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WEST BOUNTIFUL PLANNING COMMISSION

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NOTICE OF PUBLIC HEARING

The West Bountiful Planning Commission will hold a Public Hearing on Tuesday, February 12, 2019 at 7:30 p.m., or as soon thereafter as possible, at 550 North 800 West, West Bountiful, Utah, 84087.

The purpose of the hearing is to receive public comment regarding proposed modifications to WBMC Title 17, Zoning to consider possible changes to zoning and setback requirements for residential accessory structures, decks and covered patios.

A copy of the proposal may be viewed on the City website: www.wbcity.org. All interested parties are invited to participate. Written comments may be submitted to the City Offices prior to the meeting.

Cathy Brightwell
City Recorder

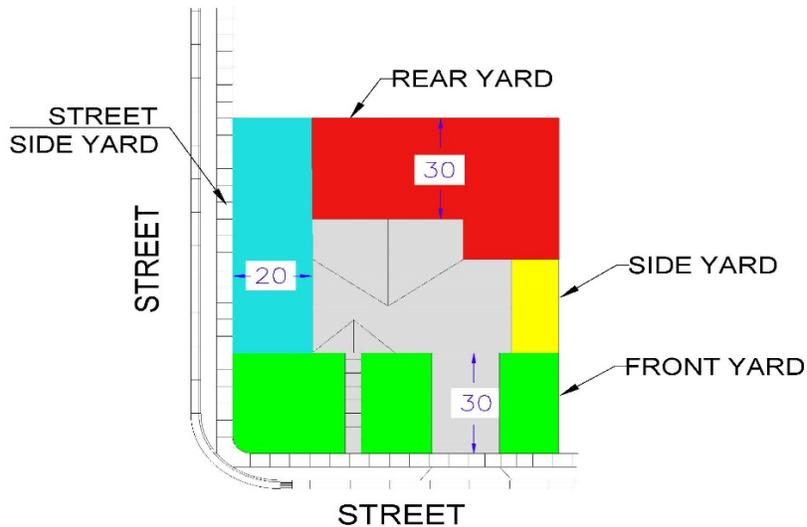
Yard Regulations for Residential Zones Public Hearing

February 12, 2019

17.xx.050 Yard Regulations

A. Minimum Setbacks. (See diagram below)

1. Front yard. The minimum front yard setback for all structures is thirty (30) feet, except as otherwise allowed in this Code.
2. Side yard. The minimum side yard setback for all structures is ten (10) feet for any one side. Main structures shall have a combined total side setback of twenty-four (24) feet for both sides.
3. Street side yard.
 - a. On a corner lot, the minimum street side yard setback for a main structure is twenty (20) feet.
 - b. Except as otherwise provided in this title, no accessory structure may be constructed within the street side yard of a corner lot unless the structure meets the minimum street side yard setback for main structures and complies with other requirements of this Code.
 - c. Accessory structures on a corner lot may be erected no closer than three (3) feet or more from the street side lot line if the accessory structure:
 - (1) Is situated behind the rear line of the main structure;
 - (2) Is two hundred (200) square feet or less;
 - (3) Has a maximum height of nine (9) feet measured from the lowest finish ground level to the highest part of the roof; and
 - (4) Complies with other requirements of this Code.
4. Rear yard.
 - a. The minimum rear yard setback for all main structures is thirty (30) feet.
 - b. The minimum rear yard setback for accessory structures, measured from the rear lot line or side lot line, is six (6) feet, or three (3) feet if the structure is built to fire code standards.
 - c. A deck may encroach into a rear yard setback ~~only with a conditional use permit~~ meeting the following criteria:
 - (1) The entire deck is at least twenty-five (2025) feet from the rear property line;
 - (2) The deck is no closer to a side lot line than the minimum required side yard or street side yard setback for the main structure;
 - (3) The deck does not encroach more than 200 square feet into the setback area;
 - (4) The floor of the deck is no higher than the highest finished floor of the main structure;
 - (5) The portion of the deck that extends into the rear yard setback is not covered;
 - (6) The railing is no more than forty-eight (48) inches high and is less than twenty-five percent (25%) transparent; and
 - (7) The deck satisfies other conditions required by the planning commission.
 - d. A patio roof may encroach into the rear yard setback meeting the following criteria:
 - (1) The patio floor surface must be equal to or below the lowest finished floor elevation;
 - (2) The entire roof is at least twenty-five (25) feet from the rear property line;
 - (3) The roof is no closer to a side lot line than the minimum required side yard or street side yard setback for the main structure;
 - (4) The roof does not encroach more than 200 square feet into the setback area;
 - (5) The highest point of the roof is no higher than the adjacent roof of the house or eighteen (18) feet above the patio, whichever is lower;
 - (6) There is no wall, fence, or railing required or constructed along any part of the patio, and;
 - (7) The patio and roof meet all building code requirements.



