The roof or canopy is no longer than one-half (1/2) the width of the main dwelling on which it is located.
 - iii. The roof or canopy is entirely open on three (3) sides except for supporting columns and customary architectural features.
 - iv. 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.
- i. **Retaining walls in compliance with City Codes.**
- j. **Minor landscaping elements such as water features, garden boxes, and other similar decorative or functional site improvements.**
- k. **Accessory Structures complying with the requirements listed in Section 14-4-106.**

C. Side Setbacks.

1. Interior Lot – Each interior lot or parcel of land shall have two (2) side setbacks as indicated below for the sub-zone in which the lot or parcel is located:

Sub-zone	Minimum Setback (ft)	Total Combined (ft)
R-1, R-3, R-4	8	16
R-F	8	20

An interior side yard setback with a driveway or parking area shall include at least eight (8) feet of unobstructed paved surface exclusive of window wells, stairs, door stoops, chimneys and other obstructions shown on Figure 14-4-1.

2. Flag Lot – An **existing approved** flag lot shall have a minimum side yard setback equal to the minimum required rear yard setback.
3. 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.
4. Side Setbacks Exceptions. The side setback shall be open and free of any structure except:
- a. Fences and walls.
 - b. Walkways, pathways, and patios.**
 - c. Driveways and parking areas in compliance with City Codes.**
 - d. Swimming pools, hot tubs, or similar structures in compliance with City Codes.**
 - e. Window wells.**
 - f. Necessary appurtenances for utility service.
 - g. The structures listed below may project into the minimum side setback not more than two (2) feet:
 - i. Cornices, eaves, awnings, belt courses, sills, buttresses or other similar architectural features.
 - ii. 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.
 - iii. Stairways, balconies, door stoops, fire escapes and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

412 **h. Retaining walls in compliance with City Codes.**

413
414 **i. Minor landscaping elements such as water features, garden boxes,**
415 **and other similar decorative or functional site improvements.**

416
417 **j. Accessory Structures complying with the requirements listed in**
418 **Section 14-4-106.**

419
420 **D. Street Side Setbacks**

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422 **5. On each corner lot or parcel of land, the side yard setback contiguous to the**
423 **street shall not be less than twenty (20) feet, and shall not be paved or used for**
424 **vehicle parking, except for a legally constructed driveway or parking area.**

425
426 **6. Street Side Setback Exceptions. The street side setback shall be open and free**
427 **of any structure except:**

428
429 **a. Fences and walls**

430
431 **b. Walkways, pathways, and patios.**

432
433 **c. Driveways and parking areas in compliance with City Codes.**

434
435 **d. Window wells.**

436
437 **e. The structures listed below may extend into the minimum front setback**
438 **not more than four (4) feet:**

439
440 **i. Cornices, eaves, awnings, belt courses, sills, buttresses or other**
441 **similar architectural features.**

442
443 **ii. Fireplace structures and bays, provided that they are not wider**
444 **than eight (8) feet, measured generally parallel to the wall of which**
445 **they are a part.**

446
447 **iii. Stairways, balconies, door stoops, fire escapes and planter boxes**
448 **or masonry planters not exceeding twenty-four (24) inches in**
449 **height.**

450
451 **f. Retaining walls in compliance with City Codes.**

452
453 **g. Minor landscaping elements such as water features, garden boxes,**
454 **and other similar decorative or functional site improvements.**

455
456 **E. A landscape buffer shall be installed in accordance with the minimum dimensions shown on**
457 **Figure 14-4-1.**

F. Retaining walls located within eight (8) feet of any property line shall not exceed a maximum height of six (6) feet.

14-4-106 ACCESSORY STRUCTURES

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 comply with either i. Standard Height and Setbacks or ii. Enhanced Height and Setbacks.

i. Standard Height and Setbacks.

(A) Height Requirements:

(1) The maximum height shall not exceed 20 feet.

(2) The height to the eave line, measured from the average slope of the ground to the point where the eaves connect to the top of the sidewall, shall not exceed 15 feet.

(B) Setback Requirements:

(1) Standard Setbacks: The structure shall comply with all required setbacks applicable to a primary structure.

(2) Reduced Setbacks: If the structure is located at least 10 feet behind the front building line of the primary structure the minimum rear and side yards setbacks shall be 3 feet, and the minimum street side yard setback shall be 20 feet.

ii. Enhanced Height and Setbacks. Accessory structures that exceed the standard height in section i above that remain within the setback limits below may be permitted.

(A) Height Requirements:

(1) The maximum height shall not exceed 28 feet.

(2) The height to the eave line, measured from the average slope of the ground to the point where the eaves connect to the top of the sidewall, shall not exceed 20 feet.

(B) Setback Requirements:

(1) Reduced Setbacks: If the structure is located at least 10 feet behind the front building line of the primary structure, the minimum rear and side yard setbacks shall be 8 feet, and the minimum street side yard setback on corner lots shall be 20 feet.

- 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.

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 viewsheds 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 comply with either i. Standard Height and Setbacks or ii. Enhanced Height and Setbacks.
- i. Standard Height and Setbacks.
- (A) Height Requirements:
- (1) The maximum height shall not exceed 20 feet.
- (2) The height to the eave line, measured from the average slope of the ground to the point where the eaves connect to the top of the sidewall, shall not exceed 15 feet.
- (B) Setback Requirements:
- (1) Standard Setbacks: The structure shall comply with all required setbacks applicable to a primary structure.
- (2) Reduced Setbacks: If the structure is located at least 10 feet behind the front building line of the primary structure the minimum rear and side yards setbacks shall be 3 feet, and the minimum street side yard setback shall be 20 feet.
- ii. Enhanced Height and Setbacks. Accessory structures that exceed the standard height in section i above that remain within the setback limits below may be permitted.
- (A) Height Requirements:
- (1) The maximum height shall not exceed 28 feet.

