

**WEST BOUNTIFUL CITY**

**ORDINANCE #463-22**

**AN ORDINANCE AMENDING WBMC 17.82 TO INCLUDE  
NON-RESIDENTIAL ACCESSORY STRUCTURES.**

**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 Land Use Ordinances; and

**WHEREAS**, West Bountiful City allows property owners to have an Accessory Dwelling Unit (ADU) within or attached to a single-family dwelling as long as it complies with the provisions of WBMC 17.82.; and

**WHEREAS**, West Bountiful City has encountered situations where modifications have been made to Accessory Structures that result in an illegal detached ADU; and


**WHEREAS**, the West Bountiful Planning Commission held a properly noticed public hearing on October 25, 2022, to consider clarifications to WBMC 17.82 requiring a Non-residential Accessory Structure agreement when building permits are issued for accessory structures.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF WEST BOUNTIFUL THAT WBMC 17.82, BE MODIFIED AS SHOWN IN ATTACHED EXHIBIT A.**

This ordinance will become effective upon signing and posting.

Adopted this 1st day of November 2022.

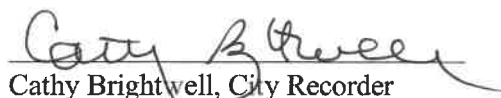
By:

  
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



## EXHIBIT A

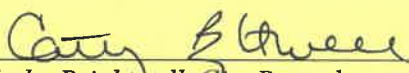
### CHANGES TO WBMC CHAPTER 17.82

1. **17.82.040 Development Standards** The development standards set forth in this section shall apply to any ADU ~~allowed as a conditional use~~. (*Clean-up. This should have been deleted when ADUs were changed from Conditional Use to Permitted Use in 2021.*)
2. **Add a new Section 17.82.050 Non-residential Accessory Structures**, as follows:
  - A. Definition. As used in this section, “non-residential accessory structure” means any detached accessory structure that is not designed or used as a dwelling, dwelling unit, or ADU, or otherwise for overnight accommodations. Examples of non-residential accessory structures include detached garages, shops, barns, and pool houses.
  - B. Permitted Facilities. A non-residential accessory structure may contain bathroom and/or cooking facilities, but it may not contain sleeping facilities or be used for overnight accommodations.
  - C. Non-residential Accessory Structure Agreement. As a condition of receiving a building permit for an accessory structure, the applicant will be required to enter into a non-residential accessory structure agreement in a form provided by the city. Such agreement will be recordable and will contain acknowledgments and agreements not to use the accessory structure as a dwelling, dwelling unit, or ADU, or otherwise for overnight accommodations.

**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. 463-22 was duly  
passed and published, or posted at three public places within the municipality  
on November 3, 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 Brighwell, City Recorder

DATE: 11/3/22