- A. Distance between main structures and accessory buildings. The minimum distance between all main structures and accessory structures shall be ten (10) feet, ~~unless otherwise approved by the planning commission as a conditional use. A conditional use cannot reduce the minimum required front, side, street side, or rear yard setbacks.~~
- B. No building on recorded easements. Main structures and permanent accessory buildings shall not be built on or over any recorded easement such as a public utility easement.
- C. Lot standards and street frontage. Except as otherwise provided in this title, every lot hereafter created or modified shall have such area, width and depth as is required by this title for the district in which such lot is located and shall have frontage upon a public street ~~or upon a private street or right of way approved by the planning commission,~~ before a building permit may be issued.
- D. Yard space for one building only. ~~No required yard or other open space around an existing building or which is hereafter provided around any building for the purpose of complying with the provisions of this title shall be considered as providing a yard or open space for any other building. Nor shall any~~ No yard or ~~other required~~ open space on a property shall an adjoining lot be considered as providing a yard or open space on a lot wherefor a building is established on an adjacent property.
- E. Area of structure and accessory building. No structure or accessory building or group of structures or accessory buildings in any residential district shall cover more than thirty-five percent (35%) of the rear yard and street side yard behind the main structure.
- F. Sales or lease of space. No space needed to meet the width, yard, area, coverage, parking or other requirements of this title for a lot or building may be sold or leased away from such lot or building.
- G. Other building and structure restrictions. No structure, including any structure exempt from a building permit, shall be allowed in any part of a required front, side, or street side yard setback, except that landscape enhancements, such as trellises and arbors, shall be allowed subject to other applicable regulations. Any such landscape enhancement in the front, side, or street side yard shall be limited to a gross area of ten (10) square feet or less, a width no greater than sixty (60) inches, and a height no greater than ninety-six (96) inches and shall be subject to applicable site triangle area restrictions.

17.20.055 Lots And Dwellings Fronting On Private Streets; Special Provisions

~~Lots with frontage only on private streets shall require planning commission approval and shall be subject to all applicable requirements of this title.~~

17.XX.060 Height Regulations (R-1-10 & R-1-22)

- A. Maximum Height of Structures.
 - 1. Main Structures. No main structure shall be erected to a height greater than thirty-five (35) feet as measured from the lowest finished ground level to the highest part of the roof.
 - ~~1.~~
 - 2. Accessory buildings. ~~shall not be erected to a height greater than one story or twenty (20) feet, whichever is lower, or be higher than the principal building unless otherwise approved as a conditional use by the planning commission.~~
 - a. The accessory structure may not be taller than the main structure.
 - b. The maximum height is twenty-five (25) feet.
 - c. Windows facing neighboring properties with headers above ten (10) feet must be non-opening and have translucent glass that does not permit objects on the outside to be seen clearly.
 - a-d. All exterior lighting mounted above ten (10) feet must include cut-off devices which limit the light to the owner's property
- B. Additional height allowed. Public buildings and quasi-public buildings may be erected to a height greater than thirty-five (35) feet when approved as a conditional use by the planning commission.
- C. Exceptions to height limitations. Penthouse or roof structures for the housing of elevators, stairways, tanks ventilating fans or similar equipment required to operate and maintain the building; and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limits herein prescribed, but no space above the height limit shall be allowed for the purposes of providing additional floor space and such increased height is subject to all other ordinances and regulations of the city.
- D. Minimum height of dwellings. No dwelling shall be erected to a height less than one story above grade.

17.16.060 Height Regulations (A-1)

- A. Maximum height of structures. No structure shall be erected to a height greater than thirty-five (35) feet as measured from the lowest finished ground level to the highest part of the roof, except as otherwise provided in this section.
- B. Additional height allowed. Public buildings and quasi-public buildings may be erected to a height greater than thirty-five (35) feet when approved as a conditional use by the planning commission.
- C. Exceptions to height limitations.
 - 1. The height of a main structure in this district may be increased to a maximum of forty (40) feet if, for every foot of height in excess of thirty-five (35) feet, an additional foot of setback beyond the minimums required in this chapter is provided on the front and each side of the structure.
 - 2. The height of an accessory structure in this district may be increased to a maximum of forty (40) feet subject to the same requirements listed in subsection C.1. of this section.
 - 3. Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building; and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limits herein prescribed, but no space above the height limit shall be allowed for the purpose of providing additional floor space, and such increased height is subject to all other ordinances and regulations of the city.
- D. Minimum height of dwellings. No dwelling shall be erected to a height less than one story above grade.