

WEST BOUNTIFUL CITY

ORDINANCE #497-25

AN ORDINANCE AMENDING THE WEST BOUNTIFUL MUNICIPAL CODE 17.24.050 RELATED TO REAR YARD SETBACKS IN THE R-1-10 ZONE

WHEREAS, West 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 West Bountiful City Code; and

WHEREAS, the West Bountiful City Council desires to maintain land use regulations that meet the needs of its residents; and

WHEREAS, it was determined that there was need for modifications to West Bountiful City Code related to rear yard setbacks in the R-1-10 zone; and

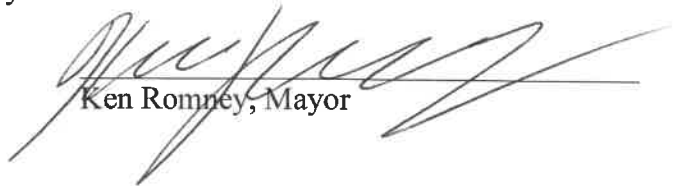
WHEREAS, after receiving an initial recommendation to modify setback code from the Planning Commission, the West Bountiful City Council held a public hearing on January 21, 2025, to consider the proposed modifications.

NOW THEREFORE, BE IT ORDAINED by the City Council of West Bountiful that the West Bountiful Municipal Code be modified as shown in exhibit A.

This Ordinance shall take effect immediately upon signing and posting.

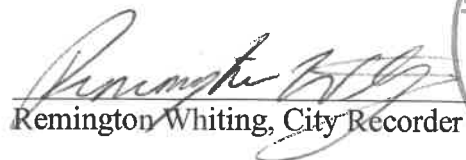
Adopted January 21st, 2025.

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 Butterfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Enquist	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Nielsen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Preece	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ATTEST:


Remington Whiting, City Recorder



Ordinance 497-25 Exhibit A

17.24.050 Yard Regulations

The following regulations apply in the R-1-10 residential district:

- 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.
 - a. Except as otherwise provided in this code, the minimum side yard setback for main structures is ten (10) feet for any one side with a combined total side setback of twenty-four (24) feet for both sides.
 - b. Except as otherwise provided in this code, the minimum side yard setback for accessory structures is six (6) feet, or three (3) feet if the adjacent wall is built to fire code standards.
 3. Street side yard.
 - a. On a corner lot, the minimum street side yard setback is twenty (20) feet.
 - b. No accessory structure may be constructed within the street side yard of a corner lot unless the accessory structure:
 - (1) Is situated behind the rear line of the main structure and no closer than three (3) feet from the street side lot line;
 - (2) Is two hundred (200) square feet or less;
 - (3) Has a maximum height of nine (9) feet measured from the lowest finished 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, EXCEPT AS OTHERWISE ALLOWED IN THIS SECTION.
 - b. IF ALL OR A PORTION OF A LOT'S FRONT LOT LINE IS CONTIGUOUS WITH THE CURVE OF A CUL-DE-SAC, THE MAIN STRUCTURE MAY ENCROACH UP TO TEN (10) FEET INTO THE REAR YARD SETBACK AS LONG AS IT MEETS EACH OF THE FOLLOWING REQUIREMENTS:
 - (1) THE ENCROACHMENT DOES NOT EXCEED A TOTAL OF 300 SQUARE FEET OF THE REAR YARD SETBACK AREA; AND,
 - (2) THE ENCROACHMENT MAINTAINS COMPLIANCE WITH ALL SETBACK REQUIREMENTS FOR SIDE YARDS AND STREET SIDE YARDS; AND,
 - (3) THE COMBINATION OF THE ENCROACHMENT AND ANY ACCESSORY STRUCTURE(S) DOES NOT COVER MORE THAN THIRTY-FIVE PERCENT (35%) OF THE REAR YARD, OR ON A CORNER LOT, THE COMBINED REAR YARD

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AND STREET SIDE YARD BEHIND THE MAIN STRUCTURE (SEE WBMC 17.24.050(F)).

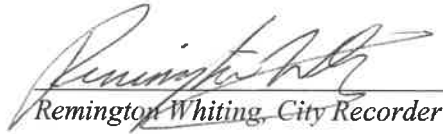
- c. Except as otherwise provided in this code, the minimum rear yard setback for accessory structures, measured from the rear lot line, is six (6) feet, or three (3) feet if the adjacent wall is built to fire code standards.
- d. For purposes of subsections A.4.d. and A.4.e of this section:
 - (1) "Patio" means a pad or structure no more than twenty-four (24) inches above the lowest adjacent finished ground level that provides outdoor floor space and does not require a railing under applicable building codes.
 - (2) "Deck" means a structure higher than twenty-four (24) inches above the lowest adjacent finished ground level that provides outdoor floor space and requires a railing under applicable building codes.
- e. A deck may encroach into the rear yard setback as long as it meets the following requirements:
 - (1) No portion of the deck is less than twenty-five (25) 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; and
 - (6) The railing is no more than forty-eight (48) inches high and is less than twenty-five percent (25%) transparent.
- f. A patio roof may encroach into the rear yard setback as long as it meets the following requirements:
 - (1) The patio floor surface is no higher than the lowest finished floor elevation;
 - (2) No portion of the roof is less than 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 two-hundred (200) square feet into the setback area;
 - (5) The highest point of the roof is no higher than the adjacent roof of the dwelling or eighteen (18) feet above the patio, whichever is lower;

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- (6) No wall, fence, or railing is required or constructed along any part of the patio; and
- (7) The patio and roof meet all building code requirements.

**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. 497-24 was duly
passed and posted on the Utah Public Notice Website, the City Website,
and at West Bountiful City Hall on January 21st, 2025.*


Remington Whiting, City Recorder

DATE: 01/22/25