

WEST BOUNTIFUL CITY

ORDINANCE #454-22

AN ORDINANCE AMENDING WBMC CHAPTER 17.92 - OUTDOOR STORAGE AND OUTDOOR MERCHANDISING

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, the West Bountiful City Council recognizes that regulations of outdoor storage and merchandising are designed to provide a safe and suitable environment for those commercial uses that provide service to the surrounding community; and

WHEREAS, the Outdoor Storage and Merchandising regulations and Matrix require updating to include a recently added Outdoor Vehicle Storage Overlay zone; and

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

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF WEST BOUNTIFUL CITY THAT CHAPTER 17.92 OF THE WEST BOUNTIFUL MUNICIPAL CODE BE AMENDED AS INDICATED 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	☒	☐
Councilmember Bruhn	☒	☐
Councilmember Enquist	☒	☐
Councilmember Preece	☒	☐
Councilmember Wood	☒	☐

Attest:

Cathy Brightwell
Cathy Brightwell, City Recorder



17.92 Outdoor Storage And Outdoor Merchandising**17.92.010 Requirements Generally**

In addition to requirements found elsewhere in this code and laws of the state, all outdoor storage and outdoor merchandising shall be done under the requirements of this chapter.

- A. Outdoor storage facilities for "automobile graveyards," "tow yards," "salvage yards," "junk," "junk dealers," "scrap metal processors" and "junkyards" are prohibited.
- B. Except for agricultural products, outdoor storage facilities for raw materials, parts and products shall be enclosed by a fence or wall at least six (6) feet in height and impervious to sight, adequate to conceal such facilities, materials, parts, and products from adjacent properties and the street unless expressly exempted elsewhere in this code. No items may be stacked higher than the fence or wall of the enclosure.
- C. No material or waste shall be deposited or stored upon any property in such form or manner that may be easily transferred off such property by natural causes or forces such as wind and rain. All materials or wastes which, in the opinion of the city, cause excessive fumes or dust, or which constitute a fire hazard, or which may be edible by, or otherwise be attractive to rodents or insects may not be stored outdoors.
- D. No yard or other open space around a building shall be used for the storage of junk, building materials, debris, inoperable vehicles or commercial equipment, and no other land shall be used for such purposes except as specifically permitted herein.
- E. Open storage of hay or other agricultural products shall be located not less than thirty (30) feet from a public street.
- F. Outdoor Merchandising may include provisions for off-site, temporary vehicle parking, where the parking is controlled by an access gate and the term of the parking shall not exceed five consecutive days without the vehicle being removed from the site. ~~Notwithstanding the foregoing, outdoor wholesale merchandising of motorized vehicles or vehicle parts (other than boats), as well as the outdoor storage of such vehicles or parts, is prohibited.~~
- G. ~~Within the Outdoor Vehicle Storage Overlay Zone ("OVSO"), temporary vehicle parking may be allowed where the parking is fenced in the manner determined by conditional use and access is controlled by an access gate.~~
- H. Seasonal outdoor merchandising shall be limited to the specific seasonal duration approved by the planning commission through a conditional use permit. All materials, displays, fencing, lighting and other facilities associated with the outdoor merchandising function shall be precluded at all other times.
- I. Outdoor merchandising shall be consistent with the nature and use of the associated business or as provided by the planning commission under a conditional use permit.

17.92.020 Storage/Merchandising/Zoning Permitted And Conditional Use Matrix

The number(s) in the restrictions column refer to the restrictions at the end of the matrix. "C" represents Conditional Use; "P" represents Permitted Use. If a block is blank, outdoor storage and/or outdoor merchandising is not allowed.

	Outdoor Vehicle Storage Overlay		CN Zone		CG Zone		LI Zone		IG Zone		CH Zone	
	Permitted or Conditional	Restrictions	Permitted or Conditional	Restrictions	Permitted or Conditional	Restrictions	Permitted or Conditional	Restrictions	Permitted or Conditional	Restrictions	Permitted or Conditional	Restrictions
Public or quasi-public uses			C	1	C	1	C	1	P		C	7
General merchandise sale (retail or wholesale) less than 2000 sq. ft.			P	2	P	2					C	2
Convenience stores												
Learning studios					C	3	C	3				
Custom woodworking			C	2, 3					P	1, 9	C	2, 3
Sheet metal			C	3					P	1, 9		
Contractor — general, electrical, mechanical, plumbing, HVAC			C	1, 9					P	1	C	1, 9
Fabrication, welding and other industrial equipment and materials									P	1, 6	C	1, 9
Manufacturing, compounding, processing, milling and packaging of products ¹									P	6		
Printing and publishing							C		C			
Lawn and yard care			C						P	1, 6	C	1, 6
Businesses and uses which are similar to 17.28.020 and 17.28.030 (C-N)			C									
Motor vehicle retail sales and service					C	1, 5	C	5	C	5	C	5

**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. 454-22 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