

WEST BOUNTIFUL CITY

ORDINANCE #453-22

**AN ORDINANCE CREATING WBMC 17.46
OUTDOOR VEHICLE STORAGE OVERLAY**

WHEREAS, Utah Code Annotated §10-9a-101 et seq., also known as the “Municipal Land Use, Development, and Management Act,” grants authority to the West Bountiful City Council to make changes to its Zoning Ordinances; and

WHEREAS, a need has been shown for temporary outdoor vehicle storage uses defined within specified areas.

WHEREAS, the West Bountiful Planning Commission held a properly noticed public hearing on May 24, 2022, and received no objection to the proposed changes.

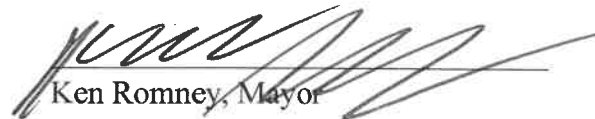
WHEREAS, the Planning Commission recommends the creation of a new Outdoor Vehicle Storage Overlay.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF WEST BOUNTIFUL CITY THAT CHAPTER 17.46 OF THE WEST BOUNTIFUL MUNICIPAL CODE BE CREATED AS SHOWN IN ATTACHED EXHIBIT A.

This ordinance will become effective upon signing and posting.

Adopted this 7th day of June 2022.

By:


Ken Romney, Mayor

Voting by the City Council:	<u>Aye</u>	<u>Nay</u>
Councilmember Ahlstrom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Bruhn	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Enquist	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Preece	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Wood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attest:


Cathy Brightwell, City Recorder



17.46 Outdoor Vehicle Storage Overlay - OVSO

17.46.010 Purpose

The purpose of this chapter is to introduce temporary outdoor vehicle storage uses within specified areas.

17.46.020 Applicability

The Outdoor Vehicle Storage Overlay (OVSO) shall be applied only to the Blended Use (B-U) zone. Approval of the OVSO constitutes a rezone, which may be approved or denied in the City Council's sole discretion. The OVSO includes the uses currently allowed in the underlying zone, plus outdoor storage of motor vehicles as described in this chapter. Except as modified by the OVSO, all of the regulations of the underlying zone apply, subject to the more specific or restrictive requirements of this chapter.

17.46.030 Development Agreement

All applicants receiving OVSO approval shall be required to enter into a development agreement with the City to assure that the development negotiated and defined during the rezone process and required by this chapter is reflected in the actual construction and maintenance of the project.

17.46.040 Uses

In addition to the uses allowed in the underlying zone, outdoor vehicle storage shall be a conditional use in the OVSO pursuant to the requirements and procedures of this chapter.

17.46.050 Signs

Signs in the OVSO shall be governed by Chapter 17.48, except all illuminated signs shall have downward directed and shielded lighting.

17.46.060 Application Process

An application for the OVSO is considered a rezone application subject to the rezone process provided in this chapter.

- A. **General Requirements.** The applicant shall submit to the City a complete application for a rezone and conditional use permit, accompanied by the appropriate fees as listed in the Consolidated Fee Schedule, a site plan (which may serve as the project master plan for purposes of the B-U zone), and a draft development agreement. The application, development agreement template, and their associated requirements are available on the city website and at the city offices.
- B. **Pre-application Conference.** The applicant is required to have a pre-application conference with city staff to ascertain the appropriate scope of the project and any additional information or reports that may be required in connection with the application and development agreement. The applicant is also encouraged to meet with the building official and the fire marshal to be advised of how building and fire code requirements may affect the proposed development.
- C. **Complete Application.** For all proposed rezones and associated development plans, a complete application, as determined by city staff, is required before authorization to proceed to the Planning Commission.

D. Planning Commission Review of Initial Rezone Application; Preparation of Proposed Development Agreement:

1. The initial application shall be referred to the Planning Commission for review and comment.
2. The City shall mail notice of an initial public hearing to owners of property within 300 feet of the proposed project.
3. The Planning Commission shall make a recommendation to the City Council of approval, approval with modifications, or denial. Such recommendation shall include any recommended modifications to the draft development agreement. Any approval of the conditional use permit application shall be subject to the City Council's approval of the rezone.
4. If approval with modifications is recommended, the city staff, with the assistance of the city attorney and the concurrence of the applicant, shall prepare a second draft of the development agreement for submission to the City Council. If denial is recommended, the application, development agreement, and related documents will be submitted to the City Council as-is.

E. City Council Review:

1. **Rezone Application.** The initial application, additional information, and Planning Commission recommendation, together with the proposed development agreement and the complete submission of all other related, project-specific information requiring approval of the City Council, shall constitute a final application for rezone. The City Council will consider the application for rezone at a public meeting, except as provided in Subsection E.2.
2. **City Council Public Hearing.** If city staff and the applicant cannot agree on the terms of the development agreement after the Planning Commission recommendation, the applicant may prepare and submit its own proposed development agreement, addressing all the required information and any proposed changes inconsistent with the Planning Commission recommendation. Upon the submission of such a development agreement (and all other documents requiring approval of the City Council), the rezone application shall be scheduled and noticed for public hearing before the City Council. The City shall mail notice of the public hearing to owners of property within 300 feet of the proposed project.
3. **City Council Approval.** If the City Council approves the rezone application and development agreement, the applicant may proceed with any remaining administrative site plan process. If a subdivision is required, the applicant may proceed with an administrative subdivision process.

**CERTIFICATE OF PASSAGE
AND POSTING ORDINANCE**

*I, the duly appointed and acting recorder for the City of West Bountiful,
do hereby certify that the foregoing Ordinance No. 453-22 was duly
passed and published, or posted at three public places within the municipality
on June 21, 2022, which public places are:*

- 1) West Bountiful City Hall,*
- 2) West Bountiful City Park – Large Bowery, and*
- 3) Lakeside Golf Course Club House.*

Cathy Brightwell
Cathy Brightwell, City Recorder

DATE: _____

6/21/22