(2) The height to the eave line, measured from the average slope of the ground to the point where the eaves connect to the top of the sidewall, shall not exceed 20 feet.

(B) Setback Requirements:

(1) Reduced Setbacks: If the structure is located at least 10 feet behind the front building line of the primary structure, the minimum rear and side yard setbacks shall be 8 feet, and the minimum street side yard setback on corner lots shall be 20 feet.

iii. 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. 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 setback 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 required street side yard (corner lot) areas shall be landscaped.
- E. At least fifty percent (50%) of all required 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.

- A. Parking and driveway areas shall be constructed with a Hard Surface made of Impervious Material as defined in section 14-3-102 of this Title.
- B. A Permeable Parking Surface shall be allowed as a parking area – constructed at a minimum distance of ten (10) feet from the front or streetside property line.

1. All permeable parking surfaces shall have a physical barrier constructed to contain the surfacing material on all sides, consistent with the landscaping requirement of 14-4-112.
 2. All permeable parking surfaces shall be kept free of debris, vegetation and organic material at all times.
- C. 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.
- D. 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. Parking may be allowed at least ten (10) feet from the streetside property line (corner lot).
 2. Parking may be allowed on an approved circular driveway.

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. Xeriscape is a type of landscaping employing a mix of drought tolerant plants and grasses.
- B. Landscaping shall also be installed in each adjacent park-strip in compliance with Section 14-16-115. Xeriscaping is permitted in accordance with the Landscaping and Fencing Chapter of this Title.
- C. Permeable Parking Surfaces allowed under section 14-4-110 of this Title shall be separated from landscape areas with a physical barrier that exceeds the height of the Permeable Parking Surfaces, such as edging, pavers, bricks, curbing, or similar material, in order to keep the surface material in place.
- D. Parking Surfaces shall not be considered as landscaping.

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.

- 889 9. Easements. The fire hydrant, water line, and access road or driveway shall be
890 located within a public utility easement of at least twenty (20) feet in width such
891 that emergency and utility service vehicles and personnel have unimpeded
892 access to the improvements (Figure 4-3).
893
- 894 10. All of the required improvements shall be installed at the lot or property owner's
895 expense.
896
- 897 11. As an alternative to the access requirements described above, the Fire Marshall
898 may approve the installation of a pressurized interior fire protection sprinkling
899 system that complies with the minimum standards of the IRC and/or IBC, and
900 that receives the Fire Marshall's approval.
901
- 902 B. All new residential structures shall comply with the requirements of the IBC for
903 foundation elevation on graded sites (1805.3.4 and 1805.3.5). For most approved lots,
904 the "approved drainage facility" is the street R.O.W. On these sites, the finished grading
905 shall direct runoff from the front yard setback to the street R.O.W. by means of the
906 driveway or front yard grading, or as approved by the City Engineer. Driveway slopes
907 shall have a minimum slope of two percent (2%), and a maximum slope of fifteen
908 percent (15%), as measured along the centerline of the driveway.
909
- 910 C. Downhill or reverse grade driveways must be reviewed and approved by the City
911 Engineer. Approvals will be considered based on proximity of the lot to storm drain
912 facilities or natural draining features such as creeks, swales or other features that
913 convey runoff water directly to the storm drain system. Approval shall be conditional
914 upon inclusion of the following requirements:
915
- 916 1. The driveway shall provide a minimum length of ten (10) feet of positive slope
917 (two percent (2%) minimum) to the street R.O.W.
918
- 919 2. The maximum grade of the driveway shall be seven percent (7%).
920
- 921 3. The approved site plan shall include any additions or modifications to the existing
922 storm drain system necessary to prevent erosion or impact to adjacent
923 properties, or impact to the storm drain system.
924
- 925 4. Other requirements as determined by the City Engineer based on conditions
926 specific to the property.
927
928

929 **14-4-116 PARCELS OF LAND NOT IN SUBDIVISIONS WITHIN THE R-F SUBZONE**
930

931 No dwelling shall be constructed on a parcel of land not included as part of an approved
932 subdivision without City Council approval of the parcel of land as a legal building lot. In order to
933 be approved as a legal building lot, the Council must determine that the parcel meets the lot,
934 yard, and other requirements of this Title. As part of the review process, the City Council and
935 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-ways 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 flood 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

Type of Animal	# of Points per Animal
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.

14-4-121 SPECIAL CRITERIA FOR PUBLIC OR PRIVATE ASSEMBLY / EVENT SPACE

Public or private assembly / event space use is subject to a Conditional Use Permit in the Single-Family Residential Zone subject to the following development standards:

- E. The minimum lot size shall be ten (10) acres.
- F. The minimum setbacks from all directions shall be one hundred fifty (150) feet for the venue including indoor and outdoor space. This does not include parking areas.
- G. Hours of operation shall be limited to 8:00 am to 11:00 pm.
- H. Outdoor Amplified sound shall be limited from 8:00 am to 9:00 pm. Amplified sound shall not exceed seventy-eight (78) decibels at the property line.
- I. Access to the venue shall be limited to a major collector street (or higher designation) as shown on the Bountiful City Master Street Plan.
- J. A traffic impact study shall be submitted. The study shall include, but not be limited to, assessing how the proposed venue may affect the surrounding traffic network, identifying potential congestions issues, and recommending mitigation strategies to minimize possible impacts. The study shall be prepared by a licensed traffic engineer.

1331 Figure 14-4-1